EAST PALO ALTO CITY COUNCIL
REGULAR SESSION AGENDA

Tuesday, December 2, 2025, 6:30 PM
EPA Government Center
2415 University Avenue, First Floor
East Palo Alto, CA 94303

NOTICE

This meeting will be held virtually and in-person at the Council Chambers located on 2415 University Ave, First Floor East Palo Alto, CA 94303. The virtual portion of this City Council meeting will be conducted in accordance with City of East Palo Alto Resolution adopted pursuant to Assembly Bill 361.

The public may participate in the City Council Meeting via Zoom Meeting or by attending in-person in the Council Chambers at 2415 University Ave, First Floor East Palo Alto, CA 94303. Community members may provide comments by emailing cityclerk@cityofepa.org, submitting a speaker card at the meeting, or using the **RAISE HAND** feature when the Mayor or City Clerk call for public comment. Emailed comments should include the specific agenda item on which you are commenting.

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+ 1 929 205 6099 or
+ 1 301 715 8592

Webinar ID: 812 7257 5916

International numbers available: https://zoom.us/u/aMWYF4KT

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1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF THE AGENDA

3. APPROVAL OF CONSENT CALENDAR

3.1 East Palo Alto 2025 Cross Connection Control Plan

Recommendation: Adopting a resolution:

1. Adopting the 2025 East Palo Alto Cross Connection Control Plan as required by the State
Water Board Division of Drinking Water; and

2. Finding that the proposed action is exempt from the California Environmental Quality Act
(CEQA) pursuant to CEQA Guidelines sections 15301 (existing facilities), and 15302
(replacement or reconstruction).

3.2

Authorize the award and execution of multiple contracts for Human Resources Support Services with a five-year contract with a possible one-year extension at the City Manager's discretion for services with a shared not-to-exceed (NTE) amount of $400,000

Recommendation:

1. Adopt a resolution authorizing the City Manager to award to and negotiate and execute an agreement with CPS- HR, Sloan Sakai, Layla Jayne Consulting LLC EDWOSB, and MuchMoreThanConsulting for five-year contracts with a possibility of one-year extension, in a form approved by the City Attorney, for Human Resources Support Services, in a shared amount not-to-exceed $400,000; and

2. Finding that the proposed actions do not constitute "projects" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that they are governmental fiscal, organizational or administrative activities that will not result in direct or indirect changes in the environment.

3.3 City Council's Proposed Schedule for 2026

Recommendation:

Pursuant to Resolution No. 5061, by motion, approve the 2026 City Council meeting schedule in Attachment 1.

3.4 City Council Meeting Minutes

Recommendation: Adopt the November 18, 2025, minutes.

3.5 Proclamation of the City of East Palo Alto honoring Officer Paul Norris for 38 years of exemplary service to the City of East Palo Alto.

Recommendation:

Present the proclamation.

4. CLOSED SESSION

5. PUBLIC COMMENT

6. ADJOURN CITY COUNCIL REGULAR MEETING TO THE EAST PALO ALTO SANITARY DISTRICT BOARD MEETING

7. APPROVAL OF EPASD BOARD MEETING CONSENT CALENDAR

7.1 Award Agreements to Two Consulting Firms for Engineering On-Call Services

Recommendation: Adopt a resolution:
1. Authorizing the General Manager to negotiate, award and execute agreements with Freyer & Laureta, Inc. and with EKI Environment & Water for on-call engineering services each for a not-to-exceed amount of $500,000 (collectively for $1,000,000) and each for a term of five (5) years, in forms approved by District Counsel; and,

2. Finding that the proposed action does not constitute a “project” with the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational or administrative
activity that will not result in direct or indirect changes in the environment.

7.2 Cash Disbursement Report for October 2025

Recommendation: Accept the cash disbursement report required pursuant to California Health and Safety Code Section 6794.

8. ADJOURN EAST PALO ALTO SANITARY DISTRICT BOARD MEETING AND RECONVENE CITY COUNCIL REGULAR MEETING

9. INFORMATIONAL REPORTS

9.1 2025 Summer Park Activation Results

Recommendation: Receive a presentation on the results from the Summer Park Activation series.

9.2 Street Sweeping Signage Audit Project Presentation

Recommendation: Receive an informational report and presentation from staff concerning the Street Sweeping Signage Audit project.

10. SPECIAL PRESENTATIONS

11. PUBLIC HEARINGS

11.1 Introduction of Chapter 5.76 – Sidewalk Vendors Ordinance

Recommendation:

By motion:

1. Waive the first reading and introduce an ordinance adding a new Chapter 5.76, Sidewalk Vendors, to update and clarify regulations governing sidewalk vending in the City of East Palo Alto, repeal the prior Chapter 5.76, Vending, make various other conforming amendments to the East Palo Alto Municipal Code as noted in the ordinance, and any amendments proposed by Council; and
2. Direct staff to return with a fee resolution setting the costs associated with the sidewalk vending pilot program; and
3. Find that the proposed action is not subject to the California Environmental Quality Act ("CEQA") because it is not a "project" pursuant to CEQA Guidelines section 15061(b)(3), or alternatively, it is exempt pursuant to Sections 15301 (Existing Facilities); 15304 (Minor Alterations to Land) (e) for minor temporary use of land having negligible or no permanent effect on the environment; 15305 (Class 5 –Minor Alterations to Land Use Limitations), or 15308 (Actions by Regulatory Agencies for Protection).

12. POLICY AND ACTION

12.1 Continued use of Automated License Plate Recognition Systems for Enhanced Public Safety

Recommendation: Adopt a resolution:

1. Authorizing the City Manager to enter into a five-year agreement with Flock Group Inc. (Flock Safety) for the continued provision of Automated License Plate Reader (ALPR) services in an amount not to exceed $453,250.00;

2. Finding that awarding of the proposed agreement is exempt pursuant to East Palo Alto Municipal Code Section 2.84.060(17), which exempts certain purchases under applicable state, federal or local law, including "sole source"; and

3. Finding that the proposed action is exempt from the California Environmental Quality Act (CEQA) as not a "project" pursuant to sections 15378(b)(2) and 15378(b)(4) because it is a governmental administrative or fiscal activity which

does not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

13. COUNCIL REPORTS

14. ADJOURNMENT

Upcoming meeting:

December 16, 2025	Regular Meeting	6:30 PM

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

This Notice of Availability of Public Records: All public records relating to an open session item which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to the majority of the City Council will be available for public inspection at the City Clerk's Office, 2415 University Avenue, East Palo Alto, CA at the same time that the public records are distributed or made available to the City Council. Such documents may also be available on the East Palo Alto website www.cityofepa.org subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (650) 853-3100.

The City Council meeting packet may be reviewed by the public in the Library or the City Clerk's Office. Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at the City Clerk's Office, 2ND Floor, City Hall, 2415 University Avenue, East Palo Alto, California 94303 during normal business hours. Information distributed to the Council at the Council meeting becomes part of the public record. A copy of written material, pictures, etc. should be provided for this purpose.

East Palo Alto City Council Chambers is ADA compliant. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office at (650) 853-3127 no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

DECLARATION OF POSTING

This Notice is posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website. Under penalty of perjury, this Agenda was posted to the public at least 72 hours prior to the meeting.

POSTED: November 21, 2025

ATTEST:

James Colin

City Clerk

CONSENT ITEM 3.1

EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Marissa Silva, Administrative Assistant
Matt Vining, Utility Manager
Humza Javed, Public Works Director

SUBJECT: East Palo Alto 2025 Cross Connection Control Plan

Recommendation

Adopting a resolution:

1. Adopting the 2025 East Palo Alto Cross Connection Control Plan as required by the State Water Board Division of Drinking Water; and
2. Finding that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301 (existing facilities), and 15302 (replacement or reconstruction).

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

Public Infrastructure and Utilities

Background

Cross connections—points where potable water systems are connected to non-potable sources–pose serious health and safety risks if backflow occurs, allowing pollutants or harmful substances to enter the drinking water system.

The State of California previously regulated cross-connection control under Title 17 of the California Code of Regulations. The City of East Palo Alto adopted Ordinance 04-2021 on October 19, 2021, pertaining to backflow prevention and cross connection control to remain in compliance with Title 17. The requirements for cross-connection control were recently enhanced and structured under the State Water Board's Cross Connection Control Policy Handbook (CCCPH), which became effective July 1, 2024. The CCCPH requires all public water systems to adopt a Cross Connection Control Plan (CCCP).

Implementing a formal CCCP ensures compliance with State and federal drinking water regulations, such as those under the Safe Drinking Water Act and Environmental Protection Agency Cross-Connection Control Guidelines. Implementing a formal CCCP establishes standardized procedures for identifying potential hazards, inspecting and testing backflow prevention devices, maintaining records, and educating water users. Per the CCCPH, a public water system must include the 13 elements outlined in the CCCPH to ensure the prevention of backflow into the public water system's distribution system.

The CCCP is critical tool for preventing contamination, protecting public health, and ensuring that water systems proactively manage cross-connection risks.

Analysis

Chapter 15.44 of the City of East Palo Alto Municipal Code describes the City's backflow prevention and cross connection control program. However, the CCCPH replaced Title 17 regulations and requires the City to draft a CCCP and then enforce it via ordinance. The CCCP protects the health of the water customers by:

- Requiring proper installation and maintenance of backflow preventers for services to premises where actual or potential cross-connections exist. The presence of backflow preventers is intended to prevent the backflow or back-siphonage of contaminants or pollutants from a customer's premises into the public water system (PWS).
- Promoting the elimination of existing or future cross-connections through inspection and regulation of plumbing and water piping within or between a customer's premises and the PWS.

Because the City does not have a certified backflow specialist and tester, the San Mateo County Department of Environmental Health Cross Connection Control Program has assisted the City in remaining in compliance with the program. Because the City has an agreement with the County, its ordinance (No. 4903) is also cited throughout the City's CCCP, as required by the California State, and County health codes.

Because the deadline of January 1, 2025, to submit the CCCP was so close to the original publication of the CCCPH in July 2024 and required a large amount of research and work hours to produce, the City of East Palo Alto requested and was granted an extension by the State Water Resources Control Board, Division of Drinking Water (DDW), to submit a cross-connection control plan (CCCP) by January 1, 2026. Staff accordingly prepared the CCCP. The draft CCCP was presented to the Public Works and Transportation Commission (PWTC) on November 19, 2025, and the PWTC recommended the City Council adopt the CCCP.

This staff report includes the following attachments: the City's draft CCCP, the County's Ordinance concerning backflow prevention, the City's services agreement with County Health, the County Health Services Report form, and the State Cross Connection Handbook. Additionally, Chapter 15.44 of the East Palo Alto Municipal Code pertaining to cross–connection control can be found at the following link: https://library.municode.com/ca/east_palo_alto/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.44BAPRCRNNCO

The final adopted version of the CCCP will be added to the City's website at the following link: https://www.cityofepa.org/sites/default/files/fileattachments/public_works/page/3461/epa_cross_connection_control_plan.pdf

Fiscal Impact

There is no fiscal impact for this item.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The action being considered does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to CEQA Guideline sections 15301 (existing facilities), and 15302 (replacement or reconstruction) in that it requires adoption of a plan that will entail minor changes to existing facilities or replacement or reconstruction of such facilities.

Government Code § 84308

Applicability of Levine Act: No, as the proposed action does not involve an entitlement.

Analysis of Levine Act Compliance: Not applicable.

Attachments

1. Resolution
2. Exhibit A - EPA Cross Connection Control Plan

3. San Mateo County Environmental Health Ordinance
4. San Mateo County Environmental Health Services Agreement
5. San Mateo County Hazard Assessment Report
6. CA Cross Connection Control Handbook

RESOLUTION NO. XX – 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO

APPROVING AND ADOPTING THE 2025 CROSS CONNECTION CONTROL PLAN

WHEREAS, cross connections—points where potable water systems are connected to non-potable sources–pose serious health and safety risks if backflow occurs, allowing pollutants or harmful substances to enter the drinking water system; and

WHEREAS, the State of California previously regulated cross-connection control under Title 17 of the California Code of Regulations; and

WHEREAS, the City of East Palo Alto adopted Ordinance No. 04-2021 on October 19, 2021, pertaining to backflow prevention and cross connection control to remain in compliance with Title 17; and

WHEREAS, the requirements for cross-connection control were recently enhanced and structured under the State Water Board's Cross Connection Control Policy Handbook (CCCPH), which became effective July 1, 2024; and

WHEREAS, Public Water Systems are now required to adopt a Cross Connection Control Plan (CCCP) to protect the public water supply from contamination or pollution caused by backflow; and

WHEREAS, implementing a formal CCCP ensures compliance with State and federal drinking water regulations, such as those under the Safe Drinking Water Act and the Environmental Protection Agency (EPA) Cross-Connection Control guidelines, and also establishes standardized procedures for identifying potential hazards, inspecting and testing backflow prevention devices, maintaining records, and educating water users; and

WHEREAS, East Palo Alto's CCCP is required by the State Water Resources Division of Drinking Water to be submitted by January 1, 2026; and

WHEREAS, the Public Works and Transportation Commission, at its November 19, 2025, meeting, recommended the City Council adopt the CCCP.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO HEREBY:

1. Finds the foregoing recitals are true and correct, and are incorporated by this reference into this action;

2. Approves and adopts the 2025 Cross Control Connection Plan, attached hereto as **Exhibit A**; and

3. Finds that the proposed action being considered by the City Council is exempt from the California Environmental Quality Act (CEQA) pursuant to sections 15301 (existing facilities), and 15302 (replacement or reconstruction) of CEQA because requires adoption of a plan that will entail minor changes to existing facilities or replacement or reconstruction of such facilities.

PASSED AND ADOPTED this 2nd day of December 2025**,** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Martha Barragan, Mayor

ATTEST:

_____
James Colin, City Clerk

APPROVED AS TO FORM:

_____
John D. Lê, City Attorney

CITY OF East Palo Alto

CROSS-CONNECTION CONTROL PLAN

IN ACCORDANCE WITH THE CROSS-CONNECTION CONTROL POLICY HANDBOOK

Cross-Connection Control Plan

Prepared for

City of East Palo Alto

City of East Palo Alto Cross-Connection Control Program Contact Information			
Title	Name	Contact Information	Backflow Certifications
Director of Public Works	Humza Javed	Hjaved@cityofepa.org 650-853-3130	NA
City Engineer	Anwarbeg Mirza	Amirza@cityofepa.org 650-853-3113	NA
Utility Manager	Matthew Vining	Mvining@cityofepa.org 650-229-3818	NA
Cross-Connection Specialist/ CCCP Coordinator	Noel Xia, San Mateo County Environmental Health	Zxia@smc.gov 650-313-4552	
Emergency - Veolia Water	**650-304-4432 –**Veolia Water is the Operations and Maintenance contractor for the City of East Palo Alto water system. Veolia water will be the first responder to any water emergency including backflow events.		

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LIST OF ACRONYMS AND ABBREVIATIONS

AG	Air Gap
AMI	Advanced Metering Infrastructure
ANSI	American National Standards Institute
BPA	Backflow Prevention Assembly
CCCP	Cross-Connection Control Plan
CCCPH	Cross-Connection Control Policy Handbook
City	City of East Palo Alto
co	City Ordinance
DC	Double Check Valve Backflow Prevention Assembly
DCDA	Double Check Detector Backflow Prevention Assembly
DCDA-11	Double Check Detector Backflow Prevention Assembly -Type II
DDW	Division of Drinking Water
ERP	Emergency Response Plan
FY	Fiscal Year
Program	City of East Palo Alto Cross-Connection Control Program
PVB	Pressure Vacuum Breaker Backflow Prevention Assembly
PWS	Public Water System
RP	Reduced Pressure Principle Backflow Prevention Assembly
RPDA	Reduced Pressure Principle Detector Backflow Prevention Assembly
RPDA-11	Backflow Prevention Assembly-Type II Recycled Water
SVB	Spill-Resistant Pressure Vacuum Breaker Back siphonage Prevention Assembly
Swivel-Ell	Swivel-Ell Backflow Prevention Assembly
SWRCB	State Water Resource Control Board
Worker	Utility Maintenance Worker

1.0 *CROSS-CONNECTION CONTROL PLAN*

1.1 Introduction

The State Water Resources Control Board (SWRCB) adopted the Cross-Connection Control Policy Handbook (CCCPH) on December 19, 2023. The effective date for the CCCPH is July 1, 2024, replacing the previous regulations covered under Title 17, Chapter V, Sections 7583-7622 under California Code of Regulations (Title 17). The 2023 adopted version of the CCCPH is included in Appendix A of this document. Title 17 became inoperative and repealed 90 days after July 1, 2024. The CCCPH expands on the previous Title 17 requirements for initial and follow-up hazard assessments, training, backflow prevention testing and certification, maintenance of records, incident response, reporting and notification, public outreach and education, and local entity coordination. The CCCPH requires any public water system (PWS) to develop a Cross-Connection Control Plan (CCCP) to describe how the PWS will manage and administer their Cross-Connection Control Program (Program).

1.2 Purpose

The intent of this document is to describe the Program implemented and administered by the City of East Palo Alto (City). The purpose of this CCCP is to protect the health of the water customers by:

1. Proper installation and maintenance of backflow preventers on services to premises where actual or potential cross-connections exist. The presence of backflow preventers is intended to prevent the backflow or back-siphonage of contaminants or pollutants from a customer's premises into the PWS.
2. Promoting the elimination of existing or future cross-connections through inspection and regulation of plumbing and water piping within or between a customer's premises and the PWS.

1.3 City of East Palo Alto Service Area

The city is a public community water system managed by the city government and overseen by an elected City Council. The city owns and maintains the public water system, sewer collection system, and stormwater system. The PWS includes four purchased water connections with the SFPUC. The City of East Palo Alto has contracted out the service of its distribution system to Veolia Water, who serves 30,000 residents through 4,000 connections. The other 20% of the City is separately owned and operated by Palo Alto Park Mutual and O'Connor Collective.

2.0 DEFINITIONS

The following definitions describe terms and phrases pertinent to the various elements of this CCCP. The definitions presented in this section are divided into three groups, within which each definition is listed alphabetically: 1) Water and Water System Definitions; 2) Agencies/Personnel; and 3) Equipment Definitions.

2.1 Water and Water System Definitions

Air Gap Separation (AG)
The term "air gap separation" shall mean a physical break between the free-flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An "approved air gap separation" shall be at least twice the diameter of the supply pipe measured vertically above the overflow rim of the vessel, in no case less than 1-inch.

Approved Water Supply
A water source that has been approved by the SWRCB for domestic use in a PWS and designated as such in a domestic water supply permit.

Auxiliary Water Supply
A source of water, other than an approved water supply, that is either used or equipped or can be equipped to be used as a water supply, and is located on the premises of, or available to, a water customer.

Backflow
The undesirable flow of water or other liquids, gases, mixtures, or substances, under pressure, into the distributing pipes of a potable supply of water from any source other than an approved water supply. Back-siphonage or backpressure are the two conditions that cause backflow to occur.

City Water System
The City water system consists of the source facilities and distribution system under the control of the City water utilities department up to and including water meters. The City water system may also be referred to as the public water system or the distribution system.

Contamination/Contaminant
Any impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree that creates an actual hazard to the public health through poisoning or through the spread of disease.

Cross-Connection
Any actual or potential connection or structural arrangement between a PWS, including a piping system connected to the PWS and located on the premises of a water customer or available to the water customer, and any source or distribution system containing liquid, gas, or other substances not from an approved water supply.

Customer's Water System
All facilities beyond the water meter. The customer's system or systems may include both potable and non-potable water systems.

Distribution System
Shall include the network of conduits used for the delivery of water from the source to the customer's water system. See also City Water System.

Hazard, Degree of
A hazard assessment must identify the degree of hazard (or no hazard) to the City's distribution system through evaluation of customer premises based on the following classifications:

High Hazard Cross-Connection
A cross-connection that poses a significant threat to the potability or safety of the public water supply. Materials entering the public water supply through a high hazard cross-connection are contaminants or health hazards.

Low Hazard Cross-Connection
A cross-connection that has been found to not pose a significant threat to the potability or safety of the public water supply but may adversely affect the aesthetic quality of the potable water supply. Materials entering the public water supply through a low hazard cross-connection are pollutants or non-health hazards.

No Hazard Cross-Connection
A cross-connection that poses no hazard to potability or safety of the public water supply.

Isolation
Otherwise known as Internal Protection. The appropriate type or method of backflow prevention within the customer's potable water system at the point of use, commensurate with the degree of hazard.

Pollution/Pollutant
The presence of any foreign substance (organic, inorganic, or biological) in water that tends to degrade its quality to constitute a hazard or to impair the usefulness or quality of the water to a degree that does not create an actual hazard to public health, but which does adversely and unreasonably affect such waters for domestic use.

Premises
All areas on a customer's property that are served or have the potential to be served by the PWS.

Premises Containment
Protection of a PWS distribution system from backflow from a customer's premises through the installation of one or more air gaps or backflow prevention assemblies, installed as close as practical to the customer's service connection at the water meter, in a manner that isolates the water customer's water supply from the PWS distribution system.

Public Water System {PWS}
A system for the provision of piped water to the public for human consumption, which has five or more service connections or regularly serves an average of 25 individuals daily at least 60 days per year. Additionally, a PWS consists of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the City up to the point of the service connection at the water meter to the customer's water system.

Recycled Water
Wastewater that is suitable for uses other than potable use due to appropriate levels of treatment. Currently the City of East Palo Alto does not use or distribute any recylced water.

Service Connection
The point where a water customer's piping is connected to the PWS or the point in the customer's water system where the PWS can be protected from backflow using an AG or a BPA. Typically, this location is immediately after the water meter.

Used Water
Any water supplied by the City from the PWS to a customer's water system after it has passed through the service connection at the water meter and is no longer under the control of the City.

Water System
The water system shall be considered as made up of two parts: The PWS and the customer's water system.

2.2 Agencies/Personnel

Backflow Prevention Assembly Tester
A person who is certified as a Backflow Prevention Assembly Tester pursuant to Section 4 of this CCCP. A certified Backflow Prevention Assembly Tester is authorized to test backflow prevention assemblies at customer premises.

Cross-Connection Control Program Coordinator
The designated individual, under the guidance of the Public Works Division Manager- Engineering, that is involved in the development of and being responsible for reporting, tracking, and other administration duties for the CCCP. This person must hold a Cross-Connection Control Specialist Certification.

Cross-Connection Control Specialist
A person who is certified as a Cross-Connection Control Specialist pursuant to Section 4 of this CCCP. A certified Cross-Connection Control Specialist must obtain a Backflow Prevention Assembly Tester Certificate prior to becoming a Cross-Connection Control Specialist. Only a Cross-Connection Control Specialist is authorized to assess the hazard level present at customer premises. A Cross-Connection Control Specialist that maintains a Backflow Prevention Assembly Tester certificate is also able test backflow prevention assemblies.

State Water Resources Control Board
Unless otherwise specified, means the SWRCB, Division of Drinking Water (DDW) or the local primacy agency having been delegated authority by the SWRCB to enforce the requirements of Chapter 3 of the CCCPH.

User Supervisor
A person designated by a water user to oversee a water use site and responsible for the avoidance of cross-connections.

Water Supplier
The person who owns or operates the approved water supply system. The City owns and operates the public community water system and is the Water Supplier.

Water Customer
Any person or entity obtaining water from an approved water supply system.

2.3 Equipment Definitions

Backflow Prevention Assembly (BPA)
A generic term referencing multiple types of mechanical assembly designed and constructed to prevent backflow, such that while in-line it can be repaired and its ability to prevent backflow, as designed, can be field tested, inspected, and evaluated. The assembly must have passed laboratory and field evaluation tests performed by a recognized testing organization that has demonstrated its competency to the SWRCB, Division of Drinking Water.

Double Check Detector Back/low Prevention Assembly (DCDA)
A double check valve backflow prevention assembly that includes a bypass with a water meter and a double check backflow prevention assembly, with the bypass water meter accurately registering flow rates up to two gallons per minute and visually indicating all rates of flow. This type of assembly may only be used for protection from back-siphonage and backpressure events (low-hazard connection). These devices are not allowed for new installations unless approved by the City Engineer.

Double Check Detector Back/low Prevention Assembly - Type II (DCDA-11}
A double check valve backflow prevention assembly that includes a bypass around the second check, with the bypass having a single check valve and a water meter accurately registering flow rates up to two gallons per minute and visually indicating all rates of flow. This type of assembly may only be used for protection from back-siphonage and backpressure events (low-hazard cross-connection). These devices are not allowed for new installations unless approved by the City Engineer. Double Check Valve Backflow Prevention Assembly (DC)

An assembly consisting of two independently acting internally-loaded check valves, with tightly closing shut-off valves located at each end of the assembly (upstream and downstream of the two check valves) and fitted with test cocks that enable accurate field testing of the assembly. This type of assembly may only be used for protection from back-siphonage and backpressure events (low-hazard cross-connection). These devices are not allowed for new installations unless approved by the City Engineer.

Pressure Vacuum Breaker Back/low Prevention Assembly (PVB)

An assembly with an independently-acting internally-loaded check valve and an independently-acting loaded air inlet valve located on the discharge side of the check valve, with test cocks and tightly closing shutoff valves located at each end of the assembly that enable accurate field testing of the assembly. This type of assembly may only be used for protection from back siphonage (low hazard and high hazard cross-connection) events and is not to be used to protect from backpressure events. These devices are not allowed for new installations unless approved by the City Engineer.

Reduced Pressure Principle Back/low Prevention Assembly (RP)

An assembly with two independently acting internally-loaded check valves, with a hydraulically operating, mechanically independent differential-pressure relief valve located between the check valves and below the upstream check valve. The assembly shall have shut-off valves located upstream and downstream of the two check valves, and test cocks to enable accurate field testing of the assembly. This type of assembly may be used for protection from back siphonage and backpressure events (low-hazard and high-hazard cross-connections). To be approved, these assemblies must be accessible for in-line maintenance and testing and be installed per City Standards. A schematic of this assembly is provided in Appendix D.

Reduced Pressure Principle Detector Back/low Prevention Assembly (RPDA)

A reduced pressure principle backflow prevention assembly that includes a bypass with a water meter and reduced pressure principle backflow prevention assembly, with the bypass water meter accurately registering flow rates up to two gallons per minute and visually indicating all rates of flow. This type of assembly may be used for protection from back-siphonage and backpressure events (low-hazard and high-hazard cross-connections). To be approved, these assemblies must be accessible for in-line maintenance and testing and be installed per City Standards. A schematic

Reduced Pressure Principle Detector Back/low Prevention Assembly - Type II (RPDA-11}

A reduced pressure principle backflow prevention assembly that includes a bypass around the second check, with the bypass having a single check valve and a water meter accurately registering flow rates up to two gallons per minute and visually indicating all rates of flow. This type of assembly may be used for protection from back siphonage and backpressure events (low-hazard and high-hazard cross-connection). To be approved, these assemblies must be accessible for in-line maintenance and testing and be installed per City Standards. A schematic of this assembly is provided in Appendix D.

Spill-Resistant Pressure Vacuum Breaker Backsiphonage Prevention Assembly (SVB}

An assembly with an independently-acting internally-loaded check valve and an independently-acting loaded air inlet valve located on the discharge side of the check valve, with shutoff valves at each end and

a test cock and bleed/vent port, to enable accurate field testing of the assembly. This type of assembly may only be used for protection from back siphonage events (low hazard-connection) and is not to be used to protect from backpressure events. These devices are not allowed for new installations.

Swivel-Ell Back/low Prevention Assembly (Swivel-Ell)
An assembly consisting of a reduced pressure principle backflow prevention assembly combined with a changeover piping configuration (swivel-ell connection) designed and constructed pursuant to Section 5 of this CCCP. These devices are not allowed for new installations.

3.0 CCCP ADMINISTRATION

This section describes the legal authority and administration of the CCCP.

3.1 Legal Authority (CCCPH 3.1.3 & EPA CO 15.44)

The City administers the Program in accordance with City Ordinance (CO), 15.44 - Backflow Prevention & Cross-Connection Control. The original adoption was in 1988 in agreement with Title 17, Chapter V, Sections 7583-7622, California Code of Regulations. The CO will be amended in Fiscal Year (FY) 25-26 to include new elements presented in this CCCP and in compliance with CCCPH.

The CO includes the authority to implement corrective actions if a water customer fails to comply in a timely manner with provisions regarding the installation, inspection, field testing or maintenance of a BPA required by the CCCPH. Additional authority exists to eliminate existing or future cross-connections through inspection and regulation of plumbing and water piping within a customer's premises, PWS or between them. The City's corrective actions include the ability to discontinue water service until all violations or non-compliant conditions have been corrected.

The current Municipal Code is included in Appendix B.

3.2 CCCP Administration

The program administrator for the cross-connection control program is the city's public works director or designee. At a minimum, the program administrator must be in a supervisor capacity and must be a cross-connection specialist certified by ABPA or AWWA. The city has a contract with the county division through an agreement to implement portions of the program, as allowed by state law and regulations, and any future SWRCB requirements. City and the city's water provider are ultimately responsible for the implementation of the program.

The Program is administered within the City's Public Works Department by the Utilities Engineering Section, in partnership with the San Mateo County Department of Environmental Health. Program administration includes cross-connection control reporting, backflow testing & hazard assessment notification, record keeping, and enforcement. For privately-owned BPA's the City typically requires the water customer to

perform annual inspection/testing, initial hazard assessment and as-needed hazard assessment through a City prescribed process detailed in the CCCP. In FY24-25 the City conducted initial hazard assessments at high-hazard non-residential premises. City-owned BPA's have these services performed either by San Mateo County or certified private contractor.

The San Mateo County Backflow Prevention Ordinance (Chapter 4.72) allows Environmental Health to issue administrative enforcement orders and fines to owners of backflow prevention assemblies within the City of East Palo Alto water system service area for failure to comply with annual testing of backflow prevention assemblies, failure to install backflow prevention assemblies as directed by Environmental Health, and all other violations of the County Backflow Prevention Ordinance, thus supporting the City's water system's cross-connection control program. While Veolia water system staff are primarily responsible for hazard assessments within its service area, Environmental Health and the backflow prevention testers approved through Environmental Health's programs, also support our cross-connection control program in identifying actual or potential cross-connection hazards, degree of hazard, and any backflow protection needed.

Environmental Health implements the BPA testing portion of the City's water system cross-connection control program. Environmental Health implements the BPA testing portion of the City's water system cross-connection control program. Through the Environmental Health programs, as described in more detail below, Environmental Health ensures that all BPAs are field tested, inspected and maintained in accordance with CCCPH section 3.3.3.

Environmental Health maintains all records related to testing of BPAs within the water system service area, as well as records of all certified/approved BPA testers testing within the water system service area.

The Cross-Connection Specialist reports directly to the San Mateo County Department of Environmental Health. The Specialist is responsible for carrying out the administrative responsibilities of the CCCP under the guidance of the Public Works Division Manager. Professional consultant and contract services are used as needed.

Public Works Call Center: 650-853-3189 - The Public Works Call Center is the City's emergency water phone number answered during normal business hours. For calls received during non-business hours, the calls are automatically forwarded to 911 police department dispatch. For all calls, the operator will dispatch calls to the correct personnel and department. Veolia Water staff will be the first responders to any water emergency. The San Mateo County cross-connection Control Specialist or a designee on-call water operator will be notified as necessary to investigate a potential backflow event.

4.0 CERTIFICATION REQUIREMENTS

This section specifies the certification requirements for Backflow Prevention Assembly Testers and Cross-Connection Control Specialists.

4.1 Backflow Prevention Assembly Tester Certification Requirements

Chapter 3, Article 4 of the CCCPH provides the requirements of a SWRCB recognized and American National Standards Institute (ANSI) accredited organization certifying Backflow Prevention Assembly Testers. Within an accredited organization, the program must include provisions for revocation of a backflow prevention assembly testers certification and a publicly available list of certified backflow prevention assembly testers. Certification from an accredited organization requires completion of a program that includes the following:

- Timed and proctored written exams with prescribed number of test questions and covering specified material.
- Performance of a hands-on exam demonstrating proficiency in accurately determining the operating condition of an RP, DC, PVB, and SVB.
- Recertification no less frequently than every three years including both a written and performance exam.
- Prerequisite of either two years prior experience or completion of an instructional training course.

4.1.1 Approved Back/low Prevention Assembly Tester & Specialist Lists (CCCPH 3.4.1 & SMC 4.72.080)

San Mateo County Department of Environmental Health maintains a list of testing companies who have Backflow Prevention Assembly Tester qualified to perform backflow related work within the City. This list is available by contacting the San Mateo County Department of Environmental Health.

Environmental Health always maintains at least one AWWA Cross-Connection Control Special on staff. Contact information for Environmental Health can either be general phone 650-372-6200, and email backflow@smchealth.org, or can include current Environmental Health staff contact information as long as the PWS is willing to keep the information up-to-date in their plan.

4.2 Cross-Connection Control Specialist Certification Requirement {CCCPH 3.4.1 & EPA CO 15.44.090)

Cross-Connection Control Specialists that maintain their Backflow Prevention Assembly Tester certification can perform BPA inspection and testing in addition to conducting onsite hazard assessments.

Cross-Connection Control Specialists shall maintain valid certification from a certifying organization recognized by the SWRCB pursuant to CCCPH Chapter 3 Article 4. Certification requires completion of a program that includes the following:

- Timed and proctored written exams with prescribed number of test questions and covering specified material.
- Completion of an instructional training course.
- Recertification no less than every three years.
- Recertification through an exam, 12 contact hours of continuing education, or a combination of both.

Cross-Connection Control Specialist from the certifying organization must contain:

- Provisions for revocation of a specialist's certification.
- Publicly available list of certified specialists.
- For initial certification or when an examinee has not held a valid certification for three or more years, a valid backflow prevention assembly tester certification will be required as well as completion of an instructional training course.

San Mateo County Department of Environmental Health will require testing companies to annually submit applications to be considered qualified as a Cross-Connection Control Specialist.

The requirements to be listed as a County qualified Cross-Connection Control Specialist are:

- All other requirements as required for the approved backflow tester.
- The specialist must hold a valid certification for Cross-Connection Specialist from a recognized certification organization.
- The specialist must register and utilize the City's online platform for hazard assessment report submissions.

Cross-Connection Control Specialists may be removed from the County's qualified lists for the same reasons as Backflow Prevention Assembly Testers may be removed.

5.0.1 CROSS-CONNECTION CONTROL PROTECTION REQUIREMENTS (CCCPH 3.2.2 & EPA CO 15.44.050)

Unprotected cross-connections with the PWS are prohibited. No water service connection to any premises shall be installed or maintained by the City unless the water supply is protected from contamination and pollution. Whenever backflow protection is found to be necessary, the City will require the water customer to install, test, and maintain an approved backflow prevention assembly at the expense of the water customer for continued water service or before a new water service will be granted.

EPA CO 15.44.050 allows customers with non-compliant assemblies (but were compliant at the time of installation), and which have been properly maintained, to not replace the assembly if the City Engineer is assured that the assembly will satisfactorily protect the PWS.

When Environmental Health becomes aware of the existence of a cross-connection and the BPA installed is not commensurate with the user premises' hazard or no BPA has been installed, Environmental Health will work with the PWS to require current BPA be upgraded to an appropriate type or require proper BPA protection be installed to properly protect the public water supply. PWS can notify Environmental Health of a cross connection via email to backflow@smcgov.org, or a phone call to any cross-connection control program staff.

Directive letters written by Environmental Health typically allow facilities 30 days to comply with requirements, with extensions provided in cases where calculations of fire systems are required before installation of BPA, or BPA in vaults are required to be replaced above grade. Additional extensions may be granted upon request by facility depending on individual circumstances. In all cases, Environmental Health tracks all requirements, including status of compliance, through use of our Salesforce-based database.

Failure to comply with directives results in the same potential enforcement action on facilities as failure to test BPA annually, including potential administrative enforcement orders, fines, and possible termination of water service.

