



**UNION SANITARY DISTRICT BOARD MEETING/
UNION SANITARY DISTRICT FINANCING AUTHORITY
AGENDA**

**Monday, January 11, 2021
Regular Meeting - 4:00 P.M.**

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

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

CORONAVIRUS (COVID-19) ADVISORY NOTICE

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County March 31, 2020 Updated Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, the Monday, January 11, 2021, Regular Board Meeting will not be physically open to the public and all Board Members will be teleconferencing into the meeting. **To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting by following the steps listed below to listen to the Board Meeting, and may provide public comment by sending comments to the Board Clerk by email at assistanttogm@unionsanitary.ca.gov or via voicemail by calling 510-477-7599 before 3:00 p.m. on the date of the meeting.** Comments will then be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Board President's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

Any member of the public who needs accommodations should email or call the Board Clerk who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the Union Sanitary District procedure for resolving reasonable accommodation requests.

To listen to this Regular Board Meeting:

Call: 1-888-788-0099 or 1-877-853-5247

Meeting ID: 840 4311 7502 #

Participant ID: #

Click the Zoom link below to watch and listen:

<https://us02web.zoom.us/j/84043117502>

	1.	Call to Order.
	2.	Salute to the Flag. (This item has been suspended due to the COVID-19 pandemic.)
	3.	Roll Call.
Motion	4.	Approve Minutes of the Union Sanitary District Board Meeting of December 14, 2020.
Information	5.	November 2020 Monthly Operations Report <i>(to be reviewed by the Budget & Finance and Legal/Community Affairs Committee)</i> .
	6.	Written Communications.
	7.	Public Comment. Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available in the Boardroom and are requested to be completed prior to the start of the meeting.
Motion	8.	Authorize the General Manager to Execute an Agreement with Hazen and Sawyer for design services for the Enhanced Treatment and Site Upgrade Phase 1B and 1C Projects and Task Order No. 1 for the Enhanced Treatment and Site Upgrade Phase 1B Project <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	9.	Consider a Motion to Replace Video Inspection Equipment <i>(to be reviewed by the Budget & Finance Committee)</i> .
Direction	10.	Receive Information and Provide Direction Regarding Banking Signatories.
Information	11.	FY20 Strategic Performance Annual Report <i>(to be reviewed by the Legal/Community Affairs Committee)</i> .
Information	12.	Consultant Shortlists for Capital Improvement Projects <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Information	13.	Update on the Subsurface Investigation at the Alvarado Wastewater Treatment Plant <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Information	14.	Legislative Update on State and National Issues of Interest to the Board <i>(to be reviewed by the Legislative Committee)</i> .
Information	15.	Report on the East Bay Dischargers Authority Meeting of November 19, 2020.
Information	16.	COVID-19 Update.
Information	17.	Check Register.
Information	18.	Committee Meeting Reports. <i>(No Board action is taken at Committee meetings)</i> : <ul style="list-style-type: none"> a. Legislative Committee – Wednesday, January 6, 2021, at 1:30 p.m. <ul style="list-style-type: none"> • Director Lathi and Director Fernandez

- b. Legal/Community Affairs Committee – Thursday, January 7, 2021, at 1:00 p.m.
 - Director Toy and Director Fernandez
- c. Budget & Finance Committee – Friday, January 8, 2021, at 10:00 a.m.
 - Director Kite and Director Toy
- d. Engineering and Information Technology Committee – Friday, January 8, 2021, at 11:00 a.m.
 - Director Lathi and Director Handley
- e. Personnel Committee – will not meet.

Information

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- 19. General Manager’s Report. *(Information on recent issues of interest to the Board).*
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- 20. 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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- 21. Adjournment – The Board will adjourn to the next Regular Board Meeting to be held virtually on Monday, January 25, 2021, at 4:00 p.m.
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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.



LEGISLATIVE COMMITTEE MEETING

Committee Members: Director Lathi and Director Fernandez

Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

AGENDA

**Wednesday, January 6, 2021
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

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County May 18, 2020 Updated Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, this meeting will not be physically open to the public and all Board Members will be teleconferencing into the meeting via conference call.

To maximize public safety while still maintaining public access, members of the public can observe the meeting by calling 510-477-6190 to listen to the committee meeting, and may provide public comment by sending comments to the Board Clerk by email at assistanttogm@unionsanitary.ca.gov or via voicemail by calling 510-477-7599 up to one hour before the scheduled meeting start time.

1. Call to Order

2. Roll Call

3. Public Comment

Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available and are requested to be completed prior to the start of the meeting.

4. Items to be reviewed for the Regular Board meeting of January 11, 2021:

- Legislative Update on State and National Issues of Interest to the Board

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.
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LEGAL/COMMUNITY AFFAIRS COMMITTEE MEETING

Committee Members: Director Toy and Director Fernandez

Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

AGENDA

Thursday, January 7, 2021

1:00 P.M.

Alvarado Conference Room

5072 Benson Road

Union City, CA 94587

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

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1. Call to Order
2. Roll Call
3. Public Comment
Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available and are requested to be completed prior to the start of the meeting.
4. Items to be reviewed for the Regular Board meeting of January 11, 2021:
 - November 2020 Monthly Operations Report – Odor and Work Group Reports
 - FY20 Strategic Performance Annual Report
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.
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BUDGET & FINANCE COMMITTEE MEETING
Committee Members: Director Kite and Director Toy

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

AGENDA
Friday, January 8, 2021
10:00 A.M.

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

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

Karen W. Murphy
Attorney

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County May 18, 2020 Updated Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, this meeting will not be physically open to the public and all Board Members will be teleconferencing into the meeting via conference call.

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1. Call to Order

2. Roll Call

3. Public Comment

Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available and are requested to be completed prior to the start of the meeting.

4. Items to be reviewed for the Regular Board meeting of January 11, 2021:

- November 2020 Monthly Operations Report – Financial Reports
- Consider a Motion to Replace Video Inspection Equipment

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.

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**ENGINEERING AND INFORMATION TECHNOLOGY
COMMITTEE MEETING**

Committee Members: Director Lathi and Director Handley

Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

AGENDA

Friday, January 8, 2021

11:00 A.M.

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

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1. Call to Order

2. Roll Call

3. Public Comment

Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available and are requested to be completed prior to the start of the meeting.

4. Items to be reviewed for the Regular Board meeting of January 11, 2021:

- Authorize the General Manager to Execute an Agreement with Hazen and Sawyer for design services for the Enhanced Treatment and Site Upgrade Phase 1B and 1C Projects and Task Order No. 1 for the Enhanced Treatment and Site Upgrade Phase 1B Project
 - Consultant Shortlists for Capital Improvement Projects
 - Update on the Subsurface Investigation at the Alvarado Wastewater Treatment Plant
-

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.
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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.

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
DECEMBER 14, 2020**

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County March 16, 2020 Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, the Monday, December 14, 2020, Regular Board Meeting was not physically open to the public and all Board Members teleconferenced into the meeting. To maximize public safety while still maintaining transparency and public access, members of the public were able to listen to the Board Meeting, and provide public comment by sending comments to the Board Clerk.

CALL TO ORDER

President Handley called the meeting to order at 4:00 p.m. The regular meeting time was modified due to the COVID-19 emergency.

SALUTE TO THE FLAG

ROLL CALL

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

STAFF: Paul Eldredge, General Manager/District Engineer
Karen Murphy, District Counsel
Mark Carlson, Business Services Manager/CFO
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication Construction and Maintenance Manager
Armando Lopez, Treatment and Disposal Services Manager
Michelle Powell, Communications and Intergovernmental Relations Coordinator
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

GUEST: Monique Spyke, PFM Asset Management LLC, Managing Director

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF
NOVEMBER 9, 2020**

It was moved by Director Toy, seconded by Director Fernandez, to Approve the Minutes of the Board Meeting of November 9, 2020. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

OCTOBER 2021 MONTHLY OPERATIONS REPORT

This item was reviewed by the Budget & Finance and Legal/Community Affairs Committees. General Manager Eldredge provided an overview of the Odor Report and Work Group Reports and Business Services Manager Carlson reviewed the financial reports included in the Board meeting packet.

FISCAL YEAR 2021 1ST QUARTER MANAGED INVESTMENT PORTFOLIO REPORT

General Manager Eldredge introduced PFM Asset Management Managing Director Spyke who summarized the Investment Portfolio Report included in the Board meeting packet.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

REVIEW AND CONSIDER APPROVAL OF POLICY NO. 2030, INVESTMENT POLICY

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated District staff collaborated with PFM Asset Management, LLC to update the Investment Policy to accurately reflect language in the current government code. Per California Government Code Section 53607 as amended by Stats. 1996, Ch. 749, Sec. 6, the District Board may delegate the treasurer to invest or reinvest funds of a local agency, or to sell or exchange securities so purchased, for a one-year period. The treasurer shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires and shall make a monthly report of those transactions to the legislative body. Changes to the Policy were outlined in the Board meeting packet. Policy No. 2030 is reviewed and approved by the Board annually. Staff recommended the Board review and consider approval of the District's Investment Policy No. 2030 and renewal of delegation of authority of Treasurer to the Business Services Manager for a one-year period, per California Government Code Section 53607 as amended by Stats. 1996, Ch. 749, Sec. 6.

It was moved by Director Toy, seconded by Director Fernandez, to Approve the District's Investment Policy No. 2030 and Renew Delegation of Authority Motion carried with the following vote:

AYES:	Fernandez, Handley, Kite, Lathi, Toy
NOES:	None
ABSTAIN:	None
ABSENT:	None

REVIEW AND CONSIDER APPROVAL OF UPDATED POLICY NO. 2080, PROJECT EXPENDITURES

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Director Ghossain stated proposed updates to Policy No. 2080 were detailed in the Board meeting packet. The Project Expenditures Policy was updated by the Manager of Technical Services and reviewed by the Executive Team. The policy was last updated and approved by the Board in January of 2018. It was moved by Vice President Kite, seconded by Director Toy, to Approve Updates to Project Expenditures Policy No. 2080. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

REVIEW AND CONSIDER APPROVAL OF POLICY NO. 2025, FRAUD IN THE WORKPLACE

This item was reviewed by the Audit Committee. Business Services Manager/CFO Carlson stated Policy No. 2025 requires review and approval by the Board every three years. There were no recommended changes to the Policy other than minor administrative updates. Staff recommended the Board review and consider approval of Policy No. 2025, Fraud in the Workplace.

It was moved by Director Toy, seconded by Secretary Lathi, to Approve Policy No. 2025, Fraud in the Workplace. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

REVIEW AND CONSIDER APPROVAL OF POLICY NO. 2010, INTERNAL CONTROLS

This item was reviewed by the Audit Committee. Business Services Manager/CFO Carlson stated the only recommended changes to the Policy are to clarify assigned duties by job title and remove language regarding use of gift cards. Policy No. 2010, Internal Controls, requires review and approval by the Board every three years. Staff recommended the Board review and consider approval of Policy No. 2010, Internal Controls.

It was moved by Director Fernandez, seconded by Vice President Kite, to Approve Policy No. 2010, Internal Controls. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDER A RESOLUTION TO UPDATE UNION BANK AUTHORIZED SIGNATORIES

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated that when the Banking Contract Officer (BCO) position is updated at a given agency, Union Bank requires the requesting agency “re-document” all affected accounts. Once the requisite forms are completed with “wet” signatures and returned by mail to be maintained by the bank the changes will be facilitated in the Union Bank system. Staff recommended the Board review, sign, and approve the forms necessary to update Union Bank signatories for the District acknowledging Mark Carlson as the new BCO.

The Board asked staff to find out if members of the Board had ever needed to sign bank forms on behalf of the District; Business Services Manager/CFO Carlson stated he would look into the matter.

The Board directed staff to find out if all members of the Board need to be authorized signatories for Union Bank and bring the item to a future Board meeting for consideration.

CONSIDER A RESOLUTION TO ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8384 – URSA DRIVE, LOCATED AT URSA DRIVE AND PLOMOSA WAY, IN THE CITY OF FREMONT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Director Ghossain stated Robson Homes, Inc. will construct a residential development for Tract 8384, located on the west side of Ursa Drive at Plomosa Way in the City of Fremont. Sanitary sewer service to the residential development will be provided by new sewer mains in the development’s roadways that have been designated as private by the City of Fremont. Robson Homes, Inc. constructed the new sewer mains and granted the District a sanitary sewer easement that provides for access and maintenance. Staff recommended the Board consider a resolution to accept a sanitary sewer easement for Tract 8384 – Ursa Drive, located at Ursa Drive and Plomosa Way, in the City of Fremont.

It was moved by Director Toy, seconded by Director Fernandez, to Approve Resolution No. 2917 to Accept a Sanitary Sewer Easement for Tract 8384 – Ursa Drive, Located at Ursa Drive and Plomosa Way, in the City of Fremont, California. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH TANNER PACIFIC, INC. FOR THE AERATION BLOWER NO. 11 PROJECT AND CENTRIFUGE BUILDING IMPROVEMENTS PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Director Ghossain stated the purpose of the task order is to authorize

construction management and inspection services during construction of the Aeration Blower No. 11 Project and the Centrifuge Building Improvements Project. Staff selected Tanner Pacific, Inc. following the request for proposals process. Staff reviewed the proposal and found it to be reasonable considering the scope of the two projects. All work under the task order is expected to be complete by January 31, 2020. Staff recommended the Board authorize the General Manager to execute an agreement and Task Order No. 1 with Tanner Pacific, Inc. in the amount of \$258,800 to provide construction management services for the Aeration Blower No. 11 Project and Centrifuge Building Improvements Project.

It was moved by Director Fernandez, seconded by Director Toy, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Tanner Pacific, Inc. in the Amount of \$258,800 to Provide Construction Management Services for the Aeration Blower No. 11 Project and Centrifuge Building Improvements Project. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 1 WITH TANNER PACIFIC, INC. FOR THE PRIMARY DIGESTER NO. 2 REHABILITATION PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the purpose of Amendment No. 1 is to authorize additional construction management services for the Project through January 31, 2021. The Board awarded the construction contract for the Project to Kiewit Infrastructure West Co. on December 9, 2019. The Notice to Proceed was issued to the contractor on January 6, 2020 with a Substantial Completion date of October 1, 2020. On March 19, 2020, Kiewit notified the District of delays in the procurement and delivery of key equipment due to COVID-19. Kiewit adjusted their construction activities and staffing to accommodate the delayed delivery, but the schedule was impacted by the equipment delays. Staff recommended the Board authorize the General Manager to execute Amendment No. 1 to Task Order No. 1 with Tanner Pacific, Inc. in the amount of \$43,200 to provide additional construction management services for the Primary Digester No. 2 Rehabilitation Project.

It was moved by Secretary Lathi, seconded by Secretary Lathi, to Authorize the General Manager to Execute Amendment No. 1 to Task Order No.1 with Tanner Pacific in the Amount of \$43,200 to Provide Additional Construction Management Services for the Primary Digester No. 2 Rehabilitation Project. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

AWARD TRANSPORTATION AND BENEFICIAL REUSE AND/OR DISPOSAL OF BIOSOLIDS CONTRACT TO SYNAGRO INC.

This item was reviewed by the Treatment and Disposal Services Manager Lopez stated the District's 5-year contract with Synagro, Inc. is set to expire on December 31, 2020. An Invitation for Bid was issued on October 20, 2020 to select a service provider for a new 18-month term from January 1, 2021 through June 30, 2022, with the option of three additional 1-year extensions at the mutual discretion of both parties. Synagro submitted the bid with the lowest proposed cost. A Notice of Intent to Award was sent to Synagro Inc. on November 9, 2020. Staff recommended the Board authorize the General Manager to execute the new 18-month contract.

It was moved by Director Toy, seconded by Secretary Lathi, to Authorize the General Manager to Execute an 18-month Contract with Synagro Inc. for Transportation and Beneficial Reuse of Biosolids Produced by Union Sanitary District. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

INFORMATION REGARDING AMENDMENTS TO THE BROWN ACT DUE TO AB 992 AND SOCIAL MEDIA USE

This item was reviewed by the Legislative Committee. District Counsel Murphy stated AB 992 was recently adopted to amend the Brown Act effective January 1, 2021, regarding social media communications. The new legislation states that two members of a legislative body may not use social media to discuss among themselves business within the jurisdiction of the legislative body. AB 992 further states that a member of the legislative body may not respond directly to any communication on a social media platform regarding a matter within their jurisdiction that is made, posted, or shared by any other member of the legislative body and clarifies that communications on social media include use of digital icons, emoji's, and "likes". District Counsel advised the Board that they should not comment on or react in any way to posts generated by the District or other members of the Board and reminded the Board that social media posts pertaining to District business are public records.

The Board directed District Counsel to provide updates on AB 992 approximately quarterly.

INFORMATION ITEMS:

Legislative Update on Regional Issues of Interest to the Board

General Manager Eldredge provided an overview of the legislative update included in the Board meeting packet.

Report on the East Bay Dischargers Authority Meeting of October 15, 2020

Director Toy provided an overview of the EBDA meeting minutes included in the Board packet.

COVID-19 Update

General Manager Eldredge provided an update regarding COVID-19 impacts on District operations and coordinated efforts.

Check Register

There were no questions regarding the check register.

COMMITTEE MEETING REPORTS:

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

The Board requested staff report out whenever a Board Ad Hoc Committee meets as part of the Committee Meeting Reports section of the meeting.

GENERAL MANAGER'S REPORT:

General Manager Eldredge stated the following:

- Staff reached out to State representatives to request support for the District's Enhanced Treatment and Site Upgrade program and the State Revolving Funding (SRF) application that will be submitted for the program. Staff met with Assemblymember Quirk and he agreed to send a letter of support to the State Water Resources Control Board that administers the SRF program. A copy of the letter of support from Assemblymember Quirk will be forwarded to the Board.
- The generators for the District's Cogen engines went down in September 2020 and the District has since been unable to generate power. One of the generators has been repaired and should be installed soon to enable the District to begin generating power before the end of the calendar year. Staff anticipates repair of the second generator will be completed in January 2021.
- The California Association of Sanitation Agencies (CASA) Winter Conference will be held virtually January 27-28, 2021.
- General Manager Eldredge wished everyone a happy holiday season.

OTHER BUSINESS:

There was no other business

ADJOURNMENT:

The meeting was adjourned at 5:24 p.m. to the next Regular Board Meeting to be held virtually at 4:00 p.m. on Monday, January 11, 2021.

SUBMITTED:

ATTEST:

REGINA McEVOY
BOARD CLERK

ANJALI LATHI
SECRETARY

APPROVED:

TOM HANDLEY
PRESIDENT

Adopted this 11th day of January 2021



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 5**

TITLE: Monthly Operations Report for November 2020 (*This is an Information Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer

Recommendation

Information only.

Previous Board Action

None

Background

Attached are Monthly Operations Reports for November 2020. Staff is available to answer questions regarding information contained in the report.

Work Group Managers

General Manager/Administration	Paul Eldredge	GM
Business Services/CFO	Mark Carlson	BS
Collection Services	James Schofield	CS
Technical Support	Sami Ghossain	TS
Treatment and Disposal Services	Armando Lopez	T&D
Fabrication, Maintenance, and Construction	Robert Simonich	FMC

ODOR COMPLAINTS:

During the month of November 2020, there were no odor complaints received by the District.

STAFFING & PERSONNEL:

Recruitments Opened:

- Junior Engineer – Limited Duration – new position for Enhanced Treatment and Site Upgrade (ETSU) Program
- Assistant Engineer – Limited Duration – new position for ETSU

Continuing Recruitments:

- Environmental Health and Safety Specialist – replacement for Art Diosdado – reclassification 8/31/2020

Separations:

- Audrey Ficker, Buyer I. Resignation effective 11/27/2020.

G.M. ACTIVITIES: For the month of November, the General Manager was involved in the following:

- Attended the East Bay Dischargers Authority (EBDA) JPA Commission Meeting
- Attended the EBDA Manager's Advisory Committee Meeting
- Coordinated District response to COVID-19 Pandemic

Attachments: Odor Report and Map
Hours Worked and Leave Time by Work Group
Business Services
Technical Services
Collection Services
Fabrication, Maintenance, and Construction
Treatment and Disposal Services



ODOR REPORT November 2020

During the recording period from November 01, 2020 through November 30, 2020, there no odor related service requests received by the District.



Legend

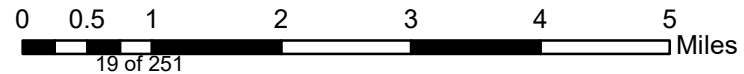
Odor Complaints: November 2020

- ★ Odor found, USD resolved (0)
- Odor found, not related to USD (0)
- ▲ No odor found (0)

Odor Complaints: Dec. 2019 to Oct. 2020

- ★ Odor found, USD resolved (1)
- Odor found, not related to USD (2)
- ▲ No odor found (15)

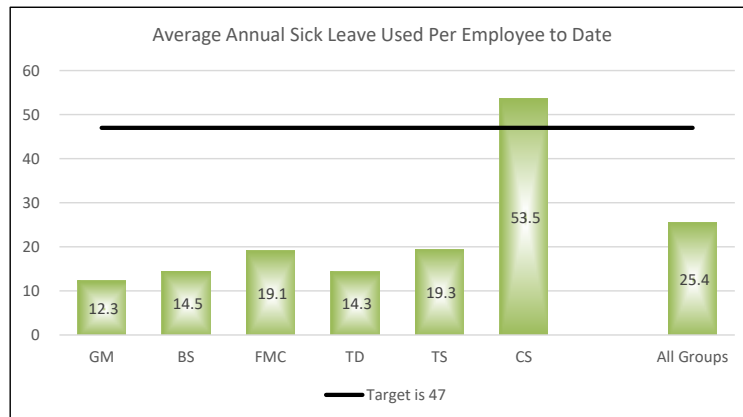
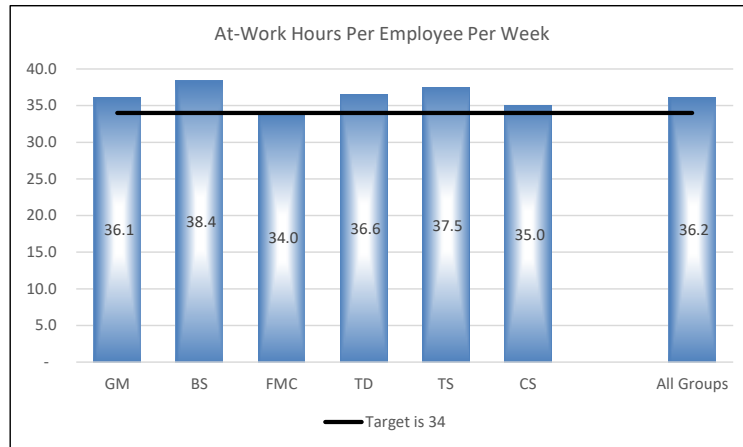
**Location of Odor Reports
December 2019 to November 2020**



HOURS WORKED AND LEAVE TIME BY WORK GROUP

June 25, 2020 through November 25, 2020

Weeks to Date: 22 out of 52 (42.31%)



NOTES

(1) Regular hours does not include hours worked by part-time or temporary employees.

(2) Overtime hours includes call outs.

(3) Discretionary Leave includes Vacation, HEC, Holiday, MAL, Funeral, Jury Duty, Military, OT Banked Use, Paid Admin., AWHIP, VRIP, Holiday Banked Use leaves.

(4) Sick Leave includes sick and catastrophic sick leaves as well as protected time off, of which the District has no discretion.

(5) Families First Coronavirus Response Act (FFCRA) - Emergency Paid Sick Leave (EPSL) and Paid Expanded Family Medical Leave Act (Paid EFMLA)

An employee using 15 vacation, 11 holiday, 2 HEC, and 5 sick days will work an average of 34.9 hours per week over the course of a year; with 20 vacation days, 34.2 hours per week.

HOURS WORKED AND LEAVE TIME BY WORK GROUP

June 25, 2020 through November 25, 2020

Weeks to Date: 22 out of 52 (42.31%)

Group	Average Number of Employees	AT-WORK HOURS		At-Work Hours Per Employee Per Week	LEAVE HOURS					Average Annual Sick Leave Used Per Employee To Date	FY20		
		Regular (1)	Overtime (2)		Discretionary (3)	Short Term Disability	Workers Comp	Sick (4)	FFCRA Paid Leave (5)		Average Number of Employees	At-Work Hours Per Week Per Employee	Annual Sick Leave Used
GM	2	1,579.25	0.75	36.1	156.25	-	-	24.50	-	12.3	2	34.9	35.9
BS	17	14,121.25	150.92	38.4	963.77	-	29.25	245.73	-	14.5	17	36.6	36.8
FMC	27	19,999.00	81.58	34.0	2,312.22	311.18	490.50	292.54	224.00	19.1	28	34.2	33.0
TD	29	22,945.24	239.48	36.6	1,936.26	-	-	282.19	132.31	14.3	27	35.4	48.8
TS	32	26,195.89	36.33	37.5	1,221.73	124.26	-	493.91	124.21	19.3	33	35.0	48.5
CS	32	23,850.75	655.37	35.0	2,344.25	278.47	-	1,517.69	195.84	53.5	31	33.9	91.2
All Groups	139	108,691.38	1,164.43	36.2	8,934.48	713.91	519.75	2,856.56	676.36	25.4	138	35.1	50.5

SICK LEAVE INCENTIVE PROGRAM TARGETS

≥34

≤47

The Sick Leave Incentive Program target goals are 47 or less hours of sick leave per employee annually, and 34 or more hours of at-work time per week per employee.

NOTES

(1) Regular hours does not include hours worked by part-time or temporary employees.

(2) Overtime hours includes call outs.

(3) Discretionary Leave includes Vacation, HEC, Holiday, MAL, Funeral, Jury Duty, Military, OT Banked Use, Paid Admin., AWHIP, VRIP, Holiday Banked Use leaves.

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An employee using 15 vacation, 11 holiday, 2 HEC, and 5 sick days will work an average of 34.9 hours per week over the course of a year;

with 20 vacation days, 34.2 hours per week.

BUDGET AND FINANCE REPORT

FY 2021

Year-to-date as of 11/30/2020

42% of year elapsed

Revenues	Budget	Actual	% of Budget Rec'd	Audited Last Year Actuals 6/30/20
Capacity Fees	\$ 5,712,200	\$ 972,190	17%	\$ 14,179,464
Sewer Service Charges	60,500,000	814,170	1%	60,216,148
Operating (Includes work groups and fund 85)	1,293,500	453,421	35%	1,285,438
Interest	1,150,000	676,706	59%	3,167,480
Misc. (Annex fees, forfeited deposits)	75,000	13,822	18%	174,673
Subtotal Revenues	\$ 68,730,700	2,930,310	4%	\$ 79,023,203
 Bond Proceeds	 -	 -	 0.0%	 73,508,248
Total Revenues + Bond Proceeds	\$ 68,730,700	\$ 2,930,310	4%	\$ 152,531,451
Expenses	Budget	Actual	% of Budget Used	Last Year Actuals
Capital Improvement Program:				
Capacity Proj.	\$ 22,630,500	\$ 5,212,986	23%	\$ 7,378,703
Renewal & Repl. Proj.	20,052,000	3,096,134	15%	5,317,131
Operating (includes fund 85)	45,075,355	16,259,397	36%	45,675,462
Special Projects	2,723,000	294,840	11%	1,288,761
Retiree Medical (ADC)	1,208,354	300,173	25%	- 9,636
Vehicle & Equipment	77,868	34,306	44%	42,258
Information Systems	960,800	524,106	55%	412,483
Plant & Pump Stat. R&R	400,000	-	0%	244,669
Emerg. Fund	-	-	0%	
Cty Fee for SSC Admin.	111,000	-	0%	109,988
Debt Servicing:				
SRF Loans	-			39,670,259
Bonds	4,684,773	3,540,572	76%	1,226,335
Total Expenses	\$ 97,923,650	\$ 29,262,514	30%	\$ 101,356,412
Total Revenue & Proceeds less Expenses	\$ (29,192,950)	\$ (26,332,205)		51,175,039

Operating (Work Group) Expenses

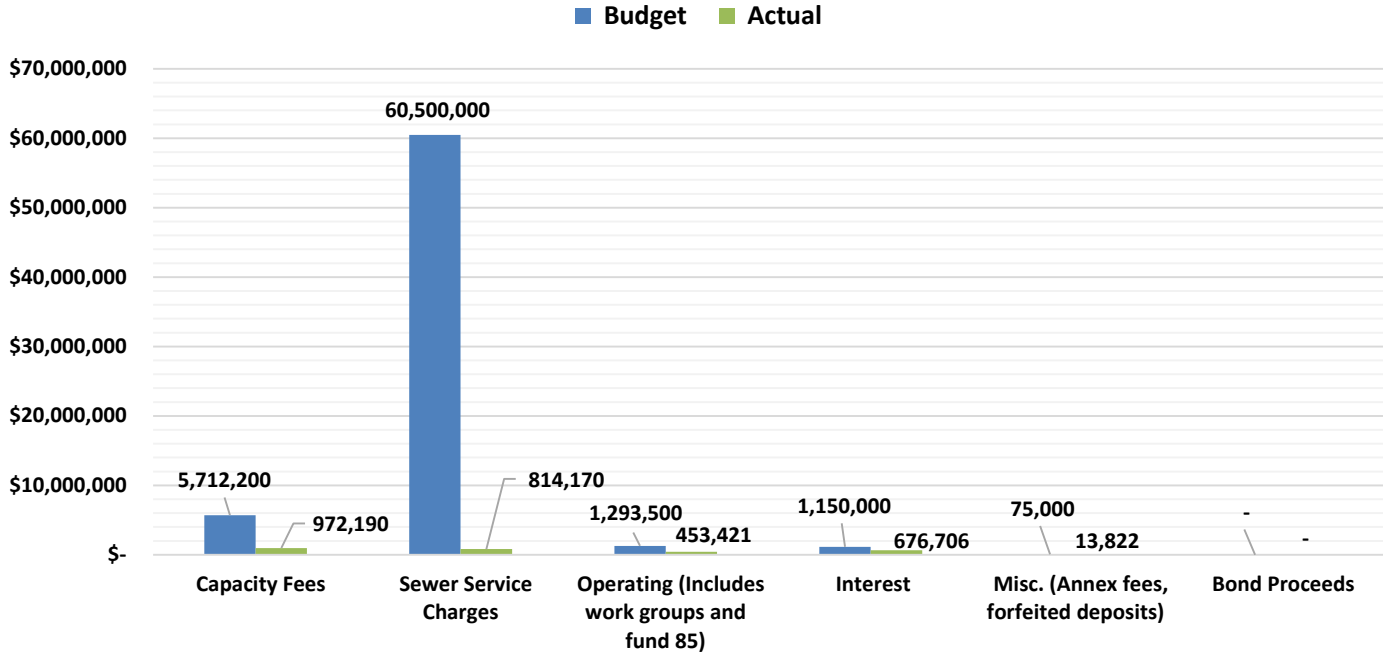
	Budget	Actual	% of Budget Used	Audited Last Year Actuals
Board of Directors	\$ 180,354	\$ 52,941	29%	\$ 145,485
General Manager/Admin.	1,066,753	417,649	39%	1,028,600
Business Services	4,169,231	1,468,500	35%	4,195,435
Collection Services	7,623,414	2,777,972	36%	8,109,845
Technical Services	6,815,278	2,681,689	39%	7,716,365
Treatment & Disposal Services	15,187,206	5,371,764	35%	14,048,718
Fabrication, Maint. & Construction	9,050,619	3,254,593	36%	9,720,443
Non-Departmental	982,500	234,289	24%	710,571
Total	\$ 45,075,355	\$ 16,259,397	36%	\$ 45,675,462

Operating (Work Group) Expenses by Type

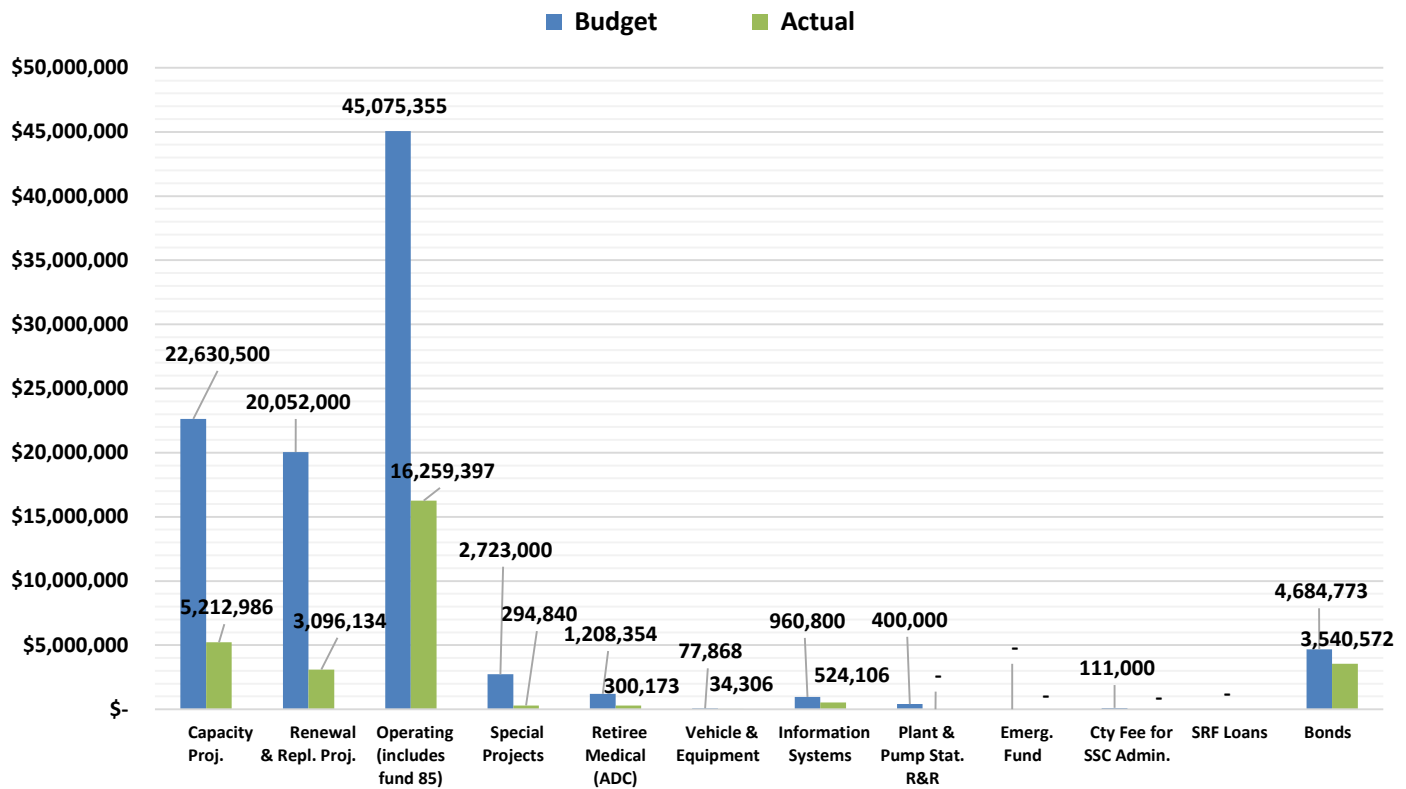
	Budget	Actual	% of Budget Used	Last Year Actuals
Personnel (incl D&E)	\$ 30,366,922	\$ 11,733,418	39%	\$ 32,823,440
Repairs & Maintenance	2,416,400	677,263	28%	2,520,319
Supplies & Matls (chemicals, small tools)	3,457,020	1,035,253	30%	3,197,282
Outside Services (utilities, biosolids, legal)	8,517,513	2,741,814	32%	6,934,999
Fixed Assets	317,500	71,648	23%	199,422
Total	\$ 45,075,355	\$ 16,259,397	36%	\$ 45,675,462

REVENUES AND EXPENSES REPORT
as of 11/30/20

Total Revenues

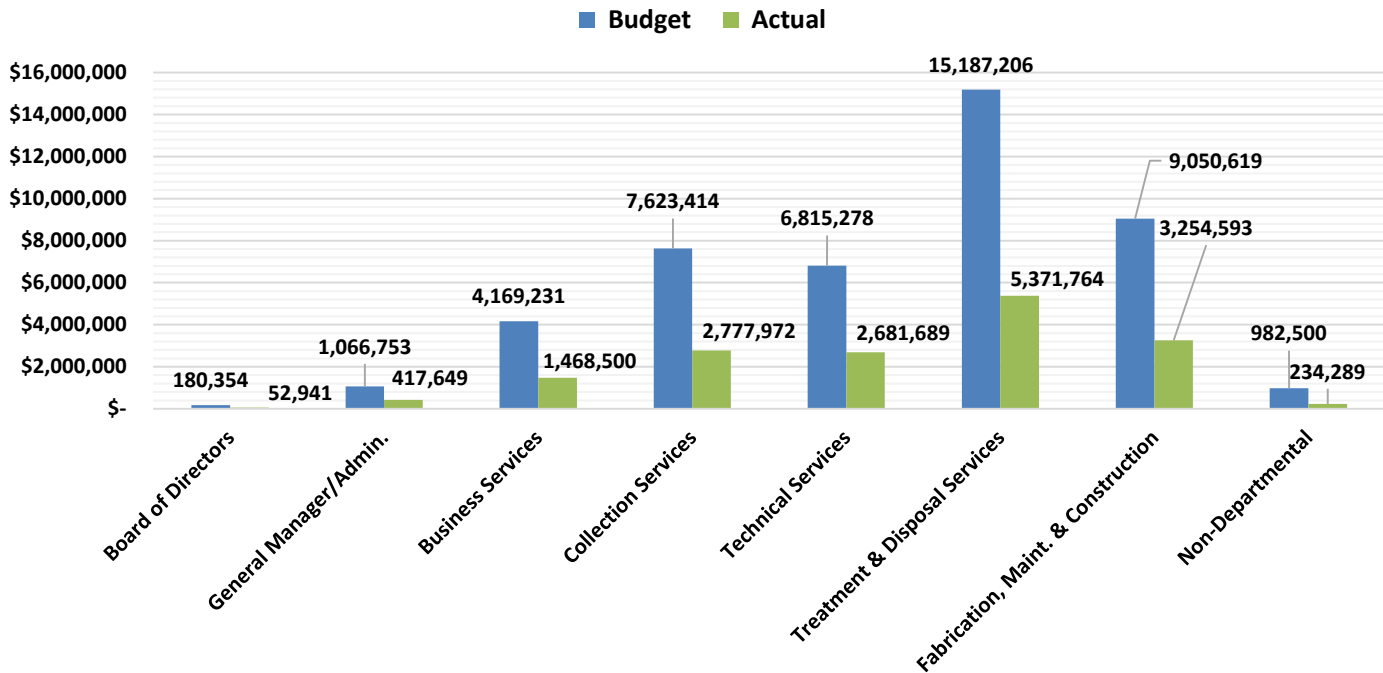


Total Expenses

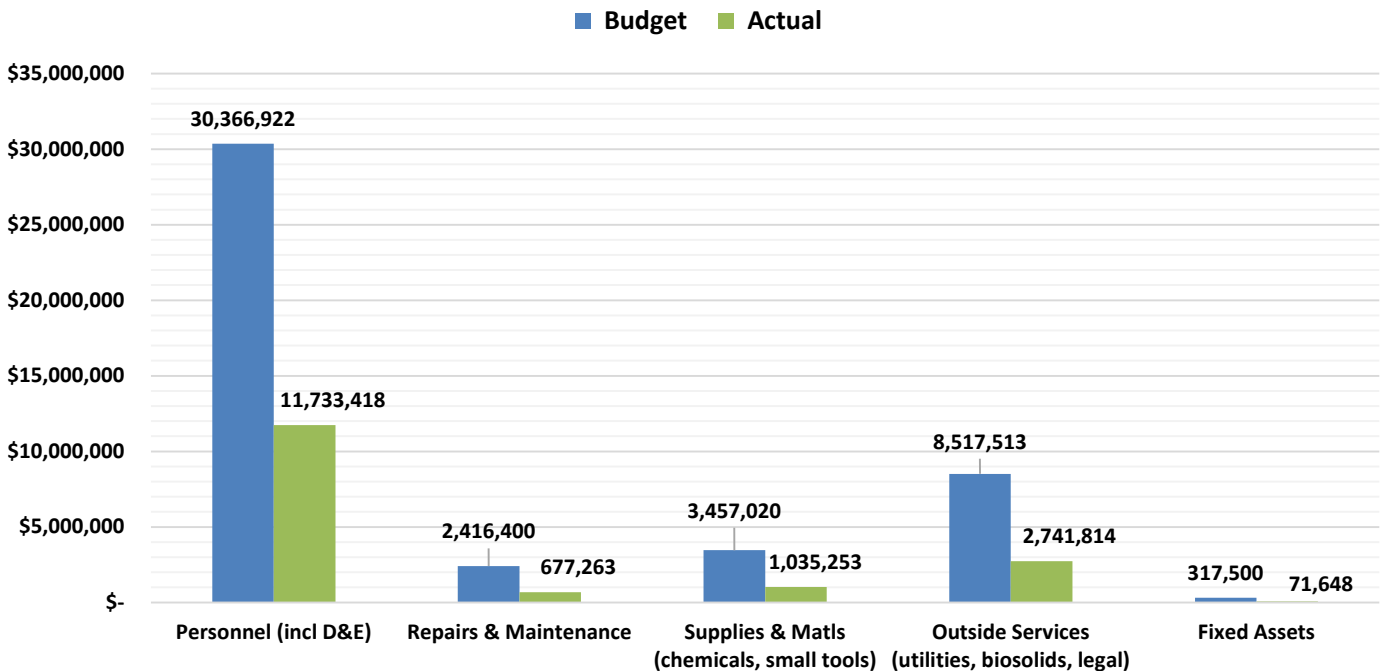


REVENUES AND EXPENSES REPORT
as of 11/30/20

Operating Expenses by Work Group

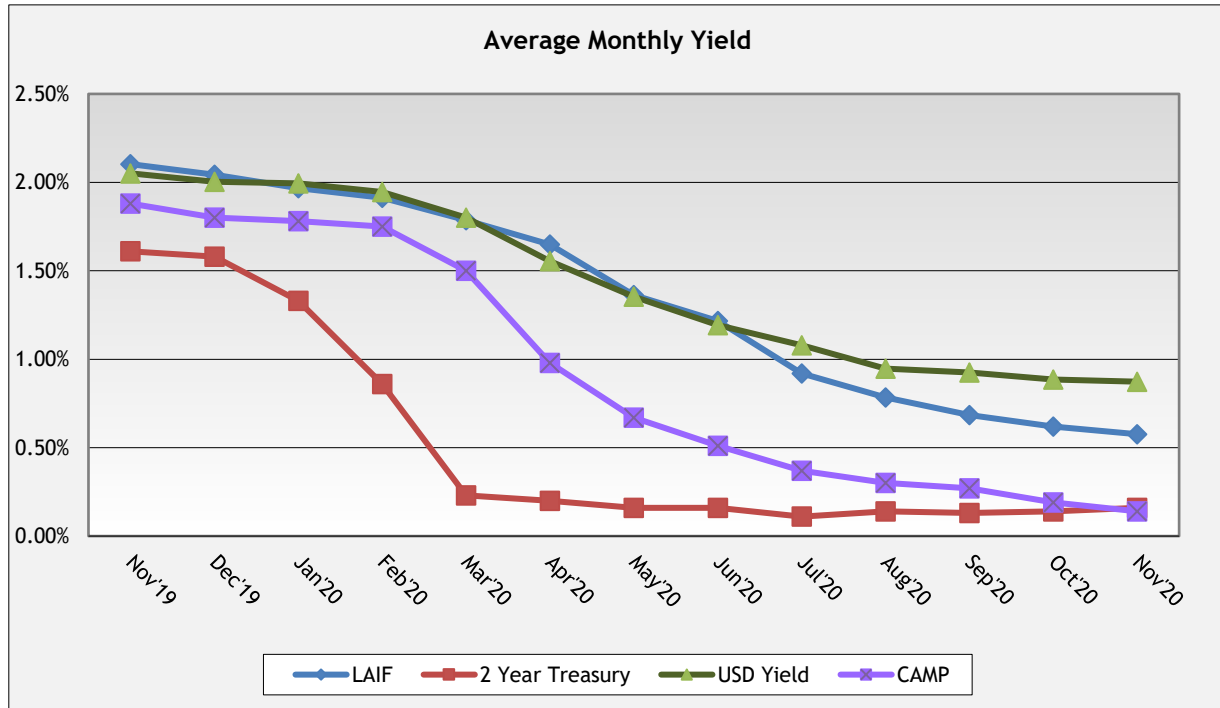


Operating Expenses by Type



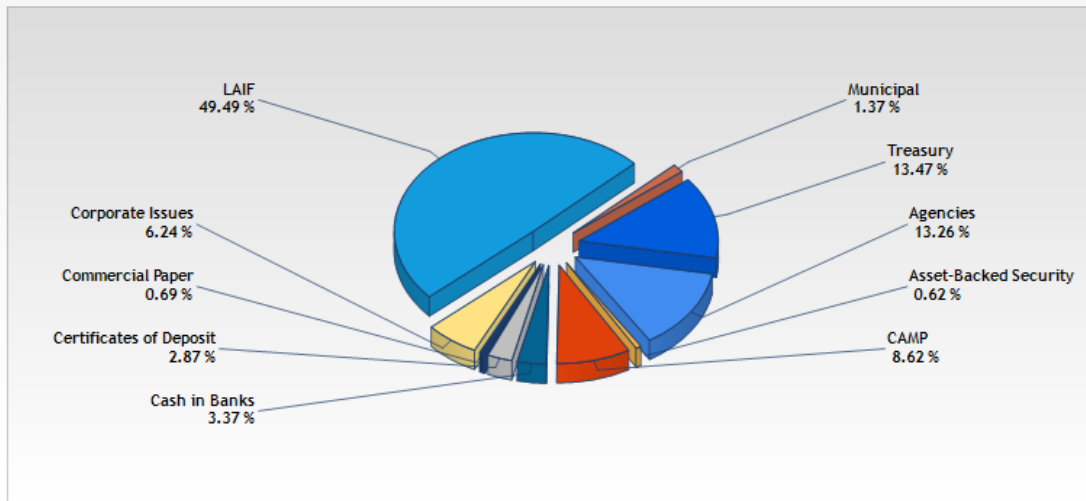
**Business Services Group
November 2020**

Performance Measures for the USD Investment Portfolio

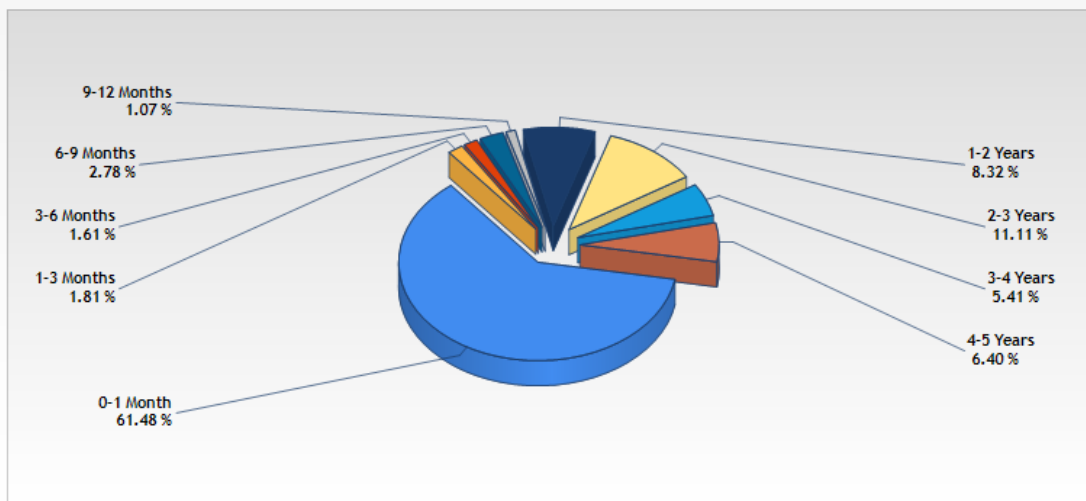


	Jul'20	Aug'20	Sep'20	Oct'20	Nov'20
LAIF	0.92%	0.78%	0.69%	0.62%	0.58%
2 Year Treasury	0.11%	0.14%	0.13%	0.14%	0.16%
USD Yield	1.08%	0.95%	0.93%	0.89%	0.87%
CAMP	0.37%	0.30%	0.27%	0.19%	0.14%

Portfolio Holdings Distribution by Asset Class



Portfolio Holdings Distribution by Maturity Range



Maturity Range	Face Amount/Shares	YTM @ Cost	Cost Value	Days To Maturity	% of Portfolio	Market Value	Book Value	Duration To Maturity
0-1 Month	89,448,285.30	0.484	89,448,285.30	1	61.48	89,448,285.30	89,448,285.30	0.00
1-3 Months	2,625,000.00	1.132	2,632,723.94	70	1.81	2,629,893.55	2,625,658.51	0.19
3-6 Months	2,354,000.00	2.415	2,344,066.00	158	1.61	2,372,272.32	2,351,910.41	0.44
6-9 Months	4,045,000.00	1.131	4,051,426.47	218	2.78	4,071,798.75	4,049,390.60	0.60
9-12 Months	1,550,000.00	1.352	1,562,396.49	343	1.07	1,575,845.50	1,558,505.11	0.93
1-2 Years	12,093,000.00	1.745	12,104,550.09	528	8.32	12,360,146.50	12,096,220.34	1.43
2-3 Years	16,310,000.00	1.562	16,158,576.37	921	11.11	16,743,924.50	16,225,308.64	2.48
3-4 Years	7,879,000.00	1.939	7,875,515.88	1,223	5.41	8,308,075.32	7,882,995.59	3.25
4-5 Years	9,270,000.00	0.731	9,308,449.15	1,661	6.40	9,403,010.33	9,307,577.40	4.47
TOTAL / AVERAGE	145,574,285.30	0.873	145,485,989.69	333	100	146,913,252.07	145,545,851.90	0.89

Union Sanitary District
 Portfolio Holdings
 Board Report - Holdings
 Report Format: By Transaction
 Group By: Asset Class
 Average By: Cost Value
 Portfolio / Report Group: All Portfolios
 As of 11/30/2020

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Agencies											
FFCB 0.23 6/9/2022	3133ELH64	S&P-AA+	6/9/2020	1,635,000.00	1,631,730.00	0.230	1,634,623.95	0.330		6/9/2022	1.12
FFCB 0.25 9/21/2023-22	3133EMAM4	S&P-AA+	10/9/2020	1,625,000.00	1,622,237.50	0.250	1,622,318.75	0.308	9/21/2022	9/21/2023	1.12
FHLB 0.5 4/14/2025	3130AJHU6	None	4/16/2020	560,000.00	557,222.40	0.500	563,147.20	0.601		4/14/2025	0.38
FHLB 1.375 2/17/2023	3130AJ7E3	None	2/21/2020	775,000.00	773,574.00	1.375	795,072.50	1.438		2/17/2023	0.53
FHLB 2 10/26/2021-19	3130AB3D6	None	4/26/2017	1,000,000.00	1,000,000.00	2.000	1,016,820.00	2.000		10/26/2021	0.69
FHLMC 0.25 6/26/2023	3137EAES4	None	6/26/2020	780,000.00	777,722.40	0.250	780,780.00	0.348		6/26/2023	0.53
FHLMC 0.25 8/24/2023	3137EAEV7	None	8/21/2020	520,000.00	519,469.60	0.250	520,161.20	0.284		8/24/2023	0.36
FHLMC 0.375 5/5/2023	3137EAER6	S&P-AA	5/29/2020	495,000.00	495,688.05	0.375	497,390.85	0.327		5/5/2023	0.34
FHLMC 0.375 7/21/2025	3137EAEU9	None	7/23/2020	525,000.00	522,385.50	0.375	523,551.00	0.476		7/21/2025	0.36
FHLMC 0.375 9/23/2025	3137EAEX3	None	9/25/2020	795,000.00	792,607.05	0.375	791,462.25	0.436		9/23/2025	0.54
FHLMC 1.5 2/12/2025	3137EAEP0	None	2/14/2020	1,035,000.00	1,034,203.05	1.500	1,083,479.40	1.516		2/12/2025	0.71
FNMA 0.25 5/22/2023	3135G04Q3	None	5/22/2020	865,000.00	862,396.35	0.250	865,717.95	0.351		5/22/2023	0.59
FNMA 0.25 7/10/2023	3135G05G4	None	7/10/2020	1,095,000.00	1,092,645.75	0.250	1,095,317.55	0.322		7/10/2023	0.75
FNMA 0.31 1/26/2024-22	3136G46V0	S&P-AA+	10/26/2020	259,000.00	258,896.40	0.310	258,839.42	0.322	10/26/2022	1/26/2024	0.18
FNMA 0.375 8/25/2025	3135G05X7	None	8/27/2020	555,000.00	552,402.60	0.375	553,146.30	0.470		8/25/2025	0.38
FNMA 0.375 8/25/2025	3135G05X7	None	10/22/2020	415,000.00	412,754.85	0.375	413,613.90	0.488		8/25/2025	0.28
FNMA 0.5 11/7/2025	3135G06G3	None	11/12/2020	520,000.00	518,138.40	0.500	520,213.20	0.573		11/7/2025	0.36
FNMA 0.5 6/17/2025	3135G04Z3	None	6/19/2020	865,000.00	863,209.45	0.500	868,018.85	0.542		6/17/2025	0.59
FNMA 0.5 6/17/2025	3135G04Z3	None	10/28/2020	1,010,000.00	1,011,494.80	0.500	1,013,524.90	0.468		6/17/2025	0.70
FNMA 0.5 8/14/2025-23	3135G05S8	S&P-AA+	8/24/2020	1,000,000.00	998,400.00	0.500	995,350.00	0.533	8/14/2023	8/14/2025	0.69
FNMA 0.625 4/22/2025	3135G03U5	None	4/24/2020	875,000.00	873,197.50	0.625	884,738.75	0.667		4/22/2025	0.60
FNMA 0.625 4/22/2025	3135G03U5	None	4/28/2020	125,000.00	124,763.75	0.625	126,391.25	0.664		4/22/2025	0.09
FNMA 1.625 10/15/2024	3135G0W66	Fitch-AAA	11/25/2019	1,000,000.00	997,860.00	1.625	1,052,050.00	1.671		10/15/2024	0.69
FNMA 1.875 4/5/2022	3135G0T45	S&P-AA+	3/16/2020	970,000.00	993,619.50	1.875	992,571.90	0.678		4/5/2022	0.68

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Sub Total / Average Agencies				19,299,000.00	19,286,618.90	0.695	19,468,301.07	0.685			13.26
Asset-Backed Security											
Carmax Auto Owner Trust 1.89 12/16/2024	14315XAC2	S&P-AAA	1/22/2020	185,000.00	184,963.70	1.890	189,536.03	1.895		12/16/2024	0.13
Honda Auto Receivables 2020-1 1.61 4/22/2024-23	43813RAC1	None	2/26/2020	305,000.00	304,940.22	1.610	311,376.76	1.615	5/21/2023	4/22/2024	0.21
Toyota Auto Receivables 2020-A A3 1.66 5/15/2024-2	89232HAC9	None	2/12/2020	415,000.00	414,970.04	1.660	423,599.34	1.662	10/15/2023	5/15/2024	0.29
Sub Total / Average Asset-Backed Security				905,000.00	904,873.96	1.690	924,512.13	1.694			0.62
CAMP											
CAMP LGIP	LGIP4000	None	5/31/2011	12,540,144.38	12,540,144.38	0.140	12,540,144.38	0.140	N/A	N/A	8.62
Sub Total / Average CAMP				12,540,144.38	12,540,144.38	0.140	12,540,144.38	0.140			8.62
Cash in Banks											
Union Bank Cash	LGIPUNIONBANK	None	12/31/2016	4,908,140.92	4,908,140.92	0.010	4,908,140.92	0.010	N/A	N/A	3.37
Sub Total / Average Cash in Banks				4,908,140.92	4,908,140.92	0.010	4,908,140.92	0.010			3.37
Certificates of Deposit											
American Expr Centurion 2.45 4/5/2022	02587DN38	None	4/5/2017	247,000.00	247,000.00	2.450	254,232.38	2.450		4/5/2022	0.17
Belmont Savings Bank 2.15 3/22/2022	080515BV0	None	3/20/2017	248,000.00	248,000.00	2.150	254,032.58	2.150		3/22/2022	0.17
BMW Bank 2.15 3/10/2022	05580AGR9	None	3/10/2017	247,000.00	247,000.00	2.150	252,869.63	2.150		3/10/2022	0.17
Credit Agricole CIB NY 2.83 4/2/2021	22535CDU2	None	4/4/2019	575,000.00	575,000.00	2.830	580,075.12	2.830		4/2/2021	0.40
Credit Suisse0.59 2/1/2022	22549L6F7	S&P-A1	8/7/2020	435,000.00	435,000.00	0.590	436,058.70	0.590		2/1/2022	0.30
Discover Bank 2.25 12/29/2021	254672Y36	None	12/29/2016	247,000.00	247,000.00	2.250	252,176.26	2.250		12/29/2021	0.17
DNB Nor Bank ASA 2.04 12/2/2022	23341VZT1	NR	12/6/2019	430,000.00	430,000.00	2.040	445,770.38	2.040		12/2/2022	0.30
Ponce De Leon Federal Bank 1.85 5/28/2021	732333AJ8	None	5/31/2017	249,000.00	249,000.00	1.850	250,979.50	1.850		5/28/2021	0.17

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Societe Generale NY 1.8 2/14/2022	83369XDL9	None	2/19/2020	570,000.00	570,000.00	1.800	580,346.64	1.800		2/14/2022	0.39
State Bank of India 2.25 1/26/2022	8562846A7	None	1/26/2017	247,000.00	247,000.00	2.250	252,566.66	2.250		1/26/2022	0.17
Sumitomo Mitsui Bank NY 0.7 7/8/2022	86565CKU2	None	7/14/2020	435,000.00	435,000.00	0.700	438,016.42	0.700		7/8/2022	0.30
Synchrony Bank 2.3 2/24/2022	87165ELT2	None	2/28/2017	247,000.00	247,000.00	2.300	253,127.80	2.300		2/24/2022	0.17
Sub Total / Average Certificates of Deposit				4,177,000.00	4,177,000.00	1.892	4,250,252.07	1.892			2.87
Commercial Paper											
MUFG Bank LTD/NY 0 2/22/2021	62479LPN9	S&P-A1	8/24/2020	1,000,000.00	998,837.22	0.000	999,547.30	0.230		2/22/2021	0.69
Sub Total / Average Commercial Paper				1,000,000.00	998,837.22	0.000	999,547.30	0.230			0.69
Corporate Issues											
Amazon.com Inc. 2.4 2/22/2023	023135AW6	Fitch-A+	4/15/2019	675,000.00	668,499.75	2.400	704,916.00	2.664		2/22/2023	0.46
American Express Credit 2.7 3/3/2022	0258M0EG0	Moodys-A2	5/15/2017	1,000,000.00	1,013,279.67	2.700	1,027,910.00	2.406		3/3/2022	0.70
American Honda Finance 1.95 5/10/2023	02665WDH1	None	1/10/2020	415,000.00	414,846.45	1.950	430,516.85	1.962		5/10/2023	0.29
Apple Inc 0.75 5/11/2023	037833DV9	S&P-AA+	5/11/2020	325,000.00	324,116.00	0.750	328,913.00	0.842		5/11/2023	0.22
Bank of America Corp 4.1 7/24/2023	06053FAA7	Fitch-A	3/22/2019	500,000.00	520,405.00	4.100	547,590.00	3.087		7/24/2023	0.36
BB&T Corporation 3.05 6/20/2022-22	05531FBG7	Fitch-A+	3/22/2019	525,000.00	525,714.00	3.050	545,742.75	3.006	5/20/2022	6/20/2022	0.36
Bristol-Myers Squibb Co 3.875 8/15/2025-25	110122DC9	S&P-A+	9/30/2020	375,000.00	428,505.00	3.875	427,440.00	0.879	5/15/2025	8/15/2025	0.29
Chevron Corp 2.1 5/16/2021	166764BG4	Moodys-Aa2	5/10/2017	1,000,000.00	999,500.00	2.100	1,006,930.00	2.113		5/16/2021	0.69
Exxon Mobil Corporation 2.726 3/1/2023	30231GAR3	Moodys-Aaa	6/14/2019	985,000.00	1,001,400.25	2.726	1,033,048.30	2.256		3/1/2023	0.69
JP Morgan Chase & Co 0.653 9/16/2024-23	46647PBS4	None	9/16/2020	110,000.00	110,000.00	0.653	110,486.20	0.653	9/16/2023	9/16/2024	0.08
JPMorgan Chase & Co 2.7 5/18/2023-23	46625HRL6	Fitch-A+	3/22/2019	525,000.00	517,970.25	2.700	552,735.75	3.045	3/18/2023	5/18/2023	0.36
Paccar Financial Corp 2.65 5/10/2022	69371RP83	None	5/10/2019	580,000.00	579,686.80	2.650	600,143.40	2.669		5/10/2022	0.40
	857477AV5	Fitch-AA-	3/22/2019	530,000.00	520,566.00	1.950	534,287.70	2.805		5/19/2021	0.36

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
State Street Corp 1.95 5/19/2021											
Toyota Motor Credit Corp 1.8 2/13/2025	89236TGT6	S&P-AA-	5/26/2020	180,000.00	181,758.60	1.800	188,119.80	1.584		2/13/2025	0.12
Toyota Motor Credit Corp 1.8 2/13/2025	89236TGT6	S&P-AA-	5/26/2020	250,000.00	252,442.50	1.800	261,277.50	1.584		2/13/2025	0.17
Wal-Mart Stores Inc 2.55 4/11/2023-23	931142DH3	S&P-AA	5/26/2020	965,000.00	1,015,701.10	2.550	1,010,692.75	0.701	1/11/2023	4/11/2023	0.70
Sub Total / Average Corporate Issues				8,940,000.00	9,074,391.37	2.536	9,310,750.00	2.126			6.24
LAIF											
LAIF LGIP	LGIP1002	None	4/30/2011	72,000,000.00	72,000,000.00	0.576	72,000,000.00	0.576	N/A	N/A	49.49
Sub Total / Average LAIF				72,000,000.00	72,000,000.00	0.576	72,000,000.00	0.576			49.49
Municipal											
City of Riverside CA 2.125 6/1/2021	769036BA1	S&P-AA-	6/1/2017	500,000.00	500,000.00	2.125	503,695.00	2.125		6/1/2021	0.34
State of California 2.152 4/1/2022	13063DAD0	Moodys-Aa3	4/27/2017	1,000,000.00	1,010,000.00	2.152	1,026,560.00	1.938		4/1/2022	0.69
Victor Valley College General Obligation Bond 2.35	92603PER9	Moodys-Aa2	12/28/2016	500,000.00	490,150.00	2.350	504,410.00	2.811		8/1/2021	0.34
Sub Total / Average Municipal				2,000,000.00	2,000,150.00	2.194	2,034,665.00	2.199			1.37
Treasury											
T-Bill 0 6/17/2021	9127963H0	S&P-A1+	6/24/2020	2,000,000.00	1,996,519.44	0.000	1,999,100.00	0.178		6/17/2021	1.37
T-Note 1.25 7/31/2023	912828S92	Fitch-AAA	4/2/2019	1,035,000.00	990,365.62	1.250	1,064,632.05	2.302		7/31/2023	0.68
T-Note 1.375 6/30/2023	912828S35	Fitch-AAA	3/20/2019	1,385,000.00	1,325,867.00	1.375	1,428,059.65	2.431		6/30/2023	0.91
T-Note 1.375 9/30/2023	912828T26	Fitch-AAA	3/20/2019	2,000,000.00	1,909,531.25	1.375	2,067,660.00	2.436		9/30/2023	1.31
T-Note 1.5 3/31/2023	912828Q29	Fitch-AAA	3/20/2019	175,000.00	168,799.81	1.500	180,454.75	2.428		3/31/2023	0.12
T-Note 1.75 11/30/2021	912828U65	S&P-AA+	6/16/2020	550,000.00	562,396.49	1.750	559,025.50	0.199		11/30/2021	0.39
T-Note 1.75 7/15/2022	9128287C8	Fitch-AAA	7/31/2019	1,000,000.00	998,789.06	1.750	1,025,980.00	1.792		7/15/2022	0.69
T-Note 1.75 9/30/2022	912828L57	Fitch-AAA	3/20/2019	835,000.00	816,016.80	1.750	859,590.75	2.426		9/30/2022	0.56
T-Note 1.875 2/28/2022	912828W55	Fitch-AAA	4/2/2019	485,000.00	479,259.57	1.875	495,553.60	2.298		2/28/2022	0.33
T-Note 2 4/30/2024	912828X70	Fitch-AAA	6/7/2019	590,000.00	592,996.09	2.000	625,677.30	1.891		4/30/2024	0.41
T-Note 2 6/30/2024	912828XX3	Fitch-AAA	7/3/2019	470,000.00	474,846.88	2.000	499,633.50	1.783		6/30/2024	0.33
T-Note 2.125 1/31/2021	912828B58	Fitch-AAA	10/28/2019	1,625,000.00	1,633,886.72	2.125	1,630,346.25	1.683		1/31/2021	1.12

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
T-Note 2.125 12/31/2022	912828N30	Fitch-AAA	3/20/2019	1,170,000.00	1,157,340.24	2.125	1,217,946.60	2.426		12/31/2022	0.80
T-Note 2.125 2/29/2024	912828W48	Fitch-AAA	3/20/2019	2,000,000.00	1,970,625.00	2.125	2,123,680.00	2.442		2/29/2024	1.35
T-Note 2.125 3/31/2024	912828W71	S&P-AA+	3/2/2020	730,000.00	767,412.50	2.125	776,252.80	0.844		3/31/2024	0.53
T-Note 2.125 6/30/2022	912828XG0	Fitch-AAA	3/20/2019	710,000.00	703,454.69	2.125	732,272.70	2.418		6/30/2022	0.48
T-Note 2.25 12/31/2023	912828V23	Fitch-AAA	3/20/2019	2,000,000.00	1,982,968.75	2.250	2,126,480.00	2.439		12/31/2023	1.36
T-Note 2.75 8/15/2021	9128284W7	Fitch-AAA	10/28/2019	1,045,000.00	1,064,757.03	2.750	1,064,593.75	1.678		8/15/2021	0.73
Sub Total / Average Treasury				19,805,000.00	19,595,832.94	1.723	20,476,939.20	1.899			13.47
Total / Average				145,574,285.30	145,485,989.69	0.875	146,913,252.07	0.873			100

All investment actions executed since the last report have been made in full compliance with the District's Investment Policy. The District will meet its expenditure obligations for the next six months. Market value sources are the LAIF, CAMP, and BNY Mellon monthly statements. Broker/Dealers utilized per USD Investment Policy and at the discretion of investment portfolio advisor.

