

KINNELOA IRRIGATION DISTRICT
REGULAR MEETING – BOARD OF DIRECTORS
1999 KINCLAIR DRIVE, PASADENA, CA 91107
TUESDAY – MAY 18, 2010
7:30 P.M.

AGENDA

- 1. CALL TO ORDER**
 - A. Declaration of a Quorum
 - B. Review of Agenda
- 2. PUBLIC COMMENT**– Comments from the public regarding items on the Agenda or other items within the jurisdiction of the District.
- 3. ACCEPTANCE OF FINAL AUDIT YEAR 2009**
- 4. DISCUSSION OF MEETING MINUTES FORMAT**
- 5. GENERAL MANAGER’S REPORT**
- 6. REVIEW OF MINUTES** – March 16, 2010
April 20, 2010
- 7. REVIEW OF FINANCIAL REPORTS** – April 30, 2010
- 8. ITEMS FOR NEXT AGENDA**
- 9. CALENDAR** – June 15, 2010 (Director Griffith absent)
July 20, 2010
August 17, 2010
- 10. ADJOURNMENT**

Each item on the Agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Material related to an item on this agenda submitted after distribution of the Agenda Packet is available for public review at the District Office or online at the District’s website <http://www.kinneloairrigationdistrict.info>.

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
KINNELOA IRRIGATION DISTRICT
March 16, 2010**

MEMBERS PRESENT: Directors Barkhurst, Griffith, Kilburn, Pickard and Sorell

STAFF PRESENT: Chris Burt, Facilities Supervisor
Shirley Burt, Administrative Assistant
Melvin Matthews, General Manager

CALL TO ORDER: The Meeting was called to order by the Chair, Director Sorell, at 1932 hours. He noted that there was a quorum present. The Agenda was unanimously approved as presented.

PUBLIC COMMENT:

Marietta Kruells, a resident of Altadena, addressed the Board regarding her concerns with the Foothill Municipal Water District's Capital Improvement and Recycling Plans. She believes that residents are not sufficiently aware of the costs of the project and that FMWD had not sufficiently examined the costs and legal issues related to Proposition 218.

Following her presentation Director Sorell thanked Ms. Kruells for her comments.

PRESENTATION AND DISCUSSION – FMWD'S LOCAL WATER SUPPLY CAPITAL IMPROVEMENT PROGRAM:

Ms. Nina Jazmadarian, General Manger of the Foothill Municipal Water District (FMWD), introduced herself to the Board.

Director Barkhurst explained that the Board did not sufficiently understand what services were covered by the invoice from FMWD for project studies.

Ms. Jazmadarian explained that FMWD's Local Reliable Water Supply Program is intended to address aging facilities and needed upgrades and interconnections. KID would not be involved with a majority of the expenditures since no water is being delivered to Kinneloa. She further presented three proposed local water sources that Foothill is planning to develop: 1) storm water capture, 2) recycled water and 3) recharge the groundwater basin, as well as increase conservation. Sites considered include one near the Eaton Canyon Spreading grounds which would be a direct benefit to Kinneloa.

A discussion followed concerning the costs and benefits of the proposed plans, and a scheduled public vote on a parcel tax pursuant to Prop 218. Directors expressed concerned that education and outreach had been weak and Ms. Jazmadarian acknowledged that the vote might be put off as a result. If a public vote failed, the Agency's alternative is a "Direct Payment" under which the Agency would issue the bonds and bill the eight member agencies for their share of costs. FWMD has the authority to issue such bonds without a public vote. It would be responsibility of each agency to recover those costs from its ratepayers.

The total cost of the contemplated projects would be well over \$65 million, of which 2% would be allocated to KID based on FMWD's consultant projection of KID's "ultimate use." This allocation

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was question by several directors since KID has not been a purchaser of imported water and does not expect to ever be one as geographically constraints limit future growth. Even if the Federal Government contributes up to half the cost, KID's allocation would be large relative to its resources. Since KID would not likely need water provided by this Plan, payment of this obligation would be unpopular.

General Manager Matthews stated that he had met with the consultant maybe as far back as 2005 or 2004 and talked about various things and the proposed allocated likely came from those discussions. A further discussion took place regarding our participation in FMWD's Board Meetings so that KID's interests were adequately represented.

It was M/S/C- (Barkhurst/Pickard-5/0) – **“That the Board accepts the \$6,746 FMWD Invoice for the year 2010 which will be paid in 12 monthly payments upon receipt of a proper invoice.”**

It was M/S/C/- (Barkhurst/Kilburn-5/0) – **“That the Board requests the Foothill Municipal Water District to present to the Kinneloa Board of Directors a factual defense of the 300 Acre Feet which is the basis of the \$6,746 bill.”**

Director Sorell thanked Ms. Jazmadarian for coming to the meeting and providing information pertinent to the FMWD Plans. Ms. Jazmadarian then left the meeting.

Director Barkhurst expressed concern that at some point General Manager Matthews could have a conflict of interest between representing the rate payers in the Rubio Canyon Water Company (through the FMWD Board) and the KID ratepayers. Mr. Matthews was advised to be extremely careful and sensitive to an actual or perceived conflict. There could come a time when Mr. Matthews could be asked to vote on something that might be in the self interest of a Rubio Canyon rate payer that is against the self interest of the Kinneloa Irrigation District or a Kinneloa rate payer.

Director Barkhurst requested permission to introduce another topic that is not on the Agenda. He reported that a front page article in the March 15 edition of the Pasadena Star News entitled “Water District Sides With Unions”, described that the Upper San Gabriel Valley Water District has pledged to use union labor on its future construction projects. Director Barkhurst said that he is concerned about possible implications for the Kinneloa Board.

ONLINE CUSTOMER INQUIRY AND BILLING SYSTEM UPGRADE PROJECT:

General Manager Matthews explained that a project to make certain customer services available on the KID's website, including bill paying and utilization history. He discussed the safeguards to protect against the theft of customer information, passwords and financial information. He further explained that on-line payment currently only be made through direct debit, but that it would be possible to accept credit cards if we pay the associated fees. There was consensus by the Board to not include credit cards.

This project is included in the current year budget.

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Chris Burt, Facilities Supervisor, commented that this program would eliminate some of the calls into the office regarding billings.

