

**AGENDA  
IRVINE RANCH WATER DISTRICT  
BOARD OF DIRECTORS  
REGULAR MEETING**

June 14, 2021

*Due to COVID-19, this meeting will be conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspend certain requirements of the Ralph M. Brown Act. Members of the public may not attend this meeting in person.*

Participation by members of the Board of Directors will be from remote locations. Public access and participation will only be available telephonically/electronically.

To virtually attend the meeting and to be able to view any presentations or additional materials provided at the meeting, please join online via Webex using the link and information below:

Via Web: <https://irwd.webex.com/irwd/j.php?MTID=m8693f086f8af4312c352b0f4e01c4f60>  
Meeting Number (Access Code): 146 862 1331  
Meeting Password: 9E4EjFYkmS9

After joining the meeting, in order to ensure all persons can participate and observe the meeting, please select the "Call in" option and use a telephone to access the audio for the meeting by using the call-in information and attendee identification number provided.

*As courtesy to the other participants, please mute your phone when you are not speaking.*

**PLEASE NOTE:** Participants joining the meeting will be placed into the Webex lobby when the Board enters closed session. Participants who remain in the "lobby" will automatically be returned to the open session of the Board once the closed session has concluded. Participants who join the meeting while the Board is in closed session will receive a notice that the meeting has been locked. They will be able to join the meeting once the closed session has concluded.

**CALL TO ORDER**      5:00 p.m.

**ROLL CALL**              Directors LaMar, McLaughlin, Swan, and Withers, and President Reinhart

**PUBLIC COMMENT NOTICE**

If you wish to address the Board of Directors on any item, please submit a request to speak via the "chat" feature available when joining the meeting virtually. Remarks are limited to three minutes per speaker on each subject. You may also submit a public comment in advance of the meeting by emailing [comments@irwd.com](mailto:comments@irwd.com) before 12:00 p.m. on Monday, June 14, 2021.

**ALL VOTES SHALL BE TAKEN BY A ROLL CALL VOTE.**

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**COMMUNICATIONS TO THE BOARD**

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1. A. Written:

B. Oral:

2. ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Recommendation: Determine the need to discuss and/or take immediate action on item(s).

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**CONSENT CALENDAR, ITEMS 3-9** (Next Resolution No. 2021-9)

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3. BOARD MEETING MINUTES

Recommendation: That the minutes of the May 24, 2021 Regular Board meeting be approved as presented.

4. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Karen McLaughlin, Douglas Reinhart, Peer Swan, and John Withers, as described.

5. 2021 LEGISLATIVE AND REGULATORY UPDATE

Recommendation: That the Board adopt a "support in concept" and "seek amendments" position on the FUTURE Western Water Infrastructure and Drought Resiliency Act.

6. IRWD SALARY GRADE SCHEDULE CHANGES FOR MANAGERS, EXEMPT SUPERVISORS, CONFIDENTIAL EMPLOYEES AND EXEMPT EMPLOYEES FOR FISCAL YEAR 2021-22

Recommendation: That the Board approve the revised salary grade schedules based on a Cost-of-Living Adjustment of 3.6% for FY 2021-22 and adopt a resolution superseding Resolution No. 2020-22 and adopting a revised Schedule of Positions and Salary Rate Ranges for Managers, Exempt Supervisors, Confidential Employees and Exempt Employees.

7. CONSULTANT SELECTION FOR RECYCLED WATER USE SITE INSPECTION, TESTING AND TRAINING

Recommendation: That the Board authorize the General Manager to execute Professional Service Agreements with Real Water Consultants and West Yost Associates, each in an amount not to exceed \$365,000, to provide on-call recycled water use site visual inspections, cross-connection tests, and site supervisor training for a two-year period.

Reso. No. 2021-9

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**CONSENT CALENDAR - Continued**

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8. WATER EFFICIENCY TACTICAL INCENTIVE FUNDING AUTHORIZATION

Recommendation: That the Board authorize the General Manager to allocate \$230,000 in funding to the FY 2021-22 rebate programs administered through the Water Conservation Participation Agreement between Municipal Water District of Orange County and IRWD and execute addenda to the agreement as may be necessary to allocate funds to specific programs and modify device incentive levels based on customer participation rates and regional program funding levels.

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**ACTION CALENDAR**

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9. WATERSMART SOFTWARE VARIANCE NO. 2

Recommendation: That the Board authorize the General Manager to execute Variance No. 2 to the Professional Services Agreement with WaterSmart Software, Inc. in the amount of \$188,100.

10. 2021-2022 WATER USE EFFICIENCY OUTREACH CAMPAIGN

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with Sukle Advertising & Design in the amount of \$1,384,000 for implementation of IRWD's 2021-2022 water efficiency outreach campaign.

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**OTHER BUSINESS**

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Pursuant to Government Code Section 54954.2, members of the Board of Directors or staff may ask questions for clarification, make brief announcements, and make brief reports on his/her own activities. The Board or a Board member may provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting concerning any matter, or direct staff to place a matter of business on a future agenda. Such matters may be brought up under the General Manager's Report or Directors' Comments.

11. General Manager's Report

12. Receive oral update(s) from District liaison(s) regarding communities within IRWD's service area and provide information on relevant community events.

13. Directors' Comments

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**CLOSED SESSION**

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14. CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Government Code Section 54957.6.

*Agency Designated Representatives:* Paul Cook, General Manager, and Tiffany Mitcham, Director of Human Resources

*Employee Groups:* International Brotherhood of Electrical Workers (AFL-CIO) Local #47 for the General Unit and the Non-Exempt Supervisor Unit

15. Open Session

16. Adjourn

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Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the above-named Board in connection with a matter subject to discussion or consideration at an open meeting of the Board are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available electronically via the Webex meeting noted. Upon request, the District will provide for written agenda materials in appropriate alternative formats, and reasonable disability-related modification or accommodation to enable individuals with disabilities to participate in and provide comments at public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, or alternative format requested at least two days before the meeting. Requests should be emailed to [comments@irwd.com](mailto:comments@irwd.com). Requests made by mail must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

June 14, 2021  
Prepared and  
submitted by: L. Bonkowski  
Approved by: Paul A. Cook *P.A.C.*

CONSENT CALENDAR

BOARD MEETING MINUTES

SUMMARY:

Provided are the minutes of the May 24, 2021 Regular Board meeting for approval.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

Not applicable.

RECOMMENDATION:

THAT THE MINUTES OF THE MAY 24, 2021 REGULAR BOARD MEETING BE APPROVED AS PRESENTED.

LIST OF EXHIBITS:

Exhibit "A" – May 24, 2021 Minutes

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## EXHIBIT "A"

### MINUTES OF REGULAR MEETING – May 24, 2021

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order at 5:00 p.m. by President Reinhart on May 24, 2021, via teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20 due to COVID-19. Members of the public did not attend this meeting in person.

Directors Present: LaMar, McLaughlin, Withers, Swan, and Reinhart

Directors Absent: None.

Also Present: Acting General Manager Weghorst, Executive Director of Technical Services Burton, Executive Director of Operations Chambers, Executive Director of Finance and Administration Clary, Director of Treasury and Risk Management Jacobson, Director of Water Quality and Regulatory Compliance Colston, Director of Recycling Operations Zepeda, Director of Information Services Malone, Director of Water Resources Sanchez, Director of Maintenance Mykitta, Director of Human Resources Mitcham, Government Relations Officer/Deputy General Counsel Compton, Secretary Bonkowski, General Counsel Collins, other staff, and public.

WRITTEN AND ORAL COMMUNICATIONS: None.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED: None.

### CONSENT CALENDAR

Director Swan asked that Item No. 6, POLICY REVISIONS AND ADDITIONS RELATED TO DISTRICT APPROVALS, AUTHORIZATIONS, AND PROCEDURES, be moved to the Action Calendar. There being no objection, this item was moved accordingly. On MOTION by Swan, seconded by McLaughlin and unanimously carried by a roll call vote (5-0) McLaughlin, Swan, Withers, LaMar and Reinhart voting aye, and 0 noes ITEMS 3 THROUGH 5 WERE APPROVED AS FOLLOWS:

#### 3. BOARD MEETING MINUTES

Recommendation: That the minutes of the May 10, 2021 and May 17, 2021 Regular Board meetings be approved as presented.

#### 4. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Karen McLaughlin, and John Withers, as described.

#### 5. TREASURY REPORT

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report, the Summary of Fixed and Variable Rate Debt, and Disclosure Report of Reimbursements to Board Members and staff, approve the April 2021 Summary of Payroll ACH payments in the total amount of \$2,136,010, and approve the April 2021 Accounts Payable Disbursement Summary of Warrants 416897 through 417884, Workers' Compensation Distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$22,136,818.

ACTION CALENDAR

POLICY REVISIONS AND ADDITIONS RELATED TO DISTRICT APPROVALS, AUTHORIZATIONS, AND PROCEDURES

Director Swan asked that language be added to the policy under Section 6 to reflect that prior to a legal representative casting a vote in a called election for a specific landowner district, a recommendation on how the District's vote(s) are to be cast shall be brought to and approved by the Supply Reliability Programs Committee. There being no further discussion, on MOTION by Swan, seconded by McLaughlin and unanimously carried by a roll call vote (5-0) McLaughlin, Swan, Withers, LaMar and Reinhart voting aye, and 0 noes, THE BOARD ADOPTED THE FOLLOWING RESOLUTION BY TITLE AND APPROVED AMENDING LANGUAGE TO SECTION NO. 6 TO ALSO REFLECT THAT A RECOMMENDATION ON HOW THE DISTRICT'S VOTE(S) ARE TO BE CAST SHALL BE BROUGHT TO AND APPROVED BY THE SUPPLY RELIABILITY PROGRAMS COMMITTEE:

RESOLUTION NO. 2021 –8

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT, SUPERSEDING RESOLUTION NO. 2020-1 AND ADOPTING A REVISED REAL PROPERTY POLICY

HARVARD AVENUE TRUNK SEWER DIVERSION STRUCTURE REHABILITATION AND MWRP PRIMARY CLARIFIERS CHANNEL LINING BUDGET INCREASE AND CONSTRUCTION AWARD

Executive Director of Technical Services Burton reported that the Harvard Avenue Trunk Sewer (HATS) Diversion Structure is an approximately 20-foot-deep manhole located on Main Street west of the intersection with Harvard Avenue. Mr. Burton said that in 2018, a visual inspection was completed of the interior of the structure and identified the structure lining to be compromised. The inspection recommended that the existing liner be fully replaced, and the underlying concrete be rehabilitated.

Mr. Burton said that during the design of the current project to replace the aluminum covers at the MWRP Primary Clarifiers, the lining of the influent and effluent channels was inspected and observed to be in poor condition and in need of full replacement; the existing lining was installed in 1996. He said that this work to replace the channels' lining was added to the HATS project scope since it was similar in nature, i.e., bypassing flow and relining structures.

Work at the HATS Diversion Structure will include removal of the existing liner, repair of all spalled concrete, relining the structure, and replacing both slide gates. To perform this work, an average of 11 million gallons per day (MGD) of flow will be bypass pumped around the HATS structure to OC SAN for approximately seven weeks. In addition to rehabilitating the HATS Diversion Structure, the nearby Bypass Manhole and Junction Structure located at the intersection of Main Street and Harvard Avenue will be relined as well.

Mr. Burton said that the project was advertised to a select bidders list of 18 mechanical and pipeline contractors on April 6, 2021. The bid opening occurred on May 6, 2021 with two bids received from Pacific Hydrotech Corporation and Vido Artukovich & Son, Inc./Vidmar Inc., a Joint Venture. Pacific Hydrotech was the apparent low bidder with a bid of \$1,827,750. The

bids ranged from 19% higher to 65% higher than the engineer's estimate of \$1,530,000. The discrepancy between the bids and the engineer's estimate can be attributed to an underestimate of the amount of effort that will be required for the temporary bypass pumping system as well as the relining of the influent and effluent channels of the Primary Clarifiers. The overall complexity of the project and reduced competition for the bid due to the high volume of current construction work also likely contributed to the discrepancy between the bids and the engineer's estimate. Pacific Hydrotech has extensive experience with mechanical rehabilitation projects and is well qualified to construct the improvements.

Following Director Swan's inquiry about possibly directing flows to IRWD's MWRP vs. OCSD, Mr. Burton said that staff had reviewed other possibilities, and that OCSD was the best option. In response to his further inquiry on the District's impacts on CORF payments during this project, Engineering Manager Akiyoshi said that he will provide CORF estimates for his review. There being no further discussion, on MOTION by Withers, seconded by Swan and unanimously carried by a roll call vote (5-0) McLaughlin, Swan, Withers, LaMar and Reinhart voting aye, and 0 noes, THE BOARD AUTHORIZED A BUDGET INCREASE FOR PROJECT 11122 IN THE AMOUNT OF \$2,155,000, FROM \$707,000 TO \$2,862,000, AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH PACIFIC HYDROTECH CORPORATION IN THE AMOUNT OF \$1,827,750 FOR THE HARVARD AVENUE TRUNK SEWER DIVERSION STRUCTURE REHABILITATION AND MICHELSON WATER RECYCLING PLANT PRIMARY CLARIFIERS CHANNEL LINING, PROJECT 11122.

#### IRWD WELL ET-1 PFAS TREATMENT SYSTEM DESIGN CONSULTANT SELECTION AND SETTLEMENT AGREEMENT AMENDMENT

Using a PowerPoint presentation, Engineering Manager Mori reported that the District operates and maintains Well ET-1 and its associated volatile organic compounds (VOC) treatment facilities in accordance with the 2001 Settlement Agreement with U.S. Departments of Justice and Navy. Using a map, he identified its location on Irvine Center Drive adjacent to the Oak Creek Golf Club and across the street from Irvine Valley College. Using a chart, he showed that water from Well ET-1 is treated through air stripping, and the off-gas from the air strippers is delivered to a vapor phase granular-activated carbon (GAC) treatment system where the VOCs are removed. The treated water is then delivered into the recycled water distribution system.

Mr. Mori said that in the summer 2018, elevated levels of PFAS compounds were detected in the well. While the existing treatment system is capable of effectively removing VOCs from the water, it is unable to remove PFAS compounds. In early 2019, staff began delivering the treated water to the Peters Canyon Channel rather than continuing to deliver it to the recycled water distribution system.

Mr. Mori said that in late 2020, staff contracted with Tetra Tech to identify and evaluate various treatment systems that would be capable of effectively removing both PFAS and VOC compounds from the well. Mr. Mori said that the evaluation included analysis of existing water quality parameters, finished water quality goals, pretreatment requirements, evaluation of media selection options including GAC and ion exchange, and the impact to the overall site and other existing facilities based on the recommended treatment system. He said that the evaluation concluded with a recommendation to replace the existing air stripper and vapor phase GAC treatment systems with a liquid phase GAC treatment system, which would effectively remove both VOCs and PFAS compounds.

Mr. Mori said that in parallel with the Tetra Tech evaluation identified above, staff authorized Jacobs Engineering Group to conduct bench-scale treatability testing of various adsorbent products capable of effectively removing PFAS compounds. He said that the bench testing program consisted of a series of rapid small-scale column tests for each of the adsorbent products, which can simulate months to years of full-scale operations in a relatively short period of time. He said that this reduces the time for testing, the amount of water required, and the waste produced. He further said that at the completion of the testing program, anticipated for late May 2021, Jacobs will recommend a preferred adsorbent that will be incorporated into the final design of the proposed treatment facilities for Well ET-1.

Mr. Mori said that per the 2001 Settlement Agreement, IRWD maintains a \$20,000,000 pollution insurance policy to reasonably cover risks associated with the facilities included in the 2001 Settlement Agreement. He said that in December 2018, staff submitted a claim to the insurance carrier to cover the cost associated with implementing modifications to the well for PFAS treatment. The insurance carrier recently accepted the claim, so all costs above the \$250,000 deductible associated with the design, construction, and implementation of PFAS treatment facilities at Well ET-1 will be reimbursed by the insurance carrier.

Mr. Mori said that staff requested a proposal from Tetra Tech for engineering design services for the proposed treatment system at Well ET-1. He said that in addition to being the design engineer for the existing treatment system at Well ET-1, Tetra Tech has extensive knowledge of the existing site, has performed several recent similar PFAS treatment improvement projects for OCWD and other local agencies, and is best suited to quickly and efficiently progress the design effort.

Mr. Mori said that in accordance with the Settlement Agreement, Well ET-1 can be removed from service no more than two months per year. Mr. Mori said that since construction of the proposed treatment system will take longer than two months, a fifth amendment to the Settlement Agreement is required. He said that the fifth amendment will allow for the temporary shutdown of Well ET-1 and the existing treatment system for up to 18 months while construction is underway. Staff anticipates the construction duration to be approximately 10 months, which is well within the time allowed for by the amendment. The DON and DOJ have reviewed the amendment and are in the process of executing it. OCWD has also reviewed the amendment and approved it.

Director Withers said that this item was reviewed by the Engineering and Operations Committee on May 18, 2021. Following discussion, on MOTION by Withers, seconded by Swan and unanimously carried by a roll call vote (5-0) McLaughlin, Swan, Withers, LaMar and Reinhart voting aye, and 0 noes, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH IN THE AMOUNT OF \$316,300 FOR ENGINEERING DESIGN SERVICES AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE THE FIFTH AMENDMENT TO THE SETTLEMENT AGREEMENT FOR THE MARINE CORPS AIR STATION EL TORO GROUNDWATER REMEDIATION PROJECT FOR THE WELL ET-1 PFAS TREATMENT SYSTEM, PROJECT 11171.

GENERAL MANAGER’S REPORT

Acting General Manager Weghorst reported that recently, under the urgent necessity clause, the District procured the services of Paulus Engineering to make repairs to an 8-inch asbestos cement recycled water pipeline at Toledo Way in Lake Forest. Mr. Weghorst said that the pipeline project was completed at a cost of \$408,154. He said that staff worked closely with the City of Irvine and the City of Lake Forest to ensure roadway restoration requirements were met and repairs were completed in a timely manner. He further thanked Dave Crowe and his crews for their efforts.

COMMUNITY UPDATES

Consultant Newell said that it was quiet in the canyon, and that he is working with staff relative to the four-hour shutdown on June 22.

DIRECTORS’ COMMENTS

Director Swan reported on his attendance at the ACWA 2021 Spring Virtual conference, a MWDOC Administration and Finance Committee meeting, a Board meeting, and Government Affairs Committee meeting, and a Newport Chamber of Commerce meeting, and that tomorrow he will be attending a Southern California Dialogue meeting.

Director McLaughlin reported on her attendance at an IRWD introduction to the Irvine Company, and a Water UCI Colloquium series meeting.

Director Withers reported that he attended an NWRI Board meeting, an ACWA spring conference, and an OCWA Industry Insight presentation.

Director LaMar reported on his attendance at ACWA meetings.

Director Reinhart reported on his attendance at the ACWA 2021 Spring Virtual conference and an OCWD Board meeting.

ADJOURNMENT

President Reinhart adjourned the meeting at 6:01 p.m.

APPROVED and SIGNED this 14th day of June 2021.

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President, IRVINE RANCH WATER DISTRICT

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Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

\_\_\_\_\_  
Claire Hervey Collins, General Counsel  
Hanson Bridgett LLP

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June 14, 2021  
Prepared and  
submitted by: K. Swan  
Approved by: Paul A. Cook 

CONSENT CALENDAR

RATIFY/APPROVE BOARD OF DIRECTORS’  
ATTENDANCE AT MEETINGS AND EVENTS

SUMMARY:

Pursuant to Resolution 2006-29 adopted on August 28, 2006, the following events and meetings require approval by the Board of Directors:

Steven LaMar

May 14 Meeting with Senator Josh Newman via teleconference  
June 23 ACWA Region 1 Zoom Event – Regional Drought Impacts: How Well  
Managed Water Supplies Went Dry  
July 20 ACWA Region 3 Zoom Event – Understanding the Impacts of the  
California Air Resources Boards’ Advanced Clean Fleets Rule  
August 19 ACWA Region 5 Zoom Event – Developments in Regional Water  
Management  
September 22 ACWA Region 8 Zoom Event – Innovation on the Colorado:  
Metropolitan’s Regional Recycled Water Program & Lower Basin  
Drought Resilience

Karen McLaughlin

June 23 ACWA Region 1 Zoom Event – Regional Drought Impacts: How Well  
Managed Water Supplies Went Dry  
July 20 ACWA Region 3 Zoom Event – Understanding the Impacts of the  
California Air Resources Boards’ Advanced Clean Fleets Rule  
August 19 ACWA Region 5 Zoom Event – Developments in Regional Water  
Management  
September 22 ACWA Region 8 Zoom Event – Innovation on the Colorado:  
Metropolitan’s Regional Recycled Water Program & Lower Basin  
Drought Resilience

Douglas Reinhart

May 17 Meeting with the General Manager

Peer Swan

May 7 Water UCI Colloquium – Tapping into the Future: Potable Reuse in  
Tomorrow’s World Webinar  
August 11-13 California Association of Sanitation Agencies’ 2021 Annual Conference,  
San Diego

John Withers

May 27	OCWD Water Reuse Webinar
June 16	OCWA Monthly Industry Insight Webinar: <i>The Use of Data to Manage Infrastructure</i>
August 11-13	California Association of Sanitation Agencies' 2021 Annual Conference, San Diego

RECOMMENDATION:

THAT THE BOARD RATIFY/APPROVE THE MEETINGS AND EVENTS FOR STEVEN LAMAR, KAREN MCLAUGHLIN, DOUGLAS REINHART, PEER SWAN, AND JOHN WITHERS AS DESCRIBED HEREIN.

LIST OF EXHIBITS:

None.

June 14, 2021

Prepared by: F. Prewoznik

Submitted by: C. Compton

Approved by: Paul A. Cook 

## CONSENT CALENDAR

### 2021 LEGISLATIVE AND REGULATORY UPDATE

#### SUMMARY:

This report provides an update on the 2021-2022 legislative session, regulatory issues, and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate.

Staff recommends the Board adopt a “support in concept” and “seek amendments” position on the H.R. 3404 (Huffman, D-CA), the FUTURE Western Water Infrastructure and Drought Resiliency Act.

#### BACKGROUND:

The last day for fiscal committees to meet and report bills introduced in their house to the floor was May 21, 2021. In advance of that deadline, the Senate and Assembly Appropriations Committees acted on their respective Suspense Files and decided which bills would be held in committee and which would advance this year. The Assembly Appropriations Committee acted on 537 bills. Conversely, the Senate Appropriations Committee acted on more than 357 bills.

June 4 was the house-of-origin deadline, the deadline by which each house is required to pass bills introduced in its house if they are to move forward this year. Bills that fail to advance to the second house by the house-of-origin deadline will become two-year bills that cannot be acted on until next year unless they contain an urgency clause or are proposed constitutional amendments.

The next legislative deadline is June 15, the constitutional deadline for passage of the State budget.

A copy of the 2021 Legislative Matrix is provided as Exhibit “A”. Links to the bills discussed below are included within each discussion unless a separate exhibit is noted.

#### Assembly and Senate Bill Limit

On May 19, two days before the fiscal committee deadline, Senate President pro Tempore Toni Atkins transmitted a memorandum to the full Senate informing Senators that she and Assembly Speaker Anthony Rendon agreed to limit the number of bills each member of the Legislature will be permitted to move forward for the remainder of 2021. Each Assemblymember and Senator is limited to 12 bills. According to reports, members of the Legislature are being afforded discretion over which of their bills to advance this year.

The new bill limit means that, for the 120 members of the Legislature, no more than 1,440 bills will advance to the second house in 2021, which is approximately 1,000 fewer bills than were introduced this session. To put this in perspective, 828 Senate bills and 1,593 Assembly bills were introduced this session.

Senator Atkins was quoted as saying that the bill limit is being imposed because legislative committees are still working under conditions put in place during COVID-19 that have limited the number of hearing rooms that can be used for bill hearings and procedures, which has extended the time that hearings run to accommodate public testimony by telephone.

As of May 19, 264 Senate Bills and 320 Assembly Bills had already been passed to the second house.

#### 2021 State Legislative Update:

##### *Governor's Expanded Drought Emergency Proclamation:*

On May 10, Governor Newsom expanded the drought emergency proclamation he had issued on April 21 for the Russian River Watershed. The May 10 proclamation expanded the drought emergency to counties around the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watershed. The Governor's drought proclamation now covers 41 of California's 58 counties, and 30 percent of the state's population.

In addition to suspending procurement, State contracting, and fleet asset requirements, the new emergency proclamation directed the State Water Resource Control Board to consider requests to move water, modify requirements for reservoir releases or diversion limitations, consider development of emergency regulations to curtail water diversions, and evaluate minimum instream flows and other actions needed to protect fish in critical stream systems.

The May 10 proclamation also requires the Department of Water Resources (DWR), the State Board, and the Department of Food and Agriculture to take specified actions to prioritize drought response and preparedness resources. Following the Governor's May 10 proclamation, [information on drought preparedness](#) was added to the State's Water Resilience Portfolio website. This website provides information about current conditions with reservoirs, precipitation, snowpack, and river flows, state action taken since the 2012-16 drought, and the Governor's Drought Resilience Task Force. This site provides a link to the State's water conservation website, [Save Our Water](#).

##### *Governor's May Revise:*

Governor Newsom released the May revision to his proposed Fiscal Year 2021-22 Budget (the May Revise) on May 14, 2021. For Fiscal Year 2021-22, the May Revise proposes \$196.8 billion in total General Fund expenditures, projects \$175.9 billion in total General Fund revenues, and proposes to transfer \$3.4 billion from the General Fund to the Budget Stabilization Account/Rainy Day Fund, bringing the Rainy Day Fund total to \$15.9 billion. Another \$450 million is proposed for the Safety Net Reserve. This compares with the \$164.5 billion in total General Fund expenditures, \$158.4 billion in projected General Fund revenues, and \$3.0 billion

proposed to be transferred from the General Fund to the Budget Stabilization Account/Rainy Day Fund that was in the Governor's Proposed Budget in January. The addition of the \$3.0 billion would have brought the forecasted total of Budget Stabilization Account/Rainy Day Fund to \$15.6 billion. When compared to the enacted FY 2020-21 budget, the May Revise represents a \$31.5 billion, or 19.1 percent, increase in General Fund expenditures.

Following the FY 2020-21 Budget that was crafted on a projected \$54 billion budget deficit resulting from lost economic activity due to COVID-19, the Governor presented his budget in January with a projected \$15 billion surplus. With the May Revise, unprecedented \$75.7 billion budget surplus is now anticipated. With \$26 billion in federal America Rescue Funds added to the state General Fund surplus, the Governor has included his "California Comeback Plan" in the May Revise, which proposes \$100 billion in spending. Included in the California Comeback Plan is \$5.1 billion over four years for water infrastructure, drought response, and improved climate resilience. This plan is discussed in more detail below.

The Governor's May Revise also proposes to spend \$2 billion in federal funds to address water, electric, and gas bill arrearages. \$1 billion of the \$2 billion proposed for arrearages has been proposed for the State Board to administer grants and other direct payments to community water systems. The grants and payments could cover COVID-19-related arrearages and other COVID-19-related revenue losses that community water systems have sustained. This is a different approach than the approach proposed by the State Senate.

The Legislature has until June 15 to pass a balanced budget. On June 3, staff provided the Water Resources Policy and Communications Committee with an update on the latest discussions on funding for water arrearages.

#### *Governor's Plan for Water Infrastructure, Drought Response, and Improved Climate Resilience*

As noted above, Governor Newsom unveiled a \$5.1 billion plan for water infrastructure, drought response and improved climate resilience. The May Revise added the following funding to the Governor's Proposed Budget:

- \$1.3 billion for drinking water/wastewater infrastructure, especially for small and disadvantaged communities;
- \$500 million for multi-benefit land repurposing to support growers;
- \$300 million for drought relief and urban water management grants for approximately 2,400 small community water systems that serve schools and all of California's 58 counties as they plan for drought and potential water shortages;
- \$300 million for Sustainable Groundwater Management Act implementation to improve water supply security, water quality, and water reliability;
- \$266 million for water resilience projects to improve ecosystem health for native fish in the Sacramento and San Joaquin rivers and their tributaries;

- \$230 million for ecosystems to improve passage for wildlife or fish;
- \$220 million for Salton Sea to maximize habitat outcomes and provide immediate economic relief to the community;
- \$200 million for habitat restoration and multi-benefit projects including tidal wetland, floodplain, and flood-risk reduction projects to restore fish and wildlife habitat;
- \$200 million for Oroville pump storage to increase clean electricity generation to improve grid reliability;
- \$200 million for water conveyance to address subsidence and rising cost of moving water through the Friant-Kern Canal, the Delta-Mendota Canal, the California Aqueduct, and the San Luis Canal;
- \$150 million for groundwater cleanup and water recycling to improve climate resilience;
- \$140 million for flood to reduce flood risk for 1.1 million people and over \$100 billion of assets;
- \$91 million for critical data collection to improve forecasting;
- \$60 million for State Water Efficiency and Enhancement (SWEEP) in grants to help farmers reduce irrigation water use and reduce greenhouse gas emissions from agriculture pumping;
- \$33 million for fisheries and wildlife to protect and conserve California’s diverse ecosystems; and
- \$27 million for emergency and permanent solutions to drinking water drought emergencies.

This funding, with the water infrastructure funding included in the Governor’s Proposed Budget, totals \$5.1 billion.

When asked whether the funding proposals in his May Revise to address the consequences of climate change substitute for a climate resilience bond measure, Governor Newsom responded that “they substantially do across the spectrum.”

#### Updates Other State Legislation of Interest to IRWD:

Staff also updated the Water Resources Policy and Communications Committee on the following bills:

- *AB 377 (R. Rivas, D-Hollister) – Water Quality*: AB 377, as introduced in February, proposed to require all California surface waters to be fishable, swimmable, and drinkable by January 1, 2050, and to remove discretion of regional water boards over NPDES permits

and waste discharge requirements, and regional water quality control plans. The bill was amended three separate times in March and April, and in advance of the Assembly Appropriation Committee, the author circulated an additional set of amendments. In the end, the amendments that the author was willing to accept did not address the underlying, fundamental problems with the bill. The Assembly Appropriations Committee postponed its hearing of the bill on May 20. This means that the bill is now a two-year bill and that it will not be eligible to advance until 2022. The District currently has an “oppose” position on AB 377 and has been part of a large multi-sector coalition that has raised concerns about the bill;

- *AB 1434 (Friedman, D-Glendale) – Indoor Residential Water Use Standard:* The 2018 “Making Conservation a Way of Life” legislation requires each urban water supplier to calculate and meet an urban water use object. The urban water use object is calculated largely by using an indoor water use efficiency standard, outdoor water use efficiency standard, and water loss standard. The standard for indoor residential water use was set by statute in the 2018 legislation. The legislation, which was heavily negotiated with the water community, set the indoor residential standard at 55 gallons per capita daily (gpcd) until 2025. It then reduced the standard to 52.5 gpcd between 2025 and 2030, and to 50 gpcd in 2030. AB 1434 proposes to change the indoor standard. The bill would set the standard for indoor residential water use at 48 gpcd until 2025. It would then reduce the standard to 44 gpcd between 2025 and 2030, and to 40 gpcd in 2030. AB 1434 was recently made a two-year bill. The District currently has an “oppose” position on AB 1434;
- *SB 222 (Dodd, D-Napa) – Water Affordability Assistance Program and SB 223 (Dodd) – Discontinuation of Residential Water Service:* SB 222 (Dodd), which would create a Water Rate Assistance Program, was passed by the Senate Appropriations Committee to the Senate Floor. SB 223, which would have changed the rules for when a water agency could shut off a residential customer for non-payment and required an evaluation of arrearage management plans, was held on the Senate Appropriation’s Suspense File. This means that the bill is now dead. IRWD and a large coalition of water suppliers, led by the Association of California Water Agencies, opposed SB 223 and remain at an “oppose unless amended” position on SB 222;
- *SB 323 (Caballero, D-Salinas) – Legal Action on Water and Sewer Service Rates:* Existing law establishes a 120-day statute of limitations for challenging certain local government fees and charges. SB 323 would establish a similar 120-day statute of limitations for water and sewer rates. SB 323 was passed by the Senate on a vote of 34-1-5 vote. Upon being transmitted to the Assembly, it was assigned to the Assembly Local Government and Assembly Judiciary Committees. Staff expects that the bill will be heard in the Assembly Local Government Committee on June 9; and
- Other legislation of interest to the District.

2021 State and Regional Regulatory Update:

*2021 State Adaptation Strategy Update:*

California's Climate Adaptation Strategy provides a roadmap for state agencies to mitigate and manage the impacts of climate change on communities, infrastructure, services, and the natural environment. The State is in the process of updating California's State Adaptation Strategy, with the goal of delivering an updated strategy this year that outlines the state's key climate resilience priorities. The California Natural Resources Agency and the Governor's Office of Planning and Research held a virtual kick-off webinar on May 26 to provide information about the development of this update and upcoming regional workshops. It is a priority for the Administration that the Strategy reflect and reinforce regional priorities. Staff plans to participate in the Los Angeles region workshop on June 16, and will update the Water Resources Policy and Communications Committee, as appropriate.

*Other 2021 State Regulations:*

The following is a list of some of the State regulations and agency reports staff is monitoring, tracking or planning to engage in over the next three to 12 months. As the next drafts of the regulations or reports are released for public review and comment, staff will engage, as appropriate.

The pending regulations and reports actively being tracked include the:

- California Air Resources Board (CARB) Advanced Clean Fleets Rules;
- CARB Climate Change Scoping Plan Update;
- CARB In-Use Off-Road Diesel-Fueled Fleets Regulation Amendments;
- California Water Commission's [White Paper on the State's Financing of Water Conveyance Projects](#);
- DWR and the State Board's implementation of the "[Making Water Conservation a California Way of Life](#)" legislation;
- DWR and the State Board's Indoor Water Use Study and Indoor Water Use Standard Recommendations;
- DWR's Work Group on commercial, industrial, and institutional performance measures;
- Implementation of Executive Order [EO-N-82-2020](#) requiring 30 percent of the state's land and coastal waters to be conserved by 2030;
- [Implementation of the Governor's Water Resiliency Portfolio](#);

- State Board’s development of a “Cross Connection Policy Handbook;”
- State Board’s Direct Potable Reuse Regulations;
- State Board’s drought monitoring and emergency actions;
- State Board’s Electronic Annual Report;
- State Board’s [Safe and Affordable Funding for Equity and Resilience \(SAFER\) Drinking Water Program](#); and
- State Board’s [Water Loss Performance Standards Regulations](#).

2021 Federal Legislative Update:

IRWD’s federal advocacy efforts in 2021 continue to largely focus on seeking federal funding for the Kern Fan Groundwater Storage Project and advocating for an increased funding authorization for the federal Water Storage Program. Recently, the District’s federal advocates recently submitted an \$8.35 million Fiscal Year 2022 earmark request for the Kern Fan Groundwater Storage Project to Senator Alex Padilla’s Office. This amount is approximately 25 percent of the estimated FY 2022 budget for the project.

On June 3, 2021, staff updated the Water Resources Policy and Communications Committee on these efforts and the ongoing efforts related to positioning the Kern Fan Groundwater Storage Project for federal funding this year, and other federal proposals of interest to the District.

Updates Other Federal Legislation of Interest to IRWD:

*H.R. 3404, FUTURE Western Water Act (Huffman, D-CA):*

Representative Jared Huffman (D-CA) reintroduced the FUTURE Western Water Infrastructure and Drought Resiliency Act (FUTURE Western Water Act) on May 20. The bill proposes:

- \$750 million for sustainable, multi-benefit water storage projects;
- \$500 million for water recycling and reuse projects; and
- \$260 million for innovative water desalination projects.

It also includes investments in water data and technology to improve water management and reduce energy and water waste, investments in ecosystem protection and restoration and investments in water job training and education. Additionally, the legislation would establish a new process to authorize new major water storage projects owned or supported by the Department of the Interior, modeled on the process used to authorize the U.S. Army Corps of Engineers water projects through the Water Resources Development Act.

It would also grandfather certain water storage projects and deem these projects as eligible for funding consideration within the federal water storage project. Grandfathered projects include projects that have been awarded at least \$200 million in conditional funding by the California

Water Commission under Proposition 1's Water Storage Program. Unfortunately, as currently drafted, it excludes the Kern Fan Groundwater Storage Project. Staff has raised this issue with the Congressman's office and is seeking amendments to the grandfathering language.

Given the funding and programmatic changes proposed in the FUTURE Western Water Act, and the changes staff has been seeking to the grandfathering language, staff recommends that the Board adopt a "support in concept" and "seek amendments" position the bill. This would allow the District to communicate its support for efforts to extend the water storage program and fund water recycling while still seeking amendments that would benefit the Kern Fan Groundwater Storage Project.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on June 3, 2021.

RECOMMENDATION:

THAT THE BOARD ADOPT A "SUPPORT IN CONCEPT" AND "SEEK AMENDMENTS" POSITION ON THE FUTURE WESTERN WATER INFRASTRUCTURE AND DROUGHT RESILIENCY ACT.

