

309 CAMPUS DR. • ARVIN, CALIFORNIA 93203 Phone (661) 854-2127 • Fax (661) 854-8230

# REGULAR MEETING AGENDA OF THE ARVIN COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS Monday, March 18, 2019 6:00 P.M.

Call Meeting to Order	Board Preside	**************************************
can wreeting to Order	Board Freside	an Ganardo
Roll Call:	Rafael Gallardo	President
	Maria Alvarez	Vice President
	Cynthia Moran	Board Director
	Robert Rodriguez	Board Director
	Aurelio Reyna	Board Director
*********	**********	*************
	Raul Barraza, Jr.	General Manager
	Alan Peake	District Counsel
	Dee Jaspar	District Engineer
********	*********	*************
his agenda, excluding closed s	session. Members of the publi	lividuals may address the Board on any matter listed or ic desiring to address the Board must request recognitior public is limited to two minutes each per agenda item.
Flag Salute: Board and a	udience salute flag.	
1 Public Comment:		

This portion of the meeting is set aside for members of the public to address any matter <u>not</u> on this agenda and over which the Board has jurisdiction. Comments are limited to 2 minutes for each person and 15 minutes on each subject.

# 2. Consent Calendar

The Consent Calendar consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless a Board Member or member of the public removes a particular item.

- a. Approval of Regular Meeting March 4, 2019
- b. Accounts Payable for March 2019

Motion: _						
Director		, secon	ided Director			
Roll Call:	BD Rodriguez	BD Reyna	BD Moran	VP Alvarez	BP Gallardo	

3.	Presentation of Alpha Energy for Solar Project designed for Arvin CSD
4.	Presentation of Monthly Operations Review for February 2019
5.	Update on Emergency 1,2,3-TCP Treatment at Well No. 13
6.	Board to discuss and take action re: Update District's Anti-Harassment and Anti-Retaliation Policy
	Motion:
	Motion:  Director, seconded Director  Roll Call: BD Rodriguez BD Reyna BD Moran VP Alvarez BP Gallardo
7.	Staff Comments:
	<ul><li>a. General Manager</li><li>b. Legal Counsel</li><li>c. District Engineer</li></ul>
8.	Board Member Comments:  This portion of the meeting is set aside to provide the Board with an opportunity to bring any new matters to the attention of the District. However, while no action can be taken on any matter discussed during this portion of the meeting, a Board Member may request that a subject be placed on an upcoming agenda. This portion of the meeting also allows the Board to get a brief update on any matter addressed at a previous meeting.
	<ul> <li>a. Director Rodriguez</li> <li>b. Director Reyna</li> <li>c. Director Moran</li> <li>d. Vice President Alvarez</li> <li>e. President Gallardo</li> </ul>
9.	Adjournment:
	Motion:
	Director, seconded Director
	Roll Call: BD Rodriguez BD Reyna BD Moran VP Alvarez BP Gallardo

I hereby certify under perjury under the laws of the State of California that the foregoing agenda was posted on the Arvin Community Services office window not less than 72 hours prior to the meeting dated March 18, 2019.

Raul Barraza, Jr.

Board Secretary/General Manager

AMERICANS with DISABILITIES ACT: In compliance with the ADA, if you need special assistance to participate in a District meeting or other services offered by the District, please contact the District Board Secretary's office (661) 854-2127. Notification of at least 24 hours prior to the meeting or time when services are needed will assist the District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or services.

# MINUTES OF THE REGULAR MEETING OF

# THE BOARD OF DIRECTORS ARVIN COMMUNITY SERVICES DISTRICT March 4, 2019

The Board of Directors of the Arvin Community Services District duly met at a Regular Board Meeting held on March 4, 2019 at the hour of 6:00 p.m. at 309 Campus Drive, Arvin, CA 93203.

The meeting was called to order by President Gallardo at 6:00 PM Directors Present: Gallardo, Álvarez, Moran, Reyna, Rodriguez Others Present: General Manager/Secretary- Raul Barraza, Jr..; Legal Counsel- Alan Peake; District Engineer – Dee Jaspar.

Pledge of allegiance: The Pledge was led by President Gallardo

Agenda Item #1: Public Comment

No public comment.

Agenda Item #2: Consent Calendar

- a. Approval of Regular Minutes February 19, 2019
- b. Accounts Payable for February 2019

After reviewing items on the consent calendar and there being no questions, a motion was made by Director Rodriguez to approve all items in the consent calendar and seconded by Vice President Alvarez.

AYES: Rodriguez, Reyna, Moran, Álvarez, Gallardo

# Agenda Item #3: Presentation of O&M Services for Solar Project designed for Arvin CSD

Ivan Reyes made a presentation for the Board of Directors for a solar project that could potentially have some savings for the District. Staff recommendation was for District to have a power analysis completed by our district engineer and wait until our new water system is complete to be able and run a more realistic forecast.

