

# AGENDA

## BOARD OF DIRECTORS MEETING

**DELTA DIABLO**  
(a California Special District)

**2500 Pittsburg-Antioch Highway | Antioch, CA 94509**  
**(Note: There will be no in-person meeting at the District.)**  
**WEDNESDAY, JANUARY 11, 2023**  
**4:30 P.M.**

**In lieu of a public gathering, the Board of Directors meeting will be accessible via ZOOM to all members of the public as permitted by Government Code Section 54953(e).**

The Board of Directors Meeting on January 11, 2023 will not be physically open to the public and all Board Members will be teleconferencing into the meeting. Members of the public can observe the meeting by following the steps listed below to view and listen to the Board Meeting.

Persons who wish to address the Board during the Public Comment period or with respect to an item on the Agenda will be limited to two (2) minutes. The Secretary to the Board will call on members of the public at the beginning of the meeting to establish a speaking order. Please indicate whether you wish to speak during the Public Comment period or on a specific Agenda item at that time.

The Board Chair may reduce the amount of time allotted to provide comments at the beginning of each item or public comment period depending on the number of comments and the business of the day. Your patience is appreciated.

Presentations will be made available online at <https://www.deltadiablo.org/board-meetings> approximately one hour prior to the start of the Board meeting.

### **How to view, listen to, and provide a Public Comment during the meeting via ZOOM:**

- **Using your computer, access the Zoom meeting at: <https://us02web.zoom.us/j/89765368913>**

### **How to listen and provide a Public Comment during the meeting via ZOOM:**

- **Using your telephone, access the Zoom meeting by dialing (669) 900-6833**
- **Meeting ID: 89765368913**

The District will provide reasonable accommodations for persons with disabilities who plan to participate in Board (or committee) meetings by contacting the Secretary to the Board 24 hours prior to the scheduled meeting at (925) 756-1927. Disclosable public records related to an open session item on a regular meeting agenda and distributed by the District to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspection on the District website at [www.deltadiablo.org](http://www.deltadiablo.org) and also at the District Administration Building located at 2500 Pittsburg-Antioch Highway, Antioch, CA 94509 during normal business hours

# AGENDA

## BOARD OF DIRECTORS MEETING

### DELTA DIABLO

(a California Special District)

2500 Pittsburg-Antioch Highway | Antioch, CA 94509

**(Note: There will be no in-person meeting at the District.)**

WEDNESDAY, JANUARY 11, 2023

4:30 P.M.

#### A. ROLL CALL

#### B. PLEDGE OF ALLEGIANCE

#### C. PUBLIC COMMENTS

#### D. BOARD REORGANIZATION

**Approve** Reorganization of the Board of Directors for 2023 and **Appoint** Board Committee Members, Alternates, and Representatives (Vince De Lange)

#### E. CONSENT CALENDAR

- 1) **Approve** Minutes of the Special Board of Directors Meeting, December 21, 2022 (Cecelia Nichols-Fritzler)
- 2) **Make** Findings and **Approve** Continuing Teleconference Meetings (AB361, Government Code Section 54953[e]) (Cecelia Nichols-Fritzler)
- 3) **Receive** District Monthly Check Register for November 2022 (Eka Ekanem)
- 4) **Authorize** General Manager to Transfer Monies to Unanticipated Wastewater Treatment and Conveyance Infrastructure Repair Project from Wastewater Capital Asset Replacement Fund Reserves in the Amount of \$400,000, for a Total Project Budget of \$750,000; and **Authorize** General Manager to Execute Amendment No. 1 to General Services Contract in the Amount of \$199,989.58, for a New Total Contract Amount Not to Exceed \$263,989.58, APGN, Inc. dba APG-Neuros, Unanticipated Wastewater Treatment and Conveyance Infrastructure Repair, Project No. 23109 (Thank Vo)
- 5) **Approve** General Manager's Execution of a Memorandum of Understanding with Baywork, a Nonprofit Corporation, with Modified Indemnification Language, for a Joint Stackable Internship Partnership during the Period January 16, 2023, through December 31, 2023 (Niger Edwards)

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## **F. DELIBERATION ITEMS**

None.

## **G. PRESENTATIONS AND REPORTS**

None.

## **H. MANAGER'S COMMENTS**

## **I. DIRECTORS' COMMENTS**

## **J. CORRESPONDENCE**

Receive Monthly Lobbyist Report Dated December 2022 Key Advocates, Inc., Western Recycled Water Coalition, Project No. 90024 (Brian Thomas)

## **K. CLOSED SESSION**

CONFERENCE WITH LABOR NEGOTIATORS (GOV. CODE SECTION 54957.6)

Agency Negotiators: Vince De Lange, Michael Jarvis

Employee Organizations: Operations and Maintenance Unit, Public Employees Union, Local One; Professional & Technical Unit, Public Employees Union, Local One; Management Association

Unrepresented Employees: All unrepresented employees

## **L. ADJOURNMENT**

The next Board of Directors meeting will be held on February 8, 2023 at 4:30 p.m.

The District will provide reasonable accommodations for persons with disabilities who plan to participate in Board (or committee) meetings by contacting the Secretary to the Board 24 hours prior to the scheduled meeting at (925) 756-1927. Disclosable public records related to an open session item on a regular meeting agenda and distributed by the District to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspection on the District website at [www.deltadiablo.org](http://www.deltadiablo.org) and also at the District Administration Building located at 2500 Pittsburg-Antioch Highway, Antioch, CA 94509 during normal business hours

**ITEM D**

January 11, 2023

**APPROVE REORGANIZATION OF BOARD OF DIRECTORS FOR 2023 AND APPOINT BOARD COMMITTEE MEMBERS, ALTERNATES, AND REPRESENTATIVES**

**Recommendation**

Approve reorganization of the Board of Directors for 2023 and appoint Board committee members, alternates, and representatives.

**Background Information**

In January each year, the Board of Directors is required to elect officers and make committee appointments for the calendar year. Traditionally, Board officer positions have rotated among the three Board members.

**Analysis**

The current Board officer positions and proposed rotation for 2023 are shown below.

<b>Position</b>	<b>2022 Current Officers</b>	<b>2023 Proposed Officers</b>
Chair	Monica Wilson	Juan Banales
Vice Chair	Juan Banales	Federal Glover
Secretary	Federal Glover	Monica Wilson


In addition, the current Board Chair proposes appointments to the Finance Committee, Personnel Committee, and East County Water Management Association (ECWMA) with appointments based on maximizing continuity with each Director serving as lead representative on one committee, as well as an alternate committee representative in case availability conflicts arise. The current and proposed Board committee appointments for 2023 are shown below.

<b>Committee</b>	<b>Current</b>	<b>2023 Proposed Appointments</b>	<b>2023 Proposed Alternates</b>
Finance	Juan Banales	Juan Banales	Monica Wilson
Personnel	Federal Glover	Federal Glover	Juan Banales
ECWMA	Monica Wilson	Monica Wilson	Federal Glover

The current Board Chair is requested to conduct an election by seeking Board approval of the proposed Board officer and committee assignments, which would become effective on February 1, 2023.

**Financial Impact**

None.

Reviewed by:   
Vince De Lange  
General Manager

cc: District File No. BRD.01-ACTS



January 11, 2023

APPROVE MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING,  
DECEMBER 21, 2022

**Recommendation**

Approve Minutes of the Special Board of Directors Meeting held on December 21, 2022.

