



156 S. Broadway, Ste. 270, Turlock, CA 95380

(209) 538-5688 (phone) (209) 668-5695 (fax)

Board Meeting Agenda

June 16, 2022 at 3:30 p.m.

2701 4th Street, Ceres, CA, First Floor, Council Chambers

*Chair, Amy Bublak
Vice Chair, Javier Lopez
Director, Pam Franco
Director, Bret Silveira
Director (alternate), James Casey
Director (alternate), Nicole Larson*

*General Manager, Robert Granberg
Interim Legal Counsel, Richard P. Shanahan
Finance Director, Isaac Moreno
Board Secretary, Angelica Gonsalves*

THIS MEETING WILL BE OPEN TO THE PUBLIC. SEATING CAPACITY WILL BE LIMITED TO THE FIRST 14 PEOPLE, ON A FIRST COME FIRST SERVE BASIS. COMPLIANCE WITH ALL HEALTH & SAFETY GUIDELINES INCLUDING COVID-19 SCREENING, TEMPERATURE CHECKS, FACE COVERINGS, AND PHYSICAL DISTANCING MEASURES WILL BE REQUIRED FOR IN-PERSON ATTENDANCE. PLEASE PLAN TO ARRIVE APPROXIMATELY 15 MINUTES PRIOR TO THE SCHEDULED MEETING START TIME TO ALLOW FOR SCREENING PROCESSES.

OR

JOIN BY CLICKING ON THE MEETING

LINK: <https://us02web.zoom.us/j/95105738084?pwd=RElpd0EyKzMxZjQ4VmVhRExIS1M0Zz09>

Passcode: 9510573808

OR

JOIN BY ACCESSING THE ZOOM WEBSITE: <https://zoom.us/join>

WEBINAR ID: 951 0573 8084 Passcode: 9510573808

OR

JOIN BY TELEPHONE: 669-900-6833

WEBINAR ID: 951 0573 8084 Passcode: 9510573808

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Stanislaus Regional Water Authority (SRWA) meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, contact the Board Secretary at the phone number set forth above. The Board is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the Board to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Board on any item appearing on the agenda, including Consent Calendar and Scheduled Matters, before or during the Board's consideration of the item.

AGENDA PACKETS: Prior to the Stanislaus Regional Water Authority Board meeting, a complete Agenda Packet (excluding any closed session materials) is available for review on the SRWA's website at www.stanrwa.com and in the Board Secretary's Office at 156 S. Broadway, Suite 270, Turlock, during normal business hours. Materials related to an item on this Agenda submitted to the Board after distribution of the Agenda Packet are also available for public inspection in the Board Secretary's Office at the address set forth above. Such documents may be available on the SRWA's website subject to staff's ability to post the documents before the meeting.

1. A. CALL TO ORDER
- B. SALUTE TO THE FLAG
- C. ROLL CALL
2. RECOGNITION, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS: None
3. A. SPECIAL BRIEFINGS: None
- B. STAFF UPDATES
 1. General Manager Update (*Granberg*)
- C. PUBLIC PARTICIPATION: This time is set aside for members of the public to address the Board concerning any item that has been described in the notice for the meeting, including Consent Calendar items, before or during consideration of that item. You will be allowed five (5) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Board addresses the matter.
4. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS
5. CONSENT CALENDAR: Information concerning the Consent items listed below has been forwarded to each Board member prior to this meeting for study. Unless the Chair, a Board member, or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Board. The action taken by the Board in approving the Consent items is set forth in the explanation of the individual items.
 - A. *Motion*: Approving minutes of special meeting of May 16, 2022
 - B. *Motion*: Accepting revised minutes of regular meeting of February 17, 2022
6. PUBLIC HEARINGS: None
7. SCHEDULED MATTERS:
 - A. *Resolution 2022-005: Adopting the Annual Budget for the Stanislaus Regional Water Authority for the 2022-23 Fiscal Year and Adopting a minimum cash reserve target for 2022-23 (Moreno)*
 - B. *Motion: Approving a SRWA Benefits and Leave Policy for the purpose of obtaining employee benefits coverage participation through the ACWA JPIA (Granberg)*
8. MATTERS TOO LATE FOR THE AGENDA
9. BOARD ITEMS FOR FUTURE CONSIDERATION
10. BOARD COMMENTS: Board members may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the legislative body.
11. NEXT MEETING DATE: July 21, 2022, Regular meeting in Turlock

12. CLOSED SESSION: None

13. ADJOURNMENT



1. A. **CALL TO ORDER:** Chair Bublak called the meeting to order 3:30 p.m.

B. **SALUTE TO THE FLAG**

C. **ROLL CALL**

PRESENT: Chair Bublak, Vice Chair (present at 3:48 pm), Director Franco, Director Silveira
ABSENT:

2. **RECOGNITION, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:** None

3. A. **SPECIAL BRIEFINGS:** None

B. **STAFF UPDATES:**

1. General Manager Granberg provided a presentation on design-build project activities, design build contract status, environmental clearance/permitting, other activities, funding/financing update, public outreach, and shared project photos.

Chair Bublak opened public participation.

Chair Bublak closed public participation.

2. Finance Director Moreno provided an update on financial activities as of May 10, 2022. Revenue and expenses reviewed.

C. **PUBLIC PARTICIPATION:**

Chair Bublak opened public participation.

Mr. Reagan Wilson, City Manager for Turlock, presented Dale Goodman, the new Municipal Services Director for Turlock.

Chair Bublak welcomed Mr. Goodman and closed public participation.

4. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

5. **CONSENT CALENDAR:**

Action: Motion by Director Franco, seconded by Silveira, approving the minutes of the Regular Meeting of March 7, 2022. Motion carried 3/0 by the following vote:

Director Franco	Director Silveira	Vice Chair Lopez	Chair Bublak
Yes	Yes	Absent	yes

DRAFT

Action: Motion by Director Franco, seconded by Silveira, ratifying General Manager letter of support regarding Senate Bill 991. Motion carried 3/0 by the following vote:

Director Franco	Director Silveira	Vice Chair Lopez	Chair Bublak
Yes	Yes	Absent	Yes

5. PUBLIC HEARINGS: None

7. SCHEDULED MATTERS:

A. General Manager Granberg discussed the County MOU. SRWA was obligated to restore portions of affected County roadways due to construction activities. SRWA approached the County with an MOU to facilitate paving the entire road. SRWA damage was limited in the adjoining lane, but the best overall solution to pave the entire section of about five miles would be under \$1 million dollars with a contribution of 17% from SRWA and the County would take the remainder of the costs with additional costs distributed the same. The County will credit SRWA.

Chair Bublak opened public participation. None of the members of the public spoke. Chair Bublak closed public participation.

Chair Bublak asked if we approve the MOU, would SRWA be liable for the cost of the entire road. General Manager Granberg indicated yes, but SRWA would be reimbursed by the County. Director Silveira opposed the action until the full costs were determined. Director Franco asked to be invited when this is presented to the County.

Action: Motion directing General Manager to sign a Memorandum of Understanding with Stanislaus County for County Participation in Pavement Restoration of Fox Road and Berkeley Road. *(Motion failed due to lack of votes)*

B. General Manager Granberg reviews the letter of expression of interest from SSJID. General Manager Granberg presented Ed Erisman, SSJID Water Treatment Plant Manager, and Peter Rietkerk, SSJID General Manager, to answer any questions regarding the letter of interest. Mr. Rietkerk indicated they are open to sharing information for startup and ideas for reliability in workforce regionally. Chair Bublak asked for the exchange of resources and working together regionally. Director Pam thanked them from responding and hopefully this will help decrease the costs to rate payers. Vice Chair Lopez thanked Mr. Rietkerk for opening the door for conversation. Chair Bublak commented on how important the resource sharing is important. Mr. Rietkerk said SSJID is happy to share any information with SRWA and the cities involved.