# **Agenda Item #5: Staff Comments**

General Manager – Reminded board of directors of training for CSDA Best Board Member Practices

Counsel – informed board that staff would be meeting with State Water Board and Elected officials in Sacramento on March 12<sup>th</sup>.

# **Agenda Item #6: Board Member Comments**

No comments.

Raul Barraza, Jr.

# Agenda Item #7: Adjournment

Motion was made by President Gallardo and seconded by Director Rodriguez to adjourn meeting at 6:55 p.m.

YES: Rodriguez, Reyna, Moran, Álvarez, Gallardo

Submitted by:

**Board Secretary/General Manager** 

Attest:

Rafael Gallardo Board President 4:44 PM 03/15/19

**Accrual Basis** 

# ARVIN COMMUNITY SERVICES DISTRICT Payables JAN/FEB 2019

As of March 18, 2019

Туре	Date	Num	Name	Memo	Credit
11100 · Checking	Accounts				
11101 · Cash -R	Revenue Fund BOA				
Check	03/04/2019	ACH	BofA Merchant Services	Merchant ID: 372423003881	297.56
Check	03/04/2019	ACH	BofA Merchant Services	Merchant ID: 372423003881	204.34
Check	03/04/2019	ACH	BofA Merchant Services	Merchant ID: 372423003881	65.20
Check	03/04/2019		BofA Merchant Services	Merchant ID: 372423003881	
Bill Pmt -Check	03/04/2019	24458	Aurelio Reyna	03/04/2019 Board Meeting	100.00
Bill Pmt -Check	03/04/2019	24459	Cynthia Moran	03/04/2019 Board Meeting	100.00
Bill Pmt -Check	03/04/2019	24460	Maria M. Alvarez	03/04/2019 Board Meeting	91.35
Bill Pmt -Check	03/04/2019	24461	Rafael Gallardo	03/04/2019 Board Meeting	91.35
Bill Pmt -Check	03/04/2019	24462	Robert P. Rodriguez	03/04/2019 Board Meeting	100.00
Bill Pmt -Check	03/13/2019	24463	Advanced Bookkeeping & Tax Preparation	Client No. 3090	5,097.80
Bill Pmt -Check	03/13/2019	24464	ARAMARK	164058	143.18
Bill Pmt -Check	03/13/2019	24465	Argo Chemical	hypoclorite solution well no. 10 and w	1,003.01
Bill Pmt -Check	03/13/2019	24466	Arvin True Value	nozzle 3.0 4.0 nozzle, wire brush sho	22.76
Bill Pmt -Check	03/13/2019	24467	Badger Daylight Corp	2 Man crew 1-operator day shift, oper	6,062.40
Bill Pmt -Check	03/13/2019	24468	BC Laboratories, Inc		805.00
Bill Pmt -Check	03/13/2019	24469	Blackburn Oil Company, LLC	2101	693.70
Bill Pmt -Check	03/13/2019	24470	Core & Main LP	Account No. 136095	257.00
Bill Pmt -Check	03/13/2019	24471	Dee Jaspar And Associates, Inc		28,971.17
Bill Pmt -Check	03/13/2019	24472	DLL Financial Services	lease main printer	77.68
Bill Pmt -Check	03/13/2019	24473	Ferguson Enterprises, Inc 423982	Customer No. 423982	1,748.45
Bill Pmt -Check	03/13/2019	24474	infosend	billing-services	2,404.11
Bill Pmt -Check	03/13/2019	24475	Kimball Midwest	•	668.98
Bill Pmt -Check	03/13/2019	24476	Metropolitan Compouds, Inc.	food grade greas- case	770.05
Bill Pmt -Check	03/13/2019	24477	O' REILLY AUTO PARTS	battery for roller-6pk paper trees	141.60
Bill Pmt -Check	03/13/2019	24478	Office Team	Customer No. 001941225	435.66
Bill Pmt -Check	03/13/2019	24479	PA Security & Video - 309 Campus Drive	Customer No. 0074-6027	30.00
Bill Pmt -Check	03/13/2019	24480	PA Security & Video - 847 S. Derby	Customer No. 74-6031	30.00
Bill Pmt -Check	03/13/2019	24481	Price Disposal	3-3295-001	169.75
Bill Pmt -Check	03/13/2019	24482	Rabobank Visa Card	4808 2400 0008 8516	652.36
Bill Pmt -Check	03/13/2019	24483	The Gas Company 121 627 3013 4	121 627 3013 4	134.20
Bill Pmt -Check	03/13/2019	24484	The Gas Company 174 018 4996 7	847 S. Derby	51.08
Bill Pmt -Check	03/13/2019	24485	TSC- Trinity Safety Company	sling nylon spandex glove	83.66
Bill Pmt -Check	03/13/2019	24486	US Bank	Account No. 1573291	220.00
Bill Pmt -Check	03/13/2019	24487	USA BlueBook	Customer No. 580756	26.16
Bill Pmt -Check	03/13/2019	24488	Wall, Wall & Peake		6.783.56
Bill Pmt -Check	03/13/2019	24489	Anaya's Handyman	Installation of new faucets at main off	162.38
Total 11101 · Ca	ash -Revenue Fund	BOA-80151		_	58,695.50
Total 11100 · Chec	king Accounts			<u>-</u>	58,695.50
TOTAL					58,695.50