**DRAFT**

Special Board of Directors Meeting Minutes  
DELTA DIABLO  
December 21, 2022

The meeting was called to order by Chair Wilson at 4:30 p.m., on Wednesday, December 21, 2022, via Zoom. Present were Vice Chair Banales, who arrived to the meeting at 4:54 p.m., and Director Federal Glover. Also present were Stephen Siptroth, District Counsel; Vince De Lange, General Manager; Cecelia Nichols-Fritzler, Office Manager/Secretary to the Board; Brian Thomas, Acting Business Services Director/District Engineer; Dean Eckerson, Resource Recovery Services Director; Thanh Vo, Acting Engineering Services Director; Joaquin Gonzalez, Operations Manager; Michael Placencia, Laboratory Manager; Jose Aparicio, Operator-in-Training; Wilfredo Martinez, Electrical/Instrumentation Technician II; Miracle Odurukwe, Environmental Compliance Specialist I; and Taylor Schofield, WWTP Operator III.

Chair Wilson read the following statement: “In lieu of a public gathering, the Board of Directors meeting will be accessible via ZOOM to all members of the public as permitted by the Government Code Section 54953(e).”

Ms. Nichols-Fritzler read a statement regarding the availability of the presentation for Item D on the District’s website and at the District’s Administration Building.

**PUBLIC COMMENTS**

None.

**DELIBERATION**

Consider Adopting Resolution Authorizing the Board of Directors in All Its Capacities, and Its Subcommittees, to Continue Teleconference Meetings under Government Code Section 54953(e), Make Related Findings, and Take Related Actions

Ms. Nichols-Fritzler presented an overview of Government Code Section 54953(e) and the key provisions of Assembly Bill 361 (AB 361), which amended the teleconferencing provision of the Brown Act effective October 1, 2021. She stated the requirements that the District must follow regarding agenda posting, instructions on how to access the meeting and provide public comment, options for attending a meeting via a call in or internet-based service option, and Board conduct of meetings in a manner that protects the constitutional and statutory rights of the public. In addition, Ms. Nichols-Fritzler noted if there is a disruption in the meeting, the Board must stop the meeting until public access and the ability to comment is restored.

The Board thanked Ms. Nichols-Fritzler for the presentation. Director Glover inquired if the statutory authority allowing the Board to meet remotely was extended to 2026. Mr. Siptroth replied that his office will research that matter and also confirm whether the Governor's Executive Order will continue to sunset on February 23, 2023, as previously reported. Director Glover moved approval; seconded by Chair Wilson and by roll call vote (Ayes: *Glover and Wilson*, Noes: *None*; Absent: *Banales*, Abstain: *None*), the Board Made Findings, Adopted a Resolution Authorizing the Board of Directors in All Its Capacities, and Its Subcommittees, to Continue Teleconference Meetings under Government Code Section 54953(e), and Took Related Actions.

### RECOGNITION

#### Introduction of Jose Aparicio, WWTP Operator-in-Training, to the District

Mr. Gonzalez introduced Mr. Aparicio, who joined the District as a WWTP Operator-in-Training on December 5, 2022. Prior to joining the District, he worked for Veolia as a Water/Wastewater Operator at its Discovery Bay facilities. In addition, he has achieved WWTP Operator Grade II, Water Treatment Operator Grade I, and Water Distribution Grade I certifications from the State Water Resources Control Board. The Board welcomed Mr. Aparicio, who thanked the Board for the opportunity and highlighted the warm introduction he has received since joining the District.

#### Introduction of Wilfredo Martinez, Electrical/Instrumentation Technician II, to the District

Mr. Eckerson introduced Mr. Martinez, who joined the District as an Electrical/Instrumentation Technician II on November 28, 2022. Prior to joining the District, he worked at Marathon Petroleum as a Mechanic Electrician. Mr. Martinez completed the Electrical Technology Program (ETEC) at Los Medanos College and has developed a range of technical skills that will directly support the District's core mission of protecting public health and the environment. The Board welcomed Mr. Martinez, who thanked the Board for the opportunity.

#### Introduction of Miracle Odurukwe, Environmental Compliance Specialist I, to the District

Mr. Placencia introduced Mr. Odurukwe, who joined the District as an Environmental Compliance Specialist on December 12, 2022. Prior to joining the District, Mr. Odurukwe gained four years of experience as an Environmental Health Specialist at the County of San Luis Obispo and Lassen County. He possesses a Bachelor of Science degree in Environmental Health and Safety from California State University, Chico. The Board welcomed Mr. Odurukwe, who thanked the Board for the opportunity.

#### Congratulate Taylor Schofield, WWTP Operator III, on Her Promotion

Mr. Gonzalez introduced Ms. Schofield, who was promoted to WWTP Operator III on December 18, 2022. He noted Ms. Schofield earned the promotion because of her commitment to professional development through training, certification, and work experience and completion of Operations Qualification Standards. Mr. Gonzalez commented that her development plan was supported by eight months of mentorship and hands-on training which covered managing the plant control systems and coordinating the daily activities of Operations Division staff. The Board congratulated Ms. Schofield on her promotion. She thanked the Board for the opportunity and expressed her sincere thanks to her peers and multiple team members in the Operations Division, who directly supported her development.

## CONSENT CALENDAR

Director Glover moved approval of the Consent Calendar; seconded by Chair Wilson and by roll call vote (Ayes: *Glover and Wilson*, Noes: *None*; Absent: *Banales*, Abstain: *None*), the following Consent Calendar items were approved: Approve Minutes of the Board of Directors Meeting, November 9, 2022; Approve Delta Diablo Board of Directors Meeting Schedule for 2023; Receive District Monthly Check Register, October 2022; Authorize General Manager to Execute Amendment No. 1 to General Services Contract, Extending the Term for One Year, January 1, 2023 through December 31, 2023, and Authorize Payment in the Amount of \$138,000 for a New Total Contract Amount Not to Exceed \$276,000, Northpoint Security Services, Inc., Site Security Services; Authorize General Manager to Execute Modified General Services Contract in the Amount of \$15,000, USA Scales Inc., dba Quality Scales Unlimited, Certified Truck Scale Services; Authorize General Manager to Execute an Administrative Services Agreement with MissionSquare Retirement, a Nonprofit Corporation, to Provide and Administer a Retirement Health Savings Program in Accordance with Memoranda of Understanding with Professional and Technical, and Management Association Bargaining Units; Authorize General Manager to Execute Amendment No. 1 to Consulting Services Contract in the Amount of \$242,956, for a New Total Contract Amount Not to Exceed \$1,144,574, Psomas, Construction Management Services, Treatment Plant Electrical Switchgear Replacement, Project No. 17120; Authorize General Manager to Execute Amendment No. 4 to Construction Services Contract in the Amount of \$23,500, for a New Total Contract Amount Not to Exceed \$1,710,600, J.W. Backhoe & Construction, Inc., Construction Services, Bridgehead Pipeline Replacement, Project No. 21123; Approve Reappropriation of Capital Improvement Program Budget Carried Forward from Fiscal Year 2021/2022 to Fiscal Year 2022/2023, and Adjustment and/or Closing of CIP Projects in Fiscal Year 2021/2022; and Authorize General Manager to Execute Waste Service Agreement in the Amount of \$5,000, Asbury Environmental Services, dba World Oil Environmental Services, Waste Transportation and Disposal Services.

## PRESENTATIONS AND REPORTS

None.

## MANAGER'S COMMENTS

Mr. De Lange provided an update regarding development of a potential Project Stabilization Agreement (PSA) at the District, noting that staff provided comments to the Contra Costa Building and Construction Trades Council on the standard PSA form agreement on December 2, 2022. He commented that this item will be submitted to the Board for consideration in early 2023. In closing, Mr. De Lange wished the Board and staff a safe, happy holiday season.

## DIRECTORS' COMMENTS

Chair Wilson and Director Glover wished staff a happy holiday.

## CORRESPONDENCE

Receive Monthly Lobbyist Report Dated November 2022, Key Advocates, Inc., Western Recycled Water Coalition

The Board received and filed the report.



CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (GOV. CODE, SECTION 54957.6)

Agency Negotiators: Vince De Lange, Michael Jarvis

Employee Organizations: Operations and Maintenance Unit, Public Employees Union, Local One; Professional & Technical Unit, Public Employees Union, Local One; Management Association

Unrepresented Employees: All unrepresented employees

Before adjourning to Closed Session, the Secretary to the Board asked if there were any public comments on the Closed Session item; no public comments were received. At 4:54 p.m., Chair Wilson convened the Board of Directors Meeting to Closed Session. Director Banales joined the meeting for Closed Session. Chair Wilson reconvened the Board of Directors Meeting at 5:17 p.m. and stated there was nothing to report from Closed Session.

ADJOURNMENT

Chair Wilson adjourned the meeting at 5:18 p.m. and noted the next regular Board of Directors Meeting is scheduled for January 11, 2023, at 4:30 p.m. and the Delta Diablo Integrated Financing Corporation Board of Directors Meeting will be held on the same date and begin immediately following adjournment of the Delta Diablo Board of Directors Meeting.

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Federal Glover  
Board Secretary

(Recording Secretary:  
Cecelia Nichols-Fritzler)

cc: District File No. BRD.01-MINS





January 11, 2023

**MAKE FINDINGS AND APPROVE CONTINUING TELECONFERENCE MEETINGS  
(AB 361, GOVERNMENT CODE SECTION 54953[e])**

**Recommendations**

1. Find that the following circumstances exist: (a) the Statewide state of emergency and the Countywide local emergency continue to directly impact the ability of the Board of Directors, in all its capacities, and its subcommittees and advisory bodies, to meet safely in person because the highly transmissible Omicron variant of COVID-19 is present in the County and test positivity, case rates, and hospitalizations are increasing in the County; and (b) the Contra Costa County Health Officer recommendations for online meetings (i.e., teleconference meetings), which present the lowest risk of transmission of the virus that causes COVID-19 and for social distancing remain in effect.
2. Authorize the Board of Directors, in all its capacities, and its Subcommittees, to conduct teleconference meetings under Government Code Section 54953(e).
3. Determine that these bodies will hold virtual meetings for the next 30 days.
4. Direct the General Manager to return to the Board acting in all its capacities, within 30 days with an item to reconsider the state of emergency and whether to continue meeting virtually under the provisions of Government Code Section 54953(e) and to make required findings as to all bodies covered by this Board order.

**Background Information**

On October 13, 2021, November 17, 2021, January 12, 2022, March 30, 2022, June 22, 2022, September 14, 2022, and December 21, 2022, the Board adopted Resolution Nos. 15/2021, 19/2021, 05/2022, 08/2022, 09/2022, 18/2022, and 24/2022, respectively, which authorized the Board, in all its capacities, and subcommittees, to conduct teleconferencing meetings under Government Code Section 54953(e). In addition, the Board also authorized the continuance of teleconference meetings at its December 8, 2021, February 9, 2022, April 20, 2022, May 11, 2022, July 13, 2022, October 12, 2022, meetings.

Government Code Section 54953(e), added to the Brown Act by Assembly Bill 361 (AB 361), allows a local agency to use special teleconferencing rules during a declared state of emergency. When a legislative body uses the emergency teleconferencing provisions under Government Code Section 54953(e), the following rules apply:

- The agency must provide notice of the meeting and post an agenda as required by the Brown Act and Better Government Ordinance, but the agenda does not need to list each teleconference location or be physically posted at each teleconference location.
- The agenda must state how members of the public can access the meeting and provide public comment.
- The agenda must include an option for all persons to attend via a call-in or internet-based service option.
- The body must conduct the meeting in a manner that protects the constitutional and statutory rights of the public.



- If there is a disruption in the public broadcast of the meeting, or of the public’s ability to comment virtually for reasons within the body’s control, the legislative body must stop the meeting and take no further action on agenda items until public access and/or ability to comment is restored.
- Local agencies may not require public comments to be submitted in advance of the meeting and must allow virtual comments to be submitted in real time.
- The body must allow a reasonable amount of time per agenda item to permit members of the public to comment, including time to register or otherwise be recognized for the purposes of comment.
- If the body provides a timed period for all public comment on an item, it may not close that period before the time has elapsed.
- AB 361 sunsets on January 1, 2024.

**Analysis**

Under Government Code Section 54953(e), if the local agency wishes to continue using these special teleconferencing rules after adopting an initial resolution, the legislative body must reconsider the circumstances of the state of emergency every 30 days and make certain findings. The agency must find that the state declared emergency continues to exist and that it continues to directly impact the ability of officials and members of the public to meet safely in person, or that state or local officials continue to impose or recommend measures to promote social distancing.

The Board last made the required findings and approved continuing special teleconference meetings and rules on December 21, 2022. The Board can again make these findings. The statewide state of emergency continues to exist, and the state and the countywide local emergencies continue to directly impact the ability of the Board of Directors, in all its capacities, and its subcommittees to meet safely in person. The current trends as of January 5, 2023 show the COVID-19 case rate, test positivity, COVID-19 hospitalizations, and COVID-19 wastewater surveillance data are stable but remain elevated. In addition to this, the Omicron variant and its subvariants are the predominant variants in the county. These variants have been shown to dramatically increase COVID-19 transmission.


If the Board wishes to continue teleconferencing under Section 54953(e), at its next meeting, the Board must reconsider the circumstances of the state of emergency and find that one or both of the following circumstances exists: a) the state declared emergency continues to directly impact the ability of members to safely meet in person, or b) state or local officials continue to impose or recommend measures to promote social distancing. If the state declared emergency no longer exists, or if the Board does not make these findings by majority vote, then it and its subcommittees will no longer be exempt from the Brown Act’s non-emergency teleconferencing rules.

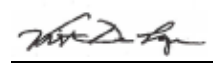
**Fiscal Impact**

None.

**Attachments**

None.

Prepared by:   
 Cecelia Nichols-Fritzler  
 Office Manager/Secretary to the Board

Reviewed by:   
 Vince De Lange  
 General Manager

cc: District File No. BRD.01-ACTS



January 11, 2023

RECEIVE DISTRICT MONTHLY CHECK REGISTER, NOVEMBER 2022

**Recommendation**

Receive District Monthly Check Register for the month ending November 30, 2022.

**Background Information**

Attached is the Check Register for the month of November 2022. The report reflects payments to the District's suppliers, consultants, service providers, and contractors. A total of \$1,888,062.32 was disbursed in the month of November 2022, which includes 110 checks.

**Financial Impact**

All payments made during each month are within funding levels included in the adopted FY22/23 Budget.

**Attachment**

Check Register for month ending November 30, 2022

Reviewed by:



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Brian Thomas

Acting Business Services Director/District Engineer

cc: District File No. BRD.01-ACTS



**CHECK REGISTER**  
**DELTA DIABLO**  
CASH DISBURSEMENTS FOR THE MONTH OF NOVEMBER 2022

CHECK DATE	VENDOR NAME	INVOICE NO.	CHECK NO.	INVOICE AMOUNT	DESCRIPTION	CHECK AMOUNT
11/3/2022	A AND D AUTOMATIC GATE ACCESS	59957	38241	3,245.80	GO10003 & GO4001 OPERATOR REPLACEMENT	3,245.80
11/3/2022	AFLAC	59960	38242	573.38	INSURANCE	573.38
11/3/2022	AFSCME DISTRICT COUNCIL 57	5627013 5627113	38243	2,772.00 1,250.00	UNION DUES O&M UNION DUES P&T	4,022.00
11/3/2022	BATTERIES PLUS BULBS	59823	38244	2,294.18	INVTY U103867	2,294.18
11/3/2022	CHEMSEARCH	59607	38245	3,526.21	INVTY U103861	3,526.21
11/3/2022	CHEMTRADE CHEMICALS US LLC	59831	38246	4,126.12	ALUMINUM SULFATE	4,126.12
11/3/2022	CONTRA COSTA COUNTY CLERK	59905	38247	50.00	NOE FEE	50.00
11/3/2022	CUES	59723	38248	5,943.75	GRANITENET SUPPORT RENEWAL - CUES QUOTE - QUO7000	5,943.75
11/3/2022	FLYERS ENERGY LLC	59952	38249	300.00	NET15 TEMPORARY TANK RENTAL AND FUELING PN19112	300.00
11/3/2022	GP CRANE & HOIST SERVICES	59873	38250	3,001.84	DISTRICT CRANE SERVICE/ REPAIRS	3,001.84
11/3/2022	GRAINGER	59605 59649 59687	38251	11.25 2,331.06 3,242.82	INVTY U103748 INVENTORY INVTY U103864	5,585.13
11/3/2022	JW BACKHOE & CONSTRUCTION, INC	59946	38252	13,677.00	BRIDGEHEAD FM TEMPORARY BYPASS	13,677.00
11/3/2022	KOA HILLS CONSULTING LLC.	59792 59793	38253	743.75 350.00	MUNIS ERP ENHANCEMENT PROJECT KOA HILLS CONSULTING MUNIS SUPPORT SERVICES	1,093.75
11/3/2022	MANAGED HEALTH NETWORK	59956	38254	342.40	EAP	342.40
11/3/2022	MCCAMPBELL ANALYTICAL, INC.	59939 59941 59942	38255	14,061.00 315.20 865.00	Onsite COVID-19 Testing Services CONTRACT LAB SUPPORT FOR PRETREATMENT CONTRACT LAB SUPPORT FOR PRETREATMENT	15,241.20
11/3/2022	McCAULEY AGRICULTURAL & PEST SERVICES	59725	38256	1,250.00	PEST CONTROL SERVICES	1,250.00
11/3/2022	MSC INDUSTRIAL SUPPLY CO. INC.	59820	38257	993.46	INVTY U103865	993.46
11/3/2022	NATIONAL ASSOC OF CLEAN WATER AGENCIES	59901	38258	13,995.00	M&D DISTRICT WIDE	13,995.00
11/3/2022	NEW IMAGE LANDSCAPE COMPANY	59909	38259	2,563.00	LANDSCAPE SERVICES	2,563.00
11/3/2022	NORTHPOINT SECURITY SERVICES, INC	59795	38260	5,331.76	SECURITY PATROL SERVICES	5,331.76
11/3/2022	NWN CORPORATION	59886 59887	38261	817.95 3,032.66	PHONE EXP PHONE EXP	3,850.61
11/3/2022	ODP BUSINESS SOLUTIONS LLC	59726 59727	38262	65.67 47.18	OFFICE SUPPLIES OFFICE SUPPLIES	112.85
11/3/2022	PACIFIC GAS & ELECTRIC COMPANY	59883	38263	55,393.23	AC# 5138050344-4	55,393.23
11/3/2022	PEERLESS PUMP COMPANY	59722	38264	98,734.94	M10MA/HC/4 SERVICE WATER REPLACEMENT PUMPS	98,734.94

CHECK DATE	VENDOR NAME	INVOICE NO.	CHECK NO.	INVOICE AMOUNT	DESCRIPTION	CHECK AMOUNT
11/3/2022	PHIL'S DIESEL CLINIC INC.	59930	38265	529.25	EMERGENCY CALL FOR NO START ON THE YARD GOAT	529.25
11/3/2022	PSOMAS	59742 59865	38266	54,187.50 4,617.50	CONSTRUCTION MANAGEMENT SERVICES CM&I SERVICES FOR PN21123	58,805.00
11/3/2022	RH TECHNOLOGY	59911	38267	1,579.44	O/S TEMP	1,579.44
11/3/2022	SHAPE INCORPORATED	59724	38268	152,503.75	FLYGH T NP3301.095-464 REPLACEMENT PUMPS	152,503.75
11/3/2022	STANDARD INSURANCE COMPANY	59961	38269	3,116.36	LIFE & LTD INS.	3,116.36
11/3/2022	STATE OF CALIFORNIA	598821	38270	125.00	EARNINGS GARNISHMENT	125.00
11/3/2022	SUBTRONIC CORP.	59745	38271	729.00	UNDERGROUND UTILITY LOCATING 2600 PA HWY	729.00
11/3/2022	SYSTEM 1 STAFFING	59888	38272	1,968.75	O/S TEMP	1,968.75
11/3/2022	T & T VALVE AND INSTRUMENT	59606 59686	38273	1,645.65 2,458.56	INVTY U103853 INVTY U103853	4,104.21
11/3/2022	STACY TUCKER	59651 59652	38274	4.00 19.34	REIMBURSEMENT REIMBURSEMENT	23.34
11/3/2022	U.S. BANK CM-9703	59953 59954	38275	875.00 875.00	BANK FEE BANK FEE	1,750.00
11/3/2022	UNDERGROUND SERVICE ALERT	59907	38276	885.07	STATE FEES FOR REGULATORY COSTS	885.07
11/3/2022	UNIFIRST CORPORATION	59786 59787 59788 59835 59836 59837 59838 59839 59840 59841 59842 59843 59844 59845 59846 59847 59848 59849 59850 59851 59852	38277	125.33 159.48 500.28 169.09 174.67 154.98 257.60 159.48 175.16 33.19 34.21 32.86 32.86 50.08 36.92 125.33 143.16 156.59 152.39 125.33 142.74	UNIFORM/ LAUNDRY SERVICE UNIFORM/ LAUNDRY SERVICE	2,941.73
11/3/2022	UNITED RENTALS	59879 59880	38278	761.12 691.66	SCISSOR LIFT 19' ELECTRIC SCISSOR LIFT 19' ELECTRIC	1,452.78
11/3/2022	UNIVAR USA INC	59706 59708 59827 59828	38279	4,079.70 7,449.75 6,837.84 6,853.90	SODIUM BISULFITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM BISULFITE	25,221.19
11/3/2022	VERIZON WIRELESS	59912	38280	2,147.32	PHONE EXP	2,147.32
11/3/2022	VISION SERVICE PLAN	59958 59959	38281	1,582.73 50.98	VISION COBRA VISION	1,633.71
11/9/2022	ARCO BUSINESS SOLUTIONS	60030	38282	4,253.12	GAS	4,253.12
11/9/2022	ASSOCIATED SERVICES COMPANY	59813 60041	38283	129.94 155.22	COFFEE AND COFFEE SUPPLIES COFFEE AND COFFEE SUPPLIES	285.16
11/9/2022	BASIC BENEFITS, LLC	59998	38284	70.00	FSA	70.00
11/9/2022	BATTALION ONE FIRE PROTECTION, INC	59900	38285	1,110.00	TEST, CLEAN AND INSPECT FIRE PROTECTION SYSTEMS	1,110.00

