

NOTICE OF REGULAR MEETING OF BOARD OF DIRECTORS

DATE: Wednesday, February 21, 2024

TIME: 6:00 p.m. Closed Session
7:00 p.m. Open Session (time approximate)

LOCATION: Zone 7 Administration Building
100 North Canyons Parkway, Livermore, California

VIDEO/TELECONFERENCE:
<https://us02web.zoom.us/j/87887684112>
(669) 900-6833, Meeting ID: 878 8768 4112

LIVE STREAMING: Comcast Channel 29
AT&T U-Verse Channel 99 (Livermore)
Streaming Live at tv29live.org

Any member of the public wishing to address the Board on an item under discussion may do so upon receiving recognition from the President. If the public wishes to provide comment before the meeting, please email publiccomment@zone7water.com by 3:00 p.m. on Wednesday, February 21st.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available at the Zone 7 Administrative Building lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the Executive Assistant, Donna Fabian, at (925) 454-5000 or fax (925) 454-5723. Notification 48 hours prior to the meeting will enable Zone 7 to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II}.

AGENDA

1. Call Zone 7 Water Agency Meeting to Order
2. Closed Session
 - a. Government Code section 54957(b); Public Employee Performance Evaluation: Title: General Manager

- b. Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2): (1 potential case).
 - c. Conference with Labor Negotiators pursuant to Government Code section 54954.5: Agency Negotiators: Valerie Pryor/Osborn Solitei Employee Organizations: Alameda County Management Employees Association; Alameda County Building and Construction Trades Council, Local 342, AFL-CIO; International Federation of Professional and Technical Engineers, Local 21, AFL-CIO; Local 1021 of the Service Employees International Union, CTW; Unrepresented Management
 - d. Conference with Legal Counsel – Existing litigation pursuant to Gov’t Code section 54956.9(d) (1): (1) State Water Contractors v. California Department of Fish & Wildlife (JCCP Case No. 5117), (2) Stark v. Alameda County Flood Control and Water Conservation District, Zone 7 (Alameda County Superior Court Case No. 22-CV-5837), (3) Bautista v. Alameda County Flood Control and Water Conservation District, Zone 7 (Alameda County Superior Court Case No. 22-CV-10679); (4) Alameda County Flood Control & Water Conservation District, Zone 7 v. County of Alameda, (Alameda County Superior Court Case No. 23-CV-51449); (5) Alameda County Flood Control & Water Conservation District, Zone 7 v. City of Pleasanton (Alameda County Superior Court Case No. 24-CV-61595); (6) In re: Aqueous Film-Forming Foams Products Liability Litigation (S.D. South Carolina, MDL No. 2:18-mn-2873-RMG).
- 3. Open Session and Report Out of Closed Session
 - 4. Pledge of Allegiance
 - 5. Roll Call of Directors
 - 6. Public Comment on Non-Agenda Items

The Public Comment section provides an opportunity to address the Board of Directors on items that are not listed on the agenda, or informational items pertinent to the agency's business. The Board welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the agency or are within the jurisdiction of the agency. The Board will not be able to act on matters brought to its attention under this item until a future board meeting.
 - 7. Minutes
 - a. Regular Board Meeting Minutes of January 17, 2024
 - 8. Consent Calendar
 - a. Zone 7 Conflict of Interest Code - Biennial Review
 - b. Award Contract for eProcurement Software
 - c. Bay Area Proposition 1 IRWMP Implementation Grant Round 2

Recommended Action: Adopt Resolutions

9. Desktop Contaminant Mobilization Study

Recommended Action: Information Only

10. Preliminary Water Supply Operations Plan for 2024

Recommended Action: Information Only

11. Support for Employee-Led Events/Activities

Recommended Action: Adopt Resolution

12. Outreach and Communications Program Update

Recommended Action: Presentation Only

13. Declaration of Fix a Leak Week

Recommended Action: Adopt Resolution

14. Committees

- a. Administrative Committee Meeting Notes of January 10, 2024
- b. Water Resources Committee Meeting Notes of January 23, 2024

15. Reports – Directors

- a. Written Reports
- b. Verbal Reports

16. Items for Future Agenda – Directors

17. Staff Reports

- a. General Manager's Report
- b. January Outreach Activities
- c. Monthly Water Inventory and Water Budget Update
- d. Legislative Update
- e. Capital Projects Status Report
- f. California State Controller's Special District Financial Transactions Report for FY 2022-23

18. Adjournment

19. Upcoming Board Schedule: (All meeting locations are in the Boardroom at 100 North Canyons Parkway, Livermore, unless otherwise noted.)

- a. Legislative Committee Meeting: February 22, 2024, 4:00 p.m.
- b. Special Board Meeting (if needed): March 6, 2024
- c. Finance Committee Meeting: March 14, 2024, 11:00 a.m.
- d. Regular Board Meeting: March 20, 2024, 7:00 p.m.

MINUTES OF THE BOARD OF DIRECTORS
ZONE 7

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

REGULAR MEETING
January 17, 2024

Directors Present: Dawn Benson
Sandy Figuers
Dennis Gambs
Laurene Green
Kathy Narum
Sarah Palmer

Directors Absent: Angela Ramirez Holmes

Staff Present: Valerie Pryor, General Manager
Osborn Solitei, Treasurer/Assistant General Manager – Finance
Jarnail Chahal, Acting Assistant General Manager – Engineering/Operations
James Carney, Senior Water Resources Planner
Donna Fabian, Executive Assistant

General Counsel: Rebecca Smith, Downey Brand

Item 1 – Call Zone 7 Water Agency Meeting to Order

President Figuers called the Regular Meeting of the Board of Directors to order at 7:02 p.m.
Director Narum left at 7:00 p.m.

Item 2 – Closed Session

The Board entered Closed Session at 6:00 p.m. and concluded it at 6:44 p.m.

Item 3 – Open Session and Report Out of Closed Session

President Figuers stated that there was nothing to report out of Closed Session.

Item 4 – Pledge of Allegiance

President Figuers led the Pledge of Allegiance.

Item 5 – Roll Call of Directors

Directors Narum and Ramirez Holmes were absent.

Item 6 – Public Comment

Public comment was received by Alan Burnham, a resident of Livermore.

Item 7 – Minutes

Director Palmer made a motion to approve the Regular Board Meeting minutes of December 20, 2023, and Director Benson seconded the motion. The motion was approved by a voice vote of 5-0 with Directors Narum and Ramirez Holmes absent.

Item 8 – Consent Calendar

Director Gambs pulled Item 8a. He expressed support for the Asset Management Plan, seeking confirmation on its components. He highlighted the renewal replacement and system-wide improvement programs, emphasizing the need for detailed explanations. Jarnail Chahal, Acting Assistant General Manager – Engineering, confirmed that these programs are part of the Asset Management Program, spanning 40 years and funded by water rates. Director Gambs inquired about the renewal replacement program's study, and Ms. Pryor confirmed that consultants would update the database with the new facilities and determine future funding.

Director Gambs made a motion to approve Item 8a and Director Palmer seconded the motion. Item 8a was approved by a voice vote of 5-0 with Directors Narum and Ramirez Holmes absent.

Director Palmer made a motion to approve Item 8b and Director Benson seconded the motion. Item 8b was approved by a roll call vote of 5-0 with Directors Narum and Ramirez Holmes absent.

Item 9 – Energy Master Plan Baseline Assessment Informational Update

James Carney, Senior Planner, gave an informational update on the Baseline Energy Assessment conducted as part of the Energy Master Plan. Mr. Carney gave an overview of the background information and outlined the Plan components.

Ricky Gutierrez of Carollo Engineers reviewed the highlights of the Baseline Energy Assessment. He outlined Zone 7's history with energy, discussed the basis for the assessment, reviewed the Agency's electricity use and greenhouse gas emission inventory, and provided a summary of the key findings.

Mr. Carney gave a summary of the Energy Policy development and shared the Plan schedule.

Director Gambs asked if there would be future energy usage projections on the Agency's newly completed projects and facilities. Mr. Carney explained that a full year of data needs to be collected to determine how they affect the baseline.

Director Gambs hoped staff could incorporate the costs associated with the production of water. Valerie Pryor, General Manager, explained that the Energy Master Plan helps guide energy related projects; however, budget documents and quarterly financial reports will still reflect the total costs of producing water.

Public comments were delivered by Kelly Abreu and Alan Burnham.

Item 10 – Committees

The Committee notes received no comments.

Item 11 – Reports – Directors

Director Palmer submitted a written report and stated that she will compile her notes on chromium-6 next month. She added that there are a lot of links in her report and encouraged everyone to explore them for further insight.

Item 12 – Items for Future Agenda – Directors

No items were requested for consideration at an upcoming Board meeting.

Item 13 – Staff Reports

Valerie Pryor brought attention to an attachment in her report that was released by the Department of Water Resources (DWR) titled "The Economy of the State Water Project." This document sheds light on the significance of the State Water Project to California and its economy. Ms. Pryor stated that the State Water Project plays a vital role in supplying water to 27 million people, irrigating 750,000 acres of farmland, and contributing to an economy that sustains 8.7 million full-time jobs, 800,000 businesses, and the irrigation of approximately \$19 billion worth of crops annually. She strongly encouraged everyone to review this insightful report.

Item 14 – Adjournment

President Figuers adjourned the meeting at 7:45 p.m.

ORIGINATING SECTION: Office of the General Manager
CONTACT: Donna Fabian

AGENDA DATE: February 21, 2024

SUBJECT: Zone 7 Conflict of Interest Code - Biennial Review

SUMMARY:

- Every local governmental agency must review its Conflict of Interest Code biennially to determine if it is accurate or if the code must be amended.
- The last Zone 7 Water Agency Conflict of Interest Code review and update was in February 2022.
- This update is in preparation for submittal of the 2023 Form 700s.
- A review of Zone 7's Conflict of Interest Code indicates that no changes are necessary other than amending the list of Designated Positions to reflect positions which have been added, deleted or have had title changes since the last review subject to forwarding those changes to the Fair Political Practices Commission (FPPC) for consent and approval.

BACKGROUND:

Under provisions of the Political Reform Act, every local governmental agency must review its Conflict of Interest Code biennially to determine if it is accurate or if the code must be amended. Amendments made to Zone 7's Conflict of Interest Code must be forwarded to the Fair Political Practices Commission (FPPC) for consent and approval.

This Conflict of Interest Code is promulgated under the authority of the Political Reform Act, Government Code section 81000, *et seq.*, which requires all state and local government agencies to adopt and promulgate a conflict of interest code. 2 California Code of Regulations (CCR), Section 18730, as adopted by the Fair Political Practices Commission, contains the terms of a standard conflict of interest code, which may be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act.

The terms of 2 CCR Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are incorporated by reference and, along with the attached Appendix in which positions are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Zone 7 Water Agency.

Designated employees other than the General Manager shall file their statements of economic interest with the Executive Assistant who will make the Statements available for public inspection and reproduction (Government Code Section 81008). The original statement of the General Manager shall be forwarded to the Fair Political Practices Commission (FPPC) and a copy retained by the Executive Assistant.

DISCUSSION:

No changes are necessary other than amending the list of Designated Positions to reflect positions which have been added, deleted or have had title changes since the last review. Those changes are:

1. Add the following position to the list of Designated Positions:
 - Procurement Manager, Zone 7

Staff recommends approval of the attached Resolution amending the Zone 7 Conflict of Interest Code.

FUNDING:

Not applicable.

RECOMMENDED ACTION:

Adopt the attached Resolution amending the Zone 7 Conflict of Interest Code.

ATTACHMENTS:

1. Appendix of Disclosure Categories
2. Resolution

APPENDIX OF DISCLOSURE CATEGORIES

Category 1:

Persons assigned this category must report all interests in real property.

Category 2:

Persons assigned this category must report all sources of income from investments and business positions in any business entity located within the jurisdiction.

Category 3:

Persons assigned this category must report all sources of income from investments and business positions in business entities which manufacture, or contract, or foreseeably contract or sell supplies, machinery or equipment of the type utilized by the agency.

Category 4:

Persons assigned this category must report all sources of income from investments and business positions in business entities or individuals providing services which contract with or furnish goods or services to the member or otherwise solicit business from the member.

Category 5:

Persons assigned this category must report all sources of income from investments and business positions in business entities who perform constructions or engineering work or services of the type utilized by the agency.

Category 6:

Persons assigned this category must report all sources of income from investments and business positions in business entities manufacturing or selling water-purification chemicals, supplies, equipment, machinery or materials utilized by the agency.

Category 7:

Persons assigned this category must report all sources of income from investments and business positions in business entities which manufacture or sell, lease or service office equipment and supplies; motor vehicles and parts thereof; petroleum products; data processing hardware and software.

Category 8:

Persons assigned this category must report all sources of income from investments and business positions in business entities selling stocks, bonds, mutual funds and other securities.

Category 9:

Persons assigned this category must report all sources of income from investments and business positions in employment agencies or temporary help agencies.

Category 10:

Persons assigned this category must report all sources of income from investments and business positions in business entities which solicit for, contract with, or provide goods or services to the agency of the designated official.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Zone 7 Conflict of Interest Code - Biennial Review

WHEREAS, the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District adopted a Conflict of Interest Code on February 16, 1977, by Resolution No. 818, and subsequently amended by Resolution No. 1533 on March 18, 1992; Resolution No. 1698 on October 19, 1994; Resolution No. 96-1822 on August 28, 1996; Resolution No. 98-1991 on November 18, 1998; Resolution No. 00-2212 on October 18, 2000; Resolution No. 02-2423 on October 16, 2002; Resolution No. 04-2671 on September 15, 2004; Resolution No. 07-2934 on October 18, 2006; Resolution No. 09-3238 on November 19, 2008; Resolution No. 10-4009 on June 16, 2010; Resolution No. 12-4161 on February 15, 2012; Resolution No. 14-4343 on February 19, 2014; Resolution No. 16-115 on February 17, 2016; Resolution No. 18-06 on February 21, 2018; Resolution No. 20-05 on February 19, 2020; and Resolution No. 22-08 on February 16, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District does hereby amend the Conflict of Interest Code section entitled, "APPENDIX OF DESIGNATED POSITIONS," as follows:

APPENDIX OF DESIGNATED POSITIONS

| <u>POSITIONS</u> | <u>ASSIGNED DISCLOSURE CATEGORIES</u> |
|--|---------------------------------------|
| Member, Zone 7 Board of Directors | 1,2 |
| General Manager | 1,3,4,5,6,7,8,9,10 |
| Treasurer | 1,3,4,5,6,7,8,9,10 |
| Assistant General Manager, Engineering | 1,3,4,5,6,10 |
| Assistant General Manager, Finance | 1,3,5,6,7,8,9 |
| Engineering Manager | 1,3,4,5,6,10 |
| Production Manager | 1,3,4,5,6,10 |
| Government Relations Manager | 1,3,4,5,6,10 |
| Water Resources Manager | 1,3,4,5,6,10 |
| Groundwater Resources Manager | 1,3,4,5,6,10 |
| General Counsel | 1,3,4,5,6,7,8,9,10 |
| Financial & Systems Services Manager | 1,3,5,6,7,8,9 |
| Executive Assistant to the General Manager | 1,3,5,6,7,8,9 |
| Principal Engineer/Geologist | 1,3,4,5,6,10 |
| Senior Engineer/Geologist | 1,3,4,5,6,10 |
| Water Quality Manager | 3,4,5,6,10 |

| | |
|---|---------------|
| Operations Manager | 3,4,5,6,10 |
| Maintenance Manager | 3,4,5,6,7,10 |
| Water Facilities Supervisor | 3,4,5,6,10 |
| Facilities, Maintenance & Construction Supervisor | 3,4,5,6,10 |
| Associate Controls System Engineer | 3,4,5,6,10 |
| Accounting Manager | 1,3,5,6,7,8,9 |
| Procurement Manager | 1,3,5,6,7,8,9 |
| Buyer I | 3,4,5,6,7,10 |
| Buyer II | 3,4,5,6,7,10 |
| Maintenance Coordinator | 3,4,5,6,7,10 |
| Transportation & Supply Coordinator | 7,10 |
| Water Conservation Coordinator | 3,4,5,6,10 |
| Human Resources Manager | 1,3,5,6,7,8,9 |
| Consultants | * |

- * Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 21, 2024.

By: _____
President, Board of Directors

ORIGINATING SECTION: Administration**CONTACT:** Osborn Solitei**AGENDA DATE:** February 21, 2024**SUBJECT:** Award Contract for eProcurement Software**SUMMARY:**

- The proposed action is in support of Strategic Plan Goal G – Fiscal Responsibility: Operate the Agency in a fiscally responsible manner and Initiative No. 15 – Optimize the Procurement Process. This initiative No. 15 directs the Agency to provide a centralized procurement function that standardizes workflow, provides simplified and easier-to-understand processes, results in greater efficiencies and frees up project managers to focus on core activities in water and flood operations.
- To meet the Agency's goals and initiatives, staff recommend implementing automated government procurement software (eProcurement). An eProcurement solution will transform the Agency's procurement process from paper-based to digital by offering the following features:
 - Solicitation Development and Management
 - Electronic Bid, and Proposal Submittals
 - Vendor Management
 - Bid/Proposal Evaluation Module
 - Outreach with targeted notifications of forthcoming solicitations
- Transitioning to eProcurement will streamline existing processes allowing staff to spend more time on strategic opportunities. In addition, the software will facilitate greater transparency, and increase competition by inviting more vendors to the bid process.
- In accordance with the Agency's Purchasing Policy, staff solicited eProcurement solutions from three service providers. Upon review of the eProcurement solutions OpenGov, Inc., ("OpenGov") was found to be the most qualified based on functionality, usability, customization, implementation, support, and cost. OpenGov is an industry-leading government software provider, with cloud-based solutions for Budgeting & Planning, Permitting & Licensing, Procurement, Asset Management, and Financials, headquartered in San Francisco.
- Staff recommends the Board authorize the General Manager to negotiate, execute and amend as needed a services agreement with OpenGov for an amount not-to-exceed \$128,000 which covers professional services and annual software fees through June 30, 2027, which includes a 5% contingency. The cost for FY 2023-24 is \$27,300 which includes product configuration, setup, training and prorated software subscription fee.

FUNDING:

Funding of \$27,300 is available in the FY 2023-24 Adopted Budget for Fund 100 – Water Enterprise Operations Fund and Fund 200 – Flood Protection Operations. Funding for future years will be requested in subsequent budget requests.

RECOMMENDED ACTION:

Adopt the attached Resolution.

ATTACHMENT:

Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Award Contract for eProcurement Software

WHEREAS, the proposed action is in support of Strategic Plan Goal G – Fiscal Responsibility: Operate the Agency in a fiscally responsible manner and Initiative No. 15 – Optimize the Procurement Process.

WHEREAS, staff recommends implementing automated government procurement software to transform the Agency’s procurement process from paper-based to digital; and

WHEREAS, in accordance with the Agency’s Purchasing Policy, staff solicited eProcurement solutions from three service providers. OpenGov, Inc., was found to be the most qualified based on functionality, usability, customization, implementation, support, and cost.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to negotiate, execute and amend as needed, a services agreement with OpenGov, Inc., in an amount not-to-exceed \$128,000 for the contract period starting March 1, 2024, and ending June 30, 2027, which includes a 5% contingency.

BE IT FURTHER RESOLVED that the Board of Directors authorizes the General Manager to negotiate and execute agreements with a similarly qualified firms should the General Manager be unable to negotiate agreements or if, subsequent to implementing the agreement(s), the services are deemed not satisfactory by the Agency.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 21, 2024.

By: _____
President, Board of Directors

ORIGINATING SECTION: Integrated Planning
CONTACT: Kevin Padway/Ken Minn

AGENDA DATE: February 21, 2024

SUBJECT: Bay Area Proposition 1 IRWMP Implementation Grant Round 2

SUMMARY:

In support of Zone 7 Water Agency's (Zone 7's) mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services," Zone 7 participates in the Bay Area Integrated Regional Water Management (IRWM) Program, which fosters collaboration among the Bay Area agencies to address regional water system and flood protection challenges while creating opportunities for grant funding. This effort is to implement Strategic Initiative #1 – Establish a diversified water supply plan, Strategic Initiative #2 – Evaluate and develop appropriate new water supply and reliability opportunities, Strategic Initiative #10 – Update the flood protection strategy, and Strategic Initiative #23 – Track state and federal funding opportunities.

The Integrated Regional Water Management (IRWM) Program was created by the Department of Water Resources (DWR) in 2002 to foster regional collaboration and to implement effective water management solutions. On November 18, 2020, the Zone 7 Board adopted the Updated 2019 San Francisco Bay Area IRWM Plan (Plan), which contains a list of projects eligible for grant funding. That list was updated in 2022 to match agencies' funding needs and opportunities.

In early 2023, the Association of Bay Area Governments (ABAG)/ San Francisco Estuary Partnership (SFEP), on behalf of the San Francisco Bay Area IRWM partners, applied for \$32M in grant funding based on a sub-set of projects from the Plan list and, in spring of 2023, was awarded the applied amount under the DWR's Proposition 1, Round 2, IRWM Implementation Grant Program. The ABAG/SFEP grant application included two Zone 7 projects, both of which were funded for the requested amounts: the Water Supply Risk Model Enhancements Project was funded \$130,000 and \$727,098 was provided for the Flood Management Plan Decisions Support Tool Project.

ABAG/SFEP has requested that Zone 7 enter into a Local Project Sponsor agreement which outlines both parties' responsibility related to grant administration and disbursement of funds. Zone 7 entered into a similar agreement for Proposition 1, Round 1, of the IRWM Grant Program with East Bay Municipal Utility District in 2022. The Local Project Sponsor Agreement will require Zone 7 to comply with the Proposition 1 Round 2 Grant requirements, including submitting periodic reports for submittal to DWR.

Staff recommends authorizing the General Manager, or their designee, to execute the Local Project Sponsor Agreement and comply with requirements of the Proposition 1 Round 2 Grant.

FUNDING:

The \$857,038 in grant funding received under this grant would offset costs for the two awarded projects. The Flood Management Plan Project has been budgeted under Fund 200 and Fund 210. The Water Supply Risk Model Enhancements has been budgeted under Fund 100. Grant funding under this grant is on a reimbursement basis and would only be received after costs are incurred.

RECOMMENDED ACTION:

Adopt the attached Resolution.

ATTACHMENT:

Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Bay Area Proposition 1 Round 2 IRWM Implementation Grant

WHEREAS, to meet Zone 7 Water Agency's ("Zone 7's") mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services", Zone 7 has developed two projects; a Flood Management Plan and Water Supply Risk Model Enhancement Projects which align with several strategic initiatives.

WHEREAS, on November 18, 2020, the Zone 7 Board adopted the Updated 2019 San Francisco Bay Area Integrated Regional Water Management (IRWM) Plan, which fosters regional collaboration and implementation of effective water management solutions in the Bay Area, and supports access to State grant funding; and

WHEREAS, the Association of Bay Area Governments (ABAG), on behalf of the San Francisco Bay Area IRWM partners, was awarded \$32M in State grant funding under DWR's Proposition 1, Round 2, IRWM Implementation Grant solicitation in the spring of 2023; and

WHEREAS, included in the ABAG grant award were the two aforementioned Zone 7 projects and Zone 7 will need to execute a Local Project Sponsor Agreement with ABAG to receive the awarded funds of \$857,038; and

WHEREAS, over the course of these grant funded projects, other actions may be required of Zone 7 which are necessary to maintain grant eligibility and seek grant reimbursement including but not limited to possible agreement amendments and periodic grant reporting.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District authorizes the General Manager, or their designee, to negotiate and execute the Bay Area Proposition 1 Round 2 IRWM Local Project Sponsor Agreement and take any other actions necessary to effectuate the receipt of grant funds, at their discretion.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 21, 2024.

By: _____
President, Board of Directors

ORIGINATING SECTION: Integrated Planning
CONTACT: Lillian Xie/Ken Minn

AGENDA DATE: February 21, 2024

SUBJECT: Desktop Groundwater Contaminant Mobilization Study

SUMMARY:

This action is in support of Zone 7 Water Agency's Strategic Goal A – Reliable Water Supply and Infrastructure, and to implement Strategic Plan Initiative #2 – Evaluate and develop appropriate new water supply and reliability opportunities.

The Water Resources Committee reviewed and discussed the subject study at the January 23, 2024, Committee meeting. The Committee asked a number of questions about the assumptions used in the model, especially related to aquifer mineralogy. The Committee also discussed additional information that would be useful to refine the model. The following report provides an overview of the study.

Overview of Results of Desktop Contaminant Mobilization Study for Potable Reuse:

In 2018, Zone 7 and its four retailer agencies completed the Joint Tri-Valley Potable Reuse Technical Feasibility Study (potable reuse study). The primary goals of the study were: 1) to evaluate the feasibility of a wide range of potable reuse options for the Tri-Valley based on technical, financial, and regulatory considerations and 2) assuming that potable reuse is found to be technically feasible, to recommend next steps for the agencies.

The potable reuse study evaluated groundwater augmentation or recharge as well as raw water augmentation. More specifically, the portable reuse study investigated three potential end uses for purified water: 1) groundwater augmentation or recharge via injection wells at two locations – one located on the eastern side of the basin in Livermore and the other located on the western side in Pleasanton near the Mocho Demineralization facility, 2) groundwater recharge via Lake I (Chain of Lakes) surface water spreading recharge, and 3) raw water augmentation via Chain of Lakes to DVWTP (or directly to DVWTP). The first two options involve the groundwater basin. The third option would be a direct potable reuse option. For all three potential end uses, this study concluded that potable reuse for the Tri-Valley is technically feasible, and there were no fatal flaws identified by this technical evaluation.

The portable reuse study then recommended the next steps, one of which was to characterize the potential for contaminant mobilization in the groundwater basin using models. The Desktop

Groundwater Contaminant Mobilization Study was recently completed, and this report provides an overview of the findings relating to groundwater augmentation or recharge.

Objectives:

The Desktop Groundwater Contaminant Mobilization Study was conducted to:

1. Evaluate potential water quality impacts from the recharge of purified water.
2. Identify potential mitigation strategies.
3. Identify potential issues stemming from recharging groundwater with purified water.

Modeling Approach:

This study uses the U.S. Geological Survey's PHAST reactive transport model and the PHREEQC geochemical simulator module.

This study simulates two scenarios with surface water spreading using Lake I and two scenarios with direct injection through two hypothetical injection wells. The results from these four scenarios are compared with a baseline condition of average hydrology without purified water recharge.

Findings:

Groundwater Recharge of Purified Water with Surface Spreading in Lake I

Two scenarios simulate recharging different volumes of purified water by surface spreading into Lake I. The effect on constituents in the groundwater from the two scenarios is summarized below.

- **Nitrate, Chloride, and Boron (Decreased):** In general, purified water recharge in Lake I dilutes the existing nitrate, chloride, and boron in groundwater.
- **pH (Increased):** There are increases in pH around Lake I and on the southwestern side of the basin.
- **Arsenic (Increased):** The higher pH in purified water can cause pre-existing arsenic in the soil to leach into the groundwater. A higher volume of purified water recharge generally causes greater increases in arsenic. There are scattered areas where the arsenic maximum contaminant level (MCL) of 10 parts per billion (ppb) is exceeded.
- **Hexavalent Chromium (Increased):** The higher pH in purified water can cause pre-existing hexavalent chromium in the soil to leach into the groundwater. Like arsenic, a higher volume of purified water recharge causes greater increases in hexavalent chromium. A new hexavalent chromium MCL is anticipated to be set at 10 ppb. The anticipated MCL is exceeded near Lake I, and there is a larger area of impact with a larger volume of purified water recharge.

Groundwater Recharge of Purified Water with Injection Wells

Two scenarios simulate recharging different volumes of purified water through two hypothetical injection wells. One scenario recharges a smaller volume of purified water at an injection well placed in Livermore. The other scenario recharges a larger volume of purified water at an injection well placed in Pleasanton. The effect on constituents in the groundwater from the two scenarios is summarized below.

- **Nitrate, Chloride, and Boron (Decreased):** In general, purified water recharge via injection wells dilutes the pre-existing nitrate, chloride, and boron in groundwater, causing decreases around the injection site.
- **pH (Increased):** A larger volume of purified water recharge can cause a greater increase in pH and a larger area of impact.
- **Arsenic (Increased):** Injection of the higher pH purified water can cause pre-existing arsenic in the soil to leach into the groundwater. The arsenic MCL of 10 ppb is exceeded west of the Livermore injection site. The arsenic MCL is exceeded west of the Pleasanton injection site.
- **Hexavalent Chromium (Increased):** The higher pH in purified water causes pre-existing hexavalent chromium in the soil to leach into the groundwater. The anticipated hexavalent chromium MCL of 10 ppb is exceeded in scattered areas around and west of the Livermore injection site. The anticipated hexavalent chromium MCL is exceeded around the Pleasanton injection site.

Potential Next Steps:

The modeling results are based on Zone 7's current groundwater model, which is eight years old. Zone 7 is developing a new groundwater model that will further refine the basin's hydrogeology and provide more sophisticated modeling capabilities. This model is anticipated to be available in nine months. At that time, the new groundwater model could be used to refine the findings and understanding from the Desktop Contaminant Mobilization Study. Other studies could include laboratory and/or field-scale pilot tests to refine potential water quality responses to purified water recharge.

FUNDING:

No funding is requested at this time.

RECOMMENDED ACTION:

Information only.

ORIGINATING SECTION: Integrated Planning
CONTACT: Sal Segura/Ken Minn

AGENDA DATE: February 21, 2024

SUBJECT: Preliminary Water Supply Operations Plan for 2024

SUMMARY:

- This action is in support of Zone 7 Water Agency's Strategic Goal A – Reliable Water Supply and Infrastructure, and to implement Strategic Plan Initiative #1 – Establish a diversified water supply plan.
- The State Water Project (SWP) is Zone 7's main source of water supply. On December 1, 2023, the Department of Water Resources (DWR) announced an initial SWP allocation of 10%. DWR will modify or confirm this allocation as the hydrologic condition becomes better defined. The current 10% allocation will yield a minimum of 8,060 acre-feet (AF) of SWP Table A supply for Zone 7 in 2024.
- Based on upcoming storm events, an increase in allocation is possible. The latest DWR studies suggest that the final allocation may be between 10% and 50%.
- This preliminary water supply operations plan covers a range of potential water supply conditions to prepare for the current and upcoming calendar years. The final SWP allocation is usually announced between April and May.
- The Annual Sustainability Report will be presented to the Board in April when hydrologic conditions are better defined. The report will be based on this preliminary 2024 plan and project water supply and use over the next five years.
- This year's other water supplies will consist of SWP Carryover, local watershed water, and groundwater.
- Projected deliveries to treated and untreated customers in 2024 range from a total of 41,000 to 43,000 AF. Zone 7's delivery projections account for 15% potable water conservation relative to 2024 delivery requests. Production to make up for Pleasanton's Groundwater Pumping Quota is accounted for in the projected deliveries.
- Zone 7 carried over 5,000 AF of local water from 2023 and continues capturing water in Lake Del Valle to augment its water supply this year.
- Beginning 2024, total storage balances include approximately 105,000 AF in the Main Basin, 96,000 AF in Kern County groundwater banks and 33,000 AF of carryover in the SWP's San Luis Reservoir (SLR). After transferring 8,000 AF to the Westside SWP contractors as per the water transfer agreement, Zone 7 still holds a balance of 25,000 AF in SWP carryover in San Luis reservoir.
- The attached tables show that Zone 7 can meet customer needs, under SWP Table A allocations of 10%, 30% and 50%.

FUNDING:

Water supply and operations costs are covered by Fund 100 (Water Enterprise).

RECOMMENDED ACTION:

Information only.

ATTACHMENT:

2024 Preliminary Water Supply & Use Plan

Zone 7 Water Agency
ATTACHMENT 1

Water Operations Plan 2024
Preliminary Water Supply & Use Plan

| | | 2023 (Actual) | 2024 | 2024 | 2024 |
|------------------|--|------------------------|-----------------------------|-----------------------------|-----------------------------|
| | | 2023 (100% Allocation) | 10% SWP Allocation Scenario | 30% SWP Allocation Scenario | 50% SWP Allocation Scenario |
| Available Supply | Source | Annual Amt | Annual Amt | Annual Amt | Annual Amt |
| | State Water Project (SWP) - Table A | 80,600 | 8,100 | 24,200 | 40,300 |
| | Lake Del Valle Local Water - 2024 Yield | 5,000 | 3,000 | 4,000 | 5,000 |
| | Yuba Accord/Dry-Year/Other Transfer Program ¹ | 0 | 1,000 | 1,000 | 400 |
| | SWP/Other Water Transfer ² | 0 | 0 | 0 | 0 |
| | State Water Project - Carryover (2023 to 2024) | 11,500 | 25,000 | 24,500 | 24,500 |
| | State Water Project Surplus (Article 21) | 1,700 | 0 | 0 | 0 |
| | Lake Del Valle Local Water - 2023 Carryover | 4,300 | 5,000 | 5,000 | 5,000 |
| | Livermore Valley Groundwater Basin ³ | 1,800 | 9,200 | 8,300 | 5,000 |
| | Groundwater Brine Disposal | 100 | 400 | 400 | 300 |
| | Semitropic Banked Water (Pumpback) | 0 | 0 | 0 | 0 |
| | Semitropic Banked Water (Exchange) | 0 | 0 | 0 | 0 |
| | Cawelo Banked Water ⁴ | 0 | 0 | 0 | 0 |
| | Total | 105,000 | 51,700 | 67,400 | 80,500 |

| | | 2023 (Actual) | 2024 | 2024 | 2024 |
|---------------|---|------------------------|-----------------------------|-----------------------------|-----------------------------|
| | | 2023 (100% Allocation) | 10% SWP Allocation Scenario | 30% SWP Allocation Scenario | 50% SWP Allocation Scenario |
| Planned Usage | Water Use | Annual Amt | Annual Amt | Annual Amt | Annual Amt |
| | Treated Water Delivery Request | 41,000 | 40,200 | 40,200 | 40,200 |
| | Treated Water (Projected) ⁵ | 34,000 | 34,600 | 36,200 | 38,200 |
| | Untreated Water Demand | 4,900 | 6,000 | 5,500 | 5,000 |
| | State Water Project Carryover (2024 to 2025) | 24,500 | 10,000 | 10,000 | 10,000 |
| | Lake Del Valle Local Water - Carryover (2024 to 2025) | 5,000 | 0 | 4,000 | 5,000 |
| | Livermore Valley Groundwater Basin Groundwater Recharge | 7,900 | 0 | 9,300 | 10,000 |
| | Napa County Transfer Repayment (1,250 AF) | 0 | 0 | 1,200 | 1,200 |
| | Semitropic Storage | 10,000 | 0 | 0 | 10,100 |
| | Cawelo Storage | 0 | 0 | 0 | 0 |
| | Water Transfers/Exchanges - Delta Carriage Water | 0 | 300 | 300 | 100 |
| | SWP Contractor Transfer (Sale) | 8,000 | 0 | 0 | 0 |
| | Lake Del Valle Evaporation Losses | 400 | 200 | 300 | 400 |
| | Groundwater Brine Disposal | 100 | 400 | 400 | 300 |
| | Treated Water System Losses | 200 | 200 | 200 | 200 |
| | State Water Project - Carryover Spill (not common) | 10,000 | 0 | 0 | 0 |
| | Total | 105,000 | 51,700 | 67,400 | 80,500 |

Footnotes: ¹ Yuba, Dry Year Transfer Programs vary with hydrology.

² Zone 7 has obtained water transfer(s) from a SWP agency in dry years.

³ Local Groundwater operational storage was ~105 TAF beginning 2024.

⁴ Cawelo recovery occurs in spring and/or fall but is not needed this year.

⁵ Zone 7 adjusts the Treated Water Delivery Request to reflect 5% to 15% conservation.

ORIGINATING SECTION: Administrative Services

CONTACT: Osborn Solitei

AGENDA DATE: February 21, 2024

SUBJECT: Support for Employee-Led Events/Activities

SUMMARY:

- On September 20, 2023, the Board acknowledged the importance of Diversity, Equity, and Inclusion in the workplace and supporting a positive workplace culture for employees, as they continue to provide exceptional service to our community. Additionally, it was recommended this topic be agendized for a future date to allow for discussion on how the Board may be able to show support to employees, particularly through the allocation of funds for employee-directed group activities.
- This proposed action is in support of Strategic Plan Initiative No. 11 – Review professional development approach to maintain workforce capability for now and into the future. Studies have shown that an inclusive work culture allows employees to be themselves at work and increases their loyalty and sense of purpose at work, which is great for retention. Improving employees' experience of inclusion in the workplace is one of the most actionable steps to attract and retain talent. Supporting employees in this area will foster inclusivity and a stronger sense of belonging, encourage teambuilding, and maintain or improve employee morale.
- The Employee-Led activities program may include a variety of activities, including but not limited to social events (e.g. holiday parties), educational workshops (e.g. networking, training), and community service projects (e.g. charity drives, volunteer initiatives).
- The Human Resources Section will facilitate an employee-led group(s) to create the Agency program that will incorporate the above, or similar, activities. Administration and tracking of events/activities will be managed under Human Resources and an update on this initiative will be provided in the annual Human Resources report to the Board.

FUNDING: Funding will be requested in the FY 2024-26 Two-Year Budget.

RECOMMENDED ACTION: Staff is recommending that the Board adopt the attached Resolution supporting this initiative.

ATTACHMENT: Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Support for Employee-Led Events/Activities

WHEREAS, in accordance with Strategic Plan Initiative No. 11 – Review professional development approach to maintain workforce capability for now and into the future, the Agency continue to assess recruitment and retention strategies in support of this initiative; and

WHEREAS, the Agency acknowledges the importance Diversity, Equity, and Inclusion efforts in support of a healthy workplace and culture; and

WHEREAS, employee-led activities have the potential to enhance workplace morale, team building, and contribute to a more vibrant Zone 7 culture; and

WHEREAS, empowering employees to take the lead in organizing and participating in activities may contribute to a sense of ownership and pride within the Agency.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby support development of a program for employee-driven events/activities and approve allocation of up to \$20,000 annually from the Budget for such events and/or activities; and

BE IT FURTHER RESOLVED that the General Manager is directed to include the employee-led events /activities in the budget in the subsequent budget years; and

BE IT FURTHER RESOLVED that the General Manager and/or designee is directed to develop an employee-led activities program.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 21, 2024.

By: _____
President, Board of Directors



100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ORIGINATING SECTION: Integrated Planning/Office of the General Manager

CONTACT: Ken Minn/Alexandra Bradley

AGENDA DATE: February 21, 2024

SUBJECT: Declaration of Fix a Leak Week for March 18-24, 2024

SUMMARY:

- As part of Zone 7's mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services", Zone 7 participates in the U.S. Environmental Protection Agency (EPA) WaterSense program, which aims to promote efficient use of water resources. This effort supports Strategic Initiatives #2 – Evaluate and develop appropriate new water supply and reliability opportunities and #19 – Optimize Agency communications program.
- Zone 7 and the local water retailers collaborate on a regional water conservation program that seeks to reduce unnecessary water use through a variety of rebates, education programs, and public messaging (<https://www.zone7water.com/rebate-program>).
- WaterSense promotes Fix a Leak Week annually in March, to bring public awareness to the wasteful loss of water through leaks.
- The Fix a Leak Week campaign raises awareness of water leaks inside and outside the home, including the amount of water wasted from leaks each year, and encourages fixing such leaks.
- The average household's leaks can account for nearly 10,000 gallons of water wasted every year.
- This year, Fix a Leak Week will be held over March 18-24, 2024.
- During Fix a Leak Week, Zone 7 and the retailers will encourage customers to fix commonly leaking fixtures such as faucets, toilets, showerheads, outdoor irrigation and hose bibs. The campaign also seeks to educate the public on the value of water and the importance of reducing water waste.
- Zone 7 will hold the first annual "Water Wise Wendy Fix a Leak Challenge" to encourage residents in the service area to check inside and outside their households for leaks using our Leak Detective checklist as a guide. Participants may then complete an entry form for a chance to win one of several prizes. The contest will run for the month of March and prize winners will be announced in April.
- Planned activities leading up to and during Fix a Leak Week will include paid promotion of the "Water Wise Wendy Fix a Leak Challenge", a newsletter article, and a social media campaign with instructional videos promoting the Water Wise Wendy Fix a Leak campaign (<https://www.zone7water.com/water-wise-wendy>).
- Staff recommends that the Board adopt the attached resolution, declaring March 18-24, 2024, as Fix a Leak Week.

FUNDING: No additional funding requested.

RECOMMENDED ACTION: Adopt the attached resolution.

ATTACHMENT: Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Declaration of Fix a Leak Week for March 18-24, 2024

WHEREAS, as part of Zone 7's mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services", Zone 7 participates in the U.S. Environmental Protection Agency (EPA) WaterSense program, which aims to promote efficient use of water resources; and

WHEREAS, participation in the WaterSense program supports Strategic Initiatives #2 (Evaluate and develop appropriate new water supply and reliability opportunities) and #19 (Optimize Agency communications program); and

WHEREAS, WaterSense is promoting Fix a Leak Week over March 18-24, 2024, to bring public awareness to the wasteful loss of water through leaks.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District declares "Fix a Leak Week" for March 18-24, 2024.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 21, 2024.

By _____
President, Board of Directors

ZONE 7 BOARD OF DIRECTORS
SUMMARY NOTES OF THE ADMINISTRATIVE COMMITTEE

January 10, 2024
4:00 p.m.

Directors Present: Dawn Benson
Sandy Figuers (arrived at 4:26 p.m.)
Laurene Green

Staff Present: Osborn Solitei, Treasurer/Assistant General Manager – Finance
Shelisa Jackson, Human Resources Manager
Donna Fabian, Executive Assistant

1. Call Meeting to Order

Director Green called the meeting to order at 4:15 p.m.

2. Public Comment on Items Not on the Agenda

There were no comments from the public.

3. General Manager Performance Evaluation Procedures and Process

The Administrative Committee met to discuss whether or not to incorporate two more categories into the General Manager's Performance Evaluation Form. Osborn Solitei, Treasurer/Assistant General Manager – Finance, introduced the proposed ratings: #5 (outstanding) and #1 (unsatisfactory or unacceptable). The Committee was tasked with the decision on whether to include these ratings, make amendments, or maintain the status quo.

Director Green recommended adding two categories from three to five, expressing a preference for a wider range to capture nuanced feedback. Director Benson raised concerns about the unsatisfactory or unacceptable category, fearing it might indicate a significant issue. Director Green clarified that it was not about the current General Manager but a way to document potential problems during annual reviews.

Director Benson questioned the necessity of an unsatisfactory rating for a General Manager, arguing against including a category for "needs improvement." Director Green defended the idea of having more than three boxes for a more detailed evaluation.

Director Figuers supported the current three categories, suggesting that additional information could be addressed in written comments.

After further discussion, Mr. Solitei suggested bringing the proposal to the full Board and asked whether the Committee wanted to maintain three categories or adopt five. The

Committee had differing opinions on the necessity of additional ratings to the form and struggled with the proposal to expand the evaluation categories. Director Green acknowledged the disagreement and suggested moving on if the majority did not support the change. She recognized the lack of consensus and offered to drop the matter and leave the evaluation form unchanged. The Committee decided not to pursue any changes.

4. Verbal Reports

There were no verbal reports.

5. Adjournment

Director Figuers adjourned the meeting at 4:47 p.m.

ZONE 7 BOARD OF DIRECTORS
SUMMARY NOTES OF THE WATER RESOURCES COMMITTEE

January 23, 2024
3:00 p.m.

Directors Present: Sandy Figuers
Laurene Green
Sarah Palmer

Staff Present: Valerie Pryor, General Manager
Chris Hentz, Assistant General Manager – Operations & Maintenance
Osborn Solitei, Treasurer/Assistant General Manager – Finance
Ken Minn, Water Resources Manager
Lillian Xie, Associate Engineer
Donna Fabian, Executive Assistant

1. Call Meeting to Order

Director Figuers called the meeting to order at 3:01 p.m.

2. Public Comment on Items Not on the Agenda

David Lunn, a Livermore resident, submitted a public comment.

3. Desktop Groundwater Contaminant Mobilization Study

Lillian Xie, Associate Engineer, introduced Dr. Walt McNab, a consultant from Kennedy Jenks, who would be presenting the findings of the Desktop Groundwater Contaminant Mobilization Study.

Ms. Xie provided a brief overview of the study's background, tracing its roots to the Potable Reuse Study conducted in 2018. The Potable Reuse Study, a collaborative effort between Zone 7 and its four retailers (DSRSD, City of Livermore, Cal Water, and City of Pleasanton), aimed to assess the feasibility of various potable reuse options involving purified water to augment the water supply. The study found potable reuse to be technically feasible in the Tri-Valley, with no identified fatal flaws. Given this, the next steps included characterizing the potential mobilization of naturally occurring contaminants in the Livermore Valley groundwater basin.

Ms. Xie outlined the study's objectives, focusing on evaluating water quality impacts from recharging purified water into the groundwater basin. The study aimed to characterize impacts on naturally occurring constituents and identify future considerations for potable reuse evaluation. The desktop simulation utilized the US Geological Survey's PHAST transport model, based on Zone 7's groundwater flow model, and incorporated the geochemical simulator module PHREEQC. Four purified water recharge scenarios were simulated, varying in recharge location and rate, derived from the Potable Reuse Study's shortlisted options.

Ms. Xie went through the recharge scenarios. Scenario 1: Lake I, recharge rate of 3,600 acre-feet per year; Scenario 2: Lake I, recharge rate of 9,600 acre-feet per year; Scenario 3: Injection Well E in Livermore, recharge rate of 3,600 acre-feet per year; Scenario 4: Well B in Pleasanton, recharge rate of 9,600 acre-feet per year. The results of these scenarios were compared against a baseline condition with no purified water recharge.

Dr. McNab emphasized that his presentation is to cover a high-level overview, without intricate details from the computations. The focus was on a result summary slide, providing a comparison of concentration changes in response to various recharge scenarios. The analytes of concern included nitrate, chloride, boron, arsenic, and hexavalent chromium.

Dr. McNab highlighted the differences in chemical interactions within the aquifer, particularly grouping nitrate, chloride, and boron, which showed a trend of concentration dilution in response to recharge. Arsenic and hexavalent chromium were influenced by the pH change resulting from recharge water introduction.

The presentation clarified that the responses observed were due to a combination of groundwater movement pushing around existing concentrations and pH changes mobilizing arsenic and chromium. Dr. McNab stated that results were comparative rather than absolute and presented the results as relative increases or decreases.

Dr. McNab proceeded to present forecast results based on the model, acknowledging the inherent assumptions and data limitations. The focus turned to arsenic, with scenarios organized by recharge location and flux. The panels illustrated changes in arsenic concentration resulting in an exceedance of Maximum Contaminant Level (MCL) relative to baseline conditions after 20 years of simulated time.

Dr. McNab proceeded to discuss additional scenarios, providing visual representations for each, keeping the discussion at a conceptual level without delving into specific numerical values.

Director Figuers sought clarification on the recharge schemes into Lake I. Dr. McNab confirmed that the recharge indeed occurred into the lake. He clarified that the lake did not extend into the lower aquifer. However, he explained that the recharge water could infiltrate into the lower aquifer through a leaky aquitard separating the two zones.

Director Palmer raised a question about the timeline of the effect. Dr. McNab explained that the simulations reflected 20 years of injection, and the effects take time to manifest. He used the question as a segue to explain concentration contours and their representation in the model.

Director Palmer asked about the long-term timeline. Dr. McNab clarified that the simulations covered 20 years of recharge, emphasizing that the timeline was crucial for the effects to show up in the lower aquifer.

Dr. McNab proceeded to analyze scenarios three and four, involving injection into hypothetical wells B or E, focusing on arsenic. Dr. McNab believed that both wells primarily recharged into the lower aquifer, consistent with the presented results.

Director Green reiterated the need for clarification on whether the injection was into the lower aquifer, prompting Dr. McNab to mention the hypothetical nature of the wells and the need to check specific details. Director Palmer highlighted that the wells were not designed yet, and the discussion was based on model scenarios.

Dr. McNab proceeded to discuss effects on hexavalent chromium, highlighting contrasts with the recharge into Lake I. He explained a chemical mobilization effect due to the introduction of purified water with a higher pH than the ambient groundwater. The forecast response showed hexavalent chromium responses lumped around Lake I, emphasizing a chemical effect rather than pushing preexisting concentrations.

Dr. McNab presented figures oriented similarly to the arsenic discussion, focusing on hexavalent chromium. He highlighted that hexavalent chromium absorbs onto iron oxide mineral phases but to a lesser extent than arsenic. Differences in background concentrations and distribution were noted between arsenic and hexavalent chromium forecast results.

Dr. McNab stated that the final set of figures depicted injection into hypothetical wells E and B. The responses were generally lower in the upper aquifer, with a more pronounced response in the lower aquifer to injection in well B due to the higher flow rate and specific subsurface conditions.

Director Palmer raised a question regarding the pH dependence of the hexavalent chromium response and whether it was strictly pH dependent or involved other factors. Dr. McNab explained that it was mostly a pH effect, elaborating on competitive absorption of various elements in the subsurface. He noted that pH affects the charge on absorption sites and the chemical complexation of constituents like hexavalent chromium and arsenic. Additionally, competition with other elements in groundwater adds complexity.

Dr. McNab acknowledged the complexity and assumptions in the model due to a lack of data for certain elements like vanadium. He emphasized the need for further assessments of sediment chemistry at specific locations to validate assumptions if the project is pursued.

Dr. McNab shared observations from other artificial recharge pilot tests, citing instances where similar concentration changes were observed in response to purified water recharge, particularly for arsenic. He highlighted that the imported water had no arsenic, and the observed mobilization was due to naturally occurring arsenic in the aquifer.

Dr. McNab provided key takeaways and summarized the technical findings. He reiterated that recharging purified water can help dilute preexisting nitrate, chloride, and boron concentrations, emphasizing the negligible concentrations of these constituents in the recharge water. However, arsenic and hexavalent chromium are more complex due to chemical mobilization effects in addition to mixing.

He noted that the impacts of arsenic and hexavalent chromium are greater for larger volumes of recharge water, highlighting the intuitive correlation. Dr. McNab emphasized that the results are highly dependent on various assumptions, including aquifer hydrologic conditions, the accuracy of the current Zone 7 groundwater model, geochemical characteristics of the native aquifer material, and the distribution of trace elements in groundwater.

Director Figuers raised a question about the concentration of arsenic on the surface of particles and its potential long-term mobilization. Dr. McNab explained that, for modeling purposes, they assumed arsenic is bound entirely on the surface of particles, considering a conservative approach. He acknowledged the uncertainty regarding the distribution of arsenic within particles over decades.

Director Figuers expressed concern about the historical erosion and redeposition of the material, suggesting potential mobilization of virgin arsenic. Dr. McNab agreed that it's a difficult question to answer without analyzing sediment samples. He highlighted the assumption made for modeling purposes, focusing on rapid responses to recharge water with a different pH.

Director Figuers further inquired about the testing methodologies and sample collection needed for future well drilling. Ms. Xie clarified that the well locations discussed were hypothetical and part of the modeling study. She emphasized that no specific well drilling proposals were being made.

Ms. Pryor reiterated that the modeling was part of the groundwater augmentation study and not a proposed project. She mentioned ongoing developments in a new groundwater model and a well master plan, which could provide more refined data in the future.

Director Palmer questioned the possibility of lowering the pH of recharge water and its feasibility. Dr. McNab explained that simulations were conducted with varied pH levels, and lowering the pH improved results but came with complexities related to water chemistry stability. Director Palmer asked about pH adjustment practices in pipelines. Dr. McNab acknowledged the trade-offs and complexities involved in adjusting pH in pipelines, noting that it was a good suggestion worth further exploration, possibly with leaching tests.

Ms. Xie presented future considerations if the Board directs staff to continue evaluating potable reuse. These included additional modeling with the new groundwater model, laboratory and field-scale pilot tests, and a testing program with groundwater sampling, leaching tests, and injection tests.

Director Green raised questions about influential factors in the model and the need for more refined data. Ms. Xie and Dr. McNab discussed the impact of assumptions about aquifer mineralogy on results and the need for more site-specific data.

Ken Minn, Water Resources Manager, explained that the new groundwater model would be more accurate, with finer details and better parameters. Director Green inquired about factors that matter significantly and the data needed to improve them. Ms. Xie and Dr. McNab

discussed uncertainties related to aquifer mineralogy, iron oxide content, and assumptions about equilibrium conditions.

Director Green expressed concerns about the variability of arsenic pockets and the lack of refined data. Dr. McNab clarified that monitoring well data were used to address arsenic variability, assuming local equilibrium conditions. He acknowledged the need for more information on the sources of arsenic variability.

Director Green asked about the smoothness of responses, especially when breaching into another aquifer. Dr. McNab indicated that responses were generally smooth due to various factors like pressure response, mechanical transport, diffusion, and dispersion. He suggested that the new model might provide higher spatial detail and resolution, potentially affecting the results.

Ms. Pryor emphasized that the discussion was informational, and a similar presentation would be made to the full Board in February. Options included waiting for the new groundwater model, conducting interim studies, or focusing solely on direct potable reuse.

4. Verbal Reports

There were no verbal reports.

5. Adjournment

Director Figuers adjourned the meeting at 3:57 p.m.

February 2024 Board Meeting - Palmer

Please note the following from ACWA:

Delta Adapts Draft Adaptation Plan

- The Delta Stewardship Council (DSC) will host a public workshop on the Delta Adapts Draft Adaptation Plan to discuss climate adaptation strategies for the Sacramento-San Joaquin Delta (Delta) and Suisun Marsh, including high-priority actions, entities responsible for implementation, and financing adaptation.

o [Public Workshop: March 1 at 9:00 am](#)

Delta Levees Investment Strategy

- On January 1, the DSC amended the Delta Levee Investment Strategy. The amendment assign “very high”, “high”, or “other” priority to islands or tracts within the Delta and Suisun Marsh and directs DWR to fund levee improvement projects by order of priority. Additionally, it requires DWR to submit an annual report to the DSC describing Delta levee investments relative to the established priorities.

Hexavalent Chromium Maximum Contaminant Level

- On January 31, the State Water Board released a Notice of added materials to the list of Documents Relied Upon for the proposed Hexavalent Chromium (Cr(VI)) Maximum Contaminant Level (MCL) Regulations and is making the additional documents available for public comment for 15 days prior to adoption of the proposed regulations. The proposed Cr(VI) MCL is 0.01 micrograms per liter (or 10 parts per billion).

o Comments due February 19

o Anticipated adoption by State Water Board: April 2024

Jan 17 - DCA Board Meeting

Feb 1 - ACWA Board Workshop, emphasis on streamlining Strategic Plan

Feb 2 - ACWA Board Meeting

Feb 7 - Flood-MAR & California Data Consortium

Groundwater Accounting Tool 2024 update

description of a platform for managing Groundwater in a region

<https://cawaterdata.org/>

Groundwater Accounting Platform Brochure:

https://www.edf.org/sites/default/files/documents/Groundwater-Accounting-Platform-2%20pager_0.pdf

Access: different for users:

Landowners: can set up a dashboard for accounts, allocation plans by parcel

Water Managers (GSA's and staff):

- have ability to set more geographic info
- can set up management zones
- includes all account budgets
- can configure zones and zone groups
- can work with smaller basins as well as large
- possible configuration by geography and data sources such as demography/politics, topography, etc.
- possible use for invoicing of use

Platform administrators

<https://groundwateraccounting.org>



**DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY
BOARD OF DIRECTORS MEETING**

SPECIAL MEETING

Wednesday, January 24, 2024

1:00 p.m.

Hybrid (Teleconference) Meeting

DCDCA Boardroom
980 9th Street, Suite 100
Sacramento, CA 95814

TELECONFERENCE LOCATIONS:

- 1) Valley Water Headquarters Boardroom, 5700 Almaden Expressway, San Jose, CA 95123
- 2) Metropolitan Water District, Gene Headquarters, 158000 MWD Rd, Room #21, Parker Dam, Ca 92267
- 3) Palmdale Water District, 2029 East Avenue Q, Palmdale, CA 93550
- 4) Kern County Water Boardroom, 3200 Rio Mirada Drive, Bakersfield, CA 93308

CONFERENCE ACCESS INFORMATION:

Phone Number: (669) 444-9171 Access Code: 85649883389#

Virtual Meeting Link: <https://dcdca-org.zoom.us/j/85649883389?from=addon>

Please join the meeting from your computer, tablet, or smartphone

Additional information about participating by telephone or via the remote meeting solution is available here: <https://www.dcdca.org>

AGENDA

Except as permitted by Government Code section 54953(f), Directors will attend the meeting from the DCDCA Boardroom or any of the teleconference locations. Members of the public may attend in person at these locations or remotely through the virtual meeting link above. Assistance to those wishing to participate in the meeting in person or remotely will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation as soon as possible in advance of the meeting by contacting the DCA support staff at (888) 853-8486 or info@dcdca.org. Members of the public may speak regarding items on the agenda during those items and when recognized by the Chair. Speakers are limited to three minutes each; however, the Chair may limit this time when reasonable based on the circumstances. Persons wishing to provide public comment remotely on Agenda Items are encouraged to complete a public comment request form at: <https://tinyurl.com/dcapubliccomment> by 2:15 pm or through the QR code below. In addition, members of the public may use the “raise hand” function (*9 if participating by telephone only) during the meeting to request the opportunity to speak. Additional information will be provided at the commencement of the meeting.

1. CALL TO ORDER

- 2. ROLL CALL** – Any private remote meeting attendance will be noticed or approved at this time.

