

REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Board Room, Fountain Valley, California
October 16, 2019, 8:30 a.m.

AGENDA

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS/PARTICIPATION

At this time, members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken. If the item is on the Consent Calendar, please inform the Board Secretary before action is taken on the Consent Calendar and the item will be removed for separate consideration.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize items(s) which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present, or, if less than two-thirds of the Board members are present, a unanimous vote of those members present.)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

PRESENTATION BY CALIFORNIA SPECIAL DISTRICTS ASSOCIATION

RECOGNITION OF THE PUBLIC AFFAIRS DEPARTMENT

NEXT RESOLUTION NO. 2089

CONSENT CALENDAR (Items 1 to 8)

(All matters under the Consent Calendar will be approved by one motion unless a Board member requests separate action on a specific item)

1. MINUTES

- a. September 4, 2019 Workshop Board Meeting
- b. September 18, 2019 Regular Board Meeting

Recommendation: Approve as presented.

2. COMMITTEE MEETING REPORTS

- a. Planning & Operations Committee Meeting: September 3, 2019
- b. Administration & Finance Committee Meeting: September 11, 2019
- c. Public Affairs & Legislation Committee Meeting: September 16, 2019
- d. Executive Committee Meeting: September 19, 2019

Recommendation: Receive and file as presented.

3. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of September 30, 2019
- b. MWDOC Disbursement Registers (September/October)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of August 31, 2019
- d. PARS Monthly Statement (OPEB Trust)
- e. Water Use Efficiency Projects Cash Flow

Recommendation: Receive and file as presented.

4. FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period ending August 31, 2019

Recommendation: Receive and file as presented.

5. AUTHORIZE NEW CREDIT FOR US BANK VOYAGER FLEET FUEL CARDS

Recommendation: Authorize staff to secure a US Bank Voyager Fleet fuel credit card account for the Shared Services Water Loss Control program with a credit limit of \$5,000, and authorize the amendment to Administrative Code Section 2205 (MWDOC Credit Card Advance of Funds) to reflect that future credit card applications and credit card limit authorizations shall be within the authority of the General Manager (rather than Board).

6. ELECTRICAL SYSTEM REHABILITATION PROJECT – AVRAM CONTRACT – CHANGE ORDERS 4 & 5

Recommendation: Approve two change orders to the Avram contract for the Electrical System Rehabilitation Project which are outside of the original scope of work in the amount of \$11,760.00.

7. AUTHORIZE ATTENDANCE AT THE PUBLIC POLICY INSTITUTE'S "PREPARING CALIFORNIA'S WATER SYSTEM FOR CLIMATE EXTREMES" SYMPOSIUM, NOVEMBER 5, 2019, SACRAMENTO

Recommendation: Authorize attendance at the "Preparing California's Water System for Climate Extreme's symposium on November 5, 2019 in Sacramento.

8. HEALTH SAVINGS ACCOUNT ELECTIONS FOR 2020

Recommendation: Approve annual 2020 Health Savings Account (HSA) contributions to the Consumer Driven Health Plans (CDHP) in accordance with JPIA recommendations, as presented (Option 1).

End Consent Calendar**ACTION ITEMS****9-1 ADOPT RESOLUTION APPROVING AMENDED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN MWDOC AND THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) RE THE HEALTH BENEFITS PROGRAM****RES. NO. _____**

Recommendation: Adopt a Resolution approving the amendments to the MOU as presented, and authorize the General Manager to execute the MOU, Option 1.

9-2 APPROVAL OF REVISED PERSONNEL MANUAL

Recommendation: Approve revisions and additions to Personnel Manual (with the exception that the Civility Policy addition is removed), as presented, to be effective October 16, 2019.

9-3 AUTHORIZATION TO VOTE ON BEHALF OF MWDOC IN ACWA'S ELECTION OF PRESIDENT, VICE PRESIDENT

Recommendation: Review the candidates, and authorize MWDOC Board President Brett Barbre or his designee to cast the District's ballot for the ACWA President and Vice President at ACWA's Fall Conference on December 4, 2019.

INFORMATION CALENDAR (All matters under the Information Calendar will be Received/Filed as presented following any discussion that may occur)

10. GENERAL MANAGER'S REPORT, OCTOBER 2019 (ORAL AND WRITTEN)

Recommendation: Receive and file report(s) as presented.

11. MWDOC GENERAL INFORMATION ITEMS

- a. Board of Directors - Reports re: Conferences and Meetings
- b. Requests for Future Agenda Topics

Recommendation: Receive and file as presented.

ADJOURNMENT

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by contacting Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

**MINUTES OF THE WORKSHOP BOARD MEETING
OF THE BOARD OF DIRECTORS OF
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC)
WITH THE MWDOC MET DIRECTORS**

September 4, 2019

At 8:30 a.m., President Barbre called to order the Regular Meeting of the Municipal Water District of Orange County in the Board Room at the District facilities located in Fountain Valley. Director Joan Finnegan led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

Brett R. Barbre
Larry Dick (absent)
Joan Finnegan
Bob McVicker
Sat Tamaribuchi
Jeffery M. Thomas (absent)
Megan Yoo Schneider (absent)

STAFF

Robert Hunter, General Manager
Karl Seckel, Assistant General Manager
Alisha Winterswyk, Legal Counsel
Maribeth Goldsby, Board Secretary
Harvey De La Torre, Associate General Manager
Melissa Baum-Haley, Sr. Water Resources Analyst
Kevin Hostert, Water Resources Analyst
Chris Lingad, Water Resources Analyst
Damon Micalizzi, Director of Public Affairs
Joe Berg, Director of Water Use Eff. Programs

*Also MWDOC MET Directors

OTHER MWDOC MET DIRECTORS

Larry McKenney
Linda Ackerman (absent)

OTHERS PRESENT

Adan Ortega
Kathryn Freshley
Steve LaMar
Doug Reinhart
Paul Cook
Paul Weghorst
Kelly Rowe
John Kennedy
Adam Hutchinson
Dan Ferons
Jim Leach
Greg Mills
Dennis Erdman
Brooke Jones
Ed Means
Kristy Khachigian
Skylar Stephens

MET Director, Fullerton
El Toro Water District
Irvine Ranch Water District
Irvine Ranch Water District
Irvine Ranch Water District
Irvine Ranch Water District
Orange County Water District
Orange County Water District
Orange County Water District
Santa Margarita Water District
Santa Margarita Water District
Serrano Water District
South Coast Water District
Yorba Linda Water District
Means Consulting
Kristy Khachigian Consulting
San Diego County Water Authority

PUBLIC PARTICIPATION/PUBLIC COMMENTS

President Barbre inquired whether any members of the public wished to comment on agenda items.

No public comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine need and take action to agendize item(s), which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present or, if less than two-thirds of the Board members are present, a unanimous vote.)

No items were presented.

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

President Barbre inquired as to whether there were any items distributed to the Board less than 72 hours prior to the meeting.

No items were presented.

PRESENTATION/DISCUSSION/INFORMATION ITEMS**PRESENTATION BY BRAD COFFEY REGARDING THE GOVERNOR'S RESILIENCY PROGRAM**

Mr. Brad Coffey (Metropolitan staff) provided an overview of Governor Newsom's California Water Resilience Portfolio (directing state agencies to develop a comprehensive strategy to build a climate-resilient water system and ensure healthy waterways through the 21st century). Mr. Coffey outlined MET's approach to build upon a portfolio method developed through the IRP, participate in state-wide efforts with industry associations, receive and incorporate input from member agencies and the Water Planning & Stewardship Committee, provide a comment letter to the State (August 30), and continue participation in the process. Mr. Coffey also provided information on the areas MET is focusing (advancing potable reuse, resiliency strategy for the Delta, and a vision for inter-governmental collaboration), inter-governmental roles (state, regional, and local), as well as the portfolio of state, regional, and local actions.

Considerable discussion ensued regarding the Water Resilience Portfolio comment letters sent by both MWD and MET, the importance of advancing potable reuse water, the role of the Federal government, the need to educate the public, and the level of operations & maintenance by the State.

The Board received and filed the information presented and thanked Mr. Coffey for the presentation.

INPUT OR QUESTIONS ON MET ISSUES FROM THE MEMBER AGENCIES/MET DIRECTOR REPORTS REGARDING MET COMMITTEE PARTICIPATION

Director McKenney highlighted the Conservation & Local Resources Committee activities, and noted that the MET Board authorized General Manager Kightlinger to enter into

agreements with the State Water Resources Control Board for the sale of output from four hydroelectric power plants.

Discussion was held regarding Demand Management (and its effect on rates), storage, and prefunding OPEB and PERS liability.

DELTA CONVEYANCE PROJECT ACTIVITIES UPDATE

The Board received and filed the staff report.

MWDOC'S HOSTING OF DELTA STEWARDSHIP COUNCIL MEETING ON SEPTEMBER 26, 2019

The Board received and filed the staff report.

MWD ITEMS CRITICAL TO ORANGE COUNTY

- a. MET's Water Supply Conditions
- b. MET's Finance and Rate Issues
- c. Colorado River Issues
- d. Bay Delta/State Water Project Issues
- e. MET's Ocean Desalination Policy and Potential Participation by MET in the Doheny Desalination Project
- f. Orange County Reliability Projects
- g. East Orange County Feeder No. 2
- h. South County Projects

Director Tamaribuchi highlighted a discussion held between Karl Seckel/Charles Busslinger and the SMWD Water Quality and Innovations Committee regarding water quality issues. SMWD General Manager Dan Ferons thanked both Mr. Seckel and Mr. Busslinger for their input.

The Board requested that water quality become an annual topic for the Workshop Board meeting. The information was received and filed.

METROPOLITAN (MET) BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS

- a. Summary regarding August MET Board Meetings
- b. Review items of significance for the upcoming MET Board and Committee Agendas

The information was received and filed.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:33 a.m.

Maribeth Goldsby
Board Secretary

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
September 18, 2019**

At 8:30 a.m., President Barbre called to order the Regular Meeting of the Municipal Water District of Orange County in the Board Room at the District facilities located in Fountain Valley. Director Thomas led the Pledge of Allegiance and Secretary Goldsby called the roll.

MWDOC DIRECTORS

Brett R. Barbre
Larry Dick
Joan Finnegan (absent)
Bob McVicker
Sat Tamaribuchi
Jeffery M. Thomas
Megan Yoo Schneider

STAFF

Robert Hunter, General Manager
Karl Seckel, Assistant General Manager
Joe Byrne, Legal Counsel
Maribeth Goldsby, Board Secretary
Cathy Harris, Admin. Services Manager
Heather Baez, Government Affairs Manager
Melissa Baum-Haley, Principal Resources Analyst

ALSO PRESENT

Linda Ackerman
Larry McKenney
Jose Vergara
Peer Swan
Paul Weghorst
Jim Atkinson
Don Froelich
Kelly Rowe
John Kennedy
Dennis Erdman
Rick Erkeneff
Rick Shintaku
Fernando Paludi
Brooke Jones

MWDOC/MET Director
MWDOC/MET Director
El Toro Water District
Irvine Ranch Water District
Irvine Ranch Water District
Mesa Water
Moulton Niguel Water District
Orange County Water District
Orange County Water District
South Coast Water District
South Coast Water District
South Coast Water District
Trabuco Canyon Water District
Yorba Linda Water District

PUBLIC PARTICIPATION/PUBLIC COMMENT

President Barbre announced members of the public wishing to comment on agenda items could do so after the item has been discussed by the Board and requested members of the public identify themselves when called on. Mr. Barbre asked whether there were any comments on other items which would be heard at this time.

No comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were received.

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

President Barbre inquired as to whether there were any items distributed to the Board less than 72 hours prior to the meeting.

No items were distributed.

EMPLOYEE SERVICE AWARD

General Manager Hunter presented an award to Kevin Hostert for five years of service to the District.

CONSENT CALENDAR

President Barbre stated all matters under the Consent Calendar would be approved by one MOTION unless a Director wished to consider an item separately.

Upon MOTION by Director Thomas, seconded by Director Yoo Schneider, and carried (6-0), the Board approved the Consent Calendar items as follows. Directors Barbre, Dick, McVicker, Yoo Schneider, Tamaribuchi, and Thomas and voted in favor; Director Finnegan was absent.

MINUTES

The following minutes were approved.

August 7, 2019 Workshop Board Meeting
August 21, 2019 Regular Board Meeting

COMMITTEE MEETING REPORTS

The following Committee Meeting reports were received and filed as presented.

Planning & Operations Committee Meeting: August 5, 2019
Administration & Finance Committee Meeting: August 14, 2019
Public Affairs & Legislation Committee Meeting: August 12, 2019
Executive Committee Meeting: August 22, 2019

TREASURER'S REPORTS

The following items were ratified and approved as presented.

MWDOC Revenue/Cash Receipt Register as of August 31, 2019
MWDOC Disbursement Registers (August/September)

The following items were received and filed as presented.

MWDOC Summary of Cash and Investment and Portfolio Master Summary Report (Cash

and Investment report) as of July 31, 2019

PARS Monthly Statement (OPEB Trust)

Water Use Efficiency Projects Cash Flow

FINANCIAL REPORT

The following items were received and filed as presented.

Unaudited Draft Combined Financial Statements and Budget Comparative for the period ending July 31, 2019

AMENDMENT NO. 8 TO THE SANTIAGO AQUEDUCT COMMISSION (SAC) JOINT POWERS AGREEMENT (JPA)

The Board authorized the Board President to execute Amendment No. 8 to the SAC JPA, as presented.

ADDITIONAL AUTHORIZATION FOR RAFTELIS TO COMPLETE THE DWR GRANT MONITORING REPORT FOR THE BUDGET BASED TIERED RATE (BBTR) GRANT STUDY

The Board authorized the General Manager to increase the cost authorization towards completion of the BBTR DWR Grant Monitoring Study from \$41,721, by \$17,707, to a total cost of \$59,428. Staff also requests an additional contingency of \$4,000 if needed, under staff's authority, in the event additional complications occur.

AUTHORIZE FY 19-20 CHOICE PROGRAMS BUDGET REVISIONS

The Board approved the Choice Programs budget revisions.

- END CONSENT CALENDAR -

ACTION CALENDAR

APPROVAL OF REVISED PERSONNEL MANUAL

President Barbre advised that the proposed revised Personnel Manual was before the Board for consideration and that General Manager Hunter had distributed two corrections to the document (Section 4104.2 Internal Complaint Procedure should read "complaint is against the General Manager or Director"; and Section 4201 Grievance Steps should read "General Manager or Director(s)").

Director Thomas advised that the Administration & Finance Committee has reviewed the revised Personnel Manual on several occasions and although recommended it for approval, it was not unanimous with respect to adding a Civility Policy. He clarified that although he did not support

adding a written policy (could create liability), he did support a civil work environment, and supports management staff handling these issues appropriately. He highlighted the fact that several representatives from member agencies who attended the Committee meeting agreed that it should not be added due to liability issues.

Directors Yoo Schneider, McVicker, and Tamaribuchi all expressed support for adding the Civility Policy as legal counsel has recommended it, and it would provide staff the appropriate tools to manage the District in handling personnel issues (as it is separate from the harassment policy and separate from the discrimination policy, and it provides a grievance process which would provide employees a more appropriate avenue for dealing with civility issues that are not necessarily harassment based).

Director Dick agreed with Director Thomas, noting that he fully supports a civil work environment, but does not support expanding the manual and thought the policy may provide an opportunity for liability issues.

Director Yoo Schneider made a MOTION, which was seconded by Director McVicker, to approve the revisions and additions to the Personnel Manual as presented. Said MOTION failed by a vote of 3-3, with Directors Yoo Schneider, McVicker and Tamaribuchi voting in favor, and Directors Barbre, Dick, and Thomas opposing.

President Barbre suggested the item be referred back to the Administration & Finance Committee for further discussion/consideration. This item will be presented at the October 9, 2019 Administration & Finance Committee.

INFORMATION CALENDAR

GENERAL MANAGER'S REPORT, SEPTEMBER 2019

General Manager Hunter advised that the General Manager's report was included in the Board packet.

Mr. Hunter announced that MWDOC would host the Delta Stewardship Council meeting on September 26, 2019 (in the Orange County Sanitation District Board room).

The Board received and filed the report as presented.

MWDOC GENERAL INFORMATION ITEMS

a. BOARD OF DIRECTORS

The Board members each reported on their attendance at the regular (and special) MWDOC Board and Committee meetings. In addition to these meetings, the following reports were made on conferences and meetings attended on behalf of the District.

Director Yoo Schneider advised that she attended the Public Affairs & Legislation and Executive Committee meetings, the South Coast Water District Board meeting, a meeting with Paul Shoenberger (Mesa Water), a meeting of the Ad Hoc Committee on Desalination, the Aliso Creek

Watershed Collaboration meeting, the San Juan Capistrano Coffee Chat, the San Juan Basin Authority meeting, and acted as a facilitator at the International Collaboration event on Sustainable Water Practices. She also attended meetings with representatives from Emerald Bay Services District, South Coast Water District, and Santa Margarita Water District.

Director Thomas noted his attendance at the Planning & Operations, Administration & Finance, Public Affairs & Legislation, and Executive Committee meetings, the Workshop and Regular Board meetings, as well as the retirement event for Charley Wilson, and the Ad Hoc Committee on Desalination meeting.

Director Tamaribuchi reported on attending the regularly scheduled MWDOC meetings (Planning & Operations, Administration & Finance, Public Affairs & Legislation, and Executive Committee meetings, as well as the Workshop and Regular Board meetings), as well as the Community Leaders Briefing with Congressman Correa, the retirement event for Charley Wilson, the Water Policy dinner, the WACO meeting, and the OCBC Infrastructure Committee meeting.

Director Dick reported he attended Administration & Finance and Public Affairs & Legislation Committee meetings, as well as the WACO Planning Committee meeting, and the MET Board and Committee meetings.

Director McVicker advised that he attended all of MWDOC's regularly scheduled meetings (Planning & Operations, Administration & Finance, Public Affairs & Legislation, and Executive Committee meetings, and the Workshop and Regular Board meetings). He also attended the Community Leaders Briefing with Congressman Correa, the Water Policy dinner, and the MET Committee meetings (via web).

Director Barbre advised that he submitted a written report to Secretary Goldsby. He noted that the written report included the following meetings in his capacity as MET Director: the OC Water Association lunch, a legislative trip to Washington, DC, a tour of the Trampas Reservoir, the Ad Hoc Committee on Desalination meeting, the Community Leaders briefing with Congressman Correa, a meeting with EOCWD Director Davert (re MET inspection trips), the WACO meeting, the MWDOC/MET Directors caucus, the MWDOC Water Policy dinner, the MET Committee day (early), and the MET Board meeting. In his capacity as MWDOC Director he attended the following meetings: Administration & Finance, Public Affairs & Legislation, and Executive Committee meetings, the Workshop and Regular Board meetings, a meeting with Jim Barker, a meeting with Jim Fisler, a meeting with MET regarding MET/EOCWD meter and generator issues, and the Yorba Linda Mayor's Prayer breakfast.

b. REQUESTS FOR FUTURE AGENDA TOPICS

No topics were requested.

CLOSED SESSION ITEM

At 8:55 a.m., Legal Counsel Byrne announced that the Board would adjourn to closed session, regarding the following:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: General Manager

Government Code Section 54957

RECONVENE

The Board reconvened at 9:54 a.m., and Legal Counsel Byrne announced that no reportable action was taken in closed session.

ADJOURNMENT

There being no further business to come before the Board, President Barbre adjourned the meeting at 9:54 a.m.

Respectfully submitted,

Maribeth Goldsby, Secretary

MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

Jointly with the

PLANNING & OPERATIONS

September 3, 2019 – 8:30 a.m. to 9:06 a.m.

Conference Room 101

P&O Committee:

Director Megan Yoo Schneider (absent)

Director Sat Tamaribuchi

Director Larry Dick (absent)

Staff:

Rob Hunter, Karl Seckel, Chris Lingad,
Harvey De La Torre, Kevin Hostert,
Katie Davanaugh, Damon Micalizzi,
Charles Busslinger, Melissa Baum-Haley

Also Present:

Director Joan Finnegan

Director Jeff Thomas

Director Bob McVicker

Kevin Burton, Irvine Ranch Water District

Doug Reinhart, Irvine Ranch Water District

Jim Fisler, Mesa Water

John Kennedy, Orange County Water District

Director Tamaribuchi called the meeting to order at 8:30 a.m. Directors Finnegan and McVicker said on the Committee in the absence of Directors Yoo Schneider and Dick.

PUBLIC COMMENTS

No comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were presented.

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

No items were presented.

ACTION ITEMS

**AMENDMENT NO. 8 TO THE SANTIAGO AQUEDUCT COMMISSION (SAC)
JOINT POWERS AGREEMENT (JPA)**

Mr. Seckel reported that discussions between Irvine Ranch Water District, East Orange County Water District and MWDOC concluded with agreement among all parties that the Amendment #8 to the Santiago Aqueduct Commission JPA is ready to be signed. East Orange County Water District indicated that they may be interested in additional capacity in the Baker pipeline, should that become a possibility. A copy of the amendment was included in the staff report. It was noted that the signature lines should be corrected to read

“Board President”, rather than the General Manager, and that the Board President would execute the agreement.

Upon motion by Director McVicker, seconded by Director Finnegan, and carried (3-0) the Amendment No. 8 to the SAC JPA was referred to the September 18, 2019 Board meeting for approval, with signature by Board President. Directors McVicker, Finnegan and Tamaribuchi all voted in favor.

ADDITIONAL AUTHORIZATION FOR RAFTELIS TO COMPLETE THE DWR GRANT MONITORING REPORT FOR THE BUDGET BASED TIERED RATE (BBTR) GRANT STUDY

The Committee reviewed the two options presented in the staff report regarding the additional work needed to complete the DWR Grant Monitoring report for the Budget-based Tiered Rate (BBTR) grant.

Mr. Hunter reported that this has been an 11-year project that required a very in-depth technical modeling effort, in the midst of some member agencies changes their billing systems so it would be prudent at this time to wrap up the study. Staff noted that the increase amounted to less than 1% of total project expenses.

Upon motion by Director McVicker, seconded by Director Finnegan, and carried (3-0) the Committee recommended that the Board increase the authorization for Raftelis to complete the DWR grant monitoring report at the September 18, 2019 Board meeting. Directors McVicker, Finnegan and Tamaribuchi all voted in favor.

INFORMATION ITEMS

METROPOLITAN’S ASSESSED VALUATION FOR MWDOC AND ORANGE COUNTY FOR FISCAL YEAR 2019-20

The staff report was reviewed with Mr. Hunter reporting not much changed since the last reporting. The Metropolitan report illustrated member agency listing, percent of total, vote entitlement and Director entitlement and vote changes.

STATUS REPORTS

- a. Ongoing MWDOC Reliability and Engineering/Planning Projects
- b. WEROC
- c. Water Use Efficiency Projects
- d. Water Use Efficiency Programs Savings and Implementation Report

Staff called the Directors’ attention to pages 35 and 36 where highlights of water quality discussions with Santa Margarita Water District (SMWD) were summarized. SMWD suggested that Colorado River salinity be given a higher visibility and suggested one MET Director workshop each year be focused on water quality issues. Director Tamaribuchi indicated water quality and salinity issues in the OCWD basin could be discussed at the next joint MWDOC-OCWD Planning Committee. Director McVicker noted in the P&O matrix

report where no new information is available, that staff leave the most recent information in the report.

REVIEW OF ISSUES RELATED TO CONSTRUCTION PROGRAMS, WATER USE EFFICIENCY, FACILITY AND EQUIPMENT MAINTENANCE, WATER STORAGE, WATER QUALITY, CONJUNCTIVE USE PROGRAMS, EDUCATION, DISTRICT FACILITIES, AND MEMBER-AGENCY RELATIONS

No information was presented.

ADJOURNMENT

There being no further business to be brought before the Committee, the meeting adjourned at 9:06 a.m.

MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
ADMINISTRATION & FINANCE COMMITTEE
September 11, 2019 – 8:30 a.m. to 9:50 a.m.
Conference Room 101

A&F Committee:

Director Jeff Thomas
Director Joan Finnegan
Director Bob McVicker

Staff:

Rob Hunter, Karl Seckel, Joe Berg,
Katie Davanaugh, Harvey DeLaTorre,
Hilary Chumpitazi, Cathy Harris,
Maribeth Goldsby, Melissa Baum-Haley,
Damon Micalizzi, Kevin Hostert

Also Present:

Director Sat Tamaribuchi
Director Brett Barbre
Director Larry Dick
MWDOC MET Director Linda Ackerman
Mark Monin, El Toro Water District
Marwan Khalifa, Mesa Water
Peer Swan, Irvine Ranch Water District
Doug Reinhart, Irvine Ranch Water District
Paul Weghorst, Irvine Ranch Water District

Director Thomas called the meeting to order at 8:30 a.m.

PUBLIC COMMENTS

No comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were presented.

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

No items were distributed.

PROPOSED BOARD CONSENT CALENDAR ITEMS

TREASURER'S REPORT

- a. Revenue/Cash Receipt Report – August 2019
- b. Disbursement Approval Report for the month of September 2019
- c. Disbursement Ratification Report for the month of August 2019
- d. GM Approved Disbursement Report for the month of August 2019
- e. Water Use Efficiency Projects Cash Flow – August 31, 2019
- f. Consolidated Summary of Cash and Investment – July 2019
- g. OPEB and Pension Trust Fund monthly statement

Following review of the Treasurer's Report, upon MOTION by Director McVicker, seconded by Director Finnegan and carried (3-0), the Committee recommended the Treasurer's Report for approval at the September 18, 2019 Board meeting. Directors Finnegan, Thomas, and McVicker voted in favor.

FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period ending July 31, 2019

Following review of the Financial Report, upon MOTION by Director Finnegan, seconded by Director McVicker and carried (3-0), the Committee recommended the Financial Report for approval at the September 18, 2019 Board meeting. Directors Finnegan, Thomas, and McVicker voted in favor.

DISCUSSION ITEM

MWDOC WATER FACILITIES CORPORATION ANNUAL MEETING

- a. 2019 Annual Filing of Tax Compliance Reports for the MWDOC Water Facilities Corporation
- b. Annual Reorganization of Board Officers for the MWDOC Water Facilities Corporation

Following review of the annual MWDOC Water Facilities items, and upon MOTION by Director Finnegan, seconded by Director McVicker and carried (3-0), the Committee recommended the a) 2019 Annual Filing of Tax Compliance Reports for the MWDOC Water Facilities Corporation and b) Annual Reorganization of Board Officers for the MWDOC Water Facilities Corporation be referred to the September 18, 2019 MWDOC WFC Board meeting for approval. Directors Finnegan, Thomas, and McVicker voted in favor.

DIRECTOR BUSINESS EXPENSE REPORTS

The Committee reviewed the Director Business Expense Reports and held considerable discussion on the process of preparing the reports by Directors and accounting staff. Following discussion, it was determined that no changes were required at this time. The information is readily available in various financial reports and packet materials, and exceed the standards for transparency.

ACTION ITEMS

AUTHORIZE FY19-20 CHOICE PROGRAMS BUDGET REVISIONS

Upon MOTION by Director McVicker, seconded by Director Finnegan and carried (3-0), the Committee recommended the Board Authorize FY2019-20 Choice Programs Budget Revisions at the September 18, 2019 Board meeting. Directors Finnegan, Thomas, and McVicker voted in favor.

Mr. Hunter reported that the updates to the choice programs are 10% less than originally budgeted.

APPROVAL OF REVISED PERSONNEL MANUAL

It was noted that the Personnel Manual has been under review and discussion for the past few months, since July.

It was noted that once the personnel Manual is approved, revisions to Chapter 7 of the Administrative Code will be revised to be consistent with the language in the personnel Manual.

The Committee held discussion on *Section 1300 Employees and Directors* of the Personnel Manual and requested that legal counsel clarify and separate the language as to how Directors are classified.

The Committee noted that no changes would be needed for the Oath of Allegiance or Firearms or Weapons sections of the Personnel Manual.

Discussion continued on the Civility Policy, with Director Thomas noting that he would not support the policy noting that he believes other sections of the personnel manual sufficiently address potential situations that can be addressed by human resources and/or the general manager. Director Barbre expressed opposition for adding the Civility Policy; with Directors McVicker and Tamaribuchi expressing support.

Ms. Harris indicated that that the Civility Policy is intended to provide employees with a process to refer to in the event of continued and unacceptable behavioral issue. The policy sets the tone in the workplace, whereby the District supports a respectful workplace, which is a separate issue from harassment/sexual harassment complaints.

Mr. Hunter noted that the harassment section pertains to protected classes and are laws which are governed by law, whereas the Civility Policy pertains to a specific standard of behavior or code of conduct that the District stands by and is intended to outline a procedure for complaints and defines consequences of "bad behavior". The policy was recommended at the suggestion of legal counsel.

Upon MOTION by Director McVicker, seconded by Director Thomas and carried (3-0), the Committee recommended the revision to the Personnel Manual be referred to the September 18, 2019 Board meeting for additional discussion and consideration. Directors Finnegan, Thomas, and McVicker voted in favor.

INFORMATION ITEMS**SOLE SOURCE PROCUREMENT FORM WITH PERSONNEL CONSULTANT,
AMY OSBORNE**

Director Thomas inquired on the nature of the services, with Ms. Harris responding that it is a confidential personnel matter.

The Committee requested this item be agendized for closed session at the September 18, 2019 Board meeting for review and discussion.

DEPARTMENT ACTIVITIES REPORTS

- a. Administration
- b. Finance and Information Technology

Director Dick requested an update on the auto allowance policy and inquired about District working hours and working remotely. Mr. Hunter responded that general District working hours are outlined in the Personnel Manual and are considered based on needs of the District.

Discussion was held on whether working remotely and defining flexible work schedules should be added in the Personnel Manual, with Mr. Hunter noted that it would be added.

MONTHLY WATER USAGE DATA, TIER 2 PROJECTION, AND WATER SUPPLY INFORMATION

The informational reports were received and filed.

OTHER ITEMS

REVIEW ISSUES REGARDING DISTRICT ORGANIZATION, PERSONNEL MATTERS, EMPLOYEE BENEFITS FINANCE AND INSURANCE

No items were presented.

ADJOURNMENT

The meeting was adjourned in honor of 9/11/01.

There being no further business to be brought before the Committee, the meeting adjourned at 9:50 a.m.

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY**

Jointly with the

PUBLIC AFFAIRS AND LEGISLATION COMMITTEE

September 16, 2019 – 8:30 a.m. to 9:08 a.m.

MWDOC Conference Room 101

Committee:

Director Dick, Chairman
Director Thomas
Director McVicker

Staff: R. Hunter, K. Seckel, H. De La
Torre, H. Baez, B. Roberto, M. Baum-
Haley, T. Baca, S. Wilson, J. Berg,
T. Dubuque

Also Present:

Brett Barbre, MWDOC Director
Sat Tamaribuchi, MWDOC Director
Megan Yoo Schneider, MWDOC Director
Linda Ackerman, MWDOC MET Director
Syrus Devers, BB&K
John Lewis, Lewis Consulting
Jim Barker, (via teleconference)
Dick Ackerman, Ackerman Consulting
Peer Swan – Irvine Ranch Water District
Jim Atkinson - Mesa Water District
Stacy Taylor - Mesa Water District
Kay Havens – El Toro Water District
Mike Gaskin – El Toro Water District
Pasquale Talarico – Yorba Linda WD
Fernando Paludi – Trabuco Canyon WD

Director Dick called the meeting to order at 8:30 a.m. Due to the absence of Director Thomas, Director Barbre served on the Committee until 8:35 a.m. at which time Director Thomas arrived and took his seat on the Committee.

PUBLIC PARTICIPATION

No public comments received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

No items were presented.

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

No items were distributed.

DISCUSSION ITEMS**LEGISLATIVE ACTIVITIES****a. Federal Legislative Report (Barker)**

Mr. Jim Barker shared that the Energy and Water Appropriations Committee included language in their bill that will allow South Coast Water District to receive an \$8.3 million grant. Mr. Barker also stated that Senator Feinstein requested that legislation in the Senate include language that would allow the Bureau of Reclamation to execute grants in the fiscal years 2019-2020 without coming back to Congress.

Mr. Barker also covered the status of per- and polyfluoroalkyl substances (PFAS) related legislation as well as meetings both he and General Manager Rob Hunter attended last week in Washington D.C. At one of those meetings, they were asked if they could provide feedback and possible amendments to the language that would help MWDOC's member agencies in the event some of the unfavorable language contained in H.R. 535 (Dingell, Upton & Kildee) language should remain in the final revision of the bill.

b. State Legislative Report (BBK)

Mr. Syrus Devers stated that there are signs that Governor Newsom is going to veto SB 1 (Atkins). He also shared that BB&K is doing an analysis on the politics and the state of legislation as it relates to (PFAS).

c. County Legislative Report (Lewis)

Mr. John Lewis shared that Democratic voter registration has surpassed Republican voter registration in Orange County by 4804 registered voters. He also stated that there is no LAFCO update as the September 11 meeting was cancelled.

d. Legal and Regulatory Report (Ackerman)

Mr. Dick Ackerman highlighted that since 2013, water stagnation in West Coast waters are blamed on warmer conditions. The recent cool shift in the oceans has ended this.

MWDOC Legislative Matrix

The Legislative Matrix was received and filed.

e. MET Legislative Matrix

The Legislative Matrix was received and filed.

MWDOC'S LEGISLATIVE POLICY PRINCIPLES ANNUAL UPDATE

Government Affairs Manager Heather Baez stated the document included in the packet was MWDOC's last year's legislative principles. The document is for the purpose of review. Ms. Baez will be sending the document out to the Board and MWDOC member agencies for suggested updates and changes that will be included in next month's discussion.

Mesa Water District's External Affairs Manager Stacy Taylor spoke. She addressed the Committee stating that Mesa Water is in the process of updating their legislative platforms and priorities. Ms. Taylor said that Mesa Water District would like to work with MWDOC on Prop 13 protections, AB 1253 (Rivas) and SB 212 (Allen).

ACTION ITEMS

There were no Action Items on the agenda this month.

INFORMATION ITEMS

WATER POLICY DINNER RECAP – September 5, 2019

The Committee received and filed the report.

CALIFORNIA ENVIRONMENTAL LITERACY INITIATIVE

The Committee received and filed the report.

EDUCATION PROGRAMS UPDATE

The Committee received and filed the report.

PUBLIC AFFAIRS ACTIVITIES REPORT

The Committee received and filed the report.

OTHER ITEMS

No items presented.

ADJOURNMENT

There being no further business brought before the Committee, Director Dick adjourned the meeting at 9:08 a.m.

MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
jointly with the
EXECUTIVE COMMITTEE
September 19, 2019, 8:30 a.m. to 9:12 a.m.
Conference Room 102

Committee:

Director Barbre, President
Director Finnegan, Vice President (absent)
Director Dick

Staff:

R. Hunter, M. Goldsby

Also Present:

Director Thomas
Director McVicker
Director Tamaribuchi

At 8:30 a.m., President Barbre called the meeting to order. In the absence of Director Finnegan, Director Tamaribuchi served on the Committee.

PUBLIC PARTICIPATION

No public comments were received.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

At the beginning of the meeting, Staff distributed the draft agendas for the upcoming month.

EXECUTIVE COMMITTEE PROPOSALS FOR FUTURE AGENDAS

The Committee reviewed and discussed the draft agendas for each of the meetings and made revisions/additions as noted below.

a. MWDOC/OCWD Joint Planning Committee Meeting

No new items were added to the agenda.

b. Planning & Operations Committee Meeting

No new items were added to the agenda.

c. Workshop Board Meeting

No new items were added to the agenda.

d. Administration & Finance Committee meeting

The Committee discussed the addition of a credit card (gas card for the new District vehicles) and suggested the Administrative Code be revised so that such requests are within the General Manager's authority.

e. Public Affairs & Legislation Committee

Director Dick stated that he would not be attending the October 21, 2019 Public Affairs & Legislation Committee meeting, as he would be out of town.

f. Executive Committee

No new items were added to the agenda.

DISCUSSION REGARDING UPCOMING ACTIVITIES OF SIGNIFICANCE

General Manager Hunter highlighted the upcoming the Delta Stewardship Council meeting to be held September 26, 2019 in the Orange County Sanitation District Board room.

MEMBER AGENCY RELATIONS

Discussion ensued regarding Orange County Water District, their request for MWDOC assistance with respect to groundwater storage and MET storage programs, and the Poseidon Project and white paper with Moulton Niguel Water District, and PFAS issues.

GENERAL MANAGER'S REPORTS

Mr. Hunter stated that the financial audit is being completed, the books for FY 2018-19 are closed, and that funds have been transferred to reserves; details will be presented to a future meeting.

REVIEW AND DISCUSS DISTRICT AND BOARD ACTIVITIES

Discussion ensued regarding email communications from the District and the Committee suggested staff confirm that emails identify MWDOC as the sender (e.g., eCurrents, etc.).

ADJOURNMENT

There being no further business to be brought before the Committee, the meeting adjourned at 9:12 a.m.

**Municipal Water District of Orange County
REVENUE / CASH RECEIPT REPORT
September 2019**

WATER REVENUES

Date	From	Description	Amount
09/03/19	City of La Palma	July 2019 Water deliveries	3,298.97
09/04/19	Laguna Beach County Water District	July 2019 Water deliveries	115,689.22
09/05/19	Serrano Water District	July 2019 Water deliveries	9,478.63
09/05/19	Trabuco Canyon Water District	July 2019 Water deliveries	15,359.77
09/06/19	City of La Habra	July 2019 Water deliveries	4,510.14
09/06/19	City of Brea	July 2019 Water deliveries	14,223.32
09/09/19	City of Seal Beach	July 2019 Water deliveries	272,300.97
09/09/19	City of Buena Park	July 2019 Water deliveries	677,021.65
09/09/19	Santa Margarita Water District	July 2019 Water deliveries	2,092,792.89
09/11/19	El Toro Water District	July 2019 Water deliveries	513,193.02
09/11/19	City of Westminster	July 2019 Water deliveries	249,071.05
09/11/19	Mesa Water	July 2019 Water deliveries	79,566.61
09/12/19	City of Orange	July 2019 Water deliveries	762,150.22
09/12/19	City of San Juan Capistrano	July 2019 Water deliveries	571,088.70
09/12/19	City of Garden Grove	July 2019 Water deliveries	851,966.65
09/12/19	South Coast Water District	July 2019 Water deliveries	488,840.34
09/13/19	East Orange County Water District	July 2019 Water deliveries	386,777.55
09/13/19	Orange County Water District	July 2019 Water deliveries	363,914.80
09/13/19	Moulton Niguel Water District	July 2019 Water deliveries	2,177,182.93
09/13/19	Golden State Water Company	July 2019 Water deliveries	373,236.28
09/13/19	Irvine Ranch Water District	July 2019 Water deliveries	473,465.30
09/13/19	Yorba Linda Water District	July 2019 Water deliveries	1,000,197.55
09/26/19	Serrano Water District	August 2019 Water deliveries	9,478.63
09/27/19	City of Brea	August 2019 Water deliveries	14,223.32
09/27/19	City of Huntington Beach	August 2019 Water deliveries	1,356,619.38
09/27/19	City of San Clemente	August 2019 Water deliveries	806,992.62
09/30/19	City of Fountain Valley	August 2019 Water deliveries	10,860.08
TOTAL REVENUES			\$ 13,693,500.59

Municipal Water District of Orange County
REVENUE / CASH RECEIPT REPORT
September 2019

MISCELLANEOUS REVENUES

Date	From	Description	Amount
09/03/19	SMWD	9/5/19 Water Policy dinner	850.00
09/06/19	3 Checks	9/5/19 Water Policy dinner	270.00
09/13/19	Metropolitan Water District	9/5/19 Water Policy dinner	850.00
09/16/19	Cucamonga Valley WD	9/5/19 Water Policy dinner	90.00
09/09/19	Paypal	9/5/19 Water Policy dinner registrations	661.27
09/12/19	Paypal	9/5/19 Water Policy dinner registrations	9,113.90
09/26/19	Marriott International	Refund for 9/5/19 Water Policy dinner	722.17
09/06/19	Stan Sprague	September 2019 Retiree Health insurance	244.77
09/11/19	Pat Meszaros	Sep-Nov 2019 Retiree Health insurance	121.44
09/30/19	US Bank	Monthly interest	38.30
09/20/19	Cathy Harris	Movie tickets	79.00
09/03/19	US Bank	CAL Card rebate check	421.66
09/13/19	SDRMA	Refund from Workers Compensation payroll reconciliation	67.57
09/13/19	Damon Micalizzi	Reimbursement for personal portion of Urban Water Institute Conference hotel	206.54
09/09/19	Mesa Water	July 2019 Smartimer rebate program	207.24
09/27/19	City of San Clemente	July 2019 Smartimer rebate program	80.00
09/30/19	Irvine Ranch Water District	July 2019 Smartimer rebate program	795.00
09/13/19	City of Fountain Valley	July 2019 Turf Removal rebate program	114.00
09/20/19	City of Orange	July 2019 Turf Removal rebate program	111.00
09/27/19	Yorba Linda Water District	July 2019 Turf Removal rebate program	111.00
09/16/19	Moulton Niguel Water District	July 2019 Smartimer and Turf Removal rebate program	11,676.61
09/13/19	El Toro Water District	July 2019 Smartimer and Turf Removal rebate program	694.00
09/13/19	El Toro Water District	July 2019 So Cal Watersmart rebate program	230.00
09/23/19	Moulton Niguel Water District	July 2019 So Cal Watersmart rebate program	1,800.00
09/25/19	Irvine Ranch Water District	July 2019 So Cal Watersmart rebate program	5,995.00
09/27/19	City of San Clemente	July 2019 So Cal Watersmart rebate program	375.00
09/26/19	South Coast Water District	Leak Detection Shared Services Elections for FY 19-20	2,096.00
09/19/19	Bureau of Reclamation	Apr-Sep 2019 Leak Detection Equipment Lending Library	49,393.62
09/27/19	City of Anaheim	Water Loss Control technical assistance - WSO, Inc	1,000.00
09/27/19	City of Anaheim	Jan-Jun 2019 School Billing	11,758.71
09/13/19	El Toro Water District	FY 2019-2020 Choice Programs Billing Invoice	37,989.75
09/16/19	Moulton Niguel Water District	FY 2019-2020 Choice Programs Billing Invoice	155,524.65
09/19/19	City of Westminster	FY 2019-2020 Choice Programs Billing Invoice	16,365.45
09/19/19	Mesa Water	FY 2019-2020 Choice Programs Billing Invoice	46,370.66
09/20/19	City of Brea	FY 2019-2020 Choice Programs Billing Invoice	31,759.34
09/20/19	City of Fountain Valley	FY 2019-2020 Choice Programs Billing Invoice	31,608.66
09/20/19	Trabuco Canyon Water District	FY 2019-2020 Choice Programs Billing Invoice	2,673.10
09/23/19	City of Newport Beach	FY 2019-2020 Choice Programs Billing Invoice	8,278.50
09/23/19	East Orange County Water District	FY 2019-2020 Choice Programs Billing Invoice	1,783.84
09/25/19	Irvine Ranch Water District	FY 2019-2020 Choice Programs Billing Invoice	220,293.71
09/25/19	Serrano Water District	FY 2019-2020 Choice Programs Billing Invoice	1,485.61
09/27/19	City of Garden Grove	FY 2019-2020 Choice Programs Billing Invoice	19,773.82
09/27/19	City of La Habra	FY 2019-2020 Choice Programs Billing Invoice	5,930.90
09/30/19	City of San Juan Capistrano	FY 2019-2020 Choice Programs Billing Invoice	30,431.35
09/30/19	City of Seal Beach	FY 2019-2020 Choice Programs Billing Invoice	2,701.19
09/03/19	City of La Habra	AWIA Scope of Services Selection Phase 1 Crosswalk	15,205.00
09/03/19	City of Santa Ana	AWIA Scope of Services Selection Phase 1 Crosswalk	15,205.00
09/05/19	City of Westminster	AWIA Scope of Services Selection Phase 1 Crosswalk	15,205.00
09/27/19	City of San Clemente	AWIA Scope of Services Selection Phase 1 Crosswalk	15,205.00

**Municipal Water District of Orange County
REVENUE / CASH RECEIPT REPORT
September 2019**

MISCELLANEOUS REVENUES

Date	From	Description	Amount
09/03/19	SOCWA	WEROC Funding for FY 19-20	17,402.00
09/06/19	Orange County Sanitation District	WEROC Funding for FY 19-20	44,880.00
TOTAL MISCELLANEOUS REVENUES			<u>\$ 836,246.33</u>
TOTAL REVENUES			<u>\$ 14,529,746.92</u>