When Environmental Health receives a report indicating a BPA failed annual testing, and the BPA in question no longer provides adequate protection from the associated hazard or is not installed appropriately as required by the CCCPH, Environmental Health will require the BPA be replaced with a BPA that provides the proper degree of protection against the associated hazard or installation criteria is corrected to align with CCCPH requirements.

Facilities are given 30 days to repair or replace BPA after failure. Failure to comply with repair or replacement directives results in the same potential enforcement action on facilities as failure to test BPA annually, including potential administrative enforcement orders, fines, and possible termination of water service.

Wherever backflow protection is found to be necessary on a water supply line entering a water customer's premises, then all water supply lines from the City's potable mains entering such premises, buildings, or structures shall be protected by an approved backflow prevention assembly.

The type of assembly to be installed will be in accordance with the requirements of this Chapter. If it is found that a backflow protection control or assembly has been removed or bypassed, water service will be discontinued until corrected, and fines may be imposed.

Topics addressed in this section include:

- Open for Inspection
- Approval of Assemblies
- Evaluation of Hazard

- Existing Customers - With a Non-Complying Device

5.1 Backflow Protection Requirements {EPA CO 15.44.050)

A. New Construction, Remodels and Tenant Improvements.

1. Residential (Single-Family, Duplexes and Multiple Family), Commercial, Industrial and Institutional.

a. Domestic Water. City may require an approved backflow prevention assembly to be installed on the facility as close as possible to the service connection. The assembly shall be a lead-free reduced pressure principle backflow prevention assembly. If it is determined that a backflow prevention assembly is required, the customer may also need to install a thermal expansion tank in accordance with the California Plumbing Code.

b. Irrigation System. City requires an approved backflow prevention assembly to be installed on the facility on the branch line serving an irrigation system. The assembly shall be a pressure vacuum breaker, reduced pressure principle backflow prevention assembly, or atmospheric pressure vacuum breaker as determined by the city.

c. Fire Suppression System. All facilities with an installed fire suppression system must have an approved backflow prevention assembly, excluding flow-through fire systems, on the branch line serving the fire suppression system. The assembly shall be a double check valve backflow prevention device, a double check detector assembly, a reduced pressure principle backflow prevention assembly, or a reduced pressure principle detection assembly or as determined by the city. Flow-through fire protection systems shall be constructed with approved potable water piping and materials.

B. Fire Protection System. Except as noted below, a public water system must ensure its distribution system is protected with no less than double check detector assembly protection for a premises with a fire protection system.

1. A high hazard cross-connection fire protection system, including, but not limited to, fire protection systems that may utilize chemical addition (e.g., anti-freeze) or an auxiliary water supply, must have no less than a reduced pressure principle backflow prevention assembly protection. An air gap is required for customers where the fire system is supplied from the public water system and interconnected with an unapproved auxiliary water supply.

C. Sewage and Hazardous Substances.

1. An air gap is required for facilities where there are waste water pumping and/or treatment plants and there is no interconnection with the potable water system. This does not include a single-family residence that has a sewage lift pump.

2. An air gap is required for facilities where hazardous substances are handled in any manner in which the substances may enter the potable water system. This does not include a single-family residence that has a sewage lift pump.

3. A reduced pressure principle backflow prevention assembly is required for facility's where there are irrigation systems into which fertilizers, herbicides, or pesticides are, or can be, injected.

D. Auxiliary Water Supplies.

1. An air gap is required for facilities where there is an unapproved auxiliary water supply which is interconnected with the public water system.

2. A reduced pressure principle backflow prevention assembly is required for facilities where there is an unapproved auxiliary water supply and there are no interconnections with the public water system.

E. Recycled Water.

1. A reduced pressure principle backflow prevention assembly or another city-approved device that is in accordance with the SWRCB is required for facilities where the public water system is used to supplement the recycled water supply.

2. A reduced pressure principle backflow prevention assembly is required for facilities where recycled water is used and there is no interconnection with the potable water system.

F. Existing Service Connection. When it is determined in a survey by the city or county cross-connection control program specialist that an actual or potential cross-connection or backflow condition is present on an existing facility, the installation of an appropriate backflow preventer shall be required. Should an existing backflow prevention assembly be in place that does not meet the city's installation requirements, does not comply with this section, or does not provide adequate protection with the degree of hazard found on-site, the assembly shall be replaced or upgraded as required by the city, at the expense of the customer or responsible party.

Protection is required when the following conditions exist:

- When a premises contains an auxiliary water supply, the water supply to the premises shall be protected against backflow.
- When a premises has the potential for any onsite industrial fluid or any other objectional substance handled in such a manner that could permit the fluid or substance to enter the water system, the PWS shall be protected against backflow from the premises.
- When a premises has internal cross-connections that cannot be permanently corrected or controlled to the satisfaction of the state, local health department, or City Engineer, the PWS shall be protected against backflow.
- When a premises has intricate piping arrangements or where entry to all or portions of the site are restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that no cross-connection exist, the PWS shall be protected against backflow.
- When a premises has a history of repeated cross-connections being established or reestablished, the PWS shall be protected against backflow.

5.2 Hazard Assessments (CCCPH Article 2, 3.2.1& EPA CO 15.44.060)

A. Identification of Survey Candidates.

1. City may identify specific industries that might pose an actual or potential backflow hazard to the public water supply. Some of these industries are identified from common lists of industries where cross-connections are likely to be found, as provided by the State of California, the USC Foundation, and other recognized organizations. From these lists, specific facilities in the city's service area may be identified by directories, mailing lists, associations, and business licenses.
2. Surveys may take the form of office surveys or field surveys. Office surveys may include determination of facility hazards based on business type or known water use on the facility. Office surveys could also include evaluation of responses to mailed or on-line surveys.

B. Procedures for surveying and retrofitting existing facilities and for plan review and inspection of new construction:

1. Backflow preventers are tested annually, and the city's contracted water system operator works with the county when devices are out of compliance or needs testing. City recognizes and follows all state, county, and other jurisdictional authorities' procedures and guidelines. New construction is analyzed on a case-by-case basis by city.
2. Existing backflows will be identified, and those backflows will be tested per state testing procedures, at least annually. Customers with noncompliance backflow systems will be notified as outlined in Section 15.44.100 and required to come into compliance.

3. Portable backflows must be tested annually and or retested when disconnected or removed from any approved location. Anyone connecting to the public water system, by hydrant, temporarily or other, must have an acceptable and approved backflow preventer assembly and or plan from city. If the device is moved from place to place it must be tested by a city-approved certified tester.

C. Field surveys may include evaluation of water use by observations made from public or private areas not on the subject facility, or physical inspection on all or a portion of the facility. When possible, a request to survey the facility shall be made at least twenty-four (24) hours in advance, and a date and time agreed upon with a responsible party. Should the request to survey be denied by a responsible party, notice shall be sent to the customer or responsible party directing installation of a lead-free reduced pressure principle backflow assembly, at the water meter, based on best available knowledge of the water use and potential hazards at the facility.

During the survey many factors are considered to determine if activities or water use on facility are or could be a potential hazard to the public water supply. Factors that may be considered include:

1. Alternative sources of water on-site (auxiliary water supplies).
2. Piping configurations on-site.
3. Uses of water on-site.
4. Types of water using equipment.
5. Condition of water using equipment.
6. Complexity and elevations of plumbing on-site, and the potential for alterations of that system.
7. Storage and use of hazardous materials on-site.

All the factors found and recorded during the survey shall be considered in the determination of the degree of potential hazard (degree of hazard) to the public water supply. This information shall be considered in the determination of the appropriate backflow preventer. The customer or responsible party shall be informed of the requirement to provide backflow protection and the type of backflow prevention assembly required in accordance with Title 17 of the California Regulations Related to Drinking Water or any future state water resource control board requirements and regulations for cross-connection control, or the direction of the San Mateo County Health Officer.

Environmental Health will ensure each BPA (or AG) in inventory is field tested (or AG is visually inspected) at a frequency of at least once per calendar year by a BPA tester that is both currently certified by a State Water Board-recognized organization and authorized to test in San Mateo County by Environmental Health.

Local City building department, or Environmental Health, will require initial installation and test of BPA with results submitted to Environmental Health to allow BPA to be inventoried in the Environmental Health database. Additionally, any BPAs discovered during initial or subsequent hazard assessments, as described in section 3.2.1, will be added to the Environmental Health inventory of BPAs.

Each BPA (and AG) in the Environmental Health BPA database is assigned a “next test due date” between January and September of each calendar year (none between October and December to allow for delinquent testing to occur before December 31). To ensure testing occurs, a reminder notice to test is sent to a facility via US mail 30 days before its BPA “next test due date”. If a completed test report is not received, a second notice to test is sent to the facility on the “next test due date”. If a completed test report is still not received, an Administrative Enforcement Order (AEO) is sent to the facility 30 days after the “next test due date”. If a completed test report is not received within 14 days from the date on the AEO, Environmental Health will coordinate with the _____ water system on enforcement action, which may include:

- Hand delivery of AEO to the delinquent facility by PWS;
- AEO with fine sent by Environmental Health to the delinquent facility;
- Potential water termination threat by the PWS;
- Water termination to the delinquent facility by PWS;
- Other action as seen fit by PWS until compliance is met.

After results are received, next test due dates for each BPA move forward one calendar year to ensure a notice is mailed out at the appropriate time the following year.

BPA testers are required by Environmental Health Ordinance 4.72 to submit BPA results to Environmental Health within 10 days of testing.

(6) Environmental Health will only accept BPA test reports completed by individuals who are authorized through Environmental Health. The authorization process includes:

- Ensuring individuals are currently certified to test BPA through a State Water Board-recognized organization;
- Have a field test kit or gauge equipment that has been calibrated within the last calendar year;
- Have completed an examination created by Environmental Health to demonstrate that the tester understands their responsibilities as detailed in the County Backflow Prevention Ordinance;
- Have paid an annual tester fee to Environmental Health.

After initial authorization, Environmental Health will ensure BPA tester certifications and calibration reports remain current by tracking expiration dates in a database containing individual accounts of BPA testers.

To ensure the quality of BPA test result reports submitted by BPA testers, each report is reviewed upon submittal before being entered into the BPA database. Each BPA test record must, at a minimum, in addition to BPA information and test result information, include:

- Tester name;
- Test date;
- Repair or replacement date (if applicable);
- Tester certification number;
- Signature of the BPA tester;
- Backflow tag number purchased through Environmental Health that is unique to each test.

When an online portal that syncs to the Environmental Health BPA database becomes available to Environmental Health authorized testers for submittal of basic passing tests on existing assemblies, results will only be accepted if they contain all required criteria. In addition, random quality control checks on testers are conducted by Environmental Health to ensure results submitted match physical BPA description on the report and the tag number submitted matches the one attached to the BPA by the tester.

Environmental Health Ordinance includes the ability to suspend or revoke an Environmental Health BPA tester authorization. Environmental Health will report to the certifying agency if a tester's authorization has been suspended or revoked.

(9) Environmental Health maintains a Salesforce-based database containing records for each BPA that is initially submitted to Environmental Health as "new" on a blank test report. Each individual record contains, at a minimum:

- The associated hazard type (service, internal, fire);
- Site address;
- Location of BPA within the facility;
- Owner;
- Owner mailing;
- Type of BPA;
- Manufacturer and model of BPA;
- Size of BPA;
- Installation date of BPA;
- Next test due date of BPA;
- Last passed test date of BPA;
- Serial number of the BPA.

Additionally, a field is currently available under each BPA record to be populated with a hazard level of high, low, or none, to comply with the CCCPH recordkeeping requirement of maintaining the BPA associated hazard.

BPA test records are tied to BPA records and maintained in the Environmental Health database (including reports indicating failure, repair, replacement, or relocation) for at least 3 calendar years to comply with the CCCPH.

5.2.1 Follow Up Hazard Assessments

Unless protection is provided by an RP, and unless the RP continues to successfully pass the annual tests, the customer's Cross-Connection Control Specialist selected per Section 4.2 will perform subsequent assessments under the following criteria:

1. If a customer's premises changes ownership, excluding single-family residences
2. If a customer's premises is newly connected to the PWS
3. If evidence exists of potential changes in the activities or materials on a customer's premises
4. If backflow from a customer's premises occurs
5. If the SWRCB requests a hazard assessment of a customer's premises
6. If the City concludes an existing hazard assessment may no longer be correct

Notification to the customer of this requirement will be in each annual test notice. Additionally, internal City coordination will occur between the Planning and Finance Departments with the Water Engineering Section to monitor changes in business licenses and permit applications.

Follow up hazard assessments require the Cross-Connection Control Specialist to have hazard results uploaded to the online City portal managed by the City's Cross-Connection Specialist.

5.2.2 Hazard Assessment Outcomes

Following completion of either initial hazard assessments or subsequent assessments completed by the certified Cross-Connection Control Specialist selected per Section 4.2, the customer may need to address various outcomes related to backflow protection as further described below.

5.2.3 Non-Complying Assembly

Existing non-residential backflow prevention assemblies that do not meet the requirements (per the amended EPA CO 15.44.090 and as set forth in the CCCPH) will be required to either repair or replace the backflow prevention assembly to meet the requirements. This will occur for both high hazard locations assessed by the City and customer completed assessments.

Notices received by customers that have up to 180 calendar days to comply will initially be provided 30 calendar days to comply and through customer due diligence, extensions up to 150 calendar days will be provided.

5.2.4 Without an Assembly

All non-residential customers and premises (except the 483 high-hazard premises already assessed by the City) existing prior to the adoption of the CCCPH are required to have an initial hazard assessment completed by the certified Cross-Connection Control Specialist selected per Section 4.2. Upon upload of this information to the City portal, if it is determined that a premises requires backflow prevention, the City will provide a written notice to the customer to install an approved backflow prevention assembly within 180 calendar days or the City will discontinue water service. Notices received by customers will initially provide 30 calendar days for the installation and through customer due diligence, extensions up to 150 calendar days will be provided.

5.2.5 Non-Residential Fire Sprinkler Systems

Commercial and industrial premises with sprinkler systems have varying hazard levels depending on the class of fire sprinkler system (Class 1, 2, 3, or 4). Whether a fire system uses water only, chemical agents, fire suppression substances or is equipped with a Fire Department connection all new installations and/or replacements will require the installation of an RPDA unless determined otherwise by the City Engineer.

5.2.6 Residential Fire Sprinkler Systems

Single-family and multi-family homes with sprinkler systems typically have a low hazard level. These systems will require the installation of an RP unless determined otherwise by the City Engineer. Hazard assessments of these residential systems are not scheduled, instead administrative tools including, but not limited to, permitting information will be used. In FY25-26 coordination will occur among the Utility Engineering Section, Building, Fire and Finance to determine the number of locations and addresses of residential units with fire sprinkler systems. Once this is complete, public education/outreach will occur prior to notices sent out requiring an assessment. Once the assessment results are known, a timeline to achieve compliance will be set prior to the CCCPH allowed time.

6.0 *BACKFLOW PREVENTION ASSEMBLIES (CCCPH ARTICLE 3)*

This section provides a description of approved backflow prevention assemblies and of backflow prevention assembly installation requirements.

6.1 Location and Approved Backflow Prevention Assemblies (CCCPH 3.3.1 & EPA CO 15.44.070)

Only approved backflow prevention assemblies will be allowed for new installation by a water customer to protect the PWS. Approved backflow preventors, which may be subjected to back-pressure or back siphonage, must be fully tested and granted a certificate of approval by a certified laboratory. The City will provide, upon request, to any water customer required to install a backflow preventer, the City's standard detail that notes approved backflow prevention assemblies.

Approved backflow prevention assemblies must have passed both laboratory and field evaluation tests in accordance with standards found in any of the following:

- The latest edition of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California Manual of Cross-Connection Control;
- The certification requirements for backflow prevention assemblies in the Standards of ASSE International current as of 2020; or
- An equivalent testing organization approved by the SWRCB.

Additionally, only backflow prevention assemblies noted in the City's standard detail will be allowed for new installation. Backflow prevention assemblies must not be modified from the configuration granted approval. Backflow Prevention Assembly Testers are required to notify the City if a water customer or City-owned backflow prevention assembly has been modified.

6.2 Installation Requirements (CCCPH 3.3.2 and EPA CO 15.44.070)

Backflow prevention assemblies shall be installed by the customer on the customer's water service side according to City standard details and prior to issuance of a final occupancy permit for new water services. The backflow prevention assemblies shall be installed in a manner prescribed in the CCCPH and as close as practical to the customer's service connection on the customer's premises for containment. The City shall provide final authority in determining the required location. If internal protection installed as isolation protection and further proposed for the purpose of containment, the City must be able to access the customer's premises and ensure that the on-site protections meet the requirements of the CCCPH. All backflow prevention assemblies shall be readily accessible for field testing and maintenance. Requirements for the specific elements of backflow prevention assemblies are described in the following subsections.

6.2.1 Air Gap Separation (AG)

The approved AG is to be installed on the customer's premises at the water customer's service connection and in accordance with CCCPH requirements. The received water container must be located on the water customer's premises at the water customer's service connection. Alternate locations must be approved by the City. All piping between the water customer's service connection and the discharge location of the receiving water container must be above grade and accessible for visual inspection. If installed at the customer service connection, the air gap must be approved by the SWRCB prior to installation. The water inlet piping shall terminate a distance of at least two pipe diameters of the supply inlet, but in no case less than one inch above the overflow rim of the receiving tank.

6.2.2 Reduced Pressure Principle Back/low Prevention Assembly (RP)

The approved RP assembly shall be installed on the customer's side of and as close to the service connection as is practical. The assembly shall be installed such that the lowest point of the assembly is a minimum of 12 inches above the finished grade and not more than 18 inches above grade measured from the bottom of the assembly and with a minimum of 12 inches side clearance, unless an alternative is approved by the City. However, a minimum side clearance of 24 inches must be provided on the side of the assembly that contains the test cocks. The assembly should be installed so that it is readily accessible for maintenance and testing.

The same space requirements may be applied to RPDAs.

6.2.3 Double Check Valve Back/low Prevention Assembly (DC) and Pressure Vacuum Breaker Back/low Prevention Assembly (PVA)

Unless authorized by the City Engineer, double check valve backflow prevention assemblies and pressure vacuum breaker backflow prevention assemblies will not be approved. All new applications shall be RP & RPDA.

Existing applications of DC, DCDA, PVA backflow prevention device types will be considered acceptable if they are serviceable.

7.0 TESTING AND MAINTENANCE OF BACKFLOW PREVENTION ASSEMBLIES (CCCPH 3.3.3 AND EPA CO 15.44.080)

This section outlines the testing and maintenance of backflow prevention assemblies and notification procedures followed by the City.

7.1 Testing

7.1.1 Frequency of Testing

The City requires all backflow prevention assemblies with active water services to be field tested upon installation, repair, overhauled, replaced or when relocated/removed, and whenever an assembly is depressurized, which includes all procedures/work listed in this section. Thereafter, the City requires backflow prevention assemblies to be field tested at a minimum of at least once annually by a certified Backflow Prevention Assembly Tester acceptable to the City as described in Section 4.1.1. Prior to the City approving a Water Service Agreement, the City must receive a passing set of backflow prevention assembly test results for the given backflow prevention assembly. For water services that have been suspended, the City will require a backflow assembly test upon initiation of the water service.

The City, at its discretion, may require more frequent testing intervals or inspections than the annual requirement. AG installations providing protection at the water service, and swivel-ell installations will be inspected annually to ensure compliance. Currently, the City does not have any AGs within the City to inspect.

7.1.2 Procedures for Submitting Test Results

Testing results shall be submitted to the County on a City-approved backflow assembly form in electronic format, submitted through an online portal. Backflow Prevention Assembly Testers shall use the most current approved testing procedures. All backflow assembly testing is to be at the expense of the owner. Backflow assembly tests are performed by qualified testers retained by the customer.

7.1.2 New Installation

A passing field test must be received for all newly installed backflow prevention assemblies providing containment protection before water service can be provided. Newly installed assemblies or air gaps must be inspected for compliance with the CCCP and confirm successful passing of the assembly performance test.

7.1.3 Failed Test

Assemblies that fail the field test shall be repaired, overhauled, or replaced and then re-tested immediately. Upon receipt of a failed test report, the City will send a notification requiring that the backflow be repaired or that a new assembly be installed immediately. All repairs and replacements shall be submitted to the City as complete within 30 days of notification. If additional time is needed, the customer may request consideration of an extension from the City.

7.2 Notification Process

It is the responsibility of the customer to ensure that all premises with a backflow prevention assembly receive a passing field test at a minimum of at least once annually. In FY 24-25, customers with a backflow prevention assembly will receive a first notification notice the first week of June each calendar year, providing sixty (60 days to hire a certified backflow assembly tester to perform a field test and submit a test report on the condition of the backflow assembly. If a test report is not received, a second notice will be sent on August 15th, providing 45 days to have the assembly tested. In cases where a backflow assembly test has still not been received, a third notification notice will be sent with a 30-day compliance deadline. The City's goal is to work with customers to ensure timely backflow testing. Property owner/water customer communication and correspondence is documented by the City to establish a communication trail.

In situations where no action is taken by the backflow assembly owner after the third notice has been sent, the City will send an additional notice on October 1st that provides a five-day period for the customer to contact the City and advise of customer arrangements for the backflow assembly to be tested within 30 days. If testing does not occur within the 30 days, the water service will be terminated.

At the discretion of the City, a City's Backflow Prevention Assembly Tester will test the backflow assembly in question and charge the water customer a fee according to the City's Municipal Fee schedule. The City will not make repairs to backflow assemblies that did not pass the test.

7.2.1 Yearly Testing Notifications

Annual notification letters to water customers are currently sent out through USPS mail. Beginning in FY25-26, initial notifications will be sent by email to the customer. Second and third notifications (if needed) will continue to be sent through USPS mail. Notifications will include the following information:

- References to the Cross-Connection Control Policy Handbook and the City's ordinance
- City contact information

- Instructions for accessing the list of approved backflow testers
- Processes for submitting the backflow test report
- Due date for submitting test results
- The backflow assembly of records details, including meter number, assembly serial number, model and size, and location
- Requirement for initial hazard assessment and subsequent assessments if changes occur at the premises
- Requirement to notify the City if an imminent or occurring hazard
- Instructions on how to provide customer-provided information

7.2.2 Upgrading

Assemblies that are not noted on City's Standard Details may remain in place at the discretion of the City Engineer until the point of complete failure (repairs and overhauls cannot remedy) if the assembly passes field tests. For non-complying assemblies, refer to the requirements of Section 5.2.3. When an assembly fails the field test, a new assembly shall be installed at the property owner/water customer's expense. Only assemblies that are noted on the City's Standard Details shall be installed unless determined otherwise by the City Engineer.

7.2.3 Notification of Imminent Hazard

Backflow assembly property managers and/or water customers are required to notify the City within 24 hours of determining a known backflow or cross-connection incident. This requirement is stated in annual notifications received by the customer from the City.

Upon being notified, the City will immediately investigate and discontinue water service to the premises if an imminent hazard to public health is found. The water service will not be restored until confirmation of a correction is made and a passing backflow assembly field test is received.

8.0 RECORD MAINTENANCE

Cross-Connection control records and associated penalties for non-compliance are described in this section.

8.1 Records

The City will retain the following records in electronic form and make them available to the SWRCB upon request:

8.1.1 Cross-Connection Control Plan

This CCCP will be reviewed every five years and updated as necessary.

8.1.2 Hazard Assessments

Records will be retained for the two most recent hazard assessments conducted according to Section 5.3 of this CCCP.

8.1.3 Assembly Records

For each backflow prevention assembly, the following information shall be kept electronically: type, associated hazard, location, owner, manufacturer and model, size, installation date, serial number, account number, consumer of record, and repair history.

For each AG installation, the following information shall be kept electronically: associated hazard, location, owner, and as-built plans.

For each swivel-ell, the following information shall be kept electronically: location, appropriate contacts, agreements, and inspection results.

8.1.4 Testing Results

Test results on all assemblies, AGs, and swivel ells will be kept electronically for three calendar years and will include the name, test date, repair date, and certification number of the backflow assembly tester.

8.1.5 Repairs

Records will be retained for all repairs made to backflow prevention assemblies for the previous three calendar years.

8.1.6 Recycled Water Cross-Connection Control Shutdown Tests

The most recent cross-connection control shutdown test will be kept for each recycled water site.

8.1.7 Incident Reports

Descriptions and follow-up actions related to all backflow incidents for the most recent ten years will be retained.

8.1.8 Contracts and Agreements

All contracts and agreements executed related to cross-connection control or backflow will be retained by the City.

8.1.9 Educational Material

Public education and outreach materials will be kept for the previous four (4) years.

8.2 ENFORCEMENT (EPA CO 15.44.100)

A. The county has the authority to take enforcement action as specified in the county ordinance code relating to backflow prevention, consistent with the agreement between the city and county. The city and the city's water provider shall work with the county on enforcement. If the county is unable to reach the customer or responsible party, the city, with support from the city's water provider, will send a notice of violation by certified mail to the customer or responsible party.

B. Failure to comply with any requirement of this chapter may be cause for the discontinuance of water service. The program administrator shall give notice in writing of any violations of this chapter to the customer or responsible party. If appropriate action is not taken within ten (10) days after such notice has been mailed or delivered in person, the program administrator may discontinue delivery of water. However, if the program administrator or the health officer determines that the violation constitutes an immediate

C. All costs incurred by the city for discontinuance of water service and all fees associated with reinstating water service shall be paid by the customer or responsible party. Costs incurred by the county for inspections shall be paid by the customer or responsible party at the rate established by San Mateo County.

D. Any person found guilty of violating any provision of this chapter, or who bypasses or renders inoperative any backflow prevention assembly installed under the provisions of this chapter, shall be fined as follows:

   i. A fine not exceeding one hundred dollars ($100.00) for the first violation;

   ii. A fine not exceeding two hundred dollars ($200.00) for a second violation within twelve (12) months;

   iii. A fine not exceeding five hundred dollars ($500.00) for each additional violation within twelve (12) months.

E. In partnering with Environmental Health, the County Backflow Prevention Ordinance allows Environmental Health both legal authority and enforcement and administrative fine mechanisms in the event a water user fails to comply in a timely manner with the provisions of the City cross-connection control program that are implemented by Environmental Health.

F. The San Mateo County of Public Health Environmental Health shall have the authority to enforce this chapter as follows.

   (1) Environmental Health may require a water purveyor to discontinue water service to any facility wherein violations of this Chapter exist.

   (2) Any person who violates any provision of this Chapter, or bypasses or renders inoperative any backflow prevention assembly installed under the provisions of this Chapter may, in addition to other penalties provided by law and this Chapter, shall be subject to discontinuance of water service. Water service shall not again be reinstated until such violations have been corrected as determined by Environmental Health. Costs incurred by Environmental Health for inspections

shall be paid by the facility owner at the rates set forth in San Mateo County
(3) Ordinance code section 5.64.070.

(3) Pursuant to section 116820 of California Health and Safety Code, any person who violates any provision of Article 2 of Chapter 5 of Part 12 of Division 104 of the California Health & Safety Code, violates any order of Environmental Health pursuant to this article, or knowingly files a false statement or report required by Environmental Health pursuant to this article is guilty of a misdemeanor punishable by a fine not exceeding five hundred dollars ($500) or by imprisonment not exceeding 30 days in the county jail or by both such fine and imprisonment. Each day of a violation of any provision of Article 2 or of any order of Environmental Health beyond the time stated for compliance of the order shall be a separate offense.

9.0 INCIDENT RESPONSE AND NOTIFICATION

The City will investigate for possible backflow incidents when the following triggers are reported:

- Water quality complaint that cannot be explained as a normal aesthetic problem; especially receiving multiple reports indicating multiple properties impacted
- Advanced Metering Infrastructure (AMI) meters reporting negative usage
- A backflow incident suspected or known to have occurred
- Unknown increase in system pressure reported
- Unknown decrease in system pressure reported

Additionally, the City will initiate a notification and water quality sampling procedures when a water main break or power outage causes a negative loss of water pressure within a significant area of the distribution system as a precautionary measure in case of a potential back siphonage event.

The incident response procedures, notification procedures, and associated record keeping requirements are addressed below.

9.1 Incident Response Procedure (CCCPH 3.5.2)

The City will implement their Water Emergency Response Plan (ERP) if contamination of the City's distribution system is observed. The ERP contains the City's plan for notifying customers and other officials of a water emergency, contact information for internal and external pertinent staff, conditions for activating the Emergency Operations Center, and a description of roles and responsibilities of water staff. The ERP is intended to be a living document evaluated regularly for updates. The latest version is found in Appendix G of this report.

In the event of a potential backflow-related incident, the City will take the following steps, each of which is described in this subsection:

- Incident Investigation
- Isolation of Sources of Contamination
- Cleaning and Disinfection
- Notification and Coordination with Outside Agencies
- Notification of Affected Population

9.1.1 Incident Investigation

The City's Public Works Department will begin an investigation by sending a Utility Maintenance Worker (Worker) to the location of the reported incident. Through a field investigation, the Worker will determine if contamination is present in the PWS and the extent of the impacted area. Workers will perform the following actions to investigate for potential cross-connections:

- Survey area for possible main breaks
- Visit the premises to observe possible sources of contamination

9.1.2 Sources of Contamination Isolation

Once the cross-connection responsible for the system contamination is located and isolated from the PWS, the City will also isolate the portion of the system suspected of being contaminated by closing isolation valves and notifying customers impacted of the disruption of water.

9.1.3 Cleaning and Disinfection

The City will work with the SWRCB to establish procedures to remove the contamination and disinfect the PWS. A sampling plan will also be established and implemented to confirm when the system meets Safe Drinking Water Standards.

9.1.4 Notification and Coordination with Outside Agencies

The City will be responsible for notifying the SWRCB and the County's Public Health Officer as soon as practical to accurately communicate and properly mitigate potential health effects resulting from an incident. The City will use the Water Quality Emergency Notification Plan as outlined in the ERP. The Notification Plan identifies the persons designated to implement the plan and provides the contact information of the appropriate County Health Department personnel.

9.1.5 Notification of Affected Population

As soon as possible following an incident, the City will notify the public using methods outlined in the Emergency Notification Plan within the ERP. Notifications will be provided by any one or all of the following: television media, radio, social media, sound trucks, door hangers, and the City's website.

If the contamination is of a biological nature, the City will issue a Boil Water Order Notice. If the contamination is of a chemical nature, the City will issue an Unsafe Water Alerts as "Do-Not-Use" or "Do-Not-Drink" Notices. Notices will be communicated in English and Spanish. The City has a draft notification template that can quickly be populated with the necessary details and printed for distribution. Notices include instructions on what consumers should do; where potable water is available; and if applicable, dates of notice issuance and expected resolution; and the location where more information can be received.

The City will contact bottled water companies to purchase water for its customers. The City will determine the most efficient way to distribute the bottled water through either a delivery system or a central distribution location.

9.2 Backflow Incident Notification (CCCPH 3.5.3)

The City shall notify the SWRCB of any known backflow incident within 24 hours of the determination. If required by the SWRCB, the City shall issue a Tier 1 public notification pursuant to CCR, Title 22, Section 64463.1. If required by the SWRCB, the City must submit, by a date specified by the SWRCB, a written incident report describing the nature and severity of the backflow, the actions taken by the City in response to the incident, and any follow up actions required to prevent future incidents. The written report will contain, at a minimum, the information provided in Appendix F of the CCCPH.

9.3 Record Keeping

Incident notifications, which include results of and follow up actions of all backflow incidents, will be maintained by the City for up to three years. Results will be available to the SWRCB upon request.

10.0 *PUBLIC OUTREACH, EDUCATION, AND COORDINATION*

Topics addressed in this section include public outreach, training, designation of customer supervisors, and inter-agency coordination.

10.1 Public Outreach

The County maintains a Cross Connection Control and Backflow Prevention web page that contains references to the County's and City's Municipal Code and State of California regulations. The webpage describes the purpose of the CCCP, provides details on the annual backflow testing requirements, including links to City Standard Details that note the lists of Approved Backflow Assemblies, the list of qualified Backflow Prevention Assembly Testers, the list of Cross Connection Control Specialists as well as providing testers online access to the City's backflow management software. In addition, the City's Water Quality Report provides a description of backflow testing and the benefits it provides for maintaining water quality.

10.2 Training

The County will offer annual cross-connection control training to County employees who need to be knowledgeable about this CCCP. Employees responsible for parks, street landscape facilities, operations, and maintenance, Public Works Inspectors, Building Inspectors, and Fire Prevention will be included.

10.3 Designation of User Supervisor {CCCPH 3.2.2.-f)

The City may require, at the discretion of the City's Cross-Connection Specialist, a water customer to designate a user supervisor when the customer's premises have a multi-piping system that conveys various types of fluids and where changes in the piping system are frequently made. The designated user supervisor will be responsible for the avoidance of cross-connections during the installation, operation, and maintenance of the water customer's pipelines and equipment. The designated user supervisor must be trained on the fluids used and backflow protection methods present at the premises. The user supervisor will be responsible for informing the City of changes in piping and shall maintain current contact information on file with the City.

The user supervisor will be required to attend a training provided by the City that covers the types of hazards and concerns typically found on customers' premises. Upon successful completion of the training, a user supervisor certificate will be issued with a renewal requirement of every four years. Currently, the City has Recycled Water Site Supervisors trained by the South Bay Water Recycling Program. Part of the training includes the prevention of cross-connections.

10.4 Inter-Agency Coordination

The CCCP is shared with various departments across the organization and with other agencies as shown in Table 10-1.

Table 10-1. Inter-Agency Coordination

Entity	Responsibility	Coordination
Inter-Department Coordination		
Department of Engineering in partnership with San Mateo County Department of Environmental Health Services	• Administers the Cross-Connection Control Program • Performs testing and hazard assessments if not completed by the customer • Performs testing and hazard assessments for all City-owned facilities • Inspects newly installed backflow assemblies for proper installation • Leads on potential backflow investigations • Respond to customer cross-connection questions. • Maintains cross-connection standards and specifications • Ensures appropriate backflow protection is provided for new developments within the City • Coordinates with the SWRCB	• Coordination with customers, City departments, regulatory agencies, testers, and specialists
Public Works/ Veolia Water	• Assists with potential backflow investigations • Customer service staff field phone calls not related to cross-connection and water quality complaints	• Informs Utility Engineering on field investigations • Reporting water main breaks or other water complaints for further investigation
Planning Department	• Reviews and approves development projects	• Coordinates plan review with Utility Engineering
Building Department	• Reviews tenant improvement projects • Enforces building and plumbing codes	• Informs Utility Engineering of the proposed tenant improvements so that an assessment may be completed • Confirms backflow assemblies are installed as part of tenant Improvement permits • Informs Utility Engineering that the new assembly has been installed and tested
Menlo Fire District	• Reviews fire prevention plans • Reviews pressure and operational calculations for backflow retrofits	• Coordinates plan review with Utility Engineering

Finance Department	Track changes in business status (new businesses, ownership, businesses no longer operating)	Notify Utility Engineering of change of business status

Table 10-1. Inter-Agency Coordination

Entity	Responsibility	Coordination
Outside Agency Coordination		
San Mateo County Department of Environmental Health Services	• Oversees public health programs within San Mateo County, including administering Back Flow programs to partnered cities.	• Provides guidance to the City in situations where public health could be affected
SWRCB	• Regulates public water systems	• Provides guidance to the City during water-related emergencies • Perform regular sanitary surveys


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ORDINANCE NO. 4903

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

ORDINANCE REPEALING AND REPLACING CHAPTER 4.72 OF THE SAN MATEO COUNTY ORDINANCE CODE CONCERNING BACKFLOW PREVENTION

SECTION 1. FINDINGS. The Board of Supervisors of the County of San Mateo ("County") hereby finds and declares as follows:

WHEREAS, the County's Backflow Prevention Ordinance, Chapter 4.72 of the San Mateo County Ordinance Code, which was last amended in January 2013, protects potable water supplies from contamination by establishing County requirements for backflow prevention; and

WHEREAS, on December 19, 2023, the California State Water Resources Control Board (SWRCB) adopted new regulatory requirements related to cross-connection control for all public water systems in the form of the Cross-Connection Control Policy Handbook, Standards and Principles for California's Public Water Systems (Policy Handbook); and

WHEREAS, this Policy Handbook, promulgated as regulation, became effective July 1, 2024, with relevant milestones requiring updates to the County's Backflow Prevention Ordinance by July 1, 2025; and

WHEREAS, the Board of Supervisors now wishes to update Chapter 4.72 of the San Mateo County Ordinance Code, codifying County requirements for backflow

prevention, to align the Ordinance Code with the recently enacted Policy Handbook.