3. CLOSED SESSION

- (a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION

(Government Code Section 54957)

Title: Executive Director

- (b) CONFERENCE WITH LEGAL COUNSEL

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 2 cases

- i. *Sierra Club et al. v. California Department of Water Resources*,
Sacramento County Superior Court Case No. 34-2020-80003517

- ii. Petitions regarding the Department of Water Resources' certification of the Final Environmental Impact Report for the Delta Conveyance Project.

4. OPEN REGULAR MEETING & PLEDGE OF ALLEGIANCE – At approximately 2:00p.m.

5. APPROVAL OF MINUTES:

- (a) December 14, 2023 Regular Meeting Minutes

6. CONSENT ITEMS

Items on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a director so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- (a) *Adopt Resolution Approving Amendment No. 8 to JEPA with DWR and Finding that Execution of Amendment is Not a Project Subject to CEQA*

7. DISCUSSION ITEMS

- (a) January DCA Monthly Report

Recommended Action: Information Only

- (b) Discuss and Potentially Appoint a Director Legislative Liaison

Recommended Action: Discuss and potentially appoint by motion.

8. STAFF REPORTS AND ANNOUNCEMENTS

- (a) General Counsel's Report
- (b) DCP Communications Report
- (c) DWR Environmental Manager's Report
- (d) Verbal Reports, if any

9. FUTURE AGENDA ITEMS

- (a) DCA Environmental Compliance Committee Concept

10. PUBLIC COMMENT

Members of the public may address the Authority on matters that are within the Authority's jurisdiction but not on the agenda at this time. Speakers are generally limited to three minutes each; however, the Chair may further limit this time when reasonable based on the circumstances. Persons wishing to speak may do so remotely through the electronic meeting link, by scanning the QR Code above, or teleconference number when recognized by the Chair. The DCA encourages public comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the DCA or are within its jurisdiction.



11. ADJOURNMENT

* * * * *

The Board of Directors meet bi-monthly, proposed next scheduled meetings:

February 15, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

April 18, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

May 16, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, December 14, 2023

2:00 p.m.

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors was called to order in person, by teleconference, and remotely - Conference Access Information: Phone Number: (669) 444-9171, Code: 85037999167#, <https://dcdca-org.zoom.us/j/85037999167?from=addon> at 2:01 pm.

2. ROLL CALL

Board members in attendance from the DCA Boardroom were Sarah Palmer, Martin Milobar, Miguel Luna, and Gary Martin. Robert Cheng participated from the Paris Las Vegas Hotel Main Lobby. Tony Estremera participated from Valley Water Headquarters Boardroom and Adnan Anabtawi participated from Mojave Water Agency Conference Room.

Alternate Directors in attendance remotely were Russel Lafevre and Barbara Keegan.

DCA staff members in attendance were Graham Bradner.

DCA staff members in attendance remotely were Joshua Nelson and Valerie Martinez.

3. CLOSED SESSION

a) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency designated representative: Chair Sarah Palmer

Contractor: Executive Director

b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION

(Government Code Section 54957)

Title: Executive Director

c) CONFERENCE WITH LEGAL COUNSEL

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 case

- i. *Sierra Club et al. v. California Department of Water Resources*, Sacramento County Superior Court Case No. 34-2020-80003517

4. OPEN REGULAR MEETING & PLEDGE OF ALLEGIANCE

President Sarah Palmer convened the open session at approximately 2:01 p.m. and led all present in reciting the Pledge of Allegiance.

There were no reportable actions to report from the closed session. President Sarah Palmer

5. APPROVAL OF MINUTES: October 19, 2023, Regular Board Meeting

Recommendation: Approve the October 19, 2023, Regular Board Meeting Minutes

Motion to Approve Minutes from October 19, 2023, as

Noted: Estremera
Second: Luna
Yeas: Palmer, Milobar, Martin, Luna, Estremera, Cheng, Anabtawi
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 23-12-01).

6. DISCUSSION ITEMS:

a) December DCA Monthly Report

Information Item

DCA Executive Director, Graham Bradner, presented an overview of the monthly board report. He recapped that all invoices for last fiscal year are closed, and we are focusing on the current fiscal year budget. He continued to Section 1: Work Performed in November 2023. The Program Controls team continued program-wide support activities and implementation of the Program Management Information System. The team continued the implementation and training of Standard Operating Procedures (SOP) and Management Plans. In addition, DCA performed an internal controls audit on several contract terms to validate good performance. The audit findings allowed the team to see the continuous improvements within the SOP's and Management Plans.

Mr. Bradner moved on to the administrative functions, stating that the administrative team continued to support functions including the Board of Directors, the Change Board Management, in-person and virtual meetings and social media content and updates. The alignment tours have been successful and will be on hiatus until early next year.

Mr. Bradner continued to the engineering section, the Engineering team continues to focus on supporting the Department of Water Resource (DWR) and the Delta Conveyance Office (DCO) permitting efforts while also continuing to develop and progress engineering studies. This includes providing support to DCO in reviewing and responding to comments received on the Draft Environmental Impact Report (DEIR), now a Final Environmental Impact Report (FEIR). DCA updated the engineering project report with a supplemental document that has been posted on the DCA website to support the release of the FEIR.

DCA staff continued to support the community benefits program by providing necessary engineering cost estimations and participating in community meetings that are ongoing. In addition, DCA continued to collect subsurface information to support DWR's evaluation of alternatives and allow for a better understanding of the Delta conditions. The information obtained is then provided to the engineering team to validate the assumptions made during the concept design phase.

Mr. Bradner went on to update the Board on fieldwork activities and stated that the DCA currently has five (5) drill rigs and a cone penetrometer rig out in the field to obtain the last of the investigative work that had been intended to be completed this past Fall. The goal is to finish all the work prior to the holidays. Mr. Bradner stated that the laboratory analysis and the finalizations of the soil characterizations are part of the data collection process. These activities are working towards completion as the Fall program information is collected.

Mr. Bradner continued to section 2: Community Engagement and stated that the DCA is continued to work on fact sheets with DWR and the individual participating public water agencies. The fact sheets are very helpful and include information from various water agencies. DCA works closely with DWR on social media content and helping to highlight the importance of Delta Conveyance, and how it fits into the overall scheme of the State Water Project (SWP). DCA continued to develop closer look fact sheets for distribution that provide individual topics that are important and relevant, while also updating social media content with information and trying to increase awareness around the DCO.

Mr. Bradner continued to Section 3: Budget and stated that the fiscal year (FY) 23/24 DCA budget was approved for \$40.44M. DCA has committed just under \$33M to date. Currently there is a reserve of about \$7.5M and incurred just under \$11M. DCA has forecasted an Estimate at Complete (EAC) that would fully expend the budget. DCA will be reassessing in January to evaluate whether funds need to be repositioned or modified for scopes for the second half of the year.

Mr. Bradner continued to the Cash Flow section, DCA stayed on track with projected and planned expenditures during the first four (4) months of the current FY 23/24 and continue to be on track as DCA approaches mid-year. DCA is waiting for DWR's ultimate decision on the project and the reassessment of the current plan and scope. Moving forward, DCA plans to distribute the held back funds associated with various task items.

Mr. Bradner continued to Section 5: The Program Schedule. Mr. Bradner presented to the Board the FY 23/24 summary of activities schedule and stated that DCA is on track with the high-level program management and engineering activities, and there has been a slow start to the Fall program due to access requirements for certain sites. 17 of the 19 holes are currently going through court order entry processes which has caused program delays, but DCA continued to work through and complete the process.

Director Luna asked Mr. Bradner what areas are being entered that require the extensive permitting process.

Mr. Bradner stated that the private parcels are the ones that have gone through the voluntary temporary entry permitting process or through a court driven process led by the State Attorney General's Office.

Director Luna asked Mr. Bradner if they are encountering much of the latter.

Mr. Bradner stated that, yes, the Attorney General has assisted in obtaining a few court-ordered entries. Upon completing the Fall program there have been conducted over 180 explorations to date. The last 19 to 20 locations have been mostly court ordered entry processes.

President Palmer asked if the last 19 entries will be done by the end of December 2023.

Mr. Bradner stated that all the work and equipment would need to be off the sites prior to the holidays.

President Palmer stated that its fast work.

Ms. Osha Meserve, Local Agencies of the North Delta, Public Comment, stated that for clarification with respect to the item of the geotechnical entries and important for the board members to understand that many landowners do not want DWR or DCA to enter their land to drill or conduct exploratory activities. There was a specific procedure that was provided via the Pre-Condemnation Statute and interpreting case law that was developed with respect to the Twin Tunnels Project or prior Bay Delta Conservation Project (BDCP) that still applies to the DCP. One thing of concern is that going into the future DWR and DCA plan to do more explorations at every thousand feet of the tunnel proposed line, which is more than what has been conducted to date. Ms. Meserve would like people to know that private landowners do not agree to have the State enter their land with heavy equipment and create holes that will ultimately take half of the average flow of the Sacramento River and reroute it into a tunnel. According to Ms. Meserve, many have stated that this is not the best for the Delta or to meet the water supply demands of the State, in addition this is a very controversial project and that every step of the way will be very difficult. Ms. Meserve does not think that it will be any different for future investigations that it has been for the smaller numbers that Mr. Bradner is speaking of now.

President Palmer stated that as people are judging this project to please look at the facts.

No further comments or questions were received from the Board, nor were any public comment requests received.

b) **DCA Financial Audit Report**
Information Only

Mr. Bradner presented to the Board, Mr. Russell Robertson; the Senior Manager with Macias Gini & O'Connell LLP (MGO), Metropolitan Water District's (MWD) Financial Auditor. MGO has conducted this year's audit of the DCA. Mr. Robertson stated that this is the first year that DCA and MWD have a contract. Within the contract, there is an agreement that MWD audits DCA's financial statement relating to cash receipts and disbursements. The scope of MWD's service under contract and the agreement is to audit the cash receipts and disbursements for the year end of June 30, 2023. The two (2) deliverables that we're contracted, one (1) being the Independent Auditors report and the communications that are required for auditing standards to present to those in charge of governance, which is the Board.

Mr. Robertson continued with the auditors' responsibilities as they relate to generally accepted auditing standards. The goal is to perform an audit in accordance with generally accepted auditing standards issued by the American Institute of Certified Public Accountants (AICPA) standards and to design the audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. Throughout the review and audit, MWD reviews how DCA handles disbursements, how the receipts are performed, and if it is in accordance with best practice. If there are any findings, MWD does communicate with management and the board, so during this audit there were no findings which created a positive aspect of the audit results.

Mr. Robertson continued to the audit results of the Basic Financial Statements and stated to the Board that the financial statement that was completed was the statement of cash receipts and disbursements.

Mr. Robertson continued to the required communications of significant audit findings and presented to the Board that MGO included the scope and timing of the audit in the engagement letter with MWD. MGO conducted their field work through October and November and as a result they were able to issue the report by mid-November. DCA complied with all ethical requirements regarding independence resulting in no conflict of interest or no conflict in independence. MWD and other related parties within the audit were independent. Regarding accounting practices, MGO communicates if there are any significant accounting policies, estimates or disclosures that change for the year and DCA showed none. MGO found no corrected or uncorrected misstatements and everything that was supposed to be reported was reported. No other significant matters that popped up.

Mr. Robertson continued to present and briefed the Board on the financial and verbal report.

Katano Kasaine thanked the team for their hard work on the audit and mentioned that the audit went smoothly.

No further comments or questions were received from the Board, nor were any public comment requests received.

c) Sr. Leadership Spotlight, Adam Murdock, DCA Engineering Design Manager

Information Only

DCA, Engineering Design Manager (EDM), Adam Murdock stated to the Board that he was raised in Mt. Green, Utah. It's a place where the whole county goes to the same high school, and he graduated with a class of 118. Last summer he celebrated his 25-year wedding anniversary with his wife of which he has 3 wonderful kids with. Mr. Murdock loves everything outdoors including hiking, fishing, skiing, hunting and mountain biking. Mr. Murdock continued on to his education, he has a bachelor's degree in civil engineering as well as a master's degree in civil environmental engineering from Utah State University with his focus in hydraulics related to water.

Mr. Murdock continued to present to the Board his professional background and experience where he joined 24 years ago CH2M Hill who was later acquired by Jacobs. While at the firm most recently was the global director of the conveyance and storage market where he oversaw the entire project but decided to go a different route and join the DCA. Other leadership positions included the conveyance market lead and ran the Utah Water Market for a few years. At the end of the day at his core, Mr. Murdock is a project and design manager but is an engineer first as one of his mentors taught him. Prior to joining CH2M Hill, Mr. Murdock worked at a water conservancy district for 2 years and during grad school was able to work at a hydraulics lab where they did physical models of dams, spillways, pump stations, etc. Mr. Murdock had the pleasure of working with water agencies across the country and develop a good perspective of how water challenges and issues are addressed.

Mr. Murdock continued to present to the Board the type of work that he has delivered and worked with all types of collaborative delivery approaches or alternative delivery, whether it was design- bid-build, design-build, progressive-design-build and construction manager at risk. Mr. Murdock has enjoyed solving critical water infrastructure challenges across the country with a diversity of different solutions to solve. To sum up, Mr. Murdock's experience is that anything that has to do with moving or storing water is the type of engineering and infrastructure that he has worked on. This includes dams, reservoirs, pipelines, intake structures, pump stations, storage reservoirs, flow control facilities, tunnels and hydroelectric power plants. Mr. Murdock has had the ability to live though the

project phase of design to construction into operations. The photos that Mr. Murdock presented represent why he comes into work every day and enjoys being able to see a project from start to finish and standing at the finish line with the owners, the contractors and the project team. Turning on the project(s) and recognizing the value that it is going to provide for generations to come.

Mr. Murdock wanted to share with the Board a relevant and significant project, the Central Utah Project (CUP), as it has many similarities with the DCP. Murdock wanted to share with the Board a relevant and significant project, the Central Utah Project (CUP), as it has many similarities with the DCP. The CUP moves Colorado River water to the Wasatch Front. The CUP is to move Colorado River water to the Wasatch Front. This project includes 44 miles of 96-inch to 60-inch diameter pipe with flow control facilities, reservoirs and hydropower facilities. The work done from 2007-2023, the CUP issued 23 separate design and construction projects. The final Environmental Impact Statement (EIS) and the record of decision was issued in 2004, with that you can see the time frame that it takes to build large infrastructure projects. Part of the NEPA that had to be done, there were three (3) environmental assessments that needed to be completed, including many categorical exclusions. The project was delivered with an integrated owner Bureau of Reclamation program management team approach, which allowed all to work together and help build the infrastructure. The project was put together to help meet schedules based on the water demands from the growing population that it served but also meet the federal funding and the cash flow that was coming.

Mr. Murdock's role with DCA is to support the executive director and the team with all engineering and technical requirements of the project. He provides technical management and leadership of the engineering design management team which includes coordinating with the facility design leads, the geotechnical leads, engaging DCA's subject matter experts and technical resources, cost estimators and engineering. Mr. Murdock also coordinates and partners with other DCA team members including environmental and California Environmental Quality Act (CEQA) permitting team, property group, public engagement, education and outreach support. Mr. Murdock has also led a few DCA Delta Tours.

President Palmer commented that Mr. Murdock's map of projects looks like constellations.

Director Milobar thanked Mr. Murdock for participating with the DCA and seems to be very familiar and has great experience to bring to DCA.

Mr. Murdock stated that he is very happy to be with DCA.

Director Cheng stated that he is very happy to hear of the high-quality staff that are joining DCA and that the project is in good hands. Director Cheng is very appreciative that Mr. Murdock is lending his experience to DCA.

Mr. Murdock thanked Director Cheng.

Director Adnan stated that this is not an easy project, but very happy to hear that Mr. Murdock is very passionate about the project and happy to have him.

Director Martin stated that the senior spotlight is one of his favorite items on the agenda as it gives the Board the opportunity to meet people that are working on the project. Director Martin asked Mr. Murdock if he had any tunneling experience.

Mr. Murdock states that yes, he does have tunneling experience. He relies on the tunneling experts but many of Mr. Murdock's projects that he has completed include tunneling, for example, one project here in Sacramento that he worked on tunneled across the American River with a force main project that has vertical shafts and a five (5) foot diameter tunnel.

Director Luna stated that he echoes other board members' comments and the passion for his work, Director Luna asked if Mr. Murdock had a highlight moment that he went home to share with his family about something special that happened within DCA.

Mr. Murdock stated that he understands and enjoys the vision of the project and how beneficial it is long term. Take a project through planning and construction and all the people that will benefit from the project after completion.

President Palmer stated that she is happy that Mr. Murdock is very accommodating to those that are stakeholders in various location and knows that it is not a very easy task but appreciated that experience that he brings.

No further comments or questions were received from the Board, nor were any public comment requests received.

d) Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC

Approve Resolution

DCA General Counsel, Josh Nelson presented to the Board to consider passing resolution approving the Sixth Amendment to the Baker Tilly US, LLP agreement for Executive Director Services. The Board of Directors contracts with Baker Tilly US, LLP for Executive Director services.

Recently, Baker Tilly requested that the DCA consider an alternative contracting method for Executive Director services. Baker Tilly is very supportive of the DCA and its efforts. However, the Executive Director agreement is relatively unique and not the type of services it generally provides to clients.

Based on this, the staff recommends that the Board consider approving the attached sixth Amendment to the agreement to assign the agreement to Bradner Consulting, LLC.

This change will not result in any material changes to the services. Mr. Bradner will continue to act as the named Executive Director.

The proposed amendment makes one additional change. It recognizes that worker's compensation insurance will not be required unless Bradner Consulting, LLC has employees. Currently, Mr. Bradner, the agency's principal, is its only staff member. If approved, the amendment will be effective January 1st.

Mr. Nelson stated that for those in the room and online, there are hard copies of the staff report and proposed amendment are available for anyone that requests a copy and for those on Zoom, and updated version of the packet has been posted which includes this material.

Director Cheng commented that he expresses his appreciation towards Mr. Bradner for being flexible during the contract process and happy that he is providing his services to DCA.

President Palmer stated that she is please with Mr. Bradner.

No further comments or questions were received from the Board, nor were any public comment requests received.

Recommendation: Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC

Motion to Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC, as

| | |
|-----------|---|
| Noted: | Luna |
| Second: | Martin |
| Yeas: | Palmer, Milobar, Martin, Luna, Estremera, Cheng, Anabtawi |
| Nays: | None |
| Abstains: | None |
| Recusals: | None |
| Absent: | None |
| Summary: | 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as Resolution 23-11). |

President Palmer took a moment to mention that DWR released the Final EIR and that Mr. Nelson will be speaking more on this later in the agenda.

7. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

DCA General Counsel, Josh Nelson, informed the Board that the General Counsel continues to provide legal assistance as requested. This has included assisting with the contract amendment on the agenda this month.

Mr. Nelson continued to state to the Board that on December 8, 2023, DWR released the FEIR to fulfill a requirement of CEQA to send proposed responses to the comments on the Draft Environmental Impact Report (DEIR) from public agencies. For transparency purposes DWR has also posted this document on their website, however CEQA does not create and DWR is not providing a public period for the FEIR. The release of the FEIR is the last step in the CEQA process prior to DWR deciding whether to certify the EIR as meeting CEQA requirements. DWR will then utilize the EIR to determine whether to approve the proposed DCP, Project alternative or no project.

No comments or questions were received from the Board, nor were any public comment requests received.

b. Treasurer's Report

DCA Treasurer, Katano Kasaine informed the Board that the report is for October and November of 2023. The beginning cash balance for the DCA Joint Powers Authority (JPA) on October 1, 2023 was \$1,828,628. Receipts for October through November 2023 totaled \$5,794,259 representing contributions from the DWR and the DCO for payment of the Authority's obligations and total disbursements for the same period were \$6,119,062 resulting in an ending cash balance of \$1,503,825 on November 30, 2023.

As of November 30, 2023, the Authority's receivables totaled \$3,139,552 consisting of 14 invoices to the DCO. Balances for prepaid expenses and accounts payable, as of November 30, 2023, were \$195,949 and \$3,788,188, respectively. For the same period, advances totaled \$800,000 and total net position was \$251,138.

No comments or questions were received from the Board, nor were any public comment requests received.

c. DCP Communications Report

DDA Communications Manager, Valerie Martinez informed the Board that the communications team continues to collaborate closely with DWR to support appropriate shared information and material distribution. The informational program to drive an understanding of the proposed project is forging ahead. This includes fact sheets, videos and a statewide and localized social media program. The team has supported the executive director and board members in conducting briefings and presentations for individuals and organizations. This month the Executive Director presented to the Orange County Business Council Infrastructure Committee, there was a positive outcome with great questions and interest from the attendees.

Ms. Martinez continued to inform the Board that the Association of California Water Agencies (ACWA) conference in November 2023 was successful. DCA had a booth during the conference which provided a great centralized point of information for individuals curious about the proposed project and continued collaboration with DWR during the conference. The administration and outreach team including Claudia, Jennifer, La Kea, Yadira, Hannah and Ben did a stellar job of ensuring the materials and the overall look and feel of the booth was aligned with our branding. DCA continues to work with the partnering agencies to ensure the team is providing support with materials and project information as needed. The Delta Tours continued into December and will resume in early 2024 depending on weather conditions and requests.

President Palmer stated that she is very happy with the work that the communications team is doing.

Director Luna wanted to highlight the communications team on how they have been readily available for questions and staying ahead of what is out in the media.

President Palmer stated that she appreciates Ms. Martinez for keeping the Board up to date with information from the news.

No further comments or questions were received from the Board, nor were any public comment requests received.

d. Verbal Reports

No Comments or verbal reports were received.

8. FUTURE AGENDA ITEMS:

No future agenda items requested.

9. PUBLIC COMMENT:

Executive Director of the Southern California Water Coalition, Charlie Wilson stated to the Board that the EIR that was released has generated excitement and is what Southern California has been waiting for. As seen, DWR and the proposed project are critical to the modernization of the State Water Project (SWP) along with addressing issues like climate change and potential seismic catastrophe in the Bay Delta area. Mr. Wilson stated Governor Newsom's statement of "Doing nothing is not an option at this point and we need to find a way to get this built". Mr. Wilson stated that he is looking forward to working with DCA and

other major stakeholders in moving the project forward and assisting as much as possible to provide resources to disseminate information and to stimulate dialog.

10. ADJOURNMENT:

President Palmer adjourned the meeting at 2:57 p.m., remotely-Conference Access Information: Phone Number: (669) 444-9171, Code: 85037999167#, <https://dcdca-org.zoom.us/j/85037999167?from=addon>

ORIGINATING SECTION: Administration

CONTACT: Valerie Pryor

AGENDA DATE: February 21, 2024

SUBJECT: General Manager's Report

SUMMARY:

The following highlights a few of the key activities which occurred last month. Also attached is a list of the General Manager (GM) contracts executed during January.

Engineering and Water Quality:

Stoneridge Well PFAS Treatment Facility Project: The well and PFAS treatment system continue to operate several days per week. The contractor completed construction of the new electrical building and received all of the new electrical equipment except for the variable frequency drive (VFD) for the new booster pump, which is anticipated in April. The contractor has installed the new booster pump and continues to complete remaining ancillary work, such as installation of electrical equipment and wiring. Final completion is anticipated for spring 2024, once the VFD arrives.

Chain of Lakes Wells PFAS Treatment Facility Project: The contractor completed drilling of all foundation piles for the vessel system foundation and is beginning excavation of the storm drains, electrical duct banks, and vessel system concrete pad. Vessel system installation is projected to occur in April and May. The project is anticipated to be complete in fall 2024.

Integrated Water Resources:

2024 Water Operations Plan: Staff is developing the 2024 water operations plan for a variety of water supply scenarios. January treated water supply comprised 86% surface water and 14% groundwater. In December, Zone 7 released approximately 300 AF to the Arroyos for artificial recharge. Staff continues to monitor forecasted storage conditions for San Luis Reservoir.

Staff continues to track the demand conditions, and in January 2023, Zone 7's overall water demands were 7% lower than the same time in 2020: treated water production was 7% lower, and estimated untreated deliveries were the same.

Water Supply and Reliability Projects: Zone 7 is currently actively pursuing water supply and reliability projects. Key activities are as follows:

- **Delta Conveyance Project:** Zone 7 is participating in the four-year planning and permitting process and has approved funding through calendar year 2024. The environmental planning and preliminary engineering work are on schedule and on budget. Zone 7 representatives continue to serve on the Boards of the Delta Conveyance Design and Construction Authority (DCA) and the Delta Conveyance Finance Authority (DCFA). Minutes for the December 14, 2023, and January 24, 2024, DCFA Board meeting and the November 16, 2023, DCFA Board meeting are attached. Board packets for both the DCA and the DCFA can be found at: <http://www.dcdca.org/#meetings>.
- **Los Vaqueros Reservoir Expansion (LVE).** The Los Vaqueros Reservoir JPA Board of Directors met on January 10 and held an election for the Chair and Vice Chair for 2024. Angela Ramirez Holmes was re-elected as the Chair and Anthea Hansen was re-elected as the Vice Chair. The JPA member agencies submitted a joint letter to the California Department of Fish and Wildlife (CDFW) in support of Contra Costa Water District's counterproposal to the first administrative draft Incidental Take Permit for operations. Since then, CDFW has issued a second administrative draft, which is under review by Contra Costa Water District.
- **Sites Reservoir.** The Authority Board approved four policies proposed by the Local Community Working Group that are aimed at keeping the project aligned with the local community's interests. The Authority Board authorized the submittal of the project's Clean Water Act 404 and 401 permit applications. The Sites Project Authority continues to develop the Benefits and Obligations Contract, which must be executed prior to receiving the final award of Prop 1 funds from the California Water Commission.

Operations and Maintenance:

Staff worked on several projects including support work for the Del Valle Water Treatment Plant (DVWTP) Ozonation post-project work, the Patterson Pass Water Treatment Plant (PPWTP) Expansion and Ozonation Project, the Mocho Groundwater Demineralization Plant Concentrate Conditioning project, the Stoneridge PFAS Treatment Facility Project phase 2 and the Chain of Lakes PFAS Treatment Facility Project. Staff is in the process of commissioning the Stoneridge Facility. The DVWTP and PPWTP are undergoing annual winter shutdowns for maintenance and to provide time for training activities.

Administration:

The 2023 Digital Annual Report was published and is available [here](#).



Monthly List of GM Contracts

January 2024

| <u>Contracts</u> | <u>Amount</u> | <u>Purpose</u> |
|---------------------------|-----------------|---|
| GardenSoft Corp | \$10,200 | License for, and Maintenance of, the Tri-Valley WaterWise Website |
| Hazen and Sawyer, Inc. | \$10,000 | Technical Consulting Services to Analyze Operational Scenario/Sensitivity Analysis for the Los Vaqueros Reservoir Expansion Project |
| Total January 2024 | \$20,200 | |

BOARD OF DIRECTORS MEETING

MINUTES

Thursday, November 16, 2023

11:00 am

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The meeting of the Delta Conveyance Finance Authority (Finance Authority) Board of Directors was called to order by Robert Cheng, Finance Authority Treasurer at 11:20 a.m. Director Cheng noted that as some directors were participating remotely, all voting would be held via roll call vote.

2. ROLL CALL

Board members in attendance were Valerie Pryor, Russell Lefevre, Robert Tincher, Matthew Stone, Mark Krause, Robert Cheng and Peter Thompson.

Directors Thomas Todd, Barbara Keegan, and Adnan Anabtawi were absent.

Director Paul Sethy arrived after the meeting began.

Staff members in attendance were Brian Thomas, Steve O'Neill and Katano Kasaine.

3. PLEDGE OF ALLEGIANCE

The Board recited the pledge of allegiance.

4. CLOSED SESSION

- a. Conference with legal counsel: Government Code §54956.9: potential litigation: one case.

Steve O'Neill, General Counsel, reported that the Board met pursuant to Government Code §54956.9 to discuss one item of potential litigation; a report was given to the Board and no reportable action was taken.

5. PUBLIC COMMENT

President Sethy declared public comment open, limiting speaking time to three minutes.

No members of the public requested time to speak and President Sethy closed public comment.

6. OTHER MATTERS

No Other Matters were discussed by the Board.

7. CONSENT CALENDAR:

Director Sethy queried the Board if there were any comments or questions; none were provided. Director Sethy queried the public for any comments; none were provided. Director Sethy called for a motion to approve the minutes.

7.a. Approval of the minutes from the meeting of September 21, 2023.

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| Motion: | Approve the minutes from the meeting of September 21, 2023 |
| Move to Approve: | Valerie Pryor |
| Second: | Robert Tincher |
| Yeas: | Paul Sethy, Valerie Pryor, Russell Lefevre, Robert Tincher, Matthew Stone, Mark Krause, Robert Cheng and Peter Thompson |
| Nays: | None |
| Abstains: | None |
| Recusals: | None |
| Absent: | Thomas Todd, Barbara Keegan, and Adnan Anabtawi |
| Summary: | 8 Yeas; 0 Nays; 0 Abstains; 3 Absent. (Motion passed as MO 23-11-01) |

8. SCHEDULED ACTION ITEMS

a. Approval of change to the bylaws to enable discussion of closed session items with member agencies boards and legislative bodies in compliance with the Brown Act.

Steve O'Neill presented the information on this item. He noted the resolution under consideration would assure compliance with Brown Act Section 54956.96.

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| Motion: | Approval of change to the bylaws to enable discussion of closed session items with member agencies boards and legislative bodies in compliance with the Brown Act. |
| Move to Approve: | Matt Stone |
| Second: | Russell Lefevre |
| Yeas: | Paul Sethy, Valerie Pryor, Russell Lefevre, Robert Tincher, Matthew Stone, Mark Krause, Robert Cheng and Peter Thompson |
| Nays: | None |
| Abstains: | None |
| Recusals: | None |
| Absent: | Thomas Todd, Barbara Keegan, and Adnan Anabtawi |
| Summary: | 8 Yeas; 0 Nays; 0 Abstains; 3 Absent. (Motion passed as MO 23-11-02) |

b. Receive and file the fiscal year 2023 Audited Financial Statements

Ingrid Shepline of Richardson and Company provided the discussion on this item. She noted that it was a good, clean audit.

Agenda Item 6.a

Motion: Receive and file the fiscal year 2023 Audited Financial Statements
Move to Approve: Valerie Pryor
Second: Peter Thompson
Yeas: Paul Sethy, Valerie Pryor, Russell Lefevre, Robert Tincher, Matthew Stone, Mark Krause, Robert Cheng and Peter Thompson
Nays: None
Abstains: None
Recusals: None
Absent: Thomas Todd, Barbara Keegan, and Adnan Anabtawi
Summary: 8 Yeas; 0 Nays; 0 Abstains; 3 Absent. (Motion passed as MO 23-11-03)

- c. Approve a one-year contract extension with Brian G. Thomas Consulting LLC for Executive Director Services.

Brian Thomas provided information on this item.

Motion: Approve a one-year contract extension with Brian G. Thomas Consulting LLC for Executive Director Services.
Move to Approve: Robert Tincher
Second: Russell Lefevre
Yeas: Paul Sethy, Valerie Pryor, Russell Lefevre, Robert Tincher, Matthew Stone, Mark Krause, Robert Cheng and Peter Thompson
Nays: None
Abstains: None
Recusals: None
Absent: Thomas Todd, Barbara Keegan, and Adnan Anabtawi
Summary: 8 Yeas; 0 Nays; 0 Abstains; 3 Absent. (Motion passed as MO 23-11-04)

9. REPORTS AND ANNOUNCEMENTS

Director Sethy requested public comment; none was provided.

a. Treasurer's Report

Ms. Katano Kasaine provided the Treasurer's report to the Board. Ms. Kasaine noted the beginning cash balance in the DCFA Trust at July 1, 2023 was \$336,134. Receipts and disbursements for the first quarter ended September 2023 totaled \$3,449 and \$14,228, respectively, resulting in an ending cash balance of \$325,355 at September 30, 2023.

b. General Counsel's Report

Steve O'Neill reported on recent activities, noting work focused on coordination regarding the validation action, meetings with the Executive Director, and discussions with legal staff regarding the Brown Act and joint powers authority requirements.

c. Executive Director's Report

Mr. Thomas reported that the primary activity continued to be administrative in nature.

Director Sethy requested public comment; none was provided.

10. FUTURE AGENDA ITEMS

- a. Director Stone requested discussion of the future of DCFA and its role. Mr. Thomas noted this topic could be discussed at the next meeting in 2024.

11. ADJOURNMENT

President Sethy adjourned the meeting at 12:21 p.m.

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, December 14, 2023

2:00 p.m.

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors was called to order in person, by teleconference, and remotely - Conference Access Information: Phone Number: (669) 444-9171, Code: 85037999167#, <https://dcdca-org.zoom.us/j/85037999167?from=addon> at 2:01 pm.

2. ROLL CALL

Board members in attendance from the DCA Boardroom were Sarah Palmer, Martin Milobar, Miguel Luna, and Gary Martin. Robert Cheng participated from the Paris Las Vegas Hotel Main Lobby. Tony Estremera participated from Valley Water Headquarters Boardroom and Adnan Anabtawi participated from Mojave Water Agency Conference Room.

Alternate Directors in attendance remotely were Russel Lafevre and Barbara Keegan.

DCA staff members in attendance were Graham Bradner.

DCA staff members in attendance remotely were Joshua Nelson and Valerie Martinez.

3. CLOSED SESSION

a) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency designated representative: Chair Sarah Palmer

Contractor: Executive Director

b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION

(Government Code Section 54957)

Title: Executive Director

c) CONFERENCE WITH LEGAL COUNSEL

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 case

- i. *Sierra Club et al. v. California Department of Water Resources*, Sacramento County Superior Court Case No. 34-2020-80003517

4. OPEN REGULAR MEETING & PLEDGE OF ALLEGIANCE

President Sarah Palmer convened the open session at approximately 2:01 p.m. and led all present in reciting the Pledge of Allegiance.

There were no reportable actions to report from the closed session. President Sarah Palmer

5. APPROVAL OF MINUTES: October 19, 2023, Regular Board Meeting

Recommendation: Approve the October 19, 2023, Regular Board Meeting Minutes

Motion to Approve Minutes from October 19, 2023, as

Noted: Estremera
Second: Luna
Yeas: Palmer, Milobar, Martin, Luna, Estremera, Cheng, Anabtawi
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 23-12-01).

6. DISCUSSION ITEMS:

a) December DCA Monthly Report

Information Item

DCA Executive Director, Graham Bradner, presented an overview of the monthly board report. He recapped that all invoices for last fiscal year are closed, and we are focusing on the current fiscal year budget. He continued to Section 1: Work Performed in November 2023. The Program Controls team continued program-wide support activities and implementation of the Program Management Information System. The team continued the implementation and training of Standard Operating Procedures (SOP) and Management Plans. In addition, DCA performed an internal controls audit on several contract terms to validate good performance. The audit findings allowed the team to see the continuous improvements within the SOP's and Management Plans.

Mr. Bradner moved on to the administrative functions, stating that the administrative team continued to support functions including the Board of Directors, the Change Board Management, in-person and virtual meetings and social media content and updates. The alignment tours have been successful and will be on hiatus until early next year.

Mr. Bradner continued to the engineering section, the Engineering team continues to focus on supporting the Department of Water Resource (DWR) and the Delta Conveyance Office (DCO) permitting efforts while also continuing to develop and progress engineering studies. This includes providing support to DCO in reviewing and responding to comments received on the Draft Environmental Impact Report (DEIR), now a Final Environmental Impact Report (FEIR). DCA updated the engineering project report with a supplemental document that has been posted on the DCA website to support the release of the FEIR.

DCA staff continued to support the community benefits program by providing necessary engineering cost estimations and participating in community meetings that are ongoing. In addition, DCA continued to collect subsurface information to support DWR's evaluation of alternatives and allow for a better understanding of the Delta conditions. The information obtained is then provided to the engineering team to validate the assumptions made during the concept design phase.

Mr. Bradner went on to update the Board on fieldwork activities and stated that the DCA currently has five (5) drill rigs and a cone penetrometer rig out in the field to obtain the last of the investigative work that had been intended to be completed this past Fall. The goal is to finish all the work prior to the holidays. Mr. Bradner stated that the laboratory analysis and the finalizations of the soil characterizations are part of the data collection process. These activities are working towards completion as the Fall program information is collected.

Mr. Bradner continued to section 2: Community Engagement and stated that the DCA is continued to work on fact sheets with DWR and the individual participating public water agencies. The fact sheets are very helpful and include information from various water agencies. DCA works closely with DWR on social media content and helping to highlight the importance of Delta Conveyance, and how it fits into the overall scheme of the State Water Project (SWP). DCA continued to develop closer look fact sheets for distribution that provide individual topics that are important and relevant, while also updating social media content with information and trying to increase awareness around the DCO.

Mr. Bradner continued to Section 3: Budget and stated that the fiscal year (FY) 23/24 DCA budget was approved for \$40.44M. DCA has committed just under \$33M to date. Currently there is a reserve of about \$7.5M and incurred just under \$11M. DCA has forecasted an Estimate at Complete (EAC) that would fully expend the budget. DCA will be reassessing in January to evaluate whether funds need to be repositioned or modified for scopes for the second half of the year.

Mr. Bradner continued to the Cash Flow section, DCA stayed on track with projected and planned expenditures during the first four (4) months of the current FY 23/24 and continue to be on track as DCA approaches mid-year. DCA is waiting for DWR's ultimate decision on the project and the reassessment of the current plan and scope. Moving forward, DCA plans to distribute the held back funds associated with various task items.

Mr. Bradner continued to Section 5: The Program Schedule. Mr. Bradner presented to the Board the FY 23/24 summary of activities schedule and stated that DCA is on track with the high-level program management and engineering activities, and there has been a slow start to the Fall program due to access requirements for certain sites. 17 of the 19 holes are currently going through court order entry processes which has caused program delays, but DCA continued to work through and complete the process.

Director Luna asked Mr. Bradner what areas are being entered that require the extensive permitting process.

Mr. Bradner stated that the private parcels are the ones that have gone through the voluntary temporary entry permitting process or through a court driven process led by the State Attorney General's Office.

Director Luna asked Mr. Bradner if they are encountering much of the latter.

Mr. Bradner stated that, yes, the Attorney General has assisted in obtaining a few court-ordered entries. Upon completing the Fall program there have been conducted over 180 explorations to date. The last 19 to 20 locations have been mostly court ordered entry processes.

President Palmer asked if the last 19 entries will be done by the end of December 2023.

Mr. Bradner stated that all the work and equipment would need to be off the sites prior to the holidays.

President Palmer stated that its fast work.

Ms. Osha Meserve, Local Agencies of the North Delta, Public Comment, stated that for clarification with respect to the item of the geotechnical entries and important for the board members to understand that many landowners do not want DWR or DCA to enter their land to drill or conduct exploratory activities. There was a specific procedure that was provided via the Pre-Condemnation Statute and interpreting case law that was developed with respect to the Twin Tunnels Project or prior Bay Delta Conservation Project (BDCP) that still applies to the DCP. One thing of concern is that going into the future DWR and DCA plan to do more explorations at every thousand feet of the tunnel proposed line, which is more than what has been conducted to date. Ms. Meserve would like people to know that private landowners do not agree to have the State enter their land with heavy equipment and create holes that will ultimately take half of the average flow of the Sacramento River and reroute it into a tunnel. According to Ms. Meserve, many have stated that this is not the best for the Delta or to meet the water supply demands of the State, in addition this is a very controversial project and that every step of the way will be very difficult. Ms. Meserve does not think that it will be any different for future investigations that it has been for the smaller numbers that Mr. Bradner is speaking of now.

President Palmer stated that as people are judging this project to please look at the facts.

No further comments or questions were received from the Board, nor were any public comment requests received.

b) **DCA Financial Audit Report**
Information Only

Mr. Bradner presented to the Board, Mr. Russell Robertson; the Senior Manager with Macias Gini & O'Connell LLP (MGO), Metropolitan Water District's (MWD) Financial Auditor. MGO has conducted this year's audit of the DCA. Mr. Robertson stated that this is the first year that DCA and MWD have a contract. Within the contract, there is an agreement that MWD audits DCA's financial statement relating to cash receipts and disbursements. The scope of MWD's service under contract and the agreement is to audit the cash receipts and disbursements for the year end of June 30, 2023. The two (2) deliverables that we're contracted, one (1) being the Independent Auditors report and the communications that are required for auditing standards to present to those in charge of governance, which is the Board.

Mr. Robertson continued with the auditors' responsibilities as they relate to generally accepted auditing standards. The goal is to perform an audit in accordance with generally accepted auditing standards issued by the American Institute of Certified Public Accountants (AICPA) standards and to design the audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. Throughout the review and audit, MWD reviews how DCA handles disbursements, how the receipts are performed, and if it is in accordance with best practice. If there are any findings, MWD does communicate with management and the board, so during this audit there were no findings which created a positive aspect of the audit results.

Mr. Robertson continued to the audit results of the Basic Financial Statements and stated to the Board that the financial statement that was completed was the statement of cash receipts and disbursements.

Mr. Robertson continued to the required communications of significant audit findings and presented to the Board that MGO included the scope and timing of the audit in the engagement letter with MWD. MGO conducted their field work through October and November and as a result they were able to issue the report by mid-November. DCA complied with all ethical requirements regarding independence resulting in no conflict of interest or no conflict in independence. MWD and other related parties within the audit were independent. Regarding accounting practices, MGO communicates if there are any significant accounting policies, estimates or disclosures that change for the year and DCA showed none. MGO found no corrected or uncorrected misstatements and everything that was supposed to be reported was reported. No other significant matters that popped up.

Mr. Robertson continued to present and briefed the Board on the financial and verbal report.

Katano Kasaine thanked the team for their hard work on the audit and mentioned that the audit went smoothly.

No further comments or questions were received from the Board, nor were any public comment requests received.

c) Sr. Leadership Spotlight, Adam Murdock, DCA Engineering Design Manager

Information Only

DCA, Engineering Design Manager (EDM), Adam Murdock stated to the Board that he was raised in Mt. Green, Utah. It's a place where the whole county goes to the same high school, and he graduated with a class of 118. Last summer he celebrated his 25-year wedding anniversary with his wife of which he has 3 wonderful kids with. Mr. Murdock loves everything outdoors including hiking, fishing, skiing, hunting and mountain biking. Mr. Murdock continued on to his education, he has a bachelor's degree in civil engineering as well as a master's degree in civil environmental engineering from Utah State University with his focus in hydraulics related to water.

Mr. Murdock continued to present to the Board his professional background and experience where he joined 24 years ago CH2M Hill who was later acquired by Jacobs. While at the firm most recently was the global director of the conveyance and storage market where he oversaw the entire project but decided to go a different route and join the DCA. Other leadership positions included the conveyance market lead and ran the Utah Water Market for a few years. At the end of the day at his core, Mr. Murdock is a project and design manager but is an engineer first as one of his mentors taught him. Prior to joining CH2M Hill, Mr. Murdock worked at a water conservancy district for 2 years and during grad school was able to work at a hydraulics lab where they did physical models of dams, spillways, pump stations, etc. Mr. Murdock had the pleasure of working with water agencies across the country and develop a good perspective of how water challenges and issues are addressed.

Mr. Murdock continued to present to the Board the type of work that he has delivered and worked with all types of collaborative delivery approaches or alternative delivery, whether it was design- bid-build, design-build, progressive-design-build and construction manager at risk. Mr. Murdock has enjoyed solving critical water infrastructure challenges across the country with a diversity of different solutions to solve. To sum up, Mr. Murdock's experience is that anything that has to do with moving or storing water is the type of engineering and infrastructure that he has worked on. This includes dams, reservoirs, pipelines, intake structures, pump stations, storage reservoirs, flow control facilities, tunnels and hydroelectric power plants. Mr. Murdock has had the ability to live though the

project phase of design to construction into operations. The photos that Mr. Murdock presented represent why he comes into work every day and enjoys being able to see a project from start to finish and standing at the finish line with the owners, the contractors and the project team. Turning on the project(s) and recognizing the value that it is going to provide for generations to come.

Mr. Murdock wanted to share with the Board a relevant and significant project, the Central Utah Project (CUP), as it has many similarities with the DCP. Murdock wanted to share with the Board a relevant and significant project, the Central Utah Project (CUP), as it has many similarities with the DCP. The CUP moves Colorado River water to the Wasatch Front. The CUP is to move Colorado River water to the Wasatch Front. This project includes 44 miles of 96-inch to 60-inch diameter pipe with flow control facilities, reservoirs and hydropower facilities. The work done from 2007-2023, the CUP issued 23 separate design and construction projects. The final Environmental Impact Statement (EIS) and the record of decision was issued in 2004, with that you can see the time frame that it takes to build large infrastructure projects. Part of the NEPA that had to be done, there were three (3) environmental assessments that needed to be completed, including many categorical exclusions. The project was delivered with an integrated owner Bureau of Reclamation program management team approach, which allowed all to work together and help build the infrastructure. The project was put together to help meet schedules based on the water demands from the growing population that it served but also meet the federal funding and the cash flow that was coming.

Mr. Murdock's role with DCA is to support the executive director and the team with all engineering and technical requirements of the project. He provides technical management and leadership of the engineering design management team which includes coordinating with the facility design leads, the geotechnical leads, engaging DCA's subject matter experts and technical resources, cost estimators and engineering. Mr. Murdock also coordinates and partners with other DCA team members including environmental and California Environmental Quality Act (CEQA) permitting team, property group, public engagement, education and outreach support. Mr. Murdock has also led a few DCA Delta Tours.

President Palmer commented that Mr. Murdock's map of projects looks like constellations.

Director Milobar thanked Mr. Murdock for participating with the DCA and seems to be very familiar and has great experience to bring to DCA.

Mr. Murdock stated that he is very happy to be with DCA.

Director Cheng stated that he is very happy to hear of the high-quality staff that are joining DCA and that the project is in good hands. Director Cheng is very appreciative that Mr. Murdock is lending his experience to DCA.

Mr. Murdock thanked Director Cheng.

Director Adnan stated that this is not an easy project, but very happy to hear that Mr. Murdock is very passionate about the project and happy to have him.

Director Martin stated that the senior spotlight is one of his favorite items on the agenda as it gives the Board the opportunity to meet people that are working on the project. Director Martin asked Mr. Murdock if he had any tunneling experience.

Mr. Murdock states that yes, he does have tunneling experience. He relies on the tunneling experts but many of Mr. Murdock's projects that he has completed include tunneling, for example, one project here in Sacramento that he worked on tunneled across the American River with a force main project that has vertical shafts and a five (5) foot diameter tunnel.

Director Luna stated that he echoes other board members' comments and the passion for his work, Director Luna asked if Mr. Murdock had a highlight moment that he went home to share with his family about something special that happened within DCA.

Mr. Murdock stated that he understands and enjoys the vision of the project and how beneficial it is long term. Take a project through planning and construction and all the people that will benefit from the project after completion.

President Palmer stated that she is happy that Mr. Murdock is very accommodating to those that are stakeholders in various location and knows that it is not a very easy task but appreciated that experience that he brings.

No further comments or questions were received from the Board, nor were any public comment requests received.

d) Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC

Approve Resolution

DCA General Counsel, Josh Nelson presented to the Board to consider passing resolution approving the Sixth Amendment to the Baker Tilly US, LLP agreement for Executive Director Services. The Board of Directors contracts with Baker Tilly US, LLP for Executive Director services.

Recently, Baker Tilly requested that the DCA consider an alternative contracting method for Executive Director services. Baker Tilly is very supportive of the DCA and its efforts. However, the Executive Director agreement is relatively unique and not the type of services it generally provides to clients.

Based on this, the staff recommends that the Board consider approving the attached sixth Amendment to the agreement to assign the agreement to Bradner Consulting, LLC.

This change will not result in any material changes to the services. Mr. Bradner will continue to act as the named Executive Director.

The proposed amendment makes one additional change. It recognizes that worker's compensation insurance will not be required unless Bradner Consulting, LLC has employees. Currently, Mr. Bradner, the agency's principal, is its only staff member. If approved, the amendment will be effective January 1st.

Mr. Nelson stated that for those in the room and online, there are hard copies of the staff report and proposed amendment are available for anyone that requests a copy and for those on Zoom, and updated version of the packet has been posted which includes this material.

Director Cheng commented that he expresses his appreciation towards Mr. Bradner for being flexible during the contract process and happy that he is providing his services to DCA.

President Palmer stated that she is please with Mr. Bradner.

No further comments or questions were received from the Board, nor were any public comment requests received.

Recommendation: Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC

Motion to Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC, as

| | |
|-----------|---|
| Noted: | Luna |
| Second: | Martin |
| Yeas: | Palmer, Milobar, Martin, Luna, Estremera, Cheng, Anabtawi |
| Nays: | None |
| Abstains: | None |
| Recusals: | None |
| Absent: | None |
| Summary: | 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as Resolution 23-11). |

President Palmer took a moment to mention that DWR released the Final EIR and that Mr. Nelson will be speaking more on this later in the agenda.

7. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

DCA General Counsel, Josh Nelson, informed the Board that the General Counsel continues to provide legal assistance as requested. This has included assisting with the contract amendment on the agenda this month.

Mr. Nelson continued to state to the Board that on December 8, 2023, DWR released the FEIR to fulfill a requirement of CEQA to send proposed responses to the comments on the Draft Environmental Impact Report (DEIR) from public agencies. For transparency purposes DWR has also posted this document on their website, however CEQA does not create and DWR is not providing a public period for the FEIR. The release of the FEIR is the last step in the CEQA process prior to DWR deciding whether to certify the EIR as meeting CEQA requirements. DWR will then utilize the EIR to determine whether to approve the proposed DCP, Project alternative or no project.

No comments or questions were received from the Board, nor were any public comment requests received.

b. Treasurer's Report

DCA Treasurer, Katano Kasaine informed the Board that the report is for October and November of 2023. The beginning cash balance for the DCA Joint Powers Authority (JPA) on October 1, 2023 was \$1,828,628. Receipts for October through November 2023 totaled \$5,794,259 representing contributions from the DWR and the DCO for payment of the Authority's obligations and total disbursements for the same period were \$6,119,062 resulting in an ending cash balance of \$1,503,825 on November 30, 2023.

As of November 30, 2023, the Authority's receivables totaled \$3,139,552 consisting of 14 invoices to the DCO. Balances for prepaid expenses and accounts payable, as of November 30, 2023, were \$195,949 and \$3,788,188, respectively. For the same period, advances totaled \$800,000 and total net position was \$251,138.

No comments or questions were received from the Board, nor were any public comment requests received.

c. DCP Communications Report

DDA Communications Manager, Valerie Martinez informed the Board that the communications team continues to collaborate closely with DWR to support appropriate shared information and material distribution. The informational program to drive an understanding of the proposed project is forging ahead. This includes fact sheets, videos and a statewide and localized social media program. The team has supported the executive director and board members in conducting briefings and presentations for individuals and organizations. This month the Executive Director presented to the Orange County Business Council Infrastructure Committee, there was a positive outcome with great questions and interest from the attendees.

Ms. Martinez continued to inform the Board that the Association of California Water Agencies (ACWA) conference in November 2023 was successful. DCA had a booth during the conference which provided a great centralized point of information for individuals curious about the proposed project and continued collaboration with DWR during the conference. The administration and outreach team including Claudia, Jennifer, La Kea, Yadira, Hannah and Ben did a stellar job of ensuring the materials and the overall look and feel of the booth was aligned with our branding. DCA continues to work with the partnering agencies to ensure the team is providing support with materials and project information as needed. The Delta Tours continued into December and will resume in early 2024 depending on weather conditions and requests.

President Palmer stated that she is very happy with the work that the communications team is doing.

Director Luna wanted to highlight the communications team on how they have been readily available for questions and staying ahead of what is out in the media.

President Palmer stated that she appreciates Ms. Martinez for keeping the Board up to date with information from the news.

No further comments or questions were received from the Board, nor were any public comment requests received.

d. Verbal Reports

No Comments or verbal reports were received.

8. FUTURE AGENDA ITEMS:

No future agenda items requested.

9. PUBLIC COMMENT:

Executive Director of the Southern California Water Coalition, Charlie Wilson stated to the Board that the EIR that was released has generated excitement and is what Southern California has been waiting for. As seen, DWR and the proposed project are critical to the modernization of the State Water Project (SWP) along with addressing issues like climate change and potential seismic catastrophe in the Bay Delta area. Mr. Wilson stated Governor Newsom's statement of "Doing nothing is not an option at this point and we need to find a way to get this built". Mr. Wilson stated that he is looking forward to working with DCA and

other major stakeholders in moving the project forward and assisting as much as possible to provide resources to disseminate information and to stimulate dialog.

10. ADJOURNMENT:

President Palmer adjourned the meeting at 2:57 p.m., remotely-Conference Access Information: Phone Number: (669) 444-9171, Code: 85037999167#, <https://dcdca-org.zoom.us/j/85037999167?from=addon>

BOARD OF DIRECTORS MEETING

MINUTES

SPECIAL MEETING

Wednesday, January 24, 2024

1:00 p.m.

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The special meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors was called to order in person, by teleconference, and remotely - Conference Access Information: Phone Number: (669) 444-9171, Code: 85649883389#, <https://dcdca-org.zoom.us/j/85649883389?from=addon> at 1:00 pm.

2. ROLL CALL

Board members in attendance from the DCA Boardroom were Sarah Palmer, Miguel Luna and Gary Martin. Martin Milobar participated from Kern County Water Agency Boardroom. Robert Cheng participated from the Metropolitan Water District, Gene Headquarters. Tony Estremera participated from Valley Water Headquarters Boardroom and Alternate Director Dennis LaMoreaux sitting in for Adnan Anabtawi participated from Palmdale Water District Boardroom.

Alternate Directors in attendance remotely were John Weed, Royce Fast, Dan Flory, Russel Lafevre, Bob Tincher and Barbara Keegan.

DCA staff members in attendance were Graham Bradner and Valerie Martinez. Josh Nelson participated in the Board Meeting remotely.

DWR staff member in attendance was Carrie Buckman.

3. CLOSED SESSION

a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION
(Government Code Section 54957)

Title: Executive Director

b) CONFERENCE WITH LEGAL COUNSEL

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 2 cases

- i. *Sierra Club et al. v. California Department of Water Resources*, Sacramento County Superior Court Case No. 34-2020-80003517
- i. Petitions regarding the Department of Water Resources' certification of the Final Environmental Impact Report for the Delta Conveyance Project.

4. OPEN SPECIAL MEETING & PLEDGE OF ALLEGIANCE

President Sarah Palmer convened the open session at approximately 2:19 p.m. and led all present in reciting the Pledge of Allegiance.

There were no reportable actions from the closed session.

5. APPROVAL OF MINUTES: December 14, 2023, Regular Board Meeting

Recommendation: Approve the December 14, 2023, Regular Board Meeting Minutes

Motion to Approve Minutes from December 14, 2023, as

| | |
|-----------|--|
| Noted: | Cheng |
| Second: | Estremera |
| Yeas: | Palmer, Milobar, Martin, Luna, Estremera, Cheng, LaMoreaux |
| Nays: | None |
| Abstains: | None |
| Recusals: | None |
| Absent: | None |
| Summary: | 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 24-01-01). |

6. CONSENT ITEMS:

- a) **Adopt Resolution Approving Amendment No. 8 to JEPA with DWR and Finding that Execution of Amendment is Not a Project Subject to CEQA**

Motion to Adopt Resolution Approving Amendment No. 8 to JEPA with DWR and Finding that Execution of Amendment is Not a Project Subject to, as

| | |
|-----------|--|
| Noted: | Luna |
| Second: | Palmer |
| Yeas: | Palmer, Milobar, Martin, Luna, Estremera, Cheng, LaMoreaux |
| Nays: | None |
| Abstains: | None |
| Recusals: | None |
| Absent: | None |

Summary:
as Resolution 24-01).

7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed

7. DISCUSSION ITEMS:

a) January DCA Monthly Report

Information Item

DCA Executive Director, Graham Bradner, presented an overview of the monthly board report. He continued to Section 1: Work Performed in November 2023. The Program Controls team continued the implementation and training of Standard Operating Procedures (SOP) and Management Plans. This is all associated with the organizational growth and transition plan for the DCA. DCA continued to work with contract managers to refine the forecasted financials for the second half of the fiscal year.

Mr. Bradner moved on to the administrative functions, stating that Valerie Martinez would be providing updates regarding the outreach that DCA has been doing. DCA continued to work on the installation of new equipment. The activities associated with the learning management system as this is a new system that DCA is utilizing to ensure tight control and understanding of all the training requirements within the organization and to ensure that DCA has an interactive platform that stands up to the needs of the organization.

Mr. Bradner continued to the engineering section, the Engineering team continued to focus on supporting the Department of Water Resource (DWR) and the Delta Conveyance Office (DCO) permitting efforts while developing and making progress on engineering studies. Carrie Buckman will be updating the Board during the staff reports on the status of the planning and permitting activities. With the completion and certification of the Environmental Impact Report (EIR), DCA will be updating the cost estimate for the preferred project, the Bethany Reservoir alternative. The DCA plans to issue the updated cost estimate publicly during quarter two (2) of this calendar year. The cost estimate will be fully reviewed and updated to a 2023-dollar basis. As DCA works on the cost estimate development, staff will be evaluating potential innovations that could reduce impacts, potentially reduce costs and better manage schedule or improve constructability.

Mr. Bradner went on to update the Board on fieldwork activities and stated that the DCA completed most of the fall program in December. There were a few locations that DCA was not able to access prior to the rainy weather, but overall, the team had great success. Currently, the Fieldwork Team is taking consideration of potential priority of future investigations to support continued evaluations of potential design and construction refinements as the project continues to refine and evolve.

Mr. Bradner continued to Section 3: Budget, and the DCA has committed just under \$33M to date. Currently through December there are charges of about \$13.1M. DCA lays out the budget at the beginning of the fiscal year and at the mid-year mark, the DCA reflects on the intended scope for each contract and efforts. Scope reviews evaluate what priorities may have shifted or if the work itself has evolved. DCA will be reassessing this month to evaluate whether funds need to be repositioned or modified for scopes for the second half of the year.