Reviewer:

Approver:

Union Sanitary District
 Transactions Summary
 Board Report - Activity
 Group By: Action
 Portfolio / Report Group: All Portfolios
 Begin Date: 10/31/2020, End Date: 11/30/2020

Description	CUSIP/Ticker	Face Amount/Shares	Principal	Interest/Dividends	Coupon Rate	YTM @ Cost	Settlement Date	Total
Buy								
FNMA 0.5 11/7/2025	3135G06G3	520,000.00	518,138.40	0.00	0.500	0.573	11/12/2020	518,138.40
Sub Total / Average Buy		520,000.00	518,138.40	0.00				518,138.40
Deposit								
CAMP LGIP	LGIP4000	1,546.78	1,546.78	0.00	N/A	0.000	11/30/2020	1,546.78
Union Bank Cash	LGIPUNIONBANK	4,908,140.92	4,908,140.92	0.00	N/A	0.000	11/30/2020	4,908,140.92
Sub Total / Average Deposit		4,909,687.70	4,909,687.70	0.00				4,909,687.70
Interest								
American Honda Finance 1.95 5/10/2023	02665WDH1	0.00	0.00	4,046.25	1.950	0.000	11/10/2020	4,046.25
Apple Inc 0.75 5/11/2023	037833DV9	0.00	0.00	1,218.75	0.750	0.000	11/12/2020	1,218.75
CAMP LGIP	LGIP4000	0.00	0.00	1,546.78	N/A	0.000	11/30/2020	1,546.78
Carmax Auto Owner Trust 1.89 12/16/2024	14315XAC2	0.00	0.00	291.38	1.890	0.000	11/16/2020	291.38
Chevron Corp 2.1 5/16/2021	166764BG4	0.00	0.00	10,500.00	2.100	0.000	11/16/2020	10,500.00
FHLMC 0.375 5/5/2023	3137EAER6	0.00	0.00	917.81	0.375	0.000	11/5/2020	917.81
FNMA 0.25 5/22/2023	3135G04Q3	0.00	0.00	1,081.25	0.250	0.000	11/23/2020	1,081.25
Honda Auto Receivables 2020-1 1.61 4/22/2024-23	43813RAC1	0.00	0.00	409.21	1.610	0.000	11/23/2020	409.21
JPMorgan Chase & Co 2.7 5/18/2023-23	46625HRL6	0.00	0.00	7,087.50	2.700	0.000	11/18/2020	7,087.50
Paccar Financial Corp 2.65 5/10/2022	69371RP83	0.00	0.00	7,685.00	2.650	0.000	11/10/2020	7,685.00
Ponce De Leon Federal Bank 1.85 5/28/2021	732333AJ8	0.00	0.00	378.62	1.850	0.000	11/30/2020	378.62
Ponce De Leon Federal Bank 1.85 5/28/2021	732333AJ8	0.00	0.00	391.24	1.850	0.000	11/2/2020	391.24
State Street Corp 1.95 5/19/2021	857477AV5	0.00	0.00	5,167.50	1.950	0.000	11/19/2020	5,167.50
T-Note 1.75 11/30/2021	912828U65	0.00	0.00	4,812.50	1.750	0.000	11/30/2020	4,812.50
T-Note 2 4/30/2024	912828X70	0.00	0.00	5,900.00	2.000	0.000	11/2/2020	5,900.00
T-Note 2.75 11/30/2020	9128285Q9	0.00	0.00	1,650.00	2.750	0.000	11/30/2020	1,650.00

Description	CUSIP/Ticker	Face Amount/Shares	Principal	Interest/Dividends	Coupon Rate	YTM @ Cost	Settlement Date	Total
Toyota Auto Receivables 2020-A A3 1.66 5/15/2024-2	89232HAC9	0.00	0.00	574.08	1.660	0.000	11/16/2020	574.08
Sub Total / Average Interest		0.00	0.00	53,657.87				53,657.87
Matured								
T-Note 2.75 11/30/2020	9128285Q9	120,000.00	120,000.00	0.00	2.750	0.000	11/30/2020	120,000.00
Sub Total / Average Matured		120,000.00	120,000.00	0.00				120,000.00
Sell								
T-Note 2.125 3/31/2024	912828W71	490,000.00	520,491.02	1,230.05	2.125	0.000	11/12/2020	521,721.07
Sub Total / Average Sell		490,000.00	520,491.02	1,230.05				521,721.07
Withdraw								
CAMP LGIP	LGIP4000	3,500,000.00	3,500,000.00	0.00	N/A	0.000	11/12/2020	3,500,000.00
Union Bank Cash	LGIPUNIONBANK	4,862,808.93	4,862,808.93	0.00	N/A	0.000	11/29/2020	4,862,808.93
Sub Total / Average Withdraw		8,362,808.93	8,362,808.93	0.00				8,362,808.93

<p>MONTHLY OPERATIONS REPORT FOR THE MONTH NOV 2020</p> <p>TECHNICAL SUPPORT WORK GROUP SUMMARY</p>

Capital Improvement Program

Aeration Blower No. 11 Project – Pre-construction conference held on November 17th.

Alvarado Influent Pump Station Improvements Project – Wet Well No. 1 and No. 2 were returned to service. Conduits installation in progress.

Alvarado Influent Valve Box Rehabilitation Project – Negotiations with the Contractor to terminate the contract in progress.

Centrifuge Building Improvements Project - Notice of Award issued on November 12th. Contractor insurance certificates review in progress.

FY21 Cast Iron/Pipe Lining Project - Notice of Award issued on November 12th. Contractor insurance certificates review in progress.

Headworks Screens Replacement Project – Corrective work items in progress.

Primary Digester No. 2 Rehabilitation Project – Testing at Primary Digester No. 2 and Heating and Mixing Building No. 1 in progress.

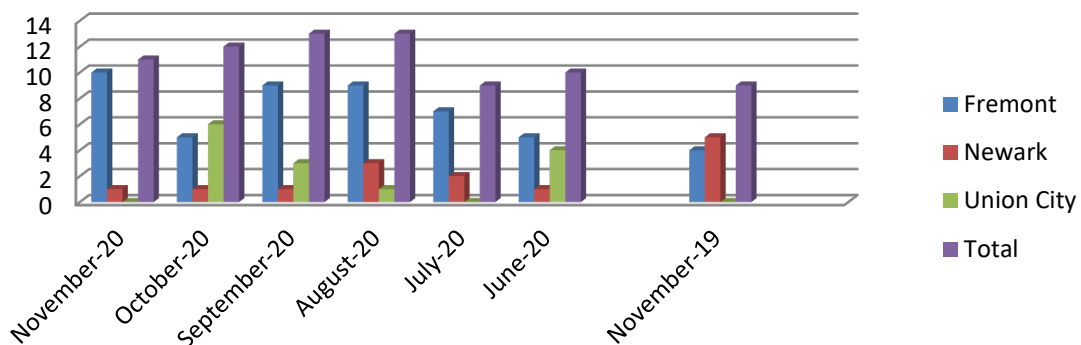
Primary Digester No. 7 Project – Concrete placements for Digester No. 7 walls are ongoing.

Wet Weather Flow Management – Calcium Thiosulfate Chemical Feed System - Notice of Award issued to contractor on November 12th. Notice to Proceed scheduled for December 1st.

Customer Service

Trouble Calls dispatched from the Front Desk during business hours:

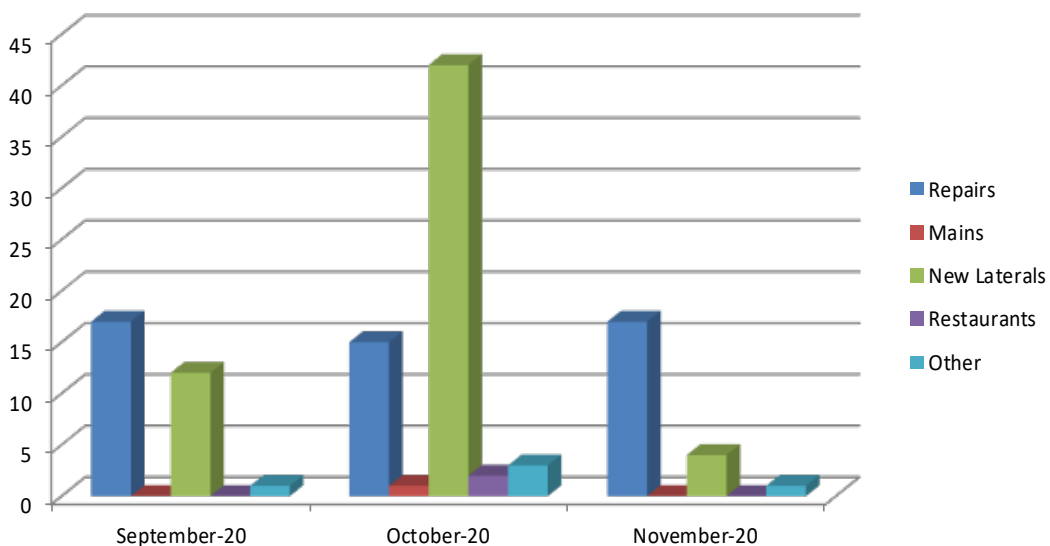
Month	Fremont	Newark	Union City	Total
November-20	10	1	0	11
October-20	5	1	6	12
September-20	9	1	3	13
August-20	9	3	1	13
July-20	7	2	0	9
June-20	5	1	4	10
November-19	4	5	0	9
6-Month Total				68



Sewer Permits Issued

Month	Repairs	Mains	New Laterals	Restaurants	Other
November-20	17	0	4	0	1
October-20	15	1	42	2	3
September-20	17	0	12	0	1

New Laterals - New residential lateral connections
Other - Non-residential construction (except restaurants)



Communication

- Social Media posts:
 - Veterans Day
 - BAYWORK recognition of USD veteran (shared post)
 - Junior/Assistant Engineer recruitment
 - World Toilet Day
 - FOG Post
 - Thanksgiving Administrative Offices closure
- Website updates:
 - Updated links on Sewer Service Charge pages
- Participated as Union City Chamber of Commerce Board member in Delivery of Thanksgiving Dinners to Union City first responders
- COVID response: Participated in Tri-City PIO and Regional PIO check-in conference calls to share updates

Environmental Compliance

Pollution Prevention/Stormwater Programs

USD's Environmental Compliance (EC) team conducts pollution prevention inspections at restaurants, car wash businesses, and other commercial facilities. EC also conducts inspections and enforcement for the City of Fremont's Environmental Services group. Over 600 Stormwater compliance inspections are conducted every year to ensure that commercial facilities, including restaurants and auto shops, comply with City Ordinance requirements, and do not discharge pollutants to the creeks and bay.

During the past month, the EC team conducted 39 Stormwater (Urban Runoff), and 32 FOG (restaurant) inspections. During this reporting period, Inspectors identified 11 Stormwater and 1 FOG enforcement action. Six (6) of the Stormwater enforcements resulted in administrative fines between \$100 to \$500 for each violation. One (1) of the administrative fines was issued for illicit discharges.

Urban Runoff Inspections and Enforcements

November 2020	No. of UR Inspections	VW	WL	NOV	AF	LA	NOD	Total Enforcements	No. of Illicit Discharge/s	1
	39	1	0	4	6	0	0	11		
									% Enforcement	28%

FOG Inspections and Enforcements

November 2020	No. of FOG Inspections	VW	WL	NOV	AF	LA	NOD	Total Enforcements	% Enforcement	3%
	32	1						1		

Enforcements:

VW – Verbal Warning

AF – Administrative Fine

AO – Administrative Order

WL – Warning Letter

LA – Legal Action

C&D – Cease & Desist Order

NOV – Notices of Violation

NOD – Notice of Deficiency

SNC – Significant Non-Compliance

Dental Inspections, School Outreach, and Plant Tours

# of Dental Inspections	# of School Outreach Events	# of Plant Tours
None	6	None

Industrial Pretreatment

The Industrial Pretreatment program has pending permits as shown in the table below. USD inspectors are working with each of these companies to establish permitted industrial discharges.

Pending Permits

New Industrial/Groundwater Permits	Groundwater/Temporary
Rigetti Computing	
Facebook Commissary	
Estuary LLC	
Sonova	
Membrane Technology Research	
Allogene	

Permits Issued

Company Name	Date Permit Issued
None	

Industrial Permit Closures

Company Name	Date of Closure
None	

Reports (Annual & Semi-Annual Pretreatment Report, Union City Report, etc.)

Report Name	Date Report Completed and Submitted
None	

Enforcement Action

IU Name & Nature of Business	Comments	City	Parameter Violated	Discharge concentration (mg/L)	USD/Fed Limit Violated(mg/L)	Enforcement
La Terra Fina	Violation date 10/14/2020 Enforcement Action taken date 11/10/2020	Union City	O&G (TTL)	740 mg/L	300 mg/L	\$1400 NOV
Chemetall US, Inc.	Violation date 10/15/2020 Enforcement Action taken date 11/10/2020	Fremont	O&G (TTL)	470 mg/L	300 mg/L	\$1400 NOV
Lam Research CA30	Violation date 10/7/20- 10/8/20 Enforcement Action taken date 11/11/2020	Fremont	Fluoride	310 mg/L	180 mg/L	\$1400 NOV
Confluent Medical Technologies	Violation date 10/5/2020 Enforcement Action taken date 11/11/2020	Fremont	Copper	2.76 mg/L	2.0 mg/L	\$1400 NOV
Safety-Kleen of California	Violation date 8/18/2020 Enforcement Action taken date 11/20/2020	Newark	O&G (A/V)	350 mg/L	300 mg/L	Warning Letter

(1) WL – Warning Letter

C&D – Cease and Desist Order

NOV – Notices of Violation

SNC – Significant Non-Compliance

AO – Administrative Order

EM – Enforcement Meeting

Other - Training, Special Meetings, Conferences, IAC (topics)

Activity	Date of Event	Attendees
None		

Engineering/Construction

No. of projects under construction: 9

	Construction Projects	Capital (\$1000)	Scheduled Completion	Completed Scope	Completed Time	Comments for November 2020 Activities
1.	Aeration Blower No. 11 Project - Derek	\$1,652	10/21	3%	10%	Pre-construction conference held on November 17 th .
2.	Alvarado Influent Pump Station Improvements Project – Thomas	\$8,890	10/21	20%	54%	Wet Well No. 1 and No. 2 were returned to service. Conduits installation in progress.
3.	Alvarado Influent Valve Box Rehabilitation Project – Kevin	\$402	09/20	10%	100%	Negotiations with the contractor to terminate the contract in progress.
4.	Centrifuge Building Improvements Project – Somporn	\$688	10/21	0%	0%	Notice of Award issued on November 12 th . Contractor insurance certificates review in progress.
5.	FY21 Cast Iron/Pipe Lining Project – Andrew	\$307	3/21	0%	0%	Notice of Award issued on November 12 th . Contractor insurance certificates review in progress.
6.	Headworks Screens Replacement Project – Thomas	\$1,822	11/20	98%	100%	Corrective work items in progress.
7.	Primary Digester No. 2 Rehabilitation Project – Derek	\$3,058	10/20	95%	100%	Testing at Primary Digester No. 2 in progress.
8.	Primary Digester No. 7 Project – Curtis	\$23,440	12/21	51%	48%	Concrete placements for Digester No. 7 walls are ongoing.
9.	Wet Weather Flow Management – Calcium Thiosulfate Chemical Feed System – Kevin/Blake	\$624	06/21	0%	0%	Notice of Award issued to contractor on November 12 th . Review of insurance and bonds completed. Notice to Proceed scheduled for December 1 st .

Design/StudyNo. of projects in design/study phase: **12**

	Design/Study Projects	Capital (\$1000)	Scheduled Completion	Completed Scope	Completed Time	Comments for November 2020 Activities
1.	Cathodic Protection System Improvements Project - Thomas	\$87	07/20	100%	100%	Bids were rejected on November 9 th . Contract document revisions to rebid the project in progress.
2.	Emergency Outfall Improvements Project – Andrew	\$398	08/20	98%	100%	Easement and property acquisition in progress.
3.	Force Main Condition Assessment – Andrew	\$121	10/22	60%	69%	Pipe testing planned to take place during Force Main Relocation Phase 2.
4.	Force Main Corrosion Repairs Project Phase 3 – Andrew	\$60	12/21	75%	67%	Project construction is pending the completion of Force Main relocation project.
5.	Gravity Sewer Rehabilitation / Replacement Project – Phase VII – Andrew	\$176	1/21	92%	97%	Construction is scheduled for 2021.
6.	Irvington Basin Masterplan Update - Andrew	\$378	11/21	45%	42%	Consultant completed preliminary results for pollutant travel time modeling. Flow monitoring equipment has been installed.
7.	Irvington Basin Reinforced Concrete Pipe Rehabilitation Project - Andrew	\$105	1/21	49%	64%	Draft report to be submitted early December; draft report workshop scheduled for December.
8.	Odor Control Alternatives Study – Kevin	\$465	12/20	99%	100%	Report will be finalized after the pilot testing project is completed.
9.	Odor Control Pilot Study - Somporn	\$99	12/21	55%	70%	Odor pilot trailer relocated to Headworks location. Biofilters 1 & 2 acclimation in progress.
10.	Pump Stations Chemical System Improvements Project - Thomas	\$100	11/20	90%	100%	Basis of Design Report (BODR) workshop held on November 12 th . Draft BODR comments were returned to consultant.
11.	Standby Power Generation System Upgrade Project – Kevin	\$2,281	01/21	81%	81%	Notice of Award for Equipment Supply Agreement was issued on November 10 th . Insurance certificates review in progress.

	Design/Study Projects	Capital (\$1000)	Scheduled Completion	Completed Scope	Completed Time	Comments for November 2020 Activities
12.	WAS Thickener Replacement Project – Derek	\$807	06/21	45%	37%	50% design submittal received. 50% design workshop is scheduled for December.

<p align="center">COLLECTION SERVICES ACTIVITIES REPORT NOVEMBER 2020</p>	
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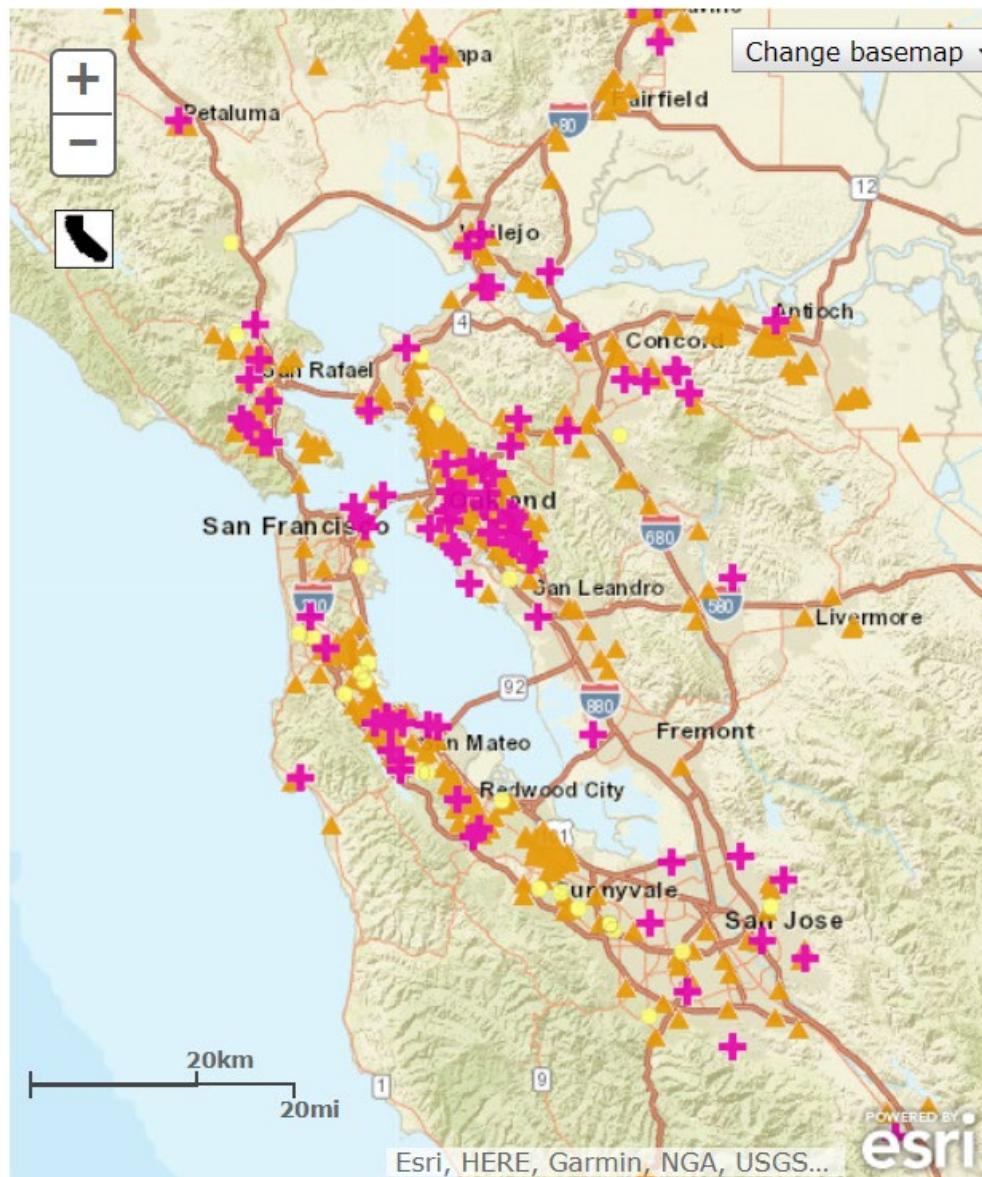
Progress/Accomplishments

- One stoppage in November.
- Completed 11.3 miles of sewer main cleaning in November.
- Completed 7.23 miles of sewer main inspection in November.
- Responded to 29 service request calls in November.
- Completed a total of 6 sewer main repairs in November.

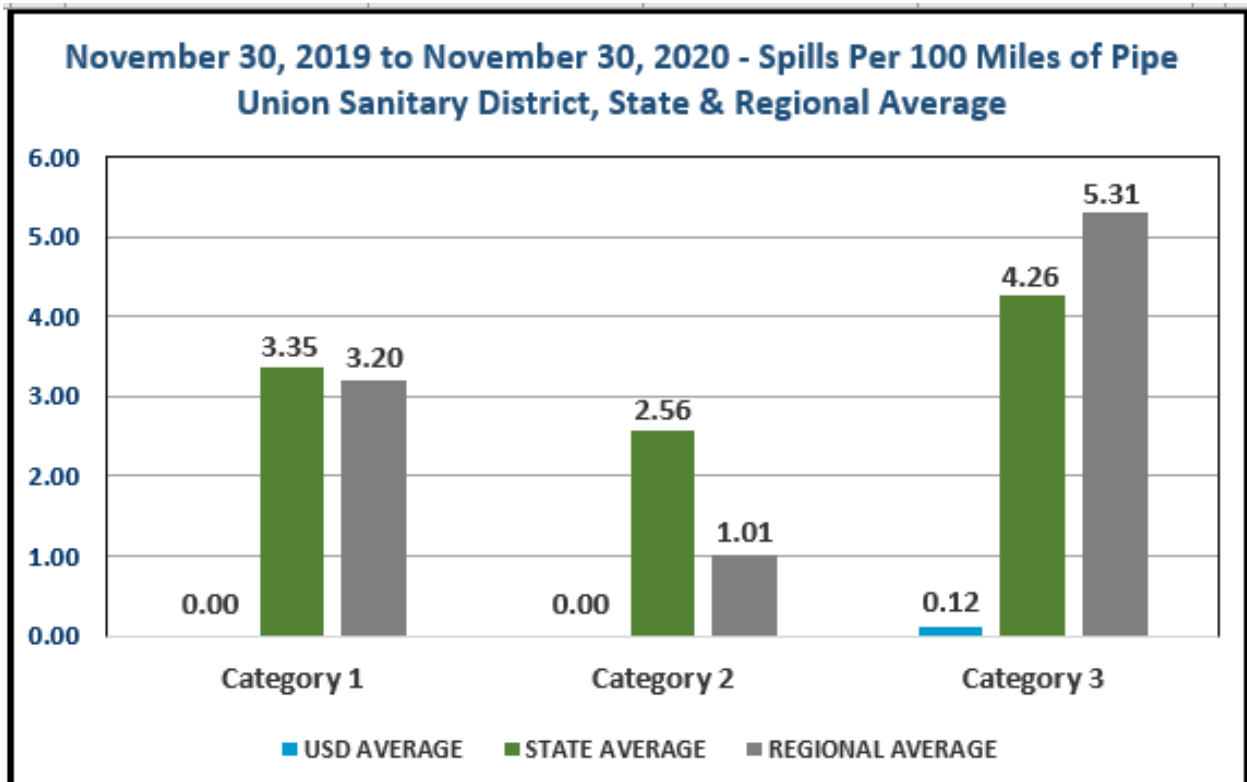
Trainings/Significant Events

- New Portal Training

**Reported Bay Area Spills
November 30, 2019 to November 30, 2020**



November 30, 2019 to November 30, 2020 Spills Per 100 Miles of Pipe Union Sanitary District, State & Regional Average



Spill Rate Statistics - November 30, 2019 to November 30, 2020 Spills per 100 Miles of Pipe

	Category 1	Category 2	Category 3
USD AVERAGE	0.00	0.00	0.12
STATE AVERAGE	3.35	2.56	4.26
REGIONAL AVERAGE	3.20	1.01	5.31

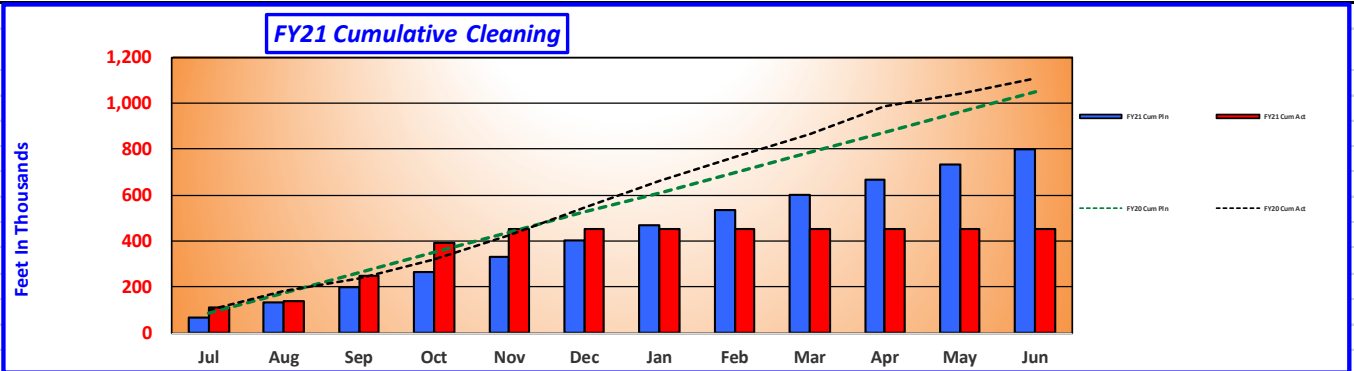
Category 1 - 1,000 gallons or more. Discharges to surface water, not fully captured

Category 2 - 1,000 gallons or more. Does not reach surface waters, not fully captured

Category 3 - 1,000 gallons or less, does not reach surface waters, full captured

Performance Measures

FY21 PLAN

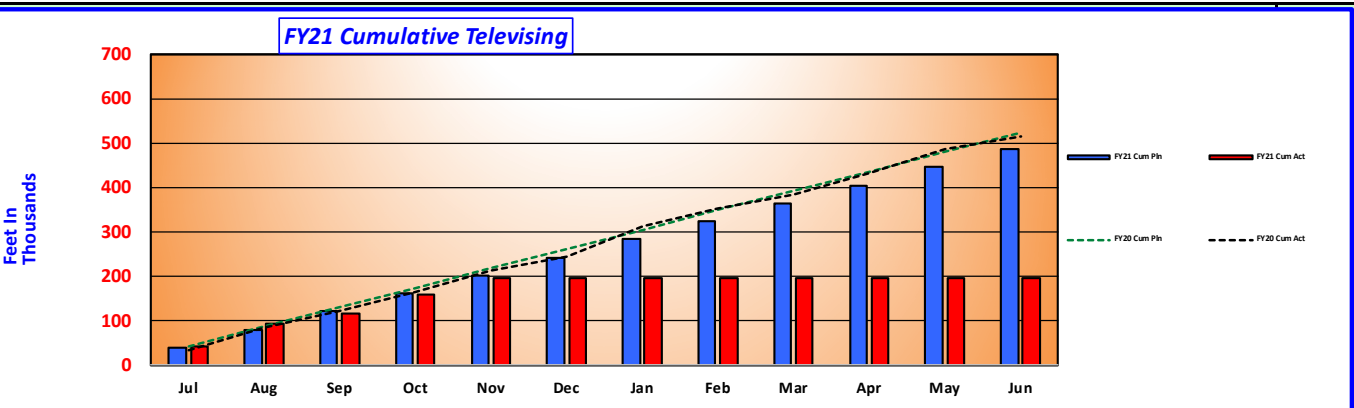


Cleaning Actual Footages/Costs

November-20 Clean Cost/Ft = \$1.26

Description	Jul-20 Footage	Aug-20 Footage	Sept-20 Footage	FY21 Q1 Footage	Oct-20 Footages	Nov-20 Footages	FY21 Q2 Footage	FY21 YTD Footage	FY20 Footage	FY21 YE Goal	% Cmpl to Plan
84 Month Hydro-jet Clean	79,422	23,368	43,420	146,210	52,711	37,683	90,394	236,604	601,992	516,751	45.8%
Selective Line Cleaning	5,921	6,144	28,377	40,442	886	3,440	4,326	44,768	193,383	125,737	35.6%
Special Condition Clean (NIC in Total)	2,374	477	1,603	4,454	854	1,315	2,169	6,623	14,274	23,315	28.4%
Root Control/Chemical Cln	25,483	1,356	38,178	65,017	87,303	16,031	103,334	168,351	294,525	274,707	61.3%
Cast Iron Project	0	0	0	0	0	916	916	916	3,014	3,839	23.9%
Other Special Projects (NIC in Total)	0	0	0	0	0	0	0	0	0	0	0.0%
Spills/Stoppages (NIC in Total)	525	0	823	1,348	0	270	270	1,618	0	0	0.0%
Totals	110,826	30,868	109,975	251,669	140,900	58,070	198,970	450,639	1,107,188	921,034	48.9%

FY21 PLAN



Televising Actual Footages/Costs

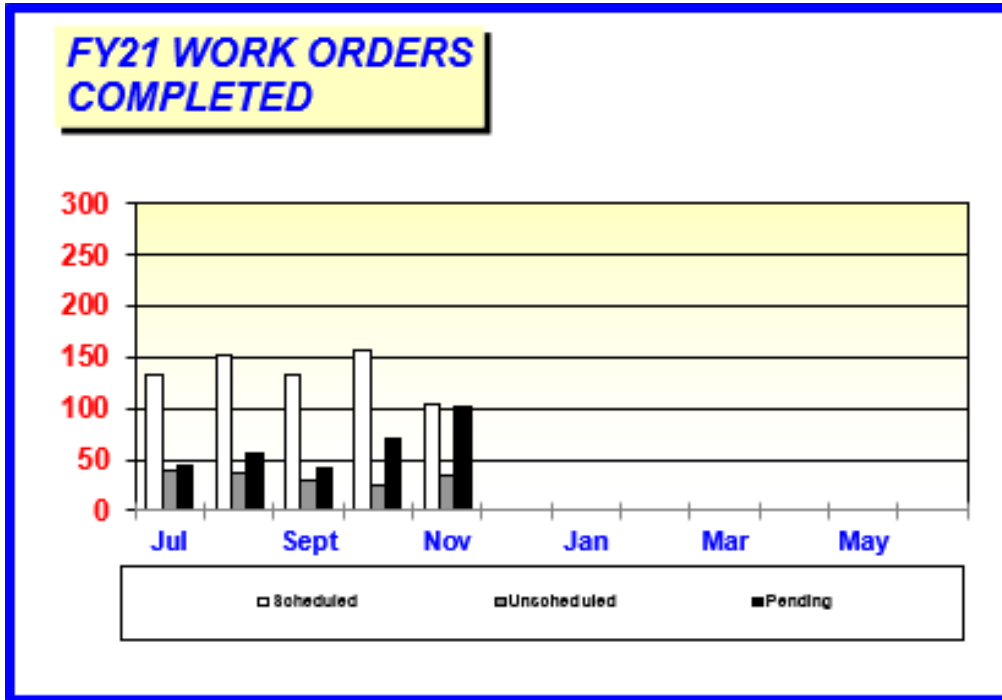
November-20 TV Cost/Ft = \$2.28

Description	Jul-20 Footage	Aug-20 Footage	Sept-20 Footage	FY21 Q1 Footage	Oct-20 Footages	Nov-20 Footages	FY21 Q2 Footage	FY21 YTD Footage	FY20 Footage	FY21 YE Goal	% Cmpl to Plan
84 Month TV Inspection	42,944	41,030	11,156	95,130	42,184	31,133	73,317	168,447	437,518	444,728	37.9%
Visual/Condition, Pre/Post Cnst TV (NIC in Total)	398	0	438	836	0	0	0	836	11,988	20,320	4.1%
Visual Manhole Inspection Count	12	9	66	87	27	12	39	126	-	-	-
New Development, CIP, Misc. (NIC in total)	1,725	1,457	1,918	5,100	2,058	0	2,058	7,158	25,504	36,120	19.8%
QA/QC Line Condition	0	0	0	0	0	5,908	5,908	5,908	27,829	18,861	31.3%
QA/QC Root Control	0	10,697	10,100	20,797	0	600	600	21,397	13,830	23,219	92.2%
Totals	42,944	51,727	21,256	115,927	42,184	37,641	79,825	195,752	516,669	486,808	40.2%

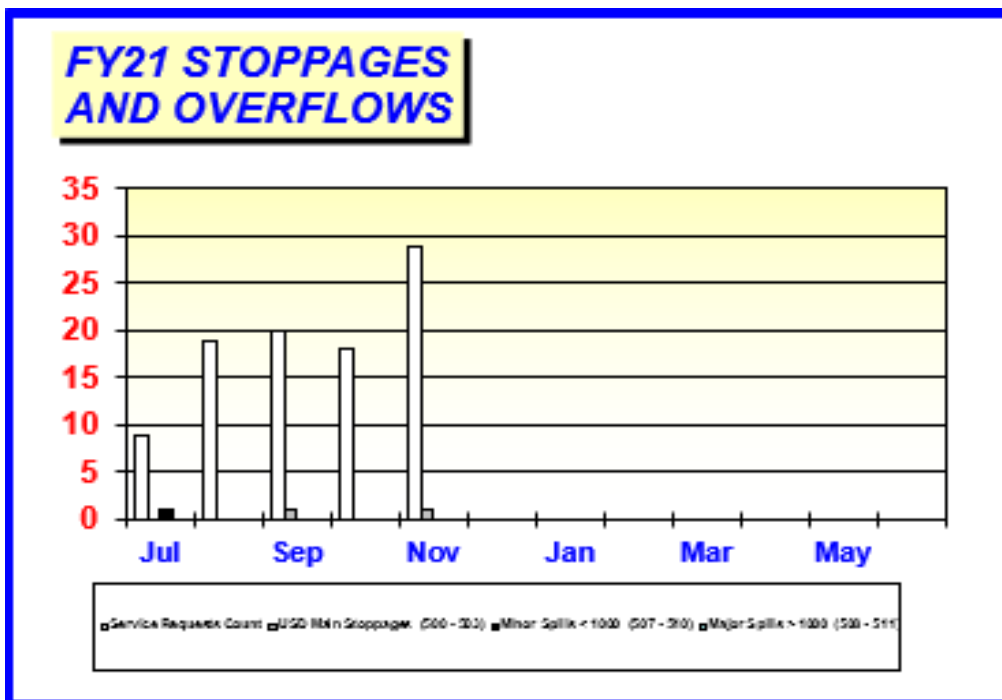
Other Collection Services Status Data:

Support Team Work Order Status:

C/S



Maintenance Status:



Fabrication, Maintenance and Construction Activities Report November 2020

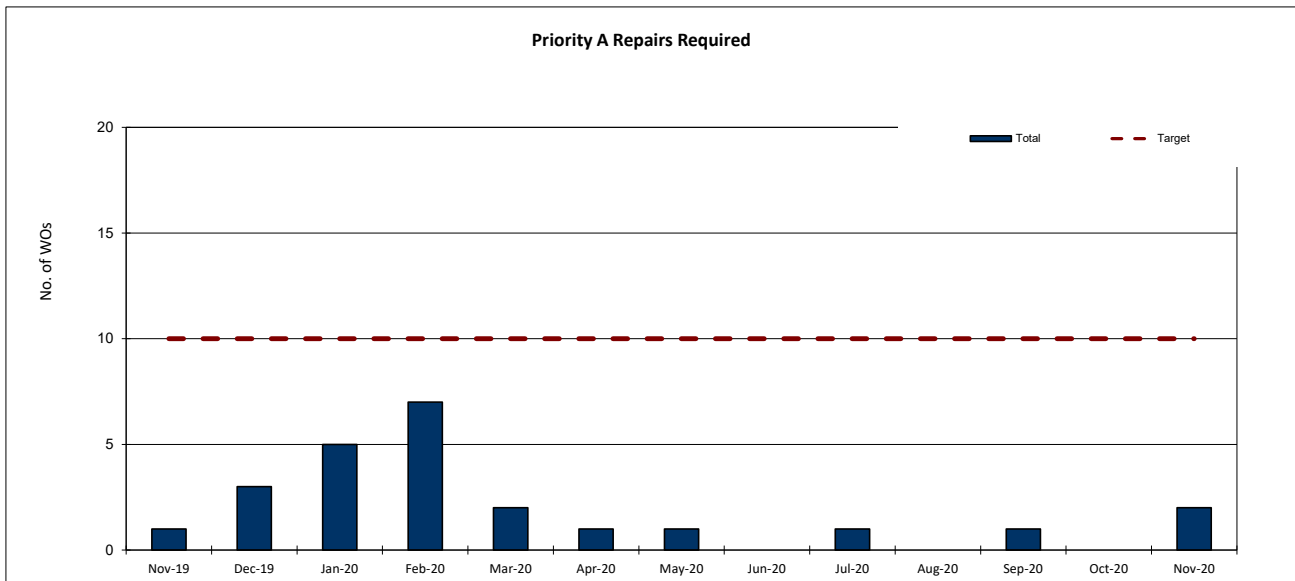
Progress/Accomplishments

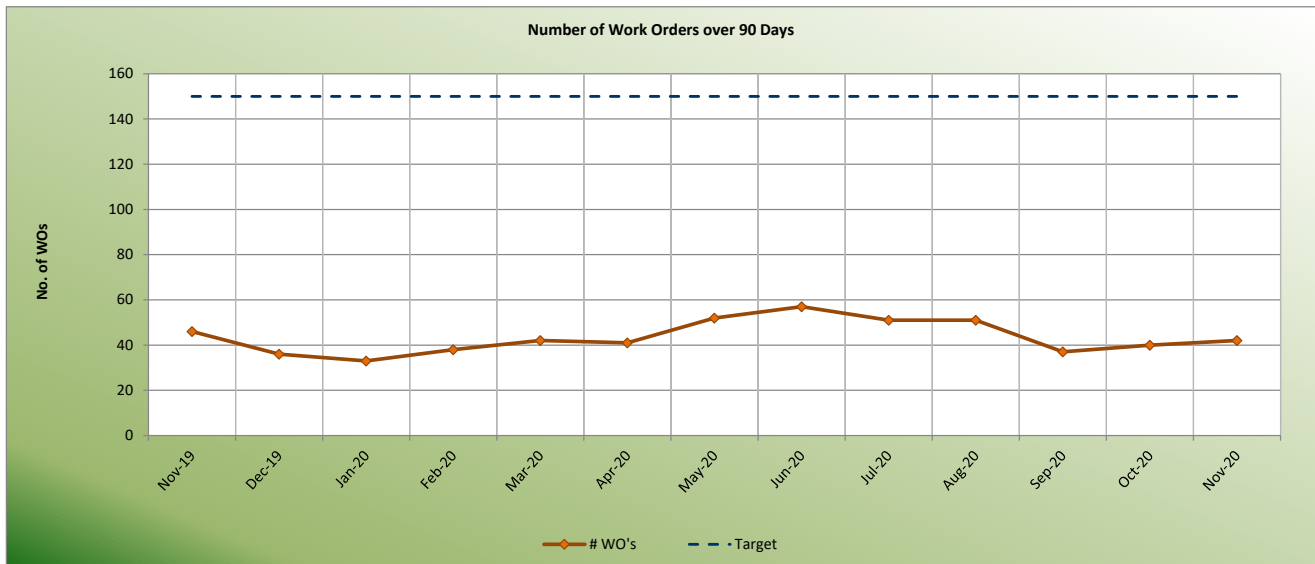
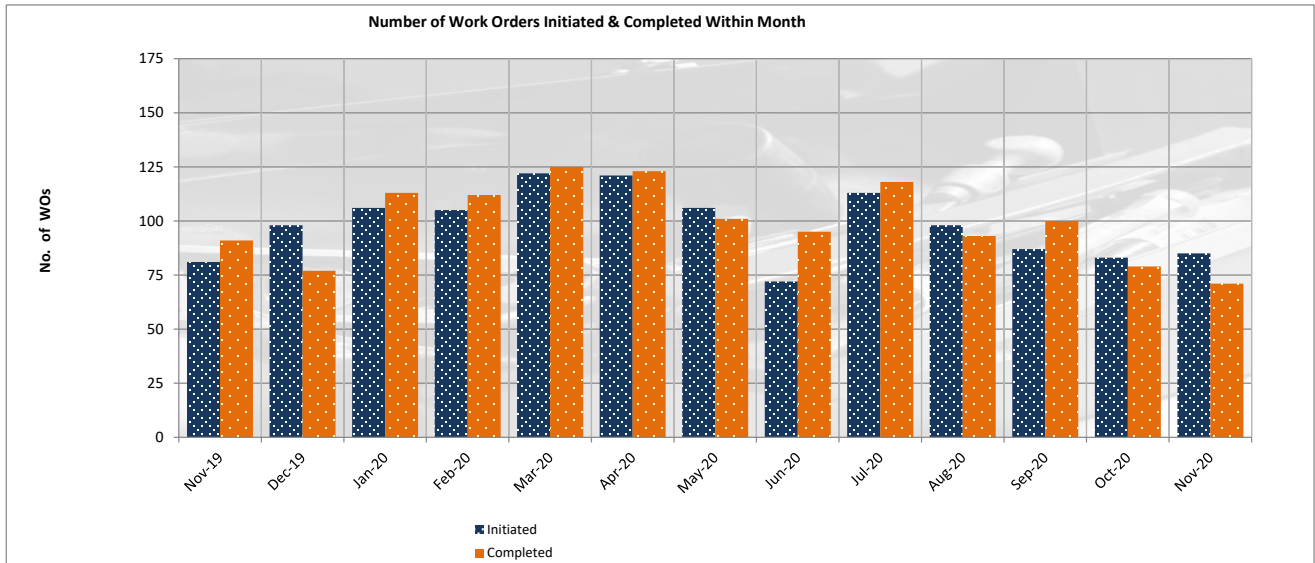
- Completed 85.23% of preventive maintenance activities for the month of November
- Completed 71 corrective maintenance work orders for the month of November
- Installation of 1W Flow Meter at APS
- GBT 2 VFD programming
- Thickener 2 annual
- VFD repair for NPS Sewage Pump 6
- Painting of vactor truck
- PLC 16 ethernet card installation

Future Planning

- Installation of 1W Flow Meter at the Centrifuge Building
- Overhaul of Odor Scrubber 14
- Thickener 1 annual
- EBDA Pump 2 & 6 mechanical seal replacement

Performance Measurements





**Treatment & Disposal
Activities Report
November 2020**

Progress/Accomplishments

- Maintained 100% compliance with NPDES permits
- Completed 90% preventive maintenance activities for the month of November
- Supported the Odor Scrubber Pilot at the Headworks building by performing daily operator rounds
- Supported the Solar Power/Battery Backup/Co-Digestion/Cogeneration planning
- Completed digester gas, natural gas, and electric SOSRs in preparation for the commissioning of the new boiler at Heating and Mixing Building 4
- Ran Emulsion Polymer trials to gather data for the upcoming WAS Thickening CIP project
- Conducted a Partial Plant Shutdown to accomodate an emergency EBDA line repair
- Attended the East Blower Room HVAC System review
- Attended the CWEA-CASA COVID-19 Update webinar
- Participated in the Basis of Design Review meeting for the Pump Stations Improvments project
- Attended the Blower 11 Pre-Construction meeting
- Conducted PFAS sampling in accordance with the San Francisco region alternative to the State 13267 request for PFAS information
- Conducted sampling for the EBDA Brine project
- Created an RFP for EC Laboratoy services
- Participated in the review of the ETSU Campus schematic design and air modeling strategies

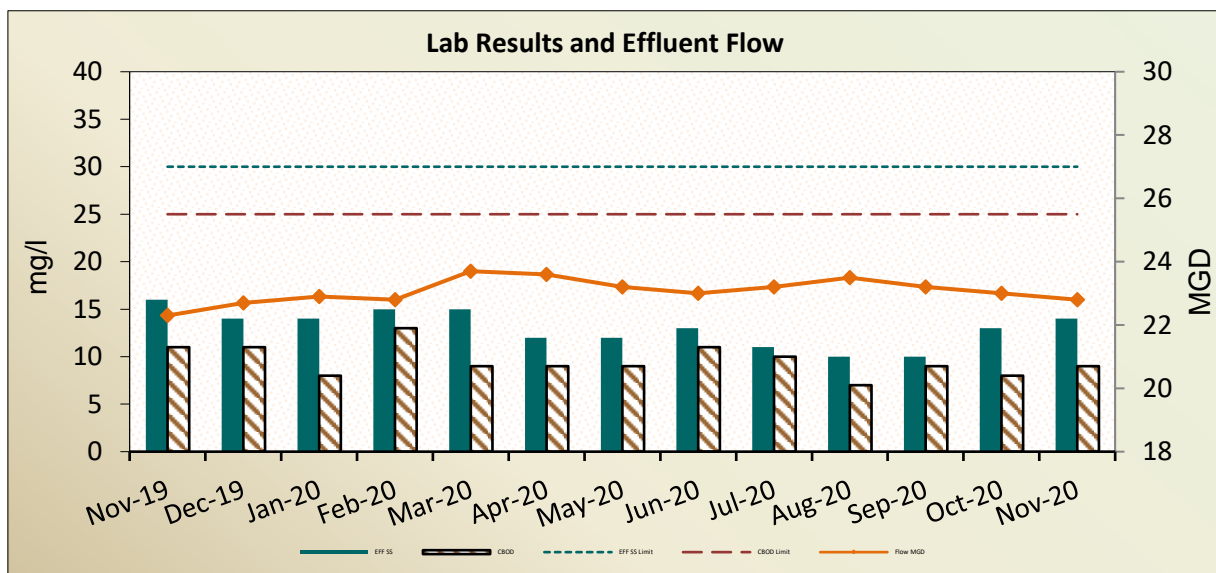
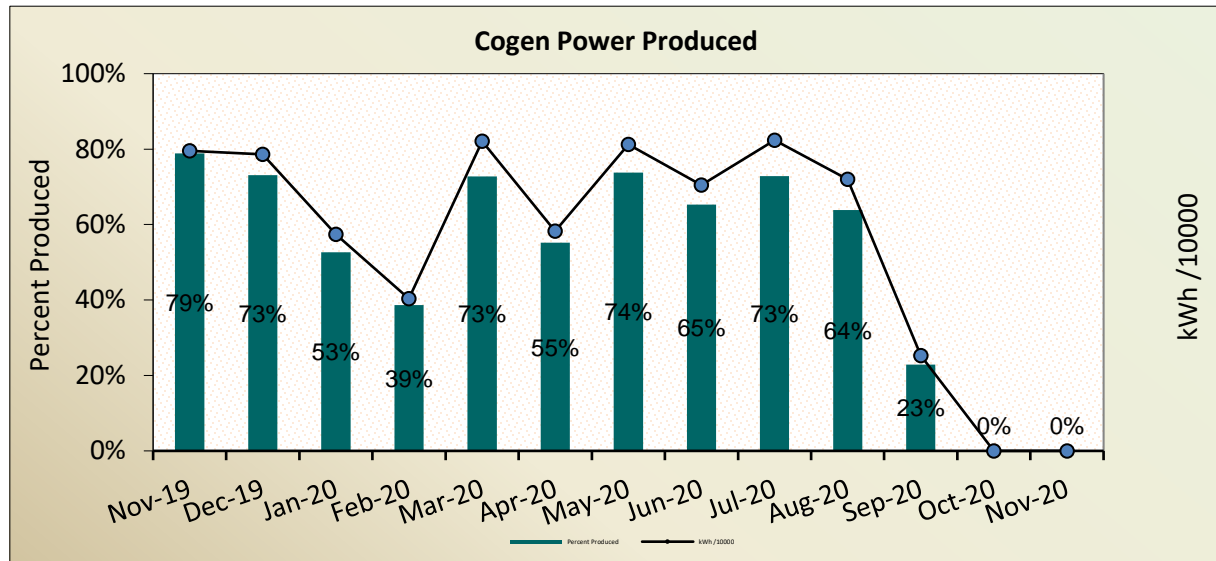
Future Planning

- Commission Primary Digester 2 and put it in full service
- Commission Secondary Digester 2 and put it in full service
- Release the RFP for Cleaning Primary Digester 1 and Secondary Digester 1
- Attend and provide input on the ETSU Construction Sequencing and Equipment Planning meetings
- Support electrical SOSRs in preparation for the new Iron Salts facility
- Continue to support the Odor Scrubber Pilot at the Headworks building by performing daily operator rounds
- Develop and refine the WIMS Dashboard
- Meet with PG&E to discuss billing issues
- Review bids for EC Laboratory services and select a contract Laboratory
- Participate in the BAAQMD site inspection
- Create wet weather on-call procedures for the Laboratory
- Attend the Nutrient Strategy meeting for the third Nutrient Watershed permit

Other

- Cogen system produced 0% of power consumed for the month of November

Performance Measurements



USD's Final Effluent Monthly Monitoring Results				
Parameter	EBDA Limit	Sep-20	Oct-20	Nov-20
Copper, µg/l	78	5.7	3.2	5.2
Mercury, µg/l	0.066	0.0019	0.0012	0.0019
Cyanide, µg/l	42	E 1.4	E 1.0	E 1.6
Ammonia- N, mg/L (Range)	130	39.5 - 43	39.2 - 44.3	41.2 - 44
Fecal Coliform, MPN/100ml (Range)				
• 5-Day Geometric Mean	500	37 - 46	33.3 - 42.2	39 - 51
• 11-Sample 90th Percentile	1100	59 - 75	66	66 - 82
Enterococci				
• Monthly Geometric Mean	240	10.0	10.0	10.0
E = Estimated value, concentration outside calibration range. For SIP, E = DNQ, estimated concentration.				

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 8**

TITLE: **Authorize the General Manager to Execute an Agreement with Hazen and Sawyer for Design Services for the Enhanced Treatment and Site Upgrade Phase 1B and 1C Projects and Task Order No. 1 for the Enhanced Treatment and Site Upgrade Phase 1B Project (*This is a Motion Item*)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Curtis Bosick, Enhanced Treatment and Site Upgrade Assistant Program Manager
ETSU Steering Committee (Armando Lopez, Sami Ghossain, Robert Simonich)

Recommendation

Staff recommends the Board authorize the General Manager to execute an Agreement with Hazen and Sawyer (Hazen) for design services for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1B and 1C Projects and Task Order No. 1 for design of the ETSU Phase 1B Project in the amount of \$7,960,952.

Discussion

The ETSU Phase 1B and 1C Projects include the construction of new secondary clarifiers, effluent facilities, and conversion of the existing secondary clarifiers to primary effluent equalization storage as planned in the ETSU Program Report. Due to the current schedule for Phase 1 of the ETSU Program, staff is proposing to begin design of the Phase 1B project prior to the commencement of construction of Phase 1A. Additionally, the design of the Phase 1C project is anticipated to begin prior to the construction of Phase 1B. Construction of the Phase 1C project can commence as soon as the Phase 1B construction has been completed as the existing secondary clarifiers cannot be repurposed until the new secondary clarifiers are online and fully operational.

The major scope items for the Phase 1B project include construction of the following:

- Four new 160-foot diameter secondary clarifiers
- Mixed liquor control box
- Centralized RAS pump station
- Chlorination/dechlorination contact basins
- Effluent pump stations for discharging effluent to Old Alameda Creek and the EBDA system
- Relocation of the existing EBDA effluent force main to facilitate construction of the new facilities

A more detailed description of the scope of the Phase 1B project is included in the Background section of this report. Figure 1 (attached) indicates the area within the Alvarado Treatment Plant Site that the work is expected to cover.

Consultant Selection Process

On November 3, 2020, prior to issuance of a Request for Proposals (RFP), staff issued a letter to six prequalified professional engineering design firms inquiring about their interest in serving as its Lead Design Consultant for the Phase 1B and 1C projects. The group of six prequalified firms were the same firms that had previously shown interest and/or submitted proposals for the design of the Phase 1A project. By issuing this letter first, instead of preparing an RFP, staff was able to save a considerable amount of time and resources while at the same time ensuring compliance with the purchasing policy, promoting the most cost-effective use of rate payer dollars while maintaining a fair and equitable process.

Of the six firms, Hazen was the only firm that responded affirmatively they were planning on submitting a proposal for design of the Phase 1B and 1C projects. In speaking with representatives from the other firms, several factors appeared to influence their decision not to submit a proposal. These factors included, but were not limited to, concerns with their ability to meet the ETSU Program's aggressive schedule as well as their ability to provide a competitive cost proposal. Staff is pursuing the aggressive design schedule to secure the best possibility of acquiring a Clean Water State Revolving Fund (CWSRF) Loan for the project without impacting the overall project or program schedule. The CWSRF loan rates offer the best opportunity for significant financing cost savings for the District.

Agreement and Task Order No. 1

Staff negotiated an Agreement with Hazen for design services for the Phase 1B and 1C projects. The purpose of Task Order No. 1 is for Hazen to provide the professional services required to complete final design for the Phase 1B project. Staff recommends the scope and fee for the final design of the Phase 1C project be negotiated and presented to the Board for consideration under a separate task order after the Phase 1B design is underway. This will allow staff to focus on the

more time-sensitive design work first as the Phase 1C construction cannot start until the Phase 1B construction is complete. Staff currently estimates the design cost for the Phase 1C project to be approximately \$3 million.

The total not to exceed fee for design of the Phase 1B project in Task Order No. 1 is \$7,960,952. A detailed summary of the scope and fee for Task Order No. 1 is included in the Background section of this report. Per the 30% Design Report for Phase 1 of the ETSU Program, the construction cost estimate for the Phase 1B project is currently \$120 million with a combined total project cost of \$156 million. Project costs include estimates for engineering, construction management, administration, and legal fees.

This design fee of \$7,960,952 is 6.6% of the construction cost estimate. The typical range for design services is between 7% to 15% of construction costs depending upon the size and complexity of the project.