It was M/S/C – (Barkhurst/Kilburn-4/1 (Director Griffith Opposed) -- **“That the Online Customer Inquiry and Billing System Upgrade Project be approved.”**

GENERAL MANAGER’S REPORT:

Capital Improvement Projects:

Windover Road:

Mr. Matthews explained that the engineering is being done by S.A. Associates as they have successfully done the last two pipeline jobs. To spread our engagements, Civiltec is working on the Booster Stations.

Brown Reservoir Road:

Only the District uses this road but that it also serves as a flood channel.

Audit Report:

Director Barkhurst stated that as Treasurer, he has reviewed the draft report and made a few minor changes. He expects to get final draft within a few days.

REVIEW OF MINUTES:

The minutes of February 16, 2010 were reviewed and unanimously approved as presented.

The status of the miscellaneous service charge project and **Shirley Burt**, Administrative Assistant, reported that the project is not yet complete for Board Review.

REVIEW OF FINANCIAL REPORTS:

Director Barkhurst reviewed the Financial Reports and noted the following -

- Due to the wet weather metered water sales are significantly reduced
- Wholesale water sales to Pasadena made up for the loss
- Equipment maintenance expense is slightly over budget
- Insurance expense is lower than expected due to a refund

The Financial Reports were approved as presented 5/0.

APPOINTMENT OF AD HOC PERSONNEL COMMITTEE:

The General Manager’s Annual Performance Review is due. The Board concluded that it would be a better process for the Board to meet as a whole in Executive Session. After further discussion a meeting of the Board in Executive Session was scheduled for Monday, April 19, at 7:00 P.M. at the Kinneloa Office.

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OTHER BUSINESS:

Director Griffith asked for a review of the decision regarding attendance at the FMWD meetings because he understood there were two separate meetings each month. The Board discussed whether it would be better to ask the Facilities Supervisor or a Board Member to attend the Board Meetings. General Manager Matthews clarified that the decisions are made only at the FMWD Board Meetings but that issues are discussed and recommendations made at the Manager's Meetings. In view of the earlier discussion regarding potential conflicts of interest, the Board concluded that it would be better to have a KID Board member attend those meetings rather than Mr. Matthews due to his dual roles.

Director Kilburn noted that the next FMWD Board Meeting is on Monday. Directors Griffith and Kilburn volunteered to attend the meeting on Monday.

ITEMS FOR NEXT AGENDA:

General Manager's Performance Review
Attendance at FMWD Board Meetings
2009 Draft Audit Review

ADJOURNMENT:

The meeting was adjourned at 2123 hours. The next meeting will be held on April 20, 2010.

Respectfully submitted,

Shirley Burt,
Secretary to the Board

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
KINNELOA IRRIGATION DISTRICT
APRIL 20, 2010**

MEMBERS PRESENT: Directors Barkhurst, Griffith, Kilburn, Pickard and Sorell

STAFF PRESENT: Chris Burt, Facilities Supervisor
Shirley Burt, Administrative Assistant
Melvin Matthews, General Manager

CALL TO ORDER: The Meeting was called to order by the Chair, Director Sorell, at 1930 hours. He noted that there was a quorum present. The Agenda was unanimously approved as presented.

PUBLIC COMMENT:

No one from the Public wished to comment at this time.

REVIEW OF YEAR 2009 DRAFT AUDIT REPORT:

Gail Egan, Auditor, reviewed the 2009 Draft Audit Report noting that there were no new accounting principals or exposures that affected the Financial Statement.

Director Barkhurst noted that on Page 5, in the first line of the last paragraph the date should be changed from 2009 to 2010.

Director Sorell questioned the comparison of cash flows from 2008 to 2009 shown on Page 10 as it relates to cash payments to employees which increased by \$70,000 and payment for services that decreased by \$190,000. He stated that he could not identify any individual components that would account for the difference although the aggregate numbers were good

Ms. Egan stated that she would review her records and verify those numbers.

It was –M/S/C – (Barkhurst/Griffith-5/0) – **“That the Board accepts the Draft Audit Report for the year 2009 as presented with the correction of the date on Page 5 and verification of the amounts shown on Page 10”**.

DISCUSSION OF ATTENDANCE AT FMWD BOARD MEETINGS:

Director Barkhurst stated he had requested that this matter be placed on the Agenda since, at the last meeting, it had been the belief of some of the Board Members that the Board needed to take better control at the Board level of information being discussed at and coming from the FMWD Board Meetings.

He strongly urged, subject to his on going concern that the General Manager sooner or later will have a conflict of interest representing Division II of the FMWD and representing the Kinneloa Irrigation District, that the General’s Manager’s first priority to the KID Board is as the General Manager of the KID and that one of the priorities is to attend the monthly FMWD Manager’s Meetings and to make those materials fully available to the Board. The KID Board could then decide whether that is sufficient information or whether a Board Member needed to attend the meetings.

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DISCUSSION OF ATTENDANCE AT FMWD BOARD MEETINGS: (continued)

Director Griffith noted that by calling the FMWD Office they will put your name on the list and Email the information to you.

Director Barkhurst commented that sooner or later the FMWD Board will make the decision to spend or not spend a large amount of money and therefore the Kinneloa Board needs to stay informed and involved about their decision. He stated that he did not think that a Board Motion was required but that it is the consensus of the Board that the General Manager attend the FMWD Manager's Meetings, that the Board receive on a monthly basis both the notice of and minutes of all those meetings, and that the General Manager provide a monthly report to the Board verbally or as part of the General Manager's Report. The Board would then make a decision whether to attend the meetings.

Director Kilburn commented that by attending the meetings information is obtained that is not on the Agenda or included in the minutes.

REPORT OF EXECUTIVE SESSION:

Director Sorell reported that an Executive Session of the Board was held on April 19, 2010 and the General Manager's Performance was reviewed and a report prepared. The report was discussed with and signed off by the General Manager. No decisions were made during the Session.

Following the report **Director Barkhurst** stated that 1) because the CPI for the County of Los Angeles was a negative number last year and 2) because of the overall general unease in the economy and 3) because of the less than completely positive feelings in the general public toward government and quasi government entities overall, that taking all of these things into consideration it would be appropriate for the Kinneloa Irrigation District Board to impose a general salary freeze for the year 2010. .