LIST OF EXHIBITS:

Exhibit "A" – IRWD Legislative Matrix

**EXHIBIT “A”**  
**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 1</u></b> Garcia (D)	Hazardous Waste		Creates the Board of Environmental Safety in the California Environmental Protection Agency. Provides requirements for the membership of the board and requires the board to conduct no less than 6 public meetings per year. Provides for the duties of the board, which would include, among others, reviewing specified policies, processes, and programs within the hazardous waste control laws.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 2</u></b> Fong (R)	Regulations: Legislative Review: Regulatory Reform		Requires the Office of Administrative Law to submit to each house of the Legislature for review a copy of each major regulation that it submits to the Secretary of State. Requires each state agency to review that agency's regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, and report to the Legislature and Governor.	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 9</u></b> Wood (D)	Fire Safety: Wildfires: Fire Adapted Communities		Establishes in the Department of Conservation the Regional Forest and Fire Capacity Program to support regional leadership to build local and regional capacity and develop, prioritize, and implement strategies and projects that create fire adapted communities and landscapes by improving watershed health, forest health, community wildfire preparedness, and fire resilience.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 11</u></b> Ward (D)	Climate Change: Regional Climate Change Authorities		Requires the Strategic Growth Council to establish regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders. Authorizes the regional climate change authorities to engage in certain activities to address climate change. Requires the regional climate change authorities to annually submit to the council a report on their activities.	01/21/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;01/21/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 15</u></b> Chiu (D)	COVID-19 Relief: Tenancy Stabilization Act of 2021		Extends the definition of "COVID-19 rental debt" as unpaid rent or any other unpaid financial obligation of a tenant that came due between March 1, 2020, and December 31, 2021. Extends the repeal date of the COVID-19 Tenant Relief Act of 2020 to January 1, 2026. Prohibits a landlord from taking certain actions with respect to a tenant's COVID-19 rental debt, including, among others, charging or attempting to collect late fees, or withholding a service or amenity.	01/11/2021 - To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>AB 16</u></b> Chiu (D)	Tenancies: Tenant, Small Landlord, and Housing Act		Establishes the Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program. Authorizes the Director of Housing and Community Development to direct an existing office or program within the Department of Housing and Community Development to implement the program. Establishes in the State Treasury the COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Fund, and, upon appropriation, distributes all moneys in the fund to carry out the purposes of the program.	01/12/2021 - From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.;01/12/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>AB 20</u></b> Lee (D)	Political Reform Act of 1974: Corporate-Free Elections		Enacts the Corporate-Free Elections Act. Prohibits a candidate for elective office from receiving a contribution from a business entity, and a business entity from making a contribution to a candidate for elective office.	04/29/2021 - In ASSEMBLY Committee on ELECTIONS: Heard, remains in Committee.
<b><u>AB 25</u></b> Kiley (R)	Worker Classification: Employees and Contractors		Generally repeals provisions relating to the "ABC" test to determine if workers are employees or independent contractors. The bill would instead require the determination of whether a person is an employee or an independent contractor to be based on the specific multifactor test set forth in the Borello decision, including whether the person to whom service is rendered has the right to control the manner and means of accomplishing the result desired.	01/11/2021 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 29</u></b> Cooper (D)	State Bodies: Meetings		Requires that the notice of a meeting of a state body include all writings or materials provided for the noticed meeting to a member of the state body by the staff of a state agency, board, or commission, or another member of the state body that are in connection with a matter subject of discussion or consideration at the meeting.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 33</u></b> Ting (D)	Energy Storage Systems		Requires the Energy Commission, in administering the State Energy Conservation Assistance Account, to provide grants and loans to maximize energy use savings, expand installation of energy storage systems and expand the availability of transportation electrification infrastructure. Makes changes to terminology used in the Energy Conservation Assistance Act of 1979.	05/20/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 49</u></b> Petrie-Norris (D)	California Debt Limit Allocation Committee		Abolishes the California Debt Limit Allocation Committee and transfer its powers, duties, and functions to the California Tax Credit Allocation Committee.	04/28/2021 - In ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Not heard.
<b><u>AB 50</u></b> Boerner Horvath (D)	Climate Adaptation Center and Regional Support Network		Establishes the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.	01/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 51</u></b> Quirk (D)	Regional Climate Adaptation Planning Groups		Requires the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. Requires the council, by July 1, 2023, and in consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.	01/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 52</u></b> Frazier (D)	California Global Warming Solutions Act of 2006		Requires the State Air Resources Board, in each scoping plan update prepared by the state board after January 1, 2022, to include, consistent with the Global Warming Solutions Act of	01/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			2006, recommendations for achieving the maximum technologically feasible and cost-effective reductions of emissions of greenhouse gases and black carbon from wildfires. Expresses the intent of the Legislature to appropriate an amount from the Greenhouse Gas Reduction Fund for wildfire mitigation and prevention.	
<b><u>AB 55</u></b> Boerner Horvath (D)	Employment: Telecommuting		Declares the intent of the Legislature to enact future legislation to ensure certain rights and benefits for telecommuting employees.	12/07/2020 - INTRODUCED.
<b><u>AB 59</u></b> Gabriel (D)	Mitigation Fee Act: Fees: Notice and Timeliness	OPPOSE	Relates to the Mitigation Fee Act. Increases, for fees and service charges and for fees for specified public facilities, the time for mailing the notice of the time and place of the meeting to at least 45 days before the meeting. Requires the local agency to make that information available to the public at least 30 days before the meeting.	01/11/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>AB 63</u></b> Petrie-Norris (D)	Marine Resources: Marine Managed Areas Improvement Act		Relates to the Marine Managed Areas Improvement Act, restoration activities. Authorizes the designating entity or managing agency to also permit restoration activities.	05/12/2021 - To SENATE Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 64</u></b> Quirk (D)	Electricity: Long-term Backup Electricity Supply		Requires the PUC, Energy Commission, and state board, in consultation with all balancing authorities, to additionally develop a strategy, by a specified date, that achieves (1) a target of 5 gigawatthours of operational long-term backup electricity, as specified, by a specified date, and (2) a target of at least an additional 5 gigawatthours of operational long-term backup electricity in each subsequent year through 2045.	03/23/2021 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;03/23/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b><u>AB 67</u></b> Petrie-Norris (D)	Sea Level Rise: Working Group: Economic Analysis		Requires a state agency to take into account the current and future impacts of sea level rise based on projections provided by the Ocean Protection Council when planning, designing, building, operating, maintaining, and investing in infrastructure	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			located in the coastal zone or otherwise vulnerable to flooding from sea level rise or storm surges, or when otherwise approving the allocation of state funds for those purposes.	
<b><u>AB 69</u></b> Kiley (R)	State of Emergency: Termination After 60 Days		Requires a state of emergency to terminate 60 days after the Governor's proclamation of the state of emergency unless the Legislature extends it by a concurrent resolution. Prohibits a concurrent resolution from extending a state of emergency by more than 60 days.	01/11/2021 - To ASSEMBLY Committee on EMERGENCY MANAGEMENT.
<b><u>AB 72</u></b> Petrie-Norris (D)	Environmental Protection: Coastal Adaptation Projects		Enacts the Coastal Adaptation Permitting Act of 2021. Requires the Natural Resources Agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 84</u></b> Budget Cmt	Rehiring and Retention: Displaced Workers		Appropriates specified amount and make available through June 30, 2025, from the Labor and Workforce Development Fund to the Labor Commissioner for staffing resources to implement and enforce the provisions related to the rehiring and retention of workers displaced due to the Coronavirus pandemic.	05/18/2021 - Re-referred to SENATE Committee on BUDGET AND FISCAL REVIEW.
<b><u>AB 93</u></b> Garcia E (D)	Pandemic Response Practices		Requires the Legislative Analyst's Office to conduct a comprehensive review and analysis of issues related to the state's response to the COVID-19 pandemic, including, among others, whether local public health departments were sufficiently staffed and funded to handle specified pandemic-related responsibilities, and what specific measures of accountability the state applied to monitor and confirm that local public health departments were following state directives.	03/25/2021 - To ASSEMBLY Committee on HEALTH.;03/25/2021 - From ASSEMBLY Committee on HEALTH with author's amendments.;03/25/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH.
<b><u>AB 95</u></b> Low (D)	Employees: Bereavement Leave		Enacts the Bereavement Leave Act of 2021. Requires an employer with 25 or more employees to grant a request made by any employee to take up to 10 business days of unpaid	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS.

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**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner, in accordance with certain procedures, and subject to certain exclusions. Requires an employer with fewer than 25 employees to grant up to 3 business days of leave.	Held in committee and made a Two-year bill.
<b>AB 96</b> O'Donnell (D)	Clean Truck, Bus, and Off-Road Vehicle and Technology		Extends the requirement that 20% of funding be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology until December 31, 2026. The bill would further require at least 20% of that funding support early commercial deployment of existing near-zero-emission heavy-duty truck technology.	04/08/2021 - In ASSEMBLY. Coauthors revised.
<b>AB 100</b> Holden (D)	Drinking Water: Pipes and Fittings: Lead Content		Defines "lead free" under the California Safe Drinking Water Act, with respect to end point devices, to mean that the devices do not leach more than one microgram of lead under certain tests and meeting a specified certification.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b>AB 108</b> Cunningham (R)	Governor's Emergency Orders and Regulations: Approval		Permits an order or regulation, or an amendment or rescission thereof, issued pursuant to specified California Emergency Services Act (CESA) provisions 60 or more days after the proclamation, to take effect only if approved by a concurrent resolution of the Legislature.	01/11/2021 - To ASSEMBLY Committee on EMERGENCY MANAGEMENT.
<b>AB 111</b> Boerner Horvath (D)	Transportation: Zero-emission Vehicles		Requires the Secretary of the Transportation Agency, in consultation with certain state entities, to implement a Safe and Clean Truck Infrastructure Program to support the construction and operation of zero-emission medium- and heavy-duty vehicle parking and electric vehicle charging and hydrogen refueling infrastructure on public and private properties, and to encourage the use of zero-emission vehicles.	03/22/2021 - From ASSEMBLY Committee on TRANSPORTATION with author's amendments.;03/22/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
<b>AB 119</b> Salas (D)	County Assessors: Direct Levies		Requires the county auditor, or other county officer designated by the county, to make publicly available on their internet	01/26/2021 - From ASSEMBLY Committee on LOCAL

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			website information about direct levies as defined, including the range of combined direct levies assessed on real property. Requires a website posting that identifies contact information for each direct levy assessed within their jurisdiction, to also include the range of fees assessed on individual parcels of real property subject to the special district's assessment.	GOVERNMENT with author's amendments.;01/26/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>AB 123</u></b> Gonzalez (D)	Paid Family Leave: Weekly Benefit Amount		Revises the formula for determining benefits available pursuant to the family temporary disability insurance program, for periods of disability commencing after January 1, 2022, by redefining the weekly benefit amount to be equal to 90% of the wages paid to an individual for employment by employers during the quarter of the individual's disability base period in which these wages were highest, divided by 13, but not exceeding the maximum workers' compensation disability indemnity weekly benefit amount.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 125</u></b> Rivas R (D)	Equitable Economic Recovery, Healthy Food Access		Enacts the Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act. Authorizes the issuance of bonds to finance programs related to agricultural lands, food and fiber infrastructure, climate resilience, agricultural professionals, including farmers, ranchers, and farmworkers, workforce development and training, air quality, tribes, disadvantaged communities, nutrition, food aid, meat processing facilities, fishing facilities, and fairgrounds.	04/15/2021 - From ASSEMBLY Committee on AGRICULTURE: Do pass to Committee on NATURAL RESOURCES.
<b><u>AB 221</u></b> Santiago (D)	Emergency Food Assistance		Requires the department, in consultation with a workgroup, to conduct a study to provide recommendations and solutions to a permanent food assistance program for low-income California residents experiencing food insecurity, to complete that study by a specified date and to submit a copy of that study to the Legislature.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.

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**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 230</u></b> Voepel (R)	Employment: Flexible Work Schedules		Enacts the Workplace Flexibility Act of 2021. Permits an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to a certain number of hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday, except as specified.	01/28/2021 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<b><u>AB 237</u></b> Gray (D)	Public Employment: Unfair Practices: Health Protection		Creates the Public Employee Health Protection Act. Makes it an unfair practice for a covered employer to fail or refuse to maintain or pay for continued health care or other medical coverage for an enrolled employee or their enrolled dependents, for the duration of the enrolled employee's participation in an authorized strike, at the level and under the conditions that coverage would have been provided if the employee had continued to work in their position for the duration of the strike.	05/17/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 244</u></b> Rubio (D)	Affordable Housing Cost Study: Housing Plan Addendum		Requires the California Tax Credit Allocation Committee, the Department of Housing and Community Development, the California Housing Finance Agency, and the California Debt Limit Allocation Committee to conduct an affordable housing cost study that measures the factors that influence the cost of building affordable housing, breaks down total development costs for affordable housing, and enables the state to maximize resources allocated for affordable housing.	01/28/2021 - To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>AB 252</u></b> Rivas R (D)	Department of Conservation: Incentive Program		Requires the Department of Conservation to establish and administer a program named the Multibenefit Land Repurposing Incentive Program for purposes of providing grants to groundwater sustainability agencies or counties, or other specified entities designated by groundwater sustainability agencies or counties, for the development or implementation of local programs supporting or facilitating multibenefit land repurposing at the basin scale.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 255</u></b> Muratsuchi (D)	COVID-19 Emergency Small Business Eviction Relief Act		Requires a landlord, who receives a statement by a commercial tenant supported by documentary evidence that the commercial tenant has experienced a decrease in average monthly gross revenue attributable to the COVID-19 pandemic, to conduct a good faith negotiation to form a plan to allow the commercial tenant a reasonable opportunity to repay COVID-19 lease debt while minimizing the hardship to the landlord.	05/06/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 267</u></b> Valladares (R)	California Environmental Quality Act: Exemption		Extends the exemption from CEQA prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act of 1969 and the requirement on the Department of Forestry and Fire Protection to report to the relevant policy committees of the Legislature to specified date.	05/12/2021 - To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.
<b><u>AB 284</u></b> Rivas R (D)	Global Warming Solutions Act of 2006: Climate Goal		Requires the State Air Resources Board, when updating the scoping plan and in collaboration with the Natural Resources Agency and other relevant state agencies and departments, to take specified actions by a certain date, including, among others, identifying a 2045 climate goal, with interim milestones, for the state's natural and working lands and identifying practices, policy and financial incentives, market needs, and potential reductions in barriers that would help achieve the 2045 climate goal.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 297</u></b> Gallagher (R)	Fire Prevention		Appropriates certain amounts to the Department of Forestry and Fire Prevention and the California Conservation Corps, respectively, for fire prevention activities. Exempts from the requirements of the California Environmental Quality Act (CEQA) projects or activities related to forest health and fuel reduction that involve thinning overgrown brushes or trees 10	04/21/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;04/21/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			inches or less in diameter by mechanical thinning, pile burning, prescribed fire, and grazing.	
<b><u>AB 304</u></b> Quirk (D)	Contaminated Sites: Waste Releases		Authorizes a person to request the local officer to oversee the remedial action only if the release of waste is not being overseen by the department or a regional water quality control board. The bill would authorize the local officer to agree to oversee the remedial action only if the local officer determines that the same conditions referenced above have been met, the local officer has submitted specified information to the department and the regional water quality control board within the past 12 months.	05/12/2021 - To SENATE Committee on ENVIRONMENTAL QUALITY.
<b><u>AB 315</u></b> Stone (D)	Voluntary Stream Restoration Property Owner Liability		Requires the state to indemnify and hold harmless a property owner who voluntarily allows their property to be used for such a project to restore fish and wildlife habitat from civil liability for property damage or personal injury resulting from the project if the project meets specified requirements.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 318</u></b> Levine (D)	Hazardous Waste: Exclusion: Organic Waste		Requires the Department of Toxic Substances Control, in consultation with the Department of Resources Recycling and Recovery and the Department of Food and Agriculture, to provide guidance to certified unified program agencies on how to characterize green waste, as defined, under the hazardous waste control laws and regulations.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 322</u></b> Salas (D)	Energy: Electric Program Investment Charge Program		Requires the State Energy Resources Conservation and Development Commission to allocate not less than 20% of the funds appropriated for the Electric Program Investment Charge (EPIC) program to bioenergy projects for biomass conversion, as defined.	05/20/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 327</u></b> Kiley (R)	COVID-19 Vaccination: Prohibits Required Disclosure		Prohibits state agencies, local governments, and any other state governmental authority from adopting or enforcing any order, ordinance, policy, regulation, rule, or similar measure that	04/15/2021 - In ASSEMBLY. Suspend Assembly Rule 96.;04/15/2021 - Re-referred to ASSEMBLY Committees on

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			requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.	HEALTH and PRIVACY AND CONSUMER PROTECTION.
<b><u>AB 336</u></b> Villapudua (D)	Enhanced Infrastructure Financing: Public Authority		Specifies that any member of the legislative body of a participating affected taxing entity who serves as a member of the public financing authority of an enhanced infrastructure financing district, as described, may also serve as a member of the governing body of an agency or entity formed pursuant to an agreement for the joint exercise of power that the participating affected taxing entity has entered into in accordance with the Joint Exercise of Powers Act.	05/12/2021 - To SENATE Committee on GOVERNANCE AND FINANCE.
<b><u>AB 339</u></b> Lee (D)	Local Government: Open and Public Meetings		Requires all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option.	05/20/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 343</u></b> Fong (R)	California Public Records Act Ombudsperson		Establishes, within the California State Auditor's Office, the California Public Records Act Ombudsperson. Requires the California State Auditor to appoint the Ombudsperson subject to certain requirements. Requires the Ombudsperson to receive and investigate requests for review, determine whether the denials of original requests complied with the California Public Records Act, and issue written opinions of its determination.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 345</u></b> Quirk-Silva (D)	Accessory Dwelling Units: Separate Conveyance		Requires each local agency to allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 346</u></b> Seyarto (R)	Privacy: Breach		Relates to the Information Practices Act which requires an agency, which includes a local agency, that owns or licenses	04/08/2021 - In ASSEMBLY Committee on PRIVACY AND

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			computerized data that includes personal information to disclose expeditiously and without unreasonable delay a breach in the security of the data to a resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Makes this requirement applicable if the information is accessed by an unauthorized person.	CONSUMER PROTECTION: Not Heard.
<b><u>AB 350</u></b> Villapudua (D)	Cannella Environmental Farming Act of 1995		Requires the Department of Food and Agriculture to establish and administer a 3-year grant program to fund technical assistance to support landowners located in critically overdrafted basins, as defined, in the San Joaquin Valley in reaching water use reduction goals established pursuant to the Sustainable Groundwater Management Act.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 355</u></b> Cooper (D)	Demand-Side Energy Management Programs		Requires the Public Utilities Commission to monitor the incentive program to ensure that savings generated by the program are equitable and ethical.	03/18/2021 - To ASSEMBLY Committee on UTILITIES AND ENERGY.;03/18/2021 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b><u>AB 361</u></b> Rivas R (D)	Open Meetings: Local Agencies: Teleconferences		Authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency, provided certain requirements are met.	05/17/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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<b><u>AB 363</u></b> Medina (D)	Carl Moyer Air Quality Standards Attainment Program		Requires the state board to establish or update grant criteria and guidelines for covered vehicle and infrastructure projects as soon as practicable, but not later than July 1, 2017. The state board's program guidelines describe the minimum criteria and requirements for on-road heavy-duty vehicles and the types of projects that can be incentivized to provide surplus emissions reductions from on-road heavy-duty vehicles through contracts or through the On-Road Heavy-Duty Voucher Incentive Program (VIP).	05/25/2021 - In ASSEMBLY. Read second time and amended. To second reading.
<b><u>AB 373</u></b> Seyarto (R)	State Emergency Plan: Update		Requires the California Office of Emergency Services to update the State Emergency Plan every three years.	03/03/2021 - From ASSEMBLY Committee on EMERGENCY MANAGEMENT with author's amendments.;03/03/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on EMERGENCY MANAGEMENT.
<b><u>AB 377</u></b> Rivas R (D)	Water Quality: Impaired Waters		Requires the state board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state.	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.
<b><u>AB 379</u></b> Gallagher (R)	Wildlife Conservation: Conservation Lands		Authorizes the Wildlife Conservation Board to grant funds to, and enter into agreements, loans, or contracts with, a California Native American tribe to the same extent as any public or private entity. Authorizes the board to authorize the department to also accept federal grants and other financial support from California Native American tribes, and to also lease degraded potential wildlife habitat real property and sell former wildlife habitat real property to California Native American tribes.	05/19/2021 - To SENATE Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 380</u></b> Seyarto (R)	Forestry: Priority Fuel Reduction Projects		Requires the Department of Forestry and Fire Protection, before December 31, 2022, and before December 31 of each year thereafter, to identify priority fuel reduction projects. Exempts	02/12/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.

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			the identified priority fuel reduction projects from certain legal requirements in a similar manner as provided in the proclamation of a state of emergency issued by the Governor on March 22, 2019.	
<b><u>AB 386</u></b> Cooper (D)	Public Employees Retirement: Investments: Confidential		Exempts from disclosure under the California Public Records Act specified records regarding an internally managed private loan made directly by the Public Employees' Retirement Fund. Provides that these records would include quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information. Prescribes specified exceptions to this exemption from disclosure.	05/13/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 404</u></b> Salas (D)	Workers' Compensation: Medical-Legal Expenses		Relates to Workers compensation. Requires that the medical-legal fee schedule be reviewed, and updated if necessary, to increase the conversion factor by the percentage increase in the most recent federal Medicare Economic Index.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 418</u></b> Valladares (R)	Emergency Services: Grant Program		Establishes the Community Power Resiliency Program to be administered by the Office of Emergency Services, to support governments' efforts to improve resiliency in response to power outage events.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 426</u></b> Bauer-Kahan (D)	Toxic Air Contaminants		Authorizes air pollution control districts and air quality management districts to adopt and implement regulations to require data regarding air pollution within the district's jurisdiction from indirect and areawide sources of air pollution, including mobile sources drawn by those sources, to enable the calculation of health risks from toxic air contaminants. Authorizes the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities.	03/17/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/17/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

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<b><u>AB 427</u></b> Bauer-Kahan (D)	Electricity: Resource Adequacy Requirements		Requires the Public Utilities Commission to establish a capacity valuation methodology for customer-sited energy storage resources and customer-sited hybrid resources, as defined, in consultation with the ISO and the State Energy Resources Conservation and Development Commission for the 2023 resource adequacy year.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 428</u></b> Mayes (R)	Government: Board Of Supervisors		Requires that, when term limits are imposed, the limit must be no fewer than a specified amount of terms. Specifies that the board of supervisors is included in the definition of county officers for whom the board of supervisors is required to prescribe compensation.	05/13/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 431</u></b> Patterson (R)	Forestry: Timber Harvesting Plans: Defensible Space		Extends to January 1, 2026, the State Board of Forestry and Fire Protection's authorization to exempt a person from the Forest Practice Act of 1973 engaging in the cutting or removal of trees on the person's property in compliance with specified defensible space requirements as provided.	05/12/2021 - To SENATE Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 436</u></b> Fong (R)	Wages: Records: Inspection and Copying		Relates to existing law which gives every current and former employee the right to inspect and receive a copy of the personnel records that the employer maintains relating to the employee's performance. Requires, if an employee or their representative requests to inspect or copy records relating to the itemized statement and also requests to inspect or receive a copy of personnel records, that the deadline to comply with both requests be governed by the response deadline provisions.	02/12/2021 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<b><u>AB 440</u></b> Bigelow (R)	Bear Lake Reservoir: Recreational Use		Deletes a condition that bodily contact is allowed for no more than 4 months each year, and would delete the above-referenced minimum frequency for the Lake Alpine Water Company to conduct the monitoring program.	05/12/2021 - To SENATE Committee on ENVIRONMENTAL QUALITY.

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<b><u>AB 442</u></b> Mayes (R)	Surface Mining and Reclamation Act: Exemption		Exempts from the provisions of the Surface Mining and Reclamation Act of 1975 emergency excavations or grading conducted by the Metropolitan Water District of Southern California (MWD) for its own operations and infrastructure for specified purposes. Authorizes MWD to prepare a single master reclamation plan, as provided, for its earthmoving operations conducted on lands owned or leased by, or upon which easements or rights-of-way have been granted to, MWD for specified purposes.	05/20/2021 - In ASSEMBLY. Read second time. To Consent Calendar.
<b><u>AB 444</u></b> Public Employment and Retirement Cmt	State and Local Employees: Pay Warrants: Designees		Relates to State and local employees. Prescribes a process by which an appointing power would issue a check directly to a designated person instead of delivering employee warrants to that person. Provides that upon sufficient proof of the designee's identity, the appointing power must endorse and deposit the warrant issued to a deceased employee back into the Treasury to the credit of the fund or appropriation upon which it was drawn, then issue a revolving fund check to the designated person.	05/19/2021 - To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
<b><u>AB 460</u></b> Mayes (R)	Fire Protection: Residential Fire Sprinklers	WATCH	Prohibits water-related fees imposed on the owner of residential property from being affected by the installation of a residential fire sprinkler system on that residential property, including those residential fire sprinkler systems mandated by a local jurisdiction or a fire protection district.	03/25/2021 - To ASSEMBLY Committee on LOCAL GOVERNMENT.;03/25/2021 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;03/25/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>AB 464</u></b> Mullin (D)	Enhanced Infrastructure Financing Districts		Includes, in the list of facilities and projects the Enhanced Infrastructure Financing District may fund, the acquisition, construction, or repair of commercial structures by the small business, as defined, occupant of such structures, if certain conditions are met, and facilities in which nonprofit community	05/12/2021 - To SENATE Committee on GOVERNANCE AND FINANCE.

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			organizations provide health, youth, homeless, and social services.	
<b><u>AB 473</u></b> Chau (D)	California Public Records Act		Recodifies and reorganizes the provisions of the California Public Records Act. The bill would include provisions to govern the effect of recodification and states that the bill is intended to be entirely nonsubstantive in effect.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 474</u></b> Chau (D)	California Public Records Act: Conforming Revisions		Enacts various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 480</u></b> Carrillo (D)	Hazardous Substances		Requires that reporting of the release or threatened release to the UPA and the Office of Emergency Services, as provided. Requires a handler, employee, authorized representative, agent, or their designee to provide state, city, or county fire or public health or safety personnel and emergency response personnel with access to the handler's facility if there is a release or threatened release at the facility.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 513</u></b> Bigelow (R)	Employment: Telecommuting Employees		Authorizes an employee working from home or a remote location not at the physical location of the employer to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically.	03/17/2021 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.;03/17/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
<b><u>AB 517</u></b> Dahle M (R)	California State Safe Harbor Agreement Program Act		Relates to existing law which requires the Department of Fish and Wildlife to provide notice to the landowner at least 7 days before accessing the land or water for purposes of the California State Safe Harbor Agreement Program Act. Increases the notice period to the landowner to at least 7 business days.	04/08/2021 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

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<b><u>AB 522</u></b> Fong (R)	Forest Fire Prevention Exemption		Extends the operation of the Forest Fire Prevention Exemption indefinitely. Deletes the requirement that the tree harvesting area not exceed 300 acres and the requirement that temporary road construction or reconstruction be limited to no more than 2 miles of road per ownership in a planning watershed per any 5-year period.	02/18/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 530</u></b> Fong (R)	Labor Code Private Attorneys General Act of 2004		Requires the aggrieved employee to inform the employer which specific violations of the Labor Code are being brought under each subdivision of the Labor Code Private Attorneys General Act and to inform the employer if statutory right to cure provisions apply.	02/18/2021 - To ASSEMBLY Committees on LABOR AND EMPLOYMENT and JUDICIARY.
<b><u>AB 554</u></b> Mathis (R)	Department of Fish and Wildlife		Establishes in the Department of Fish and Wildlife the Office of the Ombudsperson, administered through the ombudsperson, requires the Fish and Game Commission to appoint the Ombudsperson and would require the Office to operate independently of department staff and to report to the president of the commission, requires the office to undertake specified duties under the supervision of the president of the commission.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 564</u></b> Gonzalez (D)	Biodiversity Protection and Restoration Act		Establishes the Biodiversity Protection and Restoration Act and provides that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders.	04/13/2021 - In ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Not heard.
<b><u>AB 566</u></b> Nguyen J (R)	Property Taxation: Revenue Allocations		Makes a nonsubstantive change to the requirement that the county auditor, in each fiscal year, allocate property tax revenues to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue	02/11/2021 - INTRODUCED.

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			allocated to that jurisdiction in the prior fiscal year, subject to certain modifications.	
<b><u>AB 571</u></b> Mayes (R)	Planning and Zoning: Density Bonuses: Housing		Relates to density bonuses for affordable housing. Prohibits affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development's affordable units.	05/20/2021 - In ASSEMBLY. Read second time. To Consent Calendar.
<b><u>AB 588</u></b> Garcia E (D)	Safe Drinking Water Act: Compliance		Requires the state board to identify actions necessary to assist specified water systems to achieve compliance within any compliance period established. Requires the state board to identify a compliance period or periods, when it adopts a primary drinking water standard, of not less than 30 days and not more than 3 years, and to consider specified criteria when identifying the compliance period.	03/30/2021 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;03/30/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b><u>AB 602</u></b> Grayson (D)	Development Fees: Impact Fee Nexus Study	WATCH	Requires a city, county, or special district that conducts an impact fee nexus study to follow specific standards and practices. Requires a city, county, or special district to post a written fee schedule or a link directly to the written fee schedule on its internet website. Requires a city or county to request the total amount of fees and exactions associated with a project upon the issuance of a certificate of occupancy, and to post this information on its internet website.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 620</u></b> Mullin (D)	Unified Online Environmental Permit Application		Expresses the intent of the Legislature to enact subsequent legislation creating a unified online environmental permit application and process for state agencies that simplify the submittal and tracking of environmental permits for permit applicants and state agencies, and supports interagency coordination.	02/12/2021 - INTRODUCED.
<b><u>AB 621</u></b> Rivas R (D)	California Environmental Quality Act		Authorizes the Governor to certify a new hospital project or hospital expansion or modernization project as an environmental	04/21/2021 - From ASSEMBLY Committee on NATURAL

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			leadership hospital project if the project meets certain requirements. Requires the project applicant to certify compliance with certain labor standards in regards to the implementation of the project. Requires the lead agency to concurrently prepare the record of proceedings for a project certified by the Governor, as applicable. Requires certain California Rules of Court to apply.	RESOURCES with author's amendments.;04/21/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 622</u></b> Friedman (D)	Washing Machines: Microfiber Filtration		Requires, on or before January 1, 2024, that all washing machines sold as new in California contain a microfiber filtration system with a mesh size of 100 microns or smaller.	04/07/2021 - In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.
<b><u>AB 642</u></b> Friedman (D)	Wildfires		Requires the Director of Forestry and Fire Protection to identify areas in the state as moderate and high fire hazard severity zones. Additionally requires the director classify areas into fire hazard severity zones based on additional factors including possible lightning caused ignition. Requires a local agency, within 30 days of receiving a transmittal from the director that identifies fire hazard severity zones, to make the information available for public comment.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 648</u></b> Fong (R)	CalRecycle Greenhouse Gas Reduction Fund: Forest		Continuously appropriates, beginning in the 2021-22 fiscal year and ending in the 2028-29 fiscal year, \$200,000,000 of the annual proceeds from the Greenhouse Gas Reduction Fund to the Department of Forestry and Fire Protection for healthy forest and fire prevention programs and projects that improve forest health and reduce greenhouse gas emissions caused by uncontrolled wildfires, and prescribed fire and other fuel reduction projects through proven forestry practices.	02/25/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 649</u></b> Bennett (D)	Department of Resources Recycling and Recovery		Establishes the Office of Environmental Justice and Tribal Relations within the department. Prescribes the duties of the office, including, among others, ensuring that the department's programs effectively address the needs of disadvantaged	03/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/11/2021 - From ASSEMBLY Committee on

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			communities, low-income communities, California Native American tribes, and farmworkers.	NATURAL RESOURCES with author's amendments.;03/11/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 654</u></b> Reyes (D)	COVID-19: Exposure: Notification		Requires the State Department of Public Health to make workplace and industry information received from local public health departments available on its internet website in a manner that, among other things, allows the public to track the number of COVID-19 cases and outbreaks by both workplace and industry.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 678</u></b> Grayson (D)	Housing Development Projects: Fees And Exactions Cap		Prohibits a city or county from imposing a specified fee or exaction if the total dollar amount of the fees and exactions that a city or county would impose on a proposed housing development is greater than 12% of the city's or county's median home price unless approved by the Department of Housing and Community Development. Authorizes a city or county to seek approval from the department to impose a fee or an exaction that would result in the total dollar amount of fees and exactions.	03/25/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.;03/25/2021 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;03/25/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>AB 688</u></b> Nazarian (D)	Property Tax: Reassessment		Makes nonsubstantive changes to existing property tax law which authorizes a county board of supervisors to adopt ordinances that allow assesseees whose property was damaged or destroyed to apply for a reassessment of that property if certain conditions are met.	02/16/2021 - INTRODUCED.
<b><u>AB 692</u></b> Waldron (R)	Lake Wohlford Dam: Grant Funding: Liquidation		Make those funds that were appropriated to the Department of Water Resources by the Disaster Preparedness and Flood Prevention Bond Act of 2006 and allocated to the City of Escondido for use on the Lake Wohlford Dam project available for liquidation until June 30, 2028.	05/25/2021 - In ASSEMBLY. Read second time and amended. To second reading.

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<b><u>AB 693</u></b> Chau (D)	Proposition 65: Enforcement		Requires, for all settlements generated by alleging a violation of or threatening to allege a violation of the Safe Drinking Water and Toxic Enforcement Act, the plaintiff or person acting in the public interest to submit those settlements to the court, and would additionally require the court, in order to approve the settlement, to find that neither the plaintiff nor the attorney representing the plaintiff has received any compensation from the alleged violator.	03/18/2021 - To ASSEMBLY Committees on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS and JUDICIARY.;03/18/2021 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b><u>AB 697</u></b> Chau (D)	Forest Resources: National Forest Lands		Reorganizes the law relating to the Good Neighbor Authority Fund. Requires the Department of Forestry and Fire Protection, under an agreement between the state and the federal government, to establish a program for purposes of conducting ecological restoration and fire resiliency projects on national forest lands, with priority given to forest restoration and fuels reduction projects that are landscape scale.	05/13/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 698</u></b> Env Safety & Toxic Material Cmt	Hazardous Waste: Small Quantity Generator		Replaces the terms conditionally exempt small quantity generator and CESQG with very small quantity generator and VSQG with reference to a different federal regulation that recasts those provisions regarding the amount of hazardous waste and which hazardous wastes are included in, or excluded from, that calculation.	05/12/2021 - To SENATE Committee on ENVIRONMENTAL QUALITY.
<b><u>AB 703</u></b> Rubio (D)	Open Meetings: Local Agencies: Teleconferences		Removes the requirements of the Ralph M. Brown Act particular to teleconferencing and allows for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment.	04/29/2021 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;04/29/2021 - In ASSEMBLY. Read second time and

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				amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>AB 712</u></b> Calderon (D)	Local Agency Public Construction Act: Change Orders		Authorizes the County of Los Angeles to add a new change order cap of \$400,000 for contracts whose original cost exceeds \$25,000,000 and of \$750,000 for contracts whose original cost exceeds \$50,000,000, both of which would be adjusted annually to reflect the percentage change in the California Consumer Price Index. Imposes similar caps with regard to county highways, except that, on contracts up to \$250,000, it limits a change order to a net total addition of \$25,000.	05/24/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 732</u></b> Quirk (D)	Toxic Substances Control: Account		Expresses the intent of the Legislature to also identify and remediate releases of hazardous substances throughout the state to protect human health and the environment and enable productive reuse of contaminated sites. Requires the Department of Toxic Substances Control to publish on its internet website, the list of hazardous substances release sites selected for, and subject to, a response action.	04/07/2021 - In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Heard, remains in Committee.
<b><u>AB 736</u></b> Mathis (R)	Safe Drinking Water State Revolving Fund: Internet		Relates to the Safe Drinking Water State Revolving Fund Law, which requires the State Water Resources Control Board, at least once every 2 years, to post information on its internet website and send a link of the internet website to the Legislature regarding implementation of the law and expenditures from the fund. Requires the board to post that information and send that link at least annually instead of at least once every 2 years.	04/07/2021 - In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.
<b><u>AB 747</u></b> Mathis (R)	Water treatment Facility		Appropriates \$20,000,000 from the General Fund to the State Water Resources Control Board for the purpose of improving water treatment. Requires the board to grant a specified amount to a specified joint powers authority for a water treatment facility to be operated by the joint powers authority.	04/07/2021 - In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.

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<u><b>AB 753</b></u> Grayson (D)	Barry Keene Underground Storage Tank Cleanup Trust Fund		Authorizes eligible owners and operators of underground storage tanks containing petroleum to file claims with the state board for reimbursement from the fund of corrective action costs, as provided, incurred to address releases of petroleum from these tanks.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<u><b>AB 754</b></u> Mathis (R)	Sustainable Groundwater Management		Authorizes the Department of Water Resources to extend the deadline for a high- or medium-priority basin not subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated plans upon request of a local agency or groundwater sustainability agency in the basin for an extension of a specified period of time.	05/20/2021 - In ASSEMBLY. Read second time. To third reading.
<u><b>AB 757</b></u> Davies (R)	Private Employment: COVID-19: Positive Test		Authorizes a private employer to request prescribed documentation of a positive Coronavirus test or diagnosis if an employee reports that the employee has been diagnosed or tested positive for Coronavirus and is unable to work and the employer determines that an employee may be subject to a 14-day exclusion from the workplace as required under certain law or regulations.	02/25/2021 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<u><b>AB 758</b></u> Nazarian (D)	Marks-Roos Local Bond Pooling Act: Electric Utilities		Expands the definition of a publicly owned utility for certain purposes to include a local publicly owned electric utility. Authorizes an authority to issue rate reduction bonds to finance or refinance utility projects for the provision of generation, transmission, or distribution of electrical service.	05/20/2021 - In ASSEMBLY. Read second time. To Consent Calendar.
<u><b>AB 772</b></u> Ramos (D)	Workers' Compensation: Medical Treatment		Clarifies that an employer is not limited in its ability to insure against an act of domestic terrorism or to provide benefits in excess of those required by existing law following an act of terrorism. Clarifies that when an employer approves a request for medical treatment from a treatment provider, without modification, the employer has completed utilization review under the law.	03/25/2021 - To ASSEMBLY Committee on INSURANCE.;03/25/2021 - From ASSEMBLY Committee on INSURANCE with author's amendments.;03/25/2021 - In ASSEMBLY. Read second time and

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				amended. Re-referred to Committee on INSURANCE.
<b><u>AB 794</u></b> Carrillo (D)	Air Pollution: Purchase of New Vehicles:		Establishes specified labor and workforce standards that a manufacturer of new vehicles would be required to meet in order for the vehicles to be eligible under the incentive programs. Specifies that new vehicles eligible for incentives would be required to comply with the Federal Transit Administration's domestic content standards for federal procurement of vehicles.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 800</u></b> Gabriel (D)	Safety Elements: Fire Hazard Severity Zones		Requires the director to also identify areas of the state as moderate and high fire hazard severity zones.	03/18/2021 - To ASSEMBLY Committees on NATURAL RESOURCES and LOCAL GOVERNMENT.;03/18/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 802</u></b> Bloom (D)	Microfiber Pollution		Requires the State Water Resources Control Board to identify the best available control technology for filtering microfibers from an industrial, institutional, or commercial laundry facility on or before an unspecified date, and requires the state board to consult with owners and operators of laundry facilities on the types of filtration systems currently in use and with universities, scientific organizations, and experts on plastic pollution in identifying the best available control technology.	04/07/2021 - In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.
<b><u>AB 805</u></b> Maienschein (D)	Personal Protective Equipment: Distribution Reports		Requires, during a health-related state of emergency in California proclaimed by the President of the United States or by the Governor, the Medical Health Operational Area Coordinator to report specified information relating to the distribution of personal protective equipment to the Office of Emergency	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.

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			Services on a weekly basis. Requires, at all other times, the MHOAC to report that information on a monthly basis.	
<b><u>AB 814</u></b> Levine (D)	Personal Information: Contact Tracing		Prohibits data collected, received, or prepared for purposes of contact tracing from being used, maintained, or disclosed for any purpose other than facilitating contact tracing efforts. Prohibits an officer, deputy, employee, or agent of a law enforcement agency from engaging in contact tracing. Requires all data collected, received, or prepared for purposes of contact tracing to be deleted within 60 days.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 818</u></b> Bloom (D)	Solid Waste: Premoistened Nonwoven Disposable Wipes	SUPPORT	Requires, except as provided, certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled clearly and conspicuously with the phrase Do Not Flush and a related symbol. Prohibits a covered entity, as defined, from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes.	05/13/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 819</u></b> Levine (D)	Environmental Quality Act: Notices and Documents		Requires the lead agency under CEQA to mail or email certain notices, and to post them on the lead agency's internet website.	05/12/2021 - To SENATE Committee on ENVIRONMENTAL QUALITY.
<b><u>AB 845</u></b> Rodriguez (D)	Disability Retirement: COVID-19: Presumption		Creates a presumption, applicable to the retirement systems that PEPPRA regulates and to specified members in those systems, that would be applied to disability retirements on the basis, in whole or in part, of a Coronavirus disease 2019-related illness. Requires that it be presumed the disability arose out of, or in the course of, the member's employment.	05/19/2021 - To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
<b><u>AB 846</u></b> Low (D)	Local Agency Public Construction Act		Changes the January 1, 2022, repeal date to January 1, 2027, thereby extending authorization for job order contracting for school districts and community college districts indefinitely. Requires an entity awarded a job order contract in excess of \$25,000 to provide an enforceable commitment to the school	04/22/2021 - In ASSEMBLY. Read second time. To third reading.

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			district or community college district that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the job order contract.	
<b><u>AB 850</u></b> Gallagher (R)	City Property: Sale of Water Utility Property		Extends the authorization of the City of El Monte, the City of Montebello, and the City of Willows to sell its public utility for furnishing water service for the purpose of consolidating the system with another public water system, as specified.	05/20/2021 - In ASSEMBLY. Read second time. To Consent Calendar.
<b><u>AB 854</u></b> Lee (D)	Residential Real Property: Withdrawal Of Accommodations		Prohibits an owner of accommodations from filing a notice with a public entity of an intent to withdraw accommodations or prosecuting an action to recover possession of accommodations, or threatening to do so, if not all the owners of the accommodations have been owners of record for a specified amount of time, or with respect to property that the owner acquired within a specified amount of time after providing notice of an intent to withdraw accommodations at a different property.	03/18/2021 - To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and JUDICIARY.;03/18/2021 - From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>AB 867</u></b> Kiley (R)	Family Care Leave: Child Deceased in Childbirth		Expands eligibility for benefits under the paid family leave program by expanding bonding leave relating to a child's birth to include leave for a parent who was pregnant with a child, if the child dies unexpectedly during childbirth at 37 weeks or more of pregnancy.	02/25/2021 - To ASSEMBLY Committee on INSURANCE.
<b><u>AB 870</u></b> Santiago (D)	Hazardous Materials: Liens		Requires the Department of Toxic Substances Control, upon a determination of the scope of a necessary response or corrective action, to provide to the responsible parties an estimate of the costs to complete the response or corrective action. Establishes that the estimated costs constitute a claim and a lien upon the real property owned by a responsible party that is subject to, or affected by, the response or corrective action.	02/25/2021 - To ASSEMBLY Committees on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS and JUDICIARY.