CHECK DATE	VENDOR NAME	INVOICE NO.	CHECK NO.	INVOICE AMOUNT	DESCRIPTION	CHECK AMOUNT
11/9/2022	CALTEST ANALYTICAL LABORATORY		38286			1,651.50
		59931		484.20	PROVIDE LAB TESTING FOR NPDES PERMIT COMPLAINE	
		59932		730.80	PROVIDE LAB TESTING FOR NPDES PERMIT COMPLAINE	
		60019		436.50	PROVIDE LAB TESTING FOR NPDES PERMIT COMPLAINE	
11/9/2022	CHEMTRADE CHEMICALS US LLC		38287			12,327.12
		59829		4,138.10	ALUMINUM SULFATE	
		59830		4,115.87	ALUMINUM SULFATE	
		59924		4,073.15	ALUMINUM SULFATE	
11/9/2022	CONCENTRA/OCCUPATIONAL HEALTH CENTERS		38288			115.00
		59992		115.00	PRE EMPL COST	
11/9/2022	CONSOLIDATED ELECTRIC DIST INC		38289			251.61
		59917		251.61	INVTY U103872	
11/9/2022	CONTRA COSTA WATER DISTRICT		38290			35.78
		60018		35.78	UTILITIES	
11/9/2022	DEPT OF GENERAL SERVICES		38291			32,608.91
		59910		32,608.91	UTILITIES	
11/9/2022	DXP ENTERPRISES, INC		38292			4,764.00
		60037		4,764.00	TEMPORARY MAINTENANCE BACKFILL LABOR	
11/9/2022	EVOQUA WATER TECHNOLOGIES, LLC		38293			840.32
		60003		840.32	SUPPORT & MAINTENACE FOR DI WATER SYSTEM FOR LAB	
11/9/2022	FASTENAL COMPANY		38294			902.85
		59809		293.15	MAINTENANCE CONSUMABLE ITEMS	
		59904		554.50	MAINTENANCE CONSUMABLE ITEMS	
		59994		55.20	MAINTENANCE CONSUMABLE ITEMS	
11/9/2022	GOLDEN STATE WATER CO.		38295			4,187.31
		59936		803.04	AC# 32249200000	
		59937		3,384.27	AC# 07744100004	
11/9/2022	GRAINGER		38296			3,042.76
		59918		3,042.76	INVTY U103881	
11/9/2022	IN SHAPE HEALTH CLUBS		38297			533.96
		59997		533.96	GYM	
11/9/2022	JOHN MUIR HEALTH		38298			853.16
		60020		853.16	2022 Annual Corporate Wellness Services	
11/9/2022	KEMIRA WATER SOLUTIONS, INC.		38299			7,095.52
		59923		7,095.52	FERROUS CHLORIDE	
11/9/2022	KENNEDY/JENKS CONSULTANTS INC.		38300			50,843.66
		59802		2,981.88	ASSET MANAGEMENT PROGRAM DEVELOPMENT PN 19109	
		59866		47,861.78	ESDD FOR PN21114	
11/9/2022	KOA HILLS CONSULTING LLC.		38301			1,137.50
		59884		306.25	KOA HILLS CONSULTING MUNIS SUPPORT SERVICES	
		59885		568.75	MUNIS ERP ENHANCEMENT PROJECT	
		59943		218.75	MUNIS ERP ENHANCEMENT PROJECT	
		59944		43.75	KOA HILLS CONSULTING MUNIS SUPPORT SERVICES	
11/9/2022	LANLOGIC INC		38302			3,307.50
		59995		3,307.50	SERVICE RENEWAL - KNOWB4 EMAIL SECURITY TESTING	
11/9/2022	LINDE GAS & EQUIPMENT INC		38303			5,036.80
		59929		1,259.20	OXYGEN RENTAL	
		59947		1,259.20	OXYGEN RENTAL	
		59949		1,259.20	OXYGEN RENTAL	
		59950		1,259.20	OXYGEN RENTAL	

CHECK DATE	VENDOR NAME	INVOICE NO.	CHECK NO.	INVOICE AMOUNT	DESCRIPTION	CHECK AMOUNT
11/9/2022	<b>McCAULEY AGRICULTURAL &amp; PEST SERVICES</b>		<b>38304</b>			<b>14,740.00</b>
		59890		75.00	PEST CONTROL SERVICES	
		59891		825.00	PEST CONTROL SERVICES	
		59892		60.00	PEST CONTROL SERVICES	
		59893		60.00	PEST CONTROL SERVICES	
		59894		60.00	PEST CONTROL SERVICES	
		59895		60.00	PEST CONTROL SERVICES	
		59896		60.00	PEST CONTROL SERVICES	
		59897		500.00	VEGETATION MANAGEMENT FOR THE DISTRICT	
		59963		75.00	PEST CONTROL SERVICES	
		59965		1,250.00	VEGETATION MANAGEMENT FOR THE DISTRICT	
		59966		75.00	PEST CONTROL SERVICES	
		59967		75.00	PEST CONTROL SERVICES	
		59969		1,250.00	VEGETATION MANAGEMENT FOR THE DISTRICT	
		59970		825.00	PEST CONTROL SERVICES	
		59971		3,500.00	VEGETATION MANAGEMENT FOR THE DISTRICT	
		59972		825.00	PEST CONTROL SERVICES	
		59973		825.00	PEST CONTROL SERVICES	
		59974		3,500.00	VEGETATION MANAGEMENT FOR THE DISTRICT	
		59975		60.00	PEST CONTROL SERVICES	
		59976		60.00	PEST CONTROL SERVICES	
		59977		60.00	PEST CONTROL SERVICES	
		59979		60.00	PEST CONTROL SERVICES	
		59980		60.00	PEST CONTROL SERVICES	
		59981		60.00	PEST CONTROL SERVICES	
		59982		60.00	PEST CONTROL SERVICES	
		59983		60.00	PEST CONTROL SERVICES	
		59984		60.00	PEST CONTROL SERVICES	
		59985		60.00	PEST CONTROL SERVICES	
		59986		60.00	PEST CONTROL SERVICES	
		59987		60.00	PEST CONTROL SERVICES	
		59988		60.00	PEST CONTROL SERVICES	
		59989		60.00	PEST CONTROL SERVICES	
11/9/2022	<b>MDRR PITTSBURG</b>		<b>38305</b>			<b>1,310.40</b>
		60001		1,310.40	AC# 10-0018920	
11/9/2022	<b>NEW IMAGE LANDSCAPE COMPANY</b>		<b>38306</b>			<b>2,563.00</b>
		59935		2,563.00	LANDSCAPE SERVICES	
11/9/2022	<b>ODP BUSINESS SOLUTIONS LLC</b>		<b>38307</b>			<b>1,393.33</b>
		60043		632.65	OFFICE SUPPLIES	
		60044		49.38	OFFICE SUPPLIES	
		60045		711.30	OFFICE SUPPLIES	
11/9/2022	<b>PACIFIC ECO-RISK LABORATORIES</b>		<b>38308</b>			<b>3,665.00</b>
		60040		3,665.00	CHRONIC TOXICITY TESTING - COMPLIANCE SAMPLES	
11/9/2022	<b>PACIFIC GAS &amp; ELECTRIC COMPANY</b>		<b>38309</b>			<b>53,080.79</b>
		60032		53,080.79	AC# 48871739628	
11/9/2022	<b>CITY OF PITTSBURG</b>		<b>38310</b>			<b>609.00</b>
		59898		609.00	UTILITIES	
11/9/2022	<b>PSOMAS</b>		<b>38311</b>			<b>39,047.05</b>
		59999		35,627.05	CONSTRUCTION MANAGEMENT SERVICES	
		60000		3,420.00	CM&I SERVICES FOR PN21123	
11/9/2022	<b>SANDEEP SIDHU</b>		<b>38312</b>			<b>225.00</b>
		60029		225.00	REIMBURSEMENT	
11/9/2022	<b>SMITH &amp; LOVELESS, INC</b>		<b>38313</b>			<b>3,566.48</b>
		59915		3,566.48	INVTY U103835	
11/9/2022	<b>TECHKNOWSION INC.</b>		<b>38314</b>			<b>10,972.50</b>
		59993		10,972.50	SCADA SUPPORT ON CALL / AS NEEDED	
11/9/2022	<b>TELSTAR INSTRUMENTS INC</b>		<b>38315</b>			<b>690.46</b>
		59951		690.46	INVTY U103871	
11/9/2022	<b>TRI-VALLEY JANITORIAL SERVICE &amp; SUPPLY INC.</b>		<b>38316</b>			<b>9,336.00</b>
		59902		9,336.00	NIGHTLY JANITORIAL SERVICES	
11/9/2022	<b>UNIFIRST CORPORATION</b>		<b>38317</b>			<b>796.94</b>
		60011		82.79	UNIFORM/ LAUNDRY SERVICE	
		60012		159.98	UNIFORM/ LAUNDRY SERVICE	
		60013		125.33	UNIFORM/ LAUNDRY SERVICE	
		60014		107.09	UNIFORM/ LAUNDRY SERVICE	
		60015		165.33	UNIFORM/ LAUNDRY SERVICE	
		60016		156.42	UNIFORM/ LAUNDRY SERVICE	
11/9/2022	<b>UNIVAR USA INC</b>		<b>38318</b>			<b>25,385.96</b>
		59925		4,856.47	SODIUM BISULFITE	
		59926		6,840.88	SODIUM HYPOCHLORITE	
		59927		6,848.49	SODIUM HYPOCHLORITE	
		59928		6,840.12	SODIUM HYPOCHLORITE	
11/17/2022	<b>ALLIANT INSURANCE SERVICES</b>		<b>38319</b>			<b>463.00</b>
		60057		463.00	LIABILITY- GEN INSURANCE	

