



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
ENGINEERING WORKSHOP  
Thursday, October 22, 2020 - 6:00 p.m.**

**TELECONFERENCE NOTICE**

*This meeting is hereby noticed pursuant to  
California Government Code Section 54950 et. seq. and  
California Governor's Executive Orders N-29-20 and N-33-20  
The BCVWD Board of Directors will attend via Zoom Video Conference  
To access the Zoom conference, use the link below:*

<https://us02web.zoom.us/j/84318559070?pwd=SXlzMFMZCMGh0YTFIL2tnUGlpU3h0UT09>

*To telephone in, please dial: (669) 900-9128  
Enter Meeting ID: 843 1855 9070  
Enter Passcode: 352874*

*For Public Comment, use the "Raise Hand" feature if on the  
video call when prompted, if dialing in, please dial \*9 to "Raise  
Hand" when prompted*

*Meeting materials are available on the BCVWD's website:  
<https://bcvwd.org/document-category/regular-board-agendas/>*

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**Call to Order: President Covington**

**Pledge of Allegiance: President Covington**

**Invocation: Director Ramirez**

**Announcement of Teleconference Participation**

**Roll Call**

**Teleconference Verification**

**Public Comment**

**PUBLIC COMMENT: RAISE HAND OR PRESS \*9 to request to speak when prompted**  
At this time, any person may address the Board of Directors on matters within its jurisdiction which are not on the agenda. However, state law prohibits the Board from discussing or taking action on any item not listed on the agenda. Any non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

**ACTION ITEMS**

*Action may be taken on any item on the agenda. Information on the following items is included in the full Agenda Packet.*

1. **Adjustments to the Agenda**
2. **Consideration of Attendance at the Association of California Water Agencies Annual Fall Conference (Virtual) December 2-3, 2020** (pages 4 - 7)
3. **City of Beaumont Wastewater Treatment Plant Upgrade Status, and Planned Recycled Water Facilities, and Implementation Progress Update** (No staff report)
4. **Legislative Update** (pages 8 – 40)
5. **General Manager’s Report**
6. **Topics for Future Meetings**
7. **Announcements** – *Pursuant to Governor’s Executive Order N-33-20, all BCVWD Board and Committee meetings will be held via teleconference and/or video teleconference until further notice or unless otherwise indicated below:*
  - Collaborative Agencies Committee Meeting: Wednesday, Nov. 4, 2020 at 5:00 p.m. (*in-person meeting at Beaumont Library; also available via Zoom*)
  - Regular Board Meeting: Wednesday, Nov. 4, 2020 at 6 p.m. (*Note date change due to holiday*)
  - Finance and Audit Committee Meeting: Thursday, Nov. 5, 2020 at 3:00 p.m.
  - District Offices will be closed on Wednesday, Nov. 11, 2020 in observance of Veterans Day
  - Engineering Workshop: Thursday, Nov. 19, 2020 at 6:00 p.m. (*Note date change due to holiday*)
  - Personnel Committee Meeting: Monday, Nov. 23, 2020 at 5:30 p.m.
  - Association of California Water Agencies Virtual Fall Conference: Dec. 2-3, 2020
8. **Closed Session**
  - a. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Pursuant to Government Code Section 54947  
Title: General Manager
9. **Report on Closed Session**
10. **Adjournment**

## **NOTICES**

**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available from the District Office in the Board Room of the District's Office. Materials may also be available on the District's website: [www.bcvwd.org](http://www.bcvwd.org).

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may

pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Board Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.org](mailto:info@bcvwd.org) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

#### **CERTIFICATION OF POSTING**

I certify that on or before October 19, 2020, a copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).

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Yolanda Rodriguez,  
Director of Finance and Administration



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
October 22, 2020**

Item 2

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** **Consideration of Attendance at the Association of California Water Agencies Annual Fall Conference (Virtual) December 2-3, 2020**

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**Staff Recommendation**

Consider assignment of two members of the Board of Directors and / or staff to represent BCVWD at the Association of California Water Agencies Conference, to be held online December 2-3.

**Summary**

The BCVWD Policies and Procedures Manual Part II, Section 12 A states:

Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

Attendance at the ACWA conference can be beneficial to the District. The conference provides a forum to learn about potential opportunities, best practices, changes in water or special district law, and to make strategic contacts. In addition, the various responses of water agencies to the COVID-19 pandemic, other current issues impacting water along with the large water projects that directly impact BCVWD (Sites Reservoir, Bay-Delta Conveyance and Gov. Newsom’s Water Resilience Portfolio Initiative) will be hot topics at the event and it would serve BCVWD to be well informed.

Due to the continued statewide restrictions on mass gatherings in response to COVID-19, ACWA will host the 2020 Fall Conference online only. Although this limits the benefit of gaining contacts and face-to-face interaction, it considerably reduces the cost of attendance.

Note that the Finance and Audit Committee Meeting and the Regular Board Meeting are scheduled the afternoon of December 3 and may overlap the conference conclusion.

**Fiscal Impact**

Estimated cost per conference attendee:

Conference registration	375.00
Director per diem (2 days @ \$200 per day)	\$400.00
<b>Estimated cost per conference attendee</b>	<b>\$775.00</b>

**Attachments**

BCVWD Policies and Procedures Manual Part II, Section 12 A  
Conference Flyer

Report prepared by Lynda Kerney, Administrative Assistant

refer to committee, which is then seconded and approved by a majority vote of the Board.

- v. **Motion to Close Debate and Vote Immediately.** As provided above, any Director may move to close debate and immediately vote on a main motion.
- vi. **Motion to Adjourn.** A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

F. **Decorum.**

- i. The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings.
- ii. The President may also declare a short recess during any meeting.

G. **Amendment of Rules of Order.** By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting:

- a. Temporarily suspend these rules in whole or in part;
- b. Amend these rules in whole or in part; or,
- c. Both.

## 12. TRAINING, EDUCATION AND CONFERENCES

A. **Policy.** The Beaumont-Cherry Valley Water District takes its stewardship over the use of limited public resources seriously. Public resources should only be used when there is a substantial benefit to the District.

- i. Educational conferences and professional meetings are considered to provide substantial benefit. Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District. Such benefits include:
  - a. The opportunity to discuss the community's concerns with state and federal officials;
  - b. Participating in regional, state and national organizations whose activities affect the District;

- c. Attending educational seminars designed to improve officials' skill and information levels;
    - d. Promoting public service and morale by recognizing such service.
  - ii. "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.
- B. **Expenses.** It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District.
  - i. Staff as assigned by the General Manager is responsible for making arrangements for Directors for conference and registration expenses.
  - ii. Reimbursement shall include expenses for meals, lodging, authorized incidentals (see Section 14H) and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the assigned staff member within 30 days of the incurred expense on a District-supplied Expense Form, together with original, valid receipts in accordance with State law.
  - iii. Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.
  - iv. Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth, if any, by the event sponsor and by:
    - a. Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates or using other less expensive nearby lodging.
    - b. Directors traveling together whenever feasible and economically beneficial.
    - c. Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.
- C. **Notice.** A Director shall not attend a conference or training event for which there is an expense to the District, if it occurs after the Director has announced his/her pending resignation, or if it occurs after an election in which it has been determined that the Director will not retain his/her seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

DECEMBER 2 - 3

ACWA 2020 Fall Virtual Conference & Exhibition

# ADAPTING TO CHANGE

Following the success of ACWA's Summer Virtual Conference, ACWA's 2020 Fall Virtual Conference & Exhibition will feature notable keynote presentations, statewide issue forums and other diverse programs discussing the latest developments and insights affecting the California water community. Important local, state, and federal information that you and your agency need to know!

## Diverse Programs:

- 2020 Election Analysis
- SCOTUS - A Look Back and a Look Forward at the Supreme Court
- Water Resilience Portfolio
- Bay-Delta/Conveyance
- SB 100 Implementation - Renewable Energy and Zero-Carbon Resources
- Adapting Your Communications Strategy to a Changing World
- A Superior Court Victory for Water Efficiency & Budget Rates: How Western Municipal Water District Prevailed

## Programs in the Works:

- Energy
- Human Resources
- Region Issue Forums
- Technology

## Additional Highlights:

- **NEW Group Savings!** - Register 5 individuals from the same organization, receive a 6th registration free! (*\*Subject to terms and conditions. Contact Teresa Taylor at [TeresaT@acwa.com](mailto:TeresaT@acwa.com) for more information*)
- **NEW Chat Lounge** - Network with your colleagues who you might normally meet at conference in the new Chat Lounge.
- **Virtual Exhibit Hall** - Visit the virtual exhibit hall and learn about innovative products and services that may be just the right solution for your agency! Don't also miss your chance for an ACWA Expo in a Box!
- **Looking for Continuing Education Hours?** - Legal, financial, and drinking water sessions will be available for continuing education credits.
- **Still have an ACWA SVC20-credit code?** - If you have not yet redeemed your credit, you can apply the credit to a registration for the virtual conference or any other ACWA event by December 31, 2020.

## MESSAGE FROM THE PRESIDENT

2020 has been a challenging year, throwing the status quo out the window and requiring us to adapt to a constantly changing environment in our professional and personal lives. Join your fellow water leaders this fall to learn, network and share strategies for adapting to the changes and succeeding in the future.

- ACWA President Steven LaMar



## REGISTER ONLINE

At [www.acwa.com](http://www.acwa.com)  
by November 20, 2020



## PRICING

Advantage: \$375\*  
Standard: \$565

*\*To be eligible for 'Advantage Pricing', you MUST be an ACWA Public Agency Member, Associate, or Affiliate.*



## QUESTIONS

Contact ACWA's Business Development and Events Department at [events@acwa.com](mailto:events@acwa.com) or call (916) 441-4545.



## EXHIBITOR & SPONSORSHIP

Exciting virtual exhibit hall & sponsorships are available! Contact Stacey Siqueiros at [StaceyS@acwa.com](mailto:StaceyS@acwa.com).