It was M/S/C – (Barkhurst/Kilburn-5/0) – **“That the Board impose a general salary freeze for the
year 2010.”**

GENERAL MANAGER'S REPORT:

Director Barkhurst questioned the cost of the Eye Wash Stations and the Mr. Matthews explained that five stations were being installed which is a significant project and that beside the cost of the actual stations, the Facilities Supervisor has been purchasing the materials necessary to fabricate and install the stations at each of the five sites. He explained that after the JPIA inspection the District had agreed to install these stations at all of the facilities where chemicals are used.

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REVIEW OF MINUTES:

The minutes of March 16, 2010 were reviewed.

It was M/S/C- (Barkhurst/Kilburn-5-0) – **“That the minutes of March 16, 2010 be tabled until the next meeting.”**

REVIEW OF FINANCIAL REPORTS:

Director Barkhurst reviewed the Financial Reports and noted the following –

--Revenue was increased this month due to wholesale water sales and the sale of the 1989 truck

--Expense was less than budgeted for truck fuel and legal fees

--Expense was over budget for computer expenditures

The Financial Reports were approved for filing.

ITEMS FOR NEXT AGENDA:

Final Audit Report

Discussion and Action on Minutes Taking

ADJOURNMENT:

The meeting was adjourned at 2130 hours and the next meeting will be held on May 18, 2010.

Respectfully submitted,

Shirley Burt,
Secretary to the Board

General Manager's Report

May 18, 2010

I. Capital Improvement and Preventative Maintenance Projects

- A. Brown Reservoir – Flo-Loc valve installation and SCADA tie-in have been completed.
- B. Cla-Val® Annual Maintenance – One valve at Eucalyptus and one at K-3 remain for current year.
- C. Booster Maintenance – Eucalyptus #1 has been removed for overhaul.
- D. Equipment Purchase – Revised specifications for the Wilcox Reservoir generator have been provided to Generator Services Co. for quotation.
- E. System Maps – Completed set has been delivered for final review.
- F. SMV/Windover Pipeline – Proposal has been received from SA Associates for preparing plans and specifications.
- G. Eye Wash Stations – Installation of remaining stations in progress.
- H. Inventory Maintenance – Restocking and organizing is in progress.

II. Customer Service Issues

- A. Kinneloa Mesa – Customer reported leak at meter box. We determined that the leak was on our side of the meter at a coupling on service line and fixed it.
- B. Dove Court – Customer requested that the water be turned off to facilitate leak repair.
- C. Delinquent Accounts:
 - 13 accounts received 10 day letters
 - 12 accounts received 5 day letters
 - 7 accounts received 24-hour shut off notice
 - 0 accounts were shut off for non-payment and turned back on after payment
 - 0 accounts remain shut off for non-payment

III. General Manager's Highlights

- A. Audit – Final report incorporating our requested changes has been received.
- B. Newsletter – Preparation of summer newsletter is in progress.
- C. ACWA Spring Conference – I attended the conference on May 4 through May 7. The focus was on the recently passed water infrastructure and Delta restoration legislative package and the upcoming \$11 B bond measure that will be on the November ballot that will help fund the proposed projects.
- D. Legislative Update – Jim Ciampa of our Public Water Agencies Group has provided the attached status of current legislation of general interest that we have been following.



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MEMORANDUM

To: Public Water Agencies Group
From: Lagerlof, Senecal, Gosney & Kruse, LLP
Subject: Pending Legislation
Date: May 11, 2010

Below is an expanded and updated summary of legislation now pending in the California Legislature that may be of interest to the Group. This summary supplements the summary distributed at the March 10 Group meeting. Where bills have been substantively amended, we have summarized those amendments in italics. We have also included the current status of each bill, as of today.

We will continue to keep you apprised of further developments regarding these bills and additional bills that may be introduced that could impact your agencies.

ASSEMBLY BILLS:

AB 510 - would increase the cap on solar or wind generated electricity for net metering purposes from 2.5% to 5% of the utility's aggregate peak demand.

Status: This bill was passed by both houses of the Legislature and signed by the Governor.

AB 1594 – this bill would prohibit the construction of a peripheral canal unless the Legislature specifically authorizes that construction. The bill would also require the Legislative Analyst's Office to complete an economic feasibility study prior to the enactment of a statute to authorize that construction. Lastly, the bill would prohibit the construction or operation of a peripheral canal if it would diminish or negatively affect the water supplies, water rights or water quality in the Delta, or would impose any new burdens on Delta infrastructure or financial burdens on Delta area residents.

Status: This bill is being held without recommendation in the Assembly Water, Parks and Wildlife Committee.

AB 1664 – this bill potentially impacts MWD representatives. The bill would require the representative of a MWD member agency serving on MWD's board of directors to at all times be authorized to represent that member agency. The bill also would prohibit the member agency from directing or instructing its MWD representatives to vote in a particular manner on any issue that comes before MWD's board.

Status: This bill is in the Assembly Local Government Committee, with its first hearing cancelled at the author's request.

AB 1704 – as introduced, it would provide for an exemption from CEQA for a project to install a recycled water pipeline within an improved public street, highway or right-of-way. *As amended April 8, the exemption is limited to any new pipeline of less than 8 miles in length that is within a paved street, highway or right-of-way. That amendment also deleted the exemption for the replacement of an existing pipeline in an improved street, highway or right-of-way.*

Status: This bill failed passage out of the Assembly Natural Resources Committee.

AB 1728 – this bill adds a provision to Water Code Section 13885.1 to allow publicly owned treatment works to use an automatic composite sample, instead of grab samples, to collect representative monitoring samples of constituents that are potentially subject to mandatory minimum penalties under Section 13385.

Status: This bill failed passage in the Assembly Environmental Safety and Toxic Materials Committee, but has been granted reconsideration, which likely means that amendments to the bill will be forthcoming.

AB 1774 – would revise Water Code Section 13552.2 regarding recycled water to delete “residential” and thereby make the legislative declaration of that section applicable to any landscaping instead of just residential landscaping. The bill would also add a new statute, Water Code Section 13552.3, which would authorize a public agency to require that a state agency use recycled water for landscape irrigation. *As amended on March 16, the bill now includes language that the recycled water must be furnished to the state agency at reasonable cost, i.e., comparable to or less than the cost of potable water.*

Status: This bill was approved by the Assembly Water, Parks and Wildlife Committee, and has been referred to the Assembly Appropriations Committee, where it has been placed in the suspense file.