CHECK DATE	VENDOR NAME	INVOICE NO.	CHECK NO.	INVOICE AMOUNT	DESCRIPTION	CHECK AMOUNT
11/17/2022	CITY OF ANTIOCH- WATER		38320			7,099.95
		60091		94.60	AC# 004-01510	
		60092		1,305.66	AC# 004-01513	
		60094		99.34	AC# 013-00024	
		60095		99.34	AC# 013-00022	
		60096		99.34	AC# 013-00021	
		60097		5,329.21	AC# 013-00110	
		60098		72.46	AC# 013-00023	
11/17/2022	BARTEL ASSOCIATES, LLC		38321			15,459.00
		60061		1,500.00	ACTUARIAL SERVICES AND OPEB STUDY	
		60116		13,959.00	ACTUARIAL SERVICES AND OPEB STUDY	
11/17/2022	CHEMTRADE CHEMICALS US LLC		38322			12,351.06
		60026		4,078.28	ALUMINUM SULFATE	
		60048		4,129.55	ALUMINUM SULFATE	
		60049		4,143.23	ALUMINUM SULFATE	
11/17/2022	COMCAST BUSINESS COMMUNICATIONS, LLC		38323			860.93
		60118		860.93	PHONE EXP	
11/17/2022	CONSTRUCTICON CORPORATION		38324			17,812.50
		60042		17,812.50	CONSTRUCTION SERVICES FOR PROJECT NO. 19112	
11/17/2022	CORELOGIC INFORMATION SOLUTIONS, INC		38325			165.00
		60062		165.00	REALQUEST PROPERTY INFORMATION	
11/17/2022	CUPERTINO ELECTRIC, INC		38326			347,420.43
		60069		347,420.43	CONSTRUCTION SERVICES FOR PROJECT NO. 17120	
11/17/2022	DIABLO WATER DISTRICT		38327			1,686.16
		60089		1,686.16	UTILITIES	
11/17/2022	DXP ENTERPRISES, INC		38328			17,388.60
		60034		3,811.20	TEMPORARY MAINTENANCE BACKFILL LABOR	
		60035		2,501.10	TEMPORARY MAINTENANCE BACKFILL LABOR	
		60036		4,406.70	TEMPORARY MAINTENANCE BACKFILL LABOR	
		60038		2,858.40	TEMPORARY MAINTENANCE BACKFILL LABOR	
		60039		3,811.20	TEMPORARY MAINTENANCE BACKFILL LABOR	
11/17/2022	DXP ENTERPRISES, INC		38329			10,007.30
		60022		10,007.30	MANUFACTURE WEAR RINGS	
11/17/2022	GP CRANE & HOIST SERVICES		38330			594.95
		60031		594.95	DISTRICT CRANE SERVICE/ TESTIN	
11/17/2022	JEFF IMACHI		38331			135.67
		60068		135.67	REIMBURSEMENT	
11/17/2022	JW BACKHOE & CONSTRUCTION, INC		38332			19,303.54
		60108		19,303.54	BRIDGEHEAD FM TEMPORARY BYPASS PN 21123	
11/17/2022	KOA HILLS CONSULTING LLC.		38333			1,181.25
		60059		1,006.25	MUNIS ERP ENHANCEMENT PROJECT	
		60060		175.00	KOA HILLS CONSULTING MUNIS SUPPORT SERVICES	
11/17/2022	LARRY WALKER ASSOCIATES		38334			1,077.00
		60052		1,077.00	NPDES LOCAL LIMITS REGULATORY ASSISTANCE	
11/17/2022	LYSTEK INTERNATIONAL LIMITED		38335			4,173.39
		60021		4,173.39	BIOSOLIDS DISPOSAL	
11/17/2022	MCCAMPBELL ANALYTICAL, INC.		38336			397.00
		60088		397.00	CONTRACT LAB SUPPORT FOR PRETREATMENT	
11/17/2022	McCAULEY AGRICULTURAL & PEST SERVICES		38337			300.00
		60046		300.00	PEST CONTROL SERVICES	
11/17/2022	MDRR PITTSBURG		38338			3,596.50
		60002		3,533.25	AC# 10-0031550	
		60063		63.25	AC# 05-0000155	
11/17/2022	PACIFIC GAS & ELECTRIC COMPANY		38339			21,323.61
		60070		21,323.61	AC# 4835091675-4	
11/17/2022	REPUBLIC SERVICES #210		38340			5,635.81
		60064		1,162.49	WASTE	
		60065		4,473.32	WASTE	
11/17/2022	RH TECHNOLOGY		38341			7,840.88
		60054		526.48	O/S TEMP	
		60055		2,632.40	O/S TEMP	
		60056		4,682.00	O/S TEMP	
11/17/2022	DOUGLAS SCHREINER		38342			9.00
		60126		9.00	T&M	



CHECK DATE	VENDOR NAME	INVOICE NO.	CHECK NO.	INVOICE AMOUNT	DESCRIPTION	CHECK AMOUNT
11/17/2022	SYNAGRO WEST, LLC		38343			140,773.21
		59934		66,661.37	BIOSOLIDS HAULING	
		60072		74,111.84	BIOSOLIDS HAULING	
11/17/2022	SYSTEM 1 STAFFING		38344			3,971.25
		60053		3,971.25	O/S TEMP	
11/17/2022	TOSHIBA INTERNATIONAL CORP		38345			517.16
		60134		248.03	TOSHIBA COPIER AND PRINTER SUPPLIES	
		60135		269.13	TOSHIBA COPIER AND PRINTER SUPPLIES	
11/17/2022	TYLER BUSINESS FORMS		38346			652.25
		60099		652.25	SUPPLIES - YEAR END FORMS	
11/17/2022	WILLDAN FINANCIAL SERVICES		38347			7,500.00
		60051		7,500.00	SEWER SERVICE CHARGE ADMINISTRATION	
11/17/2022	WIN 911 SOFTWARE		38348			800.00
		60114		800.00	SOFTWARE RENEWAL - WIN911	
11/28/2022	STATE WATER RESOURCES		38349			318,832.10
		60179		318,832.10	LOAN PAYMENT	
11/28/2022	STATE WATER RESOURCES		38350			111,334.86
		60180		111,334.86	LOAN PAYMENT	
	GRAND TOTAL					<u>1,888,062.32</u>

January 11, 2023

AUTHORIZE GENERAL MANAGER TO TRANSFER MONIES TO UNANTICIPATED WASTEWATER TREATMENT AND CONVEYANCE INFRASTRUCTURE REPAIR PROJECT FROM WASTEWATER CAPITAL ASSET REPLACEMENT FUND RESERVES IN THE AMOUNT OF \$400,000, FOR A TOTAL PROJECT BUDGET OF \$750,000; AND AUTHORIZE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 1 TO GENERAL SERVICES CONTRACT IN THE AMOUNT OF \$199,989.58, FOR A NEW TOTAL CONTRACT AMOUNT NOT TO EXCEED \$263,989.58, APGN, INC. DBA APG-NEUROS, UNANTICIPATED WASTEWATER TREATMENT AND CONVEYANCE INFRASTRUCTURE REPAIR, PROJECT NO. 23109

**Recommendations**

1. Authorize the General Manager to transfer monies to the Unanticipated Wastewater Treatment and Conveyance Infrastructure Repair Project from the Wastewater Capital Asset Replacement (WW CAR) Fund Reserves in the amount of \$400,000, for a new total project budget of \$750,000.
2. Authorize the General Manager to execute Amendment No. 1 to the general services contract with APGN, Inc. dba APG-Neuros (Neuros) in the amount of \$199,989.58, for a new total contract amount not to exceed \$263,989.58, to provide two new turbo blowers and installation and testing services.