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
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Item 6

Update: Legislative Action and Issues Affecting BCVWD

Federal			
Issue	Status	Description	New or Change in Status (New/Y/N)
		<p>From CNBC News 10/13/2020: The Senate will vote on a limited <u>coronavirus</u> stimulus bill this month, Majority Leader <u>Mitch McConnell</u> said Tuesday, as lawmakers stumble in their push to send aid to Americans before the 2020 election.</p> <p>In a statement, the Kentucky Republican said the Senate would take up aid legislation after the full chamber returns on Monday. McConnell called the plan “targeted relief for American workers, including new funding” for Paycheck Protection Program small business loans. Speaking at an event in his home state, he said the bill would also include money for schools, an unemployment insurance boost and liability protections for businesses.</p> <p>Democrats, <u>who blocked a roughly \$500 billion Republican plan</u> in the Senate last month, could dismiss the latest GOP proposal as inadequate. A spokesman for Senate Minority Leader <u>Chuck Schumer</u> did not immediately respond to a request to comment on whether Democrats would support the new Republican bill.</p> <p>Over the weekend, Treasury Secretary <u>Steven Mnuchin</u> offered House Speaker <u>Nancy Pelosi</u> a roughly \$1.8 trillion plan — about \$400 billion less than <u>the bill House Democrats passed earlier this month</u>. Pelosi has dismissed the proposal, saying the “Trump proposal falls significantly short of what this pandemic and deep recession demand.”</p> <p>Pelosi for months has pushed for comprehensive legislation rather than stand-alone bills to address specific relief provisions. A White House spokesman did not immediately respond to a request to comment on Pelosi’s criticism.</p> <p>The latest offer from Mnuchin <b>includes \$300 billion in aid for state and local governments</b>, \$400 per week in enhanced unemployment insurance into January, direct payments of up to \$1,200 for adults and \$1,000 per child, and liability protections for businesses, among other details reported by NBC News. Among the key differences with the House plan, <b>Democrats have called for more than \$400 billion in state and municipal relief</b>, \$600 per week in supplemental jobless benefits and no lawsuit protections for businesses.</p>	<b>NEW</b>



<p><b>H. Res. 1102 and S. Res 693: Transform, Heal, and Renew by Investing in a Vibrant Economy (THRIVE)</b></p>	<p>9/11/20 – Introduced and ref to Com on Education and Labor  9/15/20 – Agreed to in House  9/15/20 – Introduced in Senate</p>	<p>Rep. Deb Haaland presents a Resolution:  <i>“Resolved, That it is the sense of the House of Representatives that—</i>  <i>(1) it is the duty of the Federal Government to respond to the crises of racial injustice, mass unemployment, a pandemic, and climate change with a bold and holistic national mobilization, an Agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (“THRIVE”) (referred to in this resolving clause as the “Agenda”), to build a society that enables—</i>  <i>(A) greater racial, economic, and gender justice;</i>  <i>(B) dignified work;</i>  <i>(C) healthy communities; and</i>  <i>(D) a stable climate; and ... (more, see link below)</i>  <a href="https://www.congress.gov/bill/116th-congress/house-resolution/1102/text">https://www.congress.gov/bill/116th-congress/house-resolution/1102/text</a></p>	<p><b>NEW</b></p>
<p><b>HR 2 – Moving Forward Act</b>  (includes the provisions of the INVEST in America Act)</p>	<p>6/11/20 - Introduced  6/18/20 – Amended by Com on Transportation and Infrastructure  7/1/20 – Amended and passed by House  7/20/20 – Received in Senate  10/13/20 – No change in status</p>	<p>Analysis by Assn of Metropolitan Water Agencies: Package of infrastructure legislation that will include components related to drinking water infrastructure. On June 18 Democratic leaders unveiled an outline of the Moving Forward Act, a \$1.5 trillion infrastructure proposal that builds upon a transportation policy bill approved by a House committee last week. According to the outline, the plan includes a \$25 billion reauthorization of the Drinking Water State Revolving Fund, \$40 billion for wastewater infrastructure, and initiatives to aid in the removal of PFAS from drinking water. The proposal would also lift the cap on private activity bonds for water infrastructure projects and reinstate advance refunding bonds that allow communities to refinance outstanding municipal debt at lower interest rates. Many aspects of the Democrats’ plan reflect an infrastructure framework unveiled by the party earlier this year. The specific legislative text of the latest proposal, which will be incorporated into H.R. 2, was not available as of late last week. The bill will not advance in the Senate, as that chamber’s Republican leaders have coalesced around a plan to combine their own transportation reauthorization bill with a separate package of water resources and infrastructure legislation. But with passage of each respective plan, the stage will be set for the two parties to negotiate a broad infrastructure reauthorization package by the end of the year.  7/2/20 – Outlook by The National Law Review: Senate Republicans have expressed opposition to the bill as passed by the House, citing the overall level of spending, regulatory changes, and climate change-related provisions in the bill. The Administration has issued a veto threat which is outlined in its <a href="#">Statement of Administrative Policy</a>. However, the bill represents the opening position of the House of Representatives in infrastructure negotiations should the pass its own bill. Senate Committees continue to work both publicly and behind the scenes on their version of an infrastructure package, which is likely to include surface transportation reauthorization. A legislative package may materialize in the Senate before the August recess, but is unlikely at this time. Should such a bill emerge, and conference negotiations take place, expect certain provisions from the Moving Forward Act to make it into a final agreement.</p>	<p><b>N</b></p>

<p><b>HR 6617 - Western Water Storage Infrastructure Act</b></p>	<p>9/4/20 – Introduced in House, ref to Committee on Natural Resources 10/13/20 – No change in status</p>	<p>Would create opportunities for funding for the Sites Reservoir.</p> <p>From the Porterville Recorder 9/4/20: Rep. T.J. Cox-D, who represents a portion of Southwestern Tulare County, introduced the Western Water Storage Infrastructure Act, an \$800 million bill addressing surface and groundwater storage and water delivery.</p> <p>The bill is another in a series of bills addressing water infrastructure in the Central Valley that have been introduced in Congress. California representatives Jim Costa-D and John Garamendi-D are co-sponsors of the legislation.</p> <p>The bill is designed to essentially replace funding authorized by the Water Infrastructure Improvements for the Nation, WIIN, Act, which has been exhausted. The \$800 million is more than double what was previously available. The bill also extends the operational and environmental authorities of the WIIN Act to provide continued water supply without adverse impacts to listed species.</p> <p>“Even during this difficult time, we can’t stop our work to bring everyone in the Valley the water they need,” <b>Cox said.</b> “Water supply reliability is incredibly important to the lives of Central Valley working families and for the entire world’s economy and food system.”</p> <p>“The Western Water Storage Infrastructure Act comes at a time for California when many agencies like ours are working to fund critically needed projects that improve infrastructure to store or move water, such as the Friant-Kern Canal, and facing the additional challenge of achieving sustainable groundwater basins and sustainable economies into the future,” Friant Water Authority CEO Jason Phillips said. This bill not only authorizes funding for critical projects but also continues use of the funding and approval process set up by the WIIN Act, and thus avoids creating new processes that could slow down efforts to fund projects that desperately need it during the next three years.”</p>	<p><b>NEW</b></p>
<p><b>HR 7575 - Water Resources Development Act of 2020 (WRDA)</b></p>	<p>Introduced 7/13/20 7/29/20 -Passed House 7/30/20 – Received in Senate 10/13/20 – No change in status</p>	<p>From Engineering News-Record: A new Water Resources Development Act, or WRDA, has made headway in Congress, most recently with House passage of a bill authorizing about \$9 billion for Army Corps of Engineers flood and storm protection, environmental restoration and other projects.</p> <p>But with time running short before Congress breaks for the Nov. 3 elections, industry sources say water infrastructure legislation may be put off until an expected lame duck session.</p> <p>The 2020 WRDA that the House approved on July 29 by voice vote, includes at least \$8.6 billion in federal funds for about three dozen Corps projects. It has strong bipartisan support from Transportation and Infrastructure Committee leaders and the rank and file, an unusual break from the fierce partisanship that has taken hold in Congress.</p>	<p><b>Y</b></p>

		<p>In the Senate, the WRDA bill is one of two water infrastructure measures that the Environment and Public Works Committee cleared unanimously on May 6. It has \$5.1 billion for 26 Corps projects. But at ENR press time, the bills had yet to come up for a Senate floor vote.</p> <p>One must-pass bill by Oct. 1 is a stopgap appropriations measure to keep agencies operating after fiscal year 2020 ends. Jim Walker, American Association of Port Authorities director of government relations, notes congressional appropriators, especially Senate committee Chairman Richard Shelby (R-Ala.), "have historically avoided linking authorization bills [like WRDA] onto appropriations bills." Walker adds, "If WRDA can't be worked into the September schedule, then it will likely be taken up in a lame duck session."</p> <p>Another industry source says House and Senate agreement on a compromise WRDA is conceivable by the end of September, but unlikely. "I see a lame duck for WRDA," the source says, maybe as part of a broader infrastructure package.</p> <p>If a new WRDA does become law this year, it would continue a six-year streak of enacting water resources legislation every other year.</p>	
<p><b>S. 4188: Water for Tomorrow Act</b></p>	<p>7/14/20 – Introduced 7/22/20 – Hearings held in Com on Energy and Natural Environment 10/13/20 – No change in status</p>	<p>By Sen. Kamala Harris. The Water for Tomorrow Act will improve watershed health, support ecosystem restoration, and mitigate against climate change, the overarching threat against our native salmonids. Passing this bill will support healthy waters for a better California. This legislation will ensure the nation's water supply is safe and sustainable. The <i>Water for Tomorrow Act</i> will combine the water sustainability measures from Sen. Harris' <i>Water Justice Act</i> with key measures from the <i>FUTURE Drought Resiliency Act</i>, led in the House of Representatives by Rep. Jared Huffman (D-CA).</p> <p>"Every American has the right to clean water" said Sen. Harris. "Unfortunately, our nation was already facing a water safety and affordability crisis. As our country continues to respond to COVID-19, Congress must prioritize a comprehensive investment in a sustainable water supply. This legislation will bring us one step closer making safe, clean, and affordable water a reality for all."</p> <p>Specifically, the legislation will make a nearly \$3 billion investment in:</p> <ul style="list-style-type: none"> <li>• <b>Water Infrastructure and Sustainability</b> <ul style="list-style-type: none"> <li>• Financing program to fund water infrastructure projects including storage, transport, desalination projects, and stormwater capture projects. Allows for access to federally-backed, low-cost loans. Prioritizes projects that will benefit low-income communities and communities impacted by climate change. Requires that projects provide fisheries or ecosystem benefits or improvements that are greater than mitigation and compliance.</li> </ul> </li> </ul>	<p>Y</p>

		<ul style="list-style-type: none"> <li>• Grant program to help disadvantaged communities facing declines in drinking water quality or quantity. Led in the House by Rep. Cox.</li> <li>• Increased funding for water recycling and reuse. Led in the House by Rep. Napolitano.</li> <li>• Increased funding for water management improvement.</li> <li>• Reauthorization and increased funding for rural water supply.</li> <li>• <b>Ecosystem Protection and Restoration</b> <ul style="list-style-type: none"> <li>• Grant program to improve watershed health and mitigate against climate change.</li> <li>• Funding for the Cooperative Watershed Management Program, adding a focus on disadvantaged communities and projects that provide environmental benefits.</li> <li>• Support for refuge water deliveries, drought planning for fisheries, and aquatic ecosystem restoration.</li> </ul> </li> <li>• <b>Improved Technology and Data</b> <ul style="list-style-type: none"> <li>• Utilization of data from technologies like LIDAR to measure water availability in snowpack.</li> <li>• Study to examine the climate change vulnerabilities of Federal dams</li> </ul> </li> </ul>	
<b>HR 7073 Special Districts Provide Essential Services Act</b> (See also S 4308)	Introduced 6/1/20 Referred to Com on Oversight and Reform 10/13/20 – No change in status	CSDA Supports: Would provide special districts across the United States access to federal relief measures to assist state and local governments with unforeseen budgetary hardship resulting from the COVID-19 pandemic. Congressman John Garamendi, D-Calif., introduced HR 7073, the “Special Districts Provide Essential Services Act,” which would give special districts access to key resources available to local governments under the CARES Act, including the Coronavirus Relief Fund and the Federal Reserve’s Municipal Liquidity Facilities program. 7/7/20 – CSDA Update: HR 7073 remains in the US House Financial Services Committee and the House Committee on Oversight. As of 7/2, there are 26 cosponsors, all Democrats. Absent a companion bill in the Senate at this point, the senators have taken direct action to move on special districts’ priorities.	<b>N</b>
<b>S.4308 Special Districts Provide Essential Services Act</b>	7/24/20 – Introduced in Senate	A bill to include special districts in the coronavirus relief fund, to direct the Secretary to include special districts as an eligible issuer under the Municipal Liquidity Facility, and for other purposes. CSDA report: Senator Kyrsten Sinema, D-Ariz., and Senator John Cornyn, R-Texas, introduced Thursday <u><b>S.4308</b></u> , a <u>Senate companion</u> to H.R. 7073, the Special Districts Provide Essential Services Act. Senator Kamala Harris is an original cosponsor.  The bipartisan deal was reached after weeks of negotiations, which closely involved Senator Dianne	<b>NEW</b>