AB 1793 – would provide that a homeowners association’s governing documents could not prohibit the use of artificial turf or any other synthetic surface that resembles grass. *As amended, the bill would allow a homeowners association to establish design and quality standards pertaining to artificial turf or similar surfaces.*

Status: The bill has passed the Assembly and has been assigned to the Senate Transportation and Housing Committee.

AB 1805, ABX8 37, SB 1010 & SBX8 42 – these bills would each enact the CEQA Litigation Protection Pilot Program of 2010 and would require the Business, Transportation and Housing Agency to select up to 25 projects a year that would be exempt from CEQA litigation. The bill would require: (1) ten projects be located in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego; (2) five projects located in the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, Santa Clara, Solano, and Sonoma; (3) five projects located in the counties of Fresno, Kern, Kings, Madera, Merced, Sacramento, San Joaquin, Stanislaus, and Tulare; (4) five projects located in the rest of the state. For a project to qualify for the exemption, the lead agency for the project must certify it expects the environmental impact report for the project will be certified within 12 months after the effective date of the bill, and if the EIR is not certified within that 12 month period, the exemption does not apply to that project and an alternative project will be selected to replace that project.

Status: The Assembly version is in the Assembly Natural Resources Committee. The Senate version failed passage out of the Environmental Quality Committee, but has been granted reconsideration.

AB 1813 – would add cell phone apps as a medium where a public official can require the removal of the official’s home address or telephone number (currently, the statute provides only for removal from public display on the internet).

Status: The bill passed the Assembly and is now in the State Senate.

AB 1834 – *this bill has been amended to now state the “Rainwater Capture Act of 2010.” The act would authorize landowners to install rainwater capture systems on their property. The act also would require the State Water Resources Control Board to initiate a stakeholder process to develop guidelines for local agencies to address issues arising from rainwater capture and submit proposed guidelines to the Legislature by December 31, 2011.*

Status: The bill passed the Assembly Water, Parks and Wildlife Committee and has been referred to the Assembly Appropriations Committee, where it has been placed in the suspense file.

AB 1843 – would require the California Department of Homeland Security to submit confidential reports to the Legislature regarding the current security status of the state’s drinking water systems and facilities. The report would include a special focus on any vulnerability to terrorist attacks and recommend protective actions. The preliminary report would be due by January 31, 2011 and the final report by July 1, 2012.

Status: The bill is in the Assembly Governmental Organization Committee.

AB 1929 – this is a reintroduction of AB 804 from last year, which would provide that the operator of a water delivery or storage facility who has prepared, initiated and is in compliance with a plan to control and eradicate dreissenid mussels is not subject to civil or criminal liability for the introduction of the species as a result of operating those facilities. AB 804

was passed by the legislature last year, but vetoed by the governor due to concerns that the state would become liable if the underlying facility operators were immune from liability. ACWA amended the bill to clarify that existing law protects the state and its agencies against liability for their efforts to control quagga mussels.

Status: The bill has passed the Assembly and is now in the Senate Natural Resources and Water Committee.

AB 1955 – would add additional circumstances where two public offices are incompatible. Those additional circumstances are: (1) where the geographic jurisdictions of the two public agencies overlap and both agencies have the power of eminent domain; (2) where either agency has the power to set a fee or rate or to impose a tax or levy that may affect, directly or indirectly, the other agency; or (3) where either agency has the power to investigate, monitor or sue the other agency.

Status: The bill has passed the Assembly and is now in the Senate.

AB 1957 – would require a state agency to mail notice of any regulation changes to local government agencies that the state agency believes may be interested in or impacted by the proposed change. This bill addresses apparent problems that have been encountered with affected local agencies not receiving notice of state regulatory changes that may impact them.

Status: The bill was passed by the Assembly Committee on Business and Professions and has been referred to the Assembly Appropriations Committee, where it has been placed in the suspense file.

AB 1975 – as originally drafted, would require that meters or submeters be installed in any multi-unit residential structure for which a construction permit has been issued on or after January 1, 2011. This bill would therefore apply only to new construction. *The bill was amended on April 7 to: (1) also apply to mixed use residential and commercial structures; and (2) change the triggering mechanism to issuance of a first occupancy permit (rather than a construction permit) issued on or after January 1, 2012. Interestingly, further amendments made on April 29 deleted provisions that had been added on April 7 to add specified not-to-exceed amounts for an administrative fee to cover the cost of reading the meters (not-to-exceed \$4.00 per meter or submeter per month) and for a late payment fee (not-to-exceed \$10 per month, with the payment due date specified as being no earlier than the 19th day after the date on which the bill is mailed).*

Status: The bill has been passed by the Assembly Water, Parks and Wildlife Committee and has been referred to the Assembly Appropriations Committee.

AB 2049 – would prohibit DWR from approving a water transfer of more than 10 years for contractual rights to the delivery of water from the State Water Resources Development System that are held by a contractor for agricultural use and are being transferred for municipal use. The author is trying to address the situation where large farms have sold water rights to municipalities, and then continued to farm by using groundwater. *The bill was amended on April 19 to revise how the author's intent is carried out. Those amendments would now prohibit a State Water Project contractor from transferring a portion of water from agricultural to municipal use unless certain requirements are met (i.e., the groundwater basin of the service area from which the water is to be transferred is monitored, and DWR receives a written evaluation of the economic, social and environmental effects of the transfer upon the service area from which the water is to be transferred).*

Status: The bill has been passed by the Assembly Water, Parks and Wildlife Committee and has been referred to the Assembly Appropriations Committee and placed in the suspense file.

AB 2091 – would exempt from disclosure under the Public Records Act public agency records regarding information security and investigatory files compiled for information security purposes.

Status: The bill has passed the Assembly Governmental Organization Committee, and has been placed on the Assembly's consent calendar.

AB 2096 – would authorize a public agency and a contractor to mutually agree to resolve a claim through independent arbitration.

Status: The bill is in the Assembly Judiciary and Business and Professions Committees.