Chair Bublak opened public participation. None of the members of the public spoke. Chair Bublak closed public participation.

DRAFT

8. **MATTERS TOO LATE FOR THE AGENDA:** None

9. **BOARD ITEMS FOR FUTURE CONSIDERATION:**

Director Franco indicated she has had communication with a treatment plant in Clovis and wants to reach out for any interest in cost sharing with SRWA.

10. **BOARD COMMENTS:** None

11. **NEXT MEETING DATE:** June 16, 2022, Regular meeting Ceres

12. **CLOSED SESSION:** None

13. **ADJOURNMENT:** Chair Bublak adjourned the meeting at 4:00 p.m. Motion carried unanimously.

Respectfully submitted,

DRAFT

Angelica Gonsalves, Board Secretary



REVISED DRAFT Minutes
Regular Board Meeting
February 17, 2022

1. A. **CALL TO ORDER:** Chair Bublak called the meeting to order 3:30 p.m.

PRESENT: Chair Bublak, Vice Chair Lopez, Director Franco, Director Silveira (showed up at 3:33 pm)

ABSENT:

- B. **SALUTE TO THE FLAG**

- C. **ROLL CALL**

This item was heard out of order

2. **RECOGNITION, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:** None

3. A. **SPECIAL BRIEFINGS:** None

- B. **STAFF UPDATES:**

1. General Manager Robert Granberg provided a presentation on design-build project activities, design-build contract status, environmental clearance/permitting, other activities, funding/financing update, public outreach, and shared project photos.
2. Finance Director Isaac Moreno provided an update through zoom on financial activity for year-to-date Fiscal Year ending June 30, 2021, and the summary of financial activity as of February 11, 2022. Revenue and expenses were reviewed.

- C. **PUBLIC PARTICIPATION:**

Chair Bublak opened public participation. None of the members of the public spoke. Chair Bublak closed public participation.

4. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

5. **CONSENT CALENDAR:**

Action: Motion by Director Franco, seconded by Vice Chair Lopez, approving the minutes of the Regular Meeting of January 26, 2022. Motion carried 4/0 by the following vote:

Director Franco	Director Silveira	Vice Chair Lopez	Chair Bublak
Yes	Yes	Yes	Yes

5. **PUBLIC HEARINGS:** None

7. **SCHEDULED MATTERS:**

- A. General Manager Granberg recommended the board direct the General Manager to prepare a solicitation for Letters of Expression of Interest for public potable water treatment operations

and maintenance staffing for the Regional Surface Water Supply Project water treatment plant and distribution facilities

Chair Bublak opened public participation. No one spoke. Chair Bublak closed public participation.

The Board discussed on having more options than the two agencies provided, MID and SSJID, utilize all the resources that may be available in the central valley region or statewide to avoid any cost increases to the ratepayers. The board asked for the letter to be in an RFQ or RFI format that included specifics to operations and cost/resource sharing. The Board requested to make available the responses from the agencies. General Manager indicated a draft letter would be prepared for the Board to review before distributing on a special meeting on March 7th, 2022, at 4:00 PM.

Action: Motion directing the General Manager to prepare a solicitation for Letters of Expression of Interest for public potable water treatment operations and maintenance staffing for the Regional Surface Water Supply Project water treatment plant and distribution facilities. *(Motion failed due to lack of votes)*

Action: Motion by Chair Bublak, seconded by Vice Chair Lopez, Directing the General Manager to prepare a solicitation for Letters of Expression of Interest for public potable water treatment operations and maintenance staffing for the Regional Surface Water Supply Project water treatment plant and distribution facilities to be reviewed on March 7th, 2022, at 4:00 pm before distribution. Motion carried 4/0 by the following vote:

Director Franco	Director Silveira	Vice Chair Lopez	Chair Bublak
Yes	Yes	Yes	Yes

B. General Manager recommended the board approve SRWA staff positions and salary structure. General Manager Granberg presented an overview of the employee benefits, medical, dental, vision, life insurance, long and short-term disability, risk management, insurance plans offerings and cost between SDRMA and ACWA JPIA, StanCERA retirement, project activities and recruiting schedule. ACWA JPIA was suggested by General Manager Granberg as the preferred provider. Rick Santos, from Stancera, was available to answer questions through zoom.

The board discussed about using an annuitant as a temporary basis to fill in a vacant position or to fill in a position quickly. Rick Santos responded that it will not be a problem. Chair Bublak asked on how the probationary period be handled for employees. General Manager Granberg said that would be included in the employee handbook development.

Chair Bublak opened public participation. No one spoke. Chair Bublak closed public participation.

Action: Motion by Director Silveira, seconded by Vice Chair Lopez, to approve SRWA staff positions and salary structure. Motion carried 4/0 by the following vote:

Director Franco	Director Silveira	Vice Chair Lopez	Chair Bublak
Yes	Yes	Yes	Yes

Commented [AG1]: Insert Action item

Action: **Resolution 2022-003** Motion by Director Silveira, seconded by Vice Chair Lopez, to approve and authorizing the General Manager to sign the Joint Powers Agreement creating the Association of California Water Agencies Joint Powers Insurance Authority and authorizing participation in related insurance and employee benefits programs. Motion carried 4/0 by the following vote:

Director Franco	Director Silveira	Vice Chair Lopez	Chair Bublak
Yes	Yes	Yes	Yes

Action: **Resolution 2022-004** Motion by Director Silveira, seconded by Vice Chair Lopez, to approve SRWA participation as an employer in the Stanislaus County Employees' Retirement System pursuant to Government Code Section 31557(B). Motion carried 4/0 by the following vote:

Director Franco	Director Silveira	Vice Chair Lopez	Chair Bublak
Yes	Yes	Yes	Yes

- 8. **MATTERS TOO LATE FOR THE AGENDA:** None
- 9. **BOARD ITEMS FOR FUTURE CONSIDERATION:** None
- 10. **BOARD COMMENTS:** None
- 11. **NEXT MEETING DATE:** March 7, 2022, at 4:40 PM, Special meeting
- 12. **CLOSED SESSION:** None
- 13. **ADJOURNMENT:** Chair Bublak adjourned the meeting at 4:40 p.m. Motion carried unanimously.

Respectfully submitted,

DRAFT

Angelica Gonsalves, Board Secretary



From: Isaac Moreno, Finance Director

Prepared by: Isaac Moreno, Finance Director

1. ACTION RECOMMENDED:

Resolution: Adopting the Annual Budget for the Stanislaus Regional Water Authority for the 2022-23 Fiscal Year and Adopting a minimum cash reserve target for 2022-23

2. DISCUSSION OF ISSUE:

In accordance with Article VII (F) of the Joint Powers Agreement (JPA), the Governing Board of the Stanislaus Regional Water Authority (SRWA) is hereby presented with the proposed 2022-23 annual budget for the SRWA. The proposed budget includes projected costs for the Regional Surface Water Supply Project (RSWSP) Design-Build Contract as well as existing contracts providing program management, construction monitoring, environmental, legal and general manager and administrative support to the RSWSP and JPA.