		<p>Feinstein. The bill introduction comes following Senator Feinstein's gracious withdrawal of original co-sponsorship following a political impasse leading to a larger split of Republicans and Democrats leading the bill. The withdrawal paved the way to hasten the introduction of the Senate version of the Special Districts Provide Essential Services Act. CSDA thanks Senator Feinstein for her support leading to a milestone in special districts advocacy for greater access to federal COVID-19 relief funding.</p> <p>The bill uses text of <b>H.R. 7073</b>, but adds greater flexibility for states with less reliance on special districts within their communities and offers states guidance on how to distribute the 5 percent they must direct of future Coronavirus Relief Fund appropriations. Overall, the bill would:</p> <ul style="list-style-type: none"> <li>• Would require states to distribute 5 percent of future Coronavirus Relief Fund allocations to special districts within their respective state within 60 days of receiving funds from the U.S. Treasury.</li> <li>• Special districts applying for funding would submit information to their state demonstrating the degree to which they have experienced or anticipate they will experience COVID-19-related revenue loss, grant/inter-governmental revenue loss, or increased COVID-19-related expenditures.</li> <li>• Limits allocations such that a special district may not receive funding that exceeds the amount the district expended in any quarter of 2019. Special districts providing services the federal Cybersecurity and Infrastructure Security Agency deems to be within a "<b>critical infrastructure sector</b>" would be exempt from limitations.</li> <li>• Provides flexibility for states with excess funds reserved for special districts that make a good faith effort to distribute funds to districts within the state. States file a waiver with U.S. Treasury after 60 days demonstrating how the state distributed its special districts funding. If approved, the state may use the balance of the funds for other COVID-19 response purposes.</li> <li>• "Special district" would be defined as a "<i>political subdivision of a State, formed pursuant to general law or special act of the State, for the purpose of performing one or more governmental or proprietary functions.</i>"</li> <li>• Would direct the U.S. Department of Treasury to consider special districts as eligible issuers to take advantage of the Municipal Liquidity Facility, as established in the <b>CARES Act</b>, for access to capital during the current financial downturn.</li> </ul> <p>CSDA will continue working with the National Special Districts Coalition and a group of California and national special districts stakeholders to advocate for the Senate legislation to be included in the Senate's COVID-19 relief package, which would likely be negotiated with the House of Representative's <b>HEROES Act</b></p>	
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<p>HR 8406: HEROES Act 2.0</p> <p>“Skinny HEROES”</p>	<p>9/29/20 – Introduced in House</p>	<p><b>CSDA 10/2/20:</b> The U.S. House of Representatives passed a new version of a COVID-19 economic stimulus package. Dubbed the “Skinny HEROES” or “HEROES 2.0,” the revised \$2.2 trillion HEROES Act is \$1.2 trillion less than the original <u>HEROES Act</u> passed on May 15. <u>The measure passed Thursday</u> includes \$436 billion for states, territories, tribes, cities and counties for COVID-19-related expenditures and revenue losses. <b>Unfortunately, special districts are not eligible for direct access. Rather, the status quo of voluntary transfers from the state, city or county to districts would continue under this bill.</b></p> <p>Other highlights of the revised HEROES Act include:</p> <ul style="list-style-type: none"> <li>• Expansion of payroll tax credits for emergency FMLA to public agencies, good for special districts.</li> <li>• A second round of stimulus checks for up to \$1,200 per taxpayer plus \$500 per child.</li> <li>• Full restoration of \$600/week in enhanced unemployment benefits through January 31.</li> <li>• \$1.5 billion for the Low-Income Household Drinking Water and Wastewater Assistance program.</li> <li>• Homeowner mortgage and renter assistance as well as an eviction moratorium.</li> <li>• \$225 billion for education institutions to re-open and childcare services.</li> </ul> <p>The legislation's path forward is murky, as the measure in its current form is unlikely to muster Senate Republicans' support. Meanwhile, the U.S. Treasury Secretary Steven Mnuchin and House Speaker Nancy Pelosi, D-Calif., continue negotiations. Reportedly, the Trump Administration could now agree to \$1.5 trillion deal, potentially as high as \$2 trillion – much closer to the floor House and Senate Democrats have set for a deal. Senate Majority Leaders Mitch McConnell, R-Ky., and Trump Administration officials have also indicated favor toward the bipartisan House Problem Solvers Caucus' <u>framework for a relief deal</u> released on September 15. Speaker Pelosi and Senate Minority Leader Chuck Schumer, D-N.Y., have both expressed that the framework is not enough.</p> <p>CSDA expressed to Speaker Pelosi's office on Thursday afternoon concern of how HEROES Act 2.0 does not address special districts' needs regarding COVID-19 relief funding. CSDA is once again working with Senator Kyrsten Sinema, D-Ariz., who sponsors the Special Districts Provide Essential Services Act, and partners in the Senate including Senators Dianne Feinstein and Kamala Harris to mitigate full exclusion from the package.</p>	<p>NEW</p>
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		<p><b>House Committee on Appropriations Press Release 9/28/20:</b>  House Democrats Release Updated Version of The Heroes Act  <i>Legislation Addresses Needs That Have Developed Since May, Reflects Negotiation Efforts</i>  House Democrats today released an updated version of The Heroes Act, addressing needs that have developed since the House passed an earlier iteration and reflecting negotiations between Democrats and Republicans.</p> <p>The \$2.2 trillion legislation protects lives, livelihoods and the life of our democracy. To address needs that have arisen since the House first acted, the updated legislation includes:</p> <ul style="list-style-type: none"> <li>• <b>Strong support for small businesses</b>, by improving the Paycheck Protection Program to serve the smallest businesses and struggling non-profits, providing hard-hit businesses with second loans, and delivering targeted assistance for the struggling restaurant industry and independent live venue operators.</li> <li>• <b>Additional assistance for airline industry workers</b>, extending the highly successful Payroll Support Program to keep airline industry workers paid.</li> <li>• <b>More funds to bolster education and child care</b>, with \$225 billion for education – including \$182 billion for K-12 schools and nearly \$39 billion for postsecondary education – and \$57 billion to support child care for families.</li> </ul> <p>In addition, it maintains key priorities from the legislation that passed the House in May. Among the bill's many provisions, it:</p> <ul style="list-style-type: none"> <li>• <b>Honors our heroes</b>, through \$436 billion to provide one year's worth of assistance to state, local, territorial and tribal governments who desperately need funds to pay vital workers like first responders and health workers who keep us safe and are in danger of losing their jobs.</li> <li>• <b>Supports testing, tracing and treatment</b>, through \$75 billion for coronavirus testing, contact tracing and isolation measures, with special attention to the disparities facing communities of color, ensuring every American can access free coronavirus treatment, and supporting hospitals and providers. The updated bill also includes \$28 billion for procurement, distribution and education campaigns for a safe and effective vaccine.</li> <li>• <b>Provides additional direct payments</b>, cushioning the economic blow of the coronavirus crisis with a more robust second round of economic impact payments of \$1,200 per taxpayer and \$500 per dependent.</li> <li>• <b>Protects payrolls</b>, by enhancing the new employee retention tax credit that encourages employers to keep employees on payroll.</li> <li>• <b>Ensures worker safety</b>, by requiring OSHA to issue a strong, enforceable standard within seven days to require all workplaces to develop and implement infection control plans based on CDC expertise.</li> </ul>	
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<p><b>HR 6800</b>  <a href="#">Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act</a>   <a href="#">Blocked by Senate</a></p>	<p>Introduced in House  5/12/20  5/15/20 Passed House</p> <p>6/1/20 - Placed on Senate Legislative Calendar</p> <p>7/23/20 – Hearings held in Committee on Small Business and Entrepreneurship</p> <p>10/13/20 – No change in status</p>	<p>10/1/2020 - House Democrats passed a revised HEROES Act, bringing the total cost down by about \$1 trillion in a bid to appeal to Republicans. The proposal includes <a href="#">\$1,200 stimulus checks</a>, but with more generous terms than the first set.</p> <p>10/2/20 – (From <i>Healthcare Finance</i>) A legislative relief package passed the House in May, but at an estimated cost of \$3.5 trillion, the original HEROES Act <a href="#">got nowhere</a> in the Senate. That bill also proposed providing subsidies for laid-off workers to remain on their employer-provided health insurance plans through COBRA, the <a href="#">Consolidated Omnibus Budget Reconciliation Act</a> that extends benefits, and would have created an open enrollment period for plans under the Affordable Care Act. 7/7/20 CSDA Update: The Senate is currently negotiating its answer to HR 6800. CSDA is engaged with its National Special Districts Coalition partners to expand national support, and is reaching out to build bipartisan consensus. A major goal is to have the companion bill tucked into the Senates forthcoming COVID-19 relief bill, which is now expected to arrive sometime in July.</p> <p>CSDA analysis: To address state and local governments' COVID-19 relief needs. More massive than the recent CARES Act, with another \$3 trillion proposed for COVID-19 response. House leadership plans to move HEROES quickly and pass on voice vote or unanimous consent Fri 5/15. The bill will go to the U.S. Senate, where it will likely stall and receive significant scrutiny. Includes two primary federal priorities for special districts: expanding payroll tax credits for providing emergency leave and access to capital. Unfortunately, the bill does not favorably address special districts' access to fiscal relief funds, and CSDA is working with a coalition of national and congressional partners to address this issue. What HEROES includes:</p> <p><b><u>Payroll Tax Credit Inclusion</u></b>  <b>The bill would expand the payroll tax credit for providing COVID-19 related emergency family and sick leave to include state agencies and political subdivisions.</b> The payroll tax credit's authorization would be extended through the end of 2021, and would increase the credit amount an organization can receive per employee by \$2,000 to a total of \$12,000 per employee. The program is also bolstered for employees who take the emergency relief due to indirect COVID-19 causes, such as caring for a sick family member or caring for a child home from school.</p> <p><b><u>Greater Access to Municipal Liquidity Facility</u></b>  <b>Would enhance the Federal Reserve's (Fed) Municipal Liquidity Facility (MLF) program authorized under the CARES Act.</b> Under the bill, the Fed would be authorized to buy debt of states and political subdivisions with at least a 50,000 population. It would ensure the MLF is operational through December 31, 2021, and allow the purchasing of bills, notes, bonds and warrants with a maturity up to 10 years – an increase from a maximum of two-years maturity under CARES. The Fed would have to ensure the</p>	<p>N</p>
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		<p>debt it buys is at <a href="#">the most recent interest rate equal to a key discount rate</a>, which is updated daily. Eligible issuers would not have to attest they were unable to secure credit elsewhere, granting flexibility.</p> <p><b><u>Assistance for State and Local Governments</u></b></p> <p>Unfortunately, based on the bill's language and the precedent established with U.S. Treasury's April 15 Coronavirus Relief Fund guidance, special districts would unlikely receive any of the \$915 billion currently drafted for state and local government assistance. Unlike CARES where the Coronavirus Relief Fund had one appropriation with instructions to allocate 45 percent directly to municipalities greater than 500,000 and the remainder to go directly into state coffers to use as it sees fit related to COVID-19, HEROES sets forward specific allocations within separate state and local fiscal relief funds. Here is breakdown of how the funds would be established:</p> <p><u>Coronavirus State Fiscal Relief Fund</u></p> <p>\$540 billion (\$500 billion for states, \$20 billion each for territories and tribal governments)</p> <p><i>To be disbursed to states and DC within 30 days: \$250 billion</i></p> <ul style="list-style-type: none"><li>• \$51 billion would be distributed equally among all states and DC.</li><li>• An additional \$150 billion would be allocated to each state based on population (California should see roughly \$15.3 billion directly to the state)</li><li>• Another \$49 billion would be disbursed to states divided based on COVID-19 prevalence in each. This would be based on Centers for Disease Control and Prevention (CDC) data.</li></ul> <p><i>To be disbursed to states and DC between April 15 and May 3, 2021: \$250 billion</i></p> <ul style="list-style-type: none"><li>• \$51 billion would be distributed equally among all states and DC.</li><li>• The remaining \$199 billion would be proportionately distributed among states based first quarter 2021 seasonably-adjusted unemployment rates.</li></ul> <p>Use of the funds would be restrict to "respond to, mitigate, cover costs or replace foregone revenues" that were not projected in a state's budget as of January 31, 2020.</p> <p><u>Coronavirus Local Fiscal Relief Fund</u></p> <p>\$375 billion would be allocated within this fund. This has a more complex set up, and its eligibility remains based on the Coronavirus Relief Fund, which is not interpreted to include special districts. "<i>Metropolitan cities and other <a href="#">units of general local government</a>" would receive \$187.5 billion.</i></p> <ul style="list-style-type: none"><li>• This sub-fund would be directly disbursed based on a <a href="#">formula</a> enshrined in the Housing and Community Development Act of 1974. This does not include special districts.</li></ul>	
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		<p><b><u>Continuity of Utility Services</u></b></p> <ul style="list-style-type: none"> <li>• Water and wastewater shutoff assistance for low-income individuals. <ul style="list-style-type: none"> <li>○ Would include \$1.5 billion for <i>emergency funding to help low-income families who face high costs for drinking water and wastewater services pay these bills and avert shutoffs and late fees during the COVID-19 crisis.</i></li> </ul> </li> <li>• Would require states and utilities receiving federal emergency funds to adopt or maintain in force policies to prevent shutoffs and ensure safety and continuity of home energy and water services to residential customers during the COVID-19 public health emergency.</li> </ul> <p><b><u>Stimulus Payments</u></b></p> <ul style="list-style-type: none"> <li>• The tax rebates/stimulus checks would be re-authorized and replicated: <ul style="list-style-type: none"> <li>○ up to \$1,200 per individual</li> <li>○ family maximum increased to \$6,000</li> </ul> </li> </ul>	
<p><b>S 4135: HEAL Act Senate's answer to HEROES Act (above)</b></p>	<p>7/27/20 – Introduced in Senate 10/13/20 – No change in status</p>	<p>(From ABC News 10/13/20) WASHINGTON -- Senate Majority Leader Mitch McConnell said Tuesday that he's scheduling a procedural vote on a GOP COVID-19 relief bill next week, saying aid to hard-hit businesses shouldn't be held up by gridlock involving other aid proposals.</p> <p>He says the first item of Senate business when the chamber returns next Monday will be a procedural vote on a scaled-back aid bill. Democrats filibustered a GOP-drafted aid bill last month and recent talks on a larger deal between Treasury Secretary Steven Mnuchin and House Speaker Nancy Pelosi, D-Calif., fell apart this past weekend, probably for good.</p> <p>McConnell's move appears unlikely to work. The COVID relief debate appears to have gone back to a phase in which the participants have largely given up and are devoting time and effort to political positioning ahead of the election rather than negotiations and compromise.</p> <p>Under Senate rules, McConnell can call for a re-vote on the September legislation, which was filibustered by Democrats as insufficient. It also doesn't satisfy Trump, in part because it did not provide for another round of \$1,200 direct payments that would go out under his name. McConnell could also modify the earlier GOP bill.</p> <p>(Sept) Engineering News-Record: Senate Republicans have unveiled their new coronavirus relief package.</p>	