Staff performed an independent design fee estimate for the scope of work included in this task order and estimated a design fee of \$8,485,190 (approximately 6.2% higher than the proposed fee). Staff also estimates there are approximately \$500,000 in additional avoided costs with this approach due to Hazen's experience performing the 30% design. These savings are due to Hazen's ability to immediately begin to execute the final design without reviewing and confirming the treatment process and design assumptions from the 30% design effort.

The design of the Phase 1B project and required environmental review are expected to be completed by early 2023 with construction to begin by summer 2023. The construction duration for Phase 1B is currently estimated to be 36 months.

Staff recommends the Board authorize the General Manager to execute an Agreement with Hazen for the design services of the ETSU Phase 1B and 1C Projects and Task Order No. 1 for design of the ETSU Phase 1B Project in the amount of \$7,960,952, in the forms attached with minor revisions as may be approved by the General Manager in consultation with the General Counsel.

Background

The ETSU Program is the culmination of the District's planning efforts and is based on the outcomes and findings of the Plant Solids System/Capacity Assessment – Phases 1 and 2, Administration/Control/FMC Buildings Evaluation, the Effluent Management Study and the Secondary Treatment Process Improvements evaluation. The program includes projects recommended for implementation that will be phased to address both immediate drivers (poor sludge settleability, treatment capacity, effluent disposal and aging infrastructure), while preparing for future requirements such as nutrient regulations for discharge in the Bay that are currently being considered by the Regional Water Quality Control Board.

The Phase 1 and 2 projects included in this program were presented to the Board during the workshop held on May 8, 2019 and are summarized in the Final Report which was approved by the Board on August 26, 2019. A third phase of projects was briefly outlined that covered the timeframe from 2040 to 2058 and included potentially stricter nutrient limits in the more distant future. The projects identified in the ETSU Program and modified by the 30% design report to be implemented in the near-term (the next seven to ten years) are included in Phase 1 and are summarized in the table below.

Phase 1A	Aeration Basin Modifications	Retrofitting existing Aeration Basins 1 through 7 and construction of an 8 th aeration basin with the flexibility to operate initially with an anaerobic selector during the implementation phase and transitioning to a biological nutrient removal (BNR) process following completion.
Phase 1A	Campus Building (Admin, FMC, Ops)	Construction of a new combined Campus Building, including associated site and utility improvements and the demolition of existing buildings.
Phase 1B	Secondary Clarifiers	Construction of four new 160-foot diameter secondary clarifiers, mixed liquor control box, and centralized RAS pump station.
Phase 1B	Effluent Facilities	Construction of new chlorination/dechlorination contact basins, effluent pump stations, and relocation of existing effluent force main.
Phase 1C	Plant Equalization Storage	Retrofitting existing Secondary Clarifiers 1 through 4 to operate as primary effluent equalization basins.

The full version of the ETSU Program report, including appendices, can be found at the following link: <https://unionsanitary.ca.gov/ETSU>.

A more detailed summary of the scope of the Phase 1B Project is as follows:

- Construction of four new 160-foot diameter secondary clarifiers. Includes the construction of a new RAS/WAS Pump Station, mixed liquor distribution facility, and dewatering and scum pumping facilities.
- Relocation of the existing EBDA effluent force main to facilitate the construction of the new secondary clarifiers. This work is expected to include a temporary reroute of the EBDA force main during construction.
- Construction of a new Effluent Pump Station for discharging final effluent to the EBDA effluent force main. Includes construction of a new chlorine mixing chamber and chlorine contact channel for disinfection of final effluent.

- Construction of a new Old Alameda Creek Pump Station for discharging dechlorinated final effluent to the creek. Includes construction of a new calcium thiosulfate mixing chamber and contact channel for dechlorination of final effluent.
- Construction of a new Reclaimed Water Pump Station for supplying final effluent for on-site water reuse. Includes a new structure for housing of sampling equipment, and electrical and controls support facilities.
- Construction of a new Elutriation Water Pump Station for providing secondary effluent to the primary sludge thickening process.
- Conversion of the existing chlorine contact channels to be used for equalization of dechlorinated final effluent prior to discharging to Old Alameda Creek.
- Construction of a new Switchboard 4 Power Distribution Facility to replace the existing Switchboard 4 and expand it to include power for the new process facilities described above.
- Construction of new large diameter yard piping, drainage, paving, lighting, and perimeter landscaping to support the above describe facilities.

The following table summarizes the scope and fee for Task Order No. 1:

Task ID	Task Order No. 1 Descriptions	Fee
A	Construction Sequencing Planning and Coordination of Phase 1B Design with remaining Phase 1 Projects – <i>Update on-site electrical, network, and drainage needs through each project in Phase 1, develop detailed construction sequencing plan for Phase 1B</i>	\$833,804
B	50% Design Documents – <i>Preparation of drawings, specifications, schedule, and cost estimate</i>	\$1,858,225
C	90% Design Documents – <i>Preparation of drawings, specifications, schedule, and cost estimate</i>	\$2,194,454
D	Final Design Documents – <i>Preparation of drawings, specifications, schedule, and cost estimate</i>	\$990,740
E	Front End Documents – <i>Incorporation of District’s specifications and design standards</i>	\$64,320
F	Operational Manual and Training – <i>Develop an operational training and clarifier modeling tools for staff to utilize for predicting and controlling the treatment process as staff begins operating the treatment plant in nutrient removal mode</i>	\$250,160
G	Environmental and Permitting Assessment – <i>CEQA assistance, air permitting services, NPDES permitting planning assistance</i>	\$379,540

H	Field Investigations – <i>Surveying and potholing services, field geotechnical services, corrosion protection system investigations, industrial hygiene investigations</i>	\$235,110
I	Bid Period Services – <i>Attend pre-bid conference, preparation of addenda, conformed documents</i>	\$195,459
J	Project Management – <i>Project management, meetings, program management assistance, funding assistance</i>	\$959,140
Total Not-to-Exceed Fee for Task Order No. 1		\$7,960,952

Previous Board Action

December 12, 2016, the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Woodard & Curran (formerly RMC Water and Environment) in the amount of \$265,217 to study, review and assess the District's near- and long-term projects.

January 9, 2017, the Board authorized the General Manager to execute Task Order No. 2 with Carollo Engineers in the amount of \$279,698 for the Plant Solids System/Capacity Assessment – Phase 2.

March 27, 2017, the Board authorized the General Manager to execute Task Order No. 2 with Woodard & Curran in the amount of \$69,877 for the Effluent Management Study.

July 11, 2017, the Board held Workshop No. 1 on the background and analysis of the Administration and Control Buildings and cost comparison of the retrofit and new building alternatives.

January 22, 2018, the Board authorized the General Manager to execute Amendment No. 2 to Task Order No. 2 with Woodard & Curran in the amount of \$74,518 to evaluate strategies for early adoption of nutrient removal process at the Plant and at the Hayward Marsh during the Effluent Management Study.

March 19, 2018, the Board held Workshop No. 2 on the retrofit vs. new options for the Administration and Control Buildings, the options for secondary process improvements, and the need to vet the membrane bioreactor treatment technology.

May 8, 2019, the Board held Workshop No. 3 on results from the secondary process evaluation, the alternatives and phasing of the secondary treatment process improvements, the new campus building alternative, and the capital and O&M cost updates.

July 22, 2019, the Board approved the Enhanced Treatment & Site Upgrade Program Manager (Limited Duration) and Enhanced Treatment & Site Upgrade Assistant Program Manager (Limited Duration) Job Descriptions and Salary Ranges.

August 26, 2019, the Board Adopted Resolution 2864 Approving the District's Final Report for the Enhanced Treatment & Site Upgrade Program.

January 13, 2020, the Board authorized the General Manager to execute an Agreement and Task Order No. 1 with Hazen and Sawyer in the amount of \$6,752,860 for the Enhanced Treatment and Site Upgrade Phase 1A Project to provide the 30% design services for all projects in Phase 1 of the ETSU Program (excluding the Campus Building project) and final design services associated with the Aeration Basin Modifications Project.

March 9, 2020, the Board authorized the General Manager to execute Task Order No. 2 with Hazen and Sawyer in the amount of \$3,737,412 for the Enhanced Treatment and Site Upgrade Phase 1A Project to complete the design of the Campus Building Project.

July 13, 2020, the Board authorized the General Manager to execute Amendment No. 1 to Task Order No. 1 with Hazen and Sawyer in the amount of \$98,335 for the Enhanced Treatment and Site Upgrade Phase 1A Project to include Aeration Basin No. 8 in the 30% Design of the Aeration Basin Modifications Project.

November 11, 2020, the Board authorized the General Manager to execute Amendment No. 2 to Task Order No. 1 with Hazen and Sawyer in the amount of \$750,760 for the Enhanced Treatment and Site Upgrade Phase 1A Project to include Aeration Basin No. 8 in the Final Design of the Aeration Basin Modifications Project.

PRE/RP/CB

Attachments: Figure 1 – Site Plan
Professional Services Agreement
Task Order No. 1

Figure 1: ETSU Program – Phase 1 Project Locations



UNION SANITARY DISTRICT
Professional Services Agreement
with
HAZEN AND SAWYER
for
DESIGN AND PROFESSIONAL SERVICES
For the District's
ENHANCED TREATMENT & SITE UPGRADE (ETSU) PROGRAM – PHASE 1B and 1C PROJECT

Union City, California
January 11, 2021

PROFESSIONAL SERVICES AGREEMENT BETWEEN

UNION SANITARY DISTRICT AND

Hazen and Sawyer

This Professional Services Agreement (the **Agreement**) is dated January ____, 2021 and is by and between the Union Sanitary District, a sanitary district formed under the laws of the State of California (**District**) and Hazen and Sawyer, a privately held C Corporation, licensed to do business in California, (**Designer** or **Consultant**) relating to design and professional Services (**Services**).

Recitals

WHEREAS, District wishes to retain Designer to provide design and professional services;

WHEREAS, Designer was selected by means of District's consultant selection process, and represents that it possesses all necessary training, licenses and permits to perform the services required by District as set forth in this Agreement, and that its performance of such services will conform to the standard of practice consistent with a professional engineering and professional services firm having experience and expertise in performing professional services of like nature and complexity working on similar, successfully completed projects;

WHEREAS, the California Government Code permits the District's Board of Directors to enter into agreements for professional design services; and

WHEREAS, the services proposed in this Agreement are professional and temporary in nature.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, stipulated and agreed, the parties agree as follows:

AGREEMENT

1. Definitions

- 1.1 Where any word or phrase defined below, or a pronoun used in place thereof, is used in any part of this Agreement, it shall have the meaning herein set forth.

Agreement	This Agreement consists of this Agreement, together with documents incorporated herein by reference, and all Task Orders issued pursuant to Paragraph 3.1 below.
------------------	--

Designer or Consultant	Hazen and Sawyer, privately held C Corporation, licensed to do business in California, 201 Mission Street, Suite 500 San Francisco, CA 94105, tel. (707) 696-9318, email msolomon@hazenandsawyer.com.
District	Union Sanitary District
Project or Phase 1B and 1C Project	The District's Enhanced Treatment & Site Upgrade (ETSU) Program – Phase 1B and 1C Projects, including the New Secondary Clarifier Project, Effluent Facilities Project and Plant Equalization Facilities Project.
Services	All work, labor, materials and services required under the terms and conditions of this Agreement and all Task Orders issued pursuant to the terms of this Agreement, including without limitation architectural, engineering, building information modeling, coordination, and administrative services, for the Phase 1B and 1C Project.
Subconsultants	Designer's consultants, subconsultants, contractors and subcontractors, of any tier, including without limitation the Campus Building Architect.
Campus Building Architect	The lead design consultant, and its consultants, Subconsultants, contractors and subcontractors, of any tier, for the Campus Building Sub-Project, who will be a first-tier Subconsultant to Designer. See Paragraph 19.3 below.

2. Term of Agreement

- 2.1 This Agreement is for a period of approximately five years, beginning with the execution of the Agreement and concluding upon completion of the Services unless it is extended in accordance with paragraph 2.2 below.
- 2.2 This Agreement may be extended by mutual written agreement of the parties. Any extension shall be in written form, signed by both parties, and shall specify the length of the extension and compensation.

3. Services Designer Agrees to Perform

- 3.1 Specific Services and the associated scope of services, payment, schedule, and personnel will be defined in specific Task Orders as issued by District in consultation with Designer. All Task Orders will by reference incorporate the terms and conditions of this Agreement, and become formal amendments hereto.

- 3.2 Should the progress of the Services under this Agreement at any time fall behind schedule for any reason other than Excusable Delays, defined in Paragraph 3.3 below, Designer shall apply such additional manpower and resources as necessary to bring progress of the Services under this Agreement back on schedule and consistent with the standard of professional skill and care required by this Agreement.
- 3.3 For purposes of this Agreement, **Excusable Delays** shall mean and include only (i) delays caused by neglect by District or District's agents, contractors or consultants when acting at District's direction, breaches of this Agreement by District, Acts of God such as fire, flood, earthquake, or epidemic, delay by a construction contractor during the construction phase of the Project, or any other circumstances beyond Designer's reasonable control, and (ii) for which Designer gives District written notice and requests a time extension within ten (10) days of the applicable circumstance. If the period of Excusable Delay occurs with a Designer-caused or other nonexcusable delay, District may (but shall not be required to) grant a time extension without compensation.
- 3.4 Designer may recover extra costs resulting from Excusable Delay upon showing that the costs claimed (i) resulted from time and/or expenses actually incurred in performing Services, (ii) were incurred by Designer as a direct result of the delay and not otherwise within Designer's scope of Services, and (iii) are documented to District satisfaction. (For example, and not by way of limitation, contract punchlist and final inspection Services, whenever performed, and Services related to correcting deficiencies in Designer's Services, shall be within Basic Services and not entitle Designer to extra costs or Additional Services.)
- 3.5 The Services hereunder may be amended to include additional services related to the ETSU Program beyond Phase 1B and 1C as determined by District to ensure the overall Program can be developed and constructed in a consistent and cost-efficient manner.
- 3.6 Time is of the essence in the performance of this Agreement.

4. Compensation

- 4.1 Compensation for services performed under this Agreement shall include:
- (a) Direct labor costs, multiplied by an agreed upon fixed factor (the **Multiplier**), which shall include compensation for all benefits, indirect costs, and profit.
- (i) Direct labor is defined as salaries and wages paid to personnel for time directly chargeable to the Project. Direct labor does not include the cost of Designer's statutory and customary benefits, such as sick leave, holidays, vacations, and medical and retirement benefits nor the cost of the time of executive and administrative personnel and others whose time is not identifiable to the Project. Direct labor also does not include indirect costs, which are allocations of costs that are not directly chargeable to a specific engagement and are commonly referred to as Designer's overhead. Indirect costs include provisions for such things as

clerical support, office space, light and heat, insurance, statutory and customary employee benefits, and the time of executive and administrative personnel and others whose time is not identifiable to the Project or to any other project. Under no circumstances shall the same labor costs be charged as direct labor and also appear at the same time as indirect costs, and vice versa.

(ii) The Multiplier is a multiplicative factor which is applied to direct labor costs, and compensates Designer for benefits and indirect costs (overhead) and profit.

(iii) Other non-labor direct project charges shall be included in the overhead and these charges include typical expenses as cost of transportation and subsistence, printing and reproduction, computer time and programming costs, identifiable supplies, outside consultant's charges, subcontracts, and charges by reviewing authorities."

(b) Non-labor direct Project charge not included in the fixed factor and acceptable, without any markup.

(c) Subconsultant costs, with a maximum markup of 5%.

4.2 As an alternate to Paragraph 4.1 above, the District and the Designer may mutually agree to utilize the fully-encumbered hourly rates and fees for Services performed by the Designer. These hourly rates and fees shall be based on the Designer's rate schedule published at the time this Agreement or Task Order is executed and shall be attached to each applicable Task Order.

4.3 Reimbursement for mileage shall not exceed the prevailing Internal Revenue Service's standard mileage rate.

4.4 District shall pay Designer in accordance with each Task Order.

4.5 Designer shall invoice District monthly in a form acceptable to District for the actual costs incurred, and a pro-rated portion of the Professional Fee for work performed during the previous month. All amounts paid by District to Designer shall be subject to audit by District. Payment shall be made by District to Designer at the address stated in this Agreement.

4.6 District will not withhold entire payment if a questioned amount is involved, but will issue payment in the amount of the total invoice less any questioned amount(s). District will make payment for questioned amounts(s) upon District's receipt of any requested documentation verifying the claimed amount(s) and District's determination that the amount is due under the terms of this Agreement. District shall advise Designer, in writing, within 15 calendar days of receipt of the requested documentation. Final payment will be made when all Services required under this Agreement have been completed to the reasonable satisfaction of District as set forth in each Task Order.

- 4.7 Any Professional Fee noted in a Task Order will not be changed except in the case of a written amendment to the Agreement which alters the Scope of Services, as set forth in each Task Order. District and Designer agree to negotiate an increase or decrease in Cost Ceiling and Professional Fee for any change in Scope of Services required at any time during the term of this Agreement. Designer will not commence work on the altered Scope of Services until authorized by District.
- 4.8 Direct labor rates are subject to revision to coincide with Designer's normal salary review schedule. Adjustments in direct labor rates shall not affect the firm ceiling without prior written authorization of the District.
- 4.9 District may set off against payments due Designer under this Agreement any sums that District determines that Designer owes to District because of its errors, omissions, breaches of this Agreement, delays or other acts that caused District monetary damages. Prior to exercising such right, District must demand and attend mediation pursuant to Paragraph 21.3 below of this Agreement, to be attended by District, Designer, and any applicable insurance carriers; such mediation to occur within 30 calendar days of demand. If the parties cannot agree upon the time, place, and mediator, within one week of the District's demand, then the Alameda District Superior Court may upon application by any party make such selection for the parties. If a party other than District refuses to mediate under this paragraph, then District shall have satisfied its obligations hereunder.

5. Maximum Costs

- 5.1 A Cost Ceiling will be established for each Task Order which is based upon estimated labor-hours and cost estimates. Costs as described above, comprising direct labor, overhead cost, and other direct costs, shall be payable up to a Cost Ceiling as specified in the Task Order. A Maximum Fee Ceiling, or Task Order Firm Ceiling, will also be established for each Task Order which includes the Cost Ceiling plus the Professional Fee.
- 5.2 If the Maximum Fee Ceiling is reached, the Designer will complete the agreed-upon work for the Maximum Fee Ceiling. With District staff approval, labor hours may be reallocated within the tasks without renegotiation in such a manner so as not to exceed the Maximum Fee Ceiling.
- 5.3 The Designer shall provide the District with a review of the budget amounts when 75 percent of the Cost Ceiling for any task has been expended. Designer may request a revision in the Cost Ceiling for performance of this Agreement, and will relate the rationale for the revision to the specific basis of estimate as defined in the Scope of Services. Such notification will be submitted to the District at the earliest possible date. The authorized Cost Ceiling shall not be exceeded without written approval of the District.

- 5.4 District's obligation hereunder shall not at any time exceed the amount approved by District's Board of Directors (**Board**) and approved by District for payment to the Designer pursuant to the terms of this Agreement or Task Order.
- 5.5 Except as may be provided by applicable law governing emergency conditions, District has not authorized its directors, employees, officers and agents to request Designer to perform Services or to provide materials, equipment and supplies that would result in Designer performing Services or providing materials, equipment and supplies that exceed the scope of the Services, materials, equipment and supplies agreed upon in the Agreement unless the District amends the Agreement in writing and approves the amendment as required by law to authorize the additional Services, materials, equipment or supplies.
- 5.6 District shall not reimburse Designer for Services, materials, equipment or supplies provided by Designer beyond the scope of the Services, materials, and office equipment and supplies agreed upon in the Agreement and unless approved by a written amendment to the Agreement having been executed and approved in the same manner as this Agreement.

6. Qualified Personnel

- 6.1 For purposes of this Agreement, except for notices specified under Paragraph 17 below, District and Designer shall direct all communications to each other as follows:

District

Ric Pipkin, ETSU Program Manager

Designer

Paul Pitt, Principal in Charge

- 6.2 Services under this Agreement shall be performed only by qualified, competent personnel under the supervision of and/or in the employment of Designer. Designer shall conform with District's reasonable requests regarding assignment of personnel, but all personnel, including those assigned at District's request, shall be supervised by Designer.
- 6.3 Designer agrees that key professional personnel assigned to the Project will be those listed in each Task Order, and by this reference incorporated herein, and that the listed personnel will continue their assignments on the Project during the entire term of each Task Order (**Key Personnel**). It is recognized that the Key Personnel may in the future cease to be employed by Designer and because of the termination of such employment no longer able to provide Services. However, Designer agrees that replacement of any of the Key Personnel during the Agreement period shall only be with other professional personnel who have equivalent experience and pursuant to the process set forth in this Article 6. Designer shall not remove, reassign or make changes to any of the Key Personnel or their assignment durations without District's prior written approval. Any

costs associated with replacement of Key Personnel shall be borne exclusively by Designer.

- 6.4 Added personnel (**Added Personnel**) shall be added to Designer's staff as necessary, but subject to approval by District. Prior to adding personnel, Designer will develop a Staffing Plan, subject to District approval. The Staffing Plan will identify staff by position, name, responsibility, rate, and planned level of effort, projected hours, and his or her planned periods of involvement with the Project.
- 6.5 Unless directed to reduce staff by District, in the event that any Key Personnel or Added Personnel, for any reason thereafter ceases to fill that position, within ten days thereof, Designer shall propose a replacement person for District's approval pursuant to the following process:
- (a) Designer shall prepare and submit to District for its review, comment and approval, a proposal listing all personnel that Designer proposes to assign to the Project as replacement, and the proposed duration of each such assignment.
 - (b) Within 15 days following Designer's submittal of the proposal and resumes, District shall either give its written approval of such submission or provide comments. In the event District approval is withheld, Designer, in response to such comments, shall promptly, but no later than five business days after receipt of District's comment, make all necessary and appropriate changes to the proposal (including changes in proposed staff) and resubmit it to District for its approval, and such process shall continue until District approves Designer's proposed staffing. Such approvals shall not be unreasonably withheld.
- 6.6 For replacement of Key Personnel, Designer shall be subject to liquidated damages as described below, and also may not receive reimbursement for substitute personnel in amounts greater than would have been paid for the initial Key Personnel. Designer and District agree that the personal services of the Key Personnel is a material term of the Agreement, and substitution or removal or change in role or level of effort, of such Key Personnel would result in damages to the District, the measure of which would be impractical or extremely difficult to fix, and in lieu of which District and Designer have agreed to liquidated damages as described below.
- (a) District may assess and Designer shall accept liquidated damages in the amount of three times the gross monthly salary for unauthorized substitutions of any Key Personnel.
 - (b) No liquidated damages shall be due under this paragraph if the substitution is required due to death, incapacity, or resignation of Key Personnel.
 - (c) District in its sole discretion, may elect to waive, reduce or delay implementation of liquidated damages.

- 6.7 District may, in its sole discretion, direct Designer to add to or reduce Designer's staff to meet changing Project requirements. Designer's compensation shall be equitably adjusted based upon addition or reduction of Designer staff.
- 6.8 Designer shall remove any person employed by Designer or any Subconsultant whom District may deem incompetent, improper or a hindrance to the progress of any Services on the Project, and in the event of any such removal, Designer shall immediately replace (or cause to be replaced) such person with a properly qualified and experienced replacement and, in the case of removal of any person holding any position described in the Staffing Plan, Designer shall propose properly experienced and qualified replacement personnel for District approval, pursuant to the same process as is described herein.
- 6.9 Designer agrees that should any personnel not continue their assignments on the Project during the entire term of this Agreement, then Designer shall not charge District for the cost of training or "bringing up to speed" replacement personnel. District may condition its reasonable approval of substitution personnel upon a reasonable transition period wherein new personnel will learn the Project and get up to speed at Designer's cost.

7. Representations

- 7.1 Designer represents that it is qualified to perform the Services and it possesses, and will continue to possess at its sole cost and expense, the necessary licenses and/or permits required to perform the Services or will obtain such licenses and/or permits prior to time such licenses and/or permits are required. Designer also represents that it has knowledge of, and will comply with, all applicable building codes, laws, regulations and ordinances.
- 7.2 Designer represents that it possesses all necessary training, licenses and permits to perform the Services and that its performance of the Services will conform to the standards of practice of a professional having experience and expertise in performing professional services of like nature and complexity of the Services working on similar, successfully completed projects.
- 7.3 The granting of any progress payment by District, or the receipt thereof by Designer, or any inspection, review, approval or oral statement by any representative of District or any other governmental entity, shall in no way waive or limit the obligations in this Paragraph 7 or lessen the liability of Designer for unsatisfactory Services, including without limitation cases where the defective or below standard Services may not have been apparent or detected at the time of such payment, inspection, review or approval.

8. Indemnification and General Liability

- 8.1 To the fullest extent allowed by law (including without limitation California Civil Code Sections 2782 and 2782.8), Designer shall defend, indemnify, and hold harmless District, its officers, directors, officials, agents employees, and volunteers (collectively

Indemnitees) from and against any and all claims, suit, action, loss, cost, damage, injury (including, without limitation, economic harm, injury to or death of an employee of Designer or its Subconsultants) expense and liability of every kind, nature, and description, at law or equity, that arises out of, pertain to, or relate to (including without limitation, incidental and consequential damages, court costs, attorneys' fees, litigation expenses and fees of expert consultants or expert witnesses incurred in connection therewith and costs of investigation) any negligence, recklessness, or willful misconduct of Designer, any Subconsultant, anyone directly or indirectly employed by them, or anyone that they control (collectively **Liabilities**). Such obligations to defend, hold harmless and indemnify and Indemnitee shall not apply to the extent that such Liabilities are caused in whole or in part by the sole negligence, active negligence, or willful misconduct of such Indemnitee but shall apply to all other Liabilities. In no event shall the cost to defend charged to Designer exceed Designer's proportionate percentage of fault.

- 8.2 Designer shall defend, indemnify and hold harmless the Indemnitees from all loss, cost, damage, expense, suit, liability or claims, in law or in equity, including attorneys' fees, court costs, litigation expenses and fees of expert consultants or expert witnesses, that may at any time arise for any infringement of the patent rights, copyright, trade secret, trade name, trademark, service mark or any other proprietary right of any person or persons in consequence of the use by District, or any of the other Indemnitees, of articles or Services to be supplied in the performance of this Agreement.

9. Liability of District

- 9.1 District's obligations under this Agreement shall be limited to the payment of the compensation provided for in this Agreement and any Task Order.
- 9.2 Notwithstanding any other provision of this Agreement, in no event shall District be liable, regardless of whether any claim is based on contract, tort or otherwise, for any special, consequential, indirect or incidental damages, lost profits or revenue, arising out of or in connection with this Agreement, the Services, or the Project.
- 9.3 District shall not be responsible for any damage to persons or property as a result of the use, misuse or failure of any equipment used by Designer, or by any of its employees, even though such equipment be furnished, rented or loaned to Designer by District. The acceptance or use of such equipment by Designer or any of its employees shall be construed to mean that Designer accepts full responsibility for and shall exonerate, indemnify, defend and save harmless District from and against any and all claims for any damage or injury of any type, including attorneys' fees, arising from the use, misuse or failure of such equipment, whether such damage be to the Designer, its employees, District employees or third parties, or to property belonging to any of the above.
- 9.4 Nothing in this Agreement shall constitute a waiver or limitation of any right or remedy, whether in equity or at law, which District or Designer may have under this Agreement or any applicable law. All rights and remedies of District or Designer, whether under this Agreement or other applicable law, shall be cumulative.

10. Independent Contractor; Payment of Taxes and Other Expenses

- 10.1 Designer shall be deemed at all times to be an independent contractor and shall be wholly responsible for the manner in which Designer perform the Services required by the terms of this Agreement. Designer shall be fully liable for the acts and omissions of it its Subconsultants, employees and agents.
- 10.2 Nothing contained herein shall be construed as creating an employment, agency or joint venture relationship between District and Designer. Designer acknowledges that neither it nor any of its employees or agents shall, for any purpose whatsoever, be deemed to be District employees, and shall not be entitled to receive any benefits conferred on District employees, including without limitation workers' compensation, pension, health, insurance or other benefits.
- 10.3 Designer shall be solely responsible for payment of any required taxes, including California sales and use taxes, city business taxes and United States income tax withholding and social security taxes, levied upon this Agreement, the transaction, or the Services delivered pursuant hereto.
- 10.4 Designer shall make its designated representative available as much as reasonably possible to District staff during the District's normal working hours or as otherwise requested by District. Terms in this Agreement referring to direction from District shall be construed as providing for direction as to policy and the result of Designer's Services only and not as to the means by which such a result is obtained.

11. Insurance

- 11.1 Designer, in order to protect District and its directors, officials, agents, officers, and employees against any and all claims and liability for death, injury, loss and damage which may arise from or in connection with the performance of the obligations hereunder by Designer, its agents, representatives and employees, shall secure and maintain insurance as described below.
- 11.2 Prior to execution of this Agreement, Designer shall furnish to District original certificates of insurance including all required amendatory endorsements (or copies of the applicable policy language effecting required coverage) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements, and shall demonstrate satisfactory proof that it maintains the insurance required by this Agreement. Failure to obtain the required documents prior to execution of this Agreement shall not waive Designer's obligation to provide them. District reserves the right to require complete, certified copies of all required insurance policies, including endorsement, at any time. Designer shall maintain all required insurance throughout the term of this Agreement and as otherwise provided herein. Receipt of evidence of insurance that does not comply with all applicable insurance requirements shall not constitute a waiver of the insurance requirements set forth herein. The required documents must be signed by the authorized representative of the insurance company shown on the certificate. Upon request, Designer shall supply proof that such person is

an authorized representative thereof, and is authorized to bind the named underwriter(s) and their company(s) to the coverage, limits and termination provisions shown thereon. Designer shall promptly deliver to District a certificate of insurance, and all required endorsements, with respect to each renewal policy, as necessary to demonstrate the maintenance of the required insurance coverage for the term specified herein. Such certificates and endorsements shall be delivered to District prior to the expiration date of any policy and bear a notation evidencing payment of the premium thereof if so requested. Designer shall immediately pay any deductibles and self-insured retentions under all required insurance policies upon the submission of any claim by Designer or District as an additional insured.

11.3 Designer shall provide coverage at least as broad as set forth below. If the Designer maintains broader coverage and/or higher limits than set forth below, District requires and shall be entitled to the broader coverage and/or the higher limits maintained by Designer. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to District.

- (a) Commercial General Liability Insurance. Commercial General Liability Insurance Form CG 00 01 covering CGL on an "occurrence" basis, including, without limitation, contractual liability insurance (specifically concerning the indemnity provisions of this Agreement with the District), products and completed operations, personal and advertising injury (including bodily injury and death), and property damage for liability arising out of Designer's performance of services under this Agreement. The Commercial General Liability insurance shall contain no exclusions or limitation for independent contractors working on the behalf of the named insured. Designer shall maintain the Products-Completed Operations Hazard coverage for the longest period allowed by law following termination of this Agreement. The amount of said insurance coverage required by this Agreement shall be the policy limits, which shall be at least one million dollars (\$1,000,000) each occurrence and two million dollars (\$2,000,000) aggregate.
- (b) Automobile Liability Insurance. Insurance Services Office Form Number CA 0001 covering Code 1 (any auto), or if Designer has no owned autos, Code 8 (hired) and 9 (non-owned), with coverage equal to the policy limits, which shall be at least one million dollars (\$1,000,000) each occurrence for bodily injury and property damage.
- (c) Workers' Compensation Insurance. Designer shall submit written proof that Designer is insured against liability for workers' compensation in accordance with the provisions of section 3700 of the California Labor Code. Designer shall require any Subconsultants to provide workers' compensation for all of the Subconsultants' employees, unless the Subconsultants' employees are covered by the insurance afforded by Designer. If any class of employees engaged in work or services performed under this Agreement is not covered by California Labor Code section 3700, Designer shall provide and/or require each Subconsultant to provide adequate insurance for the coverage of employees not

otherwise covered. Designer shall also maintain employer's liability insurance with limits of one million dollars (\$1,000,000) per accident for bodily injury or disease.

- (d) Professional Liability Insurance. Professional Liability (Errors and Omissions) Insurance, for liability arising out of, or in connection with, all negligent acts, errors or omissions in connection with services to be provided under this Agreement, with no exclusion for claims of one insured against another insured, with coverage equal to the policy limits, which shall not be less than \$5,000,000 per occurrence and \$5,000,000 aggregate.

11.4 Designer shall comply with the following insurance requirements:

- (a) Notice of Cancellation. The above stated insurance coverages required to be maintained by Designer shall be maintained until the completion of all of Designer's obligations under this Agreement except as otherwise indicated herein. Each insurance policy supplied by Designer shall not be suspended, voided, cancelled or reduced in coverage or in limits except after ten days written notice by Designer in the case of non-payment of premiums, or 30 days written notice in all other cases. This notice requirement does not waive the insurance requirements stated herein. Designer shall immediately obtain replacement coverage for any insurance policy that is terminated, canceled, non-renewed, or whose policy limits have been exhausted or upon insolvency of the insurer that issued the policy.
- (b) Claims Made Policies. If any of the insurance coverages required under this Agreement is written on a claims-made basis, the retroactive date must be shown and must be before the date of the Agreement or the beginning of the Services. Designer must maintain the insurance and evidence of insurance must be provided for at least five years following the completion of the Services under the Agreement. If coverage is cancelled or non-renewed and not replaced with another claims-make policy form with a retroactive date prior to the effective date of this Agreement, the Designer must purchase "extended reporting" coverage for a minimum of five years after completion of Services under the Agreement.
- (c) Self-Insured Retentions. Any self-insured retentions must be declared on the Certificate of insurance or other documentation provided to District and must be approved by the District. District may require Designer to provide proof of ability to pay losses and related investigations, claims administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insurer or District.
- (d) Additional Insured Status. On Designer's Commercial General Liability and Automobile policies, the Union Sanitary District, its officers, directors, agents, employees, and volunteers, shall be named as additional insured's, but only with

respect to liability arising out of the activities of the named insured. Any endorsement shall be provided using one of the following three options: (i) on ISO form CG 20 10 1 1 85; or (ii) on ISO form CG 20 37 10 01 plus either ISO form CG 20 10 10 01 or CG 20 33 10 01; or (iii) on such other forms which provide coverage at least equal to or better than form CG 20 10 1 1 85.

- (e) Acceptability of Insurers. All insurance shall be issued by a company or companies admitted to do business in California and listed in the current "Best's Key Rating Guide" publication with a minimum rating of A:VII. Any exception to these requirements must be approved by the District Risk Manager.
- (f) Primary Coverage. All insurance afforded by Designer pursuant to this Agreement shall be primary to and not contributing to all insurance or self-insurance maintained by the District at least as broad as ISO CG 20 01 04 13 with respect to District, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by District, its officers, officials, employees or volunteers shall be excess of the Designer's insurance and not contribute with it.
- (g) Waiver of Subrogation. Designer grants to District a waiver of any right of subrogation which any insurer of Designer may acquire against the District by virtue of the payment of any loss under such insurance. Designer agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, however, this paragraph applies regardless of whether or not the District has received a waiver of subrogation endorsement from the insurer.
- (h) Maintenance of Insurance. Failure by Designer to maintain all such insurance in effect at all times required by this Agreement shall be a material breach of this Agreement by Designer. District, at its sole option, may terminate this Agreement and obtain damages from Designer resulting from said breach. Alternatively, District may purchase such required insurance coverage, and without further notice to Designer, District shall deduct from sums due to Designer any premiums and associated costs advanced or paid by District for such insurance. If the balance of monies obligated to Designer pursuant to this Agreement are insufficient to reimburse District for the premiums and any associated costs, Designer agrees to reimburse District for the premiums and pay for all costs associated with the purchase of said insurance. Any failure by District to take this alternative action shall not relieve Designer of its obligation to obtain and maintain the insurance coverages required by this Agreement.
- (i) Subconsultants. Designer shall require and verify that all Subconsultants maintain insurance meeting the requirements of this Agreement and Designer shall ensure that District is an additional insured on insurance required from subcontractors.

11.5 District reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

- 11.6 District may (but is under no obligation to) secure project-specific insurance, wrap-up insurance, or administer an owner controlled insurance program (**OCIP**), in which case Designer and its Subconsultants shall communicate this fact to their insurance carriers and request that the risk of this project be excluded from their practice policies. Designer's fees under this Agreement (and the fee of its Subconsultants under Subconsultant agreements) shall be reduced by the amount of insurance premiums that may be avoided by Designer and its Subconsultants by virtue of the District's obtaining the project-specific insurance, wrap-up insurance or administering an OCIP, and the exclusion of this project from coverage of Designer's and Subconsultants policies. Designer and its Subconsultants shall afford District access to their books and records and cooperate with District in verifying the amount of savings realized.

12. Suspension of Services

- 12.1 District may, without cause, order Designer to suspend, delay or interrupt Services pursuant to this Agreement, in whole or in part, for such periods of time as District may determine in its sole discretion. District shall deliver to Designer written notice of the extent of the suspension at least seven calendar days before the commencement thereof. Suspension shall be treated as an Excusable Delay and Designer shall be compensated for such delay to the extent provided under this Agreement.
- 12.2 Notwithstanding anything to the contrary contained in this Paragraph 12, no compensation shall be paid to the extent that performance is, was or would have been so suspended, delayed or interrupted by a cause for which Designer is responsible.

13. Termination of Agreement for Cause

- 13.1 If at any time District believes Designer may not be adequately performing its obligations under this Agreement, that Designer may fail to complete the Services as required by this Agreement, or that District has provided written notice of observed deficiencies in Designer's performance, District may request from Designer prompt written assurances of performance and a written plan, acceptable to District, to correct the observed deficiencies in Designer's performance (**Cure Plan**). The Cure Plan must include, as applicable, evidence of necessary resources, correction plans, Subconsultant commitments, schedules and recovery schedules, and affirmative commitments to correct the asserted deficiencies, must meet all applicable requirements and show a realistic and achievable plan to cure the breach. Designer shall provide such written assurances and Cure Plan within ten calendar days of the date of notice of written request. Designer acknowledges and agrees that any failure to provide written assurances and Cure Plan to correct observed deficiencies, in the required time, is a material breach under this Agreement.
- 13.2 Designer shall be in default of this Agreement and District may, in addition to any other legal or equitable remedies available to District, terminate Designer's right to proceed under the Agreement, in whole or in part, for cause:

- (a) Should Designer make an assignment for the benefit of creditors, admit in writing its inability to pay its debts as they become due, file a voluntary petition in bankruptcy, be adjudged a bankrupt or insolvent, file a petition or answer seeking for itself any reorganization, arrangement, composition, readjustment, liquidation, dissolution, or similar relief under any present or future statute, law, or regulation, file any answer admitting or not contesting the material allegations of a petition filed against Designer in any such proceeding, or seek, consent to, or acquiesce in, the appointment of any trustee, receiver, custodian or liquidator of Designer or of all or any substantial part of the properties of Designer, or if Designer, its directors or shareholders, take action to dissolve or liquidate Designer; or
- (b) Should Designer commit a material breach of this Agreement and not cure such breach within ten calendar days of the date of notice from District to Designer demanding such cure; or, if such failure is curable but not curable within such ten day period, within such period of time as is reasonably necessary to accomplish such cure. (In order for Designer to avail itself of this time period in excess of ten calendar days, Designer must provide District within the ten calendar day period a written Cure Plan acceptable to District to cure the breach, and then Designer must diligently commence and continue such cure according to the written Cure Plan); or
- (c) Should Designer violate or allow a violation of any valid law, statute, regulation, rule, ordinance, permit, license or order of any governmental agency in effect at the time of performance of the Services and applicable to the Project or Services and does not cure such violation within ten calendar days of the date of the notice from District to Designer demanding such cure; or, if such failure is curable but not curable within such ten calendar day period, within such period of time as is reasonably necessary to accomplish such cure. (In order for Designer to avail itself of this time period in excess of ten calendar days, Designer must provide District within the ten calendar day period a written Cure Plan acceptable to District to cure said breach, and then Designer must diligently commence and continue such cure according to the written Cure Plan.)

13.3 In the event of termination by District as provided herein for cause:

- (a) District shall compensate Designer for the value of the Services delivered to District upon termination as determined in accordance with the Agreement, subject to all rights of offset and backcharges, but District shall not compensate Designer for its costs in terminating the Services or any cancellation charges owed to third parties.
- (b) Designer shall deliver to District possession of all tangible aspects of the Services in their then condition including, without limitation, all copies (electronic, CAD, and PDF format, and hard copy) of designs, engineering, Project records, cost data of all types, drawings and specifications and contracts with vendors and Subconsultants, and all other documentation associated with the Project, and all

supplies and aids dedicated solely to performing Services which, in the normal course of the Services, would be consumed or only have salvage value at the end of the Services period.

- (c) Designer shall remain fully liable for the failure of any Services completed and drawings and specifications provided through the date of such termination to comply with the provisions of the Agreement. The provisions of this Paragraph shall not be interpreted to diminish any right that District may have to claim and recover damages for any breach of this Agreement, but rather, Designer shall compensate District for all loss, cost, damage, expense, and/or liability suffered by District as a result of such termination and failure to comply with the Agreement, including without limitation District's costs incurred in connection with finding a replacement.

- 13.4 In the event a termination for cause is determined to have been made wrongfully or without cause, then the termination shall be treated as a termination for convenience pursuant to Paragraph 14 below, and Designer shall have no greater rights than they would have had if a termination for convenience had been effected in the first instance. No other loss, cost, damage, expense or liability may be claimed, requested or recovered by Designer.

14. Termination of Agreement for Convenience

- 14.1 District may terminate performance of the Services under the Agreement in accordance with this Paragraph 14 in whole, or from time to time in part, whenever District shall determine that termination is in the District's best interests. Termination shall be effected by District delivering to Designer, at least seven calendar days prior to the effective date of the termination, a Notice of Termination (**Notice of Termination**) specifying the extent to which performance of the Services under the Agreement is terminated.
- 14.2 After receipt of a Notice of Termination, and except as otherwise directed by District, Designer shall:
- (a) Stop Services under the Agreement on the date and to the extent specified in the Notice of Termination;
 - (b) Place no further orders or subcontracts (including agreements with Subconsultants) for materials, Services, or facilities except as necessary to complete the portion of the Services under the Agreement which is not terminated;
 - (c) Terminate all orders and subcontracts to the extent that they relate to performance of Services terminated by the Notice of Termination;
 - (d) Assign to District in the manner, at times, and to the extent directed by District, all right, title, and interest of Designer under orders and subcontracts so

terminated. District shall have the right, in its discretion, to settle or pay any or all claims arising out of termination of orders and subcontracts;

- (e) Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with approval or ratification of District to the extent District may require. District's approval or ratification shall be final for purposes of this clause;
- (f) Transfer title and possession of Designer's and its Subconsultants' work product to District, and execute all required documents and take all required actions to deliver in the manner, at times, and to the extent, if any, directed by District, completed and uncompleted designs and specifications, Services in process, completed Services, supplies, and other material produced or fabricated as part of, or acquired in connection with performance of, Services terminated by the Notice of Termination; District acknowledges that said documents were prepared for the purpose of the Project.
- (g) Complete performance of any part of the Services that were not terminated by the Notice of Termination; and
- (h) Take such action as may be necessary, or as District may direct, for the protection and preservation of property related to this Agreement which is in Designer's possession and in which District has or may acquire an interest.

14.3 After receiving a Notice of Termination, Designer shall submit to District a termination claim, in the form and with the certification District prescribes. The claim shall be submitted promptly, but in no event later than three months from the effective date of the termination, unless one or more extensions in writing are granted by District upon Designer's written request made within such three month period or authorized extension. However, if District determines that facts justify such action, it may receive and act upon any such termination claim at any time after such three month period or extension. If Designer fail to submit the termination claim within the time allowed, District may determine, on basis of information available to it, the amount, if any, due to Designer because of the termination. District shall then pay to Designer the amount so determined.

14.4 Subject to provisions of Paragraph 14.3 above, Designer and District may agree upon the whole or part of the amount or amounts to be paid to Designer because of any termination of Services under this Paragraph. The amount or amounts may include a reasonable allowance for profit on Services done. However, such agreed amount or amounts, exclusive of settlement costs, shall not exceed the total Agreement price as reduced by the amount of payments otherwise made and as further reduced by the Agreement price of Services terminated. The Agreement may be amended accordingly, and Designer shall be paid the agreed amount.

14.5 If Designer and District fail, under Paragraph 14.4 above, to agree on the whole amount to be paid to Designer because of termination of Services under this Paragraph 14.5,

then Designer's entitlement to compensation for Services specified in the Agreement which are performed before the effective date of Notice of Termination, shall be the total (without duplication of any items) of:

- (a) Reasonable value of Designer's Services performed prior to Notice of Termination, based on Designer's entitlement to compensation under the applicable Task Order. Such amount or amounts shall not exceed the total Agreement price as reduced by the amount of payments otherwise made and as further reduced by the Agreement value of Services terminated. Deductions against such amount or amounts shall be made for deficiently performed Services, rework caused by deficiently performed Services, cost of materials to be retained by Designer, amounts realized by sale of materials, and for other appropriate credits against cost of Services. Such amount or amounts may include profit, but not in excess of 10% of Designer's total costs of performing the Services.
- (b) When, in District's opinion, the cost of any Services item is excessively high due to costs incurred to remedy or replace defective or rejected Services (including having to re-perform Services), reasonable value of Designer's Services will be the estimated reasonable cost of performing Services in compliance with the requirements of this Agreement, and any excessive actual cost shall be disallowed.
- (c) Reasonable cost to Designer of handling material returned to vendors, delivered to District or otherwise disposed of as directed by District.
- (d) Except as provided in this Agreement, in no event shall District be liable for costs incurred by Designer (or Subconsultants) after receipt of a Notice of Termination. Such non-recoverable costs include, but are not limited to, anticipated profits on the Agreement or subcontracts, post-termination employee salaries, post-termination administrative expenses, post-termination overhead or unabsorbed overhead, costs of preparing and submitting claims or proposals, attorney's fees or other costs relating to prosecution of the claim or a lawsuit, pre-judgment interest, or any other expense that is not reasonable or authorized under Paragraph 14.5 above.

14.6 This Paragraph shall not prohibit Designer from recovering costs necessary to discontinue further Services under the Agreement as provided for in Paragraph 14.2 above or costs authorized by District to settle claims from Subconsultants.

14.7 In arriving at amounts due Designer under this Paragraph 14, there shall be deducted:

- (a) All unliquidated advance or other payments on account theretofore made to Designer, applicable to the terminated portion of Agreement,
- (b) Any substantiated claim that District may have against Designer in connection with this Agreement, and

- (c) The agreed price for, or proceeds of sale of, any materials, supplies, or other things kept by Designer or sold under the provisions of this Paragraph 14, and not otherwise recovered by or credited to District.

14.8 If the termination for convenience hereunder is partial, before settlement of the terminated portion of this Agreement, Designer may file with District a request in writing for equitable adjustment of price or prices specified in the Agreement relating to the portion of this Agreement that is not terminated. District may, but shall not be required to, agree on any such equitable adjustment. Nothing contained herein shall limit the right of District and Designer to agree upon amount or amounts to be paid to Designer for completing the continued portion of the Agreement when the Agreement does not contain an established price for the continued portion. Nothing contained herein shall limit District's rights and remedies pursuant to this Agreement or at law.

15. Conflicts of Interest/Other Agreements

15.1 Designer represents that it is familiar with Section 1090 and Section 87100, et seq., of the Government Code of the State of California, and that it does not know of any facts that constitute a violation of those sections.

15.2 Designer represents that it has completely disclosed to District all facts bearing upon any possible interests, direct or indirect, which Designer believes any member of District, or other officer, agent or employee of District or any department presently has, or will have, in this Agreement, or in the performance thereof, or in any portion of the profits thereunder. Willful failure to make such disclosure, if any, shall constitute ground for termination of this Agreement by District for cause. Designer shall comply with the District's conflict of interest codes and their reporting requirements.

15.3 Designer covenants that it presently has no interest, and during the term of this Agreement shall not have any interest, direct or indirect, that would conflict in any manner with the performance of Services required under this Agreement. Without limitation, Designer represents to and agrees with District that Designer has no present, and in the future during the term of this Agreement will not have any, conflict of interest between providing District Services hereunder and any interest Designer may presently have, or will have in the future, with respect to any other person or entity that has any interest adverse or potentially adverse to the District, as determined in District's reasonable judgment.

16. Proprietary or Confidential Information of District; Ownership of Results; Publicity

16.1 Designer acknowledges and agrees that, in the performance of the Services under this Agreement or in the contemplation thereof, Designer may have access to private or confidential information that may be owned or controlled by District and that such information may contain proprietary or confidential details, the disclosure of which to third parties may be damaging to District. Designer agrees that all private, confidential, or proprietary information disclosed by District to or discovered by Designer in the performance of the Services shall be held in strict confidence and used only in

performance of this Agreement. Designer shall exercise the same standard of care to protect such information as a reasonably prudent professional would use to protect its own proprietary data, and shall not accept employment adverse to District's interests where such confidential information could be used adversely to District's interests. Designer shall notify District immediately in writing if it is requested to disclose any information made known to or discovered by Designer during the performance of or in connection with the Services pursuant to this Agreement.

- 16.2 Any interest (including copyright interests) of Designer or its Subconsultants, in studies, reports, memoranda, computational sheets, drawings, plans or any other documents (including electronic media) prepared by Designer or its Subconsultants in connection with the Services, shall become the property of District. To the extent permitted by Title 17 of the United States Code, work product produced under this Agreement shall be deemed works for hire and all copyrights in such works shall be the property of District. In the event that it is ever determined that any works created by Designer or its Subconsultants under this Agreement are not works for hire under U.S. law, Designer hereby assigns to District all copyrights to such works. As respects Designers' standard details and proprietary design instruments of service (not specific to this Agreement), however, Designer shall have only a non-exclusive but otherwise unrestricted license to use the materials prepared in connection with this Agreement.
- 16.3 Any publicity or press releases with respect to the Project or Services shall be under District's sole discretion and control. Designer shall not discuss the Services, the Project, or matters pertaining thereto, with the public press, representatives of the public media, public bodies or representatives of public bodies, without District's prior written consent. Designer shall have the right, however, without District's further consent, to include representations of Services among Designer's promotional and professional material, and to communicate with persons or public bodies where necessary to perform under this Agreement.
- 16.4 The provisions of this Paragraph 16 shall remain fully effective indefinitely after termination of Services to the District hereunder.

17. Notices to the Parties

- 17.1 All notices (including requests, demands, approvals or other communications other than ordinary course Project communications) under this Agreement shall be in writing and shall include the word "NOTICE" in the subject line.
- 17.2 Notice shall be sufficiently given for all purposes as follows:
- (a) When personally delivered to the recipient, notice is effective on delivery.
 - (b) When mailed by certified mail with return receipt requested, notice is effective on receipt if delivery is confirmed by a return receipt.

- (c) When delivered by reputable delivery service, with charges prepaid or charged to the sender's account, notice is effective on delivery if delivery is confirmed by the delivery service.
 - (d) Notice by facsimile or electronic mail shall not be allowed or constitute "Notice" under this Paragraph 17.
- 17.3 Any correctly-addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be considered to be effective as of the first date that the notice was refused, unclaimed, or considered undeliverable by the postal authorities, messenger, or overnight delivery service,
- 17.4 Addresses for the purpose of giving notice are set forth in Paragraph 6.1 above. Either party may, by written notice given at any time or from time to time require subsequent notices to be given to another individual person, whether a party or an officer or a representative, or to a different address or fax number, or both, by giving the other party notice of the change in any manner permitted by this Paragraph 17.

18. Record Keeping and Audit Requirements

- 18.1 Designer shall maintain adequate books, records, documents, and other evidence pertinent to Services under this Agreement or in connection with the Project in accordance with generally accepted accounting principles. Adequate supporting documentation shall be maintained in such detail so as to permit tracing transactions from the invoices, to the financial statement, to the accounting records, and to the supporting documentation. Designer shall make all such items to District, its designee or their designated representatives, during the course of performance of Services under this Agreement for a period of three years after the later of completion of all Services and final completion of the Project, and provide suitable facilities for access, monitoring, inspection, and copying thereof, and staff to answer questions and respond to inquiries. Further, Designer agrees to include similar Subconsultant obligations and District (and its designees) rights in all Subconsultant agreements relating to the Services or Project.

19. Subcontracting/Assignment/District Employees

- 19.1 Designer and District agree that Designer's unique talents, knowledge and experience form a basis for this Agreement and that the Services to be performed by Designer under this Agreement are personal in character. Therefore, Designer shall not subcontract, assign or delegate any portion of this Agreement or any duties or obligations hereunder unless approved by District in a written instrument executed and approved by the District in writing. Neither party shall, on the basis of this Agreement, contract on behalf of or in the name of the other party. Any agreement that violates this Paragraph 19.1 shall confer no rights on any party and shall be null and void.
- 19.2 Designer shall not employ or engage, or attempt to employ or engage, any person who is or was employed by District or any department thereof at any time that this

Agreement is in effect, and for a period of two years after the termination of this Agreement or the completion of the Services, without the written consent of District.

- 19.3 As of the execution of this Agreement, the identity and team members of the Campus Building Architect, as well as their specific scope, cost, and terms of the subcontract between Designer and Campus Building Architect, have not been determined. Following the District's selection of the Campus Building Architect and agreement regarding the other items, District and Designer shall amend this Agreement accordingly, and Designer shall engage Campus Building Architect as a Subconsultant.

20. Other Obligations

- 20.1 Designer shall not discriminate against any employee or applicant for employment, nor against any Subconsultant or applicant for a subcontract, because of race, color, religious creed, age, gender, actual or perceived sexual orientation, national origin, disability as defined by the ADA (as defined below) or veteran's status. To the extent applicable, Designer shall comply with all federal, state and local laws (including, without limitation, District ordinances, rules and regulations) regarding non-discrimination, equal employment opportunity, affirmative action and occupational-safety-health concerns, shall comply with all applicable rules and regulations thereunder, and shall comply with same as each may be amended from time to time.
- 20.2 Designer acknowledges that, pursuant to the Americans with Disabilities Act (**ADA**), programs, services and other activities provided by a public entity to the public, whether directly or through a contractor, must be accessible to the disabled public. Designer shall provide the Services specified in this Agreement in a manner that complies with the standard of care established under this Agreement regarding the ADA and any and all other applicable federal, state and local disability rights legislation. Designer agree not to discriminate against disabled persons in the provision of services, benefits or activities provided under this Agreement and further agrees that any violation of this prohibition on the part of Designer, its employees, agents or assigns shall constitute a material breach of this Agreement. Designer shall comply with §504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- 20.3 If required by District, the Designer shall obtain written approval from the District representative prior to accessing District internal systems through real-time computer connections. Upon approval, the Designer will use only in-bound connections to accomplish a legitimate business need and a previously defined and approved task. As a condition of approval, the Designer shall: (a) run a current operating system supported by the District with up-to-date security patches applied as defined in the District COE/Non-COE document; (b) have anti-virus software installed on his/her personal computer with up-to-date virus signatures; (c) have personal firewall software installed and enabled on their computers; and (d) understand and sign the District's Electronic Equipment Use Policy, number 2160. The District reserves the right to audit the security

measures in effect on Designer's connected systems without prior notice. The District also reserves the right to terminate network connections immediately with all Designer's systems not meeting the above requirements.

- 20.4 Designer, at no additional expense to the District, shall conduct a background check for each of its employees, as well as for the employees of its Subconsultants (collectively "Consultant Employees") who will have access to District's computer systems, either through on-site or remote access, or whose contract work requires an extended presence on the District's premises. The minimum background check process for any District consultant shall include, but not be limited to: (a) for California residents: Criminal Records (County and State Criminal Felony and Misdemeanor; and (b) for Out of State residents: Federal criminal search of the National Criminal Database. The background check shall be conducted and the results submitted to the District prior to initial access by Consultant Employees. If at any time, it is discovered that a Consultant Employee has a criminal record that includes a felony or misdemeanor, the Designer is required to inform the District immediately and the District will assess the circumstances surrounding the conviction, time frame, nature, gravity, and relevancy of the conviction to the job duties, to determine whether the Consultant Employee will be placed or remain on a District assignment. The District may withhold consent at its sole discretion. The District may also conduct its own criminal background check of the Consultant Employees. Failure of the Designer to comply with the terms of this paragraph may result in the termination of the Agreement with the District.

21. Disputes

- 21.1 Should any question arise as to the meaning and intent of this Agreement, the question shall, prior to any other action or resort to any other legal remedy, be referred to District's ETSU Program Manager and a principal of the Designer who shall attempt, in good faith, to resolve the dispute. Such referral shall be initiated by written request from either party, and a meeting between the ETSU Program Manager and Designer principal shall then take place within five calendar days of the date of the request.
- 21.2 Provided that District continues to compensate Designer in accordance with this Agreement, Designer shall continue its Services throughout the course of any and all disputes. Nothing in this Agreement shall allow Designer to discontinue Services during the course of any dispute. Designer's failure to continue Services during any and all disputes shall be considered a material breach of this Agreement. Designer agrees that the existence or continued existence of a dispute does not excuse performance under any provision of this Agreement including, without limitation, the time to complete the Services. Designer also agrees that should Designer discontinue Services due to a dispute or disputes, District may terminate this Agreement for cause as provided herein.
- 21.3 In the event of claims exceeding \$50,000, as a precondition to commencing litigation, the parties shall first participate in non-binding mediation pursuant to the construction mediation procedures of JAMS, in Oakland, California, before a mediator mutually agreeable to the parties, and in the event the parties are unable to agree, selected by a judge of the Alameda District Superior Court from an approved list of JAMS qualified

construction mediators. The parties may initially agree to engage in discovery prior to mediation. Should parties proceed with discovery, they shall follow the procedures prescribed in the California Code of Civil Procedure and discovery so conducted shall apply in any subsequent litigation as if conducted in that litigation.

22. Agreement Made in California; Venue

- 22.1 This Agreement shall be deemed to have been executed in the City of Union City, County of Alameda. The formation, interpretation and performance of this Agreement shall be governed by the laws of the State of California, including its statutes of limitation, excluding its conflict of laws rules. The exclusive venue for all disputes or litigation arising out of this Agreement shall be in the Superior Court of the District of Alameda unless the parties agree otherwise in a written amendment to this Agreement.
- 22.2 The parties shall execute two copies of this Agreement, each of which shall be deemed originals.

23. Compliance with Laws; Standard of Care

- 23.1 Designer shall comply with all applicable, laws, rules, orders and regulations (collectively, **Laws**) in the performance of the Services, including without limitation all executive and county order and District policies and regulation regarding COVID-19, regardless of whether such laws are specifically stated in this Agreement and regardless of whether such laws are in effect on the date hereof. Designer shall comply with all security requirements imposed by authorities with jurisdiction over any Project, and will provide all information, work histories and/or verifications as requested by such authorities for security clearances or compliance.
- 23.2 Designer shall perform all Services with the care and skill, ordinarily exercised in like cases by reputable members of their professions practicing under similar circumstances (**Standard of Care**).
- 23.3 Designer represent that all plans, drawings, specifications, designs and any other product of the Services will comply with all applicable Laws and be consistent with the Standard of Care.

24. Miscellaneous

- 24.1 All section and paragraph captions are for reference only and shall not be considered in construing this Agreement.
- 24.2 As between the parties to this Agreement: as to all acts or failures to act by either party to this Agreement, any applicable statute of limitations shall commence to run on the date of issuance by District of the final Certificate for Payment, or termination of this Agreement, whichever is earlier. This Paragraph 24.2 shall not apply to latent defects as defined by California law or negligence claims, as to which the statute of limitations shall commence to run on discovery of the defect and its cause. However, the

applicable statutes of repose, California Code of Civil Procedure, Sections 337.1 and 337.15, shall continue to apply.

- 24.3 Any provisions or portion thereof of this Agreement that is prohibited by, unlawful or unenforceable under any applicable law of any jurisdiction, shall as to such jurisdiction be ineffective without affecting other provisions of this Agreement. If the provisions of such applicable law may be waived, they are hereby waived to the end that this Agreement may be deemed to be a valid and binding agreement enforceable in accordance with its terms. If any provisions or portion thereof of this Agreement are prohibited by, unlawful, or unenforceable under any applicable law and are therefore stricken or deemed waived, the remainder of such provisions and this Agreement shall be interpreted to achieve the goals or intent of the stricken or waived provisions or portions thereof to the extent such interpretation is consistent with applicable law. In dispute resolution arising from this Agreement, the fact finder shall receive detailed instructions on the meaning and requirements of this Agreement.
- 24.4 Either party's waiver of any breach, or the omission or failure of either party, at any time, to enforce any right reserved to it, or to require performance of any of the terms, covenants, conditions or other provisions of this Agreement, including the timing of any such performance, shall not be a waiver of any other right to which any party is entitled, and shall not in any way affect, limit, modify or waive that party's right thereafter to in force or compel strict compliance with every term, covenant, condition or other provision hereof, any course of dealing or custom of the trade or oral representations notwithstanding.
- 24.5 Except as expressly provided in this Agreement, nothing in this Agreement shall operate to confer rights or benefits on persons or entities not party to this Agreement. Time is of the essence in the performance of this Agreement.
- 24.6 Designer acknowledges that Designer and all Subconsultants are aware of and understand the Immigration Reform and Control Act (**IRCA**). Designer is and shall remain in compliance with the IRCA and shall ensure that any Subconsultants hired by Designer to perform services under this Agreement are in compliance with the IRCA. In addition, Designer agrees to indemnify, defend and hold harmless the District, its agents, officers and employees, from any liability, damages or causes of action arising out of or relating to any claims that Designer's employees, or the employees of any Subconsultant hired by Designer, are not authorized to work in the United States for Designer or its Subconsultant and/or any other claims based upon alleged IRCA violations committed by Designer or Designer's Subconsultant(s).