Article XV(F) of the Joint Powers Agreement states that the following regarding SRWA's cash reserves:

The Governing Board shall determine on an annual basis, prior to the beginning of each fiscal year, a level of reasonable cash reserves to be accumulated by the Authority. This reserve shall be accumulated from revenues collected in excess of all actual costs of the Authority. Once the targeted reserve level is reached, all additional revenues collected in excess of the actual costs of the Authority shall be considered excess revenue and, subject to any limitation in any bond or other financing agreement, carried forward as revenue for the next fiscal year and serve to reduce each Participant's respective assessment for such subsequent fiscal year.

As it has for the past years, Staff continues to recommend that the Board approve a minimum cash reserve sufficient to fund 3 months of projected expenditures. This process has worked well over the past years and is consistent with provisions in the Phase 3 Funding Agreement as the allocation methodology for costs associated with the RSWSP. As part of this Agreement, Staff will continue to send each participating agency an invoice for three (3) months projected cashflow needs at the beginning of each calendar quarter.

New for 2022-23 are budget allocations related to Operations and Administration staffing and State Revolving Loan Fund (SRF) interest payment shown in the budget summary below.

Operations position costs are based on the approved staffing plan with hiring to occur throughout the fiscal year. Included in the salary cost is a 1.45 times multiplier for employee benefits as an estimate of the actual cost currently under development through the Association of California Water Agencies Joint Powers Insurance Authority (ACWA JPIA). Also included are Liability and Workers Compensation coverage through ACWA JPIA.

SRF-related cost is an interest only payment due prior to project completion.

3. FISCAL IMPACT / BUDGET AMENDMENT:

The proposed 2022-23 fiscal year budget for the SRWA totals \$63,418,241. The following summarizes the major components of the 2022-23 proposed budget:

<i>CAPITAL</i>	<i>58,726,134.00</i>
<i>OPERATIONS</i>	<i>2,704,388.00</i>
<i>SRF DEBT AND RESERVE PAYMENTS</i>	<i>1,987,719.00</i>

The full details of this budget is attached as Exhibit A. Funding for the proposed budget is allocated among the City of Ceres, City of Turlock, and the Turlock Irrigation District based on the benefit each participant receives from each component of the project. Administrative costs are shared equally between Ceres and Turlock. Each agency's allocated costs will be funded using a combination of (1) grant funding obtained for the project as a whole, (2) State of California Revolving Fund loan proceeds; and (3) individual agency internal cash resources.

4. GENERAL MANAGER'S COMMENTS:

Recommends approval.

5. ENVIRONMENTAL DETERMINATION:

N/A

6. ALTERNATIVES:

The Board may approve amendments as desired to the proposed 2022-23 annual budget for the SRWA.

Stanislaus Regional Water Authority
Surface Water Supply Project Cash Flow Projection

Task #	Notes	Responsibility	Task Name	FYs 15-16 thru 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	TOTAL
100	--	--	Program Management								
101	--	West Yost	General Manager Selection	\$16,939	\$0	\$0	\$0	\$0	\$0	\$0	\$16,939
102	--	West Yost	Discussions with Potential Project Partners	\$2,867	\$0	\$19,765	\$19,765	\$5,000	\$0	\$0	\$47,397
103	--	West Yost	Public Outreach	\$279,524	\$83,539	\$24,687	\$12,344	\$0	\$0	\$0	\$400,094
104	--	West Yost	Program Management Activities	\$1,234,350	\$200,747	\$300,000	\$200,000	\$0	\$0	\$0	\$1,935,097
105	--	West Yost	Future Phase Planning and O&M Staffing Implementation	\$60,822	\$9,648	\$22,000	\$20,000	\$0	\$0	\$0	\$112,470
106	--	SRWA	SRWA Staff: Treasurer/Accounting	\$72,140	\$17,671	\$25,000	\$0	\$0	\$0	\$0	\$114,811
107	--	Granberg	SRWA Staff: General Manager	\$751,710	\$222,300	\$300,000	\$300,000	\$0	\$0	\$0	\$1,574,010
108	--	SRWA	SRWA Staff: Secretary	\$39,525	\$8,219	\$12,500	\$0	\$0	\$0	\$0	\$60,244
109	--	SRWA	SRWA Staff: General Counsel	\$21,277	\$0	\$0	\$0	\$0	\$0	\$0	\$21,277
110	--	BKS	Specialty Legal Counsel	\$120,950	\$16,054	\$50,000	\$75,000	\$40,000	\$0	\$0	\$302,004
111	--	TBD	Government Relations and Public Affairs Consultant	\$144,947	\$0	\$0	\$0	\$0	\$0	\$0	\$144,947
112	--	SRWA	SRWA Audits	\$23,470	\$4,740	\$10,000	\$10,000	\$10,000	\$0	\$0	\$58,210
113	(1)	SRWA	Incidental Costs	\$13,998	\$5,180	\$7,500	\$10,000	\$10,000	\$0	\$0	\$46,678
114	--	--	<i>Sub-Total Program Management</i>	<i>\$2,782,518</i>	<i>\$568,098</i>	<i>\$771,452</i>	<i>\$647,109</i>	<i>\$65,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$4,834,177</i>
200	--	--	Finance/Funding								
201	--	West Yost	Funding Strategy	\$142,936	\$45,822	\$4,468	\$0	\$0	\$0	\$0	\$193,226
202	--	West Yost	Preliminary Financial Evaluation of Impact to Existing Rates	\$47,561	\$0	\$0	\$0	\$0	\$0	\$0	\$47,561
203	--	West Yost	Grant Funding	\$94,176	\$55,678	\$0	\$0	\$0	\$0	\$0	\$149,854
204	(2)	West Yost	Funding Opportunities - Turlock Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
205	(2)	West Yost	Funding Opportunities - Ceres Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
206	--	West Yost	State Revolving Fund Loans	\$244,754	\$89,970	\$104,000	\$52,000	\$0	\$0	\$0	\$490,723
207	(2)	West Yost	SRF Loan - Turlock Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
208	(2)	West Yost	SRF Loan - Ceres Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
209	--	Horizon	State Revolving Fund Loans - Environmental	\$28,764	\$755	\$1,200	\$1,200	\$0	\$0	\$0	\$31,918
210	--	West Yost	Grant Administration Support: WaterSMART Ceres Pipeline	\$3,605	\$3,665	\$0	\$0	\$0	\$0	\$0	\$7,270
211	--	West Yost	Grant Administration Support: WaterSMART WTP/Turlock Pipeline	\$3,458	\$4,055	\$0	\$0	\$0	\$0	\$0	\$7,513
212	--	West Yost	Grant Administration Support: IRWM	\$25,028	\$22,209	\$44,694	\$22,347	\$0	\$0	\$0	\$114,278
213	--	--	<i>Sub-Total Finance/Funding</i>	<i>\$590,280</i>	<i>\$222,154</i>	<i>\$154,362</i>	<i>\$75,547</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$1,042,343</i>
300	--	--	Facilities Planning								
301	--	West Yost	Review Previous Work	\$1,847	\$0	\$0	\$0	\$0	\$0	\$0	\$1,847
302	--	West Yost	Demand and Supply Analysis	\$20,134	\$0	\$0	\$0	\$0	\$0	\$0	\$20,134
303	--	West Yost	Water Quality	\$652,792	\$44,974	\$5,750	\$0	\$0	\$0	\$0	\$703,516
304	--	West Yost	Infiltration Gallery Evaluation	\$121,267	\$0	\$0	\$0	\$0	\$0	\$0	\$121,267
305	--	West Yost	Technical Assistance with TID's Water Transfer	\$33,862	\$0	\$0	\$0	\$0	\$0	\$0	\$33,862
306	--	West Yost	Alignment Study	\$177,940	\$0	\$0	\$0	\$0	\$0	\$0	\$177,940
307	--	West Yost	Hydraulic Analysis	\$100,302	\$0	\$0	\$0	\$0	\$0	\$0	\$100,302
308	--	West Yost	Treatment Process Evaluation	\$794,669	\$0	\$0	\$0	\$0	\$0	\$0	\$794,669
309	--	West Yost	Modeling Support - Ceres	\$2,849	\$0	\$0	\$0	\$0	\$0	\$0	\$2,849
310	--	West Yost	Modeling Support - Turlock	\$8,921	\$0	\$0	\$0	\$0	\$0	\$0	\$8,921
311	--	West Yost	Project Delivery Evaluation	\$66,785	\$0	\$0	\$0	\$0	\$0	\$0	\$66,785
312	--	West Yost	Schedule Development	\$99,879	\$14,236	\$28,161	\$14,081	\$0	\$0	\$0	\$156,357
313	--	West Yost	Program Budgeting	\$238,680	\$31,457	\$103,640	\$51,820	\$0	\$0	\$0	\$425,597
314	--	West Yost	Project Definition TM	\$22,257	\$0	\$0	\$0	\$0	\$0	\$0	\$22,257
315	--	West Yost	Technical Services - SRWA	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
316	--	West Yost	Technical Services - Turlock	\$616	\$0	\$10,000	\$10,000	\$0	\$0	\$0	\$20,616
317	--	West Yost	Technical Services - Ceres	\$0	\$0	\$10,000	\$10,000	\$0	\$0	\$0	\$20,000
318	--	West Yost	Technical Services - TID	\$11,259	\$0	\$5,000	\$5,000	\$0	\$0	\$0	\$21,259
319	--	--	<i>Sub-Total Facilities Planning</i>	<i>\$2,354,059</i>	<i>\$90,667</i>	<i>\$162,551</i>	<i>\$90,901</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,698,178</i>