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<b><u>AB 878</u></b> Dahle M (R)	Wildlife Resources: Natural Community Conservation Plan		Relates to Wildlife resources, natural community conservation plans and public review and comment. Expands the time for public review and comment on a proposed planning agreement from 21 calendar days to 21 business days.	04/08/2021 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 885</u></b> Quirk (D)	Bagley-Keene Open Meeting Act: Teleconferencing		Requires a state body that elects to conduct a meeting or proceeding by teleconference to make the portion that is required to be open to the public both audibly and visually observable. Requires a state body that elects to conduct a meeting or proceeding by teleconference to post an agenda at the designated primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting and participate.	03/24/2021 - From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION with author's amendments.;03/24/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.
<b><u>AB 890</u></b> Cervantes (D)	Public Employee Retirement Systems: Investment		Requires the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to provide reports to the Legislature on the status of achieving objectives and initiatives, to be defined by the boards, regarding participation of emerging managers or diverse managers responsible for asset management within each retirement system's portfolio of investments.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 893</u></b> Davies (R)	Emergency Regulations: Department of Public Health		Requires the Division of Occupational Safety and Health or the State Department of Public Health, within 14 calendar days of the release of a federal recommendation that conflicts with an emergency regulation related to Coronavirus 2019 issued by the division or the department, to review the conflicting emergency regulation and make a determination to either amend the regulation or submit a report to the Legislature on the decision not to amend the regulation, as specified.	02/25/2021 - To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.

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<b><u>AB 897</u></b> Mullin (D)	Office of Planning and Research: Regional Climate		Requires a regional climate network to develop a regional climate adaptation action plan, plan and to submit the plan to the office for review, comments, and approval.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 906</u></b> Carrillo (D)	Zero-Emission Trucks: Tax and Fee Exemptions		Exempts from sales and use taxes, on and after January 1, 2022, the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, fuel for the operation of a zero-emission medium- or heavy-duty truck that is the subject of a lease entered into after July 1, 2022, with specified characteristics.	02/25/2021 - To ASSEMBLY Committees on REVENUE AND TAXATION and TRANSPORTATION.
<b><u>AB 908</u></b> Frazier (D)	Natural Resources Agency: Statewide Natural Resources		Requires the Natural Resources Agency, to the extent a specified appropriation is made, to prepare a comprehensive, statewide inventory of the natural resources of the state and establish treatment measures necessary to protect those resources, and to post its initial inventory on its internet website on or before January 1, 2023, with annual updates on or before January 1 of each year thereafter.	02/25/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 909</u></b> Frazier (D)	Wildfire Risk Assessment Map		Requires the Department of Forestry and Fire Protection, in consultation with the California Fire Science Consortium and the Department of Insurance to develop a fire risk assessment map for the state that quantifies the risks of wildfire for a parcel of land for a time span of 50 years. Requires the department to annually update the wildfire risk assessment map.	02/25/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 919</u></b> Grayson (D)	Construction Defects: Actions: Statute of Limitations		Shortens the timeframe in which specified actions against a nonprofit housing corporation, as defined, may be brought for underlying construction projects using a certified skilled and trained workforce.	04/13/2021 - From ASSEMBLY Committee on JUDICIARY with author's amendments.;04/13/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b><u>AB 926</u></b> Mathis (R)	Fire Prevention: Local Assistance Grant Program		Expands the definition of fire prevention activities to include the removal of hazardous dead trees, creation of fuel breaks and	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - In

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			community defensible spaces, and creation of ingress and egress corridors. Requires the department to prioritize projects that have a completed, or nearly completed, environmental review document, as provided. Authorizes the department to consider and evaluate the wildfire risk within the proposed project area.	ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 930</u></b> Levine (D)	Subsurface Installations: Attorney's Fees and Costs		Requires a court or arbitrator to award reasonable attorney's costs and fees, including expert witness fees, to a prevailing excavator if the court or arbitrator determines that the excavator is not liable for damages to a subsurface installation for reasons related to inaccurate field marking, as specified, or if the excavator makes an offer to settle the matter that is not accepted and the plaintiff fails to obtain a more favorable judgment or award.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 943</u></b> Garcia E (D)	Global Warming Solutions Act: Greenhouse Gas Reduction		Requires state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, to include a specified application timeline, and to allow applicants from the Counties of Imperial and San Diego to include daytime population numbers in grant applications.	03/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/11/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/11/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 953</u></b> Kiley (R)	Environmental Quality: Department of Fish and Wildlife		Requires the Department of Fish and Wildlife to separately track and account for all revenues collected under the above filing fee provision and all costs incurred in its role as a responsible agency or trustee agency under the California Environmental Quality Act.	04/12/2021 - In ASSEMBLY. Suspend Assembly Rule 96.;04/12/2021 - Re-referred to ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b><u>AB 954</u></b> Petrie-Norris (D)	City Of Laguna Woods: Fire Protection and Public Safety		Authorizes the City of Laguna Woods to lease to a public agency or joint powers authority, for purposes related to fire protection or public safety, the park property upon which improvements were made pursuant to specified grant agreements funded in	03/25/2021 - To ASSEMBLY Committee on LOCAL GOVERNMENT.;03/25/2021 - From ASSEMBLY Committee on LOCAL

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			accordance with the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.	GOVERNMENT with author's amendments.;03/25/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>AB 956</u></b> Flora (R)	Wildfire Mitigation Plans: Fire Retardants		Expressly authorizes a wildfire mitigation plan to include the use of fire-retardant chemicals approved by the State Fire Marshal on a planned basis for wildfire mitigation and risk management.	03/04/2021 - To ASSEMBLY Committee on UTILITIES AND ENERGY.
<b><u>AB 968</u></b> Frazier (D)	Wildfire Resilience: Community Certification		Requires the Natural Resources Agency to research, and provide a report to the Legislature with recommendations for, ways in which a community that undertakes science-supported wildfire resilience actions can be recognized with a peer-reviewed, community-level certification in order to acknowledge and motivate wildfire resilience activity, as provided.	03/18/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/18/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 969</u></b> Frazier (D)	Natural Resources Agency: Wildfire Technology Support:		Requires the Natural Resources Agency to provide a basic level of technological support to community organizations for wildfire risk reduction and resiliency, including technology for data, geospatial mapping, and data management, as well as software and limited technical support, and requires the Natural Resources Agency to structure this wildfire technology support in the same way that technology support is provided for similar services for wildfire-program building, outreach, and planning.	03/18/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/18/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 972</u></b> Berman (D)	Elections: Deceptive Audio or Visual Media		Extends the repeal date of provisions relative to deceptive audio or visual media use in elections through a specified date.	03/04/2021 - To ASSEMBLY Committee on ELECTIONS.
<b><u>AB 975</u></b> Rivas (D)	Political Reform Act of 1974		Relates to the Political Reform Act of 1974. Allows a gift of admission to an invitation-only event to be returned, reimbursed, or donated within 30 days of the calendar quarter in which it was	05/19/2021 - In ASSEMBLY. Read second time. To Consent Calendar.

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			received, and would make other changes prescribing conditions for the donation, return, or reimbursement.	
<b><u>AB 976</u></b> Rivas (D)	Resilient Economies and Community Health Pilot Program		Establishes the Resilient Economies and Community Health Pilot Program, which would be administered by the council from January 1, 2022, through December 31, 2026, as a grant pilot program for eligible community-based organizations to provide a comprehensive suite of coordinated incentives and services to disadvantaged communities at the resident household level to provide economic savings, reduce greenhouse gas emissions and air pollution, and improve resiliency to the impacts of climate control.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 979</u></b> Frazier (D)	Sacramento-San Joaquin Delta: Projects: Sea Level Rise		Requires any individual or entity that undertakes a project, as defined, within the Delta to complete a report analyzing the impact of sea level rise on the project.	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 981</u></b> Frazier (D)	Forestry: California Fire Safe Council		Establishes the California Fire Safe Council in the Natural Resources Agency consisting of 11 members. Requires the council to identify programs administered by public agencies to address and minimize the risks of wildfire and to coordinate the implementation of those programs, to identify public and private programs that may be leveraged to facilitate structure-hardening and community resilience to minimize the impacts of wildfire to habitable structures.	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 983</u></b> Garcia E (D)	Battery Manufacturing and Lithium-based Technology		Authorizes a public entity to use, enter into, or require contractors to enter into, a community workforce agreement, as defined, for construction projects related to battery manufacturing and lithium-based technology.	05/13/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 987</u></b> Low (D)	Public Utilities: Civil Penalties		Requires the Commission to require any penalty imposed on a public utility, person, or corporation for a violation of the act, or	03/25/2021 - To ASSEMBLY Committee on UTILITIES AND

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			for a violation of any order, decision, decree, rule, direction, demand, or requirement of the commission, to be paid no later than 2 years from the date the penalty was imposed, as provided.	ENERGY.;03/25/2021 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;03/25/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b><u>AB 992</u></b> Cooley (D)	Clean Truck, Bus, and Off-Road Vehicle and Equipment		Establishes the State Clean Truck, Bus, and Off-road Vehicle and Equipment Technology Program, which is administered by the State Air Resources Board, in conjunction with the State Energy Resources Conservation and Development Commission, to fund development, demonstration, precommercial pilot, and early commercial deployment of zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies.	05/20/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 995</u></b> Gonzalez (D)	Paid Sick Days: Accrual and Use		Modifies the employers alternate sick leave accrual method to require that an employee have no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year, or in each 12-month period.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1001</u></b> Garcia (D)	Air Pollution and Mitigation Measures for Air and Water		Provides that industrial sources that were subject to the market-based compliance mechanism and that fail to implement best available retrofit control technology are not eligible to participate in the market-based compliance mechanism.	04/20/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;04/20/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 1005</u></b> Muratsuchi (D)	Scientific Review Panel on Toxic Air Contaminants		Relates to existing law that creates and establishes a 9-member Scientific Review Panel on Toxic Air Contaminants to advise the State Air Resources Board and the Department of Pesticide Regulation in their evaluation of the health effects toxicity of toxic air contaminants and pesticides and prescribes the manner in which the members shall be appointed. Makes nonsubstantive changes to these provisions.	02/18/2021 - INTRODUCED.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 1013</u></b> Lackey (R)	State Mandates: Claims		Relates to State mandates of a new program or higher level of service on any local government, including school districts. Requires the state to provide a subvention of funds to reimburse the local government, unless an exception applies. Provides that statutory provisions that establish procedures for making that reimbursement include a requirement that no claim shall be made or paid unless it exceeds \$1,000. Changes the minimum claim amount to \$900.	03/04/2021 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b><u>AB 1017</u></b> Quirk-Silva (D)	Public Restrooms: Right to Restrooms Act of 2021		Requires local governments to do an inventory of public restrooms that are available to the homeless population to use during the coronavirus state of emergency, as defined. Requires local governments to report their findings to the Office of Emergency Services, which would be required to compile the information in a report to the Legislature, as provided. Provides that this bill would be repealed by its own provisions on a specified date.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1023</u></b> Flora (R)	Contractors and Subcontractors: Records: Penalties		Requires a contractor or subcontractor to furnish payroll records to the Labor Commissioner no later than their final day of work performed on the project. Makes a contractor or subcontractor who fails to furnish those records in the manner specified liable for a penalty of a specific amount per day, as specified, not to exceed a specific amount per project, to be deposited into the State Public Works Enforcement Fund.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1027</u></b> Seyarto (R)	Solid and Organic Waste		Expresses the intent of the Legislature to enact subsequent legislation to provide relief from those solid waste recycling, composting, and source reduction requirements and organic waste recycling requirements, for no more than one year, to cities and municipalities struggling due to the impacts of COVID-19.	02/18/2021 - INTRODUCED.

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<b><u>AB 1028</u></b> Seyarto (R)	Telework Flexibility Act		Concerns the Telework Flexibility Act. Authorizes any nonexempt employee working from home who is not under the physical control of the employer to choose when to take any meal or rest period during the workday, if the employer has not already scheduled a meal or rest period within the requirements of the law. Requires an employer to notify the employee of this right one time, when the employee begins working from home.	03/04/2021 - To ASSEMBLY Committees on LABOR AND EMPLOYMENT and JUDICIARY.
<b><u>AB 1030</u></b> Chen (R)	Professional Land Surveyors' Act and Engineers Act		Relates to the Professional Land Surveyors' Act and Professional Engineers Act. Includes within the practices that subject a person to those acts, with regard to the practice of identifying the location, alignment, or elevation for any of the fixed works embraced within the practice of civil engineering, laying out the reference points or lines through the use of mathematical or physical measurements. Expands the practice of land surveying and civil engineering, as specified.	03/04/2021 - To ASSEMBLY Committee on BUSINESS AND PROFESSIONS.
<b><u>AB 1037</u></b> Grayson (D)	Infrastructure Construction: Digital Construction		Requires the Department of General Services to develop guidance, policies, and procedures for the integration and development of digital construction technologies for use on a civil infrastructure project, as defined, that is developed by specified state entities and has a state project cost of greater than a specified amount.	05/20/2021 - In ASSEMBLY. Read second time. To Consent Calendar.
<b><u>AB 1041</u></b> Wicks (D)	Leave Issues		Expands the population that an employee can take leave to care for to include any other individual related by blood or whose close association with the employee is a designated person.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1042</u></b> Jones-Sawyer (D)	Skilled Nursing Facilities: Unpaid Penalties		Authorizes the Department, if a licensee provider fails to pay specified penalties in full when all appeals have been exhausted and the Department's position has been upheld, to give written notice to the licensee provider and related parties in which the licensee provider has an ownership or control interest of 5% or more that the department may take appropriate legal action to	05/24/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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			recover the unpaid penalty amount from the licensee provider's financial interest in the related party.	
<b><u>AB 1056</u></b> Grayson (D)	Infrastructure Financing: Industrialized Housing		Requires the Department of Housing and Community Development and the Economic Development Bank to develop a proposed program to invest in the building of offsite industrialized housing to support the policy goal of increasing the state's capacity to quickly respond to additional housing needs precipitated by homelessness, wildfires, COVID-19, or other emergency situations.	03/18/2021 - To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY.;03/18/2021 - From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>AB 1058</u></b> Garcia (D)	Water Corporations: Bill Payment Options		Deletes water corporations from an authorization to offer credit card and debit card bill payment options, the associated cost recovery provisions, and the related statements of legislative intent, thereby limiting those provisions to electrical and gas corporations.	05/12/2021 - To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
<b><u>AB 1066</u></b> Bloom (D)	Freshwater Recreation Sites: Water Quality Monitoring		Requires the Water Quality Monitoring Council, in consultation with the Department of Public Health, local health officers, and the public, to propose to the board a definition of a monitored freshwater recreation site.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1074</u></b> Gonzalez (D)	Employment: Displaced Workers		Renames the Displaced Janitor Opportunity Act as the Displaced Janitor and Hotel Worker Opportunity Act and extends the provisions of the act to hotel workers.	05/06/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1086</u></b> Aguiar-Curry (D)	Organic Waste: Implementation Strategy		Requires the Natural Resources Agency, in coordination with specified state agencies, and in consultation with stakeholders and relevant permitting agencies, to prepare and submit to the	05/24/2021 - In ASSEMBLY. Read second time. To third reading.

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			Legislature, by January 1, 2023, a report that provides an implementation strategy to achieve the states organic waste, and related climate change and air quality, mandates, goals, and targets.	
<b><u>AB 1092</u></b> Mayes (R)	Public Employees' Retirement: Health Benefits		Precludes a person who has retired under PERS and who obtains work with a subsequent employer from receiving any health benefits offered under PEMHCA if the person's subsequent employer offers health care coverage that provides reasonably comparable benefits. Prohibits, among other things, employees, annuitants, and family members who become eligible to enroll on or after a specified date in Part A and Part B of Medicare from being enrolled in a basic health benefit plan.	04/26/2021 - From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT With author's amendments.;04/26/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
<b><u>AB 1099</u></b> Rivas R (D)	Environmental Equity: Bond and Fund Expenditures		Requires the administration of proceeds from the sales of bonds issued under a bond act that is enacted by the Legislature and is approved by the voters on or after a specified date, pursuant to the State General Obligation Bond Law and that addresses environmental issues, and the administration of certain funds established on or after a specified date, that provide financial assistance to eligible entities to incorporate certain principles of environmental equity.	03/25/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/25/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/25/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 1110</u></b> Rivas R (D)	Zero-Emission Vehicles; Clean Fleet Program		Establishes the Office of the California Clean Fleet Accelerator, administered by the GO-Biz.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1119</u></b> Wicks (D)	Employment Discrimination		Relates to the California Fair Employment and Housing Act (FEHA), which protects the right to seek, obtain, and hold employment without discrimination because of prescribed characteristics. Expands the protected characteristics to include family responsibilities, defined to mean the obligations of an employee to provide direct and ongoing care for a minor child or a care recipient. Defines additional terms for this purpose.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.

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<b><u>AB 1122</u></b> Garcia (D)	Employment Discrimination		Provides that, under Fair Employment and Housing Act, it is not a violation of the rights of any individual who is not chosen for an employer to hire or promote a member of a protected group, if the employer determines that the individual hired or promoted is qualified for the job and the individual hired or promoted is a member of a protected group that is underrepresented in the type of job in question in the relevant general workforce.	03/11/2021 - To ASSEMBLY Committees on LABOR AND EMPLOYMENT and JUDICIARY.;03/11/2021 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.;03/11/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
<b><u>AB 1135</u></b> Grayson (D)	Housing Allocation Act		Enacts the Housing Allocation Act, which requires the Business, Consumer Services, and Housing Agency, HCD, CalHFA, and CTCAC to jointly establish and operate a single, centralized housing funding allocation committee, which would be within the Business, Consumer Services, and Housing Agency and comprised of representatives of those entities.	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.
<b><u>AB 1141</u></b> Frazier (D)	Wildfires: Wildland Urban Interface Fire Research		Requires the Natural Resources Agency to develop and fund, upon an appropriation by the Legislature, a Wildland-Urban Interface Fire Research Center that addresses the wildland-urban interface fire problem and the need for wildfire prevention, detection, and mitigation planning, building, and response, and related economic, insurance, and modeling practices in the state.	03/18/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/18/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 1142</u></b> Frazier (D)	Fire Prevention: Detection and Response		Requires the Department of Forestry and Fire Protection to develop and implement a program to predict and respond to wildfire ignition events and to provide for the sharing of information regarding wildfire events and coordination of activities among local, state, and federal agencies in response to wildfires.	03/04/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.

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<b><u>AB 1161</u></b> Garcia E (D)	Electricity: Eligible Renewable Energy: State Agencies		Enacts the Clean Economy and Clean Jobs Stimulus Act of 2021 and would require the Department of Water Resources to procure newly developed eligible renewable energy resources or zero-carbon resources, and energy storage associated with those resources, in an amount that satisfies 100 percent electricity procured to serve all state agencies by specified date.	04/13/2021 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;04/13/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b><u>AB 1164</u></b> Flora (R)	Dams and Reservoirs: Exclusions		Specifies that the exclusion from being considered a dam for a barrier that is not across a stream channel, watercourse, or natural drainage area and that has the principal purpose of impounding water for agricultural use applies only to a barrier owned or operated by a private entity. Provides that the structure is no greater than 20 feet in height, as measured from the lowest adjacent native ground elevation to the maximum achievable water surface impounded by the structure.	05/20/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 1175</u></b> Aguiar-Curry (D)	Division Of Occupational Safety and Health: Inspections		Revises advance warning provisions to prohibit any representative of the Division Of Occupational Safety and Health from giving advance notice of an inspection or investigation to an employer or other person unless authorized under OSHA. Authorizes the chief or their authorized representatives to permit advance notice of an inspection or investigation when advance notice is necessary to ensure availability of essential personnel or access to the site, equipment, or process, as prescribed by the director.	03/11/2021 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.;03/11/2021 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.;03/11/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
<b><u>AB 1179</u></b> Carrillo (D)	Employer Provided Benefit: Backup Childcare		Requires an employer to provide an employee who works in California for the same employer for 30 or more days within a year from the commencement of employment, with up to 60 hours of paid backup childcare benefits, to be accrued and used as provided. Defines backup childcare as childcare provided by a qualified backup childcare provider to the employee's child when the employee's regular childcare provider cannot be utilized.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.

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<b><u>AB 1180</u></b> Mathis (R)	Local Governments: Surplus Land: Tribes		Relates to existing law which defines exempt surplus land for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided. Adds to the definition of exempt surplus land, land transferred by a local agency to a federally recognized California Indian tribe.	05/24/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>AB 1188</u></b> Wicks (D)	State Rental Assistance Program: Data		Requires the Department of Housing and Community Development to retain data from designated sources, including data on the state rental assistance program, information submitted by eligible grantees that received the federal funding, and data on rental registries operated by local governments, as specified.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1195</u></b> Garcia (D)	Drinking Water		Relates to the California Safe Drinking Water Act. Provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1205</u></b> Frazier (D)	State Air Resources Board: Elections		Requires a certain composition of the Air Resources Board.	03/18/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/18/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 1218</u></b> McCarty (D)	Motor Vehicle Greenhouse Gas Emissions Standards		Declares that, to help achieve the state's climate and air quality goals and mandates, it is the goal of the state that 100% of new passenger and light-duty trucks sales are zero-emission vehicles by 2035. Requires, on and after January 1, 2023, total passenger vehicles and light-duty trucks sold by a manufacturer in the state	04/19/2021 - From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.

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			in a calendar year to meet specified greenhouse gas emissions standards pursuant to a tiered plan.	
<b><u>AB 1232</u></b> McCarty (D)	Construction Documents		Relates to existing law that requires a contract for construction to contain specified information regarding the names, addresses, and places of business of various parties to the contract. Makes a nonsubstantive change to this provision.	02/19/2021 - INTRODUCED.
<b><u>AB 1239</u></b> Ting (D)	Electricity: Demand Response Resources and Programs		Requires the PUC, by a specified date, to open an investigation into the root causes of demand response market failures and why demand response has not reached its potential and make recommendations for policy changes aimed at ensuring those market failures are not repeated. Requires that the investigation include public participation and be concluded by September 30, 2022.	03/29/2021 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;03/29/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b><u>AB 1250</u></b> Calderon (D)	Water and Sewer System Corporations		Authorizes a water or sewer system corporation to file an application and obtain approval from the Public Utilities Commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system. Requires the commission to approve or deny the application within 8 months, except as provided.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1255</u></b> Bloom (D)	Fire Risk Reduction Guidance: Local Assistance Grants		Requires the Natural Resources Agency to develop a guidance document that describes goals, approaches, opportunities, and best practices in each region of the state for ecologically appropriate, habitat-specific fire risk reduction.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1256</u></b> Quirk (D)	Employment Discrimination: Cannabis Screening Test		Prohibits an employer from discriminating against a person in hiring, termination, or any term or condition of employment because a drug screening test has found the person to have nonpsychoactive cannabis metabolites in their urine, hair, or bodily fluids. Exempts from its provisions an employer that is required to conduct testing for tetrahydrocannabinol by federal	04/12/2021 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.;04/12/2021 - In ASSEMBLY. Read second time and

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			law or regulations, or that would lose a monetary or licensing-related benefit for failing to conduct testing for tetrahydrocannabinol.	amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
<b><u>AB 1261</u></b> Burke (D)	State Air Resources Board: Greenhouse Gas Emissions		Requires the State Air Resources Board to establish specified processes to assist the state in achieving its greenhouse gas emissions reduction goals, including a process to identify any overlap among its incentive programs that share the same objectives and a process to define, collect, and evaluate data on the behavioral changes that result from each of its incentive programs.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1270</u></b> Rivas (D)	Natural Gas Plants: Methane Monitoring Systems		Requires an owner or operator of a natural gas plant, as defined, to develop, install, operate, and maintain, in accordance with guidance developed by the appropriate air district, a fence-line monitoring system, as defined, to measure and record methane concentrations at or adjacent to a natural gas plant.	03/18/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/18/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/18/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>AB 1271</u></b> Ting (D)	Surplus Land	WATCH	Adds to the definition of "exempt surplus land" a former military base or other planned residential or mixed-use development of certain parcels of a certain size, that are subject to a written plan, where at least one of the owners is a local agency and meets other specified criteria. Provides that these provisions do not preclude a local agency that purchases surplus land from a disposing agency from reconveying the surplus land to a developer for development of low and moderate income housing.	04/19/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>AB 1291</u></b> Frazier (D)	State Bodies: Open Meetings		Requires a state body, when it limits time for public comment, to provide at least twice the allotted time to a member of the public who utilizes translating technology to address the state body.	05/12/2021 - To SENATE Committee on GOVERNMENTAL ORGANIZATION.

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<b><u>AB 1295</u></b> Muratsuchi (D)	Residential Development Agreements: Fire Risk Areas		Prohibits the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. Defines very high fire risk area for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.	03/04/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING and COMMUNITY DEVELOPMENT.
<b><u>AB 1296</u></b> Kamlager (D)	South Coast Air Quality Management District		Increases the number of members of the South Coast Air Quality Management District board to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly.	03/04/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 1313</u></b> Bigelow (R)	COVID-19: Immunity from Civil Liability		Exempts a business from liability for an injury or illness to a person due to coronavirus based on a claim that the person contracted coronavirus while at that business, or due to the actions of that business, if the business has substantially complied with all applicable state and local health laws, regulations, and protocols.	03/04/2021 - To ASSEMBLY Committee on JUDICIARY.
<b><u>AB 1325</u></b> Burke (D)	Clean Community Microgrid Incentive Program		Requires the Public Utilities Commission (PUC) to develop and implement a Clean Community Microgrid Incentive Program by 2022 to fund community microgrids that support the critical needs of vulnerable communities that utilize distributed energy resources for the generation of electricity. Establishes the budget for the program in an unspecified amount to be dispersed in successive phases to local public agencies for community microgrid development.	03/04/2021 - To ASSEMBLY Committee on UTILITIES AND ENERGY.
<b><u>AB 1332</u></b> Flora (R)	Local Government Ordinances		Relates to existing law that authorizes any local agency to enact any ordinance that adopts a code by reference if the referenced code is specified in the title of the ordinance. Makes nonsubstantive changes in the provision which prohibits the	02/19/2021 - INTRODUCED.

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			adoption by reference of any penalty clauses that may appear in any code that is adopted by reference.	
<b><u>AB 1354</u></b> Grayson (D)	Public Employees' Retirement		Makes nonsubstantive changes to provisions prohibiting a retired person from being employed by a public employer in the same public retirement system from which the retiree receives pension benefits without reinstatement from retirement into that system, subject to certain exceptions.	02/19/2021 - INTRODUCED.
<b><u>AB 1367</u></b> Low (D)	Political Reform Act: Committee and Campaign Funds		Imposes requirements on noncandidate committees that qualify as a committee under the act by receiving certain contributions. Authorizes a committee to redact the account number on a copy of a statement of organization filed with a local filing officer, and would require the Secretary of State to redact the account number on a statement of organization filed with the Secretary of State before making the statement available to the public.	05/10/2021 - In ASSEMBLY. From Consent Calendar. To third reading.
<b><u>AB 1376</u></b> Gray (D)	Water Quality: State Certification		Requires the State Water Resources Control board to make a water quality certification available on its website for a public comment and review period.	04/07/2021 - In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.
<b><u>AB 1384</u></b> Gabriel (D)	Resiliency Through Adaptation, Economic Vitality		Requires the Strategic Growth Council to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts modeled for certain years. Requires agencies identified in the framework to coordinate with regional entities and engage vulnerable communities who have been impacted by climate change.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1391</u></b> Chau (D)	Unlawfully Obtained Data		Makes it unlawful for a person to sell data, or sell access to data, that the person has obtained or accessed pursuant to the commission of a crime and would also make it unlawful for a person, who is not an authorized person, as defined, to purchase	05/12/2021 - To SENATE Committees on JUDICIARY and PUBLIC SAFETY.

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			or use data from a source that the person knows or reasonably should know has obtained or accessed that data pursuant to the commission of a crime.	
<b><u>AB 1395</u></b> Muratsuchi (D)	Greenhouse Gases: Carbon Neutrality		Declares the policy of the state to achieve carbon neutrality as soon as possible, but no later than a specified date, and to achieve and maintain net negative greenhouse gas emissions thereafter.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1399</u></b> Flora (R)	Diversion or Use of Water: Penalties		Makes nonsubstantive changes to provisions that state that the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability.	02/19/2021 - INTRODUCED.
<b><u>AB 1400</u></b> Kalra (D)	Guaranteed Health Care for All		Creates the Guaranteed Health Care for All Program, or CalCare, to provide comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of all residents of the state. Provides that CalCare cover a wide range of medical benefits and other services and would incorporate the health care benefits and standards of other existing federal and state provisions. Creates the CalCare Board to govern CalCare, made up of 9 voting members.	02/19/2021 - INTRODUCED.
<b><u>AB 1403</u></b> Levine (D)	Emergency Services		Relates to emergency services. Includes a deenergization event, defined as a planned power outage, as specified, within those conditions constituting a state of emergency and a local emergency.	05/12/2021 - To SENATE Committee on GOVERNMENTAL ORGANIZATION.
<b><u>AB 1409</u></b> Levine (D)	Planning And Zoning: General Plan: Safety Element		Requires the safety element of a general plan for the physical development of a county or city to be reviewed and updated to identify evacuation locations.	05/19/2021 - To SENATE Committee on GOVERNANCE AND FINANCE.
<b><u>AB 1411</u></b> Cunningham (R)	Agriculture: Greenhouse Gas Mitigation: Healthy Soils		Makes a nonsubstantive change to the Cannella Environmental Farming Act of 1995, which requires the Department of Food and Agriculture, in consultation with the Scientific Advisory	02/19/2021 - INTRODUCED.

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			Panel on Environmental Farming, to establish and oversee a Healthy Soils Program to seek to optimize climate benefits while supporting the economic viability of California agriculture by providing incentives to farmers whose management practices contribute to healthy soils.	
<b><u>AB 1428</u></b> Quirk (D)	Safe Drinking Water Act: Applicability		Removes the provision authorizing water districts that provide primarily agricultural services to certify that they are providing alternative water for residential or similar uses to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulations.	05/20/2021 - In ASSEMBLY. Read second time. To Consent Calendar.
<b><u>AB 1431</u></b> Frazier (D)	Forestry: Forest Carbon Plan: State Goals		Establishes state goals for fuel treatment and vegetation management, as specified. Requires the Natural Resources Agency and the California Environmental Protection Agency to submit to the appropriate policy and budget committees of the Legislature a report on the progress made towards achieving those state goals.	05/24/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1434</u></b> Friedman (D)	Urban Water Use Objectives: Indoor Residential	OPPOSE	Establishes, beginning January 1, 2023, until January 1, 2025, the standard for indoor residential water use as 48 gallons per capita daily. Establishes, beginning January 1, 2025, the standard as 44 gallons per capita daily and, beginning January 1, 2030, 40 gallons per capita daily. Eliminates the requirement that the Department of Water Resources conduct necessary studies and investigations and recommend to the Legislature a standard for indoor residential water use.	05/19/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.
<b><u>AB 1436</u></b> Chau (D)	Information Practices Act Of 1977		Revises the findings under the Information Practices Act of 1977, including by finding that the increasing use of computers, software, and other sophisticated information technology has greatly magnified the potential risk to individual privacy that can occur from the maintenance of personal information.	05/12/2021 - To SENATE Committee on RULES.

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<b><u>AB 1442</u></b> Ting (D)	Accessory Dwelling Units		Makes nonsubstantive change to existing law which provides for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units to allow single-family or multifamily dwelling residential use in accordance with specified standards and conditions.	02/19/2021 - INTRODUCED.
<b><u>AB 1453</u></b> Muratsuchi (D)	Environmental Justice: Just Transition Commission		Establishes the Just Transition Advisory Commission, consisting of specified members, in the Labor and Workforce Development Agency and would require the commission, through a public process, to develop and adopt, on or before January 1, 2024, the Just Transition Plan that contains recommendations to transition the state's economy to a climate-resilient and low-carbon economy.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1458</u></b> Frazier (D)	Fish and Wildlife Protection and Conservation		Exempts from the prohibition against lake and streambed alterations vegetation management or fuels treatment projects undertaken, carried out, or approved by a state or local governmental agency necessary to prevent or mitigate the threat or intensity of a wildfire.	04/26/2021 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.
<b><u>AB 1488</u></b> Cervantes (D)	Emergency Services: Local Government		Requires the emergency plan to include a plan to address how the access and functional needs population is served by emergency evacuation of medical equipment. require a county, or city and county regarding the integration of access and functional needs into that emergency plan, to work with Mutual Aid and Administrative Regions, the Emergency Medical Services Authority (EMSA), and the State Department of Public Health to coordinate the interregional agreements for acquisition of medical equipment.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two- year bill.
<b><u>AB 1490</u></b> Chau (D)	California Privacy Rights Act of 2020: Agency		Requires appointments to the board which governs the California Privacy Protection Agency to be made from among Californians	05/06/2021 - In ASSEMBLY. Read third time and amended. To third reading.

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			with expertise in the areas of privacy, technology, and consumer rights.	
<b><u>AB 1493</u></b> Rubio (D)	Tenancy: Victims of Domestic Violence, Sexual Assault		Makes nonsubstantive changes to existing law which prohibits a landlord from terminating or failing to renew a tenancy based upon an act against a tenant or a member of a tenant's household that constitute domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, if certain standards are met.	02/19/2021 - INTRODUCED.
<b><u>AB 1500</u></b> Garcia E (D)	Safe Drinking Water, Wildfire Prevention	SUPPORT IF AMENDED	Enacts the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - From ASSEMBLY Committee on APPROPRIATIONS: Do pass to Committee on RULES.
<b><u>AB 1506</u></b> Kalra (D)	Prevailing Wage: Locality		Relates to the prevailing wage of workers employed on public works. Eliminates a distinction in the definition of locality in which public work is performed and instead defines the term in all cases as meaning the county in which the public work is done.	04/27/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1519</u></b> Gallagher (R)	Forestry: Fuels Transportation Program: Biomass Energy		Requires the Natural Resources Agency to develop and implement a fuels transportation program that provides competitive grants or other financial incentives for projects in eligible communities to offset the costs of transporting fuels to a biomass energy facility.	03/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.;03/11/2021 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;03/11/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

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<b><u>AB 1523</u></b> Gallagher (R)	Greenhouse Gases		Revises the California Global Warming Solutions Act of 2006 by designating the State Air Resources Board with the responsibility of regulating vehicular sources of emissions of greenhouse gases and each district with the responsibility of regulating all sources, other than vehicular sources, of emissions of greenhouse gases within its jurisdiction.	03/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>AB 1524</u></b> O'Donnell (D)	State Air Resources Board: Zero-emission Drayage Trucks		Requires the State Air Resources Board to create the Project 800 Initiative to provide financial incentives to support the deployment of 800 zero-emission drayage trucks serving State ports. States the intent of the Legislature that funding for the initiative come from the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project. Provides requirements for availability of funds for such purchases.	05/25/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 1528</u></b> Santiago (D)	Wages: Final Payments		Makes nonsubstantive changes to these provisions related to regulation of the terms and conditions of employment and, specifically, the payment of wages.	02/19/2021 - INTRODUCED.
<b><u>AB 1567</u></b> Emergency Management Cmt	Emergency Services: Catastrophic Plans: Recovery		Requires the Office of Emergency Services and the governing bodies of political subdivisions, in developing recovery frameworks, to incorporate lessons learned from recent major disasters, including the coronavirus pandemic. Requires the frameworks to be consistent with guidance from the Federal Emergency Management Agency and to address, at a minimum, specified recovery support functions, including economic recovery, health and social services, and infrastructure systems.	05/20/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1570</u></b> Natural Resources Cmt	Public Resources: Omnibus Bill		Requires the Department of Forestry and Fire Protection to assist local governments in preventing future high-intensity wildland fires and instituting appropriate fuels management by making its wildland fire prevention and vegetation management expertise available to local governments to the extent possible within the department's budgetary limitations. Explicitly defines, for these	05/19/2021 - To SENATE Committee on NATURAL RESOURCES AND WATER.

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			purposes, local governments to include cities, counties, and special districts.	
<b><u>AB 1581</u></b> Local Government Cmt	Local Government: Omnibus		Adds the determination of a sphere of influence to the types of proposed changes for which exclusive jurisdiction may or may not vest in a principal county.	05/13/2021 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b><u>ACA 1</u></b> Aguiar-Curry (D)	Local Government Financing: Affordable Housing		Creates an additional exception to the 1% ad valorem tax rate limit on real property that would authorize a city, 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, or permanent supportive housing, if the proposition proposing the tax is approved by 55% of the voters of the city or county, and the proposition includes accountability requirements.	04/22/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.
<b><u>ACR 17</u></b> Voepel (R)	Special Districts Week	SUPPORT	Proclaims the week of May 16, 2021, to May 22, 2021, to be Special Districts Week.	05/20/2021 - In ASSEMBLY. Coauthors revised.;05/20/2021 - In ASSEMBLY. Read third time. Adopted by ASSEMBLY. *****To SENATE.
<b><u>ACR 33</u></b> Friedman (D)	Wildfire Mitigation		States the Legislature's commitment to improving wildfire outcomes in the State of California by investing in science-based wildfire mitigation strategies that will benefit the health of California forests and communities. States that the Legislature calls upon public and private stakeholders to work jointly to identify, discuss, and refine, as necessary, procedures concerning treatment of forested lands for the purpose of, among other things, wildfire risk mitigation.	03/11/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>SB 1</u></b> Atkins (D)	Coastal Resources: Sea Level Rise		Includes, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within	05/24/2021 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

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			each local coastal program, as provided. Deletes the timeframe specified above by which the commission is required to adopt these procedures. Requires the commission to take into account the effects of sea level rise in coastal resource planning and management policies and activities, as provided.	
<b>SB 12</b> McGuire (D)	Local Government Planning and Zoning: Wildfires		Requires the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after a certain date, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the clearinghouse for climate adaptation.	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.
<b>SB 13</b> Dodd (D)	Local Agency Services: Contracts: Napa, San Bernardino		Reestablishes a certain pilot program. Imposes a deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program and requires the contents of that report to include certain information. Requires the Napa commission to include information on its decision to approve, deny, or approve with conditions any authorization for the City of St. Helena to provide new or extended services outside its jurisdictional boundary and sphere of influence.	05/17/2021 - In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY.
<b>SB 27</b> Skinner (D)	Carbon Sequestration: State Goals: Natural Working Land		Requires the Natural Resources Agency in coordination with the California Environmental Protection Agency, the State Air Resources Board, the Department of Food and Agriculture, and other relevant state agencies, to establish the Natural and Working Lands Climate Smart Strategy that serves as a framework to increase adoption of natural and working lands-based carbon sequestration and that advances the state's climate goals. Requires the state board to establish specified carbon dioxide removal targets.	05/24/2021 - In SENATE. Read second time. To third reading.

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<b><u>SB 36</u></b> Skinner (D)	Energy Efficiency		Makes nonsubstantive changes to existing law which authorizes the State Energy Resources Conservation and Development Commission to prescribe, by regulation, energy efficiency standards, including appliance efficiency standards.	01/28/2021 - To SENATE Committee on RULES.
<b><u>SB 37</u></b> Cortese (D)	Contaminated Site Cleanup and Safety Act		Enacts the Contaminated Site Cleanup and Safety Act and would recodify the above-described provisions with certain revisions.	05/24/2021 - In SENATE. To Special Consent Calendar.
<b><u>SB 45</u></b> Portantino (D)	Wildfire Prevention, Safe Drinking Water Bond Act	SUPPORT IF AMENDED	Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 46</u></b> Stern (D)	American Rescue Plan Act Funds		Requires, to the extent authorized by federal law, a state agency that receives and disburses American Rescue Plan funds or other federal recovery funds to consider projects' potential impact on specified goals, including, among other things, restoring frontline communities and rapidly accelerating achievement of environmental justice and climate goals, including, but not limited to, climate, environmental, and biodiversity protection and stimulating growth.	03/18/2021 - Re-referred to SENATE Committees on GOVERNMENTAL ORGANIZATION and LABOR, PUB. EMPLOY. & RETIREMENT and ENVIRONMENTAL QUALITY.;03/18/2021 - In SENATE. Rescinds referral to Committee on ENVIRONMENTAL QUALITY due to limitations concerning COVID-19 virus.
<b><u>SB 51</u></b> Durazo (D)	Surplus Residential Property		Provides that certain surplus land disposal procedures apply if a local agency has issued a competitive request for proposals that seeks development proposals seeking development proposals for the property that includes a certain residential component.	03/22/2021 - In ASSEMBLY. Read second time. To third reading.
<b><u>SB 52</u></b> Dodd (D)	State of Emergency: Power Outages		Expands the definition of sudden and severe energy shortage to include a deenergization event, defined as a planned power outage, as specified, and would make a deenergization event one	05/13/2021 - To ASSEMBLY Committee on EMERGENCY MANAGEMENT.