Robert J. Hunter, General Manager



Hilary Chumpitazi, Treasurer

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of October 2019**

<i>Invoice#</i>	<i>Vendor / Description</i>	<i>Amount to Pay</i>
Core Expenditures:		
	<i>Above All Catering, Inc.</i>	
C33925	9/19/19 Lunch for Manager's meeting	439.35
	*** Total ***	439.35
	<i>Richard C. Ackerman</i>	
1252	September 2019 Consulting on legal and regulatory matters	1,375.00
	*** Total ***	1,375.00
	<i>Aleshire & Wynder LLP</i>	
53077	August 2019 Legal services	925.56
53488	September 2019 Legal services	608.50
	*** Total ***	1,534.06
	<i>Alta FoodCraft</i>	
11551	Credit for 1 case of half & half with expired dates	(18.17)
51918460	9/18/19 Coffee & tea supplies	212.41
	*** Total ***	194.24
	<i>Best Best and Krieger LLP</i>	
857667	August 2019 State legislative advocacy services	8,506.47
55401-AUG19	August 2019 Legal services	23,756.68
	*** Total ***	32,263.15
	<i>CDM Smith</i>	
90082289	7/28/19-8/31/19 Water Resource Planning services	7,130.00
	*** Total ***	7,130.00
	<i>G/M Business Interiors</i>	
0254862-IN	Ergonomic quick stand workstation	510.10
	*** Total ***	510.10
	<i>Government Tax Seminars, LLC</i>	
121219	2019 Government Tax Seminar registration for L. Gunawan	430.00
	*** Total ***	430.00
	<i>HashtagPinpoint Corporation</i>	
1202	August 2019 Social media consultation and services	7,917.00
	*** Total ***	7,917.00
	<i>HealthFax, Inc.</i>	
1107	Speaker fee for staff development meeting on nutrition funded by wellness grant	500.00
	*** Total ***	500.00
	<i>Herndon Group LLC</i>	
100001	August 2019 Services to assist with America's Water Infrastructure Act compliance	1,228.00
	*** Total ***	1,228.00

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of October 2019**

<i>Invoice#</i>	<i>Vendor / Description</i>	<i>Amount to Pay</i>
	IDS Group	
17S020.02-2	3/1/18-8/19/19 Architectural and structural services for WEROC S.EOC seismic support and bracing	1,525.00
17X114.02-3	August-September 2019 Interior design for MWDOC office remodel	1,500.00
17X114.03-2	August-September 2019 Interior design for MWDOC office remodel to include Phase 2 & 3	8,400.00
18X093.00-3	2/19/19-9/30/19 Seismic retrofit design and project support for MWDOC office remodel and WEROC S. EOC	7,880.83
	*** Total ***	19,305.83
	James C. Barker, P.C.	
105-0919	September 2019 Federal legislative advocacy services	8,000.00
	*** Total ***	8,000.00
	Jill Promotions	
10651	10 Polo shirts with MWDOC logo for staff	221.01
10650	3 Magnetic name badges for new staff members	41.01
	*** Total ***	262.02
	L.A. Design Studio	
5142	July-September 2019 MWDOC Website support and enhancement	600.00
	*** Total ***	600.00
	Lewis Consulting Group	
2019-150	September 2019 Consulting services	2,687.50
	*** Total ***	2,687.50
	Keith Lyon	
JUL-SEP2019	July-September 2019 Retiree medical premium	406.50
	*** Total ***	406.50
	Edward G. Means III	
MWDOC-1075	September 2019 Consulting on MET issues and guidance to Engineering staff	1,637.76
	*** Total ***	1,637.76
	Office Depot, Inc.	
371607062001	8/30/19 Office supplies	59.94
	*** Total ***	59.94
	Office Solutions	
I-01641680	9/18/19 Office supplies	25.11
	*** Total ***	25.11
	OMB Electrical Engineers, Inc.	
79661	August 2019 Electrical Engineering services for MWDOC office electrical upgrade	810.00
79662	August 2019 Electrical Engineering services for MWDOC office electrical upgrade	1,072.50
	*** Total ***	1,882.50

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of October 2019**

<i>Invoice#</i>	<i>Vendor / Description</i>	<i>Amount to Pay</i>
	Orange County Business Council	
0009700-IN	2019 Annual membership renewal	5,000.00
	*** Total ***	5,000.00
	Orange County Water District	
20814	August 2019 50% share of WACO expense	248.20
20791	August 2019 Postage, shared office and maintenance expense	7,902.89
	*** Total ***	8,151.09
	Amy J. Osborne	
146	August 2019 Legal services	240.50
	*** Total ***	240.50
	Patricia Kennedy Inc.	
11073	October 2019 Plant maintenance	214.00
	*** Total ***	214.00
	Judy Pfister	
JUL-SEP2019	July-September 2019 Retiree medical premium	400.50
	*** Total ***	400.50
	Joey C. Soto	
MWDOC#016	August 2019 Grant Research and Acquisition assistance	2,998.75
	*** Total ***	2,998.75
	Top Hat Productions	
95532	9/26/19 Lunch for Delta Stewardship Council meeting	1,066.19
	*** Total ***	1,066.19
	USAFact, Inc.	
9093114	Pre-employment background checks	171.73
	*** Total ***	171.73
	Vasquez & Company LLP	
2190881-IN	August-September 2019 Services for FY 18-19 Financial audit	8,000.00
	*** Total ***	8,000.00
	WageWorks, Inc.	
INV1657019	September 2019 Cafeteria plan administration	196.07
	*** Total ***	196.07
	Water Systems Optimization, Inc.	
1627	August-September 2019 Services to develop a Water Loss Control Business Plan	5,825.00
1654	September 2019 Water Loss Control program	6,911.76
1655	September 2019 Water Loss Audit Validation Research	32,000.00
	*** Total ***	44,736.76

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of October 2019**

<i>Invoice#</i>	<i>Vendor / Description</i>	<i>Amount to Pay</i>
OCT-DEC2019	Pauline D. Wennerstrom	
	October-December 2019 Retiree medical premium	367.50
	*** Total ***	367.50
	Total Core Expenditures	<hr/> 159,931.15
Choice Expenditures:		
3327-4	Building Block Entertainment Inc.	
	August-September 2019 Elementary school program for grades K-2	4,900.00
	*** Total ***	4,900.00
1045	Discovery Science Center	
	September 2019 Elementary school program for grades 3-6	7,695.71
	*** Total ***	7,695.71
#MWDOC-22013	Enterprise Information System Inc.	
	July-September 2019 Website support for California Sprinkler Adjustment Notification System program	3,000.00
	*** Total ***	3,000.00
9307540907	Grainger	
	9/27/19 Supplies for Water Loss Control Shared Services	83.92
	*** Total ***	83.92
10651	Jill Promotions	
	10 Polo shirts for Water Loss Control Shared Services staff	309.73
	*** Total ***	309.73
16303B	Laguna Beach County Water District	
	Net due for FY 19-20 Choice Programs and refund for FY 18-19 Choice Programs	219.70
	*** Total ***	219.70
2738	Mission RCD	
	August 2019 Field verifications for Water Use Efficiency rebate programs	8,453.40
	*** Total ***	8,453.40
20791	Orange County Water District	
	August 2019 Postage for Water Use Efficiency rebate programs	26.85
	*** Total ***	26.85
0144986 0147157 0147157-1 0147159	Pollardwater	
	26 Traffic cones for Water Loss Control Shared Services	558.43
	8/26/19 Supplies for Water Loss Control Shared Services	868.50
	8/28/19 Supplies for Water Loss Control Shared Services	125.75
	8/26/19 Supplies for Water Loss Control Shared Services	73.14
	*** Total ***	1,625.82

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of October 2019**

<i>Invoice#</i>	<i>Vendor / Description</i>	<i>Amount to Pay</i>
	Top Hat Productions	
95468	9/10/19 Lunch for Water Loss Control Workgroup meeting	500.39
	*** Total ***	500.39
	Total Choice Expenditures	<hr/> 26,815.52
Other Funds Expenditures:		
	GardenSoft Corp	
5556	Services to develop a Water Smart Gardening website	19,500.00
	*** Total ***	19,500.00
	Herndon Group LLC	
100001	August 2019 Services to assist with America's Water Infrastructure Act compliance	40,019.50
	*** Total ***	40,019.50
	Michael Baker International, Inc.	
1058954	August 2019 OC Regional Water/Wastewater Multijurisdictional Hazardous Mitigation Plan update	1,358.80
	*** Total ***	1,358.80
	Mission RCD	
2738	August 2019 Field verifications for Water Use Efficiency rebate programs	810.35
	*** Total ***	810.35
	Orange County Fast Print, Inc.	
58356	Business cards for J. Schunk	58.88
	*** Total ***	58.88
	Water Systems Optimization, Inc.	
1654	September 2019 Water Loss Control program	11,660.00
	*** Total ***	11,660.00
	Lane M. Matsuno (Westerly Meter Service Co.)	
16246	September 2019 Meter Accuracy Testing for Trabuco Canyon Water District	1,995.00
16260	September 2019 Meter Accuracy Testing for Trabuco Canyon Water District	525.00
	*** Total ***	2,520.00

**Municipal Water District of Orange County
Disbursement Approval Report
For the month of October 2019**

<i>Invoice#</i>	<i>Vendor / Description</i>	<i>Amount to Pay</i>
	<i>Yorba Linda Water District</i>	
082119	Refund for Water Loss Control Service Year IV Water Audit Validation fee	2,500.00
	*** Total ***	2,500.00
	<i>Total Other Funds Expenditures</i>	<hr/> 78,427.53
	<i>Total Expenditures</i>	<hr/> <hr/> 265,174.20

**Municipal Water District of Orange County
Disbursement Ratification Report
For the month of September 2019**

Check #	Date	Vendor # Invoice/CM #	Name / Description	Net Amount
Core Disbursements:				
139135	9/11/19	SPECTB 0375210090119	Spectrum Business September 2019 Telephone and internet expense ***Total ***	1,099.18 1,099.18
139136	9/11/19	VERIZO 9836721173	Verizon Wireless August 2019 4G Mobile broadband unlimited service ***Total ***	114.03 114.03
139150	9/13/19	IRONMO 8YHG393	Iron Mountain September 2019 Archived document storage fees ***Total ***	258.26 258.26
ACH004208	9/13/19	ACKEEX 083119	Linda Ackerman August 2019 Business expense ***Total ***	48.72 48.72
ACH004211	9/13/19	BACATI 073119	Tiffany Baca July 2019 Business expense	102.27
ACH004212	9/13/19	083119	August 2019 Business expense ***Total ***	45.35 147.62
ACH004213	9/13/19	BARBRE 083119	Brett Barbre August 2019 Business expense ***Total ***	227.94 227.94
ACH004217	9/13/19	BUIJEA 073119	Jeannie Bui July 2019 Business expense ***Total ***	16.13 16.13
ACH004219	9/13/19	DICKEX 083119	Larry Dick August 2019 Business expense ***Total ***	125.28 125.28
ACH004221	9/13/19	FAHLBE 073119	Beth Fahl July 2019 Business expense ***Total ***	89.39 89.39
ACH004226	9/13/19	HALEY 073119	Melissa Baum Haley July 2019 Business expense	459.53
ACH004227	9/13/19	083119	August 2019 Business expense ***Total ***	336.98 796.51
ACH004228	9/13/19	HARRIS 073119	Cathleen M. Harris July 2019 Business expense	168.43
ACH004229	9/13/19	083119	August 2019 Business expense ***Total ***	50.00 218.43

**Municipal Water District of Orange County
Disbursement Ratification Report
For the month of September 2019**

Check #	Date	Vendor # Invoice/CM #	Name / Description	Net Amount
ACH004230	9/13/19	HOSTER 083119	Kevin Hostert August 2019 Business expense ***Total ***	 58.00 58.00
ACH004231	9/13/19	HUNTER 082219	Robert J. Hunter July 2019 Business expense ***Total ***	 54.51 54.51
ACH004233	9/13/19	RICOHMA 5057462546	Ricoh USA, Inc. June-August 2019 Reproduction costs ***Total ***	 1,534.38 1,534.38
ACH004240	9/13/19	MCVICK 083119	Robert McVicker August 2019 Business expense ***Total ***	 117.16 117.16
ACH004241	9/13/19	ROBERT 083119	Bryce Roberto August 2019 Business expense ***Total ***	 54.23 54.23
ACH004242	9/13/19	SCHNEI 083119	Megan Yoo Schneider August 2019 Business expense ***Total ***	 568.91 568.91
ACH004243	9/13/19	SECKEL 073119	Karl Seckel July 2019 Business expense	165.74
ACH004244	9/13/19	083119	August 2019 Business expense ***Total ***	16.86 182.60
ACH004246	9/13/19	THOMAS 083119	Jeffery Thomas August 2019 Business expense ***Total ***	 256.94 256.94
ACH004248	9/13/19	WAITER 083119	Rachel Waite August 2019 Business expense ***Total ***	 72.15 72.15
139168	9/18/19	SPECTB 0343564091119	Spectrum Business September 2019 Telephone expense for 3 analog fax lines ***Total ***	 108.46 108.46
139199	9/30/19	USBANK 0403/0640/5443-AUG2019	U.S. Bank 7/23/19-8/22/19 Cal Card charges ***Total *** (See attached sheet for details)	 19,952.02 19,952.02

**Municipal Water District of Orange County
Disbursement Ratification Report
For the month of September 2019**

Check #	Date	Vendor # Invoice/CM #	Name / Description	Net Amount
ACH004251	9/30/19	BAEZHE 083119	Heather Baez August 2019 Business expense ***Total ***	 236.91 236.91
ACH004253	9/30/19	DELATO 091219	Harvey De La Torre September 2019 Business expense ***Total ***	 95.31 95.31
ACH004256	9/30/19	FRANCI 093019	Pari Francisco September 2019 Business expense ***Total ***	 34.80 34.80
ACH004265	9/30/19	TAMARI 083119	Satoru Tamaribuchi August 2019 Business expense ***Total ***	 210.54 210.54
Total Core Disbursements				<hr/> 26,678.41

Choice Disbursements:

139149	9/13/19	HOMED1 7785-AUG19	Home Depot Credit Services 8/23/19 Supplies for Water Loss Control Shared Services ***Total ***	 590.46 590.46
139166	9/13/19	THORSE 090319	Jason Thorsell September 2019 Business expense ***Total ***	 18.48 18.48
139193	9/26/19	KELLYK 083119 092519 092519	Kevin Kelly August 2019 Business expense Reimbursement for uniform pants and boots September 2019 Business expense ***Total ***	 52.54 (250.48) 234.90 36.96
139199	9/30/19	USBANK 0640-AUG19	U.S. Bank 7/23/19-8/22/19 Cal Card charges ***Total *** (See attached sheet for details)	 157.59 157.59
Total Choice Disbursements				<hr/> 803.49

Municipal Water District of Orange County
Disbursement Ratification Report
For the month of September 2019

Check #	Date	Vendor # Invoice/CM #	Name / Description	Net Amount
Other Funds Disbursements:				
139134	9/9/19	TURFRP	Turf Removal Program	
		TR12-R-IRWD-35319-35244	V. Arya (Re-issue)	289.00
			***Total ***	289.00
139136	9/11/19	VERIZO	Verizon Wireless	
		9836721173	August 2019 4G Mobile broadband unlimited service	76.02
			***Total ***	76.02
139137	9/13/19	ATTUVEOC	AT&T	
		1812-SEP19	September 2019 U-verse internet service for WEROC	50.00
			N. EOC	
			***Total ***	50.00
139139	9/13/19	ATTCALN	AT&T	
		000013529609	August 2019 Telephone expense for WEROC N. EOC	308.23
			and S. EOC	
		000013529610	August 2019 Telephone expense for WEROC N. EOC	108.03
			***Total ***	416.26
139146	9/13/19	HARRISD	Daniel Harrison	
		083119	August 2019 Business expense	82.39
			***Total ***	82.39
139155	9/13/19	MFHETD	Multi Family HET Direct	
		083019HSA	HSA, L.P. (Tustin)	31,800.00
			***Total ***	31,800.00
139156	9/13/19	MFHETD	Multi Family HET Direct	
		083019HERITAGE	Heritage Plaza Apartment (Brea)	14,600.00
			***Total ***	14,600.00
139157	9/13/19	MFHETD	Multi Family HET Direct	
		83019TREA	TREA Calle Del Cerrro LLC (San Clemente)	64,200.00
			***Total ***	64,200.00
139163	9/13/19	SCHUNK	Janine Schunk	
		083019	August 2019 Business expense	43.50
			***Total ***	43.50
139164	9/13/19	SCHWENE	Leslie Schwene	
		083019	August 2019 Business expense	34.92
			***Total ***	34.92
139169	9/26/19	DRIPPR	Spray to Drip Program	
		S2D2-R-IRWD-35272-17333	M. Bui	324.60
			***Total ***	324.60

**Municipal Water District of Orange County
Disbursement Ratification Report
For the month of September 2019**

Check #	Date	Vendor # Invoice/CM #	Name / Description	Net Amount
TURFRP				
			Turf Removal Program	
139170	9/26/19	TR12-R-IRWD-35272-35284	M. Bui	738.00
139171	9/26/19	TR12-R-FV-37415-36333	L. DiCorpo	1,468.00
139172	9/26/19	TR12-R-SC-38467-37381	K. Place	653.47
139173	9/26/19	TR12-R-TUST-38518-37425	S. Donahue	1,800.01
139174	9/26/19	TR12-R-MESA-38558-37461	J. Piovesan	2,194.00
139175	9/26/19	TR12-R-IRWD-38577-37483	P. Matheis	1,148.00
139176	9/26/19	TR12-R-MNT-38608-37512	S. Kelley	2,214.00
139177	9/26/19	TR12-R-MNT-38609-37513	W. Brunner	72.00
139178	9/26/19	TR12-R-MESA-38617-37523	J. Cowhey	1,338.00
139179	9/26/19	TR12-R-SM-38622-37528	M. Chenaar	1,425.00
139180	9/26/19	TR12-R-HB-38645-37552	R. Durand	4,316.00
139181	9/26/19	TR12-R-TUST-38477-37581	E. Smith	6,018.00
139182	9/26/19	TR12-R-SM-6298-37600	D. Basson	666.00
139183	9/26/19	TR12-R-IRWD-4563-37607	T. Fletcher	1,852.00
139184	9/26/19	TR12-R-MNT-38714-37614	I. Robertson	606.00
139185	9/26/19	TR12-R-MNT-38670-37621	H. Sampat	2,292.00
139186	9/26/19	TR13-R-MNT-38726-37626	J. Lin	1,431.00
139187	9/26/19	TR13-R-MNT-38733-37635	C. Caldwell	2,082.00
139188	9/26/19	TR13-R-MNT-17777-37641	F. Khadem	1,197.00
139189	9/26/19	TR13-R-IRWD-38753-37657	R. Morey	906.00
139190	9/26/19	TR13-R-MNT-38759-37662	F. Luketich	804.00
139191	9/26/19	TR13-R-MNT-38777-37680	C. Liao	2,547.00
139192	9/26/19	TR13-R-IRWD-38790-37692	K. Morihisa	804.00
			***Total ***	38,571.48
139199 9/30/19 USBANK				
			U.S. Bank	
			0640-AUG19A	
			7/23/19-8/22/19 Cal Card charges	1,490.05
			***Total ***	1,490.05
			(See attached sheet for details)	
ACH004263 9/30/19 SANTAM				
			Santa Margarita Water District	
			JUL2019	
			July 2019 SCP Pipeline Operation surcharge	32,267.77
			***Total ***	32,267.77
WIRE-190930 9/30/19 METWAT				
			Metropolitan Water District	
			9798	
			July 2019 Water deliveries	13,404,594.04
			***Total ***	13,404,594.04
Total Other Funds Disbursements				13,588,840.03
Total Disbursements				13,616,321.93



Robert J. Hunter, General Manager



Hilary Chumpitazi, Treasurer

Cal Card Charges
Statement Date: August 22, 2019
Payment Date: September 30, 2019

<u>Date</u>	<u>Description</u>	<u>Amount</u>
<u>Public Affairs Card</u>		
7/22/2019	Parchment paper for printing certificates	\$ 32.18
7/26/2019	Travel tripod kit for cameras	214.24
7/29/2019	Public Relations Society of America Orange County PROTOS Awards dinner in Tustin, CA on Sep. 26, 2019 - Registration for D. Micalizzi	139.21
7/29/2019	Public Relations Society of America Orange County PROTOS Awards dinner in Tustin, CA on Sep. 26, 2019 - Registration for T. Baca	139.21
7/29/2019	Public Relations Society of America Orange County PROTOS Awards dinner in Tustin, CA on Sep. 26, 2019 - Registration for S. Wilson	139.21
7/29/2019	7/29/19-7/31/20 Public Relations Society of America Orange County membership for S. Wilson	325.00
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations for D. Micalizzi	699.86 ¹
Total		<u>\$ 1,688.91</u>

¹ D. Micalizzi reimbursed MWDOC \$206.54

Cal Card Charges
Statement Date: August 22, 2019
Payment Date: September 30, 2019

Date	Description	Amount
K. Seckel Card		
7/23/2019	Government jobs employment post for Senior Engineer position	\$ 125.00
7/24/2019	Lunch for Qualified Water Efficient Landscaper training class and America's Water Infrastructure Act meeting	156.53
7/24/2019	6/24/19-7/23/19 Web hosting service for MWDOC website	15.65
7/24/2019	Toilet replacement for WEROC S. EOC	327.52
7/29/2019	OC Register annual subscription renewal	160.61
7/30/2019	Food for Administration staff development meeting	21.54
7/30/2019	Carpet cleaning for MWDOC office	450.00
7/31/2019	15 Thomas Guide map books for WEROC EOCS and employee purchase	357.55 ¹
8/2/2019	8/1/19-8/31/19 E-mail service for California Sprinkler Adjustment Notification system	14.95
8/4/2019	FedEx delivery charges for ACCO Engineered Systems on Jul. 31, 2019	19.04
8/5/2019	Lunch for quarterly WEROC meeting	398.51
8/5/2019	Lunch for Energy Coalition Funding and Leak Repair meeting	64.37
8/5/2019	Get well flowers for MWDOC staff member	48.49
8/6/2019	Pre-employment exams for three prospective employees	485.00
8/6/2019	California Society of Municipal Finance Officers Chapter meeting in Orange, CA on Aug. 22, 2019 - Registration for H. Chumpitazi	25.00
8/7/2019	American Water Works Association Utility Risk and Resilience Certificate Program online class registration for D. Harrison	252.00
8/7/2019	Lunch for staff development meeting	717.35
8/7/2019	Key safe and locks for MWDOC generator	210.63
8/8/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations refund for D. Micalizzi	(236.88)
8/9/2019	American Water Works Association Utility Risk and Resilience Certificate Program online class registration for L. Schwene	252.00
8/9/2019	Domain name renewal for Rickiraindrop.com	90.85
8/12/2019	Supplies for MWDOC generator	36.72
8/13/2019	Trailer hitch and coupler lock for MWDOC generator	334.39
8/13/2019	Fire extinguisher rack for MWDOC generator	56.88
8/13/2019	Computer supplies	27.98
8/13/2019	Halon fire extinguisher for MWDOC generator	396.02
8/14/2019	Food for staff development meeting	30.49
8/14/2019	Colorado River Water Users Association conference in Las Vegas, NV from Dec. 11-13, 2019 - Accommodations for H. De La Torre	149.66
8/18/2019	5 Computers and 5 monitors to upgrade staff computers	6,781.22
8/19/2019	UPS Delivery charges for Board packets on Aug. 12 & 16, 2019	35.04
8/21/2019	Lunch for Traffic Cone training	152.40
	Total	\$ 11,956.51

¹ Employees to reimburse MWDOC \$275.55

Cal Card Charges
Statement Date: August 22, 2019
Payment Date: September 30, 2019

Date	Description	Amount
<u>R. Hunter Card</u>		
7/23/19-8/22/19	Meals for R. Hunter's meetings	\$ 130.63
7/22/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Registration for Director McVicker	425.00
7/22/2019	The Toll Roads FasTrak deposit for R. Hunter	100.00
7/22/2019	Lunch for MET Directors' meeting	79.11
7/23/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations deposit for Director McVicker	236.67
7/24/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations deposit for Director Yoo Schneider	236.67
7/25/2019	Lunch for OC MET Managers' meeting	226.28
7/26/2019	California Council for Environmental and Economic Balance Summer Issues seminar in Squaw Valley, CA from Jul. 24-26, 2019 - Parking for R. Hunter	54.00
7/26/2019	California Council for Environmental and Economic Balance Summer Issues seminar in Squaw Valley, CA from Jul. 24-26, 2019 - Accommodations balance for R. Hunter	100.17
7/26/2019	California Council for Environmental and Economic Balance Summer Issues seminar in Squaw Valley, CA from Jul. 24-26, 2019 - Accommodations balance for Director Yoo Schneider	100.17
7/27/2019	California Environmental Dialogue Plenary meeting in La Jolla, CA from Jul. 30-31, 2019 - Accommodations for Director Yoo Schneider	289.35
7/27/2019	California Environmental Dialogue Plenary meeting in La Jolla, CA from Jul. 30-31, 2019 - Accommodations for Director Tamaribuchi	289.35
7/31/2019	ACWA Fall conference in San Diego, CA from Dec. 3-6, 2019 - Registration for Director McVicker	725.00
8/7/2019	Colorado River Water Users Association conference in Las Vegas, NV from Dec. 11-13, 2019 - Registration for Director Barbre	475.00
8/8/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Registration for Director Yoo Schneider	425.00
8/8/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Registration for R. Hunter	425.00
8/13/2019	Orange County Water Association membership renewal for Director Barbre	70.00
8/14/2019	Orange County Water Association Industry Insight presentation in Irvine, CA on Aug. 21, 2019 - Registration for Director Barbre	30.00
8/14/2019	Colorado River Water Users Association conference in Las Vegas, NV from Dec. 11-13, 2019 - Registration and membership renewal for Director Thomas	505.00
8/14/2019	Colorado River Water Users Association conference in Las Vegas, NV from Dec. 11-13, 2019 - Registration and membership renewal for H. De La Torre	505.00
8/14/2019	Colorado River Water Users Association conference in Las Vegas, NV from Dec. 11-13, 2019 - Accommodations deposit for Director Thomas	149.66
8/14/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Dinner for Director McVicker, Director Tamaribuchi, R. Hunter, M. Baum Haley and 3 guests	335.33

Cal Card Charges
Statement Date: August 22, 2019
Payment Date: September 30, 2019

Date	Description	Amount
<u>R. Hunter Card</u> (Continued)		
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Dinner for Director Dick, Director McVicker, Director Tamaribuchi, Director Thomas, Director Yoo Schneider, R. Hunter, M. Baum Haley, D. Micalizzi and 2 guests	528.84
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations balance for Director Tamaribuchi	236.65
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations balance for Director Thomas	264.26
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations balance for Director Yoo Schneider	256.65
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations balance for R. Hunter	256.65
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations balance for M. Baum Haley	236.65
8/16/2019	Urban Water Institute Water conference in San Diego, CA from Aug. 14-16, 2019 - Accommodations balance for Director McVicker	262.15
Total		<u>\$ 7,954.24</u>

Municipal Water District of Orange County
GM Approved Disbursement Report ⁽¹⁾
For the month of September 2019

Check #	Date	Vendor # Invoice/CM #	Name / Description	Net Amount
Core Disbursements:				
139133	9/3/19	WESTIN M-HASN78-A	The Westin South Coast Plaza Estimated final payment for 9/5/19 Water Policy Dinner ***Total ***	9,968.69 9,968.69
EFT-190911B	9/11/19	CALPER 100000015779918	CALPERS Fees for FY 18/19 GASB-68 reports and schedules ***Total ***	700.00 700.00
139200	9/27/19	MISCEL 092719	Miscellaneous Reimbursement of broken glasses ***Total ***	69.99 69.99
ACH004249	9/30/19	ACWAJP O-0000006031	ACWA Joint Powers 7/1/19-7/1/20 Annual Excess Crime Program renewal ***Total ***	1,900.00 1,900.00
Total Core Disbursements				<u>12,638.68</u>
Choice Disbursements:				
Total Choice Disbursements				<u>-</u>
Other Funds Disbursements:				
Total Other Funds Disbursements				<u>-</u>
Total Disbursements				<u><u>12,638.68</u></u>


 Robert J. Hunter, General Manager


 Hilary Chumpitazi, Treasurer

(1) For disbursements that did not make the cut-off of previous month's Disbursement Approval report.
 Disbursements are approved by GM for payment and need A & F Committee ratification.



Municipal Water District of Orange County
Consolidated Summary of Cash and Investment
 August 31, 2019

Street Address:
 18700 Ward Street
 Fountain Valley, California 92708

Mailing Address:
 P.O. Box 20895
 Fountain Valley, CA 92728-0895

(714) 963-3058
 Fax: (714) 964-9389
www.mwdoc.com

Brett R. Barbre
President

Joan C. Finnegan
Vice President

Larry D. Dick
Director

Bob McVicker, P.E., D.WRE
Director

Megan Yoo Schneider, P.E.
Director

Sat Tamaribuchi
Director

Jeffery M. Thomas
Director

Robert J. Hunter
General Manager

MEMBER AGENCIES

City of Brea
 City of Buena Park
 East Orange County Water District
 El Toro Water District
 Emerald Bay Service District
 City of Fountain Valley
 City of Garden Grove
 Golden State Water Co.
 City of Huntington Beach
 Irvine Ranch Water District
 Laguna Beach County Water District
 City of La Habra
 City of La Palma
 Mesa Water District
 Moulton Niguel Water District
 City of Newport Beach
 City of Orange
 Orange County Water District
 City of San Clemente
 City of San Juan Capistrano
 Santa Margarita Water District
 City of Seal Beach
 Serrano Water District
 South Coast Water District
 Trabuco Canyon Water District
 City of Tustin
 City of Westminster
 Yorba Linda Water District

District investments and cash balances are held in various funds designated for certain purposes as follows:

Fund	Book Value	% of Portfolio
Designated Reserves		
General Operations	\$3,341,910	16.39%
Grant & Project Cash Flow	1,500,000	7.36%
Election Expense	608,000	2.98%
Building Repair	385,408	1.89%
OPEB	297,147	1.46%
Total Designated Reserves	6,132,465	30.08%
General Fund	11,119,975	54.54%
Water Fund	3,063,420	15.03%
Conservation Fund	(605,358)	(2.97%)
WEROC Fund	648,152	3.18%
Trustee Activities	29,433	0.14%
Total	\$20,388,087	100.00%

The funds are invested as follows:

Term of Investment	% of Portfolio	Book Value	Market Value
Cash	4.69%	\$956,195	\$956,195
Short-term investment			
• LAIF	60.37%	\$12,308,027	\$12,308,027
• OCIP	19.73%	4,022,080	4,022,080
Long-term investment			
• Corporate Bond	5.65%	1,151,785	1,154,926
• Certificates of Deposit	9.56%	1,950,000	1,990,485
Total	100.00%	\$20,388,037	\$20,431,713

The average number of days to maturity/call as of August 31, 2019 equaled 147 and the average yield to maturity is 2.327%. During the month, the District's average daily balance was \$24,510,483.59. Funds were invested in Federal Agency Issues, Certificates of Deposit, Negotiable CD's, Miscellaneous Securities, the Local Agency Investment Funds (LAIF) and the Orange County Investment Pool (OCIP) during the month of August 2019.

The \$43,626 difference between the book value and the market value on August 31, 2019 represents the exchange difference if all investments had been liquidated on that date. Since it is the District's practice to "buy and hold" investments until maturity, the market values are a point of reference, not an indication of actual loss or gain. There are no current plans or cash flow requirements identified in the near future that would require the sale of these securities prior to maturity.

Robert J. Hunter
General Manager

Hilary Chumpitazi
Treasurer



MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

Portfolio Management - Portfolio Summary

August 31, 2019

8/31/2019	Par Value	Market Value	Book Value	% of Portfolio	Days to Mat/Call	YTM @ Cost
Negotiable Certificate Of Deposit	1,950,000.00	1,990,484.50	1,950,000.00	10.04	1,151	2.519
Corporate Bond	1,150,000.00	1,154,926.00	1,151,784.37	5.92	512	2.290
Local Agency Investment Funds	12,308,027.15	12,308,027.15	12,308,027.15	63.34	1	2.333
Orange County Investment Pool	4,022,079.79	4,022,079.79	4,022,079.79	20.70	1	2.224
Total Investments	19,430,106.94	19,475,517.44	19,431,891.31	100.00	147	2.327
Cash						
Cash	956,195.30	956,195.30	956,195.30		1	0.00
Total Cash and Investments	20,386,302.24	20,431,712.74	20,388,086.61		147	2.327

Total Earnings	Month Ending August	Fiscal Year to Date
Current Year	49,279.04	87,816.38
Average Daily Balance	19,976,914.54	
Effective Rate of Return	2.327%	

We certify that this report reflects the cash and investments of the Municipal Water District of Orange County and is in conformity with the Government Code requirements and the District Investment Policy and Guidelines in effect at the time of investment. The Investment Program herein shown provides sufficient cash flow liquidity to meet the next six month's estimated expenditure. The source for the market values are from Union Bank. Per Resolution 2059 there are no compliance exceptions to report.


Robert J. Hunter, General Manager

Date

10-3-19


Hilary Chumbitazi, Treasurer

Date

10/3/2019

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Portfolio Management
Long-Term Portfolio Details - Investments
August 31, 2019

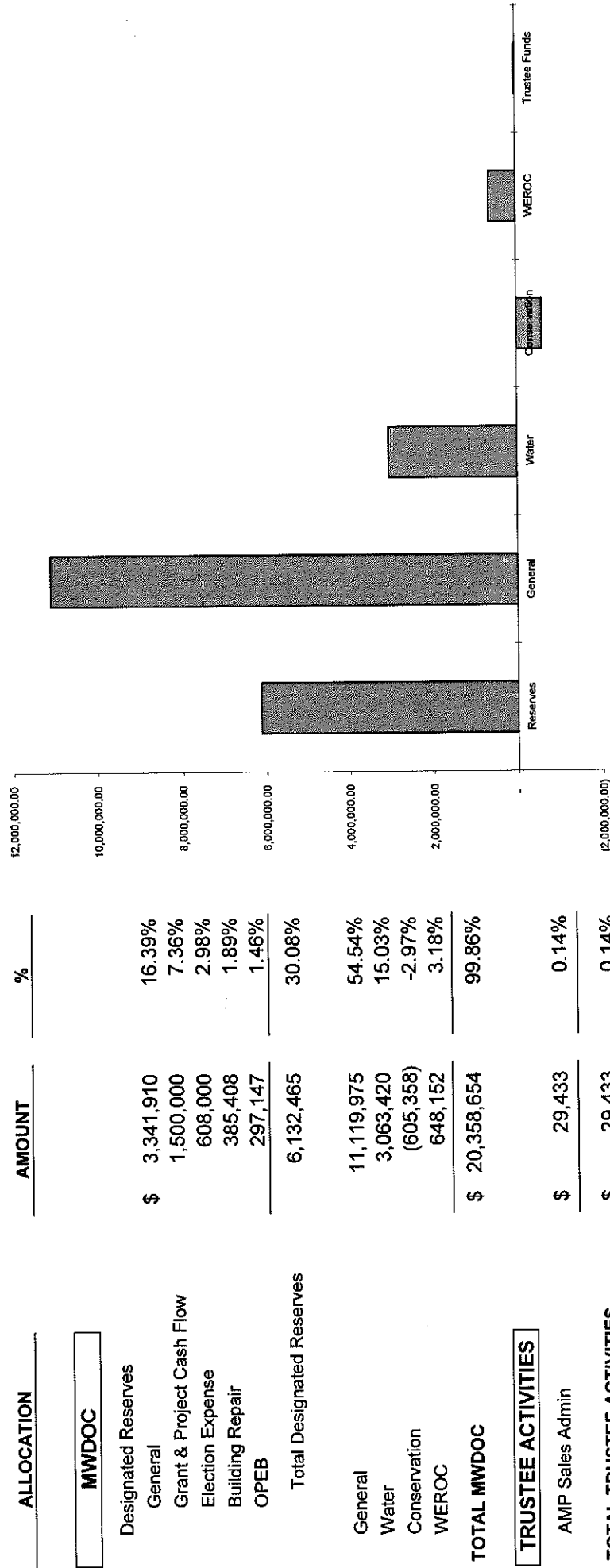
Issuer	CUSIP/Ticker	Settlement Date	Par Value	Market Value	Book Value	Coupon Rate	YTM @ Cost	Days To Call/Maturity	Maturity Date
Negotiable Certificate Of Deposit									
Barclays Bank	06740KKY2	9/27/2017	250,000.00	252,950.00	250,000.00	2.250	2.250	1,123	9/27/2022
Capital One Bank	14042TBQ9	8/7/2019	250,000.00	253,625.00	250,000.00	2.250	2.250	1,803	8/7/2024
Capital One NA	14042RMJ7	7/24/2019	250,000.00	253,007.50	250,000.00	2.200	2.200	1,789	7/24/2024
Citibank	17294XUN4	7/31/2019	250,000.00	251,565.00	250,000.00	2.200	2.200	335	7/31/2024
Comenity Capital	20033AUX2	7/25/2017	200,000.00	200,792.00	200,000.00	2.000	2.000	685	7/16/2021
Discover Bank	254673RV0	7/25/2018	250,000.00	262,695.00	250,000.00	3.300	3.300	1,424	7/25/2023
Goldman Sachs Bank	38148PT98	8/8/2018	250,000.00	263,247.50	250,000.00	3.350	3.350	1,438	8/8/2023
Morgan Stanley Bank	61747MJ36	2/1/2018	250,000.00	252,602.50	250,000.00	2.500	2.500	520	2/1/2021
Sub Total			1,950,000.00	1,990,484.50	1,950,000.00	2.519	2.519	1,151	
Corporate Bond									
JP Morgan Chase	48625HKA7	11/2/2015	500,000.00	500,170.00	500,184.66	2.250	2.152	114	1/23/2020
National Rural Util Coop	63743FE51	7/27/2017	200,000.00	200,040.00	200,000.00	2.500	2.500	1,049	7/15/2022
Wells Fargo	94974BGR5	1/13/2016	250,000.00	251,400.00	250,417.99	2.550	2.409	464	12/7/2020
Westpac Banking Corp	961214DQ3	7/25/2017	200,000.00	203,316.00	201,181.72	2.500	2.278	1,032	6/28/2022
Sub Total			1,150,000.00	1,154,926.00	1,151,784.37	2.402	2.290	512	
Total Investments			3,100,000.00	3,145,410.50	3,101,784.37	2.476	2.434	914	

Total Earnings	Month Ending August	Fiscal Year To Date
Current Year	8,534.86	14,909.85

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Portfolio Management
Short-Term Portfolio Details - Cash and Investments
August 31, 2019

Investments	CUSIP/Ticker	Settlement Date	Par Value	Market Value	Book Value	Coupon Rate	YTM @ Cost	Days To Call/Maturity	Maturity Date
Local Agency Investment Funds									
LAIF LGIP	LAIF	6/30/2010	12,308,027.15	12,308,027.15	12,308,027.15	2.333	2.333	1	N/A
Sub Total			12,308,027.15	12,308,027.15	12,308,027.15	2.333	2.333	1	
Orange County Investment Pool									
County of Orange LGIP	OCIP	6/29/2005	4,022,079.79	4,022,079.79	4,022,079.79	2.224	2.224	1	N/A
Sub Total			4,022,079.79	4,022,079.79	4,022,079.79	2.224	2.224	1	
Total Investments			16,330,106.94	16,330,106.94	16,330,106.94	2.306	2.306		
Cash									
Petty Cash Cash	CASH	7/1/2010	500.00	500.00	500.00	0.000	0.000	1	N/A
US Bank Cash	CASHUSBANK	7/25/2018	955,695.30	955,695.30	955,695.30	0.000	0.000	1	N/A
Total Cash			956,195.30	956,195.30	956,195.30	0.000	0.000	1	
Total Cash and Investments			17,286,302.24	17,286,302.24	17,286,302.24	2.306	2.306	1	
Total Earnings									
Current Year			Month Ending August	Fiscal Year To Date					
			40,744.18	72,906.53					

**Municipal Water District of Orange County
Cash and Investments at August 31, 2019**



MUNICIPAL WATER DIST OF ORANGE COUNTY
PARS Post-Employment Benefits Trust**Account Report for the Period**
8/1/2019 to 8/31/2019Rob Hunter
General Manager
Municipal Water Dist of Orange County
18700 Ward Street
Fountain Valley, CA 92708**Account Summary**

Source	Beginning Balance as of 8/1/2019	Contributions	Earnings	Expenses	Distributions	Transfers	Ending Balance as of 8/31/2019
OPEB	\$2,223,185.58	\$0.00	-\$9,037.53	\$463.16	\$0.00	\$0.00	\$2,213,684.89
PENSION	\$218,490.39	\$207,000.00	-\$950.91	\$45.52	\$0.00	\$0.00	\$424,493.96
Totals	\$2,441,675.97	\$207,000.00	-\$9,988.44	\$508.68	\$0.00	\$0.00	\$2,638,178.85

Investment Selection**Source**

OPEB **Moderate HighMark PLUS**
PENSION **Moderate HighMark PLUS**

Investment Objective**Source**

OPEB The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.

PENSION The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.

Investment Return

Source	1-Month	3-Months	1-Year	Annualized Return			Plan's Inception Date
				3-Years	5-Years	10-Years	
OPEB	-0.40%	3.86%	5.61%	7.47%	5.61%	-	10/26/2011
PENSION	-0.33%	3.94%	5.68%	-	-	-	7/31/2018

Information as provided by US Bank, Trustee for PARS; Not FDIC Insured; No Bank Guarantee; May Lose Value

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Information is deemed reliable but may be subject to change.

Investment Return: Annualized rate of return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return.