25. Entire Agreement; Modifications

- 25.1 This Agreement, and any written modification to the Agreement, shall represent the entire and integrated Agreement between the parties hereto regarding the subject matter of this Agreement and shall constitute the exclusive statement of the terms of the parties' Agreement. The Agreement, and any written modification to the Agreement, shall supersede any and all prior negotiations, representations or

agreements, either written or oral, express or implied, that relate in any way to the subject matter of this Agreement or written modification, and the parties represent and agree that they are entering into this Agreement and any subsequent written modification in sole reliance upon the information set forth in the Agreement or written modification and the parties are not and will not rely on any other information. All prior negotiations, representations or agreements, either written or oral, express or implied, that relate in any way to the subject matter of this Agreement, shall not be admissible or referred to hereafter in the interpretation or enforcement of this Agreement.

- 25.2 To the extent this Agreement conflicts with the terms of any proposal, invoice, or other document submitted to or by either party, the terms of this Agreement shall control.
- 25.3 This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved by a fully authorized representative of District, Designer expressing such an intention in the case of a modification or by the party waiving in the case of a waiver.
- 25.4 Designer, in any price proposals for changes in the Services that increase the Agreement amount, or for any additional Services, shall break out and list its costs and use percentage markups. Designer shall require its Subconsultants (if any) to do the same, and the Subconsultants' price proposals shall accompany Designer's price proposals.
- 25.5 Designer and its Subconsultants shall, upon request by District, permit inspection of all original unaltered Agreement bid estimates, subcontract Agreements, purchase orders relating to any change, and documents substantiating all costs associated with all cost proposals.
- 25.6 Changes in the Services made pursuant to this Paragraph 25 and extensions of the Agreement time necessary by reason thereof shall not in any way release Designer's representations and agreements pursuant to this Agreement.
- 25.7 Whenever the words "**as directed**", "**as required**", "**as permitted**", or words of like effect are used, it shall be understood as the direction, requirement, or permission of District. The words "**approval**", "**acceptable**", "**satisfactory**", or words of like import, shall mean approved by, or acceptable to, or satisfactory to District, unless otherwise indicated by the context.

[SIGNATURE LINES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day first mentioned above.

District

UNION SANITARY DISTRICT

By: _____

Name Paul R. Eldredge, P.E.

Its: General Manager/District Engineer

Designer

HAZEN AND SAWYER, a privately held C Corporation

By: _____

Name Marc Solomon, P.E.

Its: Vice President

By: _____

Name Richard Peters, P.E.

Its: Secretary

ENHANCED TREATMENT & SITE UPGRADE – PHASE 1B AND PHASE 1C PROJECTS

TASK ORDER NO. 1

TO

PROFESSIONAL SERVICES AGREEMENT

BETWEEN

UNION SANITARY DISTRICT

AND

HAZEN AND SAWYER

FOR

PROFESSIONAL SERVICES

Dated January ___, 2021

1. PURPOSE

The District has finalized the Enhanced Treatment & Site Upgrade (ETSU) Program for the Alvarado WWTP. The objective of this Program was to assess the District's near- and long-term projects and recommend the sequence of design and construction implementation based on capacity constraints as well as future regulatory changes. The ETSU Program also included determining priorities and schedules of improvements, evaluating existing and future space and capacity needs, assessing potential effluent facilities options, and summarizing what is intended to be a road map for the Alvarado WWTP for the next 20 to 40 years.

ETSU Programming efforts were performed in combination with several ongoing or recently completed studies and projects, which include:

- Secondary Treatment Process Improvements
- Effluent Management Study
- Administration/Control/FMC Building Evaluation
- Solids System Capacity Assessment
- Standby Power Generation System Upgrade Project

The District expects the Projects identified in the ETSU Program to address both immediate drivers (poor sludge settleability, capacity, effluent disposal, and aging infrastructure), while preparing for potential future nutrient regulations such as Bay Area Clean Water Association (BACWA) Level 2 standards. The Projects which the District is including in Phase 1 are summarized in the table below.

The District recently completed the 30% Design for all of Phase 1 (Phases 1A, 1B, and 1C) of the ETSU Program. The detailed design of the Phase 1A Project is currently underway and consists only of the first two Projects in the table below. The purpose of the Phase 1B and Phase 1C Projects is to construct the last three projects in the table below.

<u>Phase 1A Aeration Basin Modifications</u>	Retrofit existing Aeration Basins 1 through 7 and construct a new Aeration Basin 8 to initially operate with an anaerobic selector to improve settling and then transition to a biological nutrient removal process to remove nutrients at the conclusion of Phase 1. Project includes constructing deoxygenation, anoxic and flexible aeration zones; internal recycle pumps; and modifications to facilitate step feed operation and surface wasting. Project also includes the construction of a new Aeration Basin 8 and the rehabilitation of existing Lift Pump Station No. 2.
<u>Phase 1A Campus Building</u> (Admin, FMC, Ops.)	Construct new Campus Building, including associated site, landscaping and utility improvements, and parking areas and driveways.
<u>Phase 1B Secondary Clarifiers</u>	Construct four new 160-foot diameter secondary clarifiers. Project includes the construction of mixed liquor control box and centralized RAS pump station, relocation of the existing effluent force main, perimeter landscaping, and demolition of existing administration and operations buildings.
<u>Phase 1B Effluent Facilities</u>	Construct new Effluent Facilities. Project includes the construction of chlorination/dechlorination contact basins, effluent pump station, and Old Alameda Creek pump station.
<u>Phase 1C Plant Equalization Storage</u>	Retrofit existing Secondary Clarifiers 1 through 4 to operate as primary effluent equalization basin.

2. PROJECT COORDINATION

All work related to this task order shall be coordinated through the ETSU Program Manager, Ric Pipkin, with assistance from the Assistant Program Manager, Curtis Bosick.

3. SCOPE OF SERVICES

The task numbers in this Scope of Services are associated with the cost and schedule data presented in Exhibits A and B, respectively.

PHASE 1B

Task 1 Coordination of 30% Design

The purpose of this task is to integrate the 30% design elements, developed as part of Phase 1A, with the Phases 1B and 1C design components. Specific subtasks are identified below.

1.1 Coordination of Phase 1 30% Design

Engineer shall confirm the Phase 1A modifications with the Phases 1B and 1C design and make recommendations for improvements to the original 30% design documents to be carried into detailed design. A technical memorandum (TM) will be developed to outline design decisions and clarify any modifications to the original 30% plans and report for each the following subtasks:

- Design Coordination Assessment
 - Review, understand, and assess the WWTP's existing infrastructure, electrical, piping and treatment process systems. Existing as-built documentation and geographic information system (GIS) information will be made available to the Engineer.
 - Engineer shall develop a hydraulic model that represents the current hydraulics of the facility as well as the proposed hydraulics required for the new facilities associated with the Phase 1B Project. This model will be used to determine if there are any potential hydraulic bottlenecks as well as determine the required solutions.
 - Engineer shall develop concept level landscape and irrigation plans for site perimeter along east side of WWTP. The concept level landscape and irrigation plans shall be used to develop detailed design as part of Tasks 2-5.

- Engineer will develop options for a “wide spot” in the line of WAS/SWAS to feed the GBTs. This will include multiple options that plan for when an existing Gravity Thickener is expected to no longer be available to act as this wide spot in the line for feeding the GBT operation.
- Engineer shall develop a recommended set of online sampling and monitoring equipment strategies and equipment for all planned operational modes including but not limited to nutrient removal and ammonia polishing modes.
- Engineer shall complete a WWTP storm drain study to determine storm flow to the existing Site Waste Pump Station (SWPS) versus flow to the flood control channel. Engineer shall develop alternative analysis to improve SWPS operation, evaluate impacts of Alvarado Influent Pump Station pumping of on-site flows on NPDES sampling requirements, and determine flow impacts due to the planned site changes at each sub phase of the ETSU Phase 1 Program.
- Develop a Phase 1C odor control 30% design concept based on the Phase 1A and 1B final designs. Prepare a TM for the District’s review and incorporate District comments into a final TM.
- Secondary Clarifiers and RAS/WAS Pump Station Design Coordination:
 - Engineer shall evaluate the approach for the secondary clarifier foundations to mitigate the impacts associated with the proposed pile foundations.
- Effluent Facility Design Coordination:
 - Engineer shall confirm the optimum approach for the EBDA Force Main relocation.
 - Engineer shall develop a plan to minimize and mitigate FE bypass to Old Alameda Creek including how much ammonia removal the treatment plant may be able to remove during creek discharge (include Regional Board correspondence and coordination).
 - Engineer shall develop capacity testing plan to submit to the Water Board for Approval to demonstrate adequacy of Plant Upgrades per the new Old Alameda Creek NPDES permit. The testing plan shall be based on the NPDES permit requirements contained in Section VI. Provisions, C. Special Provisions, 4. Other Special Provisions, b. Completion of Plant Upgrade and c. Wet Weather Discharge Annual Technical Report.
 - Engineer shall re-evaluate the thiosulfate pump capacity for low flow turndown to Old Alameda Creek.

- Equalization Design Coordination:
 - Engineer will continue to evaluate the equalization influent (EQI) conveyance system based on changes provided during detailed design of the Phase 1A and 1B project.
 - Engineer shall develop the SE Equalization Storage concept that that was developed for converting existing Secondary Clarifier No. 6 and maybe No. 5 into Secondary effluent EQ storage.
- Electrical/Communication Design Coordination:
 - Evaluate the electrical and communication/network requirements for the Project and determine how the new and modified facilities will connect to the WWTP's existing systems. The evaluation will include coordination on the implementation of the Plant Network Architecture Study developed by the District's separate consultant.
 - Engineer shall develop alternative concepts to create more electrical power resiliency for items powered by the new SWBD 4 building.

1.2 Construction Sequencing

Engineer shall develop a detailed construction sequencing plan with the purpose of determining the most effective and efficient way to complete the Phase 1B Project. The proposed sequence shall identify any required temporary systems, as well as take into consideration all the cost impacts, schedule impacts, redundancy requirements, and operational risks associated with each alternative from before construction through startup and operational testing. Engineer shall consider constructability and contractor staging for each task when developing the construction sequencing plan.

1.3 Review Meeting

Engineer shall develop a presentation of recommendations for the above items and present to the District. The District will provide feedback and the Engineer will incorporate the feedback into the Phase 1B and 1C designs.

Task 2 50% Design Documents

Engineer shall prepare and submit 50% Design drawings, major specifications, estimate of probable construction cost, and schedules for the District's review. The deliverables to be submitted under this task shall cover the Secondary Clarifiers and Effluent Facilities Project of the ETSU Program (Phase 1B) as described in the final 30% Design Report for Phase 1 dated November 13, 2020. Engineer shall conduct a constructability analysis of the design documents, prepare a presentation, and conduct a constructability analysis workshop with District staff. Engineer shall conduct a separate workshop to present the information

contained in the 50% Design deliverables and to receive the District's comments. Engineer shall incorporate the District's comments from the workshop and subsequent written comments into the 90% Design Submittal.

Task 3 90% Design Documents

Engineer shall prepare and submit near bid-ready 90% Design drawings, specifications, estimate of probable construction cost, and schedules for the District's review. The deliverables to be submitted under this task shall cover the Secondary Clarifiers and Effluent Facilities Project of the ETSU Program (Phase 1B) as described in the final 30% Design Report for Phase 1 dated November 13, 2020. Engineer shall conduct a workshop to present the information contained in the 90% Design deliverables and to receive the District's comments. Engineer shall incorporate the District's comments from the workshop and subsequent written comments into the Final Design Submittal.

Task 4 Final Design Documents

Engineer shall prepare and submit the Final Design drawings, specifications, estimate of probable construction cost, and schedules to be used bidding purposes. The deliverables to be submitted under this task shall cover the Secondary Clarifiers and Effluent Facilities Project of the ETSU Program (Phase 1B) as described in the final 30% Design Report for Phase 1 dated November 13, 2020.

Task 5 Front End Documents

District staff will provide Engineer with the District's front end (Divisions 0 and 1) specifications and design standards. Engineer shall incorporate and make revisions as appropriate to the front-end specifications for the Secondary Clarifiers and Effluent Facilities Project.

Task 6 Operations Manual and Training

6.1 Develop Draft Operational Training Tool and Manual

Engineer shall develop and submit a draft Operational Training Tool and Manual to predict plant performance across various operating modes and influent conditions.

6.2 Develop Draft 3D Clarifiers Modeling Tool

Engineer shall develop and submit a draft 3D Clarifier Model for the proposed secondary clarifiers.

6.3 Operational Training Workshop

Engineer shall conduct a workshop to present and review the Operational Training Tool in an open forum with plant operations staff. District's comments associated with the draft deliverable will be discussed as part of this workshop. Final comments will be received as part of this session.

6.4 Final Operational Training Tool and Manual

Engineer shall incorporate comments and issue the final Operational Training Tool and Manual. Final tool will be utilized as part of the field start-up services.

Task 7 Environmental and Permitting Assessment

7.1 NPDES Permit Assessment Consultation

Engineer shall assess, in consultation with the District, the approach to the NPDES Permit renewal required to address the current plant operation as well as the anticipated plant operation after completion of the Phase 1 Projects. The NPDES Permit scope shall include both the EBDA JPA and the next Old Alameda Creek permits.

7.2 Support Preparation for Future NPDES Permit Renewal - Draft TM

Engineer shall develop a framework for the 2026 NPDES permit renewal. The approach shall be documented in a draft TM for the District review. The document shall address both the EBDA JPA and the next Old Alameda Creek permits.

7.3 Support Preparation for Future NPDES Permit Renewal - Final TM

Engineer shall conduct a workshop to review analysis and discuss the District's comments associated with the draft TM and prepare the final TM.

7.4 Meetings with the SF Bay Regional Water Quality Control Board

Engineer shall assume 4 meetings with the SF Bay RWQCB staff at their Oakland offices or virtually.

7.5 CEQA Plus Documentation

Engineer shall prepare documentation to assist the District complying with California Environmental Quality Act (CEQA) requirements. For the purposes of this task it is assumed the District will have completed a Program-level CEQA Plus Initial Study/Mitigated Negative Declaration (IS/MND) that covers Phases 1B and 1C at a program level. Engineer shall prepare an Addendum to the Program-level IS/MND to cover the Phase 1B project. As an addendum, it is assumed that the CEQA document will not require circulation for public and agency review and response to comments will not be required. Engineer shall assist with presentation material and attendance at District Board meeting for the adoption of the document by the District's Board of Directors. Engineer shall complete required CEQA studies to support the District's

Clean Water State Revolving Fund applications and Water Infrastructure Finance and Innovation Applications. This may include the generation of a “CEQA-Plus” document, Phase 1 cultural resources study, and biological resource assessment.

7.6 Air Permitting Services

Engineer shall assist the District in preparing an air permit application for the Phase 1B Project emission sources with the Bay Area Air Quality Management District (BAAQMD). The air permit application package shall include at a minimum the following:

- a. A project description explaining each component and its relationships to other components and the existing plant.
- b. H₂S emission estimates for the new and/or modified sources.
- c. BAAQMD-required application forms will be completed and incorporated.
- d. Manufacturer and design information will be included as appropriate.
- e. Required drawings will be included.
- f. Develop and conduct air modeling to update both the existing Policy Air Model for the WWTP site and to develop a Permit Compliance Air Model. It is assumed multiple scenarios will need to be considered to include a potential odor dispersion wall around the proposed secondary clarifiers. CDF modeling shall also be performed to confirm the design criteria for the odor dispersion wall. The updated modeling files will be provided to the District. The model will be peer reviewed by a third-party consultant. It is assumed there will be four meetings/calls with the District.
- g. The District’s Health Risk Analysis will be updated.

Task 8 Field Investigations

8.1 Surveying and Potholing Services

Engineer shall conduct and a topographical survey for the Phase 1B Project site following completion of the Campus Building. Survey information shall be used in conjunction with as-built documentation to create base mapping for the construction/engineering drawings and to confirm the existing hydraulic grade line.

8.2 Geotechnical Services

Engineer shall perform geotechnical investigations including the following subtasks:

- a. Four (4) CPTs to 80 feet deep or refusal within the Newark Aquifer, whichever occurs first, for liquefaction analysis of shallow sands within alluvium and deep driven pile design. The CPTs will include pore pressure dissipation tests in the

shallow sands and in the Newark Aquifer.

- b. Excavate one geotechnical guided vacuum excavated pothole in yard pipeline backfill (e.g. to check for pea gravel and groundwater inflow quantity) near the existing effluent structure. The depth of the vacuum excavated pothole is estimated at less than 10 feet. If during the excavation of the pothole pea gravel is encountered or the pothole becomes unstable and caving, stop the excavation and immediately backfill with crushed rock.
- c. Analysis and reporting shall include:
 - Provide recommendations for excavation support of the proposed facilities (e.g. shoring criteria including water tightness and groundwater cutoff, minimum shoring toe embedment, and excavation base stability against bottom heave and bottom blow-in).
 - Dewatering criteria.
 - Provide an analysis of construction dewatering induced subsidence settlement and potential impacts on existing nearby structures and yard piping.
 - Geotechnical instrumentation recommendations.
 - Current seismic design parameters as required by the 2019 CBC and ASCE 7-16.
 - Liquefaction induced settlement analysis.
 - Provide design recommendations for structure foundations. Based on the geotechnical desktop study, consider driven piles, as well as other alternatives as the site conditions and design requirements are developed. Foundation design recommendations will include estimated total and differential long-term settlement.
 - Provide lateral soil pressures on below-grade walls, coefficient of friction, allowable bearing capacity for shallow footings (for aerial yard piping or miscellaneous small structures).
 - Provide lateral earth pressure and other soil parameters required for the design of below-grade walls.
 - Provide soil subgrade moduli and other parameters and recommendations for the design of mat slabs, slabs on grade, and pavement.
 - Provide driven pile foundation design criteria including individual pile capacity in compression and tension and P-Y analysis of lateral load versus deflection of individual piles. Provide pile group effects.

- Provide bearing capacity for shallow footings and mat slabs for miscellaneous site structures (yard piping supports, slabs on grade).
 - Provide recommendations for ground treatment to control groundwater inflows into excavations (e.g. at shoring gaps, and within permeable yard piping pipe bedding, pipe embedment and trench backfill) and ground treatment and improvement within liquefiable soil strata.
 - Provide an evaluation of the corrosivity of the soils to buried metals and concrete including chlorides and resistivity.
 - Provide an initial list of recommendations ahead of the draft geotechnical report. Summarize findings and recommendations in a draft geotechnical report. Review the draft geotechnical investigation report with Hazen and USD staff. Finalize geotechnical report based on comments from USD and Hazen.
- d. Install two (2) new groundwater monitoring wells, measure groundwater elevations and perform groundwater recharge or slug tests to estimate groundwater dewatering needs for lowering groundwater sufficiently to allow for safe emptying of existing facilities.
- e. Design review. Geotechnical engineer shall review the Phase 1B 50% and 90% design documents for conformity to the geotechnical recommendations and provide comments.
- f. Project Management. Provide project management services such as invoicing coordination with team members and the District, attend kickoff meeting, two field coordination meetings, and a draft geotechnical report review meeting. This will also include a HSP and Covid-19 Safety Plan for work on site.

8.3 Industrial Hygiene Investigations

Engineer shall review the site to determine if the improvements and demolition required as part of the Phase 1B Project will generate any hazardous materials such as asbestos containing material. Engineer shall quantify the amounts and types of materials to be expected and disposal methods required. These recommendations will be included in the final design specifications.

8.4 Corrosion Protection Investigations

Engineer shall conduct a corrosion protection analysis to determine what modifications and/or improvements are required for the Phase 1B Project. This analysis shall include the Engineer familiarizing themselves with the plant's existing cathodic protection systems and understanding all deficiencies and constraints in the existing system. Recommendations will be included in the final design to modify the

existing system to maintain protection of the existing utilities and provide protection for the new utilities.

Task 9 Bid Period Services

9.1 Attend Pre-Bid Meeting

Engineer shall attend pre-bid meeting led by District staff. Engineer's role in the meeting will be to answer questions related to technical requirements of the contract where answers are known and present in the documents and accept any questions that may require further clarification through issuance of addenda.

9.2 Prepare Addenda and Responses to Requests for Information

Engineer shall support District's bidding efforts on an as-requested basis. Anticipated services include preparation of addenda and formally responding to contractor's submitted requests for information (RFIs).

9.3 Conformed Drawings

Engineer shall prepare conformed documents, incorporating changes made in addenda to the original bid documents. Original specifications will be edited to include text from the issued addenda. Original drawings will be annotated with changes from issued addenda and not redrafted.

Assumptions:

- District will be the primary contact for the contractor's technical questions during the bid period.
- District will print and distribute bid documents and addenda.
- Up to five addenda will be required.

Task 10 Project Management

10.1 Project Management

Engineer shall provide general project management throughout the project to include oversight and coordination of the Engineer's efforts, including sub-consultants, in executing the work. General project management will include developing and maintaining the project scope, schedule, and budget. Engineer shall prepare a Project Management Plan (PMP) for the project, which will be submitted to the District for review and approval.

Engineer shall provide monthly reports to the District, including information on work performed the previous month, work expected for the next month, any outstanding

issues or requests as well as budget information. Monthly reports will be submitted with monthly invoices. In addition, weekly email updates will be provided to the District to summarize current activities and identify any issues/concerns.

10.2 Meetings and Workshops

Engineer shall prepare agendas in advance of scheduled meeting and workshops. Engineer shall prepare meeting/workshop materials (i.e. presentations or handouts as needed) for each meeting/workshop. Engineer shall prepare and submit draft meeting minutes following the meeting/workshop and shall finalize the meeting minutes within five working days of receipt of comments from the District. Anticipated meetings included in this scope include:

- Kick-Off Meeting: The Engineer shall prepare for and conduct a Kick-off Meeting with key District and Engineer staff. The kick-off meeting will be used to communicate the project plan, proposed schedule, gather background information, solicit comments and questions from the District, address communication protocol, and project execution planning.
- Weekly Coordination Meetings/Calls: The Engineer shall prepare for and conduct Weekly Coordination Meetings or Calls on a designated day/time at the District. Project progress, schedule, budget, variances, and action items will be discussed. The Engineer shall prepare and maintain a working Project Management “list” of items to coordinate with the District.
- Technical Workshops: The Engineer shall facilitate workshops to present project progress and technical findings.
- Unscheduled Meetings: The Engineer shall, upon direction from District, conduct additional meetings as needed to effectively complete the project.

10.3 Quality Management Plan

Engineer shall prepare a Quality Management Plan (QMP) for the project. The QMP will provide for quality management reviews of key work products at appropriate times throughout the duration of the project. Quality management reviews will be conducted by Engineer’s staff who are not directly involved in the project.

10.4 Program Management Assistance

Engineer shall further assist the District’s program management team with managing the overall program elements and monitoring the ETSU program metrics. Engineer shall continue to provide assistance with ongoing funding applications (WIFIA and SRF) and coordination with the City of Union City.

4. DELIVERABLES

Task 1: Coordination of 30% Design

- Design Coordination Assessment TM (PDF)
- Secondary Clarifiers and RAS/WAS Pump Station Design Coordination TM (PDF)
- Effluent Facility Design Coordination TM (PDF)
- Equalization Storage Design Coordination TM (PDF)
- Electrical and I&C Design Coordination TM (PDF)

Task 2: 50% Design

- 50% Design Submittal (PDF)
- 50% Design Review Workshop agenda and minutes (PDF)
- Response to 50% Design comments (PDF)
- Constructability Analysis TM (PDF)

Task 3: 90% Design

- 90% Design Submittal (PDF)
- 90% Design Review Workshop agenda and minutes (PDF)
- Response to 90% Design comments (PDF)

Task 4: Final Design

- Final Design Submittal (PDF, MS Word)

Task 5: Front End Documents

- Revised Front-end Specifications (MS Word)

Task 6: Operational Manual and Training

- Draft Operational Manual and Training Tool (PDF)
- Operational Training Workshop agenda and minutes (PDF)
- Final Operational Manual and Training Tool (PDF, MS Word)

Task 7: Environmental and Permitting Assessment

- Addendum to Program IS/MND “CEQA-Plus” Document (PDF, MS Word)
- NPDES Permit Framework TM (PDF)
- Air Modeling results
- BAAQMD permit application

Task 8: Field Investigations

- LIDAR Scans (GIS, CAD)
- Raw Surveying Data (CAD)
- Potholing Photos (JPEG)
- Industrial Hygiene Report (PDF)
- Geotechnical Report (PDF)

Task 9: Bid Period Services

- Addenda, as required (PDF)
- Response to bid period RFIs, as required (PDF)

Task 10: Project Management

- Project Management Plan (PDF)
- Monthly invoices and reports (PDF)
- Kick-off Meeting agenda and minutes (PDF)
- Weekly Coordination Meetings/Calls agenda and minutes (PDF)
- Unscheduled Meetings agenda and minutes (PDF)
- Quality Management Plan (PDF)

The Engineer shall submit the final reports and technical memoranda in both MS Word and PDF formats; presentations in both PowerPoint and PDF formats; drawings in the latest AutoCAD version; and other deliverables required for the project to the District electronically.

5. DIGITAL SUBMITTAL REQUIREMENTS

The Engineer shall be required to provide the District with all AutoCAD and BioWin process modeling output and electronic files. Engineer shall submit one electronic copy of the final base map that shows the project area in accordance with the following:

Digital files submitted shall be based on accurate coordinate geometry calculations and the California State Plane Coordinate System, Zone III in feet, NAD83. The digital file submitted shall be in AutoCAD “.dwg” or “.dxf” (digital exchange format) format and shall be in one (1) drawing file containing all layers, illustrating all existing and proposed improvements within the project area as well as any off-site work associated with the project. Descriptive information (i.e. text) may be included in the appropriate layer, or added as a separate layer. Submitted digital files shall be in accordance with these minimum requirements, or as otherwise approved by the District.

Each submittal shall be labeled with the project name, project number, company name, address and phone number.

All drawings shall use the California State Plane Coordinate System – Zone 3 in units of feet. The horizontal datum shall be the North American Datum of 1983 (NAD83) in units of feet and the vertical datum shall be the North American Vertical Datum of 1988 (NAVD88) in units of feet, or other datum as authorized by the District.

All files shall be uncompressed. Compressed files are acceptable only when using the WinZip utility or if the appropriate software to uncompress the data is provided.

All drawing files shall have a North orientation of vertical (i.e. toward the top of the page).

Layer colors, line types and line weights shall be left to the discretion of the Engineer.

Submitted AutoCAD files shall NOT contain external reference or nested external reference files. All external references shall be bound into the drawing.

6. EQUIPMENT AND PIPELINE SCHEDULES

The Engineer shall provide a schedule in the design plans or specifications that list the equipment to be demolished or replaced and new equipment to be installed in the Project. The schedule shall contain at a minimum the equipment number provided by the District, equipment name, location, horsepower/size, and other pertinent information associated with the equipment.

The Engineer shall provide a schedule in the design plans or specifications that list the 6-inch minimum diameter underground pipelines to be demolished or replaced and new 6-inch minimum diameter underground pipelines to be installed in the Project. The schedule shall contain at a minimum the start and end points of the pipeline, diameter, length, material, schedule/thickness, coating, lining, type of joints, service, and test method/pressure.

7. PAYMENT TO THE ENGINEER

Payment to the Engineer shall be as called for in Articles 4 and 5 of the Professional Services Agreement. The Multiplier for this work shall be 3.15, the profit shall be 10 percent, and the not-to-exceed amount shall be \$7,960,952. A summary of the anticipated distribution of cost and manpower between tasks is shown in Exhibit A.

The following table summarizes the previously-executed and proposed task orders and amendments under the Professional Services Agreement:

Task Order / Amendment	Not to Exceed Amount	Board Authorization Required?	District Staff Approval
Task Order No. 1 – Phase 1B Design Services (Secondary Clarifiers and Effluent Facilities)	\$7,960,952	Yes	Paul Eldredge
Total	\$7,960,952		

8. TIME OF COMPLETION

Work defined in this Task Order for the ETSU Phase 1B Project, Secondary Clarifiers and Effluent Facilities, shall be complete in 820 calendar days after the execution of this Task Order and subject to the conditions of Article 2 of the Professional Services Agreement. A summary of the anticipated schedule of work is shown in Exhibit B. Some upcoming anticipated milestone dates for this work are as follows:

<u>Milestone</u>	<u>Anticipated Date</u>
Task 1 Draft Technical Memoranda	March 30, 2021
Draft 50% Design Documents	June 30, 2021
Draft 90% Design Documents	December 15, 2021

9. KEY PERSONNEL

Engineering personnel assigned to this Task Order No. 1 are as follows:

<u>Role</u>	<u>Key Person to be Assigned</u>
Technical Lead	Paul Pitt
Principal in Charge	Marc Solomon
Project Manager, Phases 1B/1C	Irene Chu
Field Investigations Manager	Allan Briggs
Deputy Project Manager	Victoria Boschmans
Deputy Project Manager	Chris Portner
Design Manager	Jared Hartwig
Deputy Design Manager	Will Martin
Process Engineer	Ron Latimer
Clarifier Lead	Alonso Griborio
Effluent Facilities Lead	Melanie Mann

Key personnel shall not be changed except in accordance with Article 6 of the Professional Services Agreement. A Project Team Organization chart showing key team members is shown in Exhibit C.

IN WITNESS WHEREOF, the parties hereto have made and executed this Task Order No. 1 as of January ___, 2021 and therewith incorporate it as part of the Professional Services Agreement.

DISTRICT

ENGINEER

Union Sanitary District

Hazen and Sawyer

By: _____
Paul R. Eldredge, P.E.
General Manager/District Engineer

By: _____
Marc Solomon, P.E.
Vice President

Date: _____

Date: _____

By: _____
Richard Peters, P.E.
Secretary

Date: _____

EXHIBIT A - COST BREAKDOWN

UNION SANITARY DISTRICT Enhanced Treatment & Site Upgrade - Phase 1B Project	Technical Lead Paul Pitt	Principal in Charge Marc Solomon	Technical Advisor Ron Latimer	QA/QC Lead Ron Taylor	QA/QC Electrical Jerry Ralasky	QA/QC Instrumentation Dan Edwards	QA/QC Civil Mike Santawasso	QA/QC Mechanical Paul Saurer	QA/QC Structural Amy Thurston	QA/QC HVAC/Plumbing Richard Van Dyke	QA/QC Constructability Tony Greiner	Operations Barry Bickstaff	Cost Estimating Chris Portner	Field Investigation P/M Allan Briggs	Project Manager Irene Chu	Design Manager Jared Hartwig	Deputy PM Victoria Boschmans	Mech Tech Reference Mark Messere	Secondary Clarifiers Alonso Griborio	Disinfection Melanie Mann	RAS Pump Lead Bryan Atieh	Clarifier Assistance Will Martin	Effluent Pumping Colin Beck	Funding Mary Sadler	Funding Tim Devine	Architectural TBD	HVAC Swaid Ahajri	Electrical David Atkinson	Structural Sean Dupuis	Odor Kristen Smeby/Phyllis	Utilities Gregg Cummings	Staff Engineer	Associate	Principal Engineer	Schedule Tom Zakrewski	Admin	CADD/BIM Scott Hakonson	CADD/Graphics	H&S Labor Cost	
	Rate	\$315	\$315	\$290	\$315	\$250	\$225	\$250	\$315	\$225	\$180	\$260	\$245	\$210	\$260	\$210	\$200	\$170	\$275	\$260	\$230	\$225	\$170	\$200	\$250	\$200	\$260	\$250	\$205	\$200	\$315	\$315	\$135	\$225	\$140	\$315	\$130	\$215	\$120	
TASK ORDER 1																																								
1 Coordination of 30% Design	20	44	20	0	0	0	4	4	0	0	0	0	40	28	248	348	200	24	44	44	84	80	120	0	0	0	0	84	0	100	44	360	120	100	80	40	80	240	\$ 512,820	
1.1 Coordination of Phase 1 30% Design	20	40	20				4	4					40	20	220	300	160	24	40	40	40	40	80	0	0	0	0	80	0	100	40	320	100	100	40	20	40	240	\$ 424,760	
1.2 Construction Sequencing														20	20	40	40			40	40	40									40	20		40	20	40		\$ 76,500		
1.3 Review Meeting		4												8	8	8		4	4	4							4			4								\$ 11,560		
2 50% Design Documents	28	60	36	26	20	20	24	24	24	8	68	16	100	96	340	428	240	108	148	148	324	424	244	0	0	168	128	128	336	128	168	876	148	200	60	34	128	3,544	\$ 1,555,650	
2.1 Draft Drawings	20	40	24	20	16	16	24	24	24	8	60	16	20	60	300	300	200	100	100	100	200	300	120			120	80	80	240	80	120	660	100	120	60	8	120	3,520	\$ 1,228,120	
2.2 Draft Specifications		8	8	4	4	4					8			20	24	80	24	8	40	40	80	80	80			40	40	40	80	40	120	32	80		24		8	24	\$ 217,320	
2.3 Opinion of Probable Cost		12		2									80	8	8	40	8		4	4	40	40	40			4	4	4	16	4	4	80	16				8	24	\$ 87,670	
2.4 Review Meeting	8		4											8	8	8	8		4	4	4	4			4	4	4		4	4	16			2				\$ 22,540		
3 90% Design Documents	28	60	36	26	20	20	24	24	24	8	64	40	100	72	520	448	256	128	64	64	368	428	288	0	0	168	208	208	328	128	128	1,036	112	136	60	34	108	4,860	\$ 1,762,850	
3.1 Draft Drawings	20	40	24	20	16	16	24	24	24	8	60	40	20	40	480	300	216	120	40	40	240	300	160			120	160	160	280	80	80	820	80	60	60	8	100	4,860	\$ 1,459,420	
3.2 Draft Specifications		8	8	4	4	4					4			16	24	100	24	8	12	12	80	80	80			40	40	40	40	40	120	24	60		24		8		\$ 192,920	
3.3 Opinion of Probable Cost		12		2									80	8	8	40	8		8	8	40	40	40			4	4	4	4	4	4	80	8	16			8		\$ 84,790	
3.4 Review Meeting	8		4											8	8	8	8		4	4	8	8	8			4	4	4	4	4	16			2				\$ 25,720		
4 Final Design Documents	20	48	32	22	20	20	24	24	24	8	36	40	100	52	112	92	92	52	56	56	128	148	128	0	0	94	94	164	94	64	64	280	72	108	20	4	80	2,000	\$ 773,890	
4.1 Draft Drawings	20	40	24	16	16	16	24	24	24	8	32	40	20	40	100	80	80	40	40	40	100	120	100			80	80	120	80	40	40	240	40	60	20		80	2,000	\$ 655,620	
4.2 Draft Specifications			8	4	4	4					4			8	8	8	8	8	12	12	20	20	20			10	10	40	10	20	20	40	24	32		4			\$ 76,920	
4.3 Opinion of Probable Cost		8		2									80	4	4	4	4	4	4	4	8	8	8			4	4	4	4	4	4	8	16						\$ 41,350	
5 Front End Documents	0	24	0	0	0	0	0	0	0	0	0	0	0	36	52	84	104	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$ 62,320	
5.1 Draft Front End Documents		24												24	40	80	80																					\$ 51,800		
5.2 Final Front End Documents														12	12	4	24																					\$ 10,520		
6 Operational Manual and Training	48	0	48	0	0	0	0	0	0	0	0	64	0	40	176	104	0	0	128	40	60	0	0	0	0	0	0	0	0	0	0	200	160	0	0	30	0	120	\$ 250,160	
6.1 Draft Operational Training Tool and Manual	40		40									40		40	120	40			40	40											120	120			20		80	\$ 152,600		
6.2 Draft 3D Clarifier Modeling Tool														40	40			80		60											80	40			10		40	\$ 76,600		
6.3 Operational Training Workshop	8		8									24			16	24			8																			\$ 20,960		
6.4 Final Operational Training Tool and Manual																																							\$ -	
7 Environmental and Permitting Assessment	56	64	0	0	0	0	0	0	0	0	0	0	0	60	92	160	176	0	0	0	0	0	0	0	0	0	0	0	0	0	0	80	0	0	0	0	0	80	\$ 155,040	
7.1 NPDES Permit Assessment Consultation	32	8												60	32	80	80																					\$ 64,520		
7.2 Support Preparation for Future NPDES Permit Renewal - Draft TM	8														20	20	20															20					60	\$ 24,020		
7.3 Support Preparation for Future NPDES Permit Renewal - Final TM		8													10	20	20															20					20	\$ 17,120		
7.4 Meetings with SF Bay Regional Water Quality Control Board	16														10		16																					\$ 9,860		
7.5 CEQA Plus Documentation		32													10	20	20															20						\$ 22,280		
7.6 Air Permitting Services		16													10	20	20															20						\$ 17,240		
8 Field Investigations	0	20	0	0	0	0	0	0	0	0	0	0	0	36	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$ 19,860	
8.1 Surveying and Potholing Services																																							\$ -	
8.2 Geotechnical Services		8												16	8																							\$ 8,360		
8.3 Industrial Hygiene Investigations		4												4	4																							\$ 3,140		
8.4 Corrosion Protection Investigations		8												16	8																							\$ 8,360		
9 Bid Period Services	8	16	16	0	0	0	0	0	0	0	0	0	0	56	48	48	56	56	12	16	12	12	12	0	0	16	16	8	16	4	12	68	16	16	16	30	36	128	\$ 150,400	
9.1 Attend Pre-Bid Meeting														8	8	8	8	8																				\$ 8,920		
9.2 Prepare Addenda and Responses to RFIs	8	16	16											36	32	32	36	36	12	12	12	8	8			12	12	4	12	4	8	44	16	16	16	10	16	48	\$ 102,680	
9.3 Conformed Drawings														12	8	8	12	12		4		4	4			4	4	4	4		4	24			20	20	80	\$ 38,800		
10 Project Management	300	576	64	16	0	0	0	0	0	0	0	0	208	328	436	216	256	216	80	80	0	0	0	80	80		0	0	0	0	0	64	352	0	0	88	72	0	0	\$ 846,140
10.1 Project Management	68	160											100	120	220	120	120	120																				\$ 247,620		
10.2 Meetings and Workshops	136	160	64										60	120	120	80	80	80	80	80											64				80	64		\$ 366,320		
10.3 Quality Management Plan	16	16		16									8	8	16	16	16	16																8	8			\$ 42,600		
10.4 Program Management Assistance	80	240											40	80	80		40						80	80														\$ 189,600		
TASK ORDER 1 TOTAL	508	912	252	90	60	60	76	76	72	24	168	160	548	804	2,044	1,928	1,380	584	532	448	976	1,092	792	80	80	446	446	592	774	424	480	3,252	628	560	324	244	432	10,972	\$6,089,130	

EXHIBIT A - COST BREAKDOWN

UNION SANITARY DISTRICT Enhanced Treatment & Site Upgrade - Phase 1B Project Rate	H&S Labor Cost	Electrical Beecher	I&C/Civil/Permitting W&C	Constructability TBD	Landscape Architect RHAA	Geotech DCM	Geotech CE&G	Surveying KSN	Air Modeling Jacobs	CEQA Scheidegger & Associates	Air Quality & GHGE York Engineering	Corrosion V&A	Haz Mat Vista	Subcontractor Fee (5%)	Other Direct Costs (ODCs)	Total Fee
TASK ORDER 1																
1 Coordination of 30% Design	\$ 512,820	\$ -	\$ 213,794	\$ 50,000	\$ 20,000	\$ 5,000	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,690	\$ 12,500	\$ 833,804
1.1 Coordination of Phase 1 30% Design	\$ 424,760		\$ 213,794		\$ 20,000	\$ 5,000	\$ 5,000								\$ 12,000	
1.2 Construction Sequencing	\$ 76,500			\$ 50,000											\$ -	
1.3 Review Meeting	\$ 11,560														\$ 500	
2 50% Design Documents	\$ 1,555,650	\$ 15,000	\$ 246,738	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,837	\$ 12,000	\$ 1,858,225
2.1 Draft Drawings	\$ 1,228,120	\$ 10,000	\$ 246,738												\$ 6,000	
2.2 Draft Specifications	\$ 217,320	\$ 3,000		\$ 10,000											\$ 500	
2.3 Opinion of Probable Cost	\$ 87,670														\$ 5,000	
2.4 Review Meeting	\$ 22,540	\$ 2,000		\$ 5,000											\$ 500	
3 90% Design Documents	\$ 1,762,850	\$ 15,000	\$ 326,385	\$ 8,000	\$ 55,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,219	\$ 7,000	\$ 2,194,454
3.1 Draft Drawings	\$ 1,459,420	\$ 10,000	\$ 326,385		\$ 50,000										\$ 1,000	
3.2 Draft Specifications	\$ 192,920	\$ 3,000		\$ 3,000	\$ 5,000										\$ 500	
3.3 Opinion of Probable Cost	\$ 84,790														\$ 5,000	
3.4 Review Meeting	\$ 25,720	\$ 2,000		\$ 5,000											\$ 500	
4 Final Design Documents	\$ 773,890	\$ -	\$ 162,167	\$ -	\$ 11,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,683	\$ 34,500	\$ 990,740
4.1 Draft Drawings	\$ 655,620		\$ 162,167		\$ 10,000										\$ 16,000	
4.2 Draft Specifications	\$ 76,920				\$ 1,500										\$ 16,000	
4.3 Opinion of Probable Cost	\$ 41,350														\$ 2,500	
5 Front End Documents	\$ 62,320	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000	\$ 64,320
5.1 Draft Front End Documents	\$ 51,800														\$ 1,000	
5.2 Final Front End Documents	\$ 10,520														\$ 1,000	
6 Operational Manual and Training	\$ 250,160	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,160
6.1 Draft Operational Training Tool and Manual	\$ 152,600															
6.2 Draft 3D Clarifier Modeling Tool	\$ 76,600															
6.3 Operational Training Workshop	\$ 20,960															
6.4 Final Operational Training Tool and Manual	\$ -															
7 Environmental and Permitting Assessment	\$ 155,040	\$ -	\$ 90,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ 60,000	\$ 50,000	\$ -	\$ -	\$ 10,500	\$ 4,000	\$ 379,540
7.1 NPDES Permit Assessment Consultation	\$ 64,520		\$ 65,000												\$ 1,000	
7.2 Support Preparation for Future NPDES Permit Renewal - Draft TM	\$ 24,020		\$ 10,000												\$ 500	
7.3 Support Preparation for Future NPDES Permit Renewal - Final TM	\$ 17,120		\$ 10,000												\$ 500	
7.4 Meetings with SF Bay Regional Water Quality Control Board	\$ 9,860		\$ 5,000												\$ 1,000	
7.5 CEQA Plus Documentation	\$ 22,280									\$ 60,000					\$ 1,000	
7.6 Air Permitting Services	\$ 17,240								\$ 10,000		\$ 50,000				\$ -	
8 Field Investigations	\$ 19,860	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 130,000	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000	\$ 15,000	\$ 10,250	\$ -	\$ 235,110
8.1 Surveying and Potholing Services	\$ -							\$ 30,000							\$ -	
8.2 Geotechnical Services	\$ 8,360						\$ 130,000								\$ -	
8.3 Industrial Hygiene Investigations	\$ 3,140												\$ 15,000		\$ -	
8.4 Corrosion Protection Investigations	\$ 8,360											\$ 30,000			\$ -	
9 Bid Period Services	\$ 150,400	\$ 2,000	\$ 30,199	\$ -	\$ 2,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500	\$ 1,860	\$ 6,000	\$ 195,459
9.1 Attend Pre-Bid Meeting	\$ 8,920		\$ 2,000												\$ 1,000	
9.2 Prepare Addenda and Responses to RFIs	\$ 102,680	\$ 2,000	\$ 18,000		\$ 2,500								\$ 2,500		\$ 2,000	
9.3 Conformed Drawings	\$ 38,800		\$ 10,199												\$ 3,000	
10 Project Management	\$ 846,140	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 113,000	\$ 959,140
10.1 Project Management	\$ 247,620														\$ 1,000	
10.2 Meetings and Workshops	\$ 366,320														\$ 100,000	
10.3 Quality Management Plan															\$ 2,000	
10.4 Program Management Assistance	\$ 189,600														\$ 10,000	
TASK ORDER 1 TOTAL	\$6,089,130	\$32,000	\$1,069,283	\$73,000	\$89,000	\$5,000	\$135,000	\$30,000	\$10,000	\$60,000	\$50,000	\$30,000	\$17,500	\$80,039	\$191,000	7,960,952

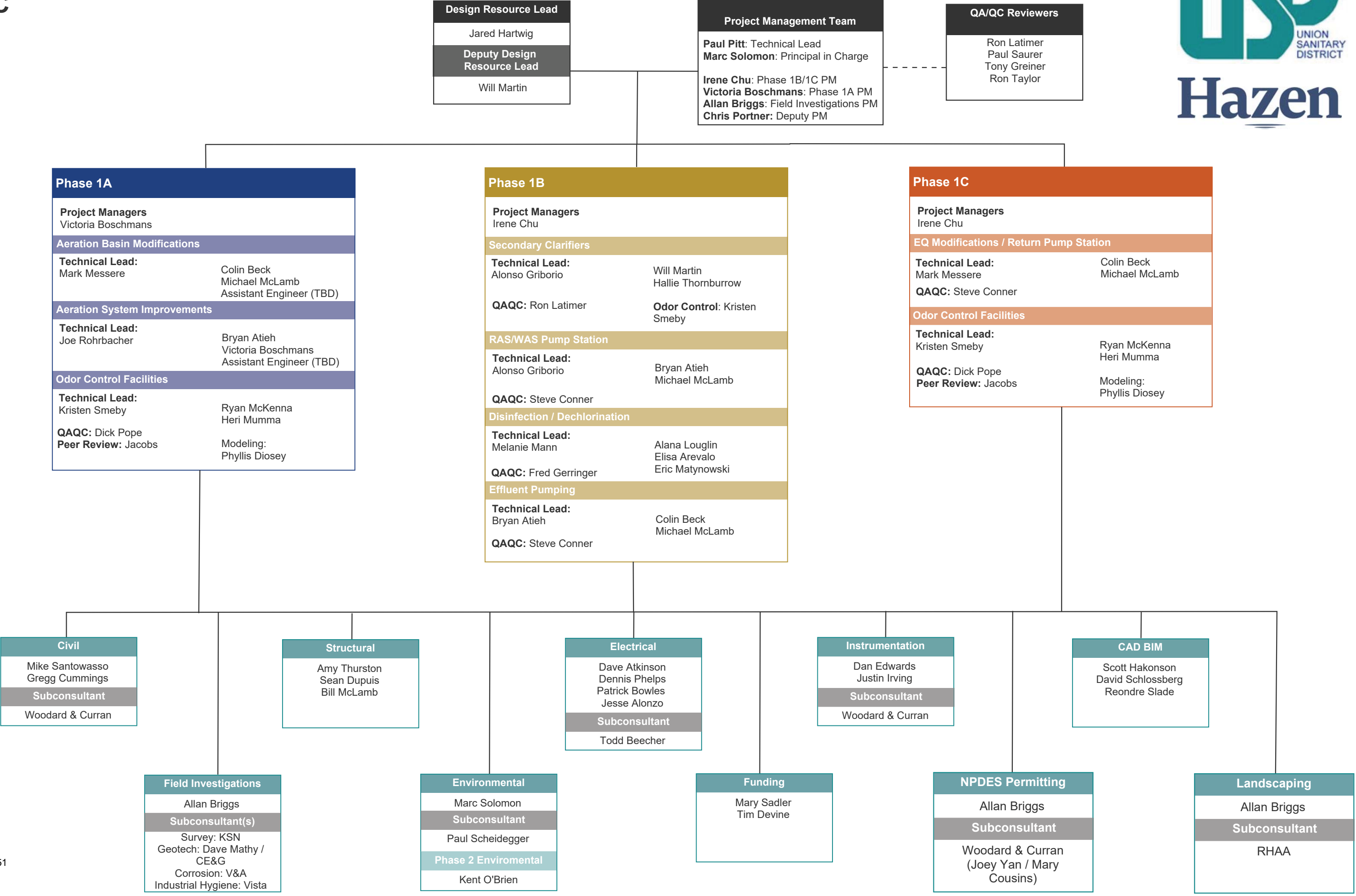
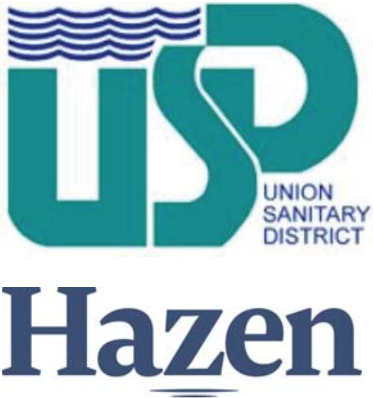
EXHIBIT B - SCHEDULE



Union Sanitary District
Enhanced Treatment & Site Upgrade - Phase 1B Project

Task Name	2021												2022												Jan	Feb
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
NTP	◆ 1/12																									
Task 1: Technical Memorandum																										
Task 2: Environmental and Permitting Assessment																										
Task 3: Field Investigations																										
Task 4: 50% Design Documents																										
Task 5: 90% Design Documents																										
Task 6: Final Design Documents																										
Task 7: Front End Documents																										
Task 8: Bid Period Services																										
Task 9: Project Management																										
Phase 1A Campus Construction																										

Project Team Organization Chart
Exhibit C



**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 9**

TITLE: **Consider a Motion to Replace Video Inspection Equipment (*This is a Motion item*)**

SUBMITTED:

Paul R. Eldredge, General Manager/District Engineer James Schofield,
Collection Services Work Group Manager
Shawn Nesgis, Collection Services Coach

Recommendation

Staff recommends the Board authorize purchase of replacement Closed Circuit Television (CCTV) system for the Inversion Lining Truck at the price of \$108,083.51.

Discussion

The Collections Department is recommending the purchase of new CCTV equipment. This equipment is instrumental in the operations and support for the inversion lining process. The current CCTV equipment being used for this process is 19 years old and is beyond its useful life.

To minimize initial start-up costs, the District repurposed a CCTV van that was 19 years old, including the van's original CCTV equipment to support inversion lining. The inversion lining process utilizes CCTV equipment to identify lateral locations, determine damages needing repaired, assist with positioning the repair kit, and work in conjunction with the robotic cutter during reinstatement. While the van is currently operational, the CCTV equipment is much more fragile and deteriorates earlier with its continued daily use. Staff expects the useful life of the van to be approximately 2 to 5 more years. Funds were included in the FY21 Operations budget for this equipment, however, due to the dollar amount, the purchasing policy requires Board approval.

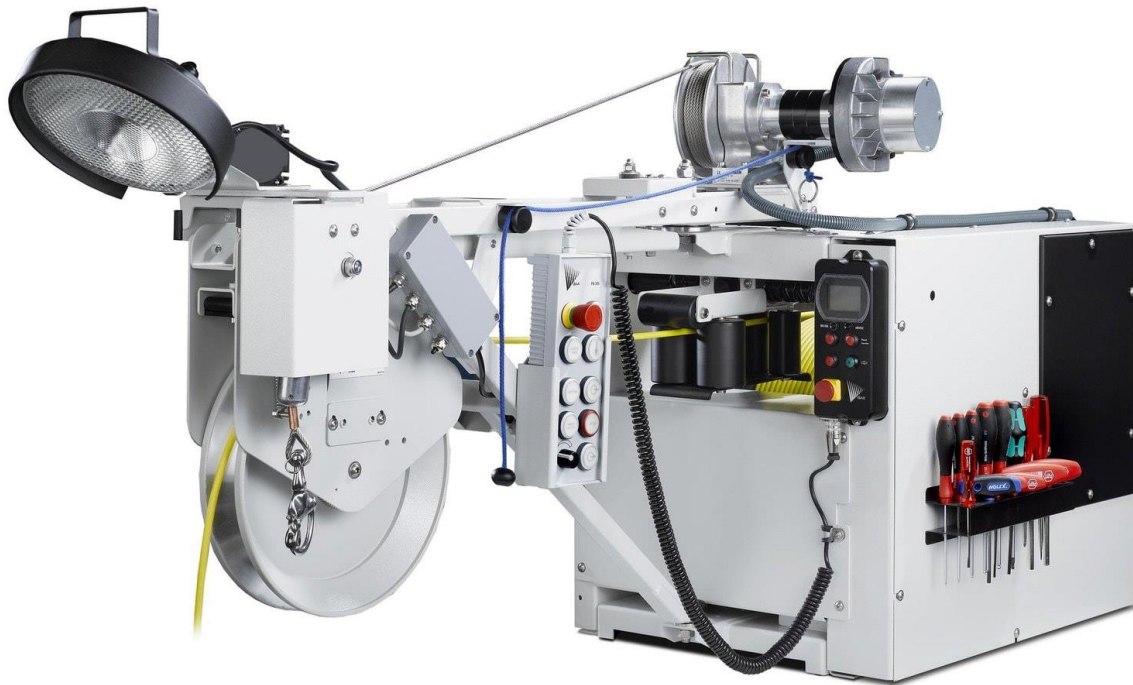
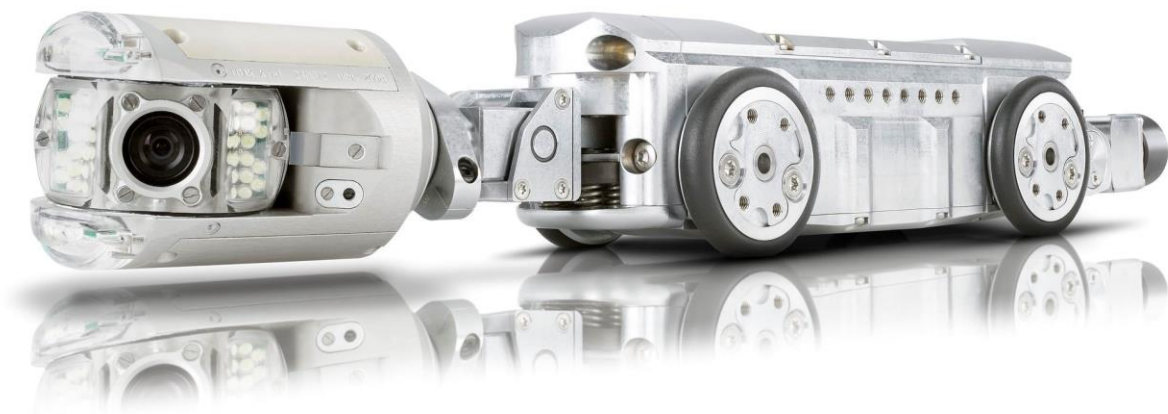
Background

Staff has researched and tested two CCTV systems and have chosen the IBAK Rapid View system. Three main components of this system are the Orion zoom camera connected to a T66

camera transporter with a synchronized cable reel housing 1000 feet of high strength cable. Other parts of the system include, larger wheel sets, installation poles, storage cabinet, and camera connectors. The overall price covers installation of equipment and two days of training. This replacement CCTV equipment will be installed so that it can easily be transferred to a new truck when the current truck has reached the end of its useful life. This equipment like the failing equipment is used three to five days a week during normal circumstances.

Previous Board Action

NA



**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 10**

TITLE: Receive Information and Provide Direction Regarding Banking Signatories and Updating Policy 2010 Internal Controls (*This is a Direction Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Mark Carlson, CFO, Work Group Manager

Recommendation

Receive information and provide direction regarding Banking Signatories and updating Policy 2010 Internal Controls.

Discussion

During the December 14, 2020 Board meeting the following three questions were asked of staff regarding banking signatories with Union Bank.

1. Are all board members required to be signers on the account?

There are no requirements on how many individuals, or who is a signatory on the Districts accounts other than to ensure that proper segregation of controls is maintained in the process. An example of proper segregation is separation of those who approve checks for payment and those who issue the checks.

As far back as can be determined, it has been the practice of the District to have all Board members be signatories. This provides several benefits such as:

- Ensuring that there is always a Board member available to sign checks during an emergency when a manual check may be required.
- When there is a change in the Board member who signs checks, there is no need to go back through the process of updating the signature card with the bank.

2. Do all signers need to be present at the same time at the bank to sign the documents?
Union Bank does not require all signers to be physically present at the bank when signing the bank card. By approving the *Public Entity Resolution*, the Board authorizes the Districts CFO to witness and accept the signatures of the individual Board members.

3. How are the signatures on the checks determined?

The Districts *Internal Control Policy # 2010* sets forth certain procedures designed to safeguard the District, mitigate fraud, loss and other misuses of the District's resources. For example, all checks issued by the District are generated through the Districts software accounting system. This system includes a series of measures to ensure that no single person can issue a check on their own.

The signatures of two authorized individuals are printed on the check when the software accounting system generates a check request. Staff were able to find records as far back as 2009 showing the two signature as the General Manager and Board member Jennifer Toy. The last change to the two signatures was in 2015 when Paul Eldredge became the General Manager. Attempts to find a policy or directive that established which Board members signature would be on the check could not be found.

Base on the above, staff recommends the following:

- Maintain the practice of having all five Board members as check signers.
- The check signers will be the General Manager and the Board President, which will be updated each year when the Board President changes.
- Update *Internal Control Policy # 2010* at a future Board meeting to memorialize the above changes.
- Bring back the banking documents presented at the December 14, 2020 Board meeting for review and approval by the Board at the January 25, 2021 Board meeting.

Background

The District maintains banking relationships with Union Bank for both the operational and payroll accounts. With the hiring of a new CFO, certain bank documents require updating to allow the CFO to conduct bank business. At the December 14, 2020 Board meeting, during a staff report updating those documents, additional information on banking signatories was requested by the Board.

Previous Board Action

None

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 11**

TITLE: FY20 Strategic Performance Annual Report (*This is an Information Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Mark Carlson, CFO/ Business Services Work Group Manager
Gene Boucher, Organizational Support Team Coach
Karoline Terrazas, Organization Performance Manager
Jason Yeates, Organizational Performance Coordinator

Recommendation

Information only.

Discussion

This report summarizes the District's annual strategic performance as indicated by our Operational Excellence Balanced Scorecard Measures and the Safety Balanced Scorecard Measures for fiscal year 2020 (July 1, 2019- June 30, 2020).

The report is formatted to highlight major activities for the fiscal year in a simple and clear informative style for the Board of Directors and the public. There is a summary of the Balanced Scorecard Measures on pages 9 and 10 of this report, with the full tables of all the measures in the appendix.

Operational Excellence

Overall performance with the Operational Excellence measures has been challenging due to the pandemic and required restrictions. The District has limited in person meetings and trainings in an effort to reduce exposure of our employees. This resulted in adjustment to our training program and shifting priorities.

We have maintained a high level of customer support with prompt response to service needs. All assets were actively managed throughout the year, and 8 of 11 CIP projects remained on track. Details to the many activities and measures are found on pages 13 through 20 of this report.

Safety

Safety of our employees remains the District priority. Throughout the year, we have focused our efforts on the evolving response to the pandemic. We continue to align with COVID-19 safety protocols and guidance from the Alameda County Public Health Department, Center for Disease Control, and Cal OSHA. All safety outcomes were presented during the 4th quarter report on September 14, 2020, and details on our COVID-19 response can be found on pages 23 and 24 of this report.

Background

The Strategic Performance Annual Report is presented annually.

Previous Board Action

None

Attachment:

Strategic Performance Annual Report (July 1, 2019 – June 30, 2020)



Strategic Performance Annual Report

July 1, 2019 to June 30, 2020



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Appendix and Scorecards



Paul Eldredge, General Manager

A Note From The General Manager

Fiscal Year 2020 ushered in an era of unprecedented challenges for the District and society. The impacts of COVID-19 have affected the San Francisco Bay region and every public agency in a variety of ways. USD responded quickly after shelter-in-place orders were mandated to create work plans protecting the health and safety of staff while maintaining necessary 24/7 operations. The District efforts to date have been highly successful with minimal disruption to services.

Even during these tumultuous times, the District has accomplished a great deal. Some of our more notable achievements include adoption of rates for Fiscal Years 21 - 25, providing accounting and payroll services remotely, refinancing existing debt for a significant savings to our ratepayers, initiating design of Phase 1A of the Enhanced Treatment and Site Upgrade (ETSU) Program, beginning construction of the new Digester 7, installation of new bar screens, and last but certainly not least, continuing to provide essential services during a world-wide pandemic as safely and efficiently as possible.