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo ordains as follows:

SECTION 2. Chapter 4.72 of the San Mateo County Ordinance Code is hereby repealed in its entirety and is replaced by a new Chapter 4.72 to read as follows:

CHAPTER 4.72 BACKFLOW PREVENTION

4.72.010 Purpose and authority.

The purpose of this Chapter is to ensure the health, safety, and general welfare of the County of San Mateo citizens through protecting the potable water supplies from contamination by establishing County requirements for backflow prevention complementary to those established by the State Water Resources Control Board Cross-Connection Control Policy Handbook ("CCCPH"). Sections 116407, 116800, 116805, and 116810 of the California Health and Safety Code, and Section 3.1.3 of the CCCPH provide the County authority to implement this backflow prevention program, also known as a cross-connection control program, which is described in this Chapter.

4.72.020 Responsibility for administration.

This Chapter shall be administered and enforced by the Director of the San Mateo County Environmental Health Services Division of San Mateo County Health or the Director's designee, on behalf of the County Health Officer.

4.72.030 Scope and application.

Backflow prevention requirements imposed by the CCCPH and this Chapter, and fees enacted in accordance with San Mateo County Ordinance Code section 5.64.070, shall apply to all facilities (businesses, dwellings, activities, and piping systems of whatever sort) within the Water Supplier service areas of Water Suppliers that have entered into an agreement with the County of San Mateo, by and through the Environmental Health Services Division, for backflow prevention and enforcement. Pursuant to section 116800, et seq., of the California Health and Safety Code, this Chapter also applies within all Water Users' premises within the County of San Mateo where public exposure to drinking water contaminated by backflow may occur.

4.72.040 Definitions.

For the purposes of this Chapter, the following definitions shall govern unless the context clearly requires otherwise:

(a) “Authorized tester” is a backflow prevention assembly tester who meets all requirements specified in section 4.72.080 of this chapter and is approved to test backflow prevention assemblies that are included in San Mateo County’s Cross-Connection Control Program.

(b) “Backflow prevention assembly” (“BPA”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(c) “Cross-connection” shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(d) “Cross-Connection Control Policy Handbook” (“CCCPH”) means the Cross-Connection Control Policy Handbook adopted by the State Water Resources Control Board pursuant to California Health and Safety Code Section 116407.

(e) “Director” means the Director of the Environmental Health Services Division of the San Mateo County Health System.

(f) “Division” means the Environmental Health Services Division of the San Mateo County Health System.

(g) “Double check valve backflow prevention assembly” (“DC”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(h) “Double check detector backflow prevention assembly” (“DCDA”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(i) “Double check detector backflow prevention assembly – type II” (“DCDA-II”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(j) “Graywater” shall have the same meaning as defined in California Water Code Section 14876.

(k) “Inspection tag” means a current-calendar-year backflow tag purchased from the Division, at a fee enacted pursuant to San Mateo County Ordinance Code section 5.64.070.

(l) “Lead free” shall have the same meaning as defined in California Health and Safety Code Section 116875.

(m) “Person” means any natural person, partnership, cooperative association, corporation, personal representative, receiver, trustee, assignee, or any other entity.

(n) “Pressure vacuum breaker backsiphonage prevention assembly” (“PVB”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(o) “Public Water System” (“PWS”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(p) "Recycled water” shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(q) “Reduced pressure principle backflow prevention assembly” (“RP”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(r) “Reduced pressure principle detector backflow prevention assembly” (“RPDA”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(s) “Reduced pressure principle detector backflow prevention assembly – type II” (“RPDA-II”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(t) “Spill-resistant pressure vacuum breaker backsiphonage prevention assembly” (“SVB”) shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(u) “State Water Resources Control Board” (“Board” or “SWRCB”) means the California State Water Resources Control Board.

(v) “Water Supplier” shall have the same meaning as defined in section 3.1.1 of the CCCPH.

(w) “Water User” shall have the same meaning as defined in section 3.1.1 of the CCCPH.

4.72.050 Maintenance of cross-connection prohibited.

It shall be unlawful for any Person to have, keep, maintain, install, or allow the existence of a cross-connection.

4.72.060 Correction of cross-connections.

Any BPA installed for the purpose of eliminating a cross-connection shall conform to State law and this chapter. Only BPAs tested and approved in accordance with the CCCPH and this chapter at or before the time of installation shall be approved for use under this Chapter, and such BPAs shall be installed as indicated by the approving entity, pursuant to section 3.3.1(b) and (c) of the CCCPH, and under permit from the local building official. BPAs must not be modified without authorization following approval granted by the approving entity.

4.72.070 Tests of backflow prevention assemblies.

All testable BPAs, including but not limited to a DC, DCDA, DCDA-II, RP, RPDA,

RPDA-II, PVB, and SVB which have been installed to meet the requirements of the CCCPH and this Chapter shall be tested when initially installed and at least once each year thereafter. The annual re-test must occur within thirty (30) days of the anniversary date for the BPA as established by the Division, but never less than once every 395 days, by a Person authorized pursuant to section 4.72.080 of this Chapter. Records of such BPA tests shall be filed with the Division within ten (10) days after such tests. Records shall be on forms provided by, or by mechanism specified by the Division, or on a similar form that includes all the same equivalent data as determined by the Division.

Testable BPAs shall be tested using current University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research test procedures as recognized by the Division. When a BPA is inspected and has passed the testing procedure, the authorized tester shall immediately affix a numbered inspection tag to the BPA. When a BPA fails the testing procedure, the authorized tester shall immediately affix a ”failed” inspection tag to the BPA. Records of failed BPA tests shall be filed with the Division within ten (10) days. The “failed” inspection tag shall remain affixed to the BPA until the BPA is repaired, has passed the testing procedures, and has been affixed with a numbered inspection tag. Pursuant to section 116875 of the California Health and Safety Code, any failed BPA that is not “lead free” and that is not specifically exempted by section 116875, must be replaced with an approved “lead free” BPA rather than being repaired.

4.72.080 Authorized testers.

No Person shall test and/or make reports on BPAs unless that Person possesses a current authorization issued by the Division as follows:

(a) The Division shall authorize any applicant who demonstrates competence to test and make reports on BPAs in compliance with the requirements of the CCCPH and this Chapter, and who submits an initial tester application, pays the annual authorization fee enacted pursuant to San Mateo County Ordinance Code section 5.64.070, and provides copies of all test gauge calibration certificates for any BPA test gauges that the BPA tester uses in performing BPA testing in San Mateo County. Such calibration certificates must be from calibration made within the calendar year (365 days) preceding the authorization. Applicants shall demonstrate such competence by complying with all of the following:

(1) Presenting a current valid certificate as a BPA tester issued by the California — Nevada Section of the American Water Works Association or equivalent certification as recognized by the SWRCB as detailed in section 3.4.1 of the CCCPH.

(2) Undertaking and passing an examination administered by the Division. Any such authorized tester may be required to undergo additional training, reexamination, other demonstration of competency or any combination thereof, as may be deemed

necessary by the Division.

(b) Tester authorization may be renewed annually by payment of the annual authorization fee. Payment must be made before expiration of the previous year's authorization. Proof of current certificate that complies with subdivision (a)(1) of this Section must be submitted to the Division with the fee. If there is any lapse in authorization or any suspension or revocation of tester authorization pursuant to Section 4.72.090 of this Chapter, the Division may require the tester to undergo re-examination, additional training, other demonstration of competency, or any combination thereof prior to re-authorization. Additionally, at the time of annual renewal, authorized testers must provide copies of all test gauge calibration certificates for any BPA test gauges that the BPA tester uses in performing BPA testing in San Mateo County. Such calibration certificates must be from calibration made within the calendar year (365 days) preceding the re-authorization.

Authorized testers are solely responsible for complying with applicable municipal requirements for additional permits or licenses (e.g., local business license, plumbing permit, etc.) to test, repair, report on, or install BPAs within that local jurisdiction.

4.72.090 Suspension or revocation of tester authorization.

(a) Reasons. Tester Authorization by the Division may be suspended or revoked upon any of the following grounds:

(1) The Division determines that a tester is no longer in possession of a current and valid certificate as a backflow prevention tester that complies with section 4.72.080 of this Chapter.

(2) The Division determines that the tester has practiced fraud or deception or has displayed gross negligence or misconduct in the performance of their duties, including by, for example, making a material misrepresentation on the initial or renewal application for tester certification to the Division or committing an act that may pose a threat to public health and safety in the performance of a test required by this Chapter.

(b) Procedures. Written notice of the suspension or revocation shall be served on the authorized tester by certified mail with a description of the violation and supporting facts. The notice shall contain an advisement of the right to request an appeal hearing before the Director or the Director's designee.

(c) Time Period of Suspension of Tester Authorization. The Division has discretion to suspend a tester authorization for any period of time between five (5) calendar days and the end of the annual authorization term, depending on the nature and severity of the violation.

(d) Effective Date of Suspension or Revocation. Suspension or revocation issued pursuant to subsection (a) will be effective ten (10) calendar days from the date the written notice was sent by certified mail as described in subsection (b) unless a timely appeal is filed in accordance with subsection (e).

(e) Appeal.

(1) The Division's decision to suspend or revoke tester authorization is appealable to the Director or the Director's designee.

(2) An appeal must be in writing, be addressed to the Director, and be hand-delivered or mailed to the offices of the Division.

(3) An appeal must be received by the Director on or before the effective date of suspension or revocation provided by subsection (d).

(4) The filing of a timely appeal will stay a suspension or revocation pending a decision on the appeal by the Director.

(5) An appeal hearing shall be scheduled within thirty (30) days of receipt of the appeal by the Director unless an extension is authorized by the appellant.

(6) The decision of the Director or the Director's designee following the appeal hearing shall be a final administrative order, with no further administrative right of appeal.

(7) The appellant shall be notified in writing by certified mail of the decision of the Director or their designee following the appeal hearing unless such person was present at the hearing when the decision was rendered, in which case notice shall be deemed to have been given to that person.

(f) Reapplication. No reapplication will be accepted within six (6) months after a tester authorization is revoked.

(g) Evidence. The following rules shall apply to any hearing required by this Chapter. All parties involved shall have the right to offer testimonial, documentary, and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine witnesses. Any relevant evidence may be admitted if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Formal rules of discovery do not apply to proceedings governed by this Chapter. Unless otherwise specifically prohibited by law, the burden of proof is on the authorized tester in any hearing or other

matter under this Chapter.

4.72.100 Duty to maintain backflow prevention assemblies.

It shall be unlawful to use any BPA required by the CCCPH, California Health and Safety Code, California Plumbing Code, this Chapter, or any other applicable law unless such assembly is in good repair. Assemblies which are found to not be in good repair shall be repaired and re-tested by an authorized tester, as described in section 4.72.070 of this Chapter, immediately upon discovery, and no later than seven (7) calendar days following the discovery and notice to the owner. A report thereof shall be filed with the Division within ten (10) days after such test.

4.72.110 Local laws and codes.

Nothing in this Chapter shall exempt any Person from compliance with applicable requirements of any local laws and codes, including but not limited to local plumbing and business codes, or any other chapters of the San Mateo County Ordinance Code.

4.72.120 Authority to inspect.

All facilities shall be available for inspection by the Division to determine if protection of the public water supply is required. The frequency of inspection shall be determined by the degree of potential or actual hazard determined for each facility or facility type, and as specified in the CCCPH, or in the operating rules of any Public Water System. Costs incurred by the Division for these inspections shall be paid by the facility owner at the rates enacted pursuant to San Mateo County Ordinance Code section 5.64.070.

4.72.130 Enforcement.

The Division shall have the authority to enforce this Chapter as follows:

(a) The Division may require a water supplier to discontinue water service to any facility wherein violations of this Chapter exist.

(b) Any Person who violates any provision of this Chapter, or bypasses or renders inoperative any BPA installed under the provisions of this Chapter, may, in addition to other penalties provided by law and this Chapter, be subject to discontinuance of water service. Water service shall not again be reinstated until such violations have been corrected as determined by the Division. Costs incurred by the Division for inspections shall be paid by the facility owner at the rates enacted pursuant to San Mateo County Ordinance Code section 5.64.070.

(c) Pursuant to section 116820 of the California Health and Safety Code, any Person who violates any provision of Article 2 of Chapter 5 of Part 12 of Division 104 of the California Health and Safety Code (“Article 2”), violates any order of the Division pursuant to Article 2, or knowingly files a false

statement or report required by the Division pursuant to Article 2 is guilty of a misdemeanor punishable by a fine not exceeding five hundred dollars ($500.00) or by imprisonment not exceeding 30 days in the county jail or by both such fine and imprisonment. Each day of a violation of any provision of Article 2 or of any order of the Division beyond the time stated for compliance of the order shall be a separate offense.

(d) Administrative Fines.

(1) Violations. Upon a finding by the Division that a Person has violated any provision of this Chapter or directive of the Division made pursuant to this Chapter, knowingly filed a false statement or report required pursuant to this Chapter, or bypassed or rendered inoperative any BPA installed under the provisions of this Chapter, the Division may issue an administrative order requiring that the violation be corrected and may issue an administrative fine of up to five hundred dollars ($500.00).

(2) Separate Violations. Each day of a violation as described in subsection (a) shall constitute a separate violation.

(3) Fine Procedures. Notice of the fine shall be served by certified mail with description of the violation and supporting facts. The notice shall contain an advisement of the right to request a hearing before the Director or the Director's designee contesting the imposition of the fine.

(4) Appeals. Appeals must be requested in writing, and shall provide facts disputing the violation. Appeals must be addressed to the Director, and must be received within ten (10) calendar days of the date on which the notice described in subdivision (c) was mailed. The decision of the Director or their designee on the appeal shall be provided to the appellant by certified mail. The decision will constitute a final administrative order with no additional administrative right of appeal.

(5) Failure to Pay Fine. If said fine is not paid within thirty (30) calendar days from the date appearing on the notice of the fine or the notice of determination from the Director or their designee after the appeal hearing, whichever is later, the fine may be referred to a collection agency within or external to the County of San Mateo. In addition, any outstanding fines must be paid prior to the issuance or renewal of the Person's registration or authorization pursuant to this Chapter.

4.72.140 Recycled or graywater systems.

All components of recycled or graywater systems must be designed and installed

in accordance with California law and local Plumbing Codes.

4.72.150 Sections found invalid.

If any provision, clause, section, sentence, or paragraph of this Chapter or the application thereof to any Person or circumstances is held invalid, such validity shall not affect the other provisions of this Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are declared to be severable.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective 30 days from the date of adoption.

* * * * * *

Regularly passed and adopted this 25th day of March, 2025

AYES and in favor of said ordinance:

Supervisors: *JACKIE SPEIER*

NOELIA CORZO

RAY MUELLER

LISA GAUTHIER

DAVID J. CANEPA

NOES and against said ordinance:

Supervisors: *NONE*

President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Deputy Clerk of the Board of Supervisors

Environmental Health Services
San Mateo County Health
2000 Alameda de las Pulgas
Suite 100
San Mateo, CA 94403
smchealth.org

COUNTY OF SAN MATEO

SAN MATEO COUNTY ENVIRONMENTAL HEALTH SERVICES AGREEMENT FOR IMPLEMENTING CROSS-CONNECTION CONTROL PROGRAM WITH PUBLIC WATER SYSTEMS

The Public Water System (PWS) is the primary responsible entity for their Cross-Connection Control (CCC) Program, including compliance, reporting, and recordkeeping as mandated by the Cross-Connection Control Policy Handbook (CCCPH) and the California Health and Safety Code (CA H&SC), and enforced by the Division of Drinking Water (DDW) of the State Water Resources Control Board (SWRCB).

For those PWS that agree to partner with San Mateo County Environmental Health Services (EHS), EHS has a role in implementation of the PWS Cross-Connection Control Program by providing services as described in this document. EHS authority and scope are detailed in Sections 4.72.010 through 4.72.130 of Chapter 4.72 of Title 4 of the San Mateo County Ordinance Code.

The purpose of a CCC Program is to protect the public water supply from backflow, typically achieved by installation of backflow prevention assemblies (BPA) at the service connection (meter) of water users. If authorized by the PWS, BPA may be required within the water user's facility in lieu of meter protection, provided that the facility has been appropriately inspected to ensure that all possible sources of contamination have been eliminated, and therefore, achieves the equivalent of meter service protection. However, backflow protection at the service meter is preferable.

This document describes what elements of a CCC Program that the PWS and EHS will collaborate on. This document does not give the scope of all the PWS's responsibilities as they relate to the CCCPH.

The following is a list of the PWS's responsibilities to provide to EHS:

1. PWS will provide water user account and mailing information as requested by EHS to ensure notices to test BPA are being directed to the correct party and location, and in order for EHS to attempt to make contact with water user facilities as necessary. PWS will also provide EHS with water meter account information (number of meters, type of meters, meter numbers, locations) as requested.

2. PWS will make contact with certain delinquent water users as requested by EHS through a method of their choosing, or by hand delivery of notices-to-test including facility-specific blank test report forms. If deemed necessary, EHS may recommend the PWS discontinue water service to any water user facility for the protection of the public water supply.

3. PWS will provide guidance to water user facilities and follow up with specific cross-connection control related projects including, but not limited to, BPA removal requests, projects requiring a BPA be moved to properly protect the system, replacements with specific types of BPA, or replacement of BPAs above grade.

4. PWS will notify EHS when inspections by the Division of Drinking Water (DDW) are scheduled. EHS will attend inspections (unless otherwise requested) and will be available to DDW staff to provide information on the EHS portion of the PWS cross-connection control program.

5. PWS will notify EHS when there is change in PWS contact/personnel or cross-connection control program coordinator.

6. The PWS shall provide a copy of their operating rules/ordinance to EHS for reference (CCCPH Section 3.1.3(a)(1)).

7. The PWS Cross-Connection Control Program Coordinator will need to work with and be in close contact with EHS Cross-Connection Control Specialists/staff (CCCPH Section 3.1.3(a)(2)).

8. Due to the PWS controlling the current list of their metered accounts, the PWS will have primary responsibility for record-keeping of hazard assessments, as well as performing hazard assessments. However, EHS will assist with a subset of hazard assessments, and provide copies of previously performed surveys/hazard assessments for use by the PWS.

9. The PWS, along with EHS, shall be responsible for ensuring the water system is protected with installation of BPA, and high hazard facilities are protected through appropriate premises containment/meter protection.

10. The PWS, along with EHS and the local building department, will ensure all BPA meet the installation criteria listed in the CCCPH Article 3.

11. The PWS will notify EHS of known or suspected backflow incidents (CCCPH Section 3.5.2).

The following is a list of the EHS responsibilities to provide to the PWS:

1. EHS will, at all times, maintain staff with appropriate certification in cross-connection control as required by the CCCPH.

2. EHS will enforce applicable statutes, regulations and local ordinances as related to cross-connection control for which EHS has authority.

3. EHS will perform a subset of hazard assessments, based on existing BPA and facility inventory, to be provided to the PWS for recordkeeping.

4. EHS will initiate progressive enforcement action for non-compliance by water users with required corrective actions, requirements to install or properly maintain BPA, or any other violation of applicable cross-connection control statute, regulation, or local ordinance.

5. EHS will provide the PWS with an annual (at a minimum) report of surveys, letters, and annual BPA testing compliance statistics for the Electronic Annual Reporting to the DDW.

6. EHS will meet with water purveyors in preparation for and during inspections by DDW staff. EHS will be available to DDW staff to provide information on EHS portion of the Cross-Connection Program, as well as EHS backflow inventory and testing records for the PWS.

7. EHS, upon notification by the PWS, will respond in tandem with PWS field staff to any suspected backflow incidents, and will continue to consult with PWS and DDW staff on backflow incidents and appropriate follow-up.

8. EHS will maintain a backflow prevention assembly tester authorization program as detailed in County Backflow Prevention Ordinance, including maintaining information on individual tester primary certification and tester field test kit or gauge calibration, as well as potential investigation and enforcement action against testers who violate County Ordinance.

9. EHS will maintain records of all known BPA (and air gaps serving as premises containment) within the PWS service area, as well as test records of those assemblies (or record of air gap visual inspection) as required by statute, regulation, and local ordinance.

10. EHS will enforce annual testing of assemblies as required by statute, regulation, and local ordinance, including the following tasks:

    a. EHS will notify water users when their BPA testing is due via United States Postal Service and provide a copy of the blank test forms.

    b. EHS will maintain a current list of San Mateo County-authorized backflow prevention assembly testers for use by water users and their contractors.

    c. EHS will evaluate testing results for inadequacies and needed follow-up.

    d. EHS will maintain individual BPA records as testing reports are received, including any updates or corrections to BPA-specific data as needed.

e. EHS will provide a monthly report of delinquent BPA for use/follow up by the PWS.

f. EHS will implement progressive enforcement of water users for non-compliance of backflow testing as detailed in the County Backflow Ordinance.

11. EHS will respond to phone calls and e-mails from BPA owners and backflow testers regarding test notices, annual testing requirements, mailing address updates, etc.

12. EHS will work with PWS to discuss CCC program questions, backflow issues, and provide recommendations.

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smchealth.org/crossconnection

HAZARD ASSESSMENT REPORT

This assessment is required by the State Water Resources Control Board's Cross-Connection Control Policy Handbook.

FACILITY INFORMATION

Facility Name: _____

Service Address: _____ City: _____ Zip: _____

Water Account Holder: _____

Mailing Address: _____ City: _____ Zip: _____

Phone #: _____ Cell #: _____ Email: _____

Property Type: ☐ Commercial ☐ Industrial ☐ Residential ☐ Other, please specify: _____

Average # of Building Occupants: _____

POTENTIAL CROSS CONNECTIONS

Check all that apply.

- ☐ Boiler (does not include hot water heaters)
- ☐ Booster pump (to increase water pressure)
- ☐ Building and/or equipment over three (3) stories high
- ☐ Cooling towers
- ☐ Darkroom/photo developing equipment (excluding digital)
- ☐ Dental office
- ☐ Dog grooming
- ☐ Drink dispenser using a carbonator
- ☐ Fire sprinklers
- ☐ Laboratory
- ☐ Landscape irrigation system (permanently installed)
- ☐ Medical office, medical treatment, or mortuary
- ☐ Personal care facility
- ☐ Sink, tank, tub, or equipment with submerged inlet
- ☐ Solar water heating system
- ☐ Steam generating equipment (autoclave, comm. ovens)
- ☐ Swimming pool or spa
- ☐ Water-cooled equipment
- ☐ Water for decorative use (fountain, fish pond)
- ☐ Water treatment (softener, filter, or deionization)
- ☐ Water well, non-potable, recycled, or rain water recovery system
- ☐ Other: _____

Describe the type of activity conducted on this property and types of materials used.	
Is there equipment that requires water use? If yes, please describe.	

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Degree of piping system complexity and accessibility: ☐ Simple ☐ Complex

If complex, describe:

Are there auxiliary water supplies, pumping systems, or pressure systems? ☐ Yes ☐ No

If yes, describe:

Are there hydraulic gradient differences that would increase the likelihood of a backflow event? ☐ Yes ☐ No

Facility accessibility: ☐ Fully accessible ☐ Appointment required ☐ Restricted

Any previously known backflow incidents? ☐ Yes ☐ No

If yes, describe:

What is the facilitiy's degress of hazard to the public water distribution system?
☐ High hazard ☐ Low hazard ☐ No hazard

EXISTING BACKFLOW PROTECTION

DOMESTIC SERVICE

Backflow Prevention Assembly Type: ☐ RP ☐ DC ☐ PVB ☐ No current protection ☐ Other: _____

Manufacturer: _____ Serial #: _____

Model: _____ Size: _____

Meter number(s) if known: _____

Are current assemblies properly installed and providing adequate protection based on the degree of hazard?
☐ Yes ☐ No

If no, what corrections are required?

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smchealth.org/crossconnection

IRRIGATION SERVICE

Backflow Prevention Assembly Type: __ RP __ DC __ PVB __ No current protection __ Other: _____

Manufacturer: _____ Serial #: _____

Model: _____ Size: _____

Meter number(s) if known: _____

Are current assemblies properly installed and providing adequate protection based on the degree of hazard?

__ Yes __ No

If no, what corrections are required?

FIRE SERVICE

Main Assembly Type:

__ RP __ DC __ PVB __ No current protection

__ Other: _____

Bypass Assembly: __ Existing __ Proposed

__ RP __ DC __ PVB __ No current protection

__ Other: _____

Manufacturer: _____ Serial #: _____

Model: _____ Size: _____

Meter number(s) if known: _____

Manufacturer: _____ Serial #: _____

Model: _____ Size: _____

Meter number(s) if known: _____

Are current assemblies properly installed and providing adequate protection based on the degree of hazard?

__ Yes __ No

If no, what corrections are required?

List any INTERNAL backflow prevention assemblies:

Person performing hazard assessment: _____ Date: _____

Cross connection control specialist certification number: _____

Expiration Date: _____

Signature:

_____

Payments cannot be made to or accepted by inspectors. Payments must be made in person at the Environmental Health Services office, by mail, by phone at (650) 372-6200, or online through the MyEHS Portal.

State Water Resources Control Board

Cross-Connection Control Policy Handbook

Standards and Principles for California's Public Water Systems

Adopted: December 19, 2023
Effective: July 1, 2024

California Environmental Protection Agency

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Acronyms and Abbreviations

As used in this policy, acronyms and abbreviations reference the following:

Acronym or Abbreviation	***Meaning***
AB	Assembly Bill
AG	Air Gap separation
BAT	Best Available Technology
BPA	Backflow Prevention Assembly
Bus. & Prof. Code	Business and Professional Code
CA	California
CBSC	California Building Standards Commission
CCCPH	Cross-Connection Control Policy Handbook
CCR	California Code of Regulations
C.F.R.	Code of Federal Regulations
CHSC	California Health and Safety Code
Civ. Code	Civil Code
DC	Double Check valve backflow prevention assembly
DCDA	Double Check Detector backflow prevention Assembly
DCDA-II	Double Check Detector backflow prevention Assembly – type II
Division	Division of Drinking Water
EPA	Environmental Protection Agency
Gov. Code	Government Code
MCL	Maximum Contaminant Level
Pen. Code	Penal Code
PVB	Pressure Vacuum Breaker backsiphonage prevention assembly
PWS	Public Water System
RP	Reduced Pressure principle backflow prevention assembly
RPDA	Reduced Pressure principle Detector backflow prevention Assembly
RPDA-II	Reduced Pressure principle Detector backflow prevention Assembly – type II
RW	Recycled Water
SB	Senate Bill
SDWA	Safe Drinking Water Act
State Water Board	State Water Resources Control Board
SVB	Spill-resistant Pressure Vacuum Breaker backsiphonage prevention assembly
U.S.	United States

Chapter 1 – Policy Overview

1.1 Objective

The primary objective of the Cross-Connection Control Policy Handbook (CCCPH) is the protection of public health through the establishment of standards intended to ensure a public water system's (PWS) drinking water distribution system will not be subject to the backflow of liquids, gases, or other substances. In addition, by providing basic educational information on backflow prevention, the State Water Resources Control Board (State Water Board) intends to build a foundation of awareness within the regulated community regarding the importance of backflow protection and cross-connection control, leading to the implementation of a robust cross-connection control program for PWSs.

1.2 Applicability

The CCCPH and its standards apply to all California PWSs, as defined in California's Health and Safety Code (CHSC, section 116275 (h)). Compliance with this CCCPH is mandatory for all California PWSs.

1.3 Policy Development Background and Legal Authorities

Through the adoption of the CCCPH, the State Water Board is exercising its authority, under California's Safe Drinking Water Act[1] (SDWA), to establish enforceable standards applicable to California's PWSs. Failure to comply with the CCCPH may result in the issuance of compliance, enforcement, or other corrective actions against a PWS.

1.3.1 California Safe Drinking Water Act

On October 6, 2017, Assembly Bill 1671 (AB 1671) was approved and filed with the Secretary of State (see Appendix A). AB 1671 amended California's SDWA through the establishment of CHSC sections 116407 and 116555.5. AB 1671 also amended section 116810 of the CHSC, which is briefly discussed in Appendix G.

On October 2, 2019, Assembly Bill 1180 (AB 1180) was approved and filed with the Secretary of State. AB 1180 amended Section 116407 of the CHSC and added section 13521.2 to the Water Code. AB 1180 requires that the CCCPH include provisions for the use of a swivel or changeover device (swivel-ell).

[1] CHSC, div. 104, pt. 12, ch. 4, section 116270 et seq.

AB 1671 and 1180 established the following:

- The State Water Board must adopt standards for backflow protection and cross-connection control by January 1, 2020.
- The State Water Board may establish standards for backflow protection and cross-connection control through the adoption of the CCCPH, with the CCCPH not being subject to the requirements of the CA Administrative Procedure Act.[2]
- If standards for backflow protection and cross-connection control are established via the CCCPH, the State Water Board must:
    - Consult with state and local agencies and persons, identified by the State Water Board, as having expertise on the subject of backflow protection and cross-connection control.
    - Hold at least two public hearings before adoption of the CCCPH.
    - Post the CCCPH on the State Water Board website.
- Upon the effective date of the CCCPH, the previous cross-connection control standards[3] become inoperative, and are repealed 90 days later, unless the State Water Board determines not to repeal a specific existing regulation.
- A PWS must implement a cross-connection control program that complies with the standards adopted by the State Water Board.
- Use of a swivel-ell must be consistent with any notification and backflow protection provisions contained in the CCCPH.

The development of the CCCPH included consultation with stakeholders, including state and local agencies, on an array of subjects related to cross-connection control, consistent with the statutory mandate, as well as consideration of input from other stakeholders and the general public in a February 20, 2020 workshop.

Prior to adoption of the CCCPH, in accordance with the statutory mandate, the State Water Board held two public hearings - one on April 27, 2021, and the other on December 5, 2022. A Board Workshop was held on October 18, 2023.

Pursuant to sections 116407 and 116555.5 of the CHSC, the State Water Board chose to adopt standards for backflow protection and cross-connection control through the adoption of this CCCPH, which became effective July 1, 2024.

Aside from the mandates of AB 1671 related to the State Water Board's need and authority to develop and adopt an enforceable CCCPH, there are long-standing statutory mandates in California's SDWA concerning backflow protection and cross-connection control, some of which are summarized below.

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[2] Gov. Code, tit. 2, div. 3, pt. 1, ch. 3.5, section 11340 et seq.
[3] Cal. Code Regs., tit. 17, div. 1, ch. 5, subch. 1, grp. 4, arts. 1 & 2, section 7583 et seq.

- The State Water Board is required to adopt regulations for the control of cross-connections that it determines to be necessary for ensuring PWSs "distribute a reliable and adequate supply of pure, wholesome, potable, and healthy water." (CHSC section 116375, subd. (c).)
- Any person who owns a PWS is required to ensure that the distribution system will not be subject to backflow under normal operating conditions. (CHSC section 116555, subd. (a)(2).)

Prior to AB 1671 and the adoption of this CCCPH, California's regulations pertaining to cross-connection control were set forth in regulations in CCR Title 17,[4] which were adopted in 1987 with minor revisions in 2000. Although still protective to public health, the CCR Title 17 cross-connection regulations required updating as both the drinking water and cross-connection control industries had evolved. This CCCPH updates those regulations, which as previously noted are no longer operative following the adoption of the CCCPH.

The State Water Board may update its standards for backflow protection and cross-connection control through revisions of the CCCPH. Prior to adopting substantive revisions to the CCCPH, the State Water Board will consult with state and local agencies and persons identified as having expertise on the subject by the State Water Board, and the State Water Board will hold at least one public hearing to consider public comments.

[4] Cal. Code Regs., tit. 17, div. 1, ch. 5, subch. 1, grp. 4, arts. 1 & 2, section 7583 et seq.

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Chapter 2 – Background on Backflow Protection and Cross-Connection Control

2.1 What is a Cross-Connection?

A cross-connection is an interconnection between a potable water supply and a non-potable source via any actual or potential connection or structural arrangement between a PWS and any source or distribution system containing liquid, gas, or other substances not from an approved water supply. Bypass arrangements, jumper connections, removable sections, improperly installed swivel or change-over devices and other temporary or permanent devices through which, or because of which backflow can occur are considered to be cross-connections.[5] The CCCPH includes acceptable installation criteria for swivel-ell and other types of backflow prevention assemblies (BPAs) to prevent backflow.

Backflow is the undesired or unintended reversal of flow of water and/or other liquids, gases, or other substances into a PWS's distribution system or approved water supply.

The presence of a cross-connection represents a location in a distribution system through which backflow of contaminants or pollutants can occur. Backflow occurs when a non-potable source is at a greater pressure than the potable water distribution system. Backflow can occur from either backsiphonage or backpressure. Backsiphonage occurs when a non-potable source enters the drinking water supply due to negative (i.e., sub-atmospheric) distribution system pressure. Backpressure occurs when the pressure from a non-potable source exceeds the pressure in the potable water distribution system.

Backsiphonage may be caused by a variety of circumstances, such as main breaks, flushing, pump failure, or emergency firefighting water demand. Backpressure may occur when heating, cooling, waste disposal, or industrial manufacturing systems are connected to potable supplies and the pressure in the external system exceeds the pressure in the distribution system. Both situations act to change the direction of water, which normally flows from the distribution system to the customer, so that non-potable substances from industrial, commercial, or residential premises flows back into the distribution system through a cross-connection.

Cross-connections are not limited to industrial or commercial facilities. Submerged inlets are found on many common plumbing fixtures and are sometimes necessary features of the fixtures if they are to function properly. Examples of this type of design are siphon-jet urinals or water closets, flushing rim slop sinks, and dental cuspidors.

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[5] California Department of Health Services (DHS), Public Water Supply Branch. (1988). *Guidance Manual for cross connection Control Program (Green Manual).* California Department of Health Services.

Older bathtubs and lavatories may have supply inlets below the flood level rims, but modern sanitary design has minimized or eliminated this cross-connection in new fixtures. Chemical and industrial process vats sometimes have submerged inlets where the water pressure is used as an aid in diffusion, dispersion and agitation of the vat contents. Even though a supply pipe may be installed above a vat, backsiphonage can still occur. Siphon action has been shown to raise a liquid in a pipe such as water almost 34 feet. Some submerged inlets are difficult to control, including those which are not apparent until a significant change in water level occurs or where a supply may be conveniently extended below the liquid surface by means of a hose or auxiliary piping. A submerged inlet may be created in numerous ways, and its detection may be difficult.

Chemical and biological contaminants have caused illness and deaths during known incidents of backflow, with contamination affecting several service connections, and the number of incidents reported is believed to be a small percentage of the total number of backflow incidents that actually occur. The public health risk from cross-connections and backflow is a function of a variety of factors including cross-connection and backflow occurrence and type and amount of contaminants.

2.2 Purpose of a Cross-Connection Control Program

The purpose of a cross-connection control program is to prevent the occurrence of backflow into a PWS's distribution system in order to protect customers from contamination or pollution from any on-site hazards. Properly installed and maintained BPAs, devices or methods provide protection against the threat posed by many conditions typically found on a user's premise.