Task #	Notes	Responsibility	Task Name	FYs 15-16 thru 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	TOTAL
400	--	--	Permitting and Environmental Documentation								
401	--	Horizon	Wet Well CEQA/NEPA	\$84,480	\$0	\$0	\$0	\$0	\$0	\$0	\$84,480
402	--	Horizon	Regional Project CEQA/NEPA	\$354,217	\$0	\$0	\$0	\$0	\$0	\$0	\$354,217
403	--	Horizon	Environmental Permits	\$112,503	\$47,809	\$5,000	\$5,000	\$5,000	\$0	\$0	\$175,312
404	--	Horizon	Water Transfer Environmental Support	\$61,767	\$0	\$0	\$0	\$0	\$0	\$0	\$61,767
405	--	West Yost	EIR Technical Assistance	\$146,678	\$1,624	\$0	\$0	\$0	\$0	\$0	\$148,302
406	--	West Yost	Non-Environmental Permits/Utility Coordination	\$334,103	\$110,474	\$136,733	\$67,346	\$30,000	\$0	\$0	\$678,656
407	--	BKS	CEQA Legal Support	\$47,221	\$0	\$0	\$0	\$0	\$0	\$0	\$47,221
408	--	MID/HDR	Watershed Sanitary Survey	\$81,321	\$0	\$0	\$0	\$0	\$0	\$0	\$81,321
409	--	SRWA	Pre-Construction Permit Fees	\$31,548	\$5,596	\$0	\$0	\$0	\$0	\$0	\$37,144
410	--	SRWA	Water Rights Acquisition	\$94,482	\$4,180	\$0	\$0	\$0	\$0	\$0	\$98,662
411	--	--	<i>Sub-Total Permitting and Environmental Documentation</i>	\$1,348,320	\$169,682	\$141,733	\$72,346	\$35,000	\$0	\$0	\$1,767,082
500	--	--	ROW Acquisition								
501	--	West Yost	ROW Acquisition - District Delivery Facilities	\$122,503	\$0	\$30,000	\$5,000	\$0	\$0	\$0	\$157,503
502	--	West Yost	ROW Acquisition - Turlock Facilities	\$23,523	\$2,002	\$0	\$0	\$0	\$0	\$0	\$25,524
503	--	West Yost	ROW Acquisition - Ceres Facilities	\$39,909	\$371	\$0	\$0	\$0	\$0	\$0	\$40,280
504	--	SRWA	Appraisals - District Delivery Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
505	--	SRWA	Appraisals - Turlock Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
506	--	SRWA	Appraisals - Ceres Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
507	--	TID	Eminent Domain - District Delivery Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
508	--	SRWA	Land/Easement Purchase - District Delivery Facilities	\$1,468,988	\$0	\$0	\$0	\$0	\$0	\$0	\$1,468,988
509	--	SRWA	Land/Easement Purchase - Regional Facilities	\$740,851	\$0	\$0	\$0	\$0	\$0	\$0	\$740,851
510	--	SRWA	Land/Easement Purchase - Turlock Facilities	\$92,200	\$0	\$0	\$0	\$0	\$0	\$0	\$92,200
511	--	SRWA	Land/Easement Purchase - Ceres Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
512	--	--	<i>Sub-Total ROW Acquisition</i>	\$2,487,974	\$2,373	\$30,000	\$5,000	\$0	\$0	\$0	\$2,525,347
600	--	--	Infrastructure								
601	--	--	<i>Wet Well Project</i>		\$0	\$0	\$0	\$0			
602	--	West Yost	Wet Well Design & Engineering Services During Construction	\$419,147	\$0	\$0	\$0	\$0	\$0	\$0	\$419,147
603	--	ICM	Wet Well Construction Management	\$546,875	\$0	\$0	\$0	\$0	\$0	\$0	\$546,875
604	--	Overaa	Wet Well Construction	\$7,072,071	\$0	\$0	\$0	\$0	\$0	\$0	\$7,072,071
605	--	SRWA	Wet Well Permit and Utility Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
606	--	Horizon	Wet Well Environmental Monitoring & Permit Compliance	\$263,551	\$1,561	\$2,000	\$2,000	\$2,000	\$0	\$0	\$271,112
607	--	BKS	Legal Services Related to Wet Well and District Delivery Facilities	\$30,548	\$0	\$0	\$0	\$0	\$0	\$0	\$30,548
608	--	SRWA	Infiltration Gallery Construction Reimbursement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
609	--	--	<i>Regional Design-Build Project</i>	\$0							
610	--	West Yost	Project Procurement	\$1,304,542	\$0	\$0	\$0	\$0	\$0	\$0	\$1,304,542
611	--	West Yost	Pre-design & Technical Appendices	\$436,289	\$0	\$0	\$0	\$0	\$0	\$0	\$436,289
612	--	West Yost	Ceres Pipeline Pre-design & Technical Appendices	\$173,694	\$0	\$0	\$0	\$0	\$0	\$0	\$173,694
613	--	West Yost	Turlock Pipeline Pre-design & Technical Appendices	\$278,090	\$0	\$0	\$0	\$0	\$0	\$0	\$278,090
614	--	BKS	Specialty Procurement Legal Counsel	\$273,531	\$20,499	\$50,000	\$20,000	\$0	\$0	\$0	\$364,029
615	--	PFAL	Financial Evaluation of Proposers	\$36,125	\$0	\$0	\$0	\$0	\$0	\$0	\$36,125
616	--	West Yost	Contract Compliance	\$453,562	\$458,275	\$652,981	\$160,534	\$0	\$0	\$0	\$1,725,352
617	--	ICM	Construction Oversight	\$234,092	\$458,236	\$501,960	\$201,475	\$0	\$0	\$0	\$1,395,763
618	(3)	SRWA	Regional DB Permit and Utility Fees	\$55,391	\$0	\$112,000	\$12,000	\$20,000	\$0	\$0	\$199,391
619	--	Horizon	Regional DB Environmental Monitoring	\$47,029	\$38,247	\$60,000	\$50,000	\$50,000	\$0	\$0	\$245,276
620	--	SRWA	Environmental Mitigation	\$177,500	\$0	\$0	\$0	\$0	\$0	\$0	\$177,500
621	--	Jacobs	DB Contract: Pre-Construction Date	\$14,100,000	\$211,318	\$27,390	\$0	\$0	\$0	\$0	\$14,338,708
622	--	Jacobs	DB Contract: Raw Water Pump Station Construction	\$900,122	\$2,549,698	\$5,855,989	\$58,199	\$0	\$0	\$0	\$9,364,008
623	--	Jacobs	DB Contract: Raw Water Transmission Main Construction	\$449,571	\$3,547,242	\$1,049,329	\$67,225	\$0	\$0	\$0	\$5,113,367
624	--	Jacobs	DB Contract: Water Treatment Plant Construction	\$16,299,343	\$50,769,071	\$41,526,076	\$2,455,812	\$0	\$0	\$0	\$111,050,302
625	--	Jacobs	DB Contract: Finished Turlock Water Transmission Mains Construction	\$3,994,195	\$24,289,715	\$630,576	\$38,358	\$0	\$0	\$0	\$28,952,845
626	--	Jacobs	DB Contract: Finished Ceres Water Transmission Mains Construction	\$1,134,586	\$12,923,059	\$515,207	\$87,690	\$0	\$0	\$0	\$14,660,541
627	--	Jacobs	DB Contract: Project Instrumentation, Controls, and Security Systems	\$24,493	\$1,948,852	\$4,294,418	\$737	\$0	\$0	\$0	\$6,268,500
628	--	Jacobs	COVID-Related Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
629	--	SRWA	SRWA Contract Risk Transfer Items	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
630	--	Jacobs	AB5 Trucking Cost Impacts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
631	--	Jacobs	County Road Allowances	\$0	\$1,000,000	\$300,000	\$0	\$0	\$0	\$0	\$1,300,000
632	--	West Yost	Local Facilities Coordination – Turlock	\$6,404	\$0	\$8,000	\$2,000	\$0	\$0	\$0	\$16,404
633	--	West Yost	Local Facilities Coordination – Ceres	\$2,582	\$0	\$7,000	\$2,000	\$0	\$0	\$0	\$11,582
634	--	SRWA	TID - Electrical Service	\$37,211	\$1,833	\$452,109	\$600	\$0	\$0	\$0	\$491,753
635	--	--	<i>Sub-Total Infrastructure</i>	\$48,750,543	\$98,217,605	\$56,045,035	\$3,158,630	\$72,000	\$0	\$0	\$206,243,814