The District was recognized with several awards during fiscal year 2020:

- National Association of Clean Water Agencies (NACWA)- Peak Performance Platinum Awards for outstanding performance.
- National Association of Clean Water Agencies (NACWA)- Excellence in Management Silver Recognition
- National Institute for Government Purchasing (NIGP)- Achievement of Excellence in Procurement
- Government Finance Officers Association (GFOA)- Excellence in Financial Reporting

Our quality and quantity of work continues to be at a high-level despite staff retirements, vacancies, and onboarding new employees. Through it all, the District's staff has pulled together to work toward a common goal of providing professional, reliable, and courteous service to all our customers.

Paul Eldredge
General Manager, P.E.
Union Sanitary District



Historic View of Plant, 1964



Current View of Plant, 2019

About Union Sanitary District

Union Sanitary District operates a 33-acre wastewater treatment facility in Union City and provides collection, treatment, and disposal services for the cities of Fremont, Newark, and Union City, California.

**102
Years**

Founded May 27, 1918

**60.2
Sq Miles**

Service area : Fremont,
Newark, and Union City

356,823

Population served

**839
Miles**

Underground pipelines

**23.7
Million**

Gallons of wastewater
are treated each day

142

USD employees in 5
workgroups

Board of Directors



Anjali Lathi, Fremont



Manny Fernandez, Union City



Pat Kite, Newark



Jennifer Toy, Fremont



Tom Handley, Fremont

Union Sanitary District is an independent enterprise special district governed by an elected five-member Board of Directors. Day-to-day operations are managed by the Executive Team, consisting of the General Manager and five Workgroup Managers.

Executive Team



Paul Eldredge
General Manager



James Schofield
Collection Services



Robert Simonich
Fabrication, Maintenance, and
Construction



Sami Ghossain
Technical Services



Mark Carlson
Business Services



Armando Lopez
Treatment and Disposal



Strategic Planning at the District

The District undertakes formal strategic planning every three to four years. Comprehensive planning for Fiscal Years 2019-2022 began in February 2017. The Executive Team reviewed input from stakeholders, past performance on strategic objectives, benchmarking data, new and potential regulations, industry trends, economic projections, political climate, and internal challenges.

The District prioritized driving forces and internal challenges and identified strategies, objectives, and initiatives to address them. A map of strategic objectives was developed along with measures and initiatives to support their achievement.

..... Union Sanitary District

Mission & Vision

To safely and responsibly collect and treat wastewater, and to recover resources from process waste streams, while protecting human health and improving the environment in a way that benefits the Tri-Cities and all USD stakeholders.

How we continue to accomplish our Vision:

Commitment to Safety:

- Continually reviewing our safety program for opportunities to improve
- Focusing on protecting employees and the community in all our activities
- Allocating resources to ensure safe operations (equipment, training, staff)
- Collaboratively promoting a safe work environment

Responsibility:

- Being accountable for our actions and decisions
- Being fiscally prudent
- Maintaining and upgrading infrastructure
- Anticipating and meeting future District and stakeholder needs
- Compliance with laws and regulations (local, state, federal)
- Effective asset management
- Effective use of technology
- Looking for innovative ways to reduce or reuse our waste streams

Collect, treat, and recover/reuse wastewater:

- Providing capacity in the collection system and plant
- Regulating connections
- Increasing efforts for resource recovery (biogas, biosolids, etc.)
- Exploring ways to maximize water reclamation and reuse potential

Human health and environmental stewardship:

- Preventing sewer spills and back-ups
- Limiting health risks through treatment of wastewater
- Responding to emergencies
- Enhancing water quality in the San Francisco Bay estuary
- Meeting or exceeding all water and air quality standards



Strategic Objectives

CUSTOMER

Stewardship

Demonstrate responsible stewardship of District assets and the environment

Services

Provide reliable high-quality service

Emergencies

Be prepared for emergencies

FINANCE

Fiscal Responsibility

Ensure funding for critical programs and projects, while maintaining comparable rates

Accurately project and control costs

INTERNAL PROCESS

Environmental Protection

Implement projects & programs that benefit the environment. Ensure our ability to meet current and future regulations.

Efficiency

Optimize processes; use technology and resources effectively

Planning

Plan for long-term financial, project and staffing need

Asset Management

Manage & maintain assets & infrastructure

EMPLOYEE GROWTH AND DEVELOPMENT

Employees

Maintain a highly competent, flexible workforce

Safety

Work safely to reduce accidents and injuries

Culture

Foster a collaborative Employee-Management relationship that encourages teamwork, new ideas and continuous improvement

Balanced Scorecard: Operational Excellence Summary

Customer Objectives

Measures	Target	FY20 Actuals
Progress implementing outreach plan milestones: % planned events completed	>90%	87%
Response time to calls for service: % under 1 hour	>95%	98.7%
Response time to contact USD inquiries: % within 3 business days	>90%	98.5%
# Total adverse impacts on customers	<10	3
# emergency preparedness events (drills, training, debriefs, table top exercises, etc.)	3	4

Financial Objectives

Measures	Target	FY20 Actuals
Residential sewer service charges (SSC) compared to other agencies	<33rd percentile	5.8th
% Budget expended, Operating Expenditures	95-103%	96%
% expended Priority 1 Special Projects	80-110%	42%
# regional projects/initiatives with financial benefit	>3	3

Internal Process Objectives

Measures	Target	FY20 Actuals
# Critical asset failures wo negative impacts	<2	0
# critical asset failures with negative impacts	0	0
% asset renewal/year: Plant	Track & Report	5.03%
% asset renewal/year: Collection System	Track & Report	.04%
Priority capital improvement project (CIP) project milestones met vs. planned (annual average)	85%	84%
# adverse impacts on environment (Cat 1- sanitary sewer overflow, SSO)	0	0
Category 2/3 SSOs	< 10	1
# regional projects/initiatives with environmental benefit	>3	3

Employee Growth & Development Objectives

Measures	Target	FY20 Actuals
Employee Turnover Rate- total	Track and report	5.11%
Employee Turnover Rate- nonretirement	Track and report	2.19%
% Training System Milestones Completed (accumulative total)	90%	50%
# competency assessments completed	52	30
Ave % non-mgmt. employees participating in District committees and taskforces	45-55%	44%
% non-mgmt. employees participating in alternative compensation program (accumulative total)	Track & Report	66%

Balanced Scorecard: Safety Summary

Measurements	Target	YTD Actual
Total accidents with lost days	0	0
Other OSHA reportable accidents	<4	1
# Incidents of vehicle or equipment accidents/damage	<2	6
Cost associated with vehicle/equipment accidents	<\$5000	0
Ave full-time employee (FTE) lost time	<0.5	0.66
Total Costs: Lost time Wages only	<\$46,883	\$70,759
Ave FTE limited duty time	<0.5	0
Total costs: Limited duty/Other 1/2 wages	<\$23,441	0
X-Mod	<1.0	0.94
# Facility inspections completed (SIT)	4	1
% of areas of concern identified during internal facility inspections that are resolved within 45 days of report	>90%	1
# work site inspections completed	278	335
# site visits (for potential BMPS) completed and discussed by Executive Team	>2	0
# General Manager communications on status of safety program and performance	>4	19
# safety strategy reviews conducted by Executive Team and Environmental Health and Safety Programs Manager	4	12
# of major safety training events offered	7	9
Ave % of targeted employees trained vs. plan	>90%	89.8%
% Positive responses on the employees safety survey (ave)	>75%	Postponed



Operational Excellence

Operational Excellence Measures



- Percent of progress implementing outreach plan milestones
- Response time to customer calls for service
- Response time to “Contact USD” email inquiries
- Adverse impacts USD activities have on external customers
- Number of planned emergency preparedness activities



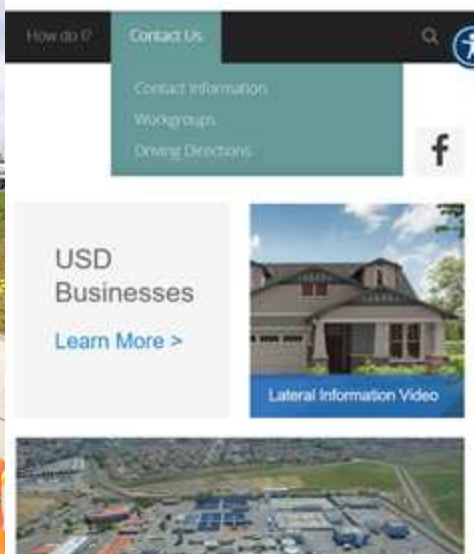
- Residential SSC compared to other agencies in the surrounding areas
- Percent of operating budget expended against plan
- Percent of priority 1 special project expenditures against plan
- Number of regional projects and initiatives with financial benefit



- Number of critical asset failures with or without negative impacts
- Percent of annual asset renewal- for Plant and Collection System
- Percent of priority capital improvement projects milestones met vs. planned
- Number of adverse impacts on the environment, including Category 1 sanitary sewer overflows (SSO's), and 2/3 SSO's
- Number of regional projects and initiatives with environmental benefit



- Percent of employee turnover including non retirement
- Number of training milestones completed and updated
- Number of competency assessments completed in Collection Services
- Average percent employees participating in District task forces and committees
- Percent employees participating in the alternative compensation program



Customer Perspective

Customer objectives focus on both short and long-term customer service and stewardship of public assets and the environment. Measures target the provisions of high-quality reliable service, outreach activities, and maintaining an emergency preparedness program.

Response to Calls and Inquiries



98.78%

Response to emergency calls under 1 hour



98.50%

Response to USD Website inquiries under 3 days

Plant Tours and Classroom Visits



5 Tours
110 visitors

Plant tours completed



84 Classes
Avg. of 24 students per class

Elementary school presentations completed

Outreach at USD

Our Customer Service and Environmental Compliance Teams are deeply involved with communication and outreach to local residents and industry partners. While COVID-19 did impact our ability to offer events in 2020, we completed 27 activities; including:

- Annual Newsletter
- Website Maintenance
- Community Outreach
- Local Civic Outreach
- Industrial Advisory Council Meetings
- Plant Tours

Annual Newsletter



One of our outreach initiatives is to provide an [annual newsletter](#) for our residents. In 2019 we highlighted:

- Managing Nutrients in the San Francisco Bay
- Budget in Brief
- USD's Enhanced Treatment and Site Upgrade Program
- Easy Ways to Protect Your Sewer and the Environment
- Sewer Lateral Questions? [Watch The Video](#)



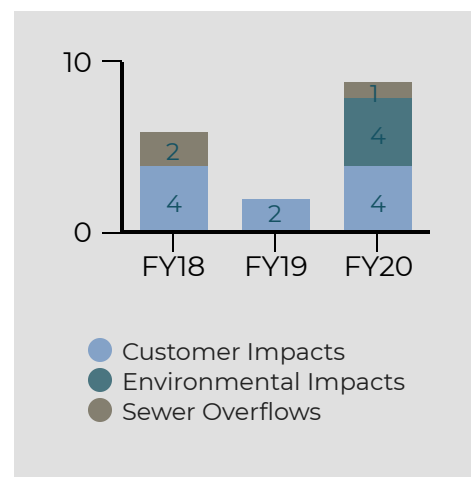
Customer Perspective

Impacts on Customers and the Environment

Our District ensures immediate response, investigation, and follow-up to all inquiries that impact our customers and the environment. We monitor and respond to a variety of claims reported and strive to remain under 10 impacts or less per year.

The impacts may include:

- Customer Impact- vehicle damage, fee concerns, odor and other substantiated complaints
- Environmental impacts
- Sewer overflows caused by our system.



Emergency Preparedness



The goal of disaster preparedness is to lessen the impact of disasters on vulnerable populations, ready an organization for an influx of activity, and design a coordinated plan that reduces the waste of resources, time, and efforts.

In October of FY20, the District participated in the Great Shake Out with 21 million other organizations by completing a drop, cover, and hold drill with all employees.

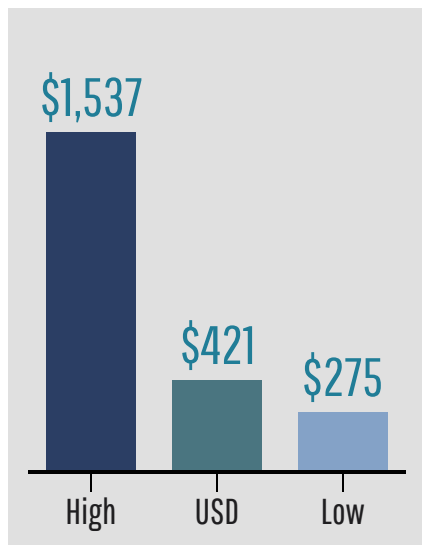
In January, the District provided employees a deeper understanding of the response steps of the agency. USD's Emergency Operations Center was set up and staff completed a short tabletop exercise that considered potential treatment plant vulnerabilities during a disaster.



Finance Perspective

Financial objectives focus on the prudent and responsible management of public funds entrusted to the District, with measures focused on maintaining sewer service charges (SSC) at rates comparable to other local agencies with similar treatment processes, accurately controlling and tracking project and program costs against planned budgets, and ensuring the District is always compliant with the ethical, legal, and regulatory requirements associated with finance.

Bay Area Annual Sewer Service Charges 2019-2020



Currently, USD's rates are in the lowest 5.8% of the Bay Area sanitary sewer providers surveyed annually.

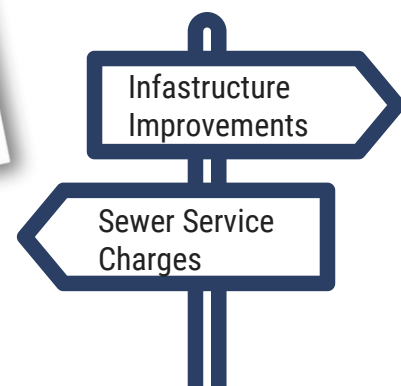
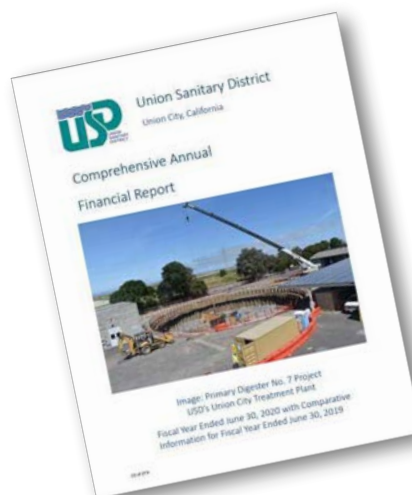
Criteria used for Agencies to Survey:

1. Within a 30 mile radius of USD
2. Having at least 100 miles of Collection System and/or 5 MGD of Treatment

Comprehensive Annual Financial Report

The District prepares a Comprehensive Annual Financial Report (CAFR) summarizing and explaining USD's initiatives, accomplishments, and financial activities during each fiscal year.

For more details, review the [FY20 report](#).

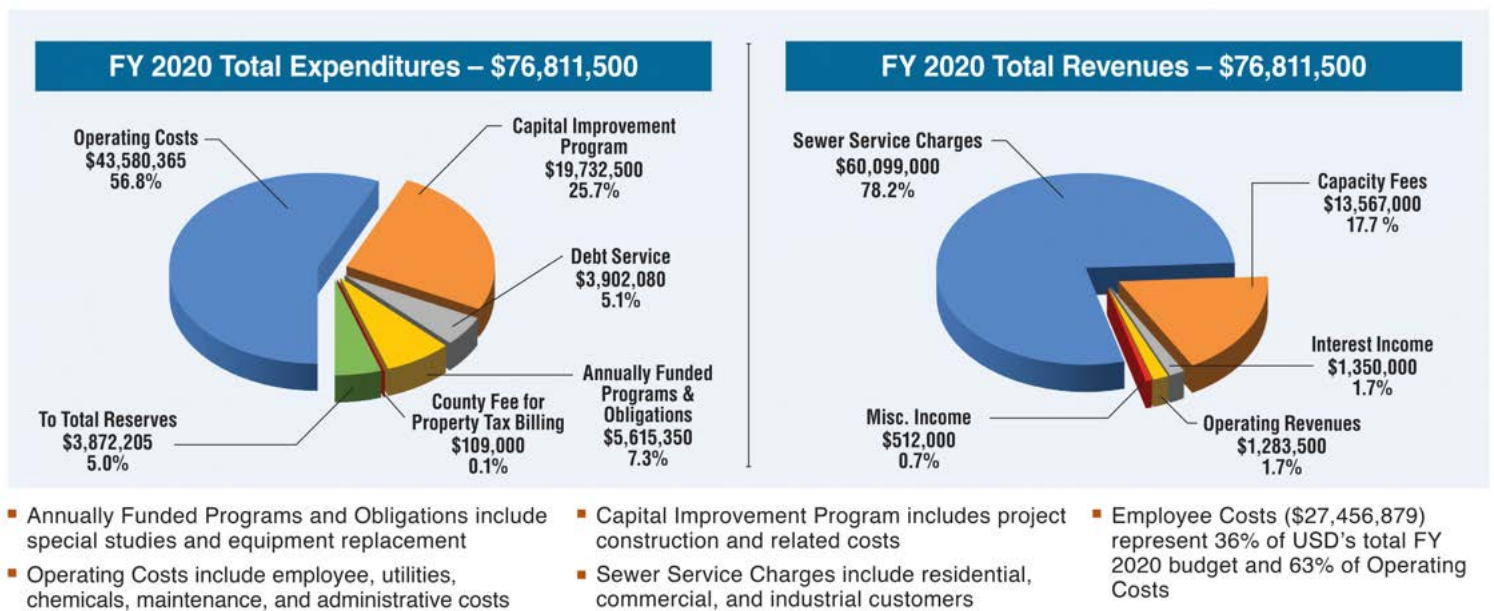




Finance Perspective

2019-2020 Union Sanitary District Total Revenues and Expenditures

The District's current operating budget is approximately \$76.8 million. Revenue is raised from two primary sources: (1) Sewer service charges paid by residential customers, businesses, and other users of the system; and (2) Charging new development their proportionate share of infrastructure costs.



Proud Members

Through continued participation in several Bay Area consortiums focused on the water and wastewater industry, the District leverages these partnerships to reduce costs via the sharing of training resources/events and taking advantage of collective bargaining power related to the purchase of chemicals necessary for our treatment processes.











Digester 7 Timelapse

Internal Process Perspective



Internal process objectives focus on processes critical to achieving the District’s Mission, including long-term project, financial, and workforce planning activities, management and maintenance of District assets and infrastructure, treatment process optimization, and environmental stewardship.

Capital Improvement Projects

Project Name	On Schedule	Delayed
Campus Buildings (Admin, FMC, Ops)		
Central Avenue Sanitary Sewer Relocation		
Cherry St. Pump Station		
Digester No. 2 Inspection and Rehabilitation		
Digester 7		
Force Main corrosion Repairs – Phase 3		
Headworks Screens Replacement		
Aeration Basin Modifications		
Standby Power Generation System Upgrade		
WAS Thickeners		
Wet Weather Flow Management		



Headworks Screen Replacement

 = In construction
 = In design

Engineers and staff coordinate construction of critical infrastructure while keeping processes running smoothly. Staff focuses on managing and maintaining assets and infrastructure through development of master plans. Project schedules are tracked and reported quarterly with a goal of 85% of projects on schedule.



Internal Process Perspective

Enhanced Treatment and Site Upgrade (ETSU)

USD developed the Enhanced Treatment and Site Upgrade (ETSU) program to serve as a roadmap for the treatment plant's infrastructure over the next 40 years. ETSU considers impending regulatory requirements such as nutrient restrictions, site layout possibilities, and capacity needed to meet the General Plans of the cities served. Phase One began during this fiscal year. The graphic above illustrates the facilities that will be built in Phase One.

Asset Renewal and Maintenance

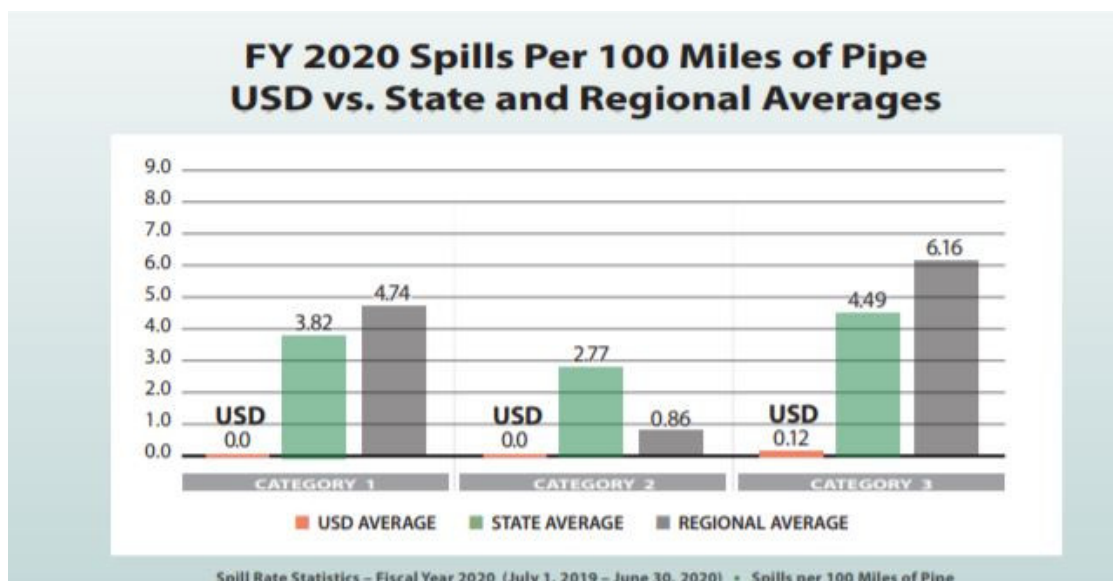
Processes are regularly evaluated to maintain our ability to meet current and future regulations. USD implements practices that benefit the environment by conserving resources, reducing waste, and minimizing environmental impacts. Proactive cleaning of the collection system prevents sewer overflows and associated impacts.



\$681 Million District owned assets



\$12.7 Million spent to maintain assets in FY 20





Employee Growth & Development Perspective

Employee growth and development objectives focus on employee training and maintaining a highly competent and flexible workforce, as well as protecting labor relations via the collaborative employee-management culture of the District. This is accomplished by involving employees in planning and decision-making activities.

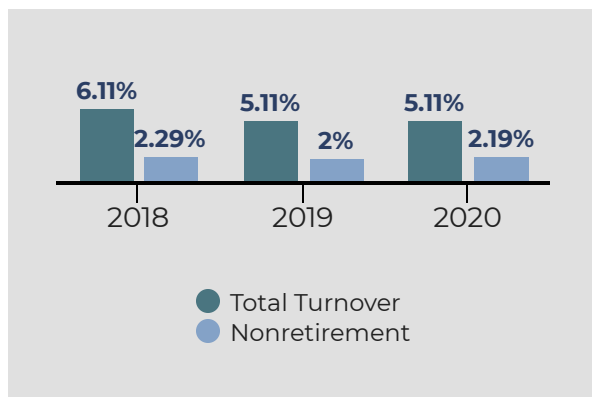
Developing Leaders at USD

In FY20, USD began its 4th Leadership School program with seven participants representing all workgroups. Our leadership program includes a variety of current leadership competencies:

- 📖 Transition to Management Panel
- 📖 Finance, Budget and Purchasing

- 📖 Coaches' Role in Safety
- 📖 Strategic Planning

Staff Turnover



The District tracks staff turnover, both through planned retirements and other separations. Hiring practices are designed to hire the best candidate by including multiple methods of evaluation and interviews conducted by subject matter experts, and potential team members.

Welcome New USD Employees

USD was pleased to recently welcome nine new employees who have fulfilled roles such as mechanic, engineer, inspector, and administrative support.

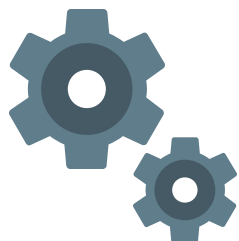




Employee Growth & Development Perspective

65

Employees participated in process improvement projects



Team	Process Improvement Project
Capital Improvement	Customer Awareness Program
Electrical & Support	Asset Information capture and update
Environmental Compliance	Field pH Sampling and Calibration
Financial Acquisition & Support	Service PO Payment Authorization Process
Maintenance and TV	Hose Check and Replacement
Mechanical	Irvington Emergency Pump Station Bypass
Organizational Support	Reduction of Waste
Treatment and Disposal	Thickener Valving Setup
Research and Support	Laboratory Traceability

Training & Competency Assessments

Maintaining a highly competent, flexible workforce is of critical importance. Routine training activities have been disrupted by the COVID-19 Pandemic with several shift changes making it difficult to administer training. The District accomplished:

- 11 trainings
- 8 modules
- 30 assessments

Trainings completed this year included: Sampling procedures, diagnosing hydraulic systems, ergonomics, harassment prevention, Excel basics, and defensive driving.

Committees & Taskforces

The District involves employees in most critical decisions and encourages participation in standing committees and taskforces which cover a variety of focal areas. Several new committees began this year with accomplishments including a revamp of performance metrics, creation of a new program to recognize innovation, and spearheading a new wellness focus at the District.

133 of 251





Safety at USD

Safety Measures



- Number of total accidents with lost days
- Number of other OSHA reportable accidents
- Number of incidents of vehicle or equipment accidents/damage



- Costs associated with vehicle and equipment accidents
- Average full-time equivalent lost time
- Total costs: Lost time wages only
- Average full-time equivalent limited duty lost time
- Total costs: Limited duty/other ½ wages
- X-Mod



- Number of facility safety inspections completed
- Percent of areas identified in inspections resolved within 45 days
- Number of work site inspections completed
- Number of benchmarking and best management practice site visits
- Number of safety related communications from the General Manager



- Number of major safety training events offered
- Average percentage of targeted employees trained versus plan
- Average percentage of positive responses on the employee safety survey



Safety

Safety objectives focus on reducing the number of staff injuries as well as vehicle and equipment accidents/damage. These activities support the positive safety culture and attitude exhibited throughout the District. During the fiscal year, priorities shifted from USD's standard safety strategy to concentrating efforts to minimize risk of coronavirus exposure to employees and prevent disruption in the treatment of wastewater.

Reduce employee and equipment accidents



0

No accidents with lost days, 1 OSHA reportable



6

Total vehicle/equipment incidents*

*In FY20 we experienced an unusual increase in vehicle incidents. Root cause analysis found the opportunity to provide additional training to employees without previous heavy equipment experience; as well as, increasing the observation period.

Identify and correct potential hazards



1

Facility inspection(s) completed



335

Coach observations completed

Safety Training at USD

USD's priority is to ensure employees are educated in safe work practices. The District adjusted training to include computer-based tutorials to limit potential COVID-19 exposure. Almost 90% of employees completed a total of seven safety trainings, including:

- Traffic Flagging
- Excavation
- Electrical Safety for Non-Electricians
- Confined Space Entry

Workers Compensation Modifier

Our workers compensation modifier, often recognized as the X-Mod, is .94 against the target of 1.0 in FY20. The District's continued low numbers in this measurement reflect its focus on maintaining a safe workplace and results in reduced insurance premiums.



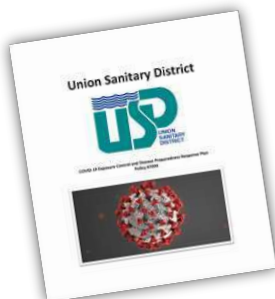


Safety

Response to COVID-19 Pandemic

On Tuesday, March 17, 2020, we responded to our County's Shelter in Place orders by reducing the risk of the coronavirus (COVID-19) spread at the District.

Per the Centers for Disease Control and Prevention (CDC), standard practices associated with wastewater treatment plant operations are sufficient to protect wastewater workers from the virus COVID-19 virus. These standard practices include engineering and administrative controls, hygiene precautions, specific safe work practices, and use of personal protective equipment (PPE) normally required when handling untreated wastewater. No additional COVID-19-specific protections are recommended for workers involved in wastewater management, including those at wastewater treatment facilities.



Challenges	Response
Shelter In Place Order	Teams implemented work from home strategies, improved technology and systems, improved processes, conducted meetings virtually (including Board Meetings), and adjusted work shifts for essential on-site staff
Personal Protective Equipment	Worked with County and other agencies to acquire necessary PPE, implemented a safety inventory system, and updated emergency supply policy
Workplace Health and Safety Guidance	Completed risk assessments, limited entry of non-employees to specified areas of the plant, developed the COVID-19 Exposure Plan and Policy, implemented employee and contractor health screening process, and increased disinfection practices
Communication	Established an ongoing communication strategy that would inform employees of county updates and response to requirements, the potential of exposure at the District, and new policies and processes implemented

.....Union Sanitary District..... **FY20 Initiatives**

Collection System Lateral Video

Created an educational video for the public about sewer laterals
[Lateral Video](#)

East Bay Discharge Authority (EBDA) Renewal

Negotiated new terms for the Joint Powers Agreement

Enhanced Treatment and Site Upgrade (ETSU)

USD adopted the ETSU Program and hired two limited-term employees to oversee the program

Digester 7

Broke ground for construction of this critical piece of infrastructure
[Time Lapse Video](#)

Old Alameda Creek NPDES Permit Renewal

Completed the reapplication process for renewal of the emergency outfall permit

Operational Excellence Balanced Scorecard Revision

An improvement team was assembled to revise the metrics used to measure performance

Newark Basin Masterplan

Completed a condition and capacity assessment of the collection system

Collection System Preventative Maintenance Schedule

Reviewed and modified business practices

Appendix

a

Operational Excellence BSC Measures

b

Operational Excellence BSC Measures

c

Safety BSC Measures

Appendix A: Operational Excellence Balanced Scorecard (Customer and Financial Objectives)

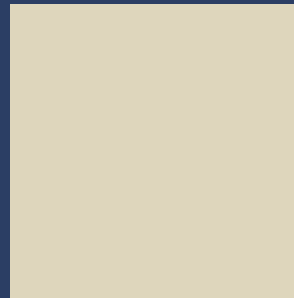
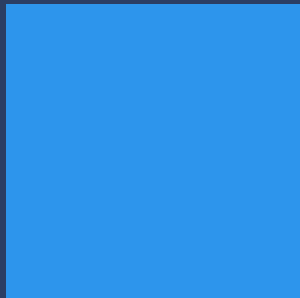
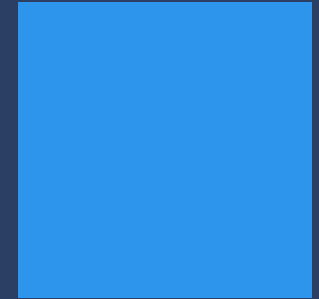
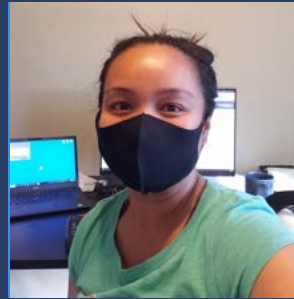
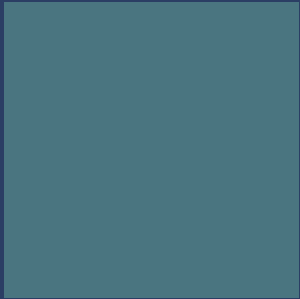
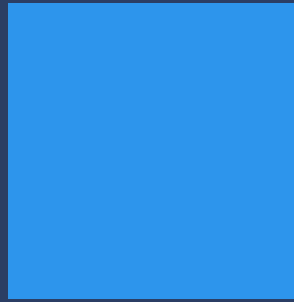
	Objectives	Measures	1st	2nd	3rd	4th	YTD Actual	Target	FY19	FY18
Customer Objectives	Stewardship: Demonstrate responsible stewardship of District assets and the environment	Progress implementing outreach plan milestones: % planned events completed	29.03%	19.35%	22.58%	16.30%	87%	≥90%	88%	91.80%
	Service: Provide reliable, high quality service	Response time to calls for service: % under 1 hour	97.90%	97.20%	100%	100%	98.78%	≥95%	96.9%	96.83%
		Response time to contact USD inquiries: % within 3 business days	97.00%	97.00%	100%	100%	98.50%	≥90%	100%	94.08%
		# Total adverse impacts on customers	3	1	0	0	4	≤10	3	4
	Be prepared for emergencies	# emergency preparedness events (drills, training, debriefs, table top exercises, etc.)	1	1	1	0	3	3	4	5
Financial Objectives	Fiscal responsibility: Ensure funding for critical programs and projects, while maintaining comparable rates	Residential SSC compared to other agencies					5.8th	≤33rd percentile	5.8th	11.5
	Accurately project and control costs	% Budget expended, Operating Expenditures					96%	95-103%	94%	93%
		% expended Priority 1 Special Projects					41.6%	80-110%	72.2%	107.00%
		# regional projects/initiatives with financial benefit	3	3	3	3	3	≥3	3	3

Appendix B: Operational Excellence Balanced Scorecard (Internal Process and Employee Growth & Development Objectives)

	Objectives	Measures	1st	2nd	3rd	4th	YTD Actual	Target	FY19	FY18
Internal Process Objectives	Asset Management: Manage and maintain assets and infrastructure	# Critical asset failures wo negative impacts	0	0	0	0	0	≤2	2	0
		# critical asset failures with negative impacts	0	0	0	0	0	0	0	0
		% asset renewal/year: Plant					5.03%	Track & Report	2.32%	1.74%
		% asset renewal/year: Collection System					0.04%	Track & Report	0.08%	0.18%
		Priority CIP Project milestones met vs. planned	100%	90%	73%	73%	84%	85%	83%	85%
	Environmental Protection: Maintain our ability to meet current and future regulations Implement projects and programs that benefit the environment	# adverse impacts on environment (Cat 1 SSO)	0	0	0	0	0	0	0	0
		Category 2/3 SSOs	0	1	0	0	1	≤10	2	2
		# regional projects/initiatives with environmental benefit	3	3	3	3	3	≥3	3	3
Employee Growth & Development Objectives	Employees: Maintain a highly competent, flexible workforce	Employee Turnover Rate- total					5.11%	Track and report	5.11%	6.11%
		Employee Turnover Rate- nonretirement					2.19%	Track and report	2.0%	2.29%
		% Training System Milestones Completed (accumulative total)	15.8%	25.00%	25.00%	50.00%	50.0%	100%	105%	100%
		# competency assessments completed	4	20	6	0	30	52	48	73
	Safety: Work safely; reduce accidents and injuries	See safety scorecard								
	Culture: Foster a collaborative employee-management relationship that encourages new ideas and continuous improvement	Ave % non-mgmt. employees participating in District committees and taskforces		44%		44%	44%	45-55%	43%	45.00%
		% non-mgmt. employees participating in alternative compensation program (accumulative total)					66%	Track & Report	42%	43.00%

Appendix C: Safety Balanced Scorecard

Objectives	Measurements	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	YTD Actual	Target	FY19	FY18
Reduce the number of accidents	Total accidents with lost days	0	0	0	0	0	0	1	2
	Other OSHA reportable accidents	0	1	0	0	1	≤4	0	0
	# Incidents of vehicle or equipment accidents/damage	4	0	1	1	6	≤2	2	2
Reduce the impact of accidents on employees and the District	Cost associated with vehicle/equipment accidents	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	≤\$5000	\$ 646.00	\$0
	Ave FTE lost time	0.19	0.93	0.98	0.54	0.66	<0.5	0.09	0.33
	Total Costs: Lost time Wages only	\$4,915.45	\$24,376.64	\$25,723.39	\$15,743.52	\$70,759.00	≤\$46,883	\$ 2,164.50	\$32,052.64
	Ave FTE limited duty time	0	0	0	0	0	≤0.5	0	.08
	Total costs: Limited duty/Other 1/2 wages	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	≤\$23,441	0	\$2,930.91
	X-Mod					0.94	≤1.0	0.82	0.78
Identify and correct poor practices and potential hazards	# Facility inspections completed (SIT)	0	1	0	0	1	4	4	4
	% of areas of concern identified during internal facility inspections that are resolved within 45 days of report	N/A	100%	NA	NA	100.00%	≥90%	93%	94.59%
	# work site inspections completed	87	78	64	106	335	278	335	373
Implement industry best practices	# site visits (for potential BMPS) completed and discussed by ET	0	0	0	0	0	≥2	1	1
Communicate our commitment to safety	# GM communications on status of safety program and performance	2	0	2	15	19	≥4	7	7
	# safety strategy reviews conducted by ET and EHSPM	1	1	5	5	12	4	4	8
Educate employees in safe work practices	# of major safety training events offered	1	3	2	3	9	7	11	11
	Ave % of targeted employees trained vs. plan	83.70%	92.23%	83.15%	100%	89.77%	≥90%	90.73%	94.02%
Create a positive safety culture	% Positive responses on the employees safety survey (ave)					Postponed at this time	≥75%	N/A	94.08%



Essential Workers Since 1918



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 12**

TITLE: **Consultant Shortlists for Capital Improvement Projects (*This is an information item*)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
 Sami E. Ghossain, Technical Services Work Group Manager
 Raymond Chau, CIP Team Coach
 Kevin Chun, Associate Engineer

Recommendation

This is an information item.

Discussion

The District utilizes consultant shortlists to assist with the selection of consultants for future Capital Improvement Projects (CIP). Consultants on the shortlists have been pre-qualified by the District based on their firm's qualifications, experience, and project team personnel. The shortlists are reviewed and updated every three years. The last update of the shortlists was in December 2017.

The current shortlists included the following categories and consultant firms:

2017-2020 Shortlists		
Pipeline Design	Plant and Pump Station Design	Construction Management
AECOM	AECOM *	Anchor Engineering
Brown and Caldwell	Arc Sine Engineering	Brown and Caldwell
Carollo Engineers	Beecher Engineering *	Carollo Engineers*
West Yost and Associates *	Brown and Caldwell *	Psomas
Woodard & Curran *	Carollo Engineers *	Jacobs Project Management Co.
	Hazen & Sawyer *	Tanner Pacific, Inc. *
	TJC and Associates	
	West Yost and Associates	
	Woodard & Curran *	

Studies and Master Plans	Programming
AECOM	Arc Sine Engineering
Brown and Caldwell *	Carollo Engineers
Carollo Engineers *	Glenmount Global Solutions *
Corrpro	JSP Automation *
Jacobs Engineering Group Inc.*	Tesco Controls
JDH Corrosion *	Worksmart Automation *
V&A Consulting Engineers *	
West Yost and Associates *	
Woodard & Curran *	

Staff evaluated the current firms on the shortlists. The consultants that have been selected for CIPs and had performed well in the last three years were retained for the new 2021-2023 shortlists. These firms are marked with an asterisk in the table above. Some firms on the shortlists may not have been selected for a project in the past three years, so staff requested those firms to submit updated statements of qualifications (SOQs).

In September 2020, staff invited 21 consultant firms to submit their SOQs in any category for which they would like to be considered. Staff received a total of 30 SOQs. Arc Sine Engineering, Tesco Controls, and Stantec declined to submit for any of the categories. AECOM also declined to submit for the Pipeline Design and Studies and Master Plans categories since they were satisfied being retained for the Plant and Pump Station Design category. After evaluating each firm's SOQ based on their relevant qualifications, experience, and project team personnel, staff finalized the 2021-2023 shortlists summarized in the table below. The new firms are shown in bold text.

2021-2023 Shortlists		
Pipeline Design	Plant and Pump Station Design	Construction Management
	AECOM	Carollo Engineers
Brown and Caldwell	Beecher Engineering	CDM Smith
Carollo Engineers	Brown and Caldwell	Jacobs Project Management Co.
HDR, Inc.	Carollo Engineers	Murraysmith + Quincy
Murraysmith + Quincy	CDM Smith	Psomas
West Yost and Associates	Hazen and Sawyer	Tanner Pacific, Inc.
Woodard & Curran	HDR, Inc.	
	Jacobs Engineering Group, Inc.	
	Lee & Ro, Inc.	
	Murraysmith + Quincy	
	Woodard & Curran	

Studies and Master Plans	Programming
Beecher Engineering	Carollo Engineers
Black & Veatch	Glenmount Global Solutions
Brown and Caldwell	JSP Automation
Carollo Engineers	Woodard & Curran
Hazen and Sawyer	Work Smart Automation
Jacobs Engineering Group, Inc.	
JDH Corrosion	
V&A Consulting Engineers	
West Yost and Associates	
Woodard & Curran	

Staff will utilize the new shortlists through 2023 and re-evaluate the lists prior to their expiration at the end of 2023.

Background

None.

PRE/SEG/RC/KC/mb

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 13**

TITLE: **Update on the Subsurface Investigation at the Alvarado Wastewater Treatment Plant (*This is an Information Item*)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
 Sami E. Ghossain, Technical Services Work Group Manager
 Raymond Chau, CIP Team Coach
 Derek Chiu, Assistant Engineer
 Blake Ehlers, Assistant Engineer

Recommendation

This is an information item.

Discussion

In September 2020, staff hired Brown and Caldwell to sample the groundwater from the seven groundwater monitoring wells at the Plant, analyze the test results, and prepare a report. The conclusions from the annual 2020 groundwater monitoring event were as follows:

1. Groundwater elevations in the Former Boneyard Area and the Former 550-Gallon Gasoline Underground Storage Tank (UST) Area have remained consistent with previous years, with the groundwater flow direction corresponding with the results from the previous monitoring events.
2. Two of five monitoring wells (MW-2 and MW-5) measured contained groundwater with an electrical conductivity that exceeded the State Water Resources Control Board's (SWRCB's) acceptable limits for a groundwater source to be considered suitable, or potentially suitable, for domestic or municipal drinking water supply.

3. A less than 0.1-foot-thick layer of light, non-aqueous phase liquid (LNAPL) was detected in well MW-1 during the 2020 annual event. This layer of LNAPL has not changed from 2019 and is still the lowest encountered for the past five years.
4. From August 2007 to August 2015 and November 2016 to October 2020, the District has conducted 139 monthly purging events on MW-1 removing a total of 771 gallons of groundwater/LNAPL mixture and removing approximately 4.94 gallons of LNAPL.
5. Drinking water environmental screening levels (ESLs) were exceeded in the groundwater samples collected from monitoring wells MW-5 and MW-8 for methyl tertiary butyl ether (MTBE) and MW-1 for total petroleum hydrocarbons as diesel (TPH-D) and total petroleum hydrocarbons as motor oil (TPH-MO). Non-drinking water ESLs were not exceeded in the monitoring wells for any constituent of concern, with the exception of well MW-1 for TPH-D and TPH-MO.

The overall sampling results has not improved as compared to the 2019 results. There were increases in the levels of TPH-D and TPH-MO recorded in MW-1 and MW-3 but are generally consistent with historical results and LNAPL thickness has remained consistent. The levels of TPH-D and TPH-MO remained consistent for MW-2, as well as the levels for TBA and MTBE in MW-5, indicating that the hydrocarbon plume is not increasing and is likely stable in aerial extent.

The analytical test results are included in Table 2.

Next Steps

The last requirement in the Path to Closure Plan is to remove free product to the maximum extent practicable. The sampling results from the 2020 groundwater monitoring event does not support the District's case for closure. Staff will continue the monthly purging of MW-1 and will perform the next sampling during the 2021 groundwater monitoring event.

Background

The Alameda County Water District (ACWD) is responsible for regulating the groundwater supply within our service area, most of which is underlain by aquifers that provide drinking water for the three cities. In 1999, pursuant to ACWD's request to investigate potential releases of petroleum hydrocarbons into soil and groundwater beneath the treatment plant property, the District initiated environmental investigation activities in three areas of the plant. These areas are shown in Figure 1 and are summarized as follows:

- Former Boneyard Area – The District conducted an environmental investigation and remediation in this area (Figure 2), which was previously used for equipment storage and maintenance. The investigation indicated a subsurface petroleum impact of primarily diesel-range hydrocarbons. In the summer of 1999, a source removal operation was conducted with approximately 5,000 cubic yards of impacted soil excavated and disposed offsite. Upon completing the soil removal, the District backfilled the excavation with

clean fill, installed three groundwater monitoring wells (MW-1 through MW-3) and initiated monitoring these wells.

- Former 550-Gallon Gasoline UST Area – In August 1999, a subsurface investigation was initiated in this area (Figure 3) after the observation of hydrocarbon odors emanating from an excavation performed during construction at the facility. In September 2000, the District removed this UST under the oversight of the Union City Environmental Program Department (UCEPD) and the ACWD. Observations made during the UST removal indicated that the subsurface petroleum hydrocarbons likely originated from a leak in an underground fuel line beneath a fuel dispenser. The District over-excavated impacted soil in the suspected source area.

In 2000, another subsurface investigation was conducted at the Site to assess whether petroleum hydrocarbons were present in soil near a 10,000-gallon diesel UST and a 1,000-gallon waste oil UST. This investigation was conducted at the request of the UCEPD after pressure testing indicated potential failures of the secondary containment systems of these USTs. The investigation included collecting soil and grab groundwater samples from borings advanced throughout the area. The laboratory results indicated the presence of hydrocarbons associated with gasoline, primarily MTBE, and not diesel or waste oil. It was concluded that these hydrocarbons were likely from the former 550-gallon gasoline UST.

In 2003, the District installed and initiated monitoring of five groundwater monitoring wells (MW-5 through MW-9) in this area. Well MW-4 was an existing well in the area and was included in the groundwater monitoring program.

- Closed-in-place 6,000-gallon Diesel UST Area – The subsequent investigation conducted in 2000 also included sampling the subsurface in the vicinity of a 6,000-gallon diesel UST located in the southwest corner of the plant (Figure 4). The soil and grab groundwater samples collected adjacent to this UST contained detectable concentrations of petroleum hydrocarbons in the diesel range. The 6,000-gallon diesel UST was closed-in-place by the District in June 2005 under oversight from UCEPD and the ACWD.

In 2003, the District installed and initiated monitoring of one groundwater well (MW-10) in this area.

Groundwater Monitoring Program

The purpose of the plant's groundwater monitoring program is to document groundwater conditions in the areas of concern. The monitoring is performed to evaluate changes in water levels and groundwater flow direction and gradient, establish water quality conditions, and assess hydrocarbon concentration trends. The ten groundwater monitoring wells were initially monitored quarterly but upon approval of the ACWD, the frequency was reduced to semi-annual or annual in subsequent years. Due to the analytical results at wells MW-4, MW-9, and MW-10, the ACWD approved the removal of these wells from the monitoring program and the District closed the wells in 2008.

The current sampling schedule of the remaining seven wells is summarized in Table 1 below:

Table 1 – Summary of Sampling Schedule

Well	Sampling Frequency	Sampling Constituents
MW-1	Annual	TPH-D, TPH-MO, Monthly Purging
MW-2	Annual	TPH-D, TPH-MO
MW-3	Annual	TPH-D, TPH-MO
MW-5	Annual	MTBE, TBA
MW-6	Removed from Sampling	Groundwater Level Measurement Only
MW-7	Removed from Sampling	Groundwater Level Measurement Only
MW-8	Annual	MTBE, TBA

Legend

MTBE = methyl tertiary-butyl ether

TBA = tertiary-butyl alcohol

TPH-D = total petroleum hydrocarbons as diesel

TPH-MO = total petroleum hydrocarbons as motor oil

Since 2007, staff has conducted monthly purging of the LNAPL present in well MW-1. The objective of this purging is to eliminate the LNAPL layer observed in this monitoring well and mitigate the elevated dissolved petroleum hydrocarbons present in the groundwater in its vicinity.

Following the 2015 annual monitoring event, and in consultation with ACWD, staff switched to placing a hydrocarbon absorbent sock in MW-1 to remove LNAPL in place of the monthly purging. It was expected to be more efficient in removing the hydrocarbons than the monthly purging. However, the results of the 2016 annual monitoring event indicated otherwise. Staff has discontinued the use of the hydrocarbon absorbent sock and resumed monthly purging of MW-1.

Previous Board Action

None.

PRE/SEG/RC/DC/BE;mb

Attachments: Figures 1 through 4
 Table 2

Figure1 Alvarado WWTP Site Plan

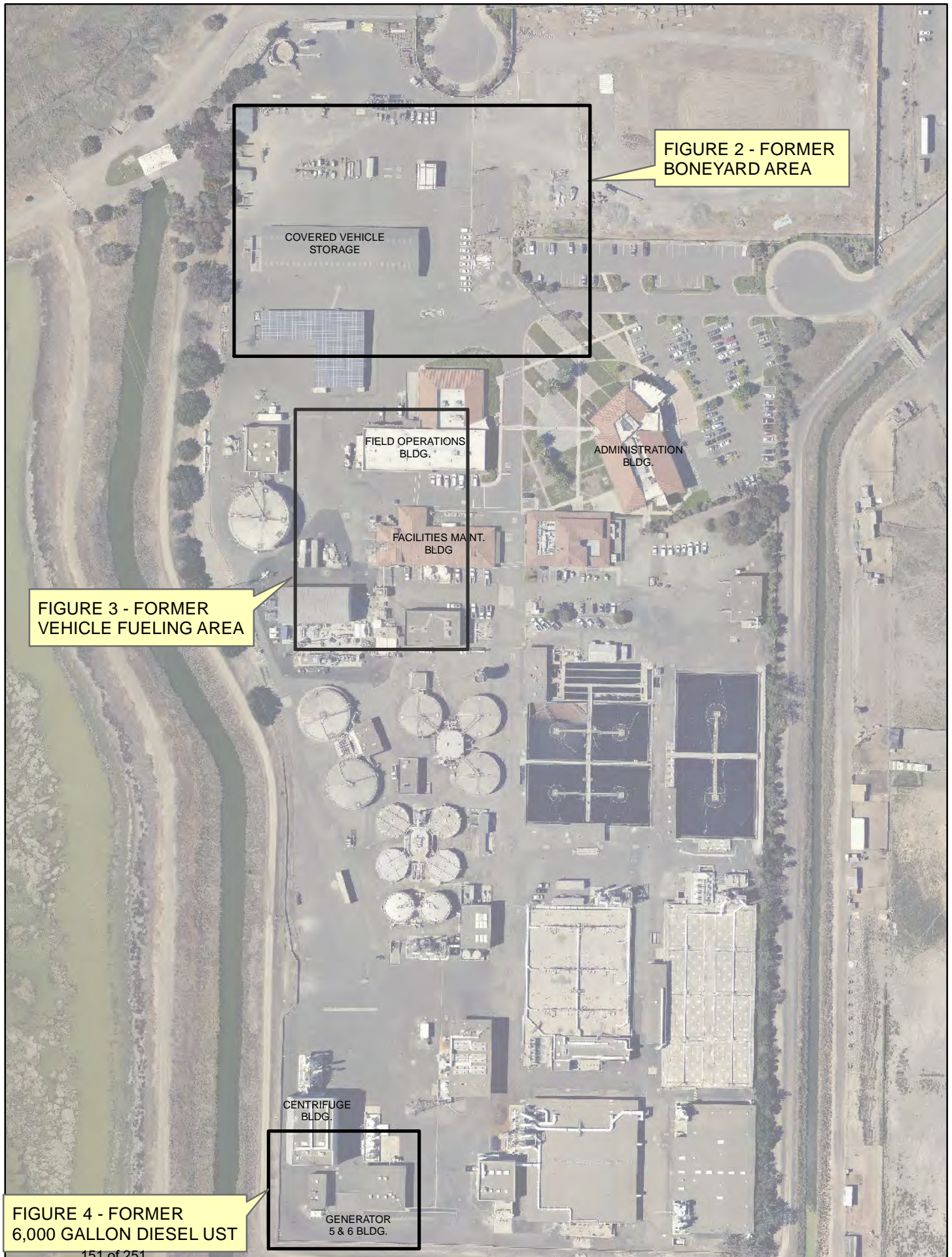


Figure 2
Former Boneyard Area



Figure 3
Former Vehicle Fueling Area



Figure 4
Closed-in-Place 6,000 Gallon Diesel UST



Table 2. Analytical Results - Petroleum Hydrocarbons
Alvarado Wastewater Treatment Plant

Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MEBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
MW-1	11/8/1999	<0.5	<0.5	<0.5	<0.5	----	----	----	----	<5.0	61 ^a	150 ^b	<250	ND
	6/8/2000 ^{HF}	----	----	----	----	----	----	----	----	----	----	----	----	----
	9/18/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<1.0	<50	570 ^{ndp}	700	ND
	12/21/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	51 ^{ndp}	<500	ND
	2/27/2001	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	<50	<500	ND
	12/15/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	<0.50	<50	1,500 ^h	1,300 ⁱ	----
	3/21/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	960 ^h	1,000 ⁱ	----
	3/21/2006 Dup	----	----	----	----	----	----	----	----	----	----	3,100 ^h	3,600 ⁱ	----
	6/28/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	160 ^{hy}	19,000 ^h	16,000 ⁱ	----
	6/28/2006 Dup	----	----	----	----	----	----	----	----	----	----	18,000 ^h	14,000 ⁱ	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	17,000 ^h	13,000 ⁱ	----
	9/11/2006 Dup	----	----	----	----	----	----	----	----	----	----	13,000 ^h	10,000 ⁱ	----
	4/10/2007	----	----	----	----	----	----	----	----	----	----	1,600 ^{hy}	1,200 ^{hj}	----
	4/10/2007 Dup	----	----	----	----	----	----	----	----	----	----	4,700 ^{hy}	3,800 ^{hj}	----
	9/24/2007	----	----	----	----	----	----	----	----	----	----	390 ^h	340 ^{hj}	----
	3/7/2008	----	----	----	----	----	----	----	----	----	----	450	<300	----
	9/9/2008	----	----	----	----	----	----	----	----	----	----	300 ^y	<300	----
	3/17/2009	----	----	----	----	----	----	----	----	----	----	540 ^z	<300	----
	9/30/2009	----	----	----	----	----	----	----	----	----	----	120 ^y	<300	----
	4/21/2010	----	----	----	----	----	----	----	----	----	----	890 ^y	550	----
	4/21/2010 Dup	----	----	----	----	----	----	----	----	----	----	210 ^y	<300	----
	9/17/2010	----	----	----	----	----	----	----	----	----	----	350 ^y	<300	----
	10/28/2011	----	----	----	----	----	----	----	----	----	----	510	360	----
	10/28/2011 Dup	----	----	----	----	----	----	----	----	----	----	320	150	----
	9/14/2012	----	----	----	----	----	----	----	----	----	----	<55	<110	----
	9/14/2012 Dup	----	----	----	----	----	----	----	----	----	----	210	140	----
	9/24/2013	----	----	----	----	----	----	----	----	----	----	1,300	1,300	----
	9/24/2013 Dup	----	----	----	----	----	----	----	----	----	----	320	330	----
	9/29/2014	----	----	----	----	----	----	----	----	----	----	1,300	1,400	----
	9/23/2015	----	----	----	----	----	----	----	----	----	----	86	<100	----
	10/4/2016	----	----	----	----	----	----	----	----	----	----	6,100	5,500	----
	10/10/2017	----	----	----	----	----	----	----	----	----	----	6,700	6,300	----
	9/26/2018	----	----	----	----	----	----	----	----	----	----	20,000	22,000	----
	9/19/2019	----	----	----	----	----	----	----	----	----	----	710	720	----
	9/29/2020	----	----	----	----	----	----	----	----	----	----	9,400	10,000	----

Table 2. Analytical Results - Petroleum Hydrocarbons
Alvarado Wastewater Treatment Plant

Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MtBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
MW-2 **	11/8/1999	<0.5	<0.5	<0.5	<0.5	----	----	----	----	<5.0	<50	<50	<250	ND
	11/8/99 Dup	<0.5	<0.5	<0.5	<0.5	----	----	----	----	<5.0	<50	----	----	----
	6/8/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	170 ^{ndp}	<500	ND
	6/8/2000 Dup	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	<50	<500	ND
	9/18/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	2.0	<50	<50	<500	ND
	9/18/2000 Dup	<0.50	<0.50	<0.50	<0.50	----	----	----	----	2.1	<50	<50	<500	ND
	12/21/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	240 ^{ndp}	3,700	----
	12/21/2000 Dup	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	200 ^{ndp}	4,000	----
	2/27/2001	<0.50	<0.50 (0.86*)	<0.50	<0.50	----	----	----	----	<5.0	<50	56 ^{ldr}	1,100	----
	2/27/2001 Dup	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	71 ^{ldr}	1,400	----
	12/13/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	2.2	<50	61 ^{ldr}	<300	----
	3/20/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	2.2	<50	65 ^h	650	----
	6/27/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	2.2	<50	<50	<300	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	2.0	<50	<50	<300	----
	4/10/2007	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/24/2007	----	----	----	----	----	----	----	----	----	----	<50	430 ^h	----
	9/24/2007 Dup	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	3/7/2008	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	3/7/2008 Dup	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/8/2008	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	3/17/2009	----	----	----	----	----	----	----	----	----	----	<50	350	----
	3/17/2009 Dup	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/29/2009	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/29/2009 Dup	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/17/2010	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/17/2010 Dup	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	10/28/2011	----	----	----	----	----	----	----	----	----	----	69	430	----
	9/14/2012	----	----	----	----	----	----	----	----	----	----	<53	<110	----
	9/24/2013	----	----	----	----	----	----	----	----	----	----	<54	370	----
	9/29/2014	----	----	----	----	----	----	----	----	----	----	<52	<100	----
	9/29/2014 Dup	----	----	----	----	----	----	----	----	----	----	<53	<110	----
	9/23/2015	----	----	----	----	----	----	----	----	----	----	<52	<100	----
	10/4/2016	----	----	----	----	----	----	----	----	----	----	140	230	----
	10/10/2017	----	----	----	----	----	----	----	----	----	----	680	2700	----
	9/26/2018	----	----	----	----	----	----	----	----	----	----	150	270	----
	9/26/2018 Dup	----	----	----	----	----	----	----	----	----	----	200	810	----
	9/19/2019	----	----	----	----	----	----	----	----	----	----	<48	<96	----
	9/19/2019 Dup	----	----	----	----	----	----	----	----	----	----	<49	<97	----
	9/29/2020	----	----	----	----	----	----	----	----	----	----	<50	<500	----
	9/29/2020 Dup	----	----	----	----	----	----	----	----	----	----	<50	<500	----

Table 2. Analytical Results - Petroleum Hydrocarbons
Alvarado Wastewater Treatment Plant

Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MtBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
MW-3 **	11/8/1999	<0.5	<0.5	<0.5	<0.5	----	----	----	----	<5.0	<50	110 ^c	<250	ND
	6/8/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	<50	<500	ND
	9/18/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	2.1	<50	<50	<500	ND
	12/21/2000	<0.50	<0.50	<0.50 (0.97*)	<0.50	----	----	----	----	<5.0	<50	<50	<500	----
	2/27/2001	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	<50	<500	----
	12/13/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	1.9	<50	<50	<300	----
	3/21/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	<50	<300	----
	6/28/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	<50	<300	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	<50	<300	----
	4/11/2007	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/25/2007	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	3/8/2008	----	----	----	----	----	----	----	----	----	----	72 ^f	<300	----
	9/9/2008	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	3/17/2009	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/30/2009	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/17/2010	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	10/28/2011	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/14/2012	----	----	----	----	----	----	----	----	----	----	<54	<110	----
	9/24/2013	----	----	----	----	----	----	----	----	----	----	<55	<110	----
	9/29/2014	----	----	----	----	----	----	----	----	----	----	<51	<100	----
	9/25/2015	----	----	----	----	----	----	----	----	----	----	<50	<100	----
	10/4/2016	----	----	----	----	----	----	----	----	----	----	160	270	----
	10/10/2017	----	----	----	----	----	----	----	----	----	----	790	1100	----
	9/26/2018	----	----	----	----	----	----	----	----	----	----	230	340	----
	9/19/2019	----	----	----	----	----	----	----	----	----	----	<49	<98	----
	9/29/2020	----	----	----	----	----	----	----	----	----	----	<51	<510	----
MW-4*	9/3/1999	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.5	<50	100	----	----
	6/8/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	80 ^g	<50	<500	5.2 ^h
	9/18/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<1.0	<50	<50	<500	ND
	12/21/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	<50	<500	----
	2/27/2001	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	<50	<500	----
	12/14/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	<0.50	<50	<50	----	----
	3/21/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	<50	<300	----
	6/27/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	<50	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.5	<50	<50	----	----
	4/11/2007	----	----	----	----	----	----	----	----	<0.5	----	----	----	----
	9/24/2007	----	----	----	----	----	----	----	----	----	----	----	----	----

Table 2. Analytical Results - Petroleum Hydrocarbons
Alvarado Wastewater Treatment Plant

Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MtBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
MW-5 [™]	12/14/2005	<0.83	<0.83	<0.83	<0.83	<17	<0.83	<0.83	<0.83	180	<83	<50	----	----
	12/14/2005 Dup	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	0.52	180	<50	<50	----	----
	3/21/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	910	<50	78	<300	----
	3/21/2006 Dup	<0.50	<0.50	<0.50	<0.50	----	----	----	----	870	<50	----	----	----
	6/27/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	320	<50	210 ^{hy}	----	----
	6/27/2006 Dup	<0.50	<0.50	<0.50	<0.50	----	----	----	----	690	<50	----	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	430	<50	<50	----	----
	9/11/2006 Dup	<0.50	<0.50	<0.50	<0.50	----	----	----	----	510	<50	----	----	----
	4/11/2007	----	----	----	----	----	----	----	----	110	----	----	----	----
	4/11/2007 Dup	----	----	----	----	----	----	----	----	100	----	----	----	----
	9/25/2007	----	----	----	----	<14	----	----	----	200	----	----	----	----
	9/25/2007 Dup	----	----	----	----	<14	----	----	----	130	----	----	----	----
	3/7/2008	----	----	----	----	32	----	----	----	460	----	----	----	----
	3/7/2008 Dup	----	----	----	----	<170	----	----	----	960	----	----	----	----
	9/8/2008	----	----	----	----	<25	----	----	----	290	----	----	----	----
	9/8/2008 Dup	----	----	----	----	<25	----	----	----	390	----	----	----	----
	9/30/2009	----	----	----	----	<25	----	----	----	130	----	----	----	----
	9/30/09 Dup	----	----	----	----	<33	----	----	----	200	----	----	----	----
	9/17/2010	<0.50	<0.50	<0.50	<0.50	<83	----	----	----	470	----	----	----	----
	9/17/2010 Dup	<0.50	<0.50	<0.50	<0.50	<100	----	----	----	680	----	----	----	----
	10/28/2011	----	----	----	----	<100	----	----	----	130	----	----	----	----
	10/28/2011 Dup	----	----	----	----	<100	----	----	----	40	----	----	----	----
	9/14/2012	----	----	----	----	63	----	----	----	570	----	----	----	----
	9/14/2012 Dup	----	----	----	----	44	----	----	----	460	----	----	----	----
	9/24/2013	----	----	----	----	<100	----	----	----	230	----	----	----	----
	9/24/2013 Dup	----	----	----	----	<100	----	----	----	230	----	----	----	----
	9/29/2014	----	----	----	----	<200	----	----	----	720	----	----	----	----
	9/29/2014 Dup	----	----	----	----	<200	----	----	----	750	----	----	----	----
	9/23/2015	----	----	----	----	<20	----	----	----	600	----	----	----	----
	10/4/2016	----	----	----	----	<400 D	----	----	----	710	----	----	----	----
	10/10/2017	----	----	----	----	<20	----	----	----	170	----	----	----	----
	9/26/2018	----	----	----	----	44	----	----	----	550	----	----	----	----
	9/26/2018 Dup	----	----	----	----	<200	----	----	----	240	----	----	----	----
	9/19/2019	----	----	----	----	<100	----	----	----	190	----	----	----	----
	9/19/2019 Dup	----	----	----	----	<100	----	----	----	190	----	----	----	----
	9/29/2020	----	----	----	----	<20	----	----	----	280	----	----	----	----
	9/29/2020 Dup	----	----	----	----	<20	----	----	----	280	----	----	----	----

Table 2. Analytical Results - Petroleum Hydrocarbons
Alvarado Wastewater Treatment Plant

Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MtBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
MW-6*	12/14/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	<0.50	<50	<50	----	----
	3/20/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	<50	<300	----
	6/27/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	0.7	<50	<50	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	0.6	<50	<50	----	----
	4/11/2007	----	----	----	----	----	----	----	----	0.7	----	----	----	----
	9/25/2007	----	----	----	----	<10	----	----	----	0.6	----	----	----	----
	9/9/2008	----	----	----	----	<10	----	----	----	0.6	----	----	----	----
	9/30/2009	----	----	----	----	<10	----	----	----	< 0.5	----	----	----	----
MW-7*	12/15/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	0.59	<50	<50	----	----
	3/20/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	<50	<300	----
	6/27/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	1.0	<50	<50	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	1.2	<50	<50	----	----
	4/11/2007	----	----	----	----	----	----	----	----	1.0	----	----	----	----
	9/25/2007	----	----	----	----	<10	----	----	----	0.8	----	----	----	----
	9/9/2008	----	----	----	----	<10	----	----	----	0.8	----	----	----	----
	9/30/2009	----	----	----	----	<10	----	----	----	< 0.5	----	----	----	----
MW-8**	12/15/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	58	<50	<50	----	----
	3/20/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	37	<50	78	<300	----
	6/28/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	16	<50	61 ^y	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	33	<50	55 ^y	----	----
	4/11/2007	----	----	----	----	----	----	----	----	61	----	----	----	----
	9/25/2007	----	----	----	----	<10	----	----	----	32	----	----	----	----
	3/7/2008	----	----	----	----	<10	----	----	----	48	----	----	----	----
	9/9/2008	----	----	----	----	<10	----	----	----	69	----	----	----	----
	9/29/2009	----	----	----	----	< 10	----	----	----	51	----	----	----	----
	9/17/2010	<0.50	<0.50	<0.50	<0.50	<10	----	----	----	78	----	----	----	----
	10/28/2011	----	----	----	----	<10	----	----	----	36	----	----	----	----
	9/14/2012	----	----	----	----	7.2	----	----	----	24	----	----	----	----
	9/24/2013	----	----	----	----	<10	----	----	----	65	----	----	----	----
	9/29/2014	----	----	----	----	<20	----	----	----	9.7	----	----	----	----
	9/23/2015	----	----	----	----	<20	----	----	----	16	----	----	----	----
	10/4/2016	----	----	----	----	<20	----	----	----	22	----	----	----	----
	10/10/2017	----	----	----	----	<20	----	----	----	160	----	----	----	----
	9/26/2018	----	----	----	----	<20	----	----	----	0.59	----	----	----	----
	9/19/2019	----	----	----	----	<20	----	----	----	5.3	----	----	----	----
	9/29/2020	----	----	----	----	<20	----	----	----	5.8	----	----	----	----

Table 2. Analytical Results - Petroleum Hydrocarbons Alvarado Wastewater Treatment Plant														
Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MtBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
MW-9*	12/14/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	<0.50	<50	<50	----	----
	3/21/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	52	<300	----
	6/28/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	<50	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.5	<50	<50	----	----
	4/11/2007	----	----	----	----	----	----	----	----	<0.5	----	----	----	----
	9/24/2007	----	----	----	----	----	----	----	----	----	----	----	----	----
MW-10*	12/14/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	<0.50	<50	<50	----	----
	3/21/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	83	<300	----
	3/21/2006 Dup	----	----	----	----	----	----	----	----	----	----	120	<300	----
	6/27/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	68 ^y	----	----
	6/27/2006 Dup	----	----	----	----	----	----	----	----	----	----	62 ^y	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.5	<50	76 ^{y,z}	----	----
	9/11/2006 Dup	----	----	----	----	----	----	----	----	----	----	<50	----	----
	4/10/2007	----	----	----	----	----	----	----	----	----	----	55 ^y	----	----
Field Equipment Blank	9/24/2007	----	----	----	----	----	----	----	----	----	----	----	----	----
	6/8/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	----	----	----
	9/18/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<1.0	<50	----	----	----
	12/21/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	----	----	----
	2/27/2001	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	----	----	----
	3/20/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	<50	<300	----
	4/11/2007	----	----	----	----	----	----	----	----	<0.5	<50	<300	----	----
	9/24/2007	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/25/2007	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	3/7/2008	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/8/2008	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/9/2008	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	3/17/2009	----	----	----	----	----	----	----	----	----	----	<50	<300	----
	9/17/2010	<0.5	<0.5	<0.5	<0.5	<10	----	----	----	<0.5	----	----	----	----
	9/14/2012	----	----	----	----	<4	----	----	----	<0.5	----	----	----	----
	9/24/2013	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/29/2014	----	----	----	----	<20	----	----	----	<0.5	----	----	----	----

Table 2. Analytical Results - Petroleum Hydrocarbons Alvarado Wastewater Treatment Plant														
Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MtBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
Trip Blank	11/8/1999	<0.5	<0.5	<0.5	<0.5	----	----	----	----	<5.0	<50	----	----	----
	6/8/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	----	----	----
	9/18/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<1.0	<50	----	----	----
	12/21/2000	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	----	----	----
	2/27/2001	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<5.0	<50	----	----	----
	12/14/2005	<0.50	<0.50	<0.50	<0.50	<10	<0.50	<0.50	<0.50	<0.50	<50	----	----	----
	3/20/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<0.50	<50	----	----	----
	6/27/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	----	----	----
	9/11/2006	<0.50	<0.50	<0.50	<0.50	----	----	----	----	<2.0	<50	----	----	----
	4/11/2007	----	----	----	----	----	----	----	----	<0.5	----	----	----	----
	9/25/2007	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/8/2008	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/30/2008	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/17/2010	<0.5	<0.5	<0.5	<0.5	<10	----	----	----	<0.5	----	----	----	----
	10/28/2011	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/14/2012	----	----	----	----	<4	----	----	----	<0.5	----	----	----	----
	9/24/2013	----	----	----	----	<10	----	----	----	<0.5	----	----	----	----
	9/29/2014	----	----	----	----	<20	----	----	----	<0.5	----	----	----	----
	9/23/2015	----	----	----	----	<20	----	----	----	<0.5	----	----	----	----
	10/4/2016	----	----	----	----	----	----	----	----	----	----	----	----	----
	10/10/2017	----	----	----	----	----	----	----	----	----	----	----	----	----
	9/26/2018	----	----	----	----	<20	----	----	----	<0.5	----	----	----	----
	9/19/2019	----	----	----	----	<20	----	----	----	<0.5	----	----	----	----
	9/29/2020	----	----	----	----	<20	----	----	----	<0.5	----	----	----	----
ESL - DW		1.0	40	30	20	12	NE	NE	NE	5.0	100	100	100	
ESL - NDW		46	130	43	100	18,000	NE	NE	NE	1,800	500	640	640	

Table 2. Analytical Results - Petroleum Hydrocarbons Alvarado Wastewater Treatment Plant														
Well ID	Sample Date	Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Xylenes (ug/L)	tBA (ug/L)	DIPE (ug/L)	EtBE (ug/L)	tAME (ug/L)	MtBE (ug/L)	TPH-G (ug/L)	TPH-D (ug/L)	TPH-MO (ug/L)	PNAs (ug/L)
<p>Notes:</p> <p>ug/L = micrograms per liter</p> <p>D = Dilution factor on sample increased reporting limit.</p> <p>Benzene analyzed following U.S. EPA Method 8020, 8021B or 8260B</p> <p>Toluene analyzed following U.S. EPA Method 8020, 8021B or 8260B</p> <p>Ethylbenzene analyzed following U.S. EPA Method 8020, 8021B or 8260B</p> <p>Xylenes analyzed following U.S. EPA Method 8020, 8021B or 8260B (concentration reported is total of m,p- and o-xylenes).</p> <p>tBA = tert-Butyl Alcohol analyzed following U.S. EPA Method 8260B</p> <p>DIPE = Isopropyl Ether analyzed following U.S. EPA Method 8260B</p> <p>EtBE = Ethyl tert-Butyl Ether analyzed following U.S. EPA Method 8260B</p> <p>tAME = Methyl tert-Amyl Ether analyzed following U.S. EPA Method 8260B</p> <p>MtBE = Methyl tert-Butyl Ether analyzed following U.S. EPA Method 8260A or 8260B</p> <p>TPH-G = Total Petroleum Hydrocarbons as Gasoline analyzed following modified EPA Method 8015</p> <p>TPH-D = Total Petroleum Hydrocarbons as Diesel analyzed following modified EPA Method 8015 and prepared with silica gel clean-up</p> <p>TPH-MO = Total Petroleum Hydrocarbons as Motor Oil analyzed following modified EPA Method 8015 and prepared with silica gel clean-up</p> <p>PNAs = Polynuclear Aromatic Hydrocarbons analyzed following U.S. EPA Method 8270A</p> <p>ESL-DW = San Francisco Regional Water Quality Control Board Environmental Screening Level for sites where groundwater is a current or potential drinking water source, Table F-1a, May 2008</p> <p>ESL-NDW = San Francisco Regional Water Quality Control Board Environmental Screening Level for sites where groundwater is not a current or potential drinking water source, Table F-1b, May 2008</p> <p>Dup = Duplicate sample</p> <p><n = Not detected above the laboratory reporting limit of n ug/L</p> <p>ND = Not detected above laboratory reporting limits for respective individual compounds</p> <p>NF = Well not found</p> <p>NE = Not established</p> <p>---- = Not analyzed</p> <p>^a = Heavier gasoline range compounds are significant, chromatogram possibly shows aged gasoline pattern</p> <p>^m = Medium boiling point pattern that does not match diesel, chromatogram possibly shows aged kerosene pattern</p> <p>^d = Diesel range compounds are significant; no recognizable pattern</p> <p>^h = Heavier hydrocarbons contributed to the quantitation</p> <p>^l = Lighter hydrocarbons contributed to the quantitation</p> <p>^s = Sample exhibits chromatographic pattern which does not resemble standard</p> <p>z = Sample analyzed outside EPA Method's holding time</p> <p>bp = bis (2-Ethylhexyl) phthalate concentration reported</p> <p>^g = Hydrocarbon reported in the gasoline range does not match laboratory's gasoline standard</p> <p>ndp = Hydrocarbon reported does not match the pattern of laboratory's diesel standard</p> <p>ldr = Hydrocarbon reported is in the late diesel range, and does not match laboratory's diesel standard</p> <p>* = Analyzed following U.S. EPA Method 8260A</p> <p>Bold = Current groundwater monitoring event</p> <p><i>Italicized</i> = Concentration exceeds the respective ESL-DW</p> <p><u>Underline</u> = Concentration exceeds the respective ESL-NDW</p> <p>= Discontinued sampling groundwater monitoring well per approval from Alameda County Water District; MW-4, MW-9 and MW-10 were destructed on May 2, 201</p> <p>= Well sampled annually per approval from Alameda County Water District</p>														



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM #14**

TITLE: **Legislative Update on State and National Issues of Interest to the Board**
(This is an Information Item)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Michelle Powell, Communications and Intergovernmental Relations
Coordinator

Recommendation

Information only.

Previous Board Action

7/27/2020 Board Meeting – the USD Board received a legislative update on state and national issues.

Background

The Board was last comprehensively updated on state and national issues at its July 27, 2020 meeting. A report on regional issues was presented at the December 14, 2020 Board meeting. This report covers state and national issues. If there are any additional information or a different format desired by the Board, staff will incorporate feedback into future reports.

Following are summaries of information staff believes would be most significant to the Board. Attached is a list of state legislation tracked in 2020 by the California Special Districts Association (CSDA). This document and its attached list contain the most updated information available as of the publishing date of this staff report.

State Assembly election results (per acgov.org):

Assembly District 20 – Bill Quirk received 56.95% of the vote

Assembly District 25 – Alex Lee received 70.57% of the vote

Statewide Ballot measures (percentages per CA Secretary of State website):

Proposition 14: Stem Cell Research

Passed 51.1% Yes votes

Proposition 14 permits the state to sell \$5.5 billion in general obligation bonds primarily for stem cell research and the development of new medical treatments in California.

Proposition 15: Commercial Property Taxes

Failed 52% No votes

Proposition 15 required most commercial land and buildings to be taxed based on how much they could be sold for instead of their original purchase price.

Proposition 16: Restoring Affirmative Action

Failed 57.2% No Votes

Proposition 16 would have repealed Proposition 209 (1996) by permitting state and local entities to consider race, sex, color, ethnicity, and national origin in public education, public employment, and public contracting to the extent allowed under federal and state law.

Proposition 17: Voting Rights for People on Parole

Passed 58.6% Yes votes

Proposition 17 alters the State Constitution to allow people on state parole to register to vote, thereby allowing them to vote. As current state law allows registered voters to run for elective offices, this measure results in people on state parole being able to run as well.

Proposition 18: Voting Rights for 17-Year-Olds

Failed 56% No votes

Proposition 18 would allow 17-year-olds who will be 18 years old by the date of the next general election to vote in any special election or primary election that occurs before the next general election.

Proposition 19: Property Tax Transfers

Passed 51.1% Yes votes

Proposition 19 would allow eligible homeowners to transfer a property's taxable value to a more expensive home. Persons who are over 55 years old or with severe disabilities could transfer their tax assessments up to three times in a lifetime. Additional revenue resulting from the ballot measure would be allocated to wildfire agencies and counties.

Proposition 20: Changes to Criminal Sentencing and Parole

Failed 61.7% No votes

Proposition 20 would have amended parts of crime laws that were passed between 2011 and 2016, making some "petty theft" crimes punishable as felonies. The measure would have made changes to the release consideration process, requiring the parole board to consider additional factors before deciding on release.

Proposition 21: Rent Control and Local Governments

Failed 59.9% No votes

Proposition 21 would have modified three of the limits set forth in the Costa-Hawkins rent control law (1995). Cities and counties would be allowed to apply rent control to housing more than 15 years old. Single-family homes owned by people with two or fewer properties would be excluded from such a policy. Proposition 21 would have limited how much a landlord can increase rents when a new renter moves in.

Proposition 22: App-Based Rideshare and Delivery Drivers

Passed 58.6% Yes votes

Proposition 22 classifies app-based rideshare and delivery drivers as independent contractors, overriding Assembly Bill 5 (2019) which established a three-factor test to determine whether a worker was an independent contractor. As independent contractors, app-based workers would not be covered by state labor laws.

Proposition 23: Kidney Dialysis Clinics

Failed: 63.4% No votes

Proposition 23 would have instituted new rules concerning the operation of chronic dialysis clinics (CDC), including requiring chronic dialysis clinics to have an on-site physician while patients are being treated; report data on dialysis-related infections; obtain consent from the state health department before closing a clinic; and not discriminate against patients based on the source of payment for care.

Proposition 24: Expand Consumer Privacy Act

Passed 56.2% Yes votes

This proposition expands the state's consumer data privacy laws, including provisions to allow consumers to direct businesses to not share their personal information; remove the time period in which businesses can fix violations before being penalized; and create the Privacy Protection Agency to enforce the state's consumer data privacy laws.

Proposition 25: Bail Reform

Failed 56.4% No votes

Proposition 25 would have determined whether or not bail reform bill SB 10 will go into effect. SB 10, passed by the Legislature in 2018, eliminates bail and institutes new assessment requirements for release from county jail before trial. The No votes repeal the contested legislation, thus keeping in place the use of cash bail for detained suspects awaiting trials.

California State Legislature 2021-2022 Legislative Session:

On Monday, December 7, 2020, the California State Assembly and Senate convened for an organizational session to start the 2021-2022 Legislative Session. The state's constitution requires lawmakers to meet in person in order to swear in all returning and newly elected legislators. Members returned January 4, 2021 for the official beginning of the two-year session.

State Legislative 2019 – 2020 Session Recap:

Chaptered State Legislation 2019-2020 Session

AB 3163 (Salas) Energy: biomethane: procurement.

Position: CASA - Support

Status: Chaptered into law 9/30/2020

Current law requires the Public Utilities Commission, in consultation with the State Air Resources Board, to consider adopting specific biomethane procurement targets or goals for each gas corporation so that each gas corporation procures a proportionate share, as determined by the commission, of biomethane annually, as specified. Current law defines "biomethane" for that purpose as biogas that meets specified standards adopted by the commission for injection into a common carrier pipeline. This bill would instead define "biomethane" for that purpose as methane produced from an organic waste feedstock, rather than biogas, that meets those specified standards and is either produced from the anaerobic decomposition of organic material or produced from the noncombustion thermal conversion of specified materials.

AB 2560 (Quirk) Water quality: notification and response levels: procedures.

Position: CSDA – Support 3, CASA – Support; California Municipal Utilities Association (CMUA) – Sponsor

Status: Chaptered into law 9/30/2020

This bill requires the State Water Resources Control Board to post on its internet website and distribute through email information when it initiates the development of a Notification Level (NL) or Response Level (RL) for a contaminant. Specifically, this bill requires the State Water Board to do all of the following:

- Post on its internet website and distribute through e-mail information explaining it has initiated the development of a NL or RL.
- Post on its internet website and distribute through e-mail a notice that a draft NL or RL is available, including documents that were used to support the draft NL or RL, and whether

or not those documents were peer reviewed.

- Include, prior to finalizing a NL or RL, as an information item, the draft NL or RL at a regularly noticed meeting.

SB 1044 (Allen) Firefighting equipment and foam: PFAS chemicals.

Position: CASA – Support Concept; League of CA Cities - Support

Status: Chaptered into law 9/29/2020

This measure would prohibit the use of firefighting foam containing perfluoroalkyl and polyfluoroalkyl substances (PFAS) chemicals, except where federally required, and would require notification of the presence of PFAS in the protective equipment of firefighters.

SB 865 (Hill) Excavations: subsurface installations.

Position: League of CA Cities - Support

Status: Chaptered into law 9/29/2020

This measure would strengthen safe excavation practices by increasing collaboration between excavators and operators, requiring data sharing amongst key stakeholders, and moving the Dig Safe Board to the Office of Energy Infrastructure Safety. Entities that violate the requirements of SB 865 would face civil penalties.

REVENUE & FINANCE-RELATED BILLS

AB 78 (Committee on Budget) Bergeson-Peace Infrastructure and Economic Development Bank.

Budget Trailer Bill

Status: Chaptered into law 6/29/2020

The bill creates the Climate Catalyst Revolving Loan Fund within the State Treasury and makes the moneys in the fund available for expenditure, upon appropriation by the Legislature. The bill requires the California Infrastructure and Economic Development Bank to administer the Climate Catalyst Revolving Loan Fund and would authorize the bank, under the Climate Catalyst Revolving Loan Fund Program, to provide financial assistance to any eligible sponsor or participating party for eligible climate catalyst projects, either directly to the sponsor or participating party or to a lending or financial institution, as specified.

Bill language defines “climate catalyst projects” as any building, structure, equipment, infrastructure, or other improvement within California, or financing the general needs of any sponsor or participating party for operations or activities within California that are consistent with, and intended to, further California’s climate goals, activities that reduce

climate risk, and the implementation of low-carbon technology and infrastructure.

AB 2107 (Rodriguez) Local government: securitized limited obligation notes.

Position: CSDA – Sponsor

Status: Chaptered into Law 9/29/2020

As chaptered 9/29/20: Reauthorizes a statute that expired December 31, 2019, which authorizes a special district to issue securitized limited obligation notes (SLONs) for the acquisition or improvement of land, facilities, or equipment. These notes must mature within 10 years and can be issued to a cumulative \$2 million dollars outstanding at one time. They can be secured with any available revenues. Reinstate these notes for 5 more years.

SB 74 (Budget and Fiscal Review Committee): Budget Act of 2020.

Position: CSDA – Watch

Chaptered into Law 6/29/2020

This was the 2020-21 budget bill, which contained a \$50 million appropriation for community power resiliency to support local governments in preparing for and responding to power outage events, including special districts who operate critical facilities or infrastructure per the California Public Utility Commission's deenergization guidelines.

SB 998 (Moorlach) Local government: investments.

Position: CSDA – Support

Status: Chaptered into law 9/28/2020

As chaptered 9/28/20: Increases Cities and Special Districts cap on investments in commercial paper to 40% for those agencies that have \$100,000,000 or more of investment assets under management (AUM). Those with less in AUM remain at 25%. Restricts investing more than 10% of an agency's total investment assets in the commercial paper and the medium-term notes of any single issuer. Includes recognized California Indian tribes within the definition of local agency for purposes of investing in shares of beneficial interest issued by a joint powers authority. Allows the holding of zero or sub-zero interest rate securities.

SB 928, 929, 930 (Governance and Finance Committee): Validations.

Position: CSDA – Support

Chaptered into law 9/29/2020

Enact the Validating Acts of 2020, which legally confirm the organization, boundaries, acts, proceedings, and bonds of government agencies, protecting investors from minor errors. (Protects special districts from potential litigation)

EMPLOYMENT-RELATED BILLS**SB 1159 (Hill) Workers' compensation: COVID-19: critical workers.****Position: CASA – Watch Close; CSDA – Oppose****Status: Chaptered into law 9/17/2020**

This measure would, until an unspecified date, define “injury” for a critical worker, as specified, to include illness or death that results from exposure to COVID-19 under specified circumstances. The bill would create a disputable presumption, as specified, that an injury that develops or manifests itself while a critical worker is employed arose out of and in the course of the employment.

SB 1383 (Jackson) Unlawful employment practice: CA Family Rights Act.**Position: CSDA – Oppose****Chaptered into law 9/17/2020**

Existing law prohibits an employer who employs 25 or more employees working at the same location from discharging or discriminating against an employee who is a parent of a child of the age to attend a licensed child-care provider or in kindergarten or grades 1 to 12 for taking off up to 40 hours each year to find, enroll, or reenroll their child in a school, to participate in school activities, or address emergency situations at school, subject to specified conditions. Employees may be required to use vacation or other paid time off when taking time off under these provisions and authorizes the use of unpaid time off, to the extent made available by the employer.

AB 685 (Reyes) COVID-19: imminent hazard to employees: exposure: notification: serious violations.**Position: CSDA – Oppose; USD – Oppose Letter sent****Chaptered into law 9/17/2020**

The bill requires employers to take all of the following actions within 24 hours after the employer knew or reasonably should have known of COVID-19 exposure to the employee:

1. Provide a notice to all employees at the worksite where the exposure occurred that they may have been exposed to COVID-19. This notification shall be, at a minimum, in writing in both English and the language understood by the majority of the employees. Employers shall also make every reasonable effort necessary to notify workers verbally.
2. Notify the exclusive representative, if any. This notification shall be, at a minimum, in writing in both English and the language understood by the majority of the

<p>employees. Employers shall also make every reasonable effort necessary to notify the exclusive representative verbally.</p> <ol style="list-style-type: none"> 3. Notify all employees and the exclusive representative, if any, of options for exposed employees including COVID-19-related leave, company sick leave, state-mandated leave, supplemental sick leave, or negotiated leave provisions. 4. Notify all employees and the exclusive representative, if any, on the cleaning and disinfecting plan that the employer plans to implement prior to resuming work. 5. Notify the Division of Occupational Safety and Health, pursuant to subdivision (b) of Section 6409.1, of the number of employees by occupation with a COVID-19 positive test, diagnosis, order to quarantine, or death that could be COVID-19 related. 6. Notify the California Department of Public Health and the appropriate local public health agency of the number of employees by occupation with a COVID-19 positive test, diagnosis, order to quarantine, or death that could be COVID-19 related. <p>The bill defines “Exposed to COVID-19” as exposure to a person with any of the following:</p> <ol style="list-style-type: none"> 1. A positive COVID-19 test. 2. A positive COVID-19 diagnosis from a licensed health provider. 3. A COVID-19-related order to quarantine from a licensed health provider. 4. A fatality that was or could have been caused by COVID-19.
<p>GOVERNANCE BILLS</p> <p>AB 992 (Mullin) Open meetings: local agencies: social media.</p> <p>Position: CSDA – Support Chaptered into law 9/18/20</p> <p>Excludes posting comments, expressing position, and liking comments on social media from the Brown Act, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.</p>

Dead or Vetoed State Legislation 2019-2020 session

<p>AB 1484 (Grayson) Mitigation Fee Act: housing developments.</p> <p>Position: League of CA Cities - Oppose Status: Dead</p> <p>The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable</p>
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relationship between the fee's use and the type of development project on which the fee is imposed. This bill would prohibit a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project, as defined, unless specified requirements are satisfied by the local agency, including that the housing impact requirement be roughly proportional in both nature and extent to the impact created by the housing development project. The bill would preclude agencies from using a "buy-in" fee methodology for purposes of calculating their connection and capacity charges.

AB 1672 (Bloom) Solid waste: premoistened nonwoven disposable wipes.

Position: CASA – Sponsor; League of CA Cities - Support

Status: Dead – plan to re-introduce in 2021

This California Association of Sanitation Agencies (CASA)-sponsored measure would require labels indicating a product should not be flushed on specified nonwoven disposable products. The bill requires the manufacturers of these products to execute mandatory education and outreach campaigns explaining the labeling requirements to consumers, which will also be coupled with a wastewater collection study to evaluate consumer behavior.

SB 45 (Allen) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

Position: League of CA Cities – Support

Status: Dead

This measure would put a \$5.51 billion bond for wildfire prevention, safe drinking water, drought preparation, and flood protection programs on the November 2020 ballot for voter approval.

AB 3256 (Garcia) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

Position: CSDA – Support if amended 2; CASA – Watch

Status: Dead

Would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which would place a \$6.98 billion general obligation bond before voters on the November 2020 ballot to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.

AB 1567 (Aguiar-Curry) Organic waste: scoping plan.

Position: CASA – Watch; CSDA – Watch

Status: Dead

Would, on or before December 31, 2021, require the Strategic Growth Council, in consultation with stakeholders and relevant permitting agencies, to prepare and submit to the Legislature a report that provides a scoping plan for the state to meet its organic waste, climate change, and air quality mandates, goals, and targets and would require the scoping plan to include, among other things, recommendations on policy and funding support for the beneficial reuse of organic waste.

AB 2333 (Quirk) Waste: releases: remedial action: local oversight.

Position: CASA – Watch; CSDA - Watch

Status: Dead

Whenever a release of waste occurs and remedial action is required, current law authorizes a responsible party for the release to request that a local officer supervise the remedial action. Current law requires a local officer to provide written notification, that includes specified information, to the Department of Toxic Substances Control and the appropriate regional water quality control board at least 10 working days before entering into a remedial action agreement with a responsible party. Current law authorizes a local officer to provide a responsible party with a letter or other document that describes the release of waste that occurred and the remedial action taken and certifies that the cleanup goals embodied in the remedial action agreement were accomplished. This bill would authorize a responsible party to request the local officer to oversee the remedial action only if the release is not being overseen by the department or a regional water quality control board.

AB 2592 (Garcia) Reduction of human remains and the disposition of reduced human remains.

Position: CSDA – Watch; CASA – Seek info

Status: Dead

The Cemetery and Funeral Act provides for the licensure and regulation of cemeteries, crematoria, hydrolysis facilities, cremated remains disposers, funeral establishments, and their personnel by the Cemetery and Funeral Bureau within the Department of Consumer Affairs. Current law creates the Cemetery and Funeral Fund, which is continuously appropriated for the purpose of implementing the act. Under existing law, the violation of the act is a misdemeanor. Current law provides for the disposition of human remains and makes specified acts relating to human remains, including improperly disposing of human remains, a crime. This bill would require the bureau to license and regulate reduction facilities, as defined, and would enact requirements applicable to reduction facilities substantially similar to those applicable to crematoria and hydrolysis facilities.

<p>SB 1215 (Stern) Electricity: microgrids.</p> <p>Position: CSDA – Watch; CASA – Watch Status: Dead</p> <p>This bill proposes changes to existing law in order to promote the use of microgrids, as defined, for electric generation. Specifically, this bill requires the California Public Utilities Commission (CPUC) to create a database of critical facilities and infrastructure and requires the CPUC and the California Independent System Operator (CAISO) to develop a methodology to account for the resource adequacy value of distributed storage by March 31, 2021.</p>
<p>AB 2178 (Levine) Emergency services.</p> <p>Position: League of CA Cities - Support Status: Dead</p> <p>This measure would amend the California Emergency Services Act to additionally include “deenergization,” defined as a planned public safety power shutoff, within those conditions constituting a state of emergency and a local emergency.</p>
<p>SB 1099 (Dodd) Emergency backup generators: critical facilities: exemptions.</p> <p>Position: CASA – Support in concept; CSDA – Support if Amended Status: Dead</p> <p>This measure would require air districts to develop stipulations for an order of abatement that would allow permitted facilities to use backup generators exceeding hour limits if facilities choose to enter into a stipulated order of abatement (SOA) with the local air district. This measure would dictate some terms of that SOA, including reporting of use, and a schedule for replacing older polluting generators with the cleanest, feasible, applicable technology that is economically feasible.</p>
<p>SB 1185 (Moorlach) Emergency backup generators: operation during deenergization events.</p> <p>Position: League of CA Cities – Oppose; CASA – referred to CASA legislative subcommittee Status: Dead</p> <p>This measure would require a facility permittee, when applying for an emergency variance from backup generator runtime rules, to demonstrate they are using the cleanest, feasible, available backup power source. This includes, but is not limited to, natural gas-powered generators.</p>
<p>SB 952 (Nielsen) Sales and use taxes: exemption: backup electrical generators: deenergization</p>

events.

Position: CSDA – Support if Amended 3

Status: Dead

This bill would, among other things, provide a sales and usage tax exemption for “backup generator resources” (as defined) when a city, county, special district, or other entity of local government purchases the product for exclusive use during a deenergization event (as defined), for calendar years 2020 through 2025.

EMPLOYMENT-RELATED BILLS

AB 2999 (Low) Employees: bereavement leave.

Position: League of CA Cities – Oppose

Status: Dead

This measure would enact the Bereavement Leave Act of 2020. The bill would require an employer to grant an employee up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner, in accordance with certain procedures, and subject to certain exclusions. The bill would prohibit an employer from interfering with or restraining the exercise or attempt to exercise the employee’s right to take this leave. This bill would authorize an employee who has been discharged, disciplined, or discriminated against for exercising their right to bereavement leave to file a complaint with the Division of Labor Standards Enforcement or bring a civil action against their employer for reinstatement, specified damages, and attorney’s fees.

SB 1173 (Durazo) Public employment: labor relations: employee information.

Position: League of CA Cities – Oppose

Status: Dead

This measure would generally authorize an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the requirements to provide employee information. Current law requires public employers to provide certain labor representatives with the names and home addresses of newly hired employees, as well as their job titles, departments, work locations, telephone numbers, and personal email addresses, within 30 days of hire or by the first pay period of the month following hire. Current law also requires the public employers to provide this information for all employees in a bargaining unit at least every 120 days, except as specified.

PLANNING AND ZONING BILLS

AB 1279 (Bloom) Planning and zoning: housing development: high-opportunity areas.

Position: League of CA Cities – Watch

Status: Dead

This measure would require the Department of Housing and Community Development (HCD) to designate areas in this state as high-resource areas by Jan. 1, 2021, and every five years thereafter. In any area designated as a high-resource area, this measure would require cities, at the request of a developer, to allow up to fourplexes in single-family zones and up to 100 units per acre in commercial zones. These projects shall receive ministerial approval (use by-right).

SB 1120 (Atkins) Subdivisions: tentative maps.

Position: League of CA Cities - Support if Amended

Status: Dead

This measure would build off the Accessory Dwelling Unit law allowing for at least three units per parcel to further encourage development in single-family neighborhoods by creating a ministerial approval process for duplexes and lot splits that meet local zoning, environmental and tenant displacement standards.

SB 1299 (Portantino) Housing development: incentives: rezoning of idle retail sites.

Position: League of CA Cities – Support

Status: Dead

This measure would, upon appropriation by the Legislature, require HCD to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing.

Federal Legislative Update:**Electoral College Vote Certification**

Senator Josh Hawley, R-Mo., announced Wednesday, December 30, 2020 that he would object when Congress convenes to certify the electoral college vote. Eleven additional Republican Senators issued a separate challenge on Saturday, January 2, 2021. That movement is led by Senator Ted Cruz (R-Texas), who circulated the idea among Senate Republicans of voting against certification of the election unless there is an election audit. These actions will likely ensure at least a short delay in cementing President-elect Joe Biden's victory.

Any member of the House, joined by a member of the Senate, can contest the electoral votes on January 6, 2021. The challenge prompts a floor debate followed by a vote in each chamber. Hawley's decision comes as a group of House conservatives, led by Representative Mo

Brooks (R-Ala.), pledged to make a bid to overturn the results of the presidential election on January 6, 2021 by objecting to the Electoral College results.

A lawsuit filed Sunday, December 27, 2020 by U.S. Rep. Louie Gohmert, R-Texas, and several Arizona Republicans against Vice-President Pence attempted to get a federal judge to expand Pence's power to affect the election outcome. Lawyers representing Representative Louie Gohmert (R-Texas) and Arizona's 11 GOP electors disclosed in a Tuesday December 29, 2020 court filing that Vice President Pence rejected their request to join their attempt to subvert the results of the presidential election.

The suit essentially asked the court to grant Pence the authority on January 6, 2021 to overrule the results in swing states such as Arizona and have Congress count only pro-Trump electors instead of the ones President-elect Joe Biden won.

A Trump-appointed U.S. District Court judge ruled against the suit on Friday, January 1, 2021, noting that the suit could not be brought by an individual member of Congress, since it alleged an injury that would apply to the entire House and Senate. A federal appeals court then dismissed the suit on Saturday, January 2, 2021, noting the lower court's ruling that Gohmert and the 11 Arizona Republicans who would have been electors for President Donald Trump lacked legal standing to pursue the case.

House of Representatives election results (percentages per CA Secretary of State website):

15th Congressional District - Eric Swalwell received 70.9% of the vote

17th Congressional District - Ro Khanna received 71.3% of the vote

Omnibus Spending and Coronavirus Relief Package

On a 359-53 vote in the House and 92-6 in the Senate, Congress passed a \$900 billion COVID-relief package and \$1.4 trillion government funding package that gives pandemic aid to Americans while securing federal agency operations through September 2021. The President signed the measure into law on Sunday, December 27, 2020, removing the threat of a partial government shutdown that would have started early Tuesday December 29, 2020 after a temporary spending law expired.

With the president's signature, federal unemployment benefits that lapsed Dec. 26 while Trump considered options can start to flow again. Jobless aid recipients will get an extra \$300 per week on top of regular benefits for 11 weeks.

A federal eviction moratorium for renters behind on their payments, which had been set to expire New Year's Day, is now extended for another month and at-risk renters will receive \$25 billion in financial assistance.

Appropriations for the U.S. Environmental Protection Agency (USEPA) provide a total of \$9.2 billion and include funding for activities taking action on per- and polyfluoroalkyl substances

(PFAS), including addressing contamination, conducting research, and undertaking needed regulatory actions.

In the Interior-Environment spending bill, the Water Infrastructure Finance and Innovation Act (WIFIA) Program is funded at \$65 million for FY2021. This means that during negotiations, appropriators deleted language from the House Interior-Environment spending bill that proposed to use unspent WIFIA funds from fiscal years 2017, 2018, and 2019 to fund the program in FY2021, rather than appropriating a new funding allocation for the program for FY2021.

Included in the appropriations bill is \$638 million is assistance for low-income water and wastewater ratepayers. The funds will flow through the Department of Health and Human Services (HHS) to the states and then as grants directly to water and wastewater utilities. A national industry association notes that there are significant details and questions to address regarding program implementation and that it continues to assess the bill's language regarding this and other provisions of the bill affecting the clean water sector.

Stimulus Checks

At a press conference held Wednesday, December 30, 2020, House Speaker Nancy Pelosi Wednesday pressed Senate Majority Leader Mitch McConnell to allow the upper chamber to vote on a House-passed "stand alone" bill that would send \$2,000 stimulus checks to some Americans, but McConnell and Sen. Pat Toomey (R-Pa.) blocked the House bill on the Senate floor. McConnell blocked a Senate vote on the legislation twice the previous day.

McConnell filed a bill on Tuesday, December 29, 2020 that would increase the amount of the stimulus checks, repeal a legal shield for tech companies known as Section 230 and create an election commission that would study the November elections. Trump's statement upon signing the Omnibus Spending and Coronavirus Relief Package said the Senate would "start the process for a vote that increases checks to \$2,000, repeals Section 230, and starts an investigation into voter fraud."

Section 230 is a piece of Internet legislation in the United States, passed into law as part of the Communications Decency Act (CDA) of 1996. Section 230 generally provides immunity for website publishers from third-party content.

Described briefly, Section 230(c)(1) provides immunity from liability for providers and users of an "interactive computer service" who publish information provided by third-party users:

"No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider."

It offers a broad shield to tech companies, protecting them from lawsuits over content generated by users on their sites. It them the right to moderate content but does not give them the responsibility to do so.

The statute in Section 230(c)(2) further provides "Good Samaritan" protection from civil liability for operators of interactive computer services in the removal or moderation of third-party material they deem obscene or offensive, even of constitutionally protected speech, as long as it is done in good faith.

The 116th session of Congress ended at noon on Sunday, January 3, 2021. At that point, the House-passed bill regarding \$2,000 stimulus checks and all other pending bills expired.

The 117th Congress convened on Sunday, January 3, and will end on January 3, 2023. As of the date of this report's publication, there still a question as to which party will be in the majority after the Georgia Senate runoff elections on January 5, 2021. If Republicans lose control of the Senate there will likely be impacts to its legislative agenda for the year.

National Defense Authorization Act

On Friday, January 1, 2021, Congress overrode President Trump's veto of the National Defense Authorization Act (NDAA), which specifies how the defense budget will be spent. Trump noted that his veto was on the grounds that it calls for the renaming of U.S. military bases named for Confederate generals and that it does not strip social media companies of protection from liability when third parties post offensive material on them (Section 230 as noted above). This is the first veto override since Trump took office.

The NDAA as passed includes a measure known as the Corporate Transparency Act (CTA), which undercuts shell companies and money laundering in America. The act requires the owners of any company that is not otherwise overseen by the federal government (by filing taxes, for example, or through close regulation) to file a report that identifies each person associated with the company who either owns 25% or more of it or exercises substantial control over it. That report, including name, birthdate, address, and an identifying number, goes to the Financial Crimes Enforcement Network (FinCEN). The measure also increases penalties for money laundering and streamlines cooperation between banks and foreign law enforcement authorities.

President-Elect Biden's Administration Nominations

North Carolina regulator Michael Regan is nominated to be Administrator of the U.S. Environmental Protection Agency (USEPA). Regan's nomination also represents a victory for the Democrat Party's Progressive wing that has called on the Biden Transition Team to highlight environmental justice in its nomination decisions. Regan currently serves as Secretary of the North Carolina Department of Environmental Quality and previously worked for the Environmental Defense Fund on climate change and air quality issues.

Representative Deb Haaland (D-NM) is nominated to lead the U.S. Department of the Interior (USDOI). If confirmed, Haaland would be the first Native American to head the Department. As Secretary, Haaland would be responsible for following through on Biden's promises to move the government away from fossil fuels and restoring environmental protections on public lands.

Former Michigan Governor Jennifer Granholm is nominated for the Secretary of Energy post. Her biography notes that she worked with President-elect Biden on job-creating clean energy investments that helped recover and diversify Michigan's economy in the great recession.

Former South Bend, Indiana, Mayor Pete Buttigieg is nominated to be Secretary of Transportation. Biden said in a statement that the Transportation Department is at the nexus of the interlocking challenges of jobs, infrastructure, equity, and climate change that he has promised to address.

USEPA Develops Interim Strategy to Monitor and Manage PFAS In Wastewater

The U.S. Environmental Protection Agency (USEPA) has developed an interim strategy for how to manage Per- and Polyfluoroalkyl Substances (PFAS) contamination in wastewater, as it continues to advance its regulatory determinations outlined in its PFAS Action Plan. The strategy is outlined in an internal Agency memo and only applies to PFAS chemicals for which the Agency has validated testing methods. It recommends a phased-in approach for additional requirements as further testing methods are validated for additional PFAS chemicals. This interim strategy may be edited, amended, or discarded by the incoming Administration next year if the Agency's new leadership wants to take a different approach to tackle the issue.

House and Senate Reach Compromise WRDA 2020

After months of negotiating, the House and Senate reached a compromise Water Resources Development Act of 2020 (WRDA). The final bill focuses primarily on U.S. Army Corps of Engineers (USACE) water infrastructure provisions that support improving USACE water infrastructure projects, studies, and construction, strengthening U.S. ports and harbors, and improving the resiliency of communities to wet weather events by increasing the resiliency of USACE projects. The clean water and drinking water provisions that were included in the Senate's America's Water Infrastructure Act of 2020 (S. 3591) were ultimately cut from the final WRDA bill during conference negotiations.

USEPA Draft Guidance for Wastewater Permits Under Maui SCOTUS Decision

The U.S. Environmental Protection Agency (USEPA) has developed a draft guidance on how the recent Supreme Court of the U.S.'s (SCOTUS) County of Maui vs. Hawaii Wildlife Fund should be applied under the Clean Water Act's National Pollutant Elimination System (NPDES) permit program. In its decision, SCOTUS outlined that an NPDES permit is necessary when a polluted discharge, originating from a point source, reaches a "waters of the U.S." via groundwater if the

discharge is the "functional equivalent of a direct discharge from the point source into navigable waters."

The USEPA guidance defines "functional equivalent" based upon three threshold conditions under the framework of the NPDES program, which are outlined in the guidance, and includes a section that explains when and how a facility's system design and performance influences the Agency's "functional equivalent" analysis.

Public comment on the draft guidance will be accepted until January 11, 2021. However, an industry association notes that, given that a new Administration will be sworn in on the heels of the public comment period deadline, the guidance is likely to be edited, amended, or discarded in the new year.

Attachment: CSDA 2020 Year-End Legislative Report



**California Special
Districts Association**
Districts Stronger Together

2020 YEAR-END LEGISLATIVE REPORT

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SUMMARY OF CSDA 2019-20 LEGISLATIVE STATISTICS

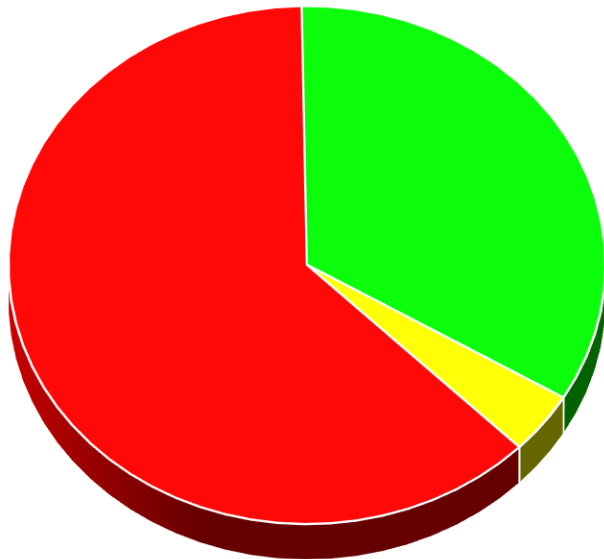
TOTAL NUMBER OF BILLS:

- Reviewed 5,423 bills
- Actively tracked 1,456 bills
- Directly lobbied on 252 bills

In the 2019-20 Legislative Session, 5,423 legislative measures were introduced. CSDA identified and actively tracked 1,456 bills affecting special districts and directly lobbied on 252 of those measures. Of the 122 bills opposed by CSDA, only 22 became law. The other 100 were killed or amended to remove CSDA's concerns. Of the 130 bills supported by CSDA, 44 became law; five bills were amended in a manner that changed the subject or otherwise removed the association's support. An additional five bills were actively tracked by CSDA, but did not receive a formal support or oppose position.

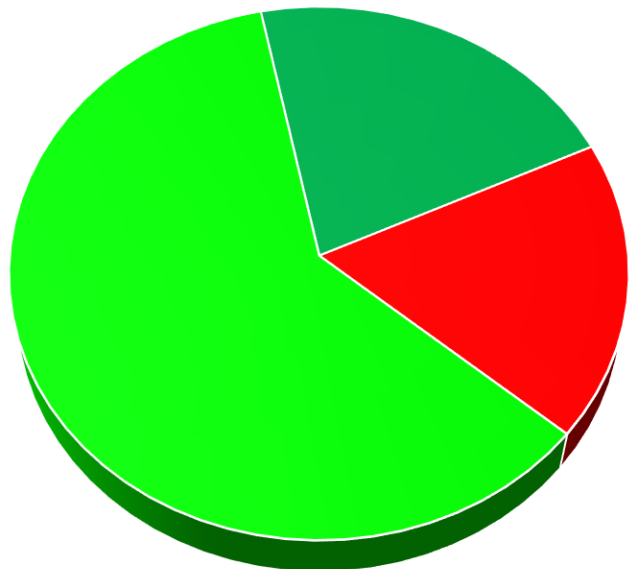
130 Bills Supported

- 44 – Signed into law
- 5 – Amended to remove support
- 81 – Failed passage



122 Bills Opposed

- 74 – Failed passage
- 26 – Amended to remove opposition
- 22 – Signed into law





CSDA Year-End Report – October 2020 2020 Legislative Year

ENERGY AND EMISSIONS					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 56 (E. Garcia)	Electricity: Procurement by the California Alternative Energy and Advanced Transportation Financing Authority	As amended 7/3/19: This bill presented significant local governance issues and was in direct conflict with the public power business model and was amended to exclude local publicly owned utilities. Prior to amendment, this bill would have allowed the California Public Utilities Commission (CPUC) and the California Energy Commission (CEC) to establish the California Clean Electricity Authority (Authority). The Authority would have procured resources with the intent of assisting with the timely achievement of the state's clean energy goals and addressing shortfalls identified in the integrated resource planning of load serving entities (LSEs) and publicly owned utilities (POUs), among other objectives.	Neutral	Dead	No cost as amended
AB 740 (Burke)	Electricity: Microgrids	As amended 6/30/20: This bill was gutted and amended to require the Public Utilities Commission to ensure that the standards established to facilitate the commercialization of microgrids for distribution customers of large electrical corporations do not impose a size cap on microgrid projects with specified characteristics. The bill would have required the governing board of a local publicly owned electric utility to also ensure that its standardized process for the interconnection of a customer-supported microgrid would not impose a size cap on microgrid projects with those same specified characteristics.	Oppose	Dead	Potential cost to public utilities
AB 1936 (Rodriguez)	Price Gouging: Public Safety Power Shutoffs	As amended 3/12/20: Would have applied the same price gouging prohibition and penalties currently in place for a period following the proclamation or declaration of emergency upon an announcement of a public safety power shutoff for a period lasting until 72 hours after the restoration of power and would have included durable medical devices, generators, and generator fuel as goods covered in the provisions.	Support If Amended	Dead	Potential cost savings from pricing stabilization

		ENERGY AND EMISSIONS			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 807 (Nielsen)	Reclamation District No. 108: Hydroelectric Power	As introduced 1/9/20: Would have allowed Reclamation District (RD) 108 to continue to exercise hydroelectric power authority after January 1, 2021 and participate in the development of water facilities in the vicinity of the district and the Sacramento Valley, including the Sites Project Authority. RD 108 is responsible for water supply, levee maintenance, drainage, and flood control within its boundaries.	Support	Dead	<i>Uncertain cost impacts</i>
SB 1099 (Dodd)	Emergency Backup Generators: Critical Facility Exceptions	As amended 7/27/20: This bill pertained to exemptions for backup generator use by critical facilities and would have required an air district without a specified rule on emergency backup generators that allow the use in exceedance of applicable runtime and testing and maintenance limits that would have chosen to adopt such a rule after January 1, 2021 to include in the provisions pertaining to exemption that the critical facility must attest to and provide evidence of having also taken demonstrable steps toward implementing the use of backup power technologies that meet or exceed emission standards set by the state board.	Support If Amended	Dead	<i>Potential cost savings from fine for exceeding any limitations</i>
SB 1185 (Moorlach)	Emergency Backup Generators: Operation during Deenergization Events	As amended 7/27/20: This bill would have potentially impacted a district's ability to utilize back-up generators, but was amended to authorize an air district to adopt or revise a rule to specify that hours for usage due to the loss of normal electrical service during a deenergization event by a permitted natural-gas-powered emergency backup generator that is either federally compliant or state board designated are prohibited from counting toward that permit's conditions for usage.	Neutral	Dead	<i>Neutral cost impact</i>

ENVIRONMENT					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 609 (Levine)	California Environmental Quality Act: Notices and Documents: Electronic Filing and Posting	<p>As amended 6/23/20: As gutted and amended, this bill would have added requirements to CEQA that: (1) All lead agencies electronically file copies of Draft EIRs, proposed Negative Declarations (NDs), proposed Mitigated Negative Declarations (MNDs), notices of determination (NODs) and notices of exemptions (NOEs) with the State Clearinghouse. (2) All lead agencies and project proponents post Draft EIRs and proposed NDs or MNDs as well as NODs and NOEs on their websites, if any (the author has agreed to remove this provision); and (3) All local lead agencies to file electronic copies of NODs and NOEs with the county clerk if the clerk's office accepts electronic filing.</p> <p>CEQA currently requires lead agencies to file multiple hardcopies of their environmental review documents with the State Clearinghouse for projects where the lead agency is a state agency, a state agency is a responsible or trustee agency, or the project is of sufficient statewide, regional or areawide significance. When a lead agency must file with the State Clearinghouse, the minimum comment period on a Draft EIR is extended from 30 days to 45 days, and the minimum comment period on a Negative Declaration or Mitigated Negative Declaration is extended from 20 days to 30 days. As AB 609 would have required all draft CEQA documents to now be filed with the State Clearinghouse, which would render the shorter 30- and 20-day public comment periods inapplicable.</p>	Support If Amended	Dead	Potential cost savings
AB 995 (C. Garcia)	Hazardous Waste	As vetoed 9/29/20: This measure would have re-organized the Department of Toxic Substances Control (DTSC) and in doing so repealed several disposal fee exemptions that could affect those districts that may generate, receive, collect or remediate certain types of waste including Household Hazardous Waste. The measure would have created a task force that included local agencies and that task force would also be involved with creating new fee schedules.	Concerns	Vetoed	Likely new costs for fees related to household hazardous waste for some districts
AB 1659 (Bloom)	Large Electrical Corporations: Wildfire Mitigation	As amended 8/28/20: Was a gut and amend that would have funded California's wildfire resiliency projects through the proposed \$3 billion fund capitalized by the ratepayers served by the state's three largest investor owned utilities (IOUs). It was uncertain if special districts were eligible and what the cost impact would have been to districts as a customer of IOUs.	Concerns	Dead	Potential additional funding and potential additional costs

ENVIRONMENT					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2209 (Mayes)	California Geographic Information Office	As introduced 2/12/20: Would have implemented the recommendations of the Little Hoover Commission by establishing the California Geographic Information Office within the Department of Technology for the purpose of coordinating the state's geographic information systems (GIS) projects, promulgating standards for data collection and sharing, and managing shared data resources in coordination with appointed stakeholders, including an appointment by the California Special Districts Association.	Support	Dead	No direct fiscal impact
AB 2246 (Mayes)	Surface Mining and Reclamation Act of 1975: Metropolitan Water District of Southern California	As introduced 2/13/20: The Surface Mining and Reclamation Act of 1975 prohibits conducting surface mining operations unless a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation of the surface mining operation. The act exempts certain activities from the provisions of the act. This bill would have authorized Metropolitan Water District of Southern California to act as lead agency and would have exempted from the provisions of the act emergency excavations or grading conducted by the District for the specified purposes and surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained by the District for the purpose of repairing, maintaining, or replacing pipelines, infrastructure, or related transmission systems used for the distribution of water in the specified counties.	Support	Dead	Potential cost savings from streamlined processes
AB 2706 (Fong)	California Environmental Quality Act: Record of Proceedings	As introduced 2/20/20: Would have limited disputes over the record of proceedings ("administrative record") to be used in the litigation by removing the option for a plaintiff to prepare the record and instead vested the preparation and certification in the local agency in a proceeding challenging a project that would be exclusively located or implemented in a county with fewer than 1,000,000 residents and, if the project were located in a city within that county, the city had fewer than 500,000 residents.	Support	Dead	Potential cost savings from streamlined processes

ENVIRONMENT					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2887 (Bonta)	Statewide Emergencies: Mitigation	<p>As amended 3/16/20: Would have codified many of the Governor's COVID-19 waivers and provisions, including: prohibiting an electrical corporation, gas corporation, water corporation, municipal corporation, municipal utility district, or public utility district from terminating residential or small commercial electrical, gas, or water service for nonpayment for the first 3 billing cycles following a state of emergency or major disaster for a customer that may have been affected by the emergency or major disaster, except in compliance with the bill's requirements.</p> <p>These provisions would have been in effect following a state of emergency or major disaster declaration pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) or the period of a major disaster or emergency declared by the President of the United States pursuant to the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.)</p> <p>This bill was reassigned to the budget but did not move forward.</p>	Concerns	Dead	Potential negative cost impacts
AB 3005 (R. Rivas)	Leroy Anderson Dam and Reservoir: Permitting, Environmental Review, and Public Contracting	<p>As vetoed 9/29/20: This bill was specific to the Leroy Anderson Dam and Reservoir, owned by Valley Water, which has been determined to be at risk of an uncontrollable release of water in the event of a large earthquake. This bill would have expedited construction of the Anderson Dam Seismic Retrofit project by authorizing "best value" selection for the construction contractor, provided expedited judicial review of challenges to environmental documents issued in compliance with CEQA, required expedited processing for state permitting by the Department of Fish and Wildlife and the State Water Resources Control Board, and ensured state costs associated with expedited permitting will be borne by the district.</p>	Support	Vetoed	Potential cost savings to the district

ENVIRONMENT					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 3256 (E. Garcia)	Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020	<p>As amended 6/4/20: This bill was the Assembly's vehicle for their version of a climate resiliency bond and would have enacted the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which would have placed a \$6.98 billion general obligation bond before voters on the November 2020 ballot.</p> <ul style="list-style-type: none"> • \$1.625 billion, wildfire prevention and climate risk reduction • \$1.1 billion, protection of coastal lands, bays, and oceans from climate risks • \$1.355 billion, protection of water supplies from droughts, reducing flood risk and safe drinking water • \$1.3 billion for the protection of California's wildlife, biodiversity, fisheries, and working and agricultural lands from climate risks • \$1.6 billion for regional climate resilience projects 	Support If Amended	Dead	<i>Would have had significant opportunity for additional funding</i>
AB 3279 (Friedman)	California Environmental Quality Act: Administrative and Judicial Procedures	As amended 7/27/20: Would have amended the administrative and judicial procedures under the California Environmental Quality Act (CEQA). Of note, it would have authorized a public agency to elect to prepare a record of the proceedings.	Neutral	Dead	<i>Unknown cost impacts</i>
SB 55 (Jackson)	California Environmental Quality Act: Housing and Land Use	As amended 7/27/20: This bill was a gut and amend of SB 950, which was dubbed "CEQA 2.0," but with language that addresses many prior concerns. However, the bill continued to have significant issues regarding requirements pertaining to the preparation of the administrative record, specifically surrounding document disclosure and findings and declarations that would be problematic to local agencies.	Oppose Unless Amended	Dead	<i>Potential negative cost impacts</i>
SB 802 (Glazer)	Emergency Backup Generators: Health Facilities: Permit Operating Condition Exclusion	As introduced 1/7/20: Would have required an air district to allow a health facility that has received a permit from the district to construct and operate an emergency backup generator, to use that emergency backup generator during a deenergization event without having that usage count toward any time limitation on actual usage and routine testing, and maintenance included as a condition for issuance of that permit.	Support	Dead	<i>Neutral cost impacts</i>

		ENVIRONMENT			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 950 (Jackson)	California Environmental Quality Act: Housing and Land Use	As amended 3/19/20: Dubbed "CEQA 2.0," this bill would have placed significant new mandates on special districts acting as the lead agency in a project subject to CEQA, including but not limited to: requirement to place certain projects subject to CEQA on the ballot for voter approval; mandatory translation of numerous CEQA documents into non-English languages spoken by a substantial number of people served by the lead agency; new procedures for written and oral comments to a CEQA notice; and new meet and confer and mandatory conference requirements on the lead agency facing prospective litigation. The bill also established a "CEQA docket" for superior courts in counties with a population in excess of 200,000 and would have allowed for actions to be moved from a county with a population of less than 200,000 to an adjoining venue with a "CEQA docket."	Oppose Unless Amended	Dead	Potential significant cost impacts
SB 1296 (Durazo)	Natural Resources: The Nature and Parks Career Pathway and Community Resilience Act of 2020	As amended 6/2/20: Would have created the "Nature and Parks Career Pathway and Community Resiliency Act of 2020." The act would have required the Wildlife Conservation Board and a state conservancy to establish independent grant programs to fund climate mitigation, adaptation, or resilience, natural disaster, and other climate emergency projects that accomplish both the following: <ul style="list-style-type: none"> • Reduce the risks of, or mitigate, climate change impacts on vulnerable communities, fish and wildlife, or natural, cultural, historical, or tribal resources; or mitigate, prepare for, respond to, or support recovery from natural disasters or other climate emergencies. • Provide comprehensive workforce development opportunities, including education, training, certifications, or placement services for jobs and careers in the natural, cultural, historical, or tribal resources fields. Grants for projects would have prioritized the following projects: <ul style="list-style-type: none"> • Projects located in or that benefit low-income, disadvantaged, under-resourced, frontline, vulnerable, or marginalized communities. • Projects in areas vulnerable to catastrophic wildfires, sea level rise, or extreme heat. • Projects in areas recently burned by catastrophic wildfires. • Projects that leverage match funding. • Projects that implement local adopted plans. • Projects that support other state plans, priorities, and goals. Special districts were among the eligible entities listed in the bill to apply for grant funds.	Support	Dead	Potential cost savings through grants

