



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

**NOTICE AND AGENDA  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
ENGINEERING WORKSHOP**

*This meeting is hereby noticed pursuant to  
California Government Code Section 54950 et. seq.*

**Thursday, March 27, 2025 - 6:00 p.m.**  
**560 Magnolia Avenue, Beaumont, CA 92223**

**TELECONFERENCE NOTICE**

*The BCVWD Board of Directors will attend in person at the BCVWD Administrative Office  
and/or via Zoom video teleconference pursuant to Government Code 54953 et. seq.*

*To access the Zoom conference, use the link below:*

<https://us02web.zoom.us/j/84318559070?pwd=SXlzMFZCMGh0YTFlL2tnUGlpU3h0UT09>

*To telephone in, please dial: **(669) 900-9128***

*Enter Meeting ID: **843 1855 9070** | Enter Passcode: **113552***

*For Public Comment, use the “**Raise Hand**” feature on the video call when  
prompted. If dialing in, dial **\*9** to “**Raise Hand**” when prompted*

*BCVWD provides remote attendance options primarily as a matter of  
convenience to the public. Unless a Board member is attending remotely  
pursuant to provisions of GC 54953 et. seq., BCVWD will not stop or  
suspend its in-person public meeting should a technological interruption  
occur with respect to the Zoom teleconference or call-in line listed on the  
agenda. Members of the public are encouraged to attend BCVWD meetings  
in person at the above address, or remotely using the options listed.  
Members of the Public are not required to provide identifying information in  
order to attend public meetings. Through the link above, the Zoom platform  
requests entry of a name and email address, and BCVWD is unable to  
modify this requirement.*

*Meeting materials are available on the BCVWD’s website:*

<https://bcvwd.gov/document-category/regular-board-agendas/>

## BCVWD ENGINEERING WORKSHOP – MARCH 27, 2025

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**Call to Order: President Slawson**

**Pledge of Allegiance: Director Covington**

**Invocation: President Slawson**

**Announcement and Verification of Remote Meeting Participation (if any) Pursuant to AB 2449 or GC 54953(b)**

Roll Call - Board of Directors

	President Daniel Slawson
	Vice President Lona Williams
	Secretary Andy Ramirez
	Treasurer David Hoffman
	Member John Covington

**Roll Call  
and Introduction of Staff Members Present**

**Public Comment**

**PUBLIC COMMENT: RAISE HAND OR PRESS \*9 to request to speak when prompted. If you are present in the Board Room, please fill out a Request to Speak card and deliver it to the Recording Secretary.**

At this time, any person may address the Board of Directors on matters within its jurisdiction. 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:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
  - a. Item(s) to be removed or continued from the Agenda
  - b. Emergency Item(s) to be added to the Agenda
  - c. Changes to the order of the agenda
  
2. **Resolution 2025-\_\_:** Amending the District's Policies and Procedures Manual (pages 5 - 26)
  - a. Policy 7001 Acceptable Use Policy (pages 5 - 21)
  - b. Policy 7002 Bring Your Own Device (pages 22 - 26)



3. **Consideration of Action in Support or Opposition of California Legislation** (pages 27 - 107)
4. **Selection of Consultant(s) for On-Call Engineering Services and authorization of expenditures** (pages 108 -116)
5. **Selection of Consultant(s) for On-Call Geotechnical and Environmental Services and authorization of expenditures** (pages 117 - 127)
6. **New California State Water Resources Control Board Hexavalent Chromium Regulation, Impacts to BCVWD, and Path to Compliance** (pages 128 - 139)
7. **Riverside Local Agency Formation Commission Announcement: Seeking Applicants to serve as a Regular or Public Member** (no staff report) (page140)
8. **Topic List for Future Meetings**

	Item requested	Date of request	Requester
A	Report on Alternative Energy Sources and Storage	1/23/2025	Ramirez

**9. Announcements**

*Check the meeting agenda for location and/or teleconference information:*

- Beaumont Basin Watermaster Committee: Wednesday, Apr. 2 at 11 a.m.
- Regular Board Meeting: Wednesday, Apr. 9 at 6 p.m.
- Town Hall Meeting: Thursday, Apr. 10 at 6 p.m.
- Personnel Committee: Tuesday, Apr. 15 at 4:30 p.m. (Note change of time – pending Board approval)
- Engineering Workshop: Thursday, Apr. 24 at 6 p.m. (Public Hearing)
- Beaumont Basin Watermaster Committee: Wednesday, Apr. 2 at 11 a.m.
- Finance & Audit Committee meeting: Thursday, May 1 at 3 p.m.
- Collaborative Agencies meeting: Wednesday, May 7 at 5 p.m.

**10. Closed Session**

- a. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Pursuant to California Government Code Section 54956.8  
Property: Recycled water generated by the City of Beaumont Wastewater Treatment Plant  
Agency Negotiator: Dan Jagers, General Manager  
Under Negotiation: Price and terms of payment

- b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to California Government Code Section 54956.8  
Property: APN 418240009  
Agency Negotiator: Dan Jagers, General Manager  
Under Negotiation: Price and terms of payment
  
- c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to California Government Code Section 54956.8  
Property: Sites Reservoir and water rights associated therewith  
Agency Negotiator: Dan Jagers, General Manager  
Under Negotiations: Continued participation in financial support of the Project

## 11. Report on Action Taken During Closed Session

## 12. 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") during business hours, Monday through Thursday from 7:30 a.m. to 5 p.m. 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 or within 24 hours' 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 in the Board Room at the District Office. Materials may also be available on the District's website: <https://bcvwd.gov/>. (GC 54957.5)

**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 Regular Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with Government Code §54954.2(a), and the Americans with Disabilities Act (ADA), 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. Notification of at least 48 hours in advance of the meeting will generally enable staff to make reasonable arrangements to ensure accessibility. The Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.gov](mailto:info@bcvwd.gov) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

### CERTIFICATION OF POSTING

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)).



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
March 27, 2025**

**Item 2**

**STAFF REPORT**

**TO:** Board of Directors

**FROM:** Dan Jagers, General Manager

**SUBJECT: Resolution 2025-\_\_:** Amending the District's Policies and Procedures Manual:

- a. Policy 7001 Acceptable Use Policy
- b. Policy 7002 Bring Your Own Device

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**Staff Recommendation**

Adopt Resolution 2025-\_\_ Amending the District's Policies and Procedures Manual.

**Executive Summary**

As part of the ongoing updates to the District's Policies and Procedures Manual, staff identified various administrative policies that require addition or revision. Staff requests consideration for establishment of the new Information Technology policies as recommended. Following this staff report are individual summaries of the proposed policies.

**Background**

On March 18, 2009, the Board of Directors adopted Resolution 2009-05, establishing a Policies and Procedures Manual applicable to the Board of Directors and District staff. The document has been updated periodically as needed over the years, and in 2018, the Personnel Committee directed staff to review, revise and update all policies in order of priority based on safety and legal standards. Staff has worked to address policies individually and has produced drafts based on advice of legal counsel, changes in state and federal law, and review of sample policies from the Association of California Water Agencies / Joint Powers Insurance Authority (ACWA/JPIA), the California Special Districts Association (CSDA), and other water districts and local agencies.

At the November 19, 2024 meeting, the Director of IT requested the Personnel Committee to review the Employee IT Policy Handbook to ensure alignment with the District's strategic goals, legal requirements, and regulatory standards. In partnership with IT, Human Resources (HR) staff facilitated the review and presented the proposed policy drafts to Legal Counsel to ensure compliance with applicable labor laws. The handbook and the IT and Cybersecurity Policy Manual, both updated annually, outline technology policies, security measures, and employee expectations aligned with the NIST framework and industry best practices. These efforts have strengthened BCVWD's cybersecurity framework and contributed to the District receiving the Municipal Information Systems Association of California (MISAC) award for excellence in IT governance for the past two years.

At the March 18, 2025, Personnel Committee meeting, Human Resources (HR) staff presented the proposed IT policies to establish clear guidelines for the secure and compliant use of personal devices in District operations and for the responsible and secure use of Beaumont-Cherry Valley



Water District's (BCVWD) IT resources. Following a comprehensive review, the Personnel Committee recommended forwarding the draft policies to the next Regular Board meeting for further discussion and consideration.

**Summary / Action**

Consider the following new and revised policies to the BCVWD Policies and Procedures Manual:

	<b>New Policy to be established:</b>
A	Policy 7001 Acceptable Use Policy
B	Policy 7002 Bring Your Own Device

**Fiscal Impact:** Please refer to the attached staff reports for fiscal impact.

**Attachments**

1. Proposed Resolution 2025-\_\_ with clean draft attachments:
  - a. Policy 7001 Acceptable Use Policy
  - b. Policy 7002 Bring Your Own Device
2. 7001 Acceptable Use Policy
  - a. Staff Report
  - b. Proposed Policy 7001 Acceptable Use Policy
  - c. National Institute of Standards and Technology (NIST) Fact Sheet
  - d. California Public Records Act
3. 7002 Bring Your Own Device
  - a. Staff Report
  - b. Proposed Policy 7002 Bring Your Own Device

**RESOLUTION 2025-\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BEAUMONT-CHERRY VALLEY WATER DISTRICT  
AMENDING THE DISTRICT'S POLICIES AND PROCEDURES  
MANUAL**

**WHEREAS**, on March 18, 2009 the Board of Directors of the Beaumont-Cherry Valley Water District adopted Resolution 2009-05, establishing a Policy and Procedures Manual applicable to Board of Directors and District staff; and

**WHEREAS**, upon review and discussion, the Personnel Committee of the Board of Directors recommended revisions to the Policy and Procedures Manual based on advice given by the Director of Information Technology and the District's legal counsel; and

**WHEREAS**, the Board of Directors has reviewed and considered the revisions to the subject policies attached hereto and listed below, finds the new policies relevant and acceptable, and it to be in the best interests of the District that the following actions be taken,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Beaumont-Cherry Valley Water District as follows:

The BCVWD Policies and Procedures Manual sections are established per the attached exhibits as indicated below:

	<b>New Policy:</b>
A	7001 Acceptable Use Policy
B	7002 Bring Your Own Device

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ATTEST:**

*DRAFT UNTIL APPROVED*

*DRAFT UNTIL APPROVED*

\_\_\_\_\_  
 Director Daniel Slawson, President of the  
 Board of Directors of the  
 Beaumont-Cherry Valley Water District

\_\_\_\_\_  
 Director Andy Ramirez, Secretary to the  
 Board of Directors of the  
 Beaumont-Cherry Valley Water District

# Exhibit A

**POLICY TITLE: ACCEPTABLE USE POLICY**  
**POLICY NUMBER: 7001**

**7001.1 Introduction.** Beaumont-Cherry Valley Water District (BCVWD) relies on Information Technology (IT) resources as essential tools for conducting business efficiently and securely. This policy ensures these resources are used responsibly, ethically, and in alignment with the National Institute of Standards and Technology (NIST) principles, which provide a framework for cybersecurity and data protection. As a California Special District, BCVWD adheres to state regulations, including compliance with the California Public Records Act (CPRA) to ensure transparency and accountability in public records management.

**7001.2 Purpose.** The purpose of this policy is to define acceptable use of BCVWD's IT resources, safeguard District assets, and prevent unauthorized use that could compromise security, productivity, or compliance with legal and regulatory requirements.

**7001.3 Scope.** This policy applies to all employees, contractors, and third parties who access BCVWD's IT resources, including but not limited to computers, networks, email systems, internet services, and mobile devices.

## **7001.4 Policy Details**

### **7001.4.1 General Use**

- a. District IT resources are to be used solely for authorized business purposes in support of BCVWD's mission.
- b. Limited personal use of District IT resources is permitted, provided it does not interfere with work responsibilities, compromise security, or violate District policies.
- c. Employees must not use District IT resources for personal gain, solicitation, or activities that could reflect negatively on BCVWD.

### **7001.4.2 Security and Confidentiality**

- a. Employees must safeguard District data and IT resources from unauthorized access, disclosure, alteration, or destruction, in compliance with NIST guidelines and applicable California laws.
- b. Employees must immediately report suspected security incidents, including unauthorized access, data breaches, or loss of District devices, to the IT Department.
- c. Employees must immediately adhere to Policy 7006: Password (policy) and secure authentication methods to access IT resources.
- d. Employees must report incidents through the district's designated incident reporting system or by contacting the IT Department directly for immediate assistance.

### **7001.4.3 Prohibited Activities**

- a. Employees are prohibited from using District IT resources to:
  - Access, create, or distribute offensive, discriminatory, or illegal content.
  - Download or install unauthorized software or access malicious websites.
  - Violate copyright laws or intellectual property rights.
  - Develop, implement, or access artificial intelligence (AI) or Internet of Things (IoT) technologies without prior approval from the IT Department and compliance with relevant District policies.
  - Store District data on personal cloud services (e.g., Google Drive, Dropbox) or external devices unless explicitly authorized by the IT Department.
- b. Employees must not disable, or bypass IT security controls implemented by the District).

### **7001.4.4 Internet and Email Use**

- a. Internet access provided by BCVWD is intended for business use. Excessive or inappropriate

- personal internet usage is not permitted.
- b. Email communications must comply with Policy 7004 Email and Communication , maintaining professionalism and security.
- c. Personal email accounts must not be used for District-related business, nor should personal email be accessed on District devices unless explicitly authorized.
- d. Employees must adhere to Policy 7005 Internet and Social Media Policy when accessing or engaging on social media platforms using District IT resources.

#### **7001.4.5 Monitoring Privacy**

- a. BCVWD reserves the right to monitor and audit the use of IT resources to ensure compliance with this policy. Monitoring will be conducted in accordance with applicable laws and District procedures.
- b. Employees should have no expectation of privacy when using District IT resources.

#### **7001.4.6 Compliance with Local and State Laws**

- a. Employees must comply with applicable state and local laws governing IT resource use, including public records laws such as the California Public Records Act (CPRA).
- b. Use of District IT resources for political advocacy, lobbying, or other activities restricted by public agencies is prohibited.

#### **7001.4.7 Remote Work Guidelines**

- a. Employees must adhere to all acceptable use standards when accessing District IT resources from remote locations.
- b. Employees are responsible for ensuring secure access to District systems, including using authorized devices and maintaining a secure home network.
- c. Failed login attempts will be logged and reviewed periodically by the IT Department to identify patterns of potential unauthorized access or brute-force attack attempts.

#### **7001.4.8 Third-Party Compliance**

- a. Contractors and third parties must adhere to the terms of this policy when accessing District IT resources.
- b. Third-party use must be monitored at all times if access is granted to a District system by the Information Technology Department to ensure compliance with District policies.

#### **7001.4.9 Policy Acknowledgement**

- a. District computer systems will display a login banner or notification referencing the Acceptable Use Policy. By logging into these systems, users acknowledge their understanding of and compliance with the policy.
- b. The IT Department will ensure the login banners are updated to reflect any changes to the Acceptable Use Policy.

#### **7001.4.10 Enforcement**

- a. Violations of this policy may result in disciplinary action, including suspension of IT access, termination of employment, or legal action, depending on the severity of the violation.

**7001.5 Review and Revision Policy.** BCVWD will review Policy 7001 Acceptable Use Policy annually to ensure it remains current and effective in addressing the needs of the organization and any changes in the regulatory or technological landscape. During the review process, the policy will be evaluated for its effectiveness, compliance with relevant regulations, alignment with the National Institute of Standards and Technology (NIST), and adherence to applicable local and state laws governing IT resource usage. Necessary updates or revisions will be made to ensure the policy continues to meet the District's requirements and supports its mission.

# Exhibit B

**POLICY TITLE: BRING YOUR OWN DEVICE**

**POLICY NUMBER: 7002**

## **7002.1 Introduction.**

Beaumont-Cherry Valley Water District (BCVWD) relies on Information Technology (IT) resources as essential tools for conducting business efficiently and securely. This policy ensures these resources are used responsibly, ethically, and in alignment with the National Institute of Standards and Technology (NIST) principles, which provide a framework for cybersecurity and data protection. As a California Special District, BCVWD adheres to state regulations, including compliance with the California Public Records Act (CPRA) to ensure transparency and accountability in public records management.

**7002.2 Purpose .** The purpose of this policy is to define the District's stance on the use of personal devices (Bring Your Own Device or BYOD) for District-related activities. This policy seeks to mitigate risks such as data breaches, non-compliance with regulatory requirements, and potential legal exposure while ensuring employees have the necessary resources to conduct District business effectively.

**7002.3 Scope.** This policy applies to all employees, contractors, and third parties who use personal devices, including but not limited to laptops, smartphones, Internet of Things (IoT) devices, or peripherals, in connection with BCVWD operations or systems.

## **7002.4 Policy Details**

### **7002.4.1 General Use on Personal Devices**

- a. Personal devices, including but not limited to computers, laptops, keyboards, mice, printers, Internet of Things (IoT) devices, or any other equipment, are strictly prohibited from being connected to BCVWD's network, systems, or resources unless explicitly authorized in writing by the Information Technology Department.
- b. Employees must communicate all technology needs to the Information Technology Department to ensure they are provided with the necessary District-owned equipment to perform their duties.
- c. Personal devices must not be used to conduct District business except when explicitly approved. There are rare exceptions to this rule where the Information Technology Department may approve the use of a personal device for business purposes. In those cases, written approval will be provided by the Information Technology Department with an understanding that the device must comply with CPRA requirements for any potential legal inquiries.

### **7002.4.2 Limited Wireless Internet Use**

- a. Personal devices such as cellphones, are permitted to connect to BCVWD's guest wireless internet network for the sole purpose of providing internet connectivity.
- b. Personal devices connected to the guest wireless network must not access or attempt to interact with any internal District systems, applications, or data.
- c. Employees must ensure their personal devices adhere to basic security measures, such as password protection, when accessing the guest wireless network.

### **7002.4.3 Public Records Act Compliance**

- a. Any use of personal devices for District business may subject those devices to California Public Records Act (CPRA) requests or subpoenas. This policy prohibits such use to ensure that only District-owned equipment is subject to compliance requests
- b. Employees are responsible for ensuring that all District-related communications and work are conducted using District-owned devices to maintain compliance with applicable regulations.

### **7002.4.4 Encouragement of District-Provided Resources**

- a. BCVWD highly encourages employees to communicate with the IT Department regarding



technology needs to ensure they are provided with District-owned resources that meet their job requirements.

- b. This approach ensures the security, compliance, and integrity of District operations while preventing potential data leaks or breaches.

#### **7002.4.5 Security and Confidentiality**

- a. Unauthorized devices, if found connected to the district network or systems, will be immediately disconnected, and the incident will be reported to the employee's immediate supervisor.
- b. Any approved use of personal devices (e.g., under unique exceptions) must comply with NIST security guidelines, including device encryption, secure passwords, and multi-factor authentication.
- c. Employees must report any suspected security incidents involving personal devices used in connection with District resources to the IT Department immediately

#### **7002.4.6 Enforcement**

- a. Violations of this policy may result in disciplinary action, including revocation of access to District IT resources, termination of employment, or legal action, depending on the severity of the violation.
- b. The IT Department reserves the right to audit network access logs and perform regular compliance checks to ensure adherence to this policy.

**7002.5 Review and Revision Policy.** BCVWD will review Policy 7002 Bring Your Own Device annually to ensure it remains current and effective in addressing the needs of the organization and any changes in the regulatory or technological landscape. During the review process, the policy will be evaluated for its effectiveness, compliance with relevant regulations, alignment with the National Institute of Standards and Technology (NIST), and adherence to applicable local and state laws governing the use of personal devices. Necessary updates or revisions will be made to ensure the policy continues to meet the District's requirements and supports its mission.



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
March 27, 2025**

**Item 2a**

**STAFF REPORT**

**TO:** Board of Directors

**FROM:** Ren Berioso, Human Resources Manager

**SUBJECT: Policies and Procedures Manual Updates / Revisions establishing Information Technology Policy 7001 Acceptable Use Policy**

**Executive Summary**

At the March 18, 2025 Personnel Committee meeting, Human Resources (HR) staff presented the proposed IT Policy 7001 Acceptable Use Policy with sections that provide guidelines for the responsible and secure use of Beaumont-Cherry Valley Water District's (BCVWD) IT resources. The revision aligns with National Institute of Standards and Technology (NIST) principles and complies with California state laws such as the California Public Records Act (CPRA) to ensure transparency, accountability, and data protection. After careful review, the Personnel Committee recommended the policy draft to be moved to the next Regular Board meeting for further discussion.

**Discussion**

The Acceptable Use Policy is essential because it safeguards BCVWD's IT resources, ensures cybersecurity, protects sensitive data, and maintains compliance with legal and regulatory standards. Table 1, Summary of Policy Sections, outlines the proposed Acceptable Use Policy that was drafted by HR and IT Departments.

Table 1 – Summary of Policy Sections

Row Number	State / Federal Law requirement	BCVWD current practice	Added/Revised Sections	Fiscal Impact of Section
1	NIST	This policy ensures IT resources are used responsibly in alignment with NIST-and state cybersecurity regulations.	<b>Established Section 7001.1</b> Introduction	No fiscal impact.
2	NIST	IT Department safeguards the IT assets and resources while aligning with NIST guidelines and California cybersecurity laws.	<b>Established Section 7001.2</b> Purpose	No fiscal impact.
3	NIST	Applies to all individuals including employees, contractors, and third parties who use BCVWD's IT resources, computers, applications, and devices.	<b>Established Section 7001.3</b> Scope.	No fiscal impact.



Row Number	State / Federal Law requirement	BCVWD current practice	Policy Section and Language to Consider	Fiscal Impact of Section
4	NIST	District IT resources are used primarily for authorized business purposes, with limited personal use allowed as long as it does not interfere with work, compromise security, or violate policies, and are not used for personal gain, solicitation, or activities that could harm BCVWD's reputation	<b>Established Sections 7001.4.1.a to c</b> General Use	No fiscal impact.
5	NIST	Employees must protect District data and IT resources, follow NIST guidelines and California laws, use secure authentication per Policy 7006, and promptly report security incidents to IT through the designated system.	<b>Established Sections 7001.4.2.a to d</b> Security and Confidentiality	No fiscal impact.
6	NIST	Employees are not permitted to use District IT resources for unauthorized, illegal, or inappropriate activities.	<b>Established Sections 7001.4.3.a to b</b> Prohibited Activities	No fiscal impact.
7	NIST	BCVWD's internet and email are used primarily for business purposes, with professionalism, security, and compliance with Policy 7004 and the Internet and Social Media Policy, while personal email use is strictly limited.	<b>Established Sections 7001.4.4.a to d</b> Internet and Email Use	No fiscal impact.
8	NIST	IT, if needed, may monitor and audit IT resource usage to ensure compliance, and employees are aware that there is no expectation of privacy when using District systems	<b>Established Sections 7001.4.5.a to b</b> Monitoring Privacy	No fiscal impact.
9	NIST	The District follows the law.	<b>Established Sections 7001.4.6.a to b</b> Compliance with Local and State Laws	No fiscal impact.



Row Number	State / Federal Law requirement	BCVWD current practice	Policy Section and Language to Consider	Fiscal Impact of Section
10	NIST CPRA	Employees follow acceptable use standards when accessing District IT resources remotely, ensure secure access with authorized devices, and are aware that failed login attempts are monitored for security threats.	<b>Established Sections 7001.4.7.a to c</b> Remote Work Guidelines	No fiscal impact.
11	NIST	Contractors and third parties comply with this policy, and their access to District IT resources are monitored by the IT Department to ensure compliance	<b>Consider establishing Sections 7001.4.8.a to b</b> Third-Party Compliance	No fiscal impact.
12	NIST	District systems will display a login banner referencing the Acceptable Use Policy, and users do acknowledge compliance by logging in, with the IT Department ensuring updates as needed.	<b>Established Sections 7001.4.9.a to b</b> Policy Acknowledgment	No fiscal impact.
13	FEHA and At-Will Employment	Violations of this policy may lead to disciplinary action, IT access suspension, termination, or legal consequences, depending on severity.	<b>Established Sections 7001.4.10.a</b> Enforcement	No fiscal impact.
14	NIST	IT Department annually reviews and updates the Acceptable Use Policy to ensure compliance, effectiveness, and alignment with NIST standards, regulations, and evolving technology needs	<b>Established Sections 7001.5</b> Review and Revision Policy	No fiscal impact.

**Fiscal Impact:** None.

**Attachments**

1. Proposed new Policy 7001: Acceptable Use Policy
2. NIST: Understanding the Cybersecurity Framework
3. California Public Records Act FAQs

Staff Report prepared by Ren Berioso, Human Resources Manager

**POLICY TITLE: ACCEPTABLE USE POLICY**  
**POLICY NUMBER: 7001**

**7001.1 Introduction.** Beaumont-Cherry Valley Water District (BCVWD) relies on Information Technology (IT) resources as essential tools for conducting business efficiently and securely. This policy ensures these resources are used responsibly, ethically, and in alignment with the National Institute of Standards and Technology (NIST) principles, which provide a framework for cybersecurity and data protection. As a California Special District, BCVWD adheres to state regulations, including compliance with the California Public Records Act (CPRA) to ensure transparency and accountability in public records management.

**7001.2 Purpose.** The purpose of this policy is to define acceptable use of BCVWD's IT resources, safeguard District assets, and prevent unauthorized use that could compromise security, productivity, or compliance with legal and regulatory requirements.

**7001.3 Scope.** This policy applies to all employees, contractors, and third parties who access BCVWD's IT resources, including but not limited to computers, networks, email systems, internet services, and mobile devices.

### **7001.4 Policy Details**

#### **7001.4.1 General Use**

- a. District IT resources are to be used solely for authorized business purposes in support of BCVWD's mission.
- b. Limited personal use of District IT resources is permitted, provided it does not interfere with work responsibilities, compromise security, or violate District policies.
- c. Employees must not use District IT resources for personal gain, solicitation, or activities that could reflect negatively on BCVWD.

#### **7001.4.2 Security and Confidentiality**

- a. Employees must safeguard District data and IT resources from unauthorized access, disclosure, alteration, or destruction, in compliance with NIST guidelines and applicable California laws.
- b. Employees must immediately report suspected security incidents, including unauthorized access, data breaches, or loss of District devices, to the IT Department.
- c. Employees must immediately adhere to Policy 7006: Password (policy) and secure authentication methods to access IT resources.
- d. Employees must report incidents through the district's designated incident reporting system or by contacting the IT Department directly for immediate assistance.

#### **7001.4.3 Prohibited Activities**

- a. Employees are prohibited from using District IT resources to:
  - Access, create, or distribute offensive, discriminatory, or illegal content.
  - Download or install unauthorized software or access malicious websites.
  - Violate copyright laws or intellectual property rights.
  - Develop, implement, or access artificial intelligence (AI) or Internet of Things (IoT) technologies without prior approval from the IT Department and compliance with relevant District policies.
  - Store District data on personal cloud services (e.g., Google Drive, Dropbox) or external devices unless explicitly authorized by the IT Department.
- b. Employees must not disable, or bypass IT security controls implemented by the District).

#### **7001.4.4 Internet and Email Use**

- a. Internet access provided by BCVWD is intended for business use. Excessive or

- inappropriate personal internet usage is not permitted.
- b. Email communications must comply with Policy 7004 Email and Communication , maintaining professionalism and security.
  - c. Personal email accounts must not be used for District-related business, nor should personal email be accessed on District devices unless explicitly authorized.
  - d. Employees must adhere to Policy 7005 Internet and Social Media Policy when accessing or engaging on social media platforms using District IT resources.

#### **7001.4.5 Monitoring Privacy**

- a. BCVWD reserves the right to monitor and audit the use of IT resources to ensure compliance with this policy. Monitoring will be conducted in accordance with applicable laws and District procedures.
- b. Employees should have no expectation of privacy when using District IT resources.

#### **7001.4.6 Compliance with Local and State Laws**

- a. Employees must comply with applicable state and local laws governing IT resource use, including public records laws such as the California Public Records Act (CPRA).
- b. Use of District IT resources for political advocacy, lobbying, or other activities restricted by public agencies is prohibited.

#### **7001.4.7 Remote Work Guidelines**

- a. Employees must adhere to all acceptable use standards when accessing District IT resources from remote locations.
- b. Employees are responsible for ensuring secure access to District systems, including using authorized devices and maintaining a secure home network.
- c. Failed login attempts will be logged and reviewed periodically by the IT Department to identify patterns of potential unauthorized access or brute-force attack attempts.

#### **7001.4.8 Third-Party Compliance**

- a. Contractors and third parties must adhere to the terms of this policy when accessing District IT resources.
- b. Third-party use must be monitored at all times if access is granted to a District system by the Information Technology Department to ensure compliance with District policies.

#### **7001.4.9 Policy Acknowledgement**

- a. District computer systems will display a login banner or notification referencing the Acceptable Use Policy. By logging into these systems, users acknowledge their understanding of and compliance with the policy.
- b. The IT Department will ensure the login banners are updated to reflect any changes to the Acceptable Use Policy.

#### **7001.4.10 Enforcement**

- a. Violations of this policy may result in disciplinary action, including suspension of IT access, termination of employment, or legal action, depending on the severity of the violation.

**7001.5 Review and Revision Policy.** BCVWD will review Policy 7001 Acceptable Use Policy annually to ensure it remains current and effective in addressing the needs of the organization and any changes in the regulatory or technological landscape. During the review process, the policy will be evaluated for its effectiveness, compliance with relevant regulations, alignment with the National Institute of Standards and Technology (NIST), and adherence to applicable local and state laws governing IT resource usage. Necessary updates or revisions will be made to ensure the policy continues to meet the District's requirements and supports its mission.

Understanding

# THE NIST CYBERSECURITY FRAMEWORK

## You may have heard about the NIST Cybersecurity Framework, but what exactly is it?

And does it apply to you?

NIST is the National Institute of Standards and Technology at the U.S. Department of Commerce. The NIST Cybersecurity Framework helps

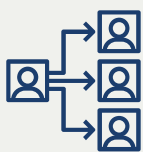
businesses of all sizes better understand, manage, and reduce their cybersecurity risk and protect their networks and data. The Framework is voluntary. It gives your business an outline of best practices to help you decide where to focus your time and money for cybersecurity protection.

You can put the NIST Cybersecurity Framework to work in your business in these five areas: Identify, Protect, Detect, Respond, and Recover.

### 1. IDENTIFY

Make a list of all equipment, software, and data you use, including laptops, smartphones, tablets, and point-of-sale devices.

Create and share a company cybersecurity policy that covers:



Roles and responsibilities for employees, vendors, and anyone else with access to sensitive data.



Steps to take to protect against an attack and limit the damage if one occurs.

### 2. PROTECT

- Control who logs on to your network and uses your computers and other devices.
- Use security software to protect data.
- Encrypt sensitive data, at rest and in transit.
- Conduct regular backups of data.
- Update security software regularly, automating those updates if possible.
- Have formal policies for safely disposing of electronic files and old devices.
- Train everyone who uses your computers, devices, and network about cybersecurity. You can help employees understand their personal risk in addition to their crucial role in the workplace.

LEARN MORE AT:  
[FTC.gov/SmallBusiness](https://FTC.gov/SmallBusiness)



FEDERAL TRADE COMMISSION

NIST  
National Institute of Standards and Technology  
U.S. Department of Commerce



Homeland Security

### 3. DETECT



Monitor your computers for unauthorized personnel access, devices (like USB drives), and software.



Check your network for unauthorized users or connections.



Investigate any unusual activities on your network or by your staff.

### 4. RESPOND

#### Have a plan for:

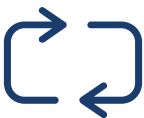
- Notifying customers, employees, and others whose data may be at risk.
- Keeping business operations up and running.
- Reporting the attack to law enforcement and other authorities.

- Investigating and containing an attack.
- Updating your cybersecurity policy and plan with lessons learned.
- Preparing for inadvertent events (like weather emergencies) that may put data at risk.

Test your plan regularly.

### 5. RECOVER

#### After an attack:



Repair and restore the equipment and parts of your network that were affected.



Keep employees and customers informed of your response and recovery activities.

For more information on the NIST Cybersecurity Framework and resources for small businesses, go to [NIST.gov/CyberFramework](https://NIST.gov/CyberFramework) and [NIST.gov/Programs-Projects/Small-Business-Corner-SBC](https://NIST.gov/Programs-Projects/Small-Business-Corner-SBC).

LEARN MORE AT:



FEDERAL TRADE COMMISSION

NIST National Institute of Standards and Technology U.S. Department of Commerce



Homeland Security



# California Public Records Act FAQs

## 1. What is the California Public Records Act (CPRA)?

The California Public Records Act (CPRA) was passed by the California Legislature in 1968 for government agencies and requires that government records be disclosed to the public, upon request, unless there are privacy and/or public safety exemptions which would prevent doing so. Please see the California Attorney General's Office [Summary of the California Public Records Act](#) [☞](#) (pdf) for additional information.

## 2. What is a Public Record?

[Government Code §7920.530](#) [☞](#) defines a public record as "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics." The California Commission on Peace Officer Standards and Training (POST) respects the public's right to access records created and maintained by POST in the course of normal business.

Please ensure that you narrow your request to that which reasonably identifies the desired records that POST may have in its possession in order for staff to more efficiently search for and promptly provide responsive documents. Additionally, please ensure the records you are requesting are under POST's purview and what POST oversees as a state agency. For example, POST has no records related to 911 transcripts, accident/incident reports, warrants, county arrest records, and the like, unless they might be included in an officer's serious misconduct investigation.




The CPRA does not require creation/preparation of a record or document that does not exist at the time of the request. Additionally, certain categories of personal information and records are exempt from disclosure under the CPRA. Other laws also protect individual privacy interests and other propriety information from disclosure.

### 3. Information to include with your request

Pursuant to [Government Code §7922.600](#), in order to make a focused and effective request for POST records, please include the following applicable information to ensure the scope of the request is narrow and clear enough for personnel to determine if POST has the records you are requesting:

- The subject of the record
- A clear, concise, and specific description of the record(s) being requested
- The date(s) of the record(s), or a time period for your request (e.g.: calendar year 2020)
- Full names for the individuals and/or agencies included in your request, including proper spelling
- POST ID(s) for the individual(s) included in your request if applicable, and/or current/former agency
- Any additional information that helps staff identify the record(s) being requested
- Your contact information for response to your request, preferably an email address

Please make every effort to research the POST records you are requesting, prior to submitting your request. A vast amount of information, resources, and records are already available on the [POST Website](#), by utilizing the search tool, or browsing the topics related to your request. Common questions for information might be found using the following resources:

- [SB978 and Presenter Course Content](#) 
- [SB978 Multimedia Products and Training Videos](#)
- [Certificates](#)
- [Basic Course Training Specifications](#) (by Learning Domain)
- [Basic Course Student Workbooks](#) (by Learning Domain)
- [POST Learning Portal questions](#) 
- [POST Commission Regulations, Procedures, and Authority](#)
- [Investigation Records Pertaining to Officer Misconduct/Decertification](#)  (Government Code section 7923.601)
- [POST Participating Agencies](#)

#### 4. How to make a Public Records Act Request


[Submit Your Own Online Request for POST Records](#) 

(select "Submit Records Request")

Mail:

Attention: California Public Records Act Request  
California Commission on Peace Officer Standards and  
Training (POST)  
860 Stillwater Road, Suite 100  
West Sacramento, CA 95605-1630

For questions, email: [CPRA@post.ca.gov](mailto:CPRA@post.ca.gov)

**Please note:** The 10-day period mentioned in the [Government Code §7922.535](#)  is not a deadline for producing records. Should the request be voluminous, or require research, or computer programming, POST may need a reasonable amount of time to research, review, and inspect records prior to release; therefore, it may take longer before the records can be made available. Upon receipt of your request, POST



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
March 27, 2025**

**Item 2b**

**STAFF REPORT**

**TO:** Board of Directors

**FROM:** Ren Berioso, Human Resources Manager

**SUBJECT:** Policies and Procedures Manual Updates / Revisions Establishing Information Technology Policy 7002 Bring Your Own Device

**Executive Summary**

At the March 18, 2025 Personnel Committee meeting, Human Resources (HR) staff presented the proposed IT Policy 7002 Bring Your Own Device (BYOD) to establish guidelines for the secure and compliant use of personal devices in District operations. To reduce cybersecurity risks and ensure compliance with regulations such as California Public Records Act (CPRA), the policy prohibits using personal devices for District business and restricts access to the guest wireless network. Employees are encouraged to use District-issued technology, with enforcement measures including disciplinary actions, audits, and annual reviews. Following a thorough review, the Personnel Committee recommended that the draft policy be presented at the next Regular Board meeting for further discussion.