A Customized Proposal for:

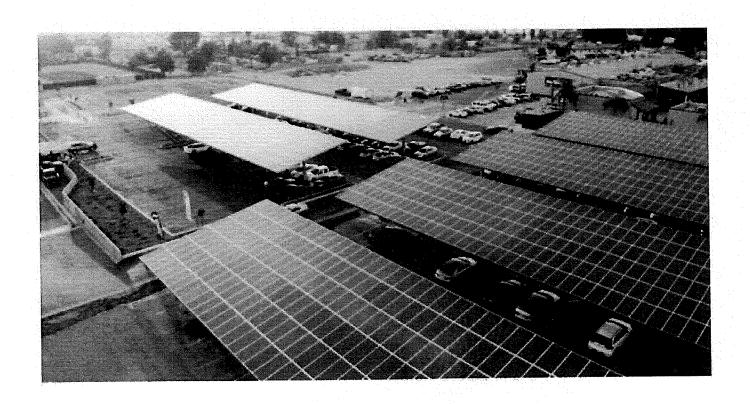
City of Arvin, CA 3301 Meyer St. Arvin, CA 93203, usa

# F&L Contractors, Inc. ALPELA ENIZACY Energy Solutions

Erent adque

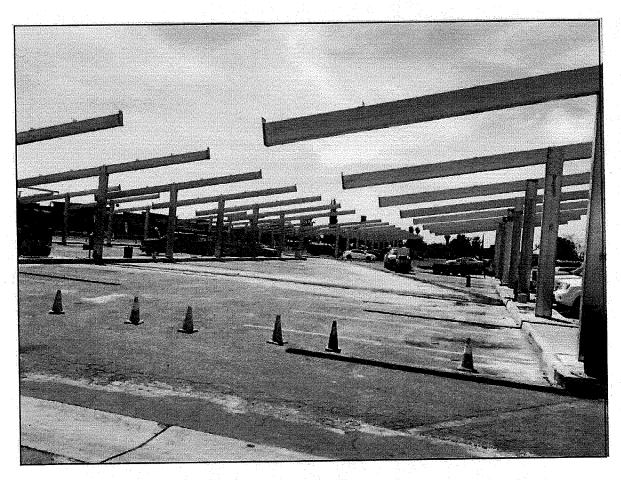
5630 District Blvd. Ste. 131 Bakersfield, CA 93313 661-378-1636

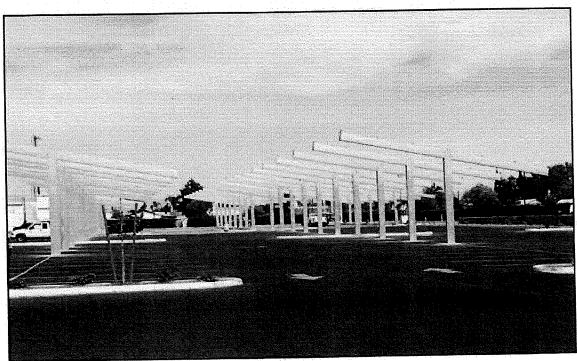
# MERCADO LATINO Finished, June, 2018





# The Mercado latino metal racking installation





# 6.1.1 PV System Details

#### **General Information**

Facility: 9302

Address: 3301 Meyer St Arvin CA 93203

# Solar PV Equipment Description

Solar Panels: 1,043.7kW-DC Standard Modules

Inverters: Standard Inverter

# Solar PV Equipment Typical Lifespan

Solar Panels:

Greater than 25 Years

Inverters:

20 years

### **Solar PV System Cost And Incentives**

Solar PV System Cost

Net Solar PV System Cost:

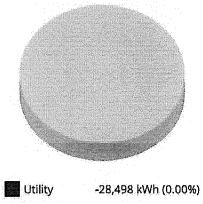
\$2,817,987

# Solar PV System Rating

Power Rating: 1,043,699 W-DC Power Rating: 909,124 W-AC-CEC

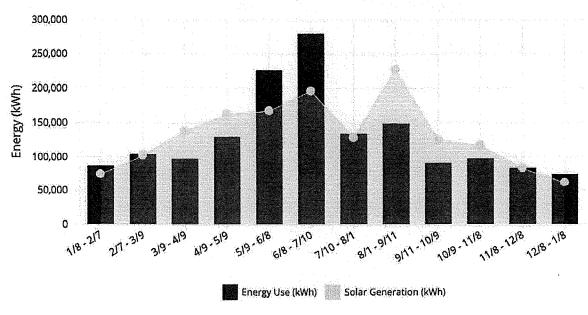
### **Energy Consumption Mix**

Annual Energy Use: 1,549,399 kWh



Solar PV 1,577,897 kWh (100.00%)

# **Monthly Energy Use vs Solar Generation**

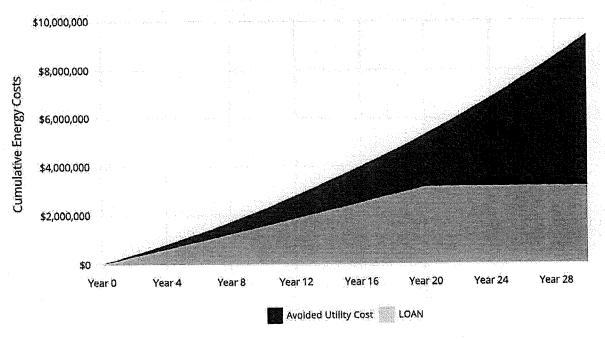


# 5 Project Summary

Payment Options		LOAN
Monthly Payment		\$12,960
Upfront Payment		
Loan Term	anne seen van 1906 en 1906 en 2002 en 2006 en En 2006 en 200	20 Years
Total Payments		\$3,110,343
Rebates and Incentives		
Net Payments	and the second of the second o	\$3,110,343
30-Year Electric Bill Savings	and the second of the second o	\$9,373,559
Adalah Marina Marin Marina Marina Marin	and the second s	and the second s
30-Year NPV	and the gradient of the engineering and the engineering of the enginee	\$2,371,757

Combined Solar PV Rating
Power Rating: 1,043,699 W-DC
Power Rating: 909,124 W-AC-CEC

# **Cumulative Energy Costs By Payment Option**



# 6.1.3 Utility Rates

The table below shows the rates associate with your current utility rate schedule (E-19). Your estimated electric bills after solar are shown on the following page.

Fixed Cl	narges	Energy Cha	rges	Demand Ch	arges
` Туре	E-19	Туре	E-19	Туре	E-19
W Daily	\$19.71	W Part Peak	\$0.11004	W NC	\$18.26
5 Daily	\$19.71	W Off Peak	\$0,09401	S NC	\$18.26
	and the state of t	W Critical Peak	\$1,20000	W Part Peak	\$0.12
		S On Peak	\$0.16055	S On Peak	\$19.95
		S Part Peak	\$0.11613	S Part Peak	\$5,50
		S Off Peak	\$0.08671		
		S Critical Peak	\$1.20000	and the state of t	

# 6.1.4 Current Electric Bill

The table below shows your annual electricity costs based on the most current utility rates and your previous 12 months of electrical usage.

Rate Schedule: PG&E - E-19

Time Periods		Energy (	Jse (kWh)	l (	Max	Demano	d (kW)			Charge	S	
Bill Ranges & Seasons	On Peak	Part Peak	Off Peak	Critical Peak	NC / Max	On Peak	Part Peak	Other	NBC	Energy	Demand	Total
1/8/2018 - 2/7/2018 W	0	48,800	37,822	0	660	0	601	\$591	\$2,166	\$6,760	\$12,124	\$21,641
2/7/2018 - 3/9/2018 W	0	40,520	62,950	0	690	0	630	\$591	\$2,587	\$7,790	\$12,675	\$23,643
3/9/2018 - 4/9/2018 W	0	38,321	59,628	0	520	0	520	\$611	\$2,449	\$7,374	\$9,558	\$19,991
4/9/2018 - 5/9/2018 W/S	19,100	36,225	73,860	0	620	590	620	\$591	\$3,230	\$10,477	\$13,731	\$28,029
5/9/2018 - 6/8/2018 S	42,560	52,981	130,518	0	580	550	580	\$591	\$5,651	\$18,651	\$20,717	\$45,611
6/8/2018 - 7/10/2018 5	44,206	54,649	180,498	708	630	423	433	\$631	\$7,002	\$22,943	\$19,239	\$49,814
7/10/2018 - 8/1/2018 S	34,331	72,897	23,100	3,944	810	800	810	\$434	\$3,357	\$17,356	\$29,383	\$50,530
8/1/2017 - 9/11/2017 S	23,098	32,312	92,824	907	570	532	570	\$808	\$3,729	\$12,869	\$20,240	\$37,646
9/11/2017 - 10/9/2017 S	34,963	18,946	36,166	0	650	590	577	\$552	\$2,252	\$8,698	\$22,548	\$34,050
10/9/2017 - 11/8/2017 S/W	4,215	35,784	57,852	0	560	475	560	\$591	\$2,446	\$7,483	\$16,446	\$26,966
11/8/2017 - 12/8/2017 W	٥	32,450	49,870	0	580	0	580	\$591	\$2,058	\$6,201	\$10,660	\$19,511
12/8/2017 - 1/8/2018 W	40	24,567	47,826	0	580	D	580	\$611	\$1,810	\$5,390	\$10,660	\$18,471
Totals:	202,473	488,452	852,914	5,559	¥*	*	-	\$7,195	\$38,735	\$131,992	\$197,981	\$375,90