The use of approved BPAs ensures that the appropriate performance evaluation of the assembly was conducted. It is important and required by the CCCPH to select and properly install an approved BPA that is capable of protecting the distribution system from the hazard identified. The success of a program depends on individuals that are knowledgeable about cross-connection control to identify actual and potential hazards, apply principles of backflow protection and prevention, and implement cross-connection control policies and procedures. A successful program will have ongoing surveillance of a PWS to ensure BPAs, devices or methods are working, and identify new hazards or changes in the distribution system. Certified specialists are needed to properly evaluate the degree of hazard that exists in the distribution system. Hazards typically identified in distribution systems along with the required level of protection are specified in Chapter 3 of the CCCPH.

2.3 Notes on Applicability of the Cross-Connection Control Policy Handbook

The CCCPH provides the basis for regulating the use and management of cross-connection control programs and BPAs in PWSs, and related requirements for supporting programs and policies. Activities or uses outside of the scope of the

authority of the State Water Board to regulate PWSs are not regulated by the CCCPH, including California Plumbing Code requirements and definitions not related to PWSs.

Recycled water cross-connection control installations and programs for the purposes of protecting the recycled water supply are not regulated by the CCCPH, although a PWS that uses recycled water is regulated by the CCCPH to ensure that a PWS's drinking water system has adequate backflow protection from a recycled water system.

Water systems that do not meet the definition of a PWS (e.g. "State Small Water Systems" under CCR Title 22, Article 3) are not regulated by the CCCPH, although they may need to comply with the California Plumbing Code, local health agencies, and other laws or entities.

Transient noncommunity and nontransient noncommunity systems are PWSs and must comply with both the California Plumbing Code and CCCPH. The California Plumbing Code and the CCCPH will overlap in protection of these user premises. To ensure compliance, these noncommunity water systems may need to have internal cross-connection control programs within the user premises.

Noncommunity water systems must have the ability to enforce backflow protection within the premises. Compliance with the California Plumbing Code can be verified by the PWS and used for compliance with the CCCPH. Compliance with the CCCPH is documented through the hazard assessment and maintenance of an inventory of field-testable BPAs and methods. Annual field testing of BPAs is required. Where the minimum backflow protection differs between the California Plumbing Code and the CCCPH, the more protective minimum protection will be required.

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Chapter 3 – Standards for Backflow Protection and Cross-Connection Control

Article 1 – Definitions and General Requirements

3.1.1 Definitions

The following definitions apply to the terms used in the CCCPH:

"**Air-gap separation**" or "**AG**" means a physical vertical separation of at least two (2) times the effective pipe diameter between the free-flowing discharge end of a potable water supply pipeline and the flood level of an open or non-pressurized receiving vessel, and in no case less than one (1) inch.

"**Approved water supply**" means a water source that has been approved by the State Water Board for domestic use in a public water system and designated as such in a domestic water supply permit issued pursuant to section 116525 of the CHSC.

"**Auxiliary water supply**" means a source of water, other than an approved water supply, that is either used or equipped, or can be equipped, to be used as a water supply and is located on the premises of, or available to, a water user.

"**Backflow**" means an undesired or unintended reversal of flow of water and/or other liquids, gases, or other substances into a public water system's distribution system or approved water supply.

"**Backflow prevention assembly**" or "BPA" means a mechanical assembly designed and constructed to prevent backflow, such that while in-line it can be maintained and its ability to prevent backflow, as designed, can be field tested, inspected and evaluated.

"**Backflow prevention assembly tester**" means a person who is certified as a backflow prevention assembly tester.

*"***Community water system"** means a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system.

*"***Contact hour"** means not less than 50 minutes of a continuing education course.

*"***Continuing education course"** means a presentation or training that transmits information related to cross-connection control programs and backflow prevention and protection.

"**Cross-connection**" means any actual or potential connection or structural arrangement between a public water system, including a piping system connected to the public water system and located on the premises of a water user or available to the water user, and any source or distribution system containing liquid, gas, or other substances not from an approved water supply.

"**Cross-connection control specialist**" means a person who is certified as a cross-connection control specialist.

"**Distribution system**" has the same meaning as defined in section 63750.50 of CCR, Title 22, Division 4, Chapter 2.

"**Double check detector backflow prevention assembly**" or "**DCDA**" means a double check valve backflow prevention assembly that includes a bypass with a water meter and double check backflow prevention assembly, with the bypass's water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow. This type of assembly may only be used to isolate low hazard cross-connections. See Diagram 1, Appendix C.

"**Double check detector backflow prevention assembly – type II**" or "**DCDA-II**" means a double check valve backflow prevention assembly that includes a bypass around the second check, with the bypass having a single check valve and a water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow. This type of assembly may only be used to isolate low hazard cross-connections. See Diagram 2, Appendix C.

"**Double check valve backflow prevention assembly**" or "**DC**" means an assembly consisting of two independently-acting internally-loaded check valves, with tightly closing shut-off valves located at each end of the assembly (upstream and downstream of the two check valves) and fitted with test cocks that enable accurate field testing of the assembly. This type of assembly may only be used to isolate low hazard cross-connections. See Diagram 3, Appendix C.

"**Existing public water system**" or "**existing PWS**" means a public water system initially permitted on or before July 1, 2024 as a public water system by the State Water Board.

"Hazard Assessment" means an evaluation of a user premises designed to evaluate the types and degrees of hazard at a user's premises.

"**High hazard cross-connection**" means a cross-connection that poses a threat to the potability or safety of the public water supply. Materials entering the public water supply through a high hazard cross-connection are contaminants or health hazards. See Appendix D for some examples.

"**Low hazard cross-connection**" means a cross-connection that has been found to not pose a threat to the potability or safety of the public water supply but may adversely affect the aesthetic quality of the potable water supply. Materials entering the public water supply through a low hazard cross-connection are pollutants or non-health hazards.

"**New public water system**" or "**new PWS**" means a public water system permitted after July 1, 2024 as a public water system by the State Water Board. A new public water system includes a public water system receiving a new permit because of a change in ownership.

"**Noncommunity water system"** means a public water system that is not a community water system.

"**Nontransient noncommunity water system"** means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year.

"**Premises containment**" means protection of a public water system's distribution system from backflow from a user's premises through the installation of one or more air gaps or BPAs, installed as close as practical to the user's service connection, in a manner that isolates the water user's water supply from the public water system's distribution system.

"**Pressure vacuum breaker backsiphonage prevention assembly**" or "**PVB**" means an assembly with an independently-acting internally-loaded check valve and an independently-acting loaded air inlet valve located on the discharge side of the check valve; with test cocks and tightly closing shutoff valves located at each end of the assembly that enable accurate field testing of the assembly. This type of assembly may only be used for protection from backsiphonage and is not to be used to protect from backpressure. See Diagram 4, Appendix C.

"**Public water system**" or "**PWS**" has the same meaning as defined in section 116275(h) of the CHSC.

"**Recycled Water"** is a wastewater which as a result of treatment is suitable for uses other than potable use.

"**Reduced pressure principle backflow prevention assembly**" or "**RP**" means an assembly with two independently acting internally-loaded check valves, with a hydraulically operating mechanically independent differential-pressure relief valve located between the check valves and below the upstream check valve. The assembly shall have shut-off valves located upstream and downstream of the two check-valves, and test cocks to enable accurate field testing of the assembly. See Diagram 5, Appendix C.

"**Reduced pressure principle detector backflow prevention assembly**" or "**RPDA**" means a reduced pressure principle backflow prevention assembly that includes a bypass with a water meter and reduced pressure principle backflow prevention assembly, with the bypass's water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow. See Diagram 6, Appendix C.

"**Reduced pressure principle detector backflow prevention assembly – type II**" or "**RPDA-II**" means a reduced pressure principle backflow prevention assembly that includes a bypass around the second check, with the bypass having a single check valve and a water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow. See Diagram 7, Appendix C.

"**Spill-resistant pressure vacuum breaker backsiphonage prevention assembly**" or "**SVB**" means an assembly with an independently-acting internally-loaded check valve and an independently-acting loaded air inlet valve located on the discharge side of the check valve; with shutoff valves at each end and a test cock and bleed/vent port, to enable accurate field testing of the assembly. This type of assembly may only be used for protection from backsiphonage and is not to be used to protect from backpressure. See Diagram 8, Appendix C.

"**State Water Board**", unless otherwise specified, means the State Water Resources Control Board or the local primacy agency having been delegated the authority to enforce the requirements of the CCCPH by the State Water Resources Control Board.

"**Swivel-Ell**" means a reduced pressure principle backflow prevention assembly combined with a changeover piping configuration (swivel-ell connection) designed and constructed pursuant to this Chapter. See design and construction criteria, as well as Diagrams 9a and 9b, Appendix C.

"**Transient noncommunity water system"** means a noncommunity water system that does not regularly serve at least 25 of the same persons over six months per year.

"**User premises**" means the property under the ownership or control of a water user and is served, or is readily capable of being served, with water via a service connection with a public water system.

"**User's service connection**" means either the point where a water user's piping is connected to a water system or the point in a water system where the approved water supply can be protected from backflow using an air gap or backflow prevention assembly.

"**User Supervisor"** means a person designated by a water user to oversee a water use site and responsible for the avoidance of cross-connections.

"**Water supplier**" means a person who owns or operates a public water system.

"**Water user**" means a person or entity who is authorized by the PWS to receive water.

3.1.2 Applicability

A public water system (PWS) must comply with the requirements of the CCCPH.

3.1.3 Program for Public Water System Cross-Connection Control

(a) A PWS must protect the public water supply through implementation and enforcement of a cross-connection control program. Unless otherwise specified by this Chapter or directed by the State Water Board, a PWS may implement its cross-connection control program, in whole or in part, either directly or by way of contract or agreement with another party. The PWS, however, shall not be responsible for abatement of cross-connections which may exist within a user's premises. The cross-connection control program must include at a minimum the following elements:

(1) **Operating rules or ordinances** – Each PWS must have operating rules, ordinances, by-laws or a resolution to implement the cross-connection program. The PWS must have legal authority to implement corrective actions in the event a water user fails to comply in a timely manner with the PWS's provisions regarding the installation, inspection, field testing, or maintenance of BPAs required pursuant to this Chapter. Such corrective actions must include the PWS's ability to perform at least one of the following:

(A) deny or discontinue water service to a water user,
(B) install, inspect, field test, and/or maintain a BPA at a water user's premises, or
(C) otherwise address in a timely manner a failure to comply with the cross-connection control program.

(2) **Cross-Connection Control Program Coordinator** – The PWS must designate at least one individual involved in the development of and be responsible for the reporting, tracking, and other administration duties of its cross-connection control program. For PWS with more than 3,000 service connections the Cross-Connection Control Program Coordinator must be a cross-connection control specialist.
(3) **Hazard Assessments** – The PWS must survey its service area and conduct hazard assessments per Article 2 of this Chapter that identifies actual or potential cross-connection hazards, degree of hazard, and any backflow protection needed.
(4) **Backflow Prevention** – The PWS must ensure that actual and potential cross-connections are eliminated when possible or controlled by the installation of approved BPAs or AG's consistent with the requirements of the Article 3 of this Chapter.

(5) **Certified Backflow Prevention Assembly Testers and Certified Cross-Connection Control Specialists** – The PWS must ensure all BPA testers and cross-connection control specialists used are certified per Article 4 of this Chapter.
(6) **Backflow Prevention Assembly Testing** – The PWS must develop and implement a procedure for ensuring all BPAs are field tested, inspected, and maintained and AG's are inspected and maintained in accordance with CCCPH section 3.3.3.
(7) **Recordkeeping** – The PWS must develop and implement a recordkeeping system in accordance with CCCPH section 3.5.1.
(8) **Backflow Incident Response, Reporting and Notification** – The PWS must develop and implement procedures for investigating and responding to suspected or actual backflow incidents in accordance with Article 5 of this chapter.
(9) **Public Outreach and Education –** The PWS must implement a cross-connection control public outreach and education program element that includes educating staff, customers, and the community about backflow protection and cross-connection control. The PWS may implement this requirement through a variety of methods which may include providing information on cross-connection control and backflow protection in periodic water bill inserts, pamphlet distribution, new customer documentation, email, and consumer confidence reports.
(10) **Local Entity Coordination** – The PWS must coordinate with applicable local entities that are involved in either cross-connection control or public health protection to ensure hazard assessments can be performed, appropriate backflow protection is provided, and provide assistance in the investigation of backflow incidents. Local entities may include but are not limited to plumbing, permitting, or health officials, law enforcement, fire departments, maintenance, and public and private entities.

(b) The cross-connection control program must be developed in consultation with a cross-connection control specialist if:

(1) The PWS has 1,000 or more service connections, or
(2) required by the State Water Board.

(c) A PWS must have at least one cross-connection control specialist as a permanent or contracted employee of the PWS, and that specialist, or their designee, must be able to be contacted within one hour, if:

(1) The PWS has 3,000 or more service connections, or
(2) the PWS has less than 3,000 service connections and is directed by the State Water Board based on hazard assessments conducted pursuant to CCCPH section 3.2.1. or the PWS's history of backflow incidents.

3.1.4 Plan for Public Water System Cross-Connection Control

(a) After adoption of the CCCPH, each PWS must submit a written Cross-Connection Control Plan for State Water Board review in accordance with the following schedule:

(1) An Existing PWS must submit the Cross-Connection Control Plan no later than 12 months after the effective date of the CCCPH.
(2) A new PWS must submit the Cross-Connection Control Plan for review and approval prior to issuance of a domestic water supply permit.
(3) A PWS may submit a written request to the State Water Board for an extension of the deadline for submittal of its initial Cross-Connection Control Plan. The PWS's application must include a written description of the need for an extension. Approval of an extension will be at the sole discretion of the State Water Board.

(b) The Cross-Connection Control Plan for a community water system must include, at a minimum, the following cross-connection control program procedures and documentation:

(1) a description of how the community water system will achieve and maintain compliance with each requirement in this Chapter;
(2) a description of the process, personnel, and timeframes for completing initial and ongoing hazard assessments pursuant to CCCPH section 3.2.1;
(3) a description of the legal authority pursuant to CCCPH section 3.1.3 to implement corrective actions in the event a water user fails to comply in a timely manner with the provisions of the PWS's cross-connection control program;
(4) a description of the process and timeframes for ensuring each BPA is inspected and field tested, and AG is inspected, at a frequency no less than required by this Chapter;
(5) a description of the process and timeframe for ensuring each non-testable backflow preventer that is under the PWS ownership or administration is installed and maintained according to the California Plumbing Code;
(6) a description of the process for ensuring individuals field testing and inspecting BPAs are no less qualified than required by this Chapter, including but not limited to confirmation of the individual's:

(A) certification as a backflow prevention assembly tester,
(B) field test kit or gage equipment accuracy verification, and
(C) BPA field test result reports;

(7) a description of the procedures and timeframes of activities for responding to backflow incidents, including notification of customers, and reporting of backflow incidents pursuant to CCCPH section 3.5.2;
(8) contact information for cross-connection control personnel including any cross-connection control program coordinator and specialist;
(9) a description of the tracking system that maintains current and relevant information, including:

(A) recordkeeping information required pursuant to CCCPH section 3.5.1,
(B) location and type of each BPA, and
(C) highest threat potential hazard from which a given BPA is protecting the public water system distribution system;

(10) for user supervisors, if used, the required information pursuant to CCCPH section 3.2.2 (f);
(11) the corrective actions, including timeframes for the corrective actions, that a community water system will implement when:

(A) a cross-connection exists and the BPA installed is not commensurate with the user premises' hazard or no BPA has been installed, or
(B) a BPA needs to be replaced or maintained;

(12) a description of the public outreach and education program to comply with CCCPH section 3.1.3(a)(9); and
(13) the procedures for coordination with local entities

(c) The Cross-Connection Control Plan for a noncommunity water system must include, at a minimum, the following cross-connection control program procedures and documentation:

(1) a description of how the noncommunity water system will achieve and maintain compliance with each requirement in this Chapter that is applicable to the noncommunity water system;
(2) a description of the process, personnel, and timeframes for completing initial and ongoing hazard assessments pursuant to CCCPH section 3.2.1;
(3) a description of the legal authority pursuant to CCCPH section 3.1.3 to implement corrective actions in the event a water user fails to comply in a timely manner with the provisions of the PWS's cross-connection control program;
(4) a description of the process and timeframes for ensuring each BPA is inspected and field tested and AG is inspected, at a frequency no less than required by this Chapter;
(5) a description of the process and timeframe for ensuring each non-testable backflow preventer for internal protection that is under the PWS ownership or administration is installed and maintained according to the California Plumbing Code;
(6) a description of the process for ensuring individuals field testing and inspecting BPAs are no less qualified than required by this Chapter, including but not limited to confirmation of the individual's:

(A) certification as a backflow prevention assembly tester,
(B) field test kit or gage equipment accuracy verification, and
(C) BPA field test result reports;

(7) a description of the procedures and timeframes of activities for responding to backflow incidents, including notification of customers, and reporting of backflow incidents pursuant to CCCPH section 3.5.2;
(8) contact information for cross-connection control personnel including the cross-connection control program coordinator;
(9) maintaining a tracking system with current and relevant information, including:

(A) recordkeeping information required pursuant to CCCPH section 3.5.1,
(B) location and type of each BPA,
(C) location and type of each non-testable backflow preventer used for internal protection in accordance with the California Plumbing Code, if applicable, and
(D) potential hazard from which a BPA is protecting the public water system distribution system;

(10) for user supervisors, if used, the required information pursuant to CCCPH section 3.2.2(f);
(11) the corrective actions, including timeframes for the corrective actions, that a noncommunity water system will implement when:

(A) a cross-connection exists and the BPA installed is not commensurate with the user premises' hazard or no BPA has been installed, or
(B) a BPA or non-testable backflow preventer needs to be replaced or maintained;

(12) a description of the public outreach and education program to comply with CCCPH section 3.1.3(a)(9); and,
(13) the procedures for coordination with local entities (e.g., local health departments with internal cross-connection control programs, building officials, plumbing officials, etc.).

(d) A PWS must ensure its Cross-Connection Control Plan is, at all times, representative of the current operation of its Cross-Connection Control program. The PWS must make its Cross-Connection Control Plan available to the State Water Board for review upon request. If a PWS makes a substantive revision to its Cross-Connection Control Plan, the PWS must submit the revised Cross-Connection Control Plan to the State Water Board for review.

Article 2 – Hazard Assessments and Required Protection

3.2.1 Hazard Assessments

(a) To evaluate the potential for backflow into the PWS, each community water system must conduct an initial hazard assessment of the user premises within its service area and each noncommunity water system must conduct an initial hazard assessment of its water distribution system. The hazard assessment must consider:

(1) The existence of cross-connections;
(2) the type and use of materials handled and present, or likely to be, on the user premises;
(3) the degree of piping system complexity and accessibility;
(4) access to auxiliary water supplies, pumping systems, or pressure systems;
(5) distribution system conditions that increase the likelihood of a backflow event (e.g., hydraulic gradient differences impacted by main breaks and high water-demand situations, multiple service connections that may result in flow-through conditions, etc.);
(6) user premises accessibility;
(7) any previous backflow incidents on the user premises; and
(8) the requirements and information provided in the CCCPH.

(b) Each hazard assessment must identify the degree of hazard to the PWS's distribution system as either a high hazard cross-connection, a low hazard cross-connection, or having no hazard. Examples of some high hazard cross-connection activities may be found in Appendix D.

(c) The hazard assessment must determine whether an existing BPA, if any, provides adequate protection based on the degree of hazard.

(d) Hazard assessments completed prior to the adoption of the CCCPH may be considered as an initial hazard assessment provided that such hazard assessments and associated backflow protection provide protection consistent with the CCCPH and the PWS describes their review of these assessments in the Cross-Connection Control Plan required in CCCPH section 3.1.4.

(e) Subsequent to the initial hazard assessment described in subsection (a), a community water system must perform a hazard assessment under the following criteria:

(1) if a user premises changes account holder, excluding single-family residences;
(2) if a user premises is newly or re-connected to the PWS;
(3) if evidence exists of changes in the activities or materials on a user's premises;
(4) if backflow from a user's premises occurs;
(5) periodically, as identified in the PWS's Cross-Connection Control Plan required pursuant to CCCPH section 3.1.4.;

(6) if the State Water Board requests a hazard assessment of a user's premises; and
(7) if the PWS concludes an existing hazard assessment may no longer accurately represent the degree of hazard.

(f) Noncommunity water systems must conduct an initial or follow-up hazard assessment within two years of the adoption of the CCCPH.

(g) Noncommunity water system must conduct a follow-up hazard assessment of its water distribution system if any changes are made that could result in a cross-connection or any backflow incidents occur.

(h) A cross-connection control specialist must review or conduct each initial and follow-up hazard assessment pursuant to this section and make a written finding that, in the specialist's judgment based on cross-connection control principles, the PWS's hazard assessment properly identified all hazards at the time of the assessment, the appropriate degree of hazards, and the corresponding backflow protection.

3.2.2 Backflow Protection Required

(a) A PWS must ensure its distribution system is protected from backflow from identified hazards through the proper installation, continued operation, and field testing of an approved BPA (see Article 3 for installation and approved BPA criteria). When a DC is required or referenced in the CCCPH, a DCDA or DCDA-II type of assembly may be substituted if appropriate. When an RP is required or referenced in the CCCPH, an RPDA or RPDA-II type of assembly may be substituted if appropriate.

(b) The BPA installed must be no less protective than that which is commensurate with the degree of hazard at a user premises, as specified in this Chapter and as determined based on the results of the hazard assessment conducted pursuant to CCCPH section 3.2.1.

(c) Unless specified otherwise in this Chapter, a PWS must, at all times, protect its distribution system from high hazard cross-connections (see Appendix D for examples), through premises containment, through the use of AG(s) or RP(s).

(1) Following State Water Board review and approval, a PWS may implement an alternate method of premises containment in lieu of a required AG provided that the proposed alternative would not increase the level of risk to protection of public health.
(2) Following State Water Board review and approval, a PWS may accept internal protection in lieu of containment when premises containment is not feasible.

(d) Except as otherwise allowed or prohibited in statute or in CCR Title 22, Division 4, Chapter 3, a swivel-ell may be used instead of an AG for premises containment protection when temporarily substituting tertiary recycled water use areas with potable water from a PWS if all the following criteria are met:

(1) the swivel-ell is approved by the State Water Board;
(2) the PWS has a cross-connection control program, required pursuant to CCCPH section 3.1.3, and the use and operation of the swivel-ell is described in the Cross-Connection Control Plan required pursuant to CCCPH section 3.1.4;
(3) the design and construction-related requirements of the swivel-ell adheres to the criteria in Appendix C;
(4) at least every 12 months, inspections are performed and documented to confirm ongoing compliance with the design and construction-related requirements in Appendix C;
(5) the RP used in conjunction with the swivel-ell is field tested and found to be functioning properly:

(A) immediately upon each switchover to potable water use, a visual inspection of the RP must be completed
(B) within 72 hours of each switchover to potable water use, a field test must be completed, and
(C) at least every 12 weeks the use site is supplied with potable water; and

(6) there is a legally binding agreement between the PWS and the entity supplying the recycled water, signed by those with relevant legal authority, that includes the following requirements:

(A) The State Water Board will be notified within 24 hours of all switchovers to or from potable water, will be given an estimate of the timeframe until the next switchover, and will be provided the results of the field testing required in paragraph (5);
(B) a trained representative of the PWS be present to supervise each switchover; and
(C) within seven days of each switchover, if requested by the State Water Board, the PWS will submit a written report describing compliance with this subsection, as well as potable and recycled water usage information.

(e) Except as noted below, a PWS must ensure its distribution system is protected with no less than DC protection for a user premises with a fire protection system within ten years of adoption of the CCCPH.

(1) A high hazard cross-connection fire protection system, including but not limited to fire protection systems that may utilize chemical addition (e.g., wetting agents, foam, anti-freeze, corrosion inhibitor, etc.) or an auxiliary water supply, must have no less than RP protection.

(2) For existing fire protection systems that do not meet Section 3.2.2 (e)(3) or cannot install DC protection within ten years of adoption of the CCCPH, a PWS may propose in the cross-connection control plan submitted for CCCPH Section 3.1.4:

(A) an alternative date; or
(B) an alternative method of backflow protection that provides at least the same level of protection to public health.

(3) A BPA is not necessary for a low hazard fire protection system on a residential user premises if the following criteria are satisfied:

(A) the user premises has only one service connection to the PWS;
(B) a single service line onto the user premises exists that subsequently splits on the property for domestic flow and fire protection system flow, such that the fire protection system may be isolated from the rest of the user premises;
(C) a single, water industry standard, water meter is provided to measure combined domestic flow and fire protection system flow;
(D) the fire protection system is constructed of piping materials certified as meeting NSF/ANSI Standard 61; and
(E) the fire protection system's piping is looped within the structure and is connected to one or more routinely used fixtures (such as a water closet) to prevent stagnant water.

(f) The State Water Board and PWS may, at their discretion, require a water user to designate a user supervisor when the user premises has a multi-piping system that conveys various types of fluids and where changes in the piping system are frequently made. If a user supervisor is designated the following is required:

(1) The user supervisor is responsible for the avoidance of cross-connections during the installation, operation and maintenance of the water user's pipelines and equipment. The user supervisor must be trained on the fluids used and backflow protection for the premise, and must inform the PWS of changes in piping, and maintain current contact information on file with the PWS; and
(2) The PWS must include in the Cross-Connection Control Plan required in CCCPH section 3.1.4 the training and qualification requirements for user supervisors, identify the entity that will provide the user supervisor training, and frequency of any necessary recurring training. The training must adequately address the types of hazards and concerns typically found.

(g) Facilities producing, treating, storing, or distributing drinking water that are an approved water supply or water recycling plants as defined by CCR Title 22, Section 60301.710 must have proper internal protection from cross-connections to ensure that all drinking water produced and delivered to customers and workers at those facilities is free from unprotected cross-connections.

Article 3 – Backflow Prevention Assemblies

3.3.1 Standards for Types of Backflow Protection

(a) The PWS must ensure that each AG used for its Cross-Connection Control Program meets the requirements in Table 1, Minimum Air Gaps for Generally used Plumbing Fixtures, page 4 of the American Society of Mechanical Engineers (ASME) A112.1.2-2012(R2017) (See Appendix B).

(b) The PWS must ensure that each replaced or newly installed PVB, SVB, DC, and RP for protection of the PWS is approved through both laboratory and field evaluation tests performed in accordance with at least one of the following:

> (1) Standards found in Chapter 10 of the *Manual of Cross-Connection Control, Tenth Edition*, published by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research; or
> (2) certification requirements for BPAs in the Standards of ASSE International current as of 2022 that include ASSE 1015-2021 for the DC, ASSE 1048-2021 for the DCDA & DCDA-II, ASSE 1013-2021 for the RP, and ASSE 1047-2021 for the RPDA & RPDA-II and must have the 1YT mark.

(c) BPAs must not be modified following approval granted under section 3.3.1 (b). PWS must require BPA testers to notify the PWS if a water user or PWS-owned BPA has been modified from the CCCPH section 3.3.1 (b) approval.

3.3.2 Installation Criteria for Backflow Protection

(a) For AGs, the following is required:

> (1) The receiving water container must be located on the water user's premises at the water user's service connection unless an alternate location has been approved by the PWS;
> (2) all piping between the water user's service connection and the discharge location of the receiving water container must be above finished grade and be accessible for visual inspection unless an alternative piping configuration is approved by the PWS;
> (3) the PWS must ensure that the AG specified in CCCPH section 3.3.1 (a) has been installed; and
> (4) any new air gap installation at a user's service connection must be reviewed and approved by the State Water Board prior to installation.

(b) RPs must be installed such that the lowest point of an assembly is a minimum of twelve inches above grade, and a maximum of thirty-six inches above the finished grade, unless an alternative is approved by the PWS.

(c) DCs installed or replaced after the adoption of the CCCPH must be installed according to CCCPH section 3.3.2 (b). Below ground installation can be considered if approved by the PWS where it determines no alternative options are available.

(d) A PVB or SVB must be installed a minimum of twelve inches above all downstream piping and outlets.

(e) SVBs may not be used for premises containment. PVBs may only be used for roadway right of way irrigation systems as premises containment where there is no potential for backpressure.

(f) A RP or DC installed after the adoption of the CCCPH must have a minimum side clearance of twelve inches, except that a minimum side clearance of twenty-four inches must be provided on the side of the assembly that contains the test cocks. The PWS may approve alternate clearances providing that there is adequate clearance for field testing and maintenance.

(g) Backflow protection must be located as close as practical to the water user's service connection unless one or more alternative locations have been approved by the PWS. If internal protection is provided in lieu of premises containment, the PWS must obtain access to the user premises and must ensure that the on-site protection meets the requirements of this Chapter for installation, field testing, and inspections.

(h) Each BPA and air gap separation must be accessible for field testing, inspection, and maintenance.

3.3.3 Field Testing and Repair of Backflow Prevention Assemblies and Air Gap Inspection

(a) PWS must ensure that all BPAs installed for its Cross-Connection Control Program are field tested following installation, repair, depressurization for winterizing, or permanent relocation. All required field testing must be performed by certified backflow prevention assembly testers.

(b) BPAs must be field tested at least annually. The CCCPH does not preclude a PWS, the State Water Board, or a local health agency from requiring more frequent field testing for premises with high hazard cross-connection or BPA at increased risk of testing failure.

(c) Air-gap separations must be visually inspected at least annually to determine compliance with this Chapter by persons certified as backflow prevention assembly testers or certified as a cross-connection control specialist pursuant to this Chapter.

(d) PWS must receive passing field tests before providing continuous service to a water user with a newly installed BPA.

(e) PWS must ensure that BPAs that fail the field test are repaired or replaced within 30 days of notification of the failure. Extensions may be allowed by the PWS if included as part of the Cross-Connection Control Plan.

(f) PWS must require backflow prevention assembly testers to notify the PWS as soon as possible within 24 hours if a backflow incident or an unprotected cross-connection is observed at the BPA or prior to the user premises during field testing. PWS must immediately conduct an investigation and discontinue service to the user premises if a backflow incident is confirmed, and water service must not be restored to that user premises until the PWS receives a confirmation of a passing BPA field test from a backflow prevention assembly tester and the assembly is protecting the PWS.

Article 4 – Backflow Prevention Assembly Testers and Cross-Connection Control Specialists

3.4.1 Backflow Prevention Assembly Tester Certification

(a) A PWS must ensure that each BPA required by this Chapter to protect the public water system is field tested by a person with valid certification from a certifying organization recognized by the State Water Board pursuant to this Article.

(b) A State Water Board-recognized organization certifying backflow prevention assembly testers is one that has a certification process that, at a minimum, includes the following:

(1) A timed and proctored written[6] exam, using a closed-book, objective grading format, consisting of no less than 100 questions for initial certification and no less than 50 questions for recertification. A passing score must be achieved by an examinee as a requirement for certification.

(A) Written exam proctors must:

1. not provide an examinee any assistance in answering exam questions, verbal or otherwise; and
2. be impartial.

(B) Passing scores for the written exams are to be determined prior to exam sessions, such that passing a written exam demonstrates sufficient knowledge of subjects associated with the proper field testing of BPAs, including but not limited to:

1. the hydraulics and theory of backflow;
2. California's laws, regulations, and requirements related to cross-connection control;
3. types of BPA field test equipment and the need to verify accuracy, at least annually and when otherwise necessary, to ensure accuracy of field test results;
4. field test procedures for an RP, RPDA, RPDA-II, DC, DCDA, DCDA-II, PVB, and SVB using the procedures provided in the *Manual of Cross-Connection Control, Tenth Edition,* published by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research or equivalent;
5. identification of improperly functioning BPAs (i.e., diagnostics or troubleshooting); and
6. recordkeeping and safety.

[6] The requirement for a written exam does not preclude using computerized exams.

(2) A performance (i.e., hands-on) exam, using a closed-book, objective grading process and the field test procedures in paragraph (1)(B)(4), designed such that passing the performance exam demonstrates proficiency in accurately determining the operating condition of an RP, DC, PVB, and SVB, when properly or improperly functioning, including but not limited to BPAs with leaks in shutoff valves, and failures in check valves, air inlet valves, or relief valves. A passing score must be achieved by an examinee as a requisite for certification. The performance exam process must include the following:

(A) Performance exam proctors must:

1. be certified as a backflow prevention assembly tester pursuant to this Article;
2. evaluate no more than one examinee at a time;
3. not provide an examinee any assistance in answering exam questions, verbal or otherwise;
4. provide no indication an examinee has erred until completion of a BPA field test, at which time only the fact the examinee has erred may be indicated (i.e., not the nature of the error);
5. be impartial and not affiliated with the certifying organization's preparation of, or preparatory course for (if applicable), the performance exam; and
6. not evaluate an examinee who was trained by the proctor during the six-month period prior to the exam or other conflict of interest.

(B) An examinee is considered to have failed a performance exam if the examinee:

1. makes a field test procedure or recording error that could impact an accurate determination of the operating condition of a BPA,
2. completes the BPA performance exam form with an error,
3. is informed of making an error (see subparagraph (A)(4)) and begins the procedure a second time, and
4. errs a second time and completes the BPA performance exam form accordingly.

(3) recertification requirements of no less frequently than every three years which includes both a written and performance exam;
(4) provisions for revocation of a backflow prevention assembly tester's certification, including but not limited to, revocation for falsifying field test results or field test reports;

(5) a website providing public access to the most recent list of backflow prevention assembly testers:

(A) who hold a valid certification from the certifying organization. At a minimum, the list is to include each backflow prevention assembly tester's last name, first name, certification number, and the date on which each backflow prevention assembly tester's certification expires; and
(B) whose certification was revoked, pursuant to paragraph (4), in the three years preceding the date of the list. At a minimum, the list is to include each backflow prevention assembly tester's last name, first name, revoked certification number, the date on which each backflow prevention assembly tester's certification was revoked, and the reason for revocation.

(6) as a prerequisite to sections 3.4.1(b)(1) and (b)(2), completion of an instructional training course accepted by the certifying organization[7] that covers the subjects in subsection (1)(B) and is no less than 30 hours in length over no fewer than four days for:

(A) a backflow prevention assembly tester's initial certification;
(B) a backflow prevention assembly tester's recertification as a result of revocation; or

(7) In lieu of compliance with section 3.4.1(b)(6) a certifying organization may accept two years prior experience in backflow prevention assembly testing.

(c) To be recognized by the State Water Board as a certifying organization for backflow prevention assembly testers, a certifying organization shall:

(1) submit an application with the following information to the State Water Board for review:

(A) written documentation of a certification program that includes a process that is no less stringent than the criteria in subsection (b);
(B) evidence that the organization's certification program and exam process has been reviewed, with concerns adequately addressed, by a credentialed psychometrician proficient in the design of objective exams, experienced in the assessment of certification or licensing organizations, and familiar with the application of the requirements of *ISO*[8]*/IEC*[9]
(C) a written statement, signed by the certifying organization's representative(s) having the authority and legal responsibility for operation of the certifying organization, attesting that the certifying organization will implement its certification program in a manner meeting or exceeding the

[7] But not limited only to training provided by the certifying organization or its affiliates.
[8] International Organization for Standardization
[9] International Electrotechnical Commission

criteria in subsection (b) and consistent with the application submitted to the State Water Board.

(2) adequately address each State Water Board comment and/or question concerning the application, and
(3) receive written acknowledgment from the State Water Board that the application is complete.

(d) An American National Standards Institute (ANSI)-accredited certifying organization, accredited in accordance with subsection (b) and ISO/IEC 17024, will be considered to be a State Water Board-recognized certifying organization. Beginning three years after the effective date of the CCCPH, only those testers with a valid certification from an ANSI-accredited certifying organization shall satisfy subsection (a) and certifications obtained by organizations in accordance with subsection (c) will be invalid.

(e) This Article does not preclude a local health agency from maintaining a backflow prevention assembly tester certification program for the field testing of BPAs within the local health agency's jurisdiction. Accepting a tester certified by a local health agency does not relieve a PWS from meeting the requirements of this Article.