Task #	Notes	Responsibility	Task Name	FYs 15-16 thru 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	TOTAL
700	--	--	Contingency								
701	--	--	Capital Contingency	\$60,937	\$0	\$1,421,000	\$101,000	\$0	\$0	\$0	\$1,582,937
702	--	--	Sub-Total Contingency	\$60,937	\$0	\$1,421,000	\$101,000	\$0	\$0	\$0	\$1,582,937
800	--	--	SUB-TOTAL CAPITAL	\$58,374,632	\$99,270,579	\$58,726,134	\$4,150,533	\$172,000	\$0	\$0	\$220,693,877
900	--	--	Operations								
901	--	SRWA	Operations and Maintenance	\$0	\$0	\$2,206,419	\$2,244,600	\$2,356,250	\$0	\$0	\$6,807,269
902	--	TBD	Agency Administration	\$0	\$0	\$247,969	\$484,500	\$826,700	\$0	\$0	\$1,559,169
903	--	TBD	Technical Engineering Support	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
904	--	SRWA	Operations Contingency	\$0	\$0	\$250,000	\$250,000	\$100,000	\$0	\$0	\$600,000
905	--	--	SUB-TOTAL OPERATIONS	\$0	\$0	\$2,704,388	\$2,979,100	\$3,282,950	\$0	\$0	\$8,966,438
1000	--	--	SRF Debt and Reserve Payments								
1001	(4)	Cities	SRF Reserve Payment	\$0	\$0	\$0	\$0	\$7,591,375	\$0	\$0	\$7,591,375
1002	(4)	Cities	SRF Principal and Interest Payments	\$0	\$0	\$1,987,719	\$2,338,270	\$7,591,375	\$7,591,375	\$7,591,375	\$27,100,113
1003	(4)	Cities	Debt Coverage Deposit	\$0	\$0	\$0	\$0	\$0	\$1,518,275	\$1,518,275	\$3,036,550
1004	--	--	SUBTOTAL SRF DEBT AND RESERVE PAYMENTS	\$0	\$0	\$1,987,719	\$2,338,270	\$15,182,750	\$9,109,650	\$9,109,650	\$37,728,038
1100	--	--	TOTAL	\$58,374,632	\$99,270,579	\$63,418,241	\$9,467,903	\$18,637,700	\$9,109,650	\$9,109,650	\$267,388,353
--	--	--	Project Partner Cost Allocation								
--	--	--	City of Ceres	\$19,795,668	\$33,359,887	\$22,189,606	\$3,849,126	\$6,820,157	\$3,059,020	\$3,059,020	\$92,132,484
--	--	--	City of Turlock	\$35,798,417	\$64,645,421	\$39,754,728	\$5,565,493	\$11,806,705	\$6,050,629	\$6,050,629	\$169,672,023
--	--	--	Turlock Irrigation District	\$2,780,547	\$1,265,271	\$1,473,907	\$53,284	\$10,838	\$0	\$0	\$5,583,846

Notes

- (1) Incidentals include the following SRWA budget items: "Supplies General", "Photocopies", "Postage General", "Bank Charges", "Dues Miscellaneous", and "Training General".
- (2) Items funded directly by the respective cities.
- (3) Permits include payment for CDFW 1600 Streambed Alteration Agreement applications, State Water Resources Control Board NPDES permit for drinking water system discharges, San Joaquin Valley Air Pollution Control District fees, Fire Marshal design review, and reimbursement for Stanislaus County pipeline inspection.
- (4) Based on an SRF loan amount of \$184,924,000 at 1.4% interest rate (loan amount and amortization schedule will be finalized at project completion).
 - (a) One-time reserve payment equal to one-year P&I payment due at project completion.
 - (b) First P&I payment due one year after project completion; interest only due prior to first P&I payment.
 - (c) 20% of P&I payment to be annually deposited by Cities into SRWA account to meet debt coverage requirements. Funds can be used as R&R Fund.