# 6.1.5 New Electric Bill

Rate Schedule: PG&E - E-19

Time Periods		Energy (	Jse (kWh)		Max	Demano	d (kW)			Charge	is	
Bill Ranges & Seasons	On Peak	Part Peak	Off Peak	Critical Peak	NC / Max	On Peak	Part Peak	Other	NBC	Energy	Demand	Total
1/8/2018 - 2/7/2018 W	Ö.	-7,733	20,114	0	660	0	601	\$591	\$1,177	\$730	\$12,124	\$14,622
2/7/2018 - 3/9/2018 W	0	-33,259	34,617	0	684	0	446	\$591	\$1,481	-\$439	\$12,543	\$14,176
3/9/2018 - 4/9/2018 W	0	-52,340	11,918	0	283	0	283	\$611	\$1,064	-\$3,629	\$5,202	\$3,248
4/9/2018 - 5/9/2018 W/S	-2,369	-55,739	25,580	0	608	380	608	\$591	\$1,771	-\$3,561	\$9,077	\$7,878
5/9/2018 - 6/8/2018 5	-31,075	6,864	82,872	0	451	299	447	\$591	\$2,891	\$1,527	\$14,275	\$19,285
6/8/2018 - 7/10/2018 S	-35,751	5,963	113,627		532	129	433	\$631	\$3,646	\$2,709	\$13,295	\$20,281
7/10/2018 - 8/1/2018 S	-17,119	40,433	-17,520	209	801	534	801	\$434	\$1,418	\$529	\$25,424	\$27,804
8/1/2017 - 9/11/2017 S	-75,113	-23,749	21,071	25	431	156	410	\$808	\$1,473	-\$11,016	\$11,739	\$3,004
9/11/2017 - 10/9/2017 S	-18,910	-12,266	-3,356	0	488	455	488	\$552	\$829	-\$3,888	\$17,321	\$14,814
10/9/2017 - 11/8/2017 S/W	-36,802	-4,929	23,677	0	560	315	560	\$591	\$1,462	-\$3,851	\$14,113	\$12,316
11/8/2017 - 12/8/2017 W	0	-22,708	23,086	0	580	0	580	\$591	\$1,223	<b>-</b> \$338	\$10,660	\$12,137
12/8/2017 - 1/8/2018 W	0	-14,532	26,715	Ô	580	0	580	\$611	\$1,155	\$608	\$10,660	\$13,034
Totals:	-217,139	-173,995	362,401	234				\$7,195	\$19,590	-\$1,425	\$156,433	\$181,793

Annual Electricity Savings: \$194,109

# 7.1 LOAN

# **Inputs and Key Financial Metrics**

Interest Rate	1%	Upfront Payment	\$0	Electricity Escalation Rate	4%
Monthly Payment	\$12,960	Loan Term	20	Federal Income Tax Rate	0%
Total Project Cost	\$2,817,987	PV Degradation Rate	0.8%	State Income Tax Rate	0%