Mr. Bradner continued to state that DCA stayed on track with projected and planned expenditures during the first four (4) months of the current FY 23/24 and continues to be on track as DCA approaches mid-year. Mr. Bradner said he expects an underrun for the fiscal year.

Mr. Bradner presented to the Board the budget plot that shows the actuals versus planned monthly expenditures. The blue bars are the expenditures while the gold bars are the actual invoice to the organization. DCA has fully invoiced through November and the actual expenditures are coming close to the planned expenditures.

Mr. Bradner continued to Section 5: The Program Schedule. Mr. Bradner presented to the Board the program support activities continue as planned. The Program Management office continues supporting all the DCA activities. The Engineering Team continues to support DWR through the various permitting processes. As projected, many activities are currently on track for completion.

No comments or questions were received from the Board, nor were any public comment requests received.

b) Discuss and Potentially Appoint a Director Legislative Liaison

Discuss and potentially appoint by motion

President Palmer asked Director Luna to lead the discussion on the appointment of a Legislative Liaison item.

Director Luna led the discussion, noting the possibility of appointing a Board liaison to increase communication on the benefits of the project to decisionmakers. This appointee would work in coordination with DCA staff and the communications consultant to serve as a point of contact with decision makers on time-sensitive opportunities to educate and inform.

The liaison would collaborate with DWR as part of the educational approach and opportunities. The liaison would coordinate with the DCA Board on educational opportunities and report back to the Board to maintain engagement.

Director Luna noted the benefit of ensuring more people are informed and educated on the Delta Conveyance Project (DCP).

Director Martin stated that Director Luna is well suited for the position as liaison and fully supports it.

Director Cheng stated that he appreciates Director Luna for bringing this issue up for discussion. Director Cheng agrees that that project is at a pivotal moment and believes that more information to the elected is better than less. Supportive of Director Luna taking on the liaison role.

Director Estremera stated that he supports Director Luna's proposal. Also stated that while visiting the Legislature several times a year has noticed that very few officials have had any role in water districts and believes that having a good relationship with legislators and keeping them informed about the project is a great thing.

President Palmer stated that would like to nominate Director Luna as the liaison and would expect Director Luna to come back to the Board to make reports and let them know how he is progressing on his educational endeavors.

Director Martin stated that he appreciates Director Luna taking on this task and understands that it is not an easy job.

Director Luna stated to the Board that he thanks them for their confidence and support and looks forward to the collaboration and opportunities. Also, thanks to the communication team for all the coordination and communication that has been developed with DWR and will continue to heavily rely on the communications team.

Recommendation: Approve the Appointment of a Director Legislative Liaison

Appoint by Motion, as

| | |
|-----------|--|
| Noted: | Palmer |
| Second: | Martin |
| Yeas: | Palmer, Milobar, Martin, Luna, Estremera, Cheng, LaMoreaux |
| Nays: | None |
| Abstains: | None |
| Recusals: | None |
| Absent: | None |
| Summary: | 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 24-01-02). |

8. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

DCA General Counsel, Josh Nelson, informed the Board that the General Counsel continues to provide legal assistance as requested. This has included assisting with the Joint Exercise of Powers Agreement (JEPA) amendment and the Board Legislative Liaison items on the agenda. As a follow-up to the December meeting, the DWR certified the Final Environmental Impact Report (FEIR) on December 23rd. Copies of the decision documents are available on the DCA website.

Mr. Nelson also stated to the Board and public that the DCA anticipates releasing a Request for Qualification (RFQ) for long-term executive director services shortly. The Board was informed that there was an approved assignment of the existing agreement from Baker Tilly to Bradner Consulting last month. As part of the process for finalizing that assignment, it was determined that a competitive procurement for long term executive director services was in the best interest of the program and consistent with our commitment to transparency especially considering the recent certification of the Final EIR. More information will be available on the DCA website under the “work for us” tab once the RFQ is released.

No comments or questions were received from the Board, nor were any public comment requests received.

b. DCP Communications Report

DCA Communications Manager, Valerie Martinez informed the Board that the communications team has been working on the digital outreach aspect of the program to ensure that communities within the state understand the project and components. After the release of the FEIR, the communications team noticed that more folks tuned into the project asking questions about the project. DCA’s social media sites are receiving more views and interactions including the DCA website. DCA has been posting more information about the project and the community views have increased. Due to weather, the Delta Tours are on hiatus, but will be starting again in late February to early March.

Ms. Martinez continued to present to the Board regarding the presentations to some of DCA’s member agencies and others by DWR and DCA. The presentations continue to be a great opportunity for specific groups and organizations to obtain information from the entire DCA team. The communications team is currently doing a web audit and removing “proposed” from all references to the project.

The communications team continues to develop a one-pager for the water agencies and review some of the content to assure the data points are put in context so that the public can better understand the importance of the project. The closer looks pages released a fact sheet and video with information on pile driving in the North Delta, to view the sheets, visit the DCA website.

Ms. Martinez continued to inform the Board that the Governor’s outreach efforts. When DWR released the FEIR, the Governor posted a video on social media informing the public

as to why he supports the project, why it is important and how it is the most important project regarding water management in California. Governor Newsom also did a spot on the Bill Maher show and spoke regarding the DCP. The Sacramento Bee also did an article on the opinions pages as to how this DCP is a topic within the Senate candidates.

President Palmer stated that it is important to understand each region that is affected by the project and understand communities.

Ms. Martinez stated that communities want to know what the project means to them and their communities.

Director Martin asked if the Bill Maher show was available for viewing in some way.

Ms. Martinez stated that the show is on HBO and that there may be a way to provide the link to the Governor interview.

Director Luna stated that there is a link to the interview on YouTube.

Ms. Rodriguez stated that the video can be distributed to the Board.

No further comments or questions were received from the Board, nor were any public comment requests received.

c. DWR Environmental Manager's Report

DWR Environmental Manager, Carrie Buckman informed the Board that DWR reached an important milestone in December, releasing the Final EIR on December 8th and then certifying the EIR as meeting the requirements of the California Environmental Quality Act (CEQA) and approving the Delta Conveyance Project to move forward with engineering, design and permitting on December 21st. After completing an extensive environmental review, DWR selected the Bethany Reservoir Alignment as the approved project.

DWR is beginning their formal consultation processes under the California and Federal Endangered Species Act. The start process is for DWR to submit an incidental take permit application which will be done in late March to early April. On the federal side, DWR is looking into construction and operations separately. The operations will be analyzed at a programmatic level, due to operations being far into the future and conditions may change. This is part of the long-term operations consultation for the State Water Project (SWP) and the Central Valley Project. Prior to operation, DWR will need a subsequent project level consultation. For construction, DWR will need a project specific detailed consultation due to DWR beginning construction, which will be through the US Army Corps of Engineers as the lead agency. DWR will proceed with this plan this year.

Ms. Buckman continued to present to the Board that DWR is requesting a change in pointed diversion for their water rates. DWR is not planning to expand their water rights

but add two (2) points of diversion in the North Delta at the two intakes. This request will require a petition from DWR for the change of point of diversion, which will be requested soon. This will be followed by noticing from the State Board and then a protest resolution period. DWR is looking to further develop the community benefits program framework noted in the FEIR, and DWR will have a series of public meetings starting in the late 2nd quarter of this year.

No comments or questions were received from the Board, nor were any public comment requests received.

d. Verbal Reports

Director Martin wanted to acknowledge Mr. Bradner and Ms. Buckman for their effort to present about the DCP at the Santa Clarita Valley Water Board meeting and felt that it was valuable and vital.

President Palmer stated that Mr. Bradner and Ms. Buckman are an exemplary team and truly appreciate their efforts.

9. FUTURE AGENDA ITEMS:

No future agenda items requested.

10. PUBLIC COMMENT:

No public comment requests.

11. ADJOURNMENT:

President Palmer adjourned the meeting at 2:55 p.m., remotely-Conference Access Information: Phone Number: (669) 444-9171, Code: 85649883389#, <https://dcdca-org.zoom.us/j/85649883389?from=addon>

ORIGINATING SECTION: Office of the General Manager
CONTACT: Alexandra Bradley

AGENDA DATE: February 21, 2024

SUBJECT: January Outreach Activities

SUMMARY:

To deliver on the Agency's 2020-2024 Strategic Plan Goal F which strives to engage our stakeholders to foster mutual understanding, staff implements and oversees a multi-faceted outreach and communications program to connect with and engage stakeholders. Through an open and transparent approach, the Agency seeks to deliver effective customer-centric communications, reaching constituents where, when, and how they prefer. Effective communication builds confidence, trust, and awareness among constituents, increases participation to help with effective decision making, and helps strengthen Zone 7's commitment to its mission and vision. This monthly staff report provides timely updates on progress towards meeting the goal of engaging our stakeholders.

Communications Plan Updates

Conservation Outreach: Staff continues to collaborate with the retailers focusing on rebate promotion and educating customers on best practices for creating long-term habits of water conservation around the home and garden. Staff facilitates a monthly communications meeting with retailers and is working coordinate events and promotions for 2024.

Annual Report: Staff published the [Fiscal Year 2022-2023 Annual Report](#) which is now in its third year in digital format. The report website was revamped this year to make it more accessible, engaging, and interactive. It is being promoted through a paid digital marketing campaign highlighting key sections of the report over time throughout the year. Postcard flyers with trackable QR codes are handed out at all events and have been distributed to retailers. Analytics reports will be provided on a quarterly basis to track user engagement and learn more about what interests the community.

Storm Alert Levels: As a result of lessons learned from the 2022-2023 winter storms, staff developed a new storm alert system to aid in easily communicating flood risk to the community. The new storm alert system was launched in January. The current storm alert levels can now be found at www.zone7water.com/preparedness. A short [video](#) was created to help explain the new system. When storms present a flood risk, staff utilizes a set of internal criteria to determine the flood risk and sets the level accordingly. The level is updated on the website, shared on social media channels, and communicated to our community partners and the Alameda County Office of Emergency Management Op Area Coordination group when activated.

Newsletter: Staff sent out the bi-monthly newsletter which can be [viewed here](#).

Outreach Program Updates

Schools' Program: In January, 62 classes were taught, and 54 classes have been scheduled for February. A "welcome back" marketing email was sent out on January 17 reminding teachers to sign up for classes before year-end. Staff has reviewed the year-to-date results of the new Water Academy campaign, and we are on track to far exceed the number of classes taught year over year due to the rebranding and new incentive program.

In-Person Events:

Croce Elementary School Family Science Night, Croce Elementary School, Livermore, Thursday, January 18, 6:00pm – 7:30pm. Zone 7 presented our floodplain model to over 350 family members at Croce Elementary School's family science night.

Dublin Elementary School Family Science Night, Dublin Elementary School, Dublin, Thursday, January 25, 2024, from 5:00pm – 8:00pm. Zone 7 joined many other community organizations at Dublin Elementary School's Family Science night. For three hours students and their family members visited our booth and learned about Zone 7, our watershed, and flood control. We lost count of how many visitors listened to our presentation, but it was at least 150 students with their families.

Livermore Science Odyssey, Thursday, February 8, 4:30pm - 7:30pm. Junction Avenue K-8 School. Once again, Zone 7 has been invited to join Livermore students and their families in participating in this district-wide science fair with a hands-on booth. The One Water Awards will be presented in a ceremony at 6:30pm.

Jackson Elementary School Science Night, Livermore, Wednesday, February 21, 2024, 6:00pm - 8:00pm. For the first time, Zone 7 Water Agency has been invited to join other exhibitors at Jackson Elementary Schools' Science Night. We are excited to present our popular floodplain model to their students and families.

Granada High School Career Fair, Granada High School, Livermore, Wednesday, February 28, 2024, 8:30am-12:30pm. Zone 7 has been invited to host a booth with information about water industry-based jobs. Students will be invited to play a game that teaches the types of careers available at Zone 7 and the educational paths needed to achieve them. Two Zone 7 Water Operators will be on hand to share water samples and explain analysis equipment.

Fredericksen Pi Night, Fredericksen Elementary School, 7243 Tamarack Drive, Dublin on Thursday, March 14, 2024, 5:00pm - 8:00pm. Zone 7 Water Agency has been asked to attend Fredericksen Elementary school's brand-new Pi Night in celebration of math and sciences. We look forward to attending with our floodplain model and interacting with attendees.

SF Flower and Garden Show, Thursday, April 4 through Sunday, April 7 at the Alameda County Fair Grounds. Zone 7 will partner with Alameda County Clean Water Program to host a table at this annual event in its new location. Our booth will feature drought friendly native plants and information about waterwise gardening in our area.

Tri-Valley Innovation Fair, Saturday, April 13, 2024, 10:00am-5:00pm at Alameda Fairgrounds. Once again, Zone 7 will be represented at this hands-on event with over 50 exhibitors. We will have interactive activities and our usual giveaways and information about rebates.

City of Pleasanton Earth and Arbor Day Celebration, Saturday, April 20, 10:00am-3:00pm, at the Pleasanton Library, 400 Old Bernal Avenue. This event is an opportunity for community members of all ages to learn about environmental issues and sustainability solutions in an interactive, family friendly atmosphere. Zone 7 will have an interactive booth at which participants will create newspaper pots and plant native seeds to take home.

Ag & Enviro Adventure Day, Livermore High School, Tuesday, April 23, 2024, 8:00am-3:00pm. Zone 7 will participate in this organized event for Livermore third graders with an interactive movement-based activity which highlights our watershed and its connection with the community.

Marylin Avenue Family Science Night, Marylin Avenue School, Livermore, Monday, May 13 from 6:00pm – 8:00pm. Zone 7 has been asked to participate in this STEM school's family science night. We look forward to engaging with Marylin Avenue students and their family members.

Please visit www.zone7water.com/calendar for the most up to date schedule of public events.

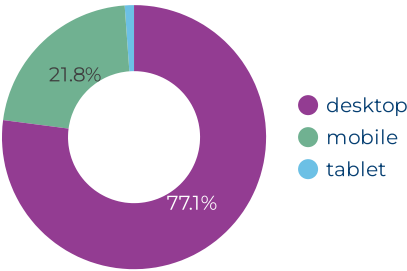
ATTACHMENTS:

Monthly Analytics Dashboard

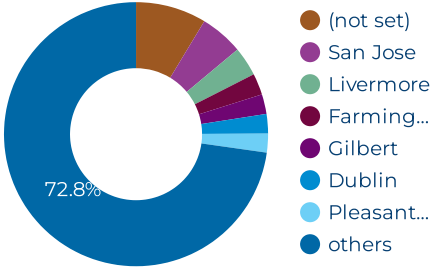
Highlights:



Device Type:



Users by City



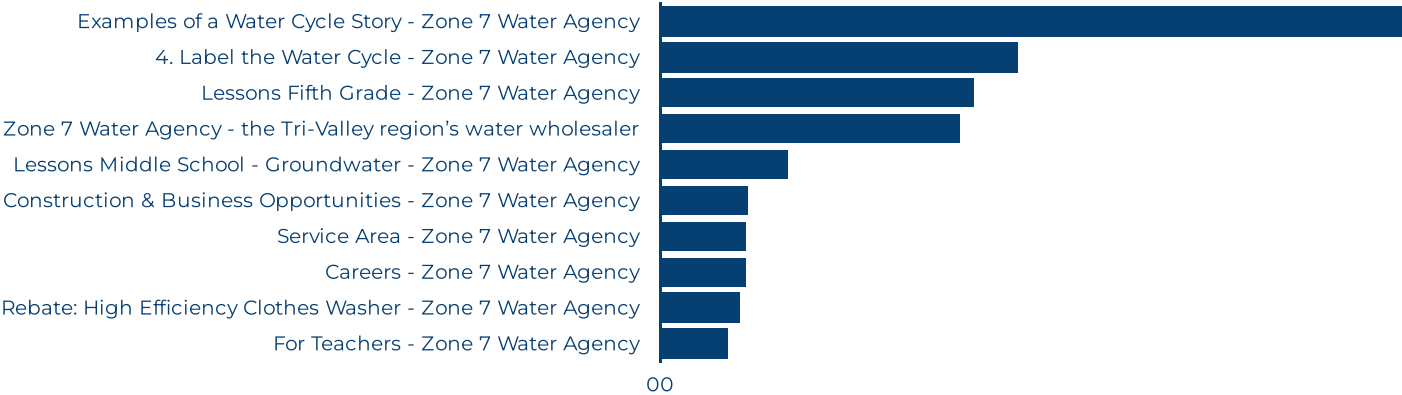
Most visited pages on the website - users and pageviews

| | Page title | Views | Total users |
|----|---|-------|-------------|
| 1. | Zone 7 Water Agency - the Tri-Valley region's water wholesaler | 2,336 | 1,102 |
| 2. | Examples of a Water Cycle Story - Zone 7 Water Agency | 1,382 | 968 |
| 3. | Construction & Business Opportunities - Zone 7 Water Agency | 592 | 290 |
| 4. | 4. Label the Water Cycle - Zone 7 Water Agency | 462 | 396 |
| 5. | Careers - Zone 7 Water Agency | 452 | 273 |
| 6. | Lessons Fifth Grade - Zone 7 Water Agency | 410 | 201 |
| 7. | Board Meetings - Zone 7 Water Agency | 336 | 171 |
| 8. | Lessons Middle School - Groundwater - Zone 7 Water Agency | 331 | 212 |
| 9. | Request for Qualifications for Engineering & Other Professional Services #2024-20 - Zone 7 Water Agency | 291 | 180 |

Acquisition source/medium - where traffic sessions come from

| | Session source | Session medium | Sessions |
|----|------------------------|----------------|----------|
| 1. | google | organic | 3,684 |
| 2. | (direct) | (none) | 2,265 |
| 3. | bing | organic | 292 |
| 4. | classroom.google.com | referral | 272 |
| 5. | dsrsd.com | referral | 76 |
| 6. | cityofpleasantonca.gov | referral | 71 |
| 7. | m.facebook.com | referral | 63 |
| 8. | revekkab2.sg-host.com | referral | 58 |
| 9. | zone7water.report | referral | 38 |

Pages with the most time spent by users



Facebook Snapshot Analytics

Total Posts

27

Engagement

92

Clicks

139

Page Followers

1,057

Reach

Facebook reach ⓘ

59,921 ↑ 78.6%



Visits

Facebook visits ⓘ

1,434 ↑ 609.9%



New likes and follows

Facebook Page new likes ⓘ

34 ↑ 100%



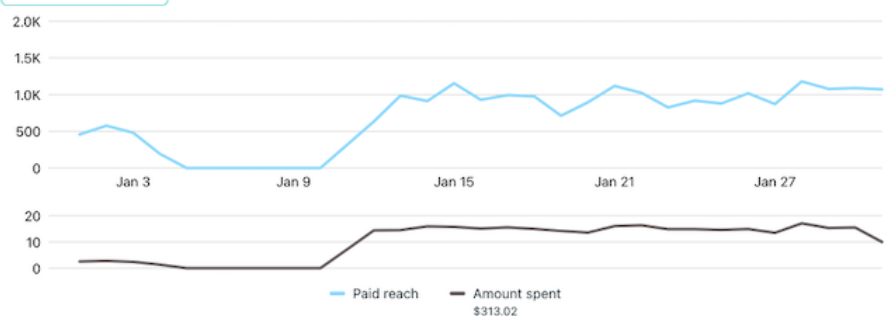
Ad trends

Paid reach ⓘ

9,660 ↓ 72.2%

Paid impressions ⓘ

28,369 ↓ 37.5%



Mailchimp Delivery Analytics

Total Eblasts Sent

3

Total Deliveries

3,170

Avg. Open Rate %

46.6%

Total Clicks

287

Monthly YouTube Performance

Total Views

10,607


Total Watch Time


86.9 hrs


Impressions

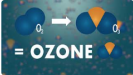
12,704


Top Five Videos of Month

- 

Our Water's Journey
Aug 3, 2023
- 

Tri Valley Waters Journey
- 

Our Water's Journey
Jul 25, 2023
- 

Wondrous World of Water - Ozone Treatment
Sep 2, 2020
- 

Z7 Storm Level Animation Landscape All V1
Jan 10, 2024

Insights & Opportunities

WEBSITE

- In January, we saw a cyclical post-holiday increase in traffic with 47% more users visiting the site than in December. In general, stats were up for users, views, and engagement.
- This increase was driven primarily by school being back in session, with our education program and lessons being such a popular area of our website.
- There were also several business opportunities posted in the RFP area which drove a significant amount of traffic.

SOCIAL MEDIA

- The new year brought renewed interest and traffic to social media with active campaigns to increase followers, promote the annual report, drive traffic to the Tri-Valley site and generally re-engage community after the holidays.
- General followers continued to climb an average of 30 new followers per month with this month's campaign focusing on the new online annual report.
- Video views on YouTube also saw an increase in the new year with the return of active campaign status, with Tri-Valley videos leading the number of views as part of the Public Information Program campaign. The Wondrous World of Water Ozone Treatment video continued to perform in the top five organically, and the new Storm Alert Level explanation video also performed in the top five organically.

DIRECT MAIL

- The bi-monthly Latest from Zone 7 newsletter was delivered in January and continued to see higher than average open rates in the 40% range, with an increase in clicks propelled by the annual report.

ORIGINATING SECTION: Integrated Planning

CONTACT: Sal Segura/Ken Minn

AGENDA DATE: February 21, 2024

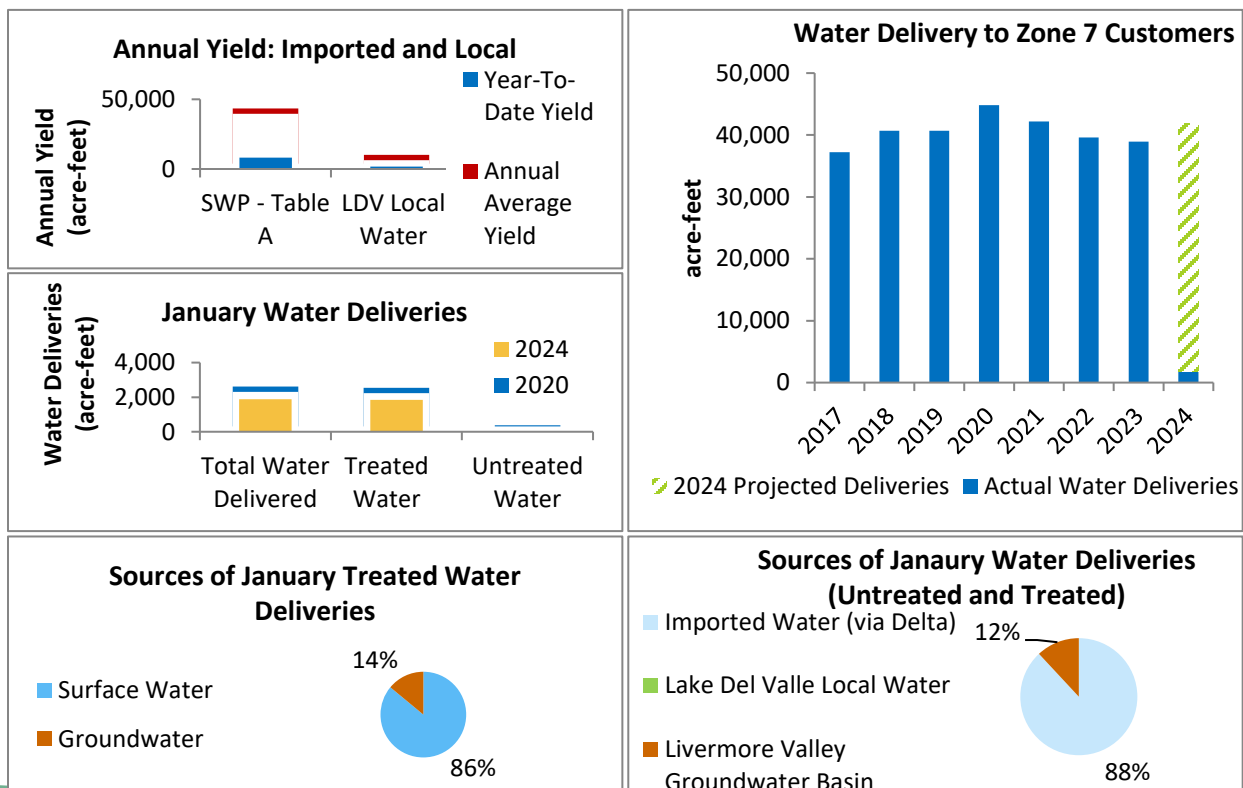
SUBJECT: Monthly Water Inventory and Water Budget Update

SUMMARY:

To support Zone 7's mission and Strategic Plan Goal A – Reliable Water Supply and Infrastructure; this report summarizes current water supply, usage, and storage conditions.

An overall analysis of the annual water supply was completed in April 2023 as part of the Annual Review of Sustainable Water Supply. Long-term water supply planning is also summarized in the Urban Water Management Plan, which is updated every five years and assesses water supply reliability on a 20-year time horizon. The plans and evaluations consider the various sources of supply and storage available to Zone 7 locally, in State Water Project facilities, and in Kern County storage and recovery programs.

**Summaries of 2024 Water Supplies, Deliveries, and Available Water
(January 2023)**



ZONE 7 WATER INVENTORY AND WATER BUDGET (January 2024)

Supply and Demand (See Table 1, Table , Figure 1, Figure 2, Figure 3, and Figure 4)

- Monthly totals: 1,880 acre-feet (AF) delivered to customers (1,850 AF treated production and 30 AF untreated deliveries) and 300 AF to recharge.
- Total treated water production decreased by 8% compared to last month.
- Treated water sources were 86% surface water and 14% groundwater this month.
 - Treatment plant production was 16.7 MGD.
 - Wellfield production was 2.7 MGD.

Comparison of Demands: 2024 vs 2020 baseline (See Table 1)

- In January 2024, Zone 7's overall water demands were 6% lower compared to the same time in 2020: treated water production was 7% lower, and estimated untreated deliveries were 200% higher than January 2020.

Table 1: January 2024 comparison - water demand and conservation

| | Treated Production | Untreated Delivery | Total |
|--|-------------------------------|-------------------------------|--------------|
| January 2024 (AF) | 1,850 | 30 | 1,880 |
| January 2020 (AF) | 1,980 | 10 | 1,990 |
| January Conservation (2024 vs 2020) | 7% | 200% | 6% |

Imported Water (See Table)

- The 2024 State Water Project allocation remains at 10%. The allocation is subject to revision as the water year progresses.

Table 2: Available Water Supplies for 2024 (as of February 1, 2024)

| Source | Acre-Feet |
|---|------------------|
| Table A (Based on 10% initial allocation) | 8,060 |
| Water Transfers/ Exchanges | 0 |
| SWP Carryover + Backed Up Water (Preliminary Estimate) | 30,300* |
| Lake Del Valle (Carryover + 2024 Yield) | 6,750 |
| Livermore Valley Groundwater Basin (Operational Storage AF/% Full) | 105,500/ 84% |
| Kern Storage and Recovery Programs | 95,600 |
| Total | 246,210 |

* This amount will be reduced to account for the water transfer amount when complete

Groundwater

(See Table 3 and Figure 5)

- Zone 7 wellfield pumping was 260 AF, making up 14% of the treated supply.
- Groundwater basin overflow on the west side of the Livermore Valley Groundwater Basin was estimated at 0 AF.
- The Livermore Valley Groundwater Basin comprises four subbasins, and it has a combined operational storage capacity of approximately 126,000 AF, which sits above the Minimum Thresholds established in the Alternative Groundwater Sustainability Plan. Currently, the operational storage is at approximately 84% of capacity (105,500 AF out of 126,000 AF).
 - The Livermore Valley Groundwater Basin is estimated to have a maximum storage capacity of 254,000 AF, which includes areas below the Minimum Thresholds.
 - It is important to note that all of the operational storage is accessible with Zone 7's existing wells as the groundwater production facilities can only access certain subbasins and 80% of Zone 7's groundwater facilities are in the Amador West subbasin. Furthermore, the presence of Per- and polyfluoroalkyl substances (PFAS) compounds in the groundwater basin limits the use of certain wells.
 - In January, Zone 7 released approximately 300 AF for artificial recharge.

Local Surface Water

(See Table 3 and Figure 6)

- Zone 7's (preliminary) water storage in Lake Del Valle at the end of January is approximately 6,750 AF.

Stream Outflow

(See Table 3)

- Surface runoff intermittently exceeded the 10 cubic feet per second (CFS) baseflow at the Arroyo de la Laguna at the Verona stream gauge resulting in a stream outflow of 5,550 AF for the month of January.

Note: some surface flows out of the Livermore-Amador Valley are mandated for other downstream purposes.

Local Precipitation

(See Figure 7)

- 3.49 inches of precipitation was recorded at the Livermore Airport in January.
- Thus far in Water Year 2024, Livermore has received 6.68 inches of rain, or 85% of the average for Water Year to Date.

Sierra Precipitation

(See Figure 8)

- 11.3 inches of precipitation was recorded in the Northern Sierras in January. Historically, the average precipitation in January has been 9.1 inches.
- Cumulative precipitation in the Northern Sierra for Water Year 2024 is 22.1 inches or 80% of the seasonal average to date.

Sierra Snowpack*(See Figure 9)*

- Snowpack in the Northern Sierras is 60% of the average for January 31 at 10.5 inches of snow water equivalent.

Lake Oroville*(See Figure 10)*

- Lake Oroville was at 76% of total capacity (132% of average) as of January 31.
 - Storage: 2,704,434 AF
 - Storage as a percentage of total capacity increased by 8% over the month of December.

San Luis Reservoir*(See Figure 11)*

- San Luis Reservoir was at 61% capacity (81% of average) as of January 31.
 - Storage: 1,239,583 AF
 - SWP's share of storage is approximately 397,000 AF
 - Storage as a percentage of total capacity increased 5% over the month of January.

NOTE: *Numbers presented are estimated and subject to refinement over the course of the year.*

Table 3: Quarterly Water Inventory

Water Inventory for Zone 7 Water Agency

Note: Values are rounded. All units in AF unless noted otherwise. Subject to adjustment over the year.

| | 2023 <i>Jan-Dec</i> | 2024 - Q1 <i>Jan-Mar</i> | 2024 - YTD <i>Jan-Dec</i> |
|---|------------------------|-------------------------------|------------------------------|
| Source | | | |
| Incoming Supplies | | | |
| State Water Project (SWP) - Table A | 47,376 | 0 | 0 |
| State Water Project - Article 21 | 2,360 | 0 | 0 |
| Lake Del Valle Local Water | 4,310 | 0 | 0 |
| Water Transfers/Exchanges ¹ | -1,000 | 0 | 0 |
| Subtotal | 53,046 | 0 | 0 |
| From Storage | | | |
| State Water Project - Carryover | 1,630 | 1,920 | 1,920 |
| Livermore Valley Groundwater Basin | 1,670 | 260 | 260 |
| Kern Storage and Recovery Programs | 0 | 0 | 0 |
| Subtotal | 3,300 | 2,180 | 2,180 |
| Total Supply | 56,346 | 2,180 | 2,180 |
| | | | |
| Water Use | | | |
| Customer Deliveries | | | |
| Treated Water Demand ² | 34,060 | 1,850 | 1,850 |
| Untreated Water Demand | 4,880 | 30 | 30 |
| Subtotal | 38,940 | 1,880 | 1,880 |
| To Storage | | | |
| Livermore Valley Groundwater Basin Recharge | 8,850 | 300 | 300 |
| Kern Storage and Recovery Programs | 10,000 | 0 | 0 |
| Subtotal | 18,850 | 300 | 300 |
| Total Water Use | 57,790 | 2,180 | 2,180 |
| | | | |
| Available Water Supplies | | End-of-Quarter Balance | |
| Incoming Supplies | End-of-2023 | | |
| SWP - Table A (%) | 100% | 10% | 10% |
| SWP - Table A Remaining | 33,200 | 8,060 | 0 |
| Water Transfers/Exchanges ¹ | -1,000 | 0 | 0 |
| Subtotal | 32,200 | 8,060 | 0 |
| Storage Balance | End-of-2023 | | |
| SWP Carryover + Backed Up Water ³ | 32,200 | 30,280 | 30,280 |
| Lake Del Valle Local Water | 5,000 | 6,750 | 6,750 |
| Livermore Valley Groundwater Basin ⁴ | 104,500 | 105,500 | 105,500 |
| Kern Storage and Recovery Programs | 95,600 | 95,600 | 95,600 |
| Subtotal | 237,300 | 238,130 | 238,130 |
| Total Available Water | 269,500 | 246,190 | 238,130 |
| | 397,500 | 374,190 | 366,130 |
| Watershed Conditions | End-of-2023 | | |
| Precipitation at Livermore Station (in) | 13.8 | 3.49 | 3.49 |
| Lake Del Valle Local Water Net Yield | 2,300 | 1,750 | 1,750 |
| Measured Change in Groundwater Basin Storage | 17,700 | 1,000 | 1,000 |
| Surface Water Outflow ⁵ | 166,810 | 5,550 | 5,550 |

¹ In 2023, Zone 7 executed a transfer agreement with the Westside Districts² Includes a small amount of unaccounted-for water.³ Backed Up Water is recovered water from Kern Storage and Recovery Programs that is moved to San Luis Reservoir for storage.⁴ Storage volume is based on most recent groundwater level data; amount shown excludes 128,000 AF of emergency storage.⁵ Surface Water Outflow is estimated based on flow at USGS gage Arroyo De La Laguna at Verona.

Figure 1: Monthly Treated Water Production in Acre-Feet (AF)

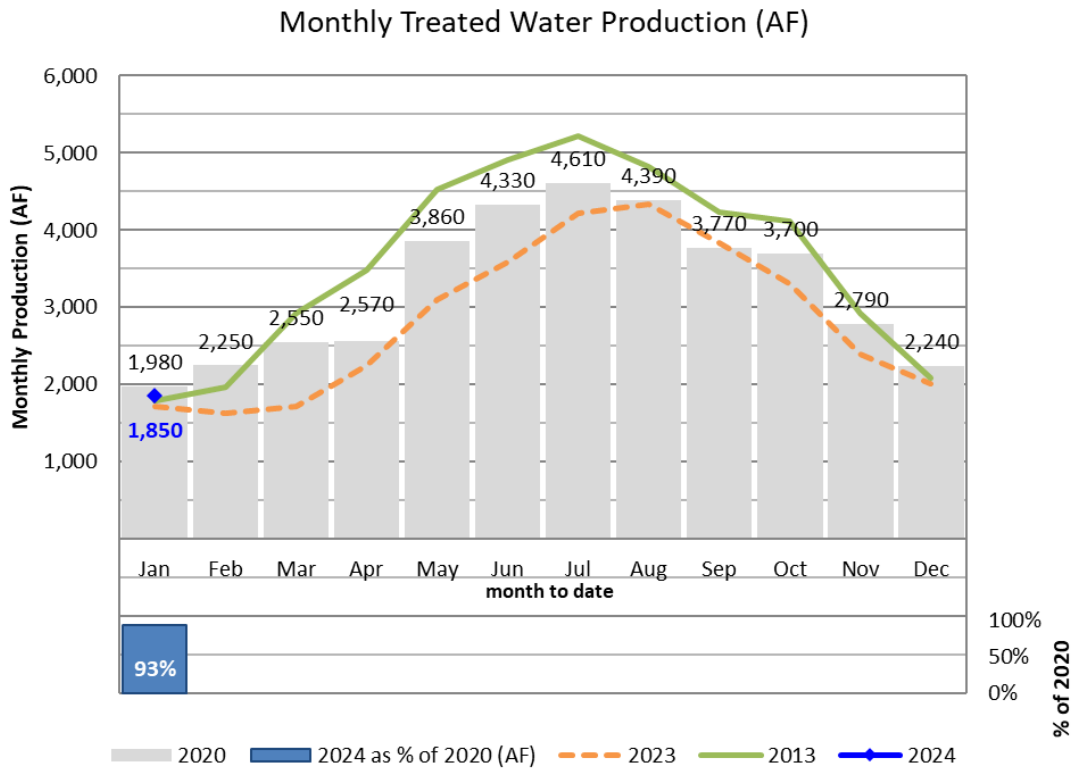
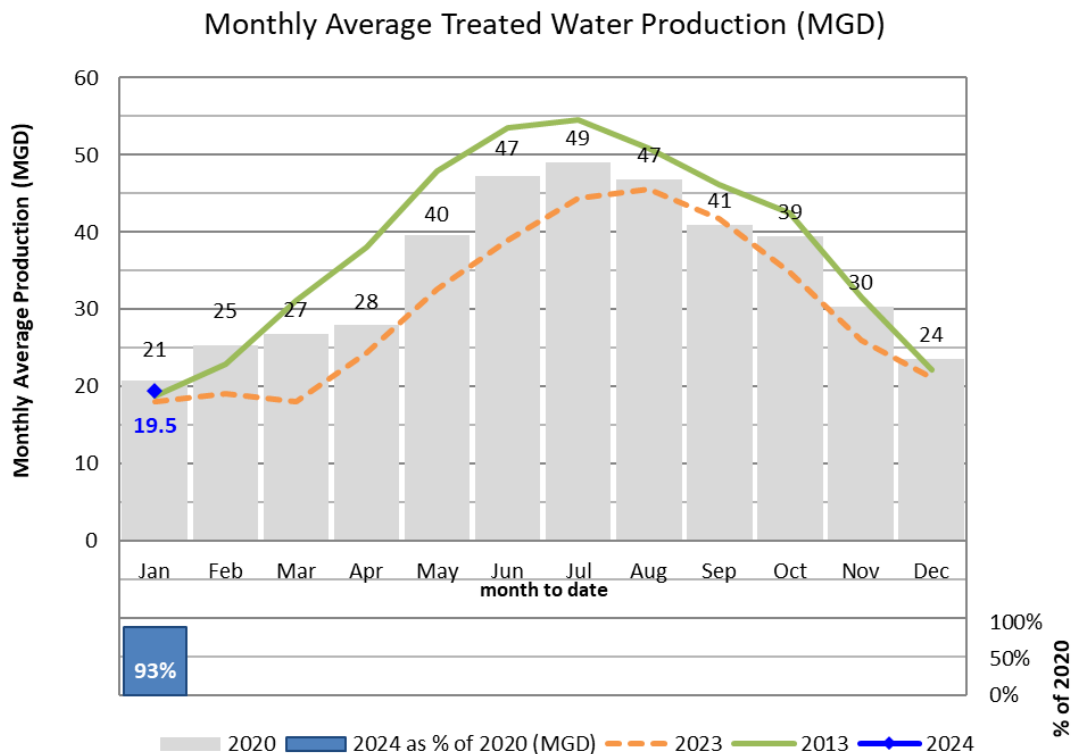
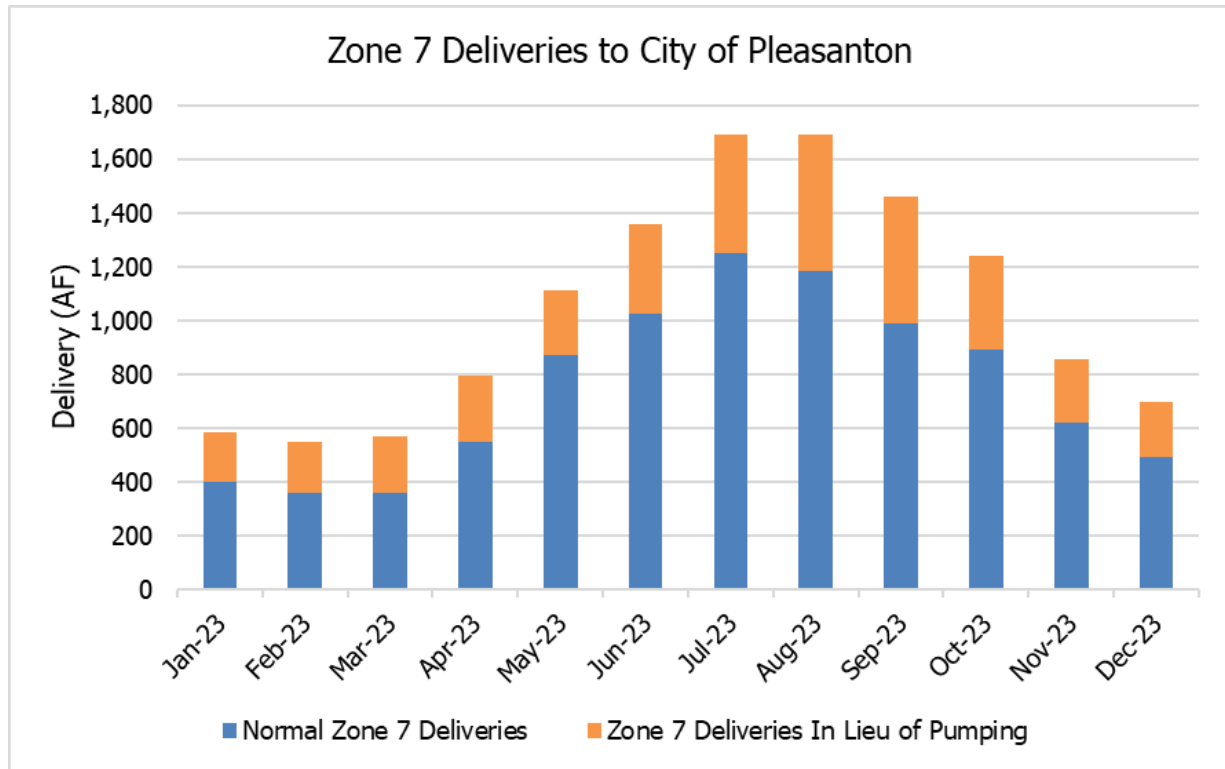


Figure 2: Monthly Treated Water Production in Average Million Gallons per Day (MGD)

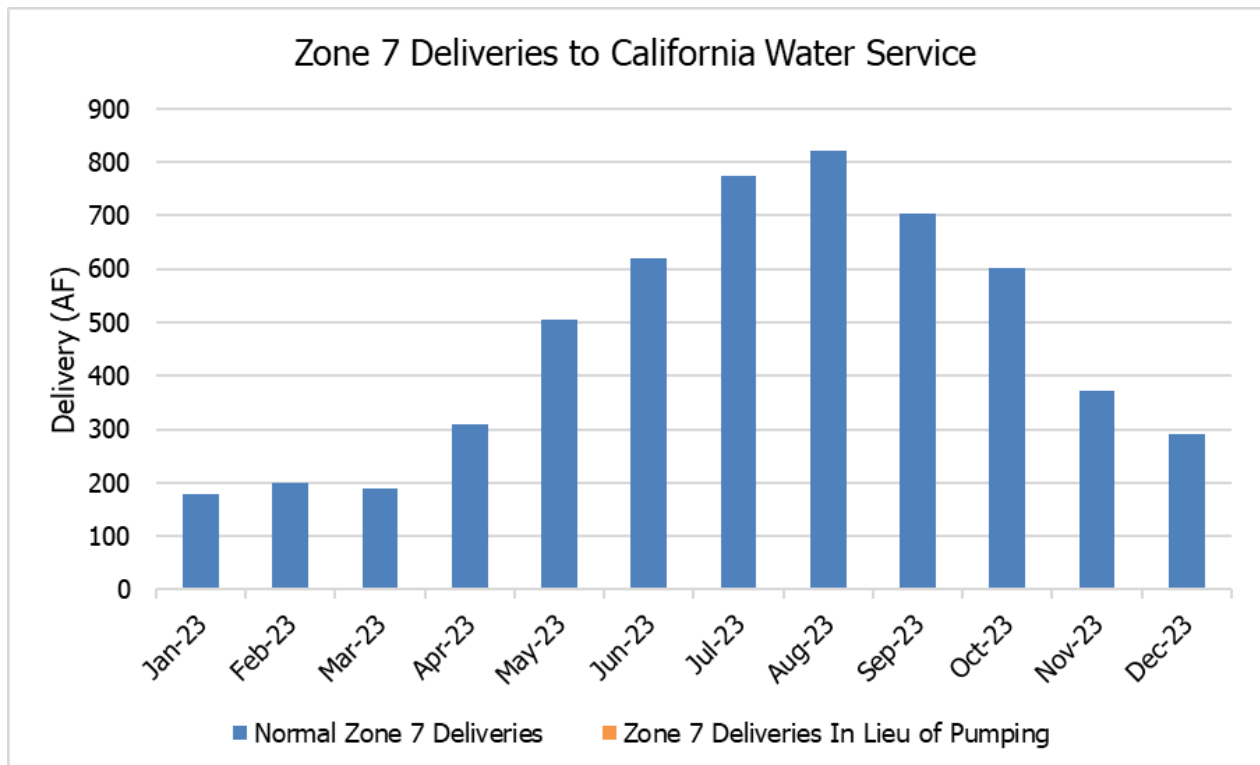


**Figure 3: Pleasanton Estimated In-Lieu Demand
(Based on 2016-2019 Pumping)**



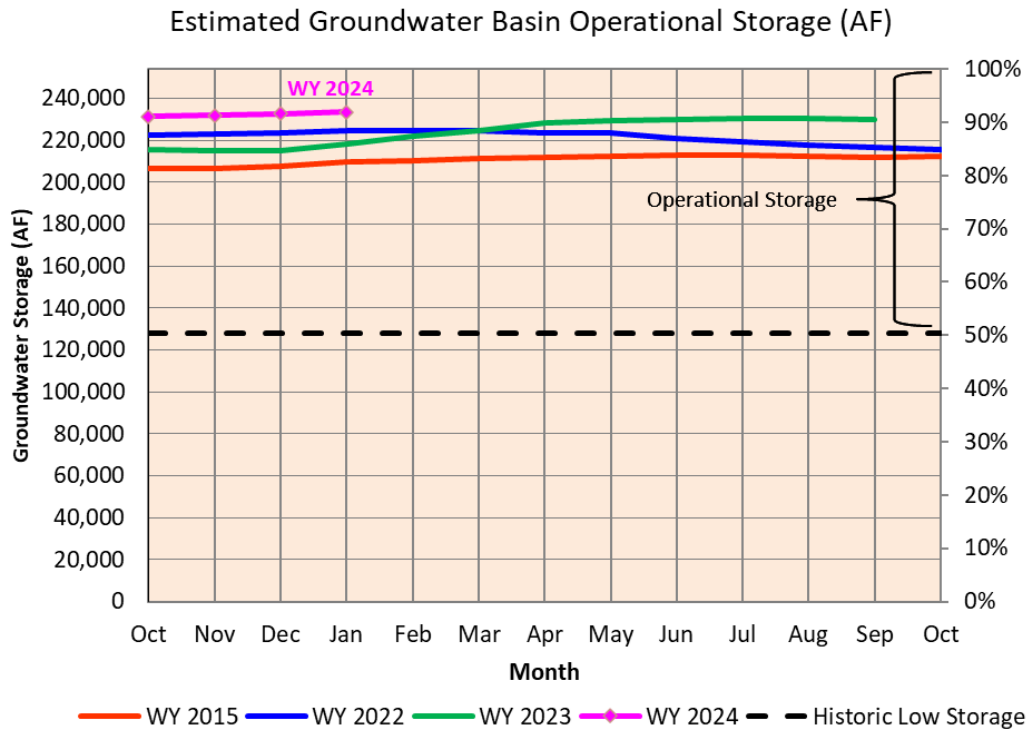
*Pleasanton's pumping data for January is not yet available and will be reflected in future inventories.

**Figure 4: California Water Service Estimated In-Lieu Demand
(Based on 2016-2019 Pumping)**



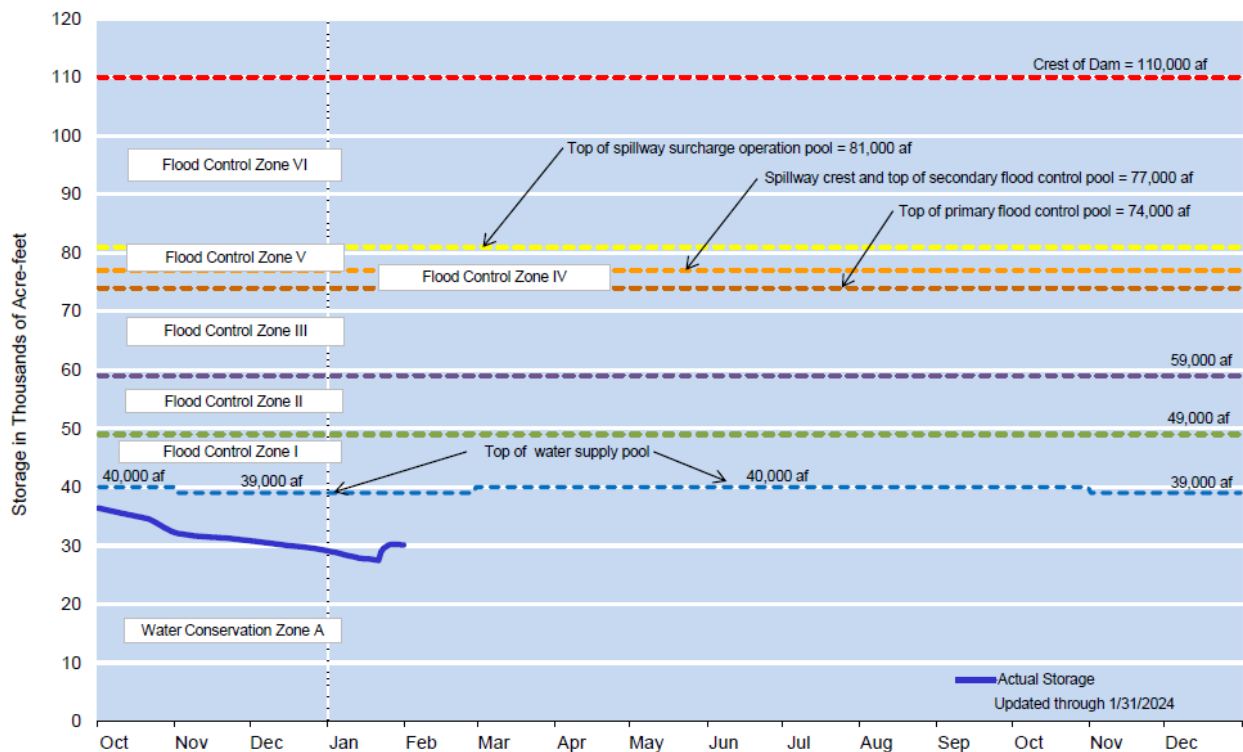
*Cal Water's pumping data for January is not yet available and will be reflected in future inventories.

Figure 5: Livermore Valley Groundwater Basin Storage*



*The estimated groundwater basin storage represents the combined total storage from all four subbasins.