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			of those conditions constituting a state of emergency and a local emergency.	
<b><u>SB 55</u></b> Stern (D)	Very High Fire Hazard Severity Zone: Development	SEEK AMENDMENTS	Prohibits the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified.	04/15/2021 - In SENATE Committee on GOVERNANCE AND FINANCE: Heard, remains in Committee.
<b><u>SB 63</u></b> Stern (D)	Fire Prevention: Vegetation Management: Education		Requires the Director of Forestry and Fire Protection to identify areas of the state as moderate and high fire hazard severity zones and requires a local agency to make this information available for public review and comment. Requires the director to establish a statewide program to allow qualified entities to support and augment the department in its defensible space and home hardening assessment and education efforts.	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 67</u></b> Becker (D)	Clean Energy: 24/7 Clean Energy Standard Program		Establishes a goal that a certain percentage of electrical load be supplied by eligible clean energy resources. Establishes the California 24/7 Clean Energy Standard Program to require that a certain percentage of retail load be supplied by eligible clean energy resources. Requires the Energy Commission to establish compliance periods that meet certain criteria. Requires establishment of clean energy procurement requirements.	04/26/2021 - In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard.
<b><u>SB 68</u></b> Becker (D)	Building Electrification and Electric Vehicle Charging		Requires the Energy Commission to gather or develop, and publish on its internet website, guidance and best practices to help building owners, the construction industry, and local governments overcome barriers to electrification of buildings and installation of electric vehicle charging equipment. Awards those moneys for projects that will benefit electricity ratepayers	05/24/2021 - In SENATE. Read second time. To third reading.

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			and lead to technological advancements to reduce the costs of building electrification.	
<b><u>SB 72</u></b> Rubio (D)	Property Insurance: Wildfire Risk		Requires the Insurance Commissioner to transmit to the Secretary of the Natural Resources Agency a report that makes geographic recommendations for vegetation management projects based on the commissioner's analysis of specified information, including nonrenewal data on policies of residential property insurance, and to post that report on the Department of Insurance's internet website.	05/24/2021 - In SENATE. To Special Consent Calendar.
<b><u>SB 76</u></b> Nielsen (R)	Excluded Employees: Binding Arbitration		Enacts the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request binding arbitration of the grievance if specified conditions are met. Requires the designation of a standing panel of arbitrators and, under specified circumstances, the provision of arbitrators from the California State Mediation and Conciliation Service within the Public Employment Relations Board.	05/24/2021 - In SENATE. To Special Consent Calendar.
<b><u>SB 77</u></b> Nielsen (R)	Elections: Ballots		Makes a technical, nonsubstantive change to provisions of existing law providing that, on election day, a voter who does not vote the ballot the voter has received shall, before leaving the polling place, return it to the precinct board member having charge of the ballots, who shall immediately cancel it.	01/28/2021 - To SENATE Committee on RULES.
<b><u>SB 83</u></b> Allen (D)	California Infrastructure and Economic Development Bank		Requires the Ocean Protection council, in consultation with the conservancy, to develop the Sea Level Rise Revolving Loan Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property, as provided.	05/24/2021 - In SENATE. Read second time. To third reading.

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<b><u>SB 91</u></b> Budget and Fiscal Review Cmt	COVID-19 Relief: Tenancy: Federal Rental Assistance		Extends the imposition of additional damages, if a tenant has provided a declaration of COVID-19 financial distress, on a landlord who violates the prohibition from interrupting or terminating utility service furnished to a tenant with the intent to terminate the occupancy of the tenant. Relates to the evaluation of tenants using an alleged COVID-19 rental debt. Extends the prohibition from bringing an action for unlawful detainer based on a cause of action other than nonpayment of COVID-19 rent.	01/29/2021 - Signed by GOVERNOR.;01/29/2021 - Chaptered by Secretary of State. Chapter No. 2021-002
<b><u>SB 95</u></b> Skinner (D)	COVID-19: Supplemental Paid Sick Leave		Provides for COVID-19 supplemental paid sick leave for covered employees, as defined, who are unable to work or telework due to certain reasons related to COVID-19, including that the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.	03/19/2021 - Signed by GOVERNOR.;03/19/2021 - Chaptered by Secretary of State. Chapter No. 2021-0013
<b><u>SB 99</u></b> Dodd (D)	Community Energy Resilience Act of 2021		Requires the State Energy Resources Conservation and Development Commission to develop and implement a grant program for local governments to develop community energy resilience plans and expedite permit review of distributed energy resources.	05/24/2021 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<b><u>SB 109</u></b> Dodd (D)	Office of Wildfire Technology Research and Development		Establishes the Office of Wildfire Technology Research and Development within the Office of Emergency Services under the direct control of the Director of the Office of Emergency Services. Makes the office responsible for studying, testing, and advising regarding procurement of emerging technologies and tools in order to more effectively prevent and suppress wildfires, and serving as the central organizing hub for the state government's identification of emerging wildfire technologies.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 209</u></b> Dahle (R)	State of Emergency: Termination After 45 Days:		Requires a state of emergency to terminate 45 days after the Governor's proclamation of the state of emergency unless the Legislature extends it by a concurrent resolution.	03/04/2021 - From SENATE Committee on GOVERNMENTAL ORGANIZATION with author's amendments.;03/04/2021 - In

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				SENATE. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.
<b><u>SB 219</u></b> McGuire (D)	Property Tax: Delinquent Penalty Cost: Health Orders		Authorizes the auditor or the tax collector to cancel any penalty, costs, or other charges resulting from tax delinquency upon a finding that failure to make a timely payment is due to a documented hardship, as determined by the tax collector, arising from a shelter-in-place order, as defined, if the principal payment for the proper amount of tax due is paid no later than June 30 of the fiscal year in which the payment first became delinquent.	05/13/2021 - To ASSEMBLY Committee on REVENUE AND TAXATION.
<b><u>SB 222</u></b> Dodd (D)	Water Rate Assistance Program	OPPOSE UNLESS AMENDED	Establishes the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 223</u></b> Dodd (D)	Discontinuation of Residential Water Service	OPPOSE UNLESS AMENDED	Revises the conditions under which urban and community water systems and very small community water systems are prohibited from discontinuing residential service for nonpayment. Prohibits these systems from discontinuing residential service for nonpayment during a state or local emergency.	05/20/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>SB 230</u></b> Portantino (D)	State Water Resources Control Board: Constituents		Requires the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of Constituents of Emerging Concern in drinking water sources and treated drinking water.	05/20/2021 - In SENATE Committee on APPROPRIATIONS: To Suspense File.;05/20/2021 - In SENATE Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.
<b><u>SB 239</u></b> Banking and Financial	Government Finance Surplus Investments		Requires bonds or interest bearing notes that are eligible for investment of surplus state funds to be on obligations that are issued by or fully guaranteed as to principal and interest by a federal agency of the United States or a United States	05/13/2021 - To ASSEMBLY Committee on BANKING AND FINANCE.

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Institutions Cmt			government sponsored enterprise, as defined by specified federal law.	
<b>SB 270</b> Durazo (D)	Public Employment: Labor Relations: Employee Data		Authorizes an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the specified requirements only if specified conditions are met, including that the exclusive representative gives written notice of the alleged violation and that the public employer fails to cure the violation, as specified.	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.
<b>SB 273</b> Hertzberg (D)	Water Quality: Municipal Wastewater Agencies		Authorizes a municipal wastewater agency to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill.	05/13/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b>SB 274</b> Wieckowski (D)	Local Government Meetings: Agenda and Documents		Requires a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. Requires the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to email a copy of all other documents constituting the agenda packet, if specified criteria or circumstances are met.	05/13/2021 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b>SB 278</b> Leyva (D)	PERS: Disallowed Compensation: Benefit Adjustments		Establishes new procedures under Public Employees' Retirement Law for cases in which Public Employees' Retirement System determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.

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			State Public Employees' Pension Reform Act of 2013 and other specified laws and thus impermissible under Public Employees' Retirement Law.	
<b><u>SB 282</u></b> Dahle (R)	State Water Resources Control Board		Makes a nonsubstantive change in provisions establishing the State Water Resources Control Board.	02/22/2021 - In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.;02/22/2021 - In SENATE. Joint Rule 55 suspended.
<b><u>SB 286</u></b> Min (D)	Elections: County Officers: Consolidation		Relates to existing Law that requires a candidate for a nonpartisan office who at a primary election receives votes on a majority of all the ballots cast for candidates for that office to be elected to that office. Exempts from that requirement candidates for county nonpartisan offices, including a county office in a charter county, but not including a charter city and county.	02/22/2021 - In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.;02/22/2021 - In SENATE. Joint Rule 55 suspended.
<b><u>SB 294</u></b> Leyva (D)	Public Retirement: Leave of Absence: Service Credit		Removes the 12-year limitation for service credit earned on an employer-approved compensated leave under the Public Employees Retirement Law and Teachers Retirement Law.	05/13/2021 - To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
<b><u>SB 295</u></b> Dahle (R)	District Elections		Makes a technical, nonsubstantive change to provisions of existing law concerning the Uniform District Election Law and terms of elected members.	02/22/2021 - In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.;02/22/2021 - In SENATE. Joint Rule 55 suspended.
<b><u>SB 297</u></b> Durazo (D)	Subsurface Installations: Penalties		Enacts the Wade Kilpatrick Gas Safety and Workforce Adequacy Act of 2021. Prescribes a civil penalty to be imposed on an operator or excavator, as described above, who knowingly and willfully violates provisions relating excavations and subsurface installations and subsequently damages a gas or hazardous liquid pipeline subsurface installation and the damage results in the escape of any flammable, toxic, or corrosive gas or liquid.	05/13/2021 - To ASSEMBLY Committee on JUDICIARY.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>SB 305</u></b> Jones (R)	Political Reform Act of 1974: Electronic Filing		Imposes the online and electronic filing system with respect to specified committees, slate mailer organizations, lobbyists, and other persons. Eliminates the requirement that individual lobbyists, lobbying firms, lobbying coalitions, and lobbyist employers, as defined, file their registration statements, any amendments, or notices of termination, in physical form with the Secretary of State.	05/20/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>SB 312</u></b> Nielsen (R)	Renewables Portfolio Standard Program		States that it is the policy of the state and the intent of the Legislature to promote biomass facilities and biomass funding.	03/18/2021 - Re-referred to SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
<b><u>SB 318</u></b> Melendez (R)	Land Use: Development Fee or Charge: Auditor Standards		Requires that under the Mitigation Fee Act, an independent auditor be a certified public accountant, or a firm of certified public accountants, concerning an audit to determine whether a fee or charge is reasonable.	02/22/2021 - In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.;02/22/2021 - In SENATE. Joint Rule 55 suspended.;02/22/2021 - To SENATE Committee on GOVERNANCE AND FINANCE.
<b><u>SB 319</u></b> Melendez (R)	Land Use: Development Fees: Audit		Requires an audit, to determine whether a fee or charge levied by a local agency exceeds the amount reasonably necessary to cover the cost of any product, public facility, or service provided by the local agency, to include each consecutive year the local agency did not comply with the disclosure requirement.	05/13/2021 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b><u>SB 323</u></b> Caballero (D)	Local Government: Water or Sewer Service: Legal Actions	SUPPORT	Applies the same judicial action procedure and timelines, as stated in existing law, to ordinances, resolutions, or motions adopting, modifying, or amending water or sewer service fees or charges, except as provided.	05/13/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and JUDICIARY.
<b><u>SB 335</u></b> Cortese (D)	Workers' Compensation: Liability		Reduces the time periods after the date the claim form is filed with an employer in which the injury is presumed compensable and the presumption is rebuttable only by evidence discovered subsequent to the time period for certain injuries or illnesses, including hernia, heart trouble, pneumonia, or tuberculosis,	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.

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			among others, sustained in the course of employment of a specified member of law enforcement or a specified first responder.	
<b>SB 336</b> Ochoa Bogh (R)	Public Health: COVID-19		Requires that before the State Department of Public Health or a local health official takes measures to prevent the spread of COVID-19, or takes measures to reopen the state, they publish the measures and the date that a change or closure would take effect on their internet website, unless there is an immediate danger or an imminent threat to the public requiring immediate action.	05/24/2021 - In SENATE. To Special Consent Calendar.
<b>SB 342</b> Gonzalez (D)	South Coast Air Quality Management District		Adds members to the South Coast Air Quality Management District board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. Requires the additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice.	05/11/2021 - In SENATE. Read second time. To third reading.
<b>SB 345</b> Becker (D)	Energy Programs and Projects: Nonenergy Benefits		Requires the commission to begin the process, by a specified date, to establish common definitions of nonenergy benefits and attempt to determine consistent values and methodologies for use in assigning priority access to authorized funds by distributed energy resource programs. Requires the commission to prioritize the use of authorized funding to support distributed energy resource programs and projects that provide the greatest nonenergy benefits, particularly for disadvantaged communities.	05/20/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>SB 351</b> Caballero (D)	Water Innovation Act of 2021		Enacts the Water Innovation Act of 2021. Creates the Office of Water Innovation at the California Water Commission for the furtherance of new technologies and other innovative approaches in the water sector. Requires the office to take specified measures to advance innovation in the water sector.	05/20/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>SB 369</u></b> Pan (D)	Flood Control: Yolo Bypass Cache Slough Partnership		Establishes the Yolo Bypass Cache Slough Partnership Multibenefit Program to support the development and implementation of projects within the Yolo Bypass and Cache Slough region. Defines Yolo Bypass Cache Slough Partnership to mean the multiagency partnership established pursuant to a memorandum of understanding signed in May 2016 by a total of 15 participating federal, state, and local agencies.	05/24/2021 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;05/24/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
<b><u>SB 372</u></b> Leyva (D)	Medium- and Heavy-Duty Fleet Purchasing Program		Establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to the operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. Require the state board to designate the California Pollution Control Financing Authority as the agency responsible for administering the program.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 396</u></b> Dahle (R)	Forestry: Internal Combustion Engines: Fire Toolbox		Requires a dedicated set of tools to be located within the operating area on or near any forest, brush, or grass-covered land and accessible in the event of a fire, which fire toolbox shall contain a sufficient number of fire extinguishers, axes, 2 McLeod fire tools, and shovels so that, when added to any other tools on the industrial operation, each employee at the operation can be equipped to fight fire.	05/20/2021 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>SB 403</u></b> Gonzalez (D)	Drinking Water: Consolidation		Authorizes the State Water Resources Control Board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.	05/20/2021 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

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<b><u>SB 410</u></b> Leyva (D)	Department of Industrial Relations		Exempts any occupational safety and health standard and order from the standardized regulatory impact analysis requirement.	05/17/2021 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<b><u>SB 411</u></b> Cortese (D)	Public Employees' Retirement System		Eliminates the requirement that a person employed without reinstatement in a manner other than authorized by PERL be reinstated, instead providing that reinstatement is permissive. Makes conforming changes and makes specific reference to the duties of employees and employers regarding reinstatement after retirement in violation of PEPRA.	05/20/2021 - To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
<b><u>SB 412</u></b> Ochoa Bogh (R)	Environmental Quality Act: Emergency Definition		Expands the definition of emergency provided in the Environmental Quality Act to include a project jointly identified by a state or local agency and the Department of Forestry and Fire Protection or the State Board of Forestry and Fire Protection, with notice to the Department of Fish and Wildlife, as mitigating a high threat to life and safety by preventing, minimizing, or mitigating damage to life, health, property, natural resources, or essential public services, resulting from a catastrophic fire.	04/26/2021 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.
<b><u>SB 426</u></b> Rubio (D)	Municipal Separate Storm Sewer Systems		Requires the State Water Resources Control Board to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions. Requires the state board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the costs of implementation.	05/24/2021 - In SENATE. To Special Consent Calendar.
<b><u>SB 427</u></b> Eggman (D)	Water Theft: Enhanced Penalties	SUPPORT	Authorizes the legislative body of a local agency, as defined, that provide water service to adopt an ordinance that prohibits water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified.	05/13/2021 - To ASSEMBLY Committee on LOCAL GOVERNMENT.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b>SB 440</b> Dodd (D)	Earthquake and Wildfire Loss Mitigation		Requires the Wildfire Fund Administrator, the Office of Emergency Services, and the Office of Energy Infrastructure Safety to create the California Wildfire Residential Loss Mitigation Program as a joint powers authority. Requires that program to provide mitigation against wildfire risk, including a grant program to assist qualifying owners to retrofit their structures to protect against wildfire or to create a defensible space around their structures.	02/25/2021 - To SENATE Committees on INSURANCE and ENERGY, UTILITIES AND COMMUNICATIONS and GOVERNMENTAL ORGANIZATION.
<b>SB 443</b> Hertzberg (D)	Elections: Redistricting		Requires initiative and referendum measures to appear in the order in which they qualify for the ballot.	05/20/2021 - To ASSEMBLY Committee on ELECTIONS.
<b>SB 448</b> Melendez (R)	Emergency Services Act: Emergency Powers: Limitation		Enacts the Emergency Power Limitation Act. Requires an emergency order, as defined, to be narrowly tailored to serve a compelling public health or safety purpose and limited in duration, applicability, and scope. Authorizes any person to bring an action to invalidate or enjoin enforcement of an emergency order that is allegedly unlawful.	02/25/2021 - To SENATE Committees on GOVERNMENTAL ORGANIZATION and JUDICIARY.
<b>SB 449</b> Stern (D)	Climate-Related Financial Risk		Requires a bank, corporation, credit union, finance lender, insurer, investment advisor, real estate investment trust, and mortgage lender, as those terms are defined, to, before January 1, 2023, and annually thereafter, prepare a climate-related financial risk report, as defined, and to submit to the department, and make available to the public on its own internet website, a copy of that report.	05/20/2021 - In SENATE Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.
<b>SB 456</b> Laird (D)	Fire Prevention: Wildfire and Forest Resilience		Requires the Forest Management Task Force, including the Natural Resources Agency and the Department of Forestry and Fire Protection, on a certain date, to develop a comprehensive implementation strategy to achieve the goals and key actions identified in the action plan. Requires the implementation strategy to address specified actions, including increasing the pace and scale of wildfire and forest resilience. Requires the task	05/24/2021 - In SENATE. Read second time. To third reading.

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			force to submit a report to the appropriate committees of the Legislature.	
<b><u>SB 457</u></b> Portantino (D)	Public Employee Retirement Systems: Investments		Requires the boards of administration of the Public Employees Retirement System and the State Teachers Retirement System to provide employers that are school districts and cities that participate in the systems an option to elect an investment portfolio that does not contain investment vehicles that are issued or owned by the government of the Republic of Turkey.	05/24/2021 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<b><u>SB 459</u></b> Allen (D)	Political Reform Act of 1974: Lobbying		Requires lobbyists, lobbying firms, and lobbyist employers to include information in the periodic reports that identifies each bill or administrative action subject to lobbying activity, and the respective position advocated for, during that period.	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 463</u></b> Dahle (R)	Water: Landowner Right To Modify, Repair, Or Replace		Authorizes a landowner to, where a conduit is constructed across or buried beneath the lands of 2 or more landowners, modify, repair, or replace, as defined, the conduit on or beneath their land if the modification, repair, or replacement is made in a manner that does not impede the flow of the water to any other property receiving a benefit of the conduit or, otherwise injure any person using or interested in the conduit.	05/13/2021 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b><u>SB 471</u></b> Hueso (D)	The Racial and Economic Equity Grant Program		Creates the Racial and Economic Equity Grant Program, administered by GO-Biz, for the purpose of providing grants to address disproportionate impacts borne from the COVID-19 pandemic, as defined, and the lack of critical physical and social infrastructure, resulting from chronic underinvestment, in key segments of the economy of this state.	04/21/2021 - From SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT with author's amendments.;04/21/2021 - In SENATE. Read second time and amended. Re-referred to Committee on BUSINESS, PROFESSIONS & ECONOMIC DEVELOPMENT.

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<b><u>SB 479</u></b> Laird (D)	Local Government Renewable Energy Self- Generation		Expands the local government renewable energy self-generation program definition of benefiting account to include accounts meeting specified requirements located within the geographical boundaries of a California Native American tribe.	05/13/2021 - To ASSEMBLY Committee on UTILITIES AND ENERGY.
<b><u>SB 484</u></b> Archuleta (D)	Home Inspections: Sewer Lateral Repairs		Declares that specified provisions of home inspection do not affect the ability of a plumbing contractor who holds a specified license to perform repairs pursuant to the inspection of a sewer lateral pipe connecting a residence or business to a sewer system if the consumer is provided a specified disclosure before authorizing the home inspection.	05/13/2021 - To ASSEMBLY Committee on BUSINESS AND PROFESSIONS.
<b><u>SB 495</u></b> Dahle (R)	Global Warming Solutions Act: Greenhouse Gas Reduction		Require the State Air Resources Board to include greenhouse gas emissions from wildlands and forest fires in the greenhouse gas emissions scoping plan. Authorizes the board to include the use of certain mechanisms. Appropriates a certain percentage of the Greenhouse Gas Reduction Fund to counties. Provides requirements for allocation of funds. Requires allocation plans to be posted on county websites. Requires an audit of each county.	04/29/2021 - In SENATE Committee on ENVIRONMENTAL QUALITY: Failed passage.
<b><u>SB 496</u></b> Laird (D)	Water Development Projects: Pajaro River		Authorizes the State to provide certain funds to the Counties of Monterey and Santa Cruz, or to local agencies in those counties, for the project for flood control on the Pajaro River in such counties. Authorizes the state to provide up to a certain percentage of the specified nonfederal costs for these purposes. Makes legislative findings and declarations as to the necessity of a special statute for the Counties of Monterey and Santa Cruz.	05/24/2021 - In SENATE. To Special Consent Calendar.
<b><u>SB 501</u></b> Wieckowski (D)	Claims Against Public Entities		Requires a public entity review board to grant an application for leave to present a claim against a public entity if the person who sustained the alleged injury, damage, or loss was a minor or was physically or mentally incapacitated during any of the 6 months after the accrual of the cause of action, if the application is presented within 6 months of the person turning 18 years of age,	05/24/2021 - In SENATE. Read second time. To third reading.

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			or of the person no longer being physically or mentally incapacitated, or a year after the claim accrues.	
<b>SB 505</b> Hertzberg (D)	Wages: Withholdings: Written Authorization		Requires a public employer, absent fraud, misrepresentation, or theft, to make a good faith effort to consult with an employee to obtain a written authorization to resolve a monetary obligation before utilizing third-party collection services or commencing a civil action. Requires the written authorization to include a mutual agreement between the public employer and employee and, to the extent possible, would prohibit that written authorization from placing an undue financial burden upon the employee.	05/20/2021 - To ASSEMBLY Committees on LABOR AND EMPLOYMENT and JUDICIARY.
<b>SB 506</b> Jones (R)	California Environmental Quality Act: Greenhouse Gas		Prohibits the Department of Forestry and Fire Protection from requiring applicants for a grant or other funds made available to the department from the Greenhouse Gas Reduction Fund to consider the greenhouse gas emissions impacts of vegetation management projects pursuant to the California Environmental Quality Act (CEQA) as a condition of applying for or receiving a grant or other funds from moneys made available to the department from the fund.	02/25/2021 - To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.
<b>SB 520</b> Wilk (R)	Water Resources: Permit to Appropriate: Applications		Requires the State Water Resources Control Board, if the board has not rendered a final determination on an application for a permit to appropriate water within 30 years from the date the application was filed, to issue a new notice and provide an opportunity for protests before rendering a final determination, with specified exceptions.	05/13/2021 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b>SB 526</b> Min (D)	Community Water Systems: Lead User Service Lines		Requires community water system to remove or replace the full lead user service line, if the community water system disturbs, removes, or replaces a portion thereof. Applies specified enforcement provisions to a violation of the requirements of the bill, thereby creating a state-mandated local program by	02/25/2021 - To SENATE Committee on ENVIRONMENTAL QUALITY.

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			expanding the scope of crimes under the California Safe Drinking Water Act.	
<b><u>SB 527</u></b> Melendez (R)	Greenhouse Gas Reduction Fund: High-Speed Rail		Eliminates the continuous appropriation of 25% of the annual proceeds of Greenhouse Gas Reduction Fund to the High-Speed Rail Authority on a specified date. Transfers 25% of the annual proceeds of the Greenhouse Gas Reduction Fund to the Salton Sea Restoration Fund.	02/25/2021 - To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION and NATURAL RESOURCES AND WATER.
<b><u>SB 531</u></b> Wieckowski (D)	Consumer Debt		Requires a creditor or debt collector selling a delinquent debt, or assigning to a third party the right to collect payments on a delinquent debt, to provide a notice to the debtor within a certain number of days of the sale or assignment that contains the dollar amount of the outstanding debt and the name of the party who purchased or was assigned the delinquent debt.	05/20/2021 - To ASSEMBLY Committees on BANKING AND FINANCE and JUDICIARY.
<b><u>SB 533</u></b> Stern (D)	Electrical Corporations: Wildfire Mitigation Plans		Requires that an electrical corporation's wildfire mitigation plan identify circuits that have frequently been deenergized to mitigate the risk of wildfire and the measures taken, or planned to be taken, by the electrical corporation to reduce the need for future deenergization of those circuits, including replacing, hardening, or undergrounding any portion of the circuit or of upstream transmission or distribution lines, or the installation of microgrids. Convenes 2 or more public meetings.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 542</u></b> Limon (D)	Vehicle License Fees for Zero-emission Vehicles: Sales		Provides an exemption from certain taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle. Defines qualified motor vehicle as a specified zero-emission truck. Provides that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund.	05/25/2021 - In SENATE. Read second time and amended. To third reading.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>SB 551</u></b> Stern (D)	California Electric Vehicle Authority		Establishes the California Electric Vehicle Authority within the Governors office. Requires the authority to coordinate activities among state agencies to advance electric vehicle and zero-emission charging infrastructure deployment as well as ensure related equity, workforce development, economic development, and other needs are addressed, as specified.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 552</u></b> Hertzberg (D)	Drought Planning: Small Water Suppliers: Water Systems	SUPPORT	Requires small water suppliers, as defined, and nontransient noncommunity water systems that are schools, no later than a specified date, to develop and submit to the Division of Drinking Water for the state board an Emergency Response Plan that includes specified drought-planning elements.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 559</u></b> Hurtado (D)	Department of Water Resources: Water Conveyance Systems		Establishes the Canal Conveyance Capacity Restoration Fund in the State Treasury to be administered by the Department of Water Resources.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 582</u></b> Stern (D)	Climate Emergency Mitigation, Safe Restoration		Requires the Air Resources Board to ensure that statewide greenhouse gas emissions are reduced to at least a certain percentage and up to a certain percentage below the 1990 level by a specified year. Adopts a state policy to lead a global effort to restore oceanic and atmospheric concentrations of greenhouse gas emissions to preindustrial levels as soon as possible, and to restore community health and reverse the impacts from the damage and injustice climate change is causing.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 592</u></b> Dahle (R)	Catastrophic Wildfires		Requires the Director of Fish and Wildlife to establish a working group, composed of the director or the director's representative, the Director of Forestry and Fire Protection or their representative, and a county government representative from each county impacted by any catastrophic wildfire being studied by the workgroup.	05/20/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.

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<b><u>SB 594</u></b> Glazer (D)	Elections: Local Redistricting		Clarifies that adopting district boundaries for certain purposes means the passage of an ordinance or resolution specifying those boundaries. Authorizes, expressly, a county board of supervisors to adopt supervisorial district boundaries by ordinance or resolution. Clarifies that a superior court's order adopting district boundaries is immediately effective and has the same force and effect as an enacted ordinance or resolution of the legislative body.	05/20/2021 - To ASSEMBLY Committees on ELECTIONS and LOCAL GOVERNMENT.
<b><u>SB 600</u></b> Borgeas (R)	Administrative Procedure Act		Makes a nonsubstantive change to provisions relative to the Administrative Procedure Act.	03/03/2021 - To SENATE Committee on RULES.
<b><u>SB 606</u></b> Gonzalez (D)	Workplace Safety Violations: Employer Retaliation		Creates a rebuttable presumption that a violation committed by an employer that has multiple worksites is enterprise-wide in certain circumstances. Authorizes the Division of Occupational Safety and Health to issue a citation if the employer fails to rebut such presumption. Requires each employee exposed to the violation to be considered a separate violation for the issuance of fines and penalties. Establishes that an employer's actions are presumed retaliatory in certain situations.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 618</u></b> Borgeas (R)	Fire prevention Activities: Local Assistance Grant		Makes nonsubstantive changes to the definition of fire prevention activities.	03/03/2021 - To SENATE Committee on RULES.
<b><u>SB 626</u></b> Dodd (D)	Department of Water Resources: Procurement Methods		Authorizes the Department of Water Resources to utilize the Construction Manager/General Contractor Procurement method, as specified, for no more than 7 projects for elements of State Water Facilities, as defined. Requires specified information provided to the Department of Water Resources to be certified under penalty of perjury, thus imposing a state-mandated local program by expanding the scope of an existing crime.	05/18/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 634</u></b>	Public Employees' Retirement		Prohibits a member of the State Teachers' Retirement System (STRS) from purchasing service credit for any school year if the	05/13/2021 - To ASSEMBLY Committee on PUBLIC

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Labor, Public Employment & Retirement Cmt			purchase would result in more than one year of service for that school year.	EMPLOYMENT AND RETIREMENT.
<b><u>SB 649</u></b> Cortese (D)	Local Governments: Affordable Housing: Local Tenant		Establishes a state policy supporting local tenant preferences for lower income households, as defined, that are subject to displacement risk, and, further, permits local governments and developers in receipt of local or state funds, federal or state tax credits, or an allocation of tax-exempt private activity bonds designated for affordable rental housing to restrict occupancy by creating a local housing preference for lower income households subject to displacement risk.	05/20/2021 - To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>SB 656</u></b> Eggman (D)	Stockton-East Water District: Water Rates		Defines groundwater assessment for purposes of the Water Conservation District Law of 1931 establishing the Stockton-East Water District to mean groundwater assessment or charge. Specifies the rates the district was authorized to impose in the 2020 calendar year under existing law, and would prohibit the rates for stream-delivered water and for domestic and agricultural groundwater assessments or charges for the 2022 calendar year and thereafter from exceeding the 2020 rates.	05/11/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 657</u></b> Ochoa Bogh (R)	Employment: Electronic Documents		Provides that, in any instance in which an employer is required to physically post information, an employer may also distribute that information to employees by email with the document or documents attached.	05/13/2021 - To ASSEMBLY Committees on LABOR AND EMPLOYMENT and JUDICIARY.
<b><u>SB 660</u></b> Newman (D)	Initiative, Referendum, and Recall Petitions		Prohibits person from paying money or providing any other thing of value based on the number of signatures obtained on a state or local initiative, referendum, or recall petition.	05/24/2021 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<b><u>SB 669</u></b> Borgeas (R)	California Renewables Portfolio Standard Program		Makes a nonsubstantive revision to a definition applicable to existing law, wherein the Public Utilities Commission has regulatory authority over public utilities, including electrical	03/03/2021 - To SENATE Committee on RULES.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			corporations, while local publicly owned electric utilities are under the direction of their governing boards.	
<b>SB 674</b> Durazo (D)	Public Contracts: Workforce Development		Requires relevant public agencies to develop a program, known as the State Jobs Plan Program, to meet specified objectives, including, as a component of applications for covered public contracts, creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract, and proposed wages, benefits, and investment in training.	05/24/2021 - In SENATE. Read second time. To third reading.
<b>SB 676</b> Bates (R)	Forcible Entry, Forcible Detainer, or Unlawful Detainer		Relates to an action for forcible entry, forcible detainer, or unlawful detainer. Authorizes a defendant to file a motion to strike on or before the day fixed for the defendants appearance. Authorizes a party to file a motion for summary adjudication in the same manner as a motion for summary judgment.	04/06/2021 - In SENATE Committee on JUDICIARY: Not heard.
<b>SB 683</b> Ochoa Bogh (R)	Water Quality: Regional Storm Sewer System Permits		Requires, to the extent permitted by federal law, a regional board that issues a municipal separate storm sewer system permit pursuant to the NPDES permit program to a region rather than to an individual discharger to include specified elements in the permit and to meet and collaborate with the permittees before or during the permit writing process.	04/26/2021 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.
<b>SB 695</b> Ochoa Bogh (R)	Mitigation Fee Act: Housing Developments		Prohibits a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project unless specified requirements are satisfied by the local agency. prohibit a housing impact requirement from exceeding the amount necessary to maintain the existing level of service identified in a nexus study for the type of capital facility for which the housing impact requirement is imposed.	03/18/2021 - Re-referred to SENATE Committee on GOVERNANCE AND FINANCE.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>SB 696</u></b> Allen (D)	Enhanced Infrastructure Financing Districts		Requires that if any participating affected taxing entity is a city that has an elective mayor, that one of the members representing the legislative body of that participating entity on the public financing authority be the mayor.	03/18/2021 - Re-referred to SENATE Committees on GOVERNANCE AND FINANCE and JUDICIARY.
<b><u>SB 698</u></b> Grove (R)	Water Rights		Makes nonsubstantive changes to existing law that declares the right to water is limited to that water that is reasonably required for the beneficial use to be served, and does not extend to the waste or unreasonable use, unreasonable method of use, or unreasonable method of diversion of water.	03/03/2021 - To SENATE Committee on RULES.
<b><u>SB 719</u></b> Min (D)	Exempt Surplus Land: Eligible Military Base Land		Deems certain land comprising of the Tustin Marine Corps Air Station to be exempt surplus land if specified requirements are met. Requires at least a certain percent of the residential units that are permitted after a certain date to be restricted to persons and families of low or moderate income, and at least a certain percent of those units to be restricted to lower income households. Requires a local agency that disposes of exempt surplus land under these provisions to comply with certain requirements.	05/24/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 727</u></b> Leyva (D)	Labor-related Liabilities: Direct Contractor		Relates for contracts entered into on or after January 1, 2022, require the notice to include the project name and name of the employer and provide that any liquidated damages awarded by the Labor Commissioner or the court shall be payable to the aggrieved employee.	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.
<b><u>SB 733</u></b> Hueso (D)	Energy Storage: Pumped Storage Hydroelectric Facilities		Requires the chair of the Energy Resources Conservation and Development Commission to appear annually before the appropriate policy committees of the Legislature to report on activities of the commission, as specified.	05/20/2021 - To ASSEMBLY Committee on UTILITIES AND ENERGY.
<b><u>SB 734</u></b> Hueso (D)	Redevelopment Agencies: Passthrough Agreements		Authorizes a successor agency and one or more taxing agencies to enter into an agreement to modify the interest owed by a	05/11/2021 - In SENATE. Read second time. To third reading.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			former redevelopment agency under a passthrough agreement that was entered into before a specified date or owed under any successive amendment of that passthrough agreement, and which is owed as interest on passthrough payments agreed to be deferred by the taxing entity under the passthrough agreement, subject to specified terms and conditions.	
<b>SB 746</b> Skinner (D)	Consumer Privacy Act of 2018: Personal Information		Grants a consumer the right to request that a business disclose to the consumer whether or not the business uses personal information collected about the consumer for a political purpose. Requires a business that collects and uses such information to disclose specified information upon receipt of a request from the consumer. Requires a business with gross revenue exceeding a certain amount that does not engage in such activities to submit a certain statement to the State Privacy Protection Agency.	05/24/2021 - In SENATE. Read second time. To third reading.
<b>SB 751</b> Gonzalez (D)	Environmental Justice		States the intent of the Legislature to enact subsequent legislation to promote environmental justice by ensuring that disadvantaged communities, often low-income communities of color, do not continue to be overburdened with unfair shares of pollution.	03/03/2021 - To SENATE Committee on RULES.
<b>SB 752</b> Allen (D)	Elections: Disclosure of Contributors		Requires an initiative, referendum, or recall petition to instruct voters to sign the petition only after viewing certain disclosures regarding the top contributors to the initiative, referendum, or recall, as specified.	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.
<b>SB 776</b> Gonzalez (D)	Safe Drinking Water and Water Quality		Expands the application of the Safe Drinking Water Act to small state water systems. Authorizes the State Water Resources Control Board to adopt certain regulations as emergency regulations under the Administrative Procedure Act and would require the state board to hold a hearing before adopting those emergency regulations. Exempts from the Administrative	05/20/2021 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/20/2021 - In SENATE. Read second time. To third reading.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			Procedure Act specified orders by the state board relating to drinking water.	
<b><u>SB 780</u></b> Cortese (D)	Local Finance: Public Investment Authorities		Authorizes the legislative body of a city or county to divide the district into multiple project areas, and require the resolution to form the district to state any project area proposed within the district. Authorizes the legislative bodies to appoint an alternate member to the community revitalization and investment authority who may serve and vote in place of a member who is absent or disqualifies themselves from participating in a meeting of the authority.	05/20/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.
<b><u>SB 794</u></b> Glazer (D)	Elections: Secretary of State		Requires the Secretary of State to summon the candidates subject to the tie vote to the Secretary of States office.	05/13/2021 - To ASSEMBLY Committee on ELECTIONS.
<b><u>SB 807</u></b> Wieckowski (D)	Civil Rights: Department Of Fair Employment and Housing		Tolls the deadline for the Department of Fair Employment and Housing to file a civil action pursuant to the Fair Employment and Housing Act while a mandatory or voluntary dispute resolution is pending.	05/24/2021 - In SENATE. To Special Consent Calendar.
<b><u>SB 813</u></b> Governance and Finance Cmt	Controller: Local Government Financial Reports		Specifies that local government financial reports shall be furnished at the time prescribed by the Controller and would revise the amount of time in which the report is required to be furnished to either 7 months or within the time prescribed by the Controller, whichever is later.	05/20/2021 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b><u>SB 821</u></b> Nat Resour & Water Cmt	Sacramento-San Joaquin Delta: Delta Independent Science		Provides that members of the Delta Independent Science Board are not employees of the Delta Stewardship Council and requires the members of the board to exercise their scientific judgment and perform their functions independently from the council.	05/20/2021 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b><u>SB 826</u></b> Bus, Prof and Econ Dev Cmt	Business and Professions		Requires the Bureau of Household Goods and Services to disclose information on its permitholders.	05/24/2021 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>SCA 1</u></b> Hertzberg (D)	Elections: Referenda		Requires that the ballot for a referendum measure provide that a Yes vote is in favor of the referendum and rejects the statute or part of the statute subject to the referendum, and a No vote is against the referendum and approves the statute or part of the statute subject to the referendum, thus requiring a majority vote in favor of the referendum to reject the statute or part of the statute subject to the referendum.	04/07/2021 - To SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
<b><u>SCR 5</u></b> Melendez (R)	State of emergency: COVID-19: Termination		Declares that the state of emergency proclaimed by the Governor on a specified date, is at an end, thereby terminating the emergency powers granted to the Governor as a result of that proclamation.	02/10/2021 - Re-referred to SENATE Committee on GOVERNMENTAL ORGANIZATION.
<b><u>HR 535</u></b> Garamendi (D)	Coronavirus Relief Fund Special Districts		Amends the Social Security Act, includes special districts in the coronavirus relief fund, directs the Secretary to include special districts as an eligible issuer under the Municipal Liquidity Facility.	01/28/2021 - INTRODUCED.;01/28/2021 - To HOUSE Committee on OVERSIGHT AND REFORM.;01/28/2021 - To HOUSE Committee on FINANCIAL SERVICES.
<b><u>HR 737</u></b> Valadao (R)	California Operational Flexibility and Drought Relief		Extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.	02/02/2021 - INTRODUCED.;02/02/2021 - To HOUSE Committee on NATURAL RESOURCES.
<b><u>HR 1015</u></b> Napolitano (D)	Water Recycling and Reuse Project Grants	SUPPORT	Establishes a grant program for the funding of water recycling and reuse projects.	02/11/2021 - INTRODUCED.;02/11/2021 - To HOUSE Committee on NATURAL RESOURCES.
<b><u>HR 1352</u></b> Lawrence (D)	Trust Fund for Water and Sewer Infrastructure		Establishes a trust fund to provide for adequate funding for water and sewer infrastructure.	04/05/2021 - In HOUSE Committee on AGRICULTURE: Referred to Subcommittee on CONSERVATION AND FORESTRY.
<b><u>HR 1848</u></b> Pallone (D)	National Infrastructure		Rebuilds and modernizes the Nation's infrastructure to expand access to broadband and Next Generation 9-1-1, rehabilitate	03/11/2021 - To HOUSE Committee on ENERGY AND

**IRWD 2021 LEGISLATIVE MATRIX**  
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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen health care infrastructure, create jobs, and protect public health and the environment.	COMMERCE.;03/11/2021 - To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.;03/11/2021 - To HOUSE Committee on NATURAL RESOURCES.;03/11/2021 - To HOUSE Committee on SCIENCE, SPACE, AND TECHNOLOGY.;03/11/2021 - To HOUSE Committee on EDUCATION AND LABOR.;03/11/2021 - To HOUSE Committee on WAYS AND MEANS.;03/11/2021 - To HOUSE Committee on AGRICULTURE.;03/11/2021 - To HOUSE Committee on OVERSIGHT AND REFORM.
<b>HR 1915</b> DeFazio (D)	Federal Water Pollution Control Act		Amends the Federal Water Pollution Control Act to reauthorize certain water pollution control programs.	03/17/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<b>HR 2238</b> Lowenthal A (D)	Single Use Plastic Production Reduction		Amends the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways.	03/29/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<b>HR 2468</b> Garamendi (D)	Federal Infrastructure Aid Program Materials		Ensures that certain materials used in carrying out federal infrastructure aid programs are made in the United States.	04/14/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on

**IRWD 2021 LEGISLATIVE MATRIX**  
Updated 05/25/2021

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				AVIATION.;04/14/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on COAST GUARD & MARITIME TRANSPORTATION.;04/14/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcmnt on ECO DEV, PUBLIC BLDGS, AND EMERGENCY MNGMT.;04/14/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on HIGHWAYS AND TRANSIT.;04/14/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on RAILROADS, PIPELINES & HAZARDOUS MATERIALS.;04/14/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<b>HR 3404</b> Huffman (D)	Drought Preparedness		Provides drought preparedness and improved water supply reliability to the nation.	05/20/2021 - INTRODUCED. 05/21/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<b>S 91</b> Sinema (D)	Coronavirus Relief Fund Special Districts		Amends the Social Security Act, includes special districts in the Coronavirus relief fund, directs the Secretary to include special	01/28/2021 - INTRODUCED.;01/28/2021 - In SENATE. Read second

**IRWD 2021 LEGISLATIVE MATRIX**  
**Updated 05/25/2021**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			districts as an eligible issuer under the Municipal Liquidity Facility.	time.;01/28/2021 - To SENATE Committee on FINANCE.
<b>S 914</b> Duckworth (D)	Safe Drinking Water Act		Amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts.	04/29/2021 - In SENATE. Amendment SA 1471 proposed by Senator Rubio to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1461 proposed by Senator Shaheen to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1469 proposed by Senator Kennedy to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1472 proposed by Senator Lee to Amendment SA 1460.;04/29/2021 - In SENATE. SA 1461 agreed to on SENATE floor.;04/29/2021 - In SENATE. SA 1469 agreed to on SENATE floor.;04/29/2021 - In SENATE. Passed SENATE. *****To HOUSE.