**Discussion**

The Bring Your Own Device policy is significant as it protects BCVWD’s cybersecurity, regulatory compliance, and operational integrity by mitigating risks associated with personal devices, ensuring adherence to CPRA, preventing unauthorized access, and reinforcing IT security best practices to safeguard critical infrastructure and sensitive data.

Table 1, Summary of Policy Sections, outlines the proposed Bring Your Own Device policy that was drafted by HR and IT Departments.

Table 1 – Summary of Policy Sections

Row Number	State / Federal Law requirement	BCVWD current practice	Added/Revised Sections	Fiscal Impact of Section
1	NIST	At the District, the policy ensures responsible and secure use of technology in compliance with NIST principles, CPRA, and CCPA, safeguarding cybersecurity, transparency, and data protection.	<b>Established Section 7002.1</b> Introduction	No fiscal impact.



Row Number	State / Federal Law requirement	BCVWD current practice	Added/Revised Sections	Fiscal Impact of Section
2	NIST	The IT Department ensures that the District mitigates security and legal risks while ensuring employees have the necessary resources to work effectively.	<b>Established Section 7002.2</b> Purpose	No fiscal impact.
3	NIST	This policy applies to all employees, contractors, and third parties using personal devices for BCVWD operations or system access.	<b>Established Section 7002.3</b> Scope	No fiscal impact.
4	NIST	Personal devices are strictly prohibited from connecting to BCVWD's network or systems without written IT authorization, and employees must request necessary District-owned equipment, ensuring compliance with CPRA and minimizing legal risks	<b>Established Sections 7002.4.1.a to c</b> General Use on Personal Devices	No fiscal impact.
5	NIST	Personal devices may connect to BCVWD's guest wireless network for internet access only, but they must not interact with internal systems, and employees must implement basic security measures like password protection.	<b>Established Sections 7002.4.2.a to c</b> Limited Wireless Internet Use	No fiscal impact.
6	NIST CPRA	To ensure compliance with the CPRA, personal devices must not be used for District business, and employees are responsible for conducting all work-related communications on District-owned equipment	<b>Established Sections 7002.4.3.a to b</b> Public Record Act Compliance	No fiscal impact.
7	NIST	BCVWD encourages employees to coordinate with the IT Department for necessary District-owned resources, ensuring security, compliance, and the integrity of operations while preventing data leaks or breaches	<b>Established Sections 7002.4.4.a to b</b> Encouragement of District-Provided Resources	No fiscal impact.



Row Number	State / Federal Law requirement	BCVWD current practice	Added/Revised Sections	Fiscal Impact of Section
8	NIST	Unauthorized devices connected to BCVWD's network will be disconnected and reported, while any approved personal device use must comply with NIST security guidelines, and employees are required to report security incidents to IT immediately.	<b>Established Sections 7002.4.5.a to c</b> Security and Confidentiality	No fiscal impact.
9	FEHA and At-Will Employment	Policy violations result in disciplinary action, including loss of IT access, termination, or legal consequences, while the IT Department reserves the right to audit network access and conduct compliance checks	<b>Established Sections 7002.4.6.a to b</b> Enforcement	No fiscal impact.
10	NIST	IT Department annually reviews and updates the Bring Your Own Device policy to ensure compliance, effectiveness, and alignment with NIST standards, regulations, and evolving technology needs	<b>Established Sections 7002.5</b> Review and Revision Policy	No fiscal impact.

**Fiscal Impact**

There is no fiscal impact in the establishment of this policy.

**Attachments**

1. Proposed new Policy 7002: Bring Your Own Device

Staff Report prepared by Ren Berioso, Human Resources Manager

## 2b Attachment 1

**POLICY TITLE: BRING YOUR OWN DEVICE**  
**POLICY NUMBER: 7002**

### **7002.1 Introduction.**

Beaumont-Cherry Valley Water District (BCVWD) relies on Information Technology (IT) resources as essential tools for conducting business efficiently and securely. This policy ensures these resources are used responsibly, ethically, and in alignment with the National Institute of Standards and Technology (NIST) principles, which provide a framework for cybersecurity and data protection. As a California Special District, BCVWD adheres to state regulations, including compliance with the California Public Records Act (CPRA) to ensure transparency and accountability in public records management.

**7002.2 Purpose .** The purpose of this policy is to define the District's stance on the use of personal devices (Bring Your Own Device or BYOD) for District-related activities. This policy seeks to mitigate risks such as data breaches, non-compliance with regulatory requirements, and potential legal exposure while ensuring employees have the necessary resources to conduct District business effectively.

**7002.3 Scope.** This policy applies to all employees, contractors, and third parties who use personal devices, including but not limited to laptops, smartphones, Internet of Things (IoT) devices, or peripherals, in connection with BCVWD operations or systems.

### **7002.4 Policy Details**

#### **7002.4.1 General Use on Personal Devices**

- a. Personal devices, including but not limited to computers, laptops, keyboards, mice, printers, Internet of Things (IoT) devices, or any other equipment, are strictly prohibited from being connected to BCVWD's network, systems, or resources unless explicitly authorized in writing by the Information Technology Department.
- b. Employees must communicate all technology needs to the Information Technology Department to ensure they are provided with the necessary District-owned equipment to perform their duties.
- c. Personal devices must not be used to conduct District business except when explicitly approved. There are rare exceptions to this rule where the Information Technology Department may approve the use of a personal device for business purposes. In those cases, written approval will be provided by the Information Technology Department with an understanding that the device must comply with CPRA requirements for any potential legal inquiries.

#### **7002.4.2 Limited Wireless Internet Use**

- a. Personal devices such as cellphones, are permitted to connect to BCVWD's guest wireless internet network for the sole purpose of providing internet connectivity.
- b. Personal devices connected to the guest wireless network must not access or attempt to interact with any internal District systems, applications, or data.
- c. Employees must ensure their personal devices adhere to basic security measures, such as password protection, when accessing the guest wireless network.

#### **7002.4.3 Public Records Act Compliance**

- a. Any use of personal devices for District business may subject those devices to California Public Records Act (CPRA) requests or subpoenas. This policy prohibits such use to ensure that only District-owned equipment is subject to compliance requests
- b. Employees are responsible for ensuring that all District-related communications and work

are conducted using District-owned devices to maintain compliance with applicable regulations.

**7002.4.4 Encouragement of District-Provided Resources**

- a. BCVWD highly encourages employees to communicate with the IT Department regarding technology needs to ensure they are provided with District-owned resources that meet their job requirements.
- b. This approach ensures the security, compliance, and integrity of District operations while preventing potential data leaks or breaches.

**7002.4.5 Security and Confidentiality**

- a. Unauthorized devices, if found connected to the district network or systems, will be immediately disconnected, and the incident will be reported to the employee's immediate supervisor.
- b. Any approved use of personal devices (e.g., under unique exceptions) must comply with NIST security guidelines, including device encryption, secure passwords, and multi-factor authentication.
- c. Employees must report any suspected security incidents involving personal devices used in connection with District resources to the IT Department immediately

**7002.4.6 Enforcement**

- a. Violations of this policy may result in disciplinary action, including revocation of access to District IT resources, termination of employment, or legal action, depending on the severity of the violation.
- b. The IT Department reserves the right to audit network access logs and perform regular compliance checks to ensure adherence to this policy.

**7002.5 Review and Revision Policy.** BCVWD will review Policy 7002 Bring Your Own Device annually to ensure it remains current and effective in addressing the needs of the organization and any changes in the regulatory or technological landscape. During the review process, the policy will be evaluated for its effectiveness, compliance with relevant regulations, alignment with the National Institute of Standards and Technology (NIST), and adherence to applicable local and state laws governing the use of personal devices. Necessary updates or revisions will be made to ensure the policy continues to meet the District's requirements and supports its mission.





**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
March 27, 2025**

**Item 3**

**STAFF REPORT**

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** Consideration of Action in Support or Opposition of California Legislation

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**Staff Recommendation**

Direct staff to prepare letters, join a coalition, or take other action as recommended by the Association of California Water Agencies, or the California Special Districts Association propounding the positions of the BCVWD Board of Directors in support of, or opposition to the legislation as enumerated below, and disseminate the information to the appropriate legislators.

**Executive Summary**

BCVWD is a member of the California Special Districts Association (CSDA) and the Association of California Water Agencies (ACWA), both of which monitor pending legislation and provide analysis and positions based on interest or effect on local government. Currently before the California Legislature are several bills on which the organizations have taken positions and the Board may be interested in supporting or opposing.

**Discussion**

Attached are summaries, fact sheets, and analysis information for the following bills:

	Bill	Title	ACWA or CSDA / Staff recommends
A	SB 350	Water Rate Assistance Program	Oppose unless amended
B	SB 394	Water theft: Fire Hydrants	ACWA sponsored
C	SB 454	Establishing a statewide PFAS Mitigation Fund	Support
D	SB 496	Safe and Clean Fleets (Zero Emission Vehicle mandate reform)	Support as introduced
E	AB 259	Open meetings: local agencies: teleconferences	CSDA sponsored
F	ACR 36	Proclaims the week of May 18, 2025, to May 24, 2025, to be Special Districts Week	Support

**Fiscal Impact:** None.

**Attachments**

- A. SB 350
- B. SB 394
- C. SB 454
- D. SB 496
- E. AB 259
- F. ACR 36

Staff Report prepared by Lynda Kerney, Executive Assistant



# Item A

## SB 350

ACWA position: OPPOSE unless amended.

ACWA requests members complete an online form to join a coalition.

### Attachments

1. ACWA Legislative Alert: Members urged to join coalition seeking amendments on latest Low Income Rate Assistance (LIRA) bill (3/12/2025)
2. ACWA Letter to the Senate Environmental Quality Committee (3/12/2025)
3. SB 350 Bill language



# LEGISLATIVE ALERT: MEMBERS URGED TO JOIN COALITION SEEKING AMENDMENTS ON LATEST LIRA BILL

BY CAROLINE MINASIAN MAR 12, 2025

ACWA urges member agencies to join an association-led coalition to oppose SB 350 (Durazo), unless the bill is appropriately amended to create a workable and efficient low-income rate assistance (LIRA) program.

ACWA submitted a letter today outlining how the legislation, as currently drafted, could be improved to better serve communities and reduce unreasonable burdens on public water agencies.

If enacted into law, the bill would require the State Water Resources Control Board to create a water rate assistance program to provide financial assistance for both drinking water and wastewater services to low-income residential ratepayers. The bill was introduced in February by Senator María Elena Durazo (D-Los Angeles) and has been double-referred to the Senate Environmental Quality Committee and Energy, Utilities and Communications Committee. It is currently scheduled to be heard on March 19 by the Senate Environmental Quality Committee.

## Take Action Now

**Join the SB 350 Oppose-Unless-Amended Coalition** by completing an online form.

## Background

ACWA believes a water and wastewater low-income rate assistance program – if designed in a reasonable, efficient and effective manner – is an appropriate approach. However, SB 350 could be improved to maximize the funding spent on direct assistance to ratepayers, enhance public process and reduce unreasonable burdens on water providers. Also, any LIRA legislation must recognize and allow to continue local LIRA programs already operating through a number of ACWA member agencies.

## Questions

For questions about SB 350 or the coalition, please contact ACWA Senior State Relations Advocate Soren Nelson at (916) 669-2367.

[Privacy - Terms](#)



Bringing  
Water  
Together

March 12, 2025

The Honorable Catherine Blakespear  
Chair, Senate Environmental Quality Committee  
1021 O Street, Room 7720  
Sacramento, CA 95814

**RE: SB 350 (Durazo) – Water Rate Assistance Program**  
**Position: OPPOSE UNLESS AMENDED**

Dear Chair Blakespear:

On behalf of the Association of California Water Agencies (ACWA), I am writing to respectfully express our “Oppose Unless Amended” position on SB 350, relating to the establishment of a statewide water low-income rate assistance (LIRA) program.

ACWA believes that SB 350 could be amended in a way that accomplishes the goals of the author and that meets the needs of the public water agencies that will play a key role in the administration of a LIRA program. Some water agencies already administer their own LIRA programs. However, many water agencies are precluded from funding a local LIRA program because of financial constraints and limits placed on how ratepayer dollars can be spent by Proposition 218. If a statewide LIRA program were to be established, ACWA would want to see that program succeed. The concerns summarized below are intended to improve the bill and make a statewide LIRA program as cost-effective and efficient as possible.

**1) The Bill Does Not Identify a Funding Source**

AB 401 (Dodd, 2015) directed the State Water Resources Control Board (State Water Board) to develop a study outlining how it would fund and implement a LIRA program. The AB 401 Report, which was released in 2018, has been used as the framework for multiple LIRA proposals and was developed with a robust public process. The cost estimate for direct water bill assistance at the time the report was released was approximately \$140 million. Notably, neither AB 401 nor the AB 401 Report includes wastewater, whereas SB 350 does. With the inclusion of wastewater and persistent inflation since the report’s release, the annual cost for the program proposed by SB 350 is likely much higher. It is vital that the funding mechanism for a LIRA program is not regressive and does not challenge water affordability (i.e. a tax on water).

**2) The Department of Community Services and Development (CSD) is the Appropriate Implementing Agency**

The bill proposes a LIRA program implemented by the State Water Board. ACWA’s strong preference is that the Department of Community Services and Development (CSD) implement the program because CSD is experienced with implementing other statewide low-income assistance programs. CSD implemented the federally-funded Low-Income Household Water Assistance Program (LIHWAP) from 2020 – 2024 as part of the federal government’s COVID assistance package.

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WASHINGTON, D.C. 400 North Capitol Street NW, Suite 357, Washington, DC 20001 • (202) 434-4760

[www.acwa.com](http://www.acwa.com)

**3) Wastewater Should Be Removed from the Bill**

SB 350 would provide rate assistance to low-income households for both retail water and wastewater. Including wastewater in a LIRA program adds significant logistical complexity and cost. As noted above, wastewater was not included in the State Water Board's AB 401 report, which outlined how they would fund and implement such a program. In many instances it is not possible to apply a credit to a wastewater bill because some wastewater agencies collect revenue through property taxes and do not have the same customer billing relationships as public water agencies that provide retail water. Some public water agencies provide drinking water services but not wastewater services, while some provide drinking water services to all customers and wastewater services to some customers. In addition to the inflated cost and logistical constraints, including wastewater in a LIRA program would create an equity issue by providing a benefit to some eligible customers and not others. It may be appropriate to explore an assistance mechanism for wastewater at a later date. ACWA strongly recommends removing it from this bill.

**4) The Proposed Prioritization Framework is Not Appropriate for a LIRA Program**

SB 350 directs the State Water Board to develop a process for determining how implementation will be prioritized among eligible systems in the event that full funding is not immediately available. The bill directs the State Water Board to prioritize eligible systems that have historically been overburdened by pollution and industrial development or faced other environmental justice hurdles. Because SB 350 is creating a LIRA program aimed at mitigating water affordability issues, not water quality issues, ACWA suggests that this is the wrong metric to use when determining funding priority. ACWA instead recommends using a prioritization framework that is based on financial need.

**5) The Cap on Administrative Costs for Local Water Agencies May Be Insufficient**

SB 350 proposes to cap reimbursement to water providers for reasonable costs of administration at the greater of 5% of total funds for water bill assistance or \$2,000. Whether this provision would adequately cover the costs of implementation for all local water agencies is difficult to assess. The bill does not provide for situations where implementation costs exceed 5% or \$2,000 and cannot be recovered from the State Water Board or from local ratepayers due to Proposition 218 limits, even in instances where local agencies make a good-faith effort to keep costs low. ACWA suggests that the bill be amended to give the State Water Board flexibility to grant an exemption to the cap on a case-by-case basis. We also suggest that the \$2,000 limit be increased, as we expect most local water agencies to exceed \$2,000 in administrative costs.

**6) The Implementing Agency Should Make Advanced Payments to Local Water Agencies**

SB 350 directs the State Water Board or third-party providers to provide funding to eligible systems that would be applied to ratepayer accounts. Small and medium public water agencies may not have the financial flexibility to carry a significant balance related to LIRA for a year before being reimbursed by the state. ACWA recommends that the bill specify that funds be provided to eligible systems in advance (as opposed to through reimbursement) based on an estimate of needed funding. The bill would already allow for eligible systems to return excess funding.

**7) Existing LIRA Programs Should Be Able to Continue in Their Existing Form**

Some public water agencies have existing LIRA programs at the local level. We appreciate that SB 350 provides for those existing programs. ACWA supports this approach and suggests that the bill specify that existing LIRA programs be allowed to maintain their existing systems and processes, where possible, to reduce redundancy and inefficiency.

**8) The Bill Should Be Implemented with Regulations, Not Guidelines**

The bill directs the State Water Board to adopt guidelines for implementation of the program following one public hearing and in consultation with other relevant agencies. The importance and complexity of the proposed program merits a more comprehensive public engagement process that allows for meaningful public input, multiple hearings, and draft reviews. This is a brand-new program that will, if approved and funded, provide benefits to millions of Californians. ACWA believes that a regulatory process would provide more appropriate opportunities for public engagement.

**9) The Proposed Enforcement Mechanism is Out of Step with a LIRA Program**

The bill proposes authorizing the Attorney General to take enforcement action. Enforcement by the implementing state agency is sufficient for a financial assistance program. Additionally, the proposed authority for the Attorney General fails to consider that there is a difference between an eligible system that refuses to participate in the program and a system that is trying to participate but is working through administrative or funding agreement issues that preclude them from complying. The bill also proposes to have the State Water Board qualify financial awards of financial assistance on the establishment of a water LIRA program. This language does not provide reasonable avenues for appeal or exceptions for extenuating circumstances in cases where local water agencies make good-faith efforts to comply with the law.

**10) LIRA Funding Should Not Be Used to Fund Pilot Projects**

SB 350 proposes to allocate 5% of the program's funds to pilot projects. This bill should be narrowly focused on providing water rate assistance. Support for water use efficiency projects can be funded with climate and/or drought resilience state budget funding that is separate from this program. ACWA is not opposed to pilot projects related to a LIRA program, but we do not believe they should be funded in a way that reduces the funding available for direct assistance to those who need it.

For these reasons, ACWA respectfully opposes SB 350 unless it is amended to address these concerns. ACWA is committed to working with the bill's author and proponents to positively amend the bill and requests your support for these changes when the bill is heard in the Senate Environmental Quality Committee. Please contact me at [SorenN@acwa.com](mailto:SorenN@acwa.com) if you have any questions about these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Soren Nelson". The signature is fluid and cursive, with the first name "Soren" being more prominent than the last name "Nelson".

Soren Nelson  
Senior Policy Advocate

**Introduced by Senator Durazo**February 12, 2025

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An act to add Chapter 6.5 (commencing with Section 116930) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water.

## LEGISLATIVE COUNSEL'S DIGEST

SB 350, as introduced, Durazo. Water Rate Assistance Program.

Existing law requires the State Water Resources Control Board, by January 1, 2018, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program. Existing law requires the plan to include, among other things, a description of the method for collecting moneys to support and implement the program and a description of the method for determining the amount of moneys that may need to be collected from water ratepayers to fund the program.

This bill would establish the Water Rate Assistance Program. As part of the program, the bill would establish the Water Rate Assistance Fund in the State Treasury to provide water affordability assistance, for both drinking water and wastewater services, to low-income residential ratepayers, as specified. The bill would require the state board to take various actions in administering the fund, including, among other things, track and manage revenue in the fund separately from all other revenue. The bill would require the state board, in consultation with relevant agencies and after a public hearing, to adopt guidelines for implementation of the program and adopt an annual report to be posted on the state board's internet website identifying how the fund has performed, as specified. The bill would require the guidelines to include minimum requirements for eligible systems, including the ability to confirm eligibility for enrollment through a request for self-certification

of eligibility under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would require the state board to take various actions in administering the program, including, but not limited to, providing guidance, oversight, and funding for low-income rate assistance for residential ratepayers of eligible systems. The bill would authorize the Attorney General to bring an action in state court to restrain the use of any method, act, or practice in violation of these provisions, except as provided.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 6.5 (commencing with Section 116930)  
2 is added to Part 12 of Division 104 of the Health and Safety Code,  
3 to read:

4  
5 CHAPTER 6.5. WATER RATE ASSISTANCE PROGRAM  
6

7 116930. The Legislature finds and declares all of the following:

8 (a) Existing state law declares that it is the established policy  
9 of the state that every human being has the right to safe, clean,  
10 affordable, and accessible water adequate for human consumption,  
11 cooking, and sanitary purposes.

12 (b) In 2015, the Legislature passed Assembly Bill 401 (Chapter  
13 662 of the Statutes of 2015) that required the State Water Resources  
14 Control Board to develop a plan, informed by the public and the  
15 State Board of Equalization, for a statewide low-income rate  
16 assistance for water.

17 (c) In 2020, the state board released a report pursuant to  
18 Assembly Bill 401 (Chapter 662 of the Statutes of 2015), which  
19 is entitled “Recommendations for Implementation of a Statewide  
20 Low-Income Water Rate Assistance Program,” that found that it  
21 would take over one hundred forty million dollars (\$140,000,000)  
22 annually to create a low-income water rate assistance program.



1 (d) The cost of water has continued to rise, outpacing the rate  
2 of inflation and putting too many California families at risk of  
3 water shutoffs.

4 (e) Climate change adds additional cost pressure to water and  
5 sewer systems, which increasingly must invest in climate resilience.

6 (f) While many public water systems offer some form of bill  
7 assistance to a limited number of customers, Proposition 218, as  
8 approved by the voters at the November 5, 1996, statewide general  
9 election, limits their ability to fully fund those programs.

10 (g) California must continue to lead the nation by establishing  
11 statewide low-income rate assistance for water and sewer and, by  
12 doing so, help to ensure universal access to essential services.

13 116931. For purposes of this chapter, the following definitions  
14 apply:

15 (a) “Community water system” has the same meaning as defined  
16 in Section 116275.

17 (b) “Effective date” means the effective date of this chapter.

18 (c) “Eligible system” means a community water system,  
19 wastewater system, or a participating tribal water or wastewater  
20 system.

21 (d) “Fund” means the Water Rate Assistance Fund created  
22 pursuant to Section 116932.

23 (e) “Low-income” means an annual household income that is  
24 no greater than 200 percent of the federal poverty guideline level  
25 and consistent with the guidelines established for the California  
26 Alternative Rates for Energy (CARE) program pursuant to  
27 subdivision (a) of Section 739.1 of the Public Utilities Code.

28 (f) “Program” means the Water Rate Assistance Program  
29 established pursuant to this chapter.

30 (g) “Relevant agencies” means those agencies that have a role,  
31 through data collection, regulation, or enforcement, in providing  
32 services, oversight, and assistance to public water systems and  
33 low-income ratepayers.

34 (h) “Residential ratepayer” means a resident of a single-family  
35 or multifamily residence who receives a bill for water or  
36 wastewater.

37 (i) “State board” means the State Water Resources Control  
38 Board.

1 (j) “Wastewater system” means a city, county, special district,  
2 joint powers authority, or tribal or investor-owned utility that  
3 provides wastewater collection, treatment, or disposal service.

4 116932. (a) The Water Rate Assistance Fund is hereby  
5 established in the State Treasury to provide water affordability  
6 assistance, for both drinking water and wastewater services, to  
7 low-income residential ratepayers. Moneys in the fund shall be  
8 available upon appropriation by the Legislature to the state board  
9 to provide, in consultation with relevant agencies, direct water bill  
10 assistance to low-income residential ratepayers served by eligible  
11 systems.

12 (b) The program shall be entirely funded by the fund or other  
13 available state or federal funding.

14 (c) (1) The state board shall, upon appropriation by the  
15 Legislature, expend moneys from the fund for reasonable costs  
16 associated with the administration of this chapter.

17 (2) Commencing 365 days after the effective date, funds for the  
18 reasonable costs associated with the administration of this chapter  
19 shall not exceed 10 percent of the average annual deposits into the  
20 fund. “Reasonable costs associated with the administration of this  
21 chapter” includes relevant agencies’ administrative costs associated  
22 with this chapter. The state board shall reimburse eligible systems  
23 for reasonable costs associated with the administration of this  
24 chapter, which shall not count toward the 10-percent limitation.

25 (3) Commencing 450 days after the effective date, a minimum  
26 of 80 percent of total expenditures from the fund shall be directly  
27 applied to residential ratepayer accounts.

28 (d) The state board may undertake any of the following actions  
29 to implement this chapter:

30 (1) Provide for the deposit of any of the following moneys into  
31 the fund:

- 32 (A) Federal or state funding.
- 33 (B) Voluntary contributions, gifts, grants, or bequests.
- 34 (C) Any returned funds.

35 (2) Enter into funding agreements with the federal government,  
36 local or state agencies, private entities, or nonprofit organizations.

37 (3) Take additional action as necessary and appropriate for  
38 adequate administration and operation of the fund and provision  
39 of direct water bill assistance.

1 116933. The state board shall do all of the following in  
2 administering the fund:

3 (a) Track and manage revenue in the fund separately from all  
4 other revenue.

5 (b) Develop and implement a process for the state board, or a  
6 third-party provider contracted by the state board, to disburse  
7 program funds to eligible systems, contract operators, or third-party  
8 providers for direct application to the system’s low-income  
9 residential ratepayer accounts, including controls to prevent fraud,  
10 waste, and abuse.

11 (c) Manage and maintain fund balances in conjunction with the  
12 Controller, the Treasurer, the California State Auditor’s Office,  
13 and the Department of Finance, as appropriate.

14 (d) (1) Expend, upon appropriation by the Legislature, moneys  
15 in the fund for grants, contracts, or services to provide benefits to  
16 eligible residential ratepayers.

17 (2) Services may include technical assistance to eligible systems  
18 serving fewer than 3,300 connections to administer the application  
19 of funds to low-income residential ratepayer accounts, including  
20 initial startup costs.

21 (3) The state board shall identify and contract with one or more  
22 third-party providers. The scope of work for a third-party provider  
23 shall include eligibility determinations, and may include call center  
24 services, internet-based enrollments, document intake and  
25 processing, and distribution of funds to eligible systems for  
26 application to qualified residential ratepayer accounts.

27 (4) Provide funds to eligible systems for reasonable costs for  
28 administration of the program, not to exceed the greater of 5  
29 percent of the total funds for water bill assistance or two thousand  
30 dollars (\$2,000).

31 (e) (1) Require verification of eligibility from a sample of  
32 enrolled eligible ratepayers on an annual basis to verify the  
33 ratepayer’s low-income status and eligibility for assistance. Any  
34 ratepayer found to not be eligible for assistance may be removed  
35 from this program.

36 (2) The eligibility requirement in paragraph (1) may be carried  
37 out by a third-party provider described in paragraph (3) of  
38 subdivision (d).

1 116934. (a) Within 270 days of the effective date, the state  
2 board, in consultation with relevant agencies and after a public  
3 hearing, shall adopt guidelines for implementation of the program.

4 (b) The guidelines shall include, at minimum, all of the  
5 following:

6 (1) Direction to eligible systems to automatically enroll  
7 households in the program under both of the following  
8 circumstances:

9 (A) Available information shows that any member of the  
10 residential ratepayer’s household is a current enrollee in, or  
11 recipient of, CalWORKs, CalFresh, general assistance, Medi-Cal,  
12 Supplemental Security Income or the State Supplementary Payment  
13 Program, or the California Special Supplemental Nutrition Program  
14 for Women, Infants, and Children.

15 (B) The residential ratepayer’s household is a utility customer  
16 enrolled in the California Alternate Rates for Energy (CARE)  
17 program established pursuant to Section 739.1 of the Public  
18 Utilities Code or in the Family Electric Rate Assistance program  
19 established pursuant to Section 739.12 of the Public Utilities Code.

20 (2) Minimum requirements for eligible systems, including both  
21 of the following:

22 (A) Participation in the statewide program.

23 (B) The ability to confirm eligibility for enrollment through a  
24 request for self-certification of eligibility under penalty of perjury.

25 (3) A process for the state board or third-party providers to  
26 provide funding to eligible systems for application to eligible  
27 low-income residential ratepayer accounts. Funding shall be  
28 provided to eligible systems on, at minimum, an annual basis.

29 (4) A provision to audit eligible systems receiving funds under  
30 this chapter regarding the receipt and distribution of those funds.

31 (5) Parameters and options for providing funding to eligible  
32 systems that bill exclusively or partially on the property tax roll.

33 (6) A process for instances when a residential ratepayer moves  
34 outside of the eligible system’s service area.

35 (7) A process for exemption of eligible systems from providing  
36 low-income rate assistance upon determination by the state board  
37 that the system does not have eligible residential ratepayers.  
38 Exemptions shall be reviewed periodically to determine whether  
39 any residential ratepayers of the eligible system have become  
40 eligible for assistance.

1 (8) A process for eligible systems to return funds to the state if  
2 needed.

3 (9) In the event that full funding is not immediately available,  
4 a process for determining how implementation will be prioritized  
5 among eligible systems. The process shall prioritize eligible  
6 systems that have historically been overburdened by pollution and  
7 industrial development or faced other environmental justice  
8 hurdles.

9 116935. (a) The state board shall, in consultation with relevant  
10 agencies and after a public hearing, adopt an annual report to be  
11 posted on the state board’s internet website identifying how the  
12 fund has performed.

13 (b) The annual report shall contain all of the following:

14 (1) A report of expenditures from the fund for the prior fiscal  
15 year, including how many households were served, and estimated  
16 expenditures for the current fiscal year.

17 (2) An estimate of the number of households eligible for  
18 assistance. The estimate shall not be based on a  
19 household-by-household evaluation.

20 (3) An evaluation of available relevant information regarding  
21 any household-level water affordability issues that remain after  
22 application of bill assistance.

23 (4) A description of methods to include public participation and  
24 efforts to encourage enrollment in the program.

25 (5) An estimate of the funding available for the next fiscal year  
26 based on the amount available in the fund, anticipated funding  
27 needs, other existing funding sources, and other relevant data and  
28 information.

29 116936. (a) Within 365 days of the effective date, the Public  
30 Utilities Commission shall establish a mechanism for electrical  
31 corporations and gas corporations to regularly share data with the  
32 state board or relevant third-party providers regarding the utility  
33 customers enrolled in, or eligible to be enrolled in, the California  
34 Alternate Rates for Energy (CARE) program established pursuant  
35 to Section 739.1 of the Public Utilities Code and the Family  
36 Electric Rate Assistance program established pursuant to Section  
37 739.12 of the Public Utilities Code. Electrical corporations and  
38 gas corporations shall regularly share that data with the state board  
39 through the mechanism.

1 (b) (1) The state board and third-party providers may enter into  
 2 agreements with local publicly owned electric utilities and local  
 3 publicly owned gas utilities, including, but not limited to, municipal  
 4 utility districts and irrigation districts, for the purpose of regularly  
 5 sharing data with the state board or third-party provider regarding  
 6 utility customers enrolled in, or eligible to be enrolled in,  
 7 affordability programs benefiting low-income residential  
 8 ratepayers.

9 (2) The agreements may authorize the state board to provide  
 10 data pursuant to this subdivision to third-party providers or eligible  
 11 systems for the sole purpose of assisting with the administration  
 12 of the program.

13 (c) Data shared pursuant to subdivision (a) or (b) is subject to  
 14 Section 7927.410 of the Government Code and the Information  
 15 Practices Act of 1977 (Chapter 1 (commencing with Section 1798)  
 16 of Title 1.8 of Part 4 of Division 3 of the Civil Code).

17 (d) Data shared pursuant to subdivision (a) or (b) shall not be  
 18 considered a disclosure under Section 1798.83 of the Civil Code.

19 116937. (a) Chapter 3.5 (commencing with Section 11340)  
 20 of Part 1 of Division 3 of Title 2 of the Government Code does  
 21 not apply to any guidelines developed by the state board pursuant  
 22 to this chapter.

23 (b) (1) Notwithstanding Section 11019 of the Government  
 24 Code, the state board, or a third-party provider contracted by the  
 25 state board, shall, to the extent permissible, make advance  
 26 payments to eligible systems for direct water bill assistance, for  
 27 related administrative costs, and to implement the purposes of this  
 28 chapter.

29 (2) Before distribution of an advance payment, eligible systems  
 30 shall provide to the state board an estimate of the number of  
 31 households enrolled in the program and their expected bill  
 32 discounts.

33 (3) The state board shall have discretion regarding the terms  
 34 and conditions that apply to advance payment.

35 (c) An eligible system shall provide a full accounting of its  
 36 expenditures on an annual basis and as requested by the state board.

37 (d) The state board, in consultation with the Public Utilities  
 38 Commission, may authorize up to 5 percent of program funding  
 39 to establish pilot projects that include expenditures that improve  
 40 water or wastewater affordability for low-income residential

1 households through installation of water efficiency measures or  
2 assistance programs that otherwise improve residential household  
3 water or wastewater affordability in mobilehome parks, multifamily  
4 housing, or other households that do not directly pay a water or  
5 wastewater bill.

6 116938. (a) The state board shall do all of the following in  
7 administering the program:

8 (1) Provide guidance, oversight, and funding for low-income  
9 rate assistance for residential ratepayers of eligible systems.

10 (2) Coordinate with the Public Utilities Commission, to the  
11 extent reasonable and consistent with this chapter and related policy  
12 goals, to align criteria between all existing water rate assistance  
13 programs offered by investor-owned utilities, and to ensure timely  
14 processing of payments to investor-owned utilities.

15 (3) For an eligible system that is not regulated by the Public  
16 Utilities Commission, consult with relevant agencies on options  
17 to provide oversight of the eligible system’s application of program  
18 funds to the system’s low-income residential ratepayer accounts  
19 pursuant to this chapter to ensure effectiveness and prevent fraud,  
20 waste, and abuse.

21 (4) Coordinate with other relevant state agencies and resolve  
22 disputes as necessary.

23 (5) Consider identifying alternative entities to distribute and  
24 track benefits if the state board determines that an eligible system  
25 is incapable of applying program funds to residential ratepayers  
26 of the system pursuant to this chapter.