		<p>Provisions include protection for employers from coronavirus-related lawsuits, an expanded tax credit for companies that retain workers and another round of funding for a recalibrated Paycheck Protection Program of forgivable federal loans.</p> <p>But it has little or no immediate funding for infrastructure. It also has no mention of reauthorizing the federal highway and transit programs, whose existing five-year authorization lapses on Sept. 30.</p> <p>Senate Majority Leader Mitch McConnell (R-Ky.) said the proposed legislation totals about \$1 trillion. Sen. Susan Collins (R-Maine) said the revised PPP would focus on small companies that have been hardest hit by the pandemic, including those in the hospitality industry. The new round of PPP loans would go to companies that received loans in the first round but whose revenue still is well below pre-pandemic levels. To be eligible, companies could have no more than 300 workers, compared with a 500-worker maximum in the initial round.</p> <p>The Republicans' proposal is to reduce the federal unemployment insurance payment, initially to \$200 per week. Some companies and Republican lawmakers contend that the \$600 weekly payment encourages people to stay on unemployment rather than go back to work.</p> <p>The release of the Senate GOP proposal now sets the stage for negotiations with Democrats, led by House Speaker Nancy Pelosi (Calif.) and Senate Minority Leader Chuck Schumer (N.Y.). Democrats laid down their marker 10 weeks earlier when the House passed the \$3-trillion Health and Economic Recovery Omnibus Emergency Solutions, or HEROES, Act.</p> <p>Among the HEROES Act's main differences from the GOP's HEALS Act is it's more than <b>\$900 billion in aid to state and local governments. The GOP plan has nothing similar.</b></p> <p>On the other hand, the Democrats' plan doesn't include liability protection for employers, which McConnell has said is a "must" for Republicans. The Democrats' bill retains the \$600 weekly federal unemployment payment.</p>	
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<p><b>HR 6467 – Coronavirus Community Relief Act</b>  <i>BCVWD sent a letter requesting inclusion of local governments to House and Sen leaders on 4/8/20</i></p>	<p>Introduced 4/7/20  Ref to Com on Oversight and Reform  10/13/20 – No change in status</p>	<p>Congressman Joe Neguse, D-Colo., introduced <a href="#">legislation</a> that would open direct Coronavirus Relief Fund disbursements to local units of government serving fewer than 500,000 residents and would authorize \$250 billion for these governments to use.  CSDA's April 2, 2020 letter asks for the Fund be more accessible to special districts with a \$100 billion appropriation. HR 6467 meets and exceeds CSDA's ask.</p> <ul style="list-style-type: none"> <li>• CSDA is updating its congressional leadership letter to include a request for HR 6467 to be included in the fourth aid bill.</li> <li>• Current definition of "local government" is vague when it comes to special district's inclusion. <ul style="list-style-type: none"> <li>○ Due to Treasury's April 13 guidance, which left open the question of whether special districts would qualify for Fund access, this remains a point of caution.</li> <li>○ CSDA is asking for this bill to explicitly include special districts (should be addressed with Garamendi).</li> </ul> </li> <li>• The bill has 144 cosponsors, 33 of whom are from California.</li> </ul> <p>Related info: Senators Feinstein and Harris will co-sponsor Senator Martin Henrich's companion legislation upon its introduction.</p> <ul style="list-style-type: none"> <li>• Senators Bill Cassidy, R-La., and Bob Menendez, D-N.J., have a bipartisan deal to establish a \$500 billion stabilization fund for states and municipalities serving 50,000+.</li> </ul>	<p>N</p>
<p><b>HR 6643 and S 3653 Supporting State and Local Leaders Act</b>  <b>(aka Payroll Tax Credit access for Special Districts)</b>  <i>(different than HR 6467, above)</i>  <i>BCVWD sent a letter of support to Cox on 4/8/20</i></p>	<p>4/28/20 Introduced in House, ref to Com on Way and Means  10/13/20 – No change in status</p> <p><b>The Payroll Tax Credit Access has also been included in the HEROES Act</b></p>	<ul style="list-style-type: none"> <li>• Special districts are not able to utilize the payroll tax credit for providing mandatory paid emergency sick and family time for those affected by COVID-19.</li> <li>• On 4/15/20, Congressman TJ Cox, D-Calif., circulated a letter to congressional leaders to support including state and local governments in the payroll tax credit program in phase IV legislation.</li> <li>• HR 6643 repeals the prohibition against granting federal, state, and local governments a tax credit for paid sick and paid family and medical leave.</li> </ul> <p>Bipartisan legislation that would make states and local governments eligible for the emergency paid leave payroll tax credits. This would give public organizations the same tax credits as private companies and help state and local budgets stretched thin by the COVID-19 pandemic.</p> <p>The <b>Supporting State and Local Leaders Act</b> would give public employers access to the tax credits to help state and local governments cover the costs associated with paid leave programs. The legislation currently has 108 bipartisan co-sponsors. CSDA is listed as an endorsing organization on the letter.</p>	<p>N</p>
<p><b>HR 1435 – Sites Reservoir Protection Act</b></p>	<p>2/28/19 – Introduced  3/15/19 Ref to Com on Water, Oceans  10/13/20 – No change in status</p>	<p>ACWA Supports. Supports building of the Reservoir and other water infrastructure in the Central Valley. Could also authorize additional funding and technological assistance for the project. Matching funds provided through Prop. 1. FUNDING: Sites Reservoir will receive \$6 million from the federal government as part of a bipartisan spending bill that was signed by President Trump at the close of 2019. The funding, authorized by the WIIN Act, was appropriated to the Bureau of Reclamation to advance Sites</p>	<p>N</p>

		Reservoir. With the passage of this legislation, Congress has now appropriated roughly \$10 million in WIIN Act funding to the Bureau of Reclamation for Sites Reservoir.	
<b>H.R. 1621 – Water Supply Permitting Coordination Act</b>	Introduced 3/7/19 – Referred to House Com on Natural Resources 3/28/20 – Ref to Com on Oceans and Wildlife	To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes. Helps with NEPA and Endangered Species Act. FEO becomes lead review agency. 10/13/20 – No change in status	N
<b>HR 2377 – Protect Drinking Water from PFAS Act</b>	9/26/19 – Forwarded to Energy and Commerce Subcommittee on Environment and Climate Change	ACWA: Oppose unless amended, Proposed Amendment: Provide robust funding for treatment and cleanup. Summary: Directs EPA to set a drinking water standard for all PFAS and PFOAS within two years of enactment. 10/13/20 – No change in status	N
<b>HR 2473 – Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act</b>	5/2/19 - Introduced in House 6/13/19 – Heard in Natural Resources Subcommittee 3/11/20 – Amended by Committee	ACWA supports with amendments. Requires the Bureau of Reclamation to fast-track California water storage projects such as the Sites Reservoir. Will create cutting-edge programs to grow and sustain the region's water supply by improving storage capacity, supporting key new technological innovations for drought resistance and groundwater management and establishing responsible levels of federal funding to invest in water future. Amendments under consideration. 10/13/20 – No change in status	N
<b>S.1613 – Contaminant and Lead Electronic Accounting and Reporting Requirements (CLEAR) for Drinking Water Act</b>	5/22/19 - Referred to the Committee on Environment and Public Works. 10/13/20 – No change in status	ACWA: Watch. Summary: Amends the Safe Drinking Water Act to update and modernize the reporting requirements for contaminants, including lead, in drinking water, and provides specific assistance to small and disadvantaged communities for education and system improvements.	N