Account balances are inclusive of Trust Administration, Trustee and Investment Management fees

Municipal Water District of Orange County
WATER USE EFFICIENCY PROJECTS
Cash Flow as of 09/30/19

Cash - Beginning Balance	Jul 2019	Aug 2019	Sep 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	Jun 2020	TOTALS
\$ (592,088.66) \$	(564,751.37) \$	(605,357.98) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	
REVENUES:													
BUREC			49,393.62										\$ 49,393.62
City of Brea													-
City of Buena Park	111.00	150.00											261.00
City of Fountain Valley	111.00		114.00										225.00
City of Fullerton													-
City of Garden Grove													-
City of Huntington Beach													-
City of La Habra		222.00											222.00
City of San Clemente	515.00	444.99	455.00										1,414.99
City of San Juan Capistrano													-
City of Santa Ana													-
City of Tustin													-
City of Newport Beach		333.00	111.00										444.00
City of Westminster													-
County of Orange													-
Department of Water Resources		30,204.36											30,204.36
East Orange County Water District													-
El Toro Water District	2,614.00	1,924.00	924.00										5,462.00
Invine Ranch Water District	6,632.11	18,446.65	6,790.00										31,868.76
Laguna Beach County Water District													-
Mesa Water District		306.45	207.24										513.69
Metropolitan Water District	17,249.94	878.64	115,504.83										133,633.41
Moulton Niguel Water District	36,055.78	25,127.90	13,476.61										74,660.29
Orange County Water District													-
Santa Margarita Water District													-
Trabuco Canyon Water District	537.90	273.96											811.86
Yorba Linda Water District			111.00										111.00
Miscellaneous Revenues													
Miscellaneous													-
Interest Revenue													-
Total Revenues	63,826.73	78,311.95	187,087.30	-	-	-	-	-	-	-	-	-	\$ 329,225.98
EXPENDITURES:													
Budget Based Tiered Rates, Referrals													-
Droplet													-
IRWD													-
Golden State Water Company													-
City of Huntington Beach													-
Laguna Beach CWD													-
Metropolitan Water District													-
Mission RCD	6,476.15	8,985.40	110,600.00										15,461.55
Multi Family HET Direct													10,600.00
Pollard Water													-
Recycled Water On Site Retrofit program													-
South Coast Water District		1,031.68	324.60										1,356.28
Spray to Drip program													-
SMWD													-
Turf Removal	25,029.55	101,394.48	38,571.48										164,995.51
Water Savings Incentive Program		5,382.00											5,382.00
Miscellaneous Expenses													
Miscellaneous	1,720.00												1,720.00
Interest Expense	2,413.74												2,413.74
Salary & Benefit	850.00	2,125.00											2,975.00
Total Expenditures	36,489.44	118,918.56	149,496.08	-	-	-	-	-	-	-	-	-	\$ 304,904.08
Cash - Ending Balance	\$ (564,751.37) \$	(605,357.98) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	(567,766.76) \$	

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
COMBINED FINANCIAL STATEMENTS
AND
BUDGET COMPARATIVE
JULY 1, 2019 THRU AUGUST 31, 2019

**Municipal Water District of Orange County
Combined Balance Sheet
As of August 31, 2019**

<u>ASSETS</u>	Amount
Cash in Bank	956,195.30
Investments	19,431,891.31
Accounts Receivable	29,138,064.83
Accounts Receivable - Other	200,728.97
Accrued Interest Receivable	96,421.13
Prepays/Deposits	357,378.72
Leasehold Improvements	3,833,004.08
Furniture, Fixtures & Equipment	573,533.87
Less: Accum Depreciation	<u>(3,125,024.94)</u>
TOTAL ASSETS	<u>\$51,462,193.27</u>
 <u>LIABILITIES AND FUND BALANCES</u>	
Liabilities	
Accounts Payable	29,198,405.08
Accounts Payable - Other	107.99
Accrued Salaries and Benefits Payable	374,694.56
Other Liabilities	663,208.87
Unearned Revenue	<u>799,950.80</u>
Total Liabilities	<u>31,036,367.30</u>
 Fund Balances	
Restricted Fund Balances	
Water Fund - T2C	<u>1,010,404.10</u>
Total Restricted Fund Balances	<u>1,010,404.10</u>
Designated Reserves	
General Operations	3,341,910.36
Grant & Project Cash Flow	1,500,000.00
Election Expense	608,000.00
Building Repair	385,407.45
OPEB	<u>297,147.00</u>
Total Designated Reserves	<u>6,132,464.81</u>
General Fund	4,246,251.93
General Fund Capital	525,009.00
WEROC Capital	114,948.58
WEROC	<u>250,873.05</u>
Total Unrestricted Fund Balances	<u>11,269,547.37</u>
Excess Revenue over Expenditures	
Operating Fund	8,015,410.96
Other Funds	<u>130,463.54</u>
Total Fund Balance	<u>20,425,825.97</u>
TOTAL LIABILITIES AND FUND BALANCES	<u>51,462,193.27</u>

Municipal Water District of Orange County
Revenues and Expenditures Budget Comparative Report
General Fund
From July thru August 2019

	Month to Date	Year to Date	Annual Budget	% Used	Encumbrance	Budget Remaining
<u>REVENUES</u>						
Retail Connection Charge	0.00	7,888,929.60	7,888,930.00	100.00%	0.00	0.40
Ground Water Customer Charge	0.00	598,248.00	598,248.00	100.00%	0.00	0.00
Water rate revenues	0.00	8,487,177.60	8,487,178.00	100.00%	0.00	0.40
Interest Revenue	48,303.42	85,908.63	580,000.00	14.81%	0.00	494,091.37
Subtotal	48,303.42	8,573,086.23	9,067,178.00	94.55%	0.00	494,091.77
Choice Programs	1,193,865.52	1,193,865.52	1,782,433.00	66.98%	0.00	588,567.48
Miscellaneous Income	9,137.12	12,361.16	3,000.00	412.04%	0.00	(9,361.16)
Revenue Other	0.00	1,088.00	0.00		0.00	(1,088.00)
Transfer-In From Reserve	0.00	0.00	(44,068.00)	0.00%	0.00	(44,068.00)
Subtotal	1,203,002.64	1,207,314.68	1,741,365.00	69.33%	0.00	534,050.32
TOTAL REVENUES	1,251,306.06	9,780,400.91	10,808,543.00	90.49%	0.00	1,028,142.09

Municipal Water District of Orange County
Revenues and Expenditures Budget Comparative Report
General Fund
From July thru August 2019

	Month to Date	Year to Date	Annual Budget	% Used	Encumbrance	Budget Remaining
<u>EXPENSES</u>						
Salaries & Wages	313,573.44	638,671.37	4,055,836.00	15.75%	0.00	3,417,164.63
Salaries & Wages - Grant Recovery	0.00	0.00	(5,500.00)	0.00%	0.00	(5,500.00)
Salaries & Wages - Recovery	(2,075.64)	(2,789.64)	0.00	0.00%	0.00	2,789.64
Director's Compensation	22,244.61	40,955.01	268,132.00	15.27%	0.00	227,176.99
MWD Representation	12,963.65	23,566.21	153,218.00	15.38%	0.00	129,651.79
Employee Benefits	106,437.53	195,127.01	1,263,176.00	15.45%	0.00	1,068,048.99
CalPers Unfunded Liability Contribution	207,000.00	207,000.00	207,000.00	100.00%	0.00	0.00
Employee Benefits - Recovery	(395.36)	(531.36)	0.00	0.00%	0.00	531.36
Director's Benefits	11,472.02	19,536.60	93,947.00	20.80%	0.00	74,410.40
Health Insurance for Retirees	4,048.74	8,464.98	70,287.00	12.04%	0.00	61,822.02
Training Expense	0.00	1,310.50	32,000.00	4.10%	18,000.00	12,689.50
Tuition Reimbursement	2,552.62	2,552.62	5,000.00	51.05%	0.00	2,447.38
Temporary Help Expense	0.00	0.00	5,000.00	0.00%	0.00	5,000.00
Personnel Expenses	677,821.61	1,133,863.30	6,148,096.00	18.44%	18,000.00	4,996,232.70
Engineering Expense	36,781.33	72,046.81	435,000.00	16.56%	237,532.40	125,420.79
Legal Expense	48,832.19	52,422.19	200,000.00	26.21%	162,577.81	(15,000.00)
Audit Expense	0.00	7,500.00	29,240.00	25.65%	12,267.00	9,473.00
Professional Services	66,556.06	120,854.23	1,672,407.00	7.23%	881,390.35	670,162.42
Professional Fees	152,169.58	252,823.23	2,336,647.00	10.82%	1,293,767.56	790,056.21
Conference-Staff	1,350.00	6,500.00	40,535.00	16.04%	0.00	34,035.00
Conference-Directors	2,980.00	6,025.00	28,440.00	21.18%	0.00	22,415.00
Travel & Accom.-Staff	2,008.67	4,105.06	89,131.00	4.61%	0.00	85,025.94
Travel & Accom.-Directors	3,095.26	4,805.69	46,625.00	10.31%	0.00	41,819.31
Travel & Conference	9,433.93	21,435.75	204,731.00	10.47%	0.00	183,295.25
Membership/Sponsorship	4,695.00	61,428.33	114,966.00	53.43%	0.00	53,537.67
CDR Support	0.00	12,538.95	50,156.00	25.00%	37,616.85	0.20
Dues & Memberships	4,695.00	73,967.28	165,122.00	44.80%	37,616.85	53,537.87
Business Expense	382.22	518.99	5,200.00	9.98%	0.00	4,681.01
Maintenance Office	7,980.25	19,152.68	138,527.00	13.83%	115,224.32	4,150.00
Building Repair & Maintenance	725.33	1,604.26	20,000.00	8.02%	8,395.74	10,000.00
Storage Rental & Equipment Lease	258.26	501.27	3,616.00	13.86%	2,114.73	1,000.00
Office Supplies	3,805.67	5,680.06	36,000.00	15.78%	2,840.05	27,479.89
Supplies - Water Loss Control	3,135.31	3,135.31	2,033.00	154.22%	83.92	(1,186.23)
Postage/Mail Delivery	454.05	767.34	9,400.00	8.16%	2,177.88	6,454.78
Subscriptions & Books	160.61	160.61	1,500.00	10.71%	0.00	1,339.39
Reproduction Expense	1,534.38	1,534.38	61,000.00	2.52%	2,965.62	56,500.00
Maintenance-Computers	604.11	576.74	8,000.00	7.21%	1,948.40	5,474.86
Software Purchase	9,507.36	9,507.36	34,500.00	27.56%	0.00	24,992.64
Software Support	8,565.75	12,853.36	59,134.00	21.74%	2,400.00	43,880.64
Computers and Equipment	19,929.14	19,929.14	49,450.00	40.30%	0.00	29,520.86
Automotive Expense	2,508.65	3,911.23	19,300.00	20.27%	0.00	15,388.77
Vehicle Expense	26.44	26.44	13,160.00	0.20%	0.00	13,133.56
Toll Road Charges	158.82	241.77	2,400.00	10.07%	0.00	2,158.23
Insurance Expense	10,240.13	20,163.52	140,000.00	14.40%	0.00	119,836.48
Utilities - Telephone	1,906.36	3,847.58	25,773.00	14.93%	1,142.94	20,782.48
Bank Fees	(14.00)	88.33	1,200.00	7.36%	0.00	1,111.67
Miscellaneous Expense	7,729.81	10,202.00	108,100.00	9.44%	0.00	97,898.00
MWDOC's Contrb. to WEROC	19,081.50	38,163.00	273,367.00	13.96%	0.00	235,204.00
Depreciation Expense	3,482.29	6,964.59	0.00	0.00%	0.00	(6,964.59)
Other Expenses	102,162.44	159,529.96	1,011,660.00	15.77%	139,293.60	712,836.44
Building Expense	24,692.50	122,975.54	835,831.00	14.71%	272,341.64	440,513.82
Capital Acquisition	394.89	394.89	106,456.00	0.37%	0.00	106,061.11
TOTAL EXPENSES	971,369.95	1,764,989.95	10,808,543.00	16.33%	1,761,019.65	7,282,533.40
NET INCOME (LOSS)	279,936.11	8,015,410.96	0.00			

Municipal Water District of Orange County
Revenues and Expenditures Budget Comparative Report
Water Fund
From July thru August 2019

	Month to Date	Year to Date	Annual Budget	% Used	Budget Remaining
<u>WATER REVENUES</u>					
Water Sales	14,063,383.20	26,444,612.60	232,376,274.00	11.38%	205,931,661.40
Readiness to Serve Charge	838,872.80	1,677,745.60	10,071,282.00	16.66%	8,393,536.40
Capacity Charge CCF	299,996.67	599,993.34	3,615,440.00	16.60%	3,015,446.66
SCP/SAC Pipeline Surcharge	35,794.27	68,062.04	350,000.00	19.45%	281,937.96
Interest	<u>2,014.08</u>	<u>4,024.54</u>	<u>20,000.00</u>	<u>20.12%</u>	<u>15,975.46</u>
TOTAL WATER REVENUES	<u>15,240,061.02</u>	<u>28,794,438.12</u>	<u>246,432,996.00</u>	<u>11.68%</u>	<u>217,638,557.88</u>
<u>WATER PURCHASES</u>					
Water Sales	14,063,383.20	26,444,612.60	232,376,274.00	11.38%	205,931,661.40
Readiness to Serve Charge	838,872.80	1,677,745.60	10,071,282.00	16.66%	8,393,536.40
Capacity Charge CCF	299,996.67	599,993.34	3,615,440.00	16.60%	3,015,446.66
SCP/SAC Pipeline Surcharge	<u>35,794.27</u>	<u>68,062.04</u>	<u>350,000.00</u>	<u>19.45%</u>	<u>281,937.96</u>
TOTAL WATER PURCHASES	<u>15,238,046.94</u>	<u>28,790,413.58</u>	<u>246,412,996.00</u>	<u>11.68%</u>	<u>217,622,582.42</u>
EXCESS OF REVENUE OVER EXPENDITURES	<u>2,014.08</u>	<u>4,024.54</u>	<u>20,000.00</u>		

Municipal Water District of Orange County
WUE Revenues and Expenditures (Actuals vs Budget)
From July thru August 2019

	Year to Date Actual	Annual Budget	% Used
Spray To Drip Conversion			
Revenues	464.80	110,562.00	0.42%
Expenses	<u>1,199.57</u>	<u>110,562.00</u>	1.08%
Excess of Revenues over Expenditures	(734.77)	0.00	
Member Agency Administered Passthru			
Revenues	110,600.00	616,000.00	17.95%
Expenses	<u>110,600.00</u>	<u>616,000.00</u>	17.95%
Excess of Revenues over Expenditures	0.00	0.00	
ULFT Rebate Program			
Revenues	1,210.00	27,500.00	4.40%
Expenses	<u>3,402.81</u>	<u>27,500.00</u>	12.37%
Excess of Revenues over Expenditures	(2,192.81)	0.00	
HECW Rebate Program			
Revenues	14,017.45	300,000.00	4.67%
Expenses	<u>21,766.60</u>	<u>300,000.00</u>	7.26%
Excess of Revenues over Expenditures	(7,749.15)	0.00	
CII Rebate Program			
Revenues	0.00	305,000.00	0.00%
Expenses	<u>0.00</u>	<u>305,000.00</u>	0.00%
Excess of Revenues over Expenditures	0.00	0.00	
Turf Removal Program			
Revenues	95,904.55	835,776.00	11.47%
Expenses	<u>132,828.75</u>	<u>835,776.00</u>	15.89%
Excess of Revenues over Expenditures	(36,924.20)	0.00	
Comprehensive Landscape (CLWUE)			
Revenues	7,939.44	110,558.00	7.18%
Expenses	<u>7,805.74</u>	<u>116,450.00</u>	6.70%
Excess of Revenues over Expenditures	133.70	(5,892.00)	
Recycled Water Program			
Revenues	0.00	19,750.00	0.00%
Expenses	<u>0.00</u>	<u>19,750.00</u>	0.00%
Excess of Revenues over Expenditures	0.00	0.00	
WSIP - Industrial Program			
Revenues	0.00	45,000.00	0.00%
Expenses	<u>0.00</u>	<u>45,000.00</u>	0.00%
Excess of Revenues over Expenditures	0.00	0.00	
WUE Projects			
Revenues	230,136.24	2,370,146.00	9.71%
Expenses	<u>277,603.47</u>	<u>2,376,038.00</u>	11.68%
Excess of Revenues over Expenditures	(47,467.23)	(5,892.00)	
WEROC			
Revenues	267,141.00	652,564.00	40.94%
Expenses	<u>80,888.75</u>	<u>624,478.00</u>	12.95%
Excess of Revenues over Expenditures	186,252.25	28,086.00	



CONSENT CALENDAR ITEM

October 16, 2019

TO: Board of Directors

FROM: **Administration & Finance Committee**
(Directors Thomas, Finnegan, McVicker)

Robert J. Hunter
General Manager

Staff Contact: Hilary Chumpitazi

SUBJECT: AUTHORIZE NEW CREDIT FOR US BANK VOYAGER FLEET FUEL CARDS

STAFF RECOMMENDATION

It is recommended that the Board of Directors authorize staff to secure a US Bank Voyager Fleet fuel credit card account for the Shared Services Water Loss Control program with a credit limit of \$5,000.

COMMITTEE RECOMMENDATION

Committee concurred with staff recommendation, and also requested that the Administrative Code be amended to ensure that future credit card applications and/or increases in credit limits be within the authority of the General Manager.

SUMMARY

MWDOC will have one account with two credit cards (one for each vehicle) to purchase gas, car washes and annual maintenance. The Voyager Fleet card program allows pin based transactions to identify who's making the purchase and for fraud prevention. It offers industry-leading reporting tools for mileage tracking and line item detail into every purchase. Under this account we will also receive an automatic exemption from the state excise tax.

BOARD OPTIONS

Option #1

- Authorize staff to secure a US Bank Voyager Fleet fuel credit card account.

Fiscal Impact: \$5,760

Budgeted (Y/N): Yes	Budgeted amount: \$5,760	Core __	Choice <u>X</u>
Action item amount: \$5,000		Line item: 70-7612	
Fiscal Impact (explain if unbudgeted): Not applicable			

Business Analysis: More efficient to have a separate fuel card that allows tracking of mileage and the user; eliminates paperwork; saves time; automatic exemption given on state excise tax so we don't have to file for a reimbursement every year.

Option #2

- The employees will need to purchase gas, maintenance and car washes with their own credit card and complete a Business Expense form to be reimbursed. Accounting will need to keep track of all receipts and file for state excise tax reimbursement each year.

Fiscal Impact: \$5,760

Business Analysis: Less efficient, more work, less security, no automated tracking.

STAFF RECOMMENDATION

Option # 1

§2205 MWDOC CREDIT CARD ADVANCE OF FUNDS

These guidelines and regulations provide the rules, procedures and restrictions for use of MWDOC-issued credit cards. Adherence to these procedures and restrictions in conjunction with the above authorized expenses is mandatory. Use of a MWDOC credit card in any manner determined by the Board as inappropriate or outside of the established regulations could result in the loss of credit card privileges.

Credit card limits and new card issuances are authorized by the General Manager. ~~Increased limits require action by the Board.~~ Use of the General Manager's credit card by staff is only with the expressed authority of the General Manager. Use of the MWDOC issued credit card for any personal expenses is prohibited.

If, inadvertently in the course of use of the MWDOC-issued credit cards, expenses that are unsubstantiated by receipts or not allowed under this policy are charged to the credit card, the amount will be identified on the MWDOC Business Expense/Credit Card Report form and subtracted from the allowable total.

Because the use of the MWDOC issued credit card is considered the same as a cash advance, all credit card expenses are to include the date, purpose and amount, with the total allowable charges reflected as a cash advance at the bottom of the Business Expense/Credit Card Report form, reducing the total amount due for reimbursement. All receipts for expenses over \$25 must be attached to the MWDOC Business Expense Report. If an employees' or Directors' Business Expense/Credit Card Report form results in a negative balance, a personal check for that amount is to be attached at the time of submittal. Any MWDOC Business Expense Report submitted incomplete and without proper attachments will be returned to the employee or Director. Expenses over \$25 without a receipt will require written explanation of the charge and shall be signed by the employee (and approved by the General Manager) or Director.

If a Director's Business Expense Report is not submitted by the time MWDOC must make payment on the credit card, all charges reflected on the billing will be charged against and used as a reduction of the next per diem compensation voucher. If the MWDOC Business Expense Report is submitted subsequent to the reduction of the compensation voucher, reimbursement will be made at the issuance of the next per diem compensation check.

Any disputed or unsubstantiated charges for Directors will be submitted to the Executive Committee for review. Until a determination has been made and resolution has been arrived at, the amount in question will be charged against and used as a reduction of the next per diem compensation voucher.

Any disputed or unsubstantiated charges for employees will be submitted to the General Manager for review and appropriate action.

Motion – 7/21/93; 11/15/95; 7/16/97; 4/16/03; 10/20/04; M 12/21/05; M-6/17/15; M-6/20/18



CONSENT CALENDAR ITEM

October 16, 2019

TO: Board of Directors

FROM: **Planning & Operations Committee**
(Directors Yoo Schneider, Dick, Tamaribuchi)

Robert Hunter, General Manager

Staff Contact: Cathy Harris,
Charles Busslinger

SUBJECT: Electrical System Rehabilitation Project – Avram Contract - Change Orders 4 & 5

STAFF RECOMMENDATION

Staff recommends the Board of Directors approve two change orders to the Avram contract for the Electrical System Rehabilitation Project which are outside of the original scope of work in the amount of \$11,760.00.

COMMITTEE RECOMMENDATION

Committee concurred with staff recommendation.

SUMMARY

Staff is seeking Board authorization to proceed with the following building improvements as part of the Electrical System Rehabilitation Project:

- C.O. #4 – Extend the sidewalk around the new electrical equipment on the west side of the building
- C.O. #5 – Electrical and data wiring work to support creation of 5 additional workstations in the former library

Budgeted (Y/N): Y	Budgeted amount: \$240,000 (FY 2019-20)	Core X	Choice __
Action item amount:		Line item: 19-8811	
Fiscal Impact (explain if unbudgeted): Remaining \$4,580 from building reserves			

DETAILED REPORT

On June 19, 2019, the Board approved entering into an agreement with Avram Electric for improvements to the MWDOC administration building electrical system in the amount of \$213,883.00. During the course of the project the following changes to the scope of work and associated Change Orders (C.O.) were approved:

Approved Change Orders within General Manager Authority:

C.O.	Description	Cost
1	Install access hatch into the building soffit to allow electrical conduit/cable to be installed above the ceiling	\$996.00
2	Install 125 Amp breaker and 2-inch conduit in electrical room to facilitate future building remodel work	\$2,465.00
3	Relocate generator connection box to the northeast corner of building to facilitate emergency generator operations.	\$15,476.00
	Total	\$18,937.00

Additional Requested Change Orders:

C.O.	Description	Cost
4	Extend western sidewalk around the outside electrical equipment and relocate existing sprinklers	\$5,800.00
5	Electrical work to support 5 new workstations in the former library	\$5,960.00
	Total	\$11,760.00

BOARD OPTIONS

Option #1

- Approve the Change Orders

Fiscal Impact: \$11,760.00

Business Analysis: MWDOC is currently short of workstations and employees are spending time coordinating the sharing of workstations when people are out of the office (vacations, absences, etc...) leading to some inefficiencies. If not approved, the work could be included at a later date with other pending remodeling work.

Option #2

- Do not approve the Change Orders at this time. However, the work needs to be completed at some point in time. It is likely less expensive to include this work at this time.

Fiscal Impact:

Business Analysis: A delay results in some continuing inefficiencies with workstation availability in the office.

STAFF RECOMMENDATION

Option #1



CONSENT CALENDAR ITEM

October 16, 2019

TO: Board of Directors

FROM: **Administration & Finance Committee**
(Directors Thomas, Finnegan, McVicker)

Robert J. Hunter, General Manager

**SUBJECT: AUTHORIZE ATTENDANCE AT THE PUBLIC POLICY INSTITUTE'S
"PREPARING CALIFORNIA'S WATER SYSTEM FOR CLIMATE
EXTREMES" SYMPOSIUM, NOVEMBER 5, 2019, SACRAMENTO**

STAFF RECOMMENDATION

It is recommended that the Board of Directors: Consider authorizing attendance at the "Preparing California's Water System for Climate Extremes" symposium on November 5, 2019 in Sacramento.

COMMITTEE RECOMMENDATION

Committee concurred with staff recommendation (with staff ensuring that the Board is approving attendance by Directors and those staff recommended by the General Manager).

SUMMARY

The Public Policy Institute of California (PPIC) is a nonprofit, nonpartisan group dedicated to informing and improving public policy in California through independent, objective, nonpartisan research. As a result of the warmer temperatures, shrinking snowpack, shorter and more intense wet seasons, more volatile precipitation, and rising seas, water management in California is stressed. Leaders across the state are working to respond to the challenges these climate pressures bring, and the Newsom administration is developing a water resilience portfolio to address these issues. The PPIC Water Policy Center and a diverse group of state and local experts will hold a thought-provoking discussion about preparing California's water system for climate extremes.

Director Tamaribuchi has expressed interest in attending this event. Costs associated with attendance will be approximately \$700 (hotel/air fare; registration is free).

Budgeted (Y/N): No	Budgeted amount: \$0	Core <input checked="" type="checkbox"/> X <input type="checkbox"/>	Choice <input type="checkbox"/>
Action item amount: \$700+-	Line item:		
Fiscal Impact (explain if unbudgeted): Not applicable			



PPIC

PUBLIC POLICY
INSTITUTE OF CALIFORNIA

Informing and improving public policy through independent, objective, nonpartisan research

25 YEARS

SEARCH



**NOV
05**

Preparing California's Water System for Climate Extremes



**NOVEMBER 5,
2019**

**9:00 A.M. TO
12:30 P.M.**

**(Breakfast/registration
8:30 a.m.)**

Sheraton Grand
Hotel,
Camellia/Gardenia
rooms,
1230 J Street
Sacramento, CA
95814

**REGISTER
TO ATTEND**

**REGISTER
TO WATCH**

SHARE

#PPICevents
#WaterPrioriti



AGENDA



8:30 a.m. Registration begins and breakfast available

9:00 a.m. Welcome and Presentation

Ellen Hanak, center director and senior fellow, PPIC Water Policy Center

9:20 a.m. Panel 1: Protecting Californians from Floods, Fires, and Droughts

Moderator: **Van Butsic**, assistant cooperative extension specialist, University of California, Berkeley

Andy Fecko, director of strategic affairs, Placer County Water Agency

Joone Lopez, general manager, Moulton Niguel Water District

Tim Ramirez, member, Central Valley Flood Protection Board

Michael Thompson, assistant general manager, Sonoma Water

10:20 a.m. Panel 2: Providing Safe Drinking Water: Next Steps

Moderator: **Jelena Jezdimirovic**, research associate, PPIC Water Policy Center

Stephanie Anagnoson, director, Madera County Water and Natural Resource Department

Jan Coppinger, administrator, Lake County Special Districts

Jonathan Nelson, policy director, Community Water Center

Darrin Polhemus, deputy director, Division of Drinking Water, State Water Board

11:15 a.m. Break

11:30 a.m. Panel 3: Priorities for the Water Resilience Portfolio

Moderator: **Jeffrey Mount**, senior fellow, PPIC Water Policy Center

Louise Bedsworth, executive director, Strategic Growth Council

Wade Crowfoot, secretary, California Natural Resources Agency

Karen Ross, secretary, California Department of Food and Agriculture

12:30 p.m. Adjourn and Informal Networking Lunch

TOPICS



Climate Change/Energy

Fiscal & Governance Reform





CONSENT CALENDAR ITEM

October 16, 2019

TO: Board of Directors

FROM: Administration & Finance Committee

Robert Hunter, General Manager

Staff Contacts: Cathy Harris, Administrative Services Manager
Katie Davanaugh, Sr. Executive Assistant

SUBJECT: HEALTH SAVINGS ACCOUNT (HSA) ELECTIONS FOR 2020

STAFF RECOMMENDATION

It is recommended that the Board of Directors approve annual 2020 Health Savings Account (HSA) contributions to the Consumer Driven Health Plans (CDHP) in accordance with JPIA recommendations, as presented, Option 1.

	Plan	EE	EE+1	FAM
2020 District Contribution limits by plan				
	Kaiser	1500	3000	3000
	Anthem	1300	2600	2400

COMMITTEE RECOMMENDATION

Committee recommended Option 1, as presented by staff and recommended by JPIA.

DETAILED REPORT

Background:

2020 will be the 5th year that the District has offered and participated in the Anthem PPO and Kaiser Consumer Driven Health Plans (CDHP).

To continue to encourage participation in these plans, MWDOC staff coordinates with JPIA staff to review, analyze and formulate suggested contribution amounts to participant's HSA's to incentivize participation in the high deductible plans with the goal of cost savings to the District.

Budgeted (Y/N): Y	Budgeted amount: \$719,783	Core <u>X</u>	Choice
Action item amount: varies by actual plan enrollment	Line item:		
Fiscal Impact (explain if unbudgeted):			

During 2019, two employees participated in the PPO Consumer Driven Health Plan, with a 3rd participant enrolling in October as a new employee. Enrollment in the CDHP is anticipated to remain unchanged in 2020.

The Board requested that this item be returned for review of annual contribution amounts and frequency of the distribution. JPIA recommends the District make the contribution amounts at the beginning of the plan year to encourage participation and to minimize exposure to the participant. The District currently makes full contributions on the 1st of the year for employees enrolled effective January 1st, and contributions for subsequent enrollment is made on a monthly, pro-rated basis.

BOARD OPTIONS

Option #1

Authorize contributions to the HSA Accounts per JPIA's recommendation, as follows:				
	Plan	EE	EE+1	FAM
2020 District Contribution limits by plan				
	Kaiser	1500	3000	3000
	Anthem	1300	2600	2400

- **Business Analysis:** Providing contributions encourages participation in the Plans and may reduce/increase costs to the District depending on plan enrollment.

Option #2

- Do not authorize contributions to the HSA.

Business Analysis: If not approved, this may discourage enrollment and/or cost savings.

STAFF RECOMMENDATION

Option #1



ACTION ITEM
October 16, 2019

TO: Board of Directors

FROM: **Administration & Finance Committee**
(Directors Thomas, Finnegan, McVicker)

Robert J. Hunter
General Manager

Staff Contact: Cathleen Harris, Director of
Human Resources

SUBJECT: ADOPT RESOLUTION APPROVING AMENDED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN MWDOC AND THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) RE THE HEALTH BENEFITS PROGRAM

STAFF RECOMMENDATION

It is recommended that the Board of Directors adopt a resolution approving the amendments to the MOU as presented and authorize the General Manager to execute the MOU, Option 1.

COMMITTEE RECOMMENDATION

Committee concurred with staff recommendation.

SUMMARY

In January 2013, The District adopted a Resolution and entered into an MOU with the SDRMA in order to participate in the dental plan through its Health Benefits Program.

The District received notification that the SDRMA Board of Directors amended its MOU to comply with IRS guidelines, the Affordable Care Act and California State Association of Counties (CSAC)-Excess Insurance Authority (EIA) pool guidelines. CSAC-EIA is the organization that provides coverage for the Health Benefits Program.

At this time, SDRMA is requesting all entities that participate in its health benefits program, to adopt a Resolution approving the amendments to the MOU and to execute the MOU. Attached is the MOU and Resolution for the Board's consideration. District Counsel has reviewed the current MOU and Resolution and concurs with proposed documents as presented.

Budgeted (Y/N): Y	Budgeted amount: \$45,459.74	Core _X_	Choice __
Action item amount: 0		Line item:	
Fiscal Impact (explain if unbudgeted): Not applicable			

BOARD OPTIONS

Option #1

- Adopt a Resolution approving the amendments to the MOU as presented and authorize the General Manager to execute the MOU.

Fiscal Impact: None

Business Analysis: If approved, the District's current dental benefits will continue to remain active.

Option #2

- Do not approve this item as presented.

Fiscal Impact: Unknown at this time.

Business Analysis: If not approved, the District's current dental benefits will terminate effective January 1, 2020.

STAFF RECOMMENDATION

Option #_1__

RESOLUTION NO. _____

**A RESOLUTION OF THE OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF UNDERSTANDING AND AUTHORIZING
PARTICIPATION IN THE SPECIAL DISTRICT RISK MANAGEMENT
AUTHORITY'S HEALTH BENEFITS PROGRAM**

WHEREAS, Municipal Water District of Orange County, a public agency duly organized and existing under and by virtue of the laws of the State of California (the "ENTITY"), has determined that it is in the best interest and to the advantage of the ENTITY to participate in the Health Benefits Program offered by Special District Risk Management Authority (the "Authority"); and

WHEREAS, the Authority was formed in 1986 in accordance with the provisions of California Government Code 6500 *et seq.*, for the purpose of providing risk financing, risk management programs and other coverage protection programs; and

WHEREAS, participation in Authority programs requires the ENTITY to execute and enter into a Memorandum of Understanding which states the purpose and participation requirements for the Health Benefits Program; and

WHEREAS, all acts, conditions and things required by the laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the transactions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the ENTITY is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such transactions for the purpose, in the manner and upon the terms herein provided.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE ENTITY
AS FOLLOWS:**

Section 1. Findings. The ENTITY's Governing Body hereby specifically finds and determines that the actions authorized hereby relate to the public affairs of the ENTITY.

Section 2. Memorandum of Understanding. The Memorandum of Understanding, to be executed and entered into by and between the ENTITY and the Authority, in the form presented at this meeting and on file with the ENTITY's Secretary, is hereby approved. The ENTITY's Governing Body and/or Authorized Officers ("The Authorized Officers") are hereby authorized and directed, for and in the name and on behalf of the ENTITY, to execute and deliver to the Authority the Memorandum of Understanding.

Section 3. Program Participation. The ENTITY's Governing Body approves participating in the Special District Risk Management Authority's Health Benefits Program.

Section 4. Other Actions. The Authorized Officers of the ENTITY are each hereby authorized and directed to execute and deliver any and all documents which are necessary in order to consummate the transactions authorized hereby and all such actions heretofore taken by such officers are hereby ratified, confirmed and approved.

Section 5. Effective Date. This resolution shall take effect immediately upon its passage.

I hereby certify the foregoing is a full, true and correct copy of Resolution No. _____ adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on October 16, 2019. Said Resolution No. _____ was adopted by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Maribeth Goldsby, Secretary
Municipal Water District of Orange County

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (HEREAFTER "MEMORANDUM") IS ENTERED INTO BY AND BETWEEN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (HEREAFTER "SDRMA") AND THE PARTICIPATING PUBLIC ENTITY (HEREAFTER "ENTITY") WHO IS SIGNATORY TO THIS MEMORANDUM.

WHEREAS, on August 1, 2006, SDRMA was appointed administrator for the purpose of enrolling small public entities into the CSAC - Excess Insurance Authority Health's ("CSAC-EIA Health") Small Group Health Benefits Program (hereinafter "PROGRAM"); and

WHEREAS, the terms and conditions of the PROGRAM as well as benefit coverage, rates, assessments, and premiums are governed by CSAC-EIA Health Committee for the PROGRAM (the "COMMITTEE") and not SDRMA; and.

WHEREAS, ENTITY desires to enroll and participate in the PROGRAM.

NOW THEREFORE, SDRMA and ENTITY agree as follows:

1. **PURPOSE.** ENTITY is signatory to this MEMORANDUM for the express purpose of enrolling in the PROGRAM.
2. **ENTRY INTO PROGRAM.** ENTITY shall enroll in the PROGRAM by making application through SDRMA which shall be subject to approval by the PROGRAM's Underwriter and governing documents and in accordance with applicable eligibility guidelines.
3. **MAINTENANCE OF EFFORT.** PROGRAM is designed to provide an alternative health benefit solution to all participants of the ENTITY including active employees, retired employees (optional), dependents (optional) and public officials (optional). ENTITY public officials may participate in the PROGRAM only if they are currently being covered and their own ENTITY's enabling act, plans and policies allow it. ENTITY must contribute at least the minimum percentage required by the eligibility requirements
4. **PREMIUMS.** ENTITY understands that premiums and rates for the PROGRAM are set by the COMMITTEE. ENTITY will remit monthly premiums based upon rates established for each category of participants and the census of covered employees, public officials, dependents and retirees.

Rates for the ENTITY and each category of participant will be determined by the COMMITTEE designated for the PROGRAM based upon advice from its consultants

and/or a consulting Benefits Actuary and insurance carriers. In addition, SDRMA adds an administrative fee to premiums and rates for costs associated with administering the PROGRAM. Rates may vary depending upon factors including, but not limited to, demographic characteristics, loss experience of all public entities participating in the PROGRAM and differences in benefits provided (plan design), if any.

SDRMA will administrate a billing to ENTITY each month, with payments due by the date specified by SDRMA. Payments received after the specified date will accrue penalties up to and including termination from the PROGRAM. Premiums are based on a full month, and there are no partial months or prorated premiums. Enrollment for mid-year qualifying events and termination of coverage will be made in accordance with the SDRMA Program Administrative Guidelines.

5. **BENEFITS.** Benefits provided to ENTITY participants shall be as set forth in ENTITY's Plan Summary for the PROGRAM and as agreed upon between the ENTITY and its recognized employee organizations as applicable. Not all plan offerings will be available to ENTITY, and plans requested by ENTITY must be submitted to PROGRAM underwriter for approval.
6. **COVERAGE DOCUMENTS.** Except as otherwise provided herein, coverage documents from each carrier outlining the coverage provided, including terms and conditions of coverage, are controlling with respect to the coverage of the PROGRAM and will be provided by SDRMA to each ENTITY. SDRMA will provide each ENTITY with additional documentation, defined as the SDRMA Program Administrative Guidelines which provide further details on administration of the PROGRAM.
7. **PROGRAM FUNDING.** It is the intent of this MEMORANDUM to provide for a fully funded PROGRAM by any or all of the following: pooling risk; purchasing individual stop loss coverage to protect the pool from large claims; and purchasing aggregate stop loss coverage.
8. **ASSESSMENTS.** Should the PROGRAM not be adequately funded for any reason, pro-rata assessments to the ENTITY may be utilized to ensure the approved funding level for applicable policy periods. Any assessments which are deemed necessary to ensure approved funding levels shall be made upon the determination and approval of the COMMITTEE in accordance with the following:
 - a. Assessments/dividends will be used sparingly. Generally, any over/under funding will be factored into renewal rates.
 - b. If a dividend/assessment is declared, allocation will be based upon each ENTITY's proportional share of total premiums paid for the preceding 3 years. An ENTITY must

- be a current participant to receive a dividend, except upon termination of the PROGRAM and distribution of assets.
- c. ENTITY will be liable for assessments for 12 months following withdrawal from the PROGRAM.
 - d. Fund equity will be evaluated on a total PROGRAM-wide basis as opposed to each year standing on its own.
- 9. **WITHDRAWAL.** ENTITY may withdraw subject to the following condition: ENTITY shall notify SDRMA and the PROGRAM in writing of its intent to withdraw at least 90 days prior to their requested withdrawal date. ENTITY may rescind its notice of intent to withdraw. Once ENTITY withdraws from the PROGRAM, there is a 3-year waiting period to come back into the PROGRAM, and the ENTITY will be subject to underwriting approval again.
 - 10. **LIAISON WITH SDRMA.** Each ENTITY shall maintain staff to act as liaison with SDRMA and between the ENTITY and SDRMA's designated PROGRAM representative.
 - 11. **GOVERNING LAW.** This MEMORANDUM shall be governed in accordance with the laws of the State of California.
 - 12. **VENUE.** Venue for any dispute or enforcement shall be in Sacramento, California.
 - 13. **ATTORNEY FEES.** The prevailing party in any dispute shall be entitled to an award of reasonable attorney fees.
 - 14. **COMPLETE AGREEMENT.** This MEMORANDUM together with the related PROGRAM documents constitutes the full and complete agreement of the ENTITY.
 - 15. **SEVERABILITY.** Should any provision of this MEMORANDUM be judicially determined to be void or unenforceable, such determination shall not affect any remaining provision.
 - 16. **AMENDMENT OF MEMORANDUM.** This MEMORANDUM may be amended by the SDRMA Board of Directors and such amendments are subject to approval of ENTITY's designated representative, or alternate, who shall have authority to execute this MEMORANDUM. Any ENTITY who fails or refuses to execute an amendment to this MEMORANDUM shall be deemed to have withdrawn from the PROGRAM on the next annual renewal date.
 - 17. **EFFECTIVE DATE.** This MEMORANDUM shall become effective on the later of the first date of coverage for the ENTITY or the date of signing of this MEMORANDUM by the Chief Executive Officer or Board President of SDRMA.

18. EXECUTION IN COUNTERPARTS. This MEMORANDUM may be executed in several counterparts, each of which shall be an original, all of which shall constitute but one and the same instrument.

In Witness Whereof, the undersigned have executed the MEMORANDUM as of the date set forth below.

Dated: August 1, 2019

By: Laura S. Gill

Special District Risk
Management Authority

Dated: _____

By: _____

Municipal Water District of Orange County

RESOLUTION NO. _____

**A RESOLUTION OF THE OF THE (GOVERNING BODY) OF Municipal Water
District of Orange County APPROVING THE FORM OF AND AUTHORIZING THE
EXECUTION OF A MEMORANDUM OF UNDERSTANDING AND AUTHORIZING
PARTICIPATION IN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY'S
HEALTH BENEFITS PROGRAM**

WHEREAS, Municipal Water District of Orange County, a public agency duly organized and existing under and by virtue of the laws of the State of California (the "ENTITY"), has determined that it is in the best interest and to the advantage of the ENTITY to participate in the Health Benefits Program offered by Special District Risk Management Authority (the "Authority"); and

WHEREAS, the Authority was formed in 1986 in accordance with the provisions of California Government Code 6500 *et seq.*, for the purpose of providing risk financing, risk management programs and other coverage protection programs; and

WHEREAS, participation in Authority programs requires the ENTITY to execute and enter into a Memorandum of Understanding which states the purpose and participation requirements for the Health Benefits Program; and

WHEREAS, all acts, conditions and things required by the laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the transactions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the ENTITY is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such transactions for the purpose, in the manner and upon the terms herein provided.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE ENTITY AS FOLLOWS:

Section 1. Findings. The ENTITY's Governing Body hereby specifically finds and determines that the actions authorized hereby relate to the public affairs of the ENTITY.

Section 2. Memorandum of Understanding. The Memorandum of Understanding, to be executed and entered into by and between the ENTITY and the Authority, in the form presented at this meeting and on file with the ENTITY's Secretary, is hereby approved. The ENTITY's Governing Body and/or Authorized Officers ("The Authorized Officers") are hereby authorized and directed, for and in the name and on behalf of the ENTITY, to execute and deliver to the Authority the Memorandum of Understanding.

Section 3. Program Participation. The ENTITY's Governing Body approves participating in the Special District Risk Management Authority's Health Benefits Program.

Section 4. Other Actions. The Authorized Officers of the ENTITY are each hereby authorized and directed to execute and deliver any and all documents which are necessary in order to consummate the transactions authorized hereby and all such actions heretofore taken by such officers are hereby ratified, confirmed and approved.

Section 5. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this _____ day of _____, 20____ by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Name

Title

ENTITY Secretary



ACTION ITEM
October 16, 2019

TO: **Administration & Finance Committee**
(Directors Thomas, Finnegan, McVicker)

FROM: Robert J. Hunter, General Manager
Staff Contact: Cathy Harris, Director of Human Resources and Admin.

SUBJECT: APPROVAL OF REVISED PERSONNEL MANUAL

STAFF RECOMMENDATION

Staff recommends that the Administration & Finance Committee approve the Personnel Manual as presented, to be effective October 16, 2019.

COMMITTEE RECOMMENDATION

Committee reviewed the Personnel Manual and recommended that Civility Policy Section 4104 be removed from the Personnel Manual. The Committee moved this item to the Board for consideration by a 2-1 vote.

SUMMARY

This is the third month that the Administration & Finance (A&F) Committee will consider revisions and additions to the MWDOC Personnel Manual.

Proposed changes were discussed at the July 10, 2019 Administration & Finance (A&F) Committee meeting and the item was carried over for further discussion at the August 14, 2019 A&F meeting. MWDOC staff had requested that the Committee discuss the proposed revisions, agree on what revisions they recommend for final Board approval, and then carry the item over to the September A&F Committee meeting so that staff could incorporate Committee changes and reformat the document for clarity and ease of use. The attached revised Personnel Manual is the product of this process.

The primary changes from the August document include:

1. Substantial reorganization and section numbering
2. Integration and streamlining of the grievance procedure
3. Clarification of the grievance and disciplinary procedures and authority related to Staff, General Manager and Directors
4. Clarification of the applicability of benefits to Staff and Directors

Budgeted (Y/N): NA	Budgeted amount: NA	Core X	Choice __
Action item amount: NA	Line item: NA		
Fiscal Impact (explain if unbudgeted):			

5. Clarification of the Civility Policy
6. Expansion of the Introductory Section
7. Addition of a section listing potential corrective or disciplinary actions.

If the Committee and Board approve the revised Personnel Manual, Staff will bring to the A&F Committee in October a proposed revision to Chapter 7 of the Administrative Code to sync it with the approved provisions of the Personnel Manual. These proposed changes would primarily relate to the grievance process.

DETAILED REPORT

At the August A&F meeting the Committee thoroughly discussed the proposed revisions to the MWDOC Personnel Manual. Major points of discussions and conclusions included:

- a) Revisions should be made to clarify the coverage and applicability to Staff and Directors
- b) The document should be revised to state the Board of Directors retains full authority for corrective or disciplinary actions of Directors
- c) The Grievance Process needs to be clarified and integrated into one process
- d) Grievances against a Director or the GM should be made directly to either the Executive Committee or the full Board of Directors
- e) Any appeal of grievance decisions to the Board of Directors must complete the Grievance Process before appeal
- f) The Civility Policy should be included in the Personnel Manual

Staff has responded and a revised and reformatted version of the MWDOC Personnel Manual is attached. The major revisions include:

1. Substantial reorganization and section numbering
A major effort was made to increase the clarity and utility of the manual by regrouping and numbering sections into like topics and expanding the Introductory Section. The manual now contains five major sections:
 - Section 1000 – Introduction
 - Section 2000 - Rules & Definitions
 - Section 3000 – Benefits
 - Section 4000 – Policies, Protections & Process
 - Section 5000 - Behavior & Consequences
2. Integration and streamlining of the grievance procedure
The revised manual unifies the grievance procedure from different sections into one internal process. This process maintains the ability to resolve issues informally and the escalation into a more formal, written process. The appeal to the Board is the final step in the process, which must be completed sequentially. If the Personnel Manual is approved by the Board, changes to the Administrative Code will be required in the Ethics Section (Chapter 7) to align the Personnel Manual and Administrative Code. In particular, the reporting of grievances against a Director or the General Manager to the Executive Committee or the full Board instead of to the President or the full Board. The Board could also decide to maximize flexibility and discretion by including all three options (President, Executive Committee or Full

Board) in both the Personnel Manual and the Administrative Code. However, the procedure should align between the two documents.