Years	Financing Payments	Electric Bill Savings	Total Cash Flow	Cumulative Cash Flow
Jpfront	iki da ja ja maranga sa ja			· · · · · · · · · · · · · · · · · · ·
1	-\$155,517	\$194,109	\$38,592	\$38,592
2	<b>-</b> \$155,517	\$200,258	\$44,741	\$83,333
3	<b>-\$155,517</b>	\$206,589	\$51,072	\$134,405
4	-\$155,517	\$213,106	<b>\$</b> 57,589	\$191,993
5	-\$155,517	\$219,813	\$64,296	\$256,289
6	-\$155,517	\$226,717	<b>\$71,19</b> 9	\$327,489
7	-\$155,517	\$233,820	\$78,303	\$405,792
8	-\$155,517	\$241,130	\$85,613	\$491,405
9	-\$155,517	\$248,650	\$93,133	\$584,537
10	-\$155,517	\$256,385	\$100,868	\$685,406
11	-\$155,517	\$264,342	\$108,825	\$794,231
12	-\$155,517	\$272,525	\$117,008	\$911,239
13	+\$155,517	\$280,940	\$125,423	\$1,036,662
14	-\$155,517	\$289,592	\$134,075	\$1,170,737
15	-\$155,517	\$298,487	\$142,970	\$1,313,707
16	-\$155,517	\$307,630	\$152,112	\$1,465,819
17	-\$155,517	\$317,026	<b>\$</b> 161,509	\$1,627,328
18	-\$155,517	\$326,682	\$171,165	\$1,798,493
19	<b>-\$155,517</b>	\$336,604	\$181,087	\$1,979,580
20	-\$155,517	\$346,796	\$191,279	\$2,170,860
21	and the first of the first of the state of t	\$357,266	\$357,266	\$2,528,125
22		\$368,018	\$368,018	\$2,896,143
23	rus i ski i i rusave mili i i sige masti tam 	\$379,058	\$379,058	\$3,275,201
24	The state of the s	\$390,393	\$390,393	\$3,665,595
25	And the second s	\$402,029	\$402,029	\$4,067,623
26	an garan dagan sebagai sebagai ##	\$413,970	\$413,970	\$4,481,593
27	and the state of the same of t	\$426,223	\$426,223	\$4,907,817
28	The state of the s	\$438,795	\$438,795	\$5,346,612
29	eng ang pang pang di	\$451,690	\$451,690	\$5,798,302
30	The body profit the	\$464,915	\$464,915	\$6,263,217
Totals:	-\$3,110,343	\$9,373,559	\$6,263,217	

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Inputs and Key Financial Metrics	al Metrics										
Interest Rate	1%	Upfron	Upfront Payment	*	PV Degradation Rate	on Rate		0.8%	State Income Tax Rate	c Rate	0%
Monthly Payment	\$12,960	Loan Term	erm	20	Electricity Escalation Rate	calation Rate		4%			
Total Project Cost	\$2,817,987				Federal Income Tax Rate	ne Tax Rate		0%			
Years	Upfront	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Cach.					:		1	:			
Financing Payments	•	-\$155,517	-\$155,517	-\$155,517	-\$155,517	-\$155,517	-\$155,517	-\$155,517	-\$155,517	-\$155,517	-\$155,517
Electric Bill Savings	]# <sub>]</sub>	\$194,109	\$200,258	\$206,589	\$213,106	\$219,813	\$226,717	\$233,820	\$241,130	\$248,650	\$256,385
Cash	•	\$38,592	\$44,741	\$51,072	\$57,589	\$64,296	\$71,199	\$78,303	\$85,613	\$93,133	\$100,868
Total Cash Flow		\$38,592	\$44,741	\$51,072	\$57,589	\$64,296	\$71,199	\$78,303	\$85,613	\$93,133	\$100,868
Cumulative Cash Flow		\$38,592	\$83,333	\$134,405	\$191,993	\$256,289	\$327,489	\$405,792	\$491,405	\$584,537	\$685,406
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inputs and Key Financial Metrics	lai Metrics										
Interest Rate	1%	Upfro	Upfront Payment	\$6	PV Degradation Rate	ion Rate		0.8%	State Income Tax Rate	x Rate	0%
Monthly Payment	\$12,960	Loan	Loan Term	20	Electricity Es	<b>Electricity Escalation Rate</b>		4%			
Total Project Cost	\$2,817,987				Federal Income Tax Rate	me Tax Rate		0%			
Years	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	Year 21
cash	6155 F17	-¢155-517	_\$155.51 <b>7</b>	-\$155.517	<b>-\$</b> 155.517	-\$155.517	-\$155,517	-\$155,517	-\$155,517	-\$155,517	<b>¥</b> ,
Electric Bill Savings	\$264.342	\$272,525	\$280,940	\$289,592	\$298,487	\$307,630	\$317,026	\$326,682	\$336,604	\$346,796	\$357,266
	\$108,825	\$117,008	\$125,423	\$134,075	\$142,970	\$152,112	\$161,509	\$171,165	\$181,087	\$191,279	\$357,266
Total Cash Flow	\$108,825	\$117,008	\$125,423	\$134,075	\$142,970	\$152,112	\$161,509	\$171,165	\$181,087	\$191,279	\$357,266
Cumulative Cash Flow	\$794,231	\$911,239	\$1,036,662	\$911,239 \$1,036,662 \$1,170,737 \$1,313,707	\$1,313,707	\$1,465,819	\$1,627,328	\$1,798,493	\$1,798,493 \$1,979,580 \$2,170,860 \$2,528,125	\$2,170,860	\$2,528,125
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Inputs and Key Financial Metrics	ial Metrics									
Interest Rate	1%	Upfront Payment	/ment	\$0 PV De	\$0 PV Degradation Rate		0.8%	State Income Tax Rate	Tax Rate	0%
Monthly Payment	\$12,960	Loan Term		20 Electr	<b>Electricity Escalation Rate</b>	Rate	4%			
Total Project Cost	\$2,817,987			Feder	Federal Income Tax Rate	ate	0%			
Years	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30	Totals
Gash										
Einanring Payments				<b>9</b> 4, 34,				. <b>*</b> °		-\$3,110,343
Electric Bill Savings	\$368,018	\$379,058	\$390,393	\$402,029	\$413,970	\$426,223	\$438,795	\$451,690	\$464,915	\$9,373,559
	\$368,018	\$379,058	\$390,393	\$402,029	\$413,970	\$426,223	\$438,795	\$451,690	\$464,915	\$6,263,217
Total Cash Flow	\$368,018	\$379,058	\$390,393	\$402,029	\$413,970	\$426,223	\$438,795	\$451,690	\$464,915	\$6,263,217
Cumulative Cash Flow	\$2,896,143	\$3,275,201 \$3,665,595	\$3,665,595	\$4,067,623 \$4,481,593	\$4,481,593	\$4,907,817	\$5,346,612	\$5,798,302 \$6,263,217	\$6,263,217	*