FORMATION AND REORGANIZATION					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 854 (Mayes)	Imperial Irrigation District: Retail Electric Service	As introduced 2/20/19: Would have reconstituted the board of directors of the Imperial Irrigation District (IID) against the will of IID. Additionally, it would have changed the board from a five-member board to an 11-member board with six of the members being from Riverside County. Riverside county currently has no representation on the IID Board of Directors, because while IID provides power to the residents of Riverside County, they are outside their service area, which is allowed by Water Code Sections 22115, and 22120.	Oppose	Dead	Potential cost increases for IID
AB 2777 (Quirk)	Alameda-Contra Costa Transit District	As introduced 2/20/20: A "clean-up" bill, this sought to update and modernize the transit law and make technical changes, particularly concerning Alameda-Contra Costa Transit District.	Support	Dead	Potential Modest Single District Savings
SB 1386 (Moorlach)	Local Government: Assessments, Fees, and Charges: Water: Hydrants	As chaptered 9/28/20: Restates that "water" for purposes of the Proposition 218 Omnibus Implementation Act also includes fire hydrants and the water dispensed from them. Therefore, a property-related water service fee or charge by a local agency may include the costs to construct, maintain, repair, or replace public hydrants and the associated water attached to a water system as need and to comply with fire codes and industry standards, and is consistent with the California Constitution. Ideally, this measure would lessen local agencies' exposure to litigation, like those lawsuits that have already been filed against 81 water suppliers, so that communities may maintain a high level of fire protection.	Support	Chaptered	Potential significant cost savings related to litigation
GOVERNANCE					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 6 (Reyes)	Attorney General: Duties	As amended 8/27/20: This bill would have given the Attorney General new authority to pursue civil penalties under its own authority against an entity for alleged water-polluting acts upon receipt of a complaint from the California Department of Fish and Wildlife (CDFW).	Oppose	Dead	Unknown cost impacts
AB 225 (Brough)	Political Reform Act of 1974: Campaign Funds: Childcare Costs	As introduced 1/16/19: Attempted to eliminate an impediment for people considering running for office by allowing campaign funds to be used to cover the costs of childcare in order to allow more parents to run for office.	Support	Dead	Cost savings for candidates

		GOVERNANCE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 315 (C. Garcia)	Local Government: Lobbying Associations: Expenditure of Public Funds	As amended 1/6/20: Would have limited the associations of local agencies or districts from using funds paid from local agencies for purposes that are not for lobbying the Legislature or Congress or strictly educational or professional development activities. The bill also required the associations to disclose funds expended for educational activities and lobbying activities.	Oppose	Dead	<i>Would have limited association funds</i>
AB 510 (Cooley)	Local Government Destruction of Records	As introduced 2/13/19: This CSDA sponsored bill would have allowed special districts, cities, and counties to adopt record retention policies for routine video monitoring recordings as well as radio and telephone recordings that differ from the current standard of 1-year for video recordings and 100-days for radio and telephone recordings. If an agency did not adopt their own policies, then the current standard would have applied. This change in law would have allowed agencies to save money on unnecessary data storage costs.	Sponsor	Dead	<i>Potential significant costs savings for districts utilizing video surveillance</i>
AB 654 (B. Rubio)	Public Records: Utility Customers: Disclosure of Personal Information	As introduced 2/15/20: This CSDA sponsored bill would have included a sixth category to code section 6254.16 of the Government Code providing that a local agency may disclose specific customer information to another governmental agency for scientific, educational, or other research purposes, and that the requesting agency agrees to maintain it as confidential.	Sponsor	Dead	<i>No direct fiscal impact</i>
AB 844 (Irwin)	Health Facilities: Mandated Hospital Services and Activities	As amended 3/5/19: Would have established an independent, nonpartisan body to advise the Governor and Legislature on the financial impact of proposed mandated hospital services and activities.	Support	Dead	<i>No direct fiscal impact</i>
AB 992 (Mullin)	Open Meetings: Local Agencies: Social Media	As chaptered 9/18/20: Excludes posting comments, expressing position, and liking comments on social media from the Brown Act, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.	Support	Chaptered	<i>No direct fiscal impact</i>

		GOVERNANCE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 1415 (Friedman)	Department of Water Resources: Reporting Requirements: Civil Penalties	As amended 5/24/19: This bill would have required the Department of Water Resources to impose a civil penalty of up to \$1,000 on any person or entity who fails to file with the department a report or plan by the deadline required. These reports included: (1) A report that summarizes aggregated farm-gate delivery data. (2) A water loss audit report, and accompanying information, (3) An urban water management plan or plan update, (4) A report on the implementation and enforcement of the model water efficient landscape ordinance, or a locally modified water efficient landscape ordinance that is at least as effective in conserving water. The department would have been required to submit a report to the Senate Committee on Natural Resources and Water and Assembly Committee on Water, Parks, and Wildlife annually.	Oppose	Dead	Potential cost impact to some districts
AB 2093 (Gloria)	Public Records: Email Retention	As introduced 2/5/20: Identical to AB 1184 (Gloria, 2019), this bill would have mandated that all public agencies, including special districts, must maintain all emails pertaining to the public's business for two years. In practice this would require public agencies to keep all emails sent and received for two years. Additionally, this mandate was placed in the California Public Records Act to purposely avoid requirements for the State to reimburse local agencies for the costs of new or higher levels of service required by new laws.	Oppose	Dead	Significant costs increase associated with digital storage and responding to CPRA requests
AB 2123 (Chau)	Accessibility: Internet Website	As amended 5/4/20: Provided a rebuttable presumption that a business's website is ADA-compliant if the website meets the Web Content Accessibility Guidelines (WCAG) 2.0 AA standard. The bill further required the California Commission on Disability Access to review the WCAG standards and determine whether they are the most up-to-date standards for effective communication through websites.	Support	Dead	Potential cost savings through reduced litigation
AB 2138 (Chau)	California Public Records Act	As amended 5/4/20: Would have recodified and reorganized the California Public Records Act. The bill included provisions to govern the effect of recodification and state that the bill was intended to be entirely nonsubstantive in effect.	Oppose	Dead	No direct fiscal impact

		GOVERNANCE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2155 (Obernolte)	Public Officers: Contracts: Prohibited Interests	As introduced 2/10/20: Existing law prohibits members of the Legislature, and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by anybody or board of which they are members, subject to certain exceptions and qualifications. Should a body enter into a contract (including contracts utilizing bond funds), a party directly impacted by the contract can contest it. This bill would have expanded the contesting authority to any person, not just those that are directly impacted.	Oppose	Dead	Significant fiscal impacts associated with litigation and challenges in raising necessary fees
AB 2370 (Limón)	Ventura Port District: Aqua Culture Plots: Federal Waters	As amended 3/16/20: Due concerns that the local agency formation commission does not have the authority to activate a power outside of the Ventura Port District's sphere of influence in federal waters, this measure sought to except the Ventura Port District for the purpose of certain aquaculture projects, provided they have otherwise obtained permission from the federal agencies required. This measure was not heard and is dead for the year.	Support	Dead	Potential revenue gain for single district
AB 2438 (Chau)	California Public Records Act: Conforming Revisions	As introduced 2/19/20: This bill was a clarifying rewrite of the California Public Records Act (CPRA). It was intended to not make any changes to the function of the Act. However, it would have resulted in costs to all public agencies to update all of their CPRA materials. Additionally, all applicable code sections would have been renumbered and all training materials would have needed to be rewritten.	Oppose	Dead	No direct fiscal impact
AB 2452 (C. Garcia)	State Auditor: High Risk-Local Government Agency Audit Program	As introduced 2/19/20: Would have authorized the California State auditor to audit associations representing public agencies utilizing the High-Risk Local Agency Audit Program, which was created to identify potential financial waste, fraud, and abuse.	Oppose	Dead	No direct fiscal impact
AB 2629 (Mayes)	Imperial Irrigation District: Retail Electric Service	As amended 5/4/20: Would have required the State Energy Resources Conservation and Development Commission (Energy Commission), the Imperial County Local Agency Formation Commission, and the Riverside County Local Agency Formation Commission to meet to determine the sphere of influence of the Imperial Irrigation District and options for electrical service to the Coachella Valley at the end of a certain lease of electrical rights. It would have required the Energy Commission to report to the Legislature the findings of this stakeholder group.	Oppose	Dead	Potentially significant fiscal impacts to single district

		GOVERNANCE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
ACR 179 (Voepel)	Special Districts Week	As introduced 2/26/20: A non-binding resolution, this measure proclaimed the week of May 17 to May 23, 2020, to be Special Districts Week. This week was intended to coincide with CSDA's Legislative Days. It recognizes the important historical role that special districts play in service and infrastructure delivery. The Covid-19 crisis hampered the movement of this measure.	Sponsor	Dead	No fiscal impact
SB 217 (Portantino)	Recreational and Organization Camps	As amended 6/23/20: Would have added "recreation camp" to the existing definition of "organized camp," and defined it as a camp that operates for profit or nonprofit purposes, serves 5 or more children, and operates for at least 5 days during any season. These camps would have needed to be licensed and comply with a long list of requirements and mandates, including licensure, fees, compliance inspections, fines for non-compliance, new regulations from various departments including health department and the fire marshal. It would have created a statewide Recreational Camp Safety Advisory Council within the state government to advise and consult on policy matters relating to recreational camps, required each recreational camp to employ a camp director and a medical professional. It sets minimum age limits and training requirements on camp counselors, junior counselors, lifeguards and other staff and volunteer, and specified counselor-to-camper ratio, depending on the age of the campers and the specific activities provided. This bill imposed specified requirements on high-risk specific camp activities including, among others, riflery, archery, horseback riding, climbing, swimming, and scuba diving. The bill would have required each camp to obtain specified certifications before offering high-risk activities.	Oppose	Dead	Significant Costs and Fiscal Impacts to Districts with Certain Parks Programs.
SB 241 (Moorlach)	Personal Income Tax: California Voluntary Contribution Program	As amended 4/29/19: This bill that previously dealt with Joint Powers Authority agreements was gutted and amended to deal with voluntary tax check-offs on personal income tax returns.	Neutral	Dead	No direct fiscal impact
SB 749 (Durazo)	California Public Records Act: Trade Secrets	As amended: 9/10/19: This bill would have provided that records relating to wages, benefits, working hours, and other employment terms and conditions of employees working for a private industry employer pursuant to a contract with a state or local agency shall not be deemed to be trade secrets under the California Public Records Act. This bill was amended to remove the section that CSDA was opposed to related to Reverse Public Records Act actions.	Neutral	Dead	No direct fiscal impact

		GOVERNANCE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 931 (Wieckowski)	Local Government Meetings: Agenda and Documents	As amended 4/2/20: Would have required public agencies to email meeting agendas and the supporting agenda packets, or a link to where they can be found on an agency's website, to members of the public that have requested them. Just like when the public requests meeting materials be mailed to them, this standing request would have been valid for one year. In the event that it is not technically feasible to email the meeting materials or a link to where it can be found on a website, an agency could have physically mailed the materials and charged the requester for the costs of the mailings. Amendments to the bill addressed a majority of CSDA's previous concerns.	Oppose	Dead	Potential increased CPRA litigation
SB 939 (Wiener)	Emergencies: COVID-19: Commercial Tenancies: Evictions	As amended 5/29/20: Would have prohibited evictions of private or commercial tenants during the state of emergency related to COVID-19. Also would have authorized a commercial tenant that is a small business or is an eating or drinking establishment, place of entertainment, or performance venue that meets certain financial criteria, to engage in negotiations with its landlord to modify rent or other economic requirements, which could result in the tenant terminating the lease under certain circumstances. The above provisions all carried penalties for non-compliance. This measure had an urgency clause and required a 2/3rds vote of the legislature. This measure was held under submission in Senate Appropriations and is dead for the year.	Oppose Unless Amended	Dead	Significant costs to those districts with commercial tenants
SB 977 (Monning)	Health Care System Consolidation: Attorney General Approval and Enforcement	As amended 8/24/20: Would have required health systems sales, affiliations, and mergers with health care facilities be approved by the State Attorney General.	Oppose	Dead	Unknown fiscal impacts for healthcare districts
SB 1180 (Dahle)	Fallen Leaf Lake Community Services District: Elections	As introduced 2/20/20: In response to a 2019 state auditor report recommendation to ensure that the district has an electorate of sufficient size from which it can elect a board, this measure created a hybrid electorate consisting of registered voters, landowners or their proxies, and holders of certain federal land permits.	Support	Dead	Some potential elections costs for a single district
SCR 94 (Umberg)	California Firefighter Appreciation Month and California Firefighters Memorial Day	As introduced 7/22/20: This measure would have proclaimed the month of September 2020 as California Firefighter Appreciation Month and September 26, 2020, as California Firefighters Memorial Day.	Support	Dead	No fiscal impact

HEALTH AND SAFETY					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 329 (Kamlager)	Victim Compensation: Use of Excessive Force by Law Enforcement	As amended 7/8/20: This bill was gut and amended from a penalty enhancement for assaults that take place on public or private hospital property to a bill on police excessive use of force bill.	Neutral	Dead	No direct fiscal impact
AB 367 (Flora)	Presence at Care Facilities: Conviction of Crimes	As amended 1/15/20: Would have prohibited people convicted of pimping or identity theft from working at a residential care facility.	Support	Dead	No direct fiscal impact
AB 1231 (Boerner Horvath)	Emergency Services	As introduced 2/21/19: Would have required response time requirements in any contract for ground emergency medical transportation entered into, amended, or renewed, by a state or local entity on and after January 1, 2020, to be consistent with performance standards established by the International Academies of Emergency Dispatch. Currently standards vary and response time requirements are included in contracts. However, the required times vary greatly depending on whether the service is located in a rural or urban community.	Oppose	Dead	Potential cost increases for districts providing ambulance services
AB 1416 (Cooley)	Business: Collection and Disclosures of Consumer Personal Information	As amended 5/6/19: This is cleanup legislation related to the Consumer Privacy Act of 2018 would have ensured public agencies are able to share personal information of their constituents with contracted providers as necessary to provide governmental functions.	Support	Dead	Unknown fiscal impact
AB 1775 (Jones-Sawyer)	False Reports and Harassment	As chaptered 9/30/20: Would have expanded the definition of a "fee" for the purposes of Fee Mitigation Act by eliminating existing exclusions to the act, such as the Quimby fees for parks. Measure was "gut-and-amended" 4.09.2019 and now puts new requirements on cities and counties related to environmental justice. CSDA then moved to neutral.	Neutral	Chaptered	Significant costs related to changes in the mitigation fee act
ACR 149 (Voepel)	Opioid Epidemic	As introduced 1/16/20: Designates the month of September 2020 as Opioid Awareness Month in California.	Support	Dead	No direct fiscal impact

		HEALTH AND SAFETY			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 231 (Galgiani)	Local Emergencies: Port Districts	As introduced 2/7/19: Would have allowed port districts to declare a local state of emergency. This bill is similar to SB 531 (Galgiani, 2018) which CSDA supported in 2018. However, the Governor vetoed SB 531 with the following message: "this bill adds port districts that are not a department, division, or a subdivision of a city or county to the list of political subdivisions permitted to declare a local emergency under the California Emergency Services Act. Allowing port districts to declare a local emergency without involving their neighboring cities and counties runs counter to the system of mutual aid which is dependent upon local cooperation. By facilitating the efficient flow of resources and information, local cooperation during an emergency allows the state to determine the proper allocation of emergency support. This bill will disrupt the state's ability to evaluate such resource requests - to the possible detriment of those who need help."	Support	Dead	Unknown fiscal impact
SB 275 (Pan)	Health Care and Essential Workers: Personal Protective Equipment	As chaptered 9/29/20: Requires the Department of Public Health (CDPH) to establish a personal protective equipment (PPE) stockpile for health care workers and essential workers in the state and requires health care employers, to establish a PPE inventory that is sufficient for at least 45 days of surge consumption.	Oppose Unless Amended	Chaptered	Potential significant costs for healthcare districts
SB 758 (Portantino)	Hospitals: Seismic Safety	As amended 8/24/20: Would have extended the existing deadline requiring general acute care hospitals to be fully operational after an earthquake by two years, from January 1, 2030, to January 1, 2032.	Support	Dead	Would have delayed significant costs for healthcare districts with hospital facilities
SB 1044 (Allen)	Firefighting Equipment and Foam: PFAS Chemicals	As chaptered 9/29/20: Requires notice from the manufacturer or distributor of firefighting equipment that contains polyfluoroalkyl substances (PFAS). One year later it bans the use or sale of firefighting foam containing chemicals except in situations where it is federally required. When federal requirements are rescinded, these applications will also switch to non-PFAS foams.	Support	Chaptered	Potential upfront costs for fire protection for early retirement of certain foams and equipment containing PFAS

HEALTH AND SAFETY					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 1348 (Stern)	Fire Prevention: Vegetation Management: Public Education Grants	As amended 8/26/20: Among other things, would have added two more categories of eligible grant funding to certain local entities, including resource conservation districts, though an existing program administered by the Department of Forestry and Fire Protection. Specifically, it would add vegetation management along roadways and driveways to reduce fire risk including defensible space training, and public education outreach regarding making homes and communities more wildfire resistant as eligible activities for grant funding.	Support	Dead	Potential grant opportunities for RCD's
SCR 88 (Galgiani)	California Peace Officers' Memorial Day	As introduced 3/4/20: Would have designated Monday, May 4, 2020, as California Peace Officers' Memorial Day, and recognizes specific California peace officers who were killed in the line of duty.	Support	Dead	No cost impact
HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 196 (Gonzalez)	Workers' Compensation: COVID-19: Essential Occupations and Industries	As amended 8/25/20: Would have established a new disputable presumption for COVID-19 injury, which would have significantly increased workers' compensation costs for employers by presuming that contraction of COVID-19 by "essential workers" is a workplace injury. Would have established an extremely concerning precedent for expanding presumptions into the private sector for COVID-19 issues, which the Workers' Compensation Insurance Rating Bureau estimated will add billions in costs to California's workers' compensation system.	Oppose	Dead	Significant cost increases associated with workers' compensation
AB 316 (Ramos)	Medi-cal: Benefits: Beneficiaries with Special Dental Care Needs	As amended 4/4/19: This bill would have increased the Medi-Cal reimbursement rate for doctors treating a Medi-Cal beneficiary with special dental care needs. This payment would have been an adjustment to cover the extra time needed to render dental services to a Medi-Cal beneficiary with special dental care needs.	Support	Dead	Cost savings for healthcare providers resulting from higher reimbursement rates

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 418 (Kalra)	Evidentiary Privileges: Union Agent-Represented Worker Privilege	As amended 6/21/19: Would have expanded the current evidentiary privilege against disclosure of communications to also include union agent-represented worker communications. The evidentiary privilege is by design narrow in scope to protect the confidentiality and integrity of relationships, both professional and familiar in nature, where highly sensitive and deeply personal information is exchanged. Examples include spousal privilege, confidential marital communications privilege, physician-patient privilege, psychotherapist-patient privilege, clergyman-penitent privilege, sexual assault counselor-victim privilege, domestic violence counselor-victim privilege, and human trafficking caseworker-victim privilege as well as attorney-client privilege.	Oppose	Dead	Potential increased litigation costs for districts with union employees
AB 555 (Gonzalez)	Paid Sick Leave	As amended 4/29/19: Would have amended the Healthy Workplaces, Healthy Families Act to extend the number of paid sick days employers are required to provide from 3 days to 5 days. Suggested amendments were: (1) Statewide preemption should apply to all provisions of the bill (2) Payment for paid sick leave should be at the employee's base rate of pay (3) Verification should be allowed after 3 consecutive days	Oppose Unless Amended	Dead	Potential cost increases for districts that do not already provide five days of sick leave
AB 664 (Cooper)	Workers' Compensation: COVID-19	As amended 8/25/20: Would have created a "disputable" presumption whereby if a firefighter, healthcare worker, police officer, or other first responder contracts COVID-19 that they contracted it at work and are eligible for enhanced workers' compensation benefits. This would apply to the illness being contracted after January 1, 2020 through July 1, 2024. The presumption would have been applied to employees up to 90-days after they have left employment.	Oppose	Dead	Potential significant increase in workers' compensation costs for employers of first responders

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 685 (Reyes)	COVID-19: Imminent Hazard to Employees: Exposure Notification	<p>As chaptered 9/17/20: The bill requires employers to take all of the following actions within 24 hours after the employer knew or reasonably should have known of COVID-19 exposure to the employee:</p> <ol style="list-style-type: none"> 1. Provide a notice to all employees at the worksite where the exposure occurred that they may have been exposed to COVID-19. This notification shall be, at a minimum, in writing in both English and the language understood by the majority of the employees. Employers shall also make every reasonable effort necessary to notify workers verbally. 2. Notify the exclusive representative, if any. This notification shall be, at a minimum, in writing in both English and the language understood by the majority of the employees. Employers shall also make every reasonable effort necessary to notify the exclusive representative verbally. 3. Notify all employees and the exclusive representative, if any, of options for exposed employees including COVID-19-related leave, company sick leave, state-mandated leave, supplemental sick leave, or negotiated leave provisions. 4. Notify all employees and the exclusive representative, if any, on the cleaning and disinfecting plan that the employer plans to implement prior to resuming work. 5. Notify the Division of Occupational Safety and Health, pursuant to subdivision (b) of Section 6409.1, of the number of employees by occupation with a COVID-19 positive test, diagnosis, order to quarantine, or death that could be COVID-19 related. 6. Notify the California Department of Public Health and the appropriate local public health agency of the number of employees by occupation with a COVID-19 positive test, diagnosis, order to quarantine, or death that could be COVID-19 related. <p>The bill defines “Exposed to COVID-19” as exposure to a person with any of the following:</p> <ol style="list-style-type: none"> 1. A positive COVID-19 test. 2. A positive COVID-19 diagnosis from a licensed health provider. 3. A COVID-19-related order to quarantine from a licensed health provider. 4. A fatality that was or could have been caused by COVID-19. 	Oppose	Chaptered	<i>Potential increased administrative costs for employers whose employees become ill with COVID-19</i>

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 882 (McCarty)	Discrimination in Employment: Drug Rehabilitation Programs	As amended 1/6/20: Would have prohibited an employer from discriminating against an employee for past drug use if they have gone through a rehabilitation program or are no longer using illegal drugs.	Oppose	Dead	No direct fiscal impacts
AB 890 (Wood)	Nurse Practitioners: Scope of Practice	As chaptered 9/29/20: This priority legislation for the Association of California Healthcare Districts expands the scope of practice for nurse practitioners, allowing them to practice and provide services to the full extent of their education and training, without supervision by a physician. These services, including diagnosing patients, performing therapeutic procedures, prescribing medications and devices, are already being provided to patients throughout the state. This change in law allows hospitals to fill critical workforce gaps.	Support	Chaptered	Cost savings for healthcare districts with hospitals
AB 932 (Low)	Workers' Compensation: Off- Duty Firefighters	As introduced 2/20/19: Retroactive to 2017, this bill would have made off-duty, out-of-state firefighters eligible for workers' compensation benefits if they claim they were injured while performing activities for the protection or preservation of life or property.	Oppose Unless Amended	Dead	Increased workers' compensation costs for fire districts
AB 1066 (Gonzalez)	Unemployment Compensation: Benefits Payable: Collection	As vetoed 9/24/20: Would have amended unemployment law to require employers to provide the Employment Development Department (EDD) with requested records within 10 days on employees seeking unemployment benefits. If an employer did not provide the records within 10 days, the unemployment claim would have been approved at the maximum total benefits payable. If an employer with 500 or more employees had not paid its required contributions to EDD, then EDD could have turned over recovery to the Attorney General.	Oppose	Vetoed	Potential increased unemployment insurance costs
AB 1107 (Chu)	Proclaimed State Emergencies: Translation	As amended 8/7/20: This bill was amended from an unemployment insurance bill to require the state to provide state issued emergency orders and proclamations in various languages.	Neutral	Dead	No direct fiscal impacts
AB 1224 (Gray)	Disability Insurance: Paid Family Leave Program	As amended 4/22/19: Current law allows an employee with more than 12 months of service with the employer, who has at least 1,250 hours of service with the employer during the previous 12-month period, upon request, to take up to 12 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. This bill would have expanded paid family leave (PFL) benefits by allowing two six-week PFL claims per year.	Oppose	Dead	Potential increased employer costs related to Paid Family Leave

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 1631 (Gray)	Fire Protection: Volunteer Firefighters: Training	As introduced 2/22/19: Would have required the State Fire Marshal to provide weekend and evening training classes year-round to volunteer fire departments and those fire departments consisting of a combination of volunteer, partly paid, or fully paid members. The bill would have also authorized firefighters to receive 100% reimbursement from the State Fire Marshal for attending training classes at a local community college if the State Fire Marshal is unable to provide training classes.	Support	Dead	Cost savings to volunteer fire districts
AB 1832 (Salas)	Workers' Compensation: Medical-Legal Expenses	As introduced 7/11/19: Would have increased costs on the workers' compensation system by increasing reimbursement rates for Qualified Medical Evaluators (QME) without addressing QME process issues that result in benefit delays for injured workers.	Oppose	Dead	Potential increased workers' compensation costs
AB 1850 (Gonzalez)	Worker Classification: Employees and Independent Contractors	As amended 5/12/20: This was going to be the vehicle for fixes and updates to AB 5 (Gonzalez, 2019) which was signed into law in 2019 related to determinations of independent contractors. The bill tried to clarify business to business contracts and referral agencies. Suggested amendment: Include an exemption for recreation and park workers from the provisions of AB 5.	Support if Amended	Dead	No direct fiscal impacts
AB 1867 (Budget Committee)	Small Employer Family Leave Mediation: Handwashing: Supplemental Paid Sick Leave	As chaptered 9/9/20: Budget Trailer Bills SB 822/AB 1867, are related to paid sick leave and paid family and contain the same language. The broad scope of the bills cover a number of different industries as well as a number of different types of leave. Included in the provisions of the bills is a section that will impact many public employers regarding paid sick leave for persons employed as certain types of health care providers, and emergency responders, all of whom were excluded from the paid sick leave provisions of the federal Families First Coronavirus Response Act. The leave provides 80-hours of paid sick leave just as the federal legislation had.	Watch	Chaptered	Potential increased costs related to employee leave requirements
AB 1947 (Kalra)	Employment Violation Complaints: Requirements: Time	As chaptered 9/30/20: Increases the statute of limitations for filing a worker retaliation claim from six months to one year in the administrative process and adds one-sided fee recovery by allowing the ability to seek attorney's fees for prevailing employees in the legal process, but not the employer.	Oppose	Chaptered	Potential increased litigation costs

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2257 (Gonzalez)	Worker Classification: Employees and Independent Contractors	As chaptered 9/4/20: This bill is an AB 5 fix/update bill. Included in the various updates is the addition of public agencies in the business to business exemption. This inclusion provides greater flexibility for public agencies when contracting for services such as information technology. The exemption allows public agencies when contracting with another business to apply the Borello Test rather than the ABC Test to determine whether the contractor should be classified as an employee or independent contractor.	Support	Chaptered	No direct fiscal impacts
AB 2307 (Bonta)	Public Employment: Labor Relations: Release Time	As introduced 2/14/20: Similar to AB 314 (Bonta, 2019) which was vetoed, and AB 2154 (Bonta, 2018), which CSDA opposed, this bill would have circumvented the memorandum of understanding (MOU) process at the local level by providing employee union representatives with paid release time to investigate potential or existing grievances, attend employee orientations, and testify before the governing body of the local agency, as well as preparation time for those activities. Suggested Amendment: Remove the provisions of the bill related to leave for employee orientations.	Oppose	Dead	Potential increased costs for union employers
AB 2355 (Bonta)	Employment Discrimination: Medical Cannabis	As introduced 2/18/20: Similar to AB 2069 (Bonta, 2018) which CSDA opposed, this bill would not have allowed an employer to take an adverse action against an employee or candidate for employment for using marijuana if the employee or candidate has a medical license for the marijuana or is using it for medical purposes.	Oppose	Dead	Unknown fiscal impact resulting from potential litigation
AB 2365 (Rodriguez)	Public Employees' Retirement System: Employment without Reinstatement	As amended 5/4/20: Changes the requirement that CalPERS reinstate a retired annuitant to active service if they violate the hours worked provisions of the law and instead makes CalPERS reinstatement permissive. Prior to amendments this bill also would have required CalPERS to notify employers prior to an annuitant exceeding the hourly limit. Due to the amendments CSDA removed its support for the bill.	Neutral	Dead	No direct fiscal impacts

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2378 (Cooper)	Public Employees' Retirement System: Postretirement death Benefit	As introduced 2/18/20: Would have authorized the Board of Administration of the Public Employees' Retirement System, beginning on or after January 1, 2021, to adjust the death benefit amounts following each actuarial valuation to reflect changes in the All Urban California Consumer Price Index, which would have resulted in increased benefits for retirees.	Oppose	Dead	Increased pension costs for employers in the CalPERS system
AB 2394 (Cooper)	Public Employees' Retirement System: Allowances: Cost of Living Adjustment	As introduced 2/18/20: Would have changed the index used to adjust the Cost-of-Living Adjustment (COLA) for CalPERS retirees to the California Consumer Price Index (CPI).	Oppose	Dead	Increased pension costs for employers in the CalPERS system
AB 2465 (Gonzalez)	Worker Status: Independent Contractors	As introduced 2/19/20: Would have recast and reorganized the exemptions from AB 5 (Gonzalez, 2019) for a person licensed as an esthetician, electrologist, manicurist, barber, or cosmetologist. Suggested amendment: Include an exemption for recreation and park workers from the provisions of AB 5.	Support if Amended	Dead	No direct fiscal impacts
AB 2473 (Cooper)	Public Investment Funds	As amended 7/28/20: This bill would have allowed certain information related to CalPERS investment in private equity to be exempt from the California Public Records Act. This would have allowed CalPERS to place greater investments in private equity and manage those investments internally.	Support	Dead	Potential lowered pension costs in the CalPERS system
AB 2537 (Rodriguez)	Personal Protective Equipment: Health Care Employees	As chaptered 9/29/20: Requires, Beginning April 1, 2021, public and private employers of workers in a general acute care hospital to supply those employees who provide direct patient care or provide services that directly support personal care with specific personal protective equipment and keep a three-month supply of the equipment on hand at all times.	Oppose	Chaptered	Potential increased costs for healthcare districts with hospitals
AB 2570 (Stone)	False Claims Act	As amended 7/2/20: Sponsored by the State Attorney General and supported by the California State Association of Counties, this bill helps public agencies recover additional revenues by granting the Attorney General the ability to prosecute tax fraud under the False Claims Act.	Support	Dead	Potential cost savings through recovery of unpaid tax dollars

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2747 (Santiago)	Health Data Disclosure: Health Policy Organizations and Labor Unions	As introduced 2/20/20: Existing law requires an organization that operates, conducts, owns, or maintains a health facility, each hospital, and each general acute care hospital and freestanding ambulatory surgery clinic to make and file with the Office of Statewide Health Planning and Development in the California Health and Human Services Agency certain information regarding patients that is recorded on a Hospital Discharge Abstract Data Record, an Emergency Care Data Record, and an Ambulatory Surgery Data Record. The information includes, among other things, the date of birth, race, date of services, and principal diagnosis of the patient. This information is shared with the office, which then shares this information with certain entities, including any California hospital and any local health department or local health officer in California. This bill would have required that information also be shared with any nonprofit health policy organization and any labor union.	Oppose	Dead	No direct fiscal impacts
AB 2947 (Bonta)	Discrimination: Employee Complaint: Standard of Proof	As introduced 2/21/20: The California Fair Employment and Housing Act protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination, abridgment, or harassment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. The act requires an employer to maintain personnel records and files of employees, applicants, and terminated employees for at least two years. This bill would have increased the time records need to be maintained to five years.	Oppose	Dead	Minimal increased costs related to record storage
AB 2967 (O'Donnell)	Public Employees' Retirement System: Contracting Agencies: Exclusion from Membership	As chaptered 9/28/20: Prevents employers from entering or amending their CalPERS contracts to exclude any particular group of employees from the contract. The goal is to prevent the actions of the City of Placentia where just firefighters were excluded from the city's CalPERS contract.	Oppose	Chaptered	Eliminates potential pension cost savings tool
AB 2992 (Weber)	Employment Practices: Leave Time	As chaptered 9/28/20: This bill has been amended from providing some level of protected paid leave to all employees to only expand leave protections that are currently afforded to an employee who is a victim of domestic violence, sexual assault, or stalking to an employee who is a victim of a crime and to an employee whose immediate family member is deceased as a direct result of a crime.	Neutral	Chaptered	No direct fiscal impacts

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2999 (Low)	Employees: Bereavement Leave	As amended 7/14/20: Requires employers with 25 or more employees, including public employers, to provide 10 days of bereavement leave to all employees, while requiring employers with fewer than 25 employees to provide 3 days of bereavement leave and creates a private right of action should there be a violation. The bill does not apply to employees covered by a valid collective bargaining agreement if the agreement expressly provides for bereavement leave and the wages, hours of work, and working conditions of the employees, and if the agreement provides premium wage rates for all overtime hours worked, where applicable, and a regular hourly rate of pay for those employees of not less than 30 percent more than the state minimum wage.	Oppose	Dead	<i>Minimal increased costs for providing additional bereavement leave</i>
AB 3191 (Gray)	Utility Workers and Vehicles	As introduced 2/21/20: Would have authorized vehicles owned by a local publicly owned electric utility, a community choice aggregator, or an irrigation district to display flashing amber warning lights when parked on a highway or when moving slower than the normal flow of traffic. It would also add utility vehicles to the list of stationary vehicles drivers must treat with caution; make a lane change or slow to a prudent speed. It also created criminal penalty enhancements for assault or battery against a utility worker.	Support	Dead	<i>Unknown cost savings for preventing injuries to utility workers</i>
AB 3196 (Kiley)	Small Business Regulation: COVID-19 Pandemic	As amended 5/11/20: This bill titled the "Small Business Regulatory Relief Act" would have required the head of each state agency to conduct a review of regulations the agencies have imposed and determine which pose the greatest costs and barriers to small businesses by April 1, 2021. Additionally, this bill would have allowed employers to grant flexible schedules to non-exempt employees who elect individually to work those flexible schedules (rather than a vote of 2/3 of all employees in a unit). The flexible schedules would not have allowed an employee to work more than 10 hours in a day without receiving overtime pay.	Support	Dead	<i>No direct fiscal impacts</i>

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 3216 (Kalra)	Unemployment: Rehiring and Retention: State of Emergency	<p>As vetoed 9/30/20: This bill which was related to sick leave and other leave requirements in addition to right to return requirements, has been significantly amended and now is only related to right to return to work requirements for certain industries and classes of workers. The only classification that would apply to special districts is for those districts that run event centers.</p> <p>“Event center” means a publicly or privately owned structure of more than 50,000 square feet or 1,000 seats that is used for the purposes of public performances, sporting events, business meetings, or similar events, and includes concert halls, stadiums, sports arenas, racetracks, coliseums, and convention centers. The term “event center” also includes any contracted, leased, or sublet premises connected to or operated in conjunction with the event center’s purpose, including food preparation facilities, concessions, retail stores, restaurants, bars, and structured parking facilities.</p> <p>As currently drafted, if an employer running an event center (including public agencies) laid-off employees as a result of a response to a state of emergency or shutdown orders, they will need to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures (first hired, first rehired).</p>	Neutral	Vetoed	Potential cost increases for districts with event centers that laid off employees due to COVID-19
AB 3240 (Gray)	Labor Disputes: Strikes: Health Care Coverage	As amended 5/5/20: Would have required public agencies to maintain current healthcare coverage payments for striking employees.	Oppose	Dead	Potential cost increases for union employers
AB 3329 (Daly)	Unemployment Insurance Compensation: COVID-19 Pandemic: Temporary Benefits	As amended 5/4/20: Would have increased unemployment benefits by an additional \$100 per week after the federal \$600 supplement is ended.	Oppose	Dead	Increased unemployment insurance costs

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 135 (Jackson)	Paid Family Leave	<p>As amended 3/25/19: Would have made several changes related to the Paid Family Leave (PFL) Program and the California Family Rights Act (CFRA). Specifically, this bill would have:</p> <ol style="list-style-type: none"> 1. Expanded the scope of CFRA by reducing the employee threshold and time of service requirement to prohibit employers with five or more employees from refusing to grant an employee request to take up to 12 weeks of unpaid leave for family care and medical leave if the employee had 180 days of service with the employer 2. Expanded the reasons for which CFRA leave can be taken to grant access to more employees 3. Repealed provisions enacted in 2017 that created the New Parent Leave Act and instead expands the scope of CFRA to cover these provisions 4. Expanded the list of individuals for which a worker can take leave under CFRA to include child-in-laws, grandparents, grandchildren, siblings, domestic partners, parent-in-laws, or a designated person 5. Expanded the scope of PFL to include time off to care for a seriously ill designated person or child-in-law, as defined, or to bond with a designated person or child-in-law within one year of the birth or placement of that individual. 	Oppose	Dead	Potential cost increase for small employers for maintaining health insurance for employees on leave
SB 266 (Leyva)	Public Employees' Retirement System: Disallowed Compensation: Benefit Adjustments	<p>As amended 9/3/19: Would have required employers who entered into a Memorandum of Understanding (MOU) with an employee bargaining unit, and if what was agreed upon in the MOU that was considered pensionable compensation for the employees is ultimately determined by the pension system to not qualify as a pensionable benefit, and the employee retires, then the employer would make direct payments to the retiree in amount disallowed by the pension system.</p>	Oppose	Dead	Potential increased pension costs for union employers

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 341 (Morrell)	Public Employment and Retirement	As introduced 2/19/19: Existing law requires CalPERS and CalSTRS to annually report on investment returns and assumptions to the Legislature. This bill would have required additional reporting by requiring CalPERS to report a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report. The bill would have also required CalSTRS to provide a description of the discount rate the board uses for reporting liabilities, a calculation of liabilities based on a discount rate that is two percent below the long-term rate of return assumed by the board, and a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report.	Oppose	Dead	No direct fiscal impacts
SB 416 (Hueso)	Employment: Workers' Compensation	As amended 9/5/19: Would have expanded the rebuttable presumption for workers' compensation purposes from police officers and firefighters to all peace officers, regardless of position.	Oppose	Dead	Increased workers' compensation costs
SB 567 (Caballero)	Workers' Compensation: Hospital Employees	As amended 1/8/20: Would have created rebuttable presumptions that a hospital employee who provides direct patient care in an acute care hospital that suffers infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases to have arose out of and in the course of the employment. Of note, at the time of introduction this would have been the first time a rebuttable presumption would have been applied to a non-public employee. However, the Governor's COVID-19 Executive Order related to workers' compensation became the first application of a presumption to private employers.	Oppose	Dead	Increased workers' compensation costs for healthcare districts with hospitals
SB 729 (Portantino)	Meal and Rest Breaks: Remote Work	As amended 8/25/20: Would have placed a two-year moratorium on Private Attorney General Act (PAGA) lawsuits against employers for violations of meal and rest break requirements while employees are working from home. Employers would still have had to comply with meal/rest period underlying law, and there would have still been administrative and civil enforcement for the underlying violation. This would have just provided relief from frivolous PAGA lawsuits over breaks when employees were working from home.	Support	Dead	Potential reduced litigation costs

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 893 (Caballero)	Workers' Compensation: Hospital Employees	As amended 4/29/20: Similar to SB 567 (Caballero), would have created rebuttable presumptions that a hospital employee who provides direct patient care in an acute care hospital that suffers infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases to have arose out of and in the course of the employment. Of note, at the time of introduction this would have been the first time a rebuttable presumption would have been applied to a non-public employee. However, the Governor's COVID-19 Executive Order related to workers' compensation became the first application of a presumption to private employers.	Oppose	Dead	Increased workers' compensation costs for healthcare districts with hospitals
SB 900 (Hill)	Department of Industrial Relations: Worker Status	As amended 3/26/20: This bill was the anticipated vehicle for an AB 5 (Gonzalez) fix for the Senate. Suggested amendment: Exempt recreation and park workers from the provisions of AB 5.	Support If Amended	Dead	No direct fiscal impacts
SB 1129 (Dodd)	Employment: Itemized Wage Statements Violations	As introduced 2/19/20: Existing law requires employers to provide employees with an accurate itemized wage statement either at the time they are paid or semimonthly. An employee can sue for a knowing and intentional violation of that requirement by an employer and recover damages and attorney fees. This bill would have provided employers with a 65 day correct and cure provision prior to any suit being brought.	Support	Dead	Potential reduced litigation costs
SB 1159 (Hill)	Worker's Compensation: COVID-19: Critical Workers	As chaptered 9/17/20: This bill is a workers' compensation presumption bill related to COVID-19. This bill is split into four parts which are summarized below: Section 1: Requires the Commission on Health and Safety and Workers' Compensation (CHSWC) to conduct a study on the impacts claims of COVID-19 have had on the workers' compensation system, including but not limited to the overall impacts on indemnity benefits, medical benefits, and death benefits. Section 2: Codifies the Governor's Executive Order N-62-20 from March which created a rebuttable presumption for the period of March 19, 2020 (Date of Stay-At-Home Order) and July 5, 2020 (60-days from the Order) whereby any employee that has been directed to work (Continued on next page).	Oppose	Chaptered	Likely increased workers' compensation costs

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 1159 (Hill) (Cont.)	Worker's Compensation: COVID-19: Critical Workers (Cont.)	<p>(Continued)</p> <p>outside of their home by their employer during that time period that tests positive or is diagnosed with COVID-19 that the injury is presumed to have taken place in the workplace and therefore would be entitled to workers' compensation benefits.</p> <p>Section 3: Creates a rebuttable presumption until January 1, 2023, for firefighters, peace officers, and healthcare workers that provide direct patient care that contract COVID-19 within 14 days of working that the illness is a workplace injury and they are entitled to workers' compensation benefits. Employers are provided 30-days to contest the injury is a workplace injury.</p> <p>Section 4: Attempts to address workplace outbreaks and applies to all other employees not covered by other sections that work for an employer that has five or more employees. This section creates rebuttable presumption that an employee contracted COVID-19 at the workplace and they are entitled to workers' compensation benefits if the employee contracts COVID-19 during a workplace "outbreak." An "outbreak" exists if within a 14 calendar day period an employer has 100 employees or fewer at a specific place of employment and four or more employees test positive for COVID-19, or if the employer has more than 100 employees at a specific place of employment and four percent of the number of employees who reported to the specific place of employment test positive for COVID-19. This section also contains certain reporting requirements and penalties for falsifying records. This section is in place from July 6, 2020 (end of the Governor's Executive Order) though January 1, 2023. Employers have 45-days to contest the injury is a workplace injury under this section.</p>	Oppose	Chaptered	Likely increased workers' compensation costs
SB 1173 (Durazo)	Public Employment: Labor Relations: Employee Information	As amended 8/24/20: When the employee orientation law was signed in 2018 it included a requirement that public agencies share employee information of existing employees with unions at least every 120 days and every 30 days for new employees. This bill would have imposed liability on a public employer for violations of the requirements if the violations occurred 3 or more times in a 12-month period. The employer would have been liable for the reasonable expenses of an employee organization incurred in enforcing its rights, including staff time and payments to associated counsel.	Oppose	Dead	Potential increased costs for union employers

HUMAN RESOURCES AND PERSONNEL					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 1383 (Jackson)	Unlawful Employment Practice: California Family Rights Act	<p>As chaptered 9/17/20: Existing law prohibits an employer who employs 25 or more employees working at the same location from discharging or discriminating against an employee who is a parent of a child of the age to attend a licensed child care provider or in kindergarten or grades 1 to 12 for taking off up to 40 hours each year to find, enroll, or reenroll their child in a school, to participate in school activities, or address emergency situations at school, subject to specified conditions. Employees may be required to use vacation or other paid time off when taking time off under these provisions and authorizes the use of unpaid time off, to the extent made available by the employer.</p> <p>This bill would apply these provisions to employers with five or more employees and would authorize an employee to take off time in excess of 40 hours in the case of a school closure due to an emergency declaration by a federal, state, or local government agency, up to the duration of the emergency.</p>	Oppose	Chaptered	Potential cost increase for small employers for maintaining health insurance for employees on leave
SB 1416 (Bradford)	Assault and Battery of a Public Utility Worker	As amended 3/25/20: Creates criminal penalty enhancements for assault of a utility worker, engaged in the performance of their duties. This measure was not heard and is dead for the year.	Support	Dead	Unknown cost savings from prevention of injury to utility workers
PARKS, CEMETERIES, AND COMMUNITY ENRICHMENT					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 1111 (Friedman)	Office of Outdoor Recreation	As amended 8/12/19: This measure would have created the Office of Outdoor Recreation to support the outdoor recreation economy and foster related business, equitable and inclusive outdoor recreation opportunities and collaboration with public and private entities among other activities. It created an advisory committee to support the new office.	Support	Dead	No direct fiscal impacts

PUBLIC WORKS AND FACILITIES					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 570 (Aguiar-Curry)	Communications: Broadband Services: California Advanced Services Fund	As amended 8/21/20: This was a companion measure to CSDA supported ACA 1 (the 55% bond/parcel tax measure). This measure has since been amended to give new direction to the California Advanced Services Fund and CSDA then took a neutral position.	Neutral	Dead	Potential Significant Revenue Gains
AB 584 (Gallagher)	Paradise Irrigation District: Water Pipeline: Design- Build Process	As amended 1/6/20: This bill would have authorized the Paradise Irrigation District to utilize the design-build project delivery process to assign contracts for the construction of a water conveyance pipeline from the Town of Paradise to the City of Chico.	Support	Dead	Potential single district cost savings
AB 1251 (Santiago)	Planning and Zoning: Housing Development	As amended 9/4/19: This bill was gutted and amended from a bill related to writs of mandates regarding public agency employment issues that had previously been amended to remove CSDA's opposition, into a bill that is now related to city and county planning and zoning requirements.	Neutral	Dead	No direct fiscal impacts
AB 1957 (Gallagher)	Paradise Irrigation District: Water Pipeline: Design- Build Process	As amended 2/14/20: This bill would have authorized the Paradise Irrigation District to utilize the design-build project delivery process to assign contracts for the construction of a water conveyance pipeline from the Town of Paradise to the City of Chico.	Support	Dead	Potential single district cost savings
AB 1958 (Cooper)	State Plan of Flood Control: Facilities	As amended 6/3/20: Would have strengthened protections against unauthorized excavations, cuts, alterations, or destruction of the levee system in order to protect against premature levee failure which could resulting in flooding, displacement of residents and thousands of dollars of damage to homes and property.	Support	Dead	Unknown cost impacts
AB 2050 (Arambula)	Fresno Metropolitan Flood Control District: Contracts	As amended 5/4/20: Fresno Metropolitan Flood Control District is a special act district. Currently the act allows FMFCD to enter into a contract without public bidding if the contract price is less than \$10,000. Any increase to their purchasing authority to account for rising costs of construction requires legislative amendment. This bill would have increased the contract price to \$25,000 for a contract for materials or supplies or \$10,000 for a contract for the construction or repair of works or improvements.	Support	Dead	Unknown cost impacts

PUBLIC WORKS AND FACILITIES					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2186 (Grayson)	Public Contracting: Contractor Retention Withholding	As introduced 2/11/20: Existing law authorizes the legislative body of a local agency to prescribe how the local agency makes payment on a contract with the local agency for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed a total of \$5,000. This authority is limited by requiring progress payments on the contract not to be made in excess of 95% of the percentage of actual work completed plus a like percentage of the value of material delivered on the ground or stored subject to, or under the control of, the local agency, and unused. Additionally, a local agency shall not withhold less than 5% of the contract price until final completion and acceptance of the project, unless, at any time after 50% of the work has been completed, the local agency finds that satisfactory progress is being made. This bill would have eliminated the above described 95% limitations on a local agency's authority to prescribe payments on these contracts and would have prohibited the local agency from withholding more than 5% of the contract price for contracts for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed \$5,000 in total costs.	Oppose	Dead	Uncertain cost impacts
AB 2852 (Mullin)	Public Employee Housing: Local Agencies	As amended 5/12/20: Existing law allows for school districts to provide rental housing to their employees under certain circumstance. This bill would have extended that allowance to employees of other school districts, community college districts, cities, counties, and special districts. This bill was not heard and is dead for the year.	Support	Dead	Cost neutral
AB 2987 (Flora)	Local Agency Public Contracts: Bidding Process	As introduced 2/21/20: Would have authorized a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, as specified, and publishing the notice electronically in a prescribed manner on the public agency's internet website at least 14 calendar days before the date of opening the bids.	Support	Dead	Potential cost savings
AB 3290 (E. Garcia)	The Subletting and Subcontracting Fair Practices Act	As introduced 2/21/20: Pursuant to <i>Synergy Project Management, Inc. v. City and County of San Francisco</i> (2019), the Court of Appeal ruled that a public agency may initiate a substitution of a subcontractor under contract to a prime contractor at the agency's discretion. AB 3290 would have reversed this to remove the authority of a public agency to initiate subcontractor substitution.	Oppose	Dead	Potential negative cost impacts

PUBLIC WORKS AND FACILITIES					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 4 (McGuire)	Housing	As amended 4/10/19: Would have contained a package of laws aimed to reduce local discretion for permitting infill housing development. Relevant to special districts, SB 4 would have included a ban on impact fees, except connection and capacity charges for sewer, water, and electrical infrastructure, for "neighborhood multifamily" developments and Transit Oriented Developments (TODs). It would have prevented park and fire districts from collecting impact fees on these developments. Amendments were taken in the Senate Governance and Finance Committee to remove the fee prohibition in the bill until the Department of Housing and Community Development's fee study could be delivered and considered, this moved CSDA to neutral.	Neutral	Dead	Significant costs for impact mitigation on certain developments
SB 952 (Nielsen)	Sales and Use Taxes: Exemption: Back up Electrical Generators	As amended 5/29/20: Would have provided a tax exemption for the sale of, or the storage, use, or consumption of, a backup electrical resource that is purchased for exclusively powering a critical facility by a city, county, city and county, special district, or other political subdivision during deenergization events and the purchaser provides to the seller a written statement with regard to these facts. This bill would have exempted the state from the requirement to reimburse cities and counties for lost tax revenue from the exemption under this act and thereby places the burden of the solution on the back of local government rather than the state or IOU. Suggested amendment: expand the scope of allowed use of generators procured to apply to any power outage event.	Support If Amended	Dead	Potential cost savings

BILL/ AUTHOR	ISSUE	REVENUE	CSDA POSITION	STATUS	COST/COST- SAVINGS
		DESCRIPTION			
AB 11 (Chiu)	Community Redevelopment Law of 2019	<p>As amended 4/11/19: The Community Redevelopment Law of 2019 would have authorized a city or county to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution, notification of the affected agencies and a public hearing. It requires 30 percent of monies raised by tax increment financing of affected entities to be set aside for affordable housing. The Strategic Growth Council (SGC) would have had to approve any new entities, after meeting certain requirements. It contemplated a "pass-through" for the return of any monies contributed by special districts or counties. It relied on Prop 98 back fill to make schools whole.</p> <p>In 2018, a nearly identical measure, AB 3037 (Chiu) stalled in the Assembly Appropriations committee after taking amendments in the Assembly Local Government Committee on April, 25 2018, which attempted to address concerns raised by local governments and labor regarding the mechanics and calculation of the pass-through, among other technical details. CSDA and its local government and labor partners were in the process of offering more amendments to clean up the measure on the same points when it stalled. CSDA and its partners held an oppose-unless amended at that point.</p> <p>AB 11 was amended on April 11, 2019 to address the remaining concerns that CSDA and its local government partners had regarding the technicalities of timely, accurate pass-through payments allowing CSDA to go neutral.</p>	Neutral	Dead	No direct costs as amended
AB 77 (Budget Committee)	Education Omnibus Budget Trailer Bill	<p>As chaptered 9/29/20: While the measure has been positively amended, due to a robust advocacy effort by local agencies, it still has major deficiencies; this measure will have the State Controller issue new guidelines for the calculation of excess Educational Revenue Augmentation Funds (ERAF) in five counties: San Francisco, San Mateo, Santa Clara, Napa and Marin. These guidelines will be retroactive one year and are exempt from the Administrative Procedures Act. While it did not ultimately pass, its identical sibling, SB 98 (Budget and Fiscal Review Committee), was signed by the Governor and took effect immediately.</p>	Oppose	Dead	Significant revenue losses for those districts who receive excess ERAF in the bay area

		REVENUE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 89 (Budget Committee)	Budget Act of 2020	As chaptered 6/29/20: This was the 2020-21 budget bill Jr., which contained CSDA's amended control language pertaining to requirements for the \$50 million appropriation for community power resiliency to support local governments in preparing for and responding to power outage events, including special districts who operate critical facilities or infrastructure per the California Public Utility Commission's deenergization guidelines.	Watch	Chaptered	Funding available to eligible special districts to prepare and respond to PSPS events
AB 107 (Budget Committee)	State Government	As chaptered 9/29/20: Allows counties to safely conduct assessment appeals hearings and ensures that boards are able to finalize rulings on appeals that are nearing the statutory deadline.	Support	Chaptered	Protects against potential revenue losses associated with the assessment appeals process
AB 217 (Burke)	Income Tax Credits	As amended 6/13/19: Previously AB 217 (E. Garcia), would have created a Safe and Affordable Drinking Water Fund that would have funded projects to secure access to safe drinking water for all Californians. Previously the bill specified that fees on dairy and fertilizer production and a \$0.50 per service connection per month on all public water systems would fund the Fund. AB 217 was gutted-and-amended to become an unrelated bill on income tax credits authored by Assembly Member Burke.	Neutral	Dead	Neutral cost impacts as amended
AB 291 (Chu)	Local Emergency Preparedness and Hazard Mitigation Fund	As amended 1/23/20: Would have established a Local Emergency Preparedness and Hazard Mitigation Fund, upon appropriation by the Legislature, to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals. If an eligible local government does not have a local hazard mitigation plan, multiyear training and exercise plan, and threat and hazard identification and risk assessment plan it would have allowed monies allocated from the Fund to develop a plan.	Support If Amended	Dead	Potential additional funding for plan development

		REVENUE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 402 (Quirk)	State Water Resources Control Board: Local Primary Delegation: Funding Stabilization Program	As amended 6/18/19: Would have created an opt-in program, administered by the state water resources control board to fund regulatory oversight of small public drinking water systems in local primacy agency (LPA) counties. The funding stabilization program created by the bill is intended to be funded allowing LPAs to delegate their authority to collect fees on small public water systems to the state water board. Unfortunately, the bill was written to allow the state water board to collect this fee from all public water systems, expanding their fee authority. This bill has been significantly amended to remove CSDA's opposition. The amendments are a substantial improvement from the previous text of the bill. They substantially reduce the overall cost of the program by limiting the LPAs eligible to participate. They clarify that the intent of the program is to assist LPAs where oversight costs have outpaced the revenue collected from fees on public water systems within a LPAs jurisdiction, and they mandate LPA participation in consolidation efforts. While this program will likely lead to fee increases for all public water systems, it is important to acknowledge rates will still increase if LPAs are to return their authority to the state water board—a likely prospect without this program.	Neutral	Dead	No direct fiscal impacts
AB 1253 (Santiago)	Personal Income Tax: Additional Tax	As amended 7/27/20: As introduced, required the Strategic Growth Council, to establish a local agency formation commissions grant program for the payment of costs associated with initiating and completing certain actions, subject to an appropriation. and has a 5 year sunset. This was the exact same as last year's AB 2258, which CSDA moved to support on after a compromise over the protest threshold provision in this measure for actions resulting from the proposed grants in the bill. However, it has been amended and changed authors and is now a massive high-earner personal income tax measure.	Neutral	Dead	No direct fiscal impacts
AB 1484 (Grayson)	Mitigation Fee Act: Housing Developments	As amended 9/6/19: This measure was gutted and amended in the final weeks of the 2019 session. It touches on both development impact fees and capacity and connection charges by requiring projects to have an individualized determination of its alignment with the agency's nexus study, prohibits levels of service from exceeding that of the "existing community," new facilities to be funded via impact fees would have to be specifically identified within the local agency's Capital Improvement Plan, prohibits capital cost level of service and creates new public website postings, hearings and comment periods prior to adopting a nexus study.	Oppose	Dead	Significant costs and revenue losses for mitigation fees, connection and capacity charges

		REVENUE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 1924 (Grayson)	Housing Development: Fees	As introduced 1/14/20: Required that impact fees for housing development projects be proportionate to the square footage of the proposed unit or units. The bill did not appear to affect Quimby, capacity or connection fees. Some suggested amendments could have included delayed implementation, clarification that it would be prospective, accountability and metrics to learn if policy objective was met, and/or sunset review.	Oppose Unless Amended	Dead	Unknown costs for changing calculation of impact fees
AB 2107 (Rodriguez)	Local Government: Securitized Limited Obligation Notes	As chaptered 9/29/20: Reauthorizes a statute that expired December 31, 2019, which authorizes a special district to issue securitized limited obligation notes (SLONs) for the acquisition or improvement of land, facilities, or equipment. These notes must mature within 10 years and can be issued to a cumulative \$2 million dollars outstanding at one time. They can be secured with any available revenues. Reinstate these notes for 5 more years.	Sponsor	Chaptered	Potential cost savings from borrowing costs and opportunity costs
AB 2722 (McCarty)	Development Fees and Charges: Deferral	As introduced 2/20/20: Would have prohibited the collection of development fees, for 20 years, by a local agency that did not meet its regional housing needs goal during the most recent regional housing needs assessment cycle. While special districts do not have to meet these housing needs goals, the land use authority may not be able to collect and pass on those development fees to the districts as the bill was originally drafted.	Oppose	Dead	Significant revenue losses
AB 3145 (Grayson)	Local Government: Housing Development Projects: Fees and Exactions Cap	As introduced 2/21/20: Would have prohibited a city or county from imposing fees on certain housing developments, including Quimby park fees, impact mitigation fees, and connection and capacity charges, if the total dollar amount of the fees on a proposed housing development is greater than 12 percent of the city's or county's median home price. Would have required all local agencies to post their fees on their website expressed as a percentage of the median housing cost of the that city or county. The Attorney General would have been empowered to enforce this law.	Oppose	Dead	Significant revenue losses related to development fees
AB 3147 (Gabriel)	Fees for Development Projects	As introduced 2/21/20: Would have allowed for connection and capacity charges to be paid under protest, allowing the fees to be challenged well after the work was completed. This used the current impact fee protest statutes to achieve this. However, the process has not been the same for connection and capacity charges as it is for impact fees historically due to the large investment of this type of infrastructure and the methodology that is used to arrive at these charges.	Oppose	Dead	Significant costs related to connection and capacity

		REVENUE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 3148 (Chiu)	Planning and Zoning: Density Bonuses: Affordable Housing: Fee Reductions	As introduced 2/21/20: Would have required local agencies to reduce an impact fee or Quimby fee on a sliding scale relative to the target income level of the unit(s) built under a density bonus (low income units vs moderate income units). Specifically, would have exempted connection and capacity charges.	Oppose	Dead	Significant costs related to connection and capacity
AB 3149 (Gloria)	Mitigation Fee Act: Publicly Available Data	As amended 5/4/20: This measure would have added new and duplicative website mandates, data posting, and notice timeline requirements before a district raised fees. Additionally, would have made any data not posted inadmissible in defense of a protest or "action." This measure was not heard and is dead for the year.	Oppose	Dead	Likely cost burdens from unfunded mandates
SB 38 (Hill)	Sales and Use Taxes: Consumer Designation: All Volunteer Fire Department	As chaptered 9/11/20: Extends the sunset date for 5 more years of the sales tax exemption for fundraisers that all-volunteer fire departments currently enjoy.	Support	Chaptered	Cost savings for volunteer fire districts
SB 45 (Allen)	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020	As amended 1/23/20: Would have placed the Wildfire, Drought, and Flood Protection Bond Act of 2020 on the ballot and authorize the issuance of bonds to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources. Suggested amendments: Requesting a definition of local government to be included that specifies special districts, which would clean up eligibility issues.	Support If Amended	Dead	Would have provided significant opportunity for additional funding
SB 74 (Budget and Fiscal Review Committee)	Budget Act of 2020	As chaptered 6/29/20: This was the 2020-21 budget bill, which contained a \$50 million appropriation for community power resiliency to support local governments in preparing for and responding to power outage events, including special districts who operate critical facilities or infrastructure per the California Public Utility Commission's deenergization guidelines.	Watch	Chaptered	Allocates funds for special district PSPS mitigation

		REVENUE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 98 (Budget and Fiscal Review Committee)	Education Finance: Education Omnibus Budget Trailer Bill	As chaptered 6/29/20: While the measure has been positively amended, due to a robust advocacy effort by local agencies, it still has major deficiencies; this measure will have the State Controller issue new guidelines for the calculation of excess Educational Revenue Augmentation Funds (ERAF) in five counties: San Francisco, San Mateo, Santa Clara, Napa and Marin. These guidelines will be retroactive one year and are exempt from the administrative procedures act. This measure was signed by the Governor and took effect immediately.	Oppose	Chaptered	<i>Likely significant revenue losses to districts in 5 bay area counties that currently receive excess ERAF</i>
SB 804 (Wiener)	Public Capital Facilities: Electric Utilities: Rate Reduction Bonds	As amended 3/16/20: Would have extended existing authority to issue rate reduction bonds to certain publicly owned electric utilities. This measure was not heard and is dead for the year.	Support	Dead	<i>Cost savings for public utilities</i>
SB 815 (Budget and Fiscal Review Committee)	State Government	As amended 8/27/20: Similar to Assembly Bill 107 (Budget Committee), this measure would have allowed counties to safely conduct assessment appeals hearings and would have ensured that boards would have been able to finalize rulings on appeals that were nearing the statutory deadline.	Support	Dead	<i>Protects against potential revenue losses associated with the assessment appeals process</i>
SB 928, 929, 930 (Governance and Finance Committee)	Validations	As chaptered 9/24/20: Enact the Validating Acts of 2020, which legally confirm the organization, boundaries, acts, proceedings, and bonds of government agencies, protecting investors from minor errors.	Support	Chaptered	<i>Protects special districts from potential litigation</i>
SB 939 (Wiener)	Emergencies: COVID-19: Commercial Tenancy Evictions	As amended 5/29/20: Would have prohibited evictions of private or commercial tenants during the state of emergency related to COVID-19. Also authorized a commercial tenant that is a small business or is an eating or drinking establishment, place of entertainment, or performance venue that meets certain financial criteria, to engage in negotiations with its landlord to modify rent or other economic requirements, which could result in the tenant terminating the lease under certain circumstances. The above provisions all carried penalties for non-compliance. This measure was held under submission in Senate Appropriations and is dead for the year	Oppose Unless Amended	Dead	<i>Significant revenue losses for those districts that have commercial tenants</i>