3. Clarification of the grievance and disciplinary procedures and authority related to Staff, General Manager and Directors
The revised Personnel Manual clearly outlines the grievance and disciplinary processes for Staff, General Manager and Directors. It also explicitly states that the Board of Directors retains full authority for the grievance and disciplinary process related to Directors.
4. Clarification of the applicability of benefits to Staff and Directors
The Benefits Section first level subdivision is into Employee Benefits and Director Benefits. The Director Benefits section is then bifurcated into MWDOC Directors and MWDOC-MET Directors.
5. Clarification of the Civility Policy
The Civility Policy is included in this version of the Personnel Manual, has been slightly streamlined, and includes the input from legal counsel on the definition of incivility. The section was also modified to integrate with the unified grievance process.
6. Expansion of the Introductory Section
The Personnel Manual is an important document for Staff, the GM and the Directors. The Introductory Section was expanded to give a general oversight of the purpose and organization of the manual. This section also discusses the applicability to Staff and Directors as well as identifying the Administrative Code and Contracts Manual as the other components of the MWDOC administrative trilogy.
7. Addition of a section listing potential corrective or disciplinary actions
A new section was added that lists potential corrective or disciplinary actions applicable to Staff and the General Manager. Potential corrective actions for Directors are not included in the Personnel Manual but are listed in the Administrative Code. It is anticipated that if any modification to that list is desired by the Board that the Board would make those changes as part of the update of the Ethics Section of the Administrative Code.

BOARD OPTIONS

Option #1

- Approve revisions and additions to the Personnel Manual and advance the item to the Board of Directors for action at the September 18, 2019 Board meeting.

Option #2

- Identify additional modifications to the Personnel Manual for Staff to include in the item for consideration and discussion at the September 18, 2019 Board meeting.

Option #3

- Do not approve revisions to the Personnel Manual as recommended by staff and Legal Counsel. Advise staff as to further action.

STAFF RECOMMENDATION

Option # 1

AUGUST 14, 2019 A&F COMMITTEE MEETING MATERIAL

SUMMARY

The Personnel Manual revisions were discussed at the July 10, 2019 Administration & Finance (A&F) Committee meeting. The item was carried over for further discussion at the August 14, 2019 A&F meeting. MWDOC staff has requested that the Committee discuss the proposed revisions, agree on what revisions they recommend for final Board approval, and then carry the item over to the September A&F Committee meeting (September 11, 2019). Staff will use the month to incorporate any Committee changes, reformat the document for clarity and ease of use, and prepare training for the revised Personnel Manual. The intention would be to have staff training on the newly approved document shortly after approval by the Board.

The primary items discussed at the July A&F Committee meeting were:

1. Selection of Employees - Oath of Allegiance (5)
2. Code of Conduct – Firearms or Weapons (62)
3. Civility Policy (62-64)
4. Applicability of Personnel Manual to Directors
5. Complaint and Grievance Procedures

DETAILED REPORT

The July A&F Committee discussion focused on five main topics:

1. Selection of Employees - Oath of Allegiance (pg. 5)

A question was raised as to whether or not MWDOC was using the correct Oath of Allegiance pursuant to State law. MWDOC is using the correct form of the oath. This issue has been addressed in two previous memos from BB&K, portions of which are included below.

California Constitution Article 20, Section 3 states that “[m]embers of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation.” The oath states, in part, that the officer or employee will support and defend the federal and state constitution. “Public officer and employee” is defined in Article 20, Section 3 as including every officer and employee of the state, county, city, district, or authority. All MWDOC employees and Directors are required to take or sign the oath.

The full oath of office is set forth in Section 3, Article 20 of the California Constitution. The second paragraph of the oath was ruled as an invalid precondition to public employment by the California Supreme Court in 1967. (*Vogel v. County of Los Angeles* (1967) 68 Cal.2d 18.) Though the text of the second paragraph remains in current

publications of the California Constitution, the Supreme Court has held that the second paragraph is overly broad because it proscribes more than the specific intent to advocate overthrow of the government. The Supreme Court held that persons who join an organization but do not share in its unlawful activities pose no threat, and a law which applies to membership without the specific intent to further the illegal aims of the organization infringes rests on the doctrine of guilt by association, which is incompatible with the U.S. Constitution. Therefore, employees and Directors cannot be required to swear or affirm the second paragraph of Article 20, Section 3, and the oath should be limited to the first paragraph of Section 3, Article XX of the California Constitution, as reflected below and in the form attached to this memorandum:

“I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.”

In accordance with the 1967 California Supreme Court, MWDOC is using the correct form of the oath.

2. Code of Conduct – Firearms or Weapons (pg. 62)

The “Standards of Conduct” provisions of the MWDOC Personnel Manual originated in 2004 and includes a list of examples “to provide some guidance concerning unacceptable behavior”. The 2004 version included a prohibition on firearms, weapons and explosives and was shortened in 2014 to the current language: #27 - Possessing or bringing firearms or weapons onto District Property. There was a proposal in 2014 to explicitly state that firearms in private vehicles were prohibited but it was deemed an unnecessary modification and was not approved. No changes in weapons policy has been made since 2014.

MWDOC legal counsel has responded that they believe the current language does prohibit firearms and weapons in private vehicles in the district’s parking lot as part of “District Property”. The parking lot is defined as common property under the April 15, 1987 agreement and lease between MWDOC and OCWD. MWDOC was responsible for 27% of the parking lot construction and MWDOC is responsible for our allocated share of parking lot resurfacing maintenance. MWDOC has undivided, uncontrolled, shared use of the parking and landscape areas of the Common Facilities. As a comparison, OCWD’s equivalent policy specifically prohibits firearms and weapons on district property, in district vehicles and in private vehicles in district property.

3. Civility Policy (pgs. 62-64)

The Civility Policy is a new addition to Personnel Manual and is distinct from the discrimination and harassment sections of the manual (pgs. 7-10). The question was asked in committee as to whether the Civility Policy increased the district’s potential liability. Staff was directed to ask our attorneys. The response is that the Civility Policy does not increase and likely decreases the district’s potential liability.

4. Applicability of Personnel Manual to Directors

The question was asked in committee as to whether the Personnel Manual applied to MWDOC Directors. IRS has defined Directors as employees. The Personnel Manual does apply to Directors except where Directors are disqualified from a section (e.g., holiday time or paid sick leave) or where there is a specific, alternate provision for a Director (e.g., Civility Policy Complaint Procedure (provision e, pg. 64)).

5. Complaint and Grievance Procedures

There were a series of questions about complaint or grievance procedures raised at the committee meeting. If the Civility Policy is adopted, there will be four distinct areas where these procedures come into play. In the Personnel Manual there is an Internal Complaint Procedure under the Discrimination and Harassment Section (pg. 8), there is the Grievance Procedure Section (pg. 11), and there is the Civility Policy Complaint Procedure (pg. 63). In addition the Ethics Policy (Section 7000) of the MWDOC Administrative Code includes two sections dealing with investigation and consideration of appropriate actions for violation of policy by Staff and Staff Officers (7109) and Directors (7110). In some cases distinct procedures are required by statute and in all cases the provisions have been developed with district legal counsel. If the Civility Policy is recommended by the A&F Committee and the recommendation is to carry the Personnel Manual over to the September committee meeting, then it is recommended that Staff and Legal Counsel review these four procedures for possible consolidation.

BOARD OPTIONS

Option #1

- Approve revisions to the Personnel Manual and carry the item over for the September A&F Committee.

Option #2

- Do not approve revisions to the Personnel Manual as recommended by staff and Legal Counsel. Advise staff as to further action.

STAFF RECOMMENDATION

Option # 1

JULY 10, 2019 A&F COMMITTEE MEETING MATERIAL

SUMMARY

Proposed revisions to the Personnel Manual are being presented for review and consideration. The Personnel Manual is reviewed by the General Manager, Director of Human Resources and Legal Counsel and presented to the Administration and Finance Committee for review and consideration.

DETAILED REPORT

The following outlines the revisions made to the manual:

- **Page 4 & 5 Introduction**
 - Revised language to be consistent with website language.
 - Legal Counsel recommended new disclaimer language be added to the Introduction.
- **Page 4 Selection of Employees**
 - Legal Counsel revised language for clarity.
- **Page 5 Equal Opportunity Employment**
 - Legal Counsel updated section to expand list of protected categories.
- **Page 6 Reasonable Accommodation For Applicants with Disabilities**
 - Legal Counsel deleted section and combined with EOE section on page 5.
- **Page 7 Prohibitions Against Discrimination and Harassment**
 - Legal Counsel updated section to expand list of protected categories.
- **Page 9 Internal Complaint Procedure**
 - Added word for clarity.
- **Page 9 Penalties for Violation**
 - Legal Counsel deleted section since it is addressed under Corrective Action section.
- **Page 9 Corrective Action**
 - Legal Counsel added language.
- **Page 10 Confidential Nature of Medical Diagnoses**
 - Revised wording for clarity.
- **Page 11 The Interactive Process**
 - Deleted word
- **Page 14 Pre-Employment Testing**
 - Deleted language to be consistent with current practice. District positions do not require a Commercial Driver's license.
- **Page 14 Post-Accident Testing**
 - Legal Counsel revised language.
- **Page 14 Regular and Random Testing**

- Legal Counsel deleted section.
- **Page 14 & 15 Return to Duty Testing**
 - Legal Counsel added language for clarity.
- **Page 15 Compliance with State or Federal Law**
 - Revised wording for clarity.
- **Page 16 Drug and Alcohol Rehabilitation Programs**
 - Legal Counsel revised language.
- **Page 16 & 17 Regular Full-Time Employees**
 - Revised language for clarity.
- **Page 17 Temporary Employees**
 - Moved the language to Page 18.
- **Page 17 Limited-Term Employees**
 - Revised language for clarification.
- **Page 17 Interns**
 - Revised language for clarification.
- **Page 18 Added Paragraph**
 - Added paragraph from section under Temporary Employees and included language to be consistent with current practice.
- **Page 18 Workweeks**
 - Revised language to be consistent with current practice.
- **Page 18 Rest Periods and Lunch Periods**
 - Created separate headings for rest and lunch period. Added a sentence to lunch periods in compliance with Federal Labor Standards Act (FLSA).
- **Page 18 Record of Work Hours**
 - Revised language to comply with current District practice.
- **Page 19 Overtime**
 - Revised language for clarification.
- **Page 19 Payment Of Overtime In Event of Separation**
 - Added new heading for clarification and moved paragraph from Overtime to the new heading.
- **Page 19 & 20 Category I and II Non-Exempt and Exempt**
 - Deleted Category references and changed to Non-exempt and Exempt and added language to reflect current practice regarding overtime and Compensatory Time Off accruals.
- **Page 20 Make-Up Time**
 - Revise language for clarity.
- **Page 20 Absences From Work – Paid Sick Leave**
 - Changed title from General Paid Sick Leave to Paid Sick Leave.
 - Legal Counsel revised language requiring a request for leave and/or a medical certification for absences of five days or more and a doctor's release upon return to work.
 - Revised language for clarification.
- **Page 21 Maximum Accrual**

- Added language for clarification.
- **Page 21 Partial Day Absences**
 - Revised language to clarify partial day absences for Exempt and Non-Exempt employees.
- **Page 21 & 22 Mandatory Paid Sick Leave**
 - Legal Counsel revised language.
- **Page 22 Bereavement Leave**
 - Added word for clarity.
- **Page 23 Employee Benefits While on Disability Leave**
 - Add sentence for clarification on leave accruals.
- **Page 26 District Determination and Notification**
 - Word deleted.
- **Page 29-31 Pregnancy Disability Leave**
 - Revised position title.
 - Legal Counsel revised and added a more comprehensive policy.
- **Page 31 & 32 New Parent Leave**
 - Legal Counsel added New Parent Leave Section
- **Page 32 & 33 Benefit Accruals While On Paid Leave**
 - Added language to clarify that Military leave is an exception and can accrue benefits while on leave.
 - Added language referencing the applicable codes for compliance with Military Leave.
- **Page 33 Whistleblower Protections**
 - Revision to position title.
- **Page 34 Jury or Witness Duty Leave**
 - Added language for clarification on how time is to be allocated if Jury Duty extends beyond 30 days.
- **Page 35 Discretionary Executive Leave**
 - Added the word “Executive” to title and throughout policy for clarification as to who is eligible for the leave and consistent with the intent of the policy.
 - Added language for clarification.
 - Revised to calendar year to be consistent with current practice.
- **Page 35 & 36 Catastrophic Leave Program**
 - Added CTO to be consistent with reference throughout document.
- **Page 37 Performance Criteria And Definitions**
 - Deleted bullet five- not consistent with current rating form.
- **Page 37 & 38 Merit Increase Procedures**
 - Deleted extra letter in first sentence.
 - Revised word for consistency.
- **Page 38 Paydays**
 - Revised word.
- **Page 39 Payroll Deductions**

- Revised wording for clarity.
- **Page 39 Accrual Rate**
 - Added language for clarification.
 - Added language authorizing the General Manager to approve partial payout of accrued vacation amounts that reach the maximum accrual rate.
- **Page 40 Holidays**
 - Deleted sentence not applicable.
- **Page 40 Holidays Occurring on a Date Scheduled Off**
 - Revised to reflect current practice.
 - Added sentence clarifying how the floating holiday will be applied if not used within the calendar year.
- **Page 40 & 41 Worker's Compensation**
 - Added wording to title for clarification.
 - Made revisions to language for clarification.
- **Page 42 Medical Insurance**
 - Revised language for clarification.
- **Page 42 Medical and Elective Health and Welfare Coverage Upon Retirement**
 - This section moved to Page 46 before the Retirement Programs Section.
- **Page 44 Dental Insurance**
 - Added language for clarification.
- **Page 44 Vision Insurance**
 - Added language for clarification.
- **Page 46 Life Insurance**
 - Added language for clarification.
- **Page 46 Retiree Health and Welfare Benefits Upon Retirement**
 - Changed title for clarification
 - Deleted and added word for clarification.
 - Added language clarifying that in order to be eligible there shall be no lapse in service consistent with Joint Powers Insurance Authority (JPIA) guidelines.
- **Page 46 & 47 10 Years of Service**
 - Added language regarding Health Savings Accounts (HAS's) in compliance with JPIA policy.
 - Added language for clarification regarding Medicare eligibility in compliance with JPIA.
 - Added language clarifying what plans are eligible for reimbursement.
 - Added language regarding re-enrollment and open enrollment consistent with JPIA policy.
 - Added language clarifying the type of plans that qualify for the \$1,800 reimbursement.

- Added language stating the District will not reimburse retiree for late enrollment in Medicare Part B.
- **Page 48 & 49 25 Years of Service**
 - Added language regarding HSA's in compliance with JPIA policy.
 - Added language for clarification regarding Medicare eligibility in compliance with JPIA.
 - Added language regarding retirees and spouses in compliance with JPIA policy.
 - Revised language to be consistent with the 10 year policy on reimbursement requests and re-enrollment and annual open enrollment.
 - Added language per JPIA's request that the retiree policy is subject to their approval in addition to Board approval.
- **Page 49 Retirement Programs**
 - Added language stating type of plan.
 - Revised to identify eligible participants.
 - Deleted language for simplification purposes and referencing Plan Document.
- **Page 49-51 CalPERS**
 - Revised language to be consistent with current practice.
- **Page 51 Flexible Benefits Spending Plan/Health Savings Account (HSA)**
 - Revised language and added paragraph describing Health Savings Account benefit.
- **Page 52 Employee Assistance Program**
 - Revised last sentence.
- **Page 52 Service Awards**
 - Revised language to state if the compensation days are not used within the 12 month period they will be allocated to CTO or vacation accrual instead of cashed out.
- **Page 52 Employee/Team Excellence**
 - Revised title to include Team
 - Revise language to include teamwork
 - Revised word for clarity.
- **Page 52 to 57 Vehicle Policy**
 - Sections of this policy were deleted and reorganized for clarity.
 - Section was added on Use of District Vehicles in preparation for field staff.
 - Separate heading titled Auto Allowances was added and all appropriate sections were moved under this section.
- **Page 59 & 60 Uniforms/Tools –Field Personnel**
 - This section was added in preparation for field staff.
- **Page 60 Office Equipment**
 - Revised word.
 - Revised position title.

- **Page 60** **Passwords & Securities**
 - Revised language to comply with current practice.
- **Page 61** **Intellectual Property Rights**
 - Revised language to comply with current practice.
- **Page 62** **Standards of Conduct**
 - Revised word
- **Page 63 to 64** **Civility Policy**
 - Legal Counsel added new section.
- **Page 65** **At-Will Agreement**
 - Revision to District title.
- **Page 66 & 67** **Appendix A**
 - Revised with current District Exempt and Non-Exempt titles.
- **Pay Structure and Organizational Chart**
 - These sections were removed and a statement has been added at the end of the document stating the District pay structure and Organizational Chart can be found on the website.

BOARD OPTIONS

Option #1

- Approve the proposed revisions to the Personnel Manual.

Option #2

- Do not approve the proposed revisions to the Personnel Manual as recommended by staff and Legal Counsel.

STAFF RECOMMENDATION

Option #_1



PERSONNEL MANUAL

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1100 PURPOSE & MWDOC WORKPLACE GOALS

This Personnel Manual is intended to provide important information, guidance and insight into the work culture of MWDOC and the policies, benefits and behavioral expectations of the organization. It may not be your most exciting read of the year but the guidance is essential for you and MWDOC to improve and excel. And that is at the heart of MWDOC's workplace goals. In order to maximize value to Orange County, Southern California, our Staff and Directors, the workplace needs to support the professional growth and personal development of everyone in our organization. This requires the commitment of all involved and an emphasis on continuous improvement. It also requires that we respect each other and adhere to fundamental rules of behavior.

1200 PERSONNEL MANUAL ORGANIZATION

There is a very diverse set of information, policies and procedures in this manual. They have been organized into four main sections beyond this introductory piece.

- Rules & Definitions (Section 2000)
- Benefits (Section 3000)
- Policies, Protections & Process (Section 4000)
- Behavior & Consequences (Section 5000)

1300 EMPLOYEES AND DIRECTORS

Different portions of this manual apply to Employees, Directors, the General Manager and our associated partners including consultants, contractors and vendors. We have attempted to make the distinctions clear where they exist. For example, the benefits available to MWDOC Directors are distinctly different from those available to MWDOC Employees. In addition, the grievance and corrective action process is different for Employees, the General Manager and Directors. Specifically, grievances against the GM or a Director are made to the President of the Board, Executive Committee or the entire Board of Directors. The Board always retains the authority to discipline itself.

The MWDOC Board of Directors (Board of Directors, Board, Directors Board Members) and the MWDOC Metropolitan Water District Directors (MWDOC-MET Directors) are considered employees and therefore Director compensation is subject to Social Security taxation.

Directors are eligible to participate in a qualifying public retirement system in accordance with IRS guidelines and are eligible for benefits in accordance with applicable statutes and District policies. In addition, Directors are subject to sections in the Personnel Manual related to conduct and decorum. In all other aspects, Directors shall be subject to the laws and regulations as applicable to such officials.

1400 ADMINISTRATIVE CODE & CONTRACTS MANUAL

The Personnel Manual is one of three documents that primarily establishes the rules for MWDOC personnel (outside of local, state, and federal law).

The Administrative Code is the codification of the organization and operation of MWDOC. At its most basic level, the Administrative Code identifies the Board of Directors as the policy setting body which also hires the General Manager. The General Manager is responsible for the Employees and operation of the organization. Particularly relevant to the Personnel Manual are the Administrative Code sections covering Ethics (Chapter 7). There is significant interplay between Ethics in the Administrative Code and some of the provisions in Sections 4000 and 5000 of the Personnel Manual (i.e., Section 5100 Standard of Conduct, Section 4102 Prohibition Against Discrimination and Harassment, Section 4200 Grievance Procedure, Section 5101 Corrective Actions).

The MWDOC Contracts Manual outlines specific policies and procedures the Board of Directors has adopted relative to contracts and procurements. Those policies and procedures are outlined in the Administrative Code (Sections 8000 through 8004).

1500 LEGAL DISCLAIMERS

This Personnel Manual describes policies as set by the Board of Directors of the Municipal Water District of Orange County. These policies supersede any preceding or contradictory policies except where expressly authorized by the Board. This Manual is not a guarantee, expressed or implied, of continued employment for any specific duration. These policies are intended to be in compliance with applicable law and should be interpreted as such.

MWDOC reserves the right to make changes to this Personnel Manual and to any employment policy, practice, work rule, or benefit, at any time without prior notice. Except as otherwise provided in this Personnel Manual, no one has the authority to make any promise or commitment contrary to what is in this Personnel Manual. Employees are responsible for knowing about and understanding those changes once they have been disseminated. MWDOC also reserves the right to interpret the provisions of this Manual. For this reason, employees should check with the Human Resources to obtain information regarding specific employment guidelines, practices, policies, or procedures.

In addition, this Personnel Manual is not intended to cover all possible situations that may arise in your employment relationship with MWDOC. This Personnel Manual is the property of MWDOC, and it is intended for the personal use and reference by employees of MWDOC.

This Personnel Manual is designed to help employees get acquainted with MWDOC. It describes some of the basic terms and conditions of employment with MWDOC.

Employees should sign the acknowledgement form at the back of this Personnel Manual, tear it out, and return it to Human Resources. This will provide MWDOC with a record that each employee has received this Personnel Manual.

1600 THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC)

The Municipal Water District of Orange County (MWDOC) was formed by Orange County voters in 1951 under the Municipal Water District Act of 1911. Today, MWDOC is Metropolitan Water District of Southern California's (MET's) third largest member agency, providing and managing the imported water supplies used by over 2-million residents in Orange County.

The Municipal Water District of Orange County (MWDOC) is an independent public water agency that serves Orange County's regional imported water wholesaler. Our efforts focus on sound planning and appropriate investments in water supply development, water reliability, water resources management, and water use efficiency, public information, legislative advocacy, water education, and emergency preparedness. MWDOC's service area covers all of Orange County, with the exception of the cities of Anaheim, Fullerton and Santa Ana. We serve Orange County through 28 member agencies who in turn provide water to the public.

MWDOC is governed by a seven-member Board of Directors. Each Director is elected by the public to represent a specific portion of Orange County. MWDOC also appoints four representatives to advocate the interests of Orange County on the Metropolitan Board. MWDOC holds key leadership positions on the MET Board of Directors that oversee policy development, finances, strategy and implementation.

The General Manager is directly responsible to the Board of Directors for the administration of policies established by the Board.

2000 RULES & DEFINITIONS

2100-2310

2100 EMPLOYMENT

The Municipal Water District of Orange County is an at-will employer and as such, employment with the District is without a specified term and may be terminated at the will of either the District or the employee, with or without cause and with or without prior notice to the other. Employees of the District are not entitled to due process procedures, hearings, or any so-called Skelly rights related to their employment. This policy of employment at-will can be changed only in a formal written contract signed by the employee and an authorized representative of the Board of Directors. No other representative of the District has any authority to make any agreement contrary to the foregoing.

2101 SELECTION OF EMPLOYEES

All persons considered for employment with the Municipal Water District of Orange County must be qualified to perform the duties of the position for which they are employed. Employees in certain classifications, after receiving a conditional offer of employment, will be required to complete a pre-employment job-related medical examination consistent with business necessity and, based on the safety sensitive nature of their job duties, a pre-employment drug screening before reporting for work. All employees shall be required to affirm Section 3, Article 20, first paragraph of the Oath of Allegiance pursuant to State law.

As required by law, all new employees must provide necessary documentation to prove identity and the right to work in the United States in accordance with federal and state laws. Failure to provide such documentation in a timely manner will result in disqualification from selection and is grounds for immediate termination.

2102 INTRODUCTORY PERIOD

The first six months of employment with the District represents an introductory period during which newly hired employees can demonstrate that they can meet the requirements of their position. This period may be extended upon notice by the supervisor to the employee. This period may also be waived, upon the General Manager's approval, when an employee is converted from temporary or intern status to full-time status. During this period, work habits, performance and attendance will be reviewed by the employee's supervisor and appropriate management staff, and written performance appraisal reports may be completed.

A newly hired employee shall become a regular full-time or part-time employee only upon receipt of written confirmation from the supervisor and appropriate management staff that this introductory period has been satisfactorily completed.

During this review period, an employee is not eligible to take paid vacation time or receive a salary increase unless an adjustment of ranges indicates that the employee's current salary is below the adjusted range. The employee's original date of hire will be the anniversary date for computation of salary and benefits.

Successful completion of this initial six-month evaluation period in no way changes or modifies the employee's at-will status with the District.

2103 REGULAR FULL-TIME EMPLOYEES

An employee who has satisfactorily served the required six-month introductory period, who is regularly scheduled to work at least 32 hours per week in an established position on a regular basis is considered a regular full-time employee. Such employees are eligible for full benefits as provided herein; although, benefits as required by law shall be provided consistent with the requirements of the law.

Regular full-time employees who have worked less-than 40 hours per week (i.e. 32 to 39 hours per week) on a regular basis accrue paid leaves predicated on the number of hours worked and are eligible for holiday pay on a pro-rated basis, only if the holiday falls on a regularly scheduled workday.

No employee hired to work a 40-hour workweek can reduce their work schedule without written approval of the General Manager.

2104 REGULAR PART-TIME EMPLOYEES

An employee who regularly and customarily works less than 32 hours per week is considered a regular part-time employee and is not eligible for any benefits other than those mandated by law.

2105 TEMPORARY EMPLOYEES

An employee serving in a position in which the requirements of the services performed are of a temporary nature shall be classified as a temporary employee for a period not to exceed twelve months. This classification includes, but is not limited to, personnel employed for seasonal peak workloads, emergency extra workloads, necessary vacation or leave of absence relief, or special investigative study workloads. Temporary employees are not eligible for any benefits other than those mandated by law.

2106 LIMITED-TERM EMPLOYEES

A limited-term employee is an individual who is temporarily employed by entering into an employment contract for a specified period of time as approved by the Board of Directors. Limited-term employees are eligible for benefits as provided for in the employment contract. All limited-term employment contracts and renewals require Board approval.

2107 INTERNS

The District's Internship Program is designed to meet specific limited-term organizational needs while providing meaningful training and work experience for college students pursuing academic studies. The District will recruit and hire interns based on authorized budget expenditures and a specific purpose, program and project in accordance with the District's strategic goals and objectives and in accordance with the intern policy guidelines. Interns may be employed for a period of up to six months after their graduation. Interns are not eligible for benefits except as required by law. An intern's pay rate is established based on the District's classification schedule and in accordance with their level in college. Upon completion of one year, interns may be eligible for a pay increase based on the recommendation of their supervisor or department head upon the discretionary approval of the General Manager. Interns are not eligible for merit increases on the same basis as regular full-time and part-time employees.

For employees that transition from Part-Time, Temporary, Limited-Term or Intern status to Full-Time, the actual date of hire to Full-Time status will be the anniversary date for computation of leave accruals. Benefits will go into effect in accordance with the policies of the Benefits Administrator.

2200 WORK HOURS, WORKWEEK AND OVERTIME

2201 WORKWEEK

The legal definition of a workweek, as defined pursuant to the Fair Labor Standards Act (FLSA) is any consecutive 168-hour (equivalent to 7 days) period. For purposes of defining the legal workweek, the official workweek for all employees on a standard schedule shall begin at 12:01 a.m. each Monday and end at Midnight the following Sunday.

For all employees working a 9/80 work schedule, their legal workweek shall begin exactly four hours into the 8-hour shift on the day of the week which constitutes their alternating regular day off. 9/80 employees should note that their timesheets will reflect the District's pay period and not the legal workweek for overtime calculations.

2202 REST PERIODS

Employees are allowed rest periods not to exceed 15 minutes during each four consecutive hours of work. The time of each employee's rest period will be determined by the department supervisor. Rest periods shall be considered hours worked but employees shall be relieved of all duties and responsibilities during breaks.

2203 LUNCH PERIODS

Lunch periods are unpaid and shall be staggered to permit the office to remain open during the lunch period. Any employee who works for at least five (5) hours in a work day is required to take a thirty (30) minute lunch within the first five (5) hours of work, and employees who work more than ten (10) hours in one day are eligible for a second meal period. An employee who works less than six (6) total hours in a day may waive such unpaid meal period. All other employees must take a thirty (30) minute lunch break within the first five (5) hours of the workday. Meal periods shall be duty-free with no restrictions placed on such periods.

2204 RECORD OF WORK HOURS

All employees must record their time worked on a standard electronic time sheet for payroll purposes. Each employee is responsible for the daily recording of all time worked and reported as sick, vacation, etc., and allocate the hours to the appropriate time codes. Timesheets are to be submitted electronically by 10:00 a.m. every Monday, unless requested earlier. Employees are responsible for reviewing their time records and confirming that their paychecks accurately reflect the actual hours worked. Supervisors are also responsible for reviewing all time records submitted by subordinates. An employee must report time sheet or paycheck errors immediately in writing to the Human Resources. Any pay correction will be included in the pay period for the time period in which the correction occurred, unless otherwise stated at the time of the correction.

Making any false statement in connection with time or payroll records and continuous errors may result in immediate discharge or other discipline.

2205 OVERTIME

As a governmental agency, the District is obligated to be in compliance with the requirements of the federal Fair Labor Standards Act (FLSA), and it shall be applied to all employees as defined as Exempt and Non-Exempt (See Appendix "A"). The FLSA does not require overtime to be paid for hours worked over eight in a day. FLSA overtime is required only when the work actually performed exceeds 40 hours in the legal workweek – defined as a consecutive 168 hour period. For employees working a 9/80 work schedule, their workweek shall begin exactly four hours into their eight hour shift on the day of the week which constitutes their alternating regular day off. Contact Human Resources if you have questions regarding the calculation of overtime. Non-Exempt employees can accrue a maximum of 40 hours of compensatory time. Overtime must be approved by the Supervisor prior to working. However, all overtime hours in excess of the allowable maximum will be paid, regardless of prior approval.

For purposes of defining overtime, employees are identified by the following two categories:

2205.1 Non-exempt employee

Any employee may be directed to work in excess of the regular workday by the General Manager or their supervisor. The District will pay all Non-Exempt employees at the rate of one and a half times the regular rate of pay for all hours physically worked in excess of 40 in a workweek. Because paid leave hours (vacation, holiday, sick leave, bereavement leave, jury duty, etc.) do not constitute hours actually worked, they will not be included when assessing overall hours in a workweek in the overtime calculation. Non-exempt employees shall receive cash reimbursement or Compensatory Time Off (CTO) accrual. Maximum total accrued for any eligible employee shall not exceed forty hours.

2205.2 Exempt employee

Exempt employees are not eligible for additional compensation or compensating time off for hours worked in excess of 40 hours in the designated workweek and are required to work the hours necessary to fulfill the responsibilities of the position. Exempt employees are executive, administrative or professional employees and perform office or non-manual work and perform one or more of the exempt duties of an executive, administrative or professional employee, in accordance with the Fair Labor Standards Act guidelines.

Exempt employees shall not be subject to docking of pay for absences of less than a full day, except as provided by law. However, pursuant to District's sick leave policy, sick leave balances will be charged for absences greater than four hours in a work day.

2206 PAYMENT OF OVERTIME IN EVENT OF SEPARATION

In accordance with the Fair Labor Standards Act (FLSA), the use of accrued compensatory time to extend employment when an employee has actually vacated a position due to termination is not considered employment. Therefore, an employee separating from employment with the District who has performed authorized overtime service for which he/she has not been compensated as provided for, shall be paid at the employee's last regular rate of pay for such accrued service or the average regular rate of pay that the employee received during his last three years of employment, whichever is higher.

2207 MAKE-UP TIME

If a Non-Exempt employee needs to take time off for personal reasons and desires to make up the time rather than be docked or have the time charged to the appropriate accumulated leave balance, said employee may make up the time, with the approval of the employee's supervisor, provided said time is made up within the workweek in which the time off was taken and provided that making up such time does not cause the employee to exceed 40 hours in a workweek.

2208 HOLIDAY TIME

An employee may be required to work on a holiday, if approved at the discretion of the General Manager. Any employee working on a District-recognized holiday will be compensated at the employee's hourly rate in addition to any holiday pay he or she may otherwise receive. See the District Holiday policy section.

2209 TELECOMMUTING

Employees are required to perform their job responsibilities at the District office unless their job duties require them to perform work at a location outside of the District office. An employee requesting to work from home or another location to perform their normal work duties must seek final approval from the General Manager.

2300 PAY PRACTICES

2301 PAYDAYS

District paydays will be every two calendar weeks. Paychecks will be inclusive of pay for all hours in the two preceding calendar weeks. In the event a payday falls on a holiday, the direct deposit or paycheck will be distributed on the day prior to the holiday.

2302 PAYROLL DEDUCTIONS

Payroll deductions are taken from the pay of all employees in compliance with all mandated state and federal laws based on employee's earnings, marital status, and number of exemptions claimed. Payroll deductions also include required pension and health and welfare benefits and employee voluntary contributions. Garnishments will be applied only as required by law. Employees hired after April 1, 1986 are required to contribute to Medicare and payroll deductions are made accordingly.

2303 COMPENSATION AND BENEFITS SURVEYS AND PAY STRUCTURE ADJUSTMENTS

The compensation philosophy guiding the District's decisions related to employee compensation and benefits is that of desiring to provide salary ranges and benefit practices that are competitive with market practices. In conducting compensation surveys, the District establishes its salary ranges by considering the median of the marketplace. In administering benefits surveys, the District considers prevailing and emerging practices related to the District's labor market. This approach has been adopted in an effort to attract and retain the best available staff and continue in its commitment to quality service to the District's member agencies.

Human Resources shall conduct a planned pay structure adjustment survey in November of each year of the direct labor market agencies to determine the percentage

adjustment to the Pay Structure ranges for the upcoming fiscal year to go into effect July 1.

A comprehensive compensation and benefits survey shall be conducted every three years to evaluate market practices and job grading. Human Resources may conduct interim market analyses for newly established or modified job classifications between the comprehensive annual reviews.

2304 ANNUAL MERIT INCREASES

Merit increases for regular full-time and part-time employees are granted, in part, in proportion to an employee's demonstrated job performance and current placement within the employee's salary range. Supervisors and managers will establish performance standards and communicate these expectations to each of their staff. In addition, supervisors and managers will discuss with each employee concerning his or her performance during that employee's performance review process.

2305 MERIT GUIDELINES

The amount of each merit increase will be determined, in part, by the performance of the employee, as documented on the Performance Appraisal. The performance review should provide a fair and accurate evaluation of the employee's performance in the preceding fiscal year.

2306 PERFORMANCE APPRAISAL

The purposes of the performance appraisal process is to provide employees with an understanding of personal goals, reasonable standards of performance and timely feedback to facilitate professional improvement. The emphasis is on growth and improvement with coaching to modify behavior instead of corrective or disciplinary actions. This is a two-way communication process between the employee and supervisor and a collaborative engagement based on past performance but focused on future actions. The performance appraisal can result in the development of Performance Improvement Plans.

Newly hired or promoted employees will be appraised at six months from date of hire or position. Thereafter, performance will be appraised annually during the months of June and July, consistent with the timing of the annual merit increase process. Managers will meet with employees during the year to review the performance appraisal and assess performance and progress. Communication should be frequent and frank.

2307 PERFORMANCE CRITERIA AND DEFINITIONS

Performance criteria should be tied to specific employee goals and serve to provide ongoing feedback throughout the fiscal year. While the District reserves the right to modify the performance criteria, an example criteria framework includes:

- 1 = Unsatisfactory. Performance is below job requirements and level expected and it appears the employee is either unwilling or unable to perform successfully.
- 2 = Needs Improvement. Performance meets some, but not all job requirements. Improvement is needed to meet requirements. Employee has potential for successful performance.
- 3 = Successful. Performance meets job requirements. Overall performance has been at the level expected for the position.
- 4 = Exceeds Expectations. Performance consistently meets and frequently exceeds some job requirements.

2308 MERIT INCREASE PROCEDURES

Merit increases become effective the first full pay period following July 1. Employees, with the exception of the General Manager, with a minimum of six full calendar months of employment with the District may be eligible for merit increase consideration. Merit increases, within the established salary ranges, are not automatic, but will be granted based, in part, upon employee performance and budgetary considerations, as determined by the General Manager.

Merit increases will be granted within the established Salary Range only. If an employee has reached the maximum rate of the Salary Range, the employee's salary shall be frozen (remain unchanged) until such time that the Board of Directors approves a salary range adjustment that would result in the employee's pay rate being less than the range maximum. In the event that the employee is paid at the maximum rate of the salary range any additional compensation that is paid would be at the General Manager's discretion to grant in the form of a lump sum performance payment in accordance with the merit increase guidelines.

2309 PROMOTIONS

A promotion is defined as the movement of an employee from one classification to another classification in a higher salary range, i.e. Administrative Assistant to Senior Administrative Assistant. An employee who is promoted will receive, at the discretion of the General Manager, a promotional salary increase at least to the salary range minimum. The General Manager may, however, grant greater increases.

A promoted employee will be required to serve a six-month review period in the new position; retention of the employee in the promoted classification may be determined at any time during this review period. The six-month review period will have no effect on the timing of the promoted employee's annual salary review for merit consideration or salary range adjustments. If the promoted employee fails this review period, he or she would not have the automatic right to return to his/her former classification, unless there is a vacant position in said former classification. If an employee is returned to his/her former classification, the employee will return to their original pay status in the former classification.

2310 POSITION RECLASSIFICATION

A position reclassification is the change of a position from one salary range to another salary range and will be implemented under the General Manager's authority in the management of the District.

If an employee is in a position that is reclassified to a higher salary range, the employee will maintain his/her current salary rate unless his/her current salary rate is below the minimum salary of the new range, in which case the employee will, at the discretion of the General Manager, be eligible to receive the beginning salary in the new range.

If an employee is in a position that is reclassified to a lower salary range, said employee will be placed at a salary level within the lower range at the discretion of the General Manager.

3000 BENEFITS

3000 - 3706

3100 EMPLOYEE BENEFITS

3101 VACATION

In order to realize the full benefit and purpose of a vacation policy, employees are encouraged to take at least a portion of their annual earned vacation time off each year, in a block of time preferably five consecutive working days. The scheduling of an employee's vacation time or the extension of accrued vacation beyond the designated 12-month accrual period will be at the discretion of the General Manager based on the needs of the District.

3101.1 Accrual Rate

Regular full-time employees working 40 hours per week shall earn vacation time off with pay in accordance with the following schedule. Employees working less than 40 hours a week but more than 32 hours per week, shall accrue vacation on a prorated basis. Part-time employees who later convert to full-time employees will begin to accrue vacation time beginning on the date of their full-time status. No vacation credit will be earned during any pay period an employee is absent without pay. Regular full-time employees who are temporarily working part-time may accrue vacation leave on a prorated basis, at the District's discretion. When an approved holiday falls within a vacation period, an employee, on vacation shall be entitled to the holiday and will not be required to use vacation hours that day.

<u>Years of Service</u>	<u>Hours Earned Biweekly</u>	<u>Yearly Equivalent</u>
Beginning with 1 st Year	3.08	80 Hours
Beginning with 4 th Year	4.62	120 Hours
Beginning with 11 th Year	5.23	136 Hours
Beginning with 15 th Year	6.15	160 hours
Beginning with 20 th Year	6.46	168 hours

3101.2 Accrual Cap

Once an employee's vacation accrual reaches twice his or her yearly annual accrual rate, the employee shall cease being eligible to accrue further vacation until such time as the accrual drops back below that figure. The General Manager maintains discretion to approve the raising of the accrual cap or authorize partial payout of accrued amounts to reduce below the maximum accrual. Unused vacation will be paid out to an employee, or his or her designated beneficiary, at the time he or she separates from employment based on the individual's then-current rate of pay.

3102 HOLIDAYS

All eligible regular full-time employees are granted the following paid holidays (total of 11 days/88 hours). In order to be entitled to holiday pay, an employee must be eligible for full pay for the scheduled workday both before and after said paid holiday. The following dates are recognized District holidays:

New Year's Day	January 1
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Eve	December 24
Christmas Day	December 25
One Floating Holiday	Designated by the employee each year

The granting of holiday pay does not guarantee any employee the day off. The General Manager may elect to maintain a minimum staff on any holiday.

3103 HOLIDAYS OCCURRING ON A DATE SCHEDULED OFF

When a paid holiday falls on a Sunday, the following Monday shall be deemed the holiday. When a paid holiday falls on a Saturday, the preceding Friday shall be deemed the paid holiday. When a paid holiday falls on an employee's scheduled day off per the modified work week schedule, the employee will receive eight hours of CTO accrual in lieu of the following day off.

If the floating holiday is not used within the calendar year it will be credited to the employee's CTO or vacation accrual.

3104 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The EAP provides confidential, professional assistance program for use when personal problems affect an employee's life and work. The program provides information, consultation, and counseling for employees, dependents, and domestic partners, as well as offering training and consultation to management.

The EAP encourages employees to use services early in the progression of a problem before situations significantly impact work. This is accomplished by promoting service for "normal problems in living" such as relationships, stress, legal and financial problems, career concerns, anxiety and depression. The EAP also services more serious concerns such as alcohol and drug problems, family violence, and threats of suicide.

This benefit is provided for all regular full-time employees. The District will pay a portion toward the cost of the monthly premiums based on the amounts approved by the Board and in accordance with insurance policy guidelines. This benefit goes into effect on the first day of the month following 30 days of service.

Please contact Human Resources for additional information.

3105 EMPLOYEE RECOGNITION PROGRAMS

3105.1 Service Awards

The Service Award Program is designed to formally recognize all regular full and part-time employees for continuous years of dedicated service with the District. Employees will be formally recognized at completion of five-years of service and at five-year increments thereafter. Following completion of the required years of service, a certificate will be presented to the employee at the Board meeting during the employee's anniversary month.

At completion of five years, the employee will be granted one compensation day (8 hours) to be used within the following 12 months. At completion of ten years and every five years thereafter, the employee will be granted two compensation days (16 hours) to be used within the following 12 months. These compensation days will be allocated to CTO or vacation accrual if not used within the 12 month period.

3105.2 Employee/Team Excellence

This program has been established to recognize outstanding District employees, encourage teamwork and acknowledge contributions to the District. The goal is to encourage quality work, continuous improvement, teamwork, efficiency, customer service, and a high level of dedication. The program recognizes that District employees are the source of our strength, reputation, and innovation.

Recipient/s will receive recognition at either a District Staff meeting or Regular Board Meeting by way of an Outstanding Performance Certificate and either a gift card or check up to a maximum of \$200 for individuals, and larger awards to departments or groups, as determined by the General Manager. Based upon the act or accomplishment, the General Manager may grant a special award of up to \$1,000. Award amounts over \$25 are taxable in accordance with IRS guidelines.

3200 LEAVE PROVISIONS

3201 PAID SICK LEAVE

Paid sick leave is granted as a benefit to eligible regular, full-time employees to be used for illness or injury. It is not to be used as vacation or an earned right to time off from work. Eligible employees are entitled to use this sick leave following completion of thirty days of employment. Employees on sick leave will be paid from their accumulated sick

leave hours. For absences of five working days or more, a request for leave and/or a medical certification, stating expected date of return, must be submitted to Human Resources. Upon return to work, a written doctor's release must be submitted to Human Resources. Sick leave may also be used to attend to the illness or injury, or due to medical and dental office appointments, of an employee's immediate family member. For purposes of this section, immediate family member shall mean the employee's spouse, child, parent, registered domestic partner or any family member with whom the employee resides, biological or foster children, stepchildren and stepparents, legal wards and guardians, children of domestic partners, siblings, parent-in-law, and grandparents.

3201.1 Method of Accrual

Regular, eligible full-time employees working 40 hours per week shall accrue 3.69 hours (equivalent to 96 hours per year) of sick leave with pay for each biweekly pay period of service. Eligible employees working less-than 40 hours per week shall accrue sick leave on a prorated basis. An employee on leave of absence without pay shall earn no sick leave during the absence without pay. Employees on a leave of absence and or temporarily working part-time due to a medical disability shall accrue sick leave on a prorated basis, based on the number of hours actually worked (see section under Disability for clarification of use while on disability leave). Employees are required to allocate the number of hours to sick time accordingly on their electronic time sheet.