27 (b) This chapter does not prohibit an eligible system from  
28 offering assistance to ratepayers that is in addition to, or on top  
29 of, the assistance provided through the program.

30 (c) An eligible system that offers assistance that is in addition  
31 to the assistance provided through the program to the same  
32 ratepayers served by the program shall still receive funds from the  
33 program for the eligible portion of the assistance.

34 116939. (a) Within 450 days of the effective date, or by any  
35 other date set by the state board based on a process for prioritization  
36 among eligible systems established pursuant to paragraph (9) of  
37 subdivision (b) of Section 116934, all nontribal community water  
38 systems and wastewater systems shall begin providing water rate  
39 assistance to residential ratepayers in compliance with the  
40 minimum requirements specified in subdivision (c) of Section

1 116932. A tribal water or wastewater system may offer water rate  
 2 assistance. Eligible systems shall continue to provide water rate  
 3 assistance to low-income residential ratepayers as long as there is  
 4 sufficient state or federal funding available to provide water rate  
 5 assistance and fund eligible systems for reasonable costs for  
 6 administration of the program.

7 (b) If the state board has not met the deadline in subdivision (a)  
 8 of Section 116934 for the adoption of program implementation  
 9 guidelines within 270 days of the effective date, the deadline in  
 10 subdivision (a) of this section shall be delayed by the total number  
 11 of additional days the state board takes to adopt program  
 12 implementation guidelines.

13 (c) Prior to disconnection of service, a community water system  
 14 shall provide residential ratepayers with arrearages a notice that  
 15 they may enter into a payment plan and time to enroll in conformity  
 16 with the requirements of Chapter 6 (commencing with Section  
 17 116900), notwithstanding limitations relating to a community  
 18 water system’s size. A community water system shall not  
 19 discontinue water service to a residential ratepayer that remains  
 20 current on a payment plan.

21 116940. (a) The Attorney General, at the request of the state  
 22 board or upon the Attorney General’s own motion, may bring an  
 23 action in state court to restrain, by temporary or permanent  
 24 injunction, the use of any method, act, or practice declared in this  
 25 chapter to be unlawful, including nonparticipation by a public  
 26 water system within the program.

27 (b) The state board may qualify awards of financial assistance  
 28 upon participation in the program.

29 SEC. 2. No reimbursement is required by this act pursuant to  
 30 Section 6 of Article XIII B of the California Constitution because  
 31 the only costs that may be incurred by a local agency or school  
 32 district will be incurred because this act creates a new crime or  
 33 infraction, eliminates a crime or infraction, or changes the penalty  
 34 for a crime or infraction, within the meaning of Section 17556 of  
 35 the Government Code, or changes the definition of a crime within  
 36 the meaning of Section 6 of Article XIII B of the California  
 37 Constitution.

O





# Item B

## SB 394

ACWA position: SUPPORT.

ACWA requests members complete an online form to join a coalition.

### Attachments

1. ACWA Legislative Alert: Members urged to join coalition supporting ACWA-sponsored SB 394 (2/19/2025)
2. ACWA SB 394 Fact Sheet
3. SB 394 Bill language



# LEGISLATIVE ALERT: MEMBERS URGED TO JOIN COALITION SUPPORTING ACWA-SPONSORED SB 394

BY CAROLINE MINASIAN FEB 19, 2025

ACWA is urging members to join a coalition to support SB 394, which would allow local agencies providing water services to adopt an ordinance with enhanced penalties for water theft from a fire hydrant.

Authored by Sen. Ben Allen (D-Santa Monica) and co-sponsored by ACWA and Las Virgenes Municipal Water District, the bill helps to address inefficiencies in current penalties and would establish the following fines for water theft from a fire hydrant:

A fine not exceeding \$2,500 for the first violation

A fine not exceeding \$5,000 for the second violation

A fine not exceeding \$10,000 for the third and each additional violation

Additionally, SB 394 would remove the one-year reset on existing penalties for the third and additional violations for water theft committed via meter tampering and other methods. This bill would also help agencies recover damages by authorizing utilities to pursue civil remedies against any person who tampers with or diverts water from a fire hydrant without authorization.

ACWA staff is working closely with Senator Allen to gain support for the bill and will notify coalition members when it is scheduled for committee hearings.

A fact sheet is available for more information about the bill.

## Take Action Now

**Sign on to the ACWA coalition** by completing a short online form

## Background

Public water agencies are responsible for delivering safe and affordable drinking water throughout California. However, in recent years, water theft has posed a serious threat to water agencies' ability to fulfill that responsibility.

[Privacy - Terms](#)

One of the most egregious forms of water theft involves unauthorized use of fire hydrants. Illegal actors have been documented connecting to and filling water trucks from fire hydrants without the proper use of hydrant meters to avoid paying for water. These trucks can hold up to 6,000 gallons of water, resulting in significant loss for water agencies. The stolen water is typically used or sold for profit for commercial purposes. Examples include construction companies for use at construction sites (e.g., for dust mitigation), landscaping companies, and water trucks selling the water for profit. In some cases, stolen water is transported outside of the water agency's service area.

Because accessing a hydrant requires a specialized tool, these thefts are premeditated. Furthermore, this type of water theft can also cause costly damage to the fire hydrant and system infrastructure. Current penalties are too low to deter theft and may instead be seen as the cost of doing business by some bad actors.

SB 394 recognizes that current penalties are inadequate and seeks to allow water agencies to increase fines for water theft from a fire hydrant through a local ordinance.

### **Questions**

For questions about SB 394, please contact ACWA State Legislative Director Julia Bishop Hall at (530) 902-9746 or State Relations Advocate Kylie Wright at (916) 669-2382.

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# SB 394 (Allen): Enhanced Penalties for Water Theft from Fire Hydrants



## Background

Public water agencies are responsible for delivering safe, clean, and affordable drinking water throughout California. However, in recent years, water theft has posed a serious threat to water agencies' ability to fulfill that responsibility.

Water theft takes many forms, the most egregious being water theft from fire hydrants. Illegal actors have been documented connecting to and filling water trucks from fire hydrants without the proper use of hydrant meters to avoid paying for water. These water trucks can hold up to 6,000 gallons of water, resulting in significant loss for water agencies. The stolen water is typically used or sold for profit for commercial purposes. Examples include construction companies for use at construction sites (e.g., for dust mitigation), landscaping companies, and water trucks selling the water for profit. In some cases, stolen water is even transported outside of the water agency's service area. These activities are premeditated as a special tool is needed to connect to the fire hydrant. And, this type of water theft can also cause costly damage to the fire hydrant and system infrastructure. Current fine amounts are not strong enough to deter this theft and may instead be seen as the cost of doing business for some bad actors.

## Existing Law

SB 427 (Chapter 137, 2021) by Senator Eggman enacted a new statute that authorized public water agencies to adopt an ordinance that prohibits water theft and makes a violation of that ordinance subject to an administrative fine or penalty. The existing authority breaks theft into two categories: meter tampering and all other water theft; theft from a fire hydrant is subject to the latter.

Fines for water theft committed via meter tampering are not to exceed:

- › \$130 for a first violation
- › \$700 for a second violation within one year of the first violation
- › \$1,300 for each additional violation within one year of the first violation

Fines for all other forms of water theft are not to exceed:

- › \$1,000 for a first violation
- › \$2,000 for a second violation within one year of the first violation
- › \$3,000 for each additional violation within one year of the first violation



Header photo courtesy of Flickr/Seabamirum

## How Water Theft Threatens Public Water Agencies

Water theft from fire hydrants poses serious risks to public health and safety, water affordability, and water efficiency.

- › **Public Health and Safety:** (1) Bad actors may not be connecting to fire hydrants properly, such as not using public safety devices. This improper use could lead to contamination of potable water in the system and other public safety concerns; (2) Unauthorized use of the hydrant can lead to dropping water pressure in the system which could jeopardize response to emergency situations such as a fire; (3) Illegal connections often result in damage to the hydrant that can impair its function.
- › **Water Affordability:** The revenue lost from water theft and the cost of damage to infrastructure as a result of theft is ultimately borne by law-abiding paying customers, having a negative impact on water affordability.
- › **Water Efficiency:** Water theft also works against efforts by water districts to comply with State water loss standards under the State's newly adopted water use efficiency framework.

## Examples of Fiscal Impact to Public Water Agencies

Water theft causes public water agencies to incur costs from both the loss of revenue from stolen water and from the actions agencies may take to further prevent theft.

- › Las Virgenes Municipal Water District experiences an estimated loss of 22 to 45 million gallons of water annually, equating to an annual revenue loss of approximately \$150,000-\$300,000 due to water theft of all types.
- › West Valley Water District experiences an estimated loss of 45 to 60 million gallons of water annually, equating to an annual revenue loss of approximately \$200,000 to \$300,000 due to theft of all types.



- › Contra Costa Water District has taken several actions to deter cases of water theft from fire hydrants, including locking hydrants in coordination with their local first responders, communications to customers, installing signage and cameras, implementing patrols, installing pressure monitoring devices, and constructing fill stations and dedicated hydrants for paying customers. As of 2021, the district's total costs for actions to deter water theft from hydrants are in excess of \$250,000.

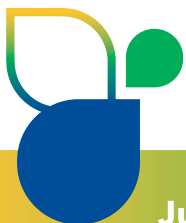
## How SB 394 Would Help

The current penalties for water theft are an insufficient deterrent and fail to prevent this criminal activity from occurring. This bill recognizes and addresses these inefficiencies in existing penalties by authorizing local agencies that provide water services to adopt an ordinance with enhanced penalties specifically for water theft from a fire hydrant.

Under SB 394, fines for water theft from a fire hydrant would be punishable as follows:

- › A fine not exceeding \$2,500 for a first violation
- › A fine not exceeding \$5,000 for a second violation
- › A fine not exceeding \$10,000 for the third and each additional violation

In addition, this bill would also remove the one-year reset on existing penalties for the third and additional violations for water theft committed via meter tampering and other forms of water theft. Lastly, this bill would also help agencies recover damages as a result of water theft from a fire hydrant by authorizing a utility to bring a civil action for damages against any person who, without authorization, tampers with or diverts water from a fire hydrant.





# SB 394 (Allen) - Water Theft Examples

Water theft is a serious and costly issue for public water agencies. Not only do they suffer lost revenue from stolen water, but are faced with paying for actions to deter theft. Below are examples from across the state highlighting the impact of water theft from fire hydrants.

## THEFT IN ACTION



### Las Virgenes Municipal Water District

- › Estimated annual water loss: 22 to 45 million gallons
- › Estimated annual revenue loss: \$150,000 to \$300,000 due to water theft

### West Valley Water District

- › Estimated annual water loss: 45 to 60 million gallons
- › Estimated annual revenue loss: \$200,000 to \$300,000 due to theft
- › December 2023 example: Construction company stole 29,920 gallons

### Contra Costa Water District

- › Actions taken to deter water theft from hydrants include locking hydrants, customer communications, signage, cameras, patrols, and constructing fill stations for paying customers
- › Total costs for deterrence actions, as of 2021: Over \$250,000

### Coachella Valley Water District

- › Estimated annual water loss: 67 million gallons
- › Estimated annual revenue loss: \$155,000 from water theft
- › Costs up to \$10,000 per incident due to damage to fire hydrants from theft
- › Maintains 18,637 fire hydrants across 1,000 square miles
- › Most theft incidents are discovered by employees during work or when responding to leak reports
- › Only a small fraction of water theft is identified, making deterrents like increased penalties important for reducing water loss
- › Example: Water levels at two reservoirs dropped from 12 feet to 5 feet at a rate of 1 foot (6,666 gallons) per hour, traced to an illegal connection to a fire hydrant. Estimated stolen water: 80,000 - 100,000 gallons. Violator admitted to accessing the hydrant 2-3 times per week.

## DAMAGED HYDRANT AFTER THEFT



## ILLEGAL COPIES OF THE KEY WERE IN CIRCULATION TO OPERATE THE STATION



### Los Angeles County Public Works Department

- › Faces significant water theft from illegal cannabis operations in rural areas
- › Coordinates with the County Sheriff and other agencies for more frequent patrols and restricting fill stations to daylight hours to combat theft
- › Despite fill stations requiring keys, counterfeit keys are in circulation
- › Example: One theft resulted in a total loss of 30,000 gallons of water

**Introduced by Senator Allen**

February 14, 2025

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An act to amend Sections 1882.1 and 1882.3 of the Civil Code, and to amend Section 53069.45 of, and to add Section 53069.46 to, the Government Code, relating to water theft.

LEGISLATIVE COUNSEL'S DIGEST

SB 394, as introduced, Allen. Water theft: fire hydrants.

Existing law authorizes a utility to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts certain acts, including, diverting or causing to be diverted, utility services by any means whatsoever. Existing law creates a rebuttable presumption that there is violation of these provisions if, on premises controlled by the customer or by the person using or receiving the direct benefit of utility service, certain actions occur, including that there is an instrument, apparatus, or device primarily designed to be used to obtain utility service without paying the full lawful charge for the utility.

This bill would add to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or diverting water, or causing water to be diverted, from a fire hydrant with knowledge of, or reason to believe, that the diversion or unauthorized connection existed at the time of use for nonfirefighting purposes or without authorization from the appropriate water system or fire department. The bill would also expand the rebuttable presumption for a violation of these provisions to include, among other things, if a person tampers with or uses a fire hydrant, fire hydrant meter, or fire detector

check without authorization to obtain water and without paying the full lawful charge of the water.

Existing law authorizes the legislative body of a local agency, as defined, that provides water services to adopt an ordinance that prohibits water theft, as defined, subject to an administrative fine or penalty, as specified. Existing law sets forth a schedule of fines for a violation of an ordinance adopted pursuant to these provisions, including, if the violation is committed via meter tampering, a fine not exceeding \$1,300 for a third or additional violation of the same ordinance within one year of the first violation, and for a violation of all other forms of water theft, a fine not exceeding \$3,000 for a third or additional violation of the same ordinance within one year.

This bill would revise those fines to apply to the third or additional violation without regard to whether the violation occurred within one year of the first violation.

This bill would authorize a legislative body of a local agency, as defined, that provides retail water services, to adopt an ordinance that prohibits unauthorized connection to a fire hydrant, as defined, subject to an administrative fine or penalty, as specified. The bill would set forth a schedule of fines for a violation of the ordinance. The bill would prohibit a local agency from imposing a fine for the same offense under both an ordinance adopted by a local agency pursuant to these provisions that prohibits unauthorized connection to a fire hydrant and an ordinance adopted by the local agency pursuant to the provisions described above that prohibits water theft.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Unauthorized connection to and use of a fire hydrant and
- 4 unauthorized use of a fire hydrant meter to take water from a fire
- 5 hydrant is water theft, is typically conducted by commercial actors
- 6 subverting the law for profit, and undermines the local water
- 7 system process.
- 8 (b) The state supports the Making Conservation a California
- 9 Way of Life regulation adopted by the State Water Resources
- 10 Control Board and finds that theft of water from fire hydrants



1 violates those goals by leading to water loss that is not adequately  
2 deterred by current statutory authorities.

3 (c) Unauthorized connections to fire hydrants can lead to public  
4 health and safety issues, including potential contamination of a  
5 drinking water source due to a lack of backflow prevention and  
6 damage to water system facilities and infrastructure, or  
7 depressurization of the water system, which could make  
8 communities more vulnerable in the event of a fire.

9 (d) Affordability of water is impacted by water theft from a fire  
10 hydrant as the cost of water loss and damages to infrastructure is  
11 ultimately borne by ratepayers.

12 (e) It is the intent of the Legislature to uphold its values of water  
13 efficiency, affordability, and public health and safety by enacting  
14 a statute that is a greater deterrent to water theft via the  
15 unauthorized connection to a fire hydrant or unauthorized use of  
16 a hydrant meter.

17 SEC. 2. Section 1882.1 of the Civil Code is amended to read:

18 1882.1. A utility may bring a civil action for damages against  
19 any person who commits, authorizes, solicits, aids, abets, or  
20 attempts any of the following acts:

21 (a) Diverts, or causes to be diverted, utility services by any  
22 means whatsoever.

23 (b) Makes, or causes to be made, any connection or reconnection  
24 with property owned or used by the utility to provide utility service  
25 without the authorization or consent of the utility.

26 (c) Prevents any utility meter, or other device used in  
27 determining the charge for utility services, from accurately  
28 performing its measuring function by tampering or by any other  
29 means.

30 (d) Tampers with any property owned or used by the utility to  
31 provide utility services.

32 (e) Uses or receives the direct benefit of all, or a portion, of the  
33 utility service with knowledge of, or reason to believe that, the  
34 diversion, tampering, or unauthorized connection existed at the  
35 time of the use, or that the use or receipt, was without the  
36 authorization or consent of the utility.

37 *(f) Tampers with a fire hydrant, fire hydrant meter, or fire*  
38 *detector check, or diverts water, or causes water to be diverted,*  
39 *from a fire hydrant with knowledge of, or reason to believe, that*  
40 *the diversion or unauthorized connection existed at the time of use*

1 *for nonfirefighting purposes or without authorization from the*  
2 *appropriate water system or fire department.*

3 SEC. 3. Section 1882.3 of the Civil Code is amended to read:

4 1882.3. There is a rebuttable presumption that there is a  
5 violation of Section 1882.1 ~~if, or~~ *if either of the following occurs:*

6 (a) *On premises controlled by the customer or by the person*  
7 *using or receiving the direct benefit of utility service, including*  
8 *through the use of a vehicle, there is either, or both, of the*  
9 *following:*

10 (a)  
11 (1) *Any instrument, apparatus, or device primarily designed to*  
12 *be used to obtain utility service without paying the full lawful*  
13 ~~*charge therefor.*~~ *charge for the utility service.*

14 (b) ~~*Any*~~  
15 (2) *A meter that has been altered, tampered with, or bypassed*  
16 *so as to cause no measurement or inaccurate measurement of utility*  
17 *services.*

18 (b) *A person tampers with or uses a fire hydrant, fire hydrant*  
19 *meter, or fire detector check without authorization to obtain water*  
20 *and without paying the full lawful charge of the water.*

21 SEC. 4. Section 53069.45 of the Government Code is amended  
22 to read:

23 53069.45. (a) (1) *Notwithstanding any other law, the*  
24 *legislative body of a ~~“local agency,”~~ local agency, as defined in*  
25 *Section 54951, that provides water services, may adopt an*  
26 *ordinance that prohibits water theft and makes a violation of an*  
27 *ordinance enacted by the local agency regarding water theft subject*  
28 *to an administrative fine or penalty, as provided in this section.*

29 (2) *The local agency shall adopt an ordinance that sets forth the*  
30 *administrative procedure that shall govern the imposition,*  
31 *enforcement, collection, and administrative review by the local*  
32 *agency of the administrative fines or penalties for water theft.*

33 (3) *The local agency shall establish a process for granting a*  
34 *hardship waiver to reduce the amount of the fine imposed for water*  
35 *theft upon a showing by the responsible party that payment of the*  
36 *full amount of the fine would impose an undue financial burden*  
37 *on the responsible party.*

38 (b) *If the water theft is committed via meter tampering in*  
39 *violation of an ordinance adopted under this section, it is*  
40 *punishable as follows:*

1 (1) A fine not exceeding one hundred thirty dollars (\$130) for  
2 a first violation.

3 (2) A fine not exceeding seven hundred dollars (\$700) for a  
4 second violation of the same ordinance within one year of the first  
5 violation.

6 (3) A fine not exceeding one thousand three hundred dollars  
7 (\$1,300) for the third violation and each additional violation of  
8 the same ordinance within one year of the first violation. ordinance.

9 (c) All other forms of water theft in violation of an ordinance  
10 adopted under this section are punishable as follows:

11 (1) A fine not exceeding one thousand dollars (\$1,000) for a  
12 first violation.

13 (2) A fine not exceeding two thousand dollars (\$2,000) for a  
14 second violation of the same ordinance within one year.

15 (3) A fine not exceeding three thousand dollars (\$3,000) for  
16 each additional violation of the same ordinance within one year.  
17 ordinance.

18 (d) For purposes of this section, the following definitions apply:

19 (1) "Irrigation district" has the same meaning as "district," as  
20 that term is defined in Section 20513 of the Water Code.

21 (2) "Water theft" means an action to divert, tamper, or reconnect  
22 water utility services, as defined in Section 498 of the Penal Code.

23 (e) An irrigation district may impose fines or penalties for water  
24 theft in accordance with this section or Division 11 (commencing  
25 with Section 20500) of the Water Code. This section shall not cap  
26 or limit the fines that an irrigation district may impose in  
27 accordance with Division 11 (commencing with Section 20500)  
28 of the Water Code.

29 SEC. 5. Section 53069.46 is added to the Government Code,  
30 to read:

31 53069.46. (a) (1) Notwithstanding any other law, the legislative  
32 body of a local agency, as defined in Section 54951, that provides  
33 retail water services, may adopt an ordinance that prohibits  
34 unauthorized connection to a fire hydrant, and makes a violation  
35 of an ordinance enacted by the local agency regarding water theft  
36 committed via the unauthorized connection to a fire hydrant subject  
37 to an administrative fine or penalty, as provided in this section.

38 (2) The local agency shall adopt an ordinance that sets forth the  
39 administrative procedure that shall govern the imposition,  
40 enforcement, collection, and administrative review by the local

1 agency of the administrative fines or penalties for water theft  
2 committed via the unauthorized connection to a fire hydrant.

3 (b) Water theft committed via the unauthorized connection to  
4 a fire hydrant in violation of an ordinance adopted under this  
5 section is punishable as follows:

6 (1) A fine not exceeding two thousand five hundred dollars  
7 (\$2,500) for a first violation.

8 (2) A fine not exceeding five thousand dollars (\$5,000) for a  
9 second violation of the same ordinance.

10 (3) A fine not exceeding ten thousand dollars (\$10,000) for the  
11 third violation and each additional violation of the same ordinance.

12 (c) For purposes of this section, “unauthorized connection to a  
13 fire hydrant” includes the unauthorized use of a fire hydrant, fire  
14 hydrant meter, or fire detector check.

15 (d) (1) A local agency shall not impose fines under both this  
16 section and Section 53069.45 for the same offense.

17 (2) Except as provided in paragraph (1), this section does not  
18 preclude remedies available under any other law, including  
19 provisions in the Penal Code or the Civil Code.

O



# Item C

## SB 454

ACWA position: SUPPORT unless amended.

ACWA requests members complete an online form to join a coalition.

### Attachments

1. ACWA Legislative Alert: Members urged to sign coalition letter supporting bill to address PFAS in water, wastewater (3/6/2025)
2. ACWA Sample letter to Senate Environmental Quality Committee
3. SB 454 Bill language



# LEGISLATIVE ALERT: MEMBERS URGED TO SIGN COALITION LETTER SUPPORTING BILL TO ADDRESS PFAS IN WATER, WASTEWATER

BY CAROLINE MINASIAN MAR 6, 2025

ACWA is urging members to sign a coalition letter in support of SB 454, which would create a statewide PFAS Mitigation Fund intended to help local agencies pay for manmade PFAS contamination cleanup in drinking water and wastewater. The bill – introduced by Sen. Jerry McNerney (D-Stockton) – is co-sponsored by ACWA and the League of California Cities.

If approved, the bill would create a much-needed funding tool to help water and wastewater agencies pay for costs that would otherwise be covered by local ratepayers on their water and wastewater bills. There are currently multiple sources of funding aimed at addressing PFAS contamination (current and potentially future legal settlements, federal funding, state bond funding, etc.) that could be directed to this fund.

## Take Action Now

**1. Sign the coalition letter.** ACWA urges members to sign a coalition letter in support of the bill by completing an online form. Signatories will be notified when the bill is scheduled to be heard before the Senate’s Environmental Quality Committee.

**2. Contact your senators.** Share your agency’s support for this bill with your local senator and urge them to vote “Yes” when the Senate takes up the bill. Contact information is available on the Senate’s website.

## Next Steps

The bill has been assigned to the Senate Environmental Quality Committee, but a hearing has not yet been scheduled.

ACWA staff is working with the League of California Cities and Sen. McNerney to support the bill as it moves through the Legislature and will notify members when it is scheduled for committee hearings.

## Background

[Privacy](#) - [Terms](#)

A press release from the senator's office is available for more information about the bill.

Per- and polyfluoroalkyl substances (PFAS), also known as “forever chemicals,” are a group of thousands of man-made chemicals that have been used extensively in numerous consumer products, such as Teflon pans, stain resistant carpets, fast food packaging, fire-fighting foams and other materials designed to be waterproof, stain-resistant or non-stick.

Local water agencies are not the source of these chemicals or responsible for the development of the products that introduced PFAS into the water supply and wastewater systems, yet they are responsible for the costs of monitoring for their presence, treating the water and disposing of the contamination. These costs challenge water affordability, particularly in disadvantaged communities.

In April 2024, the U.S. Environmental Protection Agency announced a new national maximum contaminant level (MCL) of 4.0 parts per trillion (ppt) for PFOA and PFOS as individual contaminants and a standard of 10 ppt for three other chemicals — PFNA, PFHxs, and HFPO-DA (commonly referred to as GenXChemicals). Utilities have five years to come into compliance with the rule.

ACWA advocated that the EPA set drinking water standards that are based on sound science and robust analysis, and adequately assess the cost of compliance.

In a separate effort, the California Office of Environmental Health and Hazard Assessment in April 2024 adopted and published public health goals of 0.007 ppt for PFOA and 1.0 ppt for PFOS. A public health goal is a drinking water objective that does not pose a significant risk to health and is not an enforceable standard.

Additionally, the State Water Resources Control Board has identified development of a statewide PFAS MCL among its highest priorities in 2025.

## Questions

For questions about SB 454, contact ACWA Director of State Regulatory Relations Chelsea Haines at (916) 669-2431.

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Coalition logos here

March X, 2025

The Honorable Catherine Blakespear  
Chair, Senate Environmental Quality Committee  
1021 O Street, Suite 7720  
Sacramento, CA 95814

**RE: SB 454 (McNerney) – Support**

Dear Chair Blakespear:

On behalf of the Association of California Water Agencies (ACWA), the League of California Cities (Cal Cities), and the undersigned organizations, we are writing to express our strong support for SB 454, which would establish a statewide PFAS Mitigation Fund intended to help local water agencies, including cities, leverage funding to pay for cleanup of manmade PFAS contamination in drinking water and wastewater. This much-needed funding tool would help water and wastewater agencies pay for costs that would otherwise be covered by local ratepayers on their water and wastewater bills to help maintain water affordability.

Public water agencies are responsible for delivering safe, clean, and affordable drinking water throughout California. To fulfill that responsibility, local water agencies must comply with federal and state drinking water standards. Drinking water standards can have significant financial impacts on public water agencies, which are passed on to water ratepayers and ultimately, impact water affordability.

PFAS, characterized as “forever chemicals” due to their stability in the environment and resistance to breaking down, are a large group of man-made chemicals that have been used extensively since the 1940s and can today be found in our food system, drinking water supplies, and air. Despite legislative efforts, PFAS are still manufactured, distributed, and used globally and continue to passively contaminate water supplies and wastewater systems. Local water agencies are not the source of these chemicals or responsible for the development of the products that introduced PFAS into the water supply and wastewater systems, yet they are responsible for the costs of monitoring for their presence, treating the water, and disposing of the contamination.

In April 2024, the US Environmental Protection Agency (EPA) announced new national, legally enforceable maximum contaminant levels (MCL) of 4.0 parts per trillion (ppt) for PFOA and PFOS as individual contaminants and a standard of 10 ppt for three other chemicals – PFNA, PFHxS, and HFPO-DA (commonly referred to as GenXChemicals). The EPA estimates that the nationwide cost for public water agencies to comply with the proposed PFAS National Primary Drinking Water Regulations (NPDWR) will be between \$772 million and \$1.2 billion annually. The specific cost for California’s public water agencies to comply with the NPDRWs is currently unknown.

This year, the State Water Resources Control Board is expected to initiate a formal rulemaking process to set a drinking water standard for PFAS. Existing law requires a contaminant’s MCL to be established at a

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[www.acwa.com](http://www.acwa.com)



level as close to its Public Health Goal as is technologically and economically feasible. Existing law also requires state drinking water standards to be at least as stringent as federal standards set by the EPA. **With California’s MCL anticipated to be at least as protective as the federal MCL, the costs associated with treating California’s water supplies will be significant.**

SB 454 would propose the development of the PFAS Mitigation Fund to leverage current and future state, federal, and private funding sources to dedicate funding for the State Water Resources Control Board to support local water agencies in addressing the critically important infrastructure costs to treat for PFAS and help ensure safe drinking water supplies for communities.

For the reasons above, ACWA, Cal Cities, and the undersigned organizations strongly support SB 454 and respectfully request your “AYE” vote when the bill is heard in the Senate Environmental Quality Committee. If you have any questions about our position, please contact Chelsea Haines at [chelseah@acwa.com](mailto:chelseah@acwa.com) or Melissa Sparks-Kranz at [msparkskranz@calcities.org](mailto:msparkskranz@calcities.org).

Sincerely,

[advocate signature here]

Chelsea Haines  
State Regulatory Director  
Association of California Water Agencies

Melissa Sparks-Kranz  
Legislative Advocate  
League of California Cities

Signature blocks here

**Introduced by Senator McNerney**

February 19, 2025

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An act to add Chapter 4.9 (commencing with Section 116774.20) to Part 12 of Division 104 of the Health and Safety Code, relating to water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 454, as introduced, McNerney. State Water Resources Control Board: PFAS Mitigation Program.

Existing law designates the State Water Resources Control Board as the agency responsible for administering specific programs related to drinking water, including, among others, the California Safe Drinking Water Act and the Emerging Contaminants for Small or Disadvantaged Communities Funding Program.

This bill would create the PFAS Mitigation Fund in the General Fund and would authorize the fund to be expended by the state board, upon appropriation by the Legislature, for purposes of these provisions. The bill would authorize the state board to seek out and accept nonstate, federal, and private funds, require those funds to be deposited into the PFAS Reduction Account within the PFAS Mitigation Fund, and continuously appropriate the moneys in the account to the state board for purposes of these provisions, thereby making an appropriation. The bill would authorize the state board to expend moneys from the fund and account in the form of a grant, loan, or contract, or to provide assistance services to water suppliers and wastewater operators, as those terms are defined, for multiple purposes, including, among other things, to cover or reduce the costs for water suppliers associated with treating drinking water to meet the applicable state and federal maximum PFAS contaminant levels. The bill would require a water supplier or

wastewater operator to include a clear and definite purpose for how the funds will be used to provide a public benefit related to safe drinking water or treated wastewater in order to be eligible to receive funds. The bill would authorize the state board to adopt guidelines to implement these provisions.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 4.9 (commencing with Section  
2 116774.20) is added to Part 12 of Division 104 of the Health and  
3 Safety Code, to read:

4  
5 CHAPTER 4.9. PFAS MITIGATION PROGRAM

6  
7 Article 1. Findings and Declarations

8  
9 116774.20. (a) The Legislature finds and declares all of the  
10 following:

11 (1) Every Californian should enjoy the same degree of protection  
12 from environmental and health hazards. No single group of people  
13 should bear a disproportionate share of the negative environmental  
14 consequences and adverse health impacts arising from industrial,  
15 governmental, or commercial operations or policies.

16 (2) State law also declares that it is the established policy of the  
17 state that every human being has the right to safe, clean, affordable,  
18 and accessible water adequate for human consumption, cooking,  
19 and sanitary purposes.

20 (3) Concentrated perfluoroalkyl and polyfluoroalkyl substances  
21 (PFAS) contamination in water creates cumulative health burdens  
22 resulting in communities with greater health risks, such as cancer,  
23 reproductive health and fertility effects, and immune system  
24 disorders.

25 (4) Community water supplies and wastewater contain  
26 contamination with PFAS substances leaving water unsafe. Water  
27 and wastewater suppliers are not responsible for the introduction  
28 of PFAS into the environment, yet these local agencies are  
29 responsible for treating our water supplies to provide potable, safe

1 drinking water and treating our wastewater so as to not harm the  
2 environment and prevent furthering the ubiquitous nature of PFAS.

3 (5) Enhancing the long-term sustainability of drinking water  
4 systems and wastewater systems for all communities increases our  
5 communities’ resilience and environmental safety.

6 (6) Funding for treating PFAS in water supplies and wastewater  
7 systems under this chapter promotes investments for communities,  
8 including disadvantaged communities, and important contributions  
9 to those communities in adapting to a cleaner climate and  
10 environment.

11 (b) It is the intent of the Legislature that true environmental  
12 justice be brought to our state by beginning to address the  
13 continuing disproportionate environmental burdens in the state by  
14 creating a fund to provide safe and clean water by treating for  
15 PFAS in every California community, for every Californian.

16 (c) It is the intent of the Legislature that the state board, in  
17 managing the fund, strive to ensure all regions of the state receive  
18 an equitable level of consideration for funding pursuant to this  
19 chapter, to the extent practicable.

20

21 Article 2. PFAS Mitigation Fund

22

23 116774.21. For the purposes of this chapter, the follow  
24 definitions apply:

25 (a) “Account” means the PFAS Reduction Account established  
26 pursuant to Section 116774.22.

27 (b) “Fund” means the PFAS Mitigation Fund established  
28 pursuant to Section 116774.22.

29 (c) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS”  
30 means a class of fluorinated organic chemicals containing at least  
31 one fully fluorinated carbon atom.

32 (d) “State board” means the State Water Resources Control  
33 Board.

34 (e) “Wastewater operator” means a person or entity who operates  
35 a wastewater treatment plant and who possesses a valid, unexpired  
36 operator certificate.

37 (f) “Water supplier” means a local public agency or private  
38 company supplying or storing water, or a mutual water company.

1 116774.22. (a) The PFAS Mitigation Fund is hereby created  
2 in the General Fund and may be expended by the state board, upon  
3 appropriation by the Legislature, for purposes of this chapter.

4 (b) The state board may seek out and accept nonstate, federal,  
5 and private funds for purposes of this chapter, and those funds  
6 shall be deposited into the PFAS Reduction Account, which is  
7 hereby created within the PFAS Mitigation Fund. Notwithstanding  
8 Section 13340 of the Government Code, moneys in the account  
9 shall be continuously appropriated without regard to fiscal years  
10 to the state board for purposes of this chapter.

11 116774.23. The state board may expend moneys from the fund  
12 and account in the form of a grant, loan, or contract, or to provide  
13 assistance services to water suppliers and wastewater operators  
14 for one or more of the following purposes:

15 (a) Cover or reduce the costs for water suppliers associated with  
16 treating drinking water to meet the applicable state and federal  
17 maximum PFAS contaminant levels.

18 (b) Cover or reduce the costs for wastewater operators associated  
19 with treating wastewater to meet applicable waste discharge  
20 requirements.

21 (c) Cover or reduce the costs for water suppliers or wastewater  
22 operators associated with proper disposal of PFAS contamination  
23 after treating drinking water and wastewater supplies.

24 (d) Any other costs an applicant claims are associated with the  
25 removal of PFAS in drinking water and wastewater.

26 116774.24. In order to be eligible for funds pursuant to this  
27 chapter, a water supplier or wastewater operator shall include a  
28 clear and definite purpose for how the funds will be used to provide  
29 a public benefit related to safe drinking water or treated wastewater.

30 116774.25. The state board may adopt guidelines to implement  
31 this chapter.