June 14, 2021  
Prepared by: L. Srader  
Submitted by: T. Mitcham  
Approved by: Paul A. Cook

## CONSENT CALENDAR

### IRWD SALARY GRADE SCHEDULE CHANGES FOR MANAGERS, EXEMPT SUPERVISORS, CONFIDENTIAL EMPLOYEES AND EXEMPT EMPLOYEES FOR FISCAL YEAR 2021-22

#### SUMMARY:

IRWD typically makes a cost-of-living adjustment (COLA) for District staff effective July 1 of each year. Staff recommends the Board approve the Schedules of Revised Positions and Salary Grades based on a COLA of 3.6% for Managers, Exempt Supervisors, Confidential Employees and Exempt Employees for FY 2021-22 and adopt a resolution superseding Resolution No. 2020-22 and adopting the revised Schedules of Positions and Salary Rate Ranges for these positions.

#### BACKGROUND:

IRWD typically makes a cost-of-living adjustment for staff effective on July 1. For Fiscal Year 2021-22, the proposed changes to the IRWD Salary Grade Schedule incorporates a 3.6% COLA for Managers, Exempt Supervisors, Confidential Employees, and Exempt Employees. The proposed adjustments are based on the 12-month change in the Consumer Price Index (CPI) posted by the Bureau of Labor Statistics for the Los Angeles-Long Beach-Anaheim areas. The proposed adjustments are reflected on Exhibit "A".

A resolution adopting the proposed changes to the IRWD Salary Grade Schedules is provided as Exhibit "B". Staff recommends the Board adopt a resolution superseding Resolution No. 2020-22 and adopting a revised Schedules of Positions and Salary Rate Ranges effective July 1, 2021. The General Employee Unit and Non-Exempt Supervisor Unit are currently in on-going labor negotiations with management so there are no changes to those Salary Grade Schedules at this time.

#### FISCAL IMPACTS:

A COLA for employee salaries was included in the Fiscal Year 2021-22 Operating Budget approved by the Board on April 26, 2021.

#### ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act Code of Regulations, Title 14, Chapter 3, Section 15378.

#### COMMITTEE STATUS:

This item was not reviewed by a Committee.

RECOMMENDATION:

THAT THE BOARD APPROVE THE REVISED SALARY GRADE SCHEDULE AND  
ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2021 –

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
IRVINE RANCH WATER DISTRICT SUPERSEDING  
RESOLUTION NO. 2020-22 AND ADOPTING A REVISED  
SCHEDULE OF POSITIONS AND SALARY RATE RANGES  
FOR MANAGERS, EXEMPT SUPERVISORS,  
CONFIDENTIAL EMPLOYEES AND EXEMPT EMPLOYEES  
WITH NO CHANGES TO THE SCHEDULE OF POSITIONS  
AND SALARY RATE RANGES FOR THE GENERAL  
EMPLOYEE UNIT AND NON-EXEMPT SUPERVISOR UNIT.

LIST OF EXHIBITS:

Exhibit “A” – Salary Grade Schedule Changes for Fiscal Year 2021-22  
Exhibit “B” – Resolution

Exhibit "A"

**IRVINE RANCH WATER DISTRICT  
MONTHLY SALARY GRADE SCHEDULE  
Managers, Exempt Supervisors, Confidential & Exempt Employees  
Effective July 1, 2021**

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
<b><u>NON-EXEMPT</u></b>			
Salary Grade U1.N	\$3,165	\$3,924	\$4,120
Salary Grade U2.N	\$3,234	\$4,032	\$4,234
Salary Grade U3.N	\$3,302	\$4,143	\$4,350
Salary Grade U4.N	\$3,363	\$4,264	\$4,477
Salary Grade U5.N	\$3,440	\$4,381	\$4,601
Salary Grade U6.N	\$3,507	\$4,509	\$4,735
Salary Grade U7.N	\$3,577	\$4,634	\$4,867
Salary Grade U8.N	\$3,655	\$4,767	\$5,005
Salary Grade U9.N	\$3,724	\$4,898	\$5,146
Salary Grade U10.N	\$3,802	\$5,033	\$5,283
Salary Grade U11.N	\$3,876	\$5,161	\$5,416
Salary Grade U12.N	\$3,952	\$5,313	\$5,579
Salary Grade U13.N	\$4,026	\$5,464	\$5,740
Salary Grade U14.N	\$4,117	\$5,619	\$5,901
Salary Grade U15.N	\$4,205	\$5,768	\$6,056
Salary Grade U16.N	\$4,305	\$5,930	\$6,225
Salary Grade U17.N	\$4,396	\$6,078	\$6,382
Salary Grade U18.N	\$4,492	\$6,241	\$6,555
Salary Grade U19.N	\$4,595	\$6,398	\$6,721
Safety Assistant			
Salary Grade U20.N	\$4,717	\$6,606	\$6,937
Salary Grade U21.N	\$4,852	\$6,805	\$7,148
Salary Grade U22.N	\$4,984	\$7,020	\$7,371
Executive Secretary			

	<b>MINIMUM</b>	<b>MAXIMUM</b>	<b>EXCEPTIONAL PERFORMANCE TOP OF RANGE</b>
Human Resources Assistant			
Salary Grade U23.N	\$5,116	\$7,232	\$7,592
Salary Grade U24.N	\$5,261	\$7,457	\$7,831
Salary Grade U25.N	\$5,399	\$7,686	\$8,073
Human Resources Technician			
Salary Grade U26.N	\$5,566	\$7,916	\$8,313
Executive Assistant			
Salary Grade U27.N	\$5,726	\$8,149	\$8,555
Salary Grade U28.N	\$5,894	\$8,390	\$8,811
Salary Grade U29.N	\$6,070	\$8,634	\$9,067
Administrative Assistant Safety Specialist			
Salary Grade U30.N	\$6,253	\$8,890	\$9,335
Salary Grade U31.N	\$6,439	\$9,157	\$9,615
Human Resources Analyst			
Salary Grade U32.N	\$6,623	\$9,428	\$9,899
Salary Grade U33.N	\$6,817	\$9,702	\$10,188
Network Administrator User Support Administrator			
Salary Grade U34.N	\$7,020	\$9,970	\$10,471
Salary Grade U35.N	\$7,231	\$10,270	\$10,784

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
<b>EXEMPT</b>			
Salary Grade U1.E	\$5,090	\$6,539	\$6,866
Salary Grade U2.E	\$5,260	\$6,793	\$7,133
Salary Grade U3.E	\$5,428	\$7,046	\$7,401
Salary Grade U4.E	\$5,598	\$7,317	\$7,682
Salary Grade U5.E	\$5,768	\$7,588	\$7,968
Salary Grade U6.E	\$5,967	\$7,882	\$8,277
Salary Grade U7.E	\$6,158	\$8,174	\$8,581
Salary Grade U8.E	\$6,359	\$8,493	\$8,918
Salary Grade U9.E	\$6,553	\$8,805	\$9,243
Salary Grade U10.E	\$6,770	\$9,138	\$9,594
Asset Systems Analyst Assistant Engineer Customer Service Supervisor Development Services Supervisor Management Analyst Public Affairs Analyst Senior Public Affairs Specialist			
Salary Grade U11.E	\$6,988	\$9,475	\$9,951
Purchasing Supervisor			
Salary Grade U12.E	\$7,214	\$9,840	\$10,329
Environmental Compliance Analyst Financial Analyst Regulatory Compliance Administrator Senior Accountant Senior Water Efficiency Analyst Source Control Program Administrator Water Efficiency Supervisor			
Salary Grade U13.E	\$7,448	\$10,196	\$10,705
GIS Supervisor Legislative Analyst Right of Way Agent Senior Human Resources Analyst Treasury Analyst Water Resources Planner			
Salary Grade U14.E	\$7,689	\$10,589	\$11,118
Accounting Supervisor			

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
Associate Engineer District Secretary QA/QC Compliance Administrator			
Salary Grade U15.E	\$7,934	\$10,986	\$11,533
Applications Analyst Automation Programmer Laboratory Supervisor Senior Regulatory Compliance Administrator Senior SCADA Network Administrator Senior Network Administrator			
Salary Grade U16.E	\$8,199	\$11,400	\$11,972
Salary Grade U17.E	\$8,460	\$11,820	\$12,409
Construction Inspection Manager Customer Service Manager Engineer Facilities/Fleet Manager Purchasing Manager Safety Manager			
Salary Grade U18.E	\$8,735	\$12,270	\$12,882
Collection Systems Manager Construction Services Manager Cybersecurity Analyst Electrical and Instrumentation Manager Field Services Manager Natural Resources Manager Public Affairs Manager Regulatory Compliance Manager Senior Applications Analyst Senior Applications Developer Senior Database Administrator Water Efficiency Manager Water Quality Manager			
Salary Grade U19.E	\$9,011	\$12,723	\$13,361
Manager of Risk & Contracts Administration Mechanical Services Manager Recycled Water Development Manager Treasury Manager Water Resources Manager			

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
Salary Grade U20.E Automation Manager Operations Manager Reliability Engineer Senior Engineer User Support Manager	\$9,292	\$13,196	\$13,854
Salary Grade U21.E Controller Manager of Strategic Planning and Analysis	\$9,575	\$13,672	\$14,356
Salary Grade U22.E Applications Manager Network and Cybersecurity Manager	\$9,882	\$14,180	\$14,890
Salary Grade U23.E Principal Engineer	\$10,195	\$14,694	\$15,429
Salary Grade U24.E Engineering Manager	\$10,472	\$15,286	\$16,048
Salary Grade U25.E Government Relations Officer/Deputy General Counsel	\$10,795	\$15,863	\$16,656
Salary Grade U26.E	\$11,288	\$16,702	\$17,537
Salary Grade U27.E Director of Field Operations Director of Human Resources Director of Information Services Director of Maintenance Director of Strategic Communications & Advocacy/ Deputy General Counsel Director of Recycling Operations Director of Water Quality & Regulatory Compliance Director of Water Resources Treasurer/Director of Risk Management	\$11,804	\$17,588	\$18,466
Salary Grade U28.E	\$12,347	\$18,513	\$19,438
Salary Grade U29.E	\$12,911	\$19,493	\$20,467
Salary Grade U30.E Executive Director of Finance and Administration Executive Director of Technical Services Executive Director of Operations Executive Director of Water Policy	\$13,507	\$20,529	\$21,554

	<b>MINIMUM</b>	<b>MAXIMUM</b>	<b>EXCEPTIONAL PERFORMANCE TOP OF RANGE</b>
Salary Grade U31.E	\$14,179	\$21,693	\$22,776
Salary Grade U32.E	\$14,889	\$22,928	\$24,075
Salary Grade U33.E	\$15,630	\$24,230	\$25,441
Salary Grade U34.E	\$16,414	\$25,605	\$28,322
General Manager			

**IRVINE RANCH WATER DISTRICT**  
**MONTHLY SALARY GRADE SCHEDULE**  
**Non-Exempt Supervisors Unit**  
**Effective July 1, 2021**

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
<b><u>NON-EXEMPT</u></b>			
Salary Grade S26.N	\$5,373	\$7,641	\$8,024
Salary Grade S27.N	\$5,527	\$7,866	\$8,258
Salary Grade S28.N	\$5,689	\$8,098	\$8,505
Salary Grade S29.N	\$5,859	\$8,334	\$8,752
Salary Grade S30.N	\$6,036	\$8,581	\$9,011
Salary Grade S31.N Facilities Services Supervisor Fleet Supervisor	\$6,215	\$8,839	\$9,281
Salary Grade S32.N Collection Systems Supervisor Mechanical Services Supervisor	\$6,393	\$9,100	\$9,555
Salary Grade S33.N Cross Connection Supervisor Water Maintenance Supervisor	\$6,580	\$9,365	\$9,834
Salary Grade S34.N Construction Inspection Supervisor Automation Supervisor Electrical Supervisor Instrumentation Supervisor Water Monitoring Supervisor	\$6,776	\$9,624	\$10,107
Salary Grade S35.N Operations Supervisor	\$6,980	\$9,913	\$10,409

**IRVINE RANCH WATER DISTRICT**  
**MONTHLY SALARY GRADE SCHEDULE**  
**General Employees Unit**  
**Effective July 1, 2021**

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
<b><u>NON-EXEMPT</u></b>			
Salary Grade 1.N	\$3,049	\$3,781	\$3,970
Salary Grade 2.N	\$3,115	\$3,884	\$4,078
Salary Grade 3.N	\$3,182	\$3,992	\$4,191
Salary Grade 4.N	\$3,240	\$4,107	\$4,312
Salary Grade 5.N	\$3,312	\$4,221	\$4,433
Salary Grade 6.N	\$3,378	\$4,344	\$4,561
	Office Assistant Mail Coordinator		
Salary Grade 7.N	\$3,444	\$4,464	\$4,688
Salary Grade 8.N	\$3,521	\$4,593	\$4,822
Salary Grade 9.N	\$3,590	\$4,719	\$4,954
Salary Grade 10.N	\$3,661	\$4,847	\$5,087
Salary Grade 11.N	\$3,733	\$4,973	\$5,219
	Maintenance Apprentice Material Control Clerk I Utility Worker		
Salary Grade 12.N	\$3,807	\$5,117	\$5,375
Salary Grade 13.N	\$3,878	\$5,265	\$5,526
	Customer Service Specialist I Support Specialist		
Salary Grade 14.N	\$3,966	\$5,412	\$5,683
Salary Grade 15.N	\$4,051	\$5,557	\$5,836
	Collection Systems Technician I Office Specialist		
Salary Grade 16.N	\$4,146	\$5,713	\$5,997
	Accounting Clerk Customer Service Field Technician		

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
Metering Systems Technician I Water Maintenance Technician I			
Salary Grade 17.N	\$4,234	\$5,854	\$6,146
Customer Service Specialist II			
Salary Grade 18.N	\$4,326	\$6,013	\$6,312
Material Control Clerk II Senior Support Specialist Water Efficiency Field Technician			
Salary Grade 19.N	\$4,426	\$6,165	\$6,473
Development Services Specialist Purchasing Coordinator Senior Office Specialist			
Salary Grade 20.N	\$4,544	\$6,362	\$6,681
Collection Systems Technician II Engineering Technician I GIS Technician I Operator I Senior Accounting Clerk			
Salary Grade 21.N	\$4,672	\$6,555	\$6,885
Collection Systems CCTV Technician Customer Service Specialist III Senior Customer Service Field Technician			
Salary Grade 22.N	\$4,801	\$6,762	\$7,101
Facilities Services Technician Maintenance Mechanic Metering Systems Technician II Risk Assistant Senior Purchasing Coordinator Vehicle/Equipment Mechanic Water Maintenance Technician II			
Salary Grade 23.N	\$4,927	\$6,966	\$7,314
Senior Water Efficiency Field Technician			
Salary Grade 24.N	\$5,067	\$7,185	\$7,543
Buyer Public Affairs Assistant Recycled Water Specialist Water Loss Prevention Specialist Wetlands Specialist			

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
Salary Grade 25.N Engineering Technician II GIS Technician II Senior Collection Systems CCTV Technician Senior Collection Systems Technician	\$5,200	\$7,405	\$7,777
Salary Grade 26.N Cross Connection Specialist Metering Systems Technician III Water Efficiency Specialist Water Maintenance Technician III Water Resources Specialist	\$5,360	\$7,626	\$8,006
Salary Grade 27.N Accountant Operator II Senior Facilities Services Technician Senior Maintenance Mechanic Senior Water Loss Prevention Specialist Senior Vehicle/Equipment Maintenance Mechanic	\$5,516	\$7,849	\$8,241
Salary Grade 28.N Automation Technician Construction Inspector Electrical Technician Instrumentation Technician Landscape Contracts Administrator Scientist	\$5,678	\$8,083	\$8,488
Salary Grade 29.N Engineering Technician III GIS Technician III Lead Maintenance Mechanic Operator III Public Affairs Specialist Senior Buyer Senior Recycled Water Specialist Senior Wetlands Specialist	\$5,847	\$8,319	\$8,733
Salary Grade 30.N Graphic Design Specialist Risk Analyst Senior Electrical Technician Senior Instrumentation Technician	\$6,024	\$8,564	\$8,994

	MINIMUM	MAXIMUM	EXCEPTIONAL PERFORMANCE TOP OF RANGE
Salary Grade 31.N Information Services Coordinator Payroll Administrator Recycled Water Project Specialist Senior Construction Inspector Senior Water Efficiency Specialist	\$6,201	\$8,822	\$9,261
Salary Grade 32.N Asset Maintenance Coordinator Automation Specialist Environmental Compliance Specialist Process Specialist Senior Scientist Wetlands Scientist	\$6,380	\$9,082	\$9,537
Salary Grade 33.N Operations Coordinator Water Efficiency Analyst	\$6,567	\$9,347	\$9,813
Salary Grade 34.N	\$6,762	\$9,605	\$10,086
Salary Grade 35.N	\$6,965	\$9,893	\$10,388

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EXHIBIT "B"

RESOLUTION NO. 2021 –

RESOLUTION OF THE BOARD OF DIRECTORS OF  
IRVINE RANCH WATER DISTRICT, SUPERSEDING  
RESOLUTION NO. 2020-22 AND ADOPTING A REVISED  
SCHEDULE OF POSITIONS AND SALARY RATE RANGES

The Board of Directors of Irvine Ranch Water District, by adoption of Resolution No. 2020-22 on November 23, 2020, established a Schedule of Positions and Salary Rate Ranges of the Irvine Ranch Water District; and

The Board of Directors of Irvine Ranch Water District have reviewed the Schedule of Positions and Salary Rate Ranges and desires to make revisions to the Schedule of Positions and Salary Rate Ranges for the Managers, Exempt Supervisors, Confidential and Exempt Employees with no changes to the Schedule of Positions or Salary Rate changes for the General Employees or Non-Exempt Supervisors.

The Board of Directors of Irvine Ranch Water District does hereby resolve, determine and order as follows:

Section 1. That the Schedule of Positions and Salary Rate Ranges adopted by Resolution No. 2020-22 on November 23, 2020 is hereby superseded effective July 1, 2021.

Section 2. That the revised Schedule of Positions and Salary Rate Ranges for the Irvine Ranch Water District as set forth in Exhibit "A" attached to this Resolution, and as effective July 1, 2021 for all classifications, is hereby approved and adopted.

ADOPTED, SIGNED and APPROVED on June 14, 2021.

\_\_\_\_\_  
President, IRVINE RANCH WATER DISTRICT  
and of the Board of Directors thereof

\_\_\_\_\_  
Secretary, IRVINE RANCH WATER DISTRICT  
and of the Board of Directors thereof

APPROVED AS TO FORM:

Hanson Bridgett LLP

By: \_\_\_\_\_  
District Counsel

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June 14, 2021  
Prepared by: M. Tetteimer  
Submitted by: P. Weghorst  
Approved by: Paul A. Cook *PA*

CONSENT CALENDAR

CONSULTANT SELECTION FOR  
RECYCLED WATER USE SITE INSPECTION, TESTING AND TRAINING

SUMMARY:

IRWD is required by the Santa Ana Regional Water Quality Control Board to conduct periodic visual inspections at all recycled water use sites. IRWD is also required to conduct periodic cross-connection tests at specific recycled water use sites based on regulations and arrangements with the State Water Resources Control Board, Division of Drinking Water (DDW). Over the past two years, IRWD has contracted with two consulting firms to augment staff's efforts to complete inspection and testing work in a timely manner. Anticipating the need to continue using consulting services over the next two years, staff solicited proposals from four firms to conduct visual inspections, cross-connection tests and Site Supervisor training. Staff recommends the Board authorize the General Manager to execute Professional Service Agreements with Real Water Consultants and West Yost Associates, each in an amount not to exceed \$365,000, to provide on-call recycled water use site visual inspections, cross-connection tests and Site Supervisor training for a two-year period.

BACKGROUND:

IRWD currently serves approximately 6,300 recycled water use sites with more added each year. While staff conducts recycled water use site visual inspections, cross-connection tests and Site Supervisor training at dual-plumbed and other select sites, IRWD has been using consultants since 2012 to supplement staff's work. During the past two years, IRWD retained Real Water and West Yost to assist staff with these efforts.

IRWD's inspection and testing responsibilities are increasing as new recycled water use sites come online and regulatory requirements change. Accordingly, there remains the need to hire consultants to augment staff's efforts in conducting inspection, testing, and training work. Following is an overview of the need for site inspection, testing and training work as well as a new state policy handbook that could substantially affect the work. Also provided is an overview of the selection of consultants to assist with IRWD's inspection, testing and training program.

Recycled Water Use Site Inspection, Testing and Training:

Inspections and tests are performed to check for compliance with regulatory requirements and best management practices. Inspections are performed to determine if: 1) on-site water systems are properly identified, 2) signage is in place, 3) recycled water uses are allowed and approved, 4) there is a Site Supervisor for each site, and 5) each Site Supervisor has received some basic training. Cross-connection tests are performed to confirm that the recycled water system is not connected to a potable water system.

The type of recycled water use site determines the regulatory requirements for conducting visual inspections and cross-connection tests. Dual-plumbed use sites, which include single-family lots where recycled water is used for outdoor irrigation as well as commercial buildings where recycled water is used indoors for flushing toilets and urinals, require that visual inspections be performed annually, and that a cross-connection test be performed at least once every four years. IRWD currently serves approximately 810 dual-plumbed use sites where staff handles the inspection, testing and training responsibilities. IRWD also serves approximately 880 homeowners' associations where visual inspections and cross-connection tests are required annually.

#### New Cross-connection Control Policy Handbook:

Title 17 of the California Code of Regulations contains the requirements for a cross-connection control program which is to protect a water supplier's potable water system. Drinking water permit holders, like IRWD, are required to implement a cross-connection control program consistent with Title 17. DDW recently drafted a Cross-connection Control Policy Handbook, which once adopted by the State Water Resources Control Board, will replace Title 17.

The draft Handbook requires drinking water permit holders to prepare and submit a written cross-connection control plan which must be approved by DDW staff. One of the requirements in the draft Handbook is that "High Hazard" sites, which include recycled water use sites, must have regular follow-up assessments (presumably the same as an inspection). The frequency of these assessments is currently unknown. As drafted, the Handbook will certainly formalize and possibly increase IRWD's recycled water use site inspection and testing responsibilities. The draft Handbook is currently going through the public comment process. IRWD joined with several nearby water/recycled water agencies on a joint letter providing comments on the draft Handbook. Staff will continue to monitor development of the document.

#### Consultant Selection Process:

Recycled water use sites vary in size, complexity, and regulatory requirements. Some sites are smaller irrigation sites such as medians and parkways that have only recycled water, while others are larger, more complex irrigation sites such as golf courses and homeowners' associations that also have potable water at the site. Staff prepared a request for proposal (RFP) seeking the qualifications, experience, and proposed costs to conduct visual inspections, cross-connection tests, and Site Supervisor training at various site types in IRWD's service area.

The scope of work in the RFP calls for the consultants to contact the Site Supervisor to arrange for a field meeting, conduct the field work (e.g., visual inspection and cross-connection test), provide Site Supervisor training, and complete and submit associated paperwork. The RFP also specifies that the consultants comply with prevailing wage requirements. The RFP was issued to John Robinson Consulting, Real Water, West Yost and Woodard and Curran. John Robinson Consulting and Woodard and Curran declined to submit proposals. Staff evaluated the proposals received from Real Water and West Yost and interviewed each firm. Provided as Exhibit "A" is the Consultant Selection Matrix prepared by staff.

Based on the anticipated workload and qualifications of the firms, staff recommends the selection of both Real Water and West Yost to assist with recycled water use site visual inspections, cross-connection tests, and Site Supervisor training. Equal costs were negotiated with both firms, as shown in the cost proposal provided as Exhibit “B”. These rates are identical to those charged for the last two fiscal years. Staff recommends the Board authorize the General Manager to execute a Professional Services Agreement with each firm for a not to exceed amount of \$365,000 over the next two years.

FISCAL IMPACTS:

The following table illustrates the amounts included in the Board-approved two-year operating budget for consultants to perform inspection, testing and training work:

Fiscal Year	For Site Inspection, Testing, and Training
2021-2022	\$380,000
2022-2023	\$350,000
Total	\$730,000

It is staff’s intent to split the work equally between Real Water and West Yost.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on June 3, 2021.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE PROFESSIONAL SERVICE AGREEMENTS WITH REAL WATER CONSULTANTS AND WEST YOST ASSOCIATES, EACH IN AN AMOUNT NOT TO EXCEED \$365,000, TO PROVIDE ON-CALL RECYCLED WATER USE SITE VISUAL INSPECTIONS, CROSS-CONNECTION TESTS, AND SITE SUPERVISOR TRAINING FOR A TWO-YEAR PERIOD.

LIST OF EXHIBITS:

- Exhibit “A” - Consultant Selection Matrix
- Exhibit “B” – Inspection, Testing and Training Cost Proposal

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# EXHIBIT "A"

## CONSULTANT SELECTION MATRIX / RECYCLED WATER INSPECTION AND TESTING PROGRAM 2021

	Weights	West Yost			Real Water Inc.				
		Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #1	Reviewer #2	Reviewer #3		
<b>QUALIFICATIONS</b>	<b>35%</b>								
*AWWA Cross Connection Control Specialist	60%	1	2	1	2	1	2		
*ABPA Cross Connection Control Specialist									
*USC Cross Conn. Control (40 hrs course)									
*Distribution, Irrigation & Plan check basics.	40%	2	2	2	1	1	1		
# of Field Personnel									
Weighted Score (Qualifications)		1.4	2.0	1.4	1.6	1.0	1.6		
<b>EXPERIENCE</b>	<b>35%</b>								
Doing Inspections	30%	1	2	2	2	1	1		
Doing Testing	30%	1	2	2	2	1	1		
Administration	10%	1	1	1	2	2	2		
Customer Contact / Interface	30%	1	1	1	2	2	2		
Weighted Score (Experience)		1.0	1.6	1.6	2.0	1.4	1.4		
<b>PROJECT UNDERSTANDING</b>	<b>30%</b>	2	2	1	1	1	2		
Weighted Score (Project Understanding)									
<b>COMBINED WEIGHTED SCORE</b>	<b>100%</b>	<b>1.44</b>	<b>1.86</b>	<b>1.35</b>	<b>1.55</b>	<b>1.56</b>	<b>1.14</b>	<b>1.65</b>	<b>1.45</b>

Rated on a scale from 1 (highest) to 2 (lowest)

<b>Final Ranking</b>	
<b>Real Water, Inc.</b>	<b>1</b>
<b>West Yost</b>	<b>2</b>

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# Exhibit "B"

## ATTACHMENT "B"

### COST PROPOSAL

The Consultant shall provide the hours for each scenario and the per meter cost proposal to complete the tasks identified on Attachment "A" and as directed by the IRWD representative.

Below are descriptions of each different type of recycled water meters that IRWD currently serves. Also indicated are the approximate number of active meters for each specific type.

**Type 1:** *Single-supply, agricultural sites with no potable water systems within the irrigated area.*

- **Sample:** *Agriculture field located at the corner of Alton Parkway and Muirlands (south side of Alton), Irvine, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 30 irrigation meters.*
- **Cost Proposal:**
  1. Inspection only cost per meter \$: 79.00 Assumed hours: 1
  2. Testing only cost per meter \$: 79.00 Assumed hours: 1
  3. Inspection & Testing cost per meter \$: 158.00 Assumed hours: 2

**Type 2:** *Single-supply, medians, freeway landscaping, slope areas etc.*

- **Sample:** *Median strip located at the corner of Newport Coast Drive and San Joaquin Hills Corridor, Newport Beach, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 2800 irrigation meters.*
- **Cost Proposal:**
  1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
  2. Testing only cost per meter \$: 79.00 Assumed hours: 1
  3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 3:** *Dual-supply, agricultural sites also served by potable water meters.*

- **Sample:** *Agriculture field located east side of Portola Parkway, corner of Jeffrey Road, Irvine, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 9 irrigation meters.*
- **Cost Proposal:**
  1. Inspection only cost per meter \$: 79.00 Assumed hours: 1
  2. Testing only cost per meter \$: 98.75 Assumed hours: 1.25

3. Inspection & Testing cost per meter \$: 177.75 Assumed hours: 2.25

**Type 4:** *Dual-supply, recycled and potable water meters typically serving park landscape and recreational facilities, guard shack landscape and interior, club houses, etc.*

- **Sample:** *Mason Regional Park on University Drive and Campus Drive & guard houses located on both entrances to the Shady Canyon Community, Irvine, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 450 irrigation meters.*
- **Cost Proposal:**
  1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
  2. Testing only cost per meter \$: 79.00 Assumed hours: 1
  3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 5:** *Dual-supply, multi-family homeowners association landscape where structures are served by master meters for domestic water and protected with RPPA backflow devices.*

- **Sample:** *Toscana Apartments. Multifamily units located at the corner of Jamboree Road and Michelson Drive, Irvine, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 400 irrigation meters.*
- **Cost Proposal:**
  1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
  2. Testing only cost per meter \$: 79.00 Assumed hours: 1
  3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 6:** *Dual-supply, homeowners' association landscape where structures served by potable waters that do not have RPPA backflow protection.*

- **Sample:** *Woodbridge Pine Apartments located at the corner of Alton and Barranca Parkway, Irvine, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 900 irrigation meters.*
- **Cost Proposal:**
  1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
  2. Testing only cost per meter \$: 79.00 Assumed hours: 1
  3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 7:** *Dual-supply, golf courses where structures and facilities are served by potable water meters.*

- **Sample:** *Pelican Hills Golf Course. Located at the corner of Pacific Coast Highway and Newport Coast Drive, Newport Beach, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 11 irrigation meters.*

- **Cost Proposal:**

1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
2. Testing only cost per meter \$: 79.00 Assumed hours: 1
3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 8:** *Dual-supply, cemeteries where structures and facilities are served by potable water meters.*

- **Sample:** *Ascension Cemetery. Located on the corner of Trabuco Road and Paseo Tranquilo, Lake Forest, CA.*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 2 irrigation meters.*
- **Cost Proposal:**

1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
2. Testing only cost per meter \$: 79.00 Assumed hours: 1
3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 9:** *Dual-supply, industrial uses (e.g., cement batch mixing, cooling towers) where non-dual plumbed structures and facilities are served by potable water meters.*

- **Sample:** *Roberston's Ready Mix. Construction Circle, Irvine, CA.*
- **Method of testing:** *One-way shut-down test or two way shut-down or pressure differential gage test.*
- **Quantities:** *Approximately 9 irrigation meters.*
- **Cost Proposal:**

1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
2. Testing only cost per meter \$: 79.00 Assumed hours: 1
3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 10:** *Dual-supply, landscape around commercial buildings and parking lot areas.*

- **Sample:** *Irvine Ranch Water District parking lot irrigation system. Located at the corner of Sand Canyon Avenue & Waterworks Way, Irvine, CA*
- **Method of testing:** *One-way shut down test.*
- **Quantities:** *Approximately 850 irrigation meters.*
- **Cost Proposal:**

1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
2. Testing only cost per meter \$: 79.00 Assumed hours: 1
3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 11:** *Dual-plumbed, front and back yard landscape at single family homes (e.g., "Full Lot Irrigation"), under the control of the homeowner.*

- **Sample:** Dual Plumbed Custom Homes located in Shady Canyon, Crystal Cove, Pelican Crest, and Pelican Hills communities, Irvine and Newport Beach.

- **Method of testing:** One-way shut down test.

- **Quantities:** Approximately 670 irrigation meters.

- **Cost Proposal:**

1. Inspection only cost per meter \$: 39.50 Assumed hours: 0.5
2. Testing only cost per meter \$: 39.50 Assumed hours: 0.5
3. Inspection & Testing cost per meter \$: 79.00 Assumed hours: 1

**Type 12:** Dual-plumbed, non-residential ("commercial") structures where toilets, trap primers, urinals, or cooling towers are served.

- **Sample:** Irvine Ranch Water District Sand Canyon Building, Sand Canyon Avenue and Waterworks Way, Irvine, CA.

- **Method of testing:** Two-way shutdown test or Pressure differential gage test along with Fixture Test

- **Quantities:** Approximately 125 meters.

- **Cost Proposal:**

1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
2. Testing only cost per meter \$: 79.00 Assumed hours: 1
3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

**Type 13:** Dual-plumbed, industrial structures (e.g., carpet dye applications, plating, manufacturing, etc.)

- **Sample:** Currently none.

- **Method of testing:** Two-way shut down test or Pressure differential gage test along with a Fixture Test.

- **Quantities:** 0

- **Cost Proposal:**

1. Inspection only cost per meter \$: 158.00 Assumed hours: 2
2. Testing only cost per meter \$: 79.00 Assumed hours: 1
3. Inspection & Testing cost per meter \$: 237.00 Assumed hours: 3

June 14, 2021  
Prepared by: A. McNulty  
Submitted by: F. Sanchez / P. Weghorst  
Approved by: Paul A. Cook 

## CONSENT CALENDAR

### WATER EFFICIENCY TACTICAL INCENTIVE FUNDING AUTHORIZATION

#### SUMMARY:

IRWD's Water Use Efficiency Program includes tactical incentives to encourage customers to remove turf and to install commercial and outdoor water conservation devices that are cost-effective to the District. In 2015, IRWD executed a multi-year Water Conservation Participation Agreement with the Municipal Water District of Orange County (MWDOC) to administer District incentives for regional rebate programs. Staff recommends the Board authorize the General Manager to allocate \$230,000 from over-allocation revenues, included in the FY 2012-22 Operating Budget, to rebate programs that are administered through the agreement with MWDOC; and to execute addenda to the agreement, as may be necessary, to reallocate the funds among the individual rebate programs and to modify incentive levels based on customer participation rates and changes in regional program funding levels.

#### BACKGROUND:

Tactical incentives are a key element to IRWD's Water Use Efficiency Program. The financial incentives provided by IRWD are used to supplement existing regional rebate programs that are administered by MWDOC. IRWD's incentives are provided taking into consideration avoided costs to the District as a result of the installation of various water conservation devices.

In July 2015, the Board approved the multi-year Water Conservation Participation Agreement with MWDOC, provided as Exhibit "A". Each fiscal year, addenda to the agreement are executed to allocate funding and to specify device rebate funding levels for the outdoor Residential, Commercial, Turf Removal and Spray to Drip programs.

#### Device Funding Levels:

The proposed allocation of IRWD tactical incentive funding and the specific device funding levels for FY 2021-22 are shown in Exhibit "B". The allocation is based on prior customer participation rates and regional funding.

Total tactical incentive program funding in the amount of \$230,000 is included in the FY 2021-22 Operating Budget. To continue providing program incentives through June 2022, staff recommends the Board authorize the General Manager to allocate \$230,000 in funding to the FY 2021-22 rebate programs administered through IRWD's agreement with MWDOC and to execute addenda to the agreement, as may be necessary.

FISCAL IMPACTS:

Funding from over-allocation revenues for tactical incentives in the amount of \$230,000 is included in the FY 2021-22 Operating Budget.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on June 3, 2021.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO ALLOCATE \$230,000 IN FUNDING TO THE FY 2021-22 REBATE PROGRAMS ADMINISTERED THROUGH THE WATER CONSERVATION PARTICIPATION AGREEMENT BETWEEN MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AND IRWD AND EXECUTE ADDENDA TO THE AGREEMENT AS MAY BE NECESSARY TO ALLOCATE FUNDS TO SPECIFIC PROGRAMS AND MODIFY DEVICE INCENTIVE LEVELS BASED ON CUSTOMER PARTICIPATION RATES AND REGIONAL PROGRAM FUNDING LEVELS.

LIST OF EXHIBITS:

Exhibit "A" – Water Conservation Participation Agreement with MWDOC

Exhibit "B" – Device Funding Levels FY 2021-22

# Exhibit "A"

## **Water Conservation Participation Agreement between the Municipal Water District of Orange County and Irvine Ranch Water District**

This Water Conservation Participation Agreement (“Agreement”) is made between the Municipal Water District of Orange County (“MWDOC”) and Irvine Ranch Water District (“Participant Agency”). MWDOC and Participant Agency may be collectively referred to as “Parties” and individually as “Party.”

### Recitals

- A. The Metropolitan Water District of Southern California (“Metropolitan”) provides incentive funding to residential, commercial, and industrial water users in its service area for a variety of water conservation activities, including, but not limited to, rebates for the purchase and installation of water-saving devices (“Metropolitan Base Incentives”).
- B. MWDOC is a member agency of Metropolitan and has agreements with Metropolitan that enable residential, commercial, and industrial water users in MWDOC’s service area, and for the benefit of MWDOC’s member agencies, to participate in and take advantage of Metropolitan’s Base Incentives.
- C. Participant Agency, as a MWDOC member agency or a direct Metropolitan member agency, may elect to participate in Metropolitan’s program to replace non-conserving items within its service area.
- D. The Metropolitan Base Incentives amounts for each eligible device or program available to MWDOC and Metropolitan member agencies are listed in the attached Addendums 1A and 1B. It is expected that Metropolitan will establish funding for additional water conservation items and to change some or all of the existing funding rates throughout the term of this Agreement. Any such changes will be incorporated herein by amendment to Addendums 1A and 1B.
- E. Metropolitan and MWDOC each have fiscal responsibility to manage their individual budgets, and hence may have a need to limit availability of funds.
- F. MWDOC and Metropolitan member agencies may also choose to provide additional supplemental funding of their own to augment the Metropolitan Base Incentives. Based on the terms and conditions of this Agreement, MWDOC will facilitate supplemental funding for Participant Agency through the Metropolitan rebate contractor (“Rebate Contractor”) or MWDOC directly. Metropolitan member agencies will coordinate any supplemental funding directly with Metropolitan.
- G. In addition to the Metropolitan Base Incentives, MWDOC has developed and arranged additional local, state, and federal grant funding (“Grant Funding”) for eligible devices in a number of water conservation programs (“MWDOC Administered Programs”) that MWDOC offers to Participant Agency and Metropolitan member agencies. This grant funding may be used to enhance the Metropolitan Base Incentives. Granting agencies

include, but are not limited to, the Department of Water Resources and the United States Bureau of Reclamation.