Figure 6: Lake Del Valle Storage



(Source: <https://water.ca.gov/-/media/DWR-Website/>)

Figure 7: Local precipitation

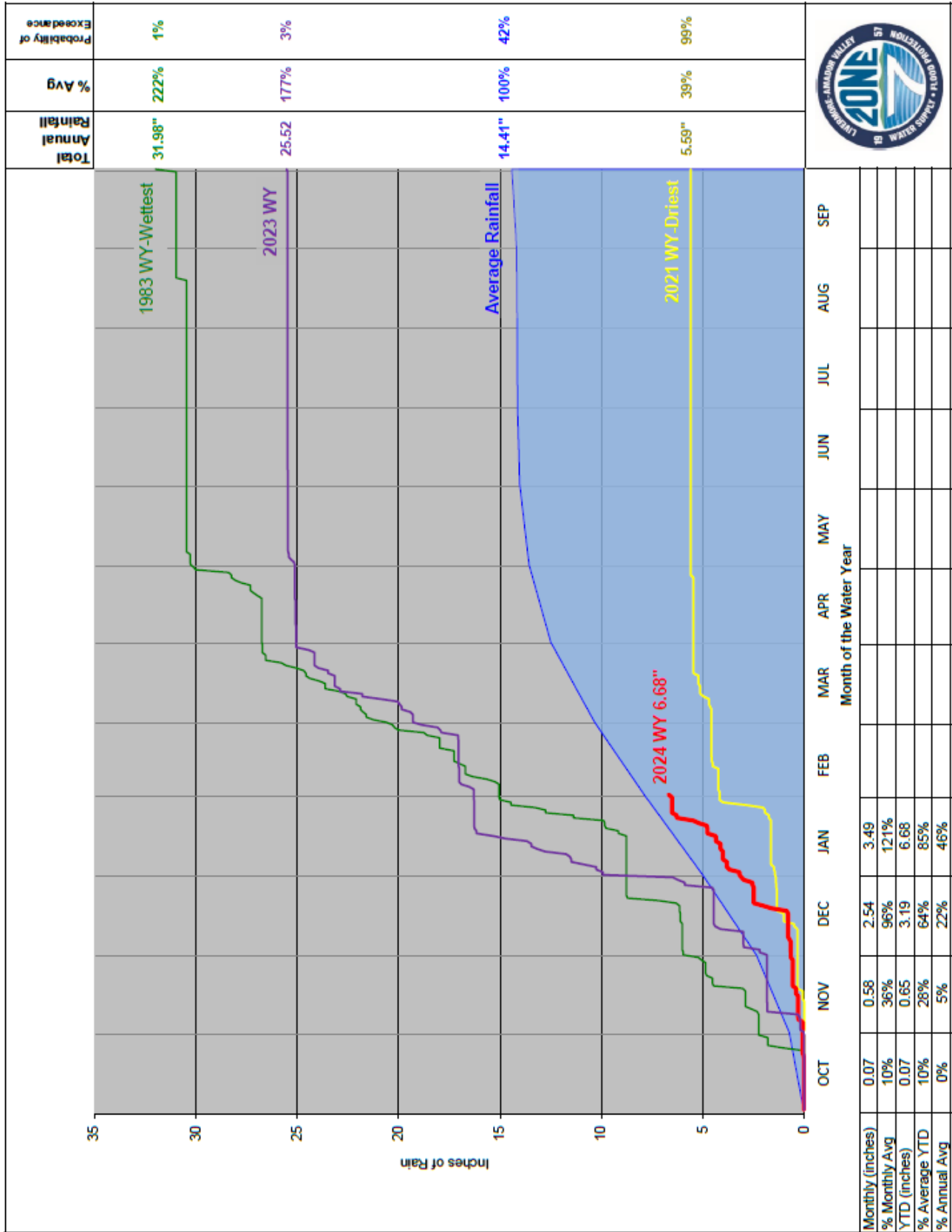
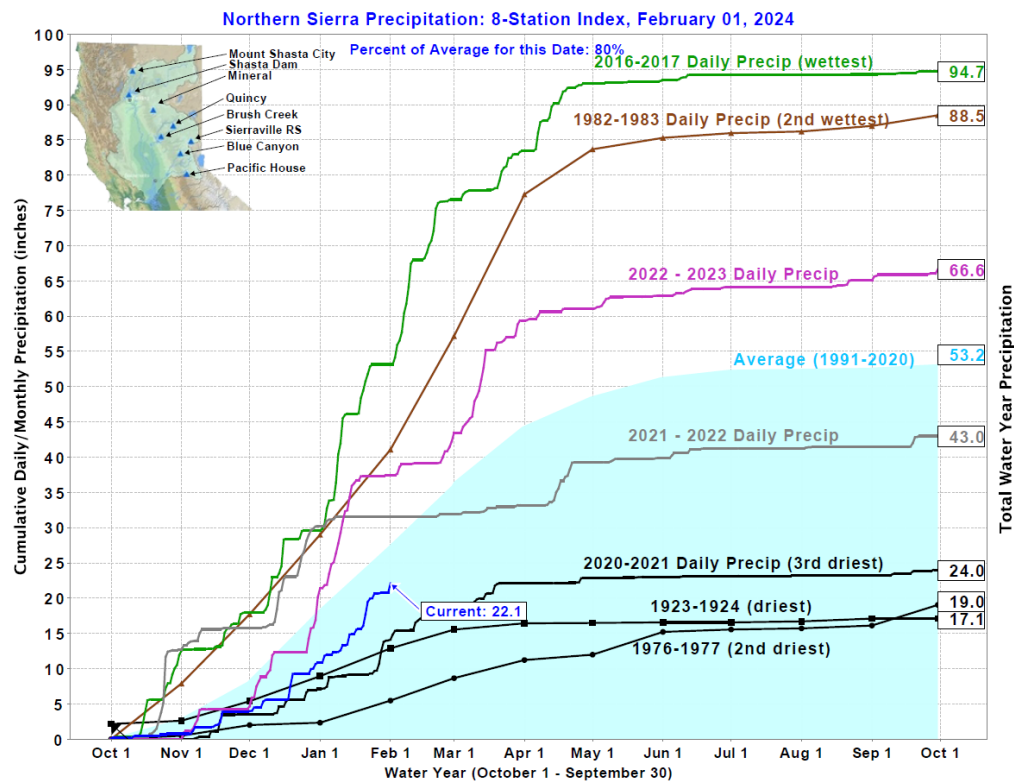


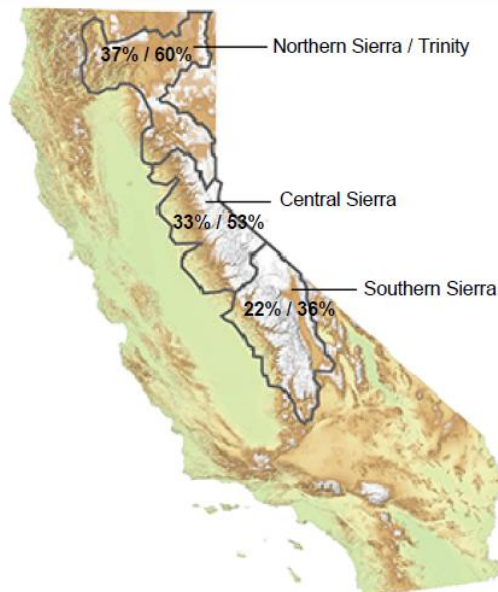
Figure 8: Cumulative Precipitation in the North Sierra



(Source: http://cdec.water.ca.gov/cgi-progs/products/PLOT_ESI.pdf)

Figure 9: Sierra Snowpack

% of April 1 Average / % of Normal for This Date



| NORTH | |
|--|------|
| Data as of January 31, 2024 | |
| Number of Stations Reporting | 25 |
| Average snow water equivalent (Inches) | 10.5 |
| Percent of April 1 Average (%) | 37 |
| Percent of normal for this date (%) | 60 |

| CENTRAL | |
|--|-----|
| Data as of January 31, 2024 | |
| Number of Stations Reporting | 49 |
| Average snow water equivalent (Inches) | 8.7 |
| Percent of April 1 Average (%) | 33 |
| Percent of normal for this date (%) | 53 |

| SOUTH | |
|--|-----|
| Data as of January 31, 2024 | |
| Number of Stations Reporting | 24 |
| Average snow water equivalent (Inches) | 5.2 |
| Percent of April 1 Average (%) | 22 |
| Percent of normal for this date (%) | 36 |

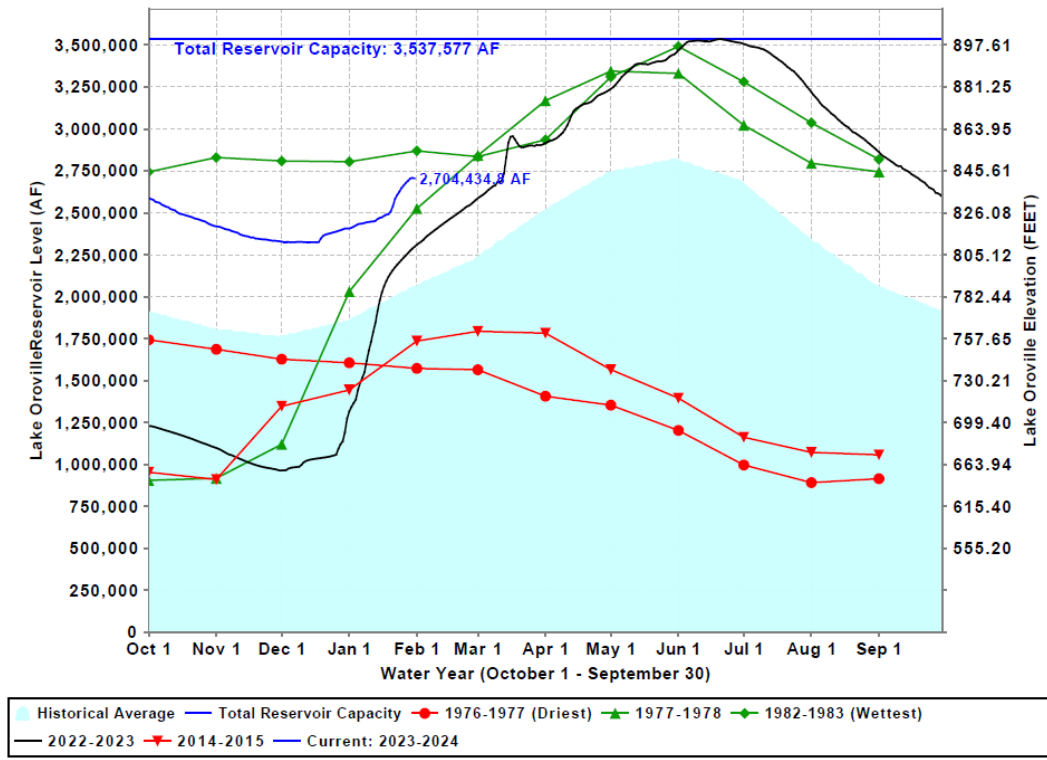
| STATE | |
|--|-----|
| Data as of January 31, 2024 | |
| Number of Stations Reporting | 98 |
| Average snow water equivalent (Inches) | 8.3 |
| Percent of April 1 Average (%) | 31 |
| Percent of normal for this date (%) | 50 |

Statewide Average: 31% / 50%

(Source: <https://cdec.water.ca.gov/reportapp/javareports?name=swccond.pdf>)

Figure 10: Lake Oroville Storage

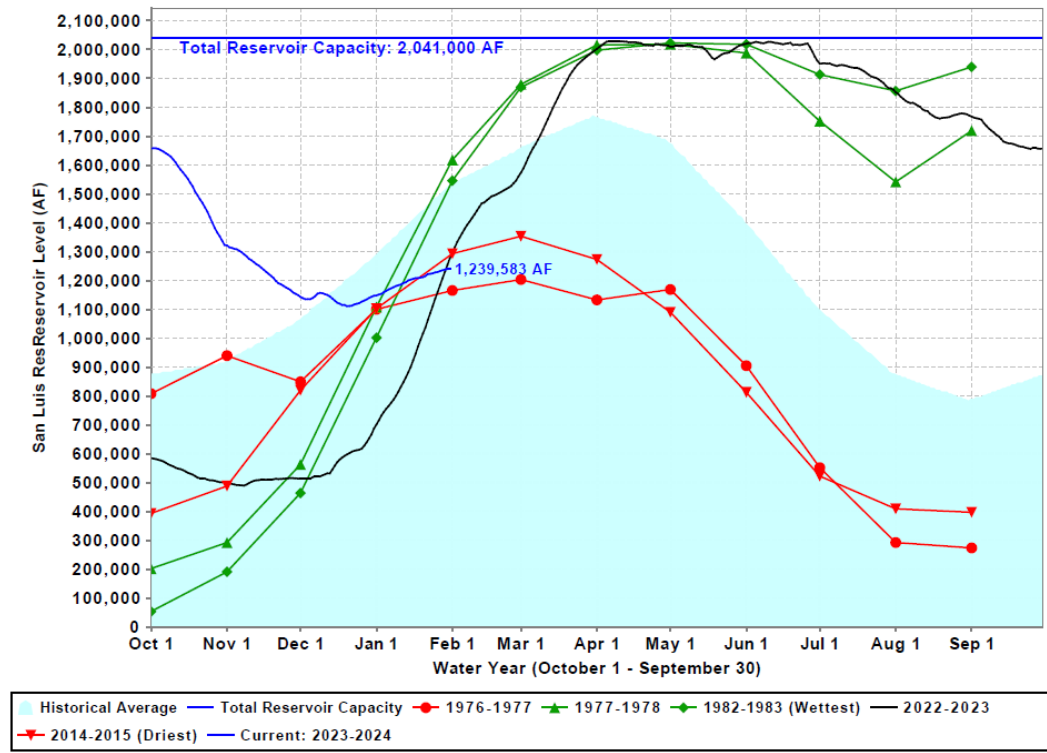
Lake Oroville Levels: Various Past Water Years and Current Water Year, Ending At Midnight January 31, 2024



(Source: <https://cdec.water.ca.gov/resapp/ResDetail.action?resid=ORO>)

Figure 11: San Luis Reservoir Storage

San Luis Res Levels: Various Past Water Years and Current Water Year, Ending At Midnight January 31, 2024



(Source: <https://cdec.water.ca.gov/resapp/ResDetail.action?resid=SNL>)

ORIGINATING SECTION: Office of the General Manager

CONTACT: Carol Mahoney/Valerie Pryor

AGENDA DATE: February 21, 2024

SUBJECT: Legislative Update

SUMMARY:

Zone 7 staff, with the support of Agency consultants, monitors legislation that is being considered in Sacramento, as well as other political and regulatory activities of interest. This item supports Strategic Plan, Goal F – Stakeholder Engagement, engage our stakeholders to foster understanding of their needs, the Agency, and its function. California’s Assembly, Senate, and Committees began the second year of their two-year legislative cycle on January 3, 2024. The last day for bills to be introduced in this session is February 16, 2024.

The attached is the legislative executive summary of bills of potential interest prepared by The Gualco Group, Inc. Additionally, a summary of priority bills from the California Special Districts Association (CSDA) is also attached. Although CSDA has a broad mission and does not focus specifically on water/flood issues, their list of priority bills includes those that may also impact governance, utility management, or finance.

FUNDING:

N/A

RECOMMENDED ACTION:

Information only.

ATTACHMENTS:

1. Gualco Legislative Executive Summary – for February 2024
2. CSDA Priority Bill Summary – for February 2024



EXECUTIVE SUMMARY
State Legislation



Prepared for the Zone 7 Water Agency
by The Gualco Group, Inc.

| Bill | Topic | Synopsis | Staff Recommendation | Status of the Bill as of 02/07/2024 |
|---|---|---|----------------------|---|
| BROWN ACT LEGISLATION | | | | |
| <u>AB 817</u> <u>(Pacheco)</u> | Open meetings: teleconferencing: subsidiary body | This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. | Watch | Senate Committee on Rules |
| <u>SB 537</u> <u>(Becker)</u> | Open meetings: multijurisdictional, cross-county agencies: teleconferences | Provides if a member of a legislative body of a local agency shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. | Watch | Assembly Floor |

GENERAL

[AB 1211](#)
[\(Mathis\)](#)

**Safe Drinking Water
State Revolving
Fund: internet
website information:
updates**

Current law requires the State Water Resources Control Board, at least once every 2 years, to post information on its internet website regarding implementation of the Safe Drinking Water State Revolving Fund Law and expenditures from the Safe Drinking Water State Revolving Fund, as specified. This bill would require the board to post the information at least annually.

Watch

Senate
Committee on
Environmental
Quality

[AB 1870](#)
[\(Ortega\)](#)

**Notice to employees:
legal services**

Employers who are subject to the workers' compensation system are generally required to keep posted in a conspicuous location frequented by employees and easily read by employees during the hours of the workday a notice that includes, among other information, to whom injuries should be reported, the rights of an employee to select and change a treating physician, and certain employee protections against discrimination. Current law requires the administrative director to make the form and content of this notice available to self-insured employers and insurers. This bill would require the notice to include information concerning an injured employee ability to consult licensed attorney to advise them of their rights under workers' compensations laws, as specified. The bill would also make technical, nonsubstantive changes to these provisions.

Watch

Assembly
Committee on
Insurance

[AB 1957](#)
[\(Wilson\)](#)

**Public contracts:
best value
construction
contracting for
counties**

Current law also authorizes these counties to use a best value construction contracting method to award individual annual contracts, not to exceed \$3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Current law establishes procedures and criteria for the selection of a best value contractor and requires that bidders verify specified information under oath. Current law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. Current law repeals the

Watch

In Print

pilot program provisions on January 1, 2025. This bill would instead authorize any county of the state to utilize this program and would remove the January 1, 2025, sunset date, thereby extending the operation of those provisions indefinitely.

[SB 908](#)
[\(Cortese\)](#)

**Public records:
legislative records:
electronic messages**

The bill would prohibit an elected or appointed official or employee of a public agency from creating or sending a public record using a nonofficial electronic messaging system unless the official or employee sends a copy of the public record to an official electronic messaging system, as specified.

Watch

Senate
Committee on
Rules

NATURAL RESOURCES BOND

[AB 305](#)
[\(Villapudua\)](#)

**California Flood
Protection Bond Act
of 2024**

General Obligation Bond - \$4,500,000,000

Watch

Senate
Committee on
Natural
Resources and
Water

[AB 408](#)
[\(Wilson\)](#)

**Climate-resilient
Farms, Sustainable
Healthy Food Access,
and Farmworker
Protection Bond Act
of 2024**

General Obligation Bond - \$3,650,000,000

Watch

Senate
Committee on
Appropriations

[AB 1567](#)
[\(Garcia\)](#)

**Safe Drinking Water,
Wildfire Prevention,
Drought Preparation,
Flood Protection,
Extreme Heat
Mitigation, and
Workforce
Development Bond
Act of 2024**

General Obligation Bond - \$15,995,000,000

Watch

Senate
Committee on
Natural
Resources and
Water

[SB 638](#)
[\(Eggman\)](#)

**Climate Resiliency
and Flood Protection
Bond Act of 2024**

General Obligation Bond - \$6,000,000,000

Watch

Assembly
Committee on
Water, Parks, &
Wildlife

| | | | | |
|---------------------------------------|---|--|-------|---|
| <u>SB 867 (Allen)</u> | Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024 | General Obligation Bond – \$15,500,000,000 | Watch | Assembly Committee on Natural Resources |
|---------------------------------------|---|--|-------|---|

UTILITY MANAGEMENT

| | | | | |
|---|--|--|-------|---------------------|
| <u>AB 457 (Patterson)</u> | Surplus Land Act: exempt surplus land: leases | Expands the definition of “exempt surplus land” to include a parcel that (1) is identified in the local agency’s circulation element or capital improvement program for future roadway development, (2) is no larger than 2 acres, (3) is zoned for retail commercial use, and the use of the parcel is consistent with the underlying zoning, and (4) abuts a state highway right-of-way. | Watch | Held at Senate Desk |
|---|--|--|-------|---------------------|

WATER RIGHTS

| | | | | |
|---|--|---|-------|---|
| <u>AB 460 (Bauer-Kahan)</u> | State Water Resources Control Board: water rights and usage: interim relief: procedures | Authorizes the State Water Resources Control Board in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant. | Watch | Senate Committee on Natural Resources and Water |
|---|--|---|-------|---|

[AB 1272](#)
[\(Wood\)](#)

**State Water
Resources Control
Board: drought
planning**

Would require the State Water Resources Control Board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines allow for the development of locally generated watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things.

Watch

Held at Senate
Desk

[AB 1563](#)
[\(Bennett\)](#)

**Groundwater
sustainability
agency: groundwater
extraction permit:
verification**

Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.

Watch

Senate
Committee on
Governance and
Finance

WATER SUPPLY

[AB 1573](#)
[\(Friedman\)](#)

**Water conservation:
landscape design:
model ordinance**

Requires updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of a culturally specific project, as defined, ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance.

Not Favor

Senate Floor
Staff note:
Placed on
Suspense File
02/08/24

[AB 1827](#)
[\(Papan\)](#)

**Local government:
fees and charges:
water: higher-
consumptive water
parcels**

This bill would provide that the fees or charges for property-related water service imposed or increased, as specified, may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels. The bill would provide that the costs associated with higher water usage demands, the maximum potential water use, or a projected peak water usage demand may be allocated using any method that reasonably assesses the water service provider's cost of serving those parcels that are increasing potential water usage demand, maximum potential water use, or project peak water use demand.

Watch

Assembly
Committee on
Local
Government

SGMA

[AB 828](#)
[\(Connolly\)](#)

**Sustainable
groundwater
management:
managed wetlands**

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms "managed wetland" and "small community water system."

Watch

Senate
Committee on
Rules

[BACK TO BILL TRACKING](#)

CSDA Priority Legislation

Thursday, February 08, 2024

Environment and Disaster Preparedness

[AB 279](#) ([Rubio, Blanca D](#)) **San Gabriel Basin Water Quality Authority: annual pumping right assessment.**

Introduced: 1/24/2023

Last Amended: 2/8/2023

Status: 10/13/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 799, Statutes of 2023.

Location: 10/13/2023-A. CHAPTERED

| | | | | | | | | | | | |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the San Gabriel Basin Water Quality Authority Act, establishes

the San Gabriel Basin Water Quality Authority and provides for its powers and duties. Among other things, the act authorizes the authority to impose an annual pumping right assessment for specified purposes in an amount not to exceed \$10 per acre-foot. This bill would increase the maximum allowable annual pumping right assessment to \$20 per acre-foot.

Attachments:

[AB 279 \(B. Rubio\) Gov. Signature Request](#)

[AB 279 \(B. Rubio\) Senate Environmental Cmte. - Support](#)

[Assembly ESTM Committee letter - SUPPORT](#)

[Author letter - SUPPORT](#)

Position: Support 3

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: Climate Change and Adaptation

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill changes the limit on an annual pumping right assessment by the San Gabriel Basin Water Quality Authority. This bill increases the assessment from \$10 to \$20 per acre-foot. The assessment may be made to construct facilities and acquire property, to retire promissory notes, bond anticipation notes, bonds and certificate of participation and other evidences of indebtedness, to pay for administrative costs, and to pay for operations and maintenance of projects constructed by and for the authority, upon the satisfaction of specified conditions. *(updated 9.25.23)*

[AB 297](#) ([Fong, Vince R](#)) **Wildfires: local assistance grant program: prescribed grazing: advance payments.**

Introduced: 1/26/2023

Last Amended: 9/8/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 519, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

| | | | | | | | | | | | |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires the Department of Forestry and Fire Protection to establish a local assistance grant program for fire prevention activities,

defined to include grazing activities, and home hardening education activities. Under existing law, eligible grant activities include public education outreach activities, as provided. Under existing law, the Director of Forestry and Fire Protection may, until January 1, 2024, authorize advance payments from a grant program award, not to exceed 25% of the total grant award, except as specified. This bill would change the definition of fire prevention activities to include prescribed grazing, as defined. The bill would expand allowable public education outreach activities to include training on prescribed grazing. The bill would also indefinitely extend the director's authority to authorize advance payments from a grant program award, as provided, and conform a cross-reference to existing law.

Attachments:

[AB 297 \(V.Fong\) Gov. Signature Request](#)

[AB 297 \(Fong\) Author - Support](#)

[AB 297 \(Fong\) Sen. Natural Resources Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Fire Protection

Subject Area: Environment and Disaster Preparedness

Issues: Emergency Planning and Response

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill eliminates a sunset for the Department of Forestry and Fire Protection director's authority to authorize advance payments, not to exceed 25% of the total grant award, with specified options for additional amounts, from the local assistance grant program for the purposes of fire prevention, hardening, and other fire activities. This is an extension of legislation from 2018, AB 1956 (Limon), which CSDA supported. *(updated 9.25.23)*

[AB 573](#) ([Garcia D](#)) **Organic waste: meeting recovered organic waste product procurement targets.**

Introduced: 2/8/2023

Last Amended: 7/13/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/14/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

| | | | | | | | | | | | |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| Desk | Policy | Fiscal | Floor | Desk | Policy | 2 year | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, that provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction, and that may include penalties to be imposed by the department for noncompliance. This bill would require the department, for purposes of those regulations, to allow a local jurisdiction, until December 1, 2031, in procuring recovered organic waste products to meet the target procurement requirements, to use California-derived recovered organic waste that the local jurisdiction sends for processing at a facility or operation outside of the state that meets certain conditions, as provided.

Position: Support 3**Assigned:** ATannehill**District Services:** Solid Waste Management**Subject Area:** Environment and Disaster Preparedness**Issues:** None**Working Group:** Environment and Disaster Preparedness

CSDA SUMMARY: This bill authorizes local jurisdictions to comply with the state's recovered organic waste procurement requirements under SB 1383, by procuring California derived organic waste products that are processed at out-of-state facilities until December 1, 2031. (*updated 9.25.23*)

AB 585 (Rivas, Robert D) Climate change: infrastructure and clean energy projects: assessments.

Introduced: 2/9/2023**Last Amended:** 9/1/2023

Status: 10/7/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 336, Statutes of 2023.

Location: 10/7/2023-A. CHAPTERED

| | | | | | | | | | | | |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board (state board) as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Existing law vests the Public Utilities Commission (PUC) with regulatory jurisdiction over public utilities, including electrical corporations, as provided. Existing law requires the PUC and the State Energy Resources Conservation and Development Commission (Energy Commission) to undertake specified actions to advance the state's clean energy and pollution reduction objectives. This bill would request the CCST, in its discretion, every 3 years, to assess the infrastructure project types, scale, and pace necessary to achieve the state's energy, climate change, and air quality goals, as specified. The bill would also require GO-Biz, in consultation with the Energy Commission, the PUC, and the state board, to prepare an assessment of the barriers, challenges, and impediments limiting the deployment and development of clean energy projects, as specified. The bill would require GO-Biz to submit this assessment to the Legislature on or before January 1, 2026. The bill would also require the assessment to be considered and incorporated into the work carried out by the Infrastructure Strike Team convened by the Governor. This bill contains other related provisions and other existing laws.

Attachments:

[AB 585 \(R.Rivas\) Senate Approps. Cmte. - Support](#)

[AB 585 \(R.Rivas\) Gov. Signature Request](#)

[AB 585 \(Rivas\) Senate Environmental Quality Cmte.- Support](#)

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Environment and Disaster Preparedness

Issues: Climate Change and Adaptation

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill provides mechanisms for assessment of the state's needs and barriers to meeting clean energy goals. *(updated 9.25.23)*

[AB 625](#) ([Aguiar-Curry D](#)) **Forest biomass: management: emissions: energy.**

Introduced: 2/9/2023

Last Amended: 4/12/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/18/2024-A. DEAD

| | | | | | | | | | | | |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| Dead | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes in the Natural Resources Agency the Department of Forestry and Fire Protection (CAL-FIRE), and requires CAL-FIRE to be responsible for, among other things, fire protection and prevention, as provided. Existing law establishes the State Board of Forestry and Fire Protection in CAL-FIRE to represent the state's interest in the acquisition and management of state forests and requires the board to maintain an adequate forest policy. The former Governor, Edmund G. Brown Jr., issued Executive Order No. B-52-18 that, among other things, established a Forest Management Task Force, now known as the Wildfire and Forest Resilience Task Force, involving specified state agencies to create the action plan for wildfire and forest resilience. The executive order also established a Joint Institute for Wood Products Innovation, to be located within the state board. This bill would establish the Forest Biomass Waste Utilization Program to be administered by the state board's Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of, and the comprehensive framework to align with the state's wood utilization policies and priorities and focused market strategy of, specified statewide forest management plans, and to develop a workforce training program to complement the workforce needs associated with the implementation plan. The bill would require the state board, in coordination with the Wildfire and Forest Resilience Task Force, to submit an annual report to the Legislature, beginning January 1, 2025, on the progress made on implementing the implementation plan. This bill contains other related provisions and other existing laws.

Position: Support 3

Assigned: ATannehill

District Services: Fire Protection

Subject Area: Environment and Disaster Preparedness

Issues: None

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: AB 625 seeks to create multi-pronged approach to ensure that forest biomass is put to beneficial use that reduces emissions of pollutants and greenhouse gases. Specifically this bill would establish the Forest Biomass Waste Utilization Program to be administered by the State Board of

Forestry and Fire Protection's Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of, and the comprehensive framework to align with the state's wood utilization policies and priorities and focused market strategy of, specified statewide forest management plans, and to develop a workforce training program to complement the workforce needs associated with the implementation plan. The bill would require the state board, in coordination with the Wildfire and Forest Resilience Task Force, to submit an annual report to the Legislature, beginning January 1, 2025, on the progress made on implementing the implementation plan. (*updated 9.25.23*)

AB 637 (Jackson D) Zero-emission vehicles: fleet owners: rental vehicles.

Introduced: 2/9/2023

Last Amended: 9/6/2023

Status: 1/25/2024-Read third time. Passed. Ordered to the Senate. (Ayes 70. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/25/2024-S. RLS.

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Existing law also generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution the state board has found to be necessary, cost effective, and technologically feasible, to carry out specified purposes, unless preempted by federal law. This bill would, if the state board requires a fleet owner to acquire zero-emission vehicles as part of its fleet, require the state board to authorize the rental of a zero-emission vehicle or vehicles for a cumulative total of 260 days in a calendar year to be deemed ownership of one zero-emission vehicle for purposes of meeting that obligation.

Attachments:

[AB 637 Coalition Support - Policy Comittee](#)

[AB 637 Coalition Support - Asm. Approps.](#)

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Energy and Emissions

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: With respect to the CARB ZEV ACF mandate, this bill will allow a fleet owner to rent a zero-emission vehicle or vehicles for a cumulative total of 260 days in a calendar year to be deemed ownership of one zero-emission vehicle for purposes of meeting that mandate. *(updated 9.25.23)*

AB 1045 (Hart D) Hazardous materials: public notices.

Introduced: 2/15/2023

Last Amended: 3/22/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/18/2024-A. DEAD

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law provides that the Department of Toxic Substances Control regulates the handling and management of hazardous substances, materials, and waste. Existing law requires the department to, among other things, issue hazardous waste facilities permits to facilities handling hazardous waste and to enforce the requirements of the hazardous waste control laws. Existing law requires the department, a local agency, or a regional board, as applicable, to publish specified public notices in a newspaper of general circulation, as described, in connection with various proceedings governed by the hazardous waste control laws and the laws governing hazardous substances, including, among other notices, a notice of intent to file an application for a land use decision for a specified hazardous waste facility project, notice regarding a proposed agreement for a hazardous waste easement, covenant, restriction, or servitude, as described, upon the present and future uses of land, notice regarding public hearings on a proposed hazardous waste management plan, and specified notices regarding removal or remedial actions with respect to hazardous substances. This bill would require the department, a local agency, or regional board, as applicable, in addition to publishing a notice in a newspaper of general circulation, as specified, to use any other reasonable

means to publicize the notices, including, but not limited to, the online versions of newspapers, community bulletin boards, civic engagement platforms, app-based platforms, or other digital platforms, if the department, local agency, or regional board determines, based on research about the affected community, as described, a baseline community survey, or interviews with affected community members, that the targeted community receives information primarily through other means. By imposing a higher level of service on local agencies, the bill would impose a state-mandated local program. This bill contains other existing laws.

Position: Concerns

Assigned: ATannehill

District Services: General/All

Subject Area: Energy and Emissions

Issues: None

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: Current law requires the Department of Toxic Substances Control (DTSC), a local agency, or a regional board to publish specified public notices in a newspaper of general circulation, in connection with various proceedings governed by the hazardous waste control laws and the laws governing hazardous substances, including, among other notices, a notice of intent to file an application for a land use decision for a specified hazardous waste facility project, notice regarding a proposed agreement for a hazardous waste easement, covenant, restriction, or servitude, as described, upon the present and future uses of land, notice regarding public hearings on a proposed hazardous waste management plan, and specified notices regarding removal or remedial actions with respect to hazardous substances. This bill would require DTSC, a local agency, or regional board, as applicable, in addition to publishing a notice in a newspaper of general circulation to use any other reasonable means to publicize the notices, including, but not limited to, the online versions of newspapers, community bulletin boards, civic engagement platforms, app-based platforms, or other digital platforms, if DTSC, a local agency, or regional board determines, based on research about the affected community, a baseline community survey, or interviews with affected community members, that the targeted community receives information primarily through other means. *(updated 9.25.23)*

[AB 1337](#) ([Wicks D](#)) State Water Resources Control Board: water diversion curtailment.

Introduced: 2/16/2023

Last Amended: 5/18/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-S. 2 YEAR

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| 1st House | | | | 2nd House | | | | Conc. | Enrolled | Vetoed | Chaptered |

Summary:

Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.

Attachments:

[AB 1337 Opposes - Water Parks and Wildfire](#)

[AB 1337 Oppose - Authur](#)

Position: Neutral

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: Climate Change and Adaptation

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: As amended, this bill provides that the State Water Resources Control Board may issue a curtailment order for any diversion, regardless of basis of right, when water is not available under the diverter's priority of right. Failure to comply with a curtailment order is a trespass as specified. The board shall adopt regulations to implement the bill's provisions, as specified. This bill allows the board to issue a cease and desist order in response to a violation or threatened violation when a water right holder fails to curtail diversions when water is unavailable under the water right holder's priority of right. This bill also provides that the diversion or use of water other than as authorized is a trespass, amending out the limitation of such language to diversion or use of water subject to a specified division. *(updated 9.25.23)*

[AB 1554](#) ([Patterson, Joe R](#)) California Environmental Quality Act: exemption: wildfire fuels reduction projects.

Introduced: 2/17/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/12/2024-A. DEAD

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Summary:

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would expressly exempt from CEQA a project reduction of fuels in areas within moderate, high, and very high fire hazard severity zones, as provided. Because a lead agency would be required to determine whether a project qualifies for this exemption, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Environment and Disaster Preparedness

Issues: CEQA

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill would expressly exempt from The California Environmental Quality Act (CEQA) a fuels reduction project in areas within moderate, high, and very high fire hazard severity zones as identified pursuant to [Section 51178 of the Government Code](#), including, but not limited to, for the removal or reduction of overgrown vegetation through the use of prescribed fire, tree thinning, pruning, chipping, or roadway clearance. *(updated 9.27.23)*

[AB 1572](#) ([Friedman D](#)) Potable water: nonfunctional turf.

Introduced: 2/17/2023

Last Amended: 9/5/2023

Status: 10/13/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 849, Statutes of 2023.

Location: 10/13/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

(1)Existing law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water. This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.

Attachments:

[AB 1572 \(Friedman\) Coalition - Asm. Approps.](#)

[AB 1572 \(Friedman\) Neutral - Letter to Author](#)

[Assembly WPW Committee Letter \(OUA\)](#)

Position: Neutral

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: Climate Change and Adaptation

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill phases in a ban on the use of potable water for nonfunctional turf, between 2027 and 2031, for certain state properties, local government, commercial, industrial, and institutional properties other than a cemetery. For local governments, the phase in date is January 1, 2027, unless the agency is in a disadvantaged community, in which case the phase in date is January 1, 2031, or the date upon which a state funding source is made available to fund conversion of nonfunctional turf on such properties to climate-appropriate landscapes, whichever is later. The use of potable water is not prohibited to the extent necessary to ensure the health of trees and other perennial nonturf plantings, or to the extent necessary to address an immediate health and safety need.

This provides that the State Water Resources Control Board may develop a form for compliance certification for property owners, as specified, and also allows the board to extend the compliance date for certain persons, institutions and businesses. Public water systems are required to revise their regulations, ordinances, or policies governing water service to include the requirements of the bill or developed pursuant to the bill.

This bill allows for enforcement, including local enforcement, as specified.

“Nonfunctional turf” means any turf that is not functional turf, and includes turf located

within street rights-of-way and parking lots. "Functional turf" means a ground cover surface of turf located in a recreational use area or community space. Turf enclosed by fencing or other barriers to permanently preclude human access for recreation or assembly is not functional turf. "Community space" means an area designated by a property owner or a governmental agency to accommodate human foot traffic for civic, ceremonial, or other community events or social gatherings. "Recreational use area" means an area designated by a property owner or a governmental agency to accommodate human foot traffic for recreation, including but not limited to sports fields, golf courses, playgrounds, picnic grounds, or pet exercise areas. This recreation may be either formal or informal.

CSDA was aligned with amendments by a partner association, which withdrew opposition. CSDA separately successfully advocated for cemetery protections and flexibility in the functional turf and recreational use definitions. *(updated 9.27.23)*

AB 1594 (Garcia D) Medium- and heavy-duty zero-emission vehicles: public agency utilities.

Introduced: 2/17/2023

Last Amended: 9/1/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 585, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Executive Order No. N-79-20 establishes the goal of transitioning medium- and heavy-duty vehicles in California to zero-emission vehicles by 2045 for all operations where feasible and by 2035 for drayage trucks, and requires the State Air Resources Board to develop and propose medium- and heavy-duty vehicle regulations to meet that goal. This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles to authorize public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks, as specified. The bill would define a public agency utility to include a local publicly owned electric utility, a community water system, a water district, and a wastewater treatment provider, as specified. This bill contains other existing laws.

Attachments:

[AB 1594 \(Garcia\) Senate Approps. Cmte. - Support](#)

[AB 1594 \(Garica\) Senate Floor Alert](#)

[AB 1594 \(Garcia\) Gov. Signature Request](#)

[AB 1594 \(Garcia\) Sen. Transportation Cmte - Support](#)

[AB 1594 \(Garcia\) Sen. Environmental Quality Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Energy/Utility, Fire Protection, General/All, Police Protection

Subject Area: Environment and Disaster Preparedness

Issues: Emergency Planning and Response

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill requires any state regulation that seeks to require the procurement of medium- and heavy-duty ZEV, such as CARB's ZEV Advanced Clean Fleet regulation, to ensure those vehicles can support a public agency utility's duties, as specified, and to authorize the utility to make certain determinations and vehicle replacements, as specified. (*updated 9.27.23*)

[ACR 63](#) ([Wood D](#)) Mosquito Awareness Week.

Introduced: 4/19/2023

Status: 5/18/2023-Chaptered by Secretary of State - Res. Chapter 62, Statutes of 2023.

Location: 5/18/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

This measure would declare that the week of April 16, 2023, to April 22, 2023, inclusive, be designated as Mosquito Awareness Week.

Position: Support 3

Assigned: MDetwiler

District Services: Mosquito/Vector Control

Subject Area: Environment and Disaster Preparedness

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This resolution declared the week of April 16, 2023, to April 22, 2023, inclusive, to be Mosquito Awareness Week. The Mosquito and Vector Control Association of California designated the week of April 16,

2023, to April 22, 2023, inclusive, as Mosquito and West Nile Virus Awareness Week in California. (*updated 7.13.23*)

ACR 66 (**Wilson D**) **“Parks Make Life Better!®” Month.**

Introduced: 4/24/2023

Last Amended: 5/9/2023

Status: 8/22/2023-Chaptered by Secretary of State - Res. Chapter 131, Statutes of 2023.

Location: 8/22/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

This measure would recognize the importance of access to local parks, trails, open space, and facilities for the health, wellness, development, inspiration, and safety of all Californians and would declare the month of July 2023 as “Parks Make Life Better!®” Month.

Position: Support 3

Assigned: MDetwiler

District Services: Recreation and Park

Subject Area: Parks and Resources

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This resolution had the Legislature declare the month of July 2023 to be known as “Parks Make Life Better!®” Month, part of the California Park & Recreation Society's statewide public awareness campaign, designed to inform the public of the many benefits of using parks, facilities, programs, and services. (*updated 9.20.23*)

SB 23 (**Caballero D**) **Water supply and flood risk reduction projects: expedited permitting.**

Introduced: 12/5/2022

Last Amended: 5/1/2023

Status: 2/1/2024-Returned to Secretary of Senate pursuant to Joint Rule 56.

Location: 1/18/2024-S. DEAD

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law prohibits an entity from substantially diverting or obstructing the

natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to submit to the department the certified or adopted environmental review document, as applicable, for the activity in the notification. The bill would require the department, under prescribed circumstances, to take certain actions within specified timelines, or within a mutually agreed-to extension of time. The bill would require, on or before January 1, 2025, and annually thereafter, the department to prepare, provide public notice of, make available for public review on its internet website, and submit to the relevant legislative committees, as specified, a report regarding the water supply projects and flood risk reduction projects for which final agreements have been issued pursuant to these provisions. The bill would repeal these provisions on January 1, 2029. This bill contains other related provisions and other existing laws.

Attachments:

[SB 23 \(Caballero\) Senate Approps. - Coalition Support](#)

[SB 23 \(Caballero\) Senate Environmental Quality Cmte. - Coalition Support](#)

[SB 23 \(Caballero\) Sen. Natural Res. & Water Cmte Coalition Letter - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: Climate Change and Adaptation

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: SB 23 is a permit streamlining bill sponsored by a partner association. Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written

notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to submit to the department the certified or adopted environmental review document for the activity in the notification. The bill would require the department, under prescribed circumstances, to take certain actions within specified timelines, or within a mutually agreed-to extension of time. *(updated 9.27.23)*

SB 366 (Caballero D) The California Water Plan: long-term supply targets.

Introduced: 2/8/2023

Last Amended: 6/29/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/8/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-A. 2 YEAR

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.” Existing law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Existing law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state’s water needs and meeting specified long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses. The bill

would require the plan to include specified components, including a discussion of various strategies that may be pursued in order to meet the water supply targets and an economic analysis. The bill would require the department to submit to the Legislature an annual report between updates to the plan that includes progress made toward meeting the water supply targets once established, as specified. The bill would also require the department to conduct public workshops to give interested parties an opportunity to comment on the plan and to post the preliminary draft of the plan on the department's internet website.

Attachments:

[SB 366 \(Caballero\) Senate Floor Alert](#)

[SB 366 \(Caballero\) Assembly Water, Parks, Wildlife Cmte.- Coalition Support](#)

[Senate Appropriations Committee \(SUPPORT\)](#)

Position: Support 3

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: None

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill outlines requirements for an overhaul of the state's water plan and various related metrics, replacing or amending certain existing code sections pertaining to the state's water plan. This bill's sponsor is CMUA.

This bill requires the development of "The California Water Plan." The plan shall provide recommendations and strategies to ensure enough water supply for all beneficial uses. This will be the master plan that guides the orderly and coordinated control, protection, conservation, development, management, and efficient utilization of the water resources of the state. The bill contains required analyses and plans, reports, a financing plan, and recommendations in connection with updates to the plan, occurring at regular intervals, as specified. The updates require a discussion of various strategies, including, but not limited to, those relating to the development of new surface and groundwater storage facilities, groundwater recharge, water conservation, water recycling, desalination, conjunctive use, improved regional and statewide conveyance, stormwater capture, water transfers, and demand management activities that may be pursued in order to meet

the water supply targets developed by the department. The department shall also include a discussion of options to finance projects within the various strategies and the potential for alternative water pricing policies to change current and projected uses. In carrying out this chapter, a public water system, irrigation district, or wastewater service provider shall not be required to implement a specific strategy or project. This bill requires regular updates to the Legislature, together with recommendations for action requiring legislative intervention and recommendations that can be accomplished through the department and other state agencies.

The department, in consultation with the California Water Commission, shall establish a stakeholder advisory committee, comprised of representatives of agricultural and urban water suppliers, local government, business, production agriculture, tribes, labor, environmental justice and environmental interests, and other interested parties, to provide substantive input to assist the department in updating The California Water Plan.

As part of the 2028 update of The California Water Plan, the department shall conduct a study, and release a preliminary draft and assumptions, to determine the amount of additional water needed to meet the state's future water needs and to establish a long-term water supply target for 2050. The target shall ensure sufficient water for all beneficial uses, recognize the impacts of climate change on the state's water resources, support a sustainable economy and environment, and ensure safe drinking water for all Californians. In establishing the long-term supply target, the department shall analyze current and future water trends, including identifying additional water necessary to sustain public trust resources. As part of the 2028 update to the plan, the department shall include a water supply planning interim target of 10,000,000 acre-feet of additional water by 2040 which, in addition to traditional sources of supply, includes water that contributes to that supply through conservation efforts, stormwater capture, graywater, and recycled water.

The department also shall seek out and consider all relevant information from retail and wholesale water agencies, agriculture, business, tribes, labor, environmental and environmental justice communities, and any other communities potentially impacted by the plan and from researchers and experts on climate science, climate science solutions, water storage, water conveyance, and environmental protection.

This bill includes language regarding potential for alternative water pricing policies to change current and projected water uses. *(updated 9.27.23)*

SB 470 (Alvarado-Gil D) Water: Urban Water Community Drought Relief program: Small Community Drought Relief program: high fire hazard and very high fire hazard severity zones.

Introduced: 2/13/2023

Last Amended: 9/1/2023

Status: 1/25/2024-Stricken from file. Veto sustained.

Location: 10/8/2023-S. VETOED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Existing law requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal, as provided. This bill would establish in the department the Urban Water Community Drought Relief program and the Small Community Drought Relief program to provide grants for similar interim or immediate drought relief. These programs, upon a specified appropriation, would authorize funding for benefits in addition to drought relief, including, among other projects, projects that reduce the risk of wildfire for entire neighborhoods and communities through water delivery system improvements for fire suppression purposes in high fire hazard severity zone communities or very high fire hazard severity zone communities, as designated by the State Fire Marshal or by a local agency. This bill contains other existing laws.

Attachments:

[SB 470 \(Alvarado-Gil\) Assembly Water, Parks and Wildlife Cmte. - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Fire Protection

Subject Area: Environment and Disaster Preparedness

Issues: State Bonds, Budget Allocations, and Grants

Working Group: Environment and Disaster Preparedness

CSDA SUMMARY: This bill codifies both the Urban Water Community Drought Relief (UCDR) program and the Small Community Drought Relief (SCDR) program at the Department of Water Resources (DWR). The measure allows, upon appropriation, that these programs may fund projects related to drought relief including projects that reduce the risk of wildfires for communities through water delivery system improvements for fire suppression purposes in high- and very high-fire hazard severity zones. *(updated 9.27.23)*

Governance

AB 262 (**Holden D**) **Children's camps: safety and regulation.**

Introduced: 1/19/2023

Last Amended: 9/1/2023

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)

Location: 9/14/2023-A. 2 YEAR

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the California Community Care Facilities Act, generally provides for the licensing and regulation of community care facilities, including child daycare facilities, by the State Department of Social Services. Existing law also requires the State Public Health Officer to establish rules and regulations establishing minimum standards for organized camps, defined as a site with a program and facilities established for the primary purposes of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives, for 5 days or more during one or more seasons of the year, except as specified. This bill would require the State Department of Social Services to convene and consult with a

stakeholder group on children's camp safety. The bill would require the stakeholder group to be composed of representatives of designated state entities, including, but not limited to, the State Department of Public Health and the State Department of Education, and other stakeholders, such as parent advocate groups, children's advocates and safety groups, and local parks and health departments. The bill would require the department, following consultation with the stakeholder group, and within 24 months after funds are appropriated, to submit its recommendations in a report to the Legislature, as specified. The bill would require the recommendations to address, among other things, a definition for a children's camp, child supervision requirements, requirements for camp licensure and regulation, and the government agency or agencies necessary to establish and enforce rules and regulations relating to children's camps, as specified. The bill would require the report to include costs estimates for implementation of the recommendations included in the report. The bill also would require the department to draft preliminary regulations based on the recommendations provided to the Legislature, as specified.

Position: Neutral

Assigned: MDetwiler

District Services: Recreation and Park

Subject Area: Governance

Working Group: Governance

CSDA SUMMARY: This bill largely recreates [AB 1737 \(Holden, 2022\)](#) in its form as amended on June 30, 2022. Previously, AB 262 created a definition for "children's camp" (a program that offers daytime or overnight experiences administered by adults, that provides social, cultural, educational, recreational, or artistic programming to more than five children between 3 and 17 years of age for five days or longer) that excluded from that definition 1) a youth sports league or team; 2) a program owned or operated by a local educational agency; 3) a drop-in program that does not require registration or sign-in by the attendee, parent, or caregiver; 4) a program that requires a parent to be present; 5) certain specified child day care facilities or family day care homes. In opposing AB 1737, the California Library Association (CLA) wrote that the definition of "children's camp" was overly broad; CLA suggested that the list of entities excluded from the definition of "children's camp" be expanded to also exclude public libraries from that definition. Notably, CSDA was able to move to "Neutral" on the August 18, 2022 version of AB 1737.

The April 18, 2023 version of AB 262 omits the definition of "children's camp" it had originally sought to create. It directs the State Department of Social Services to gather information and provide recommendations to the Legislature regarding development of subsequent legislation for children's camps, including, among other things: the definition of a children's camp; child supervision requirements; child-to-counselor ratios and background checks for administrators, employees, and volunteers; physical facility standards; requirements for camp licensure and/or regulation; the appropriate level of the provision of accessible and transparent camp information; and the government agency or agencies necessary to establish and enforce rules and regulations relating to children's camps. (*updated 9.19.23*)

AB 557 (Hart D) Open meetings: local agencies: teleconferences.

Introduced: 2/8/2023

Last Amended: 9/1/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 534, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

(1)Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise the authority of a legislative body to hold a

teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect. Specifically, the bill would extend indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (2) has previously made that determination. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures. This bill contains other related provisions and other existing laws.

Attachments:

[Coalition Assembly Bill 557 \(Hart\) Governor - Request for Signature](#)

[Coalition Assembly Bill 557 \(Hart\) Senate Judiciary Committee - Support](#)

[Coalition Assembly Bill 557 \(Hart\) Senate Governance and Finance Committee - Support](#)

[Coalition Assembly Bill 557 \(Hart\) Assembly Floor Alert - Support](#)

[Coalition Assembly Bill 557 \(Hart\) Assembly Local Government Committee - Support](#)

[Coalition Assembly Bill 557 \(Hart\) Author - Sponsor](#)

Position: Sponsor

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Open Meetings/Brown Act

Working Group: Governance

CSDA SUMMARY: This bill is CSDA's sponsored legislation on the Brown Act; CSDA is joined by the California State Association of Counties, the League of California Cities, and the California School Boards Association in sponsoring this bill. The bill as introduced seeks to eliminate the sunset on the provisions added to California Government Code section 54953 by Assembly Bill 361 (R. Rivas, 2021), while also changing the renewal window for AB 361 resolutions from 30 days to 45 days. Amendments taken following the bill's passage out of the Senate Governance and Finance Committee remove any reference to "social distancing" previously found in California Government Code section 54953. (*updated 9.19.23*)

[AB 588](#) ([Rivas, Robert D](#)) **Pajaro Valley Water Management Agency Act: board members.**

Introduced: 2/9/2023

Status: 7/6/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 37, Statutes of 2023.

Location: 7/6/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Pajaro Valley Water Management Agency Act, specifies qualifications for the 7-member board of directors that governs the agency, 4 of whom are elected and 3 of whom are appointed. Existing law requires that the 3 appointed members reside within the jurisdiction of the appointing power, derive at least 51% of their net income from the production of agricultural products, as certified by affidavit, and be appointed by the Board of Supervisors of Monterey County, the Board of Supervisors of Santa Cruz County, and the City of Watsonville, respectively. This bill would require the appointee of the City of Watsonville to instead have a primary income that involves or, if the appointee is retired, did involve, a close and continuing relationship with the Pajaro Valley agricultural industry.

Attachments:

[Assembly Bill 588 \(Rivas\) Senate Governance and Finance Committee - Support](#)

[Assembly Bill 588 \(Rivas\) Assembly Local Government Committee - Support](#)

[Assembly Bill 588 \(Rivas\) Author - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: Single District

Subject Area: Governance

Working Group: Governance

CSDA SUMMARY: This bill would revise the requirements for the appointee from the City of Watsonville to the Pajaro Valley Water Management Agency. Rather than require the appointee to derive at least 51% of their net income from the production of agricultural products, the appointee from the City of Watsonville would be required to have a primary income that involves (or, if the appointee is retired, did involve) a close and continuing relationship with the Pajaro Valley agricultural industry. (*updated 7.13.23*)

AB 764 (Bryan D) Local redistricting.

Introduced: 2/13/2023

Last Amended: 9/7/2023

Status: 10/7/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 343, Statutes of 2023.

Location: 10/7/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires counties, general law and charter cities, and special districts that elect their governing boards using district-based elections to adopt, in a prescribed manner, new district boundaries following each federal decennial census. Existing law also requires county boards of education, and the governing boards of school districts and community college districts in which trustee areas have been established, to adopt new boundaries for their trustee areas following each federal decennial census. This bill would revise and recast these provisions. The bill would require counties, county boards of education, cities, school districts, community college districts, and special districts, if the governing body of these local jurisdictions is elected by districts, to comply with uniform requirements related to redistricting. The bill would require local jurisdictions to adopt district boundaries, using specified criteria, following the decision to establish district-based elections and following each federal decennial census. This bill contains other related provisions and other existing laws.

Attachments:

[Assembly Bill 764 \(Bryan\) Senate Elections and Constitutional Amendments Committee - Oppose unless Amended](#)

[Assembly Bill 764 \(Bryan\) Senate Governance and Finance Committee - Oppose unless Amended](#)

Position: Oppose Unless Amended 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Elections, Redistricting, and CVRA

Working Group: Governance

CSDA SUMMARY: This bill would enact the FAIR MAPS Act of 2023, which unlike the previous FAIR MAPS Act would include special districts, though

the provisions applicable to special districts are fewer and less prescriptive than provisions that apply to other units of government. The bill would require the districting body of a special district to, following or concurrent with the decision to establish district-based elections for a legislative body, or following each federal decennial census for a legislative body that is already elected using district-based elections, adopt boundaries for all of the election districts of the legislative body so that the election districts shall be substantially equal in population. The agency would have to determine whether it is possible to create an election district or districts in which a minority group is sufficiently large and geographically compact to constitute a majority in a single-member district— and publish on a “redistricting web page” the results of its analysis within 7 days of completing the analysis or prior to adopting election district boundaries (whichever occurs first). If the districting body conducts an analysis to determine whether “racially polarized voting” exists in the local jurisdiction, the districting body would be required to publish on its redistricting web page, at a minimum, a summary of its analysis and findings within 7 days of completing the analysis or prior to adopting election district boundaries (whichever occurs first). The districting body would be required to adopt election district boundaries using criteria specified in the bill, and would be prohibited from adopting election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party. Prior to holding its first workshop or public hearing, the special district must establish (and maintain for at least 10 years after the adoption of new election district boundaries) an accessible internet web page dedicated to redistricting. The web page may be hosted on the special district’s existing internet website or another internet website maintained by the district. Prior to the first workshop or public hearing and until new district boundaries are adopted, the homepage of the special district’s internet website shall include a prominent link to the redistricting web page. Before a districting body adopts new election district boundaries (except for when a legislative body transitions from being elected at-large to elected by districts or from districts), the special district would have to hold a) at least one workshop, and the districting body would have to hold b) two public hearings at which the public is invited to provide input regarding the composition of one or more neighborhoods, communities of interest, or election districts. If either of the two public hearings is consolidated with a regular or special meeting of the districting body that includes other substantive agenda items, the public hearing must begin at a fixed time regardless of its order on the

agenda, except that the districting body may first conclude any item being discussed or acted upon, including any associated public comment, when that time occurs. The special district shall make a good faith effort to encourage residents, including those in underrepresented communities and non-English speaking communities, to participate in the redistricting process (does not apply when a legislative body transitions from being elected at-large to elected by districts or from districts). The districting body, or an advisory or hybrid redistricting commission, shall allow the public to submit written public comment or draft neighborhood, community of interest, or district maps. The district would be required, at least 72 hours before holding the first of its final two workshops or public hearings, to make all of the written comments or draft maps available to the public on its redistricting web page, except for any public comment or draft map received less than four business days before that workshop or public hearing. If the districting body does not adopt election district boundaries by the deadline (i.e., in 2031 and thereafter: not later than 204 days before the district's next regular election occurring after January 1 in each year ending in the number two), the districting body must immediately petition a superior court for an order adopting election district boundaries; failure to do so would permit a resident of the local jurisdiction to file the petition. Local agencies are granted time to cure and correct certain actual or potential violations of the Act within a specified timeframe; failure to do so would permit an interested person to file for relief through court intervention. *(updated 9.19.23)*

AB 817 (Pacheco D) Open meetings: teleconferencing: subsidiary body.

Introduced: 2/13/2023

Last Amended: 1/17/2024

Status: 1/25/2024-Read third time. Passed. Ordered to the Senate. (Ayes 54. Noes 8.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/25/2024-S. RLS.

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | | | |
| 1st House | | | | 2nd House | | | | Conc. | Enrolled | Vetoed | Chaptered |

Summary:

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all

persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met (nonemergency provisions). Existing law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. This bill contains other related provisions and other existing laws.

Attachments:

[Assembly Bill 817 \(Pacheco\) Author - Support](#)

[Assembly Bill 817 \(Pacheco\) Assembly Local Government Committee - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Open Meetings/Brown Act

Working Group: Governance

CSDA SUMMARY: This bill would allow “subsidiary bodies” (i.e., a legislative body that serves exclusively in an advisory capacity and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements) to meet remotely without the Brown Act requirements traditionally associated with teleconferencing (e.g., that agenda meeting notices are posted at all teleconference locations) and without regard to any emergency situation. Each member of the subsidiary body would be required to participate through both audio and visual technology. Subsidiary bodies looking to avail themselves of this flexibility would be required to obtain from the legislative body that established them, by majority vote before teleconferencing for the first time, and every 12 months thereafter, findings that 1) the legislative body has considered the circumstances of the subsidiary body, 2) teleconference meetings of the subsidiary body would enhance public access to meetings of the subsidiary body, and 3) teleconference meetings of the subsidiary body would promote the attraction, retention, and diversity of subsidiary body members. A recent amendment added a January 1, 2026 sunset date to the bill; according to the sponsors, planned amendments include language to align the bill with provisions applicable to state advisory bodies found in SB 544 (Laird, 2023) that also sunset on January 1, 2026. *(updated 1.29.24)*

AB 1713 (Gipson D) Local agencies: federal funds: reports.

Introduced: 2/17/2023

Last Amended: 7/11/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/28/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | 2 year | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law generally imposes various reporting duties on entities that receive state and federal funds, including, among others, requiring each state agency, department, and entity to provide its employer identification number to the Treasurer. This bill would require a local agency that receives federal funds that are subject to an expiration date, and recurrently and persistently fails to spend a substantial amount of those funds by the expiration date, as provided, to submit a written report to the local agency’s legislative body no later than one year after the funding expiration date with an enumeration of the amount of funds returned, a summary of the reasons the funds were returned, and an analysis of policy or operational changes required to ensure that relevant federal funds are spent timely in the future. The bill would require the local agency’s legislative body to include the report

on the agenda of a public meeting. The bill would apply these provisions to specified types of grants, and only where the local agency returns at least \$10,000,000 from a single federal allocation. This bill contains other related provisions.

Attachments:

[Assembly Bill 1713 \(Gipson\) Senate Governance and Finance Committee - Oppose](#)

[Assembly Bill 1713 \(Gipson\) Author - Oppose](#)

Position: Oppose 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Ethics (Conflict of Interest/FPPC)

Working Group: Governance

CSDA SUMMARY: This bill would require a local agency that received approximately \$13.333 million in federal funds that expired before the agency spent at least 25% of those funds to report on that funding. The local agency would be required to provide the legislative body no later than one year after the funding expiration date of the relevant funds 1) an enumeration of the funds returned, 2) a summary of the reasons why the funds were returned, and 3) an analysis of policy or operational changes that would be required to ensure that the relevant federal funds are spent timely in the future. This would only apply to local agencies that have had federal funds expire on them consistent with the figures above twice within three consecutive federal funding allocations, and would only apply in the case of nonformula-funded, competitive, and discretionary federal grant programs. These requirements would not apply to federal mandatory, formula, or block grant programs. (*updated 7.13.23*)

[AB 1757](#) (Committee on Judiciary) Accessibility: internet websites.

Introduced: 3/2/2023

Last Amended: 8/15/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 7/11/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | 2 year | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law imposes liability upon a person who denies, aids, or incites a denial of, or makes any discrimination or distinction contrary to, rights afforded by law for actual damages suffered, exemplary damages, a civil penalty, and attorney's fees, as specified, to any person who was denied the specified rights. Existing law also imposes liability upon a person, firm, or corporation that denies or interferes with admittance to, or enjoyment of, public facilities or otherwise interferes with the rights of an individual with a disability, as specified, for damages and attorney's fees to a person who was denied those rights. This bill would provide that statutory damages based upon the inaccessibility of an internet website under these provisions shall only be recovered against an entity, as defined, if the internet website fails to provide equally effective communication or facilitate full and equal enjoyment of the entity's goods and services to all members of the public. The bill would require, in order for a plaintiff to be entitled to statutory damages for internet website inaccessibility, the plaintiff to prove either that the plaintiff personally encountered a specific barrier that caused the plaintiff to experience a difference in the plaintiff's access to, or use of, the internet website as compared to other users, as specified, or that the plaintiff was deterred from accessing all or part of the internet website or the content of the internet website because of the internet website's failure to provide equally effective communication or to facilitate full and equal enjoyment of the entity's goods and services offered to the public. The bill would provide that an entity's internet website is presumed to provide equally effective communication and to facilitate full and equal enjoyment of the entity's goods and services to all members of the public for the purpose of determining whether an award of statutory damages is warranted, as specified, if the internet website has a certain certification by a professional reviewer, as defined, that, among other things, the internet website is designed and intended to conform to the internet website-related accessibility standard, as defined. This bill contains other related provisions.

Position: Support 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Working Group: Governance

CSDA SUMMARY: This bill succeeds AB 950 (Maienschein), which contained similar provisions to those found in this bill. This bill establishes

safe harbor provisions for websites maintained by "a business establishment that is open to the public, a public place, or a place of public accommodation," which has been interpreted to include local public agencies. Plaintiffs seeking statutory damages consequent to alleging that a website is inaccessible would have to prove either:

(1) That the plaintiff personally encountered a specific barrier that caused the plaintiff to experience a difference in the plaintiff's ability to access or use the website as compared to other users such that the plaintiff was unable to acquire the same information, engage in the same interactions, or enjoy the same services with substantially equivalent ease of use, or to have the same level of privacy and independence as other users who are not persons with a disability; or

(2) That the plaintiff was deterred from accessing all or part of the internet website or the content of the website because of the website's failure to provide equally effective communication or to facilitate full and equal enjoyment of the entity's goods and services offered to the public.

A local agency maintaining a website that is the subject of a claim is afforded a presumption that the website provides equally effective communication and to facilitate full and equal enjoyment of the entity's goods and services to all members of the public for the purpose of determining whether an award of statutory damages is warranted if the internet website 1) has a certification by a professional reviewer that all of the following are true:

- The internet website is designed and intended to conform to the internet website-related accessibility standard;
- the internet website has been tested, in both an automated manner and a manual manner by qualified users, and has been determined to conform to the internet website-related accessibility standard; and
- all third-party content that is available on the entity's internet website by means of a link from the internet website and that allows members of the public to access, view, utilize, conduct transactions with respect to, or in any other way interact with, the entity or the entity's goods, services, or presentations, has been tested, in both an automated and manual manner, and has been determined to conform to the internet website-related accessibility standard.

And, 2) that the certification by a professional reviewer described above meets all of the following criteria:

- The certification is made within the prior 12 months or after revisions to the internet website that impact accessibility, whichever is more recent, and is

based on a review that includes testing by qualified users;

- the certification is posted, or available by means of a clearly marked link, on the home page of the entity's internet website; and
- the certification includes a statement from the professional reviewer explaining how that person qualifies to be a professional reviewer. If the professional reviewer is not a Certified Professional in Web Accessibility (CPWA) with a certificate issued by the International Association of Accessibility Professionals (IAAP), the professional reviewer shall list the type of certification that person has obtained from another source of professional training for front-end internet website developers, as well as the criteria for issuance of that certificate, in order to demonstrate that the criteria are equivalent to, or higher than, the requirements for the issuance of a CPWA certificate.