32

33

Article 3. General Provisions

34

35 116774.26. Actions taken to implement, interpret, or make  
36 specific this chapter are not subject to the Administrative Procedure  
37 Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of  
38 Division 3 of Title 2 of the Government Code).

39 116774.27. This chapter does not expand any obligation of the  
40 state to provide resources for the provisions of this chapter or to

1 require the expenditure of additional resources beyond the amount  
2 of moneys deposited in the fund.

3 116774.28. The Legislature finds and declares that participation  
4 in an activity authorized for funding from the fund or a contribution  
5 to the fund by a federal, state, or local agency serves a public  
6 purpose and does not constitute a gift of public funds within the  
7 meaning of Section 6 of Article XVI of the California Constitution.



# Item D

## SB 496

CSDA position: SUPPORT as introduced

CSDA requests members authorize automated form letter submission

### Attachments

1. CSDA SB 496: Safe and Clean Fleets Fact Sheet
2. CSDA ZEV Mandate reform article
3. CSDA Take Action Brief
4. CSDA sample letter
5. SB 454 Bill language



California Special Districts Association  
CSDA  
Districts Stronger Together



# SB 496: Safe and Clean Fleets

## (Hurtado, Archuleta, Niello, and Alanis)

*In 2023, CARB imposed the Advanced Clean Fleets (ACF) regulation on state and local agencies to transition medium and heavy duty fleets from internal combustion engines to zero emission vehicles (ZEVs) by 2045*

**SB 496 is bipartisan legislation that ensures California can continue to move forward in achieving its climate and emissions goals, while improving the ACF to:**

- **Protect HEALTH AND SAFETY in our communities**

SB 496 updates the ACF's emergency vehicle exemption to include vehicles that respond to and support critical operations related to emergencies and disasters, often under severe and difficult conditions not suitable for ZEVs.



- **Uphold compliance with our CLIMATE GOALS**

SB 496 ensures local agencies can continue to work diligently to decarbonize their fleet operations by providing clarity without compromising our priorities.

- **Promote AFFORDABILITY for our hard-working families**

Amid rapidly rising cost pressures on essential local services, SB 496 streamlines unnecessary bureaucratic barriers to compliance and averts the costly acquisition of unusable ZEVs before it is possible to install the infrastructure they require.



- **Ensure TRANSPARENCY AND ACCOUNTABILITY in our government**

SB 496 establishes an Appeals Advisory Committee by which local agencies can request review. This committee must act within 60 days of receiving a request, and all meetings must be 1) open to the public, and 2) recorded with the video posted online.

Our front-line workers need to be able to rely on their vehicles under any conditions during a fire, earthquake, storm or other emergency where their service is critical.





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**California Special  
Districts Association**  
*Districts Stronger Together*



Log in

## Support Letters Due Noon Wednesday, March 26

By: @Kyle Packham

SB 496 (Hurtado), co-sponsored by CSDA, CalCities, California State Association of Counties, and Rural County Representatives of California, has been set for hearing in the Senate Environmental Quality Committee on Wednesday, April 2. CSDA is calling all special districts to submit an Automated Form Letter or download our sample letter and register your support by the noon March 26 committee deadline.

### Take Action: Support SB 496 before it's heard in policy committee

- [Authorize automated form letter submission](#)
- [Download collateral](#)
- [Read CSDA's co-sponsor letter](#)

[SB 496](#) would provide relief to local agencies in their efforts to comply with the ambitious deadlines and requirements of the California Air Resources Board (CARB) Advanced Clean Fleets (ACF) / Zero-Emission Vehicles (ZEV) mandates.

As local agencies strive to achieve the State's climate and emissions goals, while confronting the barriers outside their control, SB 496 will help state and local agencies more effectively navigate the ACF regulation and its associated risks and costs to our communities. Of critical concern to local governments, the ACF mandates on medium-duty and heavy-duty fleets are creating unnecessary challenges to maintaining the many critical services Californians rely upon for their most essential daily needs as well as during emergencies and disasters.

### SB 496 will help state and local agencies meet both the needs of our communities and California's climate goals in three important areas:

- **Protecting the health and safety of our communities:**
  - SB 496 updates the emergency vehicle exemption within the ACF to allow those vehicles that respond to and support critical operations related to emergencies and disasters, often



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under austere conditions, to continue to protect our communities. Our front-line workers need to be able to rely on their vehicle working under any condition during a fire, earthquake, storm, or other emergency where their service is critical.

**Prioritizing affordability for our hard-working families:**

- SB 496 modifies the requirements of the daily usage exemption, removing barriers for the applicant to comply with the mandate. Moreover, the legislation promotes affordability amid rapidly rising cost pressures on essential local services by averting the costly acquisition of ZEVs before it is possible to install the infrastructure required to use them.

- Promoting transparency and accountability for our government:**

- SB 496 establishes an Appeals Advisory Committee by which local agencies may request a review of exemption request denials. This ensures transparency while protecting due process for those seeking further review.

Authored by State Senator Melissa Hurtado (D-Bakersfield), SB 496 is a bi-partisan bill that is co-authored by Senator Bob Archuleta (D-Pico Rivera), Senator Roger Niello (R-Fair Oaks), and Assembly Member Juan Alanis (R-Modesto).

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## California Special Districts Alliance

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1112 "I" Street, Suite 200,  
Sacramento, CA 95814



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## Reform CARB's ZEV mandate with SB 496

CSDA, in partnership with local government advocates representing cities and counties, has co-sponsored [SB 496 \(Hurtado\)](#) to provide relief to local agencies in their efforts to comply with the ambitious deadlines and requirements of the California Air Resources Board (CARB) Advanced Clean Fleets (ACF) / Zero-Emission Vehicles (ZEV) mandates.

As local agencies strive to achieve the State's climate and emissions goals, while confronting the barriers outside their control, SB 496 will help state and local agencies more effectively navigate the ACF regulation and its associated risks and costs to our communities. Of critical concern to local governments, the ACF mandates on medium-duty and heavy-duty fleets are creating unnecessary challenges to maintaining the many critical services Californians rely upon for their most essential daily needs as well as during emergencies and disasters.

---

### Take Action: Support SB 496 before it's heard in policy committee [csda.net/ACF-SB496](https://csda.net/ACF-SB496)

- [Review background](#)
- [Authorize automated form letter submission](#)
- [Download fact sheet](#)

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**SB 496 will help state and local agencies meet both the needs of our communities and California's climate goals in three important areas:**

- **Protecting the health and safety of our communities:**
  - SB 496 updates the emergency vehicle exemption within the ACF to allow those vehicles that respond to and support critical operations related to emergencies and disasters, often under austere conditions, to continue to protect our communities. Our front-line workers need to be able to rely on their vehicle working under any condition during a fire, earthquake, storm, or other emergency where their service is critical.
- **Prioritizing affordability for our hard-working families:**
  - SB 496 modifies the requirements of the daily usage exemption, removing barriers for the applicant to comply with the mandate. Moreover, the legislation promotes affordability amid rapidly rising cost pressures on essential local services by averting the costly acquisition of ZEVs before it is possible to install the infrastructure required to use them.
- **Promoting transparency and accountability for our government:**
  - SB 496 establishes an Appeals Advisory Committee by which local agencies may request a review of exemption request denials. This ensures transparency while protecting due process for those seeking further review.

SB 496, authored by State Senator Melissa Hurtado (D-Bakersfield), is a bi-partisan bill that is co-authored by Senator Bob Archuleta (D-Pico Rivera), Senator Roger Niello (R-Fair Oaks), and Assembly Member Juan Alanis (R-Modesto). CSDA is co-sponsoring the legislation together with the League of California Cities, California State Association of Counties, and the Rural County Representatives of California.

[Date]

The Honorable Melissa Hurtado  
California State Senate  
1021 O Street, Suite 6510  
Sacramento, California 95814

**RE: Senate Bill 496 (Hurtado): Advanced Clean Fleets – Support [As Introduced]**

Dear Senator Hurtado:

The [Agency Name] is pleased to support your Senate Bill 496, related to the Advanced Clean Fleets mandates. [Insert a brief description of your agency, particularly the services it provides.]

Local agencies like ours continue to do our part in achieving the State’s climate and emissions goals. SB 496 will enable us to better meet this challenge and effectively navigate the current Advanced Clean Fleets (ACF) mandates and their associated ambitious compliance deadlines. Of critical concern to our community, the ACF mandates on local agencies are creating unnecessary challenges in complying while maintaining the many critical services Californians rely upon for their most essential daily needs as well as during emergencies and disasters.

SB 496 will provide some relief to local agencies by establishing an Appeals Advisory Committee by which local agencies may request a review of exemption request denials. This ensures transparency while protecting due process for those seeking further review.

Additionally, SB 496 would update the emergency vehicle exemption, allowing those vehicles that respond to and support critical operations related to emergencies and disasters, often under austere conditions, to continue to protect our communities.

SB 496 also modifies the requirements of the daily usage exemption, removing barriers for the applicant to comply with the mandate. Moreover, the legislation promotes affordability amid rapidly rising cost pressures on essential local services by averting the costly acquisition of ZEVs before it is possible to install the infrastructure required to use them.

These improvements to the ACF will protect the health and safety of Californians, avoid unnecessary costs detrimental to our shared long-term goals, and ensure that local agencies can continue to work diligently to decarbonize their fleet operations and comply with the ACF without being penalized for factors beyond their control. For these reasons [Agency Name] is pleased to support your Senate Bill 496. Please feel free to contact us with any questions.

Sincerely,

[Signature]

[Printed Name]

[Title]

[Agency Name]

CC: [Your local Senator]  
[Your local Assembly Member]

Anthony Tannehill, Legislative Representative, California Special Districts Association [advocacy@cstda.net]

**Introduced by Senator Hurtado  
(Coauthors: Senators Archuleta and Niello)  
(Coauthor: Assembly Member Alanis)**

February 19, 2025

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An act to add Article 6 (commencing with Section 43850) and Article 6.2 (commencing with Section 43860) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 496, as introduced, Hurtado. Advanced Clean Fleets Regulation: appeals advisory committee: exemptions.

Existing law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. The California Global Warming Solutions Act of 2006 establishes the state board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources.

Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances.

This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified governmental and nongovernmental entities. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board’s internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made. The bill would require specified information relating to the committee’s consideration of an appeal to be made publicly available on the state board’s internet website. The bill would require the state board to consider a recommendation of the committee at a public meeting no later than 60 days after the recommendation is made.

This bill would expand the emergency vehicle exemption under the Advanced Clean Fleets Regulation or similar regulation, as specified. The bill, with respect to requirements applicable to state and local government fleets under the Advanced Clean Fleets Regulation, would modify the requirements of the daily usage exemption and would prohibit the state board from requiring the fleet owner to provide documentation showing the executed zero-emissions vehicle purchase agreement in order to qualify for a specified extension to comply with certain requirements of the regulation.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 6 (commencing with Section 43850) is  
 2 added to Chapter 4 of Part 5 of Division 26 of the Health and Safety  
 3 Code, to read:

4  
 5 Article 6. Advanced Clean Fleets Regulation Appeals Advisory  
 6 Committee

7  
 8 43850. For purposes of this article, the following definitions  
 9 apply:

1 (a) “Advanced Clean Fleets Regulation” means Article 3.2  
2 (commencing with Section 2013) of, Article 3.3 (commencing  
3 with Section 2014) of, Article 3.4 (commencing with Section 2015)  
4 of, and Article 3.5 (commencing with Section 2016) of, Chapter  
5 1 of Division 3 of Title 13 of the California Code of Regulations.

6 (b) “Committee” means the Advanced Clean Fleets Regulation  
7 Appeals Advisory Committee established pursuant to Section  
8 43851.

9 (c) “Electrical corporation” has the same meaning as defined  
10 in Section 218 of the Public Utilities Code.

11 43851. (a) (1) On or before \_\_\_\_\_, the state board shall  
12 establish the Advanced Clean Fleets Regulation Appeals Advisory  
13 Committee.

14 (2) The committee shall review appeals of denied requests for  
15 exemptions or time extensions from the requirements of the  
16 Advanced Clean Fleets Regulation and make recommendations  
17 to the state board with respect to the denial of the exemption or  
18 time extension request.

19 (b) The committee shall be composed of all of the following:

20 (1) One representative of the state board who is appointed by  
21 the state board.

22 (2) One representative of the Public Utilities Commission who  
23 is appointed by the Public Utilities Commission.

24 (3) One representative of the State Energy Resources  
25 Conservation and Development Commission who is appointed by  
26 the State Energy Resources Conservation and Development  
27 Commission.

28 (4) One representative of the Department of General Services  
29 who is appointed by the Director of General Services.

30 (5) One representative of the Department of Transportation who  
31 is appointed by the Director of Transportation.

32 (6) One representative of a transit agency who is appointed by  
33 the state board.

34 (7) One representative of a regional transportation agency who  
35 is appointed by the state board.

36 (8) (A) No fewer than 13 and no more than 21 members selected  
37 by the state board from any of the following categories:

38 (i) (I) Private fleet owners.

39 (II) No less than 25 percent of the members appointed pursuant  
40 to this paragraph shall be private fleet owners.

- 1 (ii) (I) State and local government representatives with expertise
- 2 relating to government fleets.
- 3 (II) No less than 25 percent of the members appointed pursuant
- 4 to this paragraph shall be public fleet managers.
- 5 (iii) Representatives of electrical corporations.
- 6 (iv) Electric vehicle manufacturing industry experts.
- 7 (v) Representatives of environmental and environmental justice
- 8 groups.
- 9 (vi) Representatives of labor groups.
- 10 (B) Members appointed pursuant to this paragraph shall serve
- 11 on the committee for a minimum of one year and a maximum of
- 12 three years.
- 13 43852. (a) The committee shall meet monthly on an evenly
- 14 spaced schedule.
- 15 (b) (1) Meetings of the committee shall be open to the public
- 16 in accordance with the requirements of the Bagley-Keene Open
- 17 Meeting Act (Article 9 (commencing with Section 11120) of
- 18 Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
- 19 Code).
- 20 (2) Meetings of the committee shall be recorded and the
- 21 recording of each meeting shall be made publicly available on the
- 22 state board’s internet website.
- 23 (3) It is the intent of the Legislature that members of the
- 24 committee review materials relating to committee meetings and
- 25 engage in constructive dialogue in all meetings.
- 26 (c) The representative of the state board shall be the nonvoting
- 27 chair of the committee.
- 28 (d) A quorum shall consist of a majority of the voting members
- 29 appointed to the committee at the time of a meeting. Any action
- 30 requires a majority vote of the members present at a meeting at
- 31 which there is a quorum.
- 32 43853. (a) If the state board denies an application for an
- 33 exemption or time extension from any requirement of the Advanced
- 34 Clean Fleets Regulation, the applicant may appeal the denial to
- 35 the committee.
- 36 (b) No later than 60 days after the applicant appeals the denial
- 37 of the exemption or time extension request to the committee, the
- 38 committee shall consider the appeal at a meeting and make a
- 39 recommendation to the state board regarding whether the
- 40 exemption or time extension request should have been denied.

1 (c) The chair of the committee shall serve as the liaison between  
2 the committee and the state board, and shall report the actions and  
3 recommendations of the committee to the state board.

4 (d) For each appeal to the committee, all of the following  
5 information shall be made publicly available on the state board's  
6 internet website:

7 (1) The applicant's original request for an exemption or time  
8 extension from any requirement of the Advanced Clean Fleets  
9 Regulation and any accompanying information submitted by the  
10 applicant.

11 (2) All materials of the state board relating to the denial of the  
12 exemption or time extension request.

13 (3) The appeal and any accompanying information submitted  
14 by the applicant.

15 (4) The minutes of the meeting during which the appeal was  
16 considered.

17 (e) No later than 60 days after the committee makes a  
18 recommendation pursuant to subdivision (b), the state board shall  
19 consider the recommendation at a public meeting of the state board.

20 SEC. 2. Article 6.2 (commencing with Section 43860) is added  
21 to Chapter 4 of Part 5 of Division 26 of the Health and Safety  
22 Code, to read:

23

24

Article 6.2. Advanced Clean Fleets Regulation

25

26 43860. For purposes of this article, "Advanced Clean Fleets  
27 Regulation" means Article 3.2 (commencing with Section 2013)  
28 of, Article 3.3 (commencing with Section 2014) of, Article 3.4  
29 (commencing with Section 2015) of, and Article 3.5 (commencing  
30 with Section 2016) of, Chapter 1 of Division 3 of Title 13 of the  
31 California Code of Regulations.

32 43861. For purposes of the Advanced Clean Fleets Regulation,  
33 or a similar regulation adopted by the state board, vehicles  
34 reasonably anticipated to respond to emergency situations, or that  
35 support those efforts, and vehicles reasonably anticipated to be  
36 used by disaster services workers, as described in Section 3100 of  
37 the Government Code, for purposes of responding to the disaster  
38 for which they have been activated, are exempt to the same extent  
39 as authorized emergency vehicles as defined in Section 165 of the  
40 Vehicle Code.



1 43862. For purposes of the extension authorized in paragraph  
 2 (3) of subdivision (n) of Section 2013, and subdivision (c) of  
 3 Section 2013.1, of Title 13 of the California Code of Regulations,  
 4 the state board shall not require a fleet owner to submit  
 5 documentation showing the executed zero-emissions vehicle  
 6 purchase agreement in order to qualify for that extension.

7 43863. (a) The state board shall not administer the daily usage  
 8 exemption established pursuant to subdivision (b) of Section 2013.1  
 9 of Title 13 of the California Code of Regulations in accordance  
 10 with the criteria set forth in that subdivision. Instead, the state  
 11 board shall administer the daily usage exemption established  
 12 pursuant to that subdivision in accordance with the criteria set  
 13 forth in subdivision (b).

14 (b) Fleet owners may request an exemption as specified in  
 15 paragraph (2) of subdivision (n) of Section 2013 of Title 13 of the  
 16 California Code of Regulations to purchase a new internal  
 17 combustion engine (ICE) vehicle of the same configuration as an  
 18 ICE vehicle being replaced as specified in paragraph (1) of  
 19 subdivision (b) of Section 2013.1 of Title 13 of the California Code  
 20 of Regulations if no new battery-electric vehicle (BEV) is available  
 21 to purchase that can meet the demonstrated daily usage needs of  
 22 any existing vehicles of the same configuration in the fleet, as  
 23 determined by the criteria specified in paragraphs (2) to (5),  
 24 inclusive, of subdivision (b) of Section 2013.1 of Title 13 of the  
 25 California Code of Regulations. If approved, fleet owners shall  
 26 place their new ICE vehicle orders within one year from the date  
 27 the exemption is granted. The executive officer of the state board  
 28 shall not approve exemption requests for a vehicle configuration  
 29 that is available to purchase as a near-zero-emissions vehicle. The  
 30 fleet owner shall submit the following information by email to  
 31 TRUCRS@arb.ca.gov to apply:

32 (1) The make, model, weight class, configuration, and a  
 33 photograph of the ICE vehicle to be replaced.

34 (2) The BEV that is available to purchase in the same weight  
 35 class and configuration with the highest rated energy capacity  
 36 available. The fleet owner shall submit the make, model, weight  
 37 class, configuration, and rated energy capacity of the identified  
 38 BEV.

39 (3) (A) The BEV manufacturer’s available full state of charge  
 40 minimum and maximum range specifications in ideal and

1 less-than-ideal conditions, including when operated in ambient  
 2 temperatures below 45 and above 90 degrees Fahrenheit and when  
 3 operated under maximum towing capacity loads and climbing road  
 4 grades with a minimum 5-percent grade for four miles. If this  
 5 information is not available from the BEV manufacturer, a  
 6 20-percent reduction in maximum range shall be used for a range  
 7 comparison to an ICE vehicle’s range data. For vehicles that  
 8 operate truck-mounted or integrated equipment while stationary,  
 9 in lieu of supplying the BEV manufacturer’s range specifications  
 10 based on vehicle miles traveled, the needed rated energy capacity  
 11 is the same as the measured BEV energy use specified in  
 12 subparagraph (B). The fleet owner shall submit the calculation and  
 13 results.

14 (B) In lieu of providing BEV manufacturer minimum and  
 15 maximum range specifications as specified in subparagraph (A),  
 16 fleet owners may instead submit measured fuel burn rate data from  
 17 ICE vehicles of the same configuration already operated on similar  
 18 daily assignments to substantiate their exemption request.  
 19 Information shall include vehicle loading and weight data, route  
 20 grade, low and high ambient temperatures, and vehicle miles  
 21 traveled per day, for three consecutive business days. For vehicles  
 22 that operate truck-mounted or integrated equipment while  
 23 stationary, the fuel burn rate data shall also include fuel used while  
 24 stationary truck-mounted or integrated equipment is operated each  
 25 day.

26 (4) A description of the daily assignments or routes used by  
 27 existing vehicle configurations with an explanation as to why no  
 28 new BEVs available to purchase of the same weight class and  
 29 configuration can be charged or refueled during the workday at  
 30 the depot, within one mile of the routes, or where ZEV fueling  
 31 infrastructure is available. The explanation shall include a  
 32 description of why charging could not be managed during driver  
 33 rest periods or breaks during the workday.

34 (5) In granting or denying the exemption request, the executive  
 35 officer of the state board shall rely on the information submitted  
 36 by the applicant and use their good engineering judgment to  
 37 determine whether the information meets the criteria specified in  
 38 this subdivision. The executive officer shall include information  
 39 regarding their years of related vehicle engineering experience,

1 ~~certifications, and any professional engineering licenses they have~~  
 2 ~~with a denied exemption request.~~



# Item E

## AB 259

CSDA position: SUPPORT

CSDA requests members authorize sending an automated form letter.

### Attachments

1. CSDA AB 259 Fact Sheet
2. CSDA sample support letter
3. SB 259 Bill language

## Assembly Bill 259 (Rubio)

### Sunset Elimination for Modified Brown Act Meeting Procedures

#### Bill Summary

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[Assembly Bill 259 \(Rubio\)](#) eliminates the sunset on provisions added to the Brown Act by [Assembly Bill 2449 \(Rubio, 2022\)](#), a bill that provided additional flexibility with alternative Brown Act meeting procedures able to be observed in the event of a board member's absence in connection with a "just cause" or "emergency circumstances," allowing for those members so-affected to participate in the meeting remotely consistent with the process detailed in the bill. The provisions of AB 2449 include restrictions on how often its provisions may be invoked and require that a majority of the board be present in-person in order to constitute a quorum.

#### Problem

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Several special districts and other local agencies have utilized the procedures established by AB 2449, successfully facilitating remote participation for legislative policymakers that would otherwise been encumbered by illness, official travel, or medical emergency. Though the terms of AB 2449 have been amended since their passage, the sunset date associated with its terms has not been changed; the alternative Brown Act meeting procedures established by the bill expire at the end of 2025.

#### Solution

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By removing the sunset, AB 259 preserves the additional flexibility for individual board members of local agencies looking to meet remotely to continue providing the public with essential services.

#### Background

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In support of the original legislation, AB 2449, author Assembly Member Blanca Rubio remarked that remote meetings held over the last few years "demonstrated the value of remote participation options when individuals are unable to attend a physical gathering. The Brown Act ensures that officials and their constituents can have open and transparent meetings, which we now know can occur using modern technology. [...] AB 2449 would

provide an avenue for constituents to interact with their representatives in situations where they might have not previously been able to."

AB 2449 followed other legislation like [Assembly Bill 361 \(R. Rivas, 2021\)](#) related to the Brown Act. However, while bills like AB 361 were concerned with entire agencies and disaster emergency scenarios posing a threat to the general health and welfare of all attendees, AB 2449 is more limited in scope. AB 2449 is applicable to individual board members – rather than the entire agency – and is concerned with the specific "just cause" and "emergency circumstances" enumerated within the bill.

#### Support

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- California Special Districts Association
- Three Valleys Municipal Water District
- Various local government associations
- Various counties, cities, special districts, and other local agencies

#### For More Information

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Marcus Detwiler  
California Special Districts Association  
[marcusd@csda.net](mailto:marcusd@csda.net)

[Agency Letterhead]

March 19, 2025

The Honorable Blanca Rubio  
California State Assembly  
1021 O Street, Suite 5250  
Sacramento, California 95814

**RE: Assembly Bill 259 (Rubio) – Support [As Introduced]**

Dear Assembly Member Rubio:

The [Agency Name] is pleased to support your Assembly Bill 259, related to the Ralph M. Brown Act. [Insert a brief description of your agency, particularly the services it provides.]

Recognizing the evolving landscape of public meetings and the demonstrated value of remote participation options when members of governing bodies are unable to attend a physical gathering, your office introduced, and the Legislature passed, Assembly Bill 2449 in 2022, which amended the Ralph M. Brown Act. Beginning in 2023, special districts and other local agencies began using the procedures established by AB 2449, successfully facilitating remote participation for officials that would otherwise been encumbered by illness, official travel, or medical emergency. The provisions of that bill, having been negotiated by civil society groups and local government stakeholders, contained numerous safeguards and requirements, including the presence of an in-person quorum at the official meeting location. [If applicable, describe an occasion or two where members of your agency used AB 2449 to positive effect, and the beneficial impact of the participation of the remote members.]

While the provisions added by AB 2449 were modified slightly by technical amendments made by subsequent legislation, the January 1, 2026 sunset included in the original bill remains. To preserve the flexibility provided by your AB 2449, Assembly Bill 259 would eliminate this sunset date, thereby preserving indefinitely the remote meeting procedures added by the earlier legislation. AB 259 would not otherwise change any other elements of the remote meeting provisions.

For these reasons, [Agency Name] is pleased to support your Assembly Bill 259. Please feel free to contact us if you have any questions.

Sincerely,

[Signature]

[Printed Name]

[Title]

[Agency Name]

CC: [Your local Assembly Member]

[Your local Senator]

Marcus Detwiler, Legislative Representative, California Special Districts Association [advocacy@cstda.net]

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**ASSEMBLY BILL**

**No. 259**

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**Introduced by Assembly Member Blanca Rubio**

January 16, 2025

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An act to amend and repeal Sections 54953 and 54954.2 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 259, as introduced, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act authorizes the legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public.

Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law requires a member to satisfy specified requirements to participate in a meeting remotely pursuant to these

alternative teleconferencing provisions, including that specified circumstances apply. Existing law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less.

This bill would remove the January 1, 2026, date from those provisions, thereby extending the alternative teleconferencing procedures indefinitely.

Existing law authorizes a member to participate remotely pursuant to the alternative teleconferencing provisions described above under specified circumstances, including participating due to emergency circumstances. Under existing law, the emergency circumstances basis for remote participation is contingent on a request to, and action by, the legislative body, as prescribed.

Existing law generally requires the legislative body of the local agency or its designee, at least 72 hours before a regular meeting, to post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, as specified. Existing law, until January 1, 2026, authorizes a legislative body, notwithstanding that provision, to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, as specified.

This bill would remove the January 1, 2026, date from that provision, thereby extending the authorization for a legislative body of a local agency to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances as described above indefinitely.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open

meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 54953 of the Government Code, as  
2 amended by Section 1 of Chapter 389 of the Statutes of 2024, is  
3 amended to read:

4 54953. (a) All meetings of the legislative body of a local  
5 agency shall be open and public, and all persons shall be permitted  
6 to attend any meeting of the legislative body of a local agency,  
7 except as otherwise provided in this chapter.

8 (b) (1) Notwithstanding any other provision of law, the  
9 legislative body of a local agency may use teleconferencing for  
10 the benefit of the public and the legislative body of a local agency  
11 in connection with any meeting or proceeding authorized by law.  
12 The teleconferenced meeting or proceeding shall comply with all  
13 otherwise applicable requirements of this chapter and all otherwise  
14 applicable provisions of law relating to a specific type of meeting  
15 or proceeding.

16 (2) Teleconferencing, as authorized by this section, may be used  
17 for all purposes in connection with any meeting within the subject  
18 matter jurisdiction of the legislative body. If the legislative body  
19 of a local agency elects to use teleconferencing, the legislative  
20 body of a local agency shall comply with all of the following:

21 (A) All votes taken during a teleconferenced meeting shall be  
22 by rollcall.

23 (B) The teleconferenced meetings shall be conducted in a  
24 manner that protects the statutory and constitutional rights of the  
25 parties or the public appearing before the legislative body of a  
26 local agency.

27 (C) The legislative body shall give notice of the meeting and  
28 post agendas as otherwise required by this chapter.

29 (D) The legislative body shall allow members of the public to  
30 access the meeting and the agenda shall provide an opportunity  
31 for members of the public to address the legislative body directly  
32 pursuant to Section 54954.3.



1 (3) If the legislative body of a local agency elects to use  
 2 teleconferencing, it shall post agendas at all teleconference  
 3 locations. Each teleconference location shall be identified in the  
 4 notice and agenda of the meeting or proceeding, and each  
 5 teleconference location shall be accessible to the public. During  
 6 the teleconference, at least a quorum of the members of the  
 7 legislative body shall participate from locations within the  
 8 boundaries of the territory over which the local agency exercises  
 9 jurisdiction, except as provided in subdivisions (d) and (e).

10 (c) (1) No legislative body shall take action by secret ballot,  
 11 whether preliminary or final.

12 (2) The legislative body of a local agency shall publicly report  
 13 any action taken and the vote or abstention on that action of each  
 14 member present for the action.

15 (3) Prior to taking final action, the legislative body shall orally  
 16 report a summary of a recommendation for a final action on the  
 17 salaries, salary schedules, or compensation paid in the form of  
 18 fringe benefits of a local agency executive, as defined in  
 19 subdivision (d) of Section 3511.1, during the open meeting in  
 20 which the final action is to be taken. This paragraph shall not affect  
 21 the public’s right under the California Public Records Act (Division  
 22 10 (commencing with Section 7920.000) of Title 1) to inspect or  
 23 copy records created or received in the process of developing the  
 24 recommendation.

25 (d) (1) Notwithstanding the provisions relating to a quorum in  
 26 paragraph (3) of subdivision (b), if a health authority conducts a  
 27 teleconference meeting, members who are outside the jurisdiction  
 28 of the authority may be counted toward the establishment of a  
 29 quorum when participating in the teleconference if at least 50  
 30 percent of the number of members that would establish a quorum  
 31 are present within the boundaries of the territory over which the  
 32 authority exercises jurisdiction, and the health authority provides  
 33 a teleconference number, and associated access codes, if any, that  
 34 allows any person to call in to participate in the meeting and the  
 35 number and access codes are identified in the notice and agenda  
 36 of the meeting.

37 (2) Nothing in this subdivision shall be construed as  
 38 discouraging health authority members from regularly meeting at  
 39 a common physical site within the jurisdiction of the authority or  
 40 from using teleconference locations within or near the jurisdiction

1 of the authority. A teleconference meeting for which a quorum is  
2 established pursuant to this subdivision shall be subject to all other  
3 requirements of this section.

4 (3) For purposes of this subdivision, a health authority means  
5 any entity created pursuant to Sections 14018.7, 14087.31,  
6 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare  
7 and Institutions Code, any joint powers authority created pursuant  
8 to Article 1 (commencing with Section 6500) of Chapter 5 of  
9 Division 7 for the purpose of contracting pursuant to Section  
10 14087.3 of the Welfare and Institutions Code, and any advisory  
11 committee to a county-sponsored health plan licensed pursuant to  
12 Chapter 2.2 (commencing with Section 1340) of Division 2 of the  
13 Health and Safety Code if the advisory committee has 12 or more  
14 members.

15 (e) (1) The legislative body of a local agency may use  
16 teleconferencing without complying with the requirements of  
17 paragraph (3) of subdivision (b) if the legislative body complies  
18 with the requirements of paragraph (2) of this subdivision in either  
19 of the following circumstances:

20 (A) The legislative body holds a meeting during a proclaimed  
21 state of emergency for the purpose of determining, by majority  
22 vote, whether as a result of the emergency, meeting in person  
23 would present imminent risks to the health or safety of attendees.

24 (B) The legislative body holds a meeting during a proclaimed  
25 state of emergency and has determined, by majority vote, pursuant  
26 to subparagraph (A), that, as a result of the emergency, meeting  
27 in person would present imminent risks to the health or safety of  
28 attendees.

29 (2) A legislative body that holds a meeting pursuant to this  
30 subdivision shall do all of the following:

31 (A) In each instance in which notice of the time of the  
32 teleconferenced meeting is otherwise given or the agenda for the  
33 meeting is otherwise posted, the legislative body shall also give  
34 notice of the means by which members of the public may access  
35 the meeting and offer public comment. The agenda shall identify  
36 and include an opportunity for all persons to attend via a call-in  
37 option or an internet-based service option.

38 (B) In the event of a disruption that prevents the legislative body  
39 from broadcasting the meeting to members of the public using the  
40 call-in option or internet-based service option, or in the event of

1 a disruption within the local agency’s control that prevents  
 2 members of the public from offering public comments using the  
 3 call-in option or internet-based service option, the legislative body  
 4 shall take no further action on items appearing on the meeting  
 5 agenda until public access to the meeting via the call-in option or  
 6 internet-based service option is restored. Actions taken on agenda  
 7 items during a disruption that prevents the legislative body from  
 8 broadcasting the meeting may be challenged pursuant to Section  
 9 54960.1.

10 (C) The legislative body shall not require public comments to  
 11 be submitted in advance of the meeting and must provide an  
 12 opportunity for the public to address the legislative body and offer  
 13 comment in real time.

14 (D) Notwithstanding Section 54953.3, an individual desiring to  
 15 provide public comment through the use of an internet website, or  
 16 other online platform, not under the control of the local legislative  
 17 body, that requires registration to log in to a teleconference may  
 18 be required to register as required by the third-party internet  
 19 website or online platform to participate.

20 (E) (i) A legislative body that provides a timed public comment  
 21 period for each agenda item shall not close the public comment  
 22 period for the agenda item, or the opportunity to register, pursuant  
 23 to subparagraph (D), to provide public comment until that timed  
 24 public comment period has elapsed.

25 (ii) A legislative body that does not provide a timed public  
 26 comment period, but takes public comment separately on each  
 27 agenda item, shall allow a reasonable amount of time per agenda  
 28 item to allow public members the opportunity to provide public  
 29 comment, including time for members of the public to register  
 30 pursuant to subparagraph (D), or otherwise be recognized for the  
 31 purpose of providing public comment.

32 (iii) A legislative body that provides a timed general public  
 33 comment period that does not correspond to a specific agenda item  
 34 shall not close the public comment period or the opportunity to  
 35 register, pursuant to subparagraph (D), until the timed general  
 36 public comment period has elapsed.

37 (3) If a state of emergency remains active, in order to continue  
 38 to teleconference without compliance with paragraph (3) of  
 39 subdivision (b), the legislative body shall, not later than 45 days  
 40 after teleconferencing for the first time pursuant to subparagraph

1 (A) or (B) of paragraph (1), and every 45 days thereafter, make  
2 the following findings by majority vote:

3 (A) The legislative body has reconsidered the circumstances of  
4 the state of emergency.

5 (B) The state of emergency continues to directly impact the  
6 ability of the members to meet safely in person.

7 (4) This subdivision shall not be construed to require the  
8 legislative body to provide a physical location from which the  
9 public may attend or comment.