BEFORE THE BOARD OF THE STANISLAUS REGIONAL WATER AUTHORITY

<p>IN THE MATTER OF ADOPTING THE ANNUAL BUDGET FOR THE STANISLAUS REGIONAL WATER AUTHORITY FOR THE 2022-23 FISCAL YEAR AND ADOPTING A MINIMUM CASH RESERVE TARGET FOR 2022-23</p>	<p>} } } } } }</p>	<p>RESOLUTION NO. 2022-005</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------	---------------------------------------

WHEREAS, the Finance Director presented the proposed 2022-23 fiscal year budget to the Stanislaus Regional Water Authority (SRWA) Board for their consideration; and

WHEREAS, the SRWA Board reviewed the submitted budget and desires to adopt the 2022-23 fiscal year budget as detailed in Exhibit A to this resolution; and

WHEREAS, contained in the proposed budget are appropriations for various contracts for project expenses approved by the Board during prior fiscal years for which the scope of work is anticipated to span more than one fiscal year; and

WHEREAS, in accordance with Article XV(F) of the Joint Powers Agreement, Staff recommends a targeted cash reserve level of three (3) months of expenditures as projected by the Finance Director in consultation with the Project Manager and General Manager.

NOW, THEREFORE, BE IT RESOLVED that the Board of the Stanislaus Regional Water Authority does hereby:

1. Adopt the annual budget for the SRWA for the 2022-23 fiscal year in the amount of \$63,418,241 as detailed in Exhibit A. The funding for these expenses is based on cost sharing methodologies approved by each participating agency in relative proportion to the benefit received from the project.
2. Approve a target cash reserve balance equal to three (3) months of expenditures as projected by the Finance Director in consultation with the Project Manager and General Manager and authorize the Finance Director to send invoices to the Cities of Ceres and Turlock and the Turlock Irrigation District for their proportionate share of projected expenditures.

PASSED AND ADOPTED at a special meeting of the Board of the Stanislaus Regional Water Authority this 16th day of June, 2022, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Angelica Gonsalves, Board Secretary

From: Robert Granberg, General Manager

Prepared by: Robert Granberg, General Manager

1. ACTION RECOMMENDED:

Motion: Approving a SRWA Benefits and Leaves Policy for the purpose of obtaining employee benefits coverage participation through the ACWA JPIA

2. DISCUSSION OF ISSUE:

Background

On February 17, 2022, the Board adopted Resolution No. 2022-003 authorizing the General Manager to seek insurance and employee benefits coverage for SRWA employees through the Association of California Water Agencies Joint Powers Insurance Authority (ACWA JPIA). To participate in the ACWA JPIA benefits plan, the SRWA must first establish a Benefits and Leaves Policy and employee handbook (under development).

Using City of Turlock employee handbook and benefits and leaves policies as a template and working closely with ACWA JPIA staff, a SRWA Benefits and Leaves policy (Attachment A) was developed to define eligibility and leave responsibilities necessary for ACWA JPIA Executive Committee consideration at its meeting on June 21, 2022. Additional policies and procedures, and benefit choice decisions for recruitment will be discussed with the Technical Advisory Committee and brought back to the Board in the form of an employee handbook prior to any employee recruitment efforts.

3. FISCAL IMPACT / BUDGET AMENDMENT:

No current fiscal year impact or budget amendment is necessary for this recommended action.

4. GENERAL MANAGER'S COMMENTS:

Recommends approval.

5. ENVIRONMENTAL DETERMINATION:

N/A

6. ALTERNATIVES:

By choosing to participate in ACWA JPIA employee benefits program, SRWA must establish a benefits and leaves policy that defines certain legal requirements and rules to become eligible for benefit coverage under ACWA JPIA-offered plans, therefore there is no alternative to the recommended action.

Benefits and Leaves Policy



SRWA
STANISLAUS REGIONAL
WATER AUTHORITY

April 2022

Employee Benefits Policy

Purpose and Scope

The SRWA has developed an employee benefit program to supplement an employee's regular wages.

Policy

Eligibility

Regular, full-time employees who work at least 30 hours per week and whose employment is expected to continue for an indefinite period of time are **eligible for benefits**. Your benefits begin on the first of the month following thirty (30) days in an eligible status. You may obtain coverage for yourself and any of your eligible dependents. Benefits eligible employees and dependents are required to enroll in any SRWA benefit plan that is 100% paid for by SRWA.

Eligibility continues for the employee benefit plans if you are actively at work and considered an active employee. If your status changes and you are no longer eligible, coverage will terminate on the last day of the month for which you remained eligible. This loss of eligibility could be the result of any of the following: a termination or resignation of employment, retirement, reduction of hours, or the expiration of a protected leave of absence. In the event you are no longer eligible for coverage, continuation of coverage rights will be provided at that time.

Eligible dependent is defined as the following:

- Spouse;
- Children to their 26th birthday including stepchildren and children placed in the home for adoption;
- Unmarried children who were enrolled before age 26 and are incapable of self-sustaining employment due to physical or mental condition. A physician must certify in writing within 60 days this condition and it is subject to carrier approval.
- Children eligible for coverage as a result of a valid qualified medical child support order.
- Domestic partner registered with the State of California.
- Those designated in accordance with the law.

For an eligible dependent to be eligible for coverages, a copy of a marriage certificate, State of California Declaration of Domestic Partnership form (NP/SF DP-1), birth certificate, or other identifying paperwork is required.

NOTE: It is the employee's responsibility to notify the SRWA within 31 days in writing upon divorce, termination of domestic partnership, over-age dependent, or any event that changes the status of dependency.

Contact **Human Resources** for the employee benefit plans being offered to benefits eligible employees.

Employee Benefits Program

Premium Contributions

Medical - SRWA will contribute at least 100% of the employee-only cost of the least cost plan for which the employee is eligible.

All other benefit plans: SRWA will contribute 100% of the total premium.

Benefit Changes

A benefits eligible employee may change their benefit elections during annual Open Enrollment in the Fall. Election changes will be effective January 1st of the upcoming calendar year. Otherwise, changes to benefit elections may not be made unless the employee experiences a qualifying life event.

Qualifying life events include marriage, divorce, birth or adoption of a child, loss or gain of other coverage, and loss of dependent eligibility among others. If you experience a qualifying life event and wish to make a change to your benefits, you must notify the Agency within 31 days of the event to make the change. Changes take effect on the first of the month following the life event.

You then have 31 calendar days from the effective date of the coverage change to provide documentation of the qualifying event. Dependent verification documents, such as a marriage certificate for spouse or a birth certificate for child, must be provided for newly enrolled dependents. Coverage will not be effective until this documentation has been provided. If you do not complete your enrollment and provide documentation before this deadline, your next opportunity to make changes to your benefits will be during Open Enrollment with an effective date of January 1st of the next calendar year.

COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) was enacted to protect employees and their eligible family members by allowing them to continue their group health insurance under the employer's plan at affordable group rates. Employees are notified at hiring of their rights under this law and it is the employee's responsibility to notify the SRWA (Human Resources) of any qualifying event (defined below) within 60 days of the event. Specifics of COBRA include:

Qualifications

Any employee/eligible family member who loses regular group eligibility because of a qualifying event is eligible for enrollment under COBRA.

Qualifying Event

Qualifying event is defined by COBRA regulations and includes loss of coverage due to termination of employment; reduction of hours; death of employee; employee's Medicare entitlement; divorce or legal separation; child ceasing to be eligible; bankruptcy of employer; and expiration of leave criteria. It is the employee's or eligible family member's responsibility to inform Human Resources within 60 days when a qualifying event takes place or your eligibility for COBRA may be jeopardized.

Employee Benefits Program

Selection Period

Human Resources will send written notification, upon notification to the SRWA, to the employee/eligible family member of their right to elect continued coverage, the election period, and premium payments.