<p><b>HR 535 – Protecting Americans at Risk of PFAS Contamination and Exposure</b></p> <p>aka PFAS Action Act of 2019 (see also S.1507)</p>	<p>7/12/19 Included in HR 2500 the National Defense Authorization Act for FY 2020 (Failed) 1/13/20 – Revised and Passed House, received in Senate 10/13/20 – No change in status</p>	<p>The House of Representatives expressed disappointment that the 2019 legislation did not go far enough to address PFAS issues. Accordingly, in January 2020, the House passed the <a href="#">PFAS Action Act (H.R. 535)</a>, omnibus-PFAS legislation. Its provisions also are discussed below. Senate leadership is not expected to take up companion legislation in the Senate for the foreseeable future.</p> <p>While legislative activity at the end of 2019 and the beginning of 2020 has brought significant clarity to Congressional intentions regarding PFAS issues, it should be noted that members of Congress have introduced more than 30 pieces of stand-alone PFAS legislation in the 116th Congress that would amend several environmental statutes and authorize a bevy of new programs related to PFAS chemicals. As discussed below, the pending bills encompass four legislative focal areas: (1) enhanced detection and research; (2) new regulatory mandates; (3) cleanup assistance; and (4) exposure to PFAS contamination at or near military installations.</p> <p>ACWA Watch List. Requires the EPA to designate all PFAS as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund. (ACWA Note: EPA indicates it will regulate two PFAs under CERCLA within the year. News: Jan. 10, 2019: The U.S. House of Representatives passed H.R. 535 along a 247-159 vote. The bill targeting per- and polyfluoroalkyl substances (PFAS) notably gained support from around two-dozen Republicans, despite opposition from President Donald Trump, who has said he will veto the bill if it comes to the White House. After its overwhelming passage in the House, the bill is likely to lose momentum</p>	<p>N</p>
<p><b>S.1932 – Drought Resiliency and Water Supply Infrastructure Act</b></p>	<p>Introduced 6/20/19 (Feinstein) 7/18/19 – Hearing in Senate Energy and Natural Resources Committee 10/13/20 – No change in status</p>	<p>Federal Drought Legislation. ACWA-supported bill would build on Sen. Feinstein's 2016 drought legislation that was included in the Water Infrastructure Improvements for the Nation (WIIN) Act. The bipartisan Act would improve the nation's water supply and drought resiliency to protect against climate change impacts. Key provisions include: • Extending funding under the WIIN Act for an additional five years, including \$670 million for surface and groundwater storage projects, and supporting conveyance, \$100 million for water recycling projects, \$60 million for desalination projects • Creating a new loan program for water agencies at 30-year Treasury rates to spur investment in new water supply projects •Authorizing \$140 million for habitat restoration and environmental compliance projects, including forest, meadow and watershed restoration and projects that benefit threatened and endangered species.</p>	<p>N</p>



<p><b>S.2086 – National Opportunity for Lead Exposure Accountability and Deterrence Act</b></p>	<p>7/11/19 Ref. to Committee on Environment and Public Works;</p>	<p>ACWA: Oppose. Summary: Amends the Safe Drinking Water Act to require EPA to lower the lead standard to less than 10 ppb by December 21, 2020; and not more than 5 ppb by December 31, 2026. 10/13/20 – No change in status</p>	<p>N</p>
<p><b>S 3590 – Drinking Water Infrastructure Act of 2020</b></p>	<p>5/2/20 – Introduced 5/6/20- Passed by Sen Env and Public Works Com 5/11/20 – Set on Senate Calendar  10/13/20 – No change in status</p>	<p>Bloomberg News: The Senate's environment panel pushed through two major water infrastructure bills Wednesday, rejecting a GOP member's attempt to give Western states ore authority over water supplies but agreeing to direct the EPA to set drinking water limits for PFAS. The water packages, (S3591 and S 3590) developed by the top Republican and Democrat on the Senate Environment and Public Works Committee, will now go to the full Senate. It's unclear how soon the chamber will consider the legislation while it focuses on the coronavirus pandemic. The PFAS language would direct the EPA to develop a national drinking water standard for PFAS, a group of chemicals used in everything from nonstick cookware to firefighting foam. The Drinking Water Infrastructure Act of 2020 reauthorizes the Safe Drinking Water Act program that support drinking water infrastructure and provide resources and technical assistance to communities facing critical drinking water needs</p>	<p>N</p>
<p><b>S 3591 – America's Water Infrastructure Act of 2020</b></p>	<p>5/2/20 – Introduced 5/6/20- Passed by Sen Env and Public Works Com 5/11/20 – Set on Senate Calendar 10/13/20 – No change in status</p>	<p>From Water Environment Foundation: On May 6, the Senate Environment and Public Works (EPW) Committee marked up America's Water Infrastructure Act of 2020 (S. 3591), drawing bipartisan support benefiting water treatment plants and other projects in towns located in virtually every district. The Senate schedule (as well as the House schedule) remains in flux in the wake of the Covid-19 crisis, and floor timing will likely be disrupted by the need for members of Congress to return home for 2020 campaigning. America's Water Infrastructure Act (AWIA) focuses mostly on Army Corps of Engineers' projects and policy, and would authorize roughly \$17 billion in infrastructure projects while increasing water storage and reducing flood risks, but it also includes a major clean water section that includes wastewater and stormwater provisions. It would reauthorize a 2018 water infrastructure law touted by Republicans and Democrats alike as the most sweeping infrastructure measure to be considered in the last Congress. WEF and its members advocated for many of the provisions that were included in AWIA. AWIA 2020 provides roughly \$17 billion in new federal authorizations to invest in infrastructure projects across the country. It will cut red tape by setting a two year goal for the U.S. Army Corps of Engineers (Army Corps) to complete its feasibility studies for potential projects, consistent with the standard set by President Trump.</p>	<p>N</p>

California			
Issue	Status	Description	New or Change in Status (New/Y/N)
<b>Legislative Session ended 9/30/20</b>		From CSDA: September 30 marked the final day for Governor Gavin Newsom to sign or veto the hundreds of bills the State Legislature managed to pass in the midst of the COVID-19 pandemic. Included in the measures enacted this year was \$50 million in funding CSDA advanced for special districts and other local agencies to prepare for public safety power shutoffs (PSPS) and other de-energizations as part of the State Budget.	
<b>Governor's Executive Order N-79-20</b>  <b>Signed 9/23/2020</b>		SACRAMENTO – Governor Gavin Newsom today (9/23/2020) announced that he will aggressively move the state further away from its reliance on climate change-causing fossil fuels while retaining and creating jobs and spurring economic growth – he issued an executive order requiring sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector. The Executive Order directs the California Air Resources Board (CARB) to phase out gas-powered passenger vehicles and certain freight trucks by 2035, and medium and heavy duty trucks by 2045. This action continues the Governor's commitment to strengthening California's resilience while lowering carbon emissions – essential to meeting California's air quality and climate goals. In the last six months alone, CARB has approved new regulations requiring truck manufacturers to transition to electric zero-emission trucks beginning in 2024 and the Governor signed an MOU with 14 other states to advance and accelerate the market for electric medium- and heavy-duty vehicles. Sources: CSDA, Governor's press release and CalMatters	
<b>ACA 3: Clean Water for All Act</b>	3/20/19 – Amended in Assembly 4/30/19 – Failed Committee, granted reconsideration	Constitutional Amendment to require a minimum of 2% of specified state revenues to be earmarked for payment of principal and interest on bonds authorized by the Water Quality, Supply and Infrastructure Improvement Act of 2014. 4/15/19 – Now called the "Clean Water for All Act" 10/31/20 – No change in status. Bill still active.	N
<b>SB 45 – Climate Resiliency Bond - The Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020</b>	Proposed in Governor's 2020-21 Budget 1/23/20 – Amended to increase amount to \$5.5 billion 1/31/20 – Passed Senate, on to Assembly. Urgency clause added. Read first time, held at Desk in Assembly. 10/13/20 – No change in status. Still active.	<b>NOT on the Nov. 3, 2020 Ballot.</b> <b>News: New Climate Programs Killed in May Budget Revise: Gone are new programs meant to fight climate change. These include a \$1 billion green loan fund intended to jumpstart small- and medium-sized climate-friendly businesses like electric vehicle charging stations, renewable energy projects and other programs that have a hard time attracting private capital. Sponsorship of a \$4.75 billion climate bond for wildfire, flood and drought resilience projects across the state has also been eliminated.</b>  <b>Climate resiliency bond:</b> The projected climate budget relies heavily on the proposed \$5.5 billion climate resiliency bond being passed by voters on the November's ballot. 80% of these funds would be allocated to address nearer term risks such as floods, drought and wildfire, with the remaining funds aimed at addressing longer term climate risks such as sea level rise and extreme heat. The proposed bond includes \$250 million for community resilience; <b>\$2,925 million for drinking water</b> , flood, drought; \$750 million for wildfire; \$500 million for sea level rise; and \$325 million for extreme heat. The bill made it out of Senate Appropriations with amendments and passed out of the Senate on a required two-thirds vote. It is now in the Assembly. The bill was amended on the Senate Floor to include an urgency clause,	N

		<p>which offers flexibility beyond normal legislative deadlines.  The measure is anticipated to be taken under consideration in the Assembly simultaneously with the other climate bond proposals anticipated from the Assembly and Governor, which we expect to be introduced in the coming weeks.</p> <ul style="list-style-type: none"> <li>• General Provisions: including definitions, how the funds may be used, grant eligibility, and applicant eligibility. See Chapter 1 (beginning at Section 80200)</li> <li>• Wildfire Prevention and Community Resilience from Climate Impacts: \$2,200,000,000 for wildfire prevention, drought, or other natural disaster prevention and community resilience from climate change impacts. See Chapter 2 (beginning at Section 80220). Note: "Fire hardening" is defined in Chapter 1, Section 80203 (f)</li> <li>• Ensuring Safe Drinking Water and Protecting Water Supply and Water Quality from Climate Risks: \$1,470,000,000 for providing safe drinking water and protecting water supply and water quality from climate risks. See Chapter 3 (beginning at Section 80230).</li> <li>• Protecting Fish and Wildlife from Climate Risks: \$620,000,000 for protecting fish and wildlife from climate risks. See Chapter 4 (beginning at Section 80240).</li> <li>• Protecting Agricultural Lands from Climate Risks: \$190,000,000 for protecting agricultural land from climate risks. See Chapter 5 (beginning at Section 80250).</li> <li>• Protecting Coastal Lands, Bays, and Oceans from Climate Risks: \$970,000,000 for protecting coastal lands, oceans, bays, waters, natural resources, and wildlife from climate risks. See Chapter 6 (beginning at Section 80260).</li> <li>• Climate Resilience, Workforce Development, and Education: 60,000,000 for climate resilience, workforce development, and education. See Chapter 7 (beginning at Section 80270). Note: This section includes grant funding for career pathways for fire prevention and park and open space operations, among others, as well as funding for community colleges and the CSU and UC systems for fire education purposes.</li> </ul>	
<p><b>AB 352: The Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020</b> (Budget Trailer Bill from Gov. Newsom) (Different than SB45, above)</p>	<p>8/14/19 - Gutted and Amended previous bill Ref. to Committee on Environmental Quality 10/13/20 – No change in status</p>	<p>Bond proceeds will be allocated as follows:  <b>Chapter 2: Supporting Safe Drinking Water and Resilience to Flood and Drought: \$2,925,000,000</b> for providing safe and clean drinking water and resilience to flood and drought (See Section 80220). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> <li>• \$1,000,000,000 to the Department of Water Resources and Water Board for grants or loans to support regional and inter-regional water resilience programs and projects – this funding is intended to support the regional approach identified in the Water Resilience Portfolio (See Section 80221).</li> <li>• \$395,000,000 to the Department of Water Resources for competitive grants to projects that support sustainable groundwater management implementation (See Section 80222).</li> <li>• \$360,000,000 to the Water Board for competitive grants or loans to help provide clean, safe and reliable drinking water to all Californians, pursuant to the same purposes of the <u>Clean, Safe and Reliable Drinking Water fund</u> (See Section 80223).</li> </ul>	<p>N</p>