AB 2187 – would prohibit an employer who, having the ability to pay, willfully fails to pay within 90 days of the employee's discharge or termination all wages due to an employee who has been discharged or who has quit. The bill would impose a minimum fine of \$1,000 and a maximum fine of \$10,000, in addition to other criminal penalties. **Status:** The bill has passed the Assembly and is now in the Senate.

AB 2390 – would change the statutory requirement so that a bidder would be required to hold a valid contractor's license of the specified classification at the time a bid is made, instead of at the time the contract is awarded, and would require that

the contractor possess valid workers' compensation insurance at the time the bid is made. The bill would require that all subcontractors' license information and proof of valid workers' compensation insurance be included in any responsive bid. **Status:** The bill has been approved by the Assembly Committee on Business, Professions and Consumer Protection and has been referred to the Assembly Appropriations Committee.

AB 2409 – as originally drafted, it would have required any ordinance adopted pursuant to the Model Water Efficient Landscape Ordinance to exclude swimming pools and spas from the definition of the term “water feature.” *The bill was gutted by amendments on April 6 and now would require an urban water supplier, in developing a water shortage contingency analysis for its Urban Water Management Plan, to analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas.*

Status: The bill has been passed by the Assembly and is now in the Senate Natural Resources and Water Committee.

AB 2424 – would revise existing law (which requires that all unpaid wages owing to a discharged employee be paid immediately upon discharge) to allow the payment to be made within 24 hours of the discharge and to allow the employer to mail the payment to the employee at the employee's most current address.

Status: The bill is still in the Assembly Labor and Employment Committee and has not yet had its first hearing.

AB 2565 – as introduced, it would allow (**not require**) for CEQA documents that must be made available to the public to be posted on the lead agency's website, instead of being mailed. This bill could result in substantial savings in the distribution of CEQA related documents. *As amended on April 5, the bill would also allow a lead agency to make copies of environmental review documents available by digital copy, including compact disc or e-mail attachment.*

Status: The bill has been passed by the Assembly and is now in the Senate.

AB 2583 – as originally introduced, this bill would have required water agencies to use “safer technology” treatment chemicals (i.e., chlorine). As amended on April 22, the bill would require the California Emergency Management Agency to adopt regulations to require a public water system to consider the use of safer technologies. ACWA is opposed to this bill.

Status: The bill has passed the Assembly Committee on Environmental Safety and Toxic Materials and has been referred to the Appropriations Committee.

SENATE BILLS:

SB 918 – would require the Department of Public Health to develop water recycling criteria for indirect potable reuse (i.e., recycled water to be used for groundwater recharge or surface water augmentation) and to investigate the feasibility of establishing water recycling criteria for direct potable reuse (i.e., recycled water to be used for drinking after it is treated). DPH's efforts are to be funded with up to \$500,000 per year from penalties recovered under Water Code Section 13350 for waste discharge requirement violations. The criteria for groundwater recharge are to be established by December 31, 2013. *As amended, the criteria for surface water augmentation are to be developed by December 31, 2016. As amended, the bill now would require that DPH investigate the feasibility of developing uniform water recycling criteria for direct potable reuse and to provide a final report to the Legislature on that investigation by December 31, 2016.*

Status: The bill passed the Senate Environmental Quality Committee and is now in the Senate Appropriations Committee.

SB 972 – would change existing law regarding indemnification by providing that the indemnifying party has no obligation to defend the other party before a preliminary or final determination of liability [currently, the defense obligation accrues prior to any fault determination], and the indemnification obligation is limited to the indemnifying party's finally determined indemnification percentage of liability based on the comparative fault of the indemnifying party. The author (Senator Wolk) believes an individual should only responsible for their own negligent conduct and not for the negligence of third parties. *The bill was amended on April 5 to apply to design professionals. The bill is now facing increased opposition from local agencies and statewide government organizations.*

Status: The bill passed the Senate Judiciary Committee.

SB 1173 – would prohibit the use of “nonrecycled water” for any municipal or industrial use for nonpotable purposes, for residential landscaping and for use in floor trap priming, cooling towers and air conditioning devices if recycled water is available and meets the current test set forth in Water Code Section 13550, including that the recycled water be furnished at

reasonable cost, comparable to or less than the cost of supplying non-recycled water. The bill would replace the term “potable domestic water” with “nonrecycled water.”

Status: The bill has been passed by both the Senate Environmental Quality Committee and the Senate Appropriations Committee.

SB 1276 – would require that a trustee under a defaulted deed of trust satisfy any existing liens filed by a public utility of a city, county or city and county prior to the foreclosure sale on the real property. Currently, such liens are wiped out by the foreclosure sale. Our comment to ACWA is to attempt to get the bill broadened to include special district liens. **Status:** The bill is pending in the Senate Judiciary Committee.

SB 1284 – would deem that certain violations of discharge monitoring reporting requirements are not “serious violations” that give rise to mandatory minimum penalties. Those carve outs include failure to file reports for quarters where no discharges occurred; failure to file reports in quarters where no numeric effluent limitation has been exceeded; and failure to file reports for which the State Board or Regional Board did not inform the discharger of the alleged violation within 90 days of the date on which the report was required to be filed.

Status: The bill was approved by the Senate Environmental Quality Committee, with the understanding that amendments would be forthcoming. Negotiations on those amendments are continuing. The bill was recently passed by the Senate Appropriations Committee and placed in the suspense file.

SB 1293 – would provide an exemption from CEQA for the adoption of a vegetation management plan (i.e., vegetation clearing). *As amended on April 13, the exemption has been deleted and has been replaced with a requirement for the Office of Planning and Research to include in the next CEQA Guidelines update in 2011 proposed changes to the initial study form to include questions regarding vegetation management projects to reduce fire hazards in state responsibility areas and high fire hazard severity zones. The amended bill would also require the Secretary of the Natural Resources Agency to adopt those additions.*

Status: The bill was passed by the Senate Environmental Quality Committee and has been referred to the Senate Appropriations Committee and placed in the suspense file.

SB 1412 – this is renewal of AB 640 from 2007, and would essentially require that WRD impose different assessments in the Central Basin and West Basin.

Status: Our understanding is that this bill is dead.