Cost

The employee/eligible family member must pay a full monthly premium for each coverage selected plus a 2% administrative charge to SRWA's Plan Administrator by the first day of each month that the premium(s) is due.

Coverage Available

At the time of the qualifying event, whichever health insurance the employee/dependent is enrolled in will be considered the coverages available.

Open Enrollment

Purpose: COBRA continuees have the same rights under the plan as active employees. This includes rights during open enrollment periods. When an open enrollment period occurs, COBRA continuees must be informed of their rights.

The Open Enrollment Notification should inform COBRA continuees of the open enrollment period, the options available during the open enrollment period and the monthly premium rates for those options.

It defines COBRA continuees as possible electees, electees and continuees. Possible electees are individuals in their 60-day election period; electees are individuals who have elected but have not yet paid; continuees are individuals who have elected and paid.

There can be no interruption of coverage under COBRA.

RETIREMENT

SRWA is offering employee retirement pension benefits through the Stanislaus County Employees' Retirement Association (StanCERA).

Leaves of Absence Policy

Purpose of Leaves

The purpose of this policy is to provide a uniform way to access information for those employees who wish to take protected leave under the California Family Rights Act (CFRA) and/or the Pregnancy Disability Leave (PDL); or to take an unpaid personal leave. Under CFRA, employees who have worked for at least twelve (12) months and for 1,250 hours during that 12-month period may request family care and medical leave of up to twelve (12) workweeks during a twelve (12) month period. There is no minimum length of service requirement for PDL. Under PDL, employees may request leave for a reasonable period of time, not to exceed four (4) months. For unpaid personal leaves, see the end of the Leaves section for details.

Protected leaves may be requested for the following reasons:

CFRA

- Bonding time with newborn, including adoption and foster care
- Care of child, parent, domestic partner, domestic partner's child or spouse with serious health condition, including psychological comfort
- Serious health condition that makes the employee unable to perform functions of his/her position

CCR Title 2, Section 7297

PDL

- To allow a female employee disabled by pregnancy, childbirth, or related medical conditions to take a leave for a reasonable period of time not to exceed four months.

Gov Code 12945

Definitions

1. "12-Month Period" – A "rolling" 12-month period measured backward from the date an employee uses any CFRA leave.
2. "Spouse" – As defined or recognized under California state law for purposes of marriage.
3. "Child" – Son or daughter. For purposes of leave taken for birth or adoption, or to care for a family member with a serious health condition, son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that leave is to commence.
4. Parent – a "parent" means the biological parent of an employee or an individual who stands or stood in loco parentis to an employee when the employee was a child. This term does not include parents-in-law.
5. "Disability for purposes of PDL" - An employee is considered disabled under PDL if she is unable to perform one or more essential functions of her job due to her pregnancy or related health condition.
6. "Serious Health Condition" – Illness, injury, impairment or physical or mental condition which involves inpatient care or continuing treatment by a health care provider.
7. "Continuing treatment"

Leaves of Absence

- Any period of incapacity due to pregnancy or prenatal care
 - Incapacity of more than 3 consecutive, full calendar days, and
 - 2 or more treatments (1st within 7 days and 2nd within 30 days of incapacity)
 - At least 1 treatment within 7 days of the first day of incapacity and continuing treatment
 - Chronic conditions
 - Periodic visits (at least twice a year) for treatment by a healthcare provider
 - Continues over an extended period of time; and
 - May cause episodic period of incapacity
 - Conditions requiring multiple treatments
8. “Intermittent Leave” - Leave taken in separate blocks of time due to a single qualifying reason
9. “Reduced Leave Schedule” - A leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time.

Note: Under CFRA, a disability due to pregnancy, birth, or related medical condition is not a “serious health condition”. Also, under CFRA, leave may be taken for “treatment” for substance abuse. It is not necessary that the employee be admitted to a hospital or clinic in order to qualify, thus, an employee attending outpatient treatment sessions would qualify for protected leave.

PROTECTED LEAVE DURATION

CFRA

- A covered employer is required to grant an eligible employee a maximum leave of 12 workweeks in a 12- month period.
- “12 workweeks” means the equivalent of 12 of the employee’s normally scheduled workweeks. For eligible employees who work more or less than five days per week, or pursuant to an alternative work schedule, the number of working days that constitute 12 workweeks is calculated on a pro rata or proportional basis.

CCR Title 2, Section 7297.3, Subdivision C

PDL

- For a reasonable period of time not to exceed four months.

Gov Code 12945

Intermittent and Reduced Schedule Leave

CFRA and PDL leave may be taken on an intermittent or reduced schedule for any qualifying reason, when medically necessary. When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the employer agrees. The employer's agreement is not required, however, for PDL leave during which the mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition. If an employee needs leave

Leaves of Absence

intermittently or on a reduced leave schedule for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the employer's operations.

If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, or if the employer agrees to permit intermittent or reduced schedule leave for the birth of a child or for placement of a child for adoption or foster care, the employer may require the employee to transfer temporarily, during the period that the intermittent or reduced leave schedule is required, to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position.

Leaves Interaction

All leaves shall run concurrently, where appropriate. An employee is entitled to no more than twelve (12) total weeks of SRWA-paid health benefits during any unpaid leave taken during a twelve (12) month period. Benefits may be extended when an employee is using Pregnancy Disability Leave or California Family Rights Act Leave. An employee is entitled to SRWA-paid health benefits for the duration of pregnancy disability leave (PDL) up to four months providing that the employee is eligible for employer provided medical benefits and is receiving them when she is placed on PDL. If the employee exhausts all PDL and is qualified for California Family Rights Act Leave (CFRA) then the employer is also required to maintain their contribution of medical benefits for the employee throughout the duration of CFRA (12 weeks).

Therefore, an employer could potentially be required to maintain coverage for an employee disabled by pregnancy utilizing PDL for up to 4 months (i.e. 17 1/3 weeks) and an additional 12 weeks while using CFRA.

Once PDL ends (as explained above), if an eligible employee wishes additional leave to care for a newborn, she is entitled, under CFRA, to take up to twelve (12) additional weeks of leave. All leaves shall run concurrently, when appropriate.

WHEN BOTH EMPLOYEES ARE SRWA EMPLOYEES

If both husband and wife or both parents are employed by the SRWA, leave shall not exceed a combined total for both employees of twelve (12) weeks of leave during a twelve (12) month period, for leave taken:

Under CFRA leave, for the birth of the employee's son or daughter or to care for the child after the birth, or for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement. Any leave taken must conclude within one year of the birth or placement of the child.

SUBSTITUTION OF PAID ACCRUED LEAVES

1. If an employee requests leave for any reason permitted under this policy, other than the employee's own serious health condition, he/she must exhaust accrued leaves (except sick leave) in connection with the family leave. The exhaustion of accrued leave will run concurrently with the leave under this policy. Employees may use family sick leave as outlined in their Personnel Resolution affecting their position in effect at the time leave commences.

Leaves of Absence

- “Employees may use a maximum of six (6), eight (8) hour days or 48 hours of sick leave per calendar year to care for members of the employee’s immediate family.”
 - “As many as six (6) eight-hour days of annual sick leave may be used for illness of the employee’s immediate family.”
2. If employee requests leave for his/her own serious health condition, the employee must exhaust accrued sick leave as well as other accrued leaves. Pursuant to this policy, long term disability leaves would run concurrent with family leave.
 3. While on PDL, the employee must exhaust accrued sick leave and has the option to use other accrued leaves (Cal. Code Regs. tit. 2 § 11044(b)).
 4. For Workers’ Compensation Leaves for non-Public Safety Employees, and Workers’ Compensation time run concurrently. For Public Safety employees on 4850 time, and Workers’ Compensation time do not run concurrently.