Plaintiffs are afforded the opportunity to rebut this presumption with clear and convincing evidence, showing that, notwithstanding the internet website's conformance to the WCAG standard, the plaintiff was nonetheless deprived in one of the two ways mentioned above. Defendants may nonetheless seek a court stay and early evaluation conference, provided they successfully qualified for the initial presumption.

This bill also makes it unlawful for website design vendors to intentionally, negligently, recklessly, or knowingly construct, license, distribute, or maintain for online use, an internet website that fails to provide equally effective communication or fails to facilitate full and equal enjoyment of the entity's goods and services to all members of the public, including any member of the public who is a person with a disability.

Similarly, it would be unlawful to intentionally, negligently, knowingly, or recklessly make a false representation that 1) an internet website provides equally effective communication and facilitates full and equal enjoyment of the entity's goods and services to all members of the public, including any member of the public who is a person with a disability; 2) an internet website qualifies for the accessibility certification, or 3) the resource provider is a professional reviewer or otherwise qualified to assess the accessibility of an internet website. Vendors would potentially be liable for accessibility claims arising from their negligence under these provisions, potentially shifting the burden from the local agency. (*updated 9.20.23*)

ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.

Introduced: 12/5/2022

Last Amended: 9/5/2023

Status: 9/20/2023-Chaptered by Secretary of State - Res. Chapter 173, Statutes of 2023.

Location: 9/20/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements. The measure would prohibit a city, county, city and county, or special district from placing a proposition on the ballot pursuant to these provisions if the voters have previously approved a proposition pursuant to these provisions or the below special tax provisions until all funds from the previous proposition are committed to programs and projects listed in the specific local program or ordinance, as described. The measure, subject to certain vote thresholds, would authorize the Legislature to enact laws establishing additional accountability measures and laws for the downpayment assistance programs authorized by the measure, as specified. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.

Attachments:

[Assembly Constitutional Amendment 1 \(Aguiar-Curry\) Assembly Local Government Committee - Support](#)

[Assembly Constitutional Amendment 1 \(Aguiar-Curry\) Author - Support](#)

Position: Support 2

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Elections, Redistricting, and CVRA

Working Group: Governance

CSDA SUMMARY: This measure is a reintroduction of the same bill from the 2019-20 and 2021-22 sessions. It provides for a new 55% voter threshold for local agencies to pass special taxes for certain infrastructure and housing projects. It also provides the same threshold for local governments to pass General Obligation bonds for the same infrastructure and housing projects. There are strict accountability measures attached to these new mechanisms. This will require a vote of the people in November 2024, to take effect. (updated 9.19.23)

ACA 13 (**Ward D**) **Voting thresholds.**

Introduced: 7/13/2023

Last Amended: 9/11/2023

Status: 11/2/2023-Chaptered by Secretary of State- Chapter 176, Statutes of 2023

Location: 11/2/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Constitution provides that a proposed constitutional amendment and a statewide initiative measure each take effect only if approved by a majority of the votes cast on the amendment or measure. This measure would further provide that an initiative measure that includes one or more provisions that would amend the Constitution to increase the voter approval requirement to adopt any state or local measure would be approved by the voters only if the proportion of votes cast in favor of the initiative measure is equal to or greater than the highest voter approval requirement that the initiative measure would impose. The measure would specify that this voter approval requirement would apply to statewide initiative measures that appear on the ballot on or after January 1, 2024. This bill contains other related provisions and other existing laws.

Attachments:

[Coalition Assembly Constitutional Amendment 13 \(Ward\) Assembly Floor Alert - Support](#)

[Coalition Assembly Constitutional Amendment 13 \(Ward\) Asm](#)

[Appropriations Committee - Support](#)
[Coalition Assembly Constitutional Amendment 13 \(Ward\) Asm](#)
[Elections Committee - Support](#)
[Assembly Constitutional Amendment 13 \(Ward\) Author - Support](#)

Position: Support 2

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Elections, Redistricting, and CVRA

Working Group: Governance

CSDA SUMMARY: The Protect and Retain the Majority Vote Act (ACA 13) will ask voters whether, in the event a citizen-initiated constitutional amendment contains vote thresholds in excess of a simple majority, such an amendment should be supported by the same vote threshold it seeks to impose. Any citizen-initiated constitutional amendment with supermajority vote thresholds would thus need to obtain the same level of supermajority approval it would require. *(updated 9.20.23)*

[SB 29](#) ([Glazer D](#)) **The Political Reform Act of 1974: Fair Political Practices
Commission: political reform education program.**

Introduced: 12/5/2022

Last Amended: 6/22/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 696, Statutes of 2023.

Location: 10/10/2023-S. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, including requiring the reporting of campaign contributions and expenditures and imposing other reporting and recordkeeping requirements on campaign committees. Under existing law, the Fair Political Practices Commission has primary responsibility for the impartial, effective administration and implementation of the Political Reform Act of 1974. Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties. Under existing law, a person who files an original statement or

report after a deadline imposed by the Political Reform Act of 1974 is liable in the amount of \$10 per day after the deadline until the statement or report is filed, as specified. Existing law authorizes a filing officer to not impose this liability if the officer determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the act, except as specified. Existing regulation directs the commission to develop a diversion program to allow for the education of a person who commits a minor violation of the act, as specified. This bill would authorize the commission to establish and administer a political reform education program as an alternative to an administrative proceeding, as specified. The bill would establish eligibility requirements for the political reform education program, including that the person has little or no experience with the act and that the violation resulted in minimal or no public harm. If a person meets the requirements to participate in the political reform education program and completes the program, this bill would exempt the person from administrative, civil, or criminal penalties for the applicable violation of the Political Reform Act of 1974, as specified. The bill would authorize the commission to impose additional eligibility requirements for participation in the program. The bill would authorize the commission to charge a fee to program participants in an amount not to exceed the reasonable cost to administer the political reform education program. The bill would require the fee be paid to the General Fund. The bill would express the intent of the Legislature to appropriate funds annually to the commission to administer the political reform education program. The bill would prohibit a filing officer from imposing the \$10 per day liability if the person who filed the late report or statement was unable to timely file due to serious illness or hospitalization or if the person completes the political reform education program, as specified. This bill contains other related provisions and other existing laws.

Attachments:

[Senate Bill 29 \(Glazer\) Governor - Request for Signature](#)

[Senate Bill 29 \(Glazer\) Assembly Elections Committee - Support](#)

[Senate Bill 29 \(Glazer\) Senate Elections and Constitutional](#)

[Amendments Committee - Support](#)

[Senate Bill 29 \(Glazer\) Author - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Elections, Redistricting, and CVRA

Working Group: Governance

CSDA SUMMARY: This bill would permit the establishment of a small-time offenders education program within the Fair Political Practices Commission, with the following eligibility requirements:

The person has little or no experience with the section of the Political Reform Act that the person violated.

The underlying violation resulted in minimal or no public harm.

The person has not been ordered to pay a penalty for the same type of violation in the previous five years.

There is no evidence of an intent to violate this title or to conceal a violation of the Political Reform Act.

If a person meets the requirements above (as well as any other requirements articulated by the commission as part of the program) and successfully completes the education program, the person would not be subject to administrative, civil, or criminal penalties and the violation could not be deemed a prior violation by the person in any subsequent proceeding against that person. *(updated 7.11.23)*

SB 532 (Wiener D) San Francisco Bay area toll bridges: tolls: transit operating expenses.

Introduced: 2/14/2023

Last Amended: 6/29/2023

Status: 8/23/2023-August 23 set for first hearing canceled at the request of author.

Location: 7/5/2023-A. APPR.

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a

separate entity governed by the same governing board as MTC and makes BATA responsible for the administration of toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law requires the Department of Transportation to collect tolls on these state-owned toll bridges. Existing law requires those toll revenues to be deposited in the Bay Area Toll Account and requires BATA to control and maintain that account, as specified. This bill would, until December 31, 2028, require BATA to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to MTC for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified. This bill contains other related provisions and other existing laws.

Attachments:

[Coalition Senate Bill 532 \(Wiener\) Senate Elections & Constitutional Amendments Committee - Support](#)

[Coalition Senate Bill 532 \(Wiener\) Senate Governance & Finance Committee - Support](#)

Position: Neutral

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Local Bonds and Financings

Working Group: Governance

CSDA SUMMARY: Previously, this bill would have allowed a jurisdiction placing a measure that imposed or increased tiered tax rates or authorized the issuance of bonds on the ballot to include the words "See voter guide for measure information statement" in the ballot label. The bill would have required a local jurisdiction selecting this option to specify the reasons for doing so in the resolution calling the election. As amended, this bill now proposes to increase the bridge toll fees on select Bay Area bridges by \$1.50 in order to provide Bay Area public transit agencies with the necessary revenue to avert catastrophic impacts to service. (*updated 7.11.23*)

SB 563 (Archuleta D) Air pollution control districts and air quality management districts: dependent and independent special districts: funding.

Introduced: 2/15/2023

Last Amended: 5/1/2023

Status: 2/1/2024-Returned to Secretary of Senate pursuant to Joint Rule 56.

Location: 1/18/2024-S. DEAD

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law provides for the establishment of air pollution control districts and air quality management districts. Existing law declares a district a body corporate and politic and a public agency of the state, and prescribes the general powers and duties of a district. Existing law authorizes a district to receive funding from specified sources, including, but not limited to, grants, permit fees, and penalties. Existing law also defines dependent special districts and independent special districts for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This bill would designate a district as a special district for purposes of receiving state funds or funds disbursed by the state, including federal funds. The bill would also require, if eligibility for funds requires a district to be considered either a dependent or an independent special district, the entity distributing those funds to use the definitions for those terms set forth in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as specified, to determine eligibility.

Position: Concerns

Assigned: MDetwiler

District Services: Air Quality Management

Subject Area: Governance

Issues: None

Working Group: Governance

CSDA SUMMARY: Would provide that an air quality management/pollution control district shall be deemed a special district for purposes of receiving state funds or funds disbursed by the state, including federal funds. If the eligibility criteria for the funds requires a district to be considered dependent or independent, the entity distributing the funds would be required to use the definitions found at California Government Code sections 56032.5 and

56044, without regard to the exclusion of an air district from those definitions. "Funds" in this sense includes, but is not limited to, moneys, loans, grants, financial incentives, and other economic benefits. This change to law is effected by amending California Health and Safety Code section 40701.5, relating to funding sources for air districts. (*updated 7.11.23*)

SB 721 (**Becker D**) **California Interagency AI Working Group.**

Introduced: 2/16/2023

Last Amended: 3/22/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was P. & C.P. on 6/1/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-A. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | 2 year | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires the Secretary of Government Operations to develop a coordinated plan to, among other things, investigate the feasibility of, and obstacles to, developing standards and technologies for state departments for determining digital content provenance, as defined. Existing law requires, for the purpose of informing that coordinated plan, the secretary to evaluate, among other things, the impact of the proliferation of deepfakes, defined to mean audio or visual content that has been generated or manipulated by artificial intelligence that would falsely appear to be authentic or truthful and that features depictions of people appearing to say or do things they did not say or do without their consent, on state government, California-based businesses, and residents of the state. This bill would, until January 1, 2030, create the California Interagency AI Working Group to deliver a report to the Legislature, as prescribed, regarding artificial intelligence. The bill would require the working group members to be Californians with expertise in at least 2 of certain areas, including computer science, artificial intelligence, and data privacy. The bill would require the report to the Legislature to include, among other things, a recommendation of a definition of artificial intelligence as it pertains to its use in technology for use in legislation.

Position: Neutral

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: Privacy / Data Protection

Working Group: Governance

CSDA SUMMARY: This bill previously specified that a special tax could include a tax on vacant sites within the inventory of land suitable and available for residential development pursuant to the housing element of a county's or a city's long-term general plan. As amended, the bill now creates the California Interagency AI Working Group, tasked with delivering a report to the Legislature regarding artificial intelligence. *(updated 9.27.23)*

SB 878 (Committee on Governance and Finance) Validations.

Introduced: 2/17/2023

Status: 6/29/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 30, Statutes of 2023.

Location: 6/29/2023-S. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

This bill would enact the First Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

[SBs 878, 879, & 880 \(Senate Governance and Finance Committee\)](#)

[Assembly Local Government Committee - Support](#)

[SBs 878, 879, & 880 \(Senate Governance and Finance Committee\)](#)

[Author - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: None

Working Group: Governance

CSDA SUMMARY: These bills (SBs 878, 879, and 880) enact the Validating Acts of 2023, which validate the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies. The annual Acts protect investors from the chance that a minor error might undermine the legal

integrity of a public agency's bond. The three Acts cure typographical, grammatical, and procedural errors. (*updated 7.13.23*)

SB 879 (Committee on Governance and Finance) Validations.

Introduced: 2/17/2023

Status: 6/29/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 31, Statutes of 2023.

Location: 6/29/2023-S. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

This bill would enact the Second Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

[SBs 878, 879, & 880 \(Senate Governance and Finance Committee\)](#)

[Assembly Local Government Committee - Support](#)

[SBs 878, 879, & 880 \(Senate Governance and Finance Committee\)](#)

[Author - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: None

Working Group: Governance

CSDA SUMMARY: These bills (SBs 878, 879, and 880) enact the Validating Acts of 2023, which validate the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies. The annual Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency's bond. The three Acts cure typographical, grammatical, and procedural errors. (*updated 7.13.23*)

SB 880 (Committee on Governance and Finance) Validations.

Introduced: 2/17/2023

Status: 6/29/2023-Approved by the Governor. Chaptered by Secretary of

State. Chapter 32, Statutes of 2023.

Location: 6/29/2023-S. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

This bill would enact the Third Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[SBs 878, 879, & 880 \(Senate Governance and Finance Committee\)](#)

[Assembly Local Government Committee - Support](#)

[SBs 878, 879, & 880 \(Senate Governance and Finance Committee\)](#)

[Author - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Governance

Issues: None

Working Group: Governance

CSDA SUMMARY: These bills (SBs 878, 879, and 880) enact the Validating Acts of 2023, which validate the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies. The annual Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency's bond. The three Acts cure typographical, grammatical, and procedural errors. (*updated 7.13.23*)

SCR 52 (Alvarado-Gil D) Special Districts Week.

Introduced: 4/10/2023

Status: 6/1/2023-Chaptered by Secretary of State. Res. Chapter 88, Statutes of 2023.

Location: 6/1/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

This measure proclaims the week of May 14, 2023, to May 20, 2023, to be Special Districts Week.

Attachments:**[Senate Concurrent Resolution 52 \(Alvarado-Gil\) Author - Sponsor](#)****Position:** Sponsor**Assigned:** MDetwiler**District Services:** General/All**Subject Area:** Community Enrichment**Working Group:** Governance

CSDA SUMMARY: This measure proclaimed the week of May 14 to May 20, 2023 to be Special Districts Week. This week coincided with CSDA's Special Districts Legislative Days. It recognized the important historical role that special districts play in service and infrastructure delivery. *(updated 7.11.23)*

[SCR 82](#) ([Wahab D](#)) **California Firefighter Appreciation Month and California Firefighters Memorial Day.****Introduced:** 7/5/2023

Status: 9/13/2023-Chaptered by Secretary of State. Res. Chapter 161, Statutes of 2023.

Location: 9/12/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

This measure would proclaim the month of October 2023 as California Firefighter Appreciation Month and October 14, 2023, as California Firefighters Memorial Day.

Position: Support 3**Assigned:** MDetwiler**District Services:** Fire Protection**Subject Area:** Community Enrichment**Working Group:** Governance

CSDA SUMMARY: This resolution proclaims October 2023 as California Firefighter Appreciation Month and October 14, 2023, as California Firefighters Memorial Day. *(updated 8.1.23)*

Human Resources and Personnel

AB 30 (**Ward D**) **Atmospheric rivers: research: reservoir operations.**

Introduced: 12/5/2022

Last Amended: 6/26/2023

Status: 9/1/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 134, Statutes of 2023.

Location: 9/1/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources.

Existing law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions. The bill would also require the department to utilize relevant information to operate reservoirs in a manner that improves flood protection in the state and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers and other storms.

Attachments:

[Asm. Ward AB 30 Thank You](#)

[AB 30 \(Ward\) AR Coalition Letter to Gov. - Support](#)

[AB 30 \(Ward\) Senate Natural Resources & Water Cmte. - Support](#)
[AB 30 \(Ward\) Senate Appropriations Cmte. - Support](#)
[AR Coalition AB 30 Support Letter Asm. Appro](#)
[AR Coalition AB 30 Support Letter Asm. Appro](#)
[AR Coalition AB 30](#)

Position: Support 3

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: Climate Change and Adaptation

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill will make changes to an existing Atmospheric Rivers research program. This bill changes the research directive of the Department of Water Resources (DWR): The department shall research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions. The department shall utilize all relevant information produced to operate reservoirs in a manner that improves flood protection in the state and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers and other storms. This bill makes only minor changes to the statutory goals of the program: The goals of integrating forecast-informed reservoir operations into department operations shall be to increase water supply, hydropower availability, and water supply reliability. This bill authorizes additional uses of research: The department may use research generated by this program to refine climate projections of extreme weather and water events and changes in Sierra snow. *(updated 9.25.23)*

[AB 96](#) ([Kalra D](#)) **Public employment: local public transit agencies: autonomous transit vehicle technology.**

Introduced: 1/9/2023

Last Amended: 9/6/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 419, Statutes of 2023.

Location: 10/7/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matters subject to collective bargaining. Existing law establishes the Public Employment Relations Board (PERB) in state government as a means of resolving disputes and enforcing the statutory duties and rights of specified public employers and employees under various acts regulating collective bargaining. Existing law includes within PERB's jurisdiction the resolution of disputes alleging violation of rules and regulations adopted by a public agency, as defined, concerning unit determinations, representations, recognition, and elections, as specified. Existing law authorizes PERB to adopt rules and regulations to carry out its purposes, as provided. Existing law does not apply the above provisions to employees of specified public transit agencies. This bill would require a public transit employer, at least 10 months before beginning a procurement process to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of a workforce, to provide written notice to the exclusive employee representative of the workforce affected by the autonomous transit vehicle technology of its determination to begin that procurement process. The bill would require the public transit employer and exclusive employee representative, upon written request by the exclusive employee representative, to commence collective bargaining within a specified time period on certain subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology. The bill would vest PERB with jurisdiction to process unfair practice charges alleging violations of these provisions, but only as to transit district employers where PERB has jurisdiction to process unfair practice charges. Should an employee organization file an unfair practice charge with PERB, the bill would require PERB's powers and duties to apply, as appropriate, and would require PERB's regulations to apply. The bill would authorize PERB to make additional emergency regulations, as specified.

Position: Oppose Unless Amended 3

Assigned: AAvery

District Services: Transit

Subject Area: Human Resources and Personnel

Issues: Labor Relations

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill will require a public transit employer, at least 10 months before beginning a procurement process to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of the workforce, to notify, in writing, the exclusive employee representative of the workforce affected by the autonomous transit vehicle technology of its determination to begin that procurement process. This bill also contains collective bargaining requirements related to the autonomous transit vehicle technology and mitigating its impacts, as well as specified enforcement provisions. To be positioned to take advantage of any coalition opportunities that may arise, align position with stakeholder anticipated to oppose unless amended to narrow the bill. *(updated 9.25.23)*

AB 504 (Reyes D) State and local public employees: labor relations: strikes.

Introduced: 2/7/2023

Last Amended: 9/7/2023

Status: 1/29/2024-Consideration of Governor's veto stricken from file.

Location: 10/8/2023-A. VETOED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Meyers-Milias-Brown Act and the Ralph C. Dills Act, regulate the labor relations of employees and employers of local public agencies and the state, respectively. Those acts grant specified employees, including, among others, certain employees of fire departments, of local public agencies and the state the right to form, join, and participate in the activities of employee organizations of their choosing and require public agency employers, among other things, to meet and confer with representatives of recognized employee organizations and exclusive representatives on terms and conditions of employment. The acts grant the Public Employment Relations Board the power to hear specified disputes in relation to these provisions and to make determinations regarding them. This bill would provide, except as specified, that it is not unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to enter property that is the site of a primary strike,

perform work for a public employer involved in a primary strike, or go through or work behind a primary strike line. The bill would prohibit a public employer from directing a public employee to take those actions. The bill would authorize a recognized employee organization to inform employees of these rights and encourage them to exercise those rights. The bill would also state that a provision in a public employer policy or collective bargaining agreement that purports to limit or waive the rights set forth in this provision shall be void as against public policy, except that the bill would require the parties to negotiate over the bill's provisions if the bill is in conflict with a collective bargaining agreement entered into before January 1, 2024, as prescribed. The bill would exempt certain public employees of fire departments and certain peace officers from these provisions. The bill would include related legislative findings. This bill contains other existing laws.

Attachments:

[AB 504 \(Reyes\) Coalition Floor Alert - Senate](#)

[AB 504 \(Reyes\) Coalition Veto Request](#)

[AB 504 \(Reyes\) FLOOR ALERT](#)

[AB 504 \(Reyes\) Sen. Approps. Cmte. - Coalition Final- Oppose](#)

[AB 504 \(Reyes\) Sen. Approps. Cmte. - Coalition - Oppose](#)

[AB 504 \(Reyes\) Senate Judiciary Cmte. -Coalition Oppose](#)

[AB 504 \(Reyes\) Senate Labor - Oppose](#)

[AB 504 Coalition Oppose](#)

[Assembly Appropriations Committee letter \(OPPOSE\)](#)

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Labor Relations

Working Group: Human Resources and Personnel

CSDA SUMMARY: This is a sympathy strike bill providing protections for workers based on third-party strikes.

This bill finds and declares that the right of a public employee to demonstrate solidarity with other employees by honoring a strike, or by refusing to enter upon the premises or perform work for a public employer engaged in a primary labor strike, is a fundamental human right protected by the Constitution and laws of this state.

This bill provides that notwithstanding any other law, and except as provided in the bill, it shall not be unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to do any of the following:

- (1) Enter property that is the site of a primary strike.
- (2) Perform work for an employer involved in a primary strike.
- (3) Go through or work behind any primary strike line.

A public employer shall not direct a public employee to take any of the actions set forth above.

A union may inform employees of their rights and encourage employees to exercise their rights under this bill.

This bill provides that a provision in a public employer policy or collective bargaining agreement that purports to limit or waive these rights shall be void as against public policy. This bill contains provisions for renegotiation of existing collective bargaining agreements, as to this issue.

This bill contains an exemption for certain peace officers and employees of fire departments.

This bill provides that it does not alter existing law relating to strikes by essential employees as set forth in judicial decisions and decisions of the Public Employee Relations Board, as promulgated or revised from time to time.

Align to local government coalition seeking amendments which, in summary, recently did the following:

- Provide that it shall not be unlawful or a cause for discipline or other adverse action against a public employee for that public employee to honor a strike picket line. For the purposes of this section only, the term “honor a strike picket line” shall mean any of the following:

- (1) Refuse to perform work for a public employer subject to a primary strike.
- (2) Refuse to enter property that is the site of a primary strike through

any primary strike line, provided that property used by multiple public employers may designate a reserved entrance for neutral employers that are not subject to the primary strike through which employees of the neutral employers may be required to enter without violating this section.

- Exempt peace officers under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code. *(updated 9.25.23)*

AB 513 (**Rodriguez D**) **California Individual Assistance Act.**

Introduced: 2/7/2023

Last Amended: 4/20/2023

Status: 9/1/2023-In committee: Held under submission.

Location: 8/14/2023-S. APPR. SUSPENSE FILE

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Summary:

Existing law, the California Disaster Assistance Act, requires the Director of Emergency Services to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. The act continuously appropriates moneys in the Disaster Assistance Fund and its subsidiary account, the Earthquake Emergency Investigations Account, without regard to fiscal year, for purposes of the act. This bill would enact the California Individual Assistance Act to establish a grant program to provide financial assistance to local agencies, community-based organizations, and individuals for specified costs related to a disaster, as prescribed. The bill would require the director to allocate from the fund, subject to specified conditions, funds to meet the cost of expenses for those purposes. By authorizing increased expenditure of moneys from a continuously appropriated fund for a new purpose, the bill would make an appropriation. This bill contains other related provisions.

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Labor Relations

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill will establish a grant program to provide financial assistance to local agencies, community-based organizations, and individuals for specified costs related to a disaster, as prescribed. (*updated 9.25.23*)

AB 597 ([Rodriguez D](#)) **Workers' compensation: first responders: post-traumatic stress.**

Introduced: 2/9/2023

Last Amended: 1/3/2024

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/12/2024-A. DEAD

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Summary:

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law provides, until January 1, 2029, that, for certain state and local firefighting personnel and peace officers, the term "injury" includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit. Existing law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits. This bill would, for injuries occurring on or after January 1, 2025, make that provision applicable to emergency medical technicians and paramedics, as defined.

Attachments:

[AB 597 Coal. Opp](#)

[AB 597 Coal. Opp - A- Ins](#)

Position: Oppose 3

Assigned: AAvery

District Services: Fire Protection, Healthcare/Hospital

Subject Area: Human Resources and Personnel

Issues: Workers' Compensation

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill makes changes to existing Workers'

Compensation presumptions for posttraumatic stress disorder in certain classes of public safety employees. The presumption definition is expanded to: post-traumatic stress injury, which includes “post-traumatic stress disorder” that develops or manifests during a period in which any person described in statute, as expanded by the bill, is in the service of the department, unit, provider, or agency (expanding from just department or unit).

As applicable to special districts, the presumption already covered active firefighting members, whether volunteers, partly paid, or fully paid, of a district fire department, and specified peace officers. This bill changes covered peace officers and adds emergency medical technicians and paramedics, as defined.

The amendments apply to injuries occurring on or after January 1, 2024.
(updated 9.25.23)

AB 735 (Berman D) Workforce development: utility careers.

Introduced: 2/13/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/18/2024-A. DEAD

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Summary:

Existing law, the California Workforce Innovation and Opportunity Act, requires the California Workforce Development Board to assist the Governor in the development of a high road economy that offers an educated and skilled workforce with fair compensation and treatment in the workplace. In this regard, existing law requires the board to assist in the administration, promotion, and expansion of, as well as field assistance for, high road training partnerships, as defined. This bill would establish the High Road Utility Careers (HRUC) program, to be administered by the board, to connect existing resources with individuals interested in careers in the utility sector and ensure a continued reliable workforce for California utilities. The bill would require the board to administer the HRUC program through partnerships with statewide water, wastewater, and energy utility associations and to coordinate the program with existing and future

programs and initiatives administered by the board, including high road training partnerships, in order to align interested individuals with available resources. The bill would require the HRUC program, upon appropriation by the Legislature, to dedicate funding and resources toward accomplishing specified goals, including connecting workers to high-quality jobs or entry-level work with defined routes to advancement and increasing skills and opportunities while expanding pipelines for low-income populations. This bill contains other related provisions and other existing laws.

Attachments:

[AB 735 \(Berman\) Assembly Appropriations Cmte. - Support](#)

[Assembly Labor Committee \(SUPPORT\)](#)

[Author \(SUPPORT\)](#)

Position: Support 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Workforce Development

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill is sponsored by the California Municipal Utilities Association.

This bill creates the High Road Utility Careers (HRUC) workforce development program, the primary purpose of which is to connect existing resources with individuals interested in careers in the utility sector and to ensure a continued reliable workforce for California utilities.

This bill requires the California Workforce Development Board to do all of the following:

- (1) Administer the HRUC program through partnerships with statewide water, wastewater, and energy utility associations. The board shall coordinate, where possible, and share resources, tools, and information with these partners.
- (2) Coordinate the HRUC program with existing and future programs and initiatives administered by the board, including high road training partnerships and the Breaking Barriers to Employment Initiative, in order to align interested individuals with available resources.
- (3) Partner with public schools and continuing education schools to promote

career placement in the utility sector.

The board shall partner with regional and state trade associations, industry groups, vocational training programs offered through nonprofit, community-based organizations, and unions to promote training on essential job duties required for working in utilities and on diversity, equity, and inclusion. The board shall partner with public schools and continuing education schools to promote career placement in the utility sector.

The bill contains several requirements for the HRUC program, as specified.

Upon appropriation by the Legislature for this express purpose, the HRUC program shall dedicate funding and resources toward accomplishing all of the following goals:

- (a) Connecting workers to high-quality jobs or entry-level work with defined routes to advancement.
- (b) Increasing skills and opportunities while expanding pipelines for low-income populations.
- (c) Prioritizing upward mobility for residents of low-income communities.
- (d) Addressing worker, employer, and industry needs.
- (e) Developing workforce development programs or providing research, planning, and development, or both.
- (f) Connecting workers to existing resources and services.
- (g) Developing regional strategies to support workers and communities in adapting to and creating new workforce opportunities.

This bill requires the State Department of Education to partner with regional and statewide trade associations and industry groups for water, wastewater, and electric utilities, and with vocational training programs offered through unions and nonprofit, community-based organizations, to develop and distribute informational materials for career guidance to pupils in grades 9 through 12, regarding the potential for employment, educational requirements, and other matters pertaining to careers in these utilities. Interested pupils shall be directed to the EDD for potential job placement.
(updated 9.25.23)

AB 977 (Rodriguez D) Emergency departments: assault and battery.
Introduced: 2/14/2023

Last Amended: 1/10/2024

Status: 1/29/2024-Read third time. Passed. Ordered to the Senate. (Ayes 68. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/29/2024-S. RLS.

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Summary:

Existing law defines an assault as an unlawful attempt, coupled with present ability, to commit a violent injury on the person of another. Existing law defines a battery as any willful and unlawful use of force or violence upon the person of another. Under existing law, an assault or battery committed against a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment. This bill would also make an assault or battery committed against a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment. The bill would authorize a health facility that maintains and operates an emergency department to post a notice in the emergency department stating that an assault or battery against staff is a crime, and may result in a criminal conviction, as provided. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Support 3

Assigned: ATannehill

District Services: Healthcare/Hospital

Subject Area: Health and Safety

Issues: None

Working Group: Human Resources and Personnel

CSDA SUMMARY: AB 977 would make an assault or battery committed against a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment. The bill would authorize a health facility that maintains and operates an emergency department to post a notice in the emergency department stating that an assault or battery against staff is a crime and may result in a criminal conviction. *(updated 9.25.23)*

AB 1156 (Bonta D) Workers’ compensation: hospital employees.

Introduced: 2/16/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/12/2024-A. DEAD

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Summary:

Existing law establishes a workers’ compensation system, administered by the Administrative Director of the Division of Workers’ Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law creates a rebuttable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of employment. Existing law, until January 1, 2024, creates a rebuttable presumption of injury for various employees, including an employee who works at a health facility, as defined, to include an illness or death resulting from COVID-19, if specified circumstances apply. This bill would define “injury,” for a hospital employee who provides direct patient care in an acute care hospital, to include infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases. The bill would include the 2019 novel coronavirus disease (COVID-19) from SARS-CoV-2 and its variants, among other conditions, in the definitions of infectious and respiratory diseases. The bill would create rebuttable presumptions that these injuries that develop or manifest in a hospital employee who provides direct patient care in an acute care hospital arose out of and in the course of the employment. The bill would extend these presumptions for specified time periods after the hospital employee’s termination of employment.

Attachments:

- [Assembly Insurance Committee letter \(OPPOSE\)](#)
- [Author letter \(OPPOSE\)](#)

Position: Oppose 3

Assigned: AAvery

District Services: Healthcare/Hospital

Subject Area: Human Resources and Personnel

Issues: Workers' Compensation

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill creates a rebuttable workers' compensation for infectious diseases, as defined. An infectious disease that develops or manifests in a hospital employee who provides direct patient care in an acute care hospital shall not be attributed to a disease existing prior to that development or manifestation. This bill creates a rebuttable workers' compensation for cancer, as defined, that develops or manifests itself during a period of the person's employment with the hospital if the employee demonstrates exposure, while employed with the hospital, to a known or suspected carcinogen, as defined. This presumption is rebuttable by evidence that the primary site of the cancer has been established and that the carcinogen to which the member has demonstrated exposure is not reasonably linked to the disabling cancer. This bill creates a rebuttable workers' compensation for musculoskeletal injury, as defined. This bill creates a rebuttable workers' compensation for post-traumatic stress disorder that is diagnosed by a mental health professional, as defined. This bill creates a rebuttable workers' compensation for respiratory disease, as defined.

All presumptions are limited to a hospital employee who provides direct patient care in an acute care hospital.

CSDA had an Oppose 3 position on a similar bill during the 2021-2021 legislative session, SB 284 (Cortese, 2021). That bill died. (*updated 9.25.23*)

AB 1195 (Calderon D) Climate Change Preparedness, Resiliency, and Jobs for Communities Program: climate-beneficial projects: grant funding.

Introduced: 2/16/2023

Last Amended: 3/29/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/18/2024-A. DEAD

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Summary:

Existing law establishes the Transformative Climate Communities Program, to be administered by the Strategic Growth Council, and requires the program to fund the development and implementation of neighborhood-level

transformative climate community plans that include multiple, coordinated greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities identified by the California Environmental Protection Agency. Existing law requires the council to award competitive grants to eligible entities, as specified, through an application process and to develop guidelines and selection criteria for plan development and implementation of the program, as provided. This bill would establish the Climate Change Preparedness, Resiliency, and Jobs for Communities Program, to be administered by the council, and would require the council to fund grants to develop and implement multibenefit, community-level, climate-beneficial projects to support community and landscape resiliency and workforce development. The bill would require the council to award competitive grants to eligible entities, as defined, through an application process, as provided. The bill would require the council, on or before July 1, 2024, to develop guidelines to implement the program and criteria to select projects eligible for grant funding that include, at a minimum, specified information related to community resiliency grants, landscape resiliency grants, and climate and career pathways grants.

Position: Support 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Workforce Development

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill creates the Climate Change Preparedness, Resiliency, and Jobs for Communities Program, to be administered by the Strategic Growth Council. The council shall fund grants to develop and implement multibenefit, community-level, climate beneficial projects to support community and landscape resiliency and workforce development.

The council shall award competitive grants to eligible entities through an application process and implement the program to do all of the following:

- (1) Prioritize projects in underresourced communities.
- (2) Ensure that projects that receive grant funding maximize multibenefit, community-level, climate-beneficial projects that create community and landscape resiliency and workforce development benefits.
- (3) Make grant selections for plan development contingent on the

implementation of one or more projects identified by the plan.

(4) Disburse grants throughout the state to maximize the impacts and benefits of the program in as many communities as possible.

(5) Ensure that the grant application process is simple and minimizes the resources necessary for an eligible entity to apply for grant funding.

“Eligible entity” includes, but is not limited to, a nonprofit organization, a special district, a joint powers authority, or a tribal government that is eligible to apply for and receive grant funding from the council pursuant to the program. “Special district” means any regional park district, regional park and open-space district, or regional open-space district, as specified.

In awarding grants pursuant to the program, the council may do both of the following:

(1) Prioritize projects that are administered by a special district or a state conservancy.

(2) Award to an eligible entity a grant over multiple years.

To be eligible for grant funding pursuant to the program, an eligible entity shall reduce emissions of greenhouse gases, remove barriers that will lead to greenhouse gas emissions reductions, sequester greenhouse gases, reduce vehicle miles travelled, or provide other climate or climate adaptation benefits to the greatest extent possible.

The guidelines and selection criteria developed by the council shall provide, at a minimum, for all of the following:

(1) Community resiliency grants to support the development of climate-beneficial projects with multiple benefits, including, but not limited to, affordable housing, community greening, and workforce development.

(2) Landscape resiliency grants to support the development of climate beneficial projects with multiple benefits, including, but not limited to, water conservation, watershed resiliency, wildlife and fish species enhancements, and natural landscapes resiliency.

(3) Climate and career pathways grants to support the development of climate-beneficial projects with multiple benefits that incorporate partnerships with nonprofit organizations that provide certifications or placement services for jobs and careers in the natural resources field, including, but not limited to, fire and vegetative management, restoration,

parks, and natural resources management. (updated 9.25.23)

[AB 1213](#) ([Ortega D](#)) Workers' compensation: aggregate disability payments.

Introduced: 2/16/2023

Last Amended: 9/1/2023

Status: 1/30/2024-Consideration of Governor's veto stricken from file.

Location: 10/8/2023-A. VETOED

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Summary:

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of their employment. Existing law requires every employer to establish a utilization review process, as described, and establishes an independent medical review process to resolve disputes over a utilization review decision, as specified. Existing law requires that aggregate disability payments for a single injury occurring on or after certain dates be limited, as provided. This bill, from January 1, 2024, until January 1, 2027, would require that if a denial of treatment requested by a treating physician is subsequently overturned by independent medical review or by the Workers' Compensation Appeals Board, any temporary disability to which the employee is entitled to receive or becomes entitled to receive from the date of the denial until the treatment is authorized would not be included in the calculation of the aggregate disability payments, as specified.

Attachments:

[AB 1213 \(Ortega\) Final Coalition Veto Req.](#)

[AB 1413 \(Ortega\) Coalition Oppose - Floor Alert 9.11.23](#)

[AB 1213 \(Ortega\) Coalition Oppose - Asm. Floor Alert](#)

[AB 1213 \(Ortega\) Senate Appropriations Cmte.- Coalition Oppose](#)

[AB 1213 \(Ortega\) Senate Labor Cmte. - Coalition Oppose](#)

[Assembly Insurance Committee letter \(OPPOSE\)](#)

[Assembly Appropriations Committee letter \(OPPOSE\)](#)

[AB 1213 - coalition - Opp 3.23.23](#)

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Workers' Compensation

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill creates provides that, for purposes of workers' compensation, if a denial of treatment requested by a treating physician is subsequently overturned by independent medical review or by the Workers' Compensation Appeals Board, any temporary disability paid or owing from the date of the denial until the treatment is authorized shall not be included in the calculation of the aggregate disability payments, as specified.

CSDA is collaborating with a coalition which may seek amendments to AB 1213 that will incorporate penalties and parameters to reduce abuse along with frivolous treatment claims. Potential amendments have undergone vetting with the Special District Risk Management Authority. The amendments are summarized as follows:

Require an IMR request form be signed by the injured workers' primary treating physician, indicating that they believe the requested treatment to be consistent with the MTUS or that the employees unique condition isn't adequately addressed by the MTUS. This would be signed under penalty of perjury.

Adds medical providers to the list of WC system participants that can be penalized under Section 5813 for bad faith actions. This is intended to put some teeth in the potential enforcement of the first amendment.

Finally, the amendments limit the additional TD awarded to 30 days per instance. It also clarifies that the extra time is only compensable after 104 weeks of aggregate TD and within the five-year statute of limitations. This is intended to ease administration of the additional time provided under the bill.
(updated 7.8.23)

AB 1484 (Zbur D) Temporary public employees.

Introduced: 2/17/2023

Last Amended: 9/8/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 691, Statutes of 2023.

Location: 10/10/2023-A. CHAPTERED

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[AB 1484 \(Zbur\) Joint Final Veto Req.](#)

[AB 1484 \(Zbur\) FLOOR ALERT](#)

[AB 1484 \(Zbur\) Senate Appropriations Cmte. - Oppose](#)

[AB 1484 \(Zbur\) Assembly Labor Cmte. - Coalition Oppose](#)

[AB 1484 \(Zbur\) Assembly Approps Cmte. - Coalition Oppose](#)

[AB 1484 \(Zbur\) Assembly Floor Alert- Coalition Oppose](#)

[AB 1484 \(Zbur\) Joint Senate Cmte. - Coalition Oppose](#)

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Labor Relations

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill provides that, with respect to temporary employees of a public employer who have been hired to perform the same or similar type of work that is performed by permanent employees represented by a recognized employee organization:

(1) Upon the request of the recognized employee organization to the public employer, the following apply:

(A) Temporary employees shall be automatically included in the same bargaining unit as the permanent employees if temporary employees are not presently within the unit definition. This subparagraph does not require the same terms and conditions of employment for permanent and temporary employees.

(B) The terms and conditions of employment of permanent and temporary employees in the same bargaining unit shall be addressed in a single memorandum of understanding, as specified. This subparagraph does not require the same terms and conditions of employment for permanent and temporary employees.

This bill contains other terms and conditions applicable to temporary employees, as specified.

Complaints alleging violations of this section shall be processed as unfair practice charges pursuant to Government Code Section 3509.

The bill provides that it does not supersede or provide any exemption to the restrictions or requirements related to individuals working after retirement from a public retirement system.

This bill defines “temporary employee” to mean a temporary employee, casual employee, seasonal employee, periodic employee, extra-help employee, relief employee, limited-term employee, per diem employee, and any other public employee who has not been hired for a permanent position. This bill has limited exemptions, including for certain construction and trades, and employees employed by a temporary services employer, as specified.

Align to local government coalition amendments seeking to do the following:

- Exclude from the definition of temporary employee: casual employees, retired annuitants, interns, and seasonal employees hired into a position for recreation and parks or mosquito and vector control, all as specified.
- Remove provisions of the bill requiring automatic inclusion of temporary employees in bargaining units on request of the union, instead requiring that the rules and regulations adopted by a public employer pursuant to Government Code section 3507 include provisions for the administration of employer-employee relations with respect to temporary employees, subject to the following:

(A) The rules and regulations may include provisions for determination of the appropriate bargaining unit or units for temporary employees, provided that the public employer may not completely prohibit the inclusion of temporary employees in a bargaining unit.

(B) The rules and regulations may provide that temporary employees of the public employer will be included in one or more separate bargaining units consisting only of temporary employees.

- Soften requirements for information required to be provided to temporary employees upon hire and later to unions, and lengthen timeframe to provide specified information to unions to 30 days, in conformity with other law.

- Provide that whether a temporary employee who subsequently obtains permanent employment receives seniority or other credit or benefit for their time spent in temporary employment shall be a matter within the scope of representation, removing language referencing bargaining units including permanent employees.
- Provide that whether a temporary employee receives a hiring preference over external candidates for permanent positions shall be a matter within the scope of representation, removing language referencing bargaining units including permanent employees.
- Provide that the above two provisions apply to the extent that the memorandum of understanding may lawfully address those subjects, removing language applying it prospectively to future agreements covering permanent employees.
- Provide that discipline and discharge of temporary employees shall be a matter within the scope of representation. *(updated 9.27.23)*

SB 252 (Gonzalez D) Public retirement systems: fossil fuels: divestment.

Introduced: 1/30/2023

Last Amended: 5/18/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was P.E. & R. on 6/8/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-A. 2 YEAR

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Summary:

The California Constitution grants the retirement board of a public employee retirement system plenary authority and fiduciary responsibility for investment of moneys and administration of the retirement fund and system. These provisions qualify this grant of powers by reserving to the Legislature the authority to prohibit investments if it is in the public interest and the prohibition satisfies standards of fiduciary care and loyalty required of a retirement board. This bill would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a fossil fuel company, as defined. The bill would require

the boards to liquidate investments in a fossil fuel company on or before July 1, 2031. The bill would temporarily suspend the above-described liquidation provision upon a good faith determination by the board that certain conditions materially impact normal market mechanisms for pricing assets, as specified, and would make this suspension provision inoperative on January 1, 2035. The bill would provide that it does not require a board to take any action unless the board determines in good faith that the action is consistent with the board's fiduciary responsibilities established in the California Constitution. This bill contains other related provisions and other existing laws.

Attachments:

[SB 252 \(Gonzalez\) Assembly Public Employment Retirement Cmte. - Oppose](#)

[SB 252 \(Gonzalez\) Senate Floor Alert - Oppose](#)

[Senate Judiciary Committee letter \(OPPOSE\)](#)

[Senate Appropriations Committee letter \(OPPOSE\)](#)

[Sb 252 \(Gonzalez\) Senate Labor](#)

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Retirement and Other Benefits

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill requires CalPERS and CalSTRS to not make additional or new investments or renew existing investments of public employee retirement funds in a fossil fuel company, as defined, and to liquidate investments in fossil fuel companies on or before July 1, 2031. Through January 1, 2035, this requirement shall be suspended upon a good faith determination by the board that an act of God, war, or other unforeseeable event creates conditions that materially impact normal market mechanisms for pricing assets and shall only be reinstated, as specified, upon a subsequent good faith finding of the board that market conditions have substantially returned to normal ex-ante. The bill does not require the boards of the respective retirement systems to take action as described in the bill unless the boards determine in good faith that the action is consistent with the fiduciary responsibilities of the boards described in the California Constitution. Beginning February 1, 2025, and annually thereafter, each of the boards shall create reports, and provide them to the Legislature and the Governor, and post them to their websites, that include the following: a list of fossil fuel companies of which the board has liquidated its investments as required; a list of fossil fuel companies with which the board still has not liquidated its investments; a list of fossil fuel companies of which the board has not liquidated its investments as a result of a determination that a sale or transfer of investments is inconsistent with the fiduciary responsibilities of

the board described in the California Constitution, and the board's findings adopted in support of that determination; and, An analysis of methods and opportunities to rapidly and effectively reduce dependence on fossil fuels and transition to alternative energy sources in a realistic timeframe that avoids negatively contributing to economic conditions particularly damaging to public employee retirement funds and to overall net employment earnings of the state's workforce. *(updated 9.27.23)*

SB 300 (Seyarto R) Public employees' retirement: fiscal impact: information.

Introduced: 2/2/2023

Last Amended: 5/3/2023

Status: 2/1/2024-Returned to Secretary of Senate pursuant to Joint Rule 56.

Location: 1/18/2024-S. DEAD

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Constitution grants the retirement board of a public retirement system plenary authority and fiduciary responsibility for investment of moneys and administration of the system. The California Constitution qualifies this grant of powers by reserving to the Legislature the authority to prohibit investments if it is in the public interest and the prohibition satisfies standards of fiduciary care and loyalty required of the public retirement system's board. This bill would require the Legislative Analyst to prepare a pension fiscal impact analysis on any measure introduced on or after January 1, 2024, that is referred to the Senate Labor, Public Employment and Retirement Committee, or any successor committee, as specified, and that requires a public retirement system to take prescribed action, including the divestiture of an existing investment. The bill would require the California Actuarial Advisory Panel and the affected public retirement system to provide assistance to the Legislative Analyst in preparing the analysis. By requiring the boards of local public retirement systems to take specified actions, this bill would impose a state-mandated local program. The bill would require the Legislative Analyst to develop specified criteria, including, at a minimum, the likely short-term and long-term costs to the General Fund, as prescribed. This bill contains other related provisions and other existing laws.

Position: Support 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Retirement and Other Benefits

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill will require that for any specified bill, introduced on or after January 1, 2024, with specified requirements for a public retirement system, the Legislative Analyst shall prepare a fiscal analysis. Notwithstanding any other provision of law, before a Member of the Legislature may present in a legislative committee of the Senate any measure for which the Legislative Analyst must prepare a pension fiscal impact analysis pursuant to this bill, the Legislative Analyst shall post the completed analysis publicly on its website and transmit it to the legislative committee. *(updated 9.27.23)*

SB 399 (Wahab D) Employer communications: intimidation.

Introduced: 2/9/2023

Last Amended: 5/2/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 7/11/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-A. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | 2 year | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975, provides that it is the policy of the state to encourage and protect the right of agricultural employees to full freedom of association, self-organization, and designation of representatives of their own choosing to negotiate the terms and conditions of their employment, and to be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives, self-organization, or other concerted activities for the purpose of collective bargaining or other mutual aid or protection. This bill, except as specified, would prohibit an employer from subjecting, or threatening to subject, an employee to discharge, discrimination, retaliation, or any other adverse action because the employee declines to attend an employer-sponsored meeting or affirmatively declines to participate in, receive, or listen to any communications with the employer or its agents or representatives, the purpose of which is to communicate the employer's opinion about religious or political matters. This bill contains other related provisions and other existing laws.

Attachments:

[SB 399 \(Wahab\) Asm. Appropriations Cmte. - Oppose](#)

[SB 399 \(Wahab\) Assembly Judiciary Cmte. - Coalition Oppose](#)

[SB 399 \(Wahab\) Asm. Labor - Coalition - Oppose](#)

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Labor Relations

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill prohibits an employer from subjecting, or threatening to subject, an employee to discharge, discrimination, retaliation, or any other adverse action because the employee declines to attend an employer-sponsored meeting or affirmatively declines to participate in, receive, or listen to any communications with the employer or its agents or representatives, the purpose of which is to communicate the employer's opinion about religious or political matters. "Political matters" means matters relating to elections for political office, political parties, legislation, regulation, and the decision to join or support any political party or political or labor organization. This bill provides for enforcement by DLSE. This bill also creates a private right of action in court for damages caused by adverse actions on account of the employee's refusal to attend an employer-sponsored meeting. This bill contains a number of exemptions. *(updated 9.27.23)*

[SB 553](#) ([Cortese D](#)) **Occupational safety: workplace violence: restraining orders and workplace violence prevention plan.**

Introduced: 2/15/2023

Last Amended: 9/7/2023

Status: 9/30/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 289, Statutes of 2023.

Location: 9/30/2023-S. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law authorizes any employer, whose employee has suffered unlawful violence or a credible threat of violence from any individual that can reasonably be construed to be carried out or to have been carried out at the workplace, to seek a temporary restraining order and an order after hearing on behalf of the employee and other employees at the workplace, as described. This bill, commencing January 1, 2025, would also authorize a

collective bargaining representative of an employee, as described, to seek a temporary restraining order and an order after hearing on behalf of the employee and other employees at the workplace, as described. The bill would require an employer or collective bargaining representative of an employee, before filing such a petition, to provide the employee who has suffered unlawful violence or a credible threat of violence from any individual an opportunity to decline to be named in the temporary restraining order. Under the bill, an employee's request to not be named in the temporary restraining order would not prohibit an employer or collective bargaining representative from seeking a temporary restraining order on behalf of other employees at the workplace, and, if appropriate, other employees at other workplaces of the employer. The bill would make various conforming changes. This bill contains other related provisions and other existing laws.

Attachments:

[SB 553 \(Cortese\) Floor Alert - Asm.](#)

[SB 553 \(Cortese\) Coalition Veto Request](#)

[SB 553 \(Cortese\) Asm. Appropriations Cmte. - Oppose](#)

[SB 553 \(Cortese\) Assembly Judiciary Cmte. - Coalition Oppose](#)

[SB 553 \(Cortese\) Asm. Labor Committee](#)

[SB 553 \(Cortese\) Author Letter - Opposition](#)

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: None

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill will authorize a collective bargaining representative of an employee to seek a temporary restraining order and an order, related to workplace violence, after hearing on behalf of an employee and other employees at the workplace, as described.

This bill also contains significant, detailed requirements for all employers to develop detailed workplace violence prevention plans. The requirements do not apply to the following:

(A) Health care facilities, service categories, and operations covered by Section 3342 of Title 8 of the California Code of Regulations.

(B) Employers that comply with Section 3342 of Title 8 of the California Code

of Regulations.

(C) Facilities operated by the Department of Corrections and Rehabilitation, if the facilities are in compliance with Section 3203 of Title 8 of the California Code of Regulations.

(D) Employers that are law enforcement agencies that are a “department or participating department,” as defined in Section 1001 of Title 11 of the California Code of Regulations and that have received confirmation of compliance with the Commission on Peace Officer Standards and Training (POST) Program from the POST Executive Director in accordance with Section 1010 of Title 11 of the California Code of Regulations. However, an employer shall be exempt pursuant to this subparagraph only if all facilities operated by the agency are in compliance with Section 3203 of Title 8 of the California Code of Regulations.

(E) Employees teleworking from a location of the employee’s choice, which is not under the control of the employer.

(F) Places of employment where there are less than 10 employees working at the place at any given time and that are not accessible to the public, if the places are in compliance with Section 3203 of Title 8 of the California Code of Regulations.

The employer shall record information in a violent incident log about every incident, postincident response, and workplace violence injury investigation performed. The employer shall establish and implement a system to review, at least annually and in conjunction with employees and their collective bargaining representatives, if any, the effectiveness of the workplace violence prevention plan for the overall facility or operation in relation to the employees’ respective work areas, services, and operations. This bill requires trainings for employees, as specified.

This bill contains requirements to maintain records, with unclear application to public employers. All required records shall be made available to employees and their collective bargaining representatives, if any, on request, for examination and copying.

An employer shall not prohibit an employee from, and shall not take punitive or retaliatory action against an employee for, seeking assistance and intervention from local emergency services or law enforcement when a violent incident occurs. (*updated 9.27.23*)

SB 577 (Hurtado D) California Fire Service Training and Education Program: California Fire and Arson Training Act: fees.

Introduced: 2/15/2023

Last Amended: 9/1/2023

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/6/2023)(May be acted upon Jan 2024)

Location: 9/14/2023-A. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | 2 year | Conf. | | | |
| 1st House | | | | 2nd House | | | | Conc. | Enrolled | Vetoed | Chaptered |

Summary:

Existing law establishes the California Fire Service Training and Education Program in the office of the State Fire Marshal. Existing law requires the State Fire Marshal, with policy guidance and advice from the State Board of Fire Services, to carry out the management of the program. Existing law authorizes the State Fire Marshal to, among other things, establish and collect admission fees and other fees that may be necessary to be charged for seminars, conferences, and specialized training given, as provided. Existing law also authorizes the State Fire Marshal to establish and collect fees to implement the California Fire and Arson Training Act, which requires the State Fire Marshal to, among other things, establish and make recommendations related to minimum standards for fire protection personnel and fire personnel instructors, develop course curricula for arson, fire technology, and apprenticeship training, and promote the California Fire Academy System, as provided. This bill would instead authorize the State Fire Marshal to establish and collect the admission fees and other fees associated with the California Fire Service Training and Education Program, and to establish the fees to implement the California Fire and Arson Training Act, only to the extent that other private funding sources are insufficient to cover the necessary costs of the activities eligible to be paid from those fees.

Attachments:

[SB 577 \(Hurtado\) Assembly Emergency Mgmt. Cmte. - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Fire Protection

Subject Area: Health and Safety

Issues: None

Working Group: Human Resources and Personnel

CSDA SUMMARY: Current law establishes the California Fire Service Training and Education Program in the office of the State Fire Marshal. SB 577 would allow the State Fire Marshal to establish and collect admission fees and other fees associated with the California Fire Service Training and Education Program. This bill also establishes the fees needed to implement the California Fire and Arson Training Act if other revenue sources are insufficient. *(updated 9.27.23)*

SB 623 (Laird D) Workers' compensation: post-traumatic stress disorder.

Introduced: 2/15/2023

Last Amended: 9/7/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 621, Statutes of 2023.

Location: 10/9/2023-S. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law provides, until January 1, 2025, that, for certain state and local firefighting personnel and peace officers, the term "injury" includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit and creates a disputable presumption that the injury arises out of and comes in the course of employment. Existing law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits. This bill would instead repeal that provision on January 1, 2029, and would require the Commission on Health and Safety and Workers' Compensation to submit reports to the Legislature analyzing the effectiveness of the presumption and a review of claims filed by specified types of employees, not included in the presumption, such as public safety dispatchers, as defined.

Attachments:

[SB 623 \(Laird\) Coalition Veto Request](#)

[SB 623 \(Laird\) Coalition Oppose - Asm. Approps.](#)

[SB 623 - Coalition Oppose A-Ins - 6.9.23](#)

[SB 623 - Coalition Oppose](#)

Position: Oppose 3

Assigned: AAvery

District Services: Fire Protection, General/All, Police Protection

Subject Area: Human Resources and Personnel

Issues: Workers' Compensation

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill extends the current PTSD workers' compensation presumption for certain safety members (primarily police and fire) from 2025 to 2029. Under current law, compensation shall not be paid pursuant to this section for a claim of injury unless the member has performed services for the department or unit for at least six months. This bill adds office or agency to that list. This bill requires studies of the existing presumption, and PTSD in emergency communications workers, as specified. *(updated 9.27.23)*

SB 636 (Cortese D) Workers' compensation: utilization review.

Introduced: 2/16/2023

Last Amended: 8/24/2023

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 8/28/2023)(May be acted upon Jan 2024)

Location: 9/14/2023-A. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | 2 year | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, that generally requires employers to secure the payment of workers' compensation for injuries incurred by their employees that arise out of, and in the course of, employment. Existing law requires every employer to establish a medical treatment utilization review process, in compliance with specified requirements, either directly or through its insurer or an entity with which the employer or insurer contracts for these services. Existing law prohibits any person other than a licensed physician who is competent to evaluate the specific clinical issues involved in the medical treatment services from modifying, delaying, or denying requests for authorization of medical treatment for reasons of medical necessity to cure or relieve. This bill would, commencing January 1, 2025, for private employers, require the physician to be licensed by California state law. This bill contains other related provisions and other existing laws.

Position: Neutral

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: Workers' Compensation

Working Group: Human Resources and Personnel

CSDA SUMMARY: This is a workers' compensation utilization review bill.

The only significant provision on this bill applicable to public employers required that an employer that establishes a utilization review process, as specified, shall ensure that a utilization review physician shall have the same duty of care to an employee as a treating physician. That provision has been amended out of the bill. *(updated 9.27.23)*

SB 723 (Durazo D) Employment: rehiring and retention: displaced workers.

Introduced: 2/16/2023

Last Amended: 9/7/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 719, Statutes of 2023.

Location: 10/10/2023-S. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, until December 31, 2024, requires an employer, as defined, 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. Existing law, until December 31, 2024, also prohibits an employer from refusing to employ, terminating, reducing compensation, or taking other adverse action against a laid-off employee for seeking to enforce their rights under these provisions. These provisions are enforced by the Division of Labor Standards Enforcement, as prescribed. This bill would redefine "laid-off employee" to mean any employee who was employed by the employer for 6 months or more and whose most recent separation from active employment by the employer occurred on or after March 4, 2020, and was due to a reason related to the COVID-19 pandemic, including a public health directive, government shutdown order, lack of business, reduction in force, or other economic nondisciplinary reason due to the COVID-19 pandemic. The bill

would create a presumption that a separation due to a lack of business, reduction in force, or other economic, nondisciplinary reason is due to a reason related to the COVID-19 pandemic, unless the employer establishes otherwise by a preponderance of the evidence. This bill contains other related provisions and other existing laws.