(f) This Article does not preclude a PWS from disallowing the use of an individual tester certified pursuant to this Article if the PWS has reason to believe a certified tester may not be proficient in accurately determining the operating condition of BPA, or for any other reason (e.g., fraud, deceit, negligence, misconduct, etc.). A PWS must report any evidence of a tester falsifying reports to that tester's certifying organization.

(g) This Article is effective July 1, 2025.

3.4.2 Cross-Connection Control Specialist Certification

(a) A PWS must ensure that cross-connection control specialists, used pursuant to the CCCPH, have valid certification from a certifying organization recognized by the State Water Board pursuant to this Article.

(b) A State Water Board-recognized organization certifying cross-connection control specialists is one that has a certification process that, at a minimum, includes the following:

(1) A timed and proctored, written[10] exam, using a closed-book, objective grading format, consisting of no less than 100 questions for certification. A passing score must be achieved by an examinee as a requirement for certification.

(A) Written exam proctors must:

1. not provide an examinee any assistance in answering exam questions, verbal or otherwise; and
2. be impartial.

(B) Passing scores for the exams are to be determined prior to exam sessions, such that passing an exam demonstrates sufficient and comprehensive range of knowledge of the subjects provided in Appendix E, as they may relate to cross-connection control and the causes, effects, and prevention of backflow.

(2) recertification requirements of no less frequently than every three years. Recertification may be done through at least one of the following:

(A) an exam as required by section 3.4.2 (b)(1),
(B) through 12 contact hours from continuing education courses covering material in Appendix E or,
(C) a combination of exam and continuing education contact hours equivalent to (A) or (B);

(3) provisions for revocation of a specialist's certification, including but not limited to, falsifying information or providing negligent recommendations inconsistent with industry-standard cross-connection control guidelines;
(4) a website providing public access to the most recent list of cross-connection control specialists:

(A) who hold a valid certification from the certifying organization. At a minimum, the list is to include each specialist's last name, first name, certification number, and the date on which each specialist's certification expires; or

[10] The requirement for a written exam does not preclude using computerized exams.

(B) whose certification was revoked, pursuant paragraph (3), in the three years preceding the date of the list. At a minimum, the list is to include each specialist's last name, first name, revoked certification number, the date on which each specialist's certification was revoked, and the reason for revocation.

(5) initial certification requirements:

(A) a valid backflow prevention assembly tester certification from a certification organization recognized by the State Water Board pursuant to section 3.4.1; and
(B) completion of an instructional training course (acceptable to the certifying organization[11]) that covers the subjects in Appendix E and is no less than 30 hours in length over no fewer than five days (inclusive of an exam, if provided). This paragraph does not preclude a certification organization from providing the instructional training course to the public, including certified specialists.
(C) As an alternative to (A) the certifying organization may accept additional instruction in the subject areas of testing, maintaining and repairing BPAs equivalent in length and scope to the requirements in 3.4.1(b)(6).
(D) As an alternative to (A) the certifying organization may accept a minimum of five (5) years documented experience performing cross-connection control specialist duties, as outlined in Appendix E.

(c) To be recognized by the State Water Board as a certifying organization for cross-connection control specialists, a certifying organization shall:

(1)submit an application with the following information to the State Water Board for review:

(A) Written documentation of a certification program that includes a process that is no less stringent than the criteria in subsection (b);
(B) evidence that the organization's certification program and exam process has been reviewed, with concerns adequately addressed, by a credentialed psychometrician proficient in the design of objective exams, experienced in the assessment of certification or licensing organizations, and familiar with the application of the requirements of *ISO[12]/IEC[13] 17024: Conformity Assessment- General Requirements for Bodies Operating Certification of Persons*; and

[11] But not limited only to training provided by the certifying organization or its affiliates.
[12] International Organization for Standardization
[13] International Electrotechnical Commission

(C) a written statement, signed by the certifying organization's representative(s) having the authority and legal responsibility for operation of the certifying organization, attesting that the certifying organization will implement its certification program in a manner meeting or exceeding the criteria in subsection (b) and consistent with the application submitted to the State Water Board.

(2) adequately address each State Water Board comment and question concerning the application, and
(3) receive a written acknowledgment from the State Water Board that the application is complete:

(d) A certifying organization, accredited by the American National Standards Institute (ANSI) in accordance with ISO/IEC 17024, which complies with subsection (b), will be considered to be a State Water Board-recognized certifying organization. Beginning three years after the effective date of the CCCPH, only those specialists with a valid certification from an ANSI-accredited certifying organization shall satisfy subsection (a) and certifications obtained by organizations in accordance with subsection (c) will be invalid.

(e) This Article does not preclude a local health agency from maintaining a cross-connection control specialist certification program for specialists within the local health agency's jurisdiction. Using a specialist certified by a local health agency does not relieve a PWS from meeting the requirements of this Article.

(f) This Article does not preclude a PWS from disallowing the use of an individual cross-connection control specialist certified pursuant to this Article if the PWS has reason to believe a certified specialist may not be proficient in their knowledge of cross-connection control and the causes, effects, and prevention of backflow, or for any other reason (e.g., fraud, deceit, negligence, misconduct, etc.). A PWS must report any evidence of a specialist falsifying reports to that specialist's certifying organization.

(g) This Article is effective July 1, 2025.

Article 5 – Recordkeeping, Backflow Incident Response, and Notification

3.5.1 Recordkeeping

(a) Each PWS must maintain the following records:

(1) The two most recent hazard assessments for each user premise, conducted pursuant to CCCPH section 3.2.1 (Hazard Assessment);
(2) for each BPA, the associated hazard or application, location, owner, type, manufacturer and model, size, installation date, and serial number;
(3) for each AG installation, the associated hazard or application and the location, owner, and as-built plans of the AG;
(4) results of all BPA field testing, AG inspection, and swivel-ell inspections and field tests for the previous three calendar years, including the name, test date, repair date, and certification number of the backflow prevention assembly tester for each BPA field test and AG and swivel-ell;
(5) repairs made to, or replacement or relocation of, BPAs for the previous three calendar years;
(6) the most current cross-connection tests (e.g. shutdown test, dye test);
(7) if a user supervisor is designated for a user premise, the current contact information for the user supervisor and water user, and any applicable training and qualifications as described by CCCPH section 3.2.2(f);
(8) descriptions and follow-up actions related to all backflow incidents;
(9) if any portion of the cross-connection control program is carried out under contract or agreement, a copy of the current contract or agreement;
(10) the current Cross-Connection Control Plan as required in CCCPH section 3.1.4.; and
(11) any public outreach or education materials issued as required in CCCPH section 3.1.3.(a)(9) for the previous three calendar years.

(b) All information in subsection (a) must be available to the State Water Board upon request.

3.5.2 Backflow Incident Response Procedure

Each PWS must include backflow incident response procedures in the Cross-Connection Control Plan required in CCCPH section 3.1.4. The PWS must describe its procedures for investigating and responding to suspected backflow incidents including, but not limited to, the following:

(a) Consideration of complaints or reports of changes in water quality as possible incidents of backflow;

(b) Water quality sampling and pressure recording; and

(c) Documentation of the investigation, and any response and follow-up activities.

3.5.3 Backflow Incident Notification

(a) Each PWS must notify the State Water Board and local health agencies of any known or suspected incident of backflow within 24 hours of the determination. If required by the State Water Board, a PWS must issue a Tier 1 public notification pursuant to CCR, Title 22, Section 64463.1.

(b) If required by the State Water Board, the PWS must submit, by a date specified by the State Water Board, a written incident report describing the details and affected area of the backflow incident, the actions taken by the PWS in response to the backflow incident, and the follow up actions to prevent future backflow incidents. The written report must contain, at a minimum, the information requested in Appendix F.

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Appendix

Appendix A: Assembly Bill 1671 (2017, Chapter 533) and Assembly Bill 1180 (2019, Chapter 455).
Appendix B: ASME A112.1.2-2012(R2017) Table 1, Minimum Air Gaps for Generally used Plumbing Fixtures, page 4
Appendix C: Backflow Prevention Assembly Diagrams
Appendix D: High Hazard Premises
Appendix E: General Range of Knowledge for Cross-Connection Control Specialists
Appendix F: Example Backflow Incident Reporting Form
Appendix G: Related Statutes and Regulations

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Appendix A

Assembly Bill 1671 (2017, Chapter 533)
Assembly Bill 1180 (2019, Chapter 455)

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Assembly Bill No. 1671

CHAPTER 533

An act to amend Section 116810 of, and to add Sections 116407 and 116555.5 to, the Health and Safety Code, relating to drinking water.

[Approved by Governor October 6, 2017. Filed with Secretary of State October 6, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1671, Caballero. Backflow protection and cross-connection controls: standards.

(1) Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration projects relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting regulations, and conducting studies and investigations to assess the quality of private domestic water wells. Existing law makes certain violations of the act a misdemeanor.

Existing law requires any person who owns a public water system to ensure that the system does certain things, including, but not limited to, that it will not be subject to backflow under normal operating conditions. Existing law, to ensure that testing and maintenance of backflow prevention devices are performed by persons qualified to do testing and maintenance, authorizes local health officers to maintain programs for certification of backflow prevention device testers and requires the certification program to be consistent with backflow protection regulations adopted by the state board. A violation of these provisions, or an order by a local health officer pursuant to these provisions, is a misdemeanor.

This bill would require a public water system to implement a cross-connection control program that complies with, and would require the certification program to be consistent with, applicable regulations and the standards described in (2).

(2) Existing regulations establish standards for a backflow prevention device and cross-connection control.

This bill, on or before January 1, 2020, would require the state board to adopt standards for backflow protection and cross-connection control and would authorize the state board to do so through the adoption of a policy handbook, as specified. By authorizing the state board to adopt standards, the violation of which would be a crime, the bill would create a new crime and impose a state-mandated local program.

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

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

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

SECTION 1. Section 116407 is added to the Health and Safety Code, to read:

116407. (a) On or before January 1, 2020, the state board shall adopt standards for backflow protection and cross-connection control.

(b) The state board may implement subdivision (a) through the adoption of a policy handbook that is not subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The policy handbook shall include standards for backflow protection and cross-connection control. In developing the standards and any amendments to those standards, the state board shall consult with state and local agencies and other persons whom the state board has identified as having expertise in the subject of backflow protection and cross-connection control. The state board shall hold at least two public hearings before adopting the policy handbook. The policy handbook shall be posted on the board's Internet Web site.

(c) (1) Upon the effective date of a policy handbook adopted by the state board pursuant to subdivision (b), the regulations set forth in Article 1 (commencing with Section 7583) and Article 2 (commencing with Section 7601) of Group 4 of Subchapter 1 of Chapter 5 of Division 1 of Title 17 of the California Code of Regulations shall become inoperative, and, 90 days thereafter, are repealed, unless the state board makes a determination not to repeal a specific regulation.

(2) If the state board determines not to repeal a specific regulation pursuant to paragraph (1), the state board shall provide to the Office of Administrative Law and the Secretary of State written notice of its determination, including identification of the specific regulation that is not repealed. That regulation, upon the provision of that written notice to the Office of Administrative Law and the Secretary of State, shall become operative.

SEC. 2. Section 116555.5 is added to the Health and Safety Code, to read:

116555.5. A public water system shall implement a cross-connection control program that complies with applicable regulations and with standards adopted by the board pursuant to Section 116407.

SEC. 3. Section 116810 of the Health and Safety Code is amended to read:

116810. To ensure that testing and maintenance of backflow prevention devices are performed by persons qualified to do testing and maintenance,

local health officers may maintain programs for certification of backflow prevention device testers. The local health officer may suspend, revoke, or refuse to renew the certificate of a tester, if, after a hearing before the local health officer or his or her designee, the local health officer or his or her designee finds that the tester has practiced fraud or deception or has displayed gross negligence or misconduct in the performance of his or her duties as a certified backflow prevention device tester. The local health officer may collect fees from certified testers to offset the cost of the certification program provided pursuant to this section. The certification standards shall be consistent with standards adopted by the state board pursuant to Section 116407 and any other applicable backflow protection regulations.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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Assembly Bill No. 1180

CHAPTER 455

An act to amend Section 116407 of the Health and Safety Code, and to add Section 13521.2 to the Water Code, relating to water.

[Approved by Governor October 2, 2019. Filed with Secretary of State October 2, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1180, Friedman. Water: recycled water.

(1) Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified.

This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.

(2) Existing law requires the state board to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health.

This bill would require the state board, on or before January 1, 2023, as specified, to update the uniform statewide criteria for nonpotable recycled water uses.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) On December 11, 2018, the State Water Resources Control Board unanimously adopted an amendment to the policy for water quality control for recycled water, which included a goal to increase the use of recycled water in the state from 714,000 acre-feet per year in 2015 to 1,500,000 acre-feet per year by 2020 and 2,500,000 acre-feet per year by 2030.

(b) Section 13521 of the Water Code requires the state board to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health.

(c) The regulations establishing the uniform statewide criteria for recycled water uses are set forth in Chapter 3 (commencing with Section 60301.050) of Division 4 of Title 22 of the California Code of Regulations. The regulations that pertain to nonpotable recycled water uses have not been updated since 2000.

(d) The regulations relating to backflow protection and cross-connection control for recycled water are set forth in Article 1 (commencing with Section 7583) and Article 2 (commencing with Section 7601) of Group 4 of Subchapter 1 of Chapter 5 of Division 1 of Title 17 of the California Code of Regulations. These regulations have not been updated since 1987.

(e) Section 1 of Chapter 533 of the Statutes of 2017 (Assembly Bill 1671 of the 2017–18 Regular Session) requires, on or before January 1, 2020, the state board to adopt backflow protection and cross-connection control standards and authorizes their implementation through a policy handbook.

(f) In order to maximize the amount of recycled water California can safely use for beneficial purposes, it is necessary to update the uniform statewide criteria for nonpotable recycled water uses and specify certain associated backflow protection and cross-connection control provisions.

SEC. 2. Section 116407 of the Health and Safety Code is amended to read:

116407. (a) On or before January 1, 2020, the state board shall adopt standards for backflow protection and cross-connection control.

(b) (1) The state board may implement subdivision (a) through the adoption of a policy handbook that is not subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The policy handbook shall include standards for backflow protection and cross-connection control. In developing the standards and any amendments to those standards, the state board shall consult with state and local agencies and other persons whom the state board has identified as having expertise in the subject of backflow protection and cross-connection control. The state board shall hold at least two public hearings before adopting the policy handbook. The policy handbook shall be posted on the board's internet website.

(2) (A) The policy handbook described in this subdivision shall include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.

(B) The use of a swivel or changeover device shall be consistent with any notification and backflow protection provisions contained in the policy handbook.

(c) (1) Upon the effective date of a policy handbook adopted by the state board pursuant to subdivision (b), the regulations set forth in Article 1 (commencing with Section 7583) and Article 2 (commencing with Section 7601) of Group 4 of Subchapter 1 of Chapter 5 of Division 1 of Title 17 of the California Code of Regulations shall become inoperative, and, 90 days thereafter, are repealed, unless the state board makes a determination not to repeal a specific regulation.

(2) If the state board determines not to repeal a specific regulation pursuant to paragraph (1), the state board shall provide to the Office of Administrative Law and the Secretary of State written notice of its determination, including identification of the specific regulation that is not repealed. That regulation, upon the provision of that written notice to the

Office of Administrative Law and the Secretary of State, shall become operative.

SEC. 3. Section 13521.2 is added to the Water Code, to read:

13521.2. (a) On or before January 1, 2023, the state board shall update the uniform statewide criteria for nonpotable recycled water uses established in Chapter 3 (commencing with Section 60301.050) of Division 4 of Title 22 of the California Code of Regulations. The deadline imposed by this section is mandatory only if the Legislature has appropriated sufficient funds, as determined by the executive director of the state board, in the annual Budget Act or otherwise to cover the state board's costs associated with the performance of the duties imposed by this section.

(b) For purposes of the update to the uniform statewide criteria for nonpotable recycled water uses described in subdivision (a), the state board shall adopt a regulation that incorporates by reference the criteria and applicable backflow protection provisions, including the provisions for the use of a swivel or changeover device for dual-plumbed systems, that are contained in the most recently adopted version of the policy handbook adopted pursuant to Section 116407 of the Health and Safety Code and any future versions of the policy handbook.

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Appendix B

ASME A112.1.2-2012(R2017) Table 1, Minimum Air Gaps for Generally used Plumbing Fixtures, page 4

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Appendix B
ASME A112.1.2-2012(R2017) Table 1, Minimum Air Gaps for Generally used Plumbing Fixtures,[1] page 4

TABLE 1
Minimum Air Gaps for Generally used Plumbing Fixtures[4]

FIXTURES	WHERE NOT AFFECTED BY SIDEWALLS[1] (inches)	WHERE AFFECTED BY SIDEWALLS[2] (inches)
Effective opening[3] not greater than ½ of an inch in diameter	1	1 1/2
Effective openings[3] not greater than ¾ of an inch in diameter	1 1/2	2 1/4
Effective openings[3] not greater than 1 inch in diameter	2	3
Effective openings[3] greater than 1 inch in diameter	Two times the diameter of effective opening	Three times the diameter of effective opening

For SI units: 1 inch = 25.4 mm

Notes:

[1] Sidewalls, ribs, or similar obstructions do not affect air gaps where spaced from the inside edge of the spout opening at a distance exceeding three times the diameter of the effective opening for a single wall, or at a distance exceeding four times the effective opening for two intersecting walls.

[2] Vertical walls, ribs, or similar obstructions extending from the water surface to or above the horizontal plane of the spout opening other than specified in Footnote 1 above. The effect of three or more such vertical walls or ribs has not been determined. In such cases, the air gap shall be measured from the top of the wall.

[3] The effective opening shall be the minimum cross-sectional area at the seat of the control valve or the supply pipe or tubing that feeds the device or outlet. Where two or more lines supply one outlet, the effective opening shall be the sum of the cross-sectional areas of the individual supply lines or the area of the single outlet, whichever is smaller.

[4] Air gaps less than 1 inch (25.4 mm) shall be approved as a permanent part of a listed assembly that has been tested under actual backflow conditions with vacuums of 0 to 25 inches of mercury (85 kPa).

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Appendix C

Backflow Prevention Assembly Diagrams

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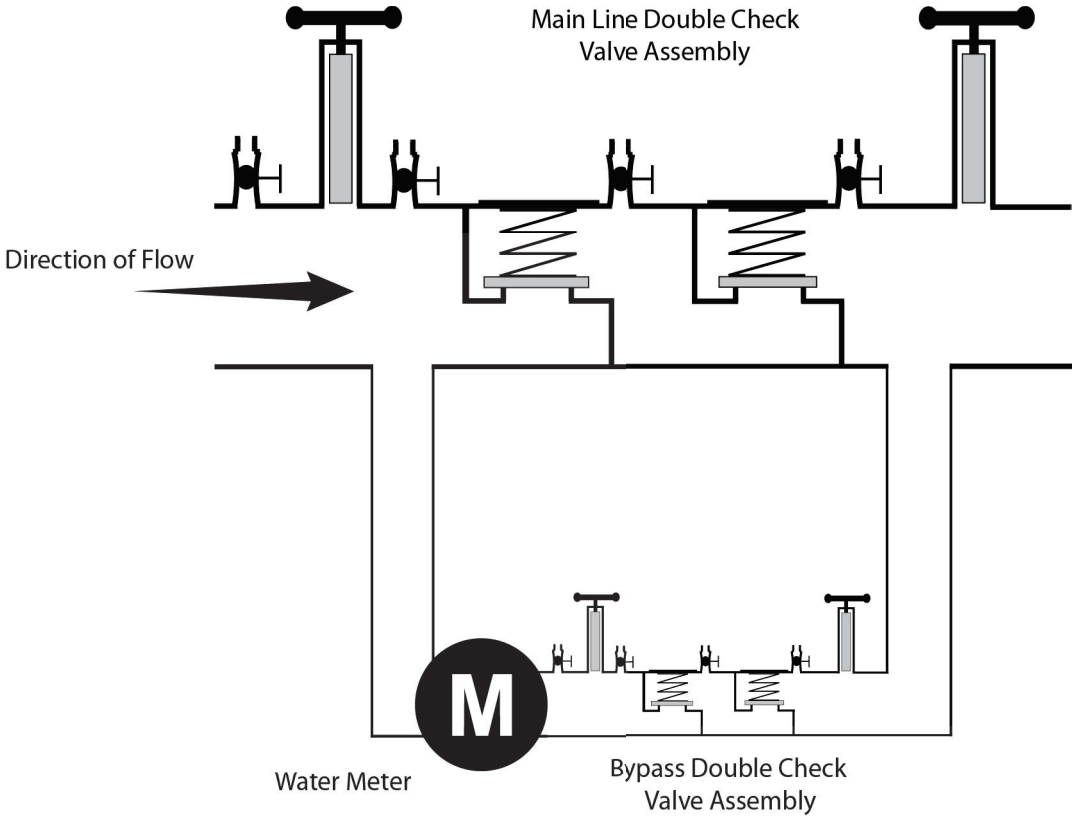
Appendix C

Diagram 1
Double check detector backflow prevention assembly[1]

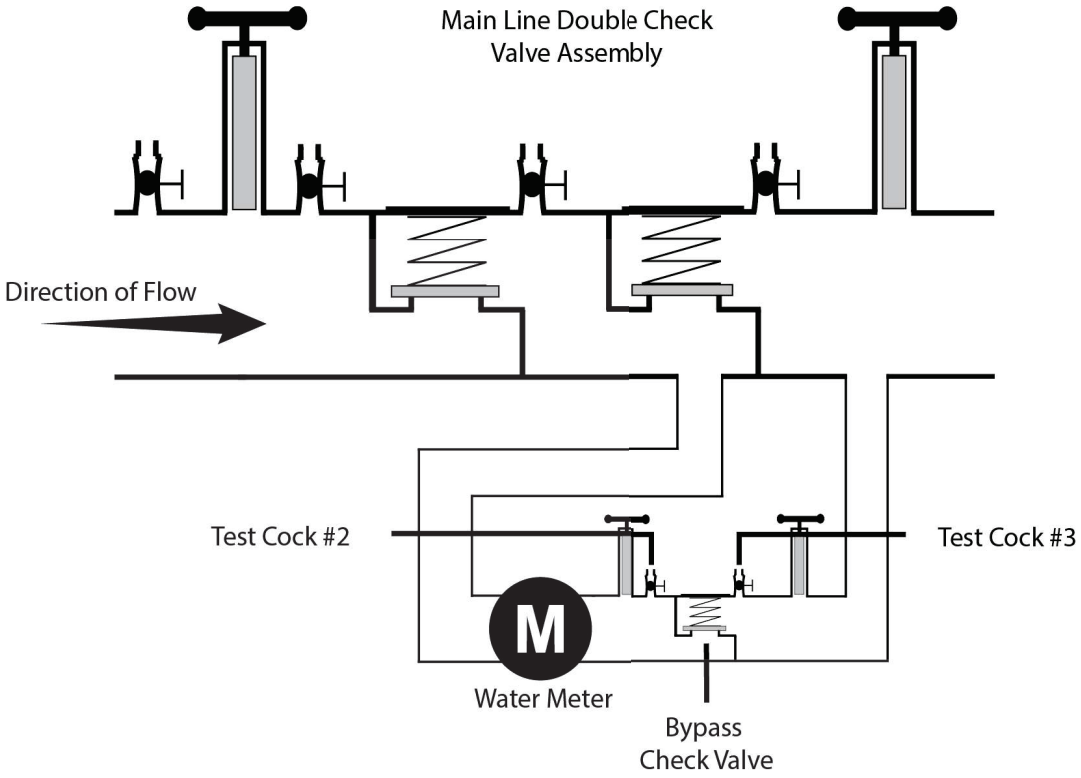


[1] © 2023 University of Southern California. Used with permission.

Appendix C

Diagram 2

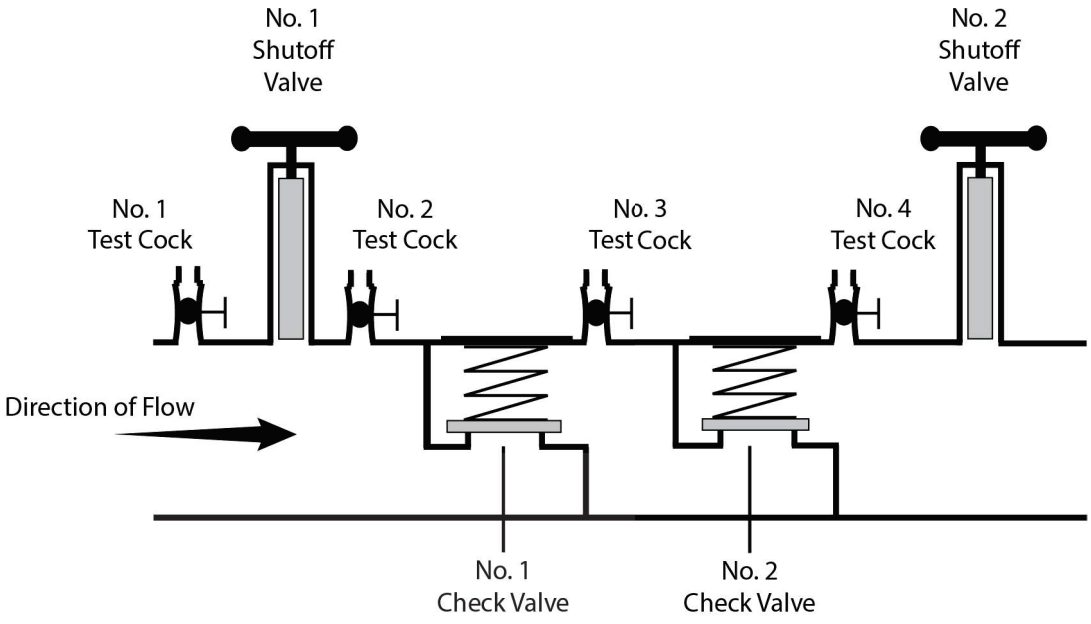
Double check detector backflow prevention assembly – type II [2]



[2] © 2023 University of Southern California. Used with permission.

Appendix C

Diagram 3
Double check valve backflow prevention assembly[3]

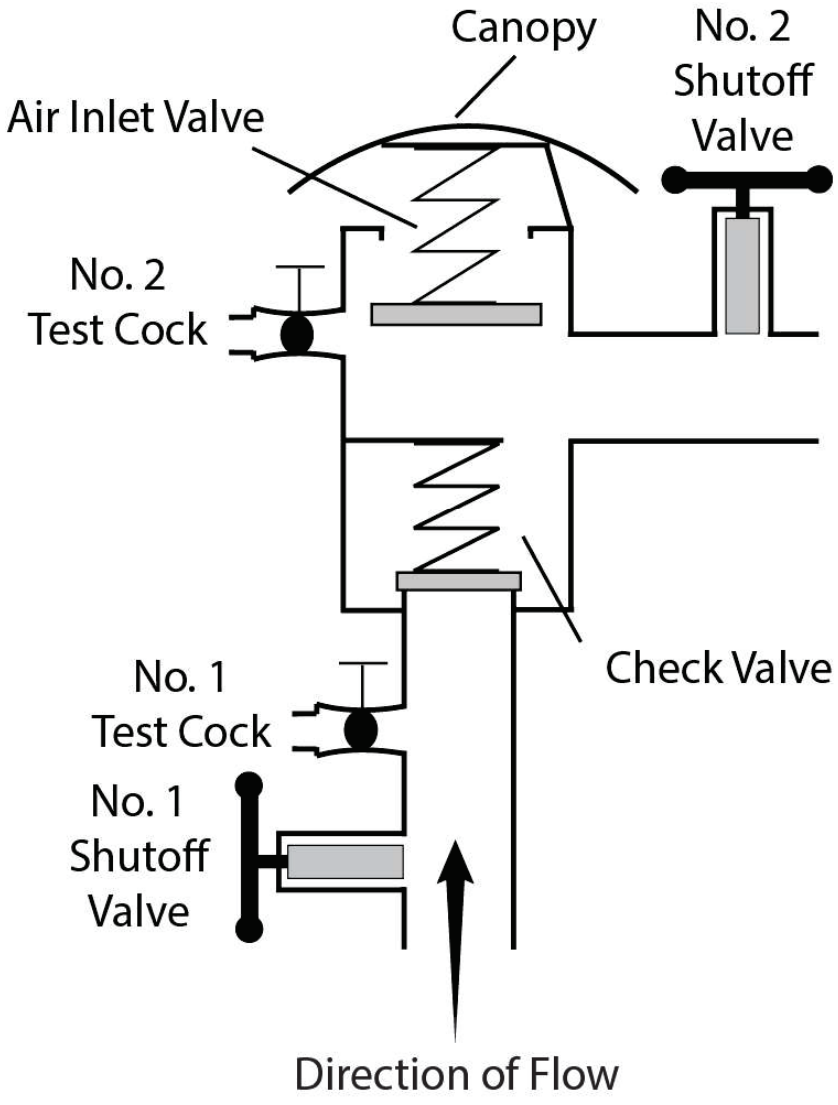


[3] © 2023 University of Southern California. Used with permission

Appendix C

Diagram 4

Pressure vacuum breaker backsiphonage prevention assembly [4]

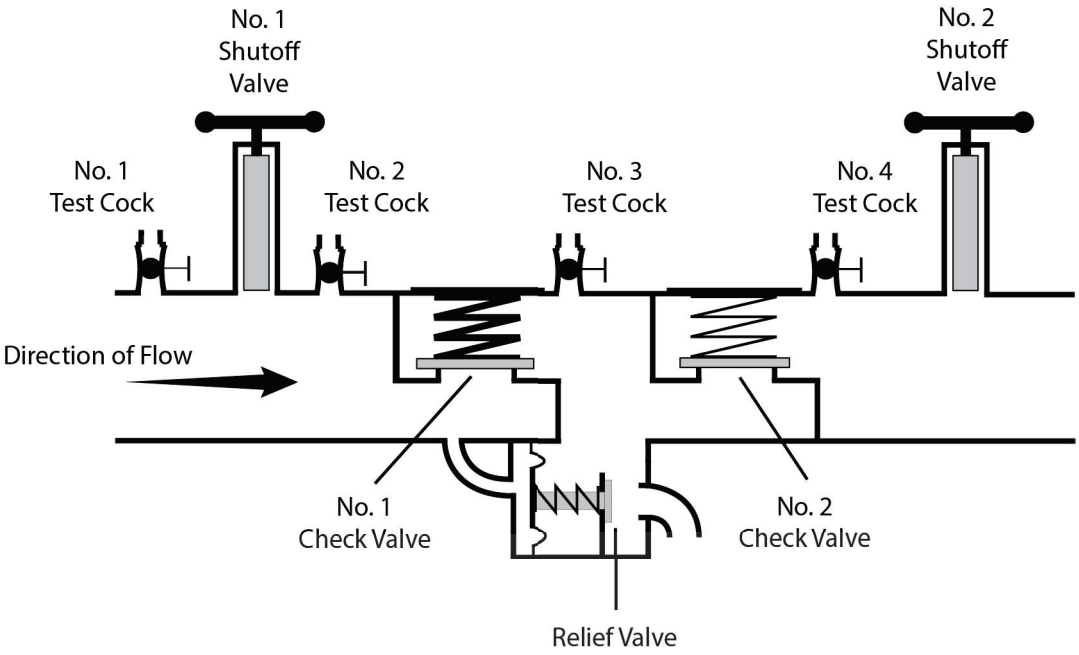


[4] © 2023 University of Southern California. Used with permission

Appendix C

Diagram 5

Reduced pressure principle backflow prevention assembly [5]

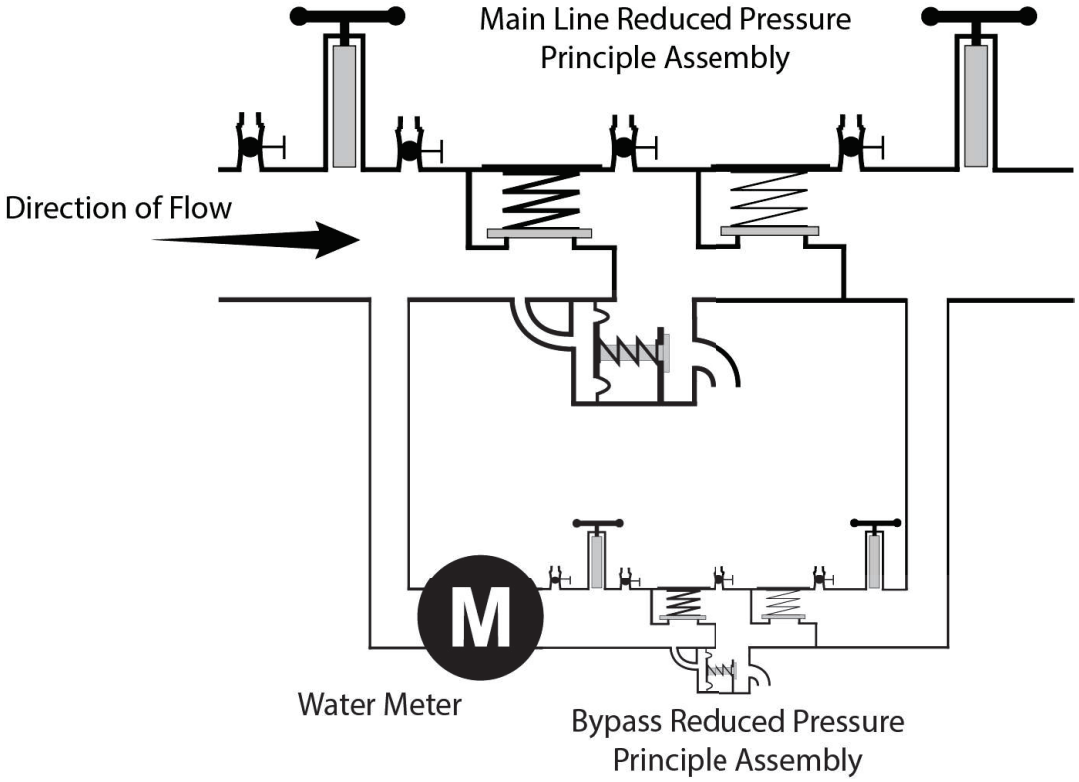


[5] © 2023 University of Southern California. Used with permission

Appendix C

Diagram 6

Reduced pressure principle detector backflow prevention assembly [6]

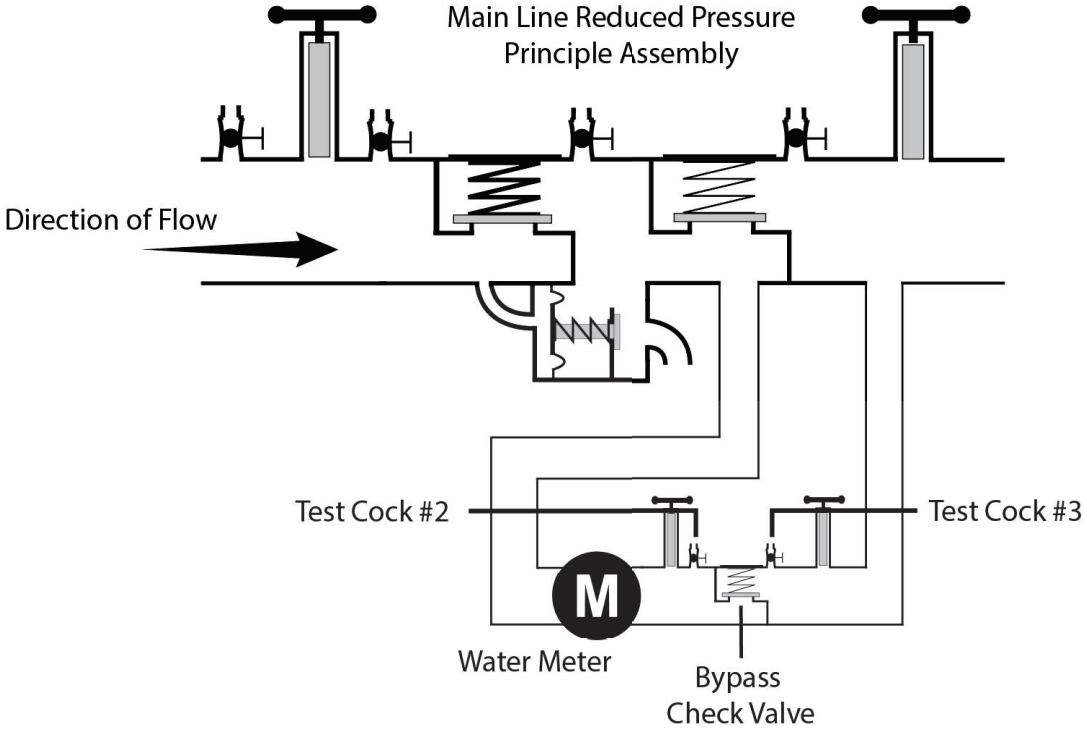


[6] © 2023 University of Southern California. Used with permission

Appendix C

Diagram 7

Reduced pressure principle detector backflow prevention assembly – type II [7]

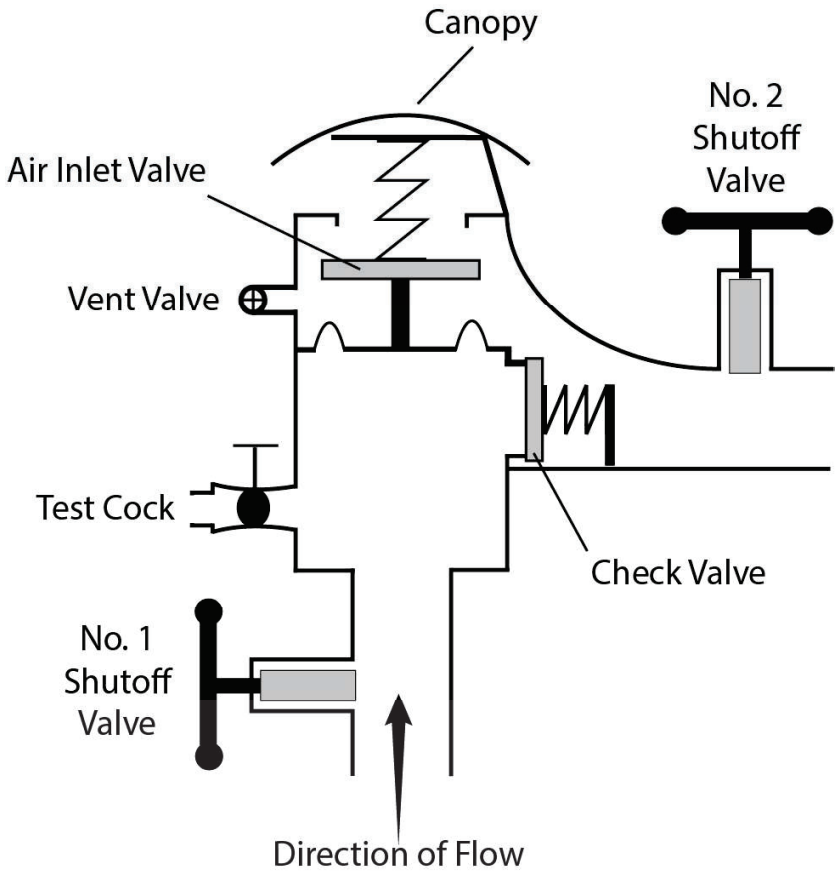


[7] © 2023 University of Southern California. Used with permission

Appendix C

Diagram 8

Spill-resistant pressure vacuum breaker backsiphonage prevention assembly [8]



[8] © 2023 University of Southern California. Used with permission

Appendix C

Swivel-Ell Design and Construction Criteria

The criteria below, in conjunction with the swivel-ell diagrams that follow (Diagrams 9a and 9b), are **minimum** acceptable design and construction-related requirements for utilizing a swivel-ell. For restrictions and allowances for utilizing a swivel-ell, see CCCPH section 3.2.2.