**Background Information**

The adopted FY22/23-FY26/27 Capital Improvement Program (CIP) includes appropriation of \$350,000 for the Unanticipated Wastewater Treatment and Conveyance Infrastructure Repair Project in the WW CAR Fund. This appropriation was developed during the CIP development process and was based on actual unanticipated expenditures in recent years. This programmatic project recurs annually and is intended to assess, rehabilitate, and/or replace infrastructure exposed to unforeseen failures in the District's wastewater treatment and conveyance systems.

**Analysis**

On December 31, 2022, the San Francisco Bay Area experienced an extreme rainfall event that far exceeded weather forecasts and caused localized flooding. This event impacted the District's wastewater conveyance and treatment systems and caused major infrastructure and equipment damage. While staff was successful in maintaining infrastructure integrity and reestablishing service to most of the critical assets, the grit removal system blowers at the headworks of the District's Wastewater Treatment Plant were severely damaged and require immediate replacement. To ensure these blowers are procured and replaced in a timely manner to maintain operational reliability, staff recommends immediate execution of a contract amendment to procure and install the replacement blowers from Neuros, which is the manufacturer of the damaged blowers. In addition, staff recommends the Board authorize the General Manager to transfer monies from the WW CAR Fund reserves increase to the Unanticipated Wastewater Treatment and Conveyance Infrastructure Repair Project budget by \$400,000 to account for the cost of the new blowers and other unforeseen equipment replacement.



**Financial Impact**

Sufficient reserves are available in the WW CAR Fund Reserves to support the recommended transfer of \$400,000 to the Unanticipated Wastewater Treatment and Conveyance Infrastructure Repair Project to complete the necessary repair work.

**Attachments**

None.

Prepared by:  \_\_\_\_\_

Thanh Vo  
Acting Engineering Services Director

cc: District File No. BRD.01-ACTS



January 11, 2023

APPROVE GENERAL MANAGER'S EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH BAYWORK, A NONPROFIT CORPORATION, WITH MODIFIED INDEMNIFICATION LANGUAGE, FOR A JOINT STACKABLE INTERNSHIP PARTNERSHIP DURING THE PERIOD JANUARY 16, 2023, THROUGH DECEMBER 31, 2023

**Recommendation**

Approve the General Manager's execution of a Memorandum of Understanding (MOU) with BAYWORK, a nonprofit corporation, with modified indemnification language, for a joint stackable internship partnership during the period from January 16, 2023 through December 31, 2023.

**Background Information**

In 2022, the District began discussions with BAYWORK, and local water and wastewater special districts to discuss a "stackable" internship program. The purpose of this program is to allow interns to be hired at one agency on a part-time basis for a period of 3 to 6 months, and then rotated to other agencies to provide the interns an opportunity to accumulate sufficient work training hours to qualify for entry-level positions. These internships would be open to students who have completed at least one semester in (or recently graduated from) a mechanical, electrical, instrumentation, or water/wastewater operator program. BAYWORK would be responsible for coordinating efforts to identify, screen, and arrange interested candidate interviews, and providing transportation, equipment, or tool support for the interns. Participating special districts would be responsible for conducting joint interviews, hiring, and training interns who rotate through those agencies.

**Analysis**

The MOU outlines the key responsibilities of BAYWORK and the District. BAYWORK will be acting as a recruiting agent for the District, while the District will act as the employer of record for each intern during the internship. Interns who are selected will be subject to the District's pre-employment screening process and will be covered by the District for workers' compensation. The MOU includes a mutual indemnification clause in which BAYWORK and the District will defend, indemnify, and hold one another harmless from and against and all liability, loss, expense, or claims for injury or damages, but only to the extent that a court determines the liability arose out of the negligence or willful misconduct of the indemnifying party.

Because the District's indemnity obligations are limited to the extent liabilities arise from the District's negligence or misconduct, as determined by a court, the District is not responsible for the proportion of liabilities that arise from BAYWORK or any third parties, and the District's overall risk is similar to what it would be if the District recruited and hired an intern on its own. The District also maintains adequate insurance policies to cover any potential liabilities. Last, BAYWORK is a reputable organization that works with several agencies in the Bay Area to provide training, support, and internships to students. It is recommended that the Board approve the execution of the MOU with the modified indemnification language.



**Financial Impact**

None.

**Attachments**

None.

Reviewed by:



Brian Thomas

Acting Business Services Director/District Engineer

cc: BAYWORK  
District File No. BRD.01-ACTS



**ITEM J**

January 11, 2023

RECEIVE MONTHLY LOBBYIST REPORT DATED DECEMBER 2022,  
KEY ADVOCATES, INC., WESTERN RECYCLED WATER COALITION

**Recommendation**

Receive and file report.

**Background Information**

Beginning in January 2022, Ironhouse Sanitary District (ISD) assumed the role of lead agency for the Western Recycled Water Coalition (WRWC). As a member of the WRWC, the District receives a monthly summary report related to lobbying activities from Key Advocates, Inc. (KA).

**Analysis**

Attached is the report for December 2022, which was produced by KA and distributed by ISD to WRWC members.

**Financial Impact**

None.

**Attachment**

KA Monthly Report, December 2022

Prepared by:



Thanh Vo  
Acting Engineering Services Director

cc: District File No. BRD.01-ACTS





(703) 340-4666

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

December 29, 2022

To: Western Recycled Water Coalition  
From: Sante Esposito  
Subject: December Monthly Report

### **Midterm Election Final Results**

House of Representatives: 222 Republicans, 213 Democrats, majority 218

Senate: 51 Democrats, 49 Republicans

### **Leadership**

House of Representatives:

Speaker – Congressman Kevin McCarthy (R-23-CA) nominated – see below

Majority leader – Congressman Steve Scalise (R-1-LA)

Minority Leader – Hakeem Jeffries (D-8-NY)

Minority Whip – Katherine Clark (D-5-MA)

Senate:

Majority Leader – Senator Chuck Schumer (D-NY)

Majority Whip – Senator Dick Durbin (D-ILL)

Minority Leader – Senator Mitch McConnell (R-KY)

Minority Whip – Senator John Thune (R-ND)

### **Speaker**

Full House vote on Jan. 3. A majority – 218 – is needed for election as Speaker. Given that there are 222 Republicans, McCarthy can only afford to lose 4 Republican votes (all the Democrats expected to vote against him). At this time, 5 Republicans have said they will not vote for him. Maybe more. There is also a rumor about a challenge to McCarthy and a Plan B just in case. Congressman Scalise????

## **Committee/Subcommittees**

Committee and subcommittee assignments still a work in progress.

House: With a change in majority there will be new committee and subcommittee chairs, with the number of majority to minority members on committees and subcommittees reflecting the overall ratio of majority to minority members in the full House. The Democrats are moving ahead on assignments. For example, Congressman Rick Larson (D-2 -WA) will be the new Ranking member of the Transportation and Infrastructure Committee replacing the current Chair Peter DeFazio who is retiring. On the Republican side, McCarthy has deferred committee assignment until after the Speaker election presumably to give him some leverage on votes for his speakership.

Senate: Don't expect significant changes in committee and subcommittee chairs and ranking members given the few changes in the election. Given Senator Warnock's victory, the Democrats will get one more slot than the Republicans on committees and subcommittees making it easier to move legislation.