10 (f) (1) The legislative body of a local agency may use  
11 teleconferencing without complying with paragraph (3) of  
12 subdivision (b) if, during the teleconference meeting, at least a  
13 quorum of the members of the legislative body participates in  
14 person from a singular physical location clearly identified on the  
15 agenda, which location shall be open to the public and situated  
16 within the boundaries of the territory over which the local agency  
17 exercises jurisdiction and the legislative body complies with all  
18 of the following:

19 (A) The legislative body shall provide at least one of the  
20 following as a means by which the public may remotely hear and  
21 visually observe the meeting, and remotely address the legislative  
22 body:

23 (i) A two-way audiovisual platform.

24 (ii) A two-way telephonic service and a live webcasting of the  
25 meeting.

26 (B) In each instance in which notice of the time of the  
27 teleconferenced meeting is otherwise given or the agenda for the  
28 meeting is otherwise posted, the legislative body shall also give  
29 notice of the means by which members of the public may access  
30 the meeting and offer public comment.

31 (C) The agenda shall identify and include an opportunity for all  
32 persons to attend and address the legislative body directly pursuant  
33 to Section 54954.3 via a call-in option, via an internet-based service  
34 option, and at the in-person location of the meeting.

35 (D) In the event of a disruption that prevents the legislative body  
36 from broadcasting the meeting to members of the public using the  
37 call-in option or internet-based service option, or in the event of  
38 a disruption within the local agency's control that prevents  
39 members of the public from offering public comments using the  
40 call-in option or internet-based service option, the legislative body

1 shall take no further action on items appearing on the meeting  
 2 agenda until public access to the meeting via the call-in option or  
 3 internet-based service option is restored. Actions taken on agenda  
 4 items during a disruption that prevents the legislative body from  
 5 broadcasting the meeting may be challenged pursuant to Section  
 6 54960.1.

7 (E) The legislative body shall not require public comments to  
 8 be submitted in advance of the meeting and must provide an  
 9 opportunity for the public to address the legislative body and offer  
 10 comment in real time.

11 (F) Notwithstanding Section 54953.3, an individual desiring to  
 12 provide public comment through the use of an internet website, or  
 13 other online platform, not under the control of the local legislative  
 14 body, that requires registration to log in to a teleconference may  
 15 be required to register as required by the third-party internet  
 16 website or online platform to participate.

17 (2) A member of the legislative body shall only participate in  
 18 the meeting remotely pursuant to this subdivision, if all of the  
 19 following requirements are met:

20 (A) One of the following circumstances applies:

21 (i) The member notifies the legislative body at the earliest  
 22 opportunity possible, including at the start of a regular meeting,  
 23 of their need to participate remotely for just cause, including a  
 24 general description of the circumstances relating to their need to  
 25 appear remotely at the given meeting. The provisions of this clause  
 26 shall not be used by any member of the legislative body for more  
 27 than two meetings per calendar year.

28 (ii) The member requests the legislative body to allow them to  
 29 participate in the meeting remotely due to emergency circumstances  
 30 and the legislative body takes action to approve the request. The  
 31 legislative body shall request a general description of the  
 32 circumstances relating to their need to appear remotely at the given  
 33 meeting. A general description of an item generally need not exceed  
 34 20 words and shall not require the member to disclose any medical  
 35 diagnosis or disability, or any personal medical information that  
 36 is already exempt under existing law, such as the Confidentiality  
 37 of Medical Information Act (Chapter 1 (commencing with Section  
 38 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes  
 39 of this clause, the following requirements apply:

1 (I) A member shall make a request to participate remotely at a  
2 meeting pursuant to this clause as soon as possible. The member  
3 shall make a separate request for each meeting in which they seek  
4 to participate remotely.

5 (II) The legislative body may take action on a request to  
6 participate remotely at the earliest opportunity. If the request does  
7 not allow sufficient time to place proposed action on such a request  
8 on the posted agenda for the meeting for which the request is made,  
9 the legislative body may take action at the beginning of the meeting  
10 in accordance with paragraph (4) of subdivision (b) of Section  
11 54954.2.

12 (B) The member shall publicly disclose at the meeting before  
13 any action is taken, whether any other individuals 18 years of age  
14 or older are present in the room at the remote location with the  
15 member, and the general nature of the member’s relationship with  
16 any such individuals.

17 (C) The member shall participate through both audio and visual  
18 technology.

19 (3) (A) The provisions of this subdivision shall not serve as a  
20 means for any member of a legislative body to participate in  
21 meetings of the legislative body solely by teleconference from a  
22 remote location for more than the following number of meetings,  
23 as applicable:

24 (i) Two meetings per year, if the legislative body regularly meets  
25 once per month or less.

26 (ii) Five meetings per year, if the legislative body regularly  
27 meets twice per month.

28 (iii) Seven meetings per year, if the legislative body regularly  
29 meets three or more times per month.

30 (B) For the purpose of counting meetings attended by  
31 teleconference under this paragraph, a “meeting” shall be defined  
32 as any number of meetings of the legislative body of a local agency  
33 that begin on the same calendar day.

34 (g) The legislative body shall have and implement a procedure  
35 for receiving and swiftly resolving requests for reasonable  
36 accommodation for individuals with disabilities, consistent with  
37 the federal Americans with Disabilities Act of 1990 (42 U.S.C.  
38 Sec. 12132), and resolving any doubt in favor of accessibility. In  
39 each instance in which notice of the time of the meeting is  
40 otherwise given or the agenda for the meeting is otherwise posted,

1 the legislative body shall also give notice of the procedure for  
2 receiving and resolving requests for accommodation.

3 (h) The legislative body shall conduct meetings subject to this  
4 chapter consistent with applicable civil rights and  
5 nondiscrimination laws.

6 (i) (1) Nothing in this section shall prohibit a legislative body  
7 from providing the public with additional teleconference locations.

8 (2) Nothing in this section shall prohibit a legislative body from  
9 providing the public with additional physical locations in which  
10 the public may observe and address the legislative body by  
11 electronic means.

12 (j) For the purposes of this section, the following definitions  
13 shall apply:

14 (1) "Emergency circumstances" means a physical or family  
15 medical emergency that prevents a member from attending in  
16 person.

17 (2) "Just cause" means any of the following:

18 (A) A childcare or caregiving need of a child, parent,  
19 grandparent, grandchild, sibling, spouse, or domestic partner that  
20 requires them to participate remotely. "Child," "parent,"  
21 "grandparent," "grandchild," and "sibling" have the same meaning  
22 as those terms do in Section 12945.2.

23 (B) A contagious illness that prevents a member from attending  
24 in person.

25 (C) A need related to a physical or mental disability as defined  
26 in Sections 12926 and 12926.1 not otherwise accommodated by  
27 subdivision (g).

28 (D) Travel while on official business of the legislative body or  
29 another state or local agency.

30 (3) "Remote location" means a location from which a member  
31 of a legislative body participates in a meeting pursuant to  
32 subdivision (f), other than any physical meeting location designated  
33 in the notice of the meeting. Remote locations need not be  
34 accessible to the public.

35 (4) "Remote participation" means participation in a meeting by  
36 teleconference at a location other than any physical meeting  
37 location designated in the notice of the meeting. Watching or  
38 listening to a meeting via webcasting or another similar electronic  
39 medium that does not permit members to interactively hear,

1 discuss, or deliberate on matters, does not constitute remote  
2 participation.

3 (5) “State of emergency” means a state of emergency proclaimed  
4 pursuant to Section 8625 of the California Emergency Services  
5 Act (Article 1 (commencing with Section 8550) of Chapter 7 of  
6 Division 1 of Title 2).

7 (6) “Teleconference” means a meeting of a legislative body,  
8 the members of which are in different locations, connected by  
9 electronic means, through either audio or video, or both.

10 (7) “Two-way audiovisual platform” means an online platform  
11 that provides participants with the ability to participate in a meeting  
12 via both an interactive video conference and a two-way telephonic  
13 function.

14 (8) “Two-way telephonic service” means a telephone service  
15 that does not require internet access, is not provided as part of a  
16 two-way audiovisual platform, and allows participants to dial a  
17 telephone number to listen and verbally participate.

18 (9) “Webcasting” means a streaming video broadcast online or  
19 on television, using streaming media technology to distribute a  
20 single content source to many simultaneous listeners and viewers.

21 ~~(k) This section shall remain in effect only until January 1, 2026,  
22 and as of that date is repealed.~~

23 SEC. 2. Section 54953 of the Government Code, as amended  
24 by Section 2 of Chapter 534 of the Statutes of 2023, is repealed.

25 ~~54953. (a) All meetings of the legislative body of a local  
26 agency shall be open and public, and all persons shall be permitted  
27 to attend any meeting of the legislative body of a local agency,  
28 except as otherwise provided in this chapter.~~

29 ~~(b) (1) Notwithstanding any other provision of law, the  
30 legislative body of a local agency may use teleconferencing for  
31 the benefit of the public and the legislative body of a local agency  
32 in connection with any meeting or proceeding authorized by law.  
33 The teleconferenced meeting or proceeding shall comply with all  
34 otherwise applicable requirements of this chapter and all otherwise  
35 applicable provisions of law relating to a specific type of meeting  
36 or proceeding.~~

37 ~~(2) Teleconferencing, as authorized by this section, may be used  
38 for all purposes in connection with any meeting within the subject  
39 matter jurisdiction of the legislative body. If the legislative body~~



1 of a local agency elects to use teleconferencing, the legislative  
2 body of a local agency shall comply with all of the following:

3 (A) All votes taken during a teleconferenced meeting shall be  
4 by rollcall.

5 (B) The teleconferenced meetings shall be conducted in a  
6 manner that protects the statutory and constitutional rights of the  
7 parties or the public appearing before the legislative body of a  
8 local agency.

9 (C) The legislative body shall give notice of the meeting and  
10 post agendas as otherwise required by this chapter.

11 (D) The legislative body shall allow members of the public to  
12 access the meeting and the agenda shall provide an opportunity  
13 for members of the public to address the legislative body directly  
14 pursuant to Section 54954.3.

15 (3) If the legislative body of a local agency elects to use  
16 teleconferencing, it shall post agendas at all teleconference  
17 locations. Each teleconference location shall be identified in the  
18 notice and agenda of the meeting or proceeding, and each  
19 teleconference location shall be accessible to the public. During  
20 the teleconference, at least a quorum of the members of the  
21 legislative body shall participate from locations within the  
22 boundaries of the territory over which the local agency exercises  
23 jurisdiction, except as provided in subdivisions (d) and (e).

24 (e) (1) No legislative body shall take action by secret ballot,  
25 whether preliminary or final.

26 (2) The legislative body of a local agency shall publicly report  
27 any action taken and the vote or abstention on that action of each  
28 member present for the action.

29 (3) Prior to taking final action, the legislative body shall orally  
30 report a summary of a recommendation for a final action on the  
31 salaries, salary schedules, or compensation paid in the form of  
32 fringe benefits of a local agency executive, as defined in  
33 subdivision (d) of Section 3511.1, during the open meeting in  
34 which the final action is to be taken. This paragraph shall not affect  
35 the public's right under the California Public Records Act (Division  
36 10 (commencing with Section 7920.000) of Title 1) to inspect or  
37 copy records created or received in the process of developing the  
38 recommendation.

39 (d) (1) Notwithstanding the provisions relating to a quorum in  
40 paragraph (3) of subdivision (b), if a health authority conducts a

1 teleconference meeting, members who are outside the jurisdiction  
2 of the authority may be counted toward the establishment of a  
3 quorum when participating in the teleconference if at least 50  
4 percent of the number of members that would establish a quorum  
5 are present within the boundaries of the territory over which the  
6 authority exercises jurisdiction, and the health authority provides  
7 a teleconference number, and associated access codes, if any, that  
8 allows any person to call in to participate in the meeting and the  
9 number and access codes are identified in the notice and agenda  
10 of the meeting.

11 (2) Nothing in this subdivision shall be construed as  
12 discouraging health authority members from regularly meeting at  
13 a common physical site within the jurisdiction of the authority or  
14 from using teleconference locations within or near the jurisdiction  
15 of the authority. A teleconference meeting for which a quorum is  
16 established pursuant to this subdivision shall be subject to all other  
17 requirements of this section.

18 (3) For purposes of this subdivision, a health authority means  
19 any entity created pursuant to Sections 14018.7, 14087.31,  
20 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare  
21 and Institutions Code, any joint powers authority created pursuant  
22 to Article 1 (commencing with Section 6500) of Chapter 5 of  
23 Division 7 for the purpose of contracting pursuant to Section  
24 14087.3 of the Welfare and Institutions Code, and any advisory  
25 committee to a county-sponsored health plan licensed pursuant to  
26 Chapter 2.2 (commencing with Section 1340) of Division 2 of the  
27 Health and Safety Code if the advisory committee has 12 or more  
28 members.

29 (e) (1) The legislative body of a local agency may use  
30 teleconferencing without complying with the requirements of  
31 paragraph (3) of subdivision (b) if the legislative body complies  
32 with the requirements of paragraph (2) of this subdivision in either  
33 of the following circumstances:

34 (A) The legislative body holds a meeting during a proclaimed  
35 state of emergency for the purpose of determining, by majority  
36 vote, whether as a result of the emergency, meeting in person  
37 would present imminent risks to the health or safety of attendees.

38 (B) The legislative body holds a meeting during a proclaimed  
39 state of emergency and has determined, by majority vote, pursuant  
40 to subparagraph (A), that, as a result of the emergency, meeting

1 in-person would present imminent risks to the health or safety of  
2 attendees.

3 (2) A legislative body that holds a meeting pursuant to this  
4 subdivision shall do all of the following:

5 (A) In each instance in which notice of the time of the  
6 teleconferenced meeting is otherwise given or the agenda for the  
7 meeting is otherwise posted, the legislative body shall also give  
8 notice of the means by which members of the public may access  
9 the meeting and offer public comment. The agenda shall identify  
10 and include an opportunity for all persons to attend via a call-in  
11 option or an internet-based service option.

12 (B) In the event of a disruption that prevents the legislative body  
13 from broadcasting the meeting to members of the public using the  
14 call-in option or internet-based service option, or in the event of  
15 a disruption within the local agency's control that prevents  
16 members of the public from offering public comments using the  
17 call-in option or internet-based service option, the legislative body  
18 shall take no further action on items appearing on the meeting  
19 agenda until public access to the meeting via the call-in option or  
20 internet-based service option is restored. Actions taken on agenda  
21 items during a disruption that prevents the legislative body from  
22 broadcasting the meeting may be challenged pursuant to Section  
23 54960.1.

24 (C) The legislative body shall not require public comments to  
25 be submitted in advance of the meeting and must provide an  
26 opportunity for the public to address the legislative body and offer  
27 comment in real time.

28 (D) Notwithstanding Section 54953.3, an individual desiring to  
29 provide public comment through the use of an internet website, or  
30 other online platform, not under the control of the local legislative  
31 body, that requires registration to log in to a teleconference may  
32 be required to register as required by the third-party internet  
33 website or online platform to participate.

34 (E) (i) A legislative body that provides a timed public comment  
35 period for each agenda item shall not close the public comment  
36 period for the agenda item, or the opportunity to register, pursuant  
37 to subparagraph (D), to provide public comment until that timed  
38 public comment period has elapsed.

39 (ii) A legislative body that does not provide a timed public  
40 comment period, but takes public comment separately on each

1 agenda item, shall allow a reasonable amount of time per agenda  
2 item to allow public members the opportunity to provide public  
3 comment, including time for members of the public to register  
4 pursuant to subparagraph (D), or otherwise be recognized for the  
5 purpose of providing public comment.

6 (iii) A legislative body that provides a timed general public  
7 comment period that does not correspond to a specific agenda item  
8 shall not close the public comment period or the opportunity to  
9 register, pursuant to subparagraph (D), until the timed general  
10 public comment period has elapsed.

11 (3) If a state of emergency remains active, in order to continue  
12 to teleconference without compliance with paragraph (3) of  
13 subdivision (b), the legislative body shall, not later than 45 days  
14 after teleconferencing for the first time pursuant to subparagraph  
15 (A) or (B) of paragraph (1), and every 45 days thereafter, make  
16 the following findings by majority vote:

17 (A) The legislative body has reconsidered the circumstances of  
18 the state of emergency.

19 (B) The state of emergency continues to directly impact the  
20 ability of the members to meet safely in person.

21 (4) This subdivision shall not be construed to require the  
22 legislative body to provide a physical location from which the  
23 public may attend or comment.

24 (f) The legislative body shall have and implement a procedure  
25 for receiving and swiftly resolving requests for reasonable  
26 accommodation for individuals with disabilities, consistent with  
27 the federal Americans with Disabilities Act of 1990 (42 U.S.C.  
28 Sec. 12132), and resolving any doubt in favor of accessibility. In  
29 each instance in which notice of the time of the meeting is  
30 otherwise given or the agenda for the meeting is otherwise posted,  
31 the legislative body shall also give notice of the procedure for  
32 receiving and resolving requests for accommodation.

33 (g) The legislative body shall conduct meetings subject to this  
34 chapter consistent with applicable civil rights and  
35 nondiscrimination laws.

36 (h) (1) Nothing in this section shall prohibit a legislative body  
37 from providing the public with additional teleconference locations.

38 (2) Nothing in this section shall prohibit a legislative body from  
39 providing the public with additional physical locations in which

1 the public may observe and address the legislative body by  
2 electronic means.

3 (i) For the purposes of this section, the following definitions  
4 shall apply:

5 (1) “State of emergency” means a state of emergency proclaimed  
6 pursuant to Section 8625 of the California Emergency Services  
7 Act (Article 1 (commencing with Section 8550) of Chapter 7 of  
8 Division 1 of Title 2):

9 (2) “Teleconference” means a meeting of a legislative body,  
10 the members of which are in different locations, connected by  
11 electronic means, through either audio or video, or both.

12 (j) This section shall become operative January 1, 2026.

13 SEC. 3. Section 54954.2 of the Government Code, as amended  
14 by Section 91 of Chapter 131 of the Statutes of 2023, is amended  
15 to read:

16 54954.2. (a) (1) At least 72 hours before a regular meeting,  
17 the legislative body of the local agency, or its designee, shall post  
18 an agenda containing a brief general description of each item of  
19 business to be transacted or discussed at the meeting, including  
20 items to be discussed in closed session. A brief general description  
21 of an item generally need not exceed 20 words. The agenda shall  
22 specify the time and location of the regular meeting and shall be  
23 posted in a location that is freely accessible to members of the  
24 public and on the local agency’s internet website, if the local  
25 agency has one. If requested, the agenda shall be made available  
26 in appropriate alternative formats to persons with a disability, as  
27 required by Section 202 of the Americans with Disabilities Act of  
28 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations  
29 adopted in implementation thereof. The agenda shall include  
30 information regarding how, to whom, and when a request for  
31 disability-related modification or accommodation, including  
32 auxiliary aids or services, may be made by a person with a  
33 disability who requires a modification or accommodation in order  
34 to participate in the public meeting.

35 (2) For a meeting occurring on and after January 1, 2019, of a  
36 legislative body of a city, county, city and county, special district,  
37 school district, or political subdivision established by the state that  
38 has an internet website, the following provisions shall apply:

39 (A) An online posting of an agenda shall be posted on the  
40 primary internet website home page of a city, county, city and

1 county, special district, school district, or political subdivision  
2 established by the state that is accessible through a prominent,  
3 direct link to the current agenda. The direct link to the agenda shall  
4 not be in a contextual menu; however, a link in addition to the  
5 direct link to the agenda may be accessible through a contextual  
6 menu.

7 (B) An online posting of an agenda, including, but not limited  
8 to, an agenda posted in an integrated agenda management platform,  
9 shall be posted in an open format that meets all of the following  
10 requirements:

11 (i) Retrievable, downloadable, indexable, and electronically  
12 searchable by commonly used internet search applications.

13 (ii) Platform independent and machine readable.

14 (iii) Available to the public free of charge and without any  
15 restriction that would impede the reuse or redistribution of the  
16 agenda.

17 (C) A legislative body of a city, county, city and county, special  
18 district, school district, or political subdivision established by the  
19 state that has an internet website and an integrated agenda  
20 management platform shall not be required to comply with  
21 subparagraph (A) if all of the following are met:

22 (i) A direct link to the integrated agenda management platform  
23 shall be posted on the primary internet website home page of a  
24 city, county, city and county, special district, school district, or  
25 political subdivision established by the state. The direct link to the  
26 integrated agenda management platform shall not be in a contextual  
27 menu. When a person clicks on the direct link to the integrated  
28 agenda management platform, the direct link shall take the person  
29 directly to an internet website with the agendas of the legislative  
30 body of a city, county, city and county, special district, school  
31 district, or political subdivision established by the state.

32 (ii) The integrated agenda management platform may contain  
33 the prior agendas of a legislative body of a city, county, city and  
34 county, special district, school district, or political subdivision  
35 established by the state for all meetings occurring on or after  
36 January 1, 2019.

37 (iii) The current agenda of the legislative body of a city, county,  
38 city and county, special district, school district, or political  
39 subdivision established by the state shall be the first agenda  
40 available at the top of the integrated agenda management platform.

1 (iv) All agendas posted in the integrated agenda management  
2 platform shall comply with the requirements in clauses (i), (ii),  
3 and (iii) of subparagraph (B).

4 (D) For the purposes of this paragraph, both of the following  
5 definitions shall apply:

6 (i) “Integrated agenda management platform” means an internet  
7 website of a city, county, city and county, special district, school  
8 district, or political subdivision established by the state dedicated  
9 to providing the entirety of the agenda information for the  
10 legislative body of the city, county, city and county, special district,  
11 school district, or political subdivision established by the state to  
12 the public.

13 (ii) “Legislative body” has the same meaning as that term is  
14 used in subdivision (a) of Section 54952.

15 (E) The provisions of this paragraph shall not apply to a political  
16 subdivision of a local agency that was established by the legislative  
17 body of the city, county, city and county, special district, school  
18 district, or political subdivision established by the state.

19 (3) No action or discussion shall be undertaken on any item not  
20 appearing on the posted agenda, except that members of a  
21 legislative body or its staff may briefly respond to statements made  
22 or questions posed by persons exercising their public testimony  
23 rights under Section 54954.3. In addition, on their own initiative  
24 or in response to questions posed by the public, a member of a  
25 legislative body or its staff may ask a question for clarification,  
26 make a brief announcement, or make a brief report on their own  
27 activities. Furthermore, a member of a legislative body, or the  
28 body itself, subject to rules or procedures of the legislative body,  
29 may provide a reference to staff or other resources for factual  
30 information, request staff to report back to the body at a subsequent  
31 meeting concerning any matter, or take action to direct staff to  
32 place a matter of business on a future agenda.

33 (b) Notwithstanding subdivision (a), the legislative body may  
34 take action on items of business not appearing on the posted agenda  
35 under any of the conditions stated below. Prior to discussing any  
36 item pursuant to this subdivision, the legislative body shall publicly  
37 identify the item.

38 (1) Upon a determination by a majority vote of the legislative  
39 body that an emergency situation exists, as defined in Section  
40 54956.5.

1 (2) Upon a determination by a two-thirds vote of the members  
2 of the legislative body present at the meeting, or, if less than  
3 two-thirds of the members are present, a unanimous vote of those  
4 members present, that there is a need to take immediate action and  
5 that the need for action came to the attention of the local agency  
6 subsequent to the agenda being posted as specified in subdivision  
7 (a).

8 (3) The item was posted pursuant to subdivision (a) for a prior  
9 meeting of the legislative body occurring not more than five  
10 calendar days prior to the date action is taken on the item, and at  
11 the prior meeting the item was continued to the meeting at which  
12 action is being taken.

13 (4) To consider action on a request from a member to participate  
14 in a meeting remotely due to emergency circumstances, pursuant  
15 to Section 54953, if the request does not allow sufficient time to  
16 place the proposed action on the posted agenda for the meeting  
17 for which the request is made. The legislative body may approve  
18 such a request by a majority vote of the legislative body.

19 (c) This section is necessary to implement and reasonably within  
20 the scope of paragraph (1) of subdivision (b) of Section 3 of Article  
21 I of the California Constitution.

22 (d) For purposes of subdivision (a), the requirement that the  
23 agenda be posted on the local agency's internet website, if the  
24 local agency has one, shall only apply to a legislative body that  
25 meets either of the following standards:

26 (1) A legislative body as that term is defined by subdivision (a)  
27 of Section 54952.

28 (2) A legislative body as that term is defined by subdivision (b)  
29 of Section 54952, if the members of the legislative body are  
30 compensated for their appearance, and if one or more of the  
31 members of the legislative body are also members of a legislative  
32 body as that term is defined by subdivision (a) of Section 54952.

33 ~~(e) This section shall remain in effect only until January 1, 2026,~~  
34 ~~and as of that date is repealed.~~

35 SEC. 4. Section 54954.2 of the Government Code, as amended  
36 by Section 92 of Chapter 131 of the Statutes of 2023, is repealed.

37 ~~54954.2. (a) (1) At least 72 hours before a regular meeting,~~  
38 ~~the legislative body of the local agency, or its designee, shall post~~  
39 ~~an agenda containing a brief general description of each item of~~  
40 ~~business to be transacted or discussed at the meeting, including~~



1 items to be discussed in closed session. A brief general description  
 2 of an item generally need not exceed 20 words. The agenda shall  
 3 specify the time and location of the regular meeting and shall be  
 4 posted in a location that is freely accessible to members of the  
 5 public and on the local agency's internet website, if the local  
 6 agency has one. If requested, the agenda shall be made available  
 7 in appropriate alternative formats to persons with a disability, as  
 8 required by Section 202 of the Americans with Disabilities Act of  
 9 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations  
 10 adopted in implementation thereof. The agenda shall include  
 11 information regarding how, to whom, and when a request for  
 12 disability-related modification or accommodation, including  
 13 auxiliary aids or services, may be made by a person with a  
 14 disability who requires a modification or accommodation in order  
 15 to participate in the public meeting.

16 (2) For a meeting occurring on and after January 1, 2019, of a  
 17 legislative body of a city, county, city and county, special district,  
 18 school district, or political subdivision established by the state that  
 19 has an internet website, the following provisions shall apply:

20 (A) An online posting of an agenda shall be posted on the  
 21 primary internet website home page of a city, county, city and  
 22 county, special district, school district, or political subdivision  
 23 established by the state that is accessible through a prominent,  
 24 direct link to the current agenda. The direct link to the agenda shall  
 25 not be in a contextual menu; however, a link in addition to the  
 26 direct link to the agenda may be accessible through a contextual  
 27 menu.

28 (B) An online posting of an agenda, including, but not limited  
 29 to, an agenda posted in an integrated agenda management platform,  
 30 shall be posted in an open format that meets all of the following  
 31 requirements:

32 (i) Retrievable, downloadable, indexable, and electronically  
 33 searchable by commonly used internet search applications.

34 (ii) Platform independent and machine readable.

35 (iii) Available to the public free of charge and without any  
 36 restriction that would impede the reuse or redistribution of the  
 37 agenda.

38 (C) A legislative body of a city, county, city and county, special  
 39 district, school district, or political subdivision established by the  
 40 state that has an internet website and an integrated agenda

1 management platform shall not be required to comply with  
2 subparagraph (A) if all of the following are met:

3 (i) A direct link to the integrated agenda management platform  
4 shall be posted on the primary internet website home page of a  
5 city, county, city and county, special district, school district, or  
6 political subdivision established by the state. The direct link to the  
7 integrated agenda management platform shall not be in a contextual  
8 menu. When a person clicks on the direct link to the integrated  
9 agenda management platform, the direct link shall take the person  
10 directly to an internet website with the agendas of the legislative  
11 body of a city, county, city and county, special district, school  
12 district, or political subdivision established by the state.

13 (ii) The integrated agenda management platform may contain  
14 the prior agendas of a legislative body of a city, county, city and  
15 county, special district, school district, or political subdivision  
16 established by the state for all meetings occurring on or after  
17 January 1, 2019.

18 (iii) The current agenda of the legislative body of a city, county,  
19 city and county, special district, school district, or political  
20 subdivision established by the state shall be the first agenda  
21 available at the top of the integrated agenda management platform.

22 (iv) All agendas posted in the integrated agenda management  
23 platform shall comply with the requirements in clauses (i), (ii),  
24 and (iii) of subparagraph (B).

25 (D) For the purposes of this paragraph, both of the following  
26 definitions shall apply:

27 (i) “Integrated agenda management platform” means an internet  
28 website of a city, county, city and county, special district, school  
29 district, or political subdivision established by the state dedicated  
30 to providing the entirety of the agenda information for the  
31 legislative body of the city, county, city and county, special district,  
32 school district, or political subdivision established by the state to  
33 the public.

34 (ii) “Legislative body” has the same meaning as that term is  
35 used in subdivision (a) of Section 54952.

36 (E) The provisions of this paragraph shall not apply to a political  
37 subdivision of a local agency that was established by the legislative  
38 body of the city, county, city and county, special district, school  
39 district, or political subdivision established by the state.

1     ~~(3) No action or discussion shall be undertaken on any item not~~  
 2 ~~appearing on the posted agenda, except that members of a~~  
 3 ~~legislative body or its staff may briefly respond to statements made~~  
 4 ~~or questions posed by persons exercising their public testimony~~  
 5 ~~rights under Section 54954.3. In addition, on their own initiative~~  
 6 ~~or in response to questions posed by the public, a member of a~~  
 7 ~~legislative body or its staff may ask a question for clarification,~~  
 8 ~~make a brief announcement, or make a brief report on their own~~  
 9 ~~activities. Furthermore, a member of a legislative body, or the~~  
 10 ~~body itself, subject to rules or procedures of the legislative body,~~  
 11 ~~may provide a reference to staff or other resources for factual~~  
 12 ~~information, request staff to report back to the body at a subsequent~~  
 13 ~~meeting concerning any matter, or take action to direct staff to~~  
 14 ~~place a matter of business on a future agenda.~~

15     ~~(b) Notwithstanding subdivision (a), the legislative body may~~  
 16 ~~take action on items of business not appearing on the posted agenda~~  
 17 ~~under any of the conditions stated below. Prior to discussing any~~  
 18 ~~item pursuant to this subdivision, the legislative body shall publicly~~  
 19 ~~identify the item.~~

20     ~~(1) Upon a determination by a majority vote of the legislative~~  
 21 ~~body that an emergency situation exists, as defined in Section~~  
 22 ~~54956.5.~~

23     ~~(2) Upon a determination by a two-thirds vote of the members~~  
 24 ~~of the legislative body present at the meeting, or, if less than~~  
 25 ~~two-thirds of the members are present, a unanimous vote of those~~  
 26 ~~members present, that there is a need to take immediate action and~~  
 27 ~~that the need for action came to the attention of the local agency~~  
 28 ~~subsequent to the agenda being posted as specified in subdivision~~  
 29 ~~(a).~~

30     ~~(3) The item was posted pursuant to subdivision (a) for a prior~~  
 31 ~~meeting of the legislative body occurring not more than five~~  
 32 ~~calendar days prior to the date action is taken on the item, and at~~  
 33 ~~the prior meeting the item was continued to the meeting at which~~  
 34 ~~action is being taken.~~

35     ~~(e) This section is necessary to implement and reasonably within~~  
 36 ~~the scope of paragraph (1) of subdivision (b) of Section 3 of Article~~  
 37 ~~I of the California Constitution.~~

38     ~~(d) For purposes of subdivision (a), the requirement that the~~  
 39 ~~agenda be posted on the local agency’s internet website, if the~~

1 local agency has one, shall only apply to a legislative body that  
2 meets either of the following standards:

3 (1) A legislative body as that term is defined by subdivision (a)  
4 of Section 54952.

5 (2) A legislative body as that term is defined by subdivision (b)  
6 of Section 54952, if the members of the legislative body are  
7 compensated for their appearance, and if one or more of the  
8 members of the legislative body are also members of a legislative  
9 body as that term is defined by subdivision (a) of Section 54952.

10 (e) This section shall become operative January 1, 2026.

11 SEC. 5. The Legislature finds and declares that Sections 1 and  
12 2 of this act, which amend and repeal Section 54953 of the  
13 Government Code, and Sections 3 and 4 of this act, which amend  
14 and repeal Section 54954.2 of the Government Code, impose a  
15 limitation on the public’s right of access to the meetings of public  
16 bodies or the writings of public officials and agencies within the  
17 meaning of Section 3 of Article I of the California Constitution.  
18 Pursuant to that constitutional provision, the Legislature makes  
19 the following findings to demonstrate the interest protected by this  
20 limitation and the need for protecting that interest:

21 By extending the alternative teleconferencing procedure  
22 provisions and provisions relating to requests from members to  
23 participate in those meetings remotely due to emergency  
24 circumstances indefinitely, this act allows for greater accessibility  
25 to, and public participation in, teleconference meetings while  
26 preserving the public’s right to access information concerning the  
27 conduct of the people’s business.

28 SEC. 6. The Legislature finds and declares that Sections 1 and  
29 2 of this act, which amend and repeal Section 54953 of the  
30 Government Code, and Sections 3 and 4 of this act, which amend  
31 and repeal Section 54954.2 of the Government Code, further,  
32 within the meaning of paragraph (7) of subdivision (b) of Section  
33 3 of Article I of the California Constitution, the purposes of that  
34 constitutional section as it relates to the right of public access to  
35 the meetings of local public bodies or the writings of local public  
36 officials and local agencies. Pursuant to paragraph (7) of  
37 subdivision (b) of Section 3 of Article I of the California  
38 Constitution, the Legislature makes the following findings:

1 This act is necessary to ensure greater accessibility to, and public  
2 participation in, teleconference meetings.



# Item F

## ACR 36

CSDA position: SUPPORT

CSDA requests members send letters of support.

### Prepare now for Special Districts Week, coming May 18-24

The CSDA sponsored measure, [Assembly Concurrent Resolution 36](#), was officially introduced by Assembly Local Government Committee Chair Juan Carrillo proclaiming the week of May 18-24 to be *Special Districts Week*. This is the 7<sup>th</sup> consecutive year that such a resolution was introduced in the State Legislature.

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*Take Action:* Access the toolkit to prepare your district for Special Districts Week  
[csda.net/TA-Special-Districts-Week](https://csda.net/TA-Special-Districts-Week)

- Press release template
  - Sample resolution
  - Sample newsletter article
  - Sample support letter
  - Social media graphics coming soon
- 

### **Attachments**

1. CSDA sample support letter
2. ACR 36 Bill language

**[Your Agency's Letterhead (REQUIRED)]**

March 19, 2025

The Honorable Juan Carrillo  
California State Assembly  
1021 O Street, Suite 5610  
Sacramento, CA 95814

**RE: Assembly Concurrent Resolution 36 (Carrillo) – Support [As Introduced]**

Dear Assembly Member Carrillo:

The **[Name of Your Agency]** is pleased to support Assembly Concurrent Resolution 36, which would establish Special Districts Week from May 18 to May 24, 2025. **Insert a brief description of your agency, particularly the services it provides.**

Special districts are formed by communities to provide a needed service, overseen by a local board, and funded by local revenue. By focusing on one service, or a small suite of services, these public entities are able to perform efficient, effective, sustainable service delivery and infrastructure development, while maintaining local accountability.

Special districts date back to 1887 and have a long, rich history of providing benefits to their residents. They vary in size to best meet local needs, ranging from servicing multi-county regions and sometimes millions of residents, to small rural communities. As a representative of the special district community, we are pleased to support Assembly Concurrent Resolution 36.