MEDICAL CERTIFICATION

1. For CFRA, the Employer should request medical certification within five business days after notice of the need for CFRA leave. In all cases, employees must provide medical certification within 15 days
 - If leave is for a child, parent or spouse, request must be accepted if properly filled out.
 - If leave is for individual, certification must state that the employee is incapable of performing at least one of their essential job functions.
 - If certification is incomplete or insufficient, employer must advise the employee as to what additional information is needed, in writing.
 - Employer must provide employee with 7 days to cure insufficiency.
 - If insufficiencies are not cured in the new certification, employer may deny the leave.
 - Medical certification is not required when an employee is taking leave for baby bonding.

For PDL, the medical certification should include:

- The date on which the employee become disabled due to pregnancy or the date of the medical advisability for the transfer or reasonable accommodation;
 - The probable duration of the period(s) of disability or the period(s) for the advisability of the transfer or reasonable accommodation; and,
 - A statement that, due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy or to other persons or a statement that, due to her pregnancy, the transfer or reasonable accommodation is medically advisable.
2. If the SRWA has reason to doubt the validity of a certification for the employee’s own serious health condition, the SRWA may require a medical opinion of a second health care provider chosen by the SRWA. If the second opinion is different from the first, the SRWA may require the opinion of a third provider jointly approved by the SRWA and the employee. The opinion of the third provider will be binding. To choose a third provider, the SRWA and the employee will each submit a list of three providers. The employee and the

Leaves of Absence

SRWA must agree on one of these providers. The second and third medical opinions will be at the expense of the SRWA.

3. If employee requests leave intermittently (a few days or hours at a time) or on a reduced work schedule to care for an immediate family member with a serious health condition, the employee must provide medical certification that such leave is medically necessary. “Medically necessary” means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced work schedule. If granted Intermittent leave, the employee must make a reasonable effort to schedule planned medical treatments so as not to disrupt unduly the employer’s operations.
4. If additional leave is required upon the expiration of the time the health care provider estimates for the leave, the SRWA may require the employee to obtain recertification in accordance with the initial certification procedure.

EMPLOYEE NOTICE OF LEAVE

1. Although the SRWA recognizes that emergencies arise which may require employees to request immediate leave, employees are required to give as much notice as possible for their need for leave. If the leave is foreseeable, at least 30 days’ notice is required. In addition, if an employee knows that he/she will need leave in the future, but does not know the exact date(s) (e.g. for the birth of a child or to take care of a newborn), the employee shall inform his/her supervisor as soon as possible that such leave will be needed.
2. When an employee gives less than 30 days advance notice, the employee must respond to a request from the employer to explain why it was not practicable to give 30 days’ notice.

REINSTATEMENT UPON RETURN FROM LEAVE

1. Upon expiration of leave and/or disability, an employee is entitled to be restored to the position of employment held when the leave commenced, or to an equivalent position with equivalent benefits, pay, and all other terms and conditions of employment, unless the assignment to the position has expired or the position has been eliminated. It is the intent of this policy that the employee’s use of leave shall not adversely impact their salary, rank, seniority, pension, or other employee benefits.

CFRA

When granting an employee’s request for CFRA leave, the employer shall guarantee that the employee will be reinstated to the same or a comparable position, unless legally excused from doing so. If the employee requests, the guarantee must be provided in writing. Under California law, family care and medical leave shall not be deemed to have been granted unless the employer provides the guarantee. CCR Title 2, Section 7297.3, Subdivision C

As a condition of restoration of an employee whose leave was due to the employee’s own serious health condition which made the employee unable to perform his/her job, the employee must obtain and present a return-to-work (for CFRA and PDL) from the health care provider that the employee is able to

Leaves of Absence

resume work. Failure to provide such certification will result in denial of restoration, until such verification is provided, or in termination.

As a condition of the employee's return from leave, the employer may require that the employee obtain and submit a "return-to-work" release from his/her health care provider. The release must state that the employee is able to resume work. CCR Title 2, Section 7297.4

2. Employees still on probation at the time they began leave under PDL or CFRA may have the probationary period extended at the discretion of the General Manager. The General Manager shall consider factors such as the amount of probationary time remaining and performance of the employee prior to leave in making the decision.

ADDITIONAL FAMILY OR MEDICAL LEAVE

Requests

If the employee wishes leave beyond that provided for by PDL, and CFRA, the employee shall make a written request to the General Manager, through their supervisor, and provide an explanation of the need for the extended leave. Requests for additional leave will be reviewed on a case-by-case basis and granted at the sole discretion of the General Manager. An employee is entitled to no more than twelve (12) total weeks of SRWA-paid health benefits during any unpaid leave taken during a twelve (12) month period. *Benefits may be extended when an employee is using Pregnancy Disability Leave. Then an employee is entitled to SRWA-paid health benefits for the duration of pregnancy disability leave (PDL) up to four months.*

Required Forms – To be submitted to Human Resources. Employees must fill out the following applicable forms in connection with leave under this policy:

1. "Request for Family or Medical Leave form" prepared by the SRWA to be eligible for leave;
2. Medical Certification – either for the employee's own serious health condition or for the serious health condition of a child, parent or spouse (not required for baby bonding);
3. Authorization for payroll deductions for benefit plan coverage continuation; and
4. Fitness for duty to return from leave form, if appropriate.

UNPAID PERSONAL LEAVES OF ABSENCE

Employees who have been continuously employed with the SRWA for at least one (1) year, may, due to special circumstances, request a personal leave of absence without pay, for a reasonable period of time up to one hundred and eighty (180) days. Requests for leaves of absence will be considered on the basis of length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact on the SRWA.

A request must be submitted in writing and be approved in writing by the General Manager before a leave begins. A request for an extension of a leave of absence must be submitted in writing and approved in writing by the General Manager before the extended period begins. It is your responsibility to report to work at the end of the

Leaves of Absence

approved leave. If you fail to report to work on the day after your leave expires, you will be considered to have voluntarily resigned.

HOW BENEFITS ARE HANDLED DURING LEAVES OF ABSENCE

CFRA

If the SRWA provides you with health benefits under a group health plan, the SRWA will maintain and pay for your health coverage for up to 12 weeks at the same level and under the same conditions as coverage would have been provided if you had not taken CFRA leave. If your leave of absence extends beyond the protected length of leave, benefit premiums will become your full responsibility and you will be offered COBRA continuation of benefits.

PDL

If the SRWA provides you with health benefits under a group health plan, the SRWA will maintain and pay for your health coverage at the same level and under the same conditions as coverage would have been provided if you had not taken pregnancy disability leave. If you do not return to work at the end of your pregnancy disability leave, the SRWA may recover the payment from your premiums under certain circumstances. If your pregnancy disability leave extends beyond the protected length of leave, benefit premiums will become your full responsibility and you will be offered COBRA continuation of benefits.

Unpaid Personal Leaves of Absence

The SRWA does not pay for group insurance premiums during any portion of a non-mandated, unpaid leave of absence beyond the end of the month in which the leave begins. Accordingly, the premiums beyond that point for such coverage are your complete responsibility and offered through COBRA. In order to keep the insurance in force, premiums for the period of the leave must be paid according to the schedule outlined in the COBRA notification **form**.