A. Prior to operation of a swivel-ell, the PWS will receive approval for the design and construction plans of that swivel-ell from the State Water Board.

B. The drinking water supply must not, under any circumstances, be directly connected to the recycled water supply, nor be designed such that the recycled water use site could be supplied concurrently by a recycled water supply and a drinking water supply.

C. The drinking water supply line and the recycled water supply line must be offset (see Diagram 9b) in a manner that ensures a tee-connection, spool, or other prefabricated mechanical appurtenance(s) could not be readily utilized in lieu of the swivel-ell connection, nor result in the recycled water use site being supplied concurrently by recycled water and drinking water.

D. The recycled water supply line used in conjunction with the swivel-ell must be the only recycled water supply to the recycled water use area.

E. The swivel-ell must be located as close as practical to the public water system service connection, with the swivel-ell connection being located as close as practical to the RP upstream of the swivel-ell.

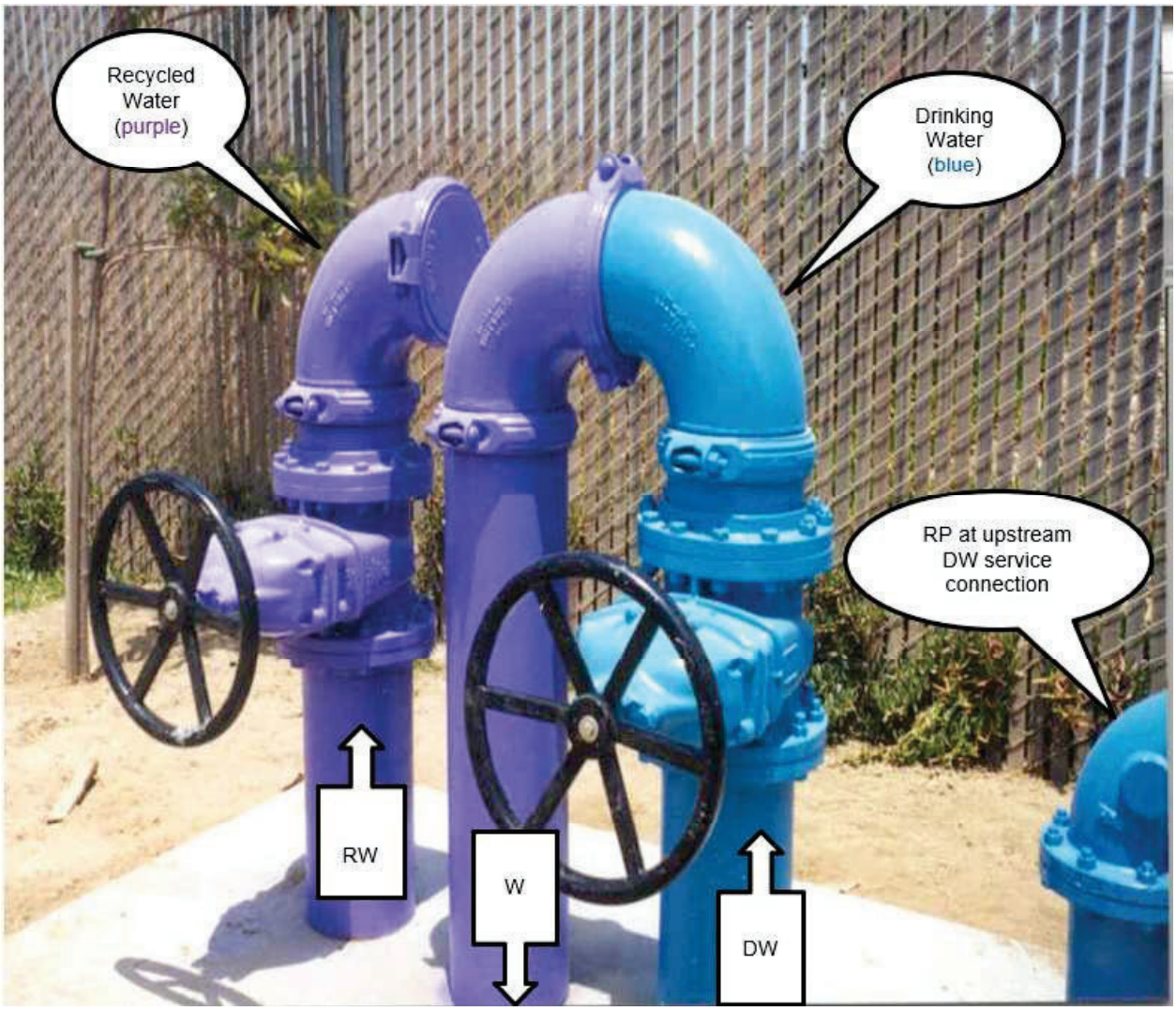
F. The swivel-ell must:

1. be located above ground;
2. be color-coded pursuant to section 116815 of the CHSC and its implementing regulations;
3. include appropriate signage, as required by regulation and the State Water Board;
4. be provided the security necessary to prevent interconnections, vandalism, unauthorized entry, etc.; and
5. be provided with meters on both the recycled water service and drinking water service connections.

Legend for Diagram 9a and 9b (also see next page)

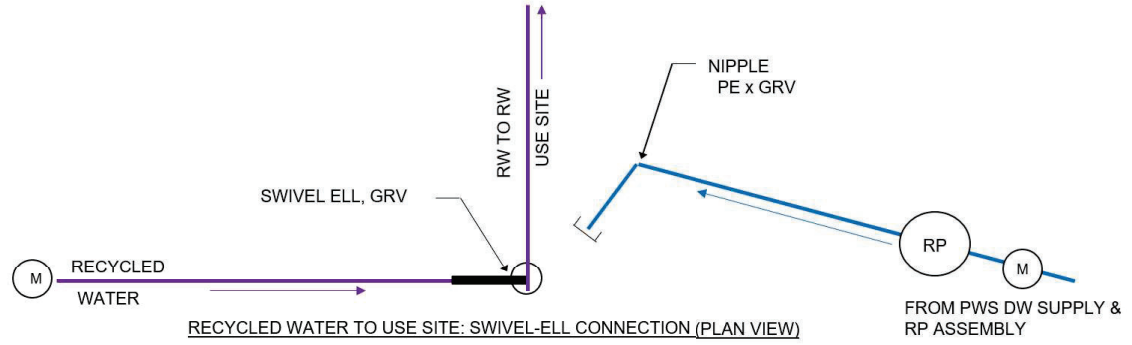
RP = Reduced pressure principle backflow prevention assembly
RW = Tertiary-treated recycled water originating from wastewater treatment facility
DW = Drinking water originating from a public water system
W = Water (tertiary recycled water **or** drinking water) to use site. As pictured, configured for supplemental drinking water to the use site.
M = Meter (*next page*)
PE = Plain End (*next page*)
GRV = Groove (*next page*)
PWS = Public Water System (*next page*)

Diagram 9a: Example Swivel-Ell Pictorial (also see Plan View Schematics)

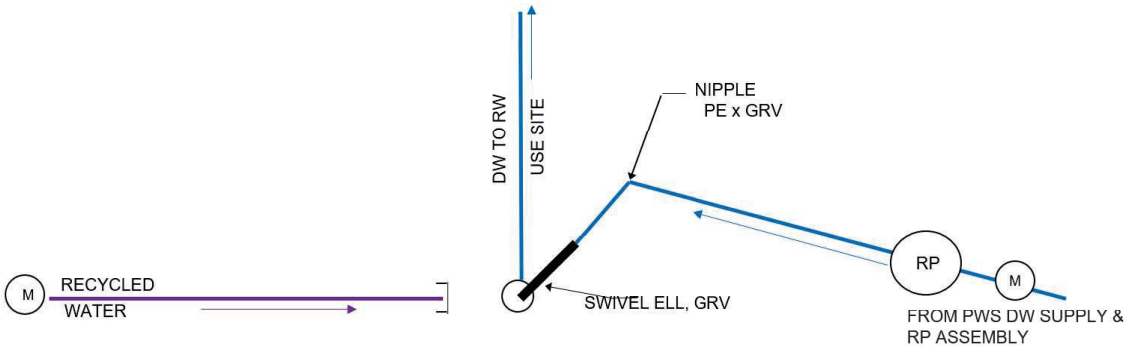


Note: The RP, a required component of an acceptable swivel-ell, is not shown in the picture.

Diagram 9b: Swivel-Ell Typical Plan View Schematics
(not intended to be an exact portrayal of the pictorial)



RECYCLED WATER TO USE SITE: SWIVEL-ELL CONNECTION (PLAN VIEW)



POTABLE WATER TO USE SITE: SWIVEL-ELL CONNECTION (PLAN VIEW)

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Appendix D

High Hazard Premises

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APPENDIX D

HIGH HAZARD CROSS-CONNECTION CONTROL PREMISES

The list below identifies premises that require backflow protection provided by an air gap or a reduced pressure principle backflow prevention assembly, unless noted otherwise. The list below is not intended to be all-inclusive. A PWS, State Water Board, or local health agency may require an AG, RP, or both to protect a PWS from other hazards not listed below and identified in premises through the hazard assessment completed in CCCPH Chapter 3, section 3.2.1. A PWS may reduce or increase the minimum protection required for a previously hazard-assessed user premise following a hazard reassessment as described in CCCPH Chapter 3, section 3.2.1.

1. Sewage handling facilities
2. Wastewater lift stations and pumping stations
3. Wastewater treatment processes, handling, or pumping equipment that is interconnected to a piping system connected to a PWS (+)
4. Petroleum processing or storage plants
5. Radioactive material storage, processing plants or nuclear reactors
6. Mortuaries
7. Cemeteries
8. Sites with an auxiliary water supply interconnected with PWS (+)
9. Sites with an auxiliary water supply not interconnected with PWS
10. Premises with more than one connection to the PWS (++++)
11. Recycled water (++)(+++)
12. Recycled water interconnected to piping system that contains water received from a PWS (+)
13. Graywater systems, as defined in California Water Code Section 14876, that are interconnected to a piping system that is connected to a PWS
14. Medical facilities
15. Kidney dialysis facilities
16. Dental office with water-connected equipment
17. Veterinarian facilities
18. Chemical plants
19. Laboratories
20. Biotech facilities
21. Electronics manufacture
22. Dry cleaner facilities
23. Industrial or commercial laundry facilities
24. Metal-plating facilities
25. Business park with a single meter serving multiple businesses
26. Marine-port facilities
27. Car wash facilities
28. Mobile home park, RV park, or campgrounds with RV hookups

29. Hotels/motels
30. Gas stations
31. Fire stations
32. Solid waste disposal facilities
33. Pet groomers
34. Agricultural premises
35. Hazard assessment access denied or restricted
36. Railroad maintenance facilities
37. Incarceration facilities (e.g. prisons)
38. Temporary connections to fire hydrants for miscellaneous uses, including construction
39. Private water distribution mains
40. Drinking water storage tank overflow connected to a sump or storm drain (+)
41. Airports

(+) Premise isolated by air gap only except as allowed through CCCPH Section 3.2.2(c)

(++) Dual-plumbed use areas established per CCR Title 22, Section 60313 through 60316.

(+++) Residences using recycled water for landscape irrigation as part of an approved dual plumbed use area established pursuant to CCR Title 22, sections 60313 through 60316 shall use, at a minimum, a DC. If the water supplier is also the supplier of the recycled water, then the recycled water supplier may obtain approval of the local public water supplier or the State Water Board, to utilize an alternative backflow protection plan that includes an annual inspection of both the recycled water and potable water systems and an annual cross-connection test of the recycled water and potable water systems pursuant to subsection 60316(a) in lieu of any BPA.

(++++) All connections must receive at least the same level of protection excluding fire protection when connected to the PWS distribution system (e.g. if one connection requires an RP then all connections must have RPs installed).

Appendix E

General Range of Knowledge for Cross-Connection Control Specialists

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APPENDIX E

General Range of Knowledge for Cross-Connection Control Specialists

To effectively prevent unintended backflow into a PWS's distribution system, it is necessary for a cross-connection control specialist to have an understanding of a range of subjects related to cross-connection control. This appendix provides a list of such subjects.

This appendix is not meant to preclude instruction of additional subjects that may be necessary or beneficial to the goal of a prospective or existing cross-connection control specialist in being proficient in protecting public health from backflow through cross-connection control measures. Emphasis on particular subjects should be in a manner that best achieves that goal.

(a) GENERAL

(1) Cross-connection control terminology.
(2) The history leading to the need for cross-connection control, including causes, impacts, including but not limited to:

(A) potable water distribution systems;
(B) examples of backflow incidents and actual or potential public health impacts; and
(C) evolution of methods of cross-connection control and backflow prevention assemblies.

(3) Hydraulics (general) – An understanding of hydraulic gradients, pressure variations, flow rates, temperature, the properties of water, backsiphonage, backpressure, and other elements necessary to understand the causes for backflow.
(4) Public outreach – How to appropriately convey the value of cross-connection control to PWS personnel and the public.

(b) LAWS, REGULATIONS, AND GUIDANCE

(1) Federal – Applicable federal laws, regulations, and guidance.
(2) State – California laws and regulations, including, but not limited to, the State Water Resources Control Board's most recent edition of its *Cross-Connection Control Policy Handbook* and other requirements related to cross-connection control.
(3) Local – An understanding of the need to ensure local requirements are considered and how best to find such requirements.

(c) HAZARD ASSESSMENTS AND METHODS TO PREVENT BACKFLOW

A comprehensive understanding of how to conduct cross-connection surveys of water systems for the purpose of identifying cross-connections, assessing hazards, and identifying the most effective and legally appropriate methods for protection from backflow. At a minimum, the following topics should be considered to achieve such an understanding:

(1) Surveys:

(A) Preparation (e.g., authority, notification, prioritizing customers/premises, coordinating with public water systems, etc.);
(B) Design and as-built drawings related to water supply and cross-connection control;
(C) Public water system schematics;
(D) How to identify existing and new construction, with an understanding of how construction may impact backflow protection;
(E) How to identify cross-connections (actual and potential);
(F) How to identify and differentiate between high hazard and low hazard cross-connections; and
(G) Problems associated with multi-story buildings, multiple service connections at a premises, typical water-use equipment, etc., and varying types of water service, including irrigation, recycled water, gray water, fire prevention systems, and dual plumbed premises.

(2) Assessing Hazards:

(A) Identifying and differentiating between premises activities leading to high hazard cross-connections and low hazard cross-connections (for examples of high hazard activities, see Appendix D); and
(B) Understanding potential public health impacts from backflow associated with the problems in section (c)(1)(G) of this appendix.

(3) Assemblies and Methods for Backflow Prevention:

(A) A comprehensive understanding of approved methods for cross-connection control and preventing backflow with respect to an assessed hazard;
(B) Identifying unapproved methods for cross-connection control and preventing backflow;
(C) An understanding of components, design and operation, proper installation and location of backflow prevention assemblies, including air gaps, and backflow prevention assembly field test methods, field test results, and the assessment of air gaps; and
(D) Identifying unapproved assemblies, as well as those assemblies whose operation and/or state of repair necessitates replacement with an approved assembly.

(d) CROSS-CONNECTION CONTROL PROGRAMS

A comprehensive understanding of the development, elements, and administration of cross-connection control programs, including, but not limited to:

(1) An ability to assess the federal, state, and local requirements applicable to a public water system's cross-connection control program, such that adherence to the cross-connection control program would result in compliance with the requirements;
(2) The roles, responsibilities, and authority of individuals and entities involved in the critical elements of a successful plan for cross-connection control (see CCCPH section 3.1.4); and
(3) The ability to assess the components of a public water system's Cross-Connection Control Plan (see CCCPH section 3.1.4) that best assures the prevention of undesired backflow into the public water system's distribution system, and to communicate deficiencies to public water system personnel.

(e) CROSS-CONNECTION TESTS

A comprehensive understanding of:

(1) The purpose of a cross-connection test and when a cross-connection test should be performed;
(2) The ability to develop protocols and make arrangements for cross-connection tests, and subsequently oversee and/or perform such cross-connection tests, in a manner that determines whether interconnections exist between unapproved sources and approved water supplies; and
(3) Follow-up actions and notifications if a cross-connection test indicates an interconnection.

(f) RECORDKEEPING AND INCIDENT RESPONSE

A comprehensive understanding of:

(1) The agencies and authorities to be notified in the event of a backflow incident;
(2) How to determine the cause of a backflow incident and the actions necessary to prevent similar incidents in the future;
(3) How to properly document a backflow incident, including but not limited to the information in the example backflow incident response form in Appendix F; and
(4) How to properly document the elements associated with surveys and hazard assessments, including those identified in section (c) of this appendix.

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Appendix F

Example Backflow Incident Reporting Form

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BACKFLOW INCIDENT REPORT FORM

Water System: _____

Water System Number: _____

Incident Date: _____

Incident Time (if known):_____

Incident Location: _____

How was the incident discovered?

_____

Backflow Originated from:

Premise Location: _____

Address: _____

Premise Contact Person: _____ Title:_____

Phone:_____ Email: _____

Connection Type: (please check one)

□ Industrial □ Commercial □ Single-Family Residential □ Multi-Family Residential

□ Irrigation □ Recycled Water □ Water System Facility

□ Other: _____

Description and source of backflow substance (please be as descriptive as possible):

_____

_____

If available, please attach an MSDS or other chemical description form

Was the backflow fluid contained within the user side? YES □ NO □

Estimated Number of Affected Persons: _____

Number and description of consumer complaints received:

_____

_____

Did any consumers report illness? Please describe.

_____

_____

If applicable, please describe the consumer notification:

_____

_____

INVESTIGATION

Please describe the water system investigation including time frames:

_____
_____
_____
_____
_____
_____

What was the area system pressure? _____

Is this within typical range: YES ☐ NO ☐ - typical pressure: _____

Was a sample of the water contaminated by the backflow incident collected and stored before flushing? YES ☐ NO ☐

Please describe all sampling:

_____

_____

_____

DDW recommends laboratory or field sampling for the following parameters: total coliform, E. coli, free and total chlorine residual, pH, odor, turbidity, temperature, and color. Additional sampling should be collected at the PWS and regulatory agency's discretion.

CORRECTIVE ACTIONS

Please describe the corrective actions taken by the water system:

_____
_____
_____
_____
_____
_____

Was the chlorine residual increased after discovery of backflow incident? YES ☐ NO ☐

Date of the last cross-connection control hazard assessment of the premise with the backflow incident conducted: _____

Did the premise have backflow prevention assemblies? YES ☐ NO ☐

Date of most recent backflow prevention assembly test(s): _____

When was the Division of Drinking Water or Local County Health office notified?

Date: _____Time: _____ Contact Person: _____

Was the Division or Local County Health notified within 24 hours? YES ☐ NO ☐

Other agencies or organizations contacted?

CERTIFICATION

Name: _____ Job Title: _____

Certification(s): _____

_____

Please list all cross-connection control related certifications including number and expiration date

I certify that the forgoing information is true and correct to the best of my ability.

Signature: _____ Date: _____

Attach the following applicable documentation

1. Laboratory Test Results
2. Sketch of the cross-connection and modifications
3. MSDS or chemical information forms if chemical hazard is known
4. Applicable backflow assembly test reports including the most recent test before the incident
5. Other relevant supporting documentation

Appendix G

Related Statutes and Regulations

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The following laws and regulations are considered related or tangential to the CCCPH, and are included in a descriptive format to provide additional, relevant background information

California Laws and Regulations

In addition to the California SDWA statutory requirements cited in CCCPH Chapter 1, section 1.3.1, California has statutes addressing certain authorities and requirements that may have influenced the CCCPH or may otherwise be of interest.

- Urban and community water systems must have a written policy on discontinuation of residential service for nonpayment and must not discontinue residential service for nonpayment if certain conditions are met. (CHSC sections 116900 – 116926)

- Senate Bill 1263 (2017) requires that before a person submits an application for a permit for a proposed new public water system, the person shall first submit a preliminary technical report which must include a cost comparison of a new public water system and consolidations with an existing system. (CHSC section 116527)

- Effective June 24, 2015, Senate Bill 88 (SB 88) (Statutes 2015, Chapter 27) added sections 116680-116684 to the CHSC, allowing the State Water Board to require certain water systems that consistently fail to provide safe drinking water to consolidate with, or receive an extension of service from, another public water system. The consolidation can be physical or managerial.

- Local health officers may maintain programs for the control of cross-connections by water users, within water users' premises, where public exposure to backflow may occur. Such programs may include water user premises inspections, collection of fees, certification of backflow prevention assembly[1] (BPA) testers, and other discretionary elements. Local health officer BPA tester certification standards must be consistent with the standards prescribed in the CCCPH. Water users are required to comply with all orders, instructions, regulations, and notices from the local health officer regarding installation, testing, and maintenance of a BPA. (CHSC sections 116800 - 116820).

- Pursuant to the California Building Standards Law (CHSC sections 18901 - 18949.31), the California Building Standards Commission (CBSC) must administer the processes related to the adoption, approval, and publication of regulations referred to as the California Building Standards Code (Title 24, California Code of Regulation). Title 24 serves as the basis for the minimum design and construction

[1] California statutes use a variety of terms when referencing a 'backflow prevention assembly' (e.g., backflow protective device, backflow protection equipment, backflow prevention device, backflow or back siphonage protection device, backflow preventer, or backflow device). For consistency with industry terminology, 'backflow prevention assembly' is used in the CCCPH, unless directly quoted otherwise.

of buildings in California and includes the California Plumbing Code (Part 5 of Title 24), which contains requirements pertaining to cross-connection control and backflow prevention.

- A BPA intended to convey or dispense water for human consumption via drinking or cooking must meet California's "lead free" requirements. (CHSC section 116875)

- Limits are established for the installation of backflow protection equipment where automatic fire sprinkler systems are utilized. (CHSC section 13114.7)[2]

- Cross-connection control must be addressed in engineering reports that are required (CCR Title 22, section 60323) for recycled water projects. (Wat. Code section 13552.8)

- If a public agency requires the use of recycled water for toilet and urinal flushing in a structure (except certain mental health facilities), the public health agency must prepare an engineering report that addresses cross-connection control. (Wat. Code section 13554)

- Prior to indoor use of recycled water in a condominium project, the entity delivering the recycled water must submit a report, for State Water Board[3] approval, and include the following related to cross-connection control (Wat. Code section 13553(d)(1)):

    - The condominium project must be provided with a backflow prevention assembly approved by the State Water Board.

    - The backflow prevention assembly must be inspected and tested annually by a certified tester.

    - The condominium project must be tested by the recycled water agency or local agency at least once every four years for indications of possible cross-connections between the condominium's potable and non-potable systems.

- California's Department of Water Resources was required to convene a task force, known as the 2002 Recycled Water Task Force, to identify constraints, impediments, and opportunities for the increased use of recycled water and report

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[2] CHSC section 13114.7 historically provided potential limits for backflow prevention assemblies on fire sprinklers. Even though current standards differ from the language stated in CHSC section 13114.7, it is still being provided as a historical reference as there may still be installations with the now outdated limits established in section 13114.7

[3] The California Department of Public Health's authority and responsibility pertaining to this reference was transferred to the State Water Board via Senate Bill 861 (2014, Chapter 35). As such, applicable statutory mandates that may refer to "California Department of Public Health" or "Department" may be referred to as "State Water Board" in this document.

to the Legislature by July 1, 2003. The task force was also asked to advise and make recommendations concerning cross-connection control, including the applicability of visual inspections instead of pressure tests for cross-connections between potable and non-potable water systems. (Wat. Code section 13578(b)(1). The final report[4] provided the following recommendations to the State Water Board – Division of Drinking Water (Division):

- Prepare guidance on dual plumbed regulations (22 CCR sections 60313-60316) consistent with Appendix J of plumbing code (Chapter 15 of 2019 California Plumbing Code, formerly Chapter 16A).
- Support thorough assessment of risk associated with cross-connections between disinfection tertiary recycled water and potable water.
- Ensure uniform interpretation of cross-connection control requirement of Title 22 regulations (recycled water) and Title 17 (cross-connection control regulations)
- Recommend stakeholders to review draft Title 17 regulations.

- A person engaged in the salvage, purchase, or sale of scrap metal who knowingly possesses a backflow prevention assembly (or connections to the assembly or any part of the assembly), or who failed to report the possession of such items, which was previously owned by a utility or public agency, is guilty of a crime. (Pen. Code section 496e)

- Junk dealers or recyclers who possess a backflow prevention assembly (or connections to that assembly or any part of the assembly) without a written certification from the agency or utility owning or previously owning the assembly will be liable to the agency or utility for the wrongful possession. (Civ. Code section 3336.5 and, similarly, Bus. & Prof. Code section 21609.1)

Please note that a number of the codes, regulations, and statutes cited above are implemented under the authority of regulatory entities other than the State Water Board and would therefore be beyond the scope of this CCCPH. The intent of providing such citations is to increase general awareness with respect to other potential statutory requirements associated with cross-connection control. The list is not exhaustive and does not include other requirements that may exist, including those via regulations that may have been adopted by an appropriate regulatory entity.

Federal Laws and Regulations

[4] California Department of Water Resources. (2003). *Water Recycling 2030: Recommendations of California's Recycled Water Task Force*

All suppliers of domestic water to the public are subject to regulations adopted by the U.S. Environmental Protection Agency (EPA) under the U.S. Safe Drinking Water Act (SDWA) of 1974, as amended (42 U.S.C. section 300f et seq.), as well as by the State Board under the California SDWA (Health & Saf. Code, div. 104, pt. 12, ch. 4, section 116270 et seq.). Additionally, the State Water Board has been delegated primacy - the responsibility and authority to administer U.S. EPA's drinking water regulations within California – on the condition that California adopt enforceable requirements no less stringent than U.S. EPA's.

The U.S. EPA currently has no distinct cross-connection control requirements that apply broadly to public water systems (PWS); however, the importance of cross-connection control is evident by the issue papers and guidance documents developed by U.S. EPA and their recognition that cross-connections and backflow represent a significant public health risk (see discussion in Chapter 2). Although U.S. EPA currently has no distinct cross-connection control requirements, the subject of cross-connection or backflow prevention assemblies is included in the U.S. SDWA and the Code of Federal Regulations (C.F.R.) in relation to PWS, including the following:[5]

- If used exclusively for non-potable services, a backflow prevention assembly (BPA) is exempt from the federal lead prohibitions. (42, U.S.C. section 300g)
- Allows increasing disinfectant concentrations in a PWS distribution system in the event of a cross-connection (backflow) event. (40 C.F.R. section 141.130(d))
- Proper maintenance of the distribution system, including cross-connection control, is identified as a best available technology (BAT) for microbial contaminant control. (40 C.F.R. section 141.63(e))
- Under the federal Revised Total Coliform Rule, a PWS having a cross-connection control program is one of the enhancements necessary to reduce monitoring for a PWS that had been under an increased monitoring frequency. (40 C.F.R. section 141.854(h)(2))
- Under the federal Revised Total Coliform Rule, a PWS having a cross-connection control program is a criterion for a state to allow a reduced monitoring frequency (40 C.F.R. section 141.855(d)(1))
- If a state allows the monitoring frequency reductions previously mentioned under the federal Revised Total Coliform Rule, a state is required to include in its primacy package to U.S. EPA how a PWS will be required to demonstrate cross-connection control. (40 C.F.R. section 142.16(q))

[5] For requirements unrelated to cross-connection control, please consult California's laws and regulations specific to the topic of interest. California may have more stringent requirements (e.g., reduced monitoring allowed via federal regulations may be prohibited in California).

EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Ana Maria Torres-Mondragon, Human Resources Manager
Karla Prince-Cheng, Management Analyst

SUBJECT: Authorize the award and execution of multiple contracts for Human Resources Support Services, each for a five-year term, for services with a cumulative Not-to-Exceed (NTE) amount of $400,000

Recommendation

Adopt a resolution:

1. Authorizing the City Manager to award, negotiate, and execute agreements with CPS-HR, Sloan Sakai, Layla Jayne Consulting LLC EDWOSB, and Muchmore Than Consulting LLC for five-year contracts, in forms approved by the City Attorney, for Human Resources Support Services, in a cumulative amount not-to-exceed amount of $400,000; and

2. Finding that the proposed actions do not constitute “projects” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that they are governmental fiscal, organizational, or administrative activities that will not result in direct or indirect changes in the environment.

Executive Summary

The City of East Palo Alto HR Division issued a request for proposals (RFP) for Comprehensive Human Resources Support Services. The City received six proposals and conducted a thorough evaluation process to assess each firm’s work plan, scope of work, experience, costs, and responsiveness to the RFP. Staff recommends the City Council authorize the City Manager to award, negotiate, and execute contracts with the four highest-rated firms.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

Priority: Governance, Organizational Strength, and Fiscal Sustainability

Background

The City of East Palo Alto's Human Resources (HR) Division provides comprehensive, citywide personnel services that support all departments. These services include classification and compensation management, employee and labor relations, recruitment and selection, policy and compliance, and organizational development. To sustain this level of service and maintain access to specialized technical expertise, the City has historically relied on the services of outside consultants with an expertise in labor relations and employee relations support, recruitment and selection services, FEHA/ADA compliance and interactive process case management, policy development and compliance, organizational development and training, classification and compensation analysis.

Analysis

On September 12, 2025, City staff posted to the City's website a request for proposals (RFP) for HR Support. Staff's intent is to find HR specialty firms that provide the City with a flexible structure to access specialized expertise as needed while maintaining fiscal control and operational continuity.

This RFP did not include executive search or recruitment of department head–level positions. Instead, it focused on day-to-day position support, classification and compensation work, and other ongoing HR operational needs that require specialized expertise or overflow capacity. Such support services allow the HR Division to continue delivering high-quality, citywide services while leveraging external consultants on an as-needed basis to support areas where specialized knowledge, compliance risk, or workload volume exceeds available in-house resources.

On September 26, 2025, the RFP submittal due date, the City received six proposals in response to the RFP. Two evaluators, the Human Resources Manager and the Human Resources Management Analyst, reviewed the proposals for Sloan Sakai, Elevate Consulting, MGT, Layla Jayne Consulting LLC, EDWOSB, and Muchmore Than Consulting, LLC, based on the selection criteria outlined in the RFP:

- Cover letter and Executive Summary (5 points)
- Experience and Qualifications of Consultant/Team Members (30 Points)
- Understanding of Project Scope (15 Points)
- Rates and Costs (10 Points)
- Reference Review (30 Points)

Following review of the proposals, staff also reviewed references. Staff recommends awarding contracts to the following four firms due to their extensive experience with many municipal entities; their deep understanding of our internal processes, structure, and institutional knowledge as well as best practices in the industry; and their exceptional references. The firms

bring an aggregated total of 101 years of experience in the field with proven track records. More specifically:

1. **Sloan Sakai:** A large business with over 21 years of experience that provides a wide array of legal and consulting services to public agencies and non-profits. They have expertise in recruitment and selection, labor relations, performance management, training and professional development, HR policies and compliance, and full-service Disability Leave Management (DLM)/interactive process.

2. **CPS-HR:** A large business with over 40 years of experience in employee relations, mediation, updating policies and procedures, conducting classification and compensation studies, and union communications.

3. **Muchmore Than Consulting, LLC.:** A small woman-owned firm with over 20 years combined experience, specializing in DLM case management – including the interactive process, handling grievances and complaints, facilitating conflict de-escalation and resolution, and providing disciplinary and mediation support.

4. **Layla Jane Consulting, LLC., EDWOSB:** A small woman- and minority-owned firm with over 20 years of combined experience recruitment and selection, labor relations and bargaining support, performance management and grievance handling, DLM case management, training and professional development, HR policies and compliance monitoring, data analysis and HR metrics.

Staff does not intend for any single consultant to manage all areas of work listed in the RFP. Instead, contracts will be used on an as-needed basis at the discretion of the City Manager (or designee) depending on the nature of the assignment, consultant availability, and demonstrated subject matter expertise.

Fiscal Impact

There is no fiscal impact for this item. The total not-to-exceed amount of $400,000 over five years will be funded through the Human Resources Division's operating budget. Costs will be allocated across fiscal years based on utilization. No additional appropriation is required at this time.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The proposed action does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational or administrative activity that will not result in

direct or indirect changes in the environment.