		<ul style="list-style-type: none"> <li>• \$340,000,000 to the Department of Water Resources for flood Infrastructure projects (See Section 80224).</li> <li>• \$270,000,000 to the Department of Water Resources for Central Valley and Sacramento-San Joaquin Delta multi-benefit flood control projects (See Section 80225).</li> <li>• \$220,000,000 to the Natural Resources Agency for restoration activities identified in the Salton Sea Management Program (See Section 80226).</li> <li>• \$200,000,000 to the Department of Food and Agriculture for projects and competitive grants to support environmental farming projects. (See Section 80227)</li> <li>• \$140,000,000 to the Department of Fish and Wildlife for project and competitive grants that enhance or restore native fish species habitat (See Section 80228).</li> </ul> <p><b>Chapter 3: Wildfire Resilience Through Forest Health and Community Preparedness:</b>  <b>\$750,000,000</b> for wildfire resilience (See Section 80230). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> <li>• \$250,000,000 to the Department of Forestry and fire Protection for competitive grants for projects that reduce the risk of wildfire and provide long-term forest health benefits (See Section 80231).</li> <li>• \$500,000,000 to the Office of Emergency Services, managed in coordination with the Natural Resources Agency and the Department of Forestry and Fire Protection, for competitive grants for hardening critical community infrastructure (See Section 80232).</li> </ul> <p><b>Chapter 4: Minimizing Threats Posed to Coastal Resources and Communities from Sea Level Rise and Changing Ocean Conditions: \$500,000,000</b> for competitive grants to the Ocean Protection Council (See Section 80240). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> <li>• \$320,000,000 for projects and competitive grants that restore coastal wetlands (See Section 80241).</li> <li>• \$130,000,000 for competitive grants that use nature-based solutions to address climate change impacts to California’s ocean ecosystems (See Section 80242).</li> <li>• \$50,000,000 for competitive grants for demonstration projects protecting critical infrastructure that is vulnerable to sea level rise and flooding (See Section 80243).</li> </ul> <p><b>Chapter 5: Mitigating Extreme Heat: \$325,000,000</b> for mitigating extreme heat impacts (See Section 80250). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> <li>• \$200,000,000 to the Natural Resources Agency for competitive grants for urban greening and forestry projects (See Section 80251).</li> <li>• \$125,000,000 to the Strategic Growth Council, in collaboration with the Department of Transportation, for competitive grants to support projects that provide for cool surface materials (See Section 80252).</li> </ul> <p><b>Chapter 6: Supporting Community Resilience: \$250,000,000</b> to the Strategic Growth Council for community resilience (See Section 80260). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> <li>• \$225,000,000 for the development of community resilience centers (See Section 80261).</li> <li>• \$25,000,000 for competitive grants that support community resilience planning efforts (See Section 80262).</li> </ul>	
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<p><b>AB 196: Workers' compensation: COVID-19: essential occupations and industries</b></p>	<p>3/26/20 – Gutted and amended existing bill  5/5/20 – Amended in Senate.  8/12 - Passed Sen Labor, Public Employment and Retirement Com and ref to Appropriations  8/20 – Passed Appropriations  9/1/20 – Ordered to INACTIVE by unanimous consent</p>	<p>CSDA Opposed. AB 196, gutted and amended from being a paid family leave bill, would now provide a <i>conclusive</i> COVID-19 workers' compensation presumption for employees who are employed in an occupation or industry deemed "essential" in the Governor's Executive Order of March 19, 2020. The non-rebuttable presumption would extend up to 90 days after the employee leaves employment. It would add substantial costs to the workers' compensation system on the order of billions of dollars annually. AB 196 specifically excludes first responders and healthcare workers, because AB 664 covers those employees with significantly enhanced workers' compensation benefits.</p> <p>This bill would define "injury," for certain employees who are employed in an occupation or industry deemed essential in the Governor's Executive Order of March 19, 2020 (Executive Order N-33-20), except as specified, or who are subsequently deemed essential, to include coronavirus disease 2019 (COVID-19) that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. The bill would apply to injuries occurring on or after March 1, 2020, would create a conclusive presumption, as specified, that the injury arose out of and in the course of the employment, and would extend that presumption following termination of service for a period of 90 days, commencing with the last date actually worked.</p>	<p>Y</p>
<p><b>AB 685: Occupational Safety: COVID-19 Exposure: Notification</b></p> <p><b>NOW LAW</b></p>	<p>6/29/20 – Prior bill was gutted and amended  6/30/20 – Ref to Com on Rules  8/6/20 – Passed Com on Labor and Public Employment  8/6 – Referred to Appropriations</p>	<p>CSDA Opposed: CSDA Update 8/12/20: Last week, <u>AB 685 (Reyes)</u> related to employee notification of potential COVID-19 exposure, passed out of the Senate Labor, Public Employment, and Retirement Committee with a commitment from the author to take significant amendments to address some employer concerns. As currently drafted, while well intended, the bill would be extremely challenging for employers to comply and create significant risk for litigation.</p> <p>CSDA Analysis 8/17/20: AB 685 places numerous requirements on employers regarding notifying employees and various state agencies about employees that become ill with or have been exposed to COVID-19. This bill, like SB 1159, continues to be a work-in-progress and is expected to be amended before the August 31</p>	<p>Y</p>

	<p>8/31 – Passed. 9/8/20 – Signed by Gov</p>	<p>legislative deadline. As currently drafted, the bill would require that, if an employee is exposed to COVID-19, an employer must take <i>all</i> of the following actions within 24 hours from when the employer knew or reasonably should have known of exposure to the employee:</p> <ol style="list-style-type: none"> <li>1. Provide a notice to all employees at the worksite where the exposure occurred that they may have been exposed to COVID-19. This notification shall be, at a minimum, in writing in both English and the language understood by the majority of the employees. Employers shall also make every reasonable effort necessary to notify workers verbally.</li> <li>2. Notify the employee's union, if any.</li> <li>3. Notify all employees and the union, if any, of options for exposed employees including COVID-19-related leave, company sick leave, state-mandated leave, supplemental sick leave, or negotiated leave provisions.</li> <li>4. Notify all employees and the union, if any, on the cleaning and disinfecting plan that the employer plans to implement prior to resuming work.</li> <li>5. Notify the Division of Occupational Safety and Health of the number of employees by occupation with a COVID-19 positive test, diagnosis, order to quarantine, or death that could be COVID-19 related.</li> <li>6. Notify the California Department of Public Health and the appropriate local public health agency of the number of employees by occupation with a COVID-19 positive test, diagnosis, order to quarantine, or death that could be COVID-19 related.</li> </ol> <p>The author of AB 685 has acknowledged that a number of the provisions of the bill are unworkable or unreasonable as they are currently drafted. Nonetheless, the author is resolved to amend and pass a bill that will place new notification requirements on employers to ensure employees are well informed on matters of workplace safety related to COVID-19.</p> <ol style="list-style-type: none"> <li>1. Notify all employees and the exclusive representative, if any, on the cleaning and disinfecting plan that the employer plans to implement prior to resuming work.</li> <li>2. Notify the Division of Occupational Safety and Health, pursuant to subdivision (b) of Section 6409.1, of the number of employees by occupation with a COVID-19 positive test, diagnosis, order to quarantine, or death that could be COVID-19 related.</li> <li>3. Notify the California Department of Public Health and the appropriate local public health agency of the</li> </ol>	
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<p><b>AB 992: Open Meetings – Social Media</b> <b>NOW LAW</b></p>	<p>2/21/19 – Introduced 1/31/20 – Passed Assembly, on to Senate Rules Committee 6/23/20 – Ref to Com on Govt and Finance 8/31/20 – ENROLLED.</p>	<p>The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines "meeting" for purposes of the act and expressly excludes certain activities from the application of the act. This bill would provide that the Act does <b>not</b> apply to the posting, commenting, liking, interaction with, or participation in, internet-based social media platforms that are ephemeral, live, or static, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency. CSDA supports.</p>	<p>Y</p>
<p><b>AB 1415: DWR Reporting Requirements – Civil Penalties</b></p>	<p>Bill held in suspense file. 10/13/20 – No change in status</p>	<p>CSDA Opposed. As amended 5/24/19: Requires the Department of Water Resources (the Department) to impose a civil penalty of up to \$1,000 on any entity that fails to file with the department a report or plan by the deadline required. The reports subject to penalty include: (1) A report that summarizes aggregated farm-gate delivery data. (2) A water loss audit report, and accompanying information. (3) An urban water management plan or plan update. (4) A report on the implementation and enforcement of the model water efficient landscape ordinance, or a locally modified water efficient landscape ordinance that is at least as effective in conserving water. Additional penalties may apply for continued failure to file report. The Department has discretion to reduce or waive penalty.</p>	<p>N</p>

<p><b>AB 2060: Drinking water: pipes and fittings: lead content</b></p>	<p>Introduced 2/4/20 6/2/20 – Amended in Appropriations, 8/3/20 – Amended in Com on Env Quality 8/11/20 – Ref to Com on Appropriations 8/20/20 – Suspense file.</p>	<p>CSDA: Watch. Would define "lead free," for purposes of manufacturing, industrial processing, or conveying or dispensing water for human consumption, to mean not more than one microgram of lead under certain tests and meeting a specified certification when used with respect to end-use devices.</p>	<p>Y</p>
<p><b>AB 1484: Mitigation Fee Act: Housing Developments</b></p>	<p>9/6/19: Amended in Senate to include Special Districts 9/10/19 – Delay hearing until 2020, per author 10/13/20 – No change in status</p>	<p>Development Impact Fees. CSDA watch: Would place into law an expansive list of requirements that would run parallel to and in conjunction with both the Fee Mitigation Act and the Quimby Act as well as the Mello-Roos Community Facilities Districts Act. CSDA holds major concerns with this measure including:</p> <ul style="list-style-type: none"> <li>• Projects would need an individualized determination of their alignment with the nexus study;</li> <li>• Adds a new standard of "roughly proportional" in addition to the more common "reasonable" standard, which may not be appropriate for these types of fees and charges;</li> <li>• Levels of service may not exceed that of the "existing community";</li> <li>• New facilities to be funded via impact fees would have to be specifically identified within the district's capital improvement plan (CIP);</li> <li>• "Capital Cost Level of Service" would be prohibited;</li> <li>• Mandates even more public website postings, hearings, and comment periods prior to adopting a nexus study;</li> <li>• If challenged in court, the burden would be on a district to demonstrate compliance with this bill.</li> </ul> <p>Hearing postponed as the issues it tackles and their consequences are too complicated to resolve in one week. 9/19 Statement by California YIMBY: "California YIMBY is disappointed in this stalemate. We call on the Legislature to heed the recommendations of the <u>UC Berkeley Turner Center for Housing Innovation</u> and prevent local governments from imposing fees that worsen the housing affordability crisis. Some local governments require fees on new home building in excess of \$100,000 per home. Fees this high are guaranteed to worsen our housing affordability crisis. California's Legislative Analyst's Office has blamed <u>excessive fees</u> as one reason for the precipitous <u>decline in housing permits</u> in CA. Unless the Legislature curtails these usurious fees imposed by many local governments, Californians will continue to suffer from higher rent burdens, displacement, increased homelessness, reduced upward social mobility, and crushed dreams of homeownership."</p>	<p>N</p>