**[Name of Your Agency]** would like to thank the author for introducing this resolution recognizing and commending special districts for the important work that they do throughout California. Please feel free to contact me if you have any questions.

Sincerely,

**[Name of Responsible Officer]**  
**[Title]**  
**[Name of Your Agency]**

CC: Lilia Hernandez Detwiler, Associate Legislative Analyst, California Special Districts Association  
[advocacy@csda.net]

**Assembly Concurrent Resolution**

**No. 36**

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**Introduced by Assembly Member Carrillo**

February 20, 2025

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Assembly Concurrent Resolution No. 36—Relative to Special Districts Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 36, as introduced, Carrillo. Special Districts Week.

This measure proclaims the week of May 18, 2025, to May 24, 2025, to be Special Districts Week.

Fiscal committee: no.

1 WHEREAS, Special districts are local governmental entities  
2 created by a community’s residents, funded by those residents,  
3 and overseen by those residents, to provide specialized services  
4 and infrastructure; and

5 WHEREAS, Today, just over 2,000 independent special districts  
6 provide millions of Californians with essential services, including  
7 services related to water, sanitation, and water recycling, fire  
8 protection, electricity, parks and recreation, health care, open space,  
9 ports and harbors, flood protection, mosquito abatement,  
10 cemeteries, resource conservation, airports, transit, road  
11 maintenance, veterans’ facilities, and more; and

12 WHEREAS, Special districts first arose when San Joaquin  
13 Valley farmers needed a way to access their local water supply;  
14 and

15 WHEREAS, Under the Wright Act of 1887, the Turlock  
16 Irrigation District became California’s first special district and

1 made it possible for local farmers to intensify and diversify  
2 agriculture in California’s central valley; and

3 WHEREAS, In the 20th century, special districts increased  
4 dramatically in both number and scope, and during the periods of  
5 prosperity and population growth that followed both world wars  
6 when the demand for all types of public services increased, and  
7 special districts met that need; and

8 WHEREAS, The statutory authorization for mosquito abatement  
9 districts was enacted in 1915 to combat the salt marsh mosquitoes  
10 around the San Francisco Bay and higher than average malaria  
11 cases in rural counties; and

12 WHEREAS, Fire protection districts can trace their origins to  
13 a 1923 state law, and, in 1931, the Legislature authorized recreation  
14 districts, the forerunners of today’s recreation and park districts;  
15 and

16 WHEREAS, Hospital districts arose in 1945 because of a  
17 statewide shortage of hospital beds. In 1994, the Legislature then  
18 expanded their breadth and renamed them health care districts in  
19 recognition of the diverse, modern needs of California’s  
20 communities and the importance of proactive, affordable health  
21 care beyond the walls of a hospital building; and

22 WHEREAS, Although originally created to provide individual  
23 services, in 1961, the Legislature authorized special districts to  
24 address multiple needs when it provided for multipurpose,  
25 community services districts; and

26 WHEREAS, Special districts vary in size and scope and serve  
27 diverse communities throughout California, from small rural  
28 neighborhoods, such as the Pine Cove Water District in the San  
29 Jacinto Mountains in the County of Riverside, to large urban  
30 regions, such as the East Bay Municipal Utility District spanning  
31 much of the Counties of Alameda and Contra Costa; and

32 WHEREAS, Local residents own special districts and govern  
33 them through locally elected or appointed boards. A series of  
34 sunshine laws ensure special districts remain transparent and  
35 accountable to the communities they serve, as these laws require  
36 open and public meetings, public access to records, regular audits,  
37 online posting of finances and compensation, and more; and

38 WHEREAS, To prevent overlapping services and ensure that  
39 local agencies are operating effectively and efficiently to meet  
40 community needs, special districts are formed, reviewed,



1 consolidated, or dissolved through a methodical local process that  
2 includes the oversight of a local agency formation commission  
3 and the consent of local voters; and

4 WHEREAS, In 1969, several independent special districts  
5 formed a statewide association called the California Special  
6 Districts Association, commonly referred to as the CSDA, to  
7 promote good governance and improved essential local services  
8 through professional development, advocacy, and other services  
9 for all types of independent special districts; and

10 WHEREAS, The Legislature seeks to promote democratic  
11 institutions, community-based services, local control, and  
12 self-determination; and

13 WHEREAS, The Legislature seeks to promote and educate the  
14 public about their local public service providers, including  
15 awareness and understanding of special districts; now, therefore,  
16 be it

17 *Resolved by the Assembly of the State of California, the Senate*  
18 *thereof concurring,* That the Legislature hereby proclaims the  
19 week of May 18, 2025, to May 24, 2025, inclusive, to be Special  
20 Districts Week and encourages all Californians to be involved in  
21 their communities and be civically engaged with their local  
22 government; and be it further

23 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
24 of this resolution to the author for appropriate distribution.

O



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
March 27, 2025**

**Item 4**

**STAFF REPORT**

**TO:** Board of Directors

**FROM:** Dan Jagers, General Manager

**SUBJECT: Selection of Consultant(s) for On-Call Engineering Services and Authorization of Expenditures**

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**Staff Recommendation**

Authorize the General Manager to execute a Professional Services Agreement for up to three (3) consulting firms to provide on-call engineering services related to District projects and development plan check activities for a total not-to-exceed amount of **\$4,500,000.00**.

**Executive Summary**

The District has several projects identified within the 2025 – 2029 Capital Improvement Budget (CIB) which are in need of replacement and/or construction. There are also several development projects currently going through the plan review process in which District staff can utilize these consultants. All consultant work completed for plan review of water improvement plans associated with developer projects will be at the expense of the developer(s). District staff solicited a Request for Qualifications (RFQ) for design and engineering services. The District received six (6) proposals from interested consultants and District staff recommends executing a Professional Services Agreement (PSA) with three (3) consultants: **Cozad & Fox, Inc., Michael Baker International, and TKE Engineering, Inc.**

**Background**

The District adopted the 2025 – 2029 Capital Improvement Budget (CIB) in December 2024 (see Attachment 1), which identified capital expenditures for this five (5) year period. Many of the projects identified within the CIB could be supported by one of the recommended engineering consulting firms with District engineering staff oversight. District staff also identifies that there are several developer projects currently undergoing the plan review process. Plan review support could also be provided by one of the firms. On February 7, 2025, the District released an RFQ regarding on-call engineering services to facilitate the District's needs as they relate to District Capital Improvement Projects (CIP) and other District projects. District staff desires to issue up to three (3) On-Call Engineering Services Professional Services Agreements to qualified firms to facilitate the ongoing and upcoming CIP projects and plan check needs. Task Orders will later be issued for project specific assignments. The PSAs will be issued to the selected firm(s) for a 3-year term. The selected consultant(s) may be required to provide the following (but not limited to) engineering services:

- Planning
- Plan Checking
- Design
- Construction Management Services



On March 5, 2025, the District received proposals for in response to the On-Call Engineering Services RFQ. The following list identifies the six (6) consulting firms who responded to the solicitation (listed alphabetically):

1. Albert A. Webb Associates
2. Cozad & Fox, Inc.
3. Hilltop Geotechnical, Inc.
4. Michael Baker International
5. PSOMAS
6. TKE Engineering, Inc.

Each proposal was evaluated individually by three (3) separate District staff members based on the following criteria:

- Past performance and qualifications of the firm on similar projects
- Familiarity with the District's geographic region and the aquifer(s) within the region
- Ability to complete the project within the proposed time frame
- The proposed project approach, scope, manner, and thoroughness in which it is presented in the proposal
- Firm's experience, staff availability, stability, financial responsibility, and past performance on similar projects

District staff reviewed and evaluated the submitted proposals, and the review and selection process identified **Cozad & Fox, Inc., Michael Baker International, and TKE Engineering, Inc.** as the highest-ranking proposals. The proposal review process included scoring of the technical merits of each proposal (80% weight in overall score) and fee proposal (20% weight in overall score).

Scores from each of the six (6) firms are summarized in Table 1, below. The "Technical Score" in the table represents the average of the scores assigned by reviewers. The "Fee Proposal" represented the average of the scores assigned by reviewers regarding the rates provided by the consultants. The "Weighted Score" shown in Table 1 was calculated using Equations (1) and (2) below.

$$(1) \left( \frac{\text{Proposal Technical Score}}{\text{Highest Proposal Technical Score}} \right) \times (\text{Technical Score Weight})$$

$$(2) \left( \frac{\text{Lowest Service Cost Total}}{\text{Service Cost Total}} \right) \times (\text{Service Cost Weight})$$



**Table 1 – Consultant Weighted Scores**

Consultant <sup>1</sup>	Technical Weighted Score (Max 80%)	Fee Proposal Weighted Score (Max 20%)	Total Weighted Score
Albert A Webb Associates	75%	14%	89%
Cozad & Fox, Inc.	80%	20%	100%
Hilltop Geotechnical, Inc.	54%	20%	74%
Michael Baker International	78%	14%	92%
PSOMAS	73%	18%	91%
TKE Engineering, Inc.	72%	20%	92%

1. The consultants have been listed alphabetically.

District staff recommends the Board of Directors authorize the General Manager to execute a Professional Services Agreement with each of the three (3) consultants: **Cozad & Fox, Inc., Michael Baker International, and TKE Engineering, Inc.** for a term of three (3) years.

**Fiscal Impact**

Upon identifying a capital improvement project with a need for engineering services, it is anticipated that District staff will request a proposal from one or more of the contracted consultants with a Task Order executed between the District and selected consultant which is most capable of meeting the District’s needs at the time of service. The projects not identified subject to work authorization would be developer deposit funded activities such as plan check and development support services, which would include deposits collected or to be collected, or future Board-authorized projects with approved funds, or those District projects identified in the District’s CIP (see Attachment 1), which is funded by Capital Replacement Reserves or Capital Expansion Reserves (collected Capacity Charges). Where projects are identified in the District’s CIP, engineering services have been estimated and budgeted for as a soft cost. District staff intends to bring on-call engineering task orders forward to the Board of Directors with an estimated budget, including the cost for engineering services, for consideration.

All consulting services associated with plan review of development projects will be at the expense of the developer. Developer deposits are collected by the District in advance of the work performed. There will be no fiscal impact to the District associated with plan review for development projects. District staff time associated with the development-related work activities is also charged to developer deposits.

District staff requests Board approval for a not to exceed amount of **\$1,500,000.00** for each PSA (approximately \$500,000.00 per year). This not to exceed amount will consist of expenses paid by plan review deposits for developer projects and/or by District CIP projects (replacement and/or expansion).

The total fiscal impact is not to exceed **\$4,500,000.00**.

**Attachments**

1. 2025 – 2029 Capital Improvement Budget, Appendix C

Staff Report prepared by Evan Ward, Associate Civil Engineer I

# Attachment 1

## Beaumont-Cherry Valley Water District Appendix C 2025-2029 Capital Improvement Budget Detail



Engineering Project #	Project Begin Year	Footnotes	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
<b>Potable Infrastructure Projects</b>									
EOC-001	2020	(1)	BCVWD EOC Staffing and Space Requirements	5,000,000	2,000,000	5,000,000	-	-	12,000,000
DPX-001	2020	(2)	Disaster Preparedness Equipment	100,000	293,800	230,400	-	-	624,200
WR-SITES-Reser	2017	(3)	Investment in Sites Reservoir Project	519,600	866,100	1,039,300	1,385,700	1,732,100	5,542,800
	2020	(3)	2023 Capacity Charge Study	-	-	-	-	-	-
	2019	(2)	Climate Control for High Horsepower Electrical Buildings	60,300	-	-	-	-	60,300
	2019	(2)	Arc Flash Study & Improvement Project	-	80,300	-	-	-	80,300
	2017	(2)	Chlorination Retrofit At Misc. Wells (6 Well Sites)	25,900	20,300	64,300	-	-	110,500
	2027		New 2650 Zone Well_0001	-	-	2,604,500	895,800	5,742,200	9,242,500
W-2650-0001	2023	(4)	2750 Zone to 2850 Zone Booster Pump Station	-	-	3,621,300	-	-	4,492,000
BP-2750-0001	2017	(5)	2850/2750 Pressure Reducing Station & Piping (Cherry Reservoir)	65,100	870,700	-	-	-	65,100
W-2750-0001	2022	(5)	Cherry Reservoir 1 & 2 Exterior Reccoat and Retrofit	1,074,400	-	-	-	-	1,074,400
TM-2750-0001	2017	(5)	Replacement for Well 2	1,352,900	2,809,200	3,030,900	-	-	7,193,000
W-2750-0002	2017	(4)	2750 Zone Well in Noble Creek Recharge Facility Phase I (NCRF)	1,500,000	3,445,600	3,712,400	-	-	8,658,000
W-2750-0005	2017	(5)	Replace 2750 Zone Well 1	736,600	2,031,300	2,183,900	-	-	4,951,800
W-2750-0008	2026		Well 3 Landscape Improvements and Block Wall	-	100,000	-	-	-	100,000
W-2750-0009	2026		Cherry Yard Landscape Improvements and Block Wall	200,000	-	-	-	-	200,000
BP-2850-0001	2023	(4)	2850 Zone to 3040 Zone Booster Pump Station_0001	1,827,700	2,886,900	-	-	-	4,714,600
TM-2850-0001	2022	(5)	Vineland 1 Exterior Reccoat and Retrofit	310,200	-	-	-	-	310,200
W-2850-0001	2023	(4)	New Beaumont Basin Well on Pardee Sundance Site	-	-	2,164,700	3,384,800	3,668,900	9,218,400
W-2850-0002	2029		New Beaumont Basin Well Near Brookside Elementary School	-	-	2,170,400	3,393,600	3,678,500	9,242,500
WT-2850-0001	2029		Well Head Treatment Plant Well 25 Cr VI	-	2,000,100	2,127,300	-	-	4,127,400
BP-3040-0001	2023	(2)	3040 to 3330 Booster Pump Station at Noble Tank_0001	-	-	-	2,854,400	-	2,854,400
M-3040-0002	2027	(2)	Noble Booster Pump and Motor(Spare Pump & Motor)	-	-	-	-	-	-
TM-3040-0001	2017	(5)	2 MG 3040 Zone Tank_0001	4,250,500	-	-	-	-	4,250,500
T-3040-0001 PZ Pipeline	2017	(5)	Pressure Zone Pipeline	1,333,800	-	-	-	-	1,333,800
TM-3040-0001	2022	(5)	Highland Springs Reservoir Reccoat & Retrofit	-	-	127,400	-	398,400	525,800
BP-3620-0001	2029		Lower Edgar Reservoir Reccoat & Retrofit	-	-	-	-	-	-
PR-3620-0001	2022		3620 Zone to 3900 Zone Booster Pump Station	-	-	-	-	-	-
PR-3620-0002	2022		3620 to 3330 Fisher Pressure Regulator_0001	-	-	-	-	-	-
BP-HS-0001	2026		Add 3rd Booster Pump and Fire Pump at HS Hydro Pneumatic	-	-	-	-	-	-
WR	2027		Improvements to Eighth St., Cherry and Starlight Basins	-	-	-	-	-	-
WR	2027		Marshall Creek Stormwater Capture	-	-	761,700	-	-	761,700
WR	2027		Beaumont Ave and Brookside Ave Stormwater Metering	-	-	99,900	-	-	99,900
WR	2017	(6)	Grand Avenue Storm Drain (MDP Line 16)	-	-	-	-	119,500	219,400
			<b>Total Potable Infrastructure Projects</b>	<b>18,157,000</b>	<b>17,786,200</b>	<b>28,930,800</b>	<b>13,003,200</b>	<b>16,959,400</b>	<b>94,836,600</b>
<b>Potable Pipeline Replacements</b>									
P-2750-0013	2029		Elm Ave. - 8th to 12th - Replace Existing 10" Distribution Main	-	-	-	-	224,600	224,600
P-2750-0024	2026		Olive, 4th to s/o 3rd. Replacing existing 4" Steel Waterline	-	62,800	251,400	-	-	314,200
P-2750-0025	2025		Maple Ave., 1st St to 3rd St	-	-	74,900	299,500	-	374,400
P-2750-0037	2027		Maple Ave., 6th to 7th; 7th, Maple Ave. to Palm Ave. Replacing existing 6" ACP waterline in 7th Street. Includes reconnecting services from alley to new waterline in Maple	-	-	69,700	278,700	-	348,400



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Project Begin Year	Footnotes	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
P-2750-0038	2027		Maple Ave., 5th to 6th. Includes reconnecting services to new waterline in Maple Ave and existing waterline in Palm Ave. 2" in alley to remain in service until waterline in orange constructed (P-2750-0040)	-	-	43,300	173,300	-	216,600
P-2750-0039	2026		5th St. & Michigan Ave.- Mainfold Line to Serve Home Cluster at 490 Michigan. New 8" Pipeline from End of Autozone to southern end of Massachusetts	-	-	-	41,200	165,000	206,200
P-2750-0041	2025		Euclid Ave., 6th to 8th. Tie over existing services in alleys (between Edgar/Euclid and Euclid/Beaumont Ave)	-	-	100,200	400,600	-	500,800
P-2750-0042	2026		Edgar Ave., 5th to 6th. Tie over existing services in alleys (between Edgar Ave/California and Edgar Ave/Euclid)	-	36,500	145,900	-	-	182,400
P-2750-0043	2026		Edgar Ave., 6th to 8th. Tie in existing services in alleys (between California/Edgar and Edgar/Euclid)	-	102,500	410,000	-	-	512,500
P-2750-0044	2028		Alley North of 6th St., from California Ave. to Exist. 10" at Alley w/o Beaumont Ave.	-	-	-	92,200	369,000	461,200
P-2750-0045	2028		7th St., California Ave. to Beaumont Ave.	-	-	-	71,000	283,900	354,900
P-2750-0046	2026		9th St, Elm Ave. to Euclid Ave.	-	-	70,900	283,800	-	354,700
P-2750-0047	2026		9th St., Beaumont Ave. to Palm Ave.	-	-	70,900	283,800	-	354,700
P-2750-0048	2026		9th St., Palm Ave. to Pennsylvania Ave.	-	-	70,900	283,800	-	354,700
P-2750-0049	2029		10th St, Palm Ave. to Michigan Ave.	-	-	-	-	47,200	47,200
P-2750-0050	2028		Orange Ave., 8th St to 10th st. Includes tie-ins of existing services in alley on west side of Orange.	-	-	-	77,000	307,900	384,900
P-2750-0051	2028		Orange Ave., 10th St. to 11th St. Includes relocation of existing services to new waterline.	-	-	-	30,700	122,700	153,400
P-2750-0052	2028		Magnolia Ave., 10th St. to 11th St. Includes relocation of existing services to new waterline.	-	-	-	46,100	184,600	230,700
P-2750-0053	2026		Euclid Ave., 10th St. to 11th St. Includes relocation of existing services to new waterline.	-	-	53,900	215,500	-	269,400
P-2750-0054	2027		Edgar Ave., 8th St. to 10th St. Includes relocation of existing services to new waterline.	-	102,100	408,400	-	-	510,500
P-2750-0055	2027		Edgar Ave, 10th St. to 11th St. Includes relocation of services from ally to new waterline.	-	51,900	207,800	-	-	259,700
P-2750-0056	2024	(6)	11th Street, Beaumont Avenue to Elm Avenue Magnolia Ave., 7th to 8th (end of existing 6" in Magnolia Ave to 8th St). Includes relocation existing services to new waterline in Magnolia Avenue and Existing Waterline in Orange Avenue.	1,854,300	-	-	-	-	1,854,300
P-2750-0057	2029		Wellwood Ave., B St north to end. Replacing existing 2" steel waterline	-	-	-	-	44,000	44,000
P-2750-0058	2026	(7)	Wellwood Ave., 10th to 12th. Includes relocation of existing services in alleys to new waterline.	-	-	11,400	45,500	-	56,900
P-2750-0059	2027		Edgar Ave, 11th to 12th, and Merry Ln from Edgar to end of cul-de-sac	-	-	164,400	657,400	-	821,800
P-2750-0060	2029		Orange Ave., 11th to Oak Valley Pkwy	-	116,800	467,400	-	-	584,200
P-2750-0066	2024	(2)	Egan Ave.-Wellwood Ave. Alley, 5th to 8th St	107,600	430,300	-	-	369,900	597,900
P-2750-0067	2024	(2)	Elm Ave.-Wellwood Ave. Alley, 7th St. to 5th St.	43,100	172,200	-	-	-	215,300
P-2750-0068	2024	(2)	Elm Ave., 6th to 7th	24,600	98,300	-	-	-	122,900
P-2750-0069	2024		Egan Ave-California Ave. Alley, 5th to 7th	323,600	-	-	-	-	323,600
P-2750-0070	2026		Twelfth St., Michigan Ave. to Pennsylvania Ave. Replacing existing 4" steel waterline	-	-	-	-	77,900	77,900



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Project Begin Year	Footnotes	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
P-2750-0071	2028		Oak Valley Pkwy, Elm Ave. to Michigan Ave. Replace existing 10" waterline with 16" and convert 10" waterline to 2850 PZ.	-	-	-	170,300	681,000	851,300
P-2750-0095	(4) 2024		American Avenue, 6th Street to 8th Street	460,400	-	-	-	-	460,400
P-2750-0098	(7) 2026		2023-2024 Service Lateral Replacement Project	-	389,900	-	-	-	389,900
P-2570-0099	(2) 2024		Orange Avenue, 6th Street to 8th Street	140,100	560,200	-	-	-	700,300
S-2750-0001	(2) 2025		Service Replacements - Elm Alley & Wellwood Alley - 8th Street to 10th Street	299,700	-	-	-	-	299,700
S-2750-0002	2026		Service Replacements - California & Edgar Alley - 8th to 9th and 10th to 11th	-	309,400	-	-	-	309,400
S-2750-0003	2026		Service Replacements - Euclid Avenue - 8th Street to 10th Street	-	-	222,400	-	-	222,400
S-2750-0004	2026		Michigan St., 6th to 8th, Not Replacing Existing 8" AC. Relocate existing Alley Services to Existing 8" AC Main in Michigan.	-	-	-	309,200	-	309,200
P-2850-0009	2029		Brookside Ave., Nancy Ave. to end of existing 16-in. Replacing existing 8" ACP	-	-	-	-	74,300	74,300
P-3040-0004	2028		From Vineland St, south along Acadia Ln, west to 38834 CVB, south to CVB	-	-	-	24,800	99,200	124,000
P-3040-0005	2029		From CVB, Ralph Rd to end of Cul-de-sac., east to APN 405-060-013, north to Orchard St.	-	-	-	-	22,200	22,200
P-3040-0006	2027		Lincoln St. Noble St. to Cherry Ave	-	-	-	-	85,300	85,300
P-3040-0007	2027		Lincoln St. Cherry Ave to Jonathan Ave	-	-	-	-	86,200	86,200
P-3040-0008	2028		Lincoln St. Jonathan Ave to Winesap Ave	-	-	-	-	75,700	75,700
P-3040-0010	2026		Jonathan Ave., Brookside Ave. to Dutton St.	-	-	-	336,900	1,347,600	1,684,500
P-3040-0020	2029		Martin Ln, Lincoln St. to Grand Ave.	-	-	-	-	61,100	61,100
P-3040-0021	(2) 2024		Lincoln St, Noble St to West end	84,100	336,200	-	-	-	420,300
P-3040-0022	2029		Friendship Dr., Vineland St. to End of unpaved road	-	-	-	-	34,400	34,400
P-3040-0023	(8) 2024		Bing Pl	158,900	-	-	-	-	158,900
P-3040-0024	(8) 2024		Lambert Pl	158,900	-	-	-	-	158,900
P-3040-0025	(8) 2024		Star Ln, Sky Ln, and View Dr to end of cul-de-sac	712,700	-	-	-	-	712,700
P-3040-0026	(8) 2024		Utica Way, Vineland St to View Dr.	505,700	-	-	-	-	505,700
P-3040-0028	2029		Lincoln Ave, from Winesap to Bellflower Ave	-	-	-	-	69,900	69,900
P-3150-0005	2029		Dutton St, Cherry Ave. to Bellflower Ave. Replace existing 6" and 4" steel waterlines.	-	-	-	-	265,400	265,400
P-3150-0006	2029		South of line from Bridges to Dutton, along Intl Park Rd	-	-	-	-	33,100	33,100
P-3150-0008	2029		In Cherry Ave, from Dutton south to 10252 Cherry Ave (dead-end)	-	-	-	-	38,900	38,900
P-3330-0002	2028		In Ave San Timoteo, from end of 12-in (approx 9490 Ave San Timoteo) south to Ave. Sonrisa	-	-	-	296,100	1,184,500	1,480,600
P-3330-0003	(8) 2024		In Ave. Sonrisa, Ave San Timoteo to Ave. Miravilla. Replacing 6" and 4" waterlines	1,252,000	-	-	-	-	1,252,000
P-3330-0005	2029		Ave. Miravilla, from Lilac Ln 8-in (connect to P-3330-0001) south to existing 6" line (approximately at south end of 9320 Avenida Miravilla)	-	-	-	-	162,700	162,700
P-3330-0007	(2) 2024		From Avenida Sonrisa, north to Avenida Miravilla through Alley	95,000	380,200	-	-	-	475,200
P-3330-0008	2026		From south end of P-3330-0005, south to 9584 Avenida Miravilla	-	-	-	-	150,900	150,900
P-3620-0001	(5) 2024		"B" Line Upper Edgar 12" to upper end of 20" DIP and from lower end 20" DIP to Balance line and Balance Line in Edgar Canyon	888,900	-	-	-	-	888,900
P-3620-0002	2025		"A" Line split north of Apple Tree Lane Tract (At or near Aprn 401-030-003) to Meter "A" Lower Edgar Tank	-	-	-	-	-	-
P-3620-0003	2026		"A" Line - Lower Edgar to split north of Apple Tree Lane Tract	-	-	490,200	-	1,961,000	2,451,200
P-3620-0004	2027		Oak Glen Rd., from Appletree Lane south to 4" at creek crossing (approx at APN 401-080-011)	-	-	-	-	313,200	313,200
P-3620-0004	2027			-	-	207,100	-	828,300	1,035,400



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Project Begin Year	Footnotes	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
P-3620-0009	2024	(8)	Ave. Miravilla, End of proposed 12-in (P-3620-0008) south to end of existing blowoff (near S property line of 8940 Avenida Miravilla)	250,000	-	-	-	-	250,000
P-3620-0010	2028		In Whispering Pines from northern end of P-3620-0012 south to Avenida Miravilla. (Approx at south end of 9150 Whispering Pines Rd)	-	-	-	-	87,100	87,100
P-3620-0016	2025		Replace existing 4" line within parcel (Hoffman Property)	34,200	124,600	-	-	-	158,800
			<b>Total Potable Pipeline Replacements</b>	<b>7,393,800</b>	<b>3,273,900</b>	<b>2,843,800</b>	<b>5,114,700</b>	<b>9,858,700</b>	<b>28,484,900</b>
IT-NETW-0006	Ongoing	(2)	<b>IT Network Infrastructure Projects</b>	30,400	31,300	32,300	33,400	34,400	161,800
IT-NETW-0011	Ongoing	(2)	Workstation Replacement Project	-	-	71,800	-	-	71,800
IT-NETW-0013	Ongoing	(2)	Server Room Uninterrupted Power Source Servers and Related Equipment (4 per year, 3 year life, \$15K per server)	79,500	82,100	84,700	87,400	90,100	423,800
IT-NETW-0014	2025		Network Infrastructure and Equipment (Network Switches, Firewall Appliances, SAN Storage, Tape/Backup Storage, Power Capacity)	-	-	119,900	-	-	119,900
			<b>Total IT Network Infrastructure Projects</b>	<b>109,900</b>	<b>113,400</b>	<b>308,700</b>	<b>120,800</b>	<b>124,500</b>	<b>777,300</b>
IT-SCAD-0001	2023	(9)	<b>IT SCADA/AMR Infrastructure Projects</b>	849,200	-	-	-	-	849,200
IT-SCAD-0002	N/A	(9)	SCADA Improvement Project	-	-	-	-	-	-
IT-SCAD-0003	N/A	(9)	Wonderware SCADA Phase 2 Project	-	-	-	-	-	-
IT-SCAD-0007	2024	(2)	Wonderware SCADA Phase 3 Project	30,000	270,000	84,700	87,400	90,100	562,200
IT-SCAD-0008	2025	(10)	Back- End SCADA Software and Equipment	120,000	123,800	127,800	131,800	136,000	639,400
IT-AMR-0001	2019	(11)	Current / Retro Telemetry CIP	1,500,000	-	-	-	-	1,500,000
IT-AMR-0002	Ongoing		AMR / AMI Deployment Project	475,500	475,500	475,500	475,500	475,500	2,377,500
			New Development Meters	-	-	688,000	-	-	688,000
			<b>Total IT SCADA/AMR Infrastructure Projects</b>	<b>2,974,700</b>	<b>869,300</b>	<b>688,000</b>	<b>694,700</b>	<b>701,600</b>	<b>5,928,300</b>
IT-ADMIN-0001	2017	(2)	<b>IT/Field Operations/Administration Projects</b>	88,100	-	-	-	-	88,100
IT-ADMIN-0002	2025	(10)	Digitized Fileroom Project	72,000	42,000	54,100	52,300	-	220,400
			560 Magnolia AC/Heating System Replacements	-	-	-	-	-	-
			<b>Total IT Field Operations/Administration Projects</b>	<b>160,100</b>	<b>42,000</b>	<b>54,100</b>	<b>52,300</b>	<b>-</b>	<b>308,500</b>
VE-TRUK-0002	2025	(12)	<b>Vehicles &amp; Equipment</b>	28,100	-	-	-	-	28,100
VE-TRUK-0003	2026		2018 Ford F150 Reg Cab (Oct, 2017) Unit #34 Replacement	-	33,400	-	-	-	33,400
VE-TRUK-0004	2025	(12)	2018 Ford F150 Reg Cab (Sept, 2018) Unit #35 Replacement	42,600	-	-	-	-	42,600
VE-TRUK-0005	2025	(12)	2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #33 Replacement	49,100	-	-	-	-	49,100
VE-TRUK-0006	2026		2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #32 Replacement	-	33,400	-	-	-	33,400
VE-TRUK-0007	2026		2018 Ford F-150 Reg Cab (Sept, 2018) Unit #36 Replacement	-	33,400	-	-	-	33,400
VE-TRUK-0008	2027		2018 Ford F-150 Reg Cab (Sept, 2018) Unit #37 Replacement	-	-	-	-	-	-
VE-TRUK-0009	2027		2019 Ford F-250 Super Duty (Dec, 2019) Unit #41 Replacement	-	-	41,600	-	-	41,600
VE-TRUK-0010	2026		2019 Ford F-250 Super Duty (Dec, 2019) Unit #42 Replacement	-	-	41,400	-	-	41,400
VE-TRUK-0011	2027		2018 Ford F-250 Super Cab XL 4x4 (Oct, 2018) Unit #38 Replacement	-	56,000	-	-	-	56,000
VE-TRUK-0015	2023	(5)(12)	2019 Ford F-150 Super Duty (Dec, 2019) Unit #40 Replacement	207,300	-	56,100	-	-	263,400
VE-TRUK-0019	2027		GIS / Muck Truck (Freightliner Diesel) (May, 2004) Unit #8 Replacement	-	-	47,700	-	-	47,700
VE-TRUK-0020	2025	(5)(12)	2010 Ford Explorer (Jan, 2011) Unit #1 Replacement	-	-	-	-	-	-
VE-TRUK-0021	2024	(5)(12)	2007 F-550 Dump Truck (Apr, 2009) Unit #12 Replacement	80,000	-	-	-	-	80,000
VE-TRUK-0022	2024	(5)(12)	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
			NEW 3/4 Ton Utility Truck	-	-	-	-	-	-





**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Footnotes	Project Begin Year	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
VE-TRUK-0023	(5)(12)	2024	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
VE-TRUK-0024	(5)(12)	2024	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
VE-TRUK-0025	(5)(12)	2024	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
VE-HEAV-0003		2027	Loader 938G	-	-	400,900	-	-	400,900
VE-HEAV-0004		2027	Skip Loader with Box Gannon attachment	-	-	-	226,700	-	226,700
VE-HEAV-0005		2025	Water Truck	154,800	-	-	-	-	154,800
VE-HEAV-0006		2026	Skidsteer tractor with attachments	-	-	-	283,300	-	283,300
VE-HEAV-0007		2028	D-5 Dozer Dual Slope	-	-	-	547,400	-	547,400
VE-EQIP-0002		2026	Ingersoll Rand Air Compressor (Dec, 2008)	-	-	-	-	-	-
VE-EQIP-0003		2028	Water Buffalo (Feb, 2018)	-	-	-	-	-	-
VE-EQIP-0004		2027	400W Light Tower w/Generator (Dec, 2017)	-	-	27,400	-	-	27,400
VE-EQIP-0005		2024	NEW 400W Light Tower w/Generator	-	-	-	-	-	-
			<b>Total Vehicles &amp; Equipment</b>	<b>881,900</b>	<b>156,200</b>	<b>615,100</b>	<b>1,065,900</b>	<b>-</b>	<b>2,719,100</b>
			<b>Non-Potable Infrastructure Projects</b>						
NEO-0000-0001		2019	Recycled Water Conversion and Implementation	-	759,900	-	-	-	759,900
NW-2400-0001		2028	San Timoteo Creek Non-Potable Water Extraction Well	-	-	-	-	1,252,400	1,252,400
NT-2400-0001		2023	100,000 Gallon 2400 PZ Non-Potable Tank	60,000	65,800	207,800	-	-	333,600
NR-2600-0001		2027	2600 Zone Non-Potable Regulation and Metering Station_0001	-	-	-	-	132,300	132,300
NR-2600-0002		2023	2600 Zone Non-Potable Regulation and Metering Station_0002	116,800	284,800	-	-	-	401,600
NBP-2600-0001		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant	-	1,022,300	2,493,600	-	-	3,515,900
NBP-2600-0002		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant Expansion	-	188,900	460,900	-	-	649,800
NR-2800-0001		2023	2800 Zone Non-Potable Regulation and Metering Station_0001	40,000	426,300	454,600	-	-	920,900
NR-2800-0002		2023	2800 Zone Non-Potable Regulation and Metering Station_0002	40,000	426,300	454,600	-	-	920,900
NT-2800-0001		2023	2 MG 2800 PZ Non-Potable Tank	250,000	2,017,000	538,300	-	-	4,560,800
NBP-2800-0001		2026	2800 Zone Non-potable Booster Pump Station at the Noble Creek Recharge Facilities	-	-	-	635,200	250,000	885,200
			<b>Total Non-Potable Infrastructure Projects</b>	<b>506,800</b>	<b>5,191,300</b>	<b>4,609,800</b>	<b>2,390,700</b>	<b>1,634,700</b>	<b>14,333,300</b>
			<b>Non-Potable Pipeline Projects</b>						
NP-2600-0001		2023	Oak Valley Parkway, from westerly end of existing 24" waterline, west to the existing City of Beaumont Lift station/Tukwet Canyon Golf Course maintenance yard.	840,900	-	-	-	-	840,900
NP-2600-0002		2023	Oak Valley Parkway, from the west end of NP-2600-0001, west to the existing 16" waterline in Tukwet canyon Parkway.	1,770,400	-	-	-	-	1,770,400
NP-2600-0004		2025	In-Tract within a future Planning Area of the Fairway Canyon Development. In Sorenstam Drive, from the northwest end of NP-2600-0003 (future Park Site) to NP-2600-0001 at the 2400 Zone Tank Site.	463,200	-	493,200	-	-	956,400
NP-2600-0005		2026	From the NP-2800-0004, along Cherry Valley Blvd west to I-10 freeway.	-	-	-	3,169,700	-	3,169,700
NP-2600-0006		2027	From the end of NP-2600-0005, west across the bridge along Cherry Valley Blvd crossing I-10 freeway	-	-	-	-	-	-
NP-2600-0009		2025	Along the future alignment of Potrero Blvd, from 4th Street south to NP-2600-0008.	-	-	-	1,413,200	-	1,413,200
NP-2800-0001		2024	In Beaumont Summit Station (Formerly Sunny Cal Egg Ranch), Cherry Valley Blvd to Brookside Ave	-	1,818,700	-	-	-	1,818,700
NP-2800-0002		2027	California Ave., 1st Street south to Hwy 79	-	-	-	-	1,566,400	1,566,400
NP-2800-0006		2024	In CoB WWTP site, from 2600 to 2800 Zone Booster Pump (NPB 2600-0001) to 4th St.	-	648,300	-	-	-	648,300