Kinneloa Irrigation District
Income Statement
For the Four Months Ending April 30, 2010

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Revenues				
4000 Water Sales	\$ 82,993.25	\$ 97,800.00	\$ 259,933.45	\$ 277,800.00
4015 Wholesale Water Sales	13,984.09	0.00	34,622.53	0.00
4020 Service Charges	4,425.35	833.33	5,116.11	3,333.32
4025 Asset Sale	0.00	0.00	2,000.00	0.00
4035 Interest-Reserve Fund	800.59	1,166.67	3,377.05	4,666.68
4050 Capacity Charge	0.00	0.00	0.00	3,000.00
Total Revenues	102,203.28	99,800.00	305,049.14	288,800.00
Expenses				
5005 Electricity	6,633.34	7,000.00	23,439.37	22,000.00
5010 Maintenance Supplies	2,470.99	2,000.00	6,480.44	8,000.00
5012 Safety Equipment	958.42	500.00	4,212.79	2,000.00
5015 Maintenance Labor	13,301.49	13,500.00	51,056.31	52,500.00
5020 Stand-by Compensation	630.00	625.00	2,340.00	2,500.00
5022 Training/Certification	0.00	200.00	115.00	800.00
5025 Water Treatment/Analysis	1,178.00	1,833.33	4,227.54	7,333.32
5030 Maintenance Contractors	7,292.48	10,500.00	32,043.30	42,000.00
5034 Equipment Maintenance	0.00	500.00	1,375.88	2,000.00
5035 Vehicle Maintenance	31.95	300.00	767.38	1,200.00
5036 Fuel - All Equipment	150.21	1,000.00	2,121.96	4,000.00
5045 Insurance-Workers Compensation	0.00	0.00	(6,252.00)	3,000.00
5046 Insurance-Liability	1,359.75	1,250.00	1,693.99	5,000.00
5048 Insurance-Property	169.00	208.33	267.22	833.32
5049 Insurance-Medical	3,158.13	3,166.67	12,632.52	12,666.68
6000 Engineering Services	0.00	2,000.00	900.00	8,000.00
6005 Watermaster	901.33	1,000.00	3,605.32	4,000.00
6015 Administrative Salary	10,004.40	10,609.64	40,017.60	40,622.84
6017 Administrative Travel	343.51	416.67	783.28	1,666.68
6020 BofD Compensation	1,000.00	500.00	2,900.00	2,300.00
6021 Administrative & Board Expense	(175.00)	208.33	754.00	833.32
6022 BofD-Election	0.00	0.00	32.96	0.00
6024 Customer/Public Info. Prog.	0.00	333.33	265.26	1,333.32
6025 PERS - KID	930.28	1,227.00	3,679.55	4,776.00
6030 Social Security - KID	2,199.22	2,300.00	8,508.02	9,000.00
6035 Office Supplies	744.93	750.00	2,865.81	3,000.00
6036 Postage/Delivery	292.76	500.00	1,382.07	2,000.00
6040 Professional Dues	328.75	416.67	1,400.00	1,666.68
6045 Legal Services	558.22	1,250.00	1,645.64	5,000.00
6050 Telephone	342.87	500.00	1,523.16	2,000.00
6051 Mobile Telephone	131.07	200.00	526.94	800.00
6052 Pagers	18.93	166.67	75.72	666.68
6053 Internet Service	59.99	83.33	254.81	333.32
6059 Computer/Software Maintenance	1,030.00	833.33	3,062.31	3,333.32
6061 Office Equipment Maintenance	0.00	83.33	0.00	333.32
6065 Accounting	0.00	0.00	0.00	6,000.00
6070 Office Labor	3,812.16	4,000.00	14,902.08	16,000.00
6075 Outside Services	2,566.64	1,666.67	3,571.61	6,666.68
6080 Operational Fees	1,124.34	0.00	2,248.68	0.00
6081 Permits/Fees	0.00	208.33	575.00	833.32
6120 Bank Service Charges	411.92	250.00	1,124.43	1,000.00
Total Expenses	63,960.08	72,086.63	233,125.95	287,998.80
Net Income	38,243.20	27,713.37	71,923.19	801.20

Kinneloa Irrigation District
Income Statement
For the Four Months Ending April 30, 2010

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Other Expenditures				
1504 Water Mains	0.00	3,750.00	0.00	15,000.00
1509 Wilcox Well/Wilcox Booster	0.00	0.00	15,974.12	15,000.00
1511 Water Treatment Plant	0.00	450.00	0.00	1,800.00
1512 Trans. & Dist. Plant Meters	8,034.27	10,500.00	25,164.35	21,000.00
1513 Electrical/Electronic Equip.	0.00	4,166.67	2,517.80	16,666.68
1514 Computer/Office Equipment	0.00	416.67	7,500.00	1,666.68
1515 Vehicles & Portable Equipment	0.00	5,183.33	0.00	20,733.32
1527 SCADA Equipment	1,199.13	1,250.00	1,199.13	5,000.00
1530 Tools	252.45	0.00	958.99	0.00
Total Other Expenditures	9,485.85	25,716.67	53,314.39	96,866.68
Total Increase or (Drawdown)	\$ 28,757.35	\$ 1,996.70	\$ 18,608.80	\$ (96,065.48)

Kinneloa Irrigation District
Balance Sheet
April 30, 2010

ASSETS

Current Assets

1010	Checking-Wells Fargo Bank	\$ 175,373.95
1012	Reserve Fund-LAIF	235,889.41
1014	Reserve Fund-CalTRUST	251,489.16
1015	Accrued Interest - CalTRUST	800.00
1016	Accrued Interest - LAIF	262.28
1100	Accts. Receivable-Water Sales	43,599.29
1101	Accts. Receiv.-Service Charges	29,186.80
1190	Allowance for Bad Debts	(9,088.93)
1200	Inventory	20,000.00
1340	Accrued Water Sales	98,123.31
1350	Prepaid Insurance	12,921.95
1360	Prepaid Expenses	17,062.90
		<hr/>
	Total Current Assets	875,620.12