- H. Participant Agency may also operate customized, local water conservation incentive programs in their respective service areas (“Participant Agency Administered Programs”) and may have access to the Metropolitan Base Incentives and Grant Funding for such, subject to MWDOC and Metropolitan approval and the terms and conditions of this Agreement and any MWDOC and/or Metropolitan agreements.
- I. The purpose of this Agreement is to create a master water conservation participation agreement between MWDOC and Participant Agency that combines all of the conservation programs and incentives (“Programs”) into one agreement. Addendums to this Agreement will be issued for changes involving Metropolitan approved items, MWDOC Board approved items, Grant Funding, adding and subtracting MWDOC Administered Programs and Participant Agency Administered Programs as identified in Section 2, and changes to incentive programs, including funding and incentive levels.

NOW THEREFORE, in consideration of the promises and covenants hereinafter set forth, the Parties do agree as follows:

#### Section 1: Agreement Term and Administration

- 1.1 This Agreement will be effective on July 1, 2015 or upon execution of this Agreement by all Parties, whichever is later, and shall terminate on June 30, 2025 (“Term”). Continuance of this Agreement will be subject to annual budget approval by MWDOC’s Board of Directors.
- 1.2 This Agreement may be amended at any time by written mutual agreement of the Parties, or by Addendums issued by MWDOC as set forth in Recital I.
- 1.3 This Agreement may be terminated by either Party for any reason upon thirty (30) days written notice to the other Party.
- 1.4 All Addendums are enforced for the duration of this Agreement unless the Addendums are amended or terminated by either Party.
- 1.5 In the event the Agreement is terminated early, Participant Agency is responsible for payment of any funding contributions required by this Agreement that that were initiated prior to the effective date of the termination. For purposes of this Agreement, an application is deemed initiated when an application has been received by Metropolitan’s rebate vendor, EGIA, by MWDOC, or a reservation has been made within any of MWDOC’s online application portals that is pursuant to any of the programs described within this Agreement and the attached Addendums.
- 1.6 Notwithstanding any other provision in this Agreement, funds for all of the programs described within this Agreement and the attached Addendums are conditioned upon the

availability of funds and MWDOC is under no obligation to provide funding for any of the programs if MWDOC determines, in its own discretion, that such funding is exhausted, reduced, eliminated, or unavailable from any funding source, for any reason.

## Section 2: Program Funding

### **2.1 Supplemental Funding**

2.1.1 In addition to the Metropolitan Base Incentives, Participant Agency may provide additional funding to augment the Metropolitan Base Incentives amounts for those programs and devices that Participant Agency identifies, and in the amounts indicated, in the appropriate locations in Addendums 2A, 2B, and 2C (“Supplemental Funding”). The Supplemental Funding listed in Addendums 2A through 2C shall specify the amount of Supplemental Funding Participant Agency will provide per device or program, as well as the total maximum Supplemental Funding amount committed to each category of device or program. If the Participant Agency does not complete, sign, and return Addendums 2A through 2C to MWDOC, notwithstanding any other provision of this Agreement, the Participant Agency will not be bound by this Section or the provisions in Addendums 2A through 2C. In general, Supplemental Funding Addendums submitted by the 15<sup>th</sup> of a month will become effective the first of the following month.

2.1.2 If Participant Agency elects to provide Supplemental Funding or enhanced incentives under this Agreement for any device or program, Participant Agency is responsible for tracking the use of and the remaining availability of those funds. MWDOC will assist, in every way possible, but the ultimate responsibility for tracking all Participant Agency funding is the responsibility of Participant Agency. Participant Agency will ultimately be responsible for any overuse of Participant Agency Supplemental Funding.

2.1.3 Any requests for changes or revisions to Participant Agency’s Supplemental Funding, including funding transfers between Programs, must be submitted by Participant Agency to MWDOC in the form of revised Addendum 2s listing the new funding amounts/limits.

2.1.4 The Participant Agency may elect to participate in the Supplemental Funding Program and be bound by the provisions of this Section 2.1, Sections 3, 5, 6, 7, and 8 of this Agreement, and Addendum 2A through 2C by having its authorized representative complete and sign Addendum 2A through 2C in the spaces provided.

### **2.2 MWDOC Administered Programs**

2.2.2 Participant Agency may elect to take advantage of the MWDOC Administered Programs by having its authorized representative complete and sign Addendums 3A through 3C in the spaces provided. If Participant Agency completes and signs Addendums 3A through 3C, Participant Agency agrees to be bound by the provisions of this Section 2.2, Sections 3, 5, 6, 7, and 8 of this Agreement, and Addendums 3A through

3C. If the Participant Agency does not complete, sign, and return Addendums 3A through 3C, notwithstanding any other provision of this Agreement, the Participant Agency will not be bound by this Section or the provisions in Addendums 3A through 3C.

## **2.3 Participant Agency Administered Programs**

2.3.1 From time to time, funding may be made available for Participant Agency to operate a customized member agency administered local water conservation incentive program or programs (“Participant Agency Administered” “PA” or “MAA Program”) in its service area and access the Metropolitan Base Incentives for such, subject to MWDOC approval of the program and the terms and conditions of this Agreement and Addendum 4. The Participant Agency Administered Program(s) and requirements in connection with it are described in more detail in Addendum 4.

2.3.2 Upon receipt of approval of a Participant Agency Administered Program by MWDOC, Participant Agency is bound by the provisions of Sections 3, 5, 6, 7, and 8 of this Agreement and Addendum 4.

## **2.4 Exhaustion of Funding**

2.4.1 In the event Participant Agency provided funding for any Program or device is exhausted, and Participant Agency does not elect to add additional funding or transfer available funding from another Program or device, MWDOC will discontinue offering the additional rebate funding for that Program or device in Participant Agency’s service area. Notwithstanding any other provision in this Agreement, MWDOC may terminate this Agreement as it relates to Section 2 at any time without prior notice in the event that MWDOC determines that funding for any device or program on Addendums 2 through 4 or MWDOC Grant Funding is exhausted, reduced, eliminated, or unavailable from any funding source, for any reason.

## **Section 3: Participant Agency Responsibility and Ownership**

- 3.1 Participant Agency, at its sole discretion, may independently contract with its own agents under separate agreements for program administration and management for any Participant Agency Administered Program provided that doing so does not compromise program performance, create or present a conflict of interest, or violate the terms of this Agreement.
- 3.2 Participant Agency and/or its agent shall provide all necessary services and materials for such Participant Agency Administered Programs including, but not limited to the following: program administration, promotion, marketing materials, data collection, and analysis, installation verification, and reporting.
- 3.3 All materials and supplies necessary to implement a Participant Agency Administered Program shall be the exclusive property of Participant Agency. MWDOC shall have no

ownership, right, title, security interest, or other interest in any Participant Agency Administered Program materials or supplies, nor any rights duties, or responsibilities, therefor.

- 3.4 Participant Agency is responsible for assuring that any Participant Agency Administered Program complies with all federal, state, and local requirements.
- 3.5 Participant Agency agrees to cooperate with MWDOC's data management activities related to assessing device saturation and program success.
- 3.6 As part of any Participant Agency Administered Program, Participant Agency shall use, maintain, and submit to MWDOC within the designated timeframe an electronic database, to be approved by MWDOC prior to use, for any conservation items installed, distributed, or rebated by Participant Agency or its agents to avoid duplicate distributions and to determine the saturation rate of items by the appropriate geographic delineation.
- 3.7 Participant Agency is solely responsible for the performance of its staff or representatives in complying with the terms of this Agreement and for the proper allocation and appropriate use of funds provided by Metropolitan and/or MWDOC for the purpose of achieving water conservation savings under this Agreement.

#### Section 4: MWDOC's Obligations

- 4.1 MWDOC will be response to Participant Agency for ensuring that timely reports on the Programs' results are prepared by MWDOC's staff.
- 4.2 MWDOC will develop a database of information regarding participation in the Programs and provide monthly electronic and/or written reports of activity to Participant Agency.
- 4.3 MWDOC will invoice Participant Agency for any Participant Agency funding obligations on a monthly basis for rebates issued in the previous month.
- 4.4 MWDOC does not guarantee any minimum number of rebates will be available for Participant Agency's service area.

#### Section 5 Marketing.

- 5.1 Participant Agency agrees to assist in the marketing of programs it participates in under this Agreement. With regard to Participant Agency Administered Programs, Participant Agency will be solely responsible for marketing its Participant Agency Administered Program to customers in its service area.

#### Section 6: Installation Verification

- 6.1 Participant Agency shall be responsible for conducting installation verifications of items installed, distributed, and/or rebated by Participant Agency under Participant Agency

Administered Programs, and/or for paying all costs associated with this verification. Installation verification measures for program devices must be designed to ensure that materials, installation verifications of eligible program devices, and services meet requirements established by Metropolitan, which requirements will be provided to Participant Agency by MWDOC.

- 6.2 Participant Agency may be responsible for conducting installation verifications of items installed, distributed, and/or rebated by Participant Agency or MWDOC under MWDOC Administered Programs, and/or for paying all costs associated with this verification. Installation verification measures for program devices must be designed to ensure that materials, installation verifications of eligible program devices, and services meet requirements established by Metropolitan, which requirements will be provided to Participant Agency by MWDOC.
- 6.3 MWDOC reserves the right to conduct installation verification of items within Participant Agency's service area.
- 6.4 Participant Agency acknowledges that any device receiving funding from Metropolitan may be subject to an installation verification to be performed by Metropolitan, or its agent(s), at Metropolitan's discretion.
- 6.5 Participant Agency shall promptly refund to MWDOC any amounts paid under any Participant Agency Administered Program or MWDOC Administered Program for installed or distributed devices in the event MWDOC or Metropolitan establishes via installation verification that the program devices were not installed.

#### Section 7: Reporting and Invoicing

- 7.1 For any and all Supplemental Funding provided by Participant Agency and/or Participant Agency provided funding or inspection costs under the MWDOC Administered Programs pursuant to Section 2 of this Agreement, and as more particularly described in Addendums 2 and 3, MWDOC will invoice Participant Agency on a monthly basis for the cost of such funding, and Participant Agency must pay the full amount of such invoice within thirty (30) days of receipt of any such invoice.
- 7.2 For any and all Participant Agency Administered Program(s), Participant Agency will invoice MWDOC on a monthly basis, by the 10<sup>th</sup> of each month, for any approved funding and costs associated with the Participant Agency Administered Program(s) as indicated in and subject to the provisions of Addendum 4. MWDOC is under no responsibility to reimburse Participant Agency for any costs incurred by Participant Agency that are not approved by MWDOC consistent with the terms and conditions of this Agreement and Addendum 4. The invoice package shall include a fully completed, to the satisfaction of MWDOC, Excel customer/applicant spreadsheet showing program activity, and an invoice, signed by the General Manager or designee of Participant Agency, certifying the information provided as accurate. Participant Agency shall use the Excel customer/applicant spreadsheet and Invoice forms approved by MWDOC.

- 7.3 Participant Agency shall maintain all Participant Agency Administered Program information, including Participant Agency applications, water bills, and purchase receipts, for a period of seven years from the end date of this Agreement.
- 7.4 Payment of Participant Agency invoices shall be in the form of either a credit on MWDOC's water bill to Participant Agency or a check made payable to Participant Agency. Method of payment shall be at MWDOC's discretion.

#### Section 8: Confidentiality

- 8.1 MWDOC agrees to maintain the confidentiality of Participant Agency's customer names, addresses, and other information gathered in connection with this Agreement. MWDOC will not cause or permit the disclosure of such information except as necessary to carry out any of the MWDOC Administered or Participant Agency Administered Programs, or as required by law. To the extent that MWDOC contracts with third party contractors to carry out all or any portion of any of the Programs, MWDOC will require such contractors to maintain the confidentiality of such customer information.
- 8.2 Notwithstanding anything to the contrary in this Agreement, Participant Agency acknowledges and agrees that MWDOC may request and use historical water consumption data for purposes of satisfying any grant water use and water quality evaluation requirements of any of the Programs. Participant Agency also acknowledges and agrees that MWDOC may also request to use Program applicant information, such as name, mailing address, site photos, and email address to market other water use efficiency programs to past applicants. A similar provision will be required of every individual applicant.

#### Section 9. Indemnification.

- 9.1 The parties agree that each Party shall be responsible for its own actions, and the actions of its officers, employees, and agents, in performing services under this Agreement. Except as provided in this Agreement and its Addendums, each Party agrees to indemnify and hold the other Party and its officers and agents harmless and agrees to defend the other Party against any claim or asserted liability arising out of its actions, either willful or negligent, or the actions of its officers, employees, and agents, in performing services pursuant to this Agreement. Such indemnity will include any losses relating to any claim made, whether or not a court action is filed, and will include attorney fees and administrative and overhead costs related to or arising out of such claim or asserted liability.
- 9.2 Participant Agency shall include the following language in its agreement with any consultant or contractor retained by Participant Agency to work on any of the Program" "(Consultant) agrees at is sole cost and expense to protect, indemnify, defend, and hold harmless Metropolitan, MWDOC, and their associated Boards of Directors, officers, representatives, agents and employees from and against any and all claims and liability

of any kind (including, but not limited to, any claims or liability for injury or death to any person, damage to property, natural resources or to the environment, or water quality problems) that arise out of or related to Participant Agency's approval, construction, operation, repair, or ownership of any Program. Such indemnity shall include all damages and losses related to any claim made, whether or not a court action is filed, and shall include attorneys' fees, administrative and overhead costs, engineering and consulting fees, and all other costs related to our arising out of such claim or asserted liability."

Section 10. Certification re Lobbying (43 CFR 18)

10.1 The undersigned hereby certifies on behalf of Participant Agency that no Federal appropriated funds have been paid or will be paid, by or on behalf of the Participant Agency, to any person for influencing or attempting to influence an officer or employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with a Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions. To the extent federal funds are involved, the Participant Agency shall require that the language of this certification be included in the awards documents for any sub-awards by the Participant Agency at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that sub-recipients, if any, shall certify accordingly.

Section 11. Other Terms

- 11.1 Any alteration or variation of the terms of this Agreement will not be valid unless made in writing and signed by both Parties.
- 11.2 This Agreement will inure to the benefit of and be binding upon the Parties and their respective successors.
- 11.3 The partial or total invalidity of one or more parts of this Agreement will not affect the intent or validity of this Agreement.
- 11.4 This agreement shall be deemed a contract made under the laws of the State of California, and for all purposes will be interpreted in accordance with such laws. The Parties hereby agree and consent to the exclusive jurisdiction of the courts of the State of California, and that the venue of any action brought hereunder will be in Orange County, California.

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11.5 This Agreement constitutes the entire agreement between the Parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

MUNICIPAL WATER DISTRICT  
OF ORANGE COUNTY

IRVINE RANCH WATER DISTRICT

By:   
Robert J. Hunter  
General Manager  
Date: 7-14-15

By:   
Paul Cook  
General Manager  
Date: 7-9-15

**Approved as to Form:**  
Bowie, Arneson, Wiles & Giannone

  
Joan C. Arneson  
Legal Counsel  
Date: 6/25/15

**FIRST AMENDMENT TO WATER CONSERVATION PARTICIPATION  
AGREEMENT**

This First Amendment to Water Conservation Participation Agreement (“First Amendment”) is effective on July 1, 2016 (“Effective Date”), by and between the Municipal Water District of Orange County (“MWDOC”) and Irvine Ranch Water District (“Participant Agency”) MWDOC and Participant Agency may be collectively referred to as “Parties” and individually as “Party.”

**RECITALS**

- A. MWDOC and Participating Agency entered into a Water Conservation Participation Agreement regarding the Participating Agency’s participation in certain water conservation programs (“Agreement”).
- B. The Parties now desire to amend the Agreement to make certain changes to provisions regarding verification of the installation of items and devices installed as part of certain water conservation incentive programs.

**TERMS**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend the Agreement as follows:

1. Amendment. Section J is added to the Recitals to read as follows:
  - “J. The purpose of this Agreement is also to acknowledge that Participating Agency is participating in MWDOC’s Choice Water Use Efficiency Program (“WUE Program”) and in doing so is agreeing to pay for its proportionate share of MWDOC’s administrative and direct program costs of the WUE Program.”
  
2. Amendment. Section 1 .7 is added to the Agreement to read as follows:
  - “1.7 Participating Agency understands that by entering into this Agreement it is participating in MWDOC’s Choice Water Use Efficiency Program (“WUE Program”) and agrees to pay MWDOC for its proportionate share of MWDOC’s costs for administering the WUE Program based on Participating Agency’s level of participation in the WUE Program. MWDOC will annually invoice Participating Agency.

3. Amendment. Section 6 is amended in its entirety to read as follows:

“Section 6: Installation Verification/Inspection

- 6.1 Participant Agency shall be responsible for conducting installation verifications/inspections of items and devices installed, distributed, and/or rebated by Participant Agency under Participant Agency Administered Programs to ensure compliance with program requirements, and/or for paying all costs associated with this verification/inspection. Installation verification/inspection measures must be designed to ensure that materials, installation verifications/inspections of eligible program items and devices, and services meet requirements established by Metropolitan and MWDOC, which requirements will be provided to Participant Agency by MWDOC as Attachment A.
- 6.2 Participant Agency shall be responsible for conducting installation verifications/inspections of items or devices installed, distributed, and/or rebated by Participant Agency or MWDOC under MWDOC Administered Programs to ensure compliance with program requirements, and/or for paying all costs associated with this verification/inspection. Installation verification/inspection measures for program items and devices must be designed to ensure that materials, installation verifications/inspections of eligible program items and devices, and services meet requirements established by Metropolitan and MWDOC, which requirements will be provided to Participant Agency by MWDOC as Attachment A.
- 6.3 Participant Agency may elect to (1) conduct its own installation verifications/inspections by either utilizing its in-house staff or contracting with a third party vendor of its choice; or (2) utilize MWDOC’s installation verification/inspection contractor to conduct the installation verification/inspections. If Participant Agency elects to utilize MWDOC’s verification/inspection vendor, Participant Agency may elect to contract directly with MWDOC’s verification/inspection vendor. If Participant Agency elects not to enter into such contract, MWDOC, in MWDOC’s sole discretion, may require that Participant Agency contract directly with MWDOC’s verification/inspection vendor.
- 6.3.1 Notwithstanding any other provision in this Agreement, Participant Agency understands and agrees that if Participant Agency utilizes MWDOC’s verification/inspection vendor, Participant Agency must still comply with all of the requirements of this Agreement, including the refund requirements in Section 6.6, and MWDOC is in no way liable or responsible for the acts or omissions of such vendor and makes no

representations or warranties regarding the quality of such vendor's work. Participant's sole recourse as to any action, claims or damages arising out of the acts or omissions of MWDOC's verification/inspection vendor is with the vendor and not with MWDOC.

- 6.4 MWDOC reserves the right to conduct installation verification/inspection of items and devices within Participant Agency's service area.
- 6.5 Participant Agency acknowledges that any item or device receiving funding from Metropolitan may be subject to an installation verification/inspection to be performed by Metropolitan, or its agent(s), at Metropolitan's discretion.
- 6.6 Participant Agency shall promptly refund to MWDOC any amounts paid under any Participant Agency Administered Program or MWDOC Administered Program for installed or distributed items or devices, including any grant funds, in the event MWDOC or Metropolitan establishes via installation verification/inspection and/or audit that the program items or devices were not installed in compliance with the requirements established by Metropolitan and MWDOC pursuant to this Agreement. If such a refund is not provided to MWDOC within thirty (30) days of request, the requested amount may be debited by MWDOC on Participating Agency's next water service invoice.
- 6.7 "Items" and "devices" includes, but is not limited to, plumbing fixtures, irrigation devices, turf (removal and replacement), and any other items, devices or materials that are installed in connection with a program covered by this Agreement.

4. Authority to enter into First Amendment. Each Party represents to the other that the person executing this First Amendment has the requisite power and authority to execute the First Amendment and to bind each respective Party.

5. Continuing Effect of Agreement. Except as amended by this First Amendment, all other provisions of the Agreement remain in full force and effect. From and after the date of this First Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this First Amendment.

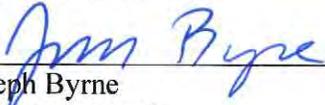
6. Execution in Counterparts. This First Amendment may be executed in duplicate counterparts, each of which shall be deemed an original.

MWDOC and Participating Agency have each caused this First Amendment to be executed by its duly authorized representative as of the date set forth below the authorized signature.

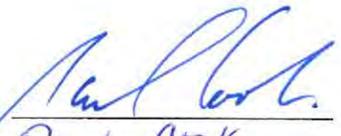
IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment.

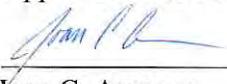
MUNICIPAL WATER DISTRICT  
OF ORANGE COUNTY

By:   
Robert Hunter  
General Manager  
Date: 10-31-16

Approved as to Form:  
  
Joseph Byrne  
General Counsel  
Date: 10/28/16

PARTICIPANT AGENCY

By:   
Name Paul Cook  
Title General Manager  
Date: 18 OCTOBER 2016

Approved as to Form:  
  
Joan C. Arneson  
General Counsel  
Date: September 8, 2016

MUNICIPAL WATER DISTRICT OF  
ORANGE COUNTY  
INSPECTION AND VERIFICATION  
PROCEDURES

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## I. Purpose of this document

It is the practice of the Municipal Water District of Orange County (MWDOC) to ensure that public funds used to administer Rebate Programs are utilized for its intended purposes. Therefore, the purpose of this Inspection and Verification Procedures document (Inspection Procedures) is to establish a clear set of inspection procedures to be followed by MWDOC and/or its member agencies (hereafter “Participant Agency”) and inspection contractors when conducting pre- and/or post-installation verification inspections for all MWDOC-Administered and or Participant Agency-Administered Rebate Programs. These procedures are required regardless of the funding source (Grant funded, Metropolitan Water District of Southern California funded (Metropolitan), or fully funded by Participant Agency, etc.) and/or regardless of program administrator (MWDOC or Participant Agency). This Inspection Procedures document will be updated as needed to reflect new or modified inspection requirements, techniques, or procedures as they arise.

## II. Program Implementation Process

For ease of explanation, this document categorizes the MWDOC Rebate Programs into the following rebate program types:

- Device-Based Rebate Programs
  - Residential
  - Commercial
  - Spray to Drip - Residential
- Area-Based Rebate Programs
  - Turf Removal
  - Spray to Drip - Commercial

The inspection procedures contained in this document have been developed in coordination with requirements from Metropolitan pursuant to its Residential and Commercial Water Conservation Funding Agreements and Addendums thereto, MWDOC, and/or supplemental grant funding agreements.

The following general rules apply for all programs types.

### Application Package

When receiving an application package, **all** components should be examined before requesting an inspection. The application package currently requires, at a minimum, a fully completed application signed by the property owner and containing the following:

- Current water bill to determine
  - Participant Agency is participating in the program
  - Project site is located within Orange County
  - Payee name matches the application name
- Device eligibility, if a device-based program
- Site plan for area-based rebates
  - Indicate the project area, location, and project intent
- Pictures of the site for area-based and spray-to-drip rebates. Pictures to show

- Current site condition
- Complete area to be removed
- Area complies with eligibility criteria

It is recommended that the application, terms and conditions, and program guidelines each contain language stating that on-site inspections will be performed and are required for participation in any rebate programs.

### Invoice Submission

Rebates may not exceed the total project/equipment costs nor the reserved rebate amount. For a receipt/invoice to be considered eligible it must include the following:

- Dated within the project period
- Scope of work performed
- Signed by the customer/applicant/property owner and references site location (if applicable)
- Itemized to include make, model, sku, quantity, price per item, total price
- If labor is to be considered, it must be listed on a separate line item and must be accompanied by the California State Contractor License Board (CSCLB) contractor license number

Once projects are completed, invoices and receipts are submitted to the program administrator and MWDOC, all invoices and receipts are to be carefully tabulated by program administrator and MWDOC to prevent payment for materials/costs not associated with the program; specific program eligible material/costs are based on program type.

### Labor Costs

Due to California state law, all sites that are invoiced at \$500.00 or more require that work be performed by a contractor licensed by the California State Contractor License Board (CSCLB). If labor costs are invoiced by someone who is not licensed, those costs are not eligible. This labor cost provision is consistent with state law but, most importantly, protects Orange County consumers from unlicensed contractors. Materials utilized by the unlicensed contractor may be considered eligible costs. Additionally, there have been some instances where costs for landscape architectural drawings were submitted, but the drawings were not performed by a California State Licensed Landscape Architect. Those costs are also not rebate-eligible.

### Federal, State, and Local Laws and Ordinances

All projects, including projects at historic sites, are subject to the terms of their local agency's ordinances and must comply with all applicable federal, state, and local laws, as well as applicable Covenants, Conditions & Restrictions (CC&R) and/or Homeowners Association (HOA) restrictions. Applicants should obtain any necessary approvals for their projects from their city's/county's code enforcement and/or HOA/CC&R board. It is the responsibility of the each applicant to ensure their project is in compliance. Customers must agree to adhere to their local rules and provisions in order to accept funding. Questions from program participants regarding compliance with any of

the above laws, ordinances, and/or restrictions will be directed to Participant Agency for guidance.

### Supplemental Inspections

Some sites may need to be re-inspected by MWDOC and/or Metropolitan when unique circumstances arise. At these times, communication with the customer is vital in order to remain in adherence with the program intent while ensuring that projects are successfully completed. All inspection and verification procedures and invoice criteria described in this document must be adhered to.

### Inspection Confirmation Quality Control

Each Participant Agency performing their own inspections/verifications will be required to adopt these Inspection Procedures as their own or, alternatively, to develop and submit for approval by Metropolitan and/or MWDOC Participant Agency's own inspection and verification procedures document in line with the requirements and procedures contained in this document. All projects that require inspection must be inspected prior to Participant Agency invoicing MWDOC. MWDOC/Metropolitan may request inspection reports from Participant Agency at any time. Installation vendors hired for project implementation cannot inspect their own installations.

Metropolitan and/or MWDOC reserve the right to verify and perform onsite inspections of any projects at any time. This can be before, during, and/or after project installation, and/or after the rebate payment, and results of these inspections may affect payment made to Participant Agency or require a refund to be paid by Participant Agency to MWDOC. If installation cannot be verified, Participant Agency must reimburse MWDOC and/or Metropolitan depending on the source of funds.

## III. Device-Based Inspection Procedures

For residential and commercial devices rebated through Metropolitan's regional rebate program, device-based inspections will be conducted solely by Metropolitan, at its discretion. For devices rebated through a MWDOC and/or a Participant Agency-Administered Program (MAA Program), the inspection procedures are set forth below.

### Residential Devices

Residential device inspections must satisfy both the Metropolitan and MWDOC inspection procedures in place at the time of the post-inspection or issuance of the rebate check. Currently, those inspection procedures are as follows:

In order for Participant Agency to be reimbursed for incentives from MWDOC/Metropolitan, Participant Agency must certify on each invoice that the terms and conditions within each project have been met, all devices have been installed, and all work has been performed. The party signing each invoice must have signing authority to certify the invoice.

For residential device-based MAA Programs, Participant Agency will utilize the sample size calculator provided by MWDOC to assist in determining the appropriate number of devices to

inspect to ensure a 98% installation rate given the overall quantity of devices. Participant Agency must report verification/inspection method employed on each invoice submitted.

Participant Agency must:

- a. Validate quantity of devices installed.
- b. Verify new device type, make, and model with Project information.
- c. Verify Installation address or specific locations within the address with Project documentation.
- d. With permission from the customer, take photographs relating to the devices installed to be included in Inspection report.
  - i. Indoor Inspection: Indoor inspection includes detailed fixture count of toilets and clothes washer(s). Access to fixture locations (such as bathrooms and laundry facilities) are required to perform the inspection, and property owner/applicant person should be made aware of this through the application.
  - ii. Outdoor Inspection: Outdoor inspection includes detailed fixture counts of installed and operating landscape devices such as rain barrels, cisterns, irrigation controllers, residential drip, and nozzles. For irrigation controllers, inspect the model to ensure it matches the rebate application, verify that it is operating as a “smart device” and is communicating with the onsite weather station or is receiving offsite/remote weather data and, if possible, have the contact person show the inspector how the controller has been programmed, and confirm quantity of stations of timer model.

### Commercial Devices

Commercial MAA Program device inspections must satisfy both the Metropolitan and MWDOC inspection procedures in place at the time of the post-inspection or issuance of the rebate check. Metropolitan may require Participant Agency to submit inspection reports for specific projects, and Metropolitan/MWDOC reserves the right to perform onsite inspections of projects/sites prior to payment.

**To determine the amount of inspections required for commercial devices, Participant Agency must apply the following criteria (a-e below) to the project(s):**

- a. Automatic Inspection: Regardless of the 5% rule listed in Section d below, Participant Agency must first determine if any site within the MAA Program Project requires an Automatic Inspection. Automatic Inspections are triggered when any site within an MAA Program Project has been approved for Metropolitan’s funding in excess of \$10,000. All sites receiving \$10,000 or more in funding must be automatically inspected by Participant Agency. Participant Agency must also notify MWDOC/Metropolitan within 3 to 5 business days of upcoming inspection by Participant Agency for site(s) exceeding \$10,000. MWDOC, Metropolitan or a designated representative may attend inspection. Notification of upcoming inspection to be sent to [bfahl@mwdoc.com](mailto:bfahl@mwdoc.com) and [maconservation@mwdh2o.com](mailto:maconservation@mwdh2o.com)

To determine how many devices need to be inspected at a \$10,000+ site, follow the next two points.

- i. If the site triggering an Automatic Inspection also meets the criteria for a Large Project, as described below, then Participant Agency must inspect a minimum of 10% of the devices installed.
  - ii. If the site triggering an Automatic Inspection does not meet the criteria for a Large Project, then the Participant Agency must inspect 100% of devices at the site.
- b. Large Project/Sites: Participant Agency must next determine if any of the sites meet the definition of a Large Project/Site. Regardless of the 5% rule listed in Section d below, any site with less than \$10,000 in funding but that receives the designation of Large Project/Site **must** be inspected. The total number of devices to be inspected for Large Projects/Sites will be a minimum of 10% of the total devices installed at each site. If any site within your overall MAA Program Project installs any combination of the following number of devices, you must conduct an inspection of a minimum 10% of any combination of the devices installed.

Large Projects/Sites are defined as:

- i. For plumbing devices – 50 device units or more at one installation address.
  - ii. For irrigation controllers – 20 controllers or more at one installation address. Note that irrigation controllers may be installed in different landscape areas inside a single complex.
  - iii. For sprinkler nozzles – 100 nozzles or more at one installation address.
- c. Regular Projects/Sites: For sites not meeting: (a) \$10,000+ in funding per site or (b) the Large Project/Site criteria above, Participant Agency must inspect 100% of devices at the site.
- d. For each MAA Program Project that Participant Agency submits a Request for, Participant Agency must physically inspect a minimum of 5% of the value of each device-based MAA Program Project approved by MWDOC/Metropolitan before invoicing. For example if the MAA Program Project is approved for \$100,000, then a minimum of \$5,000 worth of devices must be inspected per MAA Program Project.
- e. Inspections for Regular Projects/Sites, sites defined as Automatic Inspections (mandatory), as well as those defined as Large Projects/Sites (mandatory) count towards the 5% (section d above) minimum of the value of each device-based MAA Program Project to be inspected. Participant Agency will report progress toward the 5% inspection requirement on each invoice for all inspections required by MWDOC/Metropolitan. The party signing each invoice must have signing authority to certify the invoice.

#### Inspection Requirements

Participant Agency inspection at a minimum will:

- a. Validate quantity of devices installed.

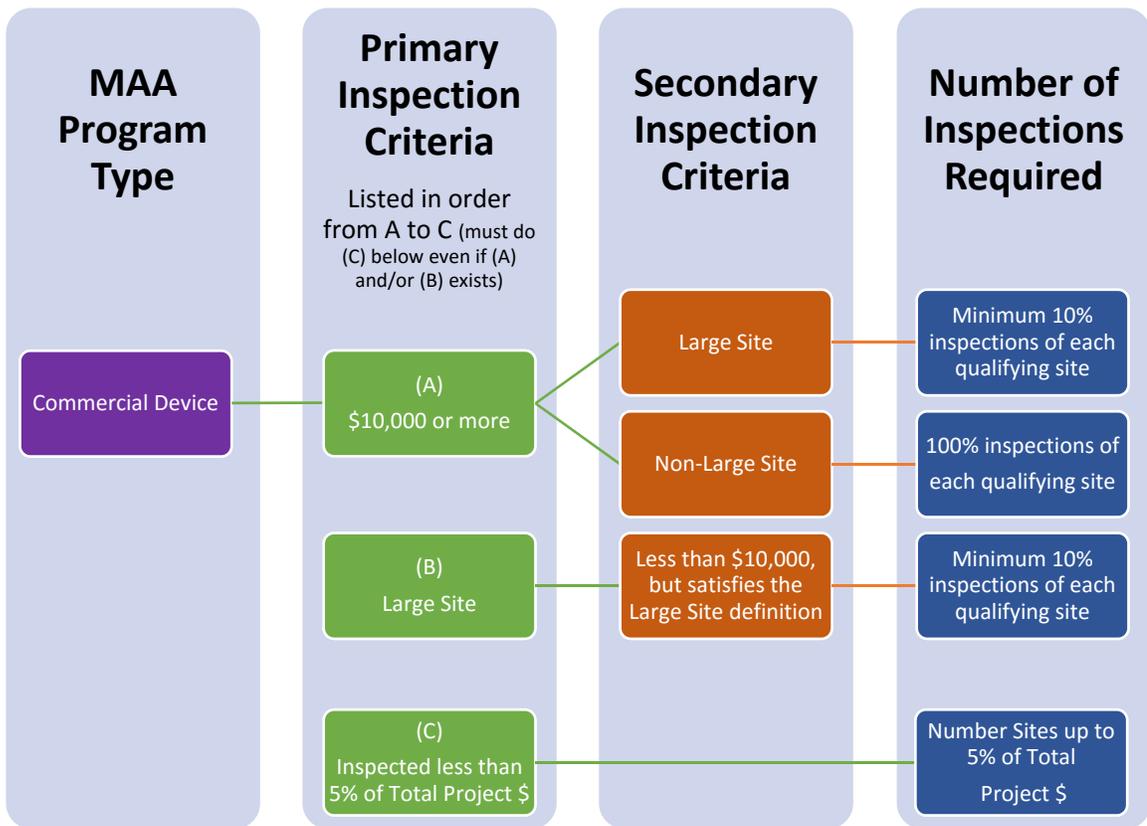
- b. Verify new device type, make, and model with Project information.
- c. Verify Installation address or specific locations within the address with Project documentation.
- d. With permission from the customer, take photographs relating to the devices installed to be included in Inspection report.
  - i. Indoor Inspection: Indoor inspection includes detailed fixture count of toilets, urinals, dry vacuum pumps, food steamers, ice machines. Access to bathrooms, kitchens, eating facilities, and medical facilities are required to perform the inspection and property owner/applicant should be made aware of this at the application stage.
  - ii. Outdoor Inspection: Outdoor inspection includes count of installed and operating landscape devices such as irrigation controllers and nozzles; and cooling tower controllers. Access to either landscape area or rooftop is required to perform the inspection. For irrigation controllers, inspect the model to ensure it matches the rebate application, verify that it is operating as a “smart device” and is communicating with the onsite weather station or is receiving offsite/remote weather data and, if possible, have the contact person show the inspector how the controller has been programmed, and confirm quantity of stations of timer model.

Potential Inspection Results

- a. Partial fail: Inspection completed with discrepancies between Project information and inspection process. Participant Agency to only bill MWDOC for verified quantity.
- b. Device(s) installed at a different location: the installation must be inspected prior to billing MWDOC. A substitute device cannot be included. If installation is verified at the different location, Project information must be revised to reflect new information.
- c. Device count is different from the application:
  - i. If the count is more, only the amount approved in the Project will be reimbursed.
  - ii. If the inspection count is less, only the verified count will be billed to MWDOC. For Large Projects where the inspection count is less, the Participant Agency inspector will increase the inspection from 10% to 20% of total installations. The percentage found to be installed for Large Projects will be applied against the total and the total quantity will be reduced by that percentage. For example, after inspecting 20% of the total installations of 100 toilets, 15 out of 20 toilets were verified installed (75% installed); then the final approved count would be 75 toilets (75% of the 100 = 75), rather than 100. If inspection reveals a discrepancy as described in the example, Participant Agency may choose to inspect 100% of the project, otherwise the extrapolation as shown on the example must be taken and the amount revised prior to billing MWDOC.

- d. The make/model is different from the application: verify that different make/model is a Metropolitan approved device. If so, inspect as usual and revise information on Project documentation prior to billing MWDOC.
- e. Failed inspections will not be billed to MWDOC. Reasons for failure:
- Device(s) not installed
  - Device(s) installed, but no working properly
  - For “smart” irrigation controllers, device(s) not operating as a “smart” device
  - Installed device(s) has been removed
  - Access to property not allowed
  - Device(s) installed at a different site.

MWDOC/Metropolitan reserves the right to verify and inspect any approved projects at any time. If installation cannot be verified, Participant Agency must reimburse MWDOC.



## Spray to Drip - Residential

The residential portion of the Spray-to-Drip Rebate Program is a device-based program with different inspection requirements and criteria than other device-based inspections. The inspection requirements for residential Spray-to Drip Rebate projects are described below:

### Pre-Inspection Procedure

Once an application is received, a project cannot be accepted and no funding is reserved until a “pre-inspection” is conducted, as follows:

MWDOC reviews the application to confirm:

- Program application is completed in full
- A copy of a current water bill is attached and confirms that
  - Participant agency is participating in the program
  - Project site is located within Orange County
  - Payee name matches the application name
- Applicant has attached 3 to 5 photos of the project area taken with the existing sprinkler system turned on. Photos must clearly show the sprinkler system in use and that the spray heads are functional. Photos must also contain identifying features (house in background, unique landscape/decorating features, etc.) to confirm that photos submitted are for the property/site listed in the application.
- The number of drip “kits” the applicant is applying/eligible for.
- A simple site plan has been attached indicating the proposed spray-to-drip conversion areas
- Any supplemental documents included have been reviewed.

Once MWDOC confirms that the application is complete and satisfies the above requirements, MWDOC forwards the application to the Participant Agency to conduct its own review and approval utilizing the steps listed above.

If the application has satisfied all of the above requirements, a Project Approval Notice is generated by MWDOC/Participant Agency and emailed to the applicant. The funding is reserved at this point and cannot increase. However, the funding amount may decrease if the applicant installs less drip equipment than was specified on the application or if the costs of the equipment are less than anticipated. Should the application fail the pre-inspection process, the application will be denied. MWDOC reserves the right to conduct, or to require Participant Agency to conduct, an on-site pre-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

### Post-Inspection Procedure

Once the Spray-to-Drip Project is complete, applicant completes the Spray to Drip Completion form to request an on-site post-inspection. Prior to scheduling the post-inspection, the Completion Form will be reviewed by MWDOC to confirm the following:

- Completion Form is completed in full.
- Payee Name and Mailing Address for Rebate Check is provided.
- Applicant has attached at least 3 completed conversion area pictures showing:

- Wide angle view of completed project area(s)
- Close-up(s) of installed pressure regulation/filtration component(s)
- Close-up(s) of installed drip tubing
- Applicant has attached copies of any project related receipts or invoices. For a receipt/invoice to be considered eligible it must include the following:
  - Dated within the project period.
  - Signed by the customer/applicant/property owner and includes the site location, scope of work, and costs.
  - Itemized to include make, model, sku, quantity, price per item, total price.
  - The actual quantity of drip “kits” purchased and the quantity of kits eligible for rebate.
  - Labor is not reimbursable and must be listed as a separate line item.