# **Anti-Harassment and Anti-Retaliation Policy**

# **Policy Statement**

The District strictly prohibits workplace harassment. All employees, applicants, volunteers, and independent contractors ("workers") working with the District are to be treated with respect and dignity. The District is committed to providing an atmosphere free of harassment and discrimination based on factors such as sex, sexual orientation, race, color, ancestry, religious creed, disability, pregnancy or related medical condition, medical condition, age, genetic characteristic, national origin or ancestry, military or veteran status, marital status, gender, gender identity, gender expression, or any other protected class under applicable law.

# Application

This policy applies to all phases of the employment relationship, including recruitment, testing, hiring, upgrading, promotion/demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training.

This policy applies to all officers and employees of the District, including, but not limited to, Board Members, full- and part-time employees, per diem employees, temporary employees, volunteers, and persons working under contract for the District. It prohibits co-workers, third parties, supervisors, and managers from engaging in discrimination, harassment, or retaliatory conduct toward workers on any protected classifications identified above.

#### **Harassment Defined**

Harassment may consist of offensive verbal, physical, or visual conduct when such conduct is based on or related to an individual's sex and/or membership in one of the above-described protected classifications, and:

- 1. Submission to the offensive conduct is an explicit or implicit term or condition of employment;
- 2. Submission to or rejection of the offensive conduct forms the basis for an employment decision affecting the employee; or
- 3. The offensive conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Examples of what may constitute prohibited harassment include, but are not limited to, the following:

- 1. Kidding or joking about sex or membership in one of the protected classifications;
- 2. Hugs, pats, and similar physical contact;
- 3. Assault, impeding or blocking movement, or any physical interference with normal work or movement:
- 4. Cartoons, posters, e-mails and other materials referring to sex or membership in one of the protected classifications;

- 5. Threats intended to induce sexual favors;
- 6. Continued suggestions or invitations to social events outside the workplace after being told such suggestions are unwelcome;
- 7. Degrading words or offensive terms of a sexual nature or based on the individual's membership in one of the protected classifications;
- 8. Prolonged staring or leering at a person;
- 9. Similar conduct directed at an individual on the basis of race, color, ancestry, religious creed, disability, medical condition, age (over 40), marital status, sexual orientation, gender identity or any other protected classification under applicable law.

#### Procedure

Internal Reporting Procedure

It is important that workers inform the District as soon as possible about any prohibited harassment because nothing can be done to remedy the situation if the District does not know that it exists.

- 1. Any individual who feels comfortable doing so should let a fellow worker know when that worker's behavior or comments are offensive or unwelcome, even if the situation does not rise to the level of a violation of this Policy. However, individuals are not required to handle these situations on their own. If an individual is not comfortable handling a situation directly with another worker, the individual should immediately report the conduct to one of the persons listed below.
- 2. Any employee who believes that he or she or any co-worker has been the victim of sexual or other prohibited harassment by coworkers, supervisors, clients or customers, visitors, vendors, or others must immediately notify his or her supervisor or, in the alternative, the General Manager or the District's Board, depending on which individual the employee feels most comfortable contacting.
- 3. Additionally, supervisors who observe or otherwise become aware of harassment that violates this policy have a duty to take steps to report such conduct, to initiate the process for investigating and remedying such harassment and prevent its recurrence.