3201.2 Maximum Accrual

A maximum of 488 hours of sick leave may be accumulated. Any non-exempt employee accumulating sick leave in excess of 488 hours will be cashed out for those excess sick leave hours on the first check of each September at the rate expressed in the chart below; thereafter, the employee's leave accrual will be reduced down to the 488 hour maximum. Exempt employees, on the other hand, will have their sick leave accrual capped at 488 hours, and will cease to be eligible for sick leave accrual until such time as their sick leave accrual drops back below 488 hours. Employees will not be paid for any accrued but unused sick leave upon termination of employment.

Hours of sick leave used in preceding 12
months excess from July 1 to June 30

Cash out of hours in of 488

0 hours sick leave	50%
8 hours of sick leave	33.33%
9-32 hours of sick leave	25%
33-64 hours of sick leave	8.33%
65 or more hours of sick leave	0%

3201.3 Partial Day Absence

Exempt employees shall be required to use sick leave to cover any absence of four hours or greater on a regular work day. Non-Exempt employees shall use sick leave to cover any absence in in one-half hour increments.

Upon request, the employee may utilize paid vacation time in lieu of sick leave, at the discretionary approval of the District.

3202 MANDATORY PAID SICK LEAVE

Employees who are not otherwise provided paid sick leave are entitled to sick leave as required by the Healthy Workplaces/Healthy Families Act of 2014 Paid Sick Leave. Any non-exempt employee not otherwise provided paid sick leave pursuant to the District's policy or practice shall be entitled to paid sick leave pursuant to this policy, as follows

An employee qualifies to accrue paid sick leave under this policy upon the start of the employee's employment. An employee shall be entitled to use any accrued and available paid sick leave as of the 90th day of employment. Eligible employees shall accrue paid sick leave at the rate of one hour for every 30 hours worked, not to exceed six days (48 hours). Once the employee accrues six days of sick leave, accrual will cease until the employee uses leave and brings his or her accrual balance below six days. Accrued but unused sick leave shall carry over year to year. Employees are not entitled to any pay out of sick leave accrual upon separation from employment; although if an employee is re-hired within a year, the previously accrued but unused sick leave will be reinstated.

Leave may be used for any purpose where sick leave is otherwise typically used at the District, including but not limited to the diagnosis, care, or treatment of an existing health condition of, or preventive care for the employee or the employee's family member. An employee who is a victim of domestic violence, sexual assault, or stalking, may also use this leave to: (1) attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child; (2) seek medical attention for injuries caused by domestic violence, sexual assault, or stalking; (3) obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking; (4) obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; or (5) participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable.

3203 BEREAVEMENT LEAVE

In the event of death of a member of an employee's immediate family (spouse, registered domestic partner, child, step-child, parent, step-parent, brother, sister, step-brother, step-sister, grandparent, grandchild, father-in-law, or mother-in-law, or any family member with whom the employee resides, foster children, legal wards and guardians, children of domestic partners), regular full-time employees are eligible to

take up to three days with pay in any one instance to arrange for or attend a funeral of a member of their immediate family. This benefit is effective immediately upon employment. Employees are to allocate the number of hours to Bereavement Leave accordingly on their electronic time sheet.

3204 SERIOUS FAMILY ILLNESS LEAVE

Following completion of 30 days of employment, regular full-time employees are eligible to take up to four days with pay per fiscal year for serious family illness to attend the birth of an employee's child, operation of an immediate family member, to attend to the serious illness or injury of an immediate family member, or where death of an immediate family member appears imminent. Immediate family includes those mentioned in the Bereavement Leave policy above. This form of leave does not extend the leave period provided under the family leave laws. Employees are to allocate the number of hours to Serious Family Illness Leave accordingly on their electronic time sheet.

3205 JURY OR WITNESS DUTY LEAVE

Jury Duty is considered an excused absence. Any regular, full-time employee of the District who is called or required to serve as a trial juror or witness will be excused from work during the period of such service or while present in court as a result of such a call. Eligible full-time employees required to serve as jurors are granted jury duty leave with pay, less any fees paid to them by the court, except mileage up to a maximum period of thirty (30) working days. Employees serving on a jury exceeding the thirty (30) day period shall do so without pay. This benefit is effective immediately upon employment. An employee serving jury duty must obtain an attendance slip from the court and submit it to the accounting department in order to be eligible for pay for those hours. Employees are to allocate the number of hours to Jury Duty Leave accordingly on their electronic time sheet. Any employee relieved from jury duty after less than 3 hours shall report to work unless impracticable because of travel time. If the employee is unable to return to work, time will be taken as unpaid, or vacation or compensatory time.

An employee who is subpoenaed to appear in court in a matter regarding an event or transaction which he or she perceived or investigated in the course of his or her job duties will do so without loss of compensation. An employee will not be paid to appear in court in a matter unrelated to his/her duties or in a matter initiated by the employee.

3206 DISABILITY LEAVE

3206.1 Short-Term Disability Leave

The District participates in the State of California, Employment Development Department (EDD) Disability Insurance program. Workers who suffer a loss of wages

when they are unable to work due to a non-work-related illness or injury, pregnancy or childbirth, may be eligible for disability insurance benefits. Generally, the program goes into effect on the eighth day of disability (since SDI requires a seven-day waiting period) up to a maximum of 52 weeks (as determined by EDD) based on the requirements of the Plan. Visit <http://edd.ca.gov/> for complete program details, eligibility, weekly benefit amount, exclusions, etc.

The weekly and maximum benefit amounts are based on the wages paid during a specific 12-month base period, which is determined based on the date the claim begins. Use of sick leave accruals may be coordinated with the SDI benefit to make up the difference between disability benefits and an employee's regular pay. In cases where there is not sufficient sick leave to make up the difference, an employee may elect to use vacation and/or compensatory time off to supplement the difference. The program is administered by the EDD, and employees should seek clarification as to eligibility and scope of benefits from the EDD. EDD guidelines and rulings supersede any statement made herein.

3206.2 Long-Term Disability leave

Long term disability insurance (LTD) is an insurance policy that provides partial income replacement in the event that an employee is unable to work due to illness, injury, or accident for an extended period of time. All regular, full-time employees are eligible for long-term disability insurance per the terms of the insurance policy in force. See Human Resources for a complete outline of coverage, exclusions, and policy information. An employee receiving long-term disability benefits may elect to apply accrued earned leave time to make up the difference between disability benefits received and the employee's regular salary

3206.3 Employee Filing Requirements

It is the employee's responsibility to file for disability insurance benefits as soon as possible in order to eliminate undue delay in the receipt of their disability pay. See Human Resources on where to obtain the appropriate forms.

3206.4 Verification of Disability

Employees are required to provide Human Resources with a certification of disability from a licensed physician within fifteen days of the District's request for such certification. The employee may be asked to provide re-certifications as allowed by law.

3206.5 Employee Benefits While on Disability Leave

Employees on an authorized medical leave of absence without pay may continue disability, health, and life coverage for a period in which the leave is protected by law, during which time the employee will continue to pay his or her portion of the benefits premium. Where the leave is not protected by law, the employee may continue such coverage upon the District's approval for a period of no more than four months, during which time the employee will continue to pay his or her portion of the benefits premium.

The employee's failure to pay his or her portion of the benefit premium may subject the employee to loss of coverage. Upon return to work, the employee will become eligible to have coverage reinstated in accordance with the terms of agreement with the carriers then in effect.

An employee on disability leave without pay from the District will not be eligible to accrue vacation or sick leave and shall not be eligible for any paid leaves or pension plan contributions. An employee on paid leave will accrue vacation and sick leave based on the number of hours being paid.

3207 FAMILY/MEDICAL LEAVE OF ABSENCE (FMLA/CFRA) CALIFORNIA & FEDERAL FAMILY MEDICAL LEAVE

In accordance with the Federal Family and Medical Leave Act ("FMLA"), the FMLA's Service member leave provisions ("Service member FMLA"), and the California Family Rights Act ("CFRA"), the District has adopted the following Policy regarding the rights and responsibilities of employees absent for a family leave purpose. This Policy shall supersede the provisions of any District policy, practice, rule or procedure to the extent that such policy, practice, rule or procedure is in conflict or inconsistent with this Policy.

3207.1 Purpose of the Leave

In accordance with the CFRA, FMLA, Service member FMLA and this Policy, the District shall provide up to twelve (12) work weeks of CFRA or FMLA leave in a 12-month period to any "eligible employee" who requests leave for any of the following purposes:

- The birth or adoption of a child by the employee or placement of a child in foster care with the employee (all family leave taken for one of these purposes must be concluded within one year of the event);
- To care for a child, parent, spouse or registered domestic partner of the employee who has a serious health condition;
- For an employee's own serious health condition which makes the employee unable to perform the essential functions of the employee's position; or
- For the care of a covered family member's injuries or exigencies stemming from qualifying service in the Armed Forces as provided for under the Service member FMLA's provisions.

3207.2 Eligibility

Employees are eligible for family leave if, at the time leave commences, all of the following apply:

- The employee must have at least 12 months (not necessarily consecutive months) of service with the District;
- The employee must have worked at least 1,250 hours during the 12 months immediately prior to the period of FMLA, Service member FMLA or CFRA leave; and

- As of the date of the employee's leave request, the District employs at least 50 full- or part-time employees at the employee's worksite or within 75 road miles of the employee's worksite.

3207.3 Special Rules for Pregnancy Disability Leave

The right to take CFRA leave is separate and distinct from the right to take a pregnancy disability leave. In other words, leave taken by an employee disabled by pregnancy, childbirth or related medical conditions is not family leave under the CFRA, even though it may be FMLA leave.

In light of the above, the District may require that pregnancy disability and FMLA leave run concurrently (hereinafter "pregnancy disability/FMLA leave"), but CFRA leave can never run concurrently with a pregnancy disability leave. This means that, at the end of the employee's period(s) of pregnancy disability or pregnancy disability/FMLA leave, whichever occurs first, a CFRA eligible employee may take up to 12 workweeks of CFRA leave due to the birth of her child or for other family leave purposes.

Where an employee has exhausted her entitlement to pregnancy disability/FMLA leave prior to the birth of her child, and her health care provider certifies that continued leave is medically necessary, the District may, but is not required to, allow the employee to utilize CFRA leave prior to the birth of her child.

The maximum combined leave entitlement for pregnancy disability, FMLA and CFRA leave for the birth of a child is four months and 12 workweeks. This assumes that the employee has exhausted all four months of pregnancy disability leave; she exhausted her entitlement to up to 12 weeks of FMLA leave during the period of pregnancy disability leave; and the employee requested and was eligible for a 12 week CFRA leave following the birth of her child.

For more information regarding rights to pregnancy disability leave contact the Human Resources Department.

3207.4 Special Rules Regarding Employment of Spouses

Where CFRA and FMLA leave are running concurrently, and both the "husband and wife" are employed by the District, their combined entitlement to CFRA/FMLA leave for the birth or adoption of a child by the employees or placement of a child in foster care with the employees shall be limited to twelve (12) workweeks in a 12-month period between the husband and wife. Where CFRA leave is running separate and apart from FMLA leave (such as following a pregnancy disability/FMLA leave), and both "parents" are employed by the District, their combined entitlement to CFRA leave for the birth, adoption or foster care placement of their child shall be limited to twelve (12) workweeks in a twelve (12) month period between the two parents. This provision applies to the parents of the child, regardless of their marital status. The provisions above do not affect the employees' right to use any remaining CFRA or FMLA leave for any other qualifying purpose(s).

3207.5 Calculating the 12-month Period

For the purpose of this Policy, “12-month period” shall mean a 12-month period measured backward from the date employee first uses family leave. The District uses a “backward rolling” calculation.

3207.6 Notice Requirements

The employee, or a representative for the employee (e.g., spouse, adult family member, or other responsible party), must notify Human Resources, preferably in writing, as soon as it becomes apparent that the employee will be needing leave for a family leave purpose.

Employees must provide at least 30 calendar days advance notice before leave is to begin if the need for leave is foreseeable, or notice as soon as practicable under the circumstances.

The employee must consult with his or her supervisor regarding the need for a leave and must make a reasonable effort to schedule any planned medical treatment or supervision so as to minimize disruption of District operations. Actual scheduling is, however, subject to the approval of the patient’s health care provider.

Failure to comply with these notice requirements is grounds for, and may result in, deferral of the requested leave until the employee complies with these provisions. However, the District shall not deny a leave, the need for which is an emergency or is otherwise unforeseeable, on the basis that the employee did not provide advance notice of the need for the leave.

Where leave is requested on the basis of a serious health condition affecting an employee’s family member, the District may require evidence of the family relationship.

3207.7 District Determination and Notification

It is up to the District to designate leave, paid or unpaid, as CFRA or CFRA/FMLA leave based on information provided by the employee or the employee’s representative.

In the event that the District determines that a leave of absence is for a FMLA/CFRA family leave purpose, the District shall, within two business days, if feasible, notify the employee in writing of its determination that the leave constitutes FMLA or CFRA leave.

Where CFRA leave is running separate and apart from FMLA leave (such as following a pregnancy disability/FMLA leave), the District shall respond to the leave request as soon as possible and, in any event, no later than 10 calendar days after receiving the request. Once given, approval of CFRA leave shall be deemed retroactive to the first day of the leave.

The District’s written notice to the employee shall, among other things:

- Specify the obligations of the employee while on family leave and explain the consequences of a failure to meet these obligations;

- Provide notice to the employee in the event that a period of paid leave is to be counted as family leave;
- Provide notice to the employee in the event that the District requires paid leave to be substituted for unpaid leave.

Where the employee fails to provide sufficient information until after the leave commenced, the District may make a preliminary determination that the employee's absence is for a family leave purpose, subject to later confirmation by medical certification.

If either the District or the employee designate an absence as family leave after the leave of absence has begun, such as when an employee advises the District during the leave of absence or after his/her return to work that the entire leave of absence or any part of it was for a family leave purpose, that portion of the leave period which was for a family leave purpose may be retroactively counted as family leave.

If the employee fails to advise the District that a leave of absence was for a family leave purpose either before, during or within two days after he/she returns to work, the employee will not be able to assert the protections of the family leave laws for the leave of absence.

Any dispute between the District and an employee as to whether paid leave qualifies as family leave should be resolved through discussions between the employee and Human Resources.

3207.8 Medical Certification

An employee's request for leave due to a serious health condition affecting the employee or the employee's child, parent or spouse must be supported by a medical certification issued by the health care provider of the individual requiring care.

For leave to care for the employee's child, parent, or spouse, this certification need not identify the serious health condition involved, but shall contain.

- The date, if known, on which the serious health condition commenced;
- The probable duration of the condition;
- An estimate of the amount of time which the health care provider believes the employee needs to care for the child, parent or spouse; and
- A statement that the serious health condition warrants the participation of the employee to provide care during a period of treatment or supervision of the child, parent or spouse.

For leave to care for the employee's own serious health condition, this certification need not, but may, at the employee's option, identify the serious health condition involved. It shall contain:

- The date, if known, on which the serious health condition commenced;
- The probable duration of the condition; and

- A statement that, due to the serious health condition, the employee is unable to work at all or is unable to perform any one or more of the essential functions of his or her position.

This type of medical certification is not required where leave is requested for the birth, adoption or placement of a child in foster care with the employee. (However, the District may request written verification of family relationship for the birth, adoption or placement of a child in foster care with the employee).

Medical certification must be provided within 15 calendar days of the District's request and generally prior to the commencement of a foreseeable leave of absence, unless it is not practicable to do so despite the employee's diligent, good faith efforts to do so.

With regard to leave due to the employee's own serious health condition:

- Where the District has reason to doubt the validity of the employee's medical certification, the District may require, at the District's expense, that the employee obtain a second medical opinion from a health care provider designated by the District and who is not regularly used by the District; and
- Where the second opinion differs from the first, the District may require that the employee obtain a third and binding medical opinion, again at the District's expense, from a health care provider designated or approved jointly by the District and the employee.

The District may require recertification only where additional leave is requested.

The District may also require certification at the time the employee seeks reinstatement from family leave due to the employee's own serious health condition that the employee is fit for duty and able to return to work.

3207.9 Minimum Period of Leave

Leave may be taken in one or more periods and does not have to cover a continuous period of time.

Where leave is taken due to the serious health condition of the employee or his/her parent, child or spouse, the minimum leave increment shall be the shortest period of time the District's payroll system uses to account for absences or use of leave.

Where CFRA leave is running separate and apart from FMLA leave (such as CFRA leave following pregnancy disability/FMLA leave), the minimum duration for leave taken in connection with the birth, adoption or foster care placement of a child is two weeks, except that the District shall grant a request for CFRA leave of less than two weeks on any two occasions during the one year period following the birth or placement of the child with the employee.

3207.10 Substitution of Leave

The District may require that sick leave be used to provide pay during any period of otherwise unpaid family leave due to the employee's own serious health condition. Sick leave may also be used in connection with family leave taken for other purposes in accordance with applicable District Policy (ies), California Labor Code section 233, and upon the mutual agreement of the District and the employee. The District may require that vacation and other accrued time off (other than sick leave and compensatory time off) be used for any family leave qualifying event other than pregnancy disability leave. Where pregnancy disability leave and FMLA leave are running concurrently, accrued vacation or compensatory time may be used at the employee's option. CFRA and FMLA leave may also run concurrently with a leave of absence covered by workers' compensation or temporary disability. Upon reinstatement, all employee benefits will be resumed without any new qualification period, physical examination or exclusion of preexisting conditions.

3207.11 Reinstatement

Where a definite date of reinstatement has been agreed upon at the beginning of the leave, the employee will be reinstated to the same or a comparable position by the date agreed upon. If the reinstatement date differs from the District's and employee's original agreement, the employee will be reinstated to the same or a comparable position within two business days, where feasible, after the employee notifies the District of his or her readiness to return. The employee's use of family leave may not result in the loss of any employment benefit that the employee earned or was entitled to before going on family leave. Upon reinstatement, all employee benefits will be resumed without any new qualification period, physical examination or exclusion of preexisting conditions.

3207.12 Denial of Reinstatement

An employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during family leave. For example, if an employee is laid off while on family leave, the District's responsibility to maintain group health plan benefits and reinstate the employee ceases at the time the employee is laid off.

The District may also deny reinstatement to:

- An employee who gives notice that he or she no longer desires to return to employment with the District;
- An employee who fails to provide certification that he or she is fit for duty and able to return to work after taking family leave based on the employee's own serious health condition; or
- A salaried "key employee" who is among the highest-paid 10% of employees employed within 75 road miles of the employee's worksite, if:
- It is necessary to prevent substantial grievous economic injury to the operations of the District,

- Notice is given to the employee at the time of the leave request that the District will grant the leave request, but that the District may deny reinstatement, and
- The employee is given a reasonable opportunity to return to employment after receiving such notice, but elects not to return, or
- After the leave expires, the employee requests reinstatement, and the District makes a determination at the time of the reinstatement request and notifies the employee of its determination that reinstatement would cause substantial grievous economic injury to the operations of the District.

3208 SERVICEMEMBER FAMILY & MEDICAL LEAVE

The federal Family and Medical Leave Act (FMLA) entitles eligible employees to take leave for a covered family member's service in the Armed Forces. This Policy supplements our FMLA Policy and provides general notice of employee rights to this leave. Except as stated below, such rights and obligations for Service member FMLA are governed by our existing FMLA Policy. Service member FMLA runs concurrent with other leave entitlements provided under federal, state and local law.

3208.1 Entitlement to Service member FMLA

Service member FMLA provides eligible employees unpaid leave for any one, or combination, of the following reasons:

- A 'Qualifying Exigency' arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan: or
- To care for a covered family member who has incurred an injury or illness while in the Armed Forces provided that such injury or illness renders the family member medically unfit to perform duties of the member's office, grade, rank or rating and is certified by the service member's health care provider.

3208.2 Duration of Service member FMLA

(1) When leave is due because of a 'Qualified Exigency' concerning the military duty of a family member: an eligible employee may take up to 12 workweeks of leave during any 12-month period. (2) When leave is to care for an injured or ill service member: an eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed 26 workweeks in a single 12-month period. (3) Where spouses are both employed by the District, they may take up to, in aggregate, 26 workweeks of service member FMLA, provided that any portion of the aggregate leave that is not for care of a family service member does not exceed 12 workweeks.

3208.3 Notice of Intent to take Service member FMLA

In any case where it is foreseeable that an employee will need service member FMLA, that employee must provide notice of his or her intent to take leave as soon as reasonably possible and provide certification of either the 'qualified exigency' or family service member's need for care as soon as practicable.

3209 PREGNANCY DISABILITY LEAVE

Any employee who is disabled by pregnancy, childbirth, or related conditions may take a Pregnancy-Related Disability leave for the period of actual disability of up to four months, in addition to any family care or medical leave to which the employee may be entitled. Pregnancy-Related Disability Leaves may be taken intermittently, or on a reduced-hours schedule, as medically necessary.

Moreover, an employee is entitled to a reasonable accommodation for pregnancy, childbirth, or related medical conditions if she so requests and provides the District with medical certification from her health care provider. In addition to other forms of reasonable accommodation, a pregnant employee is entitled to transfer temporarily to a less strenuous or hazardous position or to less hazardous or strenuous duties if she so requests, the transfer request is supported by proper medical certification, and the transfer can be reasonably accommodated.

3209.1 Substitution of Paid Leave for Pregnancy-Related Disability Leave

An employee taking Pregnancy-Related Disability Leave must substitute any available sick pay for her leave and may, at her option, substitute any accrued vacation time for her leave. The substitution of paid leave for Pregnancy-Related Disability Leave does not extend the total duration of the leave to which an employee is entitled.

3209.2 Leave's Effect on Benefits

During a Pregnancy-Related Disability Leave, the District will continue to pay for the employee's participation in the District's group health plans, to the same extent and under the same terms and conditions as would apply had the employee continued in employment continuously for the leave period.

Thus, the employee must continue to pay his or her share of the health plan premiums during the leave. If paid sick leave is substituted for any portion of the leave that is unpaid leave, such payments will be deducted from the employee's pay through the regular payroll deductions. Otherwise, the employee must make arrangements with the District for the payment of such premiums.

The District may recover from the employee the premiums that the District paid to maintain coverage for the employee under the group health plan if the employee fails to return from leave after the period of leave has expired and the employee's failure to return is for a reason other than: (i) the employee is taking (i.e., has transitioned over to) leave under the California Family Rights Act, unless the employee chooses not to return after the CFRA leave, in which case the District can recover such premiums; (ii) the continuation, recurrence, or onset of a health condition that entitles the employee to Pregnancy-Related Disability Leave, unless the employee chooses not to return after the Pregnancy-Related Disability Leave, in which case the District can recover such premiums; (iii) non-pregnancy related medical conditions requiring further leave, unless the employee chooses not to return to work following the leave, in which case the

District can recover such premiums, or (iv) other circumstances beyond the employee's control.

It is the District's policy that, similar to other unpaid leaves, during any unpaid portion of a Pregnancy-Disability Leave, employees will accrue employment benefits, such as sick leave and vacation leave, only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual.

Employee benefits may be continued during the unpaid portion of the Pregnancy-Disability Leave according to the provisions of the District's various employee benefit plans.

3209.3 Return to Work Certification

Consistent with the District's practice for other employees returning from a disability leave for reasons other than pregnancy, the District requires that an employee returning from Pregnancy-Related Disability Leave provide a release to return to work from her healthcare provider stating she is able to resume her original job or duties.

3209.4 Leave's Effect on Reinstatement

Employees returning from Pregnancy-Related Disability Leave generally are entitled to be reinstated in the same position, subject to certain conditions, and consistent with applicable law.

3210 NEW PARENT LEAVE

Eligible employees who are not subject to both the federal FMLA and California CFRA may take new parent leave under California's New Parent Leave Act to bond with a new child within one year of the child's birth, adoption, or foster care placement, under the circumstances set forth below. Employees should direct any questions to Human Resources.

3210.1 Eligibility

To be eligible for New Parent Leave, employees must (1) have more than 12 months of service with the District during the 12-month period prior to the date on which the leave is to commence; (2) have at least 1,250 hours of service with the District during the previous 12-month period; and (3) work at a worksite in which the District employs at least 20 employees within 75 miles.

3210.2 Leave's Effect on Pay and Benefits

Leave under the New Parent Leave Act is unpaid, although employees are entitled to utilize accrued vacation pay, paid sick time, or other paid or unpaid time off negotiated with the District, during such leave. Also, employees may be eligible for Paid Family Leave wage replacement/insurance benefits administered as part of the California State Disability Insurance program during a New Parent Leave.

During New Parent Leaves, the District will continue to pay for employees' participation (if applicable) in the District's group health plan for the duration of the leave but not to

exceed 12 weeks over the course of a 12-month period, commencing on the date that the parental leave commenced, at the level and under the conditions that would have been provided if the employee had continued to work in his or her position for the duration of the leave. Thus, the employee must continue to pay his or her share of any group health plan premiums during the leave. If an employee has other voluntary plans and/or dependent medical insurance coverage, he/she also will be required to pay the regular contributions for those benefits while on leave.

The District may recover the premiums that it paid for maintaining coverage for the employee under any group health plans, if (1) the employee fails to return from leave after the expiration of the period of leave to which he/she is entitled, and (2) such failure to return is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control.

3210.3 Guaranteed Reinstatement

Eligible employees who take New Parent Leave should note that they are guaranteed employment in the same or a comparable position upon termination of such leave, subject to any exceptions provided by law.

3210.4 Both Parents as Employees

If the District employs both parents who are entitled to New Parent Leave, the District is not required to grant leave in an amount beyond that available to one eligible parent.

3210.5 No Discrimination or Interference with Rights

The District will not discriminate in any way against, an individual because he or she exercised New Parent Leave rights or gave information or testimony as to the employee's or another person's New Parent Leave, and it will not interfere or limit in any way the exercise or attempted exercise of any such rights.

3211 BENEFIT ACCRUALS WHILE ON UNPAID LEAVE

Employees on family leave, pregnancy disability leave or any other leave, with the exception of Military Leave, do not accrue vacation, sick leave, or other seniority based benefits during any portion of the leave that is unpaid. Upon completion of family leave, pregnancy disability leave or any other leave, any entitlement to benefits shall be governed by the applicable leave policy. Benefit accruals while on Military Leave are provided in accordance with USERRA and the California Military and Veterans Code, Section 395, et seq.

3212 NO RETALIATION & WHISTLEBLOWER PROTECTIONS

3212.1 No Retaliation

The District's policy and state and federal laws forbid retaliation against employees because they have exercised their rights under law, protested any violation of law, or participated in any proceeding under law. The U.S. Department of Labor and the California Department of Fair Employment and Housing are authorized to investigate

and resolve complaints of any violation of the PDL, FMLA, CFRA, and other laws. Employees also have the right to bring a civil action for violations of the PDL, FMLA, CFRA, and other laws.

3212.2 Whistleblower Protections

The District is committed to operating in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its Board of Directors, officers, employees, agents, or volunteers. This policy outlines a procedure for employees to report actions that an employee reasonably believes violate a law, or regulation or that constitutes fraudulent accounting or other practices. This policy applies to any matter which is related to District business and does not relate to private acts of an individual not connected to District business.

If an employee has a reasonable belief that an employee, District officer, or other District agent has engaged in any action that violates any applicable law or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, the employee is expected to immediately report such information to the Director of Human Resources . If the employee does not feel comfortable reporting the information to the Director of Human Resources, he or she is expected to report the information to the General Manager. If the employee does not feel comfortable reporting the information to the General Manager, he or she is expected to report the conduct to the Board of Directors, either collectively or by relaying the information to any individual Director to be relayed to the Board. All reports should be submitted in writing to properly characterize the concerns.

The District will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, to Human Resources, General Manager, the Board of Directors or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights.

The District may take disciplinary action (up to and including termination) against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy. The District will not, with the intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel, or court, truthful information relating to the commission or possible commission by District or any of its employees of a violation of any applicable law or regulation. Supervisors will be trained on this policy and the District's prohibition against retaliation in accordance with this policy.

3213 MILITARY LEAVE

Military leave shall be granted in accordance with State and Federal law.

3213.1 Active Service

An employee who is engaged in military duty ordered for purposes of active military training or encampment is entitled to military leave with pay for up to 30 days per calendar year.

3213.2 Inactive Service

An employee who is required to attend scheduled service drill periods or perform other inactive duty reserve obligations is entitled to military leave without pay, not to exceed 180 calendar days per year. Such employee may, at his or her option, elect to use accrued vacation or compensatory time to attend the scheduled reserve drill periods or to perform other inactive drill period obligations.

3214 PERSONAL LEAVE OF ABSENCE WITHOUT PAY

Upon written request, approved by the General Manager's sole discretion, a regular full-time employee may be granted a personal leave of absence without pay not to exceed 30 working days. The General Manager, based on the District's needs and requirements, will determine conditions of such leave of absence. The Board of Directors must approve requests for personal leaves of absence longer than 30 days' duration. This benefit is effective following successful completion of six months of service.

No sick or vacation leave will be accrued during any pay period an employee is absent without pay.

The employee and the District will each continue to pay its share of the premiums in accordance with District policy for qualified employees on authorized personal leave of absence without pay for up to 30 days on such leave. Thereafter, continuing such premium payments will be at the sole discretion of the Board of Directors. Should coverage be terminated under the District's long-term disability plan, coverage may be converted to an individual plan at the expense of the employee. Upon return to work, employees become eligible for reinstatement in accordance with the terms of the agreement with the insurance carrier then in effect.

Refer to the appropriate sections regarding continuation of premium payments for disability, medical, dental, vision and life insurance coverage while on other leaves without pay.

3215 UNAUTHORIZED ABSENCE

Any unauthorized absence from work is considered cause for immediate dismissal. Absence from work without permission and without notification to the District for three consecutive days will be considered a voluntary resignation.

3216 DISCRETIONARY EXECUTIVE LEAVE

At the General Manager's discretion, the District may provide up to five days of paid executive leave to its executive management employees. This leave is meant for business-related purposes as a means of encouraging full-time management employees to participate in and attend meetings, activities, and events on behalf of the District, and to spend time outside of normal working hours otherwise in the service of the District. Paid executive leave is not considered vacation and is a privilege of paid time away from the work place. Employees eligible for paid executive leave are required to obtain approval from the General Manager or designee prior to the scheduled use of paid executive leave. The use of any paid executive leave must be recorded in the District's payroll records for each calendar year. Paid executive leave does not accrue or cash out upon termination.

3217 CATASTROPHIC LEAVE

The District has adopted a program that allows employees who have accrued vacation, CTO or sick leave hours the option to voluntarily donate hours to another employee who has exhausted his/her sick, vacation and CTO leaves, due to a non-work related catastrophic illness or injury to allow the employee to recover from their illness or injury. The calculation for the hours will be based on the number of hours donated times the donor's hourly rate divided by the recipient's hourly rate. The Program guidelines and forms can be obtained from Human Resources.

3218 WORKER'S COMPENSATION (WORK-RELATED ILLNESS OR INJURY)

Whenever an employee sustains an injury or disability arising out of, and in the course of, District employment and requires medical care, the employee shall obtain treatment according to the provisions of the California Labor Code, sections 4600 et seq. and shall receive compensation for hours not worked while obtaining such medical care without loss of accrued leave hours. **Employees are required to immediately report a work-related injury/incident to their supervisor and Human Resources. The supervisor of the affected employee shall ensure that the report is made.**

Whenever, due to a work-related injury, an employee is compelled by direction of his or her physician to be absent from duty on account of such injury or disability, such employee will be placed on a Medical Leave of Absence under Workers' Compensation Leave. The employee will receive full compensation for the first three (3) calendar working days following the date of the injury without loss of accrued leave hours. Thereafter, the employee may elect to apply pro-rated sick leave first, vacation, or Compensatory Time Off (CTO), if sick leave is exhausted, to such absence to receive

compensation in an amount equal to the difference between the compensation to which he/she is entitled under Workers' Compensation Act and his or her regular pay, not to exceed the amount of accrued leave.

Workers' Compensation benefits begin with the fourth full consecutive calendar day of missed work (including weekends); however, if the absence continues beyond fourteen (14) days, Workers' Compensation will then pay the applicable benefits for the first three (3) days of missed work. When this occurs, the employee will be docked for the first three (3) days the District previously paid him/her in an amount equal to the Workers' Compensation benefits received.

An employee, who is on Workers' Compensation leave of absence and covered by disability insurance when the work related injury occurred, may be eligible for disability benefits. (Compensation to which an employee is entitled from Workers' Compensation and disability shall not exceed an employee's regular pay).

Supervisors are required to complete the required reporting forms whenever an employee is injured and/or placed on Workers' Compensation Leave. A doctor's release must be provided to the District upon the employee's return to work from a Workers' Compensation Leave. See Human Resources for the appropriate forms.

3219 RETURN TO WORK (RTW) FROM INDUSTRIAL INJURY OR ILLNESS

The decision to return an employee to work or place an employee back on the job, with or without modified work, shall be made by the District, independent of any decision made in the Workers' Compensation process, as follows:

- The employee shall submit to a fitness-for-duty assessment.
- Where there is an indication of continued physical or mental limitations, the employee and the District shall engage in the interactive process to determine whether reasonable accommodations to the limitations exist.
- If there is no permanent disability, no work restrictions, and the absence has not been longer than thirty days, the employee shall be returned to work.
- If there is no permanent disability, but temporary work restrictions, or there has been an absence of thirty days or more, a review of the employee's medical records from the Workers' Compensation case and RTW medical evaluation may be conducted. An employee shall be returned to work if the work restrictions are compatible with job demands or modified job demands, if available pursuant to reasonable accommodations.
- If there is a permanent disability, placement of the employee in the position last held by the employee will be considered following a RTW medical evaluation and complete assessment of potential reasonable accommodations.

The employee must obtain a release to work or be properly discharged from the medical provider utilized by the District prior to returning to his or her job. If it is determined that the job demands of the position last held by the employee are not compatible with the employee's restrictions and the employee is willing to return to work, placement in an alternative position, if available, will be considered. The employee shall be reclassified as "medically disqualified" and placed on unpaid leave while alternative positions are being considered. However, the employee may elect to use accrued leave hours, such as vacation, to receive compensation. Placement of an employee in an alternate position requires a pre-placement medical evaluation for the alternative job.

3300 INSURANCE PROGRAMS

3301 MEDICAL INSURANCE

Group medical insurance is provided to eligible regular full-time District employees or where otherwise required by law (including the Affordable Care Act or the state paid sick leave laws). Coverage is also offered to spouses, dependents and registered domestic partners of eligible employees in accordance with the terms of the plan documents. The District pays a portion toward the monthly premiums based on employee and dependent status for medical coverage as approved by the Board and in accordance with the District Benefit Administrators policy guidelines. Employees are required to contribute toward their monthly medical insurance premiums. This benefit goes into effect on the first day of the month following 30 days of service.

3302 DENTAL INSURANCE

Group dental insurance is provided for all regular full-time employees and their dependents by the District as specified in the dental insurance policies. The District will pay a portion toward the cost of the monthly premiums based on the amounts approved by the Board and in accordance with the District's Benefit Administrators policy guidelines. Employees are required to contribute a portion toward their monthly dental insurance premiums. This benefit goes into effect on the first day of the month following 30 days of service.

3303 VISION INSURANCE

Group vision insurance is provided for all regular full-time employees and their dependents by the District as specified in the vision insurance policy. The District will pay a portion towards the cost of the monthly premiums based on the amounts approved by the Board and in accordance with the benefit administrator's policy guidelines. This benefit goes into effect on the first day of the month following 30 days of service.

Employees on an authorized medical leave of absence without pay may continue medical, dental, and vision coverage for the duration of any protected leave or, discretionary leave up to four months, with the District paying its share of the premiums and the employee paying their respective portions of the premiums. Thereafter,

coverage is terminated under the District's group plans unless continuation coverage is elected as explained below. Upon return to work, employees become eligible for re-enrollment in accordance with the benefit administrator's policy guidelines.

3304 FLEXIBLE BENEFITS SPENDING PLAN

The Flexible Benefits Spending Plan is a voluntary program and is available to all full-time employees. The plan allows eligible participants the opportunity to defer a portion of their compensation to pay for certain health-related and dependent care expenses on a pre-tax basis. The plan also allows for employee contributions for District group health insurance premiums to be deducted from earnings on a pre-tax basis.

3305 HEALTH SAVINGS ACCOUNT (HSA)

A Health Savings Account (HSA) is available to employees who are enrolled in a Consumer Driven Health Plan (CDHP). An employee must be enrolled in a CDHP in order to participate in an HSA. Contributions to the HSA account are tax-free as long as the withdrawals from the account are used for eligible medical expenses. The District makes a contribution to eligible HSA accounts, as determined by the Board of Directors and in compliance with IRS guidelines. Contact Human Resources for additional Information about this plan together with enrollment forms. The plan is administered by an outside consultant.

These benefits are available on the first of the month following 30 days of employment.

3306 LIFE INSURANCE

Group life insurance, which may include death and dismemberment benefits, is provided to eligible regular full-time employees. The District will pay a portion toward the cost of the monthly premiums based on the amounts approved by the Board and in accordance with the benefit administrator's policy guidelines. This benefit becomes effective on the first day of the month following 30 days of service. The current coverage is two times the eligible employee's annual salary to a maximum of \$250,000 coverage. See benefit administrator's policy guidelines for details on benefits and restrictions. Voluntary, supplemental life insurance coverage is also available to regular full-time employees as a voluntary benefit with the employee paying 100% of the cost, which may be made through payroll deductions.

Employees on an authorized medical leave of absence without pay may continue basic and supplemental coverage for the period of any protected leave or, if discretionary leave up to four months, with the District paying its share of the premiums and the employee paying their respective share of the premiums for basic coverage only, based on the amounts approved by the Board and in accordance with the benefit's administrator's policy guidelines. Employees are responsible for paying 100% for supplemental life insurance coverage. Thereafter, coverage is terminated under the District's group plan unless individual coverage is elected. Upon return to work, such

employees become eligible for re-enrollment in accordance with the terms of agreement with the insurance carriers then in effect.

3307 RETIREE MEDICAL BENEFITS

Retiree health and welfare benefits upon retirement (Applies to Regular Full-Time employees hired prior to July 1, 2012)

The District shall provide retiree health and welfare benefits as set forth in this policy for retired employees who are at least 55 years of age, including their spouses or domestic partner registered with the State of California (at the time of retirement), and that have accrued a specified number of years of service.

In order to be eligible for retiree medical benefits, there shall be no lapse in service. Employee must transfer directly from active status directly to retired status.

3307.1 10 Years of Service

Employees with a minimum of 10 consecutive years of full-time service with the District shall receive retiree medical benefits on the following terms:

- Retirees are not eligible for District paid dental and vision benefits.
- Retiree will have the option to continue participation in dental and vision coverage at their own cost in accordance with the Consolidated Omnibus Reconciliation Act (COBRA).
- The District shall pay health coverage premiums for retiree only or couples coverage on the same basis as active employees.
- The District does not make contributions to Health Savings Accounts (HSAs) on behalf of retirees.
- Once the retiree becomes Medicare eligible, coverage will cease for the retiree and any enrolled dependents. COBRA enrollment will be offered at that time.
- Upon becoming Medicare eligible, the retiree must enroll in Medicare in order to obtain reimbursement from the District. The District will not reimburse the retiree for any penalties associated with deferred enrollment in Medicare.
- District will reimburse the retiree, up to \$1,800 per calendar year, for a Medicare Advantage Plan, a supplemental Medigap insurance policy, Medicare Prescription Drug Insurance (Part D) or Medicare Part B coverage covering the retiree only.
- Reimbursement will be made to the retiree on a quarterly basis upon submission of proof of payment.
- In the event a spouse or registered domestic partner survives a retiree before the District-paid group coverage would normally end, the District will continue paying the premium for the surviving spouse or registered domestic partner for retiree only coverage until the earliest to occur of the following: remarriage or enrollment under another plan, or becoming eligible for Medicare.
- If retiree discontinues enrollment in a retiree medical care plan, re-enrollment is not permitted.
- Annual open enrollment is not offered to retirees.

3307.2 25 Years of Service

Employees with a minimum of 25 consecutive years of full-time service with the District shall receive retiree medical benefits on the following terms:

- The District shall pay health coverage premiums for retiree only or couples coverage on the same basis as active employees.
- The District does not make contributions to Health Savings Accounts (HSAs) on behalf of retirees.
- Retirees and spouses or registered domestic partners are eligible to participate in the District's Dental and Vision Insurance Plan as follows:
 - Dental
 - Retiree Only Coverage: The District shall pay the monthly insurance premiums on the same basis as active employees.
 - Couples Coverage: The District shall pay 80% of the monthly premium for retiree plus spouse or registered domestic partner.
 - Vision
 - Retiree Only Coverage: The District shall pay the monthly insurance premiums on the same basis as active employees.
 - Couples Coverage: The District shall pay 80% of the monthly insurance premiums.
- Retirees and their spouses are required to enroll in Medicare parts A and B upon eligibility. This must occur when both criteria are met, Medicare eligible and retired. The District will not reimburse the retiree for any penalties associated with deferred enrollment in Medicare.
- The District will reimburse for Medicare Part B for both retiree and his/her eligible spouse or registered domestic partner after submitting verification to the District of official enrollment in Medicare Part B. This results in a reduced premium cost to the District.
- Reimbursement will be made to retiree on a quarterly basis upon submission of proof of payment
- In the event a spouse or domestic partner survives a retiree, the District will continue paying the premium for the surviving spouse or registered domestic partner for retiree only coverage until the earliest to occur of the following: remarriage or enrollment in another group medical plan.
- If a retiree discontinues enrollment in a retiree medical care plan, re-enrollment is not permitted.
- Annual Open Enrollment is not offered to retirees.

Retiree Health and Welfare contribution amounts are established in accordance with benefit administrator's plan Guidelines then in effect and as approved by the MWDOC Board.

Employees hired on or after July 1, 2012 are not eligible to receive District-paid retiree health and welfare benefits.

Any variance from these benefits and requirements requires approval by the MWDOC Board of Directors and is subject to approval by benefits administrator in compliance with its policy guidelines.

3308 CONTINUED MEDICAL, DENTAL AND VISION COVERAGE

Medical, dental and vision coverage may be continued if an individual's group health benefits end due to a "qualifying event" and if the employee elects to continue coverage under the plan. In order to continue coverage, the individual will be required to pay the total monthly premium payment plus two percent for administrative costs.

3308.1 Qualifying Events

For the employee: Termination of employment (other than for gross misconduct) or reduction of hours worked so as to render the employee ineligible for coverage. (2) For dependents: (a) Death of the employee; (b) Divorce or legal separation; (c) Loss of coverage due to the employee becoming entitled for Medicare, or (d) For a dependent child, ceasing to qualify as a dependent under the plan.

3308.2 Period of Coverage

If coverage is elected, the continued coverage will end on the earliest of the following:

- 18 months after the date of termination of employment (other than for gross misconduct) or reduction of hours worked so as to render the employee ineligible for coverage.
- Up to 29 months after termination of employee due to total disability within the meaning of the Social Security Act at the time of the qualifying event.
- 36 months after the date of any other qualifying event.
- The date the employee or dependent fails to make any required premium payment when due.
- The date the employee or dependent becomes covered under any other group health plan unless the new plan contains any exclusion or limitation with respect to any pre-existing conditions in which event the individual may remain eligible for continued coverage in accordance with the Health Insurance Portability and Accountability Act (HIPAA) as amended.
- The date the employee or dependent becomes eligible for Medicare.
- In the case of a divorced or widowed spouse, the date on which the individual remarries and becomes covered by any other group medical plan unless the new plan contains any exclusion or limitation with respect to any pre-existing conditions in which event the individual may remain eligible for continued coverage in accordance with the Health Insurance Portability and Accountability Act (HIPAA), as amended.

The District and third-party Benefits Administrators have the responsibility of billing and collecting premiums for individuals who have terminated from the District's group health plans.

The foregoing is merely a summary of certain rules and regulations concerning COBRA, which are subject to revision at any time. Employees and others participating in the District's group medical plan should contact the District for further information at or before the time of a qualifying event in order to assure they understand the full extent of their rights and obligations under COBRA.

3308.3 Cost of Coverage

The monthly premiums are subject to change whenever the premiums are changed for active employees.

3308.4 Notification of Election to Continue Coverage

Employees are required to notify Human Resources of a qualifying event for themselves or dependents. The District will then begin the appropriate notification procedure. The eligible COBRA participant must provide an election notice and premium payment to the District within 60 days of notification of their right to continue coverage.

3400 RETIREMENT PROGRAMS

3401 MEDICARE COVERAGE

All District employees hired after April 1, 1986 are required by the passage of the Consolidated Omnibus Budget Reconciliation Act (COBRA), to contribute to the Medicare portion of the Social Security Program. Those employees shall contribute 1.45% of their salary with the District matching the fund by contributing 1.45% of the employee's salary, unless changed by federal law.