If the Completion Form is missing or does not comply with the requirements of any of the above, MWDOC/Participant Agency shall work with the applicant to obtain the information and or appropriate photos/documents prior to scheduling the post-inspection. If applicant is unable to provide receipts/invoices that meet the requirements set forth above, the post-inspection will be considered a fail, the application will be denied, no rebate will be issued, and no on-site post-inspection should be scheduled.

If the Completion Form has satisfied all of the above requirements, MWDOC/Participant Agency and/or its inspector will work with Applicant to schedule the mandatory on-site post-inspection. The purpose of the on-site post-inspection is to serve as an independent verification of the information contained in the Completion Form. As part of the on-site post-inspection, Participant Agency/inspector must verify the following:

- That drip irrigation equipment has been installed. For residential on-site post-inspection, if microspray, point-source emitters, or any other type of drip irrigation other than embedded emitter tubing has been installed, this must be noted and photographed. Only embedded emitter tubing installations are eligible for rebates in residential settings.
- That pressure regulation/filtration components have been installed as part of the drip conversion. Manufacturer/make, model, model number/sku, and quantity should be documented, and the equipment should be photographed.
- That drip tubing has been installed. The drip tubing should be photographed. If covered, a minimum of a 10-foot section must be uncovered for the photograph.
- That spray irrigation is no longer functional in the drip conversion area(s). Any remaining spray heads in the conversion area must be capped (no exceptions).

Once the on-site post inspection is complete, Participant Agency will complete the Rebate Check Authorization form, in full, and upload all photos and documentation. Once the Check Authorization form has been submitted, it will be reviewed by MWDOC, along with copies of all

receipts and invoices, and if the spray-to-drip project has satisfied all the terms, conditions, guidelines, and requirements of the program, the application will be processed for rebate. If all the terms, conditions, guidelines, and requirements of the program have not been satisfied, the post-inspection will be considered a fail, and the application will be denied and no rebate funds will be issued.

MWDOC reserves the right to conduct or attend any on-site post-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

## IV. Area-Based Programs

Area-based programs include any program where the rebate amount is determined by an area measurement. Such programs currently include, but are not limited to, residential and commercial Turf Removal and commercial Spray to Drip.

### Turf Removal Participation Procedure

The Turf Removal Rebate Process, as it currently exists, is depicted in the following chart. The process flow is broken down into 11 distinct steps starting with the Customer Application Submittal and ending with Metropolitan and Participant Agency Invoicing. The 11 steps are as follows:

*Step 1: On-line Application and Document Submittal Process*

*Performed by the Customer*

*Step 2: Application Review Process and Pre Inspection Distribution*

*Performed by MWDOC*

*Step 4: Pre-Installation Inspection Process*

*Performed by Participant Agency or Inspection Vendor and sent to MWDOC for review*

*Step 5: Notice to Proceed or Denial Letter to Customer Process*

*Performed by MWDOC*

*Step 6: Participant Project Installation and Project Completion Notification*

*Performed by Customer*

*Step 7: Initial Project review, Post-Work Order Generation and Distribution*

*Performed by MWDOC*

*Step 8: Post-Installation Inspection Process*

*Performed by Participant Agency, MWDOC, or Inspection Vendor and sent to MWDOC for review*

*Step 9: Application Approval or Denial and Invoice Review Process*

*Performed by MWDOC*

*Step 10: The Rebate Check Run and W-9 Request Process*

*Performed by MWDOC*

*Step 11: Metropolitan Water District and Participant Agency Invoicing Process*

*Performed by MWDOC*

## General Inspection Procedures

For all customer types, all sites will be measured by the Participant Agency and or its inspector for 100% of the sites for 100% of the project areas during both the pre- and post-inspections. Required minimum techniques for area measurements are described in Section V - Measurement Techniques. All inspection procedures/verifications must adhere to the following additional inspection and certification requirements:

- Residential Area-Based Inspections: For residential area-based customers with an approved Metropolitan rebate amount exceeding \$5,000, Participant Agency or inspection vendor must notify MWDOC/Metropolitan within 3 to 5 business days of upcoming post-inspection(s) by Agency. MWDOC, Metropolitan or a designated representative may attend inspection. Notification of upcoming inspection to be sent to [turfremoval@mwdoc.com](mailto:turfremoval@mwdoc.com).
- Commercial Area-Based Inspections: For commercial area-based customers with an approved Metropolitan rebate amount exceeding \$10,000, Participant Agency must notify MWDOC/Metropolitan 3 to 5 business days prior to upcoming post-inspection(s) by Agency. MWDOC, Metropolitan or a designated representative may attend inspection. Notification of upcoming inspection to be sent to [turfremoval@mwdoc.com](mailto:turfremoval@mwdoc.com).
- Participant Agency will only bill MWDOC/Metropolitan for the square footage measured.
- Participant Agency must adopt these Inspection Procedures as their own or, alternatively, to develop and submit for approval by Metropolitan and/or MWDOC Participant Agency's own inspection and verification procedures document in line with the requirements and procedures contained in this document. MWDOC/Metropolitan will require Participant Agency to submit them. MWDOC/Metropolitan may perform onsite inspections of projects prior to payment. Result of the inspection may affect payment made to Participant Agency
- All projects that require inspection must be inspected prior to Participant Agency invoicing MWDOC. MWDOC may request inspection reports from Participant Agency at any time.

## Pre-Inspection Procedures – Turf Removal

After an application is received and the information has been verified, a project cannot be accepted and funding is not reserved until a “pre-inspection” is conducted by the Participant

Agency or by a vendor inspector. The pre-inspection on-site visit is a means to determine confirmation of eligibility. The pre-inspection process verifies that the project area contains live turf or sufficient evidence that live turf recently existed and that the requested square footage to be removed seems reasonable and consistent with the physical inspection. This requirement applies to both residential and commercial turf removal areas unless otherwise noted.

When establishing that areas are eligible, careful inspection with accurate, and precise measurements, as described in Section V, are always required. For Turf Removal, during the pre-inspection the total project area square footage is measured. Any non-eligible square footage is removed, such as non-turf areas including bare soil, trees, shrubs, mulch, paving, and utility box footprint, etc. Refer to specific program terms and conditions for eligibility criteria.

The square footage listed on the application is to be used as a reference, the initial project area is to be based on the square footage as measured during the pre-inspection. Once the initial project area square footage has been determined, that number is used to reserve funding, and a letter to proceed is generated and sent to the customer.

#### [On-Site Inspections for Area-Based Rebates](#)

Unless the program guidelines specifically state otherwise, on-site eligibility verification and area measurement for the pre-inspection is the method to be utilized by the inspection vendor as well as any Participant agency conducting its own inspection.

#### [Measuring Large Sites by GIS](#)

With extremely large sites (in excess of 50,000 sf) where physical measurements are difficult, aerial imagery is often employed to measure the site. In these circumstances a GIS measurement may only be used to measure the project area and a pre-inspection site visit is still required to ensure that the site meets all program conditions and requirements and is eligible to participate. This method is often referred to as a "spot-check" since the sites are checked for existing turf during the inspection, but measured separately using GIS.

If a site is measured by GIS, rather than through an on-site measurement technique, it must explicitly be noted on a work order or through an equivalent form for written communication from the Participant Agency/vendor inspector to MWDOC. Digital imagery must be saved and sent to MWDOC. There must still be confirmation that the site/area to be rebated contains live turf and that the requested footage to be removed seems reasonable and consistent with the aerial inspection

#### [Condition of Turf at Pre-Inspection](#)

If bare areas were included by the customer, the inspector must subtract those areas. In many cases, due to the drought or season, dormant or dead brown grass is present. Dormant or dead brown grass that appears to have been maintained in the recent past is still eligible. However sites where there is bare soil that appears compact and no turf was present in the recent past, are not eligible. In addition, moss areas where there is no turf or areas that have grown or mowed weeds would be ineligible. A lawn with weeds would still remain eligible. Photo documentation of the turf is required in order to approve the site. Photos of the entire area and detailed photos should

be taken showing turf and bare soil conditions. For large sites with multiple separated areas (or sub-areas), a map must be submitted identifying the area measured for each separate sub-area.

#### Multiple Applications under same Site

Residential sites have a lifetime maximum. Commercial sites have an annual maximum.

#### Modifications to Initial Project Area

In some instances a customer may want to swap turf removal areas/locations after a letter to proceed has already been sent and construction has begun. This is common in HOAs, Golf Courses, Parks, and other large sites, but occasionally occur with residential projects. There are many reasons for changes such as: HOA board decisions, public outcry, irrigation system delineation restrictions, or even finding out that some part of the property belongs to another entity (as is common in parkways along sidewalks, and around common area parks). When these changes occur, if the customer is simply removing an area to be renovated, no action is required. However, if a decision is made to swap an area with another, additional documentation and a second pre-inspection must occur and is required to ensure that the site is eligible and matches the area measurements. This documentation must include a new site plan and photos of the intended areas. At this point, because a letter to proceed has already been sent and construction has begun, the site eligible for a rebate may not increase in size. If construction has not begun, and the customer would like to increase the area of turf to be removed within program maximum square footage guidelines, a second pre-inspection must occur and is required to ensure that the site is eligible and matches the area measurements. If the swapping of one area for another occurs during the construction phase of the project and is not previously approved by MWDOC, the swapped area will not be eligible for rebate as it was not subject to the mandatory pre-inspection.

#### Post-Inspection Procedures – Turf Removal

For both residential and commercial projects, unless otherwise noted, once the letter to proceed has been issued, the initial project area square footage may not increase; however, it may decrease if the customer decides to remove less turf than what was measured.

After the customer has completed their project, a second on-site inspection (post-inspection) occurs to ensure that the renovated areas are in compliance with the program. Entire (100%) project re-measurement should occur during the post-inspection, utilizing the same techniques as employed during the pre-inspection measurement, with the exception of GIS. Negative deviations between the pre- and post-inspections area measurements, as well as swapped areas occurring without a proper pre-inspection and approval from MWDOC, will result in a reduction of the rebate eligible area (meaning the lesser area measurement will be the basis for the rebate). All projects must be inspected prior to Participant Agency invoicing MWDOC.

When establishing that areas are eligible, careful inspection with accurate, and precise measurements, as described in Section V, are always required. For Turf Removal, during the post-inspection the total converted area square footage must be measured. Any non-eligible square footage is removed, such as remaining-turf areas, bare soil, or non-permeable area including hardscape and pools. Refer to specific program terms and conditions for eligibility criteria.

The initial project area square footage established during the pre-inspection is to be used as a reference, the final project area is to be based on the square footage as measured during the post-inspection. Once the final project area square footage has been determined, that number is used to determine the actual potential rebate amount, so long as it does not exceed the total eligible project costs. Only that final project square footage measured by the Participant Agency/inspection vendor may be included in the payment request to MWDOC.

### Project Extensions

In some instances, projects may experience delays. As all projects either have a 60 day deadline or 90 day deadline to complete their project, an extension may be requested. In all cases, extensions may only be granted to sites who are making progress to complete their project. Documentation or a site visit is often required for the purposes of verifying that progress is being made at a site. Examples of documentation are signed contracts with a landscape contractor, photos of the site with turf removed and work under way, or canceled checks to a contractor. This is an important step; if a site is not showing progress and there is no motivation to complete, it may be cancelled to allow the funding of other, more motivated, rebate customers.

### Spray to Drip - Commercial

The commercial portion of the Spray-to-Drip Rebate Program is administered in a similar way to the residential portion, with the exception of the post-inspection requirements which are area-based. The inspection requirements for commercial Spray-to Drip Rebate projects are described below:

#### Pre-Inspection Procedure

Once an application is received, a project cannot be accepted and no funding is reserved until a “pre-inspection” is conducted, as follows:

MWDOC reviews the application to confirm:

- Program application is completed in full.
- A copy of a current water bill is attached and confirms that
  - Participant agency is participating in the program
  - Project site is located within Orange County
  - Payee name matches the application name
- Applicant has attached 5 to 10 photos of the project area taken with the existing sprinkler system turned on. Photos must clearly show the sprinkler system in use and that the spray heads are functional. Photos must also contain identifying features (buildings in the background, unique landscape/decorating features, etc.) to confirm that photos submitted are for the property/site listed in the application.
- Applicant has provided the square footage of the proposed spray-to-drip conversion area.
- A simple site plan has been attached indicating the proposed spray-to-drip conversion areas.
- Any supplemental documents included have been reviewed.

Once MWDOC confirms that the application is complete and satisfies the above requirements, MWDOC forwards the application to the Participant Agency to conduct its own review and approval utilizing the steps listed above.

If the application has satisfied all of the above requirements, a Project Approval Notice is generated by MWDOC/Participant Agency and emailed to the applicant. The funding is reserved at this point and cannot increase. However, the funding amount may decrease if the applicant installs less drip equipment than was specified on the application or if the costs of the equipment are less than anticipated. Should the application fail the pre-inspection process, the application will be denied. MWDOC reserves the right to conduct, or to require Participant Agency to conduct, an on-site pre-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

#### Post-Inspection Procedure

Once the Spray-to-Drip Project is complete, applicant completes the Spray to Drip Completion form to request an on-site post-inspection. Prior to scheduling the post-inspection, the Completion Form will be reviewed by MWDOC to confirm the following:

- Completion Form is completed in full.
- Payee Name and Mailing Address for Rebate Check is provided.
- Applicant has attached at least 5 completed conversion area pictures showing:
  - Wide angle view of completed project area(s)
  - Close-up(s) of installed pressure regulation/filtration component(s)
  - Close-up(s) of installed drip tubing
- Applicant has attached copies of any project related receipts or invoices. For a receipt/invoice to be considered eligible it must include the following:
  - Dated within the project period
  - Signed by the customer/applicant/property owner and includes the site location, scope of work, and costs.
  - Itemized to include make, model, sku, quantity, price per item, total price. If microspray or point source emitters have been installed, the flow rate for each must be 2.5 gallons per hour or less, or per the terms and conditions of the Program.
  - Labor is not reimbursable and must be listed as a separate line item.

If the Completion Form is missing or does not comply with the requirements of any of the above, MWDOC/Participant Agency shall work with the applicant to obtain the information and or appropriate photos/documents/invoices prior to scheduling the post-inspection. If applicant is unable to provide photos/documents/invoices that meet the requirements set forth above, the post-inspection will be considered a fail, the application will be denied, no rebate will be issued, and no on-site post-inspection should be scheduled.

If the Completion Form has satisfied all of the above requirements, Participant Agency and/or its inspector will work with Applicant to schedule the mandatory on-site post-inspection. The purpose of the on-site post-inspection is to serve as an independent verification of the

information contained in the Completion Form. As part of the on-site post-inspection, Participant Agency/inspector must verify the following:

- The actual square footage of the conversion area. All commercial spray-to-drip sites will be measured by the Participant Agency and or its inspector for 100% of the sites for 100% of the spray-to-drip conversion areas during the post-inspections. The required minimum techniques for area measurements are described in Section V -Measurement Techniques.
- That drip irrigation equipment has been installed. The type of drip equipment (embedded emitter tubing/microspray/point source emitters must be noted and photographed.
- That pressure regulation/filtration components have been installed as part of the drip conversion. Manufacturer/make, model, model number/sku, and quantity should be documented, and the equipment should be photographed.
- That drip tubing has been installed. The drip tubing should be photographed. If covered, a minimum of a 20-foot section must be uncovered for the photograph.
- That spray irrigation is no longer functional in the drip conversion area(s). Any remaining spray heads in the conversion area must be capped (no exceptions).

Once the on-site post inspection is complete, Participant Agency will complete the Rebate Check Authorization form, in full, and upload all photos and documentation. Once the Check Authorization form has been submitted, it will be reviewed by MWDOC, along with copies of all receipts and invoices, and if the spray-to-drip project has satisfied all the terms, conditions, guidelines, and requirements of the program, the application will be processed for rebate. If all the terms, conditions, guidelines, and requirements of the program have not been satisfied, the post-inspection will be considered a fail, and the application will be denied and no rebate funds will be issued.

MWDOC reserves the right to conduct or attend any on-site post-inspection of any Spray-to Drip application should MWDOC, in its best judgment, deem it necessary to do so.

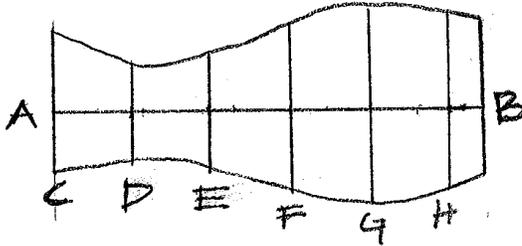
## V. Measurement Techniques

When measuring sites, tape measurers remain the most accurate method of measurement. Measuring wheels are nearly as accurate when rolling on a flat surface such as concrete or asphalt. Measuring wheels on turf or shrub areas run the risk of being inaccurate. Tape measurers are recommended whenever uneven surfaces are encountered. For large sites, a map should be provided indicating all the turf areas intended for removal and all project areas should be measured and noted with square footage.

Odd shapes are often hard to measure accurately. A series of methods of measuring odd shapes have been reviewed and below are a listing of acceptable measurement techniques of odd shapes. Alternative measuring techniques must be submitted to MWDOC for review and approval prior to implementation and must be at least as accurate as the techniques listed here.

## Non-Uniform Rectangular

First measure the length of the longest axis of the area (line AB). This is called the *length line*. Next, divide the length line into equal sections, for example 13 ft. At each of these points, measure the distance across the area in a line perpendicular to the length line at each point (lines C through G). These lines are called *offset lines*. Finally, average the lengths of all offset lines and multiply the result times line AB (65 ft. in this example). This is most notably different from the Non-Uniform Ellipse method in that exactly one of the left or right edges is measured, in this case line "C."



### Example: Non-Uniform Rectangular

Length line (AB) = 65 ft

Distance between offset lines is 13 ft apart

Length of each offset line:

C = 20 ft      F = 20 ft

D = 10 ft      G = 25 ft

E = 15 ft      H = 20 ft

Average length of offset lines =  $\frac{(C + D + E + F + G + H)}{(\text{Number of offset lines})}$

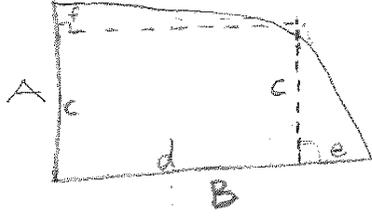
$$= \frac{(20 + 10 + 15 + 20 + 25 + 20)}{6}$$

$$= 18.3 \text{ ft}$$

Total Area = (Length line)  
 x (Average length of offset lines)  
 = 65 ft x 18.3 ft  
 = 1192 ft<sup>2</sup>

## Irregular Rhombus or Widening Rectangular

A fast way to measure irregular rhombi is shown in the example below. Stake one end of the measuring tape at point (A, B); measure line d and then line B. Without removing the stake measure line c and then line A. Using those four measurements you will be able to find line a and line b. The areas of triangle (ad), triangle (cb), and rectangle cd) can now be calculated.



**Example: Irregular Rhombus  
or Widening Rectangular**

Length of each line:

$$\begin{aligned} A &= 20 \text{ ft} & c &= 18 \text{ ft} \\ B &= 25 \text{ ft} & d &= 21 \text{ ft} \end{aligned}$$

$$\begin{aligned} \text{Line (f)} &= A - c & \text{Line (e)} &= B - d \\ &= 20 \text{ ft} - 18 \text{ ft} & &= 25 \text{ ft} - 21 \text{ ft} \\ &= 2 \text{ ft} & &= 4 \text{ ft} \end{aligned}$$

$$\begin{aligned} \text{Area (cd)} &= c \times d \\ &= 18 \text{ ft} \times 21 \text{ ft} \\ &= 378 \text{ ft}^2 \end{aligned}$$

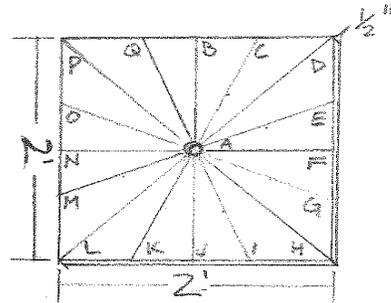
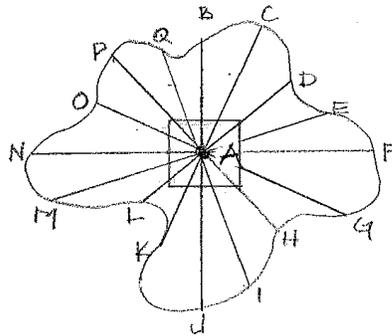
$$\begin{aligned} \text{Area (ce)} &= (c \times e) / 2 \\ &= (18 \text{ ft} \times 4 \text{ ft}) / 2 \\ &= 36 \text{ ft}^2 \end{aligned}$$

$$\begin{aligned} \text{Area (fd)} &= (f \times d) / 2 \\ &= (2 \text{ ft} \times 21 \text{ ft}) / 2 = 21 \text{ ft}^2 \end{aligned}$$

$$\begin{aligned} \text{Total Area} &= \text{Area (cd)} + \text{Area (ce)} + \text{Area (fd)} \\ &= 378 \text{ ft}^2 + 36 \text{ ft}^2 + 21 \text{ ft}^2 \\ &= 435 \text{ ft}^2 \end{aligned}$$

**Non-Uniform Round**

First measure 16 evenly spaced radii from the same center point (point A). This is called the *center point*. Next take the average of all the radii  $(B + C + D + E + F + G + H + I + J + K + L + M + N + O + P + Q) / 16$ . Use the average radii to calculate the area of a circle. (12.25 ft. in this example).

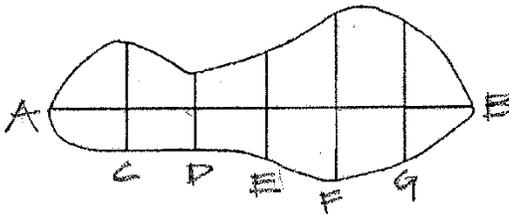


Board used for measuring

<b>Example: Non-Uniform Round</b>	
Length of each offset line:	
B = 10 ft	E = 12 ft    H = 10 ft    K = 9 ft    N = 16 ft    Q = 9 ft    C = 15 ft    F = 15 ft
I = 15 ft	L = 8 ft    O = 10 ft
D = 10 ft	G = 13 ft    J = 17 ft    M = 15 ft    P = 12 ft
Number of radii = 16	
Average length of offset lines	
	= (B + C + D + E + F + G + H + I + J + K + L + M + N + O + P + Q)
	/ (Number of radii)
	= (10 + 15 + 10 + 12 + 15 + 13 + 10 + 15 + 17 + 9 + 8 + 15 + 16 + 10 + 12 + 9)
	/ 16
	= 12.25 ft
Total Area = $\pi \times 12.25^2$ ft	
	= 3.14 x 12.25 ft x 12.25 ft
	= 471 ft <sup>2</sup>

### Non-Uniform Ellipses

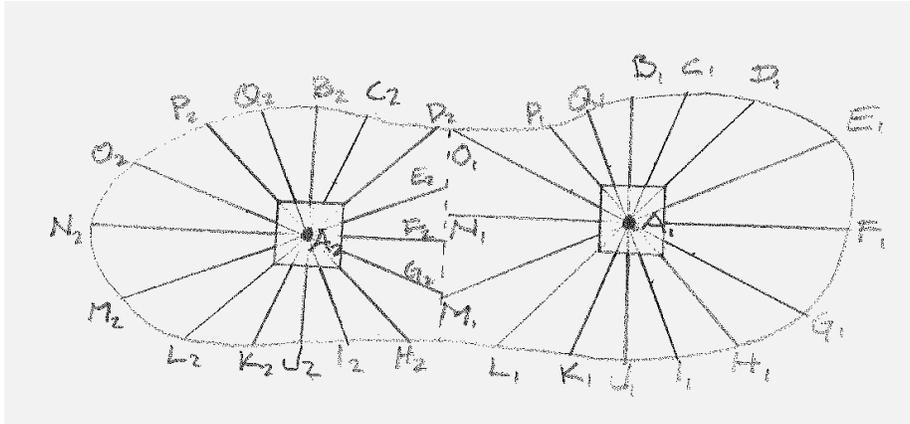
The method used for irregular shaped areas is called the "offset method". First measure the length of the longest axis of the area (line AB). This is called the *length line*. Next, divide the length line into equal sections, for example 10 ft. At each of these points, measure the distance across the area in a line perpendicular to the length line at each point (lines C through G). These lines are called *offset lines*. Finally, add the lengths of all offset lines and multiply the result times the distance that separates these lines (10 ft. in this example). This is most notably different from Non-Uniform Rectangular in that neither the left or right edges of the shape are measured in the ellipse.



<b>Example: Non-Uniform Ellipse</b>	
Length line (AB) = 60 ft	
Distance between offset lines is 10 ft apart	
Length of each offset line	
C = 15 ft	F = 25 ft
D = 10 ft	G = 20 ft
E = 15 ft	
Total length	
of offset lines	= C + D + E + F + G
	= 15 + 10 + 15 + 25 + 20
	= 85 ft
Total Area = (Distance between offset lines)	
	x (sum of the length of offset lines)
	= 10 ft x 85 ft
	= 850 ft <sup>2</sup>

### Non-Uniform Ellipses Alternate

An alternate method of measuring non-uniform ellipses is by dividing the ellipses in uniform parts and utilizing the non-uniform round method as described above. An example is shown below.



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# Exhibit "B"

## Rebate Program Funding Allocation FY 2021-22

Program	Maximum Funding	Devices	IRWD Rebate Funding Level per Device
SoCal Water\$mart Residential Program	\$ 60,000.00	Residential Smart Timer	Up to \$75
		Rotating Nozzle	\$2 per nozzle

Program	Maximum Funding	Devices	IRWD Rebate Funding Level per Device
SoCal Water\$mart Commercial Program	\$ 40,000.00	Connectionless Food Steamer	\$485 per compartment
		Commercial Ice Making Machine (Tier III)	\$250
		Cooling Tower Conductivity Controller	\$700
		Cooling Tower pH Controller	\$400
		Rotating Nozzle	\$2 per nozzle
Water Savings Incentive Program	\$ 30,000.00	Performance Based	\$3 per 1,000 gallons/one year
Turf Removal Program	\$ 70,000.00	Turf Removal	Not to exceed \$2/SF
Spray to Drip Program	\$ 30,000.00	Spray to Drip Conversion	Not to exceed \$0.20/SF
<b>Total Funding for all Rebate Programs</b>	<b>\$ 230,000.00</b>		

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June 14, 2021

Prepared by: J. Baquerizo / A. McNulty

Submitted by: F. Sanchez / P. Weghorst

Approved by: Paul A. Cook 

## ACTION CALENDAR

### WATERSMART SOFTWARE VARIANCE NO. 2

#### SUMMARY:

In 2016, IRWD executed a Professional Services Agreement with WaterSmart Software, Inc. to develop and implement the WaterSmart Program to provide enhanced water use information to residential, Commercial, Industrial and Institutional (CII) customers. The program is an effective tool that promotes water use efficiency and customer engagement through monthly water reports and leak alert notifications, in addition to creating opportunities for customer outreach. In 2021, the program was integrated with IRWD's customer payment processing portal, Paymentus. Staff recommends the Board authorize the General Manager to execute Variance No. 2 to IRWD's Professional Services Agreement with WaterSmart Software Inc. in the amount of \$188,100 to continue program implementation for Fiscal Year (FY) 2021-22.

#### BACKGROUND:

The WaterSmart Program was first implemented as a pilot program in 2012 with 1,000 IRWD customers. Based on the amount of water savings and positive customer responses, the program was expanded in FY 2013-14 into a full-scale program that targeted over-allocation, single-family customers. The following year the program was expanded to include CII customers. After a competitive process in 2016, IRWD entered into an agreement with WaterSmart to continue implementation of the program for three additional years.

In December 2019, Variance No. 1 to the agreement extended the program through FY 2020-21 and provided for the integration of WaterSmart with IRWD's new bill payment processing system (Paymentus). The integration of Paymentus with the WaterSmart Customer portal provides improved customer access to IRWD payment options.

#### Overview of WaterSmart Program:

WaterSmart provides access to proprietary software. Its staff has developed a unique understanding of the requirements of IRWD and its customers. The WaterSmart Program provides monthly water reports comparing a customer's water use to the water usage of similar households to inform customers about typical and efficient water use. The reports also inform customers about IRWD's programs and incentives for water use efficiency as well as customized ways to save water. The report content is modified for each billing cycle to encourage customers to participate in appropriate programs or events, or to take action to resolve potential leaks.

Water reports are sent monthly to customers by electronic mail and standard mail. Customers who receive paper reports are encouraged to sign up online to receive electronic reports and to access the Customer Portal, which presents customer water usage information in a simple format.

Customer response to the integration program has been very positive, and has proven to be an effective way for staff to provide support and assistance to customers.

Variance No. 2 with WaterSmart:

Variance No. 2, in the amount of \$188,100, would extend the WaterSmart Program for one additional year. The variance cost reflects an increase in number of District customer accounts, increased postage rates since 2016, support for the Paymentus integration and up to three custom reports. Staff negotiated the costs associated with Variance No. 2 and finds the variance to be fair and reasonable for the required tasks. A copy of the variance is provided as Exhibit "A". Staff recommends the Board authorize the General Manager to execute Variance No. 2 to the Professional Services Agreement with WaterSmart in the amount of \$188,100.

Upon approval of Variance No. 2, the program will enter the fifth year under the current agreement. During the past five years new companies have likely emerged that provide similar services. In 2022, staff will issue a new request for proposal (RFP) to invite other companies to provide proposals to provide this service for the next five-year period. Two proposals were received by staff in the 2016 RFP process.

FISCAL IMPACTS:

Funding for the WaterSmart Program is included in the adopted FY 2021 - 22 Operating Budget.

ENVIRONMENTAL COMPLIANCE:

IRWD's WaterSmart Program is not a project as defined in the California Environmental Quality Act as authorized under the California Code of Regulations, Title 14, Chapter 3 and Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on June 3, 2021.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE VARIANCE NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WATERSMART SOFTWARE, INC. IN THE AMOUNT OF \$188,100.

LIST OF EXHIBITS:

Exhibit "A" – WaterSmart Software Variance No. 2

## Exhibit "A"

**IRVINE RANCH WATER DISTRICT  
PROFESSIONAL SERVICES VARIANCE**

Project Title: WaterSmart Reports ProgramProject No.: \_\_\_\_\_ Date: May 25, 2021Purchase Order No.: 607958 Variance No.: 2Originator:  IRWD  ENGINEER/CONSULTANT  Other (Explain) \_\_\_\_\_

Description of Variance (attach any back-up material):

Variance No. 2 will increase funding by \$188,100 to extend the current program contract through the end of FY 2021/22, support for new Paymentus integration, and development of custom reports. See attached for details.

Engineering &amp; Management Cost Impact:

Classification	Manhours	Billing Rate	Labor \$	Direct Costs	Subcon. \$	Total \$
Program Administration FY 21/22				\$176,600		\$176,600
Paymentus Single Sign-On Support				\$5,500		\$5,500
Custom Reports (optional)				\$6,000		\$6,000
<b>Total \$ =</b>						<b>\$188,100</b>

Schedule Impact:

Task No.	Task Description	Original Schedule	Schedule Variance	New Schedule
1	Program Administration	Jan 2016- June 2021	1-year renewal	July 2021 – June 2022

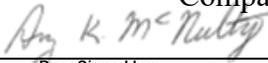
Required Approval Determination:

Total Original Contract	\$ <u>489,510</u>	<input type="checkbox"/> Director: Cumulative total of Variances less than or equal to \$75,000. <input type="checkbox"/> Executive Director: Cumulative total of Variances less than or equal to \$125,000. <input type="checkbox"/> General Manager: Cumulative total of Variances less than or equal to \$200,000. <input checked="" type="checkbox"/> Board: Cumulative total of Variances greater than \$200,000.
Previous Variances	\$ <u>243,850</u>	
This Variance	\$ <u>188,100</u>	
Total Sum of Variances	\$ <u>431,950</u>	
New Contract Amount	\$ <u>921,460</u>	
Percentage of Total Variances to Original Contract	<u>88</u> %	

ENGINEER/CONSULTANT: WaterSmart Software Inc.

IRVINE RANCH WATER DISTRICT

Company Name

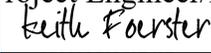

 \_\_\_\_\_ 5/25/2021

Project Engineer/Manager

Date  
5/25/2021

Department Director

Date


 \_\_\_\_\_  
7B208CF9310E497

Date

General Manager/Board

Date



## Scope of Work and Budget Description

This scope of work is to continue to provide services for the Performance Period dating 7/1/2021 to 6/30/2022. The pricing, attached hereto, includes the core WaterSmart Platform: Utility Dashboard and Portal, mobile access, My Use Notifications and Group Messenger, and leak alerts.

1. The core Program Design includes the following:
  - a. Up to 6,000 print Home Water Reports pushed out monthly
  - b. Unlimited email Home Water Reports pushed out monthly
  - c. WaterSmart will select Home Water Report recipients as follows:
    - i. All new account holders, enrolled on a rolling basis. New accounts without an email address on file will receive print Home Water Reports for a maximum of six months, after which they will be removed from the recipient group. If they provide their email address at any time in the first six months, they will continue to receive Home Water Reports by email for the duration of this contract.
    - ii. All single-family residential accounts that have been over their allocation by at least 5 CCF for at least three of the last twelve months. WaterSmart will update this group every six months, removing accounts that no longer meet the criteria and adding accounts that do. The account selection thresholds may be adjusted at any time to maintain alignment with the report capacity included in the program design.

iii. Any IRWD customer who opts in to receive email Home Water Reports.

2. WaterSmart will maintain the embedded Paymentus payments functionality within the WaterSmart Customer Portal.
3. Option for the development of up to three custom reports to be added by June 30, 2022 or earlier based on requirements and design. Requests for individual reports will be designed with input from IRWD. The schedule for each report will be determined by the report requirements and approved by IRWD prior to commencing development.

Item	Cost
Core Program FY 2021-22	\$176,600
Paymentus Single Sign-On Support	\$5,500
Optional Custom Reports (3 at \$2,000 each)	\$6,000
<b>Total</b>	<b>\$188,100</b>

June 14, 2021  
Prepared by: J. Fabris  
Submitted by: P. Weghorst  
Approved by: Paul A. Cook *PA*

## ACTION CALENDAR

### 2021-2022 WATER USE EFFICIENCY OUTREACH CAMPAIGN

#### SUMMARY:

Staff proposes an 18-month Water Use Efficiency Outreach Campaign consisting of targeted initiatives to help customers save water outdoors. Using engaging visuals and user-friendly tools, the campaign will significantly increase customer interest in water-efficient RightScaping, encourage customers to learn efficient landscape techniques through multi-media and in-person gardening workshops and make it easier for customers to transform their yards through a redesigned RightScape.com website. A request for proposal (RFP) was issued to four outreach consulting firms, offering the opportunity to work with staff to develop and implement the campaign. The new campaign will build on the successes and lessons learned from IRWD's 2020 outreach campaign. Staff recommends the Board authorize the General Manager to execute a Professional Services Agreement with Sukle Advertising & Design in the amount of \$1,384,000 for implementation of the proposed 2021-2022 campaign.

#### BACKGROUND:

In July 2020, staff implemented a new suite of creative and targeted outreach initiatives, known as the 2020 Water Use Efficiency Outreach Campaign. The campaign supported programs to help customers save water outdoors, where IRWD sees the greatest potential for additional efficiency. On July 13, 2020, the Board approved a Professional Services Agreement with Sukle Advertising & Design to implement the campaign, which occurred over the last five months of 2020 and in early 2021.

Following is a recap of the 2020 outreach campaign, lessons learned from the campaign, and an overview of the proposed 18-month 2021-2022 Water Use Efficiency Outreach Campaign.

#### 2020 Water Use Efficiency Outreach Campaign:

The 2020 outreach campaign focused on:

- Promoting turf removal and weather-based irrigation controller incentives through a monthly email campaign;
- Raising awareness of, and increasing interest in, RightScaping by refreshing the [RightScape.com](https://www.rightscape.com) landing page, highlighting the beauty of water-efficient plants in IRWD-owned media and through a paid social media campaign featuring humorous "Dino" videos that highlighted the difficulties of maintaining a traditional lawn;
- Increasing attendance at virtual garden workshops through a paid social media and email campaign featuring beautiful garden images; and
- Refreshing WaterStar Business Outreach Program materials and webpages.

*2020 Campaign Results:*

The 2020 RightScape social media campaign reached 83% of residential customers and drove a 380% increase (18,521 versus 3,855) in year-over-year traffic to [RightScape.com](https://www.rightscape.com). The campaign's strategy of positioning RightScaping as a way of bringing beauty and individuality to customers' outdoor spaces helped capture the attention and imagination of IRWD customers. Analytics show that customers driven from the campaign to [RightScape.com](https://www.rightscape.com) were most interested in content that provided inspiration and helpful planning tools. Almost 85% of users clicked on either "Before and After Turf Gallery" or "Design Resources."

IRWD's gardening workshops were quickly converted to online virtual events due to COVID-19. Presenting the workshops online increased the potential audience, and marketing drove up the number of participants versus prior years when workshops were conducted in person. The workshop marketing campaign drove 749 total registrations across the three promoted workshops, a year-over-year increase of 499%. Total registrations rose 220% from September to November as the campaign was implemented.

Proposed 2021-2022 Water Use Efficiency Outreach Campaign:

Interest in home gardening remains high, after a year in which customers spent more time at home due to social distancing. The new outreach campaign will craft engaging messaging and visuals to highlight the beauty of water-efficient landscaping and to build desire and need for a RightScaped yard. The campaign will continue to drive attendance at IRWD water-efficient-gardening workshops as well as improve workshop content to extend service life and make it more engaging on digital platforms. [RightScape.com](https://www.rightscape.com) will be redesigned with new tools to make it easier for customers to follow through with rebates and turf replacement once they are inspired to make the change.

*Elements of 2021-2022 Outreach Campaign:*

Building on the accomplishments of the 2020 outreach campaign, staff recommends implementing the following new creative and targeted initiatives:

- Redesign [RightScape.com](https://www.rightscape.com) to optimize it for mobile and tablet devices, where 55% of users experience it, and equip the site with innovative tools to make landscape transformation easier for customers;
- Design a creative and highly visual outreach campaign to promote turf replacement and RightScaping;
- Re-imagine gardening workshops and transform three of them from one-time presentations into visual, engaging, and always-accessible digital content built around a unifying brand;
- Promote gardening workshops to increase attendance and draw customers who have not previously participated; and
- Target single-family homeowners with an email campaign to increase redemption rates of smart irrigation controller rebates and installations.

Consultant Selection Process:

On March 10, 2021, staff issued an RFP to four public outreach consulting firms: 1) Fiona Hutton & Associates, 2) Gigasavvy, 3) Idea Hall, and 4) Sukle Advertising and Design, offering them the opportunity to work with staff to develop and implement a 2021-2022 Water Use Efficiency Outreach Campaign for IRWD. Fiona Hutton & Associates declined to participate. Gigasavvy, Idea Hall and Sukle submitted proposals. Staff thoroughly evaluated the proposals and interviewed all three firms. The Consultant Selection Matrix is provided as Exhibit "A".

Staff recommends that Sukle be selected to implement the proposed 2021-2022 campaign. Since 2016, IRWD has retained Sukle for water efficiency outreach through a series of Professional Service Agreements. Public Affairs and Water Efficiency Department staff have been highly satisfied with the firm's work. Key strengths of Sukle's 2021-2022 proposal include:

- An inspiring approach and method for taking IRWD's water efficiency outreach to the next level, particularly by re-imagining water efficiency workshops as multi-media experiences provided to tens of thousands of targeted customers, and a vision to redesign RightScape.com into an engaging hub that will help customers transform their yards;
- An outstanding principal and technical leads, with a five-year record of delivering top-quality work to IRWD;
- Deep knowledge of IRWD issues, values, and customer relationships, with a clear understanding of IRWD's objectives;
- Extensive relevant experience in water-efficiency outreach for IRWD and other water-industry clients; and
- A detailed proposal that was highly responsive to the RFP that included the lowest average hourly fee of any of the applicants.

After the evaluation, staff met with Sukle to negotiate and finalize the scope of work. Sukle's final scope of work and compensation schedule are provided as Exhibit "B".