## **Individual Responsibility**

If individuals are assigned positions of supervision, each supervisor has the responsibility of maintaining a work environment free of harassment. This responsibility includes being available to discuss this Policy with the workers that they supervise and to assure the workers that they are not required to endure any form of prohibited harassment. If someone reports a harassment allegation to a supervisor, it is the responsibility of the supervisor to take immediate action by documenting the incident(s) and reporting the allegation of harassment to the General Manager or the District's Board, depending on the nature and target of the allegations.

Any supervisor who fails to take appropriate action to report or address harassment, discrimination or retaliation can and will be disciplined up to and including termination.

# Investigation

Upon the filing of a complaint with the District, the complainant will be provided with a copy of this policy. The Authority will investigate all complaints of harassment in a prompt, objective, and thorough manner, including interviews of those with relevant knowledge. The General Manager is the person designated by the District to investigate complaints of harassment. The General Manager may, however, delegate the investigation and/or oversight of it at his/her discretion. In the event the harassment

complaint is against the General Manager, an investigator shall be appointed by the Board of Directors, and the Board will assume the role of the General Manager throughout the process. The District will ensure that a prompt and thorough investigation is undertaken and will track progress to ensure timely closure.

The Authority's investigation will be designed to maintain, to the extent possible, the privacy and confidentiality of all parties and witnesses involved. Complete confidentiality cannot occur, however, due to the need to investigate fully and to take effective remedial action. The or the Board is responsible for directing an investigation into such allegations and for implementing appropriate remedial action, where warranted.

#### **Internal Documentation Procedure**

When an allegation of harassment is made by an employee, the person to whom the complaint is made shall immediately prepare a report of the complaint according to the preceding section and submit it to the General Manager.

The investigator shall make and keep a written record of the investigation. Any documentary evidence shall be retained as part of the record of the investigation. Upon completion of the investigation, the results (i.e., the finding only of sustained, not sustained, or inconclusive) shall be given to the complainant, the alleged harasser, and the General Manager or the Board (whoever is overseeing the investigation). All information obtained in connection with the investigation shall remain confidential to the extent possible.

Based on the report and any other relevant information, the General Manager or the Board shall, within a reasonable period of time, determine whether the conduct of the person against whom a complaint has been made constitutes harassment. In making that determination, the General Manager or Board shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question; the context in which the conduct, if any, occurred; and the conduct of the person complaining of harassment. The determination of whether harassment occurred will be made on a case-by-case basis by the General Manager or the Board.

#### Remedies

Disciplinary Action

- If the General Manager or the Board determines that the complaint of harassment is founded, the General Manager or the Board, in connection with appropriate management, shall take immediate and appropriate disciplinary action consistent with the requirements of law and any policies pertaining to employee discipline. Other steps may be taken to the extent reasonably necessary to prevent recurrence of the harassment.
- 2. Disciplinary action shall be consistent with the nature and severity of the offense, the rank of the harasser, and any other factors relating to the fair and efficient administration of the District's operations.

# **Confidentiality**

All records and information relating to the investigation of any alleged harassment and resulting disciplinary action shall be confidential, except to the extent disclosure is required by law, as part of the investigatory or disciplinary process, or as otherwise reasonably necessary.

# Reports to DFEH

In addition to this policy, the State of California Department of Fair Employment and Housing ("DFEH") provides additional information regarding the legal remedies and complaint process available through government agencies. If a worker thinks he or she has been harassed, discriminated against, or that he or she has been retaliated against for complaining, that person may file a complaint or obtain additional information from DFEH at (800) 884-1684. Charges filed with the DFEH are subject to the DFEH's investigation procedure.

### Retaliation

Retaliation against anyone for opposing conduct prohibited by this policy or for filing, in good faith, a complaint with or otherwise participating in an investigation, proceeding or hearing conducted by the District or DFEH is strictly prohibited by the District and state regulations. Engaging in retaliatory conduct may subject the offending person to, among other things, disciplinary action, up to and including, termination of employment.

# **Employee Obligation**

Employees are not only encouraged to report instances of harassment, they are obligated to report instances of harassment.

Employees are obligated to cooperate in every investigation of harassment, including, but not necessarily limited to:

- 1. Coming forward with evidence, both favorable and unfavorable to a person accused of harassment; and
- 2. Fully and truthfully making a written report or verbally answering questions when required to do so during the course of a District investigation of alleged harassment.

Knowingly, falsely accusing someone of harassment, knowingly giving false or misleading information in an investigation of harassment, or otherwise not acting in good faith shall be grounds for disciplinary action, up to and including, termination of employment.