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Issues: None

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill extends until December 31, 2025, a “right of recall” requirement that applies to small and large hotels, event centers, airport hospitality operations, or the provision of building services to office, retail, or other commercial buildings. Existing law includes, but is not limited to, the following provisions:

- Forces an employer to repeatedly offer newly available positions to qualified employees, no matter how many times they have turned offers down, failed to respond to previous job offers, or explicitly declined previous offers to return to work.
- Forces an employer to recall all qualified employees who were laid off, even those who were provided severance agreements as a part of the layoff and agreed to the termination of the employment relationship in exchange for a payment.
- Forces an employer to send notices to all eligible, qualified employees for an available position and then wait five business days before moving on to other employees.
- Requires employers to provide detailed notices to all qualified employees.

The application of existing law is amended to include an employee who was employed by the employer for 6 months or more and whose most recent separation from active employment by the employer occurred on or after March 4, 2020, and was due to a reason related to the COVID-19 pandemic, including, including a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason. *(updated 9.27.23)*

SB 799 ([Portantino D](#)) **Unemployment insurance: trade disputes: eligibility for benefits.**

Introduced: 2/17/2023

Last Amended: 8/22/2023

Status: 1/25/2024-Stricken from file. Veto sustained.

Location: 9/30/2023-S. VETOED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law provides for the payment of unemployment compensation benefits and extended benefits to eligible individuals who meet specified requirements. This bill would restore eligibility after the first 2 weeks for an employee who left work because of a trade dispute. The bill would codify specified case law that holds that employees who left work due to a lockout by the employer, even if it was in anticipation of a trade dispute, are eligible for benefits. The bill would specify that the bill's provisions do not diminish eligibility for benefits of individuals deprived of work due to an employer lockout or similar action, as specified. This bill contains other related provisions and other existing laws.

Attachments:

[SB 799 \(Portantino\) Veto Req.](#)

[SB 799 \(Portantino\) Senate FLOOR ALERT](#)

[SB 799 \(Portantino\) Senate Labor Cmte. - Oppose](#)

[SB 799 \(Portantino\) Sen. Approps. - Oppose](#)

[SB 799 \(Portantino\) Asm. FLOOR ALERT](#)

[SB 799 \(Portantino\) Asm. Approps. Cmte. - Oppose](#)

[SB 799 \(Portantino\) Asm. Ins. Cmte. - Oppose](#)

[SB 799 \(Portantino\) Author - Oppose](#)

[SB 799 \(Portantino\) FLOOR ALERT](#)

Position: Oppose 3

Assigned: AAvery

District Services: General/All

Subject Area: Human Resources and Personnel

Working Group: Human Resources and Personnel

CSDA SUMMARY: This bill would have provided unemployment benefits to workers who are currently employed, and not seeking other employment, but who are on strike. In the event of a strike that lasts over two weeks, SB 799

would have allowed all striking workers to claim UI benefits. (updated 10.17.23)

Local Revenue

AB 265 (Boerner D) Property tax postponement: Senior Citizens and Disabled Citizens Property Tax Postponement Fund.

Introduced: 1/19/2023

Last Amended: 3/9/2023

Status: 1/25/2024-Consideration of Governor's veto stricken from file.

Location: 10/8/2023-A. VETOED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law authorizes the Controller, upon approval of a claim for the postponement of property taxes, as defined, to directly pay a county tax collector for the property taxes owed by the claimant, as provided. Existing law establishes the Senior Citizens and Disabled Citizens Property Tax Postponement Fund and continuously appropriates moneys in the fund to the Controller for specified purposes, including disbursements relating to the postponement of property taxes pursuant to the Property Tax Postponement Law. Existing law requires the Controller, on June 30, 2018, and on June 30 each year thereafter, to transfer any moneys in the fund in excess of \$15,000,000 to the General Fund. This bill would require money to be transferred, on June 30, 2024, and on June 30 each year thereafter, from the General Fund to the Senior Citizens and Disabled Citizens Property Tax Postponement Fund when the balance in the latter fund is less than \$15,000,000. The bill would require the amount of money transferred each year to be equal to the sum needed to bring the balance of the Senior Citizens and Disabled Citizens Property Tax Postponement Fund to \$15,000,000. By requiring the transfer of moneys into a continuously

appropriated fund, the bill would make an appropriation.

Attachments:

[Assembly Bill 265 \(Boerner\) Governor - Request for Signature](#)
[Assembly Bill 265 \(Boerner\) Senate Governance and Finance](#)
[Committee - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: General/All

Subject Area: Local Revenue

Issues: Property, Parcel, and Special Taxes (Prop 13)

Working Group: Local Revenue

CSDA SUMMARY: This bill perpetually "tops off" the [Senior Citizens and Disabled Citizens Property Tax Postponement Fund](#) at \$15 million using General Fund dollars. This fund is used to pay for the postponement of the payment of property taxes, keeping local agencies whole while affording delinquent taxpayers some flexibility. (*updated 7.11.23*)

[AB 516](#) ([Ramos D](#)) **Mitigation Fee Act: fees for improvements: reports and audits.**

Introduced: 2/7/2023

Last Amended: 7/10/2023

Status: 10/11/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 741, Statutes of 2023.

Location: 10/11/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Mitigation Fee Act, imposes certain requirements on a local agency that imposes a fee as a condition of approval of a development project that is imposed to provide for an improvement to be constructed to serve the development project, or a fee for public improvements, as specified. In this regard, the Mitigation Fee Act requires the local agency to deposit the fee in a separate capital facilities account or fund, and to make certain information about the account or fund public annually, as specified. The Mitigation Fee Act requires that information to include an identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been

collected to complete financing on an incomplete public improvement, as specified. The Mitigation Fee Act also requires that information to include the amount of refunds made to the owners of the lots or units of the development project, as specified. This bill would require the report to include an identification of each public improvement identified in a previous report, whether construction began on the approximate date noted in the previous report, the reason for the delay, if any, and a revised approximate date that the local agency will commence construction, if applicable. The bill would also require the report to include the number of persons or entities identified to receive refunds. This bill contains other related provisions and other existing laws.

Position: Concerns

Assigned: MDetwiler

District Services: General/All

Subject Area: Local Revenue

Issues: Property-Related Fees /(Prop. 218/Prop. 26)

Working Group: Local Revenue

CSDA SUMMARY: This bill expands the required disclosures related to local agency fees, with a corresponding increase in the audit requirements related to those fees. Previously, this bill inappropriately included connection and capacity charges in the provisions related to audits. The bill would have required a local agency to allow for an audit to determine when capacity and connection charge fee revenue would be expended, and when the associated public improvement was scheduled to be completed — determinations that are fundamentally inconsistent with the nature and purpose of capacity and connection charges. The new audit requirements would have also been duplicative of existing requirements placed on capacity and connection charges.

Following CSDA's involvement, these provisions were revised, with capacity and connection charges appropriately exempted from the new audit requirements. (*updated 7.11.23*)

[AB 719](#) ([Boerner D](#)) Medi-Cal: nonmedical and nonemergency medical transportation.

Introduced: 2/13/2023

Last Amended: 7/10/2023

Status: 1/25/2024-Consideration of Governor's veto stricken from file.

Location: 10/7/2023-A. VETOED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law establishes a schedule of benefits under the Medi-Cal program, including medical transportation and nonmedical transportation for a beneficiary to obtain covered Medi-Cal services. Existing law requires nonmedical transportation to be provided by the beneficiary's managed care plan or by the department for a Medi-Cal fee-for-service beneficiary. This bill would require the department to require Medi-Cal managed care plans that are contracted to provide nonmedical transportation or nonemergency medical transportation to contract with public paratransit service operators who are enrolled Medi-Cal providers for the purpose of establishing reimbursement rates for nonmedical and nonemergency medical transportation trips provided by a public paratransit service operator. The bill would require the rates reimbursed by the managed care plan to the public paratransit service operator to be based on the department's fee-for-service rates for nonmedical and nonemergency medical transportation service, as specified. The bill would condition implementation of these provisions on receipt of any necessary federal approvals and the availability of federal financial participation.

Attachments:

[AB 719 \(Boerner\) Senate Approps. Cmte. - Support](#)

[AB 719 \(Boerner\) Senate Health Cmte. - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Transit

Subject Area: Local Revenue

Issues: None

Working Group: Local Revenue

CSDA SUMMARY: This bill would amplify the need for transit operations funding, as it would restore service reimbursement requirements for transportation providers and directly provide them with the funding needed to continue offering nonmedical and nonemergency

medical transportation services. (updated 9.25.23)

[AB 939](#) ([Pellerin D](#)) **Santa Clara Valley Water District.**

Introduced: 2/14/2023

Last Amended: 7/6/2023

Status: 9/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 170, Statutes of 2023.

Location: 9/8/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The Santa Clara Valley Water District Act creates the Santa Clara Valley Water District, and authorizes the district to provide for the conservation and management of flood, storm, and recycled waters, and other waters, for beneficial uses and to enhance natural resources in connection with carrying out the purposes of the district. The act authorizes the district to levy ad valorem taxes or assessments in the district to pay the general administrative costs and expenses of the district, to carry out the act's objects or purposes, and to pay the costs and expenses of constructing or extending works within the district. The act additionally authorizes the district to levy taxes or assessments upon all property or all real property within a portion of the district for specified purposes. The act authorizes the district to issue bonds for specified purposes, and requires that the bonds be paid by revenue derived from those tax levies and assessments, except the ad valorem taxes or assessments. This bill would additionally authorize the district to use the revenues from the ad valorem taxes or assessments to pay for the bonds. This bill contains other related provisions and other existing laws.

Attachments:

[Assembly Bill 939 \(Pellerin\) Senate Governance and Finance Committee - Support](#)

[Assembly Bill 939 \(Pellerin\) Author - Support](#)

[Assembly Bill 939 \(Pellerin\) Assembly Local Government Committee - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: Single District

Subject Area: Local Revenue

Issues: Property, Parcel, and Special Taxes (Prop 13)

Working Group: Local Revenue

CSDA SUMMARY: This bill would authorize Valley Water to use the revenues from its ad valorem tax levies or assessments to pay for bonds issued to finance district projects. This bill would also authorize the district to pay bonds using the net revenues of its water system (the funds remaining after the payment of the operation and maintenance costs of the water system), a departure from the terms of the Revenue Bond Law of 1941 which otherwise binds the district. Furthermore, this bill would also delete the restriction that requires Valley Water to go to its voters before borrowing money or otherwise incurring indebtedness in excess of \$8 million. This bill would indefinitely prolong the restriction that Valley Water not compensate its directors for more than a total of 15 days in any calendar month. (*updated 7.13.23*)

AB 1490 (Lee D) Affordable housing development projects: adaptive reuse.

Introduced: 2/17/2023

Last Amended: 7/10/2023

Status: 10/11/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 764, Statutes of 2023.

Location: 10/11/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires the Department of Housing and Community Development to give priority with respect to funding under the Multifamily Housing Program to projects that prioritize adaptive reuse in existing developed areas served with public infrastructure, as specified. Existing law, the Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project, as defined for purposes of the act, for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based on a preponderance of the evidence in the record. That act states that it shall not be construed to prohibit a local agency from requiring a housing development project to comply with objective, quantifiable, written development standards, conditions, and policies appropriate to, and

consistent with, meeting the jurisdiction's share of the regional housing need, except as provided. That act further provides that a housing development project or emergency shelter shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity. Under this bill, a housing development that is, among other requirements, an extremely affordable adaptive reuse project on an infill parcel that is not located on or adjoined to a site where more than 1/3 of the square footage on the site is dedicated to industrial use, as specified, would be an allowable use. The bill would authorize a local agency to impose objective design review standards, except as specified. The bill would authorize a local agency to deny the project if it is proposed to be located on a site or adjoined to any site where any of the square footage on the site is dedicated to industrial use and the local agency makes written findings that approving the development would have an adverse effect on public health and safety. The bill would provide that for purposes of the Housing Accountability Act, a proposed housing development project is consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if the housing development project is consistent with the standards specified in these provisions. The bill would require a local agency to determine whether the proposed development meets those standards within specified timeframes. The bill would define an "extremely affordable adaptive reuse project" for these purposes to mean a multifamily housing development project that involves retrofitting and repurposing of a residential or commercial building that currently allows temporary dwelling or occupancy, and that meets specified affordability requirements, including that 100% of the units be dedicated to lower income households, 50% of which shall be dedicated to very low income households, as specified. Because the bill would require local officials to provide a higher level of service, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Attachments:

[Assembly Bill 1490 \(Lee\) Author - Oppose](#)

[Assembly Bill 1490 \(Lee\) Assembly Housing and Community Development Committee - Oppose](#)

Position: Neutral

Assigned: MDetwiler

District Services: General/All

Subject Area: Local Revenue

Issues: None

Working Group: Local Revenue

CSDA SUMMARY: This bill would have required water and power providers to approve all permits and entitlements within 30 days or less from the date of submission of the entitlement or permit application. Furthermore, this bill would have required that local building and permit fees for the project be waived. These provisions would have applied to an affordable housing project that is an adaptive reuse project and that guaranteed that 100 percent of the units were going to be made available for lower income households, 50 percent of which would have been made available to extremely low income households or very low income households. These provisions have since been amended out of the bill, which now focuses on approvals for multifamily housing developments projects that are adaptive reuse projects. (*updated 7.13.23*)

Public Works, Facilities, and State Infrastructure Investment and Partnership

AB 242 (**Wood D**) **Critical access hospitals: employment.**

Introduced: 1/13/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 641, Statutes of 2023.

Location: 10/10/2023-A. CHAPTERED

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Summary:

Existing law, the Medical Practice Act, authorizes the Medical Board of California to grant approval of the employment of licensees on a salary basis by licensed charitable institutions, foundations, or clinics if no charge for professional services is made, in accordance with specified requirements. Existing law provides an exception to the prohibition on charging for professional services for a federally certified critical access hospital that employs licensees and charges for professional services rendered by those licensees to patients under specified conditions, including that the medical staff concur by an affirmative vote that the licensee's employment is in the best interest of the communities served by the hospital. Existing law makes that exception operative only until January 1, 2024. This bill would delete the provision making the above-specified exception inoperative on January 1, 2024. The bill would make nonsubstantive changes by deleting inoperative reporting requirements.

Attachments:

[AB 242 \(Wood\) Sen. Approps. Cmte. - Support](#)

[AB 242 \(Wood\) Gov. Signature Request](#)

[AB 242 \(Wood\) Sen. B&P Cmte - Support](#)

[AB 242 \(Wood\) Sen. Health Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Healthcare/Hospital

Subject Area: Health and Safety

Issues: Workforce Development

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: AB 242 removes a sunset and study requirement from existing law, thereby continuing to allow Critical Access Hospitals (CAHs) to use an exemption on the corporate ban for the practice of medicine. This will ensure CAHs continue to have the ability to retain physicians. (*updated 9.25.23*)

[AB 249](#) (Holden D) Water: schoolsites: lead testing.

Introduced: 1/18/2023

Last Amended: 9/6/2023

Status: 2/1/2024-Consideration of Governor's veto stricken from file.

Location: 10/8/2023-A. VETOED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The act requires the state board to establish a grant program, in consultation with the State Department of Education, to award grants to local educational agencies for the purposes of improving access to, and the quality of, drinking water in public schools serving kindergarten or any of grades 1 to 12, inclusive, and preschools and child daycare facilities located on public school property. This bill would require a community water system that serves a schoolsite, as defined, to test for lead in the potable water system outlets of the schoolsite before January 1, 2027, except as provided. The bill would require the community water system to report its findings to the applicable schoolsite or local educational agency and to the state board. The bill would require the local educational agency or schoolsite, if the lead level exceeds a specified level at a schoolsite, to notify the parents and guardians of the pupils who attend the schoolsite, take immediate steps to make inoperable and shut down from use all potable water system outlets where the excess lead levels may exist, and work to ensure that a lead-free source of drinking water is provided for pupils, as specified. The bill would require a community water system to test a potable water system outlet that replaces an outlet that is found to have excess levels of lead. The bill would require a community water system to prepare a sampling plan for each schoolsite where lead sampling is required under these provisions, as specified. The bill would require the schoolsite, local educational agency, and state board to make the results of schoolsite lead sampling publicly available by posting the results on its internet website. The bill would require a schoolsite and a local educational agency, if an internet website is not maintained, to provide the results upon request. By imposing additional duties on local agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Attachments:

[AB 249 \(Holden\) Senate Appropriations Cmte. - Coalition - Oppose](#)
[AB 249 \(Holden\) Senate Environmental Cmte. and Sen. Education](#)
[Cmte. - Oppose](#)

Assembly Appropriations Committee coalition letter (OPPOSE)
AB 249 ESTM Oppose

Position: Oppose Unless Amended 3

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: This bill requires a community water system that serves a schoolsite, defined as a Title I school, as specified, to test on that schoolsite for lead in each of the schoolsite's potable water system outlets, as defined, on or before January 1, 2027, and report its findings to the applicable schoolsite or local educational agency within 10 business days after receiving the results from the testing laboratory or within two business days if the water lead level from any potable water system outlet, as defined, on the schoolsite exceeds five parts per billion, and to the state board. The appropriate local educational agency shall provide the community water system that serves the schoolsite with the specific location of each potable water system outlet at the schoolsite. The bill does not apply to a faucet or fixture at a schoolsite where prior testing already showed results of five parts per billion of lead or higher and the schoolsite has taken action to replace the faucet or fixture, or where the schoolsite has otherwise replaced the faucet or fixture since the prior testing. When testing for lead, a community water system shall develop a sampling plan, conduct testing, and interpret results pursuant to, but not limited to, Modules 4 and 5 of the United States Environmental Protection Agency's 3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities toolkit, EPA 815-B-18-007, or subsequent United States Environmental Protection Agency guidance as identified by the state board. If a potable water system outlet is replaced because of excess levels of lead found as a result of the lead sampling, the community water system shall test the replacement potable water system outlet. This bill requires each local educational agency or schoolsite to allow access to conduct the testing. This section does not apply to a potable water system outlet in a building on a schoolsite that satisfies either of the following criteria: (A) The building was constructed after January 1, 2010; or, (B) The building was modernized after January 1, 2010, and all faucets and other end point devices used for providing potable water were replaced as part of the modernization. As amended, this bill no longer applies to private schools and preschools. The local educational agency may perform its own testing, in which case the community water system shall provide training to the employees of the local educational agency. If the lead level exceeds five parts per billion, this bill requires the applicable local educational agency or schoolsite to notify the parents and guardians of the pupils who attend the schoolsite, take immediate steps to make inoperable and shut down from use all potable water system outlets where the excess lead levels may exist, and work to ensure that a lead-free source of drinking water is provided for pupils at each potable water system outlet that has been shut down due to elevated lead levels, which may include replacing any fixtures that are contributing to the

elevated lead levels, providing onsite water filtration, or providing alternative sources of potable water. The local educational agency and schoolsite shall each post all test results on a publicly accessible internet website. If a local educational agency or schoolsite does not maintain an internet website, the local educational agency or schoolsite shall provide the test results upon request. This bill requires that each community water system, in cooperation with the appropriate corresponding local educational agency or school, prepare a sampling plan for each schoolsite where lead sampling is required under the provisions of the bill. The community water system may request assistance from the state board or any local health agency responsible for regulating community water systems in developing the plan. This bill contains notice requirements and a safe harbor procedure for circumstances in which a schoolsite or local educational agency fails to allow a community water system on site to test. This bill requires SWRCB to post testing results on its website, as specified.

The bill provides that the state board shall work with community water systems and schoolsites to eliminate duplicative testing that may occur based on applicable federal requirements in a regulation promulgated by the United States Environmental Protection Agency on or before January 1, 2027, including through application for a waiver from those requirements. However, this does not relieve a community water system from compliance with the lead sampling requirements in this section.

(updated 9.25.23)

AB 281 (Grayson D) Planning and zoning: housing: postentitlement phase permits.

Introduced: 1/24/2023

Last Amended: 4/13/2023

Status: 10/11/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 735, Statutes of 2023.

Location: 10/11/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, which is part of the Planning and Zoning Law, requires a local agency to compile a list of information needed to approve or deny a postentitlement phase permit, to post an example of a complete, approved application and an example of a complete set of postentitlement phase permits for at least 5 types of housing development projects in the jurisdiction, as specified, and to make those items available to all applicants for these permits no later than January 1, 2024. Existing law establishes time limits for completing reviews regarding whether an application for a postentitlement phase permit is complete and compliant and whether to

approve or deny an application, as specified, and makes any failure to meet these time limits a violation of specified law. Existing law defines various terms for these purposes, including “local agency” to mean a city, county, or city and county, and “postentitlement phase permit,” among other things, to exclude a permit required and issued by a special district. This bill would require a special district that receives an application from a housing development project for service from a special district or an application from a housing development project for a postentitlement phase permit, as specified, to provide written notice to the applicant of next steps in the review process, including, but not limited to, any additional information that may be required to begin to review the application for service or approval. The bill would require the special district to provide this notice within 30 business days of receipt of the application for a housing development with 25 units or fewer, and within 60 business days for a housing development with 26 units or more. The bill would define various terms for these purposes. By imposing additional duties on special districts, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Neutral

Assigned: MDetwiler

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would require a special district to notify a housing development project proponent making a request for service of the next steps in the service request review process (including, but not limited to, any additional information the district requires in order to begin to review the request for service) within specified timeframes. For housing developments with 25 units or fewer, this timeframe is within 30 business days of the receipt of the service request. For housing developments with 26 units or more, this timeframe is within 60 business days of the receipt of the service request. Special districts would be required to remain responsive to development proponents if/when it is determined that additional information is necessary. Language within the bill specifies that these requirements are not meant to limit the amount of comments, feedback, revisions, or requests

for additional information that a special district may transmit to a development proponent, nor do the provisions of the bill require a district to approve the service request within a specified time period. (*updated 7.11.23*)

AB 296 (Rodriguez D) Office of Emergency Services: 9-1-1 Public Education Campaign.

Introduced: 1/26/2023

Last Amended: 6/29/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/14/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes the Office of Emergency Services within the office of the Governor. Existing law makes the office responsible for the state's emergency and disaster response services for natural, technological, or man-made disasters and emergencies, including responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property. Existing law, the Warren-911-Emergency Assistance Act, requires every local public agency, as defined, to have an emergency communication system and requires the digits "911" to be the primary emergency telephone number within the system. Existing law requires the office, with the advice and assistance of the Attorney General, to coordinate the implementation of systems, to assist local public agencies and local public safety agencies in obtaining financial help to establish emergency telephone service, and to aid agencies in the formulation of concepts, methods, and procedures that will improve the operation of those systems and that will increase cooperation between public safety agencies. This bill would establish the 911 Public Education Campaign, to be administered by the office in collaboration with the State 911 Advisory Board, as specified, for the purpose of educating the public on when it is appropriate to call 911 for assistance. The bill would include in the goals of the campaign, among others, reducing the number of unnecessary calls to 911 call centers and reducing delays in the 911 system caused by nonemergency calls being placed. The bill would require the campaign to give local public agencies the ability to tailor the message of the campaign, focus on social media, and be distributed to the public via local public

agency channels. This bill contains other existing laws.

Attachments:

[AB 296 \(Rodriguez\) Sen. Approps. - Support](#)

[AB 296 \(Rodriguez\) Sen. Governmental Organization Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: State Bonds, Budget Allocations, and Grants

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill establishes the 911 Public Education Campaign, which will be administered by the Office of Emergency Services (OES), for the purposes of educating the public on when it is appropriate to call 911 for assistance, as specified. It also requires OES to collaborate with the State 911 Advisory Board in overseeing the campaign. *(updated 9.25.23)*

[AB 334](#) ([Rubio, Blanca D](#)) **Public contracts: conflicts of interest.**

Introduced: 1/30/2023

Last Amended: 6/7/2023

Status: 9/30/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 263, Statutes of 2023.

Location: 9/30/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

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 any body or board of which they are members. Existing law authorizes the Fair Political Practices Commission to commence an administrative or civil action against persons who violate this prohibition, as prescribed, and includes provisions for the collection of penalties after the time for judicial review of a commission order or decision has lapsed, or if all means of judicial review of the order or decision have been exhausted. Existing law identifies certain remote interests in contracts that are not subject to this prohibition and other situations in which an official is not deemed to be financially interested in a

contract. Existing law makes a willful violation of this prohibition a crime. This bill would establish that an independent contractor, who meets specified requirements, is not an officer for purposes of being subject to the prohibition on being financially interested in a contract. The bill would authorize a public agency to enter into a contract with an independent contractor who is an officer for a later phase of the same project if the independent contractor did not engage in or advise on, as specified, the making of the subsequent contract. This bill would establish that a person who acts in good faith reliance on these provisions is not in violation of the above-described conflict-of-interest prohibitions and would prohibit them from being subject to criminal, civil, or administrative enforcement under those prohibitions if the initial contract includes specified language and the independent contractor is not in breach of those terms. The bill would provide that it is a complete defense in any criminal, civil, or administrative proceeding if the person acts in good faith reliance on these provisions, and meets specified conditions, but fails to include the specified language in the initial contract. This bill contains other related provisions.

Attachments:

[AB 334 \(Rubio\) Signature Request - Coalition](#)

[AB 334 \(Rubio\) Sen. Elections - Coalition Support](#)

[AB 334 \(Rubio\) Senate Judiciary - Coalition Support](#)

[AB 334 \(Rubio\) Coalition Letter Asm. Elections Cmte- Support](#)

[AB 334 \(Rubio\) Coalition Author Letter - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Ethics (Conflict of Interest/FPFC)

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: AB 334 will clarify [Government Code §1090](#), as a result of previous court rulings, returning control to public agencies to determine contracting decisions and also ensure design professionals will not be automatically precluded by state law from participating in multiple phases of a public works project. Public agencies will continue to retain the right to set their own contract requirements or disallow contracts for any reason they desire. *(updated 9.25.23)*

AB 338 (**Aguiar-Curry D**) **Fuel reduction work.**

Introduced: 1/30/2023

Last Amended: 9/8/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 428, Statutes of 2023.

Location: 10/7/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes the Department of Forestry and Fire Protection in the Natural Resources Agency and establishes the State Board of Forestry and Fire Protection within the department. Existing law requires the department to administer fire prevention programs and activities and requires the state board to adopt regulations implementing minimum fire safety standards. This bill would, commencing July 1, 2026, require fuel reduction work, done under contract and paid for in whole or in part out of public funds, as specified, to meet several standards, including that all workers performing work within an apprenticeable occupation in the building and construction trades be paid at least the general prevailing rate of per diem wages. The bill would authorize the Labor Commissioner to enforce the requirement to pay prevailing wages. The bill would exempt from these requirements, among other things, contracts in the amount of \$500,000 or less. This bill contains other existing laws.

Attachments:

[AB 338 \(Aguiar-Curry\) Author - Removal of Opposition](#)

[AB 338 \(Aguiar-Curry\) Senate Approps. - Oppose](#)

[AB 338 \(Aguiar-Curry\) Senate Labor Cmte. - Concerns](#)

Position: Neutral

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill requires, for apprenticeable occupations, payment of prevailing wages for fuel reduction work, including, but not limited to, residential chipping, rural road fuel breaks, and firebreaks, done under contract and paid for in whole or in part out of public funds. This bill also requires specified maintenance of payroll records and contractor registration. This bill does not apply to fuel reduction work that is awarded by a federal entity using solely federal funds under which federal prevailing wage requirements apply.

This bill is applicable only to work performed under contract and is not applicable to work carried out by a public agency with its own forces. This bill only applies to contracts in excess of \$500,000.

This bill does not apply to work performed on Native American lands; work performed under contract with a federally recognized Native American tribe; prescribed fire or grazing work; work performed on private land; fuel reduction work performed by an inmate; and, to any workers who are currently exempt from public works requirements pursuant to Section 1720.4 of the Labor Code.

This bill does not apply to nonprofit organizations that directly contract with the state or a political subdivision until July 1, 2027, and does not apply to any contract, subcontract, or grant agreement between a nonprofit organization and the state or a political subdivision that is fully executed when this division becomes operative, unless the contract, subcontract, or grant agreement is renewed after July 1, 2027. Otherwise, the bill will become operative on July 1, 2026, and does not apply to any contract, subcontract, or grant agreement that is fully executed when this division becomes operative, unless the contract, subcontract, or grant agreement is renewed after July 1, 2026. This bill contains provisions for enforcement.
(updated 9.25.23)

AB 400 (Rubio, Blanca D) Local agency design-build projects: authorization.

Introduced: 2/2/2023

Last Amended: 6/13/2023

Status: 9/22/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 201, Statutes of 2023.

Location: 9/22/2023-A. CHAPTERED

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CSDA SUMMARY: This bill would extend the sunset date for local governments to use the Design-Build (DB) method for public works projects. DB is when both design and construction of a project are procured from a single entity. This bill would continue to enable local governments to utilize the DB procurement process for qualifying projects through January 1, 2031. (updated 9.25.23)

AB 457 (Patterson, Joe R) Surplus Land Act: exempt surplus land: leases.

Introduced: 2/6/2023

Last Amended: 9/8/2023

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was DESK on 9/13/2023)(May be acted upon Jan 2024)

Location: 9/14/2023-S. 2 YEAR

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| Desk | Policy | Fiscal | Floor | 2 year | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law prescribes requirements for the disposal of surplus land, as defined, by a local agency, as defined. Existing law requires land to be declared surplus land or exempt surplus land, as supported by written findings, before a local agency takes any action to dispose of it consistent with the agency's policies or procedures. Existing law requires any local agency disposing of surplus land to send, prior to disposing of that property or participating in negotiations to dispose of that property with a prospective transferee, a written notice of availability of the property pursuant to prescribed procedures. Under existing law, the disposal of exempt surplus land is not subject to these requirements. Existing law defines "exempt surplus land" for these purposes to include, among other things, surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use. This bill would expand that definition of "exempt surplus land" to include a parcel that (1) is identified in the local agency's circulation element or capital improvement program for future roadway development, (2) is no larger than 2 acres, (3) is zoned for retail commercial use, and the use of the parcel is consistent with the underlying zoning, and (4) abuts a state highway right-of-way. This bill would make other nonsubstantive changes.

Attachments:

[AB 457 \(J. Patterson\) Letter to Author - Removal of Opposition](#)

[AB 457 \(J. Patterson\) Senate Governance and Finance Cmte. - Oppose](#)

[Unless Amended](#)
[AB 457 Author - Concerns](#)
[AB 457 Concern - Housing Committee](#)

Position: Neutral

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Surplus Land

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This district bill adds an additional category of exempt surplus land under the Surplus Land Act.

Surplus land that satisfies all of the following conditions:

- (i) The parcel is identified in the local agency's circulation element or capital improvement program for future roadway development.
- (ii) The parcel is no larger than two acres.
- (iii) The parcel and all adjacent parcels are zoned for retail commercial use, and the use of the parcel is consistent with the underlying zoning.
- (iv) The parcel abuts a state highway right-of-way. *(updated 9.25.23)*

AB 480 **(Ting D)** **Surplus land.**

Introduced: 2/7/2023

Last Amended: 9/8/2023

Status: 10/11/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 788, Statutes of 2023.

Location: 10/11/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice

of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. This bill would define the term “dispose” to mean the sale of the surplus property or a lease of any surplus property entered into on or after January 1, 2024, for a term longer than 15 years, including renewal options, as specified. The bill would provide that “dispose” does not include entering a lease for surplus land on which no development or demolition will occur, regardless of the term of the lease. This bill contains other related provisions and other existing laws.

Attachments:

[AB 480 \(Ting\) Removal of Opposition - Author](#)

[AB 480 \(Ting\) Oppose Unless amended - Senate Approps.](#)

[AB 480 \(Ting\) Senate Housing Cmte. 7.3.23 - Oppose Unless Amended](#)

[AB 480 \(Ting\) Senate Housing Cmte. - Oppose Unless Amended](#)

[AB 480 \(Ting\) Senate Governance and Finance Cmte. 6.21.23 - Oppose Unless Amended](#)

[AB 480 \(Ting\) Senate Governance and Finance Cmte. - Oppose Unless Amended](#)

[AB 480 Assembly Floor Alert](#)

[AB 480 Assembly Appropriations Letter](#)

[Author letter \(OUA\)](#)

[Assembly Housing letter \(OUA\)](#)

Position: Neutral

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Surplus Land

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

cSDA SUMMARY: This bill will make several changes to the Surplus Land Act (SLA).

The bill's significant changes to the SLA, applicable to special districts, are summarized as follows:

1. Provides a limited and tightly constrained procedure for a local agency to administratively declare exempt surplus land, providing an important streamlined but transparent procedure.
2. Provides a definition for “dispose” that includes the sale of surplus land and entering into certain leases of surplus land for longer than 15 years, as defined, making the SLA clearly applicable to specified leases for the first time.
3. Increases penalties for violations by calculating them based on the greater of the sale price of surplus land or fair market value but provides a fair process for assessing and calculating penalties for specified violations of the SLA, while providing that such penalties shall not apply to certain types of specified minor violations.
4. Makes a number of technical and other changes to the SLA, including with respect to exempt surplus land categories. (*updated 9.25.23*)

AB 528 (Irwin D) Regulation of cemeteries: pet burial.

Introduced: 2/8/2023

Last Amended: 7/3/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | 2 year | Floor | Conf. | | | |
| 1st House | | | | 2nd House | | | | Conc. | Enrolled | Vetoed | Chaptered |

Summary:

Existing law establishes the Cemetery and Funeral Act and authorizes the Cemetery and Funeral Bureau, under the direction of the Department of Consumer Affairs, to establish necessary rules and regulations for the administration and enforcement of the act. This bill would authorize a public or private cemetery to designate a separate, clearly marked section of the cemetery where deceased pets could be buried with their deceased owners. The bill would require, if the cemetery designated such a space, that the pet and human remains be in separate remains containers, but authorizes them to be placed in the same plot, niche, crypt, or vault. The bill would require, if the cemetery designated such a space, the cemetery authority to develop and adopt rules and regulations for human and pet coburials, as specified. This bill contains other existing laws.

Attachments:

[Assembly Bill 528 \(Irwin\) Author - Support](#)

Assembly Bill 528 (Irwin) Senate Business, Professions and Economic Development Committee

Position: Support 3
Assigned: MDetwiler
District Services: Cemetery
Subject Area: Community Enrichment
Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership
CSDA SUMMARY: This bill would allow private and public cemeteries to operate pet cemeteries and allow for the provision of burial services for deceased pets. *(updated 7.13.23)*

AB 535 (Irwin D) School accountability: Statewide School Library Lead.

Introduced: 2/8/2023
Last Amended: 4/5/2023
Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)
Location: 9/14/2023-S. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | 2 year | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:
Existing law establishes a single system for providing support to local educational agencies and schools and for specified federal educational programs. Existing law provides that the purpose of the statewide system of support is to build the capacity of local educational agencies, as specified. Existing law requires the State Department of Education and the California Collaborative for Educational Excellence to establish a process, administered by the department, to select, subject to approval by the executive director of the State Board of Education, an expert lead agency based on specific expertise in an area of need to conduct activities and build statewide capacity to address that area of need within the statewide system of support, as well as geographic lead agencies for other specified purposes, as provided. This bill would, contingent upon an appropriation for these purposes, require the Superintendent of Public Instruction, on or before July 1, 2024, to select an applicant county office of education to serve as a Statewide School Library Lead to work collaboratively with the California Collaborative for Educational Excellence and to establish library and literacy

services that support the statewide system of support. The bill would specify that the Statewide School Library Lead's duties include, among other things, enhancing the state's investment in literacy and aligning those efforts with the California Comprehensive State Literacy Plan and working directly with school districts, county offices of education, and charter schools to build capacity to develop excellent school library services and accelerate literacy and learning, including coordinating support, providing direct technical assistance, and delivering professional learning. This bill contains other existing laws.

Position: Support in Concept

Assigned: MDetwiler

District Services: Library

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: The bill tasks a specified county office of education selected to serve as a Statewide School Library Lead with promoting literacy (specifically, they are instructed "to work collaboratively with the California Collaborative for Educational Excellence and to establish library and literacy services") in various ways, including collaboration with "local and regional entities." (*updated 7.11.23*)

[AB 584](#) ([Hart D](#)) California Coastal Act of 1976: coastal development: emergency waiver.

Introduced: 2/9/2023

Last Amended: 3/6/2023

Status: 7/27/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 118, Statutes of 2023.

Location: 7/27/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Coastal Act of 1976 requires any person wishing to perform or undertake any development in the coastal zone, as defined, in addition to obtaining any other permit required by law from any local government or

from any state, regional, or local agency, to obtain a coastal development permit, as provided. The act requires the issuance of a coastal development permit if the proposed development is in conformity with the certified local coastal program. The act provides for the certification of local coastal programs by the California Coastal Commission. The act authorizes the requirement of having to obtain a permit to be waived when immediate action by a person or public agency performing a public service is required to protect life and public property from imminent danger, or to restore, repair, or maintain public works, utilities, or services destroyed, damaged, or interrupted by natural disaster, serious accident, or in other cases of emergency, as specified. The act provides that this waiver provision does not authorize the permanent erection of structures valued at more than \$25,000. This bill would increase the above-described amount to \$125,000, adjusted annually for inflation pursuant to the consumer price index.

Attachments:

[AB 584 \(Hart\) Author Letter - Support](#)

[AB 584 \(Hart\) Sen. Natural Resources & Water Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Environment and Disaster Preparedness

Issues: Climate Change and Adaptation

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: This bill increases the valued amount authorized from \$25,000 to \$125,000 for the erection of a permanent structure when a person or public agency is seeking an emergency waiver under the California Coastal Act of 1976. *(updated 9.25.23)*

[AB 755](#) ([Papan D](#)) Water: public entity: water usage demand analysis.

Introduced: 2/13/2023

Last Amended: 8/14/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 542, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law authorizes a public entity that supplies water at retail or wholesale within its service area to adopt, in accordance with specified procedures, and enforce a water conservation program. This bill would require a public entity, as defined, to conduct a water usage demand analysis, as defined, prior to completing, or as part of, a cost-of-service analysis conducted to set fees and charges for water service that are consistent with applicable law. The bill would require a public entity to identify, within the water usage demand analysis, the costs of water service for the highest users, as defined, incurred by the public entity, and the average annual volume of water delivered to high water users. The bill would also require the costs of water service for the highest users and the average annual volume of water delivered to high water users to be made publicly available by posting the information in the public entity's cost-of-service analysis. By requiring a higher level of service of public entities, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Attachments:

[AB 755 \(Papan\) Removal of Opposition - Author](#)

[AB 755 \(Papan\) SNRW Coalition - Oppose](#)

[AB 755 SNRW Coalition Letter](#)

Position: Neutral

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: Climate Change and Adaptation

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: This bill would provide that a public entity shall conduct a water usage demand analysis prior to completing, or as a part of, a cost-of-service analysis conducted to set fees and charges for water service that are consistent with Section 6 of Article XIII D of the California Constitution and other applicable law. Within the water usage demand analysis, a public entity shall identify both of the following:

- (1) The costs of water service for the highest users incurred by the public entity.
- (2) The average annual volume of water delivered to high water users.

This bill would require that the costs of water service and the average annual volume identified in paragraphs (1) and (2) of subdivision (a) shall be made publicly available by posting the information in the public entity's cost-of-service analysis. *(updated 9.25.23)*

AB 759 (**Grayson D**) **Sanitary districts.**

Introduced: 2/13/2023

Last Amended: 3/30/2023

Status: 6/29/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 19, Statutes of 2023.

Location: 6/29/2023-A. CHAPTERED

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law authorizes the formation of a sanitary district, pursuant to specified requirements. Existing law authorizes a sanitary district to acquire, plan, construct, reconstruct, alter, enlarge, lay, renew, replace, maintain, and operate garbage dumpsites and garbage collection and disposal systems, sewers, drains, septic tanks, and sewerage collection, outfall, treatment works and other sanitary disposal systems, and storm water drains and storm water collection, outfall and disposal systems, and water recycling and distribution systems, as the deemed necessary and proper by the governing board of the district. Existing law generally authorizes the district to expend money only upon written order of the board. This bill would instead authorize funds to be withdrawn by a district treasurer or expended by a treasurer upon approval by the board, signed by the president and secretary. This bill would also authorize the board to adopt specified procedures to provide payment of demands and claims without prior approval by the board if a district treasurer determines the demands are payable within the district's approved budget. The bill would also require board approval for any payment exceeding the district's approved budget. This bill contains other existing laws.

Attachments:

[Assembly Bill 759 \(Grayson\) Senate Governance and Finance Committee - Support](#)

[Assembly Bill 759 \(Grayson\) Author - Support](#)

[Assembly Bill 759 \(Grayson\) Assembly Local Government Committee - Support](#)

Position: Support 3
Assigned: MDetwiler
District Services: Sanitation/Sanitary
Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership
Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership
CSDA SUMMARY: This bill, sponsored by the California Association of Sanitation Agencies, seeks to modernize the procedures involved in sanitary districts' approval of expenditures of public funds. Current protocol, established in the 1930s, requires sanitary districts to approve each individual warrant for funds by action of the board. This bill would instead allow a sanitary district to establish procedures for the expenditure of funds, subject to some conditions. *(updated 7.11.23)*

AB 805 ([Arambula D](#)) **Sewer service: disadvantaged communities.**

Introduced: 2/13/2023
Last Amended: 1/22/2024
Status: 1/30/2024-Read third time. Urgency clause adopted. Passed. Ordered to the Senate. (Ayes 76. Noes 0.). In Senate. Read first time. To Com. on RLS. for assignment.
Location: 1/30/2024-S. RLS.

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:
Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality in accordance with the Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Existing law authorizes a regional board to order the provision of sewer service by a receiving sewer system, as defined, to a disadvantaged community served by an inadequate onsite sewage treatment system, as defined. This bill would authorize the state board to require a sewer service provider to contract with an administrator designated or approved by the state board for administrative, technical, operational, legal, or managerial services to assist a designated sewer system with the

provision of adequate sewer service, as defined. The bill would also authorize the state board to order a designated sewer system to accept those services, including full management and control of all aspects of the designated sewer system, from an administrator. The bill would define “designated sewer system” for these purposes as a sewer system that serves a disadvantaged community and that the state board finds to be either an inadequate sewage treatment system or a sewer system that has demonstrated difficulty in maintaining technical, managerial, and financial capacity to prevent fraud and mismanagement, or a sewer system that voluntarily accepts financial assistance for the provision of adequate sewer service. The bill would require the state board to take specified actions before determining that a sewer service provider is a designated sewer system, including providing the sewer service provider an opportunity to show that it has taken steps to timely address its failure to provide adequate sewer service, conducting a public meeting, and providing an opportunity for public comment. The bill would authorize the state board to grant specified authority over the designated sewer system to the administrator, including the authority to expend money for various purposes and to set and collect sewer rates and fees, subject to approval by the state board. The bill would require the state board to work with the administrator and the communities served by the designated sewer system to develop, within the shortest practicable time, adequate technical, managerial, and financial capacity to deliver adequate sewer service so that the services of the administrator are no longer necessary.

Position: Oppose 3

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: This bill authorizes the State Water Resources Control Board (State Water Board) to require a designated sewage system to contract with an administrator designated or approved by the State Water Board.

Defines “designated sewer system” to mean a sewer system that serves a disadvantaged community and that the state board finds to be either an inadequate sewage treatment system or a sewer system that has demonstrated difficulty in maintaining technical, managerial, and financial capacity to prevent fraud and

mismanagement. Designated sewer system also includes a voluntary participant. Defines "inadequate sewage treatment system" as a sewer system that has the reasonable potential to cause a violation of water quality objectives; impair present or future beneficial uses of water; or cause pollution, nuisance, or contamination of waters of the state.

Requires a designated sewer system to bear responsibility for funding the activities of an administrator to provide administrative, technical, operational, legal, or managerial services to a designated sewer system — up to a level of cost necessary to maintain the designated sewer system and provide adequate sewer service — and specifies that the State Water Board shall not be responsible for funding these activities.

Authorizes the allocation of funds from the State Water Pollution Cleanup and Abatement Account, for costs associated with the activities of an administrator, to provide services to a designated sewer system.
(updated 1.29.24)

AB 869 (Wood D) Hospitals: seismic safety compliance.

Introduced: 2/14/2023

Last Amended: 6/20/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was HEALTH on 6/7/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-S. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | 2 year | Fiscal | Floor | Conf. | | | |
| 1st House | | | | 2nd House | | | | Conc. | Enrolled | Vetoed | Chaptered |

Summary:

Existing law requires, no later than January 1, 2030, owners of all acute care inpatient hospitals to either demolish, replace, or change to nonacute care use all hospital buildings not in substantial compliance with specified seismic safety standards or to seismically retrofit all acute care inpatient hospital buildings so that they are in substantial compliance with those seismic safety standards. Existing law requires the Department of Health Care Access and Information to issue a written notice upon compliance with those requirements. Existing law establishes the Small and Rural Hospital Relief Program under the administration of the Department of Health Care Access and Information for the purpose of funding seismic safety compliance with respect to small hospitals, rural hospitals, and critical access hospitals in the state. Existing law requires the department to provide grants to small, rural, and critical access hospital applicants that meet certain criteria, including that seismic safety compliance, as defined, imposes a financial burden on

the applicant that may result in hospital closure. Existing law also creates the Small and Rural Hospital Relief Fund and continuously appropriates the moneys in the fund for purposes of administering and funding the grant program. Existing law provides for the formation and administration of health care districts. This bill would require the department to give first priority to grants for single- and 2-story general acute care hospitals located in remote or rural areas with less than 80 general acute care beds and general acute care hospital revenue of \$75 million or less. The bill would require grants under the program to provide general acute care hospitals with funds to secure an SPC-4D assessment for purposes of planning for, and estimating the costs of, compliance with certain seismic safety standards, as specified. The bill would authorize specified general acute care hospitals to apply for a grant for purposes of complying with those seismic safety standards. This bill contains other related provisions and other existing laws.

Attachments:

[AB 869 \(Wood\) Sen. Health Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Healthcare/Hospital

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: State Bonds, Budget Allocations, and Grants

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would provide relief to small, rural and district hospitals with regard to meeting the 2030 seismic mandate. *(updated 9.25.23)*

[AB 909](#) (Hoover R) Solid Waste Disposal and Codisposal Site Cleanup Program.

Introduced: 2/14/2023

Last Amended: 3/30/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/18/2024-A. DEAD

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| Dead | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conf. Conc. | | | |

Summary:

The Solid Waste Disposal and Codisposal Site Cleanup Program,

administered by the Department of Resources Recycling and Recovery, pays for the cleanup of solid waste disposal sites and for the cleanup of solid waste at codisposal sites, as specified. This bill would authorize the department, beginning July 1, 2024, and upon appropriation by the Legislature, to collect and properly manage illegally disposed hazardous waste and household hazardous waste, as defined, regardless of whether they were codisposed with nonhazardous solid waste. The bill would require the department to annually seek up to \$500,000 from the Department of Toxic Substances Control in reimbursement for grants awarded and program costs incurred. The bill would also prohibit the department from expending funds from the Integrated Waste Management Fund for purposes of this program in excess of the amount reimbursed by the Department of Toxic Substances Control.

Position: Support 3

Assigned: ATannehill

District Services: Solid Waste Management

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: AB 909 expands the Department of Resources Recycling and Recovery's (CalRecycle) existing Solid Waste Disposal Cleanup Program to fund the cleanup and proper disposal of illegally dumped hazardous waste and household hazardous waste. Specifically, this bill would authorize the department, beginning July 1, 2024, and upon appropriation by the Legislature, to collect and properly manage illegally disposed hazardous waste and household hazardous waste, as defined, regardless of whether they were codisposed with nonhazardous solid waste. The bill would require the department to annually seek up to \$500,000 from the Department of Toxic Substances Control (DTSC) in reimbursement for grants awarded and program costs incurred. *(updated 9.25.23)*

AB 965 ([Carrillo, Juan D](#)) **Local government: broadband permit applications.**

Introduced: 2/14/2023

Last Amended: 8/30/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 553, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

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| 1st House | 2nd House | Conc. | | | |
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Summary:

(1)Existing law, the Permit Streamlining Act, governs the approval process that a city or county is required to follow when approving, among other things, a permit for construction or reconstruction for a development project for a wireless telecommunications facility and a collocation or siting application for a wireless telecommunications facility. This bill, except as specified, would require a local agency to undertake batch broadband permit processing, as defined, upon receiving 2 or more broadband permit applications for substantially similar broadband project sites submitted at the same time by the same applicant, within a presumptively reasonable time, as defined. The bill would define “local agency” for these purposes to mean a city, county, city and county, charter city, special district, or publicly owned utility, other than certain publicly owned electric utilities. If a local agency does not approve those broadband permit applications for substantially similar broadband project sites and issue permits, or reject the applications and notify the applicants, within the presumptively reasonable time or longer period permitted under applicable law, the bill would require that all of those permits be deemed approved. The bill would authorize a local agency to place reasonable limits on the number of broadband project sites that are grouped into a single permit while undertaking batch broadband permit processing, as specified. The bill would provide that a local agency may only remove a broadband project site from grouping under a single permit under mutual agreement with the applicant or to expedite the approval of other substantially similar broadband project sites. The bill, if a local agency denies a broadband permit application, would require the local agency to notify the applicant in writing of the reasons for the denial. The bill would specify that these provisions do not apply to eligible facility requests, as defined. This bill contains other related provisions and other existing laws.

Position: Neutral

Assigned: MDetwiler

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would require local agencies (except publicly-owned electric utilities) to simultaneously process and approve two or more

broadband permit applications that are substantially similar in content (i.e., nearly identical in terms of equipment and general design, but not location or construction method). Local agencies would have to render a decision in a "presumptively reasonable time" (i.e., the applicable timeframe, if any, that is prescribed by current law; this timeframe could be modified by a mutual, written agreement between the local agency and the applicant), or else the broadband permit applications would all summarily be deemed approved. Agencies would be permitted to impose a fee for their batch permit processing. Cities and counties with certain population levels would be permitted to place a limit on the number of sites included in a single batch permit application. (*updated 9.19.23*)

AB 972 (Maienschein D) Local Assistance and Grant Program Streamlining Workgroup.

Introduced: 2/14/2023

Last Amended: 6/29/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/10/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | 2 year | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes the Office of Planning and Research in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. This bill would require the Office of Planning and Research, in consultation with the League of California Cities, the California State Association of Counties, and the California Special Districts Association, to convene a statewide, cross-agency Local Assistance and Grant Program Streamlining Workgroup, no later than January 1, 2025, to centralize local assistance and develop a coordinated system to manage available state and federal funding to deliver the maximum number of projects as efficiently as possible. The bill would require the Office of Planning and Research to appoint the workgroup members, as specified. The bill would require the workgroup to develop a report that includes the workgroup's findings, plans, and recommendations for short-term, medium-term, and long-term goals, as specified, no later than June 30, 2026. The bill would require the report to be posted on the Office of

Planning and Research's internet website and require the workgroup to provide the report to the Department of Finance and relevant policy and fiscal committees of the Legislature. The bill would prohibit the implementation of the recommendations without an appropriation by the Legislature.

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would require the Governor's Office of Planning and Research (OPR) to convene a specified statewide, cross-agency Local Assistance and Grant Program Streamlining Workgroup, including CSDA and other local agencies, by January 1, 2025 to centralize local assistance and develop a coordinated system to manage available state and federal funding, as specified. The workgroup must submit a report of findings, plans, and recommendations to the Legislature and Department of Finance by June 30, 2026. *(updated 9.25.23)*

AB 1056 (Davies R) Department of Parks and Recreation: California Youth Water Safety State Grant.

Introduced: 2/15/2023

Last Amended: 3/30/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/18/2024-A. DEAD

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes the Department of Parks and Recreation in the Natural Resources Agency, and specifies that the department shall be conducted under the control of an executive officer known as the Director of Parks and Recreation. Existing law requires the director to establish the Outdoor Equity Grants Program to increase the ability of underserved and at-risk populations to participate in outdoor environmental educational experiences at state parks and other public lands where outdoor environmental education programs take place, among other requirements

placed on the department and the director. This bill would require the department to establish and administer the California Youth Water Safety State Grant. The bill would require the department to make funding available to nonprofit organizations, special districts, and city or county parks and recreation departments to provide free swimming lessons for low-income and at-risk youth. The bill would authorize an applicant to apply on an annual basis, and would prohibit the department from awarding a grant larger than \$25,000 per application. The bill would authorize the department to use up to 5% of amounts appropriated for these purposes for costs that result from administering the grant program. The bill would provide for implementation of all of these provisions only upon an appropriation by the Legislature for these purposes.

Attachments:

[Assembly Bill 1056 \(Davies\) Assembly Water, Parks & Wildlife Committee - Support](#)

[Assembly Bill 1056 \(Davies\) Author - Support](#)

Position: Support 3

Assigned: MDetwiler

District Services: Open Space, Recreation and Park

Subject Area: Community Enrichment

Issues: State Bonds, Budget Allocations, and Grants

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would, upon the appropriation of funds by the Legislature, require the Department of Parks and Recreation to make funding available to nonprofit organizations and city or county parks and recreation departments to provide free swimming lessons for low-income and at-risk youth. A recent amendment to include special districts among the eligible recipients enabled CSDA to formally support the bill. (*updated 7.13.23*)

[AB 1297 \(Quirk-Silva D\) Public restrooms.](#)

Introduced: 2/16/2023

Last Amended: 6/21/2023

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/10/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

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| 1st House | | | | 2nd House | | | Conc. | Enrolled | Vetoed | Chaptered |

Summary:

Existing law requires every public agency, as defined, that conducts an establishment serving the public or open to the public and that maintains restroom facilities for the public, to make every water closet available without cost or charge, as provided. Existing law also requires publicly and privately owned facilities where the public congregates to be equipped with sufficient temporary or permanent restrooms to meet the needs of the public at peak hours. This bill would require each local government, as defined, to complete an inventory of public restrooms owned and maintained by the local government, either directly or by contract, that are available to the general population in its jurisdiction by July 1, 2024. The bill would require local governments to report their findings to the State Department of Public Health, which would be required to compile the information and to report the availability of public restrooms to the Legislature by March 1, 2025, as specified. The bill would require the Legislature to consider the report when evaluating the public's access to reliable public restrooms. This bill contains other related provisions and other existing laws.

Position: Oppose 3

Assigned: MDetwiler

District Services: Library, Recreation and Park

Subject Area: Community Enrichment

Issues: Mandates and Mandate Reimbursement

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: This bill would require library districts (as defined [\[1\]](#) [\[2\]](#)) and park districts ([as defined](#)) to complete an inventory of their "accessible, permanent public restrooms, including single-occupancy restrooms" available to the general population in its jurisdiction. These districts - along with cities and counties - would have to provide this completed inventory of bathrooms to the State Department of Public Health not later than July 1, 2024, for the purpose of the development of a report to be provided to the Legislature regarding the availability of public restrooms by county. (*updated 7.11.23*)

[AB 1469](#) ([Kalra D](#)) Santa Clara Valley Water District.

Introduced: 2/17/2023

Last Amended: 9/8/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 729, Statutes of 2023.

Location: 10/10/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The Santa Clara Valley Water District Act creates the Santa Clara Valley Water District, and authorizes the district to provide for the conservation and management of flood, storm, and recycled waters, and other waters, for beneficial uses and to enhance natural resources in connection with carrying out the purposes of the district. This bill would additionally authorize the district to take certain actions in order to assist unsheltered people living along streams, in riparian corridors, or otherwise within the district's jurisdiction, in consultation with a city or the County of Santa Clara to provide solutions or improve outcomes for the unsheltered individuals. The bill would require, if the district elects to use the above-described authority, the district to provide a report to the appropriate committees of the Legislature on or before July 1, 2029, and a subsequent report on or before July 1, 2034, containing specified information, including, among other things, the district's actions taken to assist unsheltered people. The bill would provide that the use of land by the district for these specified actions constitutes "agency's use" for purposes of the prescribed requirements related to the disposal of surplus land by a local agency, and would make this provision operative only if SB 747 of the 2023–24 Regular Session is enacted as provided. This bill contains other related provisions and other existing laws.

Attachments:

[AB 1469 \(Kalra\) Asm. Housing Cmte. - Support](#)

[AB 1469 \(Kalra\) Author - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Single District, Water/Irrigation

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Housing, Homelessness Funding

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill revises the Santa Clara Valley Water District Act to additionally authorize the district to assist unsheltered people living along streams, in riparian corridors, or otherwise within the district's jurisdiction, in consultation with cities and the County of Santa Clara, to provide solutions or improve outcomes for the unsheltered individuals. The measure requires the district to provide update reports, as specified, to the Legislature and is contingent upon the passage of SB 747 (Caballero). This bill provides the certain authorized activities are agency's use under the Surplus Land Act. (*updated 9.25.23*)

AB 1548 (Hart D) Greenhouse Gas Reduction Fund: grant program: recycling infrastructure projects.

Introduced: 2/17/2023

Last Amended: 4/20/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 693, Statutes of 2023.