Consultant's Scope of Work:

To assist with the development and implementation of the 2021-2022 Water Use Efficiency Outreach Campaign, staff recommends the Board authorize the General Manager to execute a Professional Services Agreement with Sukle that incorporates its scope of work. Awarding the work to Sukle will allow staff to efficiently build on the successes of the 2020 campaign through Sukle's extensive knowledge of IRWD and its customers.

To ensure uninterrupted and well-timed messaging throughout IRWD customers' landscape planning and planting cycles, an 18-month work plan is included in Sukle's scope of work, running from July 2021 through December 2022. In addition to the campaign elements described above, the scope of work calls for end-of-year planning to refine objectives and tactics heading into 2022 and to develop a 2023 outreach plan. The following table provides the negotiated not-to-exceed costs for program-related tasks, which will be billed by Sukle on a time-and-materials basis.

<b>2021 Tasks</b>	<b>Cost</b>
Promote existing gardening workshops (two new campaigns)	\$30,000
Re-imagine, transform, and promote one gardening workshop	\$170,000
RightScape.com redesign and online tools	\$185,000
Promote smart controllers	\$9,000
RightScaping/turf replacement campaign (design and production)	\$319,000
Account leadership (July-December at \$4,000 per month)	\$24,000
Post-campaign analysis	\$10,000
2022 outreach planning	\$20,000
<b>Subtotal:</b>	<b>\$767,000</b>

<b>2022 Tasks</b>	<b>Cost</b>
Promote existing gardening workshops (two new, two repurposed)	\$45,000
Re-imagine, transform, and promote two gardening workshops	\$280,000
RightScaping/turf replacement campaign (media fees)	\$214,000
Account leadership (January-December at \$4,000 per month)	\$48,000
Post-campaign analysis	\$10,000
2023 outreach planning	\$20,000
<b>Subtotal:</b>	<b>\$617,000</b>

<b>TOTAL:</b>	<b>\$1,384,000</b>
---------------	--------------------

*Option for Additional Concepting:*

If requested by IRWD, for an estimated additional cost of \$40,000, the consultant would conceptualize and design an additional campaign, such as implementing a mobile garden that could allow staff to engage the community by bringing examples of RightScaped yards to community and neighborhood events.

**FISCAL IMPACTS:**

Funding for the 2021-2022 Water Use Efficiency Outreach Campaign is included in the FY 2021-22 and FY 2022-23 Operating Budgets. The campaign will be paid from IRWD's Over-allocation Conservation Fund.

**ENVIRONMENTAL COMPLIANCE:**

Not applicable.

**COMMITTEE STATUS:**

This item was reviewed by the Water Resources Policy and Communications Committee on June 3, 2021.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SUKLE ADVERTISING & DESIGN IN THE AMOUNT OF \$1,384,000 FOR IMPLEMENTATION OF IRWD'S 2021-2022 WATER EFFICIENCY OUTREACH CAMPAIGN.

LIST OF EXHIBITS:

Exhibit "A" – Consultant Selection Matrix

Exhibit "B" – Sukle Advertising & Design 2021-2022 Scope of Work and Compensation Schedule

Note: This page is intentionally left blank.

Exhibit "A"

CONSULTANT EVALUATION MATRIX

Water Use Efficiency Outreach Consultant Selection Matrix

Item	Description	Weight	Gigasavvy	Idea Hall	Sukle
<b>A</b>	<b><u>TECHNICAL APPROACH</u></b>	<b>60%</b>			
1	Adherence to RFP requirements	10%	2	3	1
2	Understanding of required services and project details	25%	2	3	1
3	Approach and methodology	45%	2	3	1
4	Schedule	20%	3	1	2
	<b><u>Weighted Score (Technical Approach)</u></b>		2.20	2.60	1.20
<b>B</b>	<b><u>QUALIFICATIONS AND EXPERIENCE</u></b>	<b>40%</b>			
			3	1	2
1	Project manager	30%	Erin Naterman	Meghan Webb 30%	Brittany O' Donnell 28%
2	Principal in charge	10%	2 Kyle Johnston	3 Rebecca Hall 10%	1 Mike Sukle 8%
3	Technical leads	25%	2 Kristy Gulsvig Strategy Director	3 Bill Kauker Exec Creat Dir. - 20%	1 Dan Schultz Acct. Planner - 9%
4	Project team experience	25%	1	3	2
5	Firm's relevant experience	10%	2	3	1
	<b><u>Weighted Score (Experience)</u></b>		2.05	2	1.55
	<b><u>COMBINED WEIGHTED SCORE</u></b>		<b>2.14</b>	<b>2.52</b>	<b>1.34</b>

**CONSULTANT EVALUATION MATRIX**

<b>Item</b>	<b>Description</b>	<b>Gigasavvy</b>		<b>Idea Hall</b>		<b>Sukle</b>	
<b>C</b>	<b><u>SCOPE OF WORK</u></b>						
<b>TASK</b>		<b>Task Hours</b>	<b>FEE</b>	<b>Task Hours</b>	<b>FEE</b>	<b>Task Hours</b>	<b>FEE</b>
1	Complete 8-month campaign for May-December 2021 (Includes campaign development, RightScape.com redesign, website tools, 2021 wrap-up and 2022 planning)	1,555	\$273,875				
2	13-month campaign for May 2021-May 2022 (Includes kick-off, message development, RightScape.com redesign, content development, digital and email marketing, virtual event, media relations, campaign analysis and tactic adjustments.)			1,450	\$297,250		
3	2021 re-imagine and promote garden workshops					511	\$80,000
4	2022 re-imagine and promote garden workshops					713	\$110,000
5	RightScape.com redesign and website tools					822	\$125,000
6	Smart controller email outreach					60	\$9,000
7	Turf removal campaign					1,024	\$160,000
8	2021 post-campaign analysis					60	\$10,000
9	2022 post-campaign analysis					60	\$10,000
10	2022 planning			150	\$30,750	119	\$20,000
11	2023 planning					119	\$20,000
12	Account leadership (administration, status meetings, stakeholder interviews, budget management, etc.)			100	\$20,500	533	\$80,000
	<b>SUBTOTAL LABOR FEES</b>	<b>1,555</b>	<b>\$273,875</b>	<b>1,700</b>	<b>\$348,500</b>	<b>4,019</b>	<b>\$624,000</b>
13	Hard costs/production budgets/out of pocket (Includes video production, photography, app and technical development, cultural consultation, translation, and other hard costs)		250,000		Not included		\$450,000
14	Media buys		\$200,000		\$120,000		\$310,000
	<b>SUBTOTAL HARD COSTS AND MEDIA BUYS</b>		<b>\$450,000</b>		<b>\$120,000</b>		<b>\$760,000</b>
	<b>TOTAL</b>		<b>\$723,875</b>		<b>\$468,500</b>		<b>\$1,384,000</b>
	<b>Average \$ per hour</b>		<b>\$176</b>		<b>\$205</b>		<b>\$155</b>
<b>D</b>	<b><u>OTHER</u></b>						
	<b>Miscellaneous Items</b>						
	Multiplier						
	Conflict of interest		No		No		No
	Joint Venture		No		No		No
	Scope of work exclusions		No		No		No
	Exceptions taken to IRWD standard contract		Yes		No		Yes
	Insurance (professional & general liability)		Yes		Yes		Yes
<b>E</b>	<b><u>NOTES</u></b>						
	Overall costs vary because each agency proposed a different length PSA: Gigasavvy 8 months, Idea Hall 13 months, Sukle 20 months.						
	Optional tasks are not included in these totals						
	Review team consisted of John Fabris, Amy McNulty, Deniene Rivenburg and Fiona Sanchez.						

# EXHIBIT "B"



SUKLE

2430 WEST 32ND AVENUE  
DENVER, COLORADO 80211

P (303) 964-9100

F (303) 964-9663

SUKLE.COM

## IRVINE RANCH WATER DISTRICT

2021-2022 SCOPE OF WORK

May 24, 2021

### SITUATION

This scope of work is based on IRWD's objectives for 2021 and 2022, learnings from the 2020 WUE Outreach Campaign, and the IRWD Future Potential WE Study completed in 2019.

In 2021 and 2022, IRWD would like to draw more customers to workshops, RightScape.com, rebates, and promotions.

IRWD wants to inspire customers with the beauty of water-efficient landscaping and provide them with tools to convert to RightScaping easier. And, of course, track the results to ensure it's working and to inform future efforts.

Based on the 2020 Outreach Campaign and the WE Study, here are our learnings:

- The most significant opportunities for water savings are in outdoor water use across all customer sectors.
- Turf replacement was identified as the most significant area to address. This scope of work focuses on various RightScaping Initiatives that will begin to upgrade the beauty of RightScaping in the eyes of IRWD's customers and the user experience on RightScape.com.
- The strategy of positioning RightScaping to bring beauty and individuality to customers' outdoor spaces and execute on it in an unexpected, creative way helped capture the attention and imagination of IRWD customers in an incredibly effective way.
- Marketing and outreach have proven to drive customer participation in water efficiency programs to date.

The Agency will create and implement the tools and resources necessary to inspire and guide customers to change their landscaping.

This scope of work is the start of a longer-term effort to:

- Make people aware of the beauty and value of RightScaping
- Educate them by providing tools and resources that allow them to take the steps towards a more water-efficient landscape
- Activate customers to secure rebates

### WATER USE EFFICIENCY EFFORTS

#### 2021 Promote Existing Gardening Workshops

Workshops provide an opportunity to deliver a high-touch experience effectively educate customers about RightScaping and prime them for action. This effort will continue the momentum from the fall 2020 effort.

**Audience:** Single family homeowners

**Objectives:**

- Increase online RSVPs in garden workshops
- Increase attendance in garden workshops

- Expand the reach of workshops to ensure we're drawing new people (not just the same people for each one)

**Tactics:**

**Owned Tactics**

The workshop mini campaigns will be comprised of a description and visual for each workshop and pushed out through organic and boosted social, email and RightScapeNow.com.

**Deliverables:**

- 2x workshop mini campaigns which consists of:
- 1x email (per workshop)
- 1x visual (in multiple sizes) for social and the website (per workshop)
- Boosted social for 2x workshops

**Budget:** \$30,000

**2021 Re-imagine Garden Workshops**

Water efficiency workshops have a significant impact on supporting the RightScaping initiative and enhancing the perception of IRWD, but they have limited reach. By transforming workshops from a monthly program that can only be experienced live into always-on, always-accessible content, we can reach and impact a far greater number of customers while expanding their usefulness.

The Agency will redesign the format and promotion of the Garden Workshops. We will create short, snackable pieces of content and deliver them through social and digital media to tens of thousands of highly targeted customers across the District. Some ideas might include:

- Bring your yard to life. How RightScaping can attract birds, bees, and butterflies to your backyard.
- A summer of fresh eating. Tips from a local chef and nutritionist on how to make the perfect right-sized vegetable garden

**Audience:** Single-family homeowners

**Objective:**

Transform live workshops into engaging digital content, which can expand the reach and effectiveness of workshop efforts in educating customers about water-efficient behaviors and helping them convert to RightScaping.

**Tactics:**

**Owned Tactics**

Create evergreen RightScaping content (video clips, digital on-demand recorded workshop, etc.) to be utilized across organic and boosted social, The Dirt, email, and RightScape.com.

**Paid/Boosted Social Effort**

Expose up to 50,000 people to workshop content. Digital platforms to be considered include Facebook, Instagram, Pinterest, Houzz and YouTube.

**Deliverables:**

A visual brand for the Garden Workshops

- A name
- Logo
- Style guide

New approach to Fall 2021 Workshop content, this will include:

- Content strategy
- Simple production process/format (that can be easily replicated)
- Digital on-demand recorded workshop (30 minutes)
- 3x cutdowns optimized for social channels (:30 seconds up to two minutes)
- 3x how-to or animated clips (:15 seconds)

Promotion

- Using IRWD owned media, including The Dirt, RightScape.com, your social channels, emails, and on-site messaging.
- 2 week paid media effort on digital and social media

**Budget:** \$170,000

**2022 Deliverables:**

**2022 Promote Existing Gardening Workshops**

**Deliverables:**

- 2x new workshop mini campaigns which consists of:
  - 1x email (per workshop)
  - 1x visual (in multiple sizes) for social and the website (per workshop)
  - Boosted social for 2x workshops
- Repurpose 2x pick-up workshop mini campaigns from 2020 which consists of:
  - New copy
  - Pick-up 1x email (per workshop)
  - Pick-up 1x visual (in multiple sizes) for social and the website (per workshop)
  - Boosted social for 2x workshops

**Budget:** \$45,000

**2022 Re-imagine Garden Workshops**

2x - Re-imagined garden workshops (1x spring workshop / 1x fall workshop)

- Content strategy
- Simple production process/format (that can be easily replicated)
- Digital on-demand recorded workshop (30 minutes)
- 3x cutdowns optimized for social channels (:30 seconds up to two minutes)
- 3x how-to or animated clips (:15 seconds)

Promote garden workshops (1x spring workshop / 1x fall workshop)

- 1x creative execution for social per workshop
- 2-week paid media flight per workshop to expose up to 50,000 people to workshop content

**Budget:** \$280,000\*

**Timing:** 16-20 weeks per workshop

*\*Note – there will be some efficiencies created in the 2021 fall workshop that reduce the cost of the two workshops in 2022.*

### **RightScape.com Redesign**

The website is a critical hub that each of the other components of this effort will support. The site's user experience must be improved to help ensure and support a customer through their journey to RightScape their home. Two key priorities will be addressed. First, we will optimize the experience for users who are using mobile/tablet (55% of all users last year who spent approximately 69% less time on site than their desktop counterparts). Secondly, we will improve the content and tools to ensure users find the website valuable enough for them to use for planning, inspiration, and rebate programs.

**Audience:** All IRWD customers

### **Objectives:**

- Increase the value and utility of RightScape.com to customers
- Enhance the user experience, especially for those users on mobile/tablet
- Improve the content and tools to make the website more helpful to customers

### **Tactics:**

Refresh the website design by:

- Developing the site to be responsive for mobile and tablet users
- Including new content that's interesting and engaging for visitors
- Improving the user experience, so content is easier to locate
- Developing tools to help users plan and implement RightScaping

### **Process**

#### *Phase 1 – IRWD Input Session*

There will be a 1–2-hour input session with key members from the IRWD team and the Agency to define objectives, customer journey, functionality, recommended tools, and the content outline. The outcome of this session will be a content outline and a functionality wishlist.

#### *Phase 2 – UX Strategy: Sitemap/Wireframes*

The UX Phase will include developing a sitemap, which will show the content's organization and create interactive wireframes. It's anticipated that this phase will consist of one initial site map and wireframe version, with up to two additional rounds of refinements based on client feedback. Once these elements are approved, the Agency will proceed by developing a more detailed content outline phase.

The Agency will develop new tools that will help customers throughout the RightScaping process. Those may include look books, image galleries, plant catalogs, project planners, design tools, conversion calculators, rebate, and professional service finders.

Some tools and resources that might be considered:

- INSPIRATION

- Look books created by season and style. Agency would create different landscape looks and provide the tips and descriptions of plants necessary to pull them off.
- User-generated image gallery. Collection of projects from real people in the District, continuously posted. Give the impression that everyone is RightScaping.
- Before and after galleries. Imagery of RightScaping transformations.
- DESIRE AND PLANNING
  - Personal project planner. A secure space on the site where users can save personal information, inspiration, designs, shopping lists, and rebates.
  - Landscape designer tool. Simple tool, with drag-and-drop plants, that would allow people to draw and plan their new landscaping.
- ACTIVATION
  - Rebate finder. Rather than have customers click through each rebate, tool would prompt a few simple questions and then match all available rebates from IRWD and other entities.
  - Turf to cash calculator. Customer would type in address and set yard boundaries to quickly estimate the amount of turf and available rebates.
  - Professional landscaper finder. Connecting to Google search, the site would help connect visitors to professional resources. Direct links to providers could drive SEO.

The Agency will work with IRWD to prioritize the final list of tools to see what can be designed within this scope's budget as well as within the development budget.

*Phase 3 – Content Outline & Copy*

The content outline will capture all existing content that will be used on the website – it will include detailed notes for any copy that needs to be refined and new copy that needs to be written. Once IRWD reviews and approves the content outline, the Agency will share the detailed document with the copywriter to begin making refinements and write new copy where necessary. The copy will be reviewed, optimized for organic search, and approved by IRWD before proceeding with the design.

*Phase 4 – Design Directions*

Two design directions will be presented for IRWD's consideration. The design directions will include the home page design as well as two key interior pages.

*Phase 5 – Design & Content Creation/Population*

Based on the approved design direction, each element of the website will be designed and produced. Those elements will include site graphics, photography, forms, designing any tools that have been approved. Once the design is fully fleshed out and has final IRWD approval, the Agency will collect XD files to pass off for development. Content will also be shared to be populated into the CMS.

*Phase 6 – Development Planning*

The Agency will engage a developer in Phases 1 and 2 to weigh in on technical requirements, development of the overall site, and the tools. The Agency will work with IRWD's preferred development partner and/or obtain bids from other entities to get a

sense of a development budget early on and continue to keep the development partner engaged (when necessary) throughout the different phases.

#### *Phase 7 – Manage Implementation and Development*

Once IRWD has signed off on development budgets and oversight to manage the implementation, the Agency will supervise the developer and communicate expectations and timelines clearly with IRWD. The Agency will oversee the entire development, QA, and implementation of the site and tools. (Development is not included in this scope of work.)

#### **Deliverables:**

- Complete design, copy, and content creation for the RightScope.com website and select tools (desktop + mobile)
  - This budget assumes:
    - That the Agency will simplify the RightScaping story and bring the number of website pages (currently 45 pages) to 20 pages.
    - The language/translate tool will translate the content into the necessary languages. There is no budget for translations included in this scope of work.
- Final XD files for development
- Create a budget for managing the implementation and development of the tools and website
- Specific deliverables for each phase are outlined here:
  - Phase 1 – Word document that summarizes the Input Session
  - Phase 2 – Sitemap/wireframes
  - Phase 3 – Content outline and content document
  - Phase 4 – Two unique design directions (each design would show a homepage and 1-2 interior pages of the website)
  - Phase 5 – XD files for development (Full copy/design and final produced assets: photography/video/animation)
  - Phase 6 – Bid from IRWD's preferred partner and a budget for Suple to manage the implementation of the designs and the QA process

**Budget:** \$185,000

**Timing:** 6-8 months

#### **Smart Controllers**

Weather-based smart controller rebates provide a means of reducing outdoor water waste for residential customers and play a critical role in addressing common issues with overallocation watering during the fall shoulder months—conversion to a smart controller results in an average annual water savings of 9,335 gallons.

**Audience:** Single-family homeowners who have been over-allocation in the past 18 months

**Objective:** Increase redemption rates of smart controller rebates/installs

#### **Tactic:**

##### **Emails**

Use existing creative executions (3x) from 2020 and implement the creative into WaterSmart.

**Deliverables:**

3x WaterSmart emails deployed in the spring and fall (based on existing creative from 2020)

**Budget:** \$9,000

**Timing:** 3-4 weeks

**RightScaping/Turf Replacement**

Research identified residential turf replacement and conversion to RightScaping as the most significant opportunity to increase water efficiency across the District and marketing outreach as an effective means of driving customer participation.

**Audience:** Single-family homeowners with larger yards and those who reduced water use during the drought, which is associated with a predisposition to convert to RightScaping.

**Objectives:**

- Increase awareness of RightScaping as an option to add value and personality to your home
- Increase RightScaping “desirability” attitudinal measures (ex: belief that RightScaped yards are beautiful)
- Increase redemption of turf replacement rebates

**Tactics:****RightScaping/Turf Replacement Campaign**

The Agency will create a campaign to increase awareness, change the perceptions and motivate customers to replace turf lawns with RightScaping. The campaign will be designed to build desire and the need for a beautifully RightScaped yard. Part of the messaging exploration will include a way to introduce “turf replacement” in a fun and inviting way. IRWD needs to let people know what they’re missing out on – a one-of-a-kind sanctuary or an extension of your home that creates value.

Social media and digital outreach will be used to precisely target homeowners in the District while tracking interest and engagement.

Behavioral and interest-driven data will be used to create a profile of the ideal target audience to deliver messages via digital and social platforms. The campaign will also be promoted on IRWD’s owned media channels. The Agency will develop a plan outlining messages, objectives, timing, tactics, and evaluation metrics.

**Photography**

The campaign visuals will be critical to the success of the campaign. They need to be beautiful images of water-efficient landscaping. The images will be sourced in many ways: photoshoot, existing stock photography, and/or existing resources like the IRWD archives and GardenSoft. These images will be used across the entire campaign.

**Owned Tactics**

The message and visuals of “beautify your yard” will encourage customers to consider how they could re-imagine their outdoor space. This creative will be applied to newsletters, emails, and RightScape.com.

**Deliverables:**

- RightScaping/Turf Replacement Campaign
  - Campaign concepts (2-3 concepts will be presented to IRWD)
  - Selected campaign concept for production
  - 5-6x social posts (mix of animated and static)
  - 5x HTML5 display banners
  - Translations: Cultural consultation for campaign idea and translations for up to three pieces of campaign creative
- Paid Media
  - Targeted media plan
  - Media channels: Facebook and Instagram, Google Display Network
  - Placements: Newsfeed static and video units, display banners
  - Duration: 8-week campaign
  - Reporting: Bi-weekly reports
- Photography
  - Photoshoot in Orange County
  - 10-15 selects and final photographs
- Owned Tactics
  - 3x emails
  - 3x IRWD Pipeline graphics
  - Website landing page

**Budget:**

- \$319,000 (Design + Production)
- \$214,000 (Media)

**Timing:** 12-16 weeks

**2021/2022 YEARLY BUDGET ALLOCATIONS****2021/2022 Account Leadership**

Account leadership entails all ongoing leadership that ensures your account is run as seamlessly and efficiently as possible. This often involves work that spans across multiple projects and initiatives and is critical to the overall success.

This includes general account and campaign oversight and management functions that are not specific to any one component of the campaign(s), including regular status calls, budget/fiscal management and reconciliation, account onboarding discussions, and learnings that impact multiple topics and projects.

**Deliverables:**

- Weekly project status meetings
- Monthly budget management and reconciliation, including the creation of a master budget document and monthly billing summary reports
- Review of any documentation, presentations, research reports

**Budget:**

- 2021: \$24,000 (\$4,000/monthly)
- 2022: \$48,000 (\$4,000/monthly)

**Timing:** Ongoing, July 2021-December 2022

### **2021/2022 Post Campaign Analysis**

At the conclusion of each campaign effort, in the fall of 2021 and 2022, a keynote presentation will evaluate the Outreach Campaigns. The presentation will include key performance indicators, analytics, key takeaways, and implications for the following year.

**Deliverable:** A keynote presentation for 2021 and 2022

**Budget:**

- 2021: \$10,000
- 2022: \$10,000

**Timing:** November/December 2021, November/December 2022

### **2022/2023 Planning**

The Agency will lead a planning session with the IRWD team members to review the evaluation of the 2021 campaign and outline a marketing plan for 2022. The plan will include objectives, strategies, tactics, budget allocation, timelines, key performance indicators, and responsibilities.

This process will be duplicated in 2022 for the 2023 marketing campaign.

**Deliverables:**

- 2 - Planning sessions (virtual or in-person)
- 2022 Marketing Plan
- 2023 Marketing Plan

**Budget:**

- 2021: \$20,000
- 2022: \$20,000

**Timing:** November/December 2021, November/December 2022

## **OPTION FOR ADDITIONAL CONCEPTING**

### **Mobile Gardens Concepting**

If requested by the District, the Agency will explore a community-driven tactic using RightScape gardens created on flatbed trucks. This tactic provides the campaign with a physical presence that is also mobile that can move around the District to engage the community in an engaging way.

**Deliverables:**

- Mobile Garden concepting
  - Concepting and writing messaging
  - Design concepts for the vehicle and garden
  - Fabrication vendor search and recommendation
  - Production budget

**Budget:** \$40,000\*

*\*Note – The budget accounts for this to be concepted as well as provide a production bid. However, production and implementation of this tactic are not included in this scope of work.*

**2021 BUDGET**

**2021 WATER USE EFFICIENCY EFFORTS**

2021 Promote Existing Gardening Workshops	\$30,000
2021 Re-imagine Fall Garden Workshop	\$170,000
2021 RightScape.com Redesign and Online Tools	\$185,000
2021 Promote Smart Controllers	\$9,000
2022 RightScaping Campaign / Turf Replacement (Design + Production)	\$319,000

**2021 YEARLY BUDGET ALLOCATIONS**

2021 Account Leadership (July-Dec)	\$24,000
2021 Post-Campaign Analysis	\$10,000
2022 Planning	\$20,000

**Total:** **\$767,000**

**2022 BUDGET**

**2022 WATER USE EFFICIENCY EFFORTS**

2022 Promote Existing Gardening Workshops	\$45,000
2022 Re-imagine Spring and Fall Garden Workshops	\$280,000
2022 RightScaping Campaign/Turf Replacement (Media)	\$214,000

**2022 YEARLY BUDGET ALLOCATIONS**

2022 Account Leadership (Jan-Dec)	\$48,000
2022 Post-Campaign Analysis	\$10,000
2023 Planning	\$20,000

**Total:** **\$617,000**

**OPTION FOR ADDITIONAL CONCEPTING**

2022 Mobile Gardens Campaign	\$40,000
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## TIMING

Due to the timing of the RFP and the natural behaviors of your consumers and planting cycles, an 18-month scope of work is recommended. This scope of work would run from July 2021 through December 2022.

The work plan and campaign timing are as follows based on approval in July but are subject to change.

	2021						2022											
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Promote Existing Gardening Workshops</b>																		
Design/Production																		
Media Goes Live																		
<b>Re-imagine Garden Workshops</b>																		
Content Strategy/Design/Production																		
Media Goes Live																		
<b>Website Redesign</b>																		
Phase 1 – IRWD Input Session																		
Phase 2 – UX Strategy/ Sitemap/ Content Outline																		
Phase 3 – Design Directions																		
Phase 4 – Design & Copy																		
Phase 5 – Development Planning (Ongoing)																		
Phase 6 – Development																		
Development by IRWD's preferred partner (not included in SOW)																		
<b>RightScaping/Turf Removal</b>																		
Concepting																		
Creative Presentation / IRWD Feedback																		
Production																		
Campaign Live & Recap																		
<b>Smart Controller Emails</b>																		
Design in WaterSmart																		
Emails Live																		
<b>2022 + 2023 Planning</b>																		
Create Scope of Work																		



**SUKLE**  
 2430 WEST 32ND AVENUE  
 DENVER, COLORADO 80211

P (303) 964-9100  
 F (303) 964-9663  
 SUKLE.COM

**IRWD 2021-2022 PLAN COMPENSATION SCHEDULE – 5/24/21**

**PROMOTE GARDENING WORKSHOPS**

**2021 Promote Existing Gardening Workshops**

Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	<i>Writes the creative brief, reviews and proofs content, manages development and client expectations.</i>	\$150.00	24	\$3,600.00
Account Planner/Strategist	<i>Collaborates with the account supervisor on messaging and the creative brief.</i>	\$160.00	16	\$2,560.00
Creative Director	<i>Reviews creative (copy and design).</i>	\$220.00	3	\$660.00
Associate Creative Director	<i>Develops the idea for each workshop and then designs and produces all visual assets.</i>	\$160.00	50	\$8,000.00
Copywriter	<i>Develops the idea for each workshop and then writes copy for each asset.</i>	\$175.00	16	\$2,800.00
Project Manager	<i>Manages internal workflow to ensure we meet deadlines.</i>	\$110.00	8	\$880.00
Production Management	<i>Manages any production that is necessary for the visuals.</i>	\$140.00	8	\$1,120.00
Mechanical Artist	<i>Mechanicalizes final files.</i>	\$95.00	4	\$380.00
Miscellaneous Costs / Out of pocket costs	<i>This includes budget for any video production, animation, etc that may be needed for the various outputs.</i>			\$5,000.00
Subtotal				\$25,000.00

**Boosted Social for 2x Workshops**

Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Miscellaneous Costs / Out of pocket costs	<i>This includes \$2,500 per workshop to boost social assets to further promote the workshops and reach more customers.</i>			\$5,000.00
Subtotal				\$5,000.00
<b>Subtotal</b>				<b>\$30,000.00</b>

2021 Re-imagine Fall Garden Workshop				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	<i>Writes the creative brief, reviews and proofs content, manages development and client expectations.</i>	\$150.00	62	\$9,300.00
Account Planner/Strategist	<i>Collaborates with the account supervisor on messaging and the creative brief.</i>	\$160.00	10.5	\$1,680.00
Creative Director	<i>Reviews creative and provides direction during production.</i>	\$220.00	50	\$11,000.00
Associate Creative Director	<i>Develops the content for the workshop and then designs and produces all of the assets.</i>	\$160.00	145	\$23,200.00
Copywriter	<i>Develops the content for the workshop and then designs and produces all of the assets.</i>	\$175.00	94	\$16,450.00
Project Manager	<i>Manages internal workflow to ensure we meet deadlines.</i>	\$110.00	47	\$5,170.00
Production Management	<i>Manages the logistics for the production and post-production.</i>	\$140.00	78	\$10,920.00
Mechanical Artist	<i>Mechanicalizes final files.</i>	\$95.00	24	\$2,280.00
Miscellaneous Costs / Out of pocket costs	<i>This includes budget for any video production, animation, etc that may be needed for the various outputs.</i>			\$70,000.00
Subtotal				\$150,000.00
Media Buy (Promote workshop series and boost content to the masses)				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Miscellaneous Costs / Out of pocket costs	<i>This includes paid media to boost social content to further promote the workshop and have the content reach more customers.</i>			\$20,000.00
Subtotal				\$20,000.00
<b>Subtotal</b>				<b>\$170,000.00</b>

2022 Promote Existing Gardening Workshops				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	<i>Writes the creative brief, reviews and proofs content, manages development and client expectations.</i>	\$150.00	35	\$5,250.00
Account Planner/Strategist	<i>Collaborates with the account supervisor on messaging and the creative brief.</i>	\$160.00	16	\$2,560.00
Creative Director	<i>Reviews creative (copy and design).</i>	\$220.00	5	\$1,100.00
Associate Creative Director	<i>Develops the idea for each workshop and then designs and produces all visual assets.</i>	\$160.00	74	\$11,840.00
Copywriter	<i>Develops the idea for each workshop and then writes copy for each asset.</i>	\$175.00	32	\$5,600.00
Project Manager	<i>Manages internal workflow to ensure we meet deadlines.</i>	\$110.00	17	\$1,870.00
Production Management	<i>Manages any production that is necessary for the visuals.</i>	\$140.00	10	\$1,400.00
Mechanical Artist	<i>Mechanicalizes final files.</i>	\$95.00	4	\$380.00
Miscellaneous Costs / Out of pocket costs	<i>This includes budget for any video production, animation, etc that may be needed for the various outputs.</i>			\$5,000.00
Subtotal				\$35,000
Boosted Social for 4x Workshops				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Miscellaneous Costs / Out of pocket costs	<i>This includes \$2,500 per workshop to boost social assets to further promote the workshops and reach more customers.</i>			\$10,000.00
Subtotal				\$10,000.00
<b>Subtotal</b>				<b>\$45,000.00</b>

2022 Re-imagine Spring and Fall Garden Workshops				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	<i>Writes the creative brief, reviews and proofs content, manages development and client expectations.</i>	\$150.00	110	\$16,500.00
Account Planner/Strategist	<i>Collaborates with the account supervisor on messaging and the creative brief.</i>	\$160.00	21	\$3,360.00
Creative Director	<i>Reviews creative and provides direction during production.</i>	\$220.00	60	\$13,200.00
Associate Creative Director	<i>Develops the content for the workshop and then designs and produces all of the assets.</i>	\$160.00	171.5	\$27,440.00
Copywriter	<i>Develops the content for the workshop and then designs and produces all of the assets.</i>	\$175.00	130	\$22,750.00
Project Manager	<i>Manages internal workflow to ensure we meet deadlines.</i>	\$110.00	60	\$6,600.00
Production Management	<i>Manages the logistics for the production and post-production.</i>	\$140.00	110	\$15,400.00
Mechanical Artist	<i>Mechanicalizes final files.</i>	\$95.00	50	\$4,750.00
Miscellaneous Costs / Out of pocket costs	<i>This includes budget for any video production, animation, etc that may be needed for the various outputs.</i>			\$130,000.00
Subtotal				\$240,000.00
Media Buy (Promote workshop series and boost content to the masses for a 2022 spring and fall workshop)				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Miscellaneous Costs / Out of pocket costs	<i>This includes paid media to boost social content to further promote the workshop and have the content reach more customers.</i>			\$40,000.00
Subtotal				\$40,000.00
<b>Subtotal</b>				<b>\$280,000.00</b>

**RIGHTSCAPE.COM REDESIGN**

**2021 Website Redesign**

(Phases 1-6 / Complete design and content for RightScope.com and select website tools)

Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Participates in the Input Session, weighs in on the sitemap and wireframes, writes the creative brief, reviews and proofs content, manages overall project and client expectations.	\$150.00	89	\$13,350.00
Account Planner/Strategist	Participates in the Input Session, weighs in on the sitemap and wireframes, helps write the content outline, writes the creative brief.	\$160.00	95.5	\$15,280.00
Creative Director	Participates in the Input Session, reviews and checks in throughout each phase of the process.	\$220.00	55.5	\$12,210.00
Associate Creative Director	Develops the sitemap and wireframes, creates design directions for the website and then completely redesigns the website based on the approved direction.	\$160.00	284	\$45,440.00
Copywriter	Collaborates on the content outline and once approved writes copy for the entire website.	\$140.00	150	\$21,000.00
Project Manager	Manages internal workflow to ensure we meet deadlines.	\$110.00	76	\$8,360.00
Production Management	Works closely with IRWD's development partner/or obtain bids from other entities to have necessary conversations upfront before getting to the development phase.	\$140.00	56	\$7,840.00
Mechanical Artist	Mechanicalizes final files.	\$95.00	16	\$1,520.00
Miscellaneous Costs / Out of pocket costs	This includes budget for any photography, retouching or animation that may be needed.			\$60,000.00
<b>Subtotal</b>				<b>\$185,000.00</b>

**SMART CONTROLLER EMAILS**

**2021 Smart Controller Emails**

(3x WaterSmart emails based on existing creative from 2020)

Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Manages the logistics of gaining access to the WaterSmart platform, helps the creatives to troubleshoot emails and manages client communications.	\$150.00	22	\$3,300.00
Account Planner/Strategist	Collaborates with the account supervisor on messaging (if any messaging needed to be updated).	\$160.00	5	\$800.00
Creative Director	Reviews creative or test emails before they launch.	\$220.00	3	\$660.00
Associate Creative Director	Formats existing email designs to the WaterSmart platform.	\$160.00	20	\$3,200.00
Project Manager	Manages internal workflow to ensure we meet deadlines.	\$110.00	6	\$660.00
Mechanical Artist	Mechanicalizes final files, if needed.	\$95.00	4	\$380.00
<b>Subtotal</b>				<b>\$9,000.00</b>

**RIGHTSCAPING / TURF REMOVAL CAMPAIGN**

<b>2022 RightScaping / Turf Replacement Campaign</b> (Campaign concepts and production - Integrated campaign)				
<b>Title</b>	<b>Role</b>	<b>Hourly Rate</b>	<b>Projected Hours</b>	<b>Total Projected Cost</b>
<i>Account Supervisor</i>	<i>Writes creative brief for the creative team. Participates in creative check-ins and manages client expectations.</i>	\$150.00	81	\$12,150.00
<i>Account Planner/Strategist</i>	<i>Develops creative brief and messaging with account supervisor. Participates in creative check-ins.</i>	\$160.00	28.25	\$4,520.00
<i>Creative Director</i>	<i>Works with the creatives on the creative concepts, production and post production.</i>	\$220.00	71	\$15,620.00
<i>Associate Creative Director</i>	<i>Works with the copywriter on concepts. Produces the various campaign elements.</i>	\$160.00	410	\$65,600.00
<i>Copywriter</i>	<i>Works with the associate creative director on concepts. Produces the various campaign elements.</i>	\$175.00	125	\$21,875.00
<i>Project Manager</i>	<i>Manages internal workflow to ensure we meet presentation deadlines.</i>	\$110.00	50	\$5,500.00
<i>Production Management</i>	<i>Manages any production that necessary for the various campaign elements</i>	\$140.00	139	\$19,460.00
<i>Mechanical Artist</i>	<i>Mechanicalizes final files.</i>	\$95.00	45	\$4,275.00
<i>Miscellaneous Costs / Out of pocket costs</i>	<i>This includes budget for photography shoot and any additional production needs (i.e., 3D renderings, possible animation, video editing, retouching or illustration that may be needed).</i>			\$155,000.00
<b>Subtotal</b>				<b>\$304,000</b>

<b>Translations</b>				
<b>Title</b>	<b>Role</b>	<b>Hourly Rate</b>	<b>Projected Hours</b>	<b>Total Projected Cost</b>
<i>Miscellaneous Costs / Out of pocket costs</i>	<i>This includes budget for cultural consultation of the RightScape Campaign idea as well as translations in Spanish, Chinese and Korean for up to three pieces of creative.</i>			\$15,000.00
<b>Subtotal</b>				<b>\$15,000.00</b>
<b>Media Buy (8-10-week campaign)</b>				
<b>Title</b>	<b>Role</b>	<b>Hourly Rate</b>	<b>Projected Hours</b>	<b>Total Projected Cost</b>
<i>Miscellaneous Costs / Out of pocket costs</i>	<i>This includes budget for planning, executing and reporting on a 8-10-week digital campaign.</i>			\$214,000.00
<b>Subtotal</b>				<b>\$214,000.00</b>
<b>Subtotal</b>				<b>\$533,000</b>

2021 Account Leadership (July-December) (Includes time for administrative oversight, status meetings, budget management providing IRWD monthly billing summary reports)				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Account leadership ensures this scope is run as seamlessly and efficiently as possible. This breaks out to roughly 26 hours per month.	\$150.00	160	\$24,000
<b>Subtotal</b>				<b>\$24,000</b>

2021 Post-Campaign Analysis				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Works with account planner on campaign analytics and a full campaign recap.	\$150.00	20	\$3,000.00
Account Planner/Strategist	Works with account supervisor on campaign analytics and a full campaign recap.	\$160.00	30	\$4,800.00
Creative Director	Review campaign report and participates in the client presentation.	\$220.00	10	\$2,200.00
<b>Subtotal</b>				<b>\$10,000.00</b>

2022 Planning				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Discusses and aligns on IRWD objectives for 2022. Develops 2022 scope of work.	\$150.00	50	\$7,500.00
Account Planner/Strategist	Discusses and aligns on IRWD objectives for 2022. Develops 2022 scope of work.	\$160.00	43.75	\$7,000.00
Creative Director	Discusses and aligns on IRWD objectives for 2022. Develops 2022 scope of work.	\$220.00	25	\$5,500.00
<b>Subtotal</b>				<b>\$20,000.00</b>

2022 Account Leadership (January-December) (Includes time for administrative oversight, status meetings, budget management providing IRWD monthly billing summary reports)				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Account leadership ensures this scope is run as seamlessly and efficiently as possible. This breaks out to roughly 26 hours per month.	\$150.00	320	\$48,000.00
<b>Subtotal</b>				<b>\$48,000.00</b>
2022 Post-Campaign Analysis				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Works with account planner on campaign analytics and a full campaign recap.	\$150.00	20	\$3,000.00
Account Planner/Strategist	Works with account supervisor on campaign analytics and a full campaign recap.	\$160.00	30	\$4,800.00
Creative Director	Review campaign report and participates in the client presentation.	\$220.00	10	\$2,200.00
<b>Subtotal</b>				<b>\$10,000.00</b>
2023 Planning				
Title	Role	Hourly Rate	Projected Hours	Total Projected Cost
Account Supervisor	Discusses and aligns on IRWD objectives for 2023. Develops 2023 scope of work.	\$150.00	50	\$7,500.00
Account Planner/Strategist	Discusses and aligns on IRWD objectives for 2023. Develops 2023 scope of work.	\$160.00	43.75	\$7,000.00
Creative Director	Discusses and aligns on IRWD objectives for 2023. Develops 2023 scope of work.	\$220.00	25	\$5,500.00
<b>Subtotal</b>				<b>\$20,000.00</b>
<b>Total Scope of Work</b>				<b>\$1,384,000</b>

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