## **Possible Concerns**

Repeals – guard against any effort to repeal policies of interest.

Spending cuts - support continuation of “add-ons” to the BIF in the annual appropriations bills and congressional directed spending (earmarks).

## **Consolidated Appropriations Act, 2023**

Included in the FY23 omnibus appropriations bill is \$1.639B (state allotments and earmarks) for the Clean Water SRF, which is in addition to the \$2.750B provided in the Infrastructure Investment and Jobs Act aka the Bipartisan Infrastructure Law, \$1.126B (state allotments and earmarks) for the Safe Drinking Water SRF, which is in addition to the \$2.750B provided in the Infrastructure Investment and Jobs Act aka the Bipartisan Infrastructure Law, and “not less than \$20M” for WIIN grants.

## **Lame Duck Session**

Of interest:

- 1) “Build Back Better” Bill: Round Two?

The effort by Senators Sherrod Brown (D-OH) and Michael Bennet (D-CO) to revisit the child care credit and pair it with the renewal of an expired R&D tax break for businesses and other non-controversial items did not materialize as agreement could not be reached with Senate Republicans. Their plan is to try again in the new Congress. If so, we would continue to advocate for funding for the Alternative Water Source Program and large scale water recycling projects, inclusion of H.R. 5118 or some variation, and any other items of interest.



Included in the House-passed “Build Back Better” bill of interest to the Coalition (see bold):

- \$30B for Safe Drinking Water SRF lead service line replacement projects;
- \$100M for state public water systems;
- \$700M to reduce lead in school drinking water;
- \$100M for large scale water recycling projects;
- \$1.15B for emergency drought relief;
- \$125M for Alternative Water Source Program grants; and,
- \$2B for sewer overflow and storm water reuse grants;

No funding for the Clean Water SRF is included in the House BBB. It does include new taxes.

Unofficially, the Senate Environment and Public Works Committee released its BBB title which includes \$9B for SDWSRF-funded lead remediation projects, \$225M for rural and low-income water assistance grants, \$125M for Alternative Water Source Program grants, and \$500M for sewer overflow and storm water reuse municipal grants.

- 2) WRDA 2022 – conference agreed to. Only Corps of Engineers issues.
- 3) FY23 Appropriation Bills – see Consolidated Appropriations Act, 2023, section above.
- 4) H.R. 5118, the “Wildlife Response and Drought Resiliency Act” and S. 4231, the “STREAM Act” (Support to Rehydrate the Environment, Agriculture and Municipalities Act)

H.R. 5118 has passed the House. S. 4231 has been introduced in the Senate. The Coalition supports enactment of H.R. 5118 or some variation.

No action in the lame duck session.

H.R. 5118 authorizes \$600M for WIIN grants. This is in addition to the \$550M appropriated in the Bipartisan Infrastructure Law for both traditional Title XVI and WIIN grants. The bill also increases the Federal share from \$20M to \$50M, provides priority project funding and authorizes \$700M (again, this is in addition to the \$450M appropriated in the Bipartisan Infrastructure Law) for large water recycling projects with total estimated cost of at least \$500M.

S. 4231 authorizes \$300M for FY24-28 for WIIN grants. These funds are over and above the BIF WIIN grant appropriated amount of \$550M. The Federal share is \$20M. Priority funding is given to projects that meet certain criteria.

## **Funding Opportunities**

USBR FY23 Title XVI Recycled Water Grants – the USBR announced that \$150M plus what is provided in the FY23 appropriations bill would be available for FY23 WIIN grants. To date, solicitation and application process not announced.

State and Tribal Assistance grants – no new grant opportunities because of the number of FY22 STAG earmarks and the projected number of FY23 earmarks.

Alternative Water Source Program grants – pending action on a second round of infrastructure spending.

## **H.R. 3112, Western Water Recycling and Drought Relief Act of 2021**

Do not expect introduction by Senator Padilla as the funding amount for Title XVI WIIN grants (which do not require prior congressional project authorization) continues to increase thereby obviating the necessity for projects to be authorized by Congress, and because of the reluctance to introduce association/coalition bills (per Senator Feinstein).

## **FY22 WIIN Grants**

Advised by USBR that the 25 FY22 WIIN grant awardees (which include Monterey One for \$10,316,822 and Palo Alto for \$12,868,000) do not have to be included in an appropriations bill prior to receiving funding (which is the usual process) because they were funded via the Bipartisan Infrastructure Law which USBR has determined is not subject to the “usual process.”

## **“Inflation Reduction Act of 2022” (IRA)**

One last review, the Senate passed the bill on August 7, the House on August 12 and the President signed it into law on August 16. Highlights include:

- \$369B in energy and climate change programs, with the goal of reducing carbon emissions by 40% by 2030;
- Medicare would to negotiate the prices of certain medications and cap out-of-pocket costs at \$2,000 for those enrolled in Medicare drug plans. The Health and Human Services Secretary would negotiate the prices of 10 drugs in 2026, and another 15 drugs in 2027 and again in 2028. The number would rise to 20 drugs a year for 2029 and beyond;
- It would also redesign Medicare's Part D drug plans so that seniors and people with disabilities wouldn't pay more than \$2,000 a year for medication bought at the pharmacy;
- The deal would require drug companies to pay rebates if they increase their prices in the Medicare and private-insurance markets faster than inflation;
- The agreement would also extend expiring enhanced subsidies for Affordable Care Act coverage for three years
- Tax credits for electric vehicles are in. Electric Vehicle tax credits will continue at their current levels, up to \$4,000 for a used electric vehicle and \$7,500 for a new EV. However, there will be a lower income threshold for people who can use the tax credits.

To pay for the agreement, the bill would impose a 15% minimum tax on corporations, which would raise \$313 billion over a decade. The current deal also closes the carried interest loophole, which allows investment managers to treat their compensation as capital gains and pay a 20% long-term capital gains tax rate instead of income tax rates of up to 37%. The package also calls for providing more funding to the IRS for tax enforcement. Families making less than \$400,000 per year would not be affected and there would be no new taxes on small businesses.

### **“Infrastructure Investment and Jobs Act” (BIF)**

One last review, the \$1.2T law (P.L. 117-58) includes the following (it does not include any new taxes) –

- For FY22-26 \$12.838B for the Clean Water State SRF, starting at \$2.127B in FY22 and going up to \$2.828B in FY26;
- \$35.713B over five years for the Safe Drinking Water SRF, starting at \$6.702B in FY22 and going up to \$7.403B in FY26;
- No appropriations are included for the Alternative Water Source Projects program (an authorization of \$125M over 5 fiscal years is included);
- \$8.3B for the USBR for FY22-26 with an annual cap of \$1.66B per year including a number of programs under USBR’s jurisdiction with specific appropriated amounts but without specifying annual funding amounts for each program;
- For water recycling, the bill appropriates \$1B over 5 FY’s, broken down to \$550M for Title XVI and WIIN Act grants and \$450M for “large scale” projects (those with project costs >\$500M);
- \$400M over 5 FY’s for WaterSMART;
- \$1.2B for water storage and groundwater;
- \$25M for desalination; and,
- S. 914, as passed by the Senate, which authorizes \$14.65B over five fiscal years for the Clean Water SRF and the Safe Drinking Water SRF, and \$125M for the AWSP and which includes the Feinstein-Padilla amendment which limits the prohibition against applying for Alternative Water Source Program (AWSP) grants to USBR projects that received construction funds; and,

Other core infrastructure -

- \$65B for Broadband
- \$17B for Ports
- \$25B for Airports
- \$7.5B for Zero and Low-Emission Buses and Ferries
- \$7.5B for Plug-In Electric Vehicle Chargers
- \$65B to Rebuild the Electric Grid
- \$21B for Superfund and Brownfield sites

## **Bill Tracking**

Tracking bills that are marked up by committees and/or come to our attention.