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Footnotes	Project Begin Year	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
NP-2800-0007		2024	1st St, from Commerce Way east to Highland Springs Ave	-	827,000	-	-	-	827,000
NP-2800-0008		2024	Highland Springs Ave, 2nd St to 1st St.	-	386,900	-	-	-	386,900
NP-2800-0009		2027	Within Palm Ave, Crossing 6th Street to connect existing waterlines	-	-	-	-	151,100	151,100
NP-2800-0010		2027	Noble Cr. Meadows, Cougar Way to Oak Valley Pkwy	-	-	-	-	395,200	395,200
NP-2800-0012		2027	Oak Valley Pkwy, from Oak View Dr. east to 750 ft w/o Elm Ave.	-	-	-	-	833,200	833,200
NP-2800-0016		2025	7th Street from Velle Ave southwest to California Ave	-	-	532,100	-	-	532,100
NP-2800-0017		2025	Along Oak Valley Pkwy from Palm Ave to Cherry Ave	-	-	720,000	-	-	720,000
NP-2800-0020		2025	Along 4th Street from Velle Ave to Rangel Park	-	-	307,400	-	-	307,400
NP-3000-0001		2025	At the NCRF Phase II Site, from NT-2800-0001 south to Lincoln Street.	-	-	328,700	-	-	328,700
NP-3000-0002		2026	In Lincoln Street, from NCRF Phase II Site east to Bellflower Avenue.	-	-	-	2,131,700	-	2,131,700
			<b>Total Non-Potable Pipeline Projects</b>	<b>3,074,500</b>	<b>3,680,900</b>	<b>3,794,600</b>	<b>2,131,700</b>	<b>4,908,200</b>	<b>20,759,600</b>
			<b>Total Capital Improvement Program</b>	<b>\$ 33,258,700</b>	<b>\$ 31,113,200</b>	<b>\$ 41,844,900</b>	<b>\$ 27,743,700</b>	<b>\$ 34,187,100</b>	<b>\$ 168,147,600</b>
			Capacity Charges	8,491,500	13,050,100	19,757,800	19,225,900	20,805,500	81,330,800
			Cap. Repl. Res.	19,517,500	16,678,200	20,058,500	8,042,300	10,859,500	75,156,000
			Developer	2,897,200	1,384,900	2,028,600	475,500	2,522,100	9,308,300
			Other	2,352,500	-	-	-	-	2,352,500
			<b>Total Capital Improvement Program by Funding Source</b>	<b>\$ 33,258,700</b>	<b>\$ 31,113,200</b>	<b>\$ 41,844,900</b>	<b>\$ 27,743,700</b>	<b>\$ 34,187,100</b>	<b>\$ 168,147,600</b>

**Footnotes**

- (1) Project was originally identified in 2020 CIB. Total Budgeted cost was updated for 2024 Water Rate Study and represents a two-phased approach. Phase I could be structured in a manner where the "warehouse" (shell) would be constructed first, allowing for many of the staff to occupy it, for an estimated cost of \$13,617,825, including the purchase of land. Phase II could be structured so that the estimated remaining cost of \$19,318,925 could be deferred longer than this schedule provides for
- (2) Project was begun in prior year(s) or approved by Board to begin, ongoing, with inflationary costs added
- (3) Moved to operating expense in 2024
- (4) Initial staff planning costs incurred in 2024, project mostly carried over into future year(s), with inflationary costs added
- (5) Ongoing project. Contract for either design, engineering, or construction has been or is anticipated to be signed by end of 2024, or project may be completed (or purchase made) by end of 2024. Project not complete as of August 31, 2024
- (6) 10% of project remaining for monitoring equipment and pond slide gates
- (7) Pipeline projects now shown separately are identified in the 2024-2028 Capital Improvement Budget as 2023-2024 Service Replacements/Wellwood Ave., B St north to end
- (8) Pipeline projects now shown separately are identified in the 2024-2028 Capital Improvement Budget as 20-21 Replacement Waterlines
- (9) Project is ongoing, all have been reconciled as one project
- (10) New project (purchase) identified for 2025
- (11) Grant funding for this project has been exhausted, remaining cost for AMI phase
- (12) The District is considering a 5-year Master Lease Agreement for fleet purchase and maintenance with Enterprise. The annual outlay for the Lease is expected to be similar to the traditional fleet purchase employed by the District on an average annual basis over time



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
March 27, 2025**

**Item 5**

**STAFF REPORT**

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** Selection of Consultant(s) for On-Call Geotechnical and Environmental Services and authorization of expenditures

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**Staff Recommendation**

Authorize the General Manager to execute a Professional Services Agreement for up to three (3) geotechnical consulting firms and up to three (3) environmental consulting firms to provide on-call geotechnical and environmental services related to District projects for a total cost not to exceed **\$3,150,000.00**.

**Executive Summary**

The District has several projects identified within the 2025 – 2029 Capital Improvement Budget (CIB) which are in need of replacement and/or construction. District staff solicited a Request for Qualifications (RFQ) for geotechnical and environmental services on February 7, 2025. The District received eight (8) proposals from interested geotechnical consultants and seven (7) proposals from interested environmental consultants. District staff recommends executing a Professional Services Agreement (PSA) with three (3) consultants for geotechnical services: **Converse Consultants, Hilltop Geotechnical, Inc., and TGR Geotechnical, Inc.** District staff recommends executing a Professional Services Agreement with three (3) consultants for environmental services: **Albert A Webb Associates, CASC Engineering & Consulting, Inc., and Michael Baker International.**

**Background**

The District adopted the 2025 – 2029 Capital Improvement Budget (CIB) in December 2024 (see Attachment 1), which identified capital expenditures for this five (5) year period. Many of the projects identified within the CIB may require support from geotechnical and environmental consulting firms with District engineering staff oversight. On February 7, 2025, the District released an RFQ regarding on-call geotechnical and environmental services to facilitate the District's needs as they relate to District Capital Improvement Projects (CIP) and other District projects. District staff desires to issue up to three (3) On-Call Geotechnical Services Professional Services Agreements and up to three (3) On-Call Environmental Services Professional Services Agreements to qualified firms to facilitate the ongoing and upcoming CIP projects. Task Orders will later be issued for project specific assignments. The PSAs will be issued to the selected firm(s) for a 3-year term. The selected geotechnical consultant(s) may be required to provide the following (but not limited to) geotechnical services:

- Geologic Investigation and Mapping
- Subsurface Investigations
- Site Conditions Evaluations
- In-Situ Testing
- Laboratory Testing



- Recommendations Based Upon Site Conditions
- Construction Inspection Services
- Additional Reporting and Coordination

The selected environmental consultant(s) may be required to provide the following (but not limited to) environmental services:

- Complete an environmental Initial Study
- Develop Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report
- Send out all notices to respective regulatory agencies
- Send out notices for public hearings
- Consult with other agencies (SWRCB, Native American Tribal Organizations, etc.)
- Conduct biological and botanical resources surveys
- Prepare mitigation plans
- Perform mitigation monitoring requirements

On March 5, 2025, the District received proposals in response to the On-Call Geotechnical and Environmental Services RFQ. The following list identifies the fifteen (15) consulting firms who responded to the solicitation (listed alphabetically):

1. Geotechnical
  - a. Converse Consultants
  - b. Geocon West, Inc.
  - c. Hilltop Geotechnical, Inc.
  - d. Inland Foundation Engineering, Inc.
  - e. Koury Engineering & Testing, Inc.
  - f. Terracon Consultants, Inc.
  - g. TGR Geotechnical, Inc.
  - h. Verdantas
2. Environmental
  - a. Albert A Webb Associates
  - b. CASC Engineering & Consulting, Inc.
  - c. Dudek
  - d. Hilltop Geotechnical, Inc.
  - e. Michael Baker International
  - f. Terracon Consultants, Inc.
  - g. UltraSystems Environmental, Inc.

Each proposal was evaluated individually by three (3) separate District staff members based on the following criteria:

- Past performance and qualifications of the firm on similar projects
- Familiarity with the District's geographic region and the aquifer(s) within the region
- Ability to complete the project within the proposed time frame
- The proposed project approach, scope, manner, and thoroughness in which it is presented in the proposal



- Firm’s experience, staff availability, stability, financial responsibility, and past performance on similar projects

District staff reviewed and evaluated the submitted geotechnical proposals, and the review and selection process identified **Converse Consultants, Hilltop Geotechnical, Inc., and TGR Geotechnical, Inc.** as the highest-ranking geotechnical proposals. The proposal review process included scoring of the technical merits of each proposal (80% weight in overall score) and fee proposal (20% weight in overall score).

Scores from each of the eight (8) firms are summarized in Table 1, below. The “Technical Score” in the table represents the average of the scores assigned by reviewers. The “Fee Proposal” represented the average of the scores assigned by reviewers regarding the rates provided by the consultants. The “Weighted Score” shown in Table 1 was calculated using Equations (1) and (2) below.

$$(1) \left( \frac{\text{Proposal Technical Score}}{\text{Highest Proposal Technical Score}} \right) \times (\text{Technical Score Weight})$$

$$(2) \left( \frac{\text{Lowest Service Cost Total}}{\text{Service Cost Total}} \right) \times (\text{Service Cost Weight})$$

**Table 1 – Geotechnical Consultant Weighted Scores**

Consultant <sup>1</sup>	Technical Weighted Score (Max 80%)	Fee Proposal Weighted Score (Max 20%)	Total Weighted Score
Converse Consultants	80%	18%	98%
Geocon West, Inc.	74%	20%	94%
Hilltop Geotechnical, Inc.	76%	19%	95%
Inland Foundation Engineering, Inc.	73%	19%	92%
Koury Engineering & Testing, Inc.	72%	19%	91%
Terracon Consultants, Inc.	76%	17%	93%
TGR Geotechnical, Inc.	77%	19%	96%
Verdantas	73%	16%	89%

1. The consultants have been listed alphabetically.

District staff recommends the Board of Directors authorize the General Manager to execute a Professional Services Agreement with each of the three (3) geotechnical consultants: **Converse Consultants, Hilltop Geotechnical, Inc., and TGR Geotechnical, Inc.** for a term of three (3) years.

District staff reviewed and evaluated the submitted environmental proposals, and the review and selection process identified **Albert A Webb Associates, CASC Engineering & Consulting, Inc., and Michael Baker International** as the highest-ranking environmental proposals. The proposal



review process included scoring of the technical merits of each proposal (80% weight in overall score) and fee proposal (20% weight in overall score).

Scores from each of the seven (7) firms are summarized in Table 2, below. The “Technical Score” in the table represents the average of the scores assigned by reviewers. The “Fee Proposal” represented the average of the scores assigned by reviewers regarding the rates provided by the consultants. The “Weighted Score” shown in Table 2 was calculated using Equations (1) and (2) above.

**Table 2 – Environmental Consultant Weighted Scores**

Consultant <sup>1</sup>	Technical Weighted Score (Max 80%)	Fee Proposal Weighted Score (Max 20%)	Total Weighted Score
Albert A Webb Associates	80%	12%	92%
CASC Engineering & Consulting, Inc.	78%	14%	92%
Dudek	78%	12%	90%
Hilltop Geotechnical, Inc.	51%	20%	71%
Michael Baker International	75%	17%	92%
Terracon Consultants, Inc.	74%	16%	90%
UltraSystems Environmental, Inc.	74%	16%	90%

1. The consultants have been listed alphabetically.

District staff recommends the Board of Directors authorize the General Manager to execute a Professional Services Agreement with each of the three (3) environmental consultants: **Albert A Webb Associates, CASC Engineering & Consulting, Inc., and Michael Baker International** for a term of three (3) years.

**Fiscal Impact**

Upon identifying a capital improvement project with a need for geotechnical and/or environmental services, it is anticipated that District staff will request a proposal from one or more of the contracted consultants with a Task Order executed between the District and selected consultant which is most capable of meeting the District’s needs at the time of service. The majority of the District projects are identified in the District’s CIP (see Attachment 1), which is funded by Capital Replacement Reserves or Capital Expansion Reserves (collected Capacity Charges). Where projects are identified in the District’s CIP, geotechnical and environmental services have been estimated and budgeted for as a soft cost. District staff intends to bring on-call geotechnical and environmental task orders forward to the Board of Directors with an estimated budget, including the cost for said services, for consideration.



District staff requests Board approval for a not to exceed amount of **\$1,350,000.00** for each geotechnical PSA (approximately \$150,000.00 per each per year) and a not to exceed amount of **\$1,800,000.00** for each environmental PSA (approximately \$200,000.00 per each per year). This not to exceed amount will consist of expenses paid by District CIP projects (replacement and/or expansion).

The total fiscal impact is not to exceed **\$3,150,000.00**.

### **Attachments**

1. 2025 – 2029 Capital Improvement Budget, Appendix C

Staff Report prepared by Evan Ward, Associate Civil Engineer I

# Attachment 1

## Beaumont-Cherry Valley Water District Appendix C 2025-2029 Capital Improvement Budget Detail



Engineering Project #	Project Begin Year	Footnotes	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
<b>Potable Infrastructure Projects</b>									
EOC-001	2020	(1)	BCVWD EOC Staffing and Space Requirements	5,000,000	2,000,000	5,000,000	-	-	12,000,000
DPX-001	2020	(2)	Disaster Preparedness Equipment	100,000	293,800	230,400	-	-	624,200
WR-SITES-Reser	2017	(3)	Investment in Sites Reservoir Project	519,600	866,100	1,039,300	1,385,700	1,732,100	5,542,800
	2020	(3)	2023 Capacity Charge Study	-	-	-	-	-	-
	2019	(2)	Climate Control for High Horsepower Electrical Buildings	60,300	-	-	-	-	60,300
	2019	(2)	Arc Flash Study & Improvement Project	-	80,300	-	-	-	80,300
	2017	(2)	Chlorination Retrofit At Misc. Wells (6 Well Sites)	25,900	20,300	64,300	-	-	110,500
	2027	(4)	New 2650 Zone Well_0001	-	-	2,604,500	895,800	5,742,200	9,242,500
W-2650-0001	2023	(4)	2750 Zone to 2850 Zone Booster Pump Station	-	-	3,621,300	-	-	4,492,000
BP-2750-0001	2017	(5)	2850/2750 Pressure Reducing Station & Piping (Cherry Reservoir)	65,100	870,700	-	-	-	65,100
W-2750-0001	2022	(5)	Cherry Reservoir 1 & 2 Exterior Reccoat and Retrofit	1,074,400	-	-	-	-	1,074,400
TM-2750-0001	2017	(5)	Replacement for Well 2	1,352,900	2,809,200	3,030,900	-	-	7,193,000
W-2750-0002	2017	(4)	2750 Zone Well in Noble Creek Recharge Facility Phase I (NCRF)	1,500,000	3,445,600	3,712,400	-	-	8,658,000
W-2750-0005	2017	(5)	Replace 2750 Zone Well 1	736,600	2,031,300	2,183,900	-	-	4,951,800
W-2750-0008	2026	(5)	Well 3 Landscape Improvements and Block Wall	-	100,000	-	-	-	100,000
W-2750-0009	2026	(5)	Cherry Yard Landscape Improvements and Block Wall	200,000	-	-	-	-	200,000
BP-2850-0001	2023	(4)	2850 Zone to 3040 Zone Booster Pump Station_0001	1,827,700	2,886,900	-	-	-	4,714,600
TM-2850-0001	2022	(5)	Vineland 1 Exterior Reccoat and Retrofit	310,200	-	-	-	-	310,200
W-2850-0001	2023	(4)	New Beaumont Basin Well on Pardee Sundance Site	-	-	2,164,700	3,384,800	3,668,900	9,218,400
W-2850-0002	2029	(4)	New Beaumont Basin Well Near Brookside Elementary School	-	-	2,170,400	3,393,600	3,678,500	9,242,500
WT-2850-0001	2029	(2)	Well Head Treatment Plant Well 25 Cr VI	-	2,000,100	2,127,300	-	-	4,127,400
BP-3040-0001	2023	(2)	3040 to 3330 Booster Pump Station at Noble Tank_0001	-	-	-	2,854,400	-	2,854,400
M-3040-0002	2027	(2)	Noble Booster Pump and Motor(Spare Pump & Motor)	-	-	-	-	-	-
T-3040-0001 Tank	2017	(5)	2 MG 3040 Zone Tank_0001	4,250,500	-	-	-	-	4,250,500
T-3040-0001 PZ Pipeline	2017	(5)	Pressure Zone Pipeline	1,333,800	-	-	-	-	1,333,800
TM-3040-0001	2022	(5)	Highland Springs Reservoir Reccoat & Retrofit	-	-	127,400	-	398,400	525,800
BP-3620-0001	2029	(5)	Lower Edgar Reservoir Reccoat & Retrofit	-	281,900	881,400	-	-	1,163,300
PR-3620-0001	2022	(5)	3620 Zone to 3900 Zone Booster Pump Station	-	-	-	-	85,000	85,000
PR-3620-0002	2022	(5)	3620 to 3330 Fisher Pressure Regulator_0001	-	-	-	-	219,000	219,000
BP-HS-0001	2026	(5)	3620 to 3330 Fisher Pressure Regulator_0002	-	77,400	-	-	77,400	77,400
WR	2027	(5)	Add 3rd Booster Pump and Fire Pump at HS Hydro Pneumatic	-	-	-	-	322,100	322,100
WR	2027	(5)	Improvements to Eighth St., Cherry and Starlight Basins	-	-	-	-	810,100	1,571,800
WR	2027	(5)	Marshall Creek Stormwater Capture	-	-	-	-	99,900	106,200
WR	2027	(5)	Beaumont Ave and Brookside Ave Stormwater Metering	-	-	-	-	99,900	206,100
WR	2017	(6)	Grand Avenue Storm Drain (MDP Line 16)	-	-	-	-	119,500	219,400
<b>Total Potable Infrastructure Projects</b>				<b>18,157,000</b>	<b>17,786,200</b>	<b>28,930,800</b>	<b>13,003,200</b>	<b>16,959,400</b>	<b>94,836,600</b>
<b>Potable Pipeline Replacements</b>									
P-2750-0013	2029	(6)	Elm Ave. - 8th to 12th - Replace Existing 10" Distribution Main	-	-	-	-	224,600	224,600
P-2750-0024	2026	(6)	Olive, 4th to s/o 3rd. Replacing existing 4" Steel Waterline	-	62,800	251,400	-	-	314,200
P-2750-0025	2025	(6)	Maple Ave., 1st St to 3rd St	-	-	74,900	299,500	-	374,400
P-2750-0037	2027	(6)	Maple Ave., 6th to 7th; 7th, Maple Ave. to Palm Ave. Replacing existing 6" ACP waterline in 7th Street. Includes reconnecting services from alley to new waterline in Maple	-	-	69,700	278,700	-	348,400





**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Project Begin Year	Footnotes	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
P-2750-0038	2027		Maple Ave., 5th to 6th. Includes reconnecting services to new waterline in Maple Ave and existing waterline in Palm Ave. 2" in alley to remain in service until waterline in orange constructed (P-2750-0040)	-	-	43,300	173,300	-	216,600
P-2750-0039	2026		5th St. & Michigan Ave.- Mainfold Line to Serve Home Cluster at 490 Michigan. New 8" Pipeline from End of Autozone to southern end of Massachusetts	-	-	-	41,200	165,000	206,200
P-2750-0041	2025		Euclid Ave., 6th to 8th. Tie over existing services in alleys (between Edgar/Euclid and Euclid/Beaumont Ave)	-	-	100,200	400,600	-	500,800
P-2750-0042	2026		Edgar Ave., 5th to 6th. Tie over existing services in alleys (between Edgar Ave/California and Edgar Ave/Euclid)	-	36,500	145,900	-	-	182,400
P-2750-0043	2026		Edgar Ave., 6th to 8th. Tie in existing services in alleys (between California/Edgar and Edgar/Euclid)	-	102,500	410,000	-	-	512,500
P-2750-0044	2028		Alley North of 6th St., from California Ave. to Exist. 10" at Alley w/o Beaumont Ave.	-	-	-	92,200	369,000	461,200
P-2750-0045	2028		7th St., California Ave. to Beaumont Ave.	-	-	-	71,000	283,900	354,900
P-2750-0046	2026		9th St, Elm Ave. to Euclid Ave.	-	-	70,900	283,800	-	354,700
P-2750-0047	2026		9th St., Beaumont Ave. to Palm Ave.	-	-	70,900	283,800	-	354,700
P-2750-0048	2026		9th St., Palm Ave. to Pennsylvania Ave.	-	-	70,900	283,800	-	354,700
P-2750-0049	2029		10th St, Palm Ave. to Michigan Ave.	-	-	-	-	47,200	47,200
P-2750-0050	2028		Orange Ave., 8th St to 10th st. Includes tie-ins of existing services in alley on west side of Orange.	-	-	-	77,000	307,900	384,900
P-2750-0051	2028		Orange Ave., 10th St. to 11th St. Includes relocation of existing services to new waterline.	-	-	-	30,700	122,700	153,400
P-2750-0052	2028		Magnolia Ave., 10th St. to 11th St. Includes relocation of existing services to new waterline.	-	-	-	46,100	184,600	230,700
P-2750-0053	2026		Euclid Ave., 10th St. to 11th St. Includes relocation of existing services to new waterline.	-	-	53,900	215,500	-	269,400
P-2750-0054	2027		Edgar Ave., 8th St. to 10th St. Includes relocation of existing services to new waterline.	-	102,100	408,400	-	-	510,500
P-2750-0055	2027		Edgar Ave, 10th St. to 11th St. Includes relocation of services from ally to new waterline.	-	51,900	207,800	-	-	259,700
P-2750-0056	2024	(6)	11th Street, Beaumont Avenue to Elm Avenue Magnolia Ave., 7th to 8th (end of existing 6" in Magnolia Ave to 8th St). Includes relocation existing services to new waterline in Magnolia Avenue and Existing Waterline in Orange Avenue.	1,854,300	-	-	-	-	1,854,300
P-2750-0057	2029		Wellwood Ave., B St north to end. Replacing existing 2" steel waterline	-	-	-	-	44,000	44,000
P-2750-0058	2026	(7)	Wellwood Ave., 10th to 12th. Includes relocation of existing services in alleys to new waterline.	-	-	11,400	45,500	-	56,900
P-2750-0059	2027		Edgar Ave, 11th to 12th, and Merry Ln from Edgar to end of cul-de-sac	-	-	164,400	657,400	-	821,800
P-2750-0060	2029		Orange Ave., 11th to Oak Valley Pkwy	-	116,800	467,400	-	-	584,200
P-2750-0066	2024	(2)	Egan Ave.-Wellwood Ave. Alley, 5th to 8th St	107,600	430,300	-	-	369,900	597,900
P-2750-0067	2024	(2)	Elm Ave.-Wellwood Ave. Alley, 7th St. to 5th St.	43,100	172,200	-	-	-	215,300
P-2750-0068	2024	(2)	Elm Ave., 6th to 7th	24,600	98,300	-	-	-	122,900
P-2750-0069	2024		Egan Ave.-California Ave. Alley, 5th to 7th	323,600	-	-	-	-	323,600
P-2750-0070	2026		Twelfth St., Michigan Ave. to Pennsylvania Ave. Replacing existing 4" steel waterline	-	-	-	-	77,900	77,900



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Footnotes	Project Begin Year	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
P-2750-0071		2028	Oak Valley Pkwy, Elm Ave. to Michigan Ave. Replace existing 10" waterline with 16" and convert 10" waterline to 2850 PZ.	-	-	-	170,300	681,000	851,300
P-2750-0095	(4)	2024	American Avenue, 6th Street to 8th Street	460,400	-	-	-	-	460,400
P-2750-0098	(7)	2026	2023-2024 Service Lateral Replacement Project	-	389,900	-	-	-	389,900
P-2570-0099	(2)	2024	Orange Avenue, 6th Street to 8th Street	140,100	560,200	-	-	-	700,300
S-2750-0001	(2)	2025	Service Replacements - Elm Alley & Wellwood Alley - 8th Street to 10th Street	299,700	-	-	-	-	299,700
S-2750-0002		2026	Service Replacements - California & Edgar Alley - 8th to 9th and 10th to 11th	-	309,400	-	-	-	309,400
S-2750-0003		2026	Service Replacements - Euclid Avenue - 8th Street to 10th Street	-	-	222,400	-	-	222,400
S-2750-0004		2026	Michigan St., 6th to 8th, Not Replacing Existing 8" AC. Relocate existing Alley Services to Existing 8" AC Main in Michigan.	-	-	-	309,200	-	309,200
P-2850-0009		2029	Brookside Ave., Nancy Ave. to end of existing 16-in. Replacing existing 8" ACP	-	-	-	-	74,300	74,300
P-3040-0004		2028	From Vineland St, south along Acadia Ln, west to 38834 CVB, south to CVB	-	-	-	24,800	99,200	124,000
P-3040-0005		2029	From CVB, Ralph Rd to end of Cul-de-sac., east to APN 405-060-013, north to Orchard St.	-	-	-	-	22,200	22,200
P-3040-0006		2027	Lincoln St. Noble St. to Cherry Ave	-	-	-	-	85,300	85,300
P-3040-0007		2027	Lincoln St. Cherry Ave to Jonathan Ave	-	-	-	-	86,200	86,200
P-3040-0008		2028	Lincoln St. Jonathan Ave to Winesap Ave	-	-	-	-	75,700	75,700
P-3040-0010		2026	Jonathan Ave., Brookside Ave. to Dutton St.	-	-	-	336,900	1,347,600	1,684,500
P-3040-0020		2029	Martin Ln, Lincoln St. to Grand Ave.	-	-	-	-	61,100	61,100
P-3040-0021	(2)	2024	Lincoln St, Noble St to West end	84,100	336,200	-	-	-	420,300
P-3040-0022		2029	Friendship Dr., Vineland St. to End of unpaved road	-	-	-	-	34,400	34,400
P-3040-0023	(8)	2024	Bing Pl	158,900	-	-	-	-	158,900
P-3040-0024	(8)	2024	Lambert Pl	158,900	-	-	-	-	158,900
P-3040-0025	(8)	2024	Star Ln, Sky Ln, and View Dr to end of cul-de-sac	712,700	-	-	-	-	712,700
P-3040-0026	(8)	2024	Utica Way, Vineland St to View Dr.	505,700	-	-	-	-	505,700
P-3040-0028		2029	Lincoln Ave, from Winesap to Bellflower Ave	-	-	-	-	69,900	69,900
P-3150-0005		2029	Dutton St, Cherry Ave. to Bellflower Ave. Replace existing 6" and 4" steel waterlines.	-	-	-	-	265,400	265,400
P-3150-0006		2029	South of line from Bridges to Dutton, along Intl Park Rd	-	-	-	-	33,100	33,100
P-3150-0008		2029	In Cherry Ave, from Dutton south to 10252 Cherry Ave (dead-end)	-	-	-	-	38,900	38,900
P-3330-0002		2028	In Ave San Timoteo, from end of 12-in (approx 9490 Ave San Timoteo) south to Ave. Sonrisa	-	-	-	296,100	1,184,500	1,480,600
P-3330-0003	(8)	2024	In Ave. Sonrisa, Ave San Timoteo to Ave. Miravilla. Replacing 6" and 4" waterlines	1,252,000	-	-	-	-	1,252,000
P-3330-0005		2029	Ave. Miravilla, from Lilac Ln 8-in (connect to P-3330-0001) south to existing 6" line (approximately at south end of 9320 Avenida Miravilla)	-	-	-	-	162,700	162,700
P-3330-0007	(2)	2024	From Avenida Sonrisa, north to Avenida Miravilla through Alley	95,000	380,200	-	-	-	475,200
P-3330-0008		2026	From south end of P-3330-0005, south to 9584 Avenida Miravilla	-	-	-	-	150,900	150,900
P-3620-0001	(5)	2024	"B" Line Upper Edgar 12" to upper end of 20" DIP and from lower end 20" DIP to Balance line and Balance Line in Edgar Canyon	888,900	-	-	-	-	888,900
P-3620-0002		2025	"A" Line split north of Apple Tree Lane Tract (At or near Aprn 401-030-003) to Meter "A" Lower Edgar Tank	-	-	-	-	-	-
P-3620-0003		2026	"A" Line - Lower Edgar to split north of Apple Tree Lane Tract	-	-	490,200	-	1,961,000	2,451,200
P-3620-0004		2027	Oak Glen Rd., from Appletree Lane south to 4" at creek crossing (approx at APN 401-080-011)	-	-	-	-	313,200	313,200
P-3620-0004		2027		-	-	207,100	-	828,300	1,035,400



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Project Begin Year	Footnotes	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
P-3620-0009	2024	(8)	Ave. Miravilla, End of proposed 12-in (P-3620-0008) south to end of existing blowoff (near S property line of 8940 Avenida Miravilla)	250,000	-	-	-	-	250,000
P-3620-0010	2028		In Whispering Pines from northern end of P-3620-0012 south to Avenida Miravilla. (Approx at south end of 9150 Whispering Pines Rd)	-	-	-	-	87,100	87,100
P-3620-0016	2025		Replace existing 4" line within parcel (Hoffman Property)	34,200	124,600	-	-	-	158,800
			<b>Total Potable Pipeline Replacements</b>	<b>7,393,800</b>	<b>3,273,900</b>	<b>2,843,800</b>	<b>5,114,700</b>	<b>9,858,700</b>	<b>28,484,900</b>
IT-NETW-0006	Ongoing	(2)	<b>IT Network Infrastructure Projects</b>						
IT-NETW-0011	Ongoing	(2)	Workstation Replacement Project	30,400	31,300	32,300	33,400	34,400	161,800
IT-NETW-0013	Ongoing	(2)	Server Room Uninterrupted Power Source	-	-	71,800	-	-	71,800
IT-NETW-0014	Ongoing	(2)	Servers and Related Equipment (4 per year, 3 year life, \$15K per server)	79,500	82,100	84,700	87,400	90,100	423,800
			Network Infrastructure and Equipment (Network Switches, Firewall Appliances, SAN Storage, Tape/Backup Storage, Power Capacity)	-	-	119,900	-	-	119,900
			<b>Total IT Network Infrastructure Projects</b>	<b>109,900</b>	<b>113,400</b>	<b>308,700</b>	<b>120,800</b>	<b>124,500</b>	<b>777,300</b>
IT-SCAD-0001	2023	(9)	<b>IT SCADA/AMR Infrastructure Projects</b>						
IT-SCAD-0002	N/A	(9)	SCADA Improvement Project	849,200	-	-	-	-	849,200
IT-SCAD-0003	N/A	(9)	Wonderware SCADA Phase 2 Project	-	-	-	-	-	-
IT-SCAD-0007	2024	(2)	Wonderware SCADA Phase 3 Project	-	-	-	-	-	-
IT-SCAD-0008	2025	(10)	Back- End SCADA Software and Equipment	30,000	270,000	84,700	87,400	90,100	562,200
IT-AMR-0001	2019	(11)	Current / Retro Telemetry CIP	120,000	123,800	127,800	131,800	136,000	639,400
IT-AMR-0002	Ongoing		AMR / AMI Deployment Project	475,500	475,500	475,500	475,500	475,500	1,500,000
			New Development Meters	-	-	-	-	-	-
			<b>Total IT SCADA/AMR Infrastructure Projects</b>	<b>2,974,700</b>	<b>869,300</b>	<b>688,000</b>	<b>694,700</b>	<b>701,600</b>	<b>5,928,300</b>
IT-ADMIN-0001	2017	(2)	<b>IT/Field Operations/Administration Projects</b>						
IT-ADMIN-0002	2025	(10)	Digitized Fileroom Project	88,100	-	-	-	-	88,100
			560 Magnolia AC/Heating System Replacements	72,000	42,000	54,100	52,300	-	220,400
			<b>Total IT Field Operations/Administration Projects</b>	<b>160,100</b>	<b>42,000</b>	<b>54,100</b>	<b>52,300</b>	<b>-</b>	<b>308,500</b>
VE-TRUK-0002	2025	(12)	<b>Vehicles &amp; Equipment</b>						
VE-TRUK-0003	2026		2018 Ford F150 Reg Cab (Oct, 2017) Unit #34 Replacement	28,100	-	-	-	-	28,100
VE-TRUK-0004	2025	(12)	2018 Ford F-150 Reg Cab (Sept, 2018) Unit #35 Replacement	-	33,400	-	-	-	33,400
VE-TRUK-0005	2025	(12)	2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #33 Replacement	42,600	-	-	-	-	42,600
VE-TRUK-0006	2025	(12)	2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #32 Replacement	49,100	-	-	-	-	49,100
VE-TRUK-0007	2026		2018 Ford F-150 Reg Cab (Sept, 2018) Unit #36 Replacement	-	33,400	-	-	-	33,400
VE-TRUK-0008	2026		2018 Ford F-150 Reg Cab (Sept, 2018) Unit #37 Replacement	-	33,400	-	-	-	33,400
VE-TRUK-0009	2027		2019 Ford F-250 Super Duty (Dec, 2019) Unit #41 Replacement	-	-	41,600	-	-	41,600
VE-TRUK-0010	2027		2019 Ford F-250 Super Duty (Dec, 2019) Unit #42 Replacement	-	-	41,400	-	-	41,400
VE-TRUK-0011	2026		2018 Ford F-250 Super Cab XL 4x4 (Oct, 2018) Unit #38 Replacement	-	56,000	-	-	-	56,000
VE-TRUK-0015	2023	(5)(12)	2019 Ford F-150 Super Duty (Dec, 2019) Unit #40 Replacement	-	-	56,100	-	-	56,100
VE-TRUK-0019	2027		GIS / Muck Truck (Freightliner Diesel) (May, 2004) Unit #8 Replacement	207,300	-	-	-	-	207,300
VE-TRUK-0020	2027		2010 Ford Explorer (Jan, 2011) Unit #1 Replacement	-	-	47,700	-	-	47,700
VE-TRUK-0021	2025	(5)(12)	2007 F-550 Dump Truck (Apr, 2009) Unit #12 Replacement	-	-	-	-	-	-
VE-TRUK-0022	2024	(5)(12)	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
	2024	(5)(12)	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Footnotes	Project Begin Year	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
VE-TRUK-0023	(5)(12)	2024	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
VE-TRUK-0024	(5)(12)	2024	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
VE-TRUK-0025	(5)(12)	2024	NEW 3/4 Ton Utility Truck	80,000	-	-	-	-	80,000
VE-HEAV-0003		2027	Loader 938G	-	-	400,900	-	-	400,900
VE-HEAV-0004		2027	Skip Loader with Box Gannon attachment	-	-	-	226,700	-	226,700
VE-HEAV-0005		2025	Water Truck	154,800	-	-	-	-	154,800
VE-HEAV-0006		2026	Skidsteer tractor with attachments	-	-	-	283,300	-	283,300
VE-HEAV-0007		2028	D-5 Dozer Dual Slope	-	-	-	547,400	-	547,400
VE-EQIP-0002		2026	Ingersoll Rand Air Compressor (Dec, 2008)	-	-	-	-	-	-
VE-EQIP-0003		2028	Water Buffalo (Feb, 2018)	-	-	-	-	-	-
VE-EQIP-0004		2027	400W Light Tower w/Generator (Dec, 2017)	-	-	27,400	-	-	27,400
VE-EQIP-0005		2024	NEW 400W Light Tower w/Generator	-	-	-	-	-	-
			<b>Total Vehicles &amp; Equipment</b>	<b>881,900</b>	<b>156,200</b>	<b>615,100</b>	<b>1,065,900</b>	<b>-</b>	<b>2,719,100</b>
			<b>Non-Potable Infrastructure Projects</b>						
NEO-0000-0001		2019	Recycled Water Conversion and Implementation	-	759,900	-	-	-	759,900
NW-2400-0001		2028	San Timoteo Creek Non-Potable Water Extraction Well	-	-	-	-	1,252,400	1,252,400
NT-2400-0001		2023	100,000 Gallon 2400 PZ Non-Potable Tank	60,000	65,800	207,800	-	-	333,600
NR-2600-0001		2027	2600 Zone Non-Potable Regulation and Metering Station_0001	-	-	-	-	132,300	132,300
NR-2600-0002		2023	2600 Zone Non-Potable Regulation and Metering Station_0002	116,800	284,800	-	-	-	401,600
NBP-2600-0001		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant	-	1,022,300	2,493,600	-	-	3,515,900
NBP-2600-0002		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant Expansion	-	188,900	460,900	-	-	649,800
NR-2800-0001		2023	2800 Zone Non-Potable Regulation and Metering Station_0001	40,000	426,300	454,600	-	-	920,900
NR-2800-0002		2023	2800 Zone Non-Potable Regulation and Metering Station_0002	40,000	426,300	454,600	-	-	920,900
NT-2800-0001		2023	2 MG 2800 PZ Non-Potable Tank	250,000	2,017,000	538,300	-	-	4,560,800
NBP-2800-0001		2026	2800 Zone Non-potable Booster Pump Station at the Noble Creek Recharge Facilities	-	-	-	635,200	250,000	885,200
			<b>Total Non-Potable Infrastructure Projects</b>	<b>506,800</b>	<b>5,191,300</b>	<b>4,609,800</b>	<b>2,390,700</b>	<b>1,634,700</b>	<b>14,333,300</b>
			<b>Non-Potable Pipeline Projects</b>						
NP-2600-0001		2023	Oak Valley Parkway, from westerly end of existing 24" waterline, west to the existing City of Beaumont Lift station/Tukwet Canyon Golf Course maintenance yard.	840,900	-	-	-	-	840,900
NP-2600-0002		2023	Oak Valley Parkway, from the west end of NP-2600-0001, west to the existing 16" waterline in Tukwet canyon Parkway.	1,770,400	-	-	-	-	1,770,400
NP-2600-0004		2025	In-Tract within a future Planning Area of the Fairway Canyon Development. In Sorenstam Drive, from the northwest end of NP-2600-0003 (future Park Site) to NP-2600-0001 at the 2400 Zone Tank Site.	463,200	-	493,200	-	-	956,400
NP-2600-0005		2026	From the NP-2800-0004, along Cherry Valley Blvd west to I-10 freeway.	-	-	-	3,169,700	-	3,169,700
NP-2600-0006		2027	From the end of NP-2600-0005, west across the bridge along Cherry Valley Blvd crossing I-10 freeway	-	-	-	-	-	-
NP-2600-0009		2025	Along the future alignment of Potrero Blvd, from 4th Street south to NP-2600-0008.	-	-	-	1,413,200	-	1,413,200
NP-2800-0001		2024	In Beaumont Summit Station (Formerly Sunny Cal Egg Ranch), Cherry Valley Blvd to Brookside Ave	-	1,818,700	-	-	-	1,818,700
NP-2800-0002		2027	California Ave, 1st Street south to Hwy 79	-	-	-	-	1,566,400	1,566,400
NP-2800-0006		2024	In CoB WWTP site, from 2600 to 2800 Zone Booster Pump (NPB 2600-0001) to 4th St.	-	648,300	-	-	-	648,300