<p><b>AB 2107: Local Govt: Securitized limited obligation notes</b></p> <p><b>NOW LAW</b></p>	<p>Introduced 2/6/20. 8/28 Passed 9/4/20 - Enrolled</p>	<p>CSDA sponsor. Reauthorizes a statute that expired December 31, 2019, which authorizes a special district to issue securitized limited obligation notes (SLONs) for the acquisition or improvement of land, facilities, or equipment. These notes must mature within 10 years and can be issued to a cumulative \$2 million dollars outstanding at one time. They can be secured with any available revenues. Would reinstate these notes for 5 more years.</p>	<p>Y</p>
<p><b>AB: 2123: Accessibility: internet website.</b></p>	<p>Introduced 2/6/20 3/16/20 _ In Judiciary Com. 5/4/20 – Amended by author, re-ref. to Com on Judiciary 5/11/20 Hearing canceled by author 10/13/20 – No change in Status</p>	<p>CSDA: Support. Current law imposes liability upon a person, firm, or corporation that denies or interferes with admittance to or enjoyment of public facilities or otherwise interferes with the rights of an individual with a disability, as specified, for damages and attorney's fees to a person who was denied those rights. This bill would specify that statutory damages based upon the inaccessibility of internet website under these provisions shall only be recovered against a business establishment or public place if the internet website fails to provide equally effective communication or to facilitate full and equal enjoyment of the entity's goods and services to the public.</p> <p>CSDA Summary: Provides a rebuttable presumption that a business' website is ADA-compliant if the website meets the Web Content Accessibility Guidelines (WCAG) 2.0 AA standard. The bill further requires the California Commission on Disability Access to review the WCAG standards and determine whether they are the most up-to-date standards for effective communication through websites.</p>	<p>N</p>
<p><b>AB 2148: Climate Change Adaptation: Regional Plans</b></p>	<p>Introduced 2/10/20 3/9/20 – Amended, ref to Com on Natural Resources 10/13/20 – No change in status</p>	<p>CSDA: Watch. Current law establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as specified. This bill would state the intent of the Legislature to enact legislation that would foster regional-scale adaptation, as specified; give regions a time to develop their regional plans, as specified; and consider, among other things, sea level rise and fire vulnerability.</p>	<p>N</p>
<p><b>AB 2151: Political Reform Act: Online Filing and Disclosure System</b></p> <p><b>NOW LAW</b></p>	<p>Introduced 2/10/20 6/9/20 – Read first time in Senate 6/23/20 – Ref to Com on Environment 8/4/20 – Passed Com, ref to Appropriations 8/14 – Ordered to Consent Calendar 9/4/20 – Enrolled Chaptered</p>	<p>CSDA: Watch. Form 700. The Political Reform Act of 1974 requires the filing of specified statements, reports and other documents. Under the act, a local government agency may require these filings to be made online or electronically with the local filing officer, as specified. The act requires the local filing officer to make all data so filed available on the internet in an easily understood format that provides the greatest public access. This bill would require a local government agency to post on its internet website, within 72 hours of the applicable filing deadline, a copy of any specified statement, report, or other document filed with that agency in paper format. This bill would require that the statement, report, or other document be made available for four years from the date of the election associated with the filing.</p> <p>CSDA SUMMARY: Requires a local government agency to post on its internet website, within 72 hours of the applicable filing deadline, all campaign filings that it receives and remain for at least four years. <i>(updated 2.25.20)</i></p>	<p>Y</p>

<p><b>AB 2155: Public Officers: contracts: prohibited interests</b></p>	<p>Introduced 2/10/20 4/24/20 – Ref to Com on Judiciary 10/13/20 – No change in status</p>	<p>CSDA Opposed. Current law prohibits members of the Legislature, and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members, subject to certain exceptions and qualifications. A contract made in violation of these provisions may be avoided at the instance of any party, except the officer who is interested in it. This bill would define "party," for these purposes, for a contract formed on and after January 1, 2021, as a California taxpayer. CSDA SUMMARY: Existing law prohibits members of the Legislature, and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members, subject to certain exceptions and qualifications. Should a body enter into a contract (including contracts utilizing bond funds), a party directly impacted by the contract can contest it. This bill looks to expand the contesting authority to any person, not just those that are directly impacted. (updated 2.19.20)</p>	<p>N</p>
<p><b>AB 2178: Emergency Services (De-energization)</b></p>	<p>Introduced 2/11/20 5/13/20 – Passed Com, re-ref to Appropriations 6/9/20 – Read first time in Senate 7/8/20 Amended in Com on Govt Operations 10/13/20 – No change in status</p>	<p>CSDA: No position. Current law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a de-energization event, defined as a planned public safety power shutoff, as specified, within those conditions constituting a state of emergency and a local emergency. CSDA SUMMARY: This bill would add a de-energization event, defined as a planned Public Safety Power Shutoff (PSPS), to the list existing list of conditions under which the Governor may declare a state of emergency and/or local officials of a county, city, or city and county may declare a local emergency. This would potentially open districts to receive financial reparation for costs incurred during the event as well as grant additional flexibility provided through the provisions of the California Emergency Services Act. Similar to SB 862 Dodd. (updated 2.26.20)</p>	<p>N</p>
<p><b>AB 2186: Public Contracting: contractor retention withholding.</b></p>	<p>Introduced 2/11/20 2/20/20 – Ref to Com on Local Govt 10/13/20– No change in status</p>	<p>CSDA Opposed. Existing law authorizes the legislative body of a local agency to prescribe how the local agency makes payment on a contract with the local agency for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed \$5,000. This authority is limited by requiring progress payments on the contract not to be made in excess of 95% of the percentage of actual work completed plus a like percentage of the value of material delivered on the ground or stored subject to, or under the control of, the local agency, and unused. Additionally, a local agency shall not withhold less than 5% of the contract price until final completion and acceptance of the project, unless, at any time after 50% of the work has been completed, the local agency finds that satisfactory progress is being made. This bill would eliminate the above described 95% limitations on a local agency's authority to prescribe payments on these contracts and would prohibit the local agency from withholding more than 5% of the contract price for contracts for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed \$5,000 in total costs. (updated 2.26.20)</p>	<p>N</p>

<b>AB 2209: Calif Geographic Information Office</b>	Introduced 2/12/20 3/12/20 – Ref to Com on Business, Professions, & Consumer Protection 10/13/20 – No change in status	<p>CSDA Support. Would establish, until January 1, 2031, the California Geographic Information Office within the Department of Technology for the purpose of coordinating the state's geographic information systems (GIS) projects, promulgating standards for data collection and sharing, and managing shared data resources. The bill would authorize the Geographic Information Officer, appointed by the Governor, to direct the office and to work closely with the Director of Technology. The officer's duties would include, among others, developing a state GIS strategic plan in consultation with key stakeholders, including, but not limited to, the California Geographic Information Advisory Council, which would be established by this bill. The bill would require the council to advise the officer on issues of policy and implementation.</p> <p>CSDA SUMMARY: Implements the recommendations of the Little Hoover Commission by establishing the California Geographic Information Office within the Department of Technology for the purpose of coordinating the state's geographic information systems (GIS) projects, promulgating standards for data collection and sharing, and managing shared data resources in coordination with appointed stakeholders, including an appointment by the California Special Districts Association. (updated 2.25.20)</p>	<p style="text-align: center;">N</p>
<b>AB 3193: Utility workers and vehicles</b>	Introduced 2/21/20 3/9/20 – Ref to Com on Public Safety 10/13/20 – No change in status	<p>CSDA Support. Would authorize vehicles owned by a local publicly owned electric utility, a community choice aggregator, or an irrigation district to display flashing amber warning lights when parked on a highway or when moving slower than the normal flow of traffic. It would also add utility vehicles to the list of stationary vehicles drivers must treat caution; make a lane change or slow to a prudent speed. It also created criminal penalty enhancements assault or battery against a utility worker. (updated 3.31.2020)</p>	<p style="text-align: center;">N</p>
<b>AB 3256: Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020</b>  (Climate risks: Bond measure)	Introduced 2/21/20 5/14/20 – Amended by Com on Natural Resources 5/18/20 – Amended by Com on Appropriations 6/3/20 – Amended, ref to Com on Rules 10/13/20 – No change in status	<p>The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4B pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill would enact the <i>Economic Recovery, Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020</i>, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for <del>a</del> <i>an economic recovery, wildfire prevention, safe drinking water, climate resilience, drought preparation, and flood protection program</i>.</p> <p>This bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election.</p> <p>CSDA Summary: This bill is the Assembly's vehicle for their version of a climate resiliency bond, but is currently in intent form, stating only the intent of the Legislature to enact a bond measure that would address climate risks to the State of California. (updated 4.1.20)</p>	<p style="text-align: center;">N</p>

<p><b>SB 414: Small System Water Authority Act of 2019</b></p>	<p>8/21/19 – Placed in suspense file. 8/20/20 – Hearing held in Committee on Local Gov</p>	<p>CSDA supports. As amended 6/25/19: Creates the Small System Water Authority Act, which would allow county local agency formation commissions, in concert with the State Water Resources Board, to consolidate clusters of small water systems that have chronically failed to provide safe and affordable drinking to their customers. These small, failing systems would be reformed into a single Small System Water Authority, benefiting from economies of scale and improved governance and accountability. 10/13/20 – No change in status</p>	<p>Y</p>
<p><b>SB 931: Local government meetings: agenda and documents</b></p>	<p>Introduced 2/5/20 2/12/20 Com. on Gov and Finance - 4/2/20 – Amended, re-ref to Gov and Finance 10/13/20 – No change in status</p>	<p>CSDA: Opposed. The Ralph M. Brown Act authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. <b>CSDA SUMMARY:</b> As amended, this bill will require public agencies to email meeting agendas and the supporting agenda packets, or a link to where they can be found on an agency's website, to members of the public that have requested them. Just like when the public requests meeting materials be mailed to them, this standing request is valid for one year. In the event that it is not technically feasible to email the meeting materials or a link to where it can be found on a website, an agency can physically mail the materials and charge the requested for the costs of the mailing. The amendments address a majority of CSDA's previous concerns. (<i>updated 4.24.20</i>) BCVWD practice is to do this anyway.</p>	<p>N</p>
<p><b>SB 952: Sales and Use Tax Exemption: backup generators</b></p>	<p>Introduced 2/10/20 Ref to Com on Govt and Finance 6/25 – Passed Senate 6/29/20 – Ref to Assembly Com on Revenue and Taxation</p>	<p>CSDA Watch List. This bill, on and after January 1, 2021, would provide an exemption from those taxes with respect to the sale of, or the storage, use, or consumption of, a backup electrical resource, as defined, that is purchased for exclusive use by a city, county, special district, or other entity of local government during de-energization events, as defined. 10/13/20 – No change in status</p>	<p>N</p>
<p><b>SB 1099: Emergency Backup Generators: Critical Facilities Exemption</b></p>	<p>2/19/20 – Introduced. 6/2/20 – Amended in committee. 6/9/20 –Com on Appropriations 6/25 – Passed Senate 7/20 – Amended in Com, ref to Com on Natural Resources 10/13/20 – No change in status</p>	<p>CSDA supports. CSDA summary: This bill would require air districts to allow critical facilities with a permitted emergency backup generator to 1) use the emergency backup generator during a de-energization event or other loss of power, 2) test or maintain the emergency backup generator for consistency without having it count toward generator's time limitation on actual usage and routine testing and maintenance. Further, an air district would not be able to impose a fee on the issuance or renewal of a permit issued for an emergency backup generator. "Critical facility" is defined as "a facility necessary or convenient in providing essential public services, including, but not limited to, facilities such as police stations, fire stations, emergency operations centers, water and wastewater facilities, incident command posts, and communication systems used to support essential public services." "Water and Wastewater" facilities is defined as "'Water and wastewater facilities" includes drinking water and wastewater treatment plants, pumping stations, storage facilities, and water facilities needed to maintain water service and the water pressure necessary for firefighting." Sponsor: CMUA (2.26.20)</p>	<p>N</p>