3402 DEFINED CONTRIBUTION PENSION PLAN (401A – MONEY PURCHASE PENSION PLAN)

Effective March 3, 2003, this plan is no longer offered to District employees. The only eligible participants in this Plan are MWDOC Board of Directors, MWDOC/MET Board of Directors and the General Manager.

For details of the plan contact Human Resources.

3403 CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS)

3403.1 CalPERS Applicability

The District became a member of CalPERS effective March 3, 2003. In lieu of Social Security, the District offers to its eligible employees a retirement plan under (CalPERS). This policy is intended to comply with CalPERS regulations and the District's own CalPERS related Resolutions and should be interpreted accordingly. Where in contradiction, the CalPERS regulations and CalPERS interpretation of those regulations supersede.

3403.2 Persons Eligible

Regular full-time employees, and part-time employees reaching the minimum requirement of 1,000 hours in a fiscal year (July 1 to June 30).

3403.3 Waiting Period

Eligible from the first day of employment.

3403.4 Employee/Member Contribution

The maximum required employee/member contribution amount depends on the employee's hire date in accordance with Board approved policy and the Public Employee Pension Reform Act (PEPRA) as follows:

Per the Public Employees' Pension Reform act of 2012 (PEPRA), "classic members" currently employed in a reciprocal public agency are enrolled in a 2% at 55 CalPERS pension plan with a 7% employee contribution. "New members", either new to the public sector, or whose date of separation was more than 6 months before the start date with the District, are enrolled in a 2% at 62 CalPERS pension plan and fall under the Public Employees Pension Reform Act (PEPRA) with a required employee and employer contribution of approximately 50% of the "normal cost".

Employees working 1,000 or more hours during the plan year (July 1 to June 30) are eligible to participate.

Qualifying employees are eligible immediately upon hire by the District.

3403.5 Vesting Provisions

Participants become vested after completion of five years of public service, be it with the District or another public employer with reciprocity. Vesting means funds may be left on deposit for future retirement. Upon termination, an employee may withdraw their contributions or leave them with CalPERS. The employer contributions are only paid upon retirement.

3403.6 Benefits Provided

Employees are eligible to retire upon completing five years of service and having attained the appropriate age based on the retirement formula. Retirement date can be any date the employee chooses; however, the amount of the monthly allowance can be affected. CalPERS will calculate retirement benefits based on three factors, (1) years of service, (2) percentage factor determined by age at retirement, and (3) the final average monthly pay rate based on the CalPERS formula.

Employees nearing retirement are urged to avail themselves of the retirement pre-counseling and planning available to them by CalPERS. CalPERS requires at least 90 days' notice in advance of planned retirement (as does Social Security for any previous services). However, the District strongly urges employees anticipating retirement to make their inquiries at least six months to one year in advance to avoid any unnecessary delays.

For additional information regarding CalPERS Options for the 2%@55 and 2%@62 Contracts, please see Human Resources or the calpers.org website.

3404 DEFERRED COMPENSATION PLAN (457 Plan)

A voluntary non-qualified deferred compensation Section 457 plan is available to any eligible employee who elects, pursuant to the plan, to defer a portion of his or her compensation and who fulfills the requirements for participation in the plan. Information on the plan is available through Human Resources. The District does not make any contributions to this plan.

3500 ADDITIONAL BENEFITS

3501 EDUCATION REIMBURSEMENT

The education reimbursement program is designed to provide financial assistance to regular, full-time employees with one or more years of service; who wish to continue their formal education, training and certification and to assist employees in obtaining skills or knowledge to become better qualified for their current work or for advancement in the District.

Courses must be related to the employee's position, occupation, or advancement within the District as determined by the Supervisor, General Manager and Human Resources. This includes courses that are prerequisites for work-related courses and those that are required to obtain a degree in a work-related field. Eligible courses are those taken at an accredited institution.

Correspondence courses from reputable institutions will be considered when equivalent courses are not available at local accredited schools, or when the employee's circumstances prevent attendance at courses offered locally.

Courses must be taken on the employee's time, unless special circumstances warrant otherwise and prior arrangements have been made with the supervisor and approved by the General Manager.

Requests for tuition reimbursement may be denied based on district budgeting constraints for that particular fiscal year.

Employees may not use District computers to complete classes online or complete homework assignments during working hours.

Eligible expenses are tuition, parking, books, registration fees and laboratory/materials fees. The annual limit each year for educational expenses shall be based on the Cal State Fullerton adopted program fee schedule for undergraduate and graduate programs given the program which the employee is enrolled. Expenses for travel and

other incidental costs are not reimbursable. Written approval for reimbursement must be obtained from Human Resources, the employee's supervisor and the General Manager prior to or within 30 days of enrollment in the course.

Funds received from outside sources such as scholarship grants or Veterans educational benefits must be applied toward the cost of the course before the District's reimbursement is applied.

Evidence of successful completion of the course with a minimum grade of "B" or higher and receipts for the allowable expenses must be submitted prior to reimbursement.

Expenses reimbursed may be considered taxable income and subject to tax withholding.

If an employee voluntarily terminates employment or is terminated for cause within 24 months of completing a course in which educational reimbursement has been paid, the employee shall reimburse the District based on the following pro-rated service requirement:

- Voluntary termination or termination for cause within one year of completing a course = 100% reimbursement to the District.
- Voluntary termination or termination for cause within 13 to 24 months of completing a course = 50% reimbursement to the District.

If an employee fails to reimburse the District, the District may sue the employee for breach of Agreement.

3502 COMPUTER LOAN PROGRAM

Interest-free loans to assist employees with the financing of a personal computer system are available to regular full-time employees who have completed one year of service. Loans can be in amounts from \$300 to \$2,000.

3503 CELL PHONE ALLOWANCE

MWDOC has identified a business need for eligible employees to use cell phones for certain business communications while away from the office, for emergency operations and after-hours communications. To meet this business need, MWDOC will provide a cell phone allowance to eligible employees. The policy is intended to define eligibility requirements for assignments of a cell phone allowance based on business necessity, define allowance levels and amounts, terms for usage and responsibility, and accommodate changes and advances in mobile technology. As used in the policy, a cell phone is a smart phone capable of cellular phone calls and data communication. The policy does not cover tablets, such as iPads or surfaces or air cards. No further reimbursement for cell phone costs is available to employees who receive such an allowance. Contact Human Resources for Policy details.

3504 UNIFORMS/TOOLS – FIELD PERSONNEL

The District provides uniforms to employees who are required to wear uniforms as a condition of their employment. The uniforms are provided as a ready substitute for the personal attire employees would otherwise have to acquire and maintain.

- Employees are responsible for laundering the uniforms and are to maintain them so that they are clean, neat and professional when employees are representing the District.
- Employees are responsible for the safekeeping of all uniforms they are furnished.
- Non-District issued shirts, pants, shorts, hats, etc. are not permitted.
- Normal wear and tear is expected; however, abuse or loss of a garment may result in replacement cost to employees and/or may be subject to discipline.
- Upon termination, such furnished clothing and equipment provided to employees must be turned in to the District or the depreciated cost thereof will be deducted from employee's final paycheck or otherwise charged to employees.
- District issued uniforms, tools, equipment, etc. are only for District business related use and may not be used for personal use at any time.
- Employees will be reimbursed per fiscal year for one pair of shoes/boots of each type required based on job requirements. If employees spend less than the amount eligible for reimbursement for each type required, the remaining amount will not be carried forward or accumulated for reimbursement toward future purchases.
- If employees purchase shoes from a store designated by the District, they must first confirm that the shoes meet the job and safety requirements by reviewing with their immediate Supervisor. After obtaining approval from Supervisor, employee must complete a business expense report and submit for reimbursement.
- If for some reason the shoes are worn out due to working conditions before the fiscal year end, the District will consider a request for replacement on an exception basis.
- Employees may submit a request for reimbursement of expenses incurred for the purchase of tools necessary to perform the essential functions of the job duties as pre-approved by the immediate Supervisor.

3505 VEHICLE POLICY

Employees whose job duties require them to drive their own vehicle or are required to drive a District owned vehicle for District business will be required to follow the guidelines as outlined. The employee maintains a duty to notify the District of any license restriction or lapse of adequate insurance coverage. The District requires strict adherence to state and federal laws law regarding the operation of motor vehicles. The District participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who are required to drive as part of their job.

3505.1 Driver Responsibility

The District requires strict adherence to state and federal laws law regarding the operation of motor vehicles.

All employees are to possess and maintain a valid California driver's license, as well as automobile insurance.

It is the responsibility of all employees who drive vehicles on District business to practice safe and defensive driving and follow all traffic laws.

All employees who drive vehicles on District business are to attend, at District cost, a defensive driver training course every four years or more often if driving record so dictates.

Employees may not use cellular devices while driving, in accordance with the law. It is against the law to drive while reading, writing, or sending a text message.

Employees are responsible for any driving infractions or fines as a result of their driving. Seatbelts must be used by the driver and all passengers. Violation of these or any vehicle code or traffic law is grounds for discipline.

3506 USE OF DISTRICT VEHICLES

Employees that are required to operate a District vehicle to fulfill the responsibilities of their job must comply with all applicable state and federal laws, insurance requirements and District guidelines.

Employees involved in a vehicle accident while operating a District vehicle will report such accident to their immediate Supervisor and the Human Resources Department before leaving the scene of the accident. The District employee-driver is required to provide pertinent information to other non-District drivers involved in the accident.

Employees are forbidden to use District-owned vehicles for personal use at any time.

District vehicles are subject to remote monitoring. Remote monitoring is intended to provide the District with the ability to account for vehicles at all times. Remote monitoring includes, but is not limited to, the ability to monitor vehicle location, vehicle starts and stops and vehicle speed.

3507 MILEAGE REIMBURSEMENT

Employees may be reimbursed for mileage when using their private automobile while on official District business. Mileage will be reimbursed at the standard rate established by the IRS. Cost of gasoline or oil purchases, vehicle repairs or maintenance and vehicle insurance are incorporated into the mileage reimbursement rate. No employee who receives an automobile allowance shall receive mileage reimbursement. A business

expense report must be completed and submitted in a timely manner in order to be reimbursed for mileage. Mileage should ordinarily be computed between the employee's worksite and the destination. Reimbursable mileage is calculated based on the lesser amount of miles driven from home to event or office to event.

3508 AUTOMOBILE ALLOWANCES

The General Manager and Assistant General Manager receive an automobile allowance in an amount established by resolution of the Board of Directors. The payment of automobile allowance is subject to review during the Total Benchmark and Compensation Study or at the Board's discretion.

3508.1 Exceptions

The General Manager may authorize exceptions to any of the provisions herein set forth and shall give written notification to the Administration & Finance Committee of such exception within 30 days of the date such exception is authorized. All exceptions shall be reviewed by the General Manager annually to determine whether continuation of such exception is justified.

3508.2 Implementation

The provisions of this policy will be implemented and administered by the General Manager. Annually, the General Manager shall conduct a review of automobile allowances to assure that continuation is justified. During this review, the following should be considered: employee's duties and responsibilities, including "on-call" duties, type of vehicle, classification, location of employee's residence and work station, justification for allowance and average monthly business mileage.

New requests for automobile allowance shall be made through the annual budget process and may be made from time to time as necessary throughout the year following the above review procedures. Requests may be made during the year when required by circumstances. All requests made as the result of the creation of a new position within the District are subject to the approval of the Administration & Finance Committee of the Board.

The General Manager shall submit an annual report to the Administration & Finance Committee listing employees receiving a vehicle allowance for use of privately-owned vehicles as defined in the Operating Rules for Automobile Allowance Section of this policy, and a listing of exceptions to the provisions of this policy authorized under the Exceptions Section of this policy.

The General Manager may authorize the payment of an automobile allowance to others in an amount not to exceed that established by resolution of the Board of Directors for executive use, when the interest of the District would best be served by paying an allowance rather than mileage; providing, however the following criteria are met:

1. Nature of Job Classification: Employee has specific job duties requiring the performance of official District business outside of regular working hours on a recurring basis and who meet the following criteria:
 - a) On-call availability;
 - b) Frequent attendance at conferences, seminars, meetings, and community affairs (after normal working hours);
 - c) Frequent participation in public affairs activities, such speaking engagements (after normal working hours);
 - d) Regular and frequent travel during working hours.
2. Nature of Work Activity: An automobile allowance may be offered to other management personnel for two-year renewable periods upon a review of the individual personnel requirements for an allowance based upon the criteria indicated in Section (1). This review shall be performed and documented by the Department Manager and approval of an assignment for automobile allowance shall be made only by the General Manager. The assignment shall be effective for a maximum period of two-years and shall be reviewed at that time to determine continued justification.

3508.3 Operating Rules for Automobile Allowance

1. Automobile allowance may only be provided to appropriate management positions as defined above.
2. An employee receiving an Automobile Allowance must provide a car which is in appropriate condition, well maintained, and capable of comfortably accommodating four adults.
3. Employees receiving an Automobile Allowance must maintain insurance to cover their normal private use of the vehicle (pursuant to Insurance Requirements outlined in this section).
4. The Automobile Allowance will be provided coinciding with the first pay period of the month following the month of use.
5. An employee receiving an Automobile Allowance is expected to use his or her personal automobile on all required District business.
6. An employee receiving an Automobile Allowance shall not be entitled to receive any additional remuneration for the cost of gasoline, repairs or maintenance on his/her vehicle. Mileage expense claims of any type are prohibited.

3508.4 Insurance requirements

Employees who are paid an automobile allowance or mileage reimbursement for use of privately-owned automobile for District business, shall possess and maintain insurance on such automobile with liability coverage acceptable to the District. Each employee shall provide private automobile insurance information, which shall be maintained by the Human Resources Department and shall be reviewed and updated annually. The record maintained shall contain the following current information: Name of employee, insurance company, policy number, description of coverage, and license number and expiration date.

The provision of the Automobile Allowance is and shall remain at the discretion of the District.

3600 MWDOC DIRECTOR BENEFITS

3601 DISABILITY LEAVE

3601.1 Short-Term Disability Leave

The District participates in the State of California, Employment Development Department (EDD) Disability Insurance program. Workers who suffer a loss of wages when they are unable to work due to a non-work-related illness or injury, pregnancy or childbirth, may be eligible for disability insurance benefits. Generally, the program goes into effect on the eighth day of disability (since SDI requires a seven-day waiting period) up to a maximum of 52 weeks (as determined by EDD) based on the requirements of the Plan. Visit <http://edd.ca.gov/> for complete program details, eligibility, weekly benefit amount, exclusions, etc.

The weekly and maximum benefit amounts are based on the wages paid during a specific 12-month base period, which is determined based on the date the claim begins. The program is administered by the EDD, and Directors should seek clarification as to eligibility and scope of benefits from the EDD. EDD guidelines and rulings supersede any statement made herein.

3602 WORKER'S COMPENSATION (WORK-RELATED ILLNESS OR INJURY)

Whenever a Director sustains an injury or disability arising out of, and in the course of, District employment and requires medical care, the Director shall obtain treatment according to the provisions of the California Labor Code, sections 4600 et seq..

Directors are required to immediately report a work-related injury/incident to Human Resources. Human Resources shall ensure that the report is made.

This Program is administered by the Plan Administrator and Directors should seek clarification as to eligibility and scope of Worker's Compensation benefits. Administrator guidelines and rules supersede any statements made herein.

3603 RETURN TO WORK (RTW) FROM INDUSTRIAL INJURY OR ILLNESS

The decision to return a Director to work or place a Director back on the job, with or without modified work, shall be made by the District, independent of any decision made in the Workers' Compensation process.

The Director must obtain a release to work or be properly discharged from the medical provider utilized by the District prior to returning to his or her job.

3604 MEDICAL INSURANCE

Group medical insurance is provided to eligible Directors or where otherwise required by law (including the Affordable Care Act or the state paid sick leave laws). Coverage is also offered to spouses, dependents and registered domestic partners of eligible Directors in accordance with the terms of the plan documents. The District pays a portion toward the monthly premiums based on Director and dependent status for medical coverage as approved by the Board and in accordance with the District Benefit Administrators policy guidelines. Directors are required to contribute toward their monthly medical insurance premiums. This benefit goes into effect on the first day of the month following 30 days of service.

3605 DENTAL INSURANCE

Group dental insurance is provided for Directors and their dependents by the District as specified in the dental insurance policies. The District will pay a portion toward the cost of the monthly premiums based on the amounts approved by the Board and in accordance with the District's Benefit Administrators policy guidelines. Directors are required to contribute a portion toward their monthly dental insurance premiums. This benefit goes into effect on the first day of the month following 30 days of service.

3606 VISION INSURANCE

Group vision insurance is provided for Directors and their dependents by the District as specified in the vision insurance policy. The District will pay a portion towards the cost of the monthly premiums based on the amounts approved by the Board and in accordance with the benefit administrator's policy guidelines. This benefit goes into effect on the first day of the month following 30 days of service.

Directors on an authorized medical leave of absence without pay may continue medical, dental, and vision coverage for the duration of any protected leave or, discretionary leave up to four months, with the District paying its share of the premiums and the Directors paying their respective portions of the premiums. Thereafter, coverage is terminated under the District's group plans unless continuation coverage is elected as explained below. Upon return to work, Directors become eligible for re-enrollment in accordance with the benefit administrator's policy guidelines.

3607 FLEXIBLE BENEFITS SPENDING PLAN

The Flexible Benefits Spending Plan is a voluntary program and is available to Directors. The plan allows eligible participants the opportunity to defer a portion of their compensation to pay for certain health-related and dependent care expenses on a pre-tax basis. The plan also allows for Director contributions for District group health insurance premiums to be deducted from earnings on a pre-tax basis.

3608 HEALTH SAVINGS ACCOUNT (HSA)

A Health Savings Account (HSA) is available to Directors who are enrolled in a Consumer Driven Health Plan (CDHP). A Directors must be enrolled in a CDHP in order to participate in an HSA. Contributions to the HSA account are tax-free as long as the withdrawals from the account are used for eligible medical expenses. The District makes a contribution to eligible HSA accounts, as determined by the Board of Directors and in compliance with IRS guidelines. Contact Human Resources for additional Information about this plan together with enrollment forms. The plan is administered by an outside consultant.

These benefits are available on the first of the month following 30 days of employment.

3609 LIFE INSURANCE

Group life insurance, which may include death and dismemberment benefits, is provided to eligible Directors. The District will pay a portion toward the cost of the monthly premiums based on the amounts approved by the Board and in accordance with the benefit administrator's policy guidelines. This benefit becomes effective on the first day of the month following 30 days of service. The current coverage the maximum is up to \$25,000, subject to reductions. See benefit administrator's policy guidelines for details on benefits and restrictions.

Directors on an authorized medical leave of absence without pay may continue basic coverage for the period of any protected leave or, if discretionary leave up to four months, with the District paying its share of the premiums and the Director paying their respective share of the premiums for basic coverage only, based on the amounts approved by the Board and in accordance with the benefit's administrator's policy guidelines. Thereafter, coverage is terminated under the District's group plan unless individual coverage is elected. Upon return to work, such Directors become eligible for re-enrollment in accordance with the terms of agreement with the insurance carriers then in effect.

3610 CONTINUED MEDICAL, DENTAL AND VISION COVERAGE

Medical, dental and vision coverage may be continued if an individual's group health benefits end due to a "qualifying event" and if the Director elects to continue coverage under the plan. In order to continue coverage, the individual will be required to pay the total monthly premium payment plus two percent for administrative costs.

3610.1 Qualifying Events

For the Director: Termination of employment (other than for gross misconduct) or reduction of hours worked so as to render the Director ineligible for coverage. (2) For dependents: (a) Death of the Director; (b) Divorce or legal separation; (c) Loss of coverage due to the Director becoming entitled for Medicare, or (d) For a dependent child, ceasing to qualify as a dependent under the plan.

3610.2 Period of Coverage

If coverage is elected, the continued coverage will end on the earliest of the following:

- 18 months after the date of termination of employment (other than for gross misconduct) or reduction of hours worked so as to render the Director ineligible for coverage.
- Up to 29 months after termination of Director due to total disability within the meaning of the Social Security Act at the time of the qualifying event.
- 36 months after the date of any other qualifying event.
- The date the Director or dependent fails to make any required premium payment when due.
- The date the Director or dependent becomes covered under any other group health plan unless the new plan contains any exclusion or limitation with respect to any pre-existing conditions in which event the individual may remain eligible for continued coverage in accordance with the Health Insurance Portability and Accountability Act (HIPAA) as amended.
- The date the Director or dependent becomes eligible for Medicare.
- In the case of a divorced or widowed spouse, the date on which the individual remarries and becomes covered by any other group medical plan unless the new plan contains any exclusion or limitation with respect to any pre-existing conditions in which event the individual may remain eligible for continued coverage in accordance with the Health Insurance Portability and Accountability Act (HIPAA), as amended.

The District and third-party Benefits Administrators have the responsibility of billing and collecting premiums for individuals who have terminated from the District's group health plans.

The foregoing is merely a summary of certain rules and regulations concerning COBRA, which are subject to revision at any time. Directors and others participating in the District's group medical plan should contact the District for further information at or before the time of a qualifying event in order to assure they understand the full extent of their rights and obligations under COBRA.

3610.3 Cost of Coverage

The monthly premiums are subject to change whenever the premiums are changed for active Directors.

3610.4 Notification of Election to Continue Coverage

Directors are required to notify Human Resources of a qualifying event for themselves or dependents. The District will then begin the appropriate notification procedure. The eligible COBRA participant must provide an election notice and premium payment to the District within 60 days of notification of their right to continue coverage.

3611 MEDICARE COVERAGE

All hires after April 1, 1986 are required by the passage of the Consolidated Omnibus Budget Reconciliation Act (COBRA), to contribute to the Medicare portion of the Social Security Program. Directors shall contribute 1.45% of their salary with the District matching the fund by contributing 1.45% of the Director's salary, unless changed by federal law.

3612 DEFINED CONTRIBUTION PENSION PLAN (401A – MONEY PURCHASE PENSION PLAN)

The only eligible participants in this Plan are MWDOC Board of Directors, MWDOC/MET Board of Directors and the General Manager.

Details of the plan are outlined in the Plan Document and Summary Plan Description. Contact Human Resources for additional information.

3613 DEFERRED COMPENSATION PLAN (457 Plan)

A voluntary non-qualified deferred compensation Section 457 plan is available to any eligible Director who elects, pursuant to the plan, to defer a portion of his or her compensation and who fulfills the requirements for participation in the plan. Information on the plan is available through Human Resources. The District does not make any contributions to this plan.

3614 COMPUTER LOAN PROGRAM

Interest-free loans to assist Directors with the financing of a personal computer system are available to Directors who have completed one year of service. Loans can be in amounts from \$300 to \$2,000.

3700 MWDOC-MET DIRECTOR BENEFITS

3701 DISABILITY LEAVE

3701.1 Short-Term Disability Leave

The District participates in the State of California, Employment Development Department (EDD) Disability Insurance program. Workers who suffer a loss of wages when they are unable to work due to a non-work-related illness or injury, pregnancy or childbirth, may be eligible for disability insurance benefits. Generally, the program goes into effect on the eighth day of disability (since SDI requires a seven-day waiting period)

up to a maximum of 52 weeks (as determined by EDD) based on the requirements of the Plan. Visit <http://edd.ca.gov/> for complete program details, eligibility, weekly benefit amount, exclusions, etc.

The weekly and maximum benefit amounts are based on the wages paid during a specific 12-month base period, which is determined based on the date the claim begins. Use of sick leave accruals may be coordinated with the SDI benefit to make up the difference between disability benefits and an employee's regular pay. In cases where there is not sufficient sick leave to make up the difference, an employee may elect to use vacation and/or compensatory time off to supplement the difference. The program is administered by the EDD, and Directors should seek clarification as to eligibility and scope of benefits from the EDD. EDD guidelines and rulings supersede any statement made herein.

3702 WORKER'S COMPENSATION (WORK-RELATED ILLNESS OR INJURY)

Whenever a Director sustains an injury or disability arising out of, and in the course of, District employment and requires medical care, the Director shall obtain treatment according to the provisions of the California Labor Code, sections 4600 et seq.

Directors are required to immediately report a work-related injury/incident to Human Resources. Human Resources shall ensure that the report is made.

This Program is administered by the Plan Administrator and Directors should seek clarification as to eligibility and scope of Worker's Compensation benefits. Administrator guidelines and rules supersede any statements made herein.

3703 RETURN TO WORK (RTW) FROM INDUSTRIAL INJURY OR ILLNESS

The decision to return a Director to work or place a Director back on the job, with or without modified work, shall be made by the District, independent of any decision made in the Workers' Compensation process.

The Director must obtain a release to work or be properly discharged from the medical provider utilized by the District prior to returning to his or her job.

3704 MEDICARE COVERAGE

All hires after April 1, 1986 are required by the passage of the Consolidated Omnibus Budget Reconciliation Act (COBRA), to contribute to the Medicare portion of the Social Security Program. Directors shall contribute 1.45% of their salary with the District matching the fund by contributing 1.45% of the Director's salary, unless changed by federal law.

3705 DEFINED CONTRIBUTION PENSION PLAN (401A – MONEY PURCHASE PENSION PLAN)

The only eligible participants in this Plan are MWDOC Board of Directors, MWDOC/MET Board of Directors and the General Manager.

Details of the plan are outlined in the Plan Document and Summary Plan Description. Contact Human Resources for additional information.

3706 DEFERRED COMPENSATION PLAN (457 Plan)

A voluntary non-qualified deferred compensation Section 457 plan is available to any eligible Director who elects, pursuant to the plan, to defer a portion of his or her compensation and who fulfills the requirements for participation in the plan. Information on the plan is available through Human Resources. The District does not make any contributions to this plan.

4000 POLICIES, PROTECTIONS & PROCESSES

4000 - 4202

4100 EQUAL OPPORTUNITY EMPLOYMENT

It is the District's policy to provide equal employment opportunity for all applicants and employees. The District does not unlawfully discriminate on the basis of race, color, religion, religious creed (including religious dress and religious grooming practices), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (including transgender identity), gender expression (including transgender expression), because an individual has transitioned (to live as the gender with which they identify), is transitioning, or is perceived to be transitioning), sex stereotyping, national origin, ancestry, citizenship, age (40 years and over), mental disability and physical disability (including HIV and AIDS), legally protected medical condition or information (including genetic information), protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), military and/or veteran status, service, or obligation, reserve status, national guard status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages or otherwise exercising rights protected under the California Fair Pay Act, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by local, state, or federal laws.

Consistent with the law, the District also makes reasonable accommodations for disabled applicants and employees; for pregnant employees who request an accommodation [with the advice of their health care providers] for pregnancy, childbirth, or related medical conditions; for employees who are victims of domestic violence, sexual assault, or stalking; and for applicants and employees based on their religious beliefs and practices.

The District prohibits sexual harassment and the harassment of any individual on any of the other bases listed above. The District also prohibits retaliation against a person who reports or assists in reporting suspected violations of this policy, cooperates in investigations or proceedings arising from a violation of this policy, or engages in other activities protected under this policy.

This policy applies to all areas of employment including recruitment, hiring, training, promotion, compensation, benefits, transfer, disciplinary action, and social and recreational programs. It is the responsibility of every manager and employee to conscientiously follow this policy. Any employee having any questions regarding this policy should discuss them with Human Resources.

4101 REASONABLE ACCOMMODATION OF DISABILITIES

The District complies with the Americans with Disabilities Act of 1990, the state Fair Employment and Housing Act, and all laws governing the treatment of employees with disabilities and the provision of protected medical leave when necessary. This policy protects any individual with a physical or mental impairment that limit major life activities - such as walking, seeing, hearing, speaking, communicating, and caring for themselves - provided the individual can perform the essential functions of the job safely and efficiently with or without reasonable accommodations. Depending on the particular employee's condition, this can include not only persons who traditionally have been regarded as disabled - such as those with impaired vision, hearing, or speech - but also those with "invisible" disabilities, such as AIDS or HIV-positive, cancer, or learning disabilities. These protections may apply if the individual currently suffers from a disability, or has a history or record of a disability, or is perceived by the employer to have a disability (even if that is not the case), or associates with persons with disabilities.

In accordance with the relevant laws, the District's policy strictly forbids all forms of intentional discrimination against qualified applicants or employees with disabilities, and requires reasonable accommodation if necessary, for such individuals to perform the essential functions of the job safely and efficiently, without serious risk to health and safety.

4101.1 Confidential Nature of Medical Diagnoses

Applicant or employee medical diagnoses and conditions are confidential, and the District prohibits any employee from attempting to require disclosure of such private information. Applicants or employees may be questioned only in the context of their ability to perform the essential functions of a particular job, and are not to be asked about specific diagnoses, medications, or if they are "disabled." Applicants or employees who indicate they have a physical or mental impairment that interferes with job performance will be directed to the interactive process and may be asked for medical certification of the purported limitation.

4101.2 The Interactive Process

The District is committed to making reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result. Applicants and employees who have disabilities or limitations affecting their ability to perform the essential functions of their job must inform the District of the issue and request an interactive process meeting to discuss possible accommodations. In many cases, the District will have no way of knowing whether an individual has a limitation unless he or she requests accommodation. Any applicant or employee who has physical or mental limitations that require an accommodation in order to participate in the application process or to perform the essential functions of the job should contact Human Resources and request such an accommodation. Human Resources shall engage the

applicant or employee interactively to determine what, if any, reasonable accommodations are available.

The law requires only reasonable accommodation, which does not result in an undue hardship to the District or a direct threat to health and safety, and the individual must be able to perform the essential functions of the position. Whether a certain accommodation meets these standards must be determined on a case-by-case basis, after consultation with the individual and consideration of all the particular facts and circumstances.

4102 PROHIBITION AGAINST DISCRIMINATION AND HARASSMENT

The District strictly prohibits and has “zero tolerance” for discrimination and harassment in any phase of the employment and will investigate and take action as appropriate, including but not limited to recruitment, testing, hiring, upgrading, promotion/demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training. This includes sexual harassment (which includes harassment based on sex, pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), as well as harassment, discrimination, and retaliation based on such factors as race, color, religion, religious creed (including religious dress and religious grooming practices), sex, national origin, ancestry, citizenship, age (40 years and older), mental disability and physical disability (including HIV and AIDS), legally-protected medical condition or information (including genetic information), protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), military and/or veteran status, service, or obligation, reserve status, national guard status, marital status, domestic partner status, gender, gender identity (including transgender identity), gender expression (including transgender expression), because an individual has transitioned (to live as the gender with which they identify), is transitioning, or is perceived to be transitioning), sex stereotyping, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages or otherwise exercising rights protected under the California Fair Pay Act, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by federal, state, or local laws.

The District strongly disapproves of and will not tolerate harassment, discrimination, or retaliation against applicants, employees, interns, or volunteers by managers, supervisors, co-workers or third parties with whom employees come into contact, consistent with applicable law. Similarly, the District will not tolerate harassment, discrimination, or retaliation by its employees directed toward non-employees with whom the District’s employees have a business, service, or professional relationship (such as independent contractors, vendors, clients, volunteers, or interns).

4103 TYPES OF HARASSMENT

4103.1 Harassment includes, but is not limited to, the following:

- **Verbal Forms of Harassment**
Epithets, derogatory comments or slurs, propositions based upon a person's protected status.
- **Physical Forms of Harassment**
Assault, impeding or blocking movement, grabbing, patting, leering, mimicking, taunting or any physical interference with normal work or movement when directed at an individual on the basis of their protected status.
- **Visual Forms of Harassment**
Derogatory posters, cartoons or drawings or emails based on a person's protected status.
- **Sexual Harassment**
includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when (1) submission to such conduct includes either an explicit or implicit condition of employment; (2) submission to or rejection of such conduct is used as the basis for an employment decision affecting the harassed employee; or (3) the harassment substantially interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Examples include unwelcome sexual propositions, hugging, kissing, or other offensive physical contact of a sexual nature; lewd gestures, remarks or innuendoes, unwelcome discussions of sexual practices or anatomy, and sexually offensive posters, photographs, drawings, cartoons, jokes, stories, nicknames, or comments about appearance.

Examples of Sexual Harassment: For the purpose of clarification, examples of what may constitute prohibited sexual harassment include, but are not limited to, the following:

- Making unsolicited sexual advances written, verbal, physical, or visual contact with sexual overtones. (Written examples: suggestive or obscene letters, notes, invitations. Verbal examples: derogatory comments, slurs, jokes, epithets. Physical examples: touching, assault blocking or impeding access, leering gestures, display of sexually suggestive objects or pictures, cartoons or posters.)
- Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not considered sexual harassment.)

- Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response. (For example, implying or actually withholding support for an appointment, promotion, or change of assignment; suggesting a poor performance report will be prepared; or suggesting probation will be failed.)
- Engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the career, salary, or work environment of another employee.
- Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors. (Similar conduct when applied to other protected classes including but not limited to race, color, creed, national origin, age, disability, medical condition, religion, sexual orientation, or marital status may constitute harassment and a violation of this policy. For example, racial jokes or degrading comments about age or ethnic background can constitute harassment under this policy). Accordingly, in order to avoid the risk of discipline, such acts should be avoided in all circumstances.

4103.2 Internal Complaint Procedure

Any applicant or employee who believes that he or she has been the victim of sexual or other prohibited discrimination or harassment by co-workers, supervisors, clients or customers, visitors, vendors, Board Members or others must immediately notify his or her supervisor, or another supervisor or manager, depending on which individual the employee feels most comfortable contacting and the Director of Human Resources of the alleged conduct. In the event the complaint is against the Director of Human Resources, then the employee may report the incident to the General Manager or in the event the complaint is against the General Manager, the employee may report the incident to the Board President, Executive Committee or the full Board of Directors. Complaints will be investigated by Human Resources or, where appropriate, a designated neutral party, and the complainant will be advised of the general outcome of the investigation. In each case, the employee reporting the problem will receive an oral or written reply from management on the general results of the investigation and that remedial action has been taken, if any.

4103.3 Option to Report to Outside Administrative Agencies

Applicants, officials, contractors and employees may file complaints about harassment or other employment discrimination with any of the local offices of the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH), whose addresses may be found in the local telephone directory.

The EEOC and DFEH are authorized to accept and investigate complaints of employment discrimination and to mediate settlements. These agencies have authority to issue accusations against employers, conduct formal hearings, and award

reinstatement, back pay, damages, and other affirmative relief. State and federal law also prohibit retaliation against employees because they have filed a complaint with the EEOC, DFEH, or other relevant agency for participating in an investigation, proceeding, or hearing with the agency, or opposing any practice made unlawful by federal or state law.

4103.4 Corrective Action

If any violation of this policy is found to have occurred, the District will take appropriate corrective action which may include discipline against the individual(s) involved. Violations of this policy will likely result in immediate termination. See Section 5101 for further discussion of corrective actions.

If an employee is not satisfied with the reply presented by the Director of Human Resources, they may file a grievance pursuant to the steps outlined in the Grievance Procedures, Section 4200.

4103.5 Cooperation

All employees are required to cooperate fully and in good faith with the District in any investigation under this policy. Knowingly making a false charge of harassment or a false statement in connection with an investigation, or deliberately interfering with any such investigation, is also a violation of this policy and grounds for discipline, up to and including termination.

4103.6 Confidentiality

The District will attempt to keep complaints and investigations under this policy confidential to the greatest extent possible, but some disclosure may be necessary to conduct a proper investigation and take appropriate corrective action. Employees are encouraged to use discretion in discussing complaints or investigations under this policy with others since unnecessary disclosure may prevent a fair investigation.

4103.7 No Retaliation

No employee will be subject to any form of retaliation for reporting any violation or participating in any investigation under this policy truthfully and in good faith. Employees who believe they have been retaliated against in violation of this policy should utilize the same complaint procedure described in Sections 4103.2 or 4200.

4103.8 Contractors, Consultants, Vendors, Customers and Other Third Parties

This policy applies to leased employees and individuals providing service to the District under contract such as consultants and other independent contractors. This policy also applies to vendors, customers and other third parties who are present in any workplace where District employees are performing duties (depending on degree of control that the District has over such individual).

4200 GRIEVANCE PROCEDURE

The grievance procedure provides a means for settling grievances or complaints that arise over the application of this manual as quickly as possible and at the lowest possible level of authority. Each step in the procedure must be completed before the next step may be taken. Failure to take the next step within the timeframes allotted herein will result in the conclusion that the prior step resolved the grievance and waiver of the right to continue the grievance. Grievance procedures are not used for contesting disciplinary actions or performance assessments, unless said actions are alleged to be pretextual.

A grievance must be filed within ten (10) calendar days of the occurrence of the event or within ten (10) calendar days following the date the grieving party could have reasonably known of the occurrence of the act or omission giving rise to the grievance. Any supervisor or other member of management who receives a grievance must notify Human Resources of the grievance as soon as practicable. The facts concerning the grievance and the grievance process are to remain confidential, to the extent possible given the requirements of District business.

4201 GRIEVANCE STEPS

The following are the “steps” utilized in grievance reporting. Grievances concerning the Director of Human Resources will be immediately reported to the General Manager. In the event the grievance is against the General Manager or a Board Member, the employee may report the incident to the Board President, the Executive Committee or the full Board of Directors and the Director of Human Resources, pursuant to Step 4 as stated in this policy.

Step 1

The employee should initially try to resolve any item of concern informally with his or her direct supervisor. The direct supervisor should hold a conference with the employee as soon as reasonably practicable, following the employee’s request and attempt to informally resolve the issue. If the grievance is against the direct supervisor, the matter shall be taken directly to Step 2.

Step 2

If successful resolution is not reached in Step 1, the employee shall reduce his or her concern to writing and submit it to his or her department head. A copy of the formal written grievance must also be provided to Human Resources. This formal written grievance must be submitted within ten (10) calendar days of the date of the occurrence giving rise to the grievance or the right to file a grievance is waived. The manager, or his or her designee, shall meet with the grievant, and after the initial meeting, the manager or his or her designee will investigate the complaint. This investigation may involve separate conversations or meeting of all parties at the manager’s discretion. The manager shall attempt to provide his or her written decision with ten (10) calendar days of the date of the first meeting with the employee.

Step 3

If the employee believes the decision of the manager does not adequately resolve the issue, the employee may submit a written appeal of that decision to the General Manager. This appeal must be submitted within ten (10) calendar days of the date of the manager's written decision or the right to appeal is waived. The General Manager shall meet with the grievant and, after the initial meeting, the General Manager or his or her designee will investigate the complaint. This investigation may involve separate conversations or meeting of all parties, at the General Manager's discretion. The General Manager shall attempt to provide his or her written decision with ten (10) calendar days of the date of the first meeting with the employee.

Step 4

In order to submit an appeal to either the Board President, the Executive Committee or full Board of Directors, an employee must first go through Steps 1 through 3. If the employee believes the decision of General Manager does not adequately resolve the issue, the employee may request reconsideration. The written request must be submitted within ten (10) calendar days of the General Manager's decision. The Board President, Executive Committee or full Board of Directors will be furnished with the then-existing written record. The Executive Committee or full Board of Directors will meet as soon as practicable to consider the grievance. The Executive Committee or full Board of Directors may, in its discretion, rely on the existing record or conduct a hearing in whatever way deemed appropriate under the circumstances. The Committee or full Board of Directors may call any witnesses or parties, if it deems such testimony necessary. If the employee desires, he or she may be represented. The decision of the Executive Committee or full Board of Directors shall attempt to provide its decision in writing within ten (10) calendar days of the close of the hearing. The action of the Executive Committee or full Board of Directors is final and binding.

4202 PERSONNEL FILES

The District recognizes the confidentiality of personnel information and its obligation to maintain procedures to ensure the integrity of such files. Employees have the right to inspect or receive a copy of the personnel records. Any request to inspect or copy personnel records must be made in writing to Human Resources. If an employee requests a copy of the contents of their file, they will be charged the actual cost of copying. Employees can obtain a form for making such a written request from Human Resources.

Employees may designate a representative to conduct the inspection of the record or receive a copy of the records. However, any designated representative must be authorized by the employee in writing. MWDOC may take reasonable steps to verify the identity of any representative and the scope of the authorization.

The personnel records may be made available to the employee either at the place where they work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available within the timeframe required by law; typically not later than 21 days.

PERSONNEL MANUAL
Effective Date: October 16, 2019

Unauthorized disclosure of personnel information to outside sources, other than the employee's designated representative is prohibited and may form the basis of discipline. However, MWDOC will cooperate with a request from authorized law enforcement or local, state, or federal agencies conducting official investigations as legally required.

5000 BEHAVIOR & CONSEQUENCES

5000 - 5309

5100 STANDARDS OF CONDUCT

The following examples are given in order to provide some guidance concerning unacceptable behavior. If the District chooses to correct an employee who engages in unacceptable behavior, the employee may be subject to corrective action up to and including termination. Please note that it is impossible to provide an exhaustive list of behaviors that are not acceptable. The following is therefore intended to simply provide some examples:

1. Actions contrary to the rules and policies of the District, including but not limited to the safety rules set forth in the District's Illness Injury Prevention Program (IIPP).
2. Inefficiency, incompetence, inattention to or dereliction of duty, failure to perform assigned duties in a satisfactory manner.
3. Insubordination or failure to comply with District rules and policies.
4. Accepting gratuities or tips.
5. Dishonesty.
6. Theft or unauthorized use of District property.
7. Fighting, threat of injury, or horse play while on duty or on District premises.
8. Frequent or habitual tardiness, unexcused absences or unsatisfactory attendance.
9. Conducting non-District business activities during working hours.
10. Harassment or discrimination in any form.
11. Consumption of alcoholic beverages or drugs while on duty or on District premises.
12. Being under the influence of alcohol or drugs while on duty.
13. Use of, possession of, or transfer or sale of, non-prescribed drugs or narcotics while on duty or on District premises.
14. Disorderly, indecent or immoral conduct while on duty or while in District uniform.
15. Discourteous treatment of the public or other District employees.
16. Issuance of defaming or derogatory remarks, unrelated to performance issues, regarding a co-worker's character or personal life.
17. Conviction of any felony or of a misdemeanor involving moral turpitude, dishonesty or immoral conduct.
18. Unauthorized absence from work or excessive absences and tardiness.
19. Neglect of duty.
20. Actions incompatible with or offensive to the image or the goals of the District.
21. Failure to follow safe working practices.
22. Failure to report an injury or accident promptly.
23. Failure to report significant unsafe working practices to supervisor.
24. Misrepresentations in obtaining employment with or promotion within the District.
25. Misuse of District money or resources.
26. Falsification of forms, records, or reports; including, but not limited to, time sheets, employment applications and District documents.

27. Possessing or bringing firearms or weapons onto District property.
28. Destroying or willfully damaging District or employee property, records, or other materials.
29. Unauthorized opening or tampering with locks in desks, doors, cabinets, etc., or unauthorized use or duplication of keys.
30. Failure to immediately report the loss of driving privileges due to suspension, withdrawal, forfeiture, or confiscation by any authorized party, including court of law or the California Department of Motor Vehicles, by employees who must maintain such a license as a condition of employment.
31. Failure to maintain license or certification required for position. An employee will be subject to discipline, up to and including termination without progressive discipline, for the failure to maintain a license or certification required for that employee's job duties.
32. Violation of any established District rule, policy, or procedure.

These rules do not list every imaginable form of misconduct, and employment may be terminated due to lack of work, reorganization, or for any other reason in the discretion of the District. Corrective action or discipline is left to the sole discretion of the District, and nothing in this Manual requires the District to issue a warning or suspension prior to discharging any employee.

5101 CORRECTIVE ACTIONS

A range of corrective or disciplinary actions are available to the General Manager and the Board of Directors for application to employee cases based on administrative investigation and processes. These include but are not limited to:

- Formal Counseling
- Mandatory Training
- Verbal Warning/Reprimand
- Written Warning/Reprimand
- Formal Improvement Plan
- Suspension with Pay
- Suspension without Pay
- Reassignment
- Demotion
- Dismissal

The focus of the corrective action program is to make a positive improvement on behavior where possible but to impose consequences when necessary. The goal is to maintain a professional, respectful, safe, productive, and equitable work environment for everyone at MWDOC.

5200 DRUG AND ALCOHOL FREE WORKPLACE

5201 GENERAL PROHIBITION AGAINST USE OR POSSESSION

At no time shall employees use, possess, carry, or transport alcoholic beverages, non-prescribed drugs, narcotics (including marijuana, whether obtained via prescription or not), or any other regulated item during working hours or on District premises, nor shall an employee report for work under the influence of alcoholic beverages, non-prescribed drugs or narcotics (including marijuana, whether obtained via prescription or not). Human Resources may request information in written form from a doctor certifying that any prescribed drugs or medication that an employee is taking will not affect the employee's performance or the safety of the employee or others. Such use or possession is absolutely forbidden and will result in discharge or other discipline as the District deems appropriate.