Location: 10/10/2023-A. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as a part of the market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. This bill would expand the scope of the grant program to include providing financial assistance to promote in-state development of projects to sort and aggregate organic and other recyclable materials, as provided, or to divert items from disposal through enhanced reuse opportunities. The bill would require the grant program to provide eligible financial assistance for increasing opportunities for reuse of materials diverted from landfill disposal and for recyclable material recovery, sorting, or baling equipment for use at publicly owned facilities. The bill would authorize eligible infrastructure projects for the grant program to include projects undertaken by a local government at publicly owned facilities to improve the recovery, sorting, or baling of recyclable materials to get those materials into the marketplace, the purchase of equipment and construction of facilities to help develop, implement, or

expand edible food waste recovery operations, and the establishment of reuse programs to divert items from landfill disposal for reuse by members of the public. The bill would also require the department to consider if and how the project may benefit low-income communities, as defined, in awarding a grant for organics composting or organics in-vessel digestion. This bill contains other existing laws.

Attachments:

[AB 1548 \(Hart\) Senate Approps. Cmte. - Support](#)

[Assembly Bill 1548 \(Hart\)](#)

[AB 1548 \(Hart\) Sen. Environmental Quality Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: GHG Reduction Fund

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: AB 1548 expands eligibility of CalRecycle's grant program to include the purchase of necessary equipment to sort recyclable materials, funds to establish reuse projects, and expand food waste recovery projects. This bill also requires the department to consider disadvantaged and low-income communities. AB 1548 seeks to provide the necessary resources to achieve the state's recycling, environmental goals. *(updated 9.27.23)*

[AB 1637](#) (Irwin D) Local government: internet websites and email addresses.

Introduced: 2/17/2023

Last Amended: 6/29/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 586, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

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Summary:

(1)The California Constitution authorizes cities and counties to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws and further authorizes cities

organized under a charter to make and enforce all ordinances and regulations in respect to municipal affairs, which supersede inconsistent general laws. This bill, no later than January 1, 2029, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a “.gov” or “.ca.gov” domain. This bill, no later than January 1, 2029, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a “.gov” domain name or a “.ca.gov” domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Attachments:

[AB 1637 \(Irwin\) Letter to Author - Removal of Opposition](#)

[Assembly Appropriations Committee letter \(OUA\)](#)

[Assembly Privacy Committee \(OUA\)](#)

[Coalition Letter Ab 1637 Asm Local Govt OUA](#)

Position: Neutral

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Cyber Security

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill will require cities and counties to adopt a “.ca.gov” or “.gov” address for their websites and email addresses. There would be delayed implementation until January 2029. Website redirect, but not email redirect, would be permitted. Special districts have been amended out of the bill. *(updated 9.27.23)*

[AB 1694](#) ([Bonta D](#)) **Regional park and open-space districts: general manager: powers.**

Introduced: 2/17/2023

Status: 2/1/2024-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

Location: 1/18/2024-A. DEAD

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Summary:

Existing law generally authorizes the general manager of a park or open-space district, with district board approval, to bind the district, in accordance with board policy, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose in amounts not exceeding \$50,000. Existing law authorizes the district, by action of the board in an open meeting, to increase the amount by which the general manager of the district may bind the district above that limit. This bill would increase the amount by which the general manager of a district with a population of 200,000 or more may bind the district to not exceeding \$200,000, as provided. The bill would authorize a park or open-space district with a population of 200,000 or more, by action of the board in an open meeting, to increase the amount by which the general manager of the district may bind the district above that limit, as specified.

Position: Support 3

Assigned: MDetwiler

District Services: Open Space, Recreation and Park

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would increase the amount by which the general manager of a regional park or open space district with a population of 200,000 or more may bind the district. The bill would increase that amount to one not exceeding \$200,000. (*updated 7.13.23*)

AB 1736 (**Carrillo, Juan D**) **Water replenishment districts: competitive bidding.**

Introduced: 2/17/2023

Last Amended: 3/9/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 592, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

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Summary:

Existing law, the Water Replenishment District Act, provides for the formation of a water replenishment district, governed by a board, with prescribed powers for the purposes of replenishing the groundwater supplies within the district. Existing law requires a district to provide notice of a contract for any improvement or work, as specified. Existing law authorizes a board to let the work to the lowest responsible bidder, reject the bids and readvertise for proposals, or proceed to construct the work under its own superintendence. This bill would also authorize a board to negotiate a contract for the work if no bids are received.

Attachments:

[AB 1736 \(J.Carrillo\) Gov. Signature Request](#)

Position: Support 3

Assigned: ATannehill

District Services: Water/Irrigation

Subject Area: Water and Wastewater

Issues: Bidding Process (design-build, progressive design-build, JOC, P3, best value, other alternative delivery methods)

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: Assembly Bill 1736 would authorize the governing board of a water replenishment district to negotiate a contract to construct a public works project if no bids were received after a competitive bid award solicitation period closes. *(updated 9.27.23)*

SB 34 (Umberg D) Surplus land disposal: violations: County of Orange.

Introduced: 12/5/2022

Last Amended: 8/24/2023

Status: 10/11/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 772, Statutes of 2023.

Location: 10/11/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law prescribes requirements for the disposal of land determined to be surplus land by a local agency. Those requirements include a requirement that a local agency, prior to disposing of a property or

participating in negotiations to dispose of that property with a prospective transferee, send a written notice of availability of the property to specified entities, depending on the property's intended use, and send specified information in regard to the disposal of the parcel of surplus land to the Department of Housing and Community Development. Existing law, among other enforcement provisions, makes a local agency that disposes of land in violation of these disposal provisions, after receiving notification of violation from the department, liable for a penalty of 30% of the final sale price of the land sold in violation for a first violation and 50% for any subsequent violation. Under existing law, except as specified, a local agency has 60 days to cure or correct an alleged violation before an enforcement action may be brought. Existing law provides for the deposit and use of penalty revenues for housing, as prescribed. This bill, until January 1, 2030, would require the County of Orange, or any city located within the County of Orange, if notified by the department that its planned disposal of surplus land is in violation of existing law, to cure or correct the alleged violation within 60 days, as prescribed. The bill would prohibit a County of Orange jurisdiction that has not cured or corrected any alleged violation from disposing of the parcel until the department determines that it has complied with existing law or deems the alleged violation not to be a violation. The bill would authorize a local agency that receives that notice to provide to the Department of Housing and Community Development a statement describing the actions taken to cure or correct the alleged violation within 60 days of receipt of the notice, and would require the department, if it receives that statement, to make specified determinations and notify the local agency of those determinations within 30 days of receipt of the statement. This bill contains other related provisions and other existing laws.

Attachments:

[SB 34 \(Umberg\) Removal of Oppo. - Author](#)

[SB 34 \(Umberg\) Oppose Unless Amended - Asm. Approps.](#)

[SB 34 \(Umberg\) Assembly Housing Cmte. - Oppose Unless Amended](#)

[SB 34 \(Umberg\) Assembly Local Government Cmte. - Oppose Unless Amended](#)

[SB 34 \(Umberg\) Asm. Local Gov. - Oppose Unless Amended](#)

[SB 34 \(Umberg\) Sen. Approp. - Oppose Unless Amended](#)

[Senate Floor Alert \(OUA\)](#)

[Author \(OUA\)](#)

[Senate Governance and Finance Committee \(OUA\)](#)

Position: Neutral

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Surplus Land

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill creates additional procedural requirements in connection with the Surplus Land Act, applicable only to Orange County and cities in Orange County. This bill provides that if the Department of Housing and Community Development, pursuant to Section 54230.5, notifies an applicable jurisdiction that its planned disposal of surplus land is in violation of specified law, the jurisdiction shall have 60 days from the date of receipt of the notification of violation to cure or correct an alleged violation, unless certain conditions are met, and shall not dispose of the parcel unless certain conditions are met. This bill contains procedures for the exchange of responsive information between a relevant local agency and HCD.

CSDA was part of a coalition seeking amendments to remove leases from the bill. *(updated 9.27.23)*

SB 146 (Gonzalez D) Public resources: infrastructure: contracting.

Introduced: 1/18/2023

Last Amended: 6/26/2023

Status: 7/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 58, Statutes of 2023.

Location: 7/10/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

(1)Existing law authorizes the Secretary of Transportation to assume the responsibilities of the United States Secretary of Transportation under the federal National Environmental Policy Act of 1969 (NEPA) and other federal environmental laws for any railroad, public transportation, or multimodal project undertaken by state agencies, as specified. Existing law provides that the State of California consents to the jurisdiction of the federal courts with

regard to the compliance, discharge, or enforcement of these responsibilities. Existing law repeals these provisions on January 1, 2025. This bill would extend the above authorization to December 31, 2033. The bill would additionally authorize the Secretary of Transportation, consistent with, and subject to the requirements of, any memorandum of understanding between the state and federal government and upon the request of a local or regional agency with the authority to implement transportation projects, to assume responsibilities under the NEPA and other federal environmental laws for any railroad, local public transportation, or multimodal project implemented by the requesting local or regional agency. The bill would impose terms and conditions similar to those with respect to the above-described authority to assume those responsibilities for projects undertaken by state agencies, including providing consent for the jurisdiction of the federal courts, as provided. The bill would require the secretary to report to the transportation policy committees of the Legislature regarding the assumption of responsibilities under the NEPA requested by a local or regional agency by December 31, 2033. The bill would repeal these provisions on December 31, 2033. This bill contains other related provisions and other existing laws.

Position: Support 3

Assigned: OSzigeti

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY:

SB 149 (Caballero D) California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.

Introduced: 1/18/2023

Last Amended: 6/28/2023

Status: 7/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 60, Statutes of 2023.

Location: 7/10/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would authorize the public agency to deny the request of the plaintiff or petitioner to prepare the record of proceedings, as provided, in which case the bill would require the public agency or the real party in interest to bear the costs of preparation and certification of the record of proceedings and would prohibit the recovery of those costs from the plaintiff or petitioner. The bill would require the court to schedule a case management conference within 30 days of the filing of an action to review the scope, timing, and cost of the record of proceedings. The bill would require that an electronic copy of the certified record of proceedings be lodged with the court. This bill contains other related provisions and other existing laws.

Position: Support 3**Assigned:** OSzigeti**District Services:** General/All**Subject Area:** Public Works, Facilities, and State Infrastructure Investment and Partnership**Working Group:** Public Works, Facilities, and State Infrastructure Investment and Partnership**CSDA SUMMARY:**

SB 229 (**Umberg** D) **Surplus land: disposal of property: violations: public meeting.**

Introduced: 1/23/2023**Last Amended:** 9/7/2023**Status:** 10/11/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 774, Statutes of 2023.**Location:** 10/11/2023-S. CHAPTERED

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Position: Neutral

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Surplus Land

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill creates notice and procedural requirements for a local government agency to comply with when the agency is disposing of surplus land and receives a notice of violation of the Surplus Land Act from the Department of Housing and Community Development pursuant to Government Code Section 54230.5. The local agency shall hold an open and public session to review and consider the substance of the notice of violation. In addition to other applicable notice requirements, this bill requires:

1. The local agency shall provide notice before the public meeting.
2. The notice shall be disclosed on the local agency's internet website, if one is maintained, in a conspicuous public place at the offices of the local agency, and to the Department of Housing and Community Development, consistent with Brown Act requirements, in connection with the public meeting at which the notice of violation will be considered.
3. The local agency's governing body shall not take final action to ratify or approve the proposed disposal until a public session is held as required by this section.
4. The bill contains an offramp from its requirements if a local agency does not proceed with a transaction after receiving the notice of violation.

The bill states that it shall not be construed to require the legislative body of a local agency to disclose information that is privileged or protected pursuant to Government Code Section 54956.8 (governing closed sessions with negotiators) in the public meeting to discuss the substance of the notice of violation.

CSDA was part of a coalition seeking amendments to remove leases from the bill and add procedural flexibility. (*updated 9.27.23*)

SB 240 (Ochoa Bogh R) Surplus state real property: affordable housing and housing for formerly incarcerated individuals.

Introduced: 1/25/2023

Last Amended: 5/2/2023

Status: 10/11/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 775, Statutes of 2023.

Location: 10/11/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law authorizes the Department of General Services to dispose of surplus state real property, as defined, as authorized by the Legislature, upon any terms and conditions and subject to any reservations and exceptions the department deems to be in the best interests of the state. Existing law requires the department to first offer surplus state real property to a local agency, as defined, and then to nonprofit affordable housing sponsors, as defined, prior to being offered for sale to private entities or individuals. Existing law requires a local agency or nonprofit affordable housing sponsor to satisfy certain requirements to be considered as a potential priority buyer of the surplus state real property, including that the local agency or nonprofit affordable housing sponsor demonstrate, to the satisfaction of the department, that the surplus state real property, or portion of that surplus state real property, is to be used by the local agency or nonprofit affordable housing sponsor for open space, public parks, affordable housing projects, or development of local government-owned facilities. Existing law authorizes the department to sell surplus state real property, or a portion of surplus state real property, to a local agency, or to a nonprofit affordable housing sponsor if no local agency is interested in the surplus state real property, for affordable housing projects at a sales price less than fair market value if the department determines that such a discount will enable the provision of housing for persons and families of low or moderate income. This bill would additionally authorize a local agency or nonprofit affordable housing sponsor to be considered as a potential priority buyer of surplus state real property upon demonstration that the property is to be used by the agency or sponsor for housing for formerly incarcerated individuals, subject to the same provisions described above, as specified. This bill contains other related provisions and other existing laws.

Position: Neutral

Assigned: MDetwiler

District Services: Open Space, Recreation and Park

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Surplus Land

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would have made changes to the law concerning the state's disposal of surplus land, including:

- Removal of open space and public parks from qualifying local agency uses, but retaining development of local government-owned facilities.
- Placement of a five year limit on the time for a local agency or nonprofit affordable housing sponsor to complete an affordable housing project with subject land, after which a penalty in the amount of 1 percent of the purchase price will be imposed.
- A provision that the use of surplus state real property by a local agency or nonprofit affordable housing sponsor for an affordable housing project pursuant to this section would have been a use by right and would not constitute a "project" for purposes of CEQA.

This bill would have eliminated prior law providing for less than fair market value sales, and related deed restrictions and reversion provisions, when state surplus land was acquired for public parks and open space.

The bill as amended instead adds to the list of potential buyers of surplus land a local agency or nonprofit affordable housing sponsor upon demonstration that the property is to be used by the agency or sponsor for housing for formerly incarcerated individuals. *(updated 7.11.23)*

SB 336 (Umberg D) State grant programs: negotiated indirect cost rates.

Introduced: 2/7/2023

Last Amended: 9/1/2023

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)

Location: 9/14/2023-A. 2 YEAR

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| Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | 2 year | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law establishes the Department of General Services in the Government Operations Agency for purposes of providing centralized services of state government. Existing law establishes various state grant programs. Existing federal law provides uniform administrative requirements, cost principles, and audit requirements for federal grant awards to nonfederal entities and provides guidelines for determining direct and indirect costs, as defined, charged to federal awards. This bill would require, unless prohibited by any other state or federal law, a state agency administering a grant program to reimburse, when awarding a grant, the grantee's indirect costs, as defined, at one of specified rates as requested by the grantee, as defined, if the grantee disclosed the requested rate amount in their grant program application. The bill would authorize establishment of indirect cost pools and would require distribution of the pools, as specified, if established. The bill would also authorize, unless prohibited by any other state or federal law, any applicant for a grant administered by a state agency to opt, when applying for the grant, to be reimbursed for its indirect costs at one of specified rates, if the applicant is selected as a grantee and if the applicant discloses the requested rate amount in their grant program application. The bill would make these provisions applicable to any grant program administered by a state agency, regardless of whether the funding source of the grant is state funds, federal funds, or a combination thereof.

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: State Bonds, Budget Allocations, and Grants

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill requires a state agency administering a grant program to reimburse, when awarding a grant, the grantee's indirect costs for the grant program, as specified. (*updated* 9.27.23)

SB 458 (Gonzalez D) Public contracts: Local Agency Public Construction Act: reporting and notifications.

Introduced: 2/13/2023

Last Amended: 3/22/2023

Status: 2/1/2024-Returned to Secretary of Senate pursuant to Joint Rule 56.

Location: 1/12/2024-S. DEAD

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Local Agency Public Construction Act, sets forth the requirements for competitive bidding on various types of contracts awarded by local agencies. Existing law, the State Contract Act, requires the Department of General Services to make available a report on state contracting activity containing specified information. This bill would require a local public entity subject to the Local Agency Public Construction Act, commencing January 1, 2026, to maintain and regularly update a public online database and accompanying data dictionary with prescribed information on the entity's contracting activity similar to the information required for the State Contract Act report. The bill would require the State Auditor to review the databases established pursuant to the bill, commencing on an unspecified date, and biannually thereafter, and make recommendations to the Legislature on further transparency and reporting improvements. This bill contains other existing laws.

Position: Oppose Unless Amended 3

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: The State Contract Act requires the Department of General Services to make available a report on state contracting activity containing specified information. This bill would require a local public entity subject to the Local Agency Public Construction Act, commencing January 1, 2026, to maintain and regularly update a public online database and accompanying data dictionary with prescribed information on the entity's contracting activity similar to the information required for the State Contract Act report. This bill would require publication, at a minimum, in a newspaper as well as online. The bill would require the State Auditor to review the databases established pursuant to the bill, commencing on an

unspecified date, and biannually thereafter, and make recommendations to the Legislature on further transparency and reporting improvements. *(updated 9.27.23)*

SB 493 (Min D) Air pollution: alternative vehicles and electric and hydrogen infrastructure.

Introduced: 2/14/2023

Last Amended: 6/19/2023

Status: 1/25/2024-Stricken from file. Veto sustained.

Location: 9/30/2023-S. VETOED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to undertake various actions in furtherance of meeting the state’s clean energy and pollution reduction objectives, including actions related to electric vehicles. Existing law requires the Energy Commission, in consultation with the State Air Resources Board (state board) and the Public Utilities Commission (PUC), to prepare a statewide assessment of fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at levels necessary for the state to meet the goals and requirements of Executive Order No. N-79-20 and any state board regulatory action that requires or allows zero-emission vehicles in the heavy-duty vehicle and off-road sectors. Existing law also requires the Energy Commission, working with the state board and the PUC, to prepare a statewide assessment of the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least 5,000,000 zero-emission vehicles on California roads by 2030, and of reducing emissions of greenhouse gases to 40% below 1990 levels by 2030. This bill would require the assessment of the fuel cell electric vehicle fueling infrastructure and fuel production to additionally include an assessment of storage and transport facilities, and the assessment of the electric vehicle charging infrastructure to additionally include electric system infrastructure and electric generation. The bill would expand the scope of the latter assessment to include the electric vehicle charging infrastructure, electric system infrastructure, and electric generation needed for the state to meet the goals of Executive Order No. N-79-20 and any state board regulatory action that requires or allows

zero-emission vehicles in the heavy-duty vehicle and off-road sectors. The bill would require both assessments to identify any barriers to the deployment of hydrogen infrastructure and any barriers to the deployment of electric infrastructure, respectively, for medium- and heavy-duty fleets and recommendations for addressing those barriers. The bill would require the Energy Commission to publish a determination regarding the adequacy of completed or planned charging or fueling sites for the 5 years following the completion of the initial statewide assessment and the findings of the electric vehicle charging infrastructure assessment, as provided. The bill would also require the Energy Commission to identify any charging or fueling site deficiencies and categorize those deficiencies by refueling speed and by type of facility, as either a public facility or a private facility. The bill would require the Energy Commission to update the electric vehicle charging infrastructure assessment and the determination at least once every 2 years. This bill contains other related provisions and other existing laws.

Attachments:

[SB 493 \(Min\) Asm. Utilities & Energy Cmte - Support](#)

[SB 493 \(Min\) Asm. Transportation Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: General/All

Subject Area: Energy and Emissions

Issues: Renewable Energy

Working Group: Public Works, Facilities, and State Infrastructure
Investment and Partnership

CSDA SUMMARY: Requires CARB to develop a strategic plan for meeting deadlines for the transition of medium- and heavy-duty fleets to zero-emission and makes updates to two related statewide ZEV infrastructure assessments. *(updated 9.27.23)*

[SB 613](#) ([Seyarto](#) R) Organic waste: reduction goals: local jurisdictions: low-population waiver.

Introduced: 2/15/2023

Last Amended: 6/28/2023

Status: 10/13/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 878, Statutes of 2023.

Location: 10/13/2023-S. CHAPTERED

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Summary:

Existing law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. This bill would, for a local jurisdiction, as defined, waive those requirements and regulations until December 31, 2028, if the local jurisdiction does not qualify for other specified waivers, disposed of fewer than 5,000 tons of solid waste in 2014, and has fewer than 7,500 people, as provided. Beginning January 1, 2027, the bill would authorize the department, in its discretion, to renew the waiver, as provided. This bill contains other existing laws.

Attachments:

[SB 613 \(Seyarto\) Sen. Enviro Quality Cmte - Support](#)

[SB 613 \(Seyarto\) Author Letter - Support](#)

[SB 613 \(Seyarto\) Asm. Natural Resources Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Solid Waste Management

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill would allow a local jurisdiction, as defined, to waive the requirements and regulations of the SB 1383 (relating to organic waste) until December 31, 2028, if the local jurisdiction does not qualify for other specified waivers, disposed of fewer than 5,000 tons of solid waste in 2014, and has fewer than 7,500 people, as provided. Beginning January 1, 2027, the bill would authorize the department discretion to renew the waiver, as provided. *(updated 9.27.23)*

[SB 617](#) ([Newman D](#)) **Public contracts: progressive design-build: local and regional agencies: transit.**

Introduced: 2/15/2023

Last Amended: 6/28/2023

Status: 10/4/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 310, Statutes of 2023.

Location: 10/4/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, until January 1, 2029, authorizes local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project that treats, pumps, stores, or conveys water, wastewater, recycled water, advanced treated water, or supporting facilities. Existing law defines “progressive design-build” as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. Existing law requires the selected entity and its general partners or joint venture members to verify specified information under penalty of perjury. Existing law requires local agencies to report to the Legislature by January 1, 2028, regarding the use of the progressive design-build process, as specified. This bill, until January 1, 2029, would similarly authorize a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency, as described, to use the progressive design-build process for up to 10 public works projects in excess of \$5,000,000 for each project. The bill would, similarly, require information to be provided under penalty of perjury and would require submission of a similar report to the Legislature. The bill would specify that this authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. This bill contains other related provisions and other existing laws.

Attachments:

[SB 617 \(Newman\) Sen. Transportation Cmte - Support](#)

[SB 617 \(Newman\) Author Letter - Support](#)

[SB 617 \(Newman\) Asm. Local Government Cmte - Support](#)

Position: Support 3

Assigned: ATannehill

District Services: Transit

Subject Area: Public Works, Facilities, and State Infrastructure Investment

and Partnership

Issues: Bidding Process (design-build, progressive design-build, JOC, P3, best value, other alternative delivery methods)

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill, until January 1, 2029, would authorize a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency, as described, to use the progressive design-build process for up to 10 public works projects in excess of \$5,000,000 for each project. The bill would specify that this authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. *(updated 9.27.23)*

SB 634 (Becker D) Low Barrier Navigation Center: opportunity housing: use by right: building standards.

Introduced: 2/16/2023

Last Amended: 5/9/2023

Status: 2/1/2024-Returned to Secretary of Senate pursuant to Joint Rule 56.

Location: 1/18/2024-S. DEAD

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Planning and Zoning Law, requires that a Low Barrier Navigation Center development be a use by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets prescribed requirements. Existing law defines the terms “Low Barrier Navigation Center” and “use by right” for these purposes. Existing law provides that the California Environmental Quality Act (CEQA) does not apply to an action taken by a public agency to lease, convey, or encumber land owned by a public entity or to facilitate the lease, conveyance, or encumbrance of land owned by a public agency, or to provide financial assistance to, or otherwise approve, a Low Barrier Navigation Center constructed or allowed by existing law. CEQA does not apply to the ministerial approval of projects. Existing law prescribes requirements for notifying a developer that its application for a Low Barrier Navigation Center development is complete and for the local jurisdiction to complete its review of the application. Existing law declares that Low Barrier Navigation Center developments are essential tools for alleviating the homelessness crisis in this state and are a matter of statewide concern and thus applicable to

charter cities. Existing law repeals these provisions as of January 1, 2027. This bill would additionally require an opportunity housing project, as defined, to be a use by right if the project has a housing transition plan for a situation when the parcel on which the project is located is no longer suitable for opportunity housing projects, as specified. The bill would also expand use by right to include sites used pursuant to Executive Order No. N-23-20 and areas zoned for medical use or faith-based use. The bill would provide that these provisions do not apply to an opportunity housing project located on a site in a nonresidential zone unless the site is located near amenities and services that serve people experiencing homelessness, as specified. The bill, by authorizing additional developments to be a use by right under certain circumstances, would expand the exemption for the ministerial approval of projects under CEQA. This bill contains other related provisions and other existing laws.

Attachments:

[Senate Appropriations Committee letter \(OUA\)](#)

[Senate Gov and Finance Committee letter \(OUA\)](#)

[Author letter \(OUA\)](#)

Position: Oppose Unless Amended 3

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Surplus Land

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill makes a number of changes to the Government Code pertaining to an Opportunity Housing project, which means a housing project that meets all of the following requirements:

- (1) The project provides noncongregate housing.
- (2) The housing units are not permanently affixed to the parcel and are relocatable.
- (3) Residence in the opportunity housing is reserved for one or more target populations.
- (4) The project is located on either of the following:
 - (A) A privately owned parcel that has no demonstrable use within the next five years.

- (B) A publicly owned parcel that the local jurisdiction has determined has no demonstrable use within the next five years and the local jurisdiction is willing to negotiate a lease or license agreement with the opportunity housing project proponent for the parcel as specified in Section 6 of the bill.
- (5) The project meets the definition of a “Low Barrier Navigation Center.”

The most significant provisions of this bill relevant or potentially relevant to special districts include: 1. Adding opportunity housing projects to existing expedited permitting procedures; and, 2. Creating local agency procedural requirements in Section 6 of the bill which may conflict with or parallel the Surplus Land Act, as follows:

An opportunity housing project proponent may submit a request to any local jurisdiction regarding any parcel owned by the local jurisdiction to inquire whether the parcel is suitable for an opportunity housing project. Upon receipt of a request, the local jurisdiction shall respond within 60 days to the request with one of the following determinations:

- (1) The parcel has a demonstrable use within the next five years and is not suitable for an opportunity housing project.
- (2) The parcel will be deemed surplus land within the next five years, pursuant to Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.
- (3) The parcel has no demonstrable use within the next five years, but the parcel is not otherwise suitable for an opportunity housing project.
- (4) The parcel has no demonstrable use within the next five years, but the local jurisdiction is not willing to negotiate a lease or license agreement with the opportunity housing project proponent for the parcel. A response pursuant to this paragraph shall include a justifiable reason for not leasing the parcel to the opportunity housing project proponent.
- (5) The parcel has no demonstrable use within the next five years and the local jurisdiction is willing to negotiate a lease or license agreement with the opportunity housing project proponent for the parcel.

The Department of Housing and Community Development may propose changes to the building standards, to reduce unnecessary construction costs for opportunity housing projects as specified, for consideration by the California Building Standards Commission.

CSDA is seeking amendments to remove Section 6 of the bill. (updated 9.27.23)

SB 706 ([Caballero](#) D) **Public contracts: progressive design-build: local agencies.**

Introduced: 2/16/2023

Last Amended: 6/28/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 500, Statutes of 2023.

Location: 10/8/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | Enrolled | Vetoed | Chaptered |

Summary:

Existing law authorizes the Director of General Services to use the progressive design-build procurement process for the construction of up to 3 capital outlay projects, as jointly determined by the Department of General Services and the Department of Finance, and prescribes that process.

Existing law defines “progressive design-build” as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. This bill would, until January 1, 2030, provide additional authority for cities, counties, cities and counties, or special districts to use the progressive design-build process for up to 10 public works in excess of \$5,000,000, not limited to water-related projects, excluding projects on state-owned or state-operated facilities. The bill would require information to be provided under penalty of perjury and would require similar reports due no later than December 31, 2028. This bill contains other related provisions and other existing laws.

Attachments:

[SB 706 \(Caballero\) Gov. Signature Request](#)

[SB 706 \(Caballero\) Sen. Governance & Fi Cmte - Support](#)

[SB 706 \(Caballero\) Author Letter - Support](#)

[SB 706 \(Caballero\) Asm. Local Government Cmte - Support](#)

Position: Support 2

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Bidding Process (design-build, progressive design-build, JOC, P3, best value, other alternative delivery methods)

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: Expands existing authority for local water agencies to use the PDB method of project delivery for specified water projects to include any city, county or special district and any type of project (up to 10), in excess of \$5,000,000, as specified, until January 1, 2030. (*updated 9.27.23*)

SB 745 (Cortese D) The Drought-Resistant Buildings Act.

Introduced: 2/17/2023

Last Amended: 9/7/2023

Status: 10/13/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 884, Statutes of 2023.

Location: 10/13/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. Existing law requires the commission to adopt specific building standards, including standards for graywater, and to publish, or cause to be published, editions of the California Building Standards Code in its entirety once every 3 years. Existing law establishes the Building Standards Administration Special Revolving Fund, and makes the moneys in the fund available, upon appropriation, to state entities to carry out various related provisions, as specified. This bill would require the department to research, develop, and propose building standards to reduce potable water use in new residential buildings and imposes those duties on the commission with respect to new nonresidential buildings, as specified. The bill would require the commission to perform a review of water efficiency and water reuse standards in the California Buildings Standards Code every 3 years, commencing with the next triennial edition, and update as needed. This bill contains other related provisions and other existing laws.

Attachments:

[SB 745 \(Cortese\) Letter to Author - Removal of Opposition](#)
[SB 745 \(Cortese\) Asm. Housing and Community Development Cmte. - Oppose Unless Amended](#)
[SB 745 \(Cortese\) Assembly Environmental Safety - Coalition Oppose Unless Amended](#)
[SB 745 S. Housing Final](#)

Position: Neutral

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill will require the California Building Standards, commencing with the next triennial edition of the California Building Standards Code (Title 24 of the California Code of Regulations), research, develop, and propose building standards, including voluntary Tier 1 or Tier 2 standards of the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), to reduce potable water use in new nonresidential buildings, including consideration of requiring installation of water reuse systems and consideration of requiring preplumbing of buildings to allow future use of recycled water, onsite treated graywater, or other alternative water sources. In developing these standards, the commission may limit or exempt the application of standards based on occupancy, building type, building size, development size, availability or planned availability of recycled water, or as otherwise determined appropriate. Requires regular review and, if needed, updates to the standards. (updated 9.27.23)

[SB 747 \(Caballero D\) Land use: surplus land.](#)

Introduced: 2/17/2023

Last Amended: 9/8/2023

Status: 10/11/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 786, Statutes of 2023.

Location: 10/11/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines terms for these purposes. Existing law defines “surplus land” to generally mean land owned in fee simple by a local agency for which the local agency’s governing body takes formal action in a public meeting declaring that the land is surplus and not necessary for the agency’s use. Existing law defines “agency’s use” to include land that is being used, is planned to be used pursuant to a written plan adopted by the local agency’s governing board, or is disposed of to support agency work or operations. Existing law excludes from “agency’s use” commercial or industrial uses or activities, or property disposed of for the sole purpose of investment or generation of revenue, unless the local agency is a district, except as specified, and the agency’s governing body takes specified actions in a public meeting. Existing law excludes from these requirements the disposal of exempt surplus land by an agency of the state or any local government. Existing law requires a local agency to declare land as either surplus land or exempt surplus land, as supported by written findings, before a local agency may take any action to dispose of it. Under existing law, exempt surplus land includes, among other types of land, property that is used by a district for an “agency’s use” as expressly authorized, land for specified developments, including a mixed-use development, if put out to open, competitive bid by a local agency, as specified, and surplus land that is subject to specified valid legal restrictions. This bill would define the term “dispose” for these purposes to mean the sale of the surplus property or a lease of any surplus property entered into on or after January 1, 2024, for a term longer than 15 years, including renewal options, as specified. The bill would provide that “dispose” does not include entering a lease for surplus land on which no development or demolition will occur, regardless of the term of the lease. The bill would also redefine the term “agency’s use” to include property owned by a port that is used to support logistics uses, sites for broadband equipment or wireless facilities, and waste disposal sites. This bill contains other related provisions and other existing laws.

Attachments:

[**SB 747 \(Caballero\) FLOOR ALERT Sen.**](#)

[**SB 747 \(Caballero\) Coalition Signature Req.**](#)

[**SB 747 \(Caballero\) FLOOR ALERT Asm.**](#)

[**SB 747 \(Caballero\) Asm. Housing - Support if Amended**](#)

[**SB 747 \(Caballero\) Author - Support**](#)

[SB 747 \(Caballero\) Assembly Local Government Cmte. - Support if Amended](#)

[SB 747 \(Caballero\) Assembly Housing Cmte. \(Final\) - Support if Amended](#)

[SB 747 \(Caballero\) Assembly Housing Cmte. - Support if Amended Senate Housing Committee \(SIA\)](#)

[SB 747 Support if Amended - Author](#)

[SB 747 Support if amended - Gov & Fin](#)

Position: Support 2

Assigned: AAvery

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: Surplus Land

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill will make several changes to the Surplus Land Act (SLA).

The bill's significant changes to the SLA, applicable to special districts, are summarized as follows:

1. Provides a limited and tightly constrained procedure for a local agency to administratively declare exempt surplus land, providing an important streamlined but transparent procedure.
2. Provides a definition for "dispose" that includes the sale of surplus land and entering into certain leases of surplus land for longer than 15 years, as defined, making the SLA clearly applicable to specified leases for the first time.
3. Increases penalties for violations by calculating them based on the greater of the sale price of surplus land or fair market value but provides a fair process for assessing and calculating penalties for specified violations of the SLA, while providing that such penalties shall not apply to certain types of nonsubstantive minor violations.
4. Provides additional transparency to Department of Housing and Community Development (HCD) procedures prior to HCD adopting, amending, or repealing specified standards, forms, or definitions, and SLA guidelines.

5. Makes a number of technical and other changes to the SLA, including with respect to exempt surplus land categories. *(updated 9.25.23)*

SB 753 (Caballero D) Cannabis: water resources.

Introduced: 2/17/2023

Last Amended: 6/29/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 504, Statutes of 2023.

Location: 10/8/2023-S. CHAPTERED

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), approved by the voters as Proposition 64 at the November 8, 2016, statewide general election, regulates the cultivation, distribution, transport, storage, manufacturing, testing, processing, sale, and use of marijuana for nonmedical purposes by people 21 years of age and older. Under AUMA, a person 18 years of age or older who plants, cultivates, harvests, dries, or processes more than 6 living cannabis plants, or any part thereof, may be charged with a felony if specified conditions exist, including when the offense causes substantial environmental harm to public lands or other public resources. This bill would amend AUMA by adding to the above-described conditions planting, cultivating, harvesting, drying, or processing marijuana that results in substantial environmental harm to surface or groundwater. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Attachments:

[SB 753 \(Caballero\) Gov. Signature Request](#)

[SB 753 Support Position Letter - Asm. Public Safety](#)

[Senate Appropriations Committee letter \(SUPPORT\)](#)

[Senate Natural Resources \(SUPPORT\)](#)

[SB 753 \(Caballero\) Support Letter - Public Safety Committee](#)

[SB 753 \(Caballero\) Support Letter - Author](#)

Position: Support 3

Assigned: AAvery

District Services: Water/Irrigation

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill adds to a list of cannabis crimes as indicated in asterisks below:

Intentionally or with gross negligence causing substantial environmental harm to *surface or ground water,* public lands, or other public resources.
(updated 9.27.23)

SB 778 (Ochoa Bogh R) Excavations: subsurface installations.

Introduced: 2/17/2023

Last Amended: 6/15/2023

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was U. & E. on 6/8/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-A. 2 YEAR

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| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, commonly referred to as the Safe Dig Act, establishes a regional notification system to provide certain entities, defined as operators, that own, operate, and maintain subsurface installations with advance warning of nearby excavations or other work for the purpose of protecting those installations from damage, removal, relocation, or repair. Existing law establishes the California Underground Facilities Safe Excavation Board, also known as the Dig Safe Board, composed of 9 members, for the enforcement and administration of the Safe Dig Act. Existing law requires the Governor to appoint 7 of the board members. This bill would revise the knowledge and experience requirements for 3 of the members appointed by the Governor. This bill contains other related provisions and other existing laws.

Position: Neutral

Assigned: ATannehill

District Services: General/All

Subject Area: Public Works, Facilities, and State Infrastructure Investment and Partnership

Issues: None

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: This bill revises provisions in the Dig Safe Act related to operator and excavator responsibilities when preparing for, and conducting excavations. (*updated 9.27.23*)

SB 784 (Becker D) Health care districts: employment.

Introduced: 2/17/2023

Last Amended: 3/21/2023

Status: 2/1/2024-Returned to Secretary of Senate pursuant to Joint Rule 56.

Location: 1/18/2024-S. DEAD

| | | | | | | | | | | | |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| Dead | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House | | | | 2nd House | | | | Conc. | | | |

Summary:

Existing law, the Medical Practice Act, restricts the employment of physicians and surgeons or doctors of podiatric medicine by a corporation or other artificial legal entity to entities that do not charge for professional services rendered to patients and are approved by the Medical Board of California, subject to specified exemptions. Existing law, the Local Health Care District Law, regulates the organization and management of health care districts. This bill would create an exemption to the general prohibition described above by authorizing health care districts and nonprofit corporations with a health care district as its sole corporate member that own or control a general acute care hospital to employ physicians and surgeons and charge for professional services. The bill would prohibit the health care district from interfering with, controlling, or otherwise directing the professional judgment of a physician or surgeon as proscribed.

Position: Support 3

Assigned: MDetwiler

District Services: Healthcare/Hospital

Subject Area: Health and Safety

Working Group: Public Works, Facilities, and State Infrastructure Investment and Partnership

CSDA SUMMARY: The Medical Practice Act restricts the employment of physicians and surgeons or doctors of podiatric medicine by a corporation or other artificial legal entity to

entities that do not charge for professional services rendered to patients and are approved by the Medical Board of California, subject to specified exemptions. This bill would create an exemption to the general prohibition described above by authorizing health care districts and nonprofit corporations with a health care district as its sole corporate member that own or control a general acute care hospital to employ physicians and surgeons and charge for professional services. The bill would prohibit the health care district from interfering with, controlling, or otherwise directing the professional judgment of a physician or surgeon as prescribed. (*updated 9.27.23*)

Total Measures: 102

Total Tracking Forms: 102

2/8/2024 2:13:03 PM

ORIGINATING SECTION: Engineering
CONTACT: Mona Olmsted/Jeff Tang/Jarnail Chahal

AGENDA DATE: February 21, 2024

SUBJECT: Capital Projects Status Report

In support of Zone 7's mission to deliver safe, reliable, efficient, and sustainable water and flood protection services, specifically in support of Strategic Plan Initiatives 3, 4, 5, 6 and 9, the Engineering staff plans, performs, and manages design and construction activities for the majority of the water supply conveyance, production, and delivery projects as well as the flood protection capital projects in Zone 7's Capital Improvement Program (CIP).

Attached are tables showing the status of key Water Supply System and Flood Protection System Projects for which the Engineering staff is responsible.

Engineering Projects Status Report – February 21, 2024

Water Supply System Projects:

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | |
|---|--|---|---------------------------------|----------------|--------|-----------|---------|----|------------|----|--|--|
| Asset Management Program (AMP) and Ten-Year Capital Improvement Plan (CIP) Update Purpose/Benefits: <ul style="list-style-type: none">The AMP identifies and documents near- and long-term renewal, replacement, and system-wide improvement project needs and funding strategies.The CIP identifies the capital projects and programs needed to carry out the Agency’s goals and policies and describes the water system projects, costs, schedules, and priorities. | Scope: <ul style="list-style-type: none">Prepare the AMP Update and Ten-Year CIP documents, including: perform a condition assessment of above-ground assets and a risk analysis of below-ground assets to prepare a prioritized list of capital projects; evaluate current annual funding levels; recommend AMP annual funding; evaluate the impact to Zone 7’s rates; develop a CIP framework that aligns with Zone 7’s vision and mission as outlined in the Strategic Plan; and, develop or update project descriptions, justifications, cost estimates, project schedules, and funding sources for each project in the Ten-Year CIP. Funding Sources: <p>This project is funded by a combination of water rates and new connection fees:</p> <ul style="list-style-type: none">AMP: \$405k Fund 120CIP: \$340k split 50% Fund 120, 50% Fund 130 | Original Total Cost Estimate: \$745,000 Current Total Estimated Project Cost: \$745,000 Total Budget: \$745,000 Total Expenditures: \$10,000 <table><tr><th colspan="2">Planning Costs</th></tr><tr><td>Budget</td><td>\$745,000</td></tr><tr><td>% Spent</td><td>1%</td></tr><tr><td>% Complete</td><td>1%</td></tr></table> | Planning Costs | | Budget | \$745,000 | % Spent | 1% | % Complete | 1% | Planning: November 2023 Completion: October 2024 Projected Operating Impact: Increased operational effectiveness, reliability, safety, and cost-effectiveness. | The Board awarded the professional services agreement to HDR, Inc., on January 17, 2024; the project team will prepare the AMP Update, followed by the Ten-Year CIP. |
| Planning Costs | | | | | | | | | | | | |
| Budget | \$745,000 | | | | | | | | | | | |
| % Spent | 1% | | | | | | | | | | | |
| % Complete | 1% | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|---|---|---|---------------------------------|----------------|--------|-----------|---------|-----|------------|------|--------------------------|--|--------|-------------|---------|-----|------------|------|--|---|
| Valley Pump Station Project Purpose/Benefits: <ul style="list-style-type: none">Improves conveyance of well water to the east side of the system when surface water is limited.Increases capacity of the wells and reduces pressures in the pipelines and wells.Improves water system reliability and reduces likelihood of unplanned repairs. | Scope: <ul style="list-style-type: none">As recommended by the 2016 Transmission System Planning Update, the project scope includes design and construction of an inline booster pump station located at the Busch Valley site along the Vineyard Pipeline; electrical equipment and piping to support an emergency pump station or a permanent booster pump station was installed at this site in 2015. Funding Source: <ul style="list-style-type: none">100% from Fund 120 – Renewal/Replacement and System Wide Improvements | Original Total Cost Estimate: \$5,890,000 Current Total Estimated Project Cost: \$8,500,000 Total Budget: \$8,500,000 Total Expenditures: \$7,220,000 <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$850,000</td></tr><tr><td>% Spent</td><td>94%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$7,650,000</td></tr><tr><td>% Spent</td><td>84%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$850,000 | % Spent | 94% | % Complete | 100% | Construction Phase Costs | | Budget | \$7,650,000 | % Spent | 84% | % Complete | 100% | Design: February 2022 Construction: August 2022 Closeout: November 2023 Projected Operating Impact: Improved operational flexibility and system reliability, increased well production, reduced untimely future repair costs with less stress on well production and pipelines. | The pump station is in operation. A seventh pump was recently installed and commissioned to increase capacity. The project is complete. Total expenditures are approximately \$1.28 million under the project budget of \$8.5 million. |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$850,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 94% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$7,650,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 84% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|--|---|---|---------------------------------|----------------|--------|-------------|---------|-----|------------|------|--------------------------|--|--------|----------------------------|---------|-----|------------|-----|--|---|
| <p>Chain of Lakes (COL) PFAS Treatment Facility Project</p> <p>Purpose/Benefits:</p> <ul style="list-style-type: none">• Add PFAS treatment to the COL wells (COL 1, 2, and 5) at the COL 1 site.• Sampling indicates that the COL Wellfield is at or above the State Division of Drinking Water Response Level for PFHxS and exceeds the proposed Environmental Protection Agency draft Maximum Contaminant Levels issued March 2023. PFAS treatment is needed to bring the COL wells back into service. | <p>Scope:</p> <ul style="list-style-type: none">• Addition of six trains of pressure vessels containing ion exchange resin for the removal of PFAS.• Piping, instrumentation, electrical, concrete, underground pile foundation system, and other site improvements. <p>Funding Source:</p> <ul style="list-style-type: none">• 100% of design cost is funded from Fund 120 – Renewal/Replacement and System Wide Improvements• Construction cost (approximately \$22M) is financed through bonds | <p>Original Total Cost Estimate (2021): \$25,800,000</p> <p>Current Total Estimated Project Cost: \$24,400,000</p> <p>Total Budget: \$24,400,000</p> <p>Total Expenditures: \$3,966,800</p> <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$2,300,000</td></tr><tr><td>% Spent</td><td>78%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$22,100,000 (bond funded)</td></tr><tr><td>% Spent</td><td>10%</td></tr><tr><td>% Complete</td><td>10%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$2,300,000 | % Spent | 78% | % Complete | 100% | Construction Phase Costs | | Budget | \$22,100,000 (bond funded) | % Spent | 10% | % Complete | 10% | <p>Design: December 2022</p> <p>Construction: August 2024</p> <p>Closeout: October 2024</p> <p>Projected Operating Impact: Improved water quality, improved reliability, and increased operational flexibility. Increased operating cost, with an annual average of approximately \$300,000.</p> | <p>The contractor installed all thirty-six piles for the pressure vessel system foundation. The piles must cure until the end of January before Contractor can begin work on the concrete slab portion of the foundation, which is tentatively scheduled for completion in early March. Other upcoming site work includes excavation for underground electrical and storm drain installations. Project completion is anticipated in late summer 2024.</p> |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$2,300,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 78% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$22,100,000 (bond funded) | | | | | | | | | | | | | | | | | | | |
| % Spent | 10% | | | | | | | | | | | | | | | | | | | |
| % Complete | 10% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|--|---|--|---------------------------------|----------------|--------|-----------|---------|------|------------|------|--------------------------|--|--------|-------------|---------|-----|------------|-----|--|---|
| DVWTP Roadway/Parking Lot Repairs and Post-Ozone Project Purpose/Benefits: <ul style="list-style-type: none">Planned repairs/modifications to the existing roadway/parking lot and to plant systems will maintain water system reliability and help avoid untimely and expensive repairs. | Scope: <ul style="list-style-type: none">Roadway and parking lot rehabilitation were identified in the Asset Management Program (AMP).Project includes installing a retaining wall, widening the fill alleyway for chemical delivery trucks, and repairing the main parking lot.Post-ozonation work not previously identified includes modifications to the overflow weir, sodium hypochlorite system, filter backwash pumps, and chemical tanks. Funding Source: <ul style="list-style-type: none">100% Fund 120 – Renewal/Replacement and System Wide Improvements | Original Total Cost Estimate (pre-2017): \$2,750,000 Current Total Estimated Project Cost: \$2,750,000 Total Budget: \$2,750,000 Total Expenditures: \$2,012,000 <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$190,000</td></tr><tr><td>% Spent</td><td>100%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$2,560,000</td></tr><tr><td>% Spent</td><td>71%</td></tr><tr><td>% Complete</td><td>96%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$190,000 | % Spent | 100% | % Complete | 100% | Construction Phase Costs | | Budget | \$2,560,000 | % Spent | 71% | % Complete | 96% | Design: May 2021 Construction: March 2024 Closeout: May 2024 Projected Operating Impact: Improved operational flexibility and reliability of the treatment plant, reduced untimely future repair costs, and improved worker safety. | The contractor is working on punch list and warranty items. Also, additional scope was requested to repair the plant access road and inspect two additional sodium hypochlorite tanks in order to evaluate their remaining useful life and determine whether repairs are needed to extend their life. |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$190,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 100% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$2,560,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 71% | | | | | | | | | | | | | | | | | | | |
| % Complete | 96% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|--|---|--|---------------------------------|----------------|--------|-----------|---------|------|------------|------|--------------------------|--|--------|-----------|---------|-----|------------|-----|--|--|
| DVWTP Polymer Mixing System Replacement Project Purpose/Benefits: <ul style="list-style-type: none">Replace existing outdated polymer mixing and feed system subject to periodic failure with more reliable and automated system.New location is more accessible for maintenance.Reliable and modernized equipment is expected to reduce frequency of spills and cleanup of containment area. | Scope: <ul style="list-style-type: none">This mixing system is identified in the Asset Management Program (AMP) and verified by condition assessment to be nearing the end of its useful life and in need of replacement.Replacement includes a dry hopper system with automatic feed into the mixing tank, new chemical feed pumps, piping and appurtenances, and ventilation as well as other items needed to make a complete and functional system. Funding Source: <ul style="list-style-type: none">100% Fund 120 – Renewal/Replacement and System Wide Improvements | Original Total Cost Estimate (pre-2017): \$550,000 Current Total Estimated Project Cost: \$855,000 Total Budget: \$855,000 Total Expenditures: \$785,000 <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$150,000</td></tr><tr><td>% Spent</td><td>100%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$705,000</td></tr><tr><td>% Spent</td><td>90%</td></tr><tr><td>% Complete</td><td>99%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$150,000 | % Spent | 100% | % Complete | 100% | Construction Phase Costs | | Budget | \$705,000 | % Spent | 90% | % Complete | 99% | Design: March 2021 Construction: March 2024 Closeout: May 2024 Projected Operating Impact: Reduced O&M cost due to easier maintenance, improved system reliability, reduced repair costs, and improved worker safety. | The polymer mixing system was placed in operation in June 2022. This project was combined with DVWTP Roadway/Parking Lot Repairs and Post-Ozone Project to increase economies of scale. Contract closeout items remain. |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$150,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 100% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$705,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 90% | | | | | | | | | | | | | | | | | | | |
| % Complete | 99% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|--|---|--|---------------------------------|----------------|--------|-----------|---------|------|------------|------|--------------------------|--|--------|-------------|---------|-----|------------|-----|--|--|
| <p>MGDP Concentrate Conditioning Project</p> <p>Purpose/Benefits:</p> <ul style="list-style-type: none">Installation of a continuous acid injection feed system for concentrate pH adjustment will help avoid scale build-up and reduce the frequency of future batch cleanings.Proactively adjust pH to meet brine discharge permit pH limits and improve plant reliability. | <p>Scope:</p> <ul style="list-style-type: none">Project scope includes design, environmental review, and construction of an acid storage and feed system in an existing space in the adjacent Mocho 4 well building at the MGDG site. This existing space was formerly used for onsite generation of sodium hypochlorite, which is now fed from MGDG to Mocho 4 when that well is in production. Install new concentrate sump pumps and variable frequency drives. <p>Funding Source:</p> <ul style="list-style-type: none">100% from Fund 120 – Renewal/Replacement and System Wide Improvements | <p>Original Total Cost Estimate: \$2,200,000</p> <p>Current Total Estimated Project Cost: \$7,840,000</p> <p>Total Budget: \$8,320,000</p> <p>Total Expenditures: \$6,320,000</p> <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$810,000</td></tr><tr><td>% Spent</td><td>100%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$7,030,000</td></tr><tr><td>% Spent</td><td>78%</td></tr><tr><td>% Complete</td><td>78%</td></tr></table> <p>Board approved increase to original estimate due to spatial constraints at the site and the need to demolish and reconstruct a former sodium hypochlorite storage area of the Mocho 4 well due to updated codes.</p> | Planning & Design Phase Costs | | Budget | \$810,000 | % Spent | 100% | % Complete | 100% | Construction Phase Costs | | Budget | \$7,030,000 | % Spent | 78% | % Complete | 78% | <p>Planning: September 2020</p> <p>Design: June 2022</p> <p>Construction: March 2024</p> <p>Closeout: May 2024</p> <p>Projected Operating Impact: Increased operational reliability. Increase in operating cost. Reduced frequency of future batch cleaning costs for concentrate pipeline.</p> | <p>The new concentrate sump pumps and VFDs are in service and the new chemical building installation is mostly complete. Installation of the new well house roof, chemical tank, and most of the electrical and instrumentation work is complete, except for an electrical panel with a long-lead time. The project team is assessing alternatives to minimize the impact on startup and the project completion schedule. In the meantime, the contractor has started system tests that can be performed prior to the formal startup and testing process. The new fire system has been installed and Contractor has performed initial pressure tests on the piping. Staff is working with Livermore Pleasanton Fire Department to resolve their questions about the new system. Staff is also working with DSRSD to amend the permit associated with the facility.</p> |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$810,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 100% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$7,030,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 78% | | | | | | | | | | | | | | | | | | | |
| % Complete | 78% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|---|--|---|---------------------------------|----------------|--------|-------------|---------|------|------------|------|--------------------------|--|--------|---------------|---------|-----|------------|-----|---|---|
| PPWTP Upgrades and Ozonation Project Purpose/Benefits: <ul style="list-style-type: none">• Add ozone treatment to improve treated water quality and production reliability.• Expand plant production capacity from 12 to 24 MGD to meet water demand and increase production reliability. Provide production redundancy in case of DVWTP shutdowns.• Increase treated water storage capacity from 2 MG to 7 MG to provide operational flexibility and meet daily | Scope: This project combines two CIP projects, the PPWTP Upgrades Project and the PPWTP Ozonation Project, and consists of: <ul style="list-style-type: none">• Construction of new facilities including an ozone generation building, contactor structures, six filters, chemical storage and feed facilities, a 5 MG treated water storage tank, a pump station, new plant entrance, and new emergency generator• Demolition of UF facilities and modification of existing clarifiers, wash water recovery ponds, and chemical facilities Funding Sources: This project is funded by a combination of water rates, new connection fees, and bonds: <ul style="list-style-type: none">• PPWTP Upgrades Project: \$65M split 30% | Original Total Cost Estimate (2017): \$62,000,000 Current Total Estimated Project Cost: \$110,000,000 Total Budget: \$110,000,000 Total Expenditures: \$105,100,000 <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$6,000,000</td></tr><tr><td>% Spent</td><td>100%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$104,000,000</td></tr><tr><td>% Spent</td><td>96%</td></tr><tr><td>% Complete</td><td>99%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$6,000,000 | % Spent | 100% | % Complete | 100% | Construction Phase Costs | | Budget | \$104,000,000 | % Spent | 96% | % Complete | 99% | Design: November 2018 Construction: Fall 2022 Closeout: June 2024 Projected Operating Cost Impact: Approximately \$1 million net increase in annual operating and maintenance costs to operate ozone system and pump station. Reduction in repair costs due to upgrade or replacement of aging facilities such as filters, UF plant, washwater recovery systems, and electrical and chemical systems. | Final Completion was established as November 17, 2023. Partial release of retention, less withholds for known deficiencies, has been issued. Change Order Status: Change orders totaling \$5.6M (7.4% of original contract amount) have been executed. Staff and Construction Manager are also reviewing and disputing two claims submitted by Contractor. |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$6,000,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 100% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$104,000,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 96% | | | | | | | | | | | | | | | | | | | |
| % Complete | 99% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status |
|--|--|-------------------------|---------------------------------|----------------|
| peaking demands. • Replace or upgrade many major plant components that are reaching the end of their useful lives to improve plant reliability and reduce untimely and expensive future repair costs. | Fund 120, 70% Fund 130 • PPWTP Ozonation Project: \$45M split 50% Fund 120, 50% Fund 130; \$19M of Fund 120's share of the PPWTP Ozonation Project's construction phase is bond financed. | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | |
|---|---|---|---------------------------------|----------------|--------|-----------|---------|-----|------------|-----|--|--|
| <p>Pipeline Inspection Program Study</p> <p>Purpose/Benefits:</p> <ul style="list-style-type: none">The study will develop a routine inspection program for the aging water supply transmission infrastructure.Routine inspections and assessments will help maintain a reliable water transmission system and avoid untimely and expensive repairs. | <p>Scope:</p> <ul style="list-style-type: none">Zone 7 has, in the past, completed pipeline Vulnerability, Criticality and Risk Assessments to develop condition assessment and corrosion protection Programs. This Study will review and update the past studies and help develop a pipeline inspection program and recommend necessary improvements to implement the inspection program. <p>Funding Source:</p> <ul style="list-style-type: none">100% from Fund 120 – Renewal/Replacement and System Wide Improvements | <p>Original Total Cost Estimate (2019): \$250,000</p> <p>Current Total Estimated Project Cost: \$250,000</p> <p>Total Budget: \$250,000</p> <p>Total Expenditures: \$130,000</p> <table><tr><th colspan="2">Planning & Study Phase Costs</th></tr><tr><td>Budget</td><td>\$250,000</td></tr><tr><td>% Spent</td><td>52%</td></tr><tr><td>% Complete</td><td>75%</td></tr></table> | Planning & Study Phase Costs | | Budget | \$250,000 | % Spent | 52% | % Complete | 75% | <p>Planning: January 2020</p> <p>Study: June 2024</p> <p>Projected Operating Impact: The study may lead to increased proactive maintenance to minimize risk of emergency repairs.</p> | <p>Consultant has completed the draft study. Staff will review the locations and costs for the recommended ingress and egress ports for probe/ equipment insertion as part of the Asset Management Plan (AMP) Update. Staff plans to finalize the study and incorporate the results into the AMP Update.</p> |
| Planning & Study Phase Costs | | | | | | | | | | | | |
| Budget | \$250,000 | | | | | | | | | | | |
| % Spent | 52% | | | | | | | | | | | |
| % Complete | 75% | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | |
|---|--|--|--|----------------|--------|--------------|---------|-----|------------|-----|---|---|
| <p>Stoneridge PFAS Treatment Facility Project</p> <p>Purpose/Benefits:</p> <ul style="list-style-type: none">Improve water quality by removing PFHxS to below detection level at Stoneridge Well, keeping the water quality in compliance with the DDW issued response level (RL).Allows Stoneridge Well to return to operation upon project completion, helping Zone 7 continue to meet its water demand obligations. | <p>Scope:</p> <ul style="list-style-type: none">Install three trains (6 vessels) consisting of ion exchange media and two pretreatment cartridge filters.Work includes construction of the three trains of treatment pressure vessels, installation of a new rate control station on site, piping modifications to and from the well, chemical injection modifications, installation of a new electrical building, and new electrical and instrumentation for the PFAS facility. <p>Funding Source:</p> <ul style="list-style-type: none">100% from Fund 120 – Renewal/Replacement and System Wide Improvements | <p>Original Total Cost Estimate: \$16,300,000</p> <p>Current Total Estimated Project Cost: \$16,300,000</p> <p>Total Budget: \$16,300,000</p> <p>Total Expenditures: \$9,881,000</p> <table><tr><th colspan="2">Planning, Design & Construction Phase Costs (Design-Build)</th></tr><tr><td>Budget</td><td>\$16,300,000</td></tr><tr><td>% Spent</td><td>61%</td></tr><tr><td>% Complete</td><td>80%</td></tr></table> | Planning, Design & Construction Phase Costs (Design-Build) | | Budget | \$16,300,000 | % Spent | 61% | % Complete | 80% | <p>Design: April 2023</p> <p>Construction (Functional): Summer 2023</p> <p>Construction (Final): April 2024</p> <p>Closeout: May 2024</p> <p>Projected Operating Impact: Improved water quality, improved reliability, and increased operational flexibility. Increased operating cost, with an annual average of approximately \$200,000.</p> | <p>Functional completion was achieved in September 2023, and the facility is online and treating for PFAS removal.</p> <p>Contractor continues to work on remaining items for final completion, including installing the new electrical equipment and booster pump ancillary equipment. Full completion of the project has been extended a few months due to delayed shipment of the booster pump variable frequency drive (VFD).</p> |
| Planning, Design & Construction Phase Costs (Design-Build) | | | | | | | | | | | | |
| Budget | \$16,300,000 | | | | | | | | | | | |
| % Spent | 61% | | | | | | | | | | | |
| % Complete | 80% | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | |
|--|---|---|---|----------------|--------|-------------|---------|-----|------------|-----|---|---|
| Wells & MGD Electrical Upgrades/Replacement Project Purpose/Benefits: <ul style="list-style-type: none">Replaces electrical equipment at several well sites that is at or approaching the end of its useful life.Ensures reliable water production from groundwater wells. | Scope: <ul style="list-style-type: none">Replace seven variable frequency drives (VFDs) at the Mocho Groundwater Demineralization Plant (MGDP) facility; replace two VFDs at the Chain of Lakes (COL) 1 and 2 wells; and replace electrical switchgear and motor control center (MCC) at Mocho 2, Stoneridge, Hopyard 6 and Hopyard 9 wells. Funding Source: <ul style="list-style-type: none">100% from Fund 120 – Renewal/Replacement and System Wide Improvements | Original Total Cost Estimate: \$7,340,000 Current Total Estimated Project Cost: \$7,340,000 Total Budget: \$7,340,000 Total Expenditures: \$1,046,000 <table><tr><th colspan="2">Planning & Design & Construction Phase Costs (Design-Build)</th></tr><tr><td>Budget</td><td>\$7,340,000</td></tr><tr><td>% Spent</td><td>14%</td></tr><tr><td>% Complete</td><td>18%</td></tr></table> | Planning & Design & Construction Phase Costs (Design-Build) | | Budget | \$7,340,000 | % Spent | 14% | % Complete | 18% | Design: May 2023 Construction: February 2025 Closeout: March 2025 Projected Operating Impact: Improved water production reliability and increased operational flexibility. | Contractor continues with construction submittals and scheduling installation of long lead time electrical items. The variable frequency drives (VFDs) that Zone 7 pre-purchased for Chain of Lakes (COL) Wells 1 and 2 have been delivered and installed, and final punchlist items for those VFDs are being coordinated between Contractor, VFD supplier, and staff. The VFDs for the MGD high service pumps and feed pumps are expected to be delivered in March 2024, and Contractor and staff met on-site to coordinate sequencing of this work. Staff have been coordinating with PG&E and submitted applications for power shutdown at each of the well sites so that the electrical panels can be removed and replaced. |
| Planning & Design & Construction Phase Costs (Design-Build) | | | | | | | | | | | | |
| Budget | \$7,340,000 | | | | | | | | | | | |
| % Spent | 14% | | | | | | | | | | | |
| % Complete | 18% | | | | | | | | | | | |