		REVENUE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 998 (Moorlach)	Local Government: Investments	As chaptered 9/28/20: Increases Cities and Special Districts cap on investments in commercial paper to 40% for those agencies that have \$100,000,000 or more of investment assets under management (AUM). Those with less in AUM remain at 25%. Restricts investing more than 10% of an agency's total investment assets in the commercial paper and the medium-term notes of any single issuer. Includes recognized California Indian tribes within the definition of local agency for purposes of investing in shares of beneficial interest issued by a joint powers authority. Allows the holding of zero or sub-zero interest rate securities.	Support	Chaptered	Potential opportunity cost savings and other potential revenue gains due to investment choices
SB 1067 (Moorlach)	Local Agencies: Refunding Bonds: Pension Obligations	As amended 5/6/20: Would have prospectively required that refunding bonds that were to be used to refund pension obligation bonds be approved by 55 percent of the voters and have a maturity date of more than 36 months after the date the bonds are issued. It would have also required a public notice mandate. This measure was not heard and is dead for the year.	Oppose	Dead	Costs related to new mandates on pension obligation bonds
SB 1171 (Nielsen)	Reclamation Districts: Formation of Improvement Districts	As amended 3/25/20: Would have authorized the board of directors of a reclamation district to form an improvement district to incur a bonded indebtedness for the acquisition, construction, completion, or repair of improvements, works, or property to be payable from taxes levied upon less than all of the lands within the reclamation district. This measure was not heard and is dead for the year.	Support	Dead	Likely revenue gain for reclamation districts
SB 1300 (Skinner)	Redevelopment Agency Dissolution: City of Hercules Finding of Completion	As amended 5/22/20: Would have specified a redevelopment successor agency, with the approval of the Department of Finance (DOF), to be eligible for a finding of completion if it has entered into an agreed-upon written installment payment plan with the DOF and is in compliance with that plan. This measure was held under submission in the Senate Appropriations Committee and is dead for the year.	Oppose	Dead	Likely some revenue loss to those districts within the boundaries of this RDA successor
SB 1431 (Glazer)	Property Taxation: Reassessment: Disaster Relief	As amended 5/6/20: Current law allows a property owner whose property was damaged or destroyed without their fault, to apply for reassessment of that property. This bill would have expanded these provisions to include diminution in the value of property as a result of the COVID-19 pandemic retroactive to April 5, 2020, and authorize a person to submit an application for reassessment in connection with the COVID-19 pandemic within the later of 12 months of the bill's effective date or the time specified in the county's ordinance. This measure was held under submission in Senate Appropriations and is dead for the year.	Oppose	Dead	Likely significant property tax revenue losses statewide

REVENUE					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SCA 3 (Hill)	Property Taxation: Change in Ownership: Inheritance Exclusion	As Introduced 12/4/18: The California Constitution specifies certain transfers of real property that are not deemed to be a “purchase” or “change in ownership” of a property for the purpose of reassessment of property value and therefore ad valorem property tax. These exceptions include the transfer of a principal residence to children or grandchildren up to the first \$1,000,000 of value. SCA 3 would have limited this exclusion to those properties that the recipient uses as their actual principal residence, potentially dramatically increasing local property tax revenues. The LAO estimated the total revenue to be \$1.5 Billion annually.	Support	Dead	Significant Property Tax Revenue Losses statewide
SCA 4 (Galgiani)	The California Fairness and Primary Residence Act	As introduced 2/25/19: Would have limited the exclusion for the purchase or transfer of a principal residence between parents and their children and between grandparents and their grandchild or grandchildren to instances in which the residence continues as the principal residence of the transferee. (revenue gain) Would have allowed the base year value of property eligible for the homeowner’s exemption of any person who is severely disabled or over 55 years of age to be transferred to any replacement dwelling, regardless of the number of prior transfers or the value of the replacement property or whether the replacement property is located within the same county. (revenue loss)	Oppose	Dead	Likely significant net losses to districts in those counties that were recipient counties of property tax portability homeowners
WATER, CONSERVATION, AND OPEN SPACE					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 231 (Mathis)	California Environmental Quality Act: Exemption: Recycled Water	As introduced 1/17/19: Would have exempted a project from CEQA to construct or expand a recycled water pipeline to mitigate drought conditions when a state of emergency has been proclaimed by the Governor. Under AB 231, an exempted project would have had to be located on or adjacent to a critically overdrafted groundwater basin or a project where the construction impacts are fully mitigated and does not affect wetlands or sensitive habitat.	Support	Dead	Unknown cost impacts
AB 292 (Quirk)	Recycled Water: Raw Water and Groundwater Augmentation	As amended 6/20/19: Would have updated the definition of potable reuse of recycled water by including raw water augmentation, treated drinking water augmentation, groundwater augmentation, or reservoir water augmentation within the definition of recycled water and deletes direct and indirect potable reuse. AB 292 would have updated and simplified the definition of potable reuse thereby facilitating communication with ratepayers, stakeholders and the public.	Support	Dead	No cost impacts

WATER, CONSERVATION, AND OPEN SPACE					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 405 (B. Rubio)	Sales and Use Taxes: Exemption: Water Treatment	As amended 4/25/19: Would have provided a sales and use tax (SUT) exemption for chemicals and other agents used by a city, county, public utility or sanitation district to treat water, recycled water or wastewater until January 1, 2025. This SUT exemption would have been available regardless of whether those chemicals or agents become a component of water and whether the treatment takes place before or after delivery to consumers.	Support	Dead	Potential cost savings
AB 533 (Holden)	Income Taxes: Exclusion: Turf Removal Water Conservation Program	As amended 4/4/19: Would have extended the sunset date for a gross income exclusion for amounts received from a local water agency or supplier as part of a turf removal water conservation program. Currently, financial incentives on energy conservations are tax-exempt. This would have brought greater parity to incite participation and public support for programs that fundamentally change long-standing water-use practices.	Support	Dead	Potential cost savings
AB 1204 (B. Rubio)	Public Water Systems: Primary Drinking Water Standards: Implementation Date	As Introduced 2/21/19: Would have required the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard or that is more stringent than a federal primary drinking water standard to take effect 3 years after the date on which the state board adopts or amends the primary drinking water standard and would have authorized the state board to delay the effective date of the primary drinking water standard adoption or amendment by no more than 2 additional years as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.	Support	Dead	Unknown cost impacts
AB 1672 (Bloom)	Solid Waste: Premoistened Nonwoven Disposable Wipes	As amended 7/9/20: Would have required, commencing January 1, 2021, certain nonwoven disposal products to be labeled clearly and conspicuously to communicate that they should not be flushed and would prohibit a covered entity from making a representation about the flushable attributes, benefits, performance, or efficacy of those nonwoven disposal products.	Support	Dead	Potential cost savings to impacted districts

WATER, CONSERVATION, AND OPEN SPACE					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 2095 (Cooper)	Public Water Systems: Reduction of Water Charges: Customers Impacted by COVID-19	<p>As amended 5/4/20: Originally, would have authorized the legislative body of local agency to pass an ordinance making violation of an ordinance regarding water theft subject to an administrative fine or penalty: 1) not exceeding \$1,000 for a first violation, 2) not exceeding \$2,000 for a second violation of the same ordinance within one year, and 3) not exceeding \$3,000 for each additional violation of the same ordinance within one year.</p> <p>This bill was later a gut and amend that would have authorized a public water system to reduce the water charges imposed on a customer impacted by COVID-19 during the duration of the impact, provided that the reduction does not increase the water charges imposed on another ratepayer.</p>	Support In Concept	Dead	Uncertain cost impacts
AB 2519 (Wood)	Conservation Projects: Grants: Advance Payments	As Amended 6/4/20: Would have required the Natural Resources Agency, the State Coastal Conservancy, the Department of Water Resources, and the State Water Resources Control Board, when awarding grants for conservation projects, to provide an advance payment of up to 25 percent of the total grant award if requested by a grant recipient and would require the recipient to submit specified reports of the use of funds to the granting entity. "Conservation project" means a conservation project that enhances climate resilience, restores watersheds, or protects and preserves natural lands.	Support	Dead	Cost benefit for a single district service
AB 2560 (Quirk)	Water Quality: Notification Levels and Response Levels	<p>As chaptered 9/30/20: This bill requires the State Water Resources Control Board (State Water Board) to post on its internet website and distribute through email information when it initiates the development of a Notification Level (NL) or Response Level (RL) for a contaminant. Specifically, this bill requires the State Water Board to do all of the following:</p> <ol style="list-style-type: none"> 1) Post on its internet website and distribute through e-mail information explaining it has initiated the development of a NL or RL. 2) Post on its internet website and distribute through e-mail a notice that a draft NL or RL is available, including documents that were used to support the draft NL or RL, and whether or not those documents were peer reviewed. 3) Include, prior to finalizing a NL or RL, as an information item, the draft NL or RL at a regularly noticed meeting. 	Support	Chaptered	No cost impact

WATER, CONSERVATION, AND OPEN SPACE					
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
AB 3030 (Kalra)	Resource Conservation: Land and Ocean Conservation Goals	As amended 8/13/20: This bill would have restricted commercial fishing activities which could have adversely impacted revenue for many ports and harbor districts and additionally made broad declarative statements regarding protecting the state's water that could have resulted in additional authority for regulatory bodies to impose further restrictions through regulations or rulemaking on local water agencies and create more grounds for litigation. CSDA is supportive of ACWA's proposed amendments that nothing in the bill is intended to affect the state's existing authority or otherwise grant additional authority to state agencies or override existing water rights.	Oppose	Dead	Potential significant cost impacts to some districts
SB 414 (Caballero)	Small System Water Authority Act of 2019	As amended 6/25/19: Would have created the Small System Water Authority Act, which would allow the State Water Resources Board to consolidate clusters of small water systems that have chronically failed to provide safe and affordable drinking to their customers. These small, failing systems would be reformed into a single Small System Water Authority, benefiting from economies of scale and improved governance and accountability. SB 414 is substantially similar to AB 2050 (Caballero, 2018), which CSDA supported. AB 2050 was vetoed by the Governor.	Support	Dead	Potential cost savings to water systems in out years
SB 971 (Hertzberg)	Small Water Supplier and Countywide Water Shortage Contingency Planning	As introduced 2/11/20: Would have enacted recommendations from the Department of Water Resources (DWR) forthcoming County Drought Advisory Group report, which was required by AB 1668 (Friedman, 2018) (Ch. 15, Statutes of 2018) by 1) requiring a small water supplier, with 1,000 to 2,999 service connections, to prepare and adopt a water shortage contingency plan, 2) small water suppliers with 15 to 999 service connections to take specific actions related to water shortage planning and response, and 3) requiring a county at risk of drought or water shortage to include drought and water shortage planning information in the county's existing planning processes and establish a county drought and water storage task force. The county drought and water storage task force would have been comprised of representatives from local governments, community-based organizations, local water suppliers, and members of the public. Additionally, SB 971 would have required DWR, in consultation with the State Water Board and relevant state agencies, to establish an inter-agency drought and water storage task force to facilitate state planning and coordination for pre-drought planning and post-drought emergency response.	Support In Concept	Dead	Unknown cost impacts

		WATER, CONSERVATION, AND OPEN SPACE			
BILL/ AUTHOR	ISSUE	DESCRIPTION	CSDA POSITION	STATUS	COST/COST- SAVINGS
SB 996 (Portantino)	State Water Resources Control Board: Constituents of Emerging Concern Program	As amended 4/1/20: Would have required the State Water Resources Control Board (State Water Board) to establish the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on constituents of emerging concern in drinking water that may pose risks to public health. Additionally, it would have required the State Water Board to establish the Stakeholder Advisory Group and the Science Advisory Panel to assist in the gathering and development of information for the program. Opportunities for public participation would have been required, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program.	Support	<i>Dead</i>	<i>No cost impact</i>
SB 1052 (Hertzberg)	Water Quality: Municipal Wastewater Agencies	As introduced 2/18/20: Would have authorized municipal wastewater agencies to enter into voluntary agreements with entities responsible for storm water management including municipal, industrial, and commercial storm water dischargers to more effectively manage storm water and dry weather runoff. Any agreement made under these provisions would have been voluntary.	Support	<i>Dead</i>	<i>No cost impact</i>



**Summary of the EBDA Commission Meeting
Thursday, November 19, 2020, at 9:30 a.m.**

- Commissioners Cutter, Johnson, Lamnin, Toy, and Walters were present. This meeting was conducted telephonically and the dial-in information for the meeting was provided in the agenda.
- Commissioner Toy moved to approve the Commission Meeting Minutes of October 15, 2020; List of Disbursements for October 2020; October 2020 Treasurer's Report; Final Adjusted Treasurer's Reports for June, July, August, and September 2020; and First Quarter Expense Summary for Fiscal Year 2021/2021. The motion was seconded by Commissioner Lamnin and carried 5-0.
- The Commission unanimously approved the reports from the Managers Advisory, LACWMA Ad Hoc Committee, Financial Management, Regulatory Affairs, Operations & Maintenance, and Personnel Committees. The following items were discussed:
- **General Managers Report**
The General Manager (GM) deferred her report to David Alvey of the audit firm Maze and Associates, who gave a presentation on the Authority's Basic Financial Statements.
- **Managers Advisory Committee (MAC)**
The GM reported on the MAC meeting of November 12, 2020, which focused on negotiations of the Livermore-Amador Valley Water Management Agency (LAVWMA) Agreement, covered in the Report from the LAVWMA Ad Hoc Committee below, the upcoming request for proposals for a Disinfection Master Plan, and results of the first corrosion field assessment related to the brine project. Initial fieldwork revealed that additional field assessments would be necessary to fully assess corrosion risk for the force main.
- **LAVWMA Ad Hoc Committee**
The Ad Hoc Committee met on November 2, 2020, and provided feedback on terms. The GM recapped the status of the current agreement extension, which is set to expire on December 31, 2020, and requested input from the Commission on potential term-extension parameters.
- **Financial Management Committee**
The GM reported on the Financial Management Committee, which met on November 17, 2020, noting the Committee's review of Consent Calendar Items 5 through 9, and Committee review of the audited Basic Financial Statements. The Committee recommends approval of the Basic Financial Statements. The GM then reviewed the First Quarter Expense Summary and draft Purchasing Policy. The Committee recommends adding language to the Purchasing Policy to prevent piecemealing of projects, and bringing the Policy for adoption next month. The Committee also recommends bringing resolutions on informal bidding and emergency delegation of authority. The Commission discussed the GM's purchasing policy approval threshold. The GM will circulate EBDA's contracting history for the Commissioners to consider prior to taking action on the Purchasing Policy.

- **Regulatory Affairs Committee**

The GM reported on the Regulatory Affairs Committee, which met on November 16, 2020, and discussed key regulatory developments and compliance. The GM discussed upcoming issues and schedule for the Authority's National Pollutant Discharge Elimination System (NPDES) Permit renewal, noting approval of the Chlorine Residual Basin Plan Amendment by the Regional Water Board. Staff is recommending contracting with EOA Inc. on the upcoming permit renewal and bringing a resolution forward for approval next month. The GM recommends using funds from the NPDES Permit Issues budget item to cover this item. The Commission supported staff's recommendation. The GM then reported on the procurement process for a consultant to provide design and permitting services for the First Mile Horizontal Levee and Hayward Nature-based Solutions Feasibility Study. Staff plans to bring a resolution for the procurement forward next month.

- **Operations and Maintenance (O&M) Committee**

The O&M Manager reported on the Operations and Maintenance Committee, which met on November 17, 2020, and discussed the status of EBDA facilities. The O&M Manager reviewed NPDES compliance data. The O&M Manager then provided an overview of current projects.

At OLEPS, EBDA's portion of OLSD's Pavement Reconstruction and Rehabilitation Project is now complete. The O&M Manager reported on recycled water production at Skywest, and delivery of the 60-inch Force Main Repair Coupling which will be stored at OLEPS until a permanent storage location is determined. Delivery of the coupling completes EBDA's commitment to provide spare parts for earthquake preparedness. The O&M Manager then provided details on a minor force main leak occurring in a manhole on November 3, 2020, which developed at the site of the recent brine project due-diligence inspection. The leak was repaired on November 13, 2020, and caused no compliance issues.

The GM then provided an update on wastewater-based epidemiology, reporting on potential locations for SARS-CoV-2 sampling determined by Alameda County Public Health Department. The GM will continue to coordinate with the MAC and any particular Member Agency(s) regarding sampling opportunities.

The GM also reported on the current status of the AQPI project. The anticipated approval date of the East Bay Agreement and the lease agreement with American Tower for the East Bay radar site was delayed. Approval is not anticipated until the new year. Staff are preparing for installation of the radar at Rocky Ridge in anticipation of the agreements' approvals. Precipitation data continues to be available from NOAA in the meantime.

The O&M Manager concluded the report with a summary of the Renewal and Replacement Fund expenditures for FY 2019/2020, and a staff report on the motion to execute a contract with Graybar Electric Company. As a final note, the O&M Manager reported that EBDA submitted a grant proposal to the Office of Emergency Services for a generator replacement project at OLEPS.

- **Personnel Committee**

The GM reported on the Personnel Committee, which met on November 16, 2020. The GM reported on staff's recommended staffing plan, which includes sunseting the current part-time Administrative Assistant position and developing a new part-time administrative classification. Staff will consider future accounting needs, as well as opportunities for Member Agency support, in creation of the proposed position. The GM also reported on the draft Commissioner Compensation Policy. The

Committee supports the Policy, including leaving the current daily rate of compensation at \$240. The Commission discussed raising the allowable number of compensated meetings per month from 4 to 6.

- **Motion to Accept the Audited Basic Financial Statements for Fiscal Year Ending June 30, 2020**

Commissioner Lamnin moved to approve the motion authorizing the GM to waive recycled water charges to HARD. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Cutter, Johnson, Toy, Lamnin, Chair Walters
Noes: None
Absent: None
Abstain: None

- **Motion Authorizing the General Manager to Execute Amendment No. 1 to the Contract with Brown and Caldwell for Field Work Related to Acceptance of Cargill Mixed Sea Salt Brine for Discharge at the EBDA Outfall in the Amount of \$68,427, for a Total Not to Exceed Amount of \$170,560**

David Alvey of Maze and Associates presented the Basic Financial Statements, including explanations of internal control testing. EBDA received a clean, unmodified audit opinion for the Fiscal Year ending June 30, 2020. Mr. Alvey also noted that there were no findings in the Memorandum on Internal Controls and praised EBDA for its segregation of duties, particularly given the small size of the agency.

Commissioner Cutter moved to accept the audited Basic Financial Statements for fiscal year ending June 30, 2020. The motion was seconded by Commissioner Toy and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Cutter, Johnson, Toy, Lamnin, Chair Walters
Noes: None
Absent: None
Abstain: None

- **Motion Authorizing the General Manager to Execute a Contract with Graybar Electric Company, Inc. for the OLEPS Main Electrical Switchboard Upgrade in the Amount of \$103,632**

Commissioner Cutter moved to approve the motion authorizing the GM to execute a contract with Graybar Electric Company, Inc. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Cutter, Johnson, Toy, Lamnin, Chair Walters
Noes: None
Absent: None
Abstain: None

- **Resolution Approving Revisions to the Personnel Policy**

The GM provided a staff report on the Resolution for which the Committee recommended approval. Commissioner Lamnin moved to approve the resolution approving revisions to the Personnel Policy. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Cutter, Johnson, Toy, Lamnin, Chair Walters
Noes: None
Absent: None

Abstain: None

- **Items from Commission and Staff**

The Commission thanked the temporary administrative assistant for her assistance during staffing constraints and thanked Chair Walters for his service and contribution while serving on the Commission. Commissioner Cutter then reported on a potential grant opportunity, which she will send to the GM for distribution to the member agencies.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**JANUARY 11, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 16**

TITLE: COVID-19 Update (*This is an Information Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer

Recommendation
Information only.

Discussion
None.

Background
General Manager Eldredge will provide an update on the District's COVID-19 response and staffing levels.

Previous Board Action
None.

**UNION SANITARY DISTRICT
CHECK REGISTER
12/05/2020-01/01/2021**

Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176303	12/17/2020	143	200667	OVERAA	PRIMARY DIGESTER NO. 7	\$1,973,709.30	\$1,973,709.30
176373	12/23/2020	114	200723	OVERAA	PRIMARY DIGESTER NO. 7	\$1,125,940.00	\$1,125,940.00
176248	12/10/2020	143	800501.3	KIEWIT INFRASTRUCTURE WEST CO	ALVARADO INFLUENT PS PUMPS AND VFDS	\$208,976.45	\$540,157.00
	12/10/2020	143	800526.7		PRIMARY DIGESTER NO. 2 REHABILITATION	\$246,630.55	
	12/10/2020	143	900502.7		HEADWORKS SCREENS REPLACEMENT	\$84,550.00	
176338	12/23/2020	143	193299	CAROLLO ENGINEERS	PRIMARY DIGESTER NO. 7	\$70,018.18	\$193,084.86
	12/23/2020	143	193305		WAS THICKENERS	\$123,066.68	
176305	12/17/2020	110	170120201110	PACIFIC GAS AND ELECTRIC	SERV TO 10/20/2020 PLANT	\$75,659.57	\$169,349.82
	12/17/2020	170	096020201202		SERV TO 12/01/20 CATHODIC PROJECT	\$49.19	
	12/17/2020	110	170120201207		SERV TO 11/18/2020 PLANT	\$93,311.62	
	12/17/2020	170	380420201202		SERV TO 12/01/20 CHERRY ST PS	\$329.44	
176279	12/17/2020	143	192557	CAROLLO ENGINEERS	WAS THICKENERS	\$136,746.91	\$140,611.12
	12/17/2020	143	192867		CHERRY ST. PS	\$3,864.21	
176292	12/17/2020	143	900502.6	KIEWIT INFRASTRUCTURE WEST CO	HEADWORKS SCREENS REPLACEMENT	\$137,823.54	\$137,823.54
176352	12/23/2020	114	201180037	HAZEN AND SAWYER	CAMPUS BUILDINGS (ADMIN, FMC, OPS)	\$113,348.06	\$113,348.06
176304	12/17/2020	143	200667E	OVERAA	PRIMARY DIGESTER NO. 7 - ESCROW PYMT	\$103,879.45	\$103,879.45

**UNION SANITARY DISTRICT
CHECK REGISTER
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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176359	12/23/2020	143	800526.8	KIEWIT INFRASTRUCTURE WEST CO	PRIMARY DIGESTER NO. 2 REHABILITATION	\$80,940.00	\$83,401.02
	12/23/2020	143	900502.8		HEADWORKS SCREENS REPLACEMENT	\$2,461.02	
176388	12/23/2020	110	18890	SYNAGRO WEST LLC	NOVEMBER 2020 BIOSOLIDS DISPOSAL	\$61,234.10	\$61,234.10
176374	12/23/2020	114	200723E	OVERAA	PRIMARY DIGESTER NO. 7 - ESCROW PYMT	\$59,260.00	\$59,260.00
176263	12/10/2020	110	100258	USP TECHNOLOGIES	4210 GALS HYDROGEN PEROXIDE	\$18,481.90	\$55,660.81
	12/10/2020	110	99308		3500 GALS HYDROGEN PEROXIDE	\$15,365.00	
	12/10/2020	110	100199		2318 GALS HYDROGEN PEROXIDE	\$10,176.02	
	12/10/2020	110	100129		2651 GALS HYDROGEN PEROXIDE	\$11,637.89	

**UNION SANITARY DISTRICT
CHECK REGISTER
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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176333	12/23/2020	150	259032	BURKE, WILLIAMS & SORENSON LLP	EMPLOYMENT LEGAL - AUG 2020	\$4,392.96	\$54,179.84
	12/23/2020	150	261907		EMPLOYMENT LEGAL - OCT 2020	\$1,031.68	
	12/23/2020	150	261908		STANDBY POWER PROJECT - OCT 2020	\$2,695.68	
	12/23/2020	150	260772		BIOSOLIDS BID PROTEST - SEPT 2020	\$3,061.76	
	12/23/2020	150	260768		GENERAL LEGAL - SEPT 2020	\$4,659.20	
	12/23/2020	150	262040		BIOSOLIDS BID PROTEST - OCT 2020	\$4,659.20	
	12/23/2020	150	260777		EMPLOYMENT LEGAL - SEPT 2020	\$232.96	
	12/23/2020	150	260771		ETSU - SEPT 2020	\$3,760.64	
	12/23/2020	150	261904		FORCE MAIN RELOCATION - OCT 2020	\$1,331.20	
	12/23/2020	150	260774		STANDBY POWER PROJECT - SEPT 2020	\$3,461.12	
	12/23/2020	132	261909		GENERAL LEGAL - OCT 2020	\$4,958.72	
	12/23/2020	150	260770		FORCE MAIN RELOCATION - SEPT 2020	\$432.64	
	12/23/2020	150	261905		ETSU - OCT 2020	\$3,594.24	
	12/23/2020	132	260778		GENERAL LEGAL - SEPT 2020	\$10,749.44	
	12/23/2020	150	261902		GENERAL LEGAL - OCT 2020	\$5,158.40	
176376	12/23/2020	110	1501159	POLYDYNE INC	44,280 LBS CLARIFLOC C-6267	\$49,292.24	\$49,292.24
176290	12/17/2020	143	W8Y07900001	JACOBS ENGINEERING GROUP, INC	PUMP STATIONS CHEMICAL SYSTEM IMPROVEMENTS	\$37,280.04	\$46,119.04
	12/17/2020	143	W8Y02800008		PLANT ODOR CONTROL PILOT STUDY	\$8,839.00	

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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176312	12/17/2020	110	180482	SWRCB - STATE WATER RESOURCES	FY21 ANNUAL WDR FEES - ALVARADO WWTP	\$20,000.00	\$38,080.00
	12/17/2020	110	180810		FY21 ANNUAL WDR FEES - HAYWARD SHORELINE	\$2,811.00	
	12/17/2020	120	177706		FY21 ANNUAL WDR FEES - UNION SD CS	\$15,269.00	
176354	12/23/2020	173	6274	INFOR PUBLIC SECTOR, INC	HANSEN ANNUAL SUPPORT AND MAINTENANCE	\$35,591.37	\$35,591.37
176283	12/17/2020	121	2874	ELK GROVE DODGE, CHRYLSE, JEE	2020 CHEVROLET BOLT EV	\$33,748.44	\$33,748.44
176391	12/23/2020	173	45321380	TYLER TECHNOLOGIES INC	EDEN SOFTWARE ANNUAL SUPPORT	\$33,481.14	\$33,481.14
176280	12/17/2020	173	4243229	CDW GOVERNMENT LLC	VMWARE RENEWAL	\$32,772.00	\$32,772.00
176389	12/23/2020	143	220299	TANNER PACIFIC INC	ALVARADO INFLUENT PS PUMPS AND VFDS	\$30,222.50	\$30,222.50
176392	12/23/2020	110	48855208	UNIVAR SOLUTIONS USA INC	4500.4 GALS SODIUM HYPOCHLORITE	\$3,250.99	\$24,168.38
	12/23/2020	110	48853323		4900 GALS SODIUM HYPOCHLORITE	\$3,539.65	
	12/23/2020	110	48842363		4798.9 GALS SODIUM HYPOCHLORITE	\$3,466.62	
	12/23/2020	110	48855209		4509.4 GALS SODIUM HYPOCHLORITE	\$3,257.49	
	12/23/2020	110	48848822		4900 GALS SODIUM HYPOCHLORITE	\$3,539.65	
	12/23/2020	110	48860094		4900 GALS SODIUM HYPOCHLORITE	\$3,539.65	
	12/23/2020	110	48842364		4948 GALS SODIUM HYPOCHLORITE	\$3,574.33	
	12/23/2020	110	48842364		4948 GALS SODIUM HYPOCHLORITE	\$3,574.33	
176255	12/10/2020	110	224720201130	PACIFIC GAS AND ELECTRIC	SERV TO 11/19/20 CS TRAINING TRAILER	\$620.05	\$21,963.75
	12/10/2020	170	761520201124		SERV TO 11/23/20 NEWARK PS	\$21,343.70	

**UNION SANITARY DISTRICT
CHECK REGISTER
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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176357	12/23/2020	110	9017694958	KEMIRA WATER SOLUTIONS INC	49,960 LBS FERROUS CHLORIDE	\$7,205.85	\$21,107.41
	12/23/2020	110	9017695769		47,840 LBS FERROUS CHLORIDE	\$6,950.78	
	12/23/2020	110	9017694963		48,000 LBS FERROUS CHLORIDE	\$6,950.78	
176315	12/17/2020		20201123	US BANK CORP PAYMENT SYSTEM	MONTHLY CAL-CARD REPORT - NOV 2020	\$20,168.78	\$20,168.78
176346	12/23/2020	173	2019411	FARALLON GEOGRAPHICS INC	NRB (NON RESIDENTIAL BILLING) REPLACEMENT	\$19,950.00	\$19,950.00
176268	12/10/2020	143	183268	WOODARD & CURRAN INC	IRVINGTON BASIN RCP REHABILITATION	\$17,838.13	\$17,838.13
176307	12/17/2020		35477	PREFERRED BENEFIT INSUR ADMINS	DECEMBER 2020 DELTA DENTAL STMT	\$14,269.67	\$17,408.87
	12/17/2020		35478		DECEMBER 2020 VSP STMT	\$3,139.20	
176235	12/10/2020	143	11388686	BROWN & CALDWELL CONSULTANTS	STANDBY POWER SYSTEM UPGRADE	\$1,677.17	\$17,005.65
	12/10/2020	143	11388800		EMERGENCY OUTFALL OUTLET IMPROVEMENTS	\$15,328.48	
176285	12/17/2020	136	25660	FIELDMAN ROLAPP & ASSOCIATES	FINANCIAL ADVISORY SERVICES	\$15,934.56	\$15,934.56
176227	12/10/2020	110	4071036120201119	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 11/17/20-BENSON ROAD	\$14,695.87	\$14,695.87
176295	12/17/2020	173	21591	LOOKINGPOINT INC	PHONE SYSTEM UPGRADE SERVICES	\$14,045.00	\$14,045.00
176261	12/10/2020	110	48824189	UNIVAR SOLUTIONS USA INC	4900 GALS SODIUM HYPOCHLORITE	\$3,539.65	\$13,869.00
	12/10/2020	110	48821938		4500.5 GALS SODIUM HYPOCHLORITE	\$3,251.06	
	12/10/2020	143	48828741		4898.6 GALS SODIUM HYPOCHLORITE	\$3,538.64	
	12/10/2020	110	48828742		4900 GALS SODIUM HYPOCHLORITE	\$3,539.65	
176386	12/23/2020	173	2494	SHARESQUARED INC	PORTAL MIGRATION TO SHAREPOINT ONLINE	\$12,302.50	\$12,302.50
176384	12/23/2020	110	3021311	SAN FRANCISCO ESTUARY INST	ANNUAL PARTICIPANT FEE FOR RMP 2021	\$11,676.00	\$11,676.00

**UNION SANITARY DISTRICT
CHECK REGISTER
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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176313	12/17/2020	110	48834244	UNIVAR SOLUTIONS USA INC	4898.6 GALS SODIUM HYPOCHLORITE	\$3,538.64	\$10,620.24
	12/17/2020	110	48836674		4950 GALS SODIUM HYPOCHLORITE	\$3,575.76	
	12/17/2020	110	48838832		4853.2 GALS SODIUM HYPOCHLORITE	\$3,505.84	
176330	12/23/2020	170	1053	BAY CITY BOILER & ENGINEERING	BOILER RENTAL OCT - NOV 2020	\$10,426.25	\$10,426.25
176310	12/17/2020		10637	SC BUILDERS	REFUND # 31241	\$3,300.00	\$9,900.00
	12/17/2020		10375		REFUND # 31238	\$3,300.00	
	12/17/2020		10612		REFUND # 31237	\$3,300.00	
176394	12/23/2020	110	100674	USP TECHNOLOGIES	2206 GALS HYDROGEN PEROXIDE	\$9,684.34	\$9,684.34
176321	12/23/2020	143	15009	ALAMEDA COUNTY WATER DISTRICT	PURIFIED WATER FEASIBILITY EVALUATION	\$9,429.13	\$9,429.13
176284	12/17/2020	170	437729	EXPONENT INC	PROFESSIONAL SERVICES - COGEN GENERATORS	\$9,370.00	\$9,370.00
176269	12/10/2020		37432220201201	LINCOLN NATIONAL LIFE INS COMP	LIFE & DISABILITY INSURANCE - DEC 2020	\$9,185.00	\$9,185.00
176291	12/17/2020	110	9017694460	KEMIRA WATER SOLUTIONS INC	48,960 LBS FERROUS CHLORIDE	\$7,178.52	\$7,178.52
176358	12/23/2020	110	9017694183	KEMIRA WATER SOLUTIONS INC	47,000 LBS FERROUS CHLORIDE	\$6,823.24	\$6,823.24
176257	12/10/2020		10322	ROBSON HOMES LLC	REFUND # 31227	\$2,500.00	\$6,760.00
	12/10/2020		9658		REFUND # 31228	\$4,260.00	

**UNION SANITARY DISTRICT
CHECK REGISTER
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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176271	12/17/2020	120	4110541120201201	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 11/30/20-MTR HYD B34041338	\$818.55	\$5,938.62
	12/17/2020	120	4110552320201201		SERV TO: 11/30/20-MTR HYD B32896066	\$547.39	
	12/17/2020	120	4110541020201201		SERV TO: 11/30/20-MTR HYD B15000284	\$551.99	
	12/17/2020	120	4110552220201201		SERV TO: 11/30/20-MTR HYD B29389779	\$547.39	
	12/17/2020	120	4110541620201201		SERV TO: 11/30/20-MTR HYD B15001102	\$547.39	
	12/17/2020	170	4047286120201204		SERV TO: 12/02/20 - PASEO PADRE	\$61.21	
	12/17/2020	120	4110540720201201		SERV TO: 11/30/20-MTR HYD B16484398	\$726.63	
	12/17/2020	120	4110540920201201		SERV TO: 11/30/20-MTR HYD B14830349	\$1,301.13	
	12/17/2020	120	4110541320201201		SERV TO: 11/30/20-MTR HYD B16435275	\$836.94	
176306	12/17/2020	110	1499001	POLYDYNE INC	42,240 LBS CLARIFLOC WE-539	\$5,757.72	\$5,757.72
176266	12/10/2020	173	15162	VERTIGIS NORTH AMERICA LTD	GEOCORTX SWM RENEWAL 12/22/20 - 12/21/21	\$5,304.50	\$5,304.50
176241	12/10/2020		9789	HABITAT FOR HUMANITY	REFUND # 31230	\$500.00	\$4,965.00
	12/10/2020		7953		REFUND # 31231	\$1,965.00	
	12/10/2020		9931		REFUND # 31229	\$2,500.00	
176302	12/17/2020	173	17231	NEOGOV	NEOGOV ANNUAL SUBSCRIPTION	\$4,574.10	\$4,574.10
176277	12/17/2020		20201216	STATE OF CALIFORNIA	SALES & USE TAX 11/01/20 - 11/30/20	\$4,522.88	\$4,522.88
176288	12/17/2020		12217678	HACH COMPANY	LABORATORY SUPPLIES	\$4,110.15	\$4,110.15
176371	12/23/2020	121	614868	NOZZTEQ INC	50 LUMBERJACK 200 SERIES CUTTING CHAINS	\$2,786.00	\$3,974.00
	12/23/2020	121	614869		20 LUMBERJACK 300 SERIES CUTTING CHAINS	\$1,188.00	

**UNION SANITARY DISTRICT
CHECK REGISTER
12/05/2020-01/01/2021**

Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176294	12/17/2020	143	6600106	LEE & RO INC	CALCIUM THIOSULFATE CHEMICAL TANK	\$3,725.85	\$3,725.85
176256	12/10/2020	120	916004374550	REPUBLIC SERVICES #916	RECYCLE & ROLL OFF - DEC 2020	\$3,682.75	\$3,682.75
176293	12/17/2020	136	41110	LANCE, SOLL & LUNGHARD LLP	2020 GOVERNMENT AUDIT	\$3,635.00	\$3,635.00
176397	12/23/2020	143	183677	WOODARD & CURRAN INC	OLD ALAMEDA CREEK ROWB	\$3,621.00	\$3,621.00
176230	12/10/2020		15641703	AT&T	SERV: 10/20/20 - 11/19/20	\$241.54	\$3,578.82
	12/10/2020		15641679		SERV: 10/20/20 - 11/19/20	\$23.76	
	12/10/2020		15641681		SERV: 10/20/20 - 11/19/20	\$3,313.52	
176347	12/23/2020		9722140820	GRAINGER INC	50 PACKS DISPOSABLE GLOVES	\$1,158.30	\$3,325.63
	12/23/2020	170	9718131619		ASTD PARTS & MATERIALS	\$252.63	
	12/23/2020	111	9716291605		ASTD PARTS & MATERIALS	\$32.53	
	12/23/2020		9719010259		ASTD PARTS & MATERIALS	\$450.02	
	12/23/2020		9724532958		ASTD PARTS & MATERIALS	\$246.85	
	12/23/2020	122	9723424264		1 PRESSURE GAUGE	\$12.74	
	12/23/2020	122	9716930046		ASTD PARTS & MATERIALS	\$221.81	
	12/23/2020		9721849629		ASTD PARTS & MATERIALS	\$950.75	
176385	12/23/2020		10646	SC BUILDERS	REFUND # 31239	\$3,300.00	\$3,300.00
176331	12/23/2020	122	20595	BAYSCAPE LANDSCAPE MANAGEMENT	LANDSCAPE MAINTENANCE SERVICES - NOV 2020	\$3,215.00	\$3,215.00
176226	12/10/2020	143	2000430168	AECOM TECHNICAL SERVICES INC	CENTRIFUGE BUILDING IMPROVEMENTS	\$3,196.89	\$3,196.89
176265	12/10/2020		9867470973	VERIZON WIRELESS	WIRELESS SERV & TABLETS 10/21/20-11/20/20	\$3,185.40	\$3,185.40

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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
176337	12/23/2020	170	21808619	CARBOLINE COMPANY	PAINT & RELATED PAINT SUPPLIES	\$862.86	\$3,117.52
	12/23/2020	170	21809266		PAINT & RELATED PAINT SUPPLIES	\$481.75	
	12/23/2020	170	21808291		PAINT & RELATED PAINT SUPPLIES	\$873.29	
	12/23/2020	170	21808898		PAINT & RELATED PAINT SUPPLIES	\$899.62	
176276	12/17/2020	170	47885	CALCON SYSTEMS	PLANT FLOW METER CALIBRATION	\$2,850.00	\$2,850.00
176383	12/23/2020	110	20120326	S&S TRUCKING	GRIT HAULING 11/23 & 11/25/2020	\$1,963.22	\$2,694.83
	12/23/2020	110	20121018		GRIT HAULING 11/30/2020	\$731.61	
176356	12/23/2020	170	2002668	JENSEN INSTRUMENT COMPANY	1 WATER FLOW METER	\$2,487.90	\$2,487.90
176324	12/23/2020	123	37815	ALLIED FLUID PRODUCTS CORP	2 LAY FLAT DISCHARGE HOSES	\$2,473.30	\$2,473.30
176375	12/23/2020	173	3	AYHAN OZCAN	NON-RESIDENTIAL DATABASE DATA EXTRACTION	\$2,437.50	\$2,437.50
176318	12/17/2020	170	3114388	ZEMARC CORPORATION	1 MTS POSITION SENSOR	\$2,390.45	\$2,390.45
176254	12/10/2020	170	131563	NEW IMAGE LANDSCAPING CO	LANDSCAPE MAINTENANCE - FMC - NOV 2020	\$2,385.68	\$2,385.68
176349	12/23/2020		12222999	HACH COMPANY	1 PROBE	\$2,362.92	\$2,362.92
176319	12/23/2020		69461	3T EQUIPMENT COMPANY INC	15 PIPE PATCH KITS WINTER & 1 ROOT CUTTER	\$2,351.53	\$2,351.53
176355	12/23/2020	141	DCVL168	IRON MOUNTAIN	OFF-SITE STORAGE AND SERVICE - DEC 2020	\$1,343.73	\$2,144.76
	12/23/2020	173	202252714		DATA/MEDIA OFF-SITE STORAGE - NOV 2020	\$300.00	
	12/23/2020	141	DDGT635		OFF-SITE STORAGE AND SERVICE - DEC 2020	\$501.03	
176340	12/23/2020	150	87341	CITYLEAF INC	2020 HOLIDAY DECOR FOR DISTRICT LOBBY	\$1,690.33	\$2,122.19
	12/23/2020	150	87318		PLANT MAINTENANCE - DEC 2020	\$431.86	

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176246	12/10/2020	170	2002642	JENSEN INSTRUMENT COMPANY	1 WATER FLOW METER	\$1,910.65	\$1,910.65
176344	12/23/2020	170	14068	DIABLO BOILER & STEAM INC	SERVICE CALL: CLEAVER-BROOKS BOILER	\$1,895.13	\$1,895.13
176258	12/10/2020	110	20111227	S&S TRUCKING	GRIT HAULING 11/02/2020	\$866.91	\$1,867.28
	12/10/2020	110	20111935		GRIT HAULING 11/12/2020	\$1,000.37	
176259	12/10/2020		731389313002	STAPLES CONTRACT & COMMERCIAL	JANITORIAL & BREAKROOM SUPPLIES	\$390.79	\$1,847.14
	12/10/2020		731879510101		JANITORIAL & BREAKROOM SUPPLIES	\$504.98	
	12/10/2020		731834950201		JANITORIAL & BREAKROOM SUPPLIES	\$255.70	
	12/10/2020		731787812401		JANITORIAL & BREAKROOM SUPPLIES	\$399.41	
	12/10/2020		731787812402		JANITORIAL & BREAKROOM SUPPLIES	\$83.39	
	12/10/2020		731704091901		JANITORIAL & BREAKROOM SUPPLIES	\$74.17	
	12/10/2020		731675847801		JANITORIAL & BREAKROOM SUPPLIES	\$138.70	
176243	12/10/2020	130	9717620	HF&H CONSULTANTS, LLC	SEWER RATE MODELING	\$1,841.50	\$1,841.50
176287	12/17/2020	170	95527566	H & E EQUIPMENT SERVICES INC	REACH RENTAL 11/16/2020 - 11/19/2020	\$1,809.27	\$1,809.27
176245	12/10/2020	173	6044171	INTRADO LIFE & SAFETY INC	E911 CLOUD SERVICE	\$1,750.00	\$1,750.00
176323	12/23/2020	143	1518655	ALLIANT INSURANCE SERVICES INC	BUILDERS RISK: CALCIUM THIOSULFATE CHEMICAL TANK 12/1/20 - 6/28/21	\$1,717.00	\$1,717.00
176325	12/23/2020	120	14134	AMERICAN DISCOUNT SECURITY	11/01/20 - 11/30/20 GUARD AT DISTRICT	\$1,677.00	\$1,677.00
176390	12/23/2020	122	140503	TRI-SIGNAL INTEGRATION INC	FIRE PROTECTION SERVICE - QUARTERLY INSPECTION	\$312.50	\$1,620.84
	12/23/2020	122	140502		FIRE PROTECTION SERVICE - SEMI ANNUAL SYSTEM TEST	\$1,175.00	
	12/23/2020	122	140562		FIRE PROTECTION SERVICE - MONTHLY CHARGE MONITORING AGREE	\$133.34	

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176242	12/10/2020		3P3996	HARRINGTON INDUSTRIAL PLASTICS	ASTD PVC PARTS & MATERIALS	\$80.09	\$1,585.88
	12/10/2020	170	3P3908		ASTD PVC PARTS & MATERIALS	\$1,505.79	
176264	12/10/2020		51120	VALLEY OIL COMPANY	BULK OIL	\$1,540.61	\$1,540.61
176296	12/17/2020		4978906	MALLORY SAFETY AND SUPPLY LLC	50 BX GLOVES	\$453.13	\$1,450.02
	12/17/2020		4979697		100 BX GLOVES	\$996.89	
176322	12/23/2020	143	20201217	ALAMEDA COUNTY WATER DISTRICT	PERMIT: ALAMEDA CREEK-FORCEMAIN CROSSING GEOTECH	\$1,430.00	\$1,430.00
176237	12/10/2020	150	86844	CITYLEAF INC	2020 HOLIDAY DECOR FOR DISTRICT LOBBY	\$1,414.50	\$1,414.50
176369	12/23/2020		24098932	MOTION INDUSTRIES INC	ASTD PARTS & MATERIALS	\$578.29	\$1,402.49
	12/23/2020		24098442		2 BELTS	\$29.67	
	12/23/2020	122	24099013		ASTD PARTS & MATERIALS	\$601.67	
	12/23/2020	170	24098327		1 SHEAVE	\$192.86	
176286	12/17/2020		9712647115	GRAINGER INC	ASTD PARTS & MATERIALS	\$1,045.27	\$1,345.80
	12/17/2020		9711014119		ASTD PARTS & MATERIALS	\$300.53	
176278	12/17/2020	113	615917	CALTEST ANALYTICAL LABORATORY	16 LAB SAMPLE ANALYSIS	\$1,325.45	\$1,325.45
176398	12/23/2020	143	5050	WORKSMART AUTOMATION INC	HEADWORKS SCREENS REPLACEMENT	\$1,314.50	\$1,314.50

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176327	12/23/2020	136	1102460006	ARAMARK	UNIFORM LAUNDERING & RUGS	\$272.03	\$1,295.91
	12/23/2020	136	1102460115		ASTD DUST MOPS, WET MOPS & TERRY	\$47.32	
	12/23/2020		1102457052		UNIFORM LAUNDERING & RUGS	\$260.33	
	12/23/2020	136	1102460023		UNIFORM LAUNDERING SERVICE	\$373.31	
	12/23/2020		1102457065		UNIFORM LAUNDERING SERVICE	\$342.92	
176252	12/10/2020	170	2100113	MOBILE MODULAR MANAGEMENT CORP	FMC TRAILER RENTAL - DEC 2020	\$1,245.43	\$1,245.43
176343	12/23/2020		20201125	DALE HARDWARE INC	11/20 - ASTD PARTS & MATERIALS	\$1,225.35	\$1,225.35
176339	12/23/2020	173	4892330	CDW GOVERNMENT LLC	25 ADOBE ACROBAT LICENSES	\$1,225.00	\$1,225.00
176361	12/23/2020	173	21630	LOOKINGPOINT INC	ANNUAL PBX AND NETWORK SUPPORT (NEXT CARE)	\$1,225.00	\$1,225.00
176317	12/17/2020	141	2043052	WEST YOST ASSOCIATES	FM RELOCATION NEAR HICKORY STREET	\$596.00	\$1,198.50
	12/17/2020	143	2042915		GRAVITY SEWER REHAB/REPLACEMENT	\$602.50	
176240	12/10/2020	172	9702311920	GRAINGER INC	ASTD PARTS & MATERIALS	\$247.70	\$1,190.50
	12/10/2020		9703775545		ASTD PARTS & MATERIALS	\$107.54	
	12/10/2020	172	9701114663		ASTD PARTS & MATERIALS	\$27.06	
	12/10/2020		9708247714		ASTD PARTS & MATERIALS	\$655.40	
	12/10/2020	170	9705804558		ASTD PARTS & MATERIALS	\$152.80	
176228	12/10/2020		938639974499	AMAZON.COM LLC	20 NECK GAITERS	\$76.75	\$1,171.42
	12/10/2020		20201110		11/20 - ASTD OFFICE SUPPLIES	\$1,094.67	
176387	12/23/2020	132	16111	SHAW HR CONSULTING INC	SERVICE: FILE REVIEW	\$1,120.00	\$1,120.00

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176341	12/23/2020	170	20201128	COMMUNICATION & CONTROL INC	UTILITY FEE/ANTENNA RENTAL	\$1,093.84	\$1,093.84
176367	12/23/2020	114	2104806	MOBILE MODULAR MANAGEMENT CORP	ETSU TEMPORARY OFFICE SPACE	\$1,071.05	\$1,071.05
176328	12/23/2020		15722291	AT&T	SERV: 11/10/20 - 12/09/20	\$982.50	\$982.50
176300	12/17/2020	170	24097503	MOTION INDUSTRIES INC	ASTD PARTS & MATERIALS	\$421.59	\$954.99
	12/17/2020		24098934		ASTD PARTS & MATERIALS	\$533.40	
176298	12/17/2020	170	49786031	MCMaster SUPPLY INC	ASTD PARTS & MATERIALS	\$163.68	\$952.55
	12/17/2020	170	49877526		ASTD PARTS & MATERIALS	\$189.85	
	12/17/2020	170	48903159		ASTD PARTS & MATERIALS	\$279.82	
	12/17/2020		50047487		ASTD PARTS & MATERIALS	\$319.20	
176363	12/23/2020	113	2011C54	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS	\$351.00	\$942.00
	12/23/2020	113	2011B02		LAB SAMPLE ANALYSIS	\$337.00	
	12/23/2020	113	2012107		LAB SAMPLE ANALYSIS	\$204.00	
	12/23/2020	113	2011C54A		LAB SAMPLE ANALYSIS	\$50.00	
176238	12/10/2020	132	69551707	CONCENTRA MEDICAL CENTERS	5 LAB TESTS	\$925.00	\$925.00
176309	12/17/2020	110	20112533	S&S TRUCKING	GRIT HAULING 11/16/2020	\$908.73	\$908.73
176244	12/10/2020	122	20865210	INFOR PUBLIC SECTOR, INC	MACP INSPECTION MODULE INSTALLATION	\$892.50	\$892.50
176372	12/23/2020		2001506	OPTIMUM TECHNOLOGIES LLC	AT HOME EMPLOYEE PORTAL	\$892.00	\$892.00
176320	12/23/2020	170	9975907163	AIRGAS NCN	CYLINDER RENTAL	\$887.66	\$887.66
176239	12/10/2020	173	499913	DLT SOLUTIONS, LLC	AWS CLOUD STORAGE - OCT 2020	\$886.48	\$886.48

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176364	12/23/2020	121	49652239	MCMaster Supply Inc	ASTD PARTS & MATERIALS	\$117.84	\$882.99
	12/23/2020	123	49633482		ASTD PARTS & MATERIALS	\$43.39	
	12/23/2020	170	49782741		ASTD PARTS & MATERIALS	\$63.37	
	12/23/2020	123	49495660		ASTD PARTS & MATERIALS	\$119.50	
	12/23/2020	170	50037750		ASTD PARTS & MATERIALS	\$193.82	
	12/23/2020		50472374		ASTD PARTS & MATERIALS	\$233.94	
	12/23/2020		50195286		ASTD PARTS & MATERIALS	\$111.13	
176231	12/10/2020		2026426509	AT&T	SERV: 08/11/20 - 09/10/20	\$882.85	\$882.85
176329	12/23/2020		8784229508	AT&T	SERV: 11/11/20 - 12/10/20	\$882.85	\$882.85
176378	12/23/2020	170	24122	PRIME MECHANICAL SERVICE INC	SERVICE CALL: BLDG 90	\$600.00	\$830.00
	12/23/2020	122	24124		SERVICE CALL: BLDG 82	\$230.00	
176308	12/17/2020	170	1981935001	R&B COMPANY	ASTD PARTS & MATERIALS	\$828.61	\$828.61
176251	12/10/2020	170	49427227	MCMaster Supply Inc	ASTD PARTS & MATERIALS	\$24.19	\$825.61
	12/10/2020	170	48892519		ASTD PARTS & MATERIALS	\$354.11	
	12/10/2020		49426409		ASTD PARTS & MATERIALS	\$206.98	
	12/10/2020		48809071		ASTD PARTS & MATERIALS	\$240.33	
176396	12/23/2020		8803090445	VWR INTERNATIONAL LLC	LAB SUPPLIES	\$569.37	\$787.20
	12/23/2020		8803113591		LAB SUPPLIES	\$217.83	

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176380	12/23/2020	122	820190147	RED WING BUS ADVANTAGE ACCT	SAFETY SHOES: M. LUNA	\$196.64	\$777.71
	12/23/2020	172	820991050020		SAFETY SHOES: M. HOVEY	\$196.64	
	12/23/2020	121	820991050300		SAFETY SHOES: M. LOPEZ	\$208.00	
	12/23/2020	121	820991050104		SAFETY SHOES: J. POWELL	\$176.43	
176370	12/23/2020		20201130	NAPA AUTO PARTS	MONTHLY AUTO PARTS STMT - NOV 2020	\$768.25	\$768.25
176272	12/17/2020	170	36919	ALLIED FLUID PRODUCTS CORP	ASTD PARTS & MATERIALS	\$728.23	\$728.23
176282	12/17/2020	110	1419610	DEPARTMENT OF GENERAL SERVICES	SERV: OCT 2020 PLANT	\$706.59	\$706.59
176350	12/23/2020	123	2194476	HANSON AGGREGATES INC	2 TONS 1/2 MAX HMA TYPE A-R	\$174.53	\$682.54
	12/23/2020	123	2193493		6.07 TONS 1/2 MAX HMA TYPE A-R	\$508.01	
176247	12/10/2020	170	4517	KEN GRADY CO INC	1 SENSOR	\$667.11	\$667.11
176273	12/17/2020		1102453163	ARAMARK	UNIFORM LAUNDERING & RUGS	\$261.33	\$643.93
	12/17/2020		1102453191		UNIFORM LAUNDERING SERVICE	\$335.28	
	12/17/2020		1102453255		ASTD DUST MOPS, WET MOPS & TERRY TOWEL	\$47.32	
176365	12/23/2020	170	201244	METROMOBILE COMMUNICATIONS INC	RADIO SERVICE - DEC 2020	\$599.08	\$599.08
176336	12/23/2020	173	4034656440	CANON SOLUTIONS AMERICA INC	MTHLY MAINTENANCE BASED ON USE	\$314.40	\$597.60
	12/23/2020	173	4034655349		MTHLY MAINTENANCE BASED ON USE	\$283.20	
176229	12/10/2020		1102450241	ARAMARK	UNIFORM LAUNDERING & RUGS	\$261.33	\$595.86
	12/10/2020		1102450258		UNIFORM LAUNDERING SERVICE	\$334.53	
176270	12/17/2020	170	308542	ADVANCED CHEMICAL TRANSPORT	HAZARDOUS MATERIAL MANAGEMENT	\$593.99	\$593.99

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176345	12/23/2020	113	1439	ELITE ANALYTICAL LABORATORIES	1 LAB SAMPLE ANALYSIS	\$220.00	\$555.00
	12/23/2020	113	1438		2 LAB SAMPLE ANALYSIS	\$335.00	
176225	12/10/2020		10432	AA HOME DESIGN AND BUILD	REFUND # 31208	\$500.00	\$500.00
176234	12/10/2020		19892	BODHI TREE RESIDENTIAL	REFUND # 31234	\$500.00	\$500.00
176301	12/17/2020		10522	TEJASWI MUPPARAJU	REFUND # 31243	\$500.00	\$500.00
176360	12/23/2020		10537	KILAM INC	REFUND # 32259	\$500.00	\$500.00
176236	12/10/2020	173	2213982	CALIFORNIA SURVEYING DRAFTING	PLOTTER REPAIR	\$267.87	\$487.87
	12/10/2020	173	2214402		PLOTTER REPAIR	\$220.00	
176233	12/10/2020	120	15683470	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$434.31	\$434.31
176342	12/23/2020	132	69730109	CONCENTRA MEDICAL CENTERS	1 DOT PHYSICAL & 1 LAB TEST	\$433.00	\$433.00
176379	12/23/2020	120	00L0036018380	NESTLE WATERS NO. AMERICA READYREFR	WATER SERVICE 11/07/20 - 12/06/20	\$424.68	\$424.68
176351	12/23/2020		3P4600	HARRINGTON INDUSTRIAL PLASTICS	ASTD PVC PARTS & MATERIALS	\$420.40	\$420.40
176332	12/23/2020	120	15701770	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$277.28	\$385.81
	12/23/2020	120	15701771		ASTD OFFICE SUPPLIES	\$108.53	
176334	12/23/2020	113	20201223	MARY GRACE CALANOG	EXP REIMB: CWEA ANNUAL CONF	\$375.00	\$375.00
176249	12/10/2020		4969298	MALLORY SAFETY AND SUPPLY LLC	ASTD CAL GAS	\$327.75	\$327.75
176377	12/23/2020		160968	PREFERRED ALLIANCE INC	NOVEMBER 2020 SERVICE FEE	\$318.57	\$318.57
176348	12/23/2020	123	1931111	GRANITE CONSTRUCTION COMPANY	3.19 TONS 1/2"WMA64-10R15LAS	\$285.12	\$285.12
176326	12/23/2020	136	20201116357979	AMERICAN PAYROLL ASSOCIATION	MEMBER DUES - D. BLANCO	\$258.00	\$258.00

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176299	12/17/2020	120	1046809	MISSION COMMUNICATIONS LLC	ANNUAL MANHOLE MONITOR SERVICE PACKAGE RNWL	\$227.40	\$227.40
176335	12/23/2020	120	1762529	STATE OF CALIFORNIA	ELEVATOR PERMIT	\$225.00	\$225.00
176316	12/17/2020	113	8802990681	VWR INTERNATIONAL LLC	LAB SUPPLIES	\$202.53	\$202.53
176232	12/10/2020	122	23967000	BECK'S SHOES	SAFETY SHOES: P. NELSON	\$199.64	\$199.64
176297	12/17/2020	113	2011728	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS	\$191.00	\$191.00
176262	12/10/2020	170	31408854	UPS - UNITED PARCEL SERVICE	FREIGHT CHARGE	\$180.77	\$180.77
176250	12/10/2020	113	2011334	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS	\$152.00	\$152.00
176366	12/23/2020	123	787601	MISSION CLAY PRODUCTS LLC	ASTD CLAY FITTINGS	\$134.56	\$134.56
176311	12/17/2020	141	20201130	SPOK INC	DECEMBER 2020 PAGER SERVICE	\$133.70	\$133.70
176362	12/23/2020	170	77990918	MATHESON TRI-GAS INC	MONTHLY CYLINDER RENTAL - NOV 2020	\$130.92	\$130.92
176281	12/17/2020	132	69615050	CONCENTRA MEDICAL CENTERS	2 DOT PHYSICALS	\$126.00	\$126.00
176275	12/17/2020	170	40014215	BUREAU VERITAS/ANALYSTS INC	5 LAB SAMPLE ANALYSIS	\$122.70	\$122.70
176381	12/23/2020		110369	REMOTE SATELLITE SYSTEMS INT'L	IRIDIUM SVC FEE JAN 2021	\$112.00	\$112.00
176382	12/23/2020	170	416709	RKI INSTRUMENTS INC	ASTD PARTS & MATERIALS	\$98.78	\$98.78
176353	12/23/2020	123	552475	HULBERT LUMBER SUPPLY	ASTD LUMBER SUPPLIES	\$63.59	\$63.59
176260	12/10/2020	141	425258	ULTRAEX LLC	COURIER SVCS: 1 BOARDMEMBER DELIVERY - 11/04/20	\$47.95	\$47.95
176314	12/17/2020	136	98XW53470	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 10/21/20	\$44.69	\$44.69
176267	12/10/2020	113	8802940433	VWR INTERNATIONAL LLC	LAB SUPPLIES	\$44.38	\$44.38
176253	12/10/2020	122	218939	NAYLOR STEEL INC	ASTD METAL, STEEL, STAINLESS & ALUMINUM	\$42.14	\$42.14

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176274	12/17/2020	120	15695480	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$26.32	\$26.32
176395	12/23/2020		9868113054	VERIZON WIRELESS	WIRELESS SERV 11/02/20-12/01/20	\$21.10	\$21.10
176289	12/17/2020	132	20201215	MEGAN HICKS	EXP REIMB: LIVESCAN FEE PRE-EMPLOYMENT	\$20.00	\$20.00
176393	12/23/2020	136	98XW53490	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 12/05/20	\$13.63	\$13.63
176368	12/23/2020	170	7779457	MOTION & FLOW CONTROL PRODUCTS	ASTD PARTS & MATERIALS	\$5.57	\$5.57

Invoices:

Credit Memos :	0	-256.95
\$0 - \$1,000 :	159	143,006.98
\$1,000 - \$10,000 :	101	752,911.90
\$10,000 - \$100,000 :	33	1,067,019.39
Over \$100,000 :	9	4,170,120.94
Total:	302	5,621,472.51

Checks:

\$0 - \$1,000 :	68	31,777.29
\$1,000 - \$10,000 :	68	215,569.18
\$10,000 - \$100,000 :	29	876,222.89
Over \$100,000 :	9	4,497,903.15
Total:	174	5,621,472.51