**Beaumont-Cherry Valley Water District  
Appendix C  
2025-2029 Capital Improvement Budget Detail**

Engineering Project #	Footnotes	Project Begin Year	Capital Improvement Program	2025 Budget Request	2026 Budget Request	2027 Budget Request	2028 Budget Request	2029 Budget Request	5-Year Budget Total
NP-2800-0007		2024	1st St, from Commerce Way east to Highland Springs Ave	-	827,000	-	-	-	827,000
NP-2800-0008		2024	Highland Springs Ave, 2nd St to 1st St.	-	386,900	-	-	-	386,900
NP-2800-0009		2027	Within Palm Ave, Crossing 6th Street to connect existing waterlines	-	-	-	-	151,100	151,100
NP-2800-0010		2027	Noble Cr. Meadows, Cougar Way to Oak Valley Pkwy	-	-	-	-	395,200	395,200
NP-2800-0012		2027	Oak Valley Pkwy, from Oak View Dr. east to 750 ft w/o Elm Ave.	-	-	-	-	833,200	833,200
NP-2800-0016		2025	7th Street from Velle Ave southwest to California Ave	-	-	532,100	-	-	532,100
NP-2800-0017		2025	Along Oak Valley Pkwy from Palm Ave to Cherry Ave	-	-	720,000	-	-	720,000
NP-2800-0020		2025	Along 4th Street from Velle Ave to Rangel Park	-	-	307,400	-	-	307,400
NP-3000-0001		2025	At the NCRF Phase II Site, from NT-2800-0001 south to Lincoln Street.	-	-	328,700	-	-	328,700
NP-3000-0002		2026	In Lincoln Street, from NCRF Phase II Site east to Bellflower Avenue.	-	-	-	2,131,700	-	2,131,700
			<b>Total Non-Potable Pipeline Projects</b>	<b>3,074,500</b>	<b>3,680,900</b>	<b>3,794,600</b>	<b>2,131,700</b>	<b>4,908,200</b>	<b>20,759,600</b>
			<b>Total Capital Improvement Program</b>	<b>\$ 33,258,700</b>	<b>\$ 31,113,200</b>	<b>\$ 41,844,900</b>	<b>\$ 27,743,700</b>	<b>\$ 34,187,100</b>	<b>\$ 168,147,600</b>
			Capacity Charges	8,491,500	13,050,100	19,757,800	19,225,900	20,805,500	81,330,800
			Cap. Repl. Res.	19,517,500	16,678,200	20,058,500	8,042,300	10,859,500	75,156,000
			Developer	2,897,200	1,384,900	2,028,600	475,500	2,522,100	9,308,300
			Other	2,352,500	-	-	-	-	2,352,500
			<b>Total Capital Improvement Program by Funding Source</b>	<b>\$ 33,258,700</b>	<b>\$ 31,113,200</b>	<b>\$ 41,844,900</b>	<b>\$ 27,743,700</b>	<b>\$ 34,187,100</b>	<b>\$ 168,147,600</b>

**Footnotes**

- (1) Project was originally identified in 2020 CIB. Total Budgeted cost was updated for 2024 Water Rate Study and represents a two-phased approach. Phase I could be structured in a manner where the "warehouse" (shell) would be constructed first, allowing for many of the staff to occupy it, for an estimated cost of \$13,617,825, including the purchase of land. Phase II could be structured so that the estimated remaining cost of \$19,318,925 could be deferred longer than this schedule provides for
- (2) Project was begun in prior year(s) or approved by Board to begin, ongoing, with inflationary costs added
- (3) Moved to operating expense in 2024
- (4) Initial staff planning costs incurred in 2024, project mostly carried over into future year(s), with inflationary costs added
- (5) Ongoing project. Contract for either design, engineering, or construction has been or is anticipated to be signed by end of 2024, or project may be completed (or purchase made) by end of 2024. Project not complete as of August 31, 2024
- (6) 10% of project remaining for monitoring equipment and pond slide gates
- (7) Pipeline projects now shown separately are identified in the 2024-2028 Capital Improvement Budget as 2023-2024 Service Replacements/Wellwood Ave., B St north to end
- (8) Pipeline projects now shown separately are identified in the 2024-2028 Capital Improvement Budget as 20-21 Replacement Waterlines
- (9) Project is ongoing, all have been reconciled as one project
- (10) New project (purchase) identified for 2025
- (11) Grant funding for this project has been exhausted, remaining cost for AMI phase
- (12) The District is considering a 5-year Master Lease Agreement for fleet purchase and maintenance with Enterprise. The annual outlay for the Lease is expected to be similar to the traditional fleet purchase employed by the District on an average annual basis over time



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
March 27, 2025**

**Item 6**

**STAFF REPORT**

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** New California State Water Resources Control Board Hexavalent Chromium Regulation, Impacts to BCVWD, and Path to Compliance

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**Staff Recommendation**

None. Information only. Direct staff as desired.

**Executive Summary**

The new Cr(VI) MCL will create financial and operating challenges for the District. Study of the situation on the ground, and evaluation of options for attaining compliance is ongoing. This presentation is an update for the Board and / or discussion regarding direction to staff.

**Background**

Chromium is a metal found in natural deposits of ores containing other elements, mostly as chrome iron ores. It is also widely present in soil and plants. Under most conditions, natural chromium in the environment occurs as Trivalent Chromium (Cr-(III)), but under oxidizing conditions chromium can exist as Hexavalent Chromium (Cr(VI)). Chromium also originates as a contaminant in the environment from the discharges of dye and paint pigments, wood preservatives, chrome-plating liquid wastes, and leaching from hazardous waste sites.

Since 1977 California has regulated Total Chromium (Cr-(III) and Cr(VI)) at a Maximum Contaminant Level (MCL) of 50 parts per billion (ppb) or micrograms per liter (ug/L). The United States Environmental Protection Agency (EPA) had also adopted the 50 ppb standard, but in 1991 raised it to the current standard of 100 ppb. In 2001, the State established a Public Health Goal (PHG) of .02 ppb. In 2014, the California State Water Resources Control Board (SWRCB) established a Cr(VI) MCL of 10 ppb. However, California was sued over this regulation in 2017 and the Superior Court of Sacramento County ruled that the state "did not adequately document why the MCL was economically feasible." Economic feasibility evaluates how costly Cr(VI) treatment technologies are and whether the price tag is within a water utility's budget.

Since the Superior Court's invalidation of the Cr(VI) MCL, the State has continued to work on establishing a new MCL for Cr(VI). In 2020, SWRCB published a white paper "Discussion on Economic Feasibility Analysis in Consideration of a Hexavalent Chromium Maximum Level." BCVWD submitted comments (attached). In 2023, the SWRCB started the formal rulemaking process for establishing a new Cr(VI) MCL and in 2024 adopted the new regulation setting the Cr(VI) MCL at 10 ppb, which became effective on October 1, 2024.

Amongst other things, the adopted Cr(VI) regulation requires that the District begin testing all of its wells by April 1, 2025, develop a Cr(VI) Compliance Plan, provide a public notice of Cr(VI) exceedances, and be in compliance by October 1, 2026. Staff from the Division of Drinking Water has informed the City of Banning that water produced in exceedance of the new Cr(VI) MCL can



be continued to be used so long as public notices are provided. This will be a policy decision that the Board will have to consider when the time comes.

It should be noted that water samples are required to be obtained at a well head, before the produced water enters the District's distribution system. In most areas, water is delivered to customers below 10 ppb. See Table 3, below. Three of the District's 23 wells show Cr(VI) concentrations at or near the MCL (see Table 1, below). The Cr(VI) concentration in these wells range from 11 ppb to 14 ppb.

**Table 1 – Wells Exceeding MCL**

Well	Production Capacity (GPM)	Average Annual Production (ACFT)	Hexavalant Chromium Result and Date	Hexavalant Chromium Result and Date	Hexavalant Chromium Result and Date
3	1,500	968	11/4/2013 - 12 ug/L	5/19/2014 - 11 ug/L	5/7/2024 - N/A
25	3,000	2,007	12/4/2013 - 11 ug/L	5/19/2014 - 11 ug/L	5/7/2024 - 12 ug/L
26	1,400	1,025	12/4/2013 - 13 ug/L	N/A	5/7/2024 - 14 ug/L

(ppb and ug/L are the same unit of measurement)

**Table 2 – Wells Under MCL**

Well	Production Capacity (GPM)	Average Annual Production (ACFT)	Hexavalant Chromium Result and Date	Hexavalant Chromium Result and Date	Hexavalant Chromium Result and Date
4A	220	353	11/13/2013 - 1.1 ug/L 11/13/2013 - 0.78 ug/L	N/A	5/7/2024 - 1.0 ug/L
5	100	195	11/13/2013 - 0.47 ug/L	N/A	5/7/2024 - ND
6	350	308	ug/L	N/A	5/7/2024 - ND
10	80	73	11/4/2013 - 0.17 ug/L	N/A	5/7/2024 - ND
11	80	66	N/A	N/A	5/7/2024 - ND
12	200	394	11/4/2013 - 0.20 ug/L	N/A	5/7/2024 - ND
14	200	312	11/4/2013 - 0.10 ug/L	N/A	5/7/2024 - ND
16	800	324	11/4/2013 - 1.9 ug/L	5/19/2014 - 4.2 ug/L	5/7/2024 - 3.2 ug/L
18	75	81	N/A	N/A	5/7/2024 - 7.3 ug/L
19	220	350	11/4/2013 - 0.22 ug/L	N/A	5/7/2024 - ND
20	50	103	11/4/2013 - 0.11 ug/L	N/A	5/7/2024 - ND
21	1,600	954	11/4/2013 - 6.6 ug/L	5/19/2014 - 6.4 ug/L	10/25/2024 - 7.6 ug/L
22	1,250	981	11/4/2013 - 6.9 ug/L	5/19/2014 - 6.9 ug/L	5/7/2024 - 7.3 ug/L
23	2,500	2,506	N/A	5/19/2014 - 4.7 ug/L	5/7/2024 - 6.9 ug/L
24	2,500	2,383	12/4/2013 - 7.2 ug/L	5/19/2014 - 7.5 ug/L	5/7/2024 - 8.6 ug/L
29	3,000	738	N/A	5/19/2014 - 8.1 ug/L	5/7/2024 - 3.7 ug/L



**Table 3- System Average**

Sample Site ID	Pressure Zone	Date Range (Quarterly Sampling)	Result Range ug/L
B-1	2750	2023 - 2025	7.1 - 10.0
B-2	2750	2023 - 2025	5.9 - 8.3
B-3	2750	2023 - 2025	6.3 - 8.3
B-4	2750	2023 - 2025	7.1 - 10.0
B-5	2750	2023 - 2025	6.1 - 8.3
B-7	2750	2023 - 2025	7.0 - 10.0
B-8	2750	2023 - 2025	6.2 - 8.0
B-9	2750	2023 - 2025	8.2 - 9.3
B-11	2750	2023 - 2025	7.3 - 8.9
B-12	2750	2023 - 2025	6.1 - 8.4
M-1	3330	2023 - 2025	ND - 0.26
N-1	3040	2023 - 2025	ND - 8.9
N-3	3040	2023 - 2025	ND - 1.1
I-1	2850	2023 - 2025	5.1 - 7.0
I-3	2850	2023 - 2025	9.1 - 11.0
H-2	2650	2023 - 2025	8.3 - 8.7

**Discussion**

City of Banning study

The City of Banning conducted several studies to evaluate different approaches for complying with the Cr(VI) MCL and to develop cost estimates including capital and operation and maintenance all to support the development of a treatment strategy. The City’s 2024 Cr(VI) Compliance Study evaluated best available technologies (BATs) including weak base anion exchange (WBA), strong base anion exchange (SBA) and reduction, coagulation and filtration/microfiltration (RCF/RCMF).

BATs were assessed based on lifecycle costs and operability considerations (chemical consumption, residuals waste generation, and staffing requirements). While the accuracy range of lifecycle costs overlap for each of the alternatives, it was found that the RCF with horizontal filter configuration located at clustered treatment facilities and individual sites was the lowest point estimate lifecycle cost compared with WBA and SBA.

Additionally, the 2024 Cr(VI) Compliance Study also identified next steps such as:

- Further analysis of sewer disposal at C2, C4, C8, M3 to confirm available sewer capacity.
- Confirm if brine can be sent to the wastewater reclamation facility.
- Further assessment of site layouts for Wells C3 and C5, which may require the purchase of additional land.
- Consider pilot unit options to train operation staff in advance of design and/or startup.





### **BCVWD Options**

The District's current plan is to avoid Cr(VI) treatment in the near term by plumbing existing Cr(VI) wells to the non-potable water system and relocating planned wells to areas which have lower Cr(VI) background levels and drill and complete said wells.

The District can plumb 1 to 3 wells currently contaminated with Cr(VI) into the non-potable water system and serve said system, in lieu of using domestic water supply which is the current practice.

### **Fiscal Impact**

There would be fiscal impact of planned avoidance by relocating wells to areas near the Noble Creek Recharge Facility and nearby San Geronio Pass Water Agency recharge sites.

### **Attachments**

1. Comment letter to State Water Resources Control Board dated 4/29/2022

Staff Report prepared by Dan Jagers, General Manager



# Beaumont-Cherry Valley Water District

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## Attachment 1

<http://www.bcvwd.org>

April 29, 2022

### Board of Directors

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Clerk to the Board  
Jenny Townsend  
State Water Resources Control Board  
P. O. Box 100  
Sacramento, California 95812-0100

Via: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) Re: Hexavalent Chromium Workshop

Re: Comment Letter – Hexavalent Chromium Workshop

Dear Ms. Townsend:

The Beaumont Cherry Valley Water District (BCVWD or "District"), a municipal retail water agency regulated by the Division of Drinking Water (DDW), offers these comments for consideration by the State Water Resources Control Board (SWRCB) in the Notice of Public Workshop and Opportunity for Public Comment on Administrative Draft Hexavalent Chromium (Cr6) Maximum Contaminant Level (MCL). We were impacted by the previous MCL which has since been withdrawn; but BCVWD was required to take several of our very large production wells offline to comply with the previous MCL which was 10 ug/L. At the time, BCVWD was evaluating various technologies for treatment and our preliminary evaluation of the treatment technology at the time was that it would significantly impact the District and our financially disadvantaged community and ratepayers. That has not changed as these wells would still be impacted should the prior MCL be reinstated.

BCVWD's service area is 28 sq. mi., located primarily in Riverside County though BCVWD has some watershed lands in San Bernardino County. BCVWD serves the City of Beaumont and the unincorporated community of Cherry Valley. The current population served by BCVWD, as reported in our 2020 Urban Water Management Plan (UWMP), is 59,259, with 19,995 service connections (as of 09/30/2021). In Beaumont, based on data from the 2020 census, 66% of the population are minority or mixed race and 13.6% of the population are 65 years of age and older. In Cherry Valley, 28.7% of the population are over 65 years of age; 34% are minority or mixed race. Over 10 percent are in poverty and portions of the City of Beaumont are classified as a disadvantaged community. Much of the service area is on a fixed income as can be seen from the population over 65 years of age. Affordability is a major concern.

BCVWD relies exclusively on groundwater and imported State Project Water which is recharged at the BCVWD's Noble Creek Recharge Facility and subsequently extracted with only chlorination required. The primary source of groundwater is the

Page 1 of 8

560 Magnolia Avenue Beaumont CA 92223



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Beaumont Basin, which is adjudicated with all water rights given to the overlying parties. On an annual basis, BCVWD and the other appropriating parties only get a share of the unused overlying party rights, which is not much; any water extracted above that must be replaced with imported water.

BCVWD's wells were tested for Cr6 as part of the data collection program prior to establishing the previous MCL and three (3) large capacity production wells were impacted (1,500 gallons/minute (gpm), 1,650 gpm and 2,500 gpm, total capacity of 5,650 gpm or 8.1 million gallons/day [mgd]). These wells were either taken out of service or connected to the BCVWD's non-potable water system. Even though one of the Cr6 wells was connected to the non-potable water system, the extracted water must still be replaced with imported water per the adjudication.

The service area is growing rapidly; maintaining adequate well supply is a challenge due to the uncertainty of the costs for Cr6 treatment and, depending on the process selected, the purchase of resin and the disposal of the residuals (spent resin). This is a problem many agencies in California will be facing with the implementation of the new Cr6 MCL.

BCVWD's comments focus on the following issues:

- Best available treatment technology
- Methodology in the development of costs for treatment
- Cost impacts of the MCL on BCVWD's customers
- Appropriateness of the MCL considering the overall risk reduction
- Schedule for compliance
- Phasing of the MCL

## Best Available Treatment Technology

Best Available Technology (BAT) for community water systems as stated in the proposed MCL text includes:

- Reduction, coagulation, filtration (RCF)
- Ion Exchange (IX)
- Reverse Osmosis (RO)

BCVWD recommends the Draft Regulations be written to allow for other technologies that may be developed over time and be proven. BCVWD suggests Table 64447.2-A be footnoted to allow other demonstrated technologies approved by DDW. This would allow development of alternative, but proven, technologies, that may be less costly to construct and/or operate, e.g., nanotechnology, stannous chloride, or other process.

Page 2 of 8

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## Methodology in the Development of Costs for Treatment

### ***Weak Base Anion Exchange May Be a Better Option in Some Areas***

The Staff Report indicates that the ion exchange process of choice is strong base anion exchange (SBA). This may not be the most cost effective process due to the disposal of chromium containing regeneration brine quantities. BCVWD is an inland water supply agency, distant from any processing facility. Storing of the spent brine takes up land area, must have secondary containment and a truck loading facility with a sump to collect any accidental spills. The wastewater must be hauled off-site, treated, and disposed of. For BCVWD's large wells, this may not be practical.

BCVWD believes weak base anion exchange (WBA) is a better choice since there is no need for disposal of liquid regeneration fluids. Instead the resin is replaced, but at increased cost. The supporting cost tables show WBA has a higher cost than SBA.

If SBA costs were used, the construction and treatment costs may be grossly underestimated.

### ***Centralized Treatment Is Not Practical for Most Groundwater Sources***

BCVWD believes the methodology of basing the costs on centralized treatment significantly underestimates the cost for construction and operation.

Most agencies, like BCVWD, have individual wells that are separated by significant distance to avoid "well pumping interference". For centralized treatment, the water from the individual wells would need to be conveyed in a new pipeline, typically in a paved street in an urbanized area, to a central location for treatment. This requires purchase of land, unless one of the well sites is large enough to accommodate the centralized treatment process. (Our preliminary analysis indicates that an area 100 ft by 110 ft would be required for 2,500-gpm ion exchange system, including electrical supply, controls, product water storage, and repumping.) Some of the impacted wells may be in different pressure zones, like BCVWD's Well 25, further complicating the system and increasing operating cost depending on the location of the central treatment facility. For Well 25, only wellhead treatment is practical.

BCVWD's Well 3 and Well 26 are separated by 2,600 ft (measured along public streets); Well 3 site is only 0.3 acres; Well 26 site is 0.5 acres; the Well 26 site might be able to accommodate a centralized facility for Wells 3 and 26. However, a 12-in diameter pipeline, 2,600 feet in length, would be required to convey water from Well 3 to Well 26, at a current cost of \$190/linear foot, this is about \$650,000 considering design engineering, permitting, and construction. Conveyance pipeline costs for centralized treatment are not included in SWRCB's cost estimates.

Land costs are specifically not included in the SWRCB cost estimate either. Land, where BCVWD has wells, costs about \$200,000 an acre. That does not include the



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legal costs for acquisition. Land may not be available as many of our well sites are in older, developed residential areas. For other water systems, the cost could be greater.

BCVWD believes the cost methodology should be evaluated on a case-by-case basis to arrive at a more realistic cost for which to evaluate affordability.

### **Estimated Cost for MCL = 10 µg/L on BCVWD Customers Is 2.4 Times the SWRCB Estimate**

Staff Worksheet Table 9.2A estimated the cost for agencies with more than 10,000 services to be \$133 per service connection per year. Presumably this is for SBA treatment. The cost is the annualized capital cost and annual operation and maintenance cost for a weak base anion exchange system. The table clearly shows the economy of scale. BCVWD believes the \$133 per service connection per year may be low for the smaller community water suppliers with greater than 10,000 services, e.g., like BCVWD.

Staff Worksheet Table 16A indicated a range of costs from \$0.75 to \$45.13 per household per month for the MCL of 10 µg/L. This is \$9 to \$542 per household per month. This is a range of 1.8 orders of magnitude. There were no data or calculations to support the "average" of \$133 per service connection (household) per year. The costs should be better defined based on the size of the systems over 10,000 services.

BCVWD prepared their own cost estimate to meet the recommended MCL of 10 µg/L using data from the Hazen and Sawyer Glendale Pilot Study Report (H&S Study) using WBA.<sup>1</sup> The costs for a 2,000-gpm system were taken from the H&S Study and updated from 2012 to 2022 using the Engineering News Record Construction Cost Index. Process elements, such as granular activate carbon, which were in the Glendale study for organics removal, were not included in BCVWD's estimate, since the District's wells do not require this process. The current cost for the 2,000-gpm system including pilot testing, design engineering, permitting, construction (total 20%), and contingences (20%) was \$9.85 million. The annual O&M cost, also taken from the H&S Study and escalated to 2022, was estimated to be \$1.28 million. This included electricity, resin replacement and disposal, parts, consumables, etc. The costs were based on Glendale's water quality; BCVWD's may be different which could impact the costs for resin life etc. The costs were then scaled to 2,500 gpm and

<sup>1</sup> Hazen & Sawyer (2013). *Hexavalent Chromium Removal Research Project: Phase III Demonstration Study – RCF and WBA Costs*. Glendale Water and Power. Retrieved from <https://www.glendaleca.gov/home/showpublisheddocument?id=14854>.



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1,650 gpm, respectively, for the District's other two wells using the capacity ratio to the 0.7 power for ion exchange systems.<sup>2</sup>

The total capital cost for BCVWD for the three wells was \$28.2 million. This was annualized using the capital recovery factor used by SWRCB (A/P, 7%, 20 yrs). The total annual capital and O&M cost was \$6.3 million which will need to be spread out over the current rate payers. This amounts to \$316 per service connection per year, or 2.4 times the SWRCB estimated annual cost per service (\$133). The BCVWD costs do not include the additional monitoring costs identified by SWRCB in the staff report which would add to the \$316 cost.

BCVWD strongly believes the cost estimate provided by the SWRCB is low and the economic impacts and affordability issues are grossly underestimated. SWRCB must do a more thorough analysis of the costs and affordability. BCVWD recommends that the Community Water System (CWS) greater than 10,000 services be sub-divided into smaller sub-sets to better identify the costs to consumers.

The figure below was developed by BCVWD based on the agencies required to report their monthly water consumption to the Department of Water Resources. The plot clearly shows the distribution of CWS with respect to services. BCVWD believes that the methodology used by SWRCB biases the costs in favor of the very large agencies.

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<sup>2</sup> Berthouex, Paul M. (1972). *Evaluating Economy of Scale*, JWPCF Vol. 44, No.11 (Nov., 1972), pp. 2111-2119.





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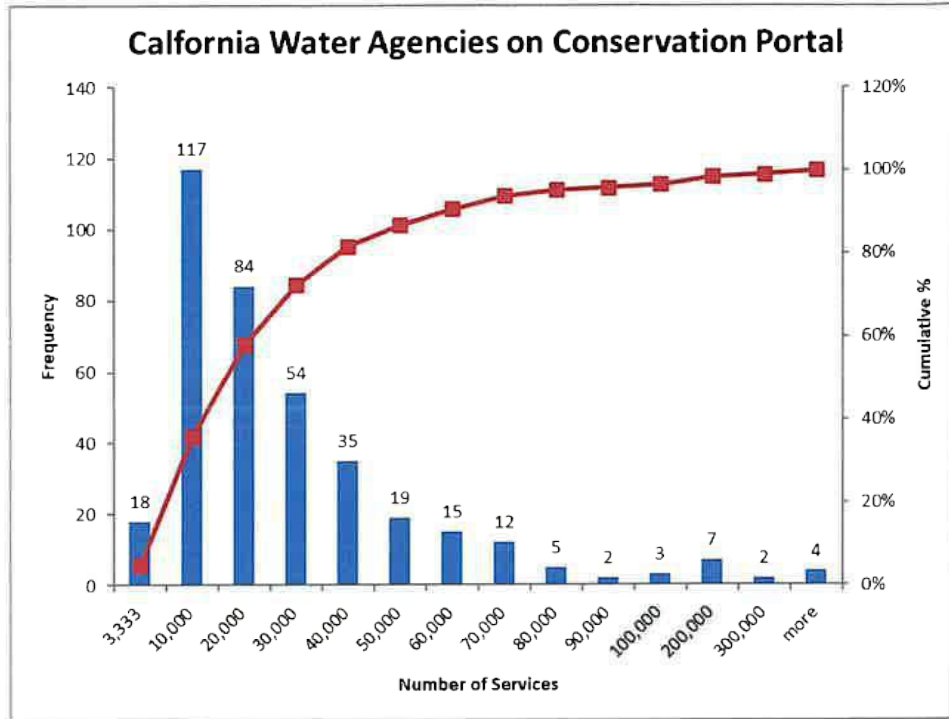
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## Cancer Cases Avoided and the Associated Cost

No one wants to hear of a friend or relative contracting cancer and water agencies take whatever measures are needed to minimize any increased risk of contracting cancer. It is important to understand that there is a natural background level of cancer cases contracted annually. There is some increased risk, above the background level, that may result from consumption of drinking water over a lifetime having a certain amount of Cr6.

Staff Report Table 12A indicates that there would be a reduction of an estimated 746 additional cancer cases over a 70-year lifetime period with an MCL of 10 µg/L for the roughly 24 million people served by community water systems. At an MCL of 15 µg/L, there would be a reduction to an estimated 410 additional cancer cases over a 70-year lifetime. Reducing the MCL from 15 µg/L to 10 µg/L results in 336 fewer cases over a lifetime, or 4.8 per year in 24 million people. This is equivalent to 1 additional case per year per 5,000,000 people.

Extending this to BCVWD's service population of 59,260 people, the reduction in annual risk of lowering the MCL from 15 µg/L to 10 µg/L is 0.01 case/year, less than 1 more case in a 70-year lifetime. Although we do not want any of our customers contracting cancer, this risk is small.



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BCVWD recommends that SWRCB address the additional cost to achieve additional risk reduction. This does not appear to have been done.

### Compliance Schedule

The SWRCB estimates the MCL, if adopted by the Board, would come into effect in early 2024 – just over 2 years from now. BCVWD, like all systems over 10,000 services, would be required to comply in 2 years or early 2026. This is unrealistic. The ion exchange system is not a system that is “plug and play.” Although the technology is proven, the resin capacity and service life depend on competing ions in the water. This normally requires some pilot testing, or at least laboratory scale bench testing, to verify the design parameters. This alone is a 4 to 6 month process to procure a testing laboratory, secure approval from DDW on the test plan, and develop the parameters for design. The next step is selecting an engineering firm, complying with CEQA, and perhaps purchasing additional land, and completing the design. This will be another 12 to 15 months, including DDW’s final review of plans of specifications. Bidding is 2 to 3 months from release of documents for bidding to formal award and approval by BCVWD’s Board of Directors. Construction will take another 12 months, followed by 3 or 4 months of “proof of process” to DDW and modification of BCVWD’s operating permit. This is a total of 33 to 40 months, assuming everything moves as planned and DDW has the staffing for the review and approval process.

BCVWD does not believe DDW currently has the staff to review and turn-around all of the new permits that would be required to meet the tight schedule, considering all of the agencies required to provide Cr6 treatment.

In summary it is not reasonable to have a system on-line in 2 years. The compliance period needs to be at least 4 years.

### Recommendation for a Staged Approach

BCVWD urges the State Water Board to consider a “staged approach” for implementation of the MCL. A staged approach would allow time to phase construction to the wells that have the highest concentrations, develop financial plans to meet the next MCL stage, and secure training and certification of operators for the technology.

Financial plans must be developed to implement treatment or develop new water supplies, as well as adopt rate structures to operate and maintain the treatment technology. Water agencies need time to strategize, plan, and implement these systems. A staged MCL would provide this time. Perhaps set the MCL initially at 20 µg/L, then perhaps 15 µg/L, and finally 10 µg/L in 10 or 15 years. Water suppliers can plan and work toward gradual compliance without putting a huge financial burden on their customers, many of whom are disadvantaged or on fixed income.





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## Summarizing

BCVWD appreciates the opportunity to provide comments on this very important issue and appreciates the State Water Board's consideration of our comments which can be summarized:

- Include in the MCL text and tables to allow other demonstrated technologies approved by DDW.
- Consider that centralized treatment may not be appropriate for all water systems. For centralized systems, include the costs for conveyance piping, re-pumping, and land purchase.
- Provide more realistic cost estimates considering ranges in the size of the water supplier rather than an average of all systems over 10,000 services.
- Consider a more pragmatic approach to cancer risk when setting an MCL; consider the additional costs versus the additional benefits.
- Extend the compliance schedule from 2 years to at least 4 years.
- Consider and evaluate a staged approach to the MCL.

If the State Water Board has any questions, contact Dan Jagers, PE, General Manager, Beaumont Cherry Valley Water District, (951)-845-9581, or [Dan.Jagers@bcvwd.org](mailto:Dan.Jagers@bcvwd.org). Thank you again for considering our comments.

Sincerely yours,

Dan Jagers, PE  
General Manager



## **FYI Spread the word**

### **PUBLIC ANNOUNCEMENT**

#### **RIVERSIDE LAFCO IS SEEKING APPLICANTS FOR REGULAR & ALTERNATE PUBLIC MEMBER COMMISSIONER**

The Riverside Local Agency Formation Commission (LAFCO) is seeking individuals interested in serving as a Regular or Alternate Public Member on the Commission. Individuals must be able to attend monthly daytime meetings, be a resident of Riverside County, be familiar with the duties and authority of LAFCO, and cannot be an officer or employee of the County, a city, or a special district in the County.

Those interested can obtain an application by contacting Riverside LAFCO, 6216 Brockton Avenue, Suite 111-B, Riverside, CA 92506, by calling (951) 369-0631, on our website at [www.lafco.org](http://www.lafco.org), or by sending an email to [info@lafco.org](mailto:info@lafco.org). The deadline to submit an application is 5:00 p.m., Monday, April 7, 2025.

Additional information about LAFCO and the recruitment process is available at [www.lafco.org](http://www.lafco.org).