Engineering Projects Status Report – February 21, 2024

Flood Protection System Projects:

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|--|---|--|---------------------------------|----------------|--------|-------------|---------|-----|------------|------|--------------------------|--|--------|-----------|---------|-----|------------|------|---|--|
| Arroyo Mocho Medeiros Reach Floodplain Reconnection Project (Arroyo Mocho Floodplain and Riparian Forest Restoration Project at Medeiros Parkway) Purpose/Benefits: <ul style="list-style-type: none">• Create flood attenuation along Arroyo Mocho.• Design so as not to preclude City of Livermore’s Oak Grove Nature Reserve (OGNR) Master Plan. | Scope: <ul style="list-style-type: none">• Lower the Arroyo Mocho bike path and berm to allow flood flows to enter OGNR.• Target invasive species removal throughout Medeiros Reach.• Improvements to existing dirt trails, access roads and fire breaks in OGNR Funding Source: This project is funded by a combination of: <ul style="list-style-type: none">• 43% Fund 200 – Flood Protection Operations.• 57% Fund 210- Flood Protection and Stormwater Drainage DIF.• \$500K California Natural Resources Agency River Parkways Grant. | Original Total Cost Estimate (2015): \$6,640,000 Current Total Estimated Project Cost: \$2,260,000 Total Budget: \$2,260,000 Total Expenditures: \$2,200,860 <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$1,500,000</td></tr><tr><td>% Spent</td><td>99%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$760,000</td></tr><tr><td>% Spent</td><td>94%</td></tr><tr><td>% Complete</td><td>100%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$1,500,000 | % Spent | 99% | % Complete | 100% | Construction Phase Costs | | Budget | \$760,000 | % Spent | 94% | % Complete | 100% | Planning: November 2016 Design and Permitting: 2021/2022 Construction: August 2022 - October 2022 Closeout: February 2024 Projected Operating Impact: Small increase in maintenance costs due to ownership of additional flood protection facilities. | <p>Project improvements were completed in September 2022. Mitigation planting was completed in November 2022. Contractor completed removing and spraying invasive species on October 13, 2023, as part of 4th quarterly monitoring.</p> <p>Final invoice paid Dec 2023 and retention payment being processed in Feb 2024.</p> <p>Request for reimbursement of \$54,410 from Grant agreement with the California Natural Resources Agency (CNRA) to be made in Feb 2024.</p> |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$1,500,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 99% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$760,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 94% | | | | | | | | | | | | | | | | | | | |
| % Complete | 100% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|--|--|---|---------------------------------|----------------|--------|-----------|---------|-----|------------|-----|--------------------------|--|--------|-------------|---------|----|------------|----|--|---|
| Alamo Creek Bank Stabilization Pilot Project Purpose/Benefits: <ul style="list-style-type: none">Pilot project to test channel erosion treatments that will be proposed as part of the Flood Management Plan.Repair a section of Alamo Creek in Dublin, to help restore functionality and integrity of the flood protection system utilizing green (bioengineering) and gray (rip rap) technologies. | Scope: <ul style="list-style-type: none">Repair ~2,000 linear feet of channel located downstream of the Alamo Creek and South San Ramon Creek confluence structure. This reach experiences high velocities which cause toe erosion.Improvements will include stabilization of the toe including rock vanes, vegetated soil lifts, willow plantings, and rip rap toe trenches. Erosion control fabric will be placed on top of all new repairs and hydroseeded. Funding Source: <ul style="list-style-type: none">Fund 200 – Flood Protection OperationsDWR has awarded up to a \$4,606,890 grant through the Floodplain Management, Protection, and Risk Awareness (FMPRA) Grant ProgramRequires Zone 7 providing 25% total project matching funds (~\$1,535,630). | Original Total Cost Estimate (2023): \$5,800,000 Current Total Estimated Project Cost: \$6,142,520 Total Proposed Budget: \$6,142,520 Total Expenditures: \$89,925 <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$890,000</td></tr><tr><td>% Spent</td><td>10%</td></tr><tr><td>% Complete</td><td>10%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>\$5,252,520</td></tr><tr><td>% Spent</td><td>0%</td></tr><tr><td>% Complete</td><td>0%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$890,000 | % Spent | 10% | % Complete | 10% | Construction Phase Costs | | Budget | \$5,252,520 | % Spent | 0% | % Complete | 0% | Design: May 2023 – October 2023 Permitting: Fall 2023 - Winter 2024 Construction: Summer/Fall 2024 or 2025 (dependent on receipt of regulatory permits) Closeout: December 2025 Projected Operating Impact: Reduced future maintenance and repair costs. | The team of FlowWest, HDR, and Haley & Aldrich are moving forward with hydraulic modeling, geomorphic analysis, and collection of boring samples. 30% design and Basis of Design expected in Feb 2024. A draft Funding Agreement with DWR was submitted for review in January 2024. DWR is reviewing for completeness. |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$890,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 10% | | | | | | | | | | | | | | | | | | | |
| % Complete | 10% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$5,252,520 | | | | | | | | | | | | | | | | | | | |
| % Spent | 0% | | | | | | | | | | | | | | | | | | | |
| % Complete | 0% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|---|---|--|---------------------------------|----------------|--------|-----------|---------|-----|------------|-----|--------------------------|--|--------|-----|---------|----|------------|----|---|---|
| 2022-2023 Storm Damage Repairs Purpose/Benefits: <ul style="list-style-type: none">• Restore channel embankments damaged during the December 2022-January 2023 storm event.• Repairs under this project will be limited to sites that may not qualify for the US Army Corp of Engineers (USACE) Program).• Repairs will ensure channel capacity and stability is improved. | Scope: <ul style="list-style-type: none">• Repair approximately 4 sites that experienced damaged during the 2022-2023 storm event.• Improvements will include stabilization of the toe utilizing rip rap toe trenches, and potentially geogrids to reinforce the channel soils. Erosion control fabric will be placed on top of all new repairs and hydroseeded. Funding Source: <ul style="list-style-type: none">• Fund 200 – Flood Protection Operations | Original Total Cost Estimate (2023): To be determined (TBD) as the scope is refined. Current Total Estimated Project Cost: TBD Total Proposed Budget: Initial budget \$500,000 for design established under the 2023 emergency declaration. Total final budget to be determined after final design and permitting. Total Expenditures: \$303,350 <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$500,000</td></tr><tr><td>% Spent</td><td>61%</td></tr><tr><td>% Complete</td><td>61%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>TBD</td></tr><tr><td>% Spent</td><td>0%</td></tr><tr><td>% Complete</td><td>0%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$500,000 | % Spent | 61% | % Complete | 61% | Construction Phase Costs | | Budget | TBD | % Spent | 0% | % Complete | 0% | Design: Spring 2024 Permitting: Spring 2024 Construction: Summer 2024 Closeout: December 2024 Projected Operating Impact: Restore channel stability. | Initial design for four channel repairs were prepared and a pre-submittal review was conducted with SF RWQCB to determine feasibility of repairs. For two of the sites, SF RWQCB asked for additional fluvial geomorphologic analysis. ESA completed the additional geomorphic assessment in January 2024. Repairs in two additional channel reaches (Arroyo Mocho in Livermore and Alamo Creek in Dublin) are being designed to be included with submission for environmental regulatory permits. |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$500,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 61% | | | | | | | | | | | | | | | | | | | |
| % Complete | 61% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | TBD | | | | | | | | | | | | | | | | | | | |
| % Spent | 0% | | | | | | | | | | | | | | | | | | | |
| % Complete | 0% | | | | | | | | | | | | | | | | | | | |

| Project Name/Purpose | Scope/Funding Source | Project Cost and Budget | Target Dates / Operating Impact | Current Status | | | | | | | | | | | | | | | | |
|--|--|---|---------------------------------|----------------|--------|-------------|---------|----|------------|----|--------------------------|--|--------|-----|---------|----|------------|----|---|--|
| <p>Phase 1 2022-2023 Storm Damage Repairs</p> <p>Purpose/Benefits:</p> <ul style="list-style-type: none">Restore channel embankments damaged during the December 2022-January 2023 storm event.Repairs under this project will be limited to approximately 50 sites that may not qualify for the US Army Corp of Engineers (USACE) Program.Repairs will ensure channel capacity and stability is improved. | <p>Scope:</p> <ul style="list-style-type: none">Design and environmental planning to repair approximately 50 out of 177 sites that experienced damaged during the 2022-2023 storm events.Improvements will include stabilization of the toe utilizing rip rap toe trenches, and potentially geogrids to reinforce the channel soils. Erosion control fabric will be placed on top of all new repairs and hydroseeded. <p>Funding Source:</p> <ul style="list-style-type: none">Fund 200 – Flood Protection Operations | <p>Original Total Cost Estimate (2023): To be determined (TBD) as the scope is refined.</p> <p>Current Total Estimated Project Cost: To be determined as the scope is refined.</p> <p>Total Proposed Budget: Initial budget to begin design \$1,000,000. Final budget to be determined as the scope is refined.</p> <p>Total Expenditures: \$0</p> <table><tr><th colspan="2">Planning & Design Phase Costs</th></tr><tr><td>Budget</td><td>\$1,000,000</td></tr><tr><td>% Spent</td><td>0%</td></tr><tr><td>% Complete</td><td>0%</td></tr></table> <table><tr><th colspan="2">Construction Phase Costs</th></tr><tr><td>Budget</td><td>TBD</td></tr><tr><td>% Spent</td><td>0%</td></tr><tr><td>% Complete</td><td>0%</td></tr></table> | Planning & Design Phase Costs | | Budget | \$1,000,000 | % Spent | 0% | % Complete | 0% | Construction Phase Costs | | Budget | TBD | % Spent | 0% | % Complete | 0% | <p>Design: February 2025</p> <p>Permitting: Fall/Winter 2024</p> <p>Construction: Fall 2025</p> <p>Closeout: December 2025</p> <p>Projected Operating Impact: Restore channel stability.</p> | <p>Zone 7 Board approved a List of Qualified Firms for engineering design and permitting services in November 2023, and authorized to enter into design and environmental services agreement.</p> <p>Project specific Requests for Proposals for design and environmental services were sent out to four firms on the qualified firms list in December 2023. Staff is reviewing two proposals received in January of 2024 and will be selecting a consultant to move forward with the initial design phase of the project.</p> |
| Planning & Design Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | \$1,000,000 | | | | | | | | | | | | | | | | | | | |
| % Spent | 0% | | | | | | | | | | | | | | | | | | | |
| % Complete | 0% | | | | | | | | | | | | | | | | | | | |
| Construction Phase Costs | | | | | | | | | | | | | | | | | | | | |
| Budget | TBD | | | | | | | | | | | | | | | | | | | |
| % Spent | 0% | | | | | | | | | | | | | | | | | | | |
| % Complete | 0% | | | | | | | | | | | | | | | | | | | |

ORIGINATING SECTION: Administrative Services
CONTACT: Osborn Solitei

AGENDA DATE: February 21, 2024

SUBJECT: California State Controller Special District Financial Transactions Report for Fiscal Year 2022-23

SUMMARY:

In support of the Agency's Strategic Plan Initiative No. 24 – Continue to effectively manage financial resources - The Pun Group, LLP, the Agency's external auditor, recently completed its audit in accordance with Generally Accepted Accounting Principles (GAAP) of the Agency's financial statements for the fiscal year ended June 30, 2023, and issued an unmodified opinion.

Pursuant to Government Code (GC) section 12463 et seq., the California State Controller's Office (SCO) has developed the Special District Financial Transactions Report (FTR) to provide financial data about the California special districts on a uniform basis. The FTR must contain underlying data from the audited financial statements prepared in accordance with GAAP.

GC section 53891 requires that the financial transactions of each local agency be submitted to the SCO within seven months after the close of the fiscal year or within the time prescribed by the Controller, whichever is later. The financial transactions reports are then compiled and published in an "open data" platform by the SCO at <https://bythenumbers.sco.ca.gov> for use by the State Legislature, districts, and the public.

Accordingly, the Agency submitted the attached 2022-2023 Special District Financial Transactions Report to the California State Controller's Office.

FUNDING:

N/A

RECOMMENDED ACTION:

Information Only.

ATTACHMENT:

FY 2022-23 Special District Financial Transactions Report

SPECIAL DISTRICTS' FINANCIAL TRANSACTIONS REPORT COVER PAGE

Special District Name: Zone 7 Water Agency

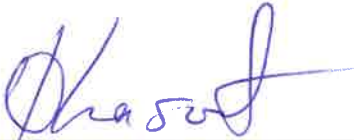
Fiscal Year: **2023**

ID Number: **12080107000**

Certification:

I hereby certify that, to the best of my knowledge and belief, the report forms fairly reflect the financial transactions of the special district in accordance with the requirements as prescribed by the California State Controller.

Special District Fiscal Officer



Signature

Treasurer/ Assistant General Manager, Finance

Title

Osborn Solitei

January 30, 2024

Name (Please Print)

Date

Per Government Code section 53891(a), this report is due within seven months after the close of the fiscal year or within the time prescribed by the Controller, whichever is later. The report shall contain underlying data from audited financial statements prepared in accordance with generally accepted accounting principles, if this data is available.

If submitted manually, please complete, sign, and mail this cover page to either address below:

Mailing Address:

Local Government Reporting Section – Special Districts
Local Government Programs and Services Division
California State Controller's Office
P.O. Box 942850
Sacramento, CA 94250

Express Mailing Address:

Local Government Reporting Section – Special Districts
Local Government Programs and Services Division
California State Controller's Office
3301 C Street, Suite 700
Sacramento, CA 95816

The Financial Transactions Report was successfully submitted to the State Controller's Office on 1/30/2024 9:34:43 AM

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
General Information

Fiscal Year: 2023

District Mailing Address

Street 1 ☐ Has Address Changed?
Street 2
City State Zip
Email

Members of the Governing Body

| | First Name | M. I. | Last Name | Title |
|----------|--------------------------------------|----------------------|---|---|
| Member 1 | <input type="text" value="Sands"/> | <input type="text"/> | <input type="text" value="Figuers"/> | <input type="text" value="President"/> |
| Member 2 | <input type="text" value="Dennis"/> | <input type="text"/> | <input type="text" value="Gambs"/> | <input type="text" value="Vice-President"/> |
| Member 3 | <input type="text" value="Dawn"/> | <input type="text"/> | <input type="text" value="Benson"/> | <input type="text" value="Board Member"/> |
| Member 4 | <input type="text" value="Kathy"/> | <input type="text"/> | <input type="text" value="Narum"/> | <input type="text" value="Board Member"/> |
| Member 5 | <input type="text" value="Laurene"/> | <input type="text"/> | <input type="text" value="Green"/> | <input type="text" value="Board Member"/> |
| Member 6 | <input type="text" value="Angela"/> | <input type="text"/> | <input type="text" value="Ramirez Holmes"/> | <input type="text" value="Board Member"/> |
| Member 7 | <input type="text" value="Sarah"/> | <input type="text"/> | <input type="text" value="Palmer"/> | <input type="text" value="Board Member"/> |
| Member | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

District Fiscal Officers

| | First Name | M. I. | Last Name | Title | Email |
|------------|--------------------------------------|----------------------|--------------------------------------|---|--|
| Official 1 | <input type="text" value="Valerie"/> | <input type="text"/> | <input type="text" value="Pryor"/> | <input type="text" value="General Manager"/> | <input type="text" value="vprior@zone7water.com"/> |
| Official 2 | <input type="text" value="Osborn"/> | <input type="text"/> | <input type="text" value="Solitei"/> | <input type="text" value="Treasurer/Assistant General Manage"/> | <input type="text" value="osolitei@zone7water.com"/> |
| Officials | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

Report Prepared By

First Name M. I. Last Name
Telephone Email

Independent Auditor

Firm Name
First Name M. I. Last Name
Telephone

1. Is this district a component unit of a City, County, or Special District (Choose one)? If "Yes", answer question 2. ☐ Yes ☒ No

2. Is this district a blended component unit (BCU) or a discretely presented component unit (DPCU) of a City, County, or Special District (Choose one)? Refer to the Financial Transactions Report (FTR) instructions for definitions of these terms. If the district is a BCU, answer questions 3 - 5.

☐ BCU ☐ DPCU

3. Is financial data of this BCU included in the financial statements or Annual Comprehensive Financial Report (ACFR) of a City, County, or Special District (Choose one)?

☐ City ☐ County ☐ Special District

4. In which City, County, or Special District financial statements or ACFR is the financial data of this BCU included?

City name:

County name:

Special District name:

5. Is financial data of this BCU included in the City, County, or Special District FTR (Choose one)? ☐ Yes ☐ No

6. In preparing the District's financial transactions reports for governmental fund type accounts, which basis of accounting was used? (Choose one):

☐ Cash basis ☐ Modified cash basis ☒ Modified accrual basis ☐ Full accrual basis ☐ N/A

7. In preparing the District's financial transactions reports for proprietary fund type accounts (Internal Service Funds and Enterprise Funds), which basis of accounting was used? (Choose one):

☐ Cash basis ☐ Modified cash basis ☐ Modified accrual basis ☒ Full accrual basis ☐ N/A

8. In preparing the District's financial transactions reports for fiduciary fund type accounts, which basis of accounting was used? (Choose one):

☐ Cash basis ☐ Modified cash basis ☐ Modified accrual basis ☐ Full accrual basis ☒ N/A

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Water Enterprise Fund
Statement of Revenues, Expenses, and Changes in Fund Net Position

Fiscal Year: 2023

Operating Revenues

Water Sales Revenues

Retail Water Sales

| | | |
|------|-------------------------------------|------------|
| R01. | Residential | |
| R02. | Business | |
| R03. | Industrial | |
| R04. | Irrigation | 1,098,821 |
| R09. | Sales to Other Utilities for Resale | 55,006,481 |
| R10. | Interdepartmental | |
| R11. | Other Water Sales Revenues | |

Water Services Revenues

| | | |
|------|----------------------------------|---------------------|
| R12. | Fire Prevention | |
| R13. | Groundwater Replenishment | |
| R14. | Connection Fees | 17,023,627 |
| R15. | Standby and Availability Charges | |
| R16. | Service-Type Assessments | |
| R17. | Other Water Services Revenues | |
| R18. | Other Operating Revenues | 2,720,171 |
| R19. | Total Operating Revenues | \$75,849,100 |

Operating Expenses

Water Supply Expenses

| | | |
|------|------------------------------------|------------|
| R20. | Water Supply | |
| R21. | Water Purchases | 51,363,379 |
| R22. | Groundwater Replenishment | |
| R23. | Other Water Supply Expenses | |
| R24. | Pumping | 5,338,841 |
| R25. | Treatment | 19,837,501 |
| R26. | Transmission and Distribution | 3,831,873 |
| R28. | Customer Accounting and Collection | |
| R29. | Sales Promotion | |
| R30. | Personnel Services | |

| | | |
|------------------------------|--|----------------------|
| R31. | Contractual Services | |
| R32. | Materials and Supplies | |
| R33. | General and Administrative Expenses | 6,876,575 |
| R34. | Depreciation and Amortization Expenses | 8,249,031 |
| R35. | Other Operating Expenses | |
| R36. | Total Operating Expenses | \$95,497,200 |
| R37. | Operating Income (Loss) | \$-19,648,100 |
| Nonoperating Revenues | | |
| R38. | Investment Income | 1,612,299 |
| R39. | Rents, Leases, Concessions, and Royalties | |
| Taxes and Assessments | | |
| SD40. | Current Secured and Unsecured (1%) | |
| SD41. | Voter-Approved Taxes | 23,455,108 |
| SD42. | Pass-through Property Taxes (ABX1 26) | |
| SD43. | Property Assessments | |
| SD44. | Special Assessments | |
| SD45. | Special Taxes | |
| SD46. | Prior-Year Taxes and Assessments | 85,482 |
| SD47. | Penalties and Cost of Delinquent Taxes and Assessments | |
| Intergovernmental – Federal | | |
| R48. | Aid for Construction | |
| R49. | Other Intergovernmental – Federal | 64 |
| Intergovernmental – State | | |
| R50. | Aid for Construction | |
| SD51. | Homeowners Property Tax Relief | 86,210 |
| SD52. | Timber Yield | |
| R53. | In-Lieu Taxes | 940 |
| R54. | Other Intergovernmental – State | |
| R55. | Intergovernmental – County | |
| R56. | Intergovernmental – Other | 9,665,503 |
| R57. | Gain on Disposal of Capital Assets | 2,072 |
| R58. | Other Nonoperating Revenues | |
| R59. | Total Nonoperating Revenues | \$34,907,678 |

| | | |
|--|---|-------------------------|
| Nonoperating Expenses | | |
| R60. | Interest Expense | 2,659,538 |
| R61. | Loss on Disposal of Capital Assets | |
| R62. | Other Nonoperating Expenses | -574,064 |
| R63. | Total Nonoperating Expenses | \$2,085,474 |
| R64. | Income (Loss) Before Capital Contributions, Transfers, and Special and Extraordinary Items | \$13,174,104 |
| Capital Contributions | | |
| R65. | Federal | |
| R66. | State | |
| R67. | Connection Fees (Capital) | |
| R68. | County | |
| R69. | Other Government | |
| R70. | Other Capital Contributions | |
| R71. | Total Capital Contributions | \$0 |
| R72. | Transfers In | 65,437,969 |
| R73. | Transfers Out | -65,426,079 |
| Special and Extraordinary Items | | |
| R73.5 | Special Item | |
| R73.6 | Extraordinary Item | |
| R73.7 | Total Special and Extraordinary Items | \$0 |
| R74. | Change in Net Position | \$13,185,994 |
| R75. | Net Position (Deficit), Beginning of Fiscal Year | \$441,162,602 |
| R76. | Adjustment | 8,009 |
| R77. | Reason for Adjustment | Prior Period Adjustment |
| R78. | Net Position (Deficit), End of Fiscal Year | \$454,356,605 |
| Net Position (Deficit) | | |
| R79. | Net Investment in Capital Assets | 276,759,129 |
| R80. | Restricted | 119,149,689 |
| R81. | Unrestricted | 58,447,787 |
| R82. | Total Net Position (Deficit) | \$454,356,605 |

Note:

(R77) Reason for Adjustment: Prior Period Adjustment

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report - Governmental Funds
Statement of Revenues, Expenditures, and Changes in Fund Balances

Fiscal Year: 2023

Activity: (1 of 1) (Record Completed)

Flood Control and Water Conservation

| | | General | Special Revenue | Debt Service | Capital Projects | Permanent | Total Governmental Funds |
|--|---|---------|-----------------|--------------|------------------|-----------|--------------------------|
| Revenues | | | | | | | |
| Taxes and Assessments | | | | | | | |
| R01. | Current Secured and Unsecured (1%) | | 11,647,326 | | | | 11,647,326 |
| R02. | Voter-Approved Taxes | | | | | | |
| R03. | Pass-through and Residual Property Taxes (ABX1 26) | | | | | | |
| R05. | Tax Increment | | | | | | |
| R06. | Parcel Tax | | | | | | |
| R07. | Property Assessments | | | | | | |
| R09. | Prior-Year Taxes and Assessments | | | | | | |
| R10. | Penalties and Costs of Delinquent Taxes and Assessments | | | | | | |
| R11. | Other Taxes and Assessments | | | | | | |
| R12. | Total Taxes and Assessments | 0 | 11,647,326 | 0 | 0 | 0 | 11,647,326 |
| R13. | Licenses, Permits, and Franchises | | | | | | |
| R14. | Fines, Forfeitures, and Penalties | | | | | | |
| Revenue from Use of Money and Property | | | | | | | |
| R15. | Investment Income | | 1,280,020 | | | | 1,280,020 |
| R16. | Rents, Leases, Concessions, and Royalties | | 23,961 | | | | 23,961 |
| R17. | Other Revenue from Use of Money and Property | | | | | | |
| R18. | Total Revenue from Use of Money and Property | 0 | 1,303,981 | 0 | 0 | 0 | 1,303,981 |
| Intergovernmental – Federal | | | | | | | |
| R19. | Aid for Construction | | | | | | |
| R20. | Other Intergovernmental – Federal | | 146,596 | | | | 146,596 |
| R21. | Total Intergovernmental – Federal | 0 | 146,596 | 0 | 0 | 0 | 146,596 |
| Intergovernmental – State | | | | | | | |
| R22. | Aid for Construction | | | | | | |
| R23. | State Water Project | | | | | | |
| R24. | Homeowners Property Tax Relief | | 51,733 | | | | 51,733 |
| R25. | Timber Yield | | | | | | |
| R26. | Other Intergovernmental – State | | 339,648 | | | | 339,648 |
| R27. | Total Intergovernmental – State | 0 | 391,381 | 0 | 0 | 0 | 391,381 |
| R28. | Intergovernmental – Other | | 39,171 | | | | 39,171 |
| R29. | Charges for Current Services | | 1,360,441 | | | | 1,360,441 |
| R30. | Contributions from Property Owners | | | | | | |
| Self-Insurance Only | | | | | | | |
| R31. | Member Contributions | | | | | | |
| R32. | Claim Adjustments | | | | | | |
| R33. | Total Self-Insurance Only | 0 | 0 | 0 | 0 | 0 | 0 |
| R34. | Other Revenues | | 184,857 | | | | 184,857 |
| R35. | Total Revenues | \$0 | \$15,073,753 | \$0 | \$0 | \$0 | \$15,073,753 |
| Expenditures | | | | | | | |
| R36. | Salaries and Wages | | 2,250,551 | | | | 2,250,551 |
| R37. | Employee Benefits | | | | | | |

| | | | | | | | |
|--|--|-----|--------------|-----|-----|-----|--------------|
| R38. | Services and Supplies | | 6,876,779 | | | | 6,876,779 |
| R39. | Self-Insurance Only – Claims Paid | | | | | | |
| R40. | Contributions to Outside Agencies | | | | | | |
| Debt Service | | | | | | | |
| R40.5 | Lease Financing, Principal and Interest Payments | | | | | | |
| R41. | Principal Payments on Long-Term Debt | | | | | | |
| R42. | Interest Payments on Long-Term Debt | | | | | | |
| R43. | Principal and Interest on Short-Term Notes and Warrants | | | | | | |
| R44. | Other Debt Service | | | | | | |
| R45. | Total Debt Service | 0 | 0 | 0 | 0 | 0 | 0 |
| R46. | Capital Outlay | | 677,585 | | | | 677,585 |
| R47. | Other Expenditures | | | | | | |
| R48. | Total Expenditures | \$0 | \$9,804,915 | \$0 | \$0 | \$0 | \$9,804,915 |
| R49. | Excess (Deficiency) of Revenues Over (Under) Expenditures | \$0 | \$5,268,838 | \$0 | \$0 | \$0 | \$5,268,838 |
| Other Financing Sources (Uses) | | | | | | | |
| R49.5 | Lease Financing | | | | | | |
| R50. | Long-Term Debt (Bonds, COPs, and Other Agency Debt) | | | | | | |
| R51. | Construction Financing and Other Long-Term Debt | | | | | | |
| R51.6 | Proceeds from Refinancing on Loans, Notes, and Other | | | | | | |
| R51.7 | Payments to Refinanced Loans, Notes, and Other | | | | | | |
| R52. | Refunding Bonds Proceeds | | | | | | |
| R53. | Premium on Bonds Issued | | | | | | |
| R54. | Discount on Bonds Issued | | | | | | |
| R55. | Payments to Refunded Bond Escrow Agent | | | | | | |
| R56. | Demand Bonds | | | | | | |
| R57. | Proceeds from Sale of Capital Assets | | | | | | |
| R59. | Insurance Recoveries | | | | | | |
| R60. | Transfers In | | | | | | |
| R61. | Transfers Out | | -11,890 | | | | -11,890 |
| R61.5 | Other Financing Sources (Uses) – Other | | | | | | |
| R62. | Total Other Financing Sources (Uses) | \$0 | \$-11,890 | \$0 | \$0 | \$0 | \$-11,890 |
| Special and Extraordinary Items | | | | | | | |
| R63. | Special Item | | | | | | |
| R64. | Extraordinary Item | | | | | | |
| R65. | Total Special and Extraordinary Items | 0 | 0 | 0 | 0 | 0 | 0 |
| R66. | Net Change in Fund Balances | \$0 | \$5,256,948 | \$0 | \$0 | \$0 | \$5,256,948 |
| R67. | Fund Balances (Deficits), Beginning of Fiscal Year | \$0 | \$94,574,423 | \$0 | \$0 | \$0 | \$94,574,423 |
| R68. | Adjustment | | | | | | |
| R69. | Reason for Adjustment | | | | | | |
| R70. | Fund Balances (Deficits), End of Fiscal Year | \$0 | \$99,831,371 | \$0 | \$0 | \$0 | \$99,831,371 |

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Other Long-Term Debt
Loans, Notes, and Other

Go to Report: Detail Summary of Other Long-Term Debt

Fiscal Year: 2023

| | |
|--|---|
| R01. Purpose of Debt (1 of 1) (Record Completed) | <div>2018 Water Project</div> |
| R02. Nature of Revenue Pledged | <div>General Revenue</div> |
| R03. Debt Type | <div>Other</div> |
| R04. Fund Type | <div>Enterprise</div> |
| SD05. Activity | <div>Water Enterprise</div> |
| R06. Year of Issue | <div>2018</div> |
| R07. Beginning Maturity Year | <div>2020</div> |
| R08. Ending Maturity Year | <div>2048</div> |
| R09. Principal Authorized | <div>75,000,000</div> |
| R10. Principal Received to Date | <div>64,010,000</div> |
| R11. Principal Unspent | <div></div> |
| R12. Principal Outstanding, Beginning of Fiscal Year | <div>\$64,592,816</div> |
| R13. Adjustment to Principal in Current Fiscal Year | <div>-574,215</div> |
| R14. Reason for Adjustment to Principal in Current Fiscal Year | <div>unamortized bond premium amortization FY23</div> |
| R15. Principal Received in Current Fiscal Year | <div></div> |
| R16. Principal Paid in Current Fiscal Year | <div>1,520,000</div> |
| R17. Principal Refinanced in Current Fiscal Year | <div></div> |
| R18. Principal Outstanding, End of Fiscal Year | <div>\$62,498,601</div> |
| R19. Principal Outstanding, Current Portion | <div>1,595,000</div> |
| R20. Principal Outstanding, Noncurrent Portion | <div>\$60,903,601</div> |
| R21. Interest Paid in Current Fiscal Year | <div>2,659,538</div> |
| R22. Principal Delinquent, End of Fiscal Year | <div></div> |
| R23. Interest Delinquent, End of Fiscal Year | <div></div> |
| SD24. Principal Due but Not Presented (Time Warrants Only) | <div></div> |
| SD25. Interest Due but Not Presented (Time Warrants Only) | <div></div> |

Note:

(R14) Reason for Adjustment to Principal in Current Fiscal Year: unamortized bond premium amortization FY23

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Detail Summary of Other Long-Term Debt

[Back to Form: Other Long-Term Debt](#)

Fiscal Year: 2023

| | Year of Issue | Principal Outstanding, Beginning of Fiscal Year | Principal Received in Current Fiscal Year | Principal Paid in Current Fiscal Year | Principal Outstanding, End of Fiscal Year | Principal Outstanding, Current Portion | Principal Outstanding, Noncurrent Portion | Interest Paid in Current Fiscal Year |
|-------------------------------|------------------|--|--|--|--|--|--|--|
| Enterprise | | | | | | | | |
| Other | | | | | | | | |
| 2018 Water Project | 2018 | 64,592,816 | 0 | 1,520,000 | 62,498,601 | 1,595,000 | 60,903,601 | 2,659,538 |
| Total Enterprise Debt: | | \$64,592,816 | \$0 | \$1,520,000 | \$62,498,601 | \$1,595,000 | \$60,903,601 | \$2,659,538 |

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Debt Service Reconciliation Report

Fiscal Year: 2023

| | Governmental Funds | Internal Service Fund | Enterprise Funds |
|---|--------------------|-----------------------|------------------|
| Debt Payments from Debt Forms | | | |
| R01. Long-Term Debt (Bonds, COP, and Other Agency Debt) | | | |
| R02. Other Long-Term Debt | | | 2,659,538 |
| R03. Construction Financing | | | |
| R04. Lease Obligations (Purchase Agreements) | | | |
| R05. Total Debt Payments from Debt Forms | \$0 | \$0 | \$2,659,538 |
| R06. Debt Service | | | 2,659,538 |
| R07. Difference | \$0 | \$0 | \$0 |
| R08. Reason for Difference | | | |

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Balance Sheet
Governmental Funds

Fiscal Year: 2023

| | General | Special Revenue | Debt Service | Capital Projects | Permanent | Total Governmental Funds |
|---|---------|-----------------|--------------|------------------|-----------|--------------------------|
| Assets | | | | | | |
| R01. Cash and Investments | | 102,562,170 | | | | 102,562,170 |
| R02. Investments | | | | | | |
| R03. Accounts Receivable (net) | | 906,816 | | | | 906,816 |
| R04. Taxes Receivable | | | | | | |
| R05. Interest Receivable (net) | | 3,096 | | | | 3,096 |
| R05.5 Leases Receivable | | 421,028 | | | | 421,028 |
| R07. Due from Other Funds | | 366,339 | | | | 366,339 |
| R08. Due from Other Governments | | | | | | |
| R09. Advances to Other Funds | | | | | | |
| R10. Inventories | | | | | | |
| R11. Prepaid Items | | | | | | |
| R12. Loans, Notes, and Contracts Receivable | | | | | | |
| R13. Other Assets 1 | | | | | | |
| R14. Other Assets 2 | | | | | | |
| R15. Other Assets 3 | | | | | | |
| R16. Total Assets | \$0 | \$104,259,449 | \$0 | \$0 | \$0 | \$104,259,449 |
| R17. Deferred Outflows of Resources | | | | | | |
| R18. Total Assets and Deferred Outflows of Resources | \$0 | \$104,259,449 | \$0 | \$0 | \$0 | \$104,259,449 |
| Liabilities | | | | | | |
| R19. Accounts Payable | | 2,226,446 | | | | 2,226,446 |
| R20. Contracts and Retainage Payable | | | | | | |
| R21. Interest Payable | | | | | | |
| R22. Due to Other Funds | | 366,339 | | | | 366,339 |
| R23. Due to Other Governments | | | | | | |
| R24. Advances from Other Funds | | | | | | |
| R25. Deposits and Advances | | 1,411,985 | | | | 1,411,985 |
| R26. Loans and Notes Payable | | | | | | |
| R27. Other Liabilities 1 | | | | | | |
| R28. Other Liabilities 2 | | | | | | |
| R29. Other Liabilities 3 | | | | | | |
| R30. Total Liabilities | \$0 | \$4,004,770 | \$0 | \$0 | \$0 | \$4,004,770 |
| R31. Deferred Inflows of Resources | | 423,308 | | | | 423,308 |
| R32. Total Liabilities and Deferred Inflows of Resources | \$0 | \$4,428,078 | \$0 | \$0 | \$0 | \$4,428,078 |

Fund Balances (Deficits)

| | | | | | |
|---|-----|---------------|-----|-----|---------------|
| R33. Nondisposable | | | | | |
| R34. Restricted | | 76,008,569 | | | 76,008,569 |
| R35. Committed | | 23,822,802 | | | 23,822,802 |
| R36. Assigned | | | | | |
| R37. Unassigned | | | | | |
| R38. Total Fund Balances (Deficits) | \$0 | \$99,831,371 | \$0 | \$0 | \$99,831,371 |
| R39. Total Liabilities, Deferred Inflows of Resources, and Fund Balances (Deficits) | \$0 | \$104,259,449 | \$0 | \$0 | \$104,259,449 |

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Statement of Net Position
Proprietary Funds

Fiscal Year: 2023

| | | Enterprise | Internal Service |
|----------------------|--|----------------------|------------------|
| Assets | | | |
| Current Assets | | | |
| Cash and Investments | | | |
| R01. | Unrestricted | 190,230,051 | |
| R02. | Restricted | 4,413,332 | |
| R03. | Accounts Receivable (net) | 13,719,741 | |
| R04. | Taxes Receivable | | |
| R05. | Interest Receivable (net) | 18,000 | |
| R05.5 | Lease Receivable | 39,792 | |
| R06. | Due from Other Funds | | |
| R07. | Due from Other Governments | | |
| R08. | Inventories | | |
| R09. | Prepaid Items | 2,457,547 | |
| R10. | Other Current Assets 1 | | |
| R11. | Other Current Assets 2 | | |
| R12. | Total Current Assets | \$210,878,463 | \$0 |
| Noncurrent Assets | | | |
| R13. | Cash and Investments, Restricted | | |
| R14. | Investments | | |
| R14.5 | Lease Receivable | 413,406 | |
| R15. | Other Loans, Notes, and Contracts Receivable | | |
| Capital Assets | | | |
| R16. | Land | 11,415,155 | |
| R17. | Buildings and Improvements | 361,443,742 | |
| R18. | Equipment | 15,282,239 | |
| R18.5 | Infrastructure | | |
| R18.6 | Lease Assets (Lessee) | | |
| R19. | Other Intangible Assets – Amortizable | 73,493 | |
| R20. | Construction in Progress | 15,777,706 | |
| R21. | Intangible Assets – Nonamortizable | 36,655,364 | |
| R22. | Other Capital Assets | | |
| R23. | Less: Accumulated Depreciation/Amortization | -109,815,894 | |
| R23.5 | Net Pension Asset | | |
| R23.6 | Net OPEB Asset | | |
| R24. | Other Noncurrent Assets 1 | | |
| R25. | Other Noncurrent Assets 2 | | |
| R26. | Total Noncurrent Assets | \$331,245,211 | \$0 |
| R27. | Total Assets | \$542,123,674 | \$0 |

Deferred Outflows of Resources

| | | | |
|-------|--|----------------------|------------|
| R28. | Related to Pensions | 7,506,060 | |
| R28.5 | Related to OPEB | 2,002,044 | |
| R28.6 | Related to Debt Refunding | | |
| R29. | Other Deferred Outflows of Resources | | |
| R30. | Total Deferred Outflows of Resources | \$9,508,104 | \$0 |
| R31. | Total Assets and Deferred Outflows of Resources | \$551,631,778 | \$0 |

Liabilities

Current Liabilities

| | | | |
|------|--|---------------------|------------|
| R32. | Accounts Payable | 7,572,846 | |
| R33. | Contracts and Retainage Payable | | |
| R34. | Interest Payable | | |
| R35. | Due to Other Funds | | |
| R36. | Due to Other Governments | | |
| R37. | Deposits and Advances | 343,372 | |
| R38. | Compensated Absences | 718,822 | |
| R39. | Long-Term Debt, Due Within One Year | 1,595,000 | 0 |
| R40. | Other Long-Term Liabilities, Due Within One Year | | |
| R41. | Other Current Liabilities 1 | | |
| R42. | Other Current Liabilities 2 | | |
| R43. | Total Current Liabilities | \$10,230,040 | \$0 |

Noncurrent Liabilities

| | | | |
|-------|---|---------------------|------------|
| R44. | Deposits and Advances | | |
| R45. | Compensated Absences | 768,476 | |
| R46. | General Obligation Bonds | | |
| R47. | Revenue Bonds | | |
| R48. | Certificates of Participation | | |
| R49. | Other Bonds | | |
| R50. | Loans (Other Long-Term Debt) | | |
| R51. | Notes (Other Long-Term Debt) | | |
| R52. | Other (Other Long-Term Debt) | 60,903,601 | |
| R53. | Construction Financing – Federal | | |
| R54. | Construction Financing – State | | |
| R54.5 | Lease Liability | | |
| R55. | Lease-Obligations (Purchase Agreements) | | |
| R56. | Net Pension Liability | 16,942,431 | |
| R57. | Net OPEB Liability | 1,556,999 | |
| R58. | Other Noncurrent Liabilities 1 | | |
| R59. | Other Noncurrent Liabilities 2 | | |
| R60. | Total Noncurrent Liabilities | \$80,171,507 | \$0 |
| R61. | Total Liabilities | \$90,401,547 | \$0 |

Deferred Inflows of Resources

| | | | |
|-------|--|----------------------|------------|
| R62. | Related to Pensions | 5,197,048 | |
| R62.5 | Related to OPEB | 1,223,931 | |
| R62.6 | Related to Debt Refunding | | |
| R62.7 | Related to Leases | 452,647 | |
| R63. | Other Deferred Inflows of Resources | | |
| R64. | Total Deferred Inflows of Resources | \$6,873,626 | \$0 |
| R65. | Total Liabilities and Deferred Inflows of Resources | \$97,275,173 | \$0 |
| R66. | Total Net Position (Deficit) | \$454,356,605 | \$0 |

Net Position (Deficit)

| | | | |
|------|-------------------------------------|----------------------|------------|
| R67. | Net Investment in Capital Assets | 276,759,129 | |
| R68. | Restricted | 119,149,689 | |
| R69. | Unrestricted | 58,447,787 | |
| R70. | Total Net Position (Deficit) | \$454,356,605 | \$0 |

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Noncurrent Assets, Deferred Outflows of Resources,
Noncurrent Liabilities, and Deferred Inflows of Resources
Governmental Funds

Fiscal Year: 2023

| | | Noncurrent Assets/Deferred Outflows of Resources | Noncurrent Liabilities/Deferred Inflows of Resources |
|---------------------------------------|---|--|--|
| Noncurrent Assets | | | |
| R00.5 | Lease Receivable | | |
| Capital Assets | | | |
| R01. | Land | 21,240,011 | |
| R02. | Buildings and Improvements | 17,230,678 | |
| R03. | Equipment | 187,785 | |
| R04. | Infrastructure | | |
| R05. | Intangible Assets – Amortizable | | |
| R05.5 | Lease Assets (Lessee) | | |
| R06. | Construction in Progress | | |
| R07. | Intangible Assets – Nonamortizable | | |
| R08. | Other Capital Assets | | |
| R09. | Less: Accumulated Depreciation/Amortization | -5,470,413 | |
| R10 | Net Pension Asset | | |
| R11 | Net OPEB Asset | | |
| R12 | Other Noncurrent Assets 1 | | |
| R13 | Other Noncurrent Assets 2 | | |
| R14 | Other Noncurrent Assets 3 | | |
| R15. | Total Noncurrent Assets | \$33,188,061 | |
| Deferred Outflows of Resources | | | |
| R16 | Related to Pensions | 618,261 | |
| R17 | Related to OPEB | 164,905 | |
| R18 | Related to Debt Refunding | | |
| R19 | Other Deferred Outflows of Resources | | |
| R20. | Total Deferred Outflows of Resources | \$783,166 | |
| R21. | Total Noncurrent Assets and Deferred Outflows of Resources | \$33,971,227 | |

| | | |
|--------------------------------------|---|--------------------|
| Noncurrent Liabilities | | |
| R22. | Deposits and Advances | |
| R23. | Compensated Absences | 36,141 |
| R24. | General Obligation Bonds | |
| R25. | Revenue Bonds | |
| R26. | Certificates of Participation | |
| R27. | Other Bonds | |
| R28. | Loans (Other Long-Term Debt) | |
| R29. | Notes (Other Long-Term Debt) | |
| R30. | Other (Other Long-Term Debt) | |
| R31. | Construction Financing – Federal | |
| R32. | Construction Financing – State | |
| R32.5 | Lease Liability | |
| R33. | Lease Obligations (Purchase Agreements) | |
| R34. | Net Pension Liability | 1,395,518 |
| R35. | Net OPEB Liability | 128,247 |
| R36. | Other Noncurrent Liabilities 1 | |
| R37. | Other Noncurrent Liabilities 2 | |
| R38. | Other Noncurrent Liabilities 3 | |
| R39. | Total Noncurrent Liabilities | \$1,559,906 |
| Deferred Inflows of Resources | | |
| R40 | Related to Pensions | 428,071 |
| R41 | Related to OPEB | 100,813 |
| R42 | Related to Debt Refunding | |
| R42.5 | Related to Leases | 423,308 |
| R43 | Other Deferred Inflows of Resources | |
| R44. | Total Deferred Inflows of Resources | \$952,192 |
| R45. | Total Noncurrent Liabilities and Deferred Inflows of Resources | \$2,512,098 |

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Appropriations Limit Information

Fiscal Year: 2023

| | |
|---|---------------------|
| R01. Appropriations Limit | 34,844,104 |
| R02. Total Annual Appropriations Subject to the Limit | 10,861,160 |
| R03. Revenues Received (Over) Under Appropriations Limit | \$23,982,944 |

Special District Name: Zone 7 Water Agency
Special Districts' Financial Transactions Report
Summary

Fiscal Year: 2023

| | Governmental Funds | Internal Service Fund | Enterprise Fund | Total |
|---|--------------------|-----------------------|-----------------|---------------|
| Governmental Revenues | | | | |
| R01. General | | | | |
| R02. Special Revenue | 15,073,753 | | | |
| R03. Debt Service | | | | |
| R04. Capital Projects | | | | |
| R05. Permanent | | | | |
| R06. Transportation | | | | |
| R07. Total Governmental Revenues | \$15,073,753 | | | |
| Internal Service Revenues | | | | |
| R08. Total Operating Revenues | | \$0 | | |
| R09. Total Non-Operating Revenues | | \$0 | | |
| R10. Total Internal Service Revenues | | \$0 | | |
| Enterprise Revenues | | | | |
| Operating Revenues | | | | |
| R11. Airport | | | | |
| R12. Electric | | | | |
| R13. Gas | | | | |
| R14. Harbor and Port | | | | |
| R15. Hospital | | | | |
| R16. Sewer | | | | |
| R17. Solid Waste | | | | |
| R18. Transit | | | | |
| R19. Water | | | 75,849,100 | |
| R20. Other Enterprise | | | | |
| R21. Conduit | | | | |
| R22. Transportation | | | | |
| R23. Total Operating Revenues | | | \$75,849,100 | |
| Non-Operating Revenues | | | | |
| R24. Airport | | | | |
| R25. Electric | | | | |
| R26. Gas | | | | |
| R27. Harbor and Port | | | | |
| R28. Hospital | | | | |
| R29. Sewer | | | | |
| R30. Solid Waste | | | | |
| R31. Transit | | | | |
| R32. Water | | | 34,907,678 | |
| R33. Other Enterprise | | | | |
| R34. Conduit | | | | |
| R35. Transportation | | | | |
| R36. Total Non-Operating Revenues | | | \$34,907,678 | |
| R36.5 Total Revenues | \$15,073,753 | \$0 | \$110,756,778 | \$125,830,531 |

Governmental Expenditures

| | | | | | |
|----------------------------------|--|--------------|-----|---------------|---------------|
| R37. | General | | | | |
| R38. | Special Revenue | 9,804,915 | | | |
| R39. | Debt Service | | | | |
| R40. | Capital Projects | | | | |
| R41. | Permanent | | | | |
| R42. | Transportation | | | | |
| R43. | Total Governmental Expenditures | \$9,804,915 | | | |
| Internal Service Expenses | | | | | |
| R44. | Total Operating Expenses | | \$0 | | |
| R45. | Total Non-Operating Expenses | | \$0 | | |
| R46. | Total Internal Service Expenses | | \$0 | | |
| Enterprise Expenses | | | | | |
| Operating Expenses | | | | | |
| R47. | Airport | | | | |
| R48. | Electric | | | | |
| R49. | Gas | | | | |
| R50. | Harbor and Port | | | | |
| R51. | Hospital | | | | |
| R52. | Sewer | | | | |
| R53. | Solid Waste | | | | |
| R54. | Transit | | | | |
| R55. | Water | | | 95,497,200 | |
| R56. | Other Enterprise | | | | |
| R57. | Conduit | | | | |
| R58. | Transportation | | | | |
| R59. | Total Operating Expenses | | | \$95,497,200 | |
| Non-Operating Expenses | | | | | |
| R60. | Airport | | | | |
| R61. | Electric | | | | |
| R62. | Gas | | | | |
| R63. | Harbor and Port | | | | |
| R64. | Hospital | | | | |
| R65. | Sewer | | | | |
| R66. | Solid Waste | | | | |
| R67. | Transit | | | | |
| R68. | Water | | | 2,085,474 | |
| R69. | Other Enterprise | | | | |
| R70. | Conduit | | | | |
| R71. | Transportation | | | | |
| R72. | Total Non-Operating Expenses | | | \$2,085,474 | |
| R72.5 | Total Expenditures/Expenses | \$9,804,915 | \$0 | \$97,582,674 | \$107,387,589 |
| R73. | Transfer In | | | 65,437,969 | 65,437,969 |
| R74. | Transfer Out | -11,890 | | -65,426,079 | -65,437,969 |
| R75. | Change in Fund Balance/Net Position | \$5,256,948 | \$0 | \$13,185,994 | \$18,442,942 |
| R76. | Fund Balance/Net Position (Deficit), Beginning of Fiscal Year | \$94,574,423 | \$0 | \$441,162,602 | \$535,737,025 |
| R77. | Adjustments | | | 8,009 | 8,009 |
| R78. | Fund Balance/Net Position (Deficit), End of Fiscal Year | \$99,831,371 | \$0 | \$454,356,605 | \$554,187,976 |

Assets

| | | | | | |
|------|-------------------------|---------------|-----|---------------|---------------|
| R79. | Total Current Assets | 104,259,449 | | 210,878,463 | 315,137,912 |
| R80. | Total Noncurrent Assets | | | 331,245,211 | 331,245,211 |
| R81. | Total Assets | \$104,259,449 | \$0 | \$542,123,674 | \$646,383,123 |

Liabilities

| | | | | | |
|------|--|--------------|-----|---------------|---------------|
| R82. | Total Current Liabilities | 4,004,770 | | 10,230,040 | 14,234,810 |
| R83. | Total Noncurrent Liabilities | | | 80,171,507 | 80,171,507 |
| R84. | Total Liabilities | \$4,004,770 | \$0 | \$90,401,547 | \$94,406,317 |
| R85. | Total Fund Balance/Net Position (Deficit) | \$99,831,371 | \$0 | \$454,356,605 | \$554,187,976 |

Special District of Zone 7 Water Agency
Special District Financial Transactions Report
Footnotes

Fiscal Year: 2023

| FORM DESC | FIELD NAME | FOOTNOTES |
|---|--|--|
| WaterEnterpriseFund | (R18)OtherOperatingRevenues | Other Revenue in Water Enterprise Operations, State Water Facilities, and Capital Improvements Renewal & Replacement. |
| WaterEnterpriseFund | (R24)Pumping | Increase in pumping construction costs for FY23 |
| WaterEnterpriseFund | (R25)Treatment | Increase in water treatment construction costs for FY23 |
| WaterEnterpriseFund | (R26)TransmissionandDistribution | Shifted costs from transmission and distribution to pumping and treatment in FY23 |
| WaterEnterpriseFund | (R33)GeneralandAdministrativeExpenses | Increased accounts payable incurred and reported in FY23 |
| WaterEnterpriseFund | (R49)OtherIntergovernmentalFederal | Misc federal aid |
| WaterEnterpriseFund | (R56)IntergovernmentalOther | misc. state revenue |
| WaterEnterpriseFund | (R60)InterestExpense | Bond Interest Expense before amortization of premium |
| WaterEnterpriseFund | (R62)OtherNonoperatingExpenses | Amortization of premium + interest expense intangible lease |
| WaterEnterpriseFund | (R72)TransfersIn | Operating and bond transfers |
| WaterEnterpriseFund | (R73)TransfersOut | Operating transfers from capital expansion to operations. |
| RevenuesExpendituresChangesFundBalances | (R20)SpRev-OtherIntergovernmentalFederal | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Federal aid & grants |
| RevenuesExpendituresChangesFundBalances | (R26)SpRev-OtherIntergovernmentalState | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Misc. state aid & grants |
| RevenuesExpendituresChangesFundBalances | (R28)SpRev-IntergovernmentalOther | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Redevelopment in Lieu Taxes |
| RevenuesExpendituresChangesFundBalances | (R29)SpRev-ChargesforCurrentServices | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Developmental impact fee revenue was confirmed during audit |
| RevenuesExpendituresChangesFundBalances | (R34)SpRev-OtherRevenues | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Flood protection operations revenue includes: cost share agreement, compensation for loss, misc. revenue |
| RevenuesExpendituresChangesFundBalances | (R38)SpRev-ServicesandSupplies | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Services and supplies expense decreased due to completion of maintenance projects. |
| RevenuesExpendituresChangesFundBalances | (R46)SpRev-CapitalOutlay | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Increase is due to more expenditure on new equipment/capital structures in the flood protection operation fund |
| RevenuesExpendituresChangesFundBalances | (R61)SpRev-TransfersOut | (Flood Control and Water Conservation) (Flood Control and Water Conservation) Flood Protection Operations-Other Transfers |
| BalanceSheetGovernmentalFunds | (R30)SpRev-TotalLiabilities | Increase in liabilities is due to an increase of accounts payable and deposits payable at FYE. |
| ProprietaryFunds | (R02)Entpr-Restricted | Decreased restricted cash is due to reserves being used to fund capital expenditure. |
| ProprietaryFunds | (R17)Entpr-BuildingsandImprovements | Increase is due to large amount of CIP being capitalized in FY23. |
| ProprietaryFunds | (R18.6)Entpr-LeaseAssets(Lessee) | Decrease is due to retirement of leased asset |
| ProprietaryFunds | (R19)Entpr-IntangibleAssetsAmortizable | SBITA asset new in FY23 |
| ProprietaryFunds | (R20)Entpr-ConstructionInProgress | Decrease is due to large amount of CIP being capitalized in FY23. |
| NoncurrentAssetsLiabilities | (R06)CapAsst-ConstructionInProgress | Variance is due to capitalizing all of governmental CIP in FY23 |
| NoncurrentAssetsLiabilities | (R23)Liab-CompensatedAbsences | First year reported comp absences for governmental fund. |
| NoncurrentAssetsLiabilities | (R34)Liab-NetPensionLiability | Increase is based off Actuarial Report amounts |
| NoncurrentAssetsLiabilities | (R35)Liab-NetOPEBLiability | Variance is based off Actuarial Report amounts |

Total Footnote: 29