With prior approval of management and in management's sole discretion, the District may allow employees to consume moderate amounts of alcohol at District-sponsored social events outside of normal business hours where such use is appropriate in the circumstances or possess or transport alcohol for use at District sponsored events.

5202 PRESCRIPTION DRUGS

Where the usage of a drug, even where the drug is prescribed, affects District safety or an employee's ability to perform the essential functions of his or her job, the affected employee must notify the District. In the event there is a question regarding an employee's ability to perform assigned duties safely and effectively while under the influence of prescribed drugs, clearance from a licensed health care provider may be required before the employee is allowed to resume the employee's regular duties.

5203 DRUG & ALCOHOL TESTING

It is the policy of the District to prohibit its employees from using or being under the influence of alcohol or illegal drugs (including, without limitation, marijuana – whether or not the employee maintains a prescription for the same) in connection with their employment, as it constitutes a threat to the safe and efficient performance of employee's duties. At no time shall any employee be under the influence of any controlled drug or alcohol while on the job. (Employees who are taking medication pursuant to a physician's prescription – other than for medical marijuana – who has also certified that they may perform their duties without jeopardizing the health or safety of others will not be considered to have violated this policy for taking such prescription medicine within the range prescribed.)

5203.1 Prohibitions

The following conduct is prohibited and may result in discipline, up to and including termination:

- Using or possessing alcohol or any illegal drug (including marijuana, whether or not the employee maintains a prescription for the same) while on duty;
- Reporting for duty or remaining on duty when the employee used alcohol or controlled substance, except if the use is pursuant to the instructions of a physician who has advised the employee that the substance (other than medical marijuana) does not adversely affect the employee's ability to safely operate a vehicle or otherwise perform the employee's job;
- Reporting for duty or remaining on duty if the employee tests as having a blood alcohol concentration of 0.04 or greater (or a blood alcohol concentration of 0.02 if the employee's duties require him or her to possess a valid Class A driver's license or otherwise be subject to the 0.02 limitation);
- Reporting for duty or remaining on duty if the employee tests positive for controlled substances (including marijuana, whether or not the employee maintains a prescription for the same);
- Refusing to submit to any alcohol or controlled substances test required by this Policy. An employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who failed a blood alcohol test or tested positively for a controlled substances test. A "refusal to submit" to an alcohol or controlled substances test required by this Policy includes, but is not limited to:
 - An explicit or implied refusal to provide a urine sample for a drug test;
 - An inability to provide a urine sample without a valid medical explanation;
 - A refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
 - An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
 - Tampering with or attempting to adulterate the urine specimen or collection procedure;
 - Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested; or
 - Leaving the scene of an accident without a valid authorization.

Employees are obligated to report violations of this Policy to Human Resources. In addition to the above prohibitions, employees are reminded of their obligations under the Federal Drug Free Workplace Act of 1988. All employees covered by this Policy have previously been provided with a copy of the District's Drug Free Workplace Statement and have signed an acknowledgment that they have read the Statement and agree to comply with it.

5204 PRE-EMPLOYMENT TESTING

Applicants for positions designated as “safety sensitive” will be required to submit to pre-employment drug and/or alcohol testing.

5205 REASONABLE SUSPICION TESTING

All employees may be required to submit to an alcohol or drug test if a supervisor has reasonable suspicion to believe the employee is under the influence of alcohol or controlled substances. Reasonable suspicion shall be reported to Human Resources which shall arrange the testing. The observation should generally be based on short-term indicators, such as behavior that is inconsistent with the normal work status and including, but not limited to, blurry vision, slurred speech or alcohol on the breath. Reasonable suspicion alcohol and drug testing will generally be administered within two (2) hours of the observation. If not, the supervisor should provide written documentation as to why the test was not promptly conducted.

5206 POST-ACCIDENT TESTING

Employees will be required to undergo alcohol or controlled substance testing if they are involved in an on-duty accident and the District has reasonable suspicion to believe the employee is under the influence of alcohol or controlled substances.

In addition, a post-accident test will be conducted if an accident results in injuries requiring transportation to a medical treatment facility; or where one or more vehicles incurs disabling damage that requires towing from the site; and the employee receives a citation under State or local laws for a moving traffic violation arising from the accident. Following an accident, the safety-sensitive employee will be tested as soon as practicable (generally within 2 hours), but not to exceed eight (8) hours for alcohol and thirty-two (32) hours for controlled substances. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to controlled substance and alcohol testing will be considered to have refused the test and subject to termination. Post-accident testing of safety-sensitive employees will include not only the operation personnel, but any other covered employees whose performance could have contributed to the accident.

5207 RETURN TO DUTY TESTING

All employees who have failed an alcohol test or tested positive for controlled substances, if retained, are unable and unfit to report to work until it can be verified that they are not under the influence of alcohol or controlled substances. Employees must be certified as being fit for duty and evaluated and released to duty by the Substance Abuse Professional (SAP) before being allowed to return to duty.

5207.1 Consequences of Failing an Alcohol or Drug Test

A positive result from a drug or alcohol test may result in disciplinary action, up to and including termination, even for a first offense. The District also reserves the right to

discipline or terminate an employee convicted of an offense which involves the use, distribution, or possession of illegal drugs (including medical marijuana). If an employee is not terminated, the employee:

- Must be removed from performing any job function and immediately placed in an unpaid status for 1 day (unless they elect to use paid leave). If the employee does not obtain a fitness for duty certification within that day, or if the employee fails his or her alcohol or drug test, the employee shall remain on unpaid leave (unless they elect to use paid leave) until reinstatement or termination of employment;
- Must submit to an examination by a substance abuse professional. Upon a determination by the substance abuse professional, the employee may be required to undergo treatment for his or her alcohol or drug abuse. The District is not required to pay for this treatment;
- Shall not be returned to his or her former position until the employee submits to a return-to-duty controlled substance or blood alcohol test (depending on which test the employee failed) which indicates an alcohol concentration level of less than 0.02 or a negative result on a controlled substance test; and
- Will be required to submit to unannounced follow-up testing if he or she has been returned to his or her position.

5207.2 Compliance with State or Federal Law

At all times, the District will comply with current applicable state or federal law concerning drug and alcohol testing. Issues or inconsistencies that are not addressed in this Policy will be determined by referring to state or federal law and regulations governing drug and alcohol testing. The District reserves the right to make changes to this Policy at any time, for the purpose of complying with state or federal laws and regulations as it exists now or as it may be amended.

5207.3 Procedures for Drug Testing

The District will refer the applicant or employee to an independent, National Institute on Drug Abuse (NIDA)-certified medical clinic or laboratory, which will administer the test. The District will pay the cost of the test and reasonable transportation costs to the testing facility. The employee will have the opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that he or she has taken that may affect the outcome of the test. All drug testing will be performed by urinalysis. Initial screening will be done by EMIT II. Positive results will be confirmed by gas chromatography/mass spectrometry. The clinic or laboratory will inform the District as to whether the applicant passed or failed the drug test. If an employee fails the test, he or she will be considered to be in violation of this Policy and will be subject to discipline accordingly.

The District maintains the right to require any employee to re-submit to testing, pursuant to the same terms and procedures as set forth for the initial test, where the employee's initial test results are inconclusive because of a diluted sample or any other reason.

5208 DRUG AND ALCOHOL REHABILITATION PROGRAMS

Employees may not avoid discipline or termination for violation of the District's Drug and Alcohol Free Workplace Policy by seeking leave to attend rehabilitation after a violation has occurred. However, prior to any violation, employees may contact Human Resources for information about the District's Employee Assistance Program.

5300 OFFICE EQUIPMENT POLICY

The District provides a wide variety of office and telecommunications equipment for employee use, including telephones with voice mail, computers with email and internet access, fax machines, photocopiers, postage meters, and other equipment. All employees are expected to comply with this policy when using any of this office equipment.

5301 BUSINESS USE ONLY

All office equipment is intended strictly for business use in the course of performing assigned duties and responsibilities. All office equipment, as well as the content of voicemail, email, and other files, are District property. We recognize that some personal use cannot be avoided, as in the case of family, personal, or medical emergencies, but employees have no expectation of privacy of such messages. All such personal use should be kept to an absolute minimum and must not interfere with work performance.

5302 DISTRICT'S RIGHT OF ACCESS AND EMPLOYEE PRIVACY

All District voicemail, email, hard drives, and other electronic data storage is solely the property of the District, regardless of the nature of the email, physical location, or how maintained. The District, as owner has at all times the right to access all email, voicemail, or other data, including email protected by security measures. Human Resources may access email within any department or office. When necessary, assistance in obtaining authorized access shall be provided by the IT Administrator. The accessing of a department's email shall be coordinated with the department's Manager, unless Human Resources determines that the access should remain confidential. Email users shall cooperate in the access of email when requested by Human Resources. Employees should be aware that, as a public entity, all communications and data within the District's possession is potentially subject to a Public Records Act request. No employee has an expectation of privacy in any District email account, voicemail, hard drive, or other electronic data storage device.

5303 PASSWORDS AND SECURITY MEASURES

The District requires employees to use passwords or other security measures on its office equipment in order to channel communications to the proper persons. Unless authorized by Human Resources pursuant to District business, employees are expected to honor passwords and other security measures, and are not to access information unless it was intended for them. The District retains the right to override passwords and

other security measures in order to assure full access to all office equipment. Employees must comply with all District requests for access to District-owned equipment, communications, or data.

5304 UNLAWFUL HARASSMENT OR DISCRIMINATION

Employees are forbidden from using the District's office equipment for any form of unlawful harassment or discrimination based on race, color, national origin, ancestry, sex, sexual orientation, gender identity or expression, age, pregnancy or childbirth, religion, political beliefs, disability, marital status, veteran status, or any other criteria prohibited by District policy or applicable law.

5305 OTHER MISCONDUCT

Use of office and telecommunications systems is subject at all times to all other District rules concerning employee conduct. Under no circumstances are these systems to be used for pornography, gambling, sports, shopping, stock trading, hobbies, criminal or fraudulent activity, buying or selling goods and services, outside activities, or any other non-work related purpose.

5306 CONFIDENTIAL INFORMATION

Employees are expected to use special caution in handling any confidential or proprietary information. In general, email should not be used to transmit confidential information outside of the District unless extraordinary precautions are taken to assure confidentiality.

5307 GOOD JUDGMENT

Employees are expected to exercise good judgment and professional demeanor when using the District's voicemail, email, or internet systems, and must resist the temptation to use these systems for any purpose that violates this policy even when a client, applicant, or vendor initiates or welcomes inappropriate messages. Employees should not forward chain letters that are sent by email, even if they appear to be for a legitimate cause. Employees must also be careful in the overall tone and content of all messages they send. Unprofessional messages can prove embarrassing when read by an unintended recipient. Emails should include a clear and concise subject line for easy identification. They should be kept to a minimum in length, and proofread carefully before being sent.

5308 INTELLECTUAL PROPERTY RIGHTS

The District's computer systems are not to be used to violate or infringe copyrights, trademarks, or other intellectual property rights of third parties. Employees are forbidden from installing or downloading software on to the District's computer system without authorization of management and the IT Administrator and must refrain from

utilizing trademarks or other copyrighted material without proper permission from the owner.

5309 PENALTIES

Any violation of this policy can result in immediate termination or other discipline.

AT-WILL AGREEMENT

Acknowledgment of Personnel Manual Receipt and Compliance

I agree that I am employed by the Municipal Water District of Orange County on an at-will basis, and that my employment can be terminated at any time with or without cause or advance notice either by me or the District. I maintain no right to any due process hearing or so-called Skelly process prior to separation from employment or discipline.

I also acknowledge that I have received a copy of the Personnel Manual and have read, understood, and agree to comply with all of its provisions. I acknowledge that the District retains the right and sole discretion to modify, delete, or add to any of the policies set forth in the Personnel Manual, though I will be apprised of any such changes. I acknowledge that this agreement for employment at-will can be amended or modified only in a written contract signed by me and an authorized representative of the Board of Directors. I understand that no other party or entity has the authority to modify, delete, or add to the policies in the Personnel Manual or to change the at-will nature of my employment, and that in the event of a conflict between the terms of the Personnel Manual and anything told to me by a supervisor or co-employee, the terms of the Personnel Manual shall control.

Employee Signature

Printed Name

Date

NOTE: This original signed document is to be filed in the employee's personnel file.

APPENDIX “A” - EMPLOYEE DESIGNATIONS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

The designations of employees into the following categories shall be in accordance with the FLSA and with the approval of the General Manager. The General Manager shall revise the designations as necessary in compliance with the FLSA and District policy.

(NON-EXEMPT; Overtime paid at time and one-half)

- Accountant
- Accounting Technician
- Administrative Assistant
- Assoc. Water Resources Analyst
- Database Coordinator
- Executive Assistant
- Office Assistant
- Public Affairs Assistant
- Public Affairs Specialist
- Public Affairs Coordinator
- Student Intern
- Records Coordinator
- Senior Accountant
- Senior Administrative Assistant
- Senior Executive Assistant
- Sr. WUE Analyst
- WEROC Emergency Coordinator
- WEROC Specialist
- Water Loss Control Prog
Technician
- WUE Analyst I
- WUE Analyst II

**APPENDIX “A” - EMPLOYEE DESIGNATIONS –
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY**

The designations of employees into the following categories shall be in accordance with the FLSA and with the approval of the General Manager. The General Manager shall revise the designations as necessary in compliance with the FLSA and District policy.

(EXEMPT; Not eligible for overtime)

- Accounting Manager
- Accounting Supervisor
- Administrative Services Manager
- Assistant General Manager
- Associate General Manager
- Director of Emergency Management
- Director of Finance/IS
- Director of Human Resources/Administration
- Director of Public Affairs
- Director of Water Use Efficiency
- Financial Analyst/Database Analyst
- General Manager
- Governmental Affairs Manager
- Network Systems Engineer
- Principal Engineer
- Principal Water Resources Analyst

(EXEMPT; Not eligible for overtime)

- Public Affairs Manager
- Public Affairs Supervisor
- Senior Engineer
- Sr. Executive Assistant to the Board
- Sr. Financial Analyst/Database Analyst
- Sr. Water Resources Analyst
- WEROC Programs Manager
- Water Loss Control Programs Supervisor
- Water Resources Analyst
- WUE Program Manager
- WUE Program Supervisor

**APPENDIX “B” – DISTRICT PAY STRUCTURE –
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY**

These documents can be found on the Districts website or contact Human Resources.

**APPENDIX “C” – DISTRICT ORGANIZATIONAL CHART
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY**

These documents can be found on the Districts website or contact Human Resources.



ACTION ITEM
October 16, 2019

TO: Board of Directors

FROM: Robert Hunter, General Manager

Staff Contact: Heather Baez

**SUBJECT: AUTHORIZATION TO VOTE ON BEHALF OF MWDOC IN ACWA'S
ELECTION OF PRESIDENT, VICE PRESIDENT**

STAFF RECOMMENDATION

Staff recommends that the Board of Directors review the candidates, and authorize MWDOC Board President Brett Barbre or his designee to cast the District's ballot for the ACWA President and Vice President at ACWA's Fall Conference on December 4, 2019.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

On Wednesday, December 4, during ACWA's Fall Conference in San Diego, there will be a General Membership meeting in the Harbor Ballroom A-F, Manchester Grand Hyatt, at 1:15 p.m. The purpose of the meeting is to formally nominate and elect ACWA's President and Vice President for the 2020-2021 term.

Nomination and Election of ACWA President and Vice President

The ACWA Nominating Committee has announced a 2020-2021 slate that recommends current Vice President **Steven LaMar** (Director, Irvine Ranch Water District) **for ACWA President** and current Region Five Vice Chair **Sarah Palmer** (Director, Zone 7 Water

Budgeted (Y/N): N/A	Budgeted amount: N/A	Core ____	Choice ____
Action item amount: None	Line item:		
Fiscal Impact (explain if unbudgeted):			

Agency) **for ACWA Vice President.** As provided by ACWA's Bylaws nominations from the floor will be accepted prior to the vote. Such nominations and seconds must be supported by a resolution of the governing body of the member agency making and seconding such nomination.

Voting Process

ACWA will issue one proxy-voting card to each member agency's designated voting representative (delegate) as identified by the member agency on the attached proxy designation form. The designated voting representative must be present at the General Session Membership Meeting and must sign-in as the delegate to receive the proxy-voting card. Proxy voting cards will only be available for pick-up on Wednesday, December 4, between 9:00 a.m. and 12:00 p.m. at the ACWA General Session Desk in the Harbor Foyer, Manchester Grand Hyatt. Proxy voting cards will not be issued before or after these hours.

BOARD OPTIONS

Option #1

- Review the candidates and authorize MWDOC Board President, Brett Barbre or his designee, to cast the District's ballot for the ACWA President and Vice President at ACWA's Fall Conference on December 4, 2019.

Fiscal Impact: None

Business Analysis: ACWA is the leading statewide organization representing water agencies in Sacramento and Washington D.C. Having a strong leadership is key to its success and as members, MWDOC should participate in the election process.

Option #2

- Take no action

Fiscal Impact: None

Business Analysis: MWDOC would not have an opportunity to vote for ACWA's President and Vice President for 2020-2021.

Attachments: Notice of General Session Membership Meeting Memo
General Session/Election Procedures
Proxy Designation Form
Request for Support, Sarah Palmer
Request for Support, Pam Tobin

TO: ACWA Member Agency Board Presidents and General Managers

CC: ACWA Board of Directors

FROM: Dave Eggerton, ACWA Executive Director

DATE: October 4, 2019

SUBJECT: Notice of General Session Membership Meeting at ACWA 2019 Fall Conference

There will be a General Session Membership Meeting at the 2019 Fall Conference in San Diego, California, on **Wednesday, December 4**. The purpose of this meeting is to formally nominate and elect ACWA's President and Vice President for the 2020-2021 term. The General Session Membership Meeting will convene at 1:15 p.m., immediately following the Wednesday luncheon program, which will be located in the Harbor Ballroom A-F, Manchester Grand Hyatt.

Election / Voting Process

The ACWA Nominating Committee has announced a 2020-2021 slate that recommends current **Vice President Steven LaMar for ACWA President** and current **Region 5 Vice Chair Sarah Palmer for ACWA Vice President**.

As provided by ACWA's Bylaws (Article 9, Section 9) nominations from the floor will be accepted prior to the vote. The Bylaws require that floor nominations and seconds be made by a member of the Association and must be supported by a resolution of the governing body of the member making and seconding such nomination. The member agency on whose board the nominee serves shall submit a resolution of support if they are not the agency making the floor nomination or second. **(See attached for detailed General Session/Election Procedures.)**

ACWA will issue one proxy voting card to each member agency's designated voting representative (delegate) as identified by the member agency on the attached proxy designation form. The designated voting representative must be **present** at the General Session Membership Meeting and must sign-in as the delegate to receive the proxy voting card. Proxy voting cards will **only** be available for pick-up on **Wednesday, December 4**, between **9:00 a.m. and 12:00 p.m.** at the **ACWA General Session Desk** in the **Harbor Foyer**, Manchester Grand Hyatt. Proxy voting cards will not be issued before or after these hours.

To expedite the sign-in process at the **ACWA General Session Desk**, please indicate your voting delegate in advance on the enclosed proxy designation form and return it by email (donnap@acwa.com) or fax

(916-325-4857) by Monday, November 25. If there is a last minute change of delegate, please let us know by contacting ACWA's Clerk of the Board, Donna Pangborn at donnap@acwa.com.

If you have any questions regarding this process, please contact Clerk of the Board Donna Pangborn at the ACWA office at 916-441-4545 or donnap@acwa.com.

dgp

Enclosures:

1. General Session/Election Procedures
2. Proxy Designation Form

GENERAL SESSION/ELECTION PROCEDURES FOR ACWA 2019 FALL CONFERENCE

The following information is provided to inform the ACWA member agency delegates attending the 2019 Fall Conference of the procedures to be used pertaining to the nomination and election of ACWA officers during the General Session Membership Meeting.

PROXY VOTING CARDS – (REQUIRED FOR VOTING)

ACWA will issue one proxy voting card each member agency's designated voting representative (delegate) as officially identified by the member agency. In order to vote during the General Session Membership Meeting, the designated voting representative must be **present** at the General Session Membership Meeting and must sign-in as the delegate to receive the proxy voting card no later than **12:00 p.m. on Wednesday, December 4**. Upon sign-in, the voting delegate will receive the required proxy voting cards. Proxy voting cards will **only** be available for pick-up on **Wednesday, December 4, between 9:00 a.m. and 12:00 p.m.** at the **ACWA General Session Desk** in the **Harbor Foyer**, Manchester Grand Hyatt. Proxy voting cards will not be issued before or after these hours. The luncheon and General Session Membership Meeting will be held in the Harbor Ballroom A-F.

GENERAL SESSION MEMBERSHIP MEETING, WEDNESDAY, DEC. 4 (DOORS OPEN AT 1:05 P.M.)

1. The General Session Membership Meeting will be called to order at 1:15 p.m. and a quorum will be determined. The presence of 50 authorized voting representatives is required to establish a quorum for transacting business.
2. Legal Affairs Committee Chair Jennifer Buckman will provide an overview of the agenda and election procedures.
3. Nominating Committee Chair DeAna Verbeke will present the committee's report and announce the candidate for ACWA President.
4. President Brent Hasty will call for floor nominations for ACWA President.
5. If there are no floor nominations for President, the election will proceed. President Hasty will close the nominations and delegates will vote by holding up their "Yes" or "No" proxy voting cards.
6. If there **are** floor nominations for President, the nomination will follow the procedures established by Article 9 of ACWA's Bylaws, stating that floor nominations and seconds shall be made by a member of the Association and must be supported by a resolution of the governing body of the member making and seconding such nomination. The member agency on whose board the nominee serves shall submit a resolution of support if they are not the agency making the floor nomination or second.
 - a. Ballots will be distributed to the voting delegates.
 - b. Delegates will complete their ballots and place them in the ballot box, which will be centrally located in the Harbor Ballroom A-F meeting room.
 - c. Tellers' Committee will count the ballots. President Hasty has appointed the following staff members to serve as the Tellers' Committee: Clerk of the Board Donna Pangborn; Director of Business Development & Events Paula Currie; and Executive Assistant Lili Vogelsang.
 - d. Legal Affairs Committee Chair Jennifer Buckman will serve as the proctor to oversee the ballot counting process.
 - e. Candidates are welcome to designate an observer to be present during the ballot counting process.

- f. Results of the ballot count will be announced. Election of ACWA's officers will be determined by a majority of the members present and voting. If any one candidate does not receive a majority of the vote, successive ballot counts will be conducted until a candidate is elected, consistent with Robert's Rules of Order.
- 7. Nominating Committee Chair DeAna Verbeke will announce the candidate for ACWA Vice President.
- 8. President Brent Hastey will call for floor nominations for ACWA Vice President.
- 9. If there are no floor nominations for Vice President, the election will proceed. President Hastey will close the nominations and delegates will vote by holding up their "Yes" or "No" proxy voting cards.
- 10. If there **are** floor nominations for Vice President, the nominations will follow the procedures described in item 6 above, and the election will proceed according to the steps outlined in 6.a. through 6.f.



**ASSOCIATION OF CALIFORNIA WATER AGENCIES
GENERAL SESSION MEMBERSHIP MEETING(S)**

**WEDNESDAY, DECEMBER 4, 2019 AT 1:15 PM
THURSDAY, DECEMBER 5, 2019 AT 1:15PM (IF NEEDED)**

TO: Donna Pangborn, Clerk of the Board

EMAIL: donnap@acwa.com

FAX: 916-325-4857

The person designated below will be attending the ACWA General Session Membership Meeting(s) on **Wednesday, December 4, 2019 (and December 5, 2019 if necessary)** as our voting delegate.

<i>MEMBER AGENCY'S NAME</i>	<i>AGENCY'S TELEPHONE No.</i>
<i>MEMBER AGENCY'S AUTHORIZED SIGNATORY (print)</i>	<i>SIGNATURE</i>
<i>DELEGATE'S NAME (print)</i>	<i>SIGNATURE</i>
<i>DELEGATE'S EMAIL</i>	<i>DELEGATE'S TELEPHONE No.</i>
<i>DELEGATE'S AFFILIATION (if different from assigning agency)¹</i>	<i>DATE</i>

¹ If your agency designates a delegate from another entity to serve as its authorized voting representative, please indicate the delegate's entity in the appropriate space above. Note: Delegates need to sign the proxy form indicating they have accepted the responsibility of carrying the proxy.

REMINDER: Proxy voting cards will **only** be available for pick up on **Wednesday, December 4**, between **9:00 a.m. and 12:00 p.m.** at the **ACWA General Session Desk** in the **Harbor Foyer**, Manchester Grand Hyatt. The luncheon and General Session Membership Meeting will be held in the Harbor Ballroom A-F.



October 8, 2019

The Honorable Brett R. Barbre
Municipal Water District of Orange County
18700 Ward Street
Fountain Valley, CA 92708

Dear President Barbre:

I am pleased to share with you that the Association of California Water Agencies (ACWA) Nominating Committee has selected me as their recommended candidate to serve in the role of ACWA President for the 2020-2021 term. I am excited about having the continued opportunity to play a leadership role in ACWA and represent your water agency and the other 457 ACWA member agencies in addressing California's increasingly complex water issues. I am writing to respectfully request your agency's support for my candidacy during the ACWA Officer Election at our fall conference.

My experience in serving as the ACWA Vice President the past two years, in addition to participating on various ACWA committees and in numerous events over the years, has shown me that it is the people that make the difference in the success of our statewide organization. The diversity among water agencies – north/south, east/west, large/small, ag/urban, coastal/mountain, desert/forest – provides a stellar example of the value of collaboration. Statewide, ACWA member agencies have the expertise to solve almost any water issue when given the opportunity. One of the things I enjoy most about being a part of ACWA is being able to learn from water experts from each of our regions. Together we are a mighty force throughout California and together we can solve difficult issues to the benefit of all Californians.

I have attached a brief summary of my experience. While this experience is indeed important, what I treasure most is having the support of people whom I respect within ACWA – past presidents, fellow ACWA Board members, friends from other water agency boards, general managers and district staff.

Many agencies have already indicated support for my candidacy, and I am very grateful for their early votes of confidence. I respectfully ask for an opportunity to represent the best interests of water agencies throughout California and ask for your agency's vote. I look forward to seeing you at our fall conference in San Diego. Thank you in advance for your support. Please contact me if you have any questions about my candidacy at 714-227-2869.

Respectfully,

A handwritten signature in blue ink that reads "Steven E. LaMar".

Steven E. LaMar
Director

Enclosure: Statement of Qualifications

CC: Robert J. Hunter

STEVEN E. LAMAR

Statement of Qualifications for President Association of California Water Agencies

- Inclusive Leadership
- Active Advocacy
- Strong Commitment to the Water Community

“Seeing things from all perspectives and working together to make a difference. This is not only the best way to forge alliances and make tough policy decisions, it’s essential for good governance.”



Inclusive Leadership: Experience that Counts

Steve LaMar has been a member of the Irvine Ranch Water District (IRWD) Board of Directors since early 2009, serving multiple terms as Board President. In past elections, he received support and endorsements from both the business community (e.g., Orange County Business Council, Building Industry Association) and environmental groups (e.g., Orange County League of Conservation Voters, Sierra Club).

Mr. LaMar has also served in leadership roles for the Association of California Water Agencies (ACWA). He is currently Vice President, past Chair of the ACWA Federal Affairs Committee, and a member of ACWA’s Executive Committee. He is a past Chair of ACWA’s Headwaters Task Force. Mr. LaMar has served on the board of directors of several other water-related organizations, including the National Water Resources Association (representing 17 Western states), the Southern California Water Coalition, CalDesal, and the National Water Research Institute.

Beyond his water industry involvement, Steve has held leadership positions at a wide range of organizations, such as President of the Natural Communities Coalition of Orange County, a nonprofit organization responsible for implementing California’s first natural community conservation plan and for protecting 37,000 acres of habitat. He was a past leader in the California Building Industry Association, where he chaired both the Water Resources Committee and the Government Affairs Committee.

Active Advocacy: Not Just Words

Mr. LaMar has a history of advocating for ACWA’s policies and initiatives in his current role as an ACWA officer and through service on numerous ACWA committees. He currently chairs ACWA’s Water Resilience Portfolio Working Group to develop ACWA’s recommendations to the Newsom Administration and the ACWA Board Steering Committee to draft ACWA’s first five-year strategic plan.

A Long-Term Commitment to the Water Community: Live What You Believe

Steve’s commitment to the water community pre-dates his joining the Board of IRWD. He worked on the Delta Vision Stakeholders Coordinating Group as a business representative, the AB 2717 Landscape Task Force as the chair of the Economics Work Group, the 2005 and 2009 Advisory Committees for the California Water Plan, the State Water Desalination Task Force, and Governor Davis’ Drought Advisory Panel.

Serving on the Board of IRWD has provided Mr. LaMar with the knowledge and understanding of what goes into providing retail water service to a broad and diverse community. He has a Bachelor of Arts in Political Science from Pittsburg State University and an Environmental Management Institute Certificate from the U.S. Environmental Protection Agency.



August 27, 2019

RECEIVED

AUG 29 2019

MWD OF OC

Director
Pamela Tobin

Board Chair/President
Municipal Water District of Orange County
PO Box 20895
Fountain Valley, CA 92708

RE: ACWA Vice President Election – 2020-'21 Term

Dear Board Chair/President:

I am excited and proud to announce my candidacy for the office of Vice President of the Association of California Water Agencies (ACWA) for the 2020-2021 term and ask for your support. My more than 15 years of experience in local, regional and statewide water issues uniquely qualifies me for this role with ACWA.

I am honored to have the full support for my candidacy from my home district San Juan Water District in Northern California, where I have served on the Board of Directors since 2004, and from the Regional Water Authority / Sacramento Groundwater Authority, where I have also served on the Board and in leadership for 15 years. Additionally, I have been an active and supportive participant in ACWA, serving as current Chair of ACWA Region 4 and a member of the ACWA Board of Directors, and as a member of the Federal Affairs and Local Government Committees. I currently serve on the ACWA-Joint Powers Authority Board of Directors and Liability Committee.

In addition to my leadership roles in the water policy arena, I bring strong skills in the areas of strategic planning, finance, leadership and coalition building, forging strong partnerships between the community and the organizations in which I have served. I fully understand, and I am prepared to dedicate the time necessary to the position of ACWA Vice President and would dedicate my expertise in water and other personal strengths to support ACWA's priorities and mission.

It is a challenging time in California water which requires a commitment to seeking collaborative solutions that will work for ACWA's public water agency members and the customers they serve. I have a passion to bring my experience and skills to ACWA and would be honored to represent the association as its Vice President to advance issues of importance to its membership.

I look forward to meeting with many of you over the next few months. More details on my qualifications are provided in the attached document.

Thank you for your time and consideration of support. If you have any questions or concerns, please don't hesitate to contact me directly.

Sincerely,

Pam Tobin,

San Juan Water District Director; ACWA Region 4 Chair; ACWA-JPIA Board Member;
Sacramento Groundwater Authority Chair; Sacramento Regional Water Authority Board/Executive Committee Member



PAMELA TOBIN

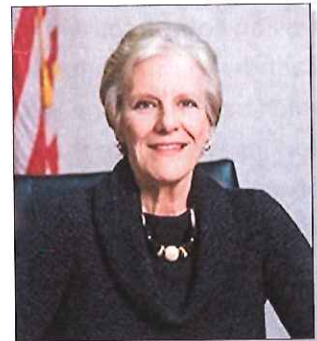
petpyrs@surewest.net | C: 916-275-0875 |

Statement of Qualifications

August 2019

Hello ACWA Members:

My name is Pam Tobin and I am asking for your support to be ACWA Vice President (2020 -'21 term). I have more than 15 years of experience in California water at the local, regional and statewide level. I have served on the Board of Directors of the San Juan Water District in Northern California since 2004, including three terms as President of the Board. I also have served multiple terms as Chair of both the Sacramento Regional Water Authority and the Sacramento Groundwater Authority.



As you know, this recent period in California water has presented many challenges for public water agencies and the elected directors who lead them. In my various roles, I have engaged in policy deliberations addressing the worst drought in California's history, landmark groundwater legislation known as SGMA, and ongoing efforts to stabilize the Delta. The most gratifying part of working to find solutions is the relationships I have built.

I value my active participation in ACWA. ACWA is the place where all water agencies come together to learn, to share and to make a difference as we create strategies and policies that will work for the 450 public water agency members under the ACWA umbrella. Whether the agencies are from the north, middle or southern end of the state or serve ag, urban or rural customers, we have more in common than we think because we all serve the public interest. I have been energized by my time on the ACWA Board of Directors as the ACWA Region 4 Chair, hashing out key federal issues and representing ACWA legislative positions on Capitol Hill and thinking about the local issues and how best to serve customers through participation on the Local Government Committee.

It has been extremely rewarding to work closely with the ACWA Board to devise statewide policies on everything from safe drinking water access and quality, to conservation and drought contingency, to providing input to the Newsom Administration on a future water portfolio for California. Also, I have enjoyed serving as a member of the ACWA Board Steering Committee carving out a future path for ACWA through a five-year Strategic Plan. As an ACWA-JPIA Board member and a recently appointed member of its Liability Committee, I have worked to ensure we are offering the critical insurance services that public water agencies need today and into the

future, by securing ACWA-JPIA's financial health and growth. Through these activities, I have been able to put my personal skills around policy development, collaboration, finance, and conflict resolution on the table to help make progress.

Those who know me know that I am not afraid to dig into the tough issues. In fact, I relish the opportunity to work collaboratively with all parties to find the "win-win" outcome. I also am an independent thinker and can make the tough calls. That is what ACWA is all about. ACWA brings the issues, the solutions and the people together. This is precisely why I want to use my experience and skills to help advance ACWA's mission and vision as its vice president.

Serving on the board at San Juan Water District has provided the opportunity to understand both the wholesale and retail side of the water business. We serve families and businesses. While we have some of the most senior water rights in California (1853), the agency also is an American River Division contractor with the Federal Central Valley Project. The agency is active in regional groundwater management / conjunctive use planning, with issues such as SGMA implementation which has helped me to better understand the challenges that other agencies experience. My time working with more than 22 public water agencies, private water companies, cities and counties through my work with the Regional Water Authority and Sacramento Groundwater Authority has been another opportunity to build partnerships for collaborative solutions.

So, what do I do in my spare time? You might be surprised to know that I am a long-time realtor and property developer with over 30 years as a business owner. Understanding the nexus between land-use planning and water management has been invaluable in my water role and in my professional life. But my real passion is caring for our four-legged friends. For many years I focused on showing dogs, but now I rescue them. It is the hardest and best thing I have ever done.

My background: I hail from Laconia, New Hampshire, growing up in the Lakes Region. I have called California home since 1971. I have been married to my wonderful, supportive husband for 38 years. I have two grown children, my oldest son is a senior engineer in upper management for the City of Los Angeles and the youngest is an attorney living and working in Los Angeles. I also have four grandchildren.



Finally, I did not come to the decision to run for ACWA Vice President lightly. As is sometimes the case, several ACWA water leaders that I respect came to me and told me that I should throw my hat in the ring for ACWA VP. Everything I have done to date has prepared me for this moment. I look forward to meeting with many of you to share my ACWA vision and commitment to you personally and hope that I can count on your support for ACWA Vice President.



PAMELA TOBIN

petpyrs@surewest.net | C: 916-275-0875

With more than 15 years of involvement in local, regional and statewide water issues as an elected and appointed official, I will bring considerable experience and knowledge to the office of ACWA Vice President including: water policy development, organizational governance and collaboration / coalition building. I have a passion for helping agencies and organizations to fulfill their mission and support their customers and communities. I serve on the San Juan Water District and Regional Water Authority (RWA) Boards; Chair, Sacramento Groundwater Authority (SGA) and ACWA-Joint Powers Authority Board of Directors and Liability Committee. I have actively served in ACWA leadership as ACWA Region 4 Chair, and as a member of the Federal Affairs and Local Government Committees.

Skills

- Financial Leadership
- Policy Development
- Contract Negotiations
- Collaboration and Coalition Building
- Public Agency and Organizational Governance
- Strategic Planning
- Testimony before State and Federal Agencies / Elected Bodies

Related Water Experience

Association of California Water Agencies Sacramento, CA

- Chair, Region 4 Board of Directors (2018-2019)
- Member, ACWA Board of Directors (2018-2019)
- Member, Region 4 Board of Directors (Since 2014)
- Member, Federal Affairs Committee (2014-2019)
- Member, BOD Strategic Plan Steering Committee (2019)
- Member Local Government Committee (2014-2015)
- Attended ACWA Conferences (2004-2019)
- Attended ACWA's Washington D.C. Conference (2015-2019), including serving as member advocate in ACWA's lobbying visits with members of Congress and their staffs, Administration officials and other D.C. leadership.

ACWA Joint Powers Authority Roseville, CA

- Member, Board of Directors (01/2016 – Current)
- Participate in monthly ACWA-JPIA Board meetings. Provide organizational leadership and collaborate with member partners to establish long-term goals, strategies and policies.
- Member of the ACWA-JPIA Liability Committee where I promote financial health and growth.

San Juan Water District
Granite Bay, CA

San Juan is both a wholesale and retail agency, with over 10,000 retail connections and serving a total wholesale population of over 150,000 in North-Eastern Sacramento County and Southern Placer County. Agency has one of the most senior water rights in California (1853) and is also an American River Division contractor with the Federal Central Valley Project

Member, Board of Directors (01/2004 – Current)
President (2016, 2012,2007))

- Provide leadership and guidance, facilitate solutions and collaboration on a variety issues including:
 - District operations and governance
 - Regional water transfers
 - Groundwater / conjunctive use planning
 - District financial issues and budget
 - District policies and business practices

**Regional Water Authority &
Sacramento Groundwater Authority**
Citrus Heights, CA

Each Board is comprised of General Managers and Elected Officials from more than 22 public water agencies, private water companies, cities and counties

Member, Board of Directors (01/2004 – Current)

- Represent San Juan WD on the RWA Board since 2004, including providing leadership as Past Chair (2012) and long-time member of the Executive Committee (2011-2014, 2016-current).
- Received 2018 RWA Distinguished Service Award in recognition of my many years of active service and contributions.
- Facilitate open dialogue, resolved conflicts and negotiated agreements between parties in order to reach win-win solutions and clarify goals
- Shepherd consensus and collaboration with professional staff
- Serve as current Chair of the Sacramento Groundwater Authority and Board member since 2004. (Past Chair - 2007 & 2008).

Professional Experience

- Curtis Real Estate – Realtor (2004-Present)
- Property Exchange Pro LLC – Owner, (2015- Present) – Provide comprehensive real estate services for residential and land markets.

Volunteer & Community Involvement

- Great Pyrenees Rescue – President (1996-Present). Sierra Pacific Great Pyrenees Rescue is a non-profit organization, charged with saving and restoring health of Great Pyrenees and Great Pyrenees mixed dogs. In the past 33 years, I rescued over 2,500 dogs through this program.
- 4-H Club of Placer County – Served as Community Leader (1982-1996)
- Alliance of Therapy Dogs – Tester / Observer (20 Years)

Awards

- Regional Water Authority - 2018 Distinguished Service Award
- Volunteer Center of Sacramento – 2007 Volunteer Spirit Award, “Sacramento Community Change Maker”



Pamela Tobin
My Priorities for ACWA

August 2019

I am often asked, "What is your personal vision for how you hope to contribute to making ACWA better and more valuable to its members?" Here are my priorities:

- **Demystify ACWA:** Local public water agencies have an increasing number of challenges to deal with. ACWA is here to help them, but we must continue to educate them on the services available through ACWA. I want to be an active ambassador on this front. I am a people person and enjoy relating to folks from around the state.
- **Increase Member Involvement:** Keeping member agencies connected to ACWA is truly a job that is never done. With the major turnover in the water industry, we must be vigilant to continue to engage members and solicit their input.
- **Advance Forest Management and Protect Local Water Agencies:** We are making great progress on securing funding and getting folks up the learning curve on the need to reduce fire risk and protect our source water. A lesser understood side effect of catastrophic fires is the burden that it puts on local water agencies who may be shouldered with the fallout of issues like inverse condemnation. We need to bring visibility to this issue and protect our members.
- **Support the Resiliency Portfolio:** Just as ACWA has done through the decades with past administrations, it must step up to proactively provide constructive and innovative input to the Newsom Administration's water vision. I am proud of ACWA's work on this and my involvement.

Pam Tobin – Endorsement Form

I, _____, endorse Pam Tobin from the San Juan Water District for the office of Vice President of the Association of California Water Agencies for the 2020-'21 term. I give my permission to use my name in support and endorsement. My personal endorsement does not necessarily represent the position of my Board, Agency or Organization.



Pamela Tobin
My Priorities for ACWA

August 2019

I am often asked, "What is your personal vision for how you hope to contribute to making ACWA better and more valuable to its members?" Here are my priorities:

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Pam Tobin – Endorsement Form

I, _____, endorse Pam Tobin from the San Juan Water District for the office of Vice President of the Association of California Water Agencies for the 2020-'21 term. I give my permission to use my name in support and endorsement. My personal endorsement does not necessarily represent the position of my Board, Agency or Organization.

RECEIVED

AUG 12 2019

MWD OF OC

August 2019

Dear ACWA member and Board President,

Brett

I have included an introduction/information letter and resumé, a sample Resolution of Support which I hope your Board can pass, and a personal endorsement form for you or any other of your Board members who may want to endorse me. (I would love that!)

If I am successful in becoming ACWA Vice President, I look forward to visiting your agency some time in the next couple of years, and providing leadership and a sounding board for your **region's issues** and concerns. Each region is unique and requires serious consideration of the perspectives of the people who know it best.

Please feel free to contact me with any questions or concerns.

Thank you, and I look forward to working together!

Sarah

Sarah Palmer
Director, Zone 7 Water Agency
Vice Chair ACWA Region 5

spalmer@zone7water.com

palmer.sarahL@gmail.com

925-784-1727 cell

July 30, 2019

Fellow ACWA Member;

Let me introduce myself! I am Sarah Palmer and I would like your support in becoming the next Association of California Water Agencies (ACWA) Vice President. As a Director for Zone 7 Water Agency since 2006, a teacher of Environmental Science in the college and high school levels, as well as a guest contractor at Lawrence Livermore National Labs with the UC Davis Groundwater Ambient Monitoring and Assessment (GAMA) project, I have been involved in many of the complexities of water in our state. My membership in ACWA has given me the opportunity to hear and understand the diverse viewpoints and challenges faced by the different regions of California, as well as be enriched by the people involved.



With ACWA, I have served as Vice Chair of Region 5 and attended several regional activities and events. These have been instrumental in giving me an appreciation of the issues and people of each region. I am an active member of the Agriculture, Water Management, and Water Quality Committees and have helped wrestle with emerging concerns in notification and response levels in the PFOA/PFAS Subcommittee. PFOA/PFAS is only one set of the troubling issues in which we are so fortunate to have the advocacy of ACWA involved. My participation in the ACWA Steering Committee has given me a deeper understanding of the inner workings of our agency and a heightened appreciation of the ACWA staff. The cooperative efforts of ACWA officers, staff and committee members and their work with legislators has averted a water tax, and helped formulate statewide programs. I have had the opportunity to attend three Washington, DC Legislative Conferences and am grateful for the work our DC ACWA staff does to prepare us for these important meetings. The ACWA Bi-annual Conferences present extraordinary opportunities for education and connection. I have attended nine of them. The keynote speakers have been consistently good and often inspiring. With all the various regional differences and diversity of political opinions, it is always heartening to see that ACWA members really do work toward seeing ourselves as "one water", striving to set aside individual and regional biases for the common good.

My 13 years as a Director for Zone 7 Water Agency has seen both drought and flood, litigation and contentious rate changes, three General Managers and some organizational restructuring. I have served as President for three terms, and have been active on Finance, Administrative, Tri-Valley Liaison, and Water Quality standing committees and served on three *ad hoc* committees. Again, work by our wonderful staff has brought us several Finance awards and approval of our SGMA Groundwater Sustainability Plan. Both staff and Board actively interact with our community locally and county-wide.