Property and Equipment

1501	Water Rights	52,060.41
1503	Land Sites	96,700.08
1504	Water Mains	1,647,012.03
1505	Water Tunnels	705,985.75
1506	K-3 Well	70,233.86
1507	Improvement District #1	602,778.12
1508	Mountain Property	6,620.00
1509	Wilcox Well/Wilcox Booster	87,286.82
1510	Interconnections	14,203.27
1511	Water Treatment Plant	172,044.97
1512	Trans. & Dist. Plant Meters	85,834.82
1513	Electrical/Electronic Equip.	200,660.53
1514	Computer/Office Equipment	42,261.42
1515	Vehicles & Portable Equipment	180,552.49
1516	Water Company Facilities	60,079.20
1517	KID Office	51,362.92
1518	Shaw Ranch	280,789.92
1519	Dove Creek Project	487,383.87
1521	Kinneloa Ridge Project	690,492.58
1522	Eucalyptus Booster Station	471,817.81
1526	Vosburg Booster	12,590.00
1527	SCADA Equipment	175,600.36
1528	Tanks and Reservoirs	97,944.39
1529	Holly Tanks	181,113.76
1530	Tools	958.99
1600	Accum. Depreciation	(2,444,905.00)
		<hr/>
	Total Property and Equipment	4,029,463.37
		<hr/>
	Total Assets	\$ 4,905,083.49
		<hr/> <hr/>

Kinneloa Irrigation District
Balance Sheet
April 30, 2010

LIABILITIES AND CAPITAL

Current Liabilities

2000	Accounts Payable	\$ 10,699.48	
2271	Deposits-Construction Meters	1,650.00	
2273	Job Deposits-Doyne Rd.	16,898.87	
2290	Accrued Vacation	14,349.70	
	Total Current Liabilities		43,598.05

Long-Term Liabilities

2400	Truck Loan Payable	70,907.81	
	Total Long-Term Liabilities		70,907.81
	Total Liabilities		114,505.86

Capital

3040	Fund Balance	4,718,654.44	
	Net Income	71,923.19	
	Total Capital		4,790,577.63
	Total Liabilities & Capital		\$ 4,905,083.49

Aged Receivables Report -- Previous 12 Months

ACCOUNTING PERIOD	CURRENT PERIOD	OVER 30 DAYS	OVER 60 DAYS	OVER 90 DAYS	TOTAL BALANCE	LATE PAYMENT CHARGES
MAY 2009	\$56,103 274	\$9,089 82	\$1,622 19	\$2,440 15	\$69,254	\$466.33 28 Accts.
JUNE 2009	\$53,661 248	\$14,800 64	\$1,797 19	\$1,646 9	\$71,904	\$563.19 34 Accts.
JULY 2009	\$25,758 149	\$12,413 69	\$2,729 25	\$2,236 19	\$43,136	\$620.01 36 Accts.
AUGUST 2009	\$63,851 248	\$9,571 70	\$2,324 20	\$1,931 11	\$77,677	\$557.13 33 Accts.
SEPTEMBER 2009	\$29,107 259	\$15,194 74	\$2,647 20	\$1,570 8	\$48,518	\$680.85 40 Accts.
OCTOBER 2009	\$38,273 251	\$12,885 77	\$2,304 19	\$3,119 9	\$56,581	\$470.00 27 Accts.
NOVEMBER 2009	\$67,749 405	\$9,659 83	\$1,950 12	\$1,632 8	\$80,990	\$568.31 33 Accts.
DECEMBER 2009	\$43,397 322	\$6,175 55	\$3,964 32	\$2,222 12	\$55,758	\$695.19 40 Accts.
JANUARY 2010	\$38,196 329	\$2,721 57	\$213 15	\$2,139 14	\$43,268	\$440.86 26 Accts.
FEBRUARY 2010	\$27,015 360	\$8,461 140	\$1,207 35	\$1,636 14	\$38,320	\$767.92 46 Accts.
MARCH 2010	\$22,986 259	\$4,532 120	\$6,680 79	\$2,894 13	\$37,093	\$695.72 43 Accts.
APRIL 2010	\$34,652 312	\$2,631 122	\$1,469 49	\$4,848 19	\$43,599	\$433.27 26 Accts.

Kinneloa Irrigation District
Statement of Cash Flow
For the four Months Ended April 30, 2010

	Current Month	Year to Date
Cash Flows from operating activities		
Net Income	\$ 38,243.20	\$ 71,923.19
Adjustments to reconcile net income to net cash provided by operating activities		
1100 Accts. Receivable-Water Sales	(6,506.02)	11,158.21
1101 Accts. Receiv.-Service Charges	(2,548.25)	(739.33)
1350 Prepaid Insurance	1,528.75	4,160.00
1360 Prepaid Expenses	(9,356.92)	(7,239.68)
2000 Accounts Payable	(15,140.71)	(6,217.58)
2271 Deposits-Construction Meters	0.00	(50.00)
2272 Job Deposits	0.00	(1,300.00)
2273 Job Deposits-Doyne Rd.	0.00	(2,198.25)
	<hr/>	<hr/>
Total Adjustments	(32,023.15)	(2,426.63)
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Net Cash provided by Operations	6,220.05	69,496.56
	<hr/>	<hr/>
Cash Flows from investing activities		
Used For		
1509 Wilcox Well/Wilcox Booster	0.00	(15,974.12)
1512 Trans. & Dist. Plant Meters	(9,861.99)	(26,992.07)
1513 Electrical/Electronic Equip.	0.00	(2,517.80)
1514 Computer/Office Equipment	0.00	(7,500.00)
1527 SCADA Equipment	(1,199.13)	(1,199.13)
1530 Tools	(252.45)	(958.99)
	<hr/>	<hr/>
Net cash used in investing	(11,313.57)	(55,142.11)
	<hr/>	<hr/>
Cash Flows from financing activities		
Proceeds From		
Used For		
	<hr/>	<hr/>
Net cash used in financing	0.00	0.00
	<hr/>	<hr/>
Net increase (decrease) in cash	\$ (5,093.52)	\$ 14,354.45
	<hr/>	<hr/>
Summary		
Cash Balance at End of Period	\$ 761,938.11	\$ 761,938.11
Cash Balance at Beg. of Period	(765,203.91)	(745,755.94)
	<hr/>	<hr/>
Net Increase (Decrease) in Cash	\$ (3,265.80)	\$ 16,182.17
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Kinneloa Irrigation District
Check Register
For the Period From April 1, 2010 to April 30, 2010