Government Code § 84308

Applicability of Levine Act: No, as the proposed action is an amendment to a competitively bid contract.

Analysis of Levine Act Compliance: Not applicable.

Attachments

1. Resolution.

RESOLUTION NO. XX– 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO

APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD, NEGOTIATE, AND EXECUTE AN AGREEMENT WITH CPS-HR, SLOAN SAKAI, LAYLA JAYNE CONSULTING LLC EDWOSB, AND MUCHMORETHANCONSULTING LLC FOR FIVE-YEAR CONTRACTS, IN FORMS APPROVED BY THE CITY ATTORNEY, FOR HUMAN RESOURCES SUPPORT SERVICES, IN A CUMULATIVE AMOUNT NOT-TO-EXCEED $400,000.

WHEREAS, HR support contracts provide the City with a flexible structure to access specialized expertise as needed while maintaining fiscal control and operational continuity; and

WHEREAS, this structure also allows the City to control costs; and

WHEREAS, staff posted a request for proposals (RFP) for HR support services on September 12, 2025, and received six proposals on September 26, 2025; and

WHEREAS, staff reviewed those proposals for demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required and now recommends award to four firms.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Palo Alto hereby:

1. Finds the foregoing recitals are true and correct, and are incorporated by this action; and

2. Authorizes the City Manager to award, negotiate, and execute agreements with CPS- HR, Sloan Sakai, Layla Jayne Consulting LLC EDWOSB, and MuchMoreThanConsulting LLC for five-year contracts, in forms approved by the City Attorney, for Human Resources Support Services, in a cumulative amount not-to-exceed $400,000; and

3. Finds the proposed actions do not constitute “projects” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that they are governmental fiscal, organizational or administrative activities that will not result in direct or indirect changes in the environment.

[Continued on next page]

PASSED AND ADOPTED this 2nd day of December 2025**,** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Martha Barragan. Mayor

ATTEST:

James Colin, City Clerk

APPROVED AS TO FORM:

John D. Lê, City Attorney

EAST PALO ALTO CITY COUNCIL
STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: James Colin, City Clerk

SUBJECT: City Council's Proposed Schedule for 2026

Recommendation

Pursuant to Resolution No. 5061, by motion, approve the 2026 City Council meeting schedule in Attachment 1.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

Priority: Governance, Organizational Strength, and Fiscal Sustainability

Background

Pursuant to the East Palo Alto Municipal Code Section 2.08.010, it is the intention of the City Council to set the date and time of all meetings of the City Council by resolution. With this item, staff seeks to provide a report on the proposed meeting schedule for the City Council in 2026. After deliberation, staff is requesting that the 2026 City Council meeting schedule, as set forth in Attachment 1, be approved and set by resolution, subject to any changes made by the Council.

CONSENT ITEM 3.3

Regular Meetings

Pursuant to Resolution No. 5061, all regular meetings are to be held the first and third Tuesdays of the month with the following exceptions:

- **August Meetings (4 & 18)** – In keeping with past practice, staff recommends removing all August meetings in observance of the traditional August recess.

Staff also recommends three calendar adjustments in recognition of cultural and religious observances within our community. Staff recommends the late February Regular City Council Meeting be postponed to **Tuesday, February 24, 2026**, in observance of Chinese New Year; the second May Budget Study Session be rescheduled to **Thursday, May 21, 2026,** in observance of Eid Al-Adha; and the Council Reorganization meeting be rescheduled to **Thursday, December 17, 2026**, rather than being on the week of Christmas. Also, due to the election on November 3, 2026, staff recommends the first meeting in November be postponed until **Tuesday, November 10, 2026**.

Special Study Sessions

Special Study Sessions are scheduled to provide the Council with ample time to discuss specific topics or projects, including future development, infrastructure, and City finances, amongst other items. In 2025, the City Council reserved six dates for Study Sessions and as such was able to advance several key City initiatives.

In keeping with past practice, staff is recommending that the City Council schedule six study sessions/special meetings, with the addition of one meeting for the City Council Team Building and one for the City Council Reorganization, as follows:

- Saturday, February 7 @ 9:00 a.m. (City Council Team Building)
- Tuesday, March 24 @ 6:00 p.m.
- Tuesday, June 9 @ 6:00 p.m.
- Tuesday, June 30 @ 6:00 p.m.
- Tuesday, July 28 @ 6:00 p.m.
- Tuesday, September 29 @ 6:00 p.m.
- Tuesday, December 8 @ 6:00 p.m.
- Thursday, December 17 @ 6:00 p.m. (Council Reorganization)

Special Budget Meetings

Similar to study sessions/special meeting schedule, budget meetings are set specifically to ensure ample review time of the City's budget, which needs to be adopted by the June 2, 2026, Regular City Council meeting. Scheduling two meetings solely for the budget allows the City to adopt a budget before the end of the fiscal year. The special budget meetings are set for:

- Tuesday, May 12 @ 6:00 p.m.
- Thursday, May 21 @ 6:00 p.m. (only if required)

City Council Team Building

This year a City Council Team Building session is proposed to be scheduled for Saturday, February 7, 2026, from 9:00 a.m. to 1:00 p.m.

Public Notice

The public was provided notice of this agenda item by posting the City Council agenda on the City's official bulletin board outside City Hall and making the agenda and report available at the City's website and at the San Mateo County Library located at 2415 University Avenue, East Palo Alto.

Environmental

The proposed action does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational or administrative activity that will not result in direct or indirect changes in the environment.

Attachments

1. Proposed 2026 City Council Calendar
2. Resolution No. 5061

2026

CITY COUNCIL MEETING SCHEDULE

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	30	31	

JAN

6 - Regular Meeting @ 6:30 pm

20 - Regular Meeting @ 6:30 pm

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

FEB

3 - Regular Meeting @ 6:30 pm

7 - Team Building Retreat @ 9:00 am

24 - Special Meeting @ 6:30 pm

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

MAR

3 - Regular Meeting @ 6:30 pm

17 - Regular Meeting @ 6:30 pm

24 - Study Session @ 6:00 pm

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

APR

7 - Regular Meeting @ 6:30 pm

21 - Regular Meeting @ 6:30 pm

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

MAY

5 - Regular Meeting @ 6:30 pm

12 - Budget Meeting @ 6:00 pm

19 - Regular Meeting @ 6:30 pm

21 - Budget Meeting @ 6:00 pm

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JUN

2 - Regular Meeting @ 6:30 pm

9 - Study Session @ 6:00 pm

16 - Regular Meeting @ 6:30 pm

30 - Study Session @ 6:00 pm

2026

CITY COUNCIL MEETING SCHEDULE

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUL

7 - Regular Meeting @ 6:30 pm

21 - Regular Meeting @ 6:30 pm

28 - Study Session @ 6:00 pm

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUG

4 - Cancelled Meeting (Council Recess)□

18 - Cancelled Meeting (Council Recess)

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

SEP

1 - Regular Meeting @ 6:30 pm

15 - Regular Meeting @ 6:30 pm

29 - Study Session @ 6:00 pm

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

OCT

6 - Regular Meeting @ 6:30 pm

20 - Regular Meeting @ 6:30 pm

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

NOV

10 - Special Meeting @ 6:30 pm

17 - Regular Meeting @ 6:30 pm

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

DEC

1 - Regular Meeting @ 6:30 pm

8 - Study Session @ 6:00 pm

15 - Regular Meeting @ 6:30 pm

17 - Reorg Meeting @ 6:00 pm

RESOLUTION NO. 5061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO ESTABLISHING A NEW START TIME OF 6:30 PM FOR REGULAR CITY COUNCIL MEETINGS

WHEREAS, in 2001, the City Council adopted Resolution No. 1860 establishing that regular City Council meeting take place on the first and third Tuesdays of the month and commence at 6:30 pm; and

WHEREAS, at the December 4, 2018 City Council meeting, the Council directed City staff to bring forth a resolution changing the regular City Council meeting start time to 6:30 pm on the first and third Tuesdays of every month except for Council recess; and

WHEREAS, the City Council hereby finds and determines that it is in the public interest to establish an earlier start time for regular City Council meetings.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO HEREBY:

1. Affirms that regular City Council meetings take place on the first and third Tuesdays of the month;
2. Establishes a new start time of 6:30 pm for regular City Council meetings;
3. Determines that the new City Council start time shall take effect on January 15, 2019; and
4. Rescinds Resolution No. 1860.

PASSED AND ADOPTED this 18th day of December 2018, by the following vote:

AYES: **WALLACE-JONES, MOODY, GAUTHIER, ROMERO**
NOES: **NONE**
ABSENT: **ABRICA**
ABSTAIN: **NONE**

SIGNED:

Lisa Gauthier, Mayor

ATTEST:

María Buell, City Clerk

APPROVED AS TO FORM:

Rafael E. Alvarado Jr., City Attorney

CONSENT ITEM 3.4

EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: November 18, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: James Colin, City Clerk

SUBJECT: City Council Meeting Minutes

Recommendation

Adopt the November 18, 2025, minutes.

Attachments

1. November 18, 2025, Minutes

EAST PALO ALTO CITY COUNCIL
REGULAR SESSION MINUTES

Tuesday, November 18, 2025, 6:30 PM
EPA Government Center
2415 University Avenue, First Floor
East Palo Alto, CA 94303

1. CALL TO ORDER AND ROLL CALL

The City Council meeting was called to order by Vice Mayor Dinan at 6:31 PM.

Attendee Name	Title	Status	Arrived
Martha Barragan	Mayor	Absent	
Mark Dinan	Vice Mayor	Present	
Carlos Romero	Councilmember	Present	
Ruben Abrica	Councilmember	Present	
Webster Lincoln	Councilmember	Present	

2. APPROVAL OF THE AGENDA

A motion to approve the agenda was made by Councilmember Abrica, seconded by Councilmember Romero, and passed unanimously with Mayor Barragan being absent.

3. APPROVAL OF CONSENT CALENDAR

A motion to approve the consent calendar was made by Councilmember Romero, seconded by Councilmember Lincoln, and passed unanimously with Mayor Barragan being absent.

3.1 FY 2025-26 First Quarter Treasury Report

3.2 East Bayshore Road Pedestrian and Cyclist Safety Project Design Contract Amendment

3.3 City Council Meeting Minutes

3.4 Approval of Settlement Agreement

4. CLOSED SESSION

5. PUBLIC COMMENT

The following speakers provided public comments:
- Ravneel Chaudhary
- Gail Dixon
- Tonga Victoria

6. ADJOURN CITY COUNCIL REGULAR MEETING TO THE EAST PALO ALTO SANITARY DISTRICT BOARD MEETING

7. APPROVAL OF EPASD BOARD MEETING CONSENT CALENDAR

A motion to approve the EPASD consent calendar was made by Councilmember Romero, seconded by Councilmember Lincoln, and passed unanimously with Mayor Barragan being absent.

7.1 Cash Disbursement Report for September 2025

8. ADJOURN EAST PALO ALTO SANITARY DISTRICT BOARD MEETING AND RECONVENE CITY COUNCIL REGULAR MEETING

9. INFORMATIONAL REPORTS

10. SPECIAL PRESENTATIONS

11. PUBLIC HEARINGS

11.1 990 Garden Alternative Compliance Option

Yajaira Morales, Housing Project Manager, provided a presentation on item 11.1 and answered questions posed by the City Council.

A motion to approve item 11.1 was made by Councilmember Romero, seconded by Councilmember Lincoln, and passed unanimously with Mayor Barragan being absent.

12. POLICY AND ACTION

12.1 FY 2026-27 Transient Occupancy Tax Grants Process

Maurice Baker, Community Services Manager, provided a presentation on item 12.1 and answered questions posed by the City Council.

The following speakers provided public comments:
- Gail Dixon
- Michael Mashack
- Mora Oomen

13. COUNCIL REPORTS

Councilmember Abrica reported attending the final Youth Council / potential Youth Commission meeting at Cooley Landing, the 70th Anniversary celebration at St. John Missionary Baptist Church, and the retirement luncheon for longtime Police Department officer Paul Norris. He also requested, through the Agenda Committee, a future special presentation from the Northern California Carpenters Union regarding apprenticeship and workforce programs.

Councilmember Romero reported attending a four-day housing convening at Harvard at his own expense, highlighting discussions on inclusionary zoning and noting the relevance to the City’s ongoing consideration of inclusionary housing policies and a future study session.

14. ADJOURNMENT

The meeting was adjourned at 8:25 PM

EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: James Colin, City Clerk

SUBJECT: Proclamation of the City of East Palo Alto honoring Officer Paul Norris for 38 years of exemplary service to the City of East Palo Alto.

Recommendation

Present the proclamation.

Attachments

1. Proclamation

CITY OF EAST PALO ALTO PROCLAMATION HONORING OFFICER PAUL NORRIS FOR 38 YEARS OF EXEMPLARY SERVICE TO THE CITY OF EAST PALO ALTO

WHEREAS, Officer Paul Norris began his distinguished career with the City of East Palo Alto Police Department on June 1, 1987, and for nearly four decades has served the residents of East Palo Alto with unwavering courage, integrity, and dedication; and

WHEREAS, Officer Norris has served in numerous capacities throughout his tenure, including Field Training Officer (FTO), Detective, Acting Sergeant, and Firearms Instructor, and consistently demonstrated exceptional professionalism, discipline, and leadership in every role; and

WHEREAS, Officer Norris played a pivotal role in dismantling a violent criminal street gang operating out of Stockton, California, whose activities, including the wide distribution of crack cocaine, endangered communities across the region. Working undercover as “Tony Isaac,” Officer Norris helped lead to the arrest and prosecution of numerous high-level drug dealers, delivering justice and restoring safety for affected neighborhoods; and

WHEREAS, throughout his storied career, Officer Norris earned multiple commendations, including being a four-time recipient of the Mothers Against Drunk Driving (MADD) Award for the most DUI arrests in the department and a four-time recipient of the 10851 Award for stolen vehicle recoveries, exemplary achievements that reflect his vigilance in protecting public safety; and

WHEREAS, Officer Norris has been a Firearms Instructor for more than 25 years, shaping generations of officers and ensuring they were trained to the highest standard, and has mentored countless young officers, including many who serve as leaders in the department today; and

WHEREAS, in the line of duty, Officer Norris faced a life-threatening single-vehicle accident on a rain-slicked Highway 101 off-ramp, resulting in extensive injuries and a three-month medically induced coma. After two years of intensive rehabilitation, his resilience, grit, and love for service brought him back to the badge, where he continued to serve the community with the same heart and commitment as before; and

WHEREAS, Officer Norris will retire on November 18, 2025, as the most senior employee in the City of East Palo Alto, capping 38 years of honorable service, marked by exceptional accomplishments, sacrifice, and an enduring passion for safeguarding others; and

WHEREAS, the City of East Palo Alto, its residents, and the East Palo Alto Police Department have benefitted immensely from Officer Norris’s courage, steadfastness, mentorship, and leadership, and his legacy will continue through the countless officers and community members he has inspired.

NOW, THEREFORE, BE IT PROCLAIMED, that the City Council of the City of East Palo Alto hereby recognizes and honors Officer Paul Norris for his extraordinary 38 years of service to the City; expresses its heartfelt gratitude for his selflessness, valor, and perseverance; and extends its warmest wishes for a healthy, meaningful, and fulfilling retirement.

Dated: October 21, 2025

Martha Barragan

Martha Barragan, Mayor

EAST PALO ALTO SANITARY DISTRICT STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, General Manager

BY: Marissa Silva, Administrative Assistant
Mathew Vining, Utility Manager
Humza Javed, District Engineer

SUBJECT: Award Agreements to Two Consulting Firms for Engineering On-Call Services

Recommendation

Adopt a resolution:

1. Authorizing the General Manager to negotiate, award and execute agreements with Freyer & Laureta, Inc. and with EKI Environment & Water for on-call engineering services each for a not-to-exceed amount of $500,000 (collectively for $1,000,000) and each for a term of five (5) years, in forms approved by District Counsel; and,

2. Finding that the proposed action does not constitute a “project” with the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational or administrative activity that will not result in direct or indirect changes in the environment.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

Priority: Public Infrastructure and Utilities
Priority: Public Health, Safety, and Quality of Life

Background

EPASD CONSENT ITEM 7.1

The East Palo Alto Sanitary District oversees the sanitary sewer system within its jurisdiction. Oversight of the sanitary system includes various responsibilities including design and implementation of various sewer repair projects as well as support for new development projects. Because EPASD does not employ dedicated engineering staff, consulting engineering support is crucial. Necessary support from on-call engineering consulting firms includes: plan review of sewer lateral installation/repair, sewer flow analysis for developmental projects, sewer capacity calculations, sewer system modeling, sewer surveys and technical report review, and engineering inspection services.

Analysis

To address the need, EPASD issued a request for qualifications (RFQ) to identify qualified firms capable of providing engineering services. The intent was to develop a consultant bench that can be quickly brought on as needed. EPASD published and issued the RFQ to the Bay Area Trade Journal as well as posting the RFQ to the City's website in order to solicit proposals from qualified professional engineering consulting firms on September 24, 2025, and closed the solicitation on October 15, 2025. Packages were submitted by three firms.

Staff reviewed the submitted qualifications packages for completeness as well as the applicability to one or more of the areas of concern outlined in the solicitation, which has been listed below:

- Private Development Plan Check
- Survey and Map Check
- Technical Report Review
- Inspection Services

An internal staff committee reviewed the proposals submitted by the three engineering consulting firms and determined that two of the firms are well-qualified and meet all of the criteria outlined in the RFQ, as shown below. These two firms satisfied the required qualifications across all criteria categories.

CRITERIA	***WEIGHT***
Proposal Quality	5%
Firm's Qualification/Delivery of Similar Projects	30%
Proposed Scope of Work	50%
Client References	10%
Schedule/Manpower Allocation	5%

EPASD intends to retain the two firms on a “short list” for on-call services. Proposals for each firm, namely Freyer and Laureta, Inc. and Environment and Water (EKI) are included as Attachments 2 and 3, respectively.

The following is a qualification of background for each firm selected:

F&L

F&L has over 28 years of experience working with municipal clients throughout the Peninsula, and their 33-member team with over 150 years of combined expertise offers responsive plan and map review, and inspection support. They have long standing relationships with agencies across San Mateo County. F&L has supported hundreds of infrastructure projects with a focus on wastewater systems, pump stations, stormwater management, and related public improvements. Their ongoing work in and around East Palo Alto provides a practical understanding of local conditions, stakeholder expectations, and agency coordination needs.

Through decades of on-call experience with Peninsula agencies, F&L has refined a delivery model that combines responsiveness, transparency, and technical rigor. F&L’s and EPASD’s relationship goes back nearly three decades. F&L’s extensive knowledge of the collection system, community concerns, and improvement strategy positions them to provide the necessary support for plan reviews, capital project planning and design, and inspection services. Their extensive regional experience providing similar services builds upon F&L’s foundational knowledge of EPASD, including the numerous positive steps that have been taken in the last 12 months to improve the level of service, develop a comprehensive plan to complete infrastructure renewal, and collaborate with the development community to meet future demands.

EKI

EKI Environment & Water, Inc. (EKI) has provided comprehensive water resources and engineering services to public and private sector clients for over 35 years. Their staff of 160+ employees includes licensed engineers, geologists, hydrogeologists, environmental scientists, computer-aided designers, geographic information system (GIS) and database specialists in offices throughout California and the United States.

EKI’s staff includes an effective mix of disciplines comprising water resources, engineering, environmental, and litigation support. This complementary mix is an asset to understanding and effectively resolving a wide variety of complex technical challenges. Their project managers form strong professional relationships with clients and work hard to understand each project’s technical, financial, and regulatory constraints. Communication within EKI is facilitated by frequent team meetings and one-on-one check-ins with team members. Each project manager is supported by an officer of the firm and a team of highly skilled technical staff.

EKI is a leader in providing water resources engineering services and construction management services to multiple clients including municipalities, water districts, utility agencies, and private

entities throughout Northern California. EKI has provided services on Master Service Agreement contracts on an as-needed basis. These services include planning, design, and construction management and oversight for potable water, recycled water, sanitary sewer, and stormwater infrastructure. EKI has also provided hydrogeologic services such as groundwater investigations, modeling, and well design. EKI serves as District Engineer for several municipalities and continues to provide program management, capital improvement project (CIP) development and implementation, and construction management services for their improvement projects.

EKI has supported the City of East Palo Alto on multiple projects over the last several years related to water system planning and design. Specifically, EKI has completed the following EPA projects within the past three years: 2022 Water System Master Plan and CIP development; development project review and as-needed engineering support; the Pad D well; the Gloria Way well facility; the Gloria Way Iron and Manganese Groundwater Treatment System

EPASD will award two on-call engineering services contracts—one to Freyer and Laureta, Inc. and one to EKI—each with a not-to-exceed amount of $500,000 and each with a five-year term. No appropriation is necessary for the current fiscal year.. For the future fiscal years, staff will incorporate an annual $200,0000 funding level across the EPASD General Fund and operating budget, as appropriate based on the nature of work performed. Funding will be included through the annual budget development process and is subject to the availability of funds and annual adoption by the Board.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The action being considered does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to CEQA Guideline sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational or administrative activity that will not result in direct or indirect changes in the environment.

Government Code § 84308

Applicability of Levine Act:Yes

Analysis of Levine Act Compliance:
Parties:
Jeffrey Tarantino, Executive Vice President, Freyer & Laureta, Inc.
Tyler Coyler, PE, Supervising Engineer/Project Manager, EKI Environmental & Water
David Umezaki, PE, Principal in Charge, EKI Environmental & Water

Attachments

1. Resolution
2. Freyer & Laureta, Inc. (F&L) Proposal
3. EKI Environment & Water (EKI) Proposal

RESOLUTION NO. XX– 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO

AUTHORIZING THE GENERAL MANAGER TO EXECUTE ON-CALL CONTRACTS, IN A FORM APPROVED BY DISTRICT COUNSEL, FOR ENGINEERING SERVICES FOR A TERM OF FIVE (5) YEARS, EACH WITH AN AMOUNT NOT-TO-EXCEED $500,000 WITH FREYER & LAURETA, INC. (F&L) AND EKI ENVIRONMENT & WATER (EKI)

WHEREAS The East Palo Alto Sanitary District oversees the design and implementation of various sewer repair projects as well as new development projects; and

WHEREAS, the East Palo Alto Sanitary District is seeking to retain an on-call short-list of prequalified engineering firms to provide on-call engineering support services; and

WHEREAS, the on-call engineering services support would include plan review of sewer lateral installation/repair, sewer flow analysis for developmental projects, sewer capacity calculations, sewer system modeling, sewer surveys, various technical report review, engineering inspection services; and

WHEREAS, the East Palo Alto Sanitary District issued a request soliciting statements of qualifications (RFQ) from professional engineering consulting firms on September 24, 2025; and

WHEREAS, a total of three (3) firms submitted Statements of Qualifications; and

WHEREAS, two (2) of the firms meet the criteria and qualifications set by the East Palo Alto Sanitary District for the various engineering-related categories.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO HEREBY:

1. Finds the foregoing recitals are true and correct, and are incorporated by this reference into this action;

2. Authorizes the General Manager to execute on-call contracts, in a form approved by District Counsel, for engineering services for a term of five (5) years, each with an amount not-to-exceed $500,000 with Freyer & Laureta, Inc. (F&L) and EKI Environment & Water (EKI); and

3. Finds that the proposed action does not constitute a “project” with the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational or administrative activity that will not result in direct or indirect changes in the environment.

PASSED AND ADOPTED this 2nd day of December 2025**,** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mark Dinan, Board President

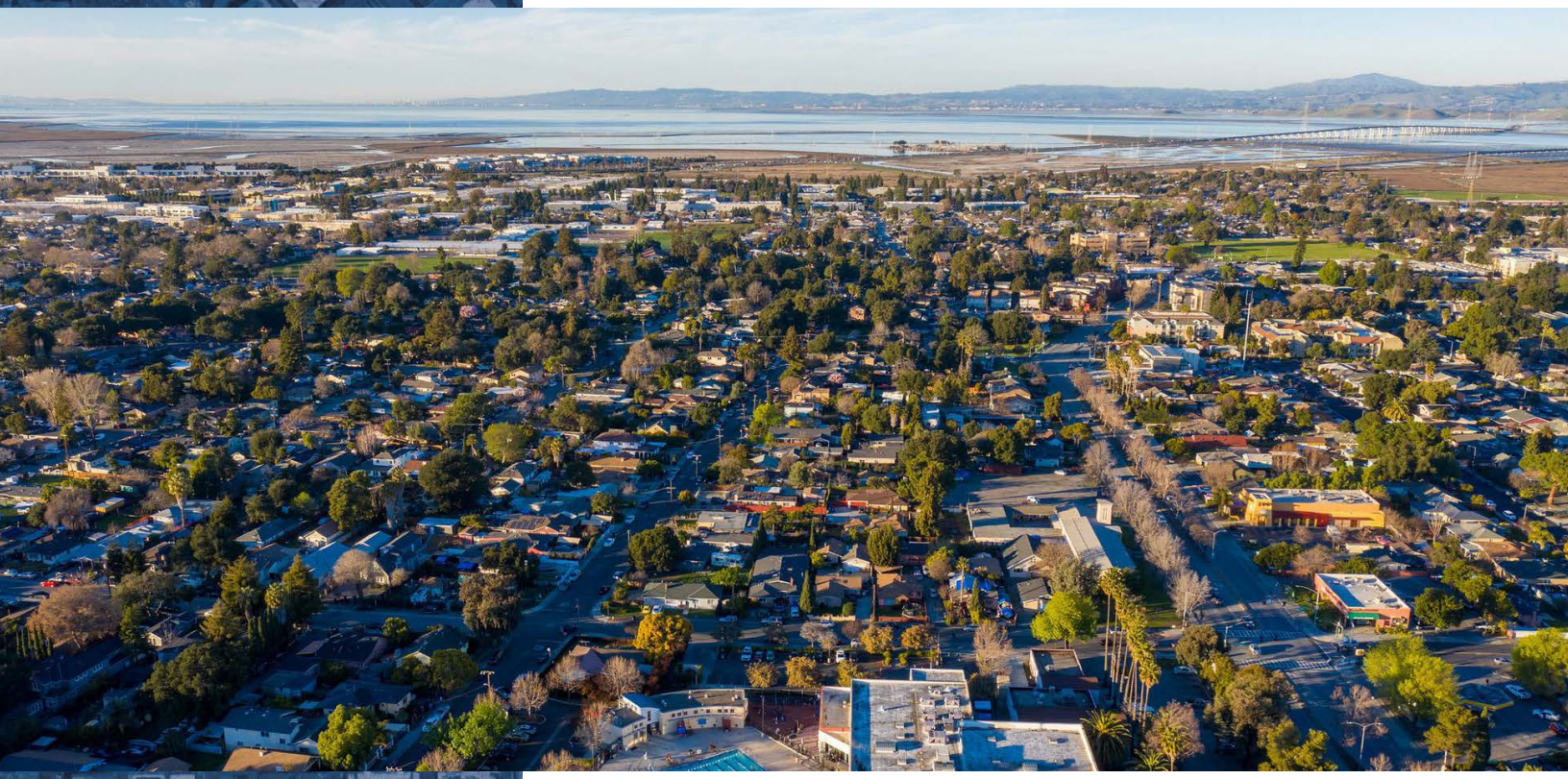
ATTEST:

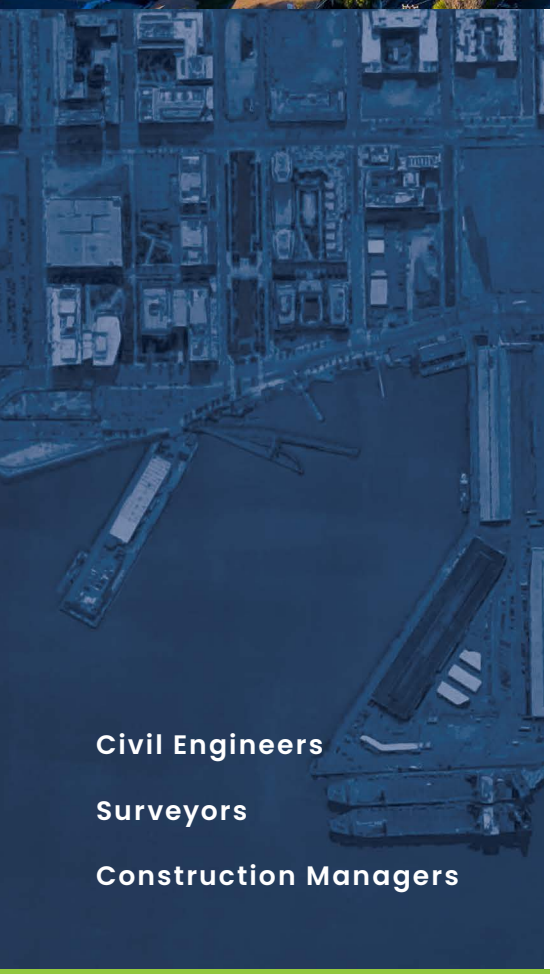
James Colin, Secretary

APPROVED AS TO FORM:

John D. Lê, District Counsel

FREYER & LAURETA, INC.





East Palo Alto Sanitary District

F&L Statement of Qualifications

On-Call General Engineering Services

Civil Engineers

Surveyors

Construction Managers

October 15, 2025

SECTION 1

Letter of Transmittal

FREYER & LAURETA, INC.
Civil Engineers – Surveyors – Construction Managers

Matthew Vining, Utility Manager
East Palo Alto Sanitary District (c/o City of East Palo Alto)
901 Weeks St.
East Palo Alto, CA 94303

October 15, 2025

Dear Mr. Vining,

Freyer & Laureta, Inc. (F&L) is pleased to submit our Statement of Qualifications (SOQ) to provide On-Call General Engineering Services to the East Palo Alto Sanitary District (EPASD). We are excited to continue our successful partnership with EPASD, which has been ongoing since F&L was founded. With over 28 years of experience working with municipal clients throughout the Peninsula, our team offers responsive plan and map review, inspection support, and capital project design services. Our work is grounded in our local expertise and long-standing relationships with agencies across San Mateo County.

Our approach combines responsive on-call support with structured QA/QC, defined review turnarounds, and transparent communication—ensuring EPASD receives timely, constructible, and defensible deliverables.

F&L is a California S-Corporation (S-Corp), a certified Small Business (SB-Micro), and a Minority Business Enterprise (MBE). Across public agencies in the region, we have supported hundreds of infrastructure projects with a consistent focus on wastewater collection systems, pump stations, stormwater management, and related public improvements. Our ongoing work in and around East Palo Alto provides a practical understanding of local conditions, stakeholder expectations, and agency coordination needs.

As Executive Vice President and authorized signatory for F&L, I will serve as Principal-in-Charge, Project Manager, and primary point of contact for EPASD. I will remain engaged for the duration of any agreement. Our approach pairs responsive on-call support with structured QA/QC, defined review turnarounds, and clear communication—so EPASD receives timely, constructible, and defensible deliverables.

Jeffrey J. Tarantino, P.E., Executive Vice President
150 Executive Park Blvd., Ste. 4200, San Francisco, CA 94134
(415) 534-7070 x201 (O) | (650) 619-3226 (M) | tarantino@freyerlaureta.com

We understand and accept the EPASD's Standard Professional Services Agreement without modifications and will comply with all insurance requirements.

Our team is excited about the opportunity to support EPASD and looks forward to partnering with you. Please call or email if you have any questions regarding our submittal.

Very truly yours,

Jeffrey J. Tarantino, P.E.
Executive Vice President, F&L

SECTION 2

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Team Resumes

SECTION 3

Work Plan & Approach

3 WORK PLAN AND APPROACH

Firm Background

Founded in 1997, Freyer & Laureta, Inc. (F&L) is an award-winning civil engineering and surveying firm based in the Bay Area, with offices in San Francisco, Alameda, Cupertino, and Novato. For nearly three decades, we have delivered comprehensive planning, design, and construction management services for public infrastructure and land development projects throughout Northern California. We are proud to have supported EPASD, our first client, since 1997.

As a California S-Corporation (S-Corp), certified Small Business (SB-Micro), and Minority Business Enterprise (MBE), F&L has long supported Bay Area municipalities and special districts through on-call programs for wastewater, stormwater, and capital improvement projects. Our long-term partnerships with agencies such as the City of East Palo Alto, West Bay Sanitary District, Silicon Valley Clean Water, and the City of Pacifica reflect our proven ability to provide responsive support across every phase of project delivery—from preliminary planning through construction.

F&L's work in and around East Palo Alto gives us a practical understanding of EPASD's systems, regulatory environment, and coordination needs with neighboring jurisdictions and utilities. We are well equipped to assist EPASD with plan and map review, capital improvement implementation, and general engineering support that upholds operational reliability and regulatory compliance.

Qualifications & Capabilities

We have successfully provided similar planning, design, and construction consultation services to a diverse range of local clients, offering over 150 years of combined expertise to support a wide array of civil engineering service needs. Our firm provides a full range of services to support municipal infrastructure planning, design, and construction. Representative capabilities include:

- **Civil Engineering Design & Master Planning**– Utility rehabilitation and replacement; pump station design; grading and drainage; roadway, curb, gutter, and ADA improvements; hydrology/hydraulic modeling; and condition assessments.
- **District Engineering** – Plan and map review, coordination with external utilities and permitting agencies, operational review, and support for annual CIP budgeting.
- **Construction Management** – Bid-period support, submittal review, on-site inspection, design clarifications, constructability and value engineering reviews, and cost analysis.
- **Program Management** – Long-range capital planning, project controls, staff augmentation, schedule tracking, and oversight of multi-phase implementation programs.
- **Surveying & Mapping** – American Land Title Association (ALTA) surveys, plats and legal descriptions, boundary and topographic surveys, and tentative/final map preparation.

LEGAL NAME	Freyer & Laureta, Inc.
LOCATION	**F&L Headquarters – Main for Project** 150 Executive Park Blvd., Ste 4200 San Francisco, CA 94134 (415) 534-7070 **North Bay Office** 505 San Marin Dr., Ste A220 Novato, CA 94945 (415) 534-7070 **East Bay Office** 1101 Marina Village Pkwy., Ste 104 Alameda, CA 94501 (510) 937-2310 **South Bay Office** 20863 Stevens Creek Blvd., Ste 400 Cupertino, CA 95014 (408) 516-1090
ESTABLISHED	1997, California S-Corporation
SIZE OF FIRM	33 full-time
LEADERSHIP	• Richard Laureta, P.E., President, Civil Engineer CA No. 55783 • Jeffrey Tarantino, P.E., Executive Vice President, Civil Engineer CA No. 63936 • Lorraine Htoo, PE, LEED AP, Vice President, Civil Engineer CA No. 79542 • Josh Kimbrell, PE, QSD/P, LEED Green Assoc., Vice President, Civil Engineer CA No. 77666 • David Freyer, P.E., Vice President, Civil Engineer CA No. 30060 • Eric Biland, P.E., QSD/P, LEED AP, QISP, Senior Project Manager, Civil Engineer CA No. 75125

Understanding of Project Objectives

EPASD seeks an experienced engineering partner to provide responsive, professional services in support of the District's wastewater collection, conveyance, and treatment systems. F&L understands that on-call assignments may range from developer plan and map review to condition assessment, hydraulic modeling, or design and construction support for capital projects.

Each task order will require clear communication, prompt response, and disciplined technical execution. F&L's delivery model is built around these priorities—ensuring that EPASD receives consistent, defensible, and cost-effective service across the full term of the agreement.

Approach to On-Call Services

Task Initiation & Planning

All task orders are initiated through a single point of contact. Upon receiving a request, F&L acknowledges the assignment within one business day, confirms scope, schedule, and applicable standards, and develops a brief task plan identifying deliverables, reviewers, and coordination needs. Early alignment avoids rework and ensures expectations are clear from the outset.