I have a Ph.D. in Cell Physiology and Biochemistry from the University of Toronto and a B.A. in Biology and Political Science (double major) from New York University. This background in science, with my subsequent research and teaching careers, have led me to wonderful opportunities for communicating complex concepts to both professional and lay groups. My experience has been beneficial in my role as communicator for environmental and other water education issues for both children and adults. I was named Alameda County District Teacher of the Year in 2006. I have been a speaker for Lawrence Livermore National Labs presentations and for Zone 7 Water Agency. My experience as a docent for the Elkhorn Slough National Estuarine Research Reserve has provided valuable insight into the functions of an estuary.



Although I am not a native Californian, (I am from Buffalo, NY... yes the winters are horrendous!) I have lived in Livermore for most of my adult life and have the great good fortune of having raised a true California girl who has become a fabulous and productive young woman. My sports are water related. I have been a SCUBA divemaster, and am an active kayaker and paddle boarder. I also paint abstract and impressionist works and train my wonderful dog.

California is my home, and California water is my passion. Water is THE big issue for all of us; our livelihoods, health and welfare, politics and environment. It touches almost every aspect of our lives in some way. It is inextricably involved in issues of climate change. We in the water industry and every related field are on the front lines and our resolve to ensure safe and sustainable water for us and our environment is paramount. Please support me in becoming Vice President of ACWA to provide leadership and vision to help us continue to work together to provide a healthy future for all Californians.

Thank you for your consideration!
Sincerely,

Sarah Palmer
925-784-1727
palmer.sarahL@gmail.com
spalmer@zone7water.com

Resumé attached

Resumé

Sarah Palmer, Ph.D.

546 Lagrange Lane

Livermore, CA 94550

palmer.sarahL@gmail.com

spalmer@zone7water.com

(925) 784-1727 (c)

My goal is to become the next Vice President of the Association of California Water Agencies. Why? Water impacts all life, public health, politics, and environment. Water brings in almost all areas of science and culture. My background in community engagement, public speaking, and science, especially in science communication, make me eminently qualified to fill this role.

Leadership in Water

Director of Alameda County Zone 7 Flood Control and Water Agency (Zone 7 Water Agency) Board of Directors since 2006

Board President for 3 terms

Committees:

Finance, Administrative, Water Resources, Tri-Valley Liaison (this addresses topics of interest between Zone 7, cities and retail water agencies, including rate change issues and land use). I have also served on 3 ad hoc committees.

ACWA Region 5 Vice-Chair

ACWA Board of Directors

ACWA Committees:

Steering Committee

Water Quality Committee

PFOA/PFAS subcommittee

Water Management Committee

Agriculture Committee

Director of Delta Conveyance Design and Construction Joint Powers Authority

Leadership in Education

- Women Chemist Committee of the American Chemical Society Northern California Division - Chair
- Coordinator for US National Chemistry Olympiad – American Chemical Society, Northern California Section
- K-12 Alliance Staff Developer
- Las Positas College Academic Senate, Part Time Faculty Representative
- Chabot/ Las Positas Faculty Association Board, Adjunct Faculty Representative
- CTE online curriculum developer (www.cteonline.org)
- Alameda County District Teacher of the Year (2006)
- Lead Teacher for Environmental Research Academy, STEP/ETEC at Lawrence Livermore National Laboratory
- Team Leader in SUPER! (Science Understanding Promotes Environmental Responsibility) at Sandia National Labs, Livermore
- Science Fair Coordinator for Livermore Valley Joint Unified School District, Livermore High School
- Environmental Career Pathway Coordinator, Foothill High School, Pleasanton

- Student Success Committee, Las Positas College: explores methods and programs for assuring the success of students of various cultural, ethnic, educational, and generational backgrounds, addressing the needs presented by different learning styles and multicultural perspectives.
- Mentor for Biomedical Pathway at Dublin High School
- Girl Scout leader
- Reader for California State funded educational grants

Outreach:

- Groundwater Monitoring and Assessment Program (GAMA), Contractor with UC Davis
- Science on Saturday: Teacher Coordinator / Co-Presenter for 4 years
- Edward Teller Science and Technology Symposia Workshop Presenter for three years
- ,U.S. Forest Service public education outreach for Kokanee Salmon Festival for over 10 years
- "Expanding Your Horizons" and Career Days presentations for high school groups.
- Public Information Presentations for community groups, homeowners associations, American Association of University Women
- Presenter for Science Technology Engineering and Math (STEM) projects for middle school girls

Research and Industry

Lawrence Livermore National Labs: Guest Participant
 International Immunoassay Labs: Technical Support Scientist
 UC Berkeley Cancer Research Lab: Post-Doctoral Research Scientist
 NASA Goddard Space Flight Center: Data Technician contract

Teaching in Biological Sciences and Biochemistry

Subjects from Environmental Science, Marine Biology, and Botany to Genetics, Evolution, and Cell and Molecular Biology to name just a few, at the following:

Tri-Valley Regional Occupational Programs
 Las Positas College
 Holy Names College
 Mills College
 California State University , Hayward
 University of California Berkeley
 Saint Mary's College
 University of Toronto

Volunteer

Docent for Elkhorn Slough National Estuarine Research Reserve
 Animal Rescue Foundation Therapy Dog Partner
 Pacific Chamber Orchestra Fundraising

Education:

Ph.D.	University of Toronto, Dept. of Zoology
Cell Biology / Biochemistry	Toronto, Ontario, M5S-1A1, Canada
B.A.	New York University, New York, N Y
Biology / Political Science	

I _____ endorse Sarah Palmer from Zone 7 Water Agency as Vice President of the Association of California Water Agencies for the term starting in 2020. I give my permission to use my name as an endorsement. My personal endorsement does not necessarily reflect the position of my board, agency, or business.

Signature /Date

Resolution of the Board of Directors of

In Support of the Nomination of Sarah Palmer As a Candidate for the position of ACWA Vice President

WHEREAS, ACWA has announced that a nominating committee has been formed to develop a slate for the Association's statewide position of President and Vice President; and

WHEREAS, the individual who fills an officer position will need to have a working knowledge of water industry issues and concerns, possess strength of character and leadership capabilities, and be experienced in matters related to the performance of the duties of the office; and

WHEREAS, this person must be able to provide the dedication of time and energy to effectively serve in the capacity; and

WHEREAS, Sarah Palmer has served in a leadership role as a member of the Zone 7 Water Agency Board of Directors since 2006, 3 terms as President; and

WHEREAS, Sarah Palmer has served on the Administrative, Finance, Tri-Valley Liaison, and Water Resources Committees of Zone 7 Water Agency; and

WHEREAS, Sarah Palmer serves as the Vice-Chair of ACWA Region 5 Board of Directors and as a Board member of ACWA

WHEREAS, Sarah Palmer serves as a member of the ACWA Agriculture, Water Management, and Water Quality Committees and as a member of the Water Quality Committee PFOS/PFAS subcommittee; and

WHEREAS, Sarah Palmer serves on the ACWA Board Steering Committee; and

WHEREAS, Sarah Palmer has demonstrated outstanding effort and support of local and regional water issues, including public information workshops and presentations; and

WHEREAS, it is the opinion of the Zone 7 Water Agency Board of Directors that Sarah Palmer possesses all the qualities needed to fulfill the duties of the office of ACWA Vice President.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF _____ does hereby nominate and support Sarah Palmer as candidate for the office of ACWA Vice President.

PASSED AND ADOPTED by the _____ Board of Directors at a regular meeting held on _____.

AYES:

NOES:

ABSENT:

GENERAL MANAGER'S REPORT OF STAFF ACTIVITIES OCTOBER 2019

MWDOC Agencies Managers Meeting	<p>MWDOC held its Member Agency Managers' meeting at its office in Fountain Valley on September 19, 2019.</p> <p>In attendance were: Lisa Ohlund – EOCWD, Brian Ragland – Huntington Beach, Paul Weghorst – IRWD, Drew Atwater – Moulton Niguel WD, Mike Markus and Adam Hutchinson – OCWD, Robb Grantham – Santa Margarita WD, Greg Pennington – South Coast WD, Fernando Paludi – TCWD, Marc Marcantonio and John DeCriscio – Yorba Linda WD</p> <p>MWDOC Staff: R. Hunter, K. Seckel, H. De La Torre, M. Baum-Haley, H. Baez, K. Hostert, C. Lingad and C. Busslinger</p> <ul style="list-style-type: none"> • Discussion Items: <ul style="list-style-type: none"> ○ Metropolitan Upcoming Shutdowns ○ Metropolitan Demand Management Cost Allocation ○ Metropolitan Stormwater Direct Use Pilot ○ Governor's Water Resilience Portfolio Initiative ○ Legislative Policy Principles • Information Items: <ul style="list-style-type: none"> ○ AWIA Update and Contract ○ BUC – AQMD Follow-Up ○ Update on Poseidon Huntington Beach <p>Next meeting will tentatively be held: October 17, 2019.</p>
Meetings	<p>Charles Busslinger attended the September 20, 2019 South Coast Air Quality Management District Stationary Source Committee meeting with members of the Buried Utilities Coalition (BUC). BUC members provided public comments regarding AQMD's proposed action on Asbestos Emissions from Demolition/Renovation Activities (Proposed Amended Rule 1403). BUC members were successful in getting AQMD staff to continue working on the proposed amendment, and action on amending the rule has been postponed until early next year. The BUC will continue to push AQMD to make amendments that recognize that asbestos cement pipe can and should be treated differently from asbestos containing building materials; and to work with Cal/OSHA to modify existing asbestos pipe worker training.</p> <p>Karl Seckel, Rob Hunter, Harvey De La Torre and MET Directors Brett Barbre and Larry Dick met with MET staff to discuss the meter testing proposal for the OC-70 service connection. The group also discussed a number of other issues that have been outstanding at the facility and included access for EOCWD staff to the facility, work necessary for EOCWD to locate a generator on-site (if they want), relocation of a water sampling tap and an EOCWD totalizer outside of the facility, a refund from</p>

Meetings – continued	<p>MET of the costs incurred by EOCWD to install a transfer switch at the facility and rehabilitation and repair work proceeding at the facility.</p> <p>Charles Busslinger attended the September 10, 2019 San Juan Basin Authority Board meeting. Pumping conditions were reviewed and continue to be 'on plan'. SJBA is also beginning to take steps to address pending implications to SJBA of the transfer of the City of San Juan Capistrano's water and sewer operations to SMWD. The preliminary target timeframe for completion of the City/SMWD joint application to OCLAFCO is the first quarter of 2020.</p> <p>Charles Busslinger attended MET's September 26th Water Quality Manager's Meeting where the annual presentation by MET was made on the chemistry and background on nitrification. OC was well represented at the meeting. Charles used the meeting opportunity to convene a follow-up meeting with MET water quality staff as well as operations and water quality staff from the West Orange County area that had recently suffered a nitrification issue in the MET system. The discussion reviewed the issue and outcome to gain a clear understanding for future coordination purposes.</p>																						
<h2 style="text-align: center;">MET ITEMS CRITICAL TO ORANGE COUNTY</h2>																							
MET's Water Supply Conditions	<p>With estimated total demands and losses of 1.50 million acre-feet (MAF), along with 947 thousand acre-feet (TAF) of Colorado River water and a 75% SWP Table A Allocation plus an additional 65 TAF of Article 21 supplies, Metropolitan is projecting that supply will exceed demand levels in Calendar Year (CY) 2019. Based on this, estimated total dry-year storage for Metropolitan at the end of <i>CY 2019 is projected to go up to 3.3 MAF.</i></p> <div data-bbox="578 1266 1045 1612" data-label="Figure"> <p>2019 Supply Demand Balances 75% SWP Allocation Scenario</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Supply Components</td> <td></td> </tr> <tr> <td>Article 21</td> <td>65 TAF</td> </tr> <tr> <td>Table A</td> <td>1.41 MAF</td> </tr> <tr> <td>CRA</td> <td>947 TAF</td> </tr> <tr> <td>Total Supply</td> <td>1.65 MAF</td> </tr> <tr> <td>Demand Components</td> <td></td> </tr> <tr> <td>Current Demand</td> <td>1.50 MAF</td> </tr> <tr> <td>Member Agency Demand</td> <td>1.35 MAF</td> </tr> <tr> <td>Obligations/Losses</td> <td>0.15 MAF</td> </tr> <tr> <td>Total Demand</td> <td>1.50 MAF</td> </tr> </tbody> </table> <p>WPA's Committee Item 10 - Budget July 8, 2019</p> </div>	Category	Value	Supply Components		Article 21	65 TAF	Table A	1.41 MAF	CRA	947 TAF	Total Supply	1.65 MAF	Demand Components		Current Demand	1.50 MAF	Member Agency Demand	1.35 MAF	Obligations/Losses	0.15 MAF	Total Demand	1.50 MAF
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MET's Finance and Rate Issues	<p>For the period ending June 30, 2019, the midpoint of the biennial budget period, water transactions through June were 231.7 TAF (14%) lower than budget of 1.65 MAF and 25.2 TAF (2%) lower than the 5-year average. This is primarily due to cooler and wetter conditions of the past winter and improvement in member agencies' local supplies.</p> <p>Water transactions for July were 62.8TAF (\$57.5) lower than budget and 7.3 TAF lower than the 5-year average.</p>																						

	<div><p>Water Transactions Through July 2019⁽¹⁾ (AF in thousands)</p><table border="1"><thead><tr><th>Category</th><th>Budget</th><th>Current Year Actual</th><th>Prior Year Actual</th><th>Variance (Current - Budget)</th></tr></thead><tbody><tr><td>Exchanges/Wheeling</td><td>192.7</td><td>129.9</td><td>157.9</td><td>(62.8)</td></tr><tr><td>Untreated</td><td>76.0</td><td>24.2</td><td>55.3</td><td>(28.0)</td></tr><tr><td>Treated</td><td>96.5</td><td>79.8</td><td>84.9</td><td>(17.7)</td></tr></tbody></table><p>⁽¹⁾ Includes Water Sales, Exchanges, and Wheeling</p><p>Finance & Insurance Committee Item 8a - Slide 6 August 19, 2019</p></div>	Category	Budget	Current Year Actual	Prior Year Actual	Variance (Current - Budget)	Exchanges/Wheeling	192.7	129.9	157.9	(62.8)	Untreated	76.0	24.2	55.3	(28.0)	Treated	96.5	79.8	84.9	(17.7)
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Colorado River Issues	<p><u>Metropolitan’s 2019 Intentionally Created Surplus Plan of Creation Approved</u></p> <p>The Bureau of Reclamation (Reclamation) approved Metropolitan’s 2019 Intentionally Created Surplus (ICS) Plan of Creation. As part of the Drought Contingency Plan (DCP) authorization and implementation, Metropolitan added and amended conservation programs that would qualify for the creation of Extraordinary Conservation ICS (EC ICS). The state of California’s annual ICS creation limit is 400,000 acre-feet, however, the DCP authorization provides ICS creation limit flexibility if one, but not all, of the Lower Division States reaches its EC ICS creation limit in a given year. In light of this new flexibility, Metropolitan submitted an ICS Creation Plan that sought approval of up to 450,000 acre-feet of EC ICS, with the amount above the 400,000 acre-feet annual creation volume to be determined upon further accounting and determination by the other Lower Division States of whether they will use their states’ total annual EC ICS creation limit by the end of the year. As such, if ICS creation space is available at the end of 2019, California’s approved 2019 ICS Creation Plan would enable Metropolitan to work with Reclamation and the other Lower Division States to store more than 400,000 acre-feet of EC ICS in 2019. The actual amount of ICS the Metropolitan will store will be determined by the end of the year and will depend on operational conditions.</p> <p><u>Bureau of Reclamation Issues Colorado River Basin August 24-Month Study</u></p> <p>Reclamation uses the August 24-Month Study to project January 1 water elevations at Lake Powell and Lake Mead. Reservoir elevations and system storage are used to set the operational tier for the coordinated operation for Water Year 2020, which will be governed by the Upper Elevation Balancing Tier. An 8.23 million acre-feet release from Lake Powell is expected, however, actual releases may vary due to hydrology through the remainder of the year. The runoff projection of unregulated inflow into Lake Powell April-July 2019 was 2.451 million acre-feet, or 225 percent of the 30-year average. Consistent with Section 2.B.5 of the 2007 Interim Guidelines, in 2018 the ICS Surplus Condition applies, which gives Metropolitan and other ICS contractors the option to order delivery of ICS.</p> <p>Reclamation issued a press release with this August 24-Month Study in which Brenda Burman, Reclamation Commissioner, stated that “[w]hile we appreciate this year’s above average snowpack, one good year doesn’t mean the drought is over. We must remain vigilant. I applaud everyone who came together this year to get the drought contingency plans done. The additional actions under the contingency plans will help ensure the reliability of the Colorado River system for the 40 million people dependent upon it.”</p>																				

Bay Delta/State Water Project Issues	<p><u>Science Activities</u></p> <p>On August 19, the State Water Contractors (SWC) released their 2018-19 Annual Report on investments in science. The report highlights the importance of investing in science to provide a more reliable water supply and protect and restore the Delta ecosystem. The areas of SWC science investment that are highlighted in the report include water project operations to minimize fish entrainment, Delta stressors, models and technology development, habitat restoration, Delta outflow and collaborative science efforts. Staff participates in the SWC science program to provide input to science priorities, identify science projects, and review findings of science studies.</p> <p>The SWC 2018-19 Annual Report on investments in science can be found at: https://swc.org/files/SWC_2018_2019_Annual%20Science%20Report.pdf</p> <p>Metropolitan staff has continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). In August, CAMT finalized the CSAMP Triennial Report 2016-18, which summarizes the activities for the program over the three-year period. CAMT also received a presentation on the Delta smelt entrainment study that is addressing questions of which factors affect Delta smelt entrainment and what are the effects of entrainment on the Delta smelt population. This study is scheduled to be completed this fall.</p>				
MET's Ocean Desalination Policy and Potential Participation in the Huntington Beach Ocean (Poseidon)	<p>The Santa Ana Regional Water Quality Control Board (SARWQCB) continues to work with Poseidon on renewal of the NPDES Permit for the HB Desalination Project. At the June 14, 2019 SARWQCB meeting, the Regional Board staff provided an information item update on the "Identified Need" for the Poseidon project. In evaluating whether the proposed location is the "best site feasible", the Ocean Plan directs the Regional Board to evaluate, in part, if the identified need for desalinated water is consistent with applicable water planning documents. In the case of the proposed Poseidon project, the applicable water planning documents are Municipal Water District of Orange County's (MWDOC) 2015 Urban Water Management Plan (UWMP), the OC Water Reliability Study, OCWD's Long Term Facilities Plan and other OCWD planning documents. There were a considerable range of views expressed at the meeting. One of the reactions from the SARWQCB was that they did not believe they could permit a project if it was not highly probable that the project would move forward. The alternative position was noted that it is hard to agree ahead of time to move forward with the project if the full extent of terms and conditions are unknown.</p> <p>The Regional Board schedule for the permit is:</p> <table data-bbox="483 1602 1299 1690"> <tr> <td>Draft Permit</td><td>Will be discussed in a Fall Workshop</td></tr> <tr> <td>Final Permit</td><td>Anticipated issuance by the end of the year</td></tr> </table> <p>Assuming success, Poseidon would then seek its final permits from the California Coastal Commission. The August 2, 2019 meeting of the Santa Ana Regional Water Quality Control Board was cancelled. The September 13, 2019 meeting did not address the HB Desalination Project permit. The next Regional Board meeting is scheduled for October 25, 2019. Poseidon is awaiting a permitting meeting with the Santa Ana Regional Water Quality Control Board which is anticipated prior to the end of the calendar year.</p>	Draft Permit	Will be discussed in a Fall Workshop	Final Permit	Anticipated issuance by the end of the year
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<p>South Orange County Projects</p>	<p><u>Doheny Desal Project</u> (See separate item under Engineering & Planning))</p> <p><u>SMWD Trampas Canyon Recycled Water Reservoir</u></p> <p>Trampas Canyon Reservoir and Dam (Trampas Reservoir) is a seasonal recycled water storage reservoir, with a total capacity of 5,000 AF, of which 2,500 AF is available to meet Santa Margarita Water District's projected base recycled water demands, and 2,500 AF to meet future water supply needs. When completed, the Trampas Reservoir will allow SMWD to store recycled water in the winter and draw on that water during the peak summer months.</p> <p>The construction of the Trampas Canyon Recycled Water Seasonal Storage Reservoir consists of three main components:</p> <ol style="list-style-type: none"> 1. Trampas Canyon Dam (Dam) 2. Conveyance facilities to transport recycled water into and out of the Reservoir (Pipelines) 3. Trampas Canyon Pump Station (Pump Station) <p>The construction of the facilities is being completed in three phases:</p> <ol style="list-style-type: none"> 1. Preconstruction/Site Preparation for the Dam and Pump Station Construction <ol style="list-style-type: none"> a. Project Status - Complete 2. Dam and Pipelines <ol style="list-style-type: none"> a. Project Status - The Construction Contract was awarded in December 2017 and is approximately 53% complete. 3. Pump Station <ol style="list-style-type: none"> a. Project Status - The 100% design of this facility has been submitted by AECOM. District staff are finalizing review of the AECOM 100 percent submittal. The Board approved and District staff have pre-ordered long lead time piping, valves and pumps. Overall completion of the Pump Station construction is expected to be in June 2020, about 2 months ahead of the Reservoir and Dam completion. <p><u>San Juan Watershed Project</u> (No New Information)</p> <p>Santa Margarita Water District continues to focus on diversifying its water supply portfolio for south Orange County residents, businesses, schools, and visitors. At their recent Board meeting on June 21, 2019, they approved a significant Environmental Impact Report (EIR) and two Memorandums of Understanding for ocean desalinization projects.</p> <p>The San Juan Watershed Project is being planned in three-phases and has the potential to develop an additional 4,010 to 8,240 acre-feet per year in addition to making better use of other natural supplies from the San Juan Groundwater Basin. At this time, funding is only being developed for the Phase 1 project. With the release of its EIR, the project may break ground in late 2020.</p>
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South Orange County Projects – continued	<p>At the same meeting, SMWD also approved two non-binding Memorandums of Understanding (MOU) for ocean water desalination. One is with Orange County Water District related to Poseidon Water in Huntington Beach; the other is with Oceanus Power and Water at Camp Pendleton. The District is also following the progress of the Doheny Desalination project led by South Coast Water District. At this time, SMWD is seeking about 1,000 AF per year from ocean desalination sources.</p> <p><u>South Orange County Emergency Service Program</u> (See Engineering & Planning below)</p> <p><u>Strand Ranch Project</u> (See Engineering & Planning below)</p> <p><u>Other Information on South County Projects</u></p> <p>If any agencies would like to have updates included herein on any projects within your service area, please email the updates to Karl Seckel at kseckel@mwdoc.com.</p>
<h2>ENGINEERING & PLANNING</h2>	
Doheny Ocean Desalination Project	<p>On June 27, 2019 the South Coast WD (SCWD) Board certified the Final Environmental Impact Report (FEIR) for the Phase I Local Doheny Ocean Desalination Project, which would produce up to 5 million gallons per day (MGD) of new, drinking water supplies for the area.</p> <p>SCWD subsequently filed its Notice of Determination and is beginning the permitting process with various permitting agencies.</p> <p>In March 2018, SCWD was awarded a \$10 million grant from the State Department of Water Resources for the Doheny Ocean Desalination Project.</p> <p>In April 2019, U.S. Representative Mike Levin announced that SCWD is set to receive more than \$8.3 million in US Bureau of Reclamation (USBR) WaterSMART Desalination Construction Program grant funding for the Project. The grant is subject to pending federal appropriations and needs to be included in the E&W Appropriations list of projects for which the Secretary of Interior intends to award grants. Congressman Levin is acting as the lead office on this request in the House.</p> <p>On July 11, 2019 South Coast WD's Board adopted a resolution pursuing a second year (round) of the USBR WaterSMART Desalination Construction Program grant funding. SCWD is eligible to receive a cumulative total of \$20 million for the Project from USBR. Approximately two to six awards are expected to be made by USBR with up to \$12 million available in this round. The recipient must provide at least 75% of the total project costs.</p> <p>Next Steps:</p> <ol style="list-style-type: none"> 1. SCWD will be holding a Special Board Meeting on October 30, 2019 at 6:00pm regarding a detailed independent 3rd party construction cost estimate for the project. 2. Alternative Power Supply Management Study –SCWD staff is currently reviewing a proposal from engineering consultant Burns & McDonnell for a 6

Doheny Ocean Desalination Project – continued	<p>month detailed study of alternative power alternatives. The study would include a District-wide assessment and Conceptual Management Plan including studying a community choice aggregation option.</p> <ol style="list-style-type: none"> 3. Legislative – AB 1752 passed and was signed into law to allow the South Coast WD to proceed with a DBO Contract while maintaining access to State funding for the Project (both DWR grant money and SRF loans). 4. Project Delivery – Beginning work on the development of several documents including; Request for State of Qualifications (SOQ) for potential bidders, contract documents, and a RFP package. 5. Peer Review Cost Estimate – California American Water (CalAm), who developed the 6.4 MGD Monterey Ocean Desal Project using slant well technology, is completing a peer review cost estimate. A Board workshop will present the assumptions, costs, and lessons learned. 6. Slant Well Risk Evaluation – A second workshop will be scheduled to get CalAm's perspective on the risks of slant well technology. 7. SCWD Local Potable Water System Integration – Updated hydraulic modeling and surge analysis of the SCWD system. 8. Project Partners – continuing to discuss partnering opportunities with interested agencies 9. High Level Schedule – <table border="0" style="margin-left: 40px;"> <tr> <td>a. Environmental permitting</td><td>Summer 2020</td></tr> <tr> <td>b. DBOM Contract Develop/Award</td><td>Fall 2020</td></tr> <tr> <td>c. Funding</td><td>Fall 2020</td></tr> <tr> <td>d. Final Design</td><td>Dec. 2020</td></tr> <tr> <td>e. Construction</td><td>Late 2022</td></tr> </table> 	a. Environmental permitting	Summer 2020	b. DBOM Contract Develop/Award	Fall 2020	c. Funding	Fall 2020	d. Final Design	Dec. 2020	e. Construction	Late 2022
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MET 2019-20 Shutdown Schedule	<p>MWDOC staff have held several meetings with MET and MWDOC member agencies since July 11, 2019 to review the MET 2019-2020 Shutdown Schedule. One of the proposed shutdowns involves the complete shutdown of the Diemer Water Treatment Plant to accommodate four construction projects at the plant. Currently MWDOC staff is working with potentially affected agencies to see what options are available to accommodate a Diemer shutdown; given the likely reduction in PFOA & PFOS Response Level triggers in the fall of 2019, and its impact to multiple groundwater wells.</p>										
South Orange County Emergency Service Program	<p>MWDOC, IRWD, and Dudek have completed the initial draft study to determine if the existing IRWD South Orange County Interconnection capacity for providing emergency water to South Orange County can be expanded and/or extended beyond its current time horizon of 2030.</p> <p>Based on the SOC meeting was held in April 11, 2019, a spin-off meeting was held with MWDOC, Dudek and operations staff from MNWD and South Coast WD to discuss how SOC operators can deal with variable flows coming from IRWD as outlined in the study. The flows from IRWD to SOC are dependent on the internal demands within IRWD and so will vary from hour to hour and day to day. The discussions indicated that the SOC agencies have considerable flexibility to deal with</p>										

South Orange County Emergency Service Program - continued	<p>this situation and it should not be a constraint. This will help to maximize deliveries from IRWD during emergency events.</p> <p>An upcoming meeting with all SOC agencies will be held over the next month or so to continue the discussions on cost-sharing facilities and operations that will ultimately involve negotiations directly between SOC Agencies and IRWD. These discussions could also involve discussions and negotiations between SOC and other groundwater producers as well. Information being developed by OCWD and MNWD will be important to the process as well. These efforts have been slowed a bit by the PFAS issues and because of the OCWD/MNWD groundwater storage investigation.</p>								
Strand Ranch Project	<p>MWDOC and IRWD staff have been exchanging information about the benefits from having water stored in the Strand Ranch Project in case emergencies occur such as Delta Levee Failures that might result in no exports from the Delta until operations are restored. Previously, staff from the two agencies have developed an evaluation process to quantify the benefits of Drought Protection afforded by having water stored in the Strand Ranch Project from having the water classified as “extraordinary supplies” under MET’s Water Supply Allocation Plan.</p>								
SMWD Rubber Dams Project (San Juan Watershed Project)	<p>Santa Margarita Water District continues to focus on diversifying its water supply portfolio for south Orange County residents, businesses, schools, and visitors. SMWD approved the Environmental Impact Report (EIR) for the San Juan Watershed Project.</p> <p>The San Juan Watershed Project is being planned in three-phases and has the potential to develop an additional 4,010 to 8,240 acre-feet per year in addition to making better use of other natural supplies from the San Juan Groundwater Basin. At this time, funding is only being developed for the Phase 1 project. With the release of its EIR, the project may break ground in late 2020.</p> <p style="text-align: center;">SUMMARY OF THE POTENTIAL ANNUAL AVERAGE PROJECT YIELD</p> <table border="1" data-bbox="402 1234 1198 1522"> <thead> <tr> <th>Project Phase</th><th>Phase Yield (AFY)</th></tr> </thead> <tbody> <tr> <td>Phase I</td><td>30 – 2,000 (Average = 700)</td></tr> <tr> <td>Subsequent phases</td><td>3,980 – 6,240</td></tr> <tr> <td>TOTAL</td><td>4,010 – 8,240</td></tr> </tbody> </table> <p>SOURCE: WEI 2017 </p>	Project Phase	Phase Yield (AFY)	Phase I	30 – 2,000 (Average = 700)	Subsequent phases	3,980 – 6,240	TOTAL	4,010 – 8,240
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<h2>EMERGENCY PREPAREDNESS</h2>									
Coordination with WEROC Member Agencies	<p>Final: WEROC, with Michael Baker as the lead consultant, has facilitated 19 agencies through the process of updating the Orange County Water and Wastewater Multi-Jurisdictional Hazard Mitigation Plan. Plan binders have arrived and were delivered to all participating agencies.</p>								

Coordination with WEROC Member Agencies - continued	<p><i>Ongoing: WEROC launched an effort to facilitate a joint RFP and contract with participating WEROC member agencies to address the new requirements of America's Water Infrastructure Act (AWIA). A full report is included in this month's P&O Committee.</i></p> <p>Daniel attended the UASI funded ICS 300 course and is reviewing FEMA pre-disaster mitigation grants as an avenue to provide no cost ICS-300 and ICS-400 training to member agencies at MWDOC potentially in October. TEEX (Texas mobile FEMA trainers) have also been requested to provide this training at no cost should FEMA grant not be available.</p>
Training and Programs	<p>MWDOC and WEROC participated in the Diemer Water Treatment Plant tabletop exercise on 8/29/19 and will be replicating it in house with some added elements. Ongoing in house training on "stop the bleed" and basic first-aid for MWDOC employees, Daniel intends to provide these types of trainings twice per month.</p> <p>Janine is coordinating in-house efforts towards Emergency Preparedness Month in getting ready for the 10/17 at 10:17 Shakeout Exercise.</p> <p>Daniel has coordinated with the OC Intelligence Assessment Center to have graphics designed and printed for "See Something – Say Something"</p>
Coordination with the County of Orange	<p><i>Ongoing: OC OA Alert and Warning Working Group is a new committee to develop county-wide public Alert and Warning policies, procedures and tools such as to request and approval forms. This will be a 6-month planning effort. Daniel attended the August meeting and started to work with the County's Control One to address some of WEROC's concerns with the plans associated forms.</i></p> <p><i>Ongoing: WEROC staff participation in the OA Agreement Revision Working Group. Update: The OA Agreement Working Group met for the first time in several months. The Draft Revised Agreement developed by the working group has been reviewed and approved by the County's Legal Counsel. The OA shared this revised draft to all OC government entities on August 15 to start the review process. Agencies will need to take the agreement to their legal counsel and provide feedback to the OA. UPDATE 8/21/2019 MWDOC staff provided comments and submitted them for Legal Counsel to review prior to passing them along. As the current ISDOC representative, Karl Seckel has been coordinating with Mark Monin to seek any additional comments on the OA Agreement. Once the OA Agreement is approved, both ISDOC and WEROC will have representatives on the OA.</i></p>
Coordination with Outside Agencies	<p><i>On-going: California Public Utilities Commission (PUC) proceedings regarding the Impacts from De-Energization with a Focus on First Responders and Local Government. MWDOC has received party status to these proceedings. Party Status ensures that we receive all communications regarding the proceedings and that our comments are included officially for consideration.</i></p> <p>Karl Seckel has been coordinating with James Pasmore with SCE towards improved compliance with the Phase 1 PUC ruling which MWDOC & WEROC were part of. A reach out will have to be made with SDG&E for the Southern portion of the</p>

Coordination with Outside Agencies - continued	<p>County. Under a Non-Distribution Agreement, MWDOC shared maps of water agency assets they can use during urban area wildfire events.</p> <p>Daniel is working with Team Rubicon and identifying other potential sources of EOC volunteers during times of activation.</p>
EOC Readiness	<p>Janine Schunk and Daniel participated in the OA and MET radio tests and WebEOC tests. Janine also facilitated the WEROC monthly radio test.</p> <p>Janine scheduled and oversaw the install of the satellite phone fixed base antennas on all WEROC EOC locations. She also identified a discrepancy with one of the radios at the NEOC which is actively being addressed.</p> <p>Daniel and Janine are in the process of installing all satellite phone cradles and power stations.</p> <p>Janine coordinated the maintenance of the South EOC.</p>
WATER USE EFFICIENCY	
Metropolitan Water District of Southern California (MET) Water Use Efficiency Workgroup	<p>On September 19, Beth Fahl attended Metropolitan's Water Use Efficiency Workgroup meeting. Approximately 30 member agencies participated in the meeting. Agenda items included:</p> <ul style="list-style-type: none"> • Introductions • September Metropolitan Board Presentation <ul style="list-style-type: none"> ○ Conservation and QWEL Update ○ Approval to Increase Inspection Agreement ○ Preview of October Board Presentations • Member Agency Roundtable <ul style="list-style-type: none"> ○ Firescaping • CA-NV AWWA Water Use Efficiency Practitioner Exam • Metropolitan External Affairs Update • Metropolitan Programs Updates • Future Meeting Items <p>The next Workgroup meeting is scheduled for October 17 at Metropolitan's Regional Recycled Water Advanced Purification Center.</p>
Water Loss Control Workgroup	<p>On September 10, MWDOC hosted the Orange County Water Loss Control Workgroup meeting. This meeting was attended by approximately 28 agency staff. The agenda included:</p> <ul style="list-style-type: none"> • Updates on – <ul style="list-style-type: none"> ○ MWDOC's New Water Loss Staff ○ Status of Shared Services ○ Status of 219 Water Balance Validations • California Municipal Utilities Association Alternate Water Loss Proposal • Distribution System Pressure Surveys <p>The next meeting is scheduled for November 12 at MWDOC.</p>

Tustin Water Department Service Line Leak Repair	On September 12, the Tustin Water Department began repairing distribution system leaks discovered through a MWDOC Leak Survey. Joe Berg, Kevin Kelly, and Jason Thorsell coordinated a training with Ty Coston from Moulton Niguel Water District to provide instruction on how to meter the gallons per minute (gpm) of a service line leak. Metering the leak is important to obtain an accurate leakage rate rather than an estimate. This technique measured two leaks at ¼ gpm and one at 4.08 gpm. Additional repairs are ongoing.
Irvine Ranch Water District Leak Survey Discussion	On September 18, Joe, Kevin, and Jason visited Dave Crow and David Perez to review how IRWD conducts its distribution system leak surveys, documentation of areas surveyed and leaks found, and the types of leak detection equipment IRWD uses. This event resulted in a good sharing of techniques and ideas to assist both agencies, and plans were made to meet on a periodic basis to continue this collaboration.
Proposition 1 Pre-Application Workshop With Department of Water Resources	On September 18, Rachel Waite attended the Proposition 1 Pre-Application Workshop with DWR, which was hosted by Rancho California Water District. The Workshop covered the entire San Diego Funding Area, which includes the South Orange County Watershed Management Area (SOCWMA). Rachel W. presented MWDOC's South Orange County Water Use Efficiency Program (Program) to DWR representatives, who asked project-related questions and provided constructive feedback. MWDOC's Program was previously submitted to SOCWMA and, through a competitive selection process, was chosen to be a project submitted to DWR and is slated to receive \$833,002 in Proposition 1 Funding.
State Water Resources Control Board Public Stakeholder Workshop	On September 23, Joe attended a Water Board Public Stakeholder Workshop focusing on the draft economic model that will be used to assign water loss standards to each urban water supplier, as called for by SB 555. This Workshop was the last workshop before starting the formal rulemaking process and was attended by more than 50 stakeholders. The comment period has been extended to October 25, 2019, and staff is in the process of reviewing the model and composing comments.
California Water Efficiency Partnership (CalWEP) Membership Meeting	On September 24, Joe attended the CalWEP quarterly membership meeting, which was hosted by UC Davis. This meeting was attended by more than 90 members from throughout the state. The keynote speaker was Joaquin Esquivel, Chair of the Water Board, who discussed the unique challenges the Water Board is dealing with and the importance of water use efficiency to the state's long term water management strategies. Other agenda items included: <ul style="list-style-type: none"> • Host Presentation - Kendra Olmos, Executive Director of the Center for Water-Energy Efficiency • Planning for Climate Change - Juliet Christian-Smith from the Water Foundation • CalWEP News & Happenings - Sarah Foley & Tia Lebherz, Co-Executive Directors of CalWEP • What's New at the Alliance - Mary Ann Dickinson, Executive Director of the Alliance for Water Efficiency • Tap into Resilience - Cynthia Koehler from the WaterNow Alliance • Are you Smarter than a Computer? Optimizing your Agency's Energy Usage - the UC Davis CWEET Team

California Water Efficiency Partnership (CalWEP) Membership Meeting - continued	<ul style="list-style-type: none"> CalWEP is your Implementation Partner: Framework Tool Update - Tia Leberherz from CalWEP and David Mitchell from MCubed <p>The next meeting is scheduled for December 11 in Santa Barbara.</p>
Delta Stewardship Council	<p>On September 26, MWDOC hosted the Delta Stewardship Council meeting. Joe participated on a panel that focused on Future Water-Use Efficiency Programs and Innovation. The panel was moderated by Deven Upadhyay, Assistant General Manager/Chief Operating Officer for the Metropolitan Water District of Southern California. Panel members included Sylvie Lee, Manager of Planning & Environmental Compliance at Inland Empire Utilities Agency; Joone Lopez, General Manager of Moulton Niguel Water District; and Dan Ferons, General Manager of Santa Margarita Water District.</p>
Trabuco Canyon Water District Leak Detection Survey	<p>On September 30, Joe and Jason met with Fernando Paludi, Michael Perea, Lorrie Lausten, and Mark Gim to kick off the 66 miles of leak detection on the TCWD system. TCWD provided a letter authorizing the leak survey and contact information for key staff members to verify the work, a system atlas, a hat, and guidance on where to begin the survey. Following this meeting, the leak survey kicked off on October 3rd and is anticipated to take approximately one month.</p>
Water Smart Innovations Conference	<p>On October 2 – 4, Rachel Waite and Rachel Davis attended the Water Smart Innovations Conference in Las Vegas, NV. Rachel W. presented the results of the Evaluation of MWDOC's Comprehensive Landscape Water Use Efficiency Program. Rachel D. attended an Irrigation Association meeting on Smart Water Application Technology and the Qualified Water Efficient Landscaper (QWEL) Certification meeting for Professional Certifying Organizations. Throughout the conference, both Rachel W. and Rachel D. attended professional sessions that covered the following topics:</p> <ul style="list-style-type: none"> Water Conservation and Incentive Programs Water Loss Management Water Efficient Landscaping Marketing and Outreach Sustainable Construction and Development Drought Management Water Efficiency Education Water Efficient Codes and Policies
PUBLIC/GOVERNMENT AFFAIRS	
Member Agency Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> Met with Mesa Water about Forest to Faucets Provided landscaping books and giveaway items for City of Westminster Provided Photos to San Clemente for an upcoming newsletter <p>Governmental Affairs Staff:</p>

Member Agency Relations - continued	<ul style="list-style-type: none"> • Sent out follow-up email and information regarding the next SB 998 (water shutoffs) Working Group Meeting scheduled for October 14 • Provided an update on SB 998 implementation to the OC MET Managers group
Community Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Prepared presentation on Colorado River for Villa Park Rotary Club • Worked with Hashtag Pinpoint and Water Emergency Response Organization of Orange County to direct, produce, and film promotional video for National Preparedness Month • Attended Irvine Ranch Outdoor Education Center's EarthFest event and brought Ricky Raindrop • Attended Bolsa Chica Conservancy's Coastal Cleanup Day and brought Ricky Raindrop
Education	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Provided High School Program information to City of Santa Ana • Finalized Ricky Raindrop Education Booklet design • Coordinated and confirmed Trinity Lutheran Elementary School Programs visits with contractors and City of Anaheim • Provided Elementary School Program (3-6) visit information to City of Anaheim • Provided High School Program information to Santa Margarita Water District • Attended High School Program visit to Mission Viejo High School • Notified MWDOC Board of Directors and participating member agencies of September school program visits in their service areas • Worked with school program contractors to create a shared Google Calendar that shows school program visits as they are scheduled • Provided access to shared school program Google Calendar to MWDOC Board of Directors and participating member agencies • Provided school program historical student count data to City of Westminster • Participated in Metropolitan Member Agency Education Coordinator's Meeting • Provided Elementary School Programs information to Moulton Niguel Water District • Secured new clinic dates and locations for the MWDOC Girl Scouts Water Resources and Conservation Patch Program • Offered participating member agencies the opportunity to submit agency slide for school program presentations • Provided information to Girl Scouts of Orange County regarding Coastal Cleanup Day event hosted At the request of Irvine Ranch Water District

Media Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> Published news release announcing six regional honors awarded to MWDOC by the Orange County Public Relations Society of America at the 44th Annual PROTOS Awards Gala <p>Attended California Association of Public Information Officials workshop including a tour of the NBC 4 newsroom</p>
Special Projects	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> Developed graphics for new Water Loss Control Van Created flyers for the following Water Use Efficiency programs: Turf Removal, Landscape Design Assistance (LDAP), and Landscape Maintenance Assistance (LMA) Created door hangers and flyers (for LBCWD service area) for Water Use Efficiency's Pressure Regulation & Leak Detection Program Staffed Director Barbre's September 27-29 Hoover Dam and Colorado River Aqueduct Currently working on itineraries, trip logistics, guest and Director requirements for the following inspection trips: <ul style="list-style-type: none"> October 18-19 State Water Project Director Ackerman November 8-10 State Water Project and Central Valley Agriculture Director Barbre November 15-17 Hoover Dam and Colorado River Aqueduct Director McKenney December 6 Southern California Infrastructure Tour Co-Hosted with ACC-OC Updated Website to be ADA Compliant <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> Submitted documents to OC LAFCO for MWDOC's upcoming comprehensive MSR Staffed the WACO Planning Meeting Sent out the invitation for the next ISDOC Quarterly Luncheon scheduled for October 24 Collected RSVPs for the Delta Stewardship Council Meeting Participated in a conference call with the October WACO speakers (Topic: What Happens Upriver) Attended the Delta Stewardship Council Meeting Staffed the ISDOC Executive Committee Meeting
Legislative Affairs	<p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> Participated in the ACWA Federal Affairs Drinking Water Subcommittee Meeting Participated in the ACWA Federal Affairs Committee Meeting in Sacramento Circulated MWDOC's Legislative and Regulatory Policy Principles to the Board of Directors and our member agencies for feedback At the request of Assembly Member Cottie Petrie-Norris's office, sent a letter to Governor Newsom requesting his signature on AB 1752 (South Coast Water District) and circulated the coalition letter to the signatories

Legislative Affairs - continued	<ul style="list-style-type: none">• Along with Director Yoo Schneider, attended a meeting with Assembly Member Cottie Petrie-Norris. Representatives from Mesa Water, OCWD, OCSD, IRWD, and SCWD also attended• Along with Director Yoo Schneider, attended a meeting with Director Chuck Gibson and Jim Leach to discuss ways our agencies can efficiently coordinate on external affairs• Participated in the ACWA/CMUA OEHHA Human Right to Water Working Group Meeting
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INFORMATION CALENDAR

**MWDOC GENERAL INFORMATION
ITEMS**

MWDOC BOARD OF DIRECTORS

- Brett R. Barbre
- Larry D. Dick
- Bob McVicker
- Joan Finnegan
- Sat Tamaribuchi
- Jeffery M. Thomas
- Megan Yoo Schneider