Date	Check #	Payee	Amount	Description
4/7/10	EF770	Pasadena Municipal Servic	1,024.43	Wilcox Well power
4/7/10	EF771	Calif. Public Employees Re	2,331.79	CalPERS- KID and employee
4/7/10	EF772	Southern California Edison	4,625.74	electrical power
4/7/10	EF773	Verizon Wireless	130.99	mobile phones
4/7/10	6230	ACWA/JPIA	2,737.00	1st quarter workers' comp
4/7/10	6231	Athens Services	129.38	trash pickup
4/7/10	6232	Cook Paging, Inc.	18.93	paggers
4/7/10	6233	General Pump Company	12,174.12	refurbish Wilcox Reservoir 75hp booster
4/7/10	6234	MWH Laboratories	118.80	water analysis
4/7/10	6235	National Meter & Automat	2,464.21	water meters and transponders
4/7/10	6236	Underground Service Alert	3.00	dig alerts
4/7/10	6237	Utility Service Co., Inc.	5,455.29	tank maintenance
4/7/10	6238	Aramark	118.04	shirts
4/7/10	6239	Western Water Works	695.05	leak repair parts
4/7/10	6240	Ameripride Uniform Servic	68.48	rag service
4/7/10	6241	McMaster Carr	52.01	maintenance supplies
4/13/10	6242	ACWA Health Benefits Au	3,636.85	medical/dental - KID and employee
4/13/10	6244	Foothill Municipal Water I	562.17	CIP fee
4/13/10	6245	Lagerlof,Senecal,Bradley,C	142.50	share of PWAG group expenses
4/13/10	6246	McMaster Carr	133.58	maintenance supplies
4/13/10	6247	Shirley Burt	154.39	mileage and postage reimbursement
4/13/10	EFT774	Arco Gaspro Plus	948.98	truck gas
4/13/10	EFT775	Charter Communications	59.99	Internet service
4/13/10	6248	McMaster Carr	300.87	maintenance supplies
4/13/10	6249	National Meter & Automat	7,959.15	water meters and transponders
4/13/10	EFT776	Bank of America Business	988.00	see attached schedule
4/20/10	EFT777	Christopher A. Burt	2,507.90	salary
4/20/10	EFT778	Shirley L. Burt	1,398.07	salary
4/20/10	64345376	Felix Galindo	443.24	salary
4/20/10	EFT780	Melvin L. Matthews	3,219.51	salary
4/20/10	64345377	Chris J. Mellinger	440.58	salary
4/20/10	64345375	Brian L. Fry	1,510.94	salary
4/20/10	EFT779	Christopher A. Burt	150.00	salary
4/20/10	EFT781	ADP	77.29	payroll processing
4/20/10	EFT782	ADP	4,632.47	payroll taxes
4/20/10	6250	Byrd Industrial Electronics	896.36	SCADA
4/20/10	6251	Clinical Laboratory, San B	24.00	water analysis
4/20/10	6252	Lagerlof,Senecal,Bradley,C	415.72	share of PWAG group expenses
4/20/10	6253	McMaster Carr	575.02	maintenance supplies
4/20/10	6254	Measurement Control Syst	44.01	meter seal pins

4/20/10	6255	Monrovia Mailing Compan	319.42	billing statements and postage
4/20/10	6256	Northrop Grumman - IT	1,030.00	software and hardware maintenance agreement
4/20/10	6257	Pump Check	770.00	pump efficiency tests
4/20/10	6258	Western Water Works	1,374.07	maintenance supplies
4/20/10	EFT783	AT&T	277.22	telephone
4/29/10	6259	A&B Electric	302.77	Brown electrical and SCADA work
4/29/10	6260	Denram Products	744.93	statement forms
4/29/10	6261	McMaster Carr	386.58	maintenance supplies
4/29/10	6262	MWH Laboratories	295.20	water analysis
4/29/10	6263	National Meter & Automat	1,693.83	water meters and transponders
4/29/10	6264	Raymond Basin Managemc	10,587.00	annual watermaster fees
4/29/10	6265	Wells Fargo Bank	150.00	annual fee (to be reversed next month)
4/29/10	EFT784	AT&T	65.65	telephone
4/29/10	EFT785	Verizon Wireless	131.07	mobile phones
4/30/10	EFT786	Richard L. Barkhurst	184.70	salary
4/30/10	EFT787	Christopher A. Burt	2,290.80	salary
4/30/10	EFT788	Shirley L. Burt	1,398.08	salary
4/30/10	EFT789	Francis J. Griffith	184.70	salary
4/30/10	EFT790	Gerrie G. Kilburn	184.70	salary
4/30/10	EFT791	Melvin L. Matthews	3,219.53	salary
4/30/10	EFT792	Maurice A. Pickard	184.70	salary
4/30/10	EFT793	Steven G. Sorell	149.70	salary
4/30/10	64365007	Brian L. Fry	1,409.07	salary
4/30/10	64365008	Felix Galindo	468.22	salary
4/30/10	64365009	Chris J. Mellinger	404.85	salary
4/30/10	EFT794	ADP	86.97	payroll processing
4/30/10	EFT795	Christopher A. Burt	150.00	salary
4/30/10	EFT796	ADP	4,586.88	payroll taxes

Total

96,399.49

**CREDIT CARD CHARGES
MARCH 2010**

Category	Shirley	Mel	Brian	Chris B	Chris M	TOTAL
Maint. Supply			\$138.34			\$138.34
Maint. Tools						\$0.00
Maint. Exp.						\$0.00
Postage	\$58.71					\$58.71
Computer Supplies						\$0.00
Computer Program						\$0.00
Scada						\$0.00
Kinn. Mesa Pipeline						\$0.00
Emp. Cert.						\$0.00
Truck Exp.			\$41.95			\$41.95
Truck Fuel						\$0.00
Generator/Pump Fuel						\$0.00
Office Supplies						\$0.00
Safety						\$0.00
Water Quality			\$740.00			\$740.00
Adm. Exp.		\$9.00				\$9.00
Doyne Road Project						\$0.00
Telephone						\$0.00
Office equip.						\$0.00
Finance Chg.						\$0.00
Finance Credit						\$0.00
TOTAL	\$58.71	\$9.00	\$920.29	\$0.00	\$0.00	\$988.00