<p><b>SB 1185 Emergency Backup Generators: emergency variance – operation during de-energization events</b></p>	<p>Introduced 2/20/20 Amended 5/26/20 6/29/20 – Ref to Com on Natural Resources 7/27/20 – Amended by author, re-ref to Com on Natural Resources 10/13/20 – No change in status</p>	<p>CSDA Support in concept. Would require a facility permittee applying for an emergency variance during a deenergization event with an air district hearing board to demonstrate that the permitted emergency backup generator is using the cleanest, feasible, available backup power source sufficient to meet the facility's electrical service demand. Suitable backup power sources may include, but are not limited to, federally compliant natural-gas-powered generators. This may impact a local air board's ability to issue emergency variance for operation of diesel generators and needs to be amended to specify existing generators of critical facilities may continue to receive emergency variance. (updated 6.3.20)</p>	<p>N</p>
<p><b>SB 1159: Workers' compensation: COVID-19: critical workers</b></p> <p>NOW LAW</p>	<p>2/20/20: Introduced. 6/26/20 – Passed Sen, ref to Asm 8/11/20 – Ref to Appropriations 8/31 – Passed 9/4/20 – Chaptered</p>	<p>CSDA Update: On the final night of the legislative session <a href="#">SB 1159 (Hill)</a> related to COVID-19 workers' compensation presumption passed both houses of the California State Legislature with bipartisan support. The bill is headed to the Governor's desk and if signed it will become law immediately. SB 1159 was one of three different COVID-19 workers' compensation before the Legislature on its final night, however the other bills AB 196 (Gonzalez) and AB 664 (Cooper) were not heard and died when the Legislature adjourned the 2019-2020 Legislative Session.</p> <p>SB 1159 has four district parts that are summarized below:</p> <p><b>Section 1:</b> Requires the Commission on Health and Safety and Workers' Compensation (CHSWC) to conduct a study on the impacts claims of COVID-19 have had on the workers' compensation system, including but not limited to the overall impacts on indemnity benefits, medical benefits, and death benefits.</p> <p><b>Section 2:</b> Codifies the Governor's <a href="#">Executive Order N-62-20</a> from March which created a rebuttable presumption for the period of March 19, 2020 (Date of Stay-At-Home Order) and July 5, 2020 (60-days from the Order) whereby any employee that has been directed to work outside of their home by their employer during that time period that tests positive or is diagnosed with COVID-19 that the injury is presumed to have taken place in the workplace and therefore would be entitled to workers' compensation benefits.</p> <p><b>Section 3:</b> Creates a rebuttable presumption until January 1, 2023, for firefighters, peace officers, and healthcare workers that provide direct patient care that contract COVID-19 within 14 days of working that the illness is a workplace injury and they are entitled to workers' compensation benefits. Employers are provided 30-days to contest the injury is a workplace injury.</p> <p><b>Section 4:</b> Attempts to address workplace outbreaks and applies to all other employees not covered by other sections that work for an employer that has five or more employees. This section creates rebuttable</p>	<p>Y</p>

		presumption that an employee contracted COVID-19 at the workplace and they are entitled to workers' compensation benefits if the employee contracts COVID-19 during a workplace "outbreak." An "outbreak" exists if within a 14 calendar day period an employer has 100 employees or fewer at a specific place of employment and four or more employees test positive for COVID-19, or if the employer has more than 100 employees at a specific place of employment and four percent of the number of employees who reported to the specific place of employment test positive for COVID-19. This section also contains certain reporting requirement and penalties for falsifying records. This section is in place from July 6, 2020 (end of the Governor's Executive Order) though January 1, 2023. Employers have 45-days to contest the injury is a workplace injury under this section..	
<b>SB 1205: Local Agency Design-Build Projects</b>	Introduced 2/20/20 3/5/20 – Ref. to Com. On RLS 3/25 – Amended 7/27 – Amended. 10/13/20 – No change in status	CSDA: Oppose unless amended. Current law states that the Legislature finds and declares that the design-build method of project delivery, using a best value procurement methodology, has been authorized for various agencies that have reported benefits from those projects, including reduced project costs, expedited project completion, and design features that are not achievable through the traditional design-bid-build method. This bill would make a non-substantive change to that provision.	Y
<b>SB 1318 District Elections: Ballot Measures: impartial analyses</b>	Introduced 2/21/20 3/5/20 – Ref to Senate Rules Committee 10/13/20 – No change in status	CSDA: Watch. Under current law, a measure may be placed on the ballot at a district election by a petition signed by the requisite number of voters or by the governing body of the district. Whenever a district measure is submitted to the voters at a district election, current law requires the county counsel or district attorney of the county to prepare an impartial analysis of the measure showing the effect of the measure on current law and the operation of the measure. This bill would make technical, non-substantive changes to the latter provision.	N
<b>SB 1386 Local Govt Assessments, fees, and charges: water  NOW LAW</b>	Introduced 2/21/20 4/1/20 – Ref to Com on Rules, amended by author 5/11/20 – Ref to Com on Govt and Finance 6/11/20 – Read first time in Assembly. 6/18/20 – Ref to Com on Local Government	CSDA supports. The Proposition 218 Omnibus Implementation Act prescribes specific procedures and parameters for local jurisdictions to comply with requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. Current law defines, among other terms, the term "water" for these purposes to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. This bill would specify that "water" also includes the public fixtures, appliances, and appurtenances connected to an above-described system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source.	Y

	8/11/20 – Revised, and passed Committee 8/30/20 – PASSED and enrolled	CSDA SUMMARY: Restates that “water” for purposes of the Proposition 218 Omnibus Implementation Act also includes the public fixtures, appliances, and appurtenances (including fire hydrants and the water dispensed from them) connected to and maintained by the water provider. Therefore a property-related water service fee or charge by a local agency may include the costs to construct, maintain, repair, or replace public hydrants and the associated water attached to a water system, to the extent those fees or charges are consistent with the California Constitution. Ideally, this measure would lessen local agencies’ exposure to litigation, like those lawsuits that have already been filed against 81 water suppliers, so that communities may maintain a high level of fire protection. (updated 4.4.20)	
<b>SB 1383 – Unlawful Employment Practice – Family Leave</b>  <b>Budget Trailer Bill</b>  <b>NOW LAW</b>	6/23/20 – Existing bill gutted and amended 7/2/20 – Passed Senate. 7/29/20 – Passed Asm Labor & Employment Committee 8/31/20- Passed 9/8/20 - ENROLLED	CSDA Strongly opposed. In a hearing on this bill in late June, legislators from both sides of the aisle took issues with a number of the provisions. As a result, there is a chance that the bill is not in its final form and could be amended to reduce the burden on small employers. While this bill is part of a budget deal, and is expected to pass in some form along with other budget bills, this bill would not go into effect until January 1.  Makes statutory changes to the California Family Rights Act, the New Parent Leave Act, and Pregnancy Disability Leave. CSDA strongly opposed: SB 1383 was gutted and amended on 6/24/20 as part of a budget agreement between the Legislature and the Governor. The language put into the bill is from a Budget Trailer Bill that the Governor was pushing in January. While the bill is being called “Paid Family Leave” it is actually an extension of CFRA leave and will apply to all employers, not just those with 50 or more employees. While some districts will see only minor differences in how current protected leave programs impact their workplace, smaller districts with 50 or fewer employees will now have to provide the leave provided in this bill. Specifically, SB 1383 will: <ul style="list-style-type: none"> <li>• Require all employers to provide 12-weeks of protected leave of absence each year. This is in addition to existing leaves of absences already required, thereby requiring up to 6 months of mandatory leave, and exposing employers to costly litigation for any alleged violation</li> <li>• This proposed leave is “protected,” meaning the employer has no discretion to deny it or ask the employee to modify the leave to accommodate the employer’s business operations or other employees who may be out of work on other California leaves of absence. If an employer denies, interferes with, or discourages the employee from taking the leave, the employer could be subject to costly and devastating litigation</li> <li>• The federal Coronavirus Aid, Relief and Economic Security Act (“CARES Act”), the federal government expanded its federal leave law to all employers and requires them to provide 12 weeks of leave to care for a child as a result of COVID-19. The CARES Act also mandated two</li> </ul>	Y

		<p>weeks of paid sick leave for an employee who is sick from COVID-19 or to care for a family member who is sick. This bill would be in addition to the federal leave already provided. Specifically, an employee could be entitled to 14 weeks of leave under the CARES Act and then another 12 weeks of leave under this bill, totaling 26 weeks of protected leave</p> <ul style="list-style-type: none"> <li>• This bill changes requirements for qualifying for the California Family Rights Act (CFRA) leave by amending the definition of family member for whom the employee can take leave to include a child of a domestic partner, grandparent, grandchild, sibling, or domestic partner. Additionally, the bill removes the requirement that a "child" be under the age of 18 or a dependent adult child. This means that the Family and Medical Leave Act's (FMLA) and CFRA's qualifying requirements no longer conform with each other. This is a significant issue because California cannot preempt or limit the application of federal law under FMLA. In other words, simply because the employee already took leave under CFRA does not negate their ability to then qualify for FMLA leave as well</li> </ul> <p>Under this bill the leave is not "paid" by employers. Unfortunately, that does not mean employers will not endure added costs. While employees are on leave, districts will have to: (1) maintain medical benefits while the employee is on leave; (2) pay for a temporary employee to cover for the employee on leave, usually at a higher premium given the limited duration of employment; or (3) pay overtime to other employees to cover the work of the employee on leave.</p> <p>This bill is moving quickly</p>	
<p><b>SB 1431 – Amends Section 170 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy</b></p>	<p>5/6/20 – Gutted and amended by author (Glazer).  5/21/20 – Passed Com on Gov and Finance  6/9/20 – Placed in Appropriations Suspense File  6/11/20 – Hearing set for 6/18  6/18/20 Failed passage in Appropriations Com  10/13/20 – No change in status</p>	<p>CSDA Opposed. Bill was gutted and amended. With the approval of CEO Neil McCormick, CSDA has taken an oppose position to recently amended <a href="#">SB 1431 (Glazer)</a>. This measure was gutted and amended and would require a county assessor to re-asses a property based on its current COVID-19 related income earning viability retroactive to April 5 and continuing through 12 months past the enactment of this measure or a county's emergency orders, which ever comes last.</p> <p>While the author's intention to spare commercial landlords some of the pain from the COVID-19 pandemic and its response is laudable and understandable, this measure sets a dangerous precedent that property tax could be based on short term economic conditions and income generating attributes of a given property rather than the current regime of real estate market value at the time of acquisition.</p> <p>If all commercial property were re-assessed based on the earning potential during a global pandemic , the revenue losses to local agencies would be significant.</p>	<p>N</p>

End