Plan & Map Review

We apply EPASD and regional standards to verify system capacity, alignment, and constructability. For Parcel Map review, we will verify that all necessary public utility easements are captured to ensure that EPASD has adequate rights to access and maintain its facilities. Typical review items include pipe sizing and slopes, hydraulic grade and headloss, manhole spacing and drops, corrosion protection, material selection, and pavement restoration.

Comments are prepared in Bluebeam and tracked in a simple matrix linking each item to the relevant sheet and standard. Each comment is categorized as required, conditional, or advisory, providing a transparent record for the developer and the District.

Technical Studies and Permit Readiness

For development review tasks, hydrologic/hydraulic memoranda, basis of design studies, geotechnical and corrosion studies, and related documentation for conformance, constructability, and permitting readiness. We provide concise review memos and coordinate early with agencies such as RWQCB, County Environmental Health, and utility providers to streamline approvals and avoid late-stage conflicts.

For EPASD's capital improvement project, F&L will expand on the recently completed Master Plan update to confirm design flows, validate potential alignment, prepare comprehensive design memoranda to document final design criteria and improvement scope, and develop opinions of probable cost. We can leverage our unique knowledge of the District's collection system operating constraints to assist with final planning and sequencing of the Master Plan's recommended CIP. F&L will be best positioned to assist EPASD with implementing the high-priority projects identified in the first years of the Master Plan's CIP.

Inspection and Construction Support

When requested, our team provides construction observation and inspection to confirm that design intent and EPASD standards are met. Typical support includes submittal review, field verification of trenching and installation, acceptance testing (low-pressure air, water, mandrel, manhole vacuum), and review of CCTV documentation. We verify corrections, confirm as-builts, and close out deficiencies to maintain accurate, defensible records.

F&L's construction inspection team has on-the-ground experience within East Palo Alto. We also provide similar on-call support services to West Bay Sanitary District (WBSD) and the Town of Los Altos Hills. We developed EPASD's current standard construction details and have assisted EPASD in updating the details based on regulatory changes. We can immediately begin supporting EPASD in providing field inspection services to allow the District to continue providing high-quality service to its customers.

Quality Assurance and Quality Control

F&L's Quality Assurance/Quality Control (QA/QC) program ensures that every deliverable produced for EPASD—whether a plan review, technical memorandum, or design submittal—is accurate, consistent, and defensible. Our oversight process integrates independent technical review at each project milestone so every task order supports EPASD's operational goals and regulatory requirements.

Quality control is independent of production. Every deliverable receives a senior technical review using discipline-specific checklists, and each task includes a written QA/QC verification sheet documenting who reviewed what and when. Lessons learned are logged across task orders to drive continuous improvement and consistency across assignments.

Our QA/QC framework for on-call services includes:

- **Task Oversight and Scope Alignment** – Each task order begins with a clear scope, schedule, and deliverable list. The QA/QC Officer verifies that milestones, assumptions, and review steps align with EPASD's expectations.
- **Technical Review of Deliverables** – All submittals—including plan and map reviews, technical studies, and design documents—undergo senior review for technical accuracy, regulatory compliance, and consistency with EPASD standards.
- **Constructability and Cost Checks** – Reviews emphasize practical, constructible recommendations that balance short-term needs with long-term system reliability. Cost estimates and technical opinions are checked for accuracy and consistency.
- **Consistency Across Tasks** – The QA/QC Officer ensures uniform application of standards, methodologies, and assumptions across all assignments so EPASD receives consistent, high-quality outputs throughout the contract term.
- **Documentation and Transparency** – QA/QC comments, responses, and resolutions are recorded in a QA/QC Log maintained for each task order. This log is shared with EPASD during progress meetings for full visibility and accountability.

By embedding QA/QC into every stage of task delivery, F&L ensures that EPASD receives timely, technically sound, and defensible work products that support confident decision-making and long-term infrastructure reliability.

Cost Control and Efficiency

F&L recognizes that on-call contracts require proactive scope management and transparent cost tracking. We will:

- Develop detailed scopes, budgets, and schedules for each task order.
- Maintain a Project Decision Log to document scope changes and approvals.
- Track labor and expenses bi-weekly to identify cost trends early.
- Use electronic submittals and targeted field efforts to reduce reimbursables while maintaining complete documentation.

Communication and Coordination

Our communication approach is direct and documented. All coordination flows through the Project Manager, with virtual or in-person meetings held as needed. Meeting notes are issued within five working days summarizing decisions, action items, and due dates. All project records—marked plans, review matrices, and correspondence—are version-controlled and archived per task.

Public Engagement

F&L recognizes that even routine infrastructure improvements can affect the public. We assist agencies in developing clear outreach materials to communicate project benefits, expected impacts, and construction schedules. This proactive coordination minimizes disruption, builds community understanding, and supports successful project delivery.

We have supported EPASD staff throughout multiple public engagement activities, including the Advisory Committee and the Board. We have led the presentation of technical updates for the recently adopted Master Plan, which required EPASD and F&L to carefully document and review the potential improvements, cost estimates, and implementation strategy. We have the baseline knowledge of the community-specific concerns and questions that EPASD must address as it begins implementing the necessary capital improvements to address existing system deficiencies and prepare the District for the planned development.

Summary

Through decades of on-call experience with Peninsula agencies, F&L has refined a delivery model that combines responsiveness, transparency, and technical rigor. We are ready to apply that model to support EPASD—providing reliable, high-quality engineering services that strengthen the District's systems and serve its community for years to come.

F&L's and EPASD's relationship goes back nearly three decades. F&L's extensive knowledge of the collection system, community concerns, and improvement strategy positions us to provide the necessary support for plan reviews, capital project planning and design, and inspection services. Our extensive regional experience providing similar services builds upon F&L's foundational knowledge of EPASD, including the numerous positive steps that have been taken in the last 12 months to improve the level of service, develop a comprehensive plan to complete infrastructure renewal, and collaborate with the development community to meet future demands.

SECTION 4

Key Personnel Background

4 KEY PERSONNEL BACKGROUND

Our proposed team offers direct experience with EPASD and nearby agencies, combining leadership continuity with day-to-day technical depth. The same senior staff who manage similar Peninsula on-call contracts will lead this effort, ensuring immediate readiness and consistent quality across task orders. All of the proposed staff have provided similar services to EPASD within the last 12 months.

F&L delivers on-call plan review, map checking, and construction support for wastewater collection systems and related public improvements. Our 36-person team will support Mr. Tarantino as Project Manager and single point of contact, bringing in discipline specialists as needed.

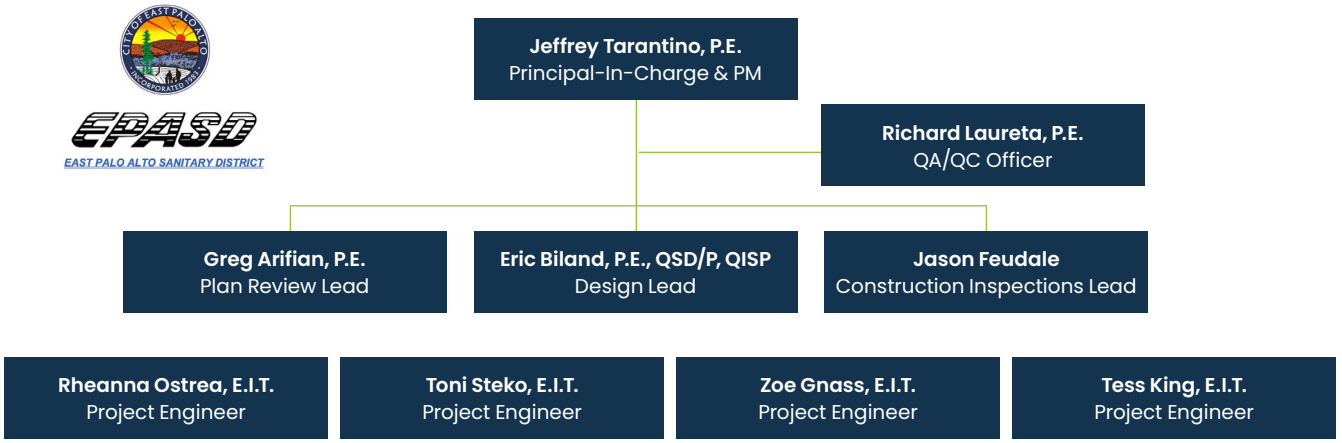
Our approach applies EPASD standards and current regional criteria to confirm system capacity, conformance, constructability, maintainability, and permitting readiness. We keep reviews transparent and traceable: developer-facing comments are concise and actionable, inter-agency coordination is documented, and each submittal receives an independent senior check with a comment matrix that tracks items to closure. The result is predictable turnarounds and defensible decisions.

All services will be led from our San Francisco office, with surge support from Cupertino, Alameda, and Novato to ensure quick mobilization and consistent coverage throughout the term.

Key Personnel & Roles

- **Jeffrey Tarantino, P.E.**, will serve as Principal-In-Charge & Project Manager
- **Richard Laureta, P.E.,** will lead our QA/QC program
- **Greg Arifian, P.E.,** will lead Plan Review Lead
- **Eric Biland, P.E., QSD/P, QISP, LEED AP,** will Design Lead
- **Jason Feudale,** will serve as Construction Inspection Lead
- **Rheanna Ostrea, E.I.T.,** will serve as a Project Engineer
- **Toni Steko, E.I.T.,** will serve as a Project Engineer
- **Zoe Gnass, E.I.T.,** will serve as a Project Engineer
- **Tess King, E.I.T.,** will serve as a Project Engineer

Organizational Chart



Key Personnel Biographies

Jeffrey J. Tarantino, P.E., Executive Vice President - Principal-In-Charge & Project Manager

Jeff will be EPASD's primary point of contact, providing technical leadership, schedule control, and QA oversight for all task orders. A California-licensed civil engineer, he leads plan and map reviews, coordinates with City/County reviewers and utilities, and ensures developer submittals are clear, constructible, and compliant with District standards. His experience spans wastewater collection systems, pump stations, stormwater facilities, and potable/recycled water improvements—from wet-weather storage and conveyance to large-scale sewer rehabilitation. Jeff is known for translating criteria into concise reviewer guidance, resolving inter-agency and utility interfaces (County, Caltrans, PG&E, RWQCB), and bringing a constructability mindset from early planning through construction support. He also supports stakeholder communications with clear board materials, meeting notes, and decision documentation.

Jeff has been leading technical support for EPASD since 2017, including the recently adopted Master Plan Update. Jeff has the necessary knowledge to support EPASD and oversee F&L team members to deliver the capital projects identified in the Master Plan, continue collaboration with the development community, and assist staff with ongoing reporting to the community.

Richard Laureta, P.E., President - QA/QC Officer

Richard serves as QA/QC Officer, supporting Jeff to ensure all technical deliverables are independently reviewed and meet District standards for each task order. Over his 30-year career he has managed planning, design, and construction coordination for municipal and special-district infrastructure and has provided District Engineering services for agencies such as West Bay Sanitary District, Silicon Valley Clean Water, and EPASD. Richard's role centers on independent technical checks, standards conformance, and issue resolution—strengthening the quality and defensibility of reviews and submittals.

Greg Arifian, P.E., Senior Project Manager - Plan Review Services Lead

Greg leads plan review for this contract, focusing on clear, defensible developer submittal reviews and map checks. He verifies conformance with EPASD standards and regional criteria, confirms capacity/grade, utility separations and crossings, access/maintenance needs, and trench/pavement restoration details. Greg coordinates early with City/County reviewers and utilities to resolve conflicts and delivers concise, actionable comment sets with predictable turnarounds. He also provides senior QA/QC on gravity sewer and pump station plans, translating design criteria into practical, constructible solutions.

Eric Biland, P.E., QSD/P, QISP, LEED AP, Senior Project Manager - Design Services Lead

Eric is a senior water-resources engineer with depth in sanitary sewer, stormwater, and potable/recycled water systems. His work spans pump station design and rehabilitation, gravity conveyance, wet-weather hydraulics and modeling, and compliance/permitting with RWQCB, USACE, and CDFW. He pairs design expertise with construction-phase support, producing clear, defensible review comments and practical solutions. For EPASD's on-call services, Eric strengthens plan and map reviews, CIP design/review, and construction support with a focus on constructability, regulatory alignment, and inter-agency/developer coordination.

Jason Feudale, Construction & Engineering Services Manager - Construction Inspections Lead

Jason bridges civil design and field inspection from pre-construction through closeout. Focus areas include constructability review, plan/spec conformance, trench/excavation safety, grading and drainage, erosion control, traffic/staging, and acceptance testing for gravity sewers, force mains, and pump stations. He has inspected for EPASD and West Bay Sanitary District and is fluent in San Mateo County workflows, developer coordination, and multi-utility interfaces. Jason's field memos, RFIs, daily reports, and closeout documentation keep reviews traceable and projects moving.

Rheanna Ostrea, E.I.T., Staff Engineer - Project Engineer

Rheanna supports wastewater and public-works infrastructure with civil design and construction-phase documentation. Core skills include hydraulic modeling and system analysis, gravity sewer and water design, stormwater management, preparation of PS&E, and field inspection/record-keeping. She coordinates with public agencies and integrates GIS/CCTV and assessment data to inform rehabilitation priorities and constructible solutions—producing clear plan sets, practical QA/QC of submittals, and collaborative problem-solving with agency and utility partners. Rheanna was the senior project engineer supporting development of EPASD's recently adopted Master Plan.

Toni Steko, E.I.T., Staff Engineer - Project Engineer

Toni supports on-call wastewater assignments with field observation, plan/spec conformance checks, materials testing/QA-QC, below-grade utility inspection, and safety compliance. He brings strong constructability awareness to plan review and developer submittals and produces clear daily reports, RFI responses, and closeout documentation. Recent Bay Area work includes WBSD telemetry replacement, the City of East Palo Alto's University Ave & Weeks 12-inch Water Main, the City of Pacifica's Wet Weather Flow Equalization Basin, San Mateo storm-drain upgrades, and Stanford water main replacements.

Zoe Gnass, E.I.T., Staff Engineer - Project Engineer

Zoe focuses on public-works infrastructure, including sanitary sewer, stormwater, roadway, and utility design. They support pipeline rehabilitation and storm-drain improvements, grading and utility layout, and GIS-based asset/condition programs, integrating field data into clear, buildable plan sets. Recent work spans EPASD's Sanitary District Master Plan Update, San Mateo storm-drain/CIP assignments, and redevelopment infrastructure in San Francisco and San Jose. Strengths include design documentation, digital mapping, hydrologic/earthwork analysis, and coordination with agencies and utilities. Zoe led the hydraulic modeling development and capacity analysis for EPASD's recently completed Master Plan.

Tess King, E.I.T., Staff Engineer - Project Engineer

Tess supports wastewater, stormwater, and public-works projects with plan review, design documentation, mapping, and construction-phase record-keeping. She pairs civil engineering training with CAD/GIS proficiency and field experience in construction management and survey. Recent work includes EPASD on-call support, WBSD plats and legal descriptions (Menlo Park/Portola Valley), Atherton El Camino Real stormwater/drainage improvements, the SVCW Laboratory Replacement (Redwood City), and utility/paving projects for Bay Area institutions. Her strengths include producing clear submittals and exhibits, integrating GIS into review workflows, and coordinating across agencies and utilities.

SECTION 5

Team Experience

5 TEAM EXPERIENCE

F&L provides on-call wastewater engineering across the Peninsula, including prior assignments for EPASD and the City of East Palo Alto. We're fluent in the EPASD's standards, developer review workflows, and the inter-agency coordination typical of San Mateo County.

We deliver plan review and map checking, inspection support, and CIP design/review under task-order contracts with predictable turnarounds and traceable review records. Our focus is clarity, constructability, and maintainability—so decisions are defensible and delivery is consistent.

Our approach is straightforward: confirm objectives and constraints, validate capacity and condition, assess structural/operations/regulatory risks, and coordinate early with affected agencies and utilities. We design for safe construction, reliable operations, and minimal public disruption.

- **Project Management & Coordination** – Single point of contact; proven leadership of multi-disciplinary teams, utilities, and jurisdictions.
- **Existing Conditions Assessment** – Targeted records/field verification to inform clear, actionable review comments and design decisions.
- **Cost-Effective Solutions** – Alternatives development with lifecycle considerations to align scope, budget, and schedule.
- **Identify Public Impacts** – Staging and access planning that reduces disruption and supports clear communications.

These principles underpin the recent projects that follow and reflect how we will support EPASD from initial review through construction.

The following projects demonstrate our recent experience supporting wastewater districts across San Mateo County with on-call design, review, and construction services that mirror EPASD's anticipated tasks.

PROJECT 1

WBSD Sewer System Condition Assessment, CIP & Pump Station Reliability Program

Client & Contact: West Bay Sanitary District; Sergio Ramirez, General Manager
Address: 500 Laurel Street, Menlo Park, CA 94025
Phone/Email: (650) 321-0384 | SRamirez@westbaysanitary.org
Dates: Ongoing (current task orders 2019–present)

For 28 years, F&L has served as WBSD's on-call civil engineer, supporting system condition assessment, capital planning, design, and construction services. Recent work includes integrating CCTV results into a GIS-based asset inventory; PACP-driven condition grading; and development of a phased Capital Improvement Program that sequences rehabilitation and replacement to address structural deficiencies and long-term reliability. We have delivered PS&E and construction support for multi-site pump station reliability upgrades (e.g., Willow, Stowe), including hydraulic checks for wet-/dry-weather capacity, station cutover sequencing to minimize SSO risk, and coordination with PG&E for new, redundant power feeds. Services also include stormwater and site civil design, utility relocations, acceptance testing/CCTV, meeting documentation, and ongoing program monitoring—keeping projects aligned with the District's maintenance, resiliency, and service-level goals.

Key Personnel: Richard Laureta, P.E.; Jeffrey J. Tarantino, P.E.; Eric Biland, P.E.; Jason Feudale; Toni Steko, E.I.T.; Tess King, E.I.T.

PROJECT 2

City of Pacifica Wastewater Collection System Improvements

Client & Contact: City of Pacifica; Louis Sun, P.E., Assistant Public Works Director – Wastewater
Address: 155 Milagra Dr., Pacifica, CA 94044
Phone/Email: (650) 288-6273 | lsun@pacifica.gov
Dates: 2020 (Wet Weather Flow Equalization Basin); additional task orders 2017–present

F&L provides ongoing, on-call engineering services spanning planning, evaluation, design, and construction support for the City's wastewater collection system. The program's cornerstone is the 2.1-MG Wet Weather Flow Equalization Basin (2020), delivered to reduce SSO risk and improve wet-weather compliance. Services included flow monitoring and hydraulic modeling to size storage and conveyance, coordination with the RWQCB and CEQA team, full PS&E, bid support, and construction administration (RFIs, design clarifications, and field reviews). The basin project earned APWA Silicon Valley and ASCE San Francisco Section Project of the Year honors.

Building on the basin, F&L has advanced multi-year rehabilitation and replacement efforts: Crespi Sewer Main Replacement (CCTV, design, Hwy 1 crossing and state beach lot), Pedro Point Rehabilitation (~16,000 LF; PACP-based assessment; pipe-bursting design), and Vallemar & Rockaway Beach Rehabilitation (~38,000 LF; cleaning/CCTV; multi-phase design using a combination of point repairs and bursting). Across assignments, we provide PACP-based condition assessment, GIS-linked reporting, constructability reviews, permitting support, PS&E, and construction support, aligning improvements with the City's CIP and wet-weather resiliency goals.

Key Personnel: Jeffrey J. Tarantino, P.E.; Richard Laureta, P.E.

PROJECT 3

SVCW Regional Environmental Sewer Conveyance Upgrade (RESCU) Program

Client & Contact: Silicon Valley Clean Water (SVCW); Kim Hackett, Authority Engineer
Address: 1400 Radio Rd., Redwood City, CA 94065
Phone/Email: (650) 591-7121 | khackett@svcw.org
Dates: Ongoing (current task orders 2019–present)

Under a multi-year MSA, F&L supports SVCW's RESCU Program to upgrade regional wastewater conveyance and treatment facilities serving Redwood City, San Carlos, Belmont, and West Bay Sanitary District (portions of East Palo Alto/SMC). Our scope has included surveying and base mapping for tunnel and pipeline corridors; conceptual and preliminary engineering to support the EIR (technical basis for impact analysis and mitigation); civil/site and grading design; stormwater management; access and traffic staging; and multi-jurisdiction utility relocations to deconflict construction.

As major facilities advanced, we provided PS&E packages, permitting/agency coordination, and construction-phase services (RFIs, design clarifications, field reviews) for elements such as the influent pump station and associated conveyance and odor control interfaces. Recent task orders include condition assessment and renewal planning for critical mechanical systems at the treatment plant and ten pump stations, supporting asset management, seismic reliability, and climate adaptation objectives across the program.

Key Personnel: Jeffrey J. Tarantino, P.E.; Richard Laureta, P.E.; Jason Feudale

SECTION 6

References

6 REFERENCES

F&L offers the following references to speak to our performance on on-call wastewater assignments that mirror EPASD's needs—developer plan review and map checking, inspection support, and CIP design/review. Each reference represents a nearby agency operating under similar regulatory conditions and can comment on our responsiveness, clarity of review comments, QA/QC, inter-agency/developer coordination, and adherence to schedule.

Additional references are available upon request.

Sergio Ramirez, General Manager
West Bay Sanitary District
500 Laurel Street
Menlo Park, CA 94025
(650) 321-0384
SRamirez@westbaysanitary.org

Louis Sun, P.E., Deputy Public Works Director, Wastewater
City of Pacifica
155 Milagra Dr.
Pacifica, CA 94044
(650) 288-6273
lsun@pacifica.gov

Kim Hackett, Authority Engineer
Silicon Valley Clean Water
1400 Radio Rd.
Redwood City, CA 94065
(650) 591-7121
khackett@svcw.org

SECTION 7

Cost

7 COST

FREYER & LAURETA, INC.

Effective January 1, 2025

CHARGE RATE SCHEDULE

Professional & Technical Services of Freyer & Laureta, Inc. staff are provided on a fixed fee or an hourly rate basis as follows:

Fixed Fee

Where a definitive scope of work can be established, many of our clients prefer that a specific fee be agreed upon in advance. Billings are submitted monthly based upon percent complete as of the last accounting day of the month.

Hourly Rate

Applicable to Plan Preparation, Design, and Report services where the scope of work must remain open, Freyer & Laureta, Inc. utilizes the following hourly charge rate basis for billing purposes.

Consulting Category	Rate
Production Aide - Clerical	$107.00
Drafter I - Technical Typist - Survey Tech II	$112.00
Drafter II - Word Processor	$117.00
Engineering Tech I - Drafter III	$133.00
Staff Engineer I - Engineering Tech II - Survey Tech III	$154.00
Staff Engineer II - Engineering Tech III - Survey Tech IV	$160.00
Staff Engineer III - Senior Engineering Tech	$165.00
Staff Engineer IV - Survey Tech V - Construction Inspector	$181.00
Associate Engineer - Associate Surveyor (L.L.S.)	$197.00
Senior Engineer - Construction Manager	$207.00
Senior Construction Inspector	$207.00
Project Manager - Principal Surveyor (L.L.S.)	$223.00
Senior Project Manager - Principal Surveyor (L.L.S.)	$239.00
Associate Principal	$250.00
Principal	$266.00
Forensic Engineering	$361.00
Deposition & Court Appearance	$451.00
Subconsultant, Reproduction, Printing, Travel, Mailing & Delivery - Cost plus 10%	

Interest Charge - Billings are due and payable within 30 days. A monthly interest charge equal to the Federal Discount Rate plus 5% will be applied on the next billing beyond the 30-day payment period.

The foregoing Charge Rate Schedule is incorporated into the Agreement for the Services of Freyer & Laureta, Inc. and may be updated annually.

www.freyerlaureta.com

Appendix

Jeffrey J. Tarantino, P.E

EXECUTIVE VICE PRESIDENT

Jeff Tarantino has an extensive civil engineering design and construction background developed during his 27 years of civil and environmental work experience. He has served as project manager and QA/QC on numerous program management, planning, design, permitting, and construction management projects, with a focus on civil site development, water supply treatment and distribution, wastewater treatment and collection, water reuse treatment and distribution, flood control, groundwater extraction and treatment systems, and water quality.

Jeff serves as the primary point of contact with permitting and environmental resources agencies on behalf of clients to facilitate open dialogue with the agencies. Jeff has demonstrated a unique ability to assist clients in bridging technical and non-technical challenges to deliver multi-beneficial projects within budget and on schedule.

RELEVANT PROJECTS

Infrastructure Design Projects

- *Alameda County Water District, Hidden Valley Tank Seismic Upgrade, Fremont, CA*
- *City of Los Altos CIPP Corrosion Rehabilitation Project, Los Altos, CA*
- *North Marin Water District Hydropneumatic Tank Replacement, Novato, CA*
- *North Marin Water District Lynwood Pump Station Replacement, Novato, CA*
- *North Coast County Water District Vallemar Tank Condition Assessment, Pacifica, CA*
- *SVCW Regional Environmental Sewer Conveyance Upgrade (RESCUE), Redwood City, CA*
- *SVCW Owners Advisor Front of Plant, Redwood City, CA*
- *City of Pacifica Pedro Point Sanitary Sewer Rehab & Replacement, Pacifica, CA*
- *City of Pacifica Wet Weather Flow Equalization Basin, Pacifica, CA*
- *City of Pacifica Linda Mar Pump Station Rehab, Pacifica, CA*
- *SFPUC Treasure Island Water Resource Recovery Facility, San Francisco, CA*
- *Great Oaks Water District PG&E Metcalf Rd. Extention Project, San Jose, CA*
- *India Basin Shoreline Park Redevelopment, San Francisco, CA*
- *Las Gallinas Valley Sanitary District Marin Lagoon Pump Station Control Panel & ATS Improvements, San Rafael, CA*
- *Mission Bay Blocks 29-34 Infrastructure, San Francisco, CA*
- *San Mateo County Coyote Point Sewer System Project, San Mateo, CA*
- *San Mateo 25th Avenue Sanitary Sewer, San Mateo, CA*

EDUCATION

- Bachelor of Science in Civil Engineering
- Santa Clara University, Santa Clara, CA

CONTACT

(650) 619-3226
tarantino@freyerlaureta.com

150 Executive Park Blvd., Ste 4200
San Francisco, CA 94134

CERTIFICATIONS

Civil Engineer CA No. 63936

KEY EXPERIENCE

- Principal-In-Charge for over $100 Million in infrastructure improvements over the last 10 years
- Experienced with planning, design, and construction of infrastructure improvement projects.
- Project Manager Pedro Point Sanitary Sewer Rehabilitation and Replacement Project that was selected for the APWA & ASCE Project of Year.

- *San Lorenzo Valley Foreman Grading Stabilization Project, Boulder Creek, CA*
- *Stanford University Bowdoin Storm Drain Replacement Project, Stanford, CA*
- *Stanford University Faculty Housing Sewer Replacement, Stanford, CA*
- *Harry Tracy Water Treatment Plant to Town Water Pipeline, Hillsborough, CA*
- *City of Burlingame Neighborhood Storm Drain Capital Improvements, Burlingame, CA*
- *City of Cupertino Memorial Park Ponds Repurposing Project, Cupertino, CA*
- *City of Menlo Park On-Call Annual Water Main Replacement Engineering Design, Menlo Park, CA*
- *City of San Bruno Spyglass Hill Storm Drain Project, San Bruno, CA*
- *City of San Mateo Columbia Dr. & Crystal Springs Rd. Storm Drain Improvements, San Mateo, CA*
- *City of San Mateo Sanitary Sewer Rehabilitation, Basin D, San Mateo, CA*
- *Coastside County Water District Nunes Water Treatment Plant Upgrades, Half Moon Bay, CA*
- *WBSD Belle Haven Phase 3, Menlo Park, CA*
- *WBSD Flow Equalization & Resource Recovery Facility Levee Improvements (FERRF), Menlo Park, CA*
- *WBSD Bayfront Recycled Water Facility (BRWF), Menlo Park, CA*
- *WBSD North Bay & Ringwood Ave. Sanitary Sewer Pipeline Project, Menlo Park, CA*
- *Laguna Honda Hospital Potable Water Tank Replacement Project, San Francisco, CA*
- *Presidio Trust Risk & Resiliency Planning, San Francisco, CA*
- *Villa Del Monte Mutual Water Company Water Storage Tank Replacement, Los Gatos, CA*

Program & Project Management

- *Daly City 10 MG Reservoir 5B Seismic Performance Improvement, Daly City, CA*
- *Daly City Reservoir 8 Seismic Reliability, Daly City, CA*
- *City of East Palo Alto Utility & Water System Improvements, East Palo Alto, CA*
- *City of Menlo Park On-Call Pipeline Design, Menlo Park, CA*
- *Daly City Water System Risk & Resiliency Report, Daly City, CA*
- *North Marin Water District, 2024 Master Plan, Novato, CA*
- *City of San Carlos Pulgas Creek Watershed Study & Management Plan, San Carlos, CA*
- *City of East Palo Alto, Plan Review, East Palo Alto, CA*
- *City of East Palo Alto, Engineering & On-Call Staff Augmentation, East Palo Alto, CA*
- *City of Half Moon Bay On-Call Map Review, Half Moon Bay, CA*
- *City of San Mateo Smooth Streets & Pavement Management, San Mateo, CA*
- *City of Pacifica Plan Review, Pacifica, CA*
- *Great Oaks Water District, District Engineer, San Jose, CA*
- *Los Altos Hills County Fire District, District Engineer, Los Altos, CA*
- *Town of Los Altos Hills Engineering Analysis of the Adobe Creek Sewer System, Los Altos, CA*
- *Treasure Island Sanitary Sewer Collection System Condition Assessment, San Francisco, CA*
- *City of Oakley Regional Park Planning, Oakley, CA*
- *San Lorenzo Valley 5-Mile Water Pipeline Study, Boulder Creek, CA*

Richard Laureta, P.E

PRESIDENT

Rich has over 30 years of experience managing, planning, designing, and constructing various private and public agency projects, including storm drains, striping/pavement, potable water, wastewater, and facilities. He has performed as Engineer of Record for small, localized improvement projects and multidisciplinary teams for large infrastructure development projects. In addition to redevelopment work, Rich has significant program management experience providing services for public agency capital improvement projects.

He has designed the last fourteen storm drain projects for the City of Burlingame's Storm Drain Program and was part of large infrastructure projects, such as SVCW's RESCU program. He has extensive experience with planning, designing, and constructing various infrastructure improvement projects, including managing the design and CEQA process for work in highly sensitive areas.

RELEVANT PROJECTS

Infrastructure Master Planning & Design

- *SFO West Field Utility, PMSS Design and SEP Manager*
- *SFO Recycled Water Design-Build Project, San Francisco*
- *SFO Infrastructure Modernization Plan (IMP), San Francisco*
- *Silicon Valley Clean Water Conveyance System Master Plan, Redwood City*
- *Silicon Valley Conveyance System Pump Station Pre-Design, Redwood City*
- *Silicon Valley Clean Water Conveyance System CEQA (Environmental Impact Report), Redwood City*
- *Silicon Valley Clearn Water RESCU Program, Redwood City*
  - *Pump Station Improvements (Menlo Park, Redwood City, San Carlos, Belmont)*
  - *Front of Plant*
  - *Gravity Pipeline*
- *Silicon Valley Clearn Water Biogas Utilization Gas Conditioning System, Redwood City*
- *Daly City Westlake Pump Station Modications, Daly City*
- *City of Pacifica Wet Weather Equalization Basin (2.1MG), Pacifica*
- *SFDPW As Needed Infrastructure (2018), San Francisco*
- *Alameda County Water District, Hidden Valley Tank Seismic Upgrade, Fremont*
- *Treasure Island, Stages 2 & 3, San Francisco*
- *University of California, San Francisco Campus Engineer, San Francisco*
- *Mission Bay – Residential Area, Park NP 1-2, Park NP 3-5, & Park P16 projects, San Francisco*

EDUCATION

- Bachelor of Science in Civil Engineering
- California Polytechnic State University, San Luis Obispo, CA

CONTACT

(510) 937-2310
laureta@freyerlaureta.com

150 Executive Park Blvd., Ste 4200
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CERTIFICATIONS

Civil Engineer CA No. 55783

KEY EXPERIENCE

- Project Manager for West Bay Sanitary District projects for 28 years
- Regularly engaged by numerous public agencies to provide peer review services.
- Served as Civil Engineering Campus Engineer for UCSF for 10 years

- *Mission Bay Drive & Circle Project, San Francisco*
- *Mission Bay – Blocks 29 - 32 & 33 - 34 Utility Master Plan, San Francisco*
- *South of Channel (Chase Center), San Francisco, CA*
- *Mission Bay – Long Range Development Plan, San Francisco*

Program & Project Management

- *City of Burlingame Neighborhood Storm Drain Capital Improvement Project, San Bruno*
- *City of San Bruno Spylass Hill Storm Drain Project, San Bruno*
- *City of San Mateo Columbia Drive/Crystal Springs Road Storm Drain Improvements, San Mateo*
- *West Bay Sanitary District, District Engineer, Menlo Park*
- *East Palo Alto Sanitary District, District Engineer, East Palo Alto*
- *Silicon Valley Clean Water, Conveyance System, Menlo Park*
- *City of Pacifica Wet Weather Flow Equalization Basin Project, Pacifica*
- *University of California, San Francisco, Misc. Projects, San Francisco*
- *City of San Leandro, Wastewater Collection Systems, San Leandro*

Roadway & Infrastructure

- *Naval Training Center Drainage Design, San Diego*
- *Rankin Pump Station Design, San Francisco*
- *Ralston Avenue Grade Separation, Belmont*
- *Special Weapons Area Pump Station, NAS North Island*
- *Sutro Tower Improvements & Pier 45 Seismic Retrofit, San Francisco*
- *Guadalupe River Retaining Walls, San Jose*
- *Bollman Water Treatment Plant Expansion, Concord*

Office, Commercial & Residential

- *Britannia Oyster Point, South San Francisco*
- *Hercules Properties PUD, Hercules*
- *McGrath Rentcorp Offices, Livermore*
- *Children's Center, NAS North Island, San Diego*
- *Marriott Courtyard & Bay West Cove, So. San Francisco*
- *Channel Street (SF) Partners, One Mission Bay*
- *BOSA, Arden, San Francisco*

Greg Arifian, P.E.

SENIOR PROJECT MANAGER

Greg is an experienced project manager with over 26 years in the construction operations, and engineering sectors. He has played a significant role in various high-profile projects across the San Francisco Bay Area and Southern California, focusing on water-energy nexus projects.

His expertise encompasses project management for pipeline design, recycled water infrastructure, and customer retrofits resulting in conversion of over 2,000 AFY of demand to new, local, reused water. He has also spearheaded energy management strategies and solar projects for major water districts, focusing on innovative approaches to renewable energy integration. With a solid foundation in environmental engineering and project oversight, Greg is dedicated to promoting sustainable practices in infrastructure development. Additionally, he has successfully led construction activities for prestigious wineries and residential projects, effectively managing subcontracts, schedules, and budgets.

RELEVANT PROJECTS

Infrastructure Design & Planning

- *East Palo Alto Sanitation District Sewer Master Plan, East Palo Alto, CA*
- *Estero Municipal Improvement District Emergency Generator Replacement, Foster City, CA*
- *Las Gallinas Valley Sanitation District, Marin Lagoon Pump Station Upgrade, Marin County, CA*
- *Alameda County Water District, Hidden Valley Tank Seismic Retrofit, Alameda County, CA*
- *Great Oaks Water District, District Engineering, San Jose, CA*
- *7th and 8th Street Basin Pipeline, San Antonio Channel Pipeline Segments A and B, Inland Empire Utilities Agency*, Chino, CA
- *Energy Management and Reliability Study, Metropolitan Water District of Southern California*
- *Recycled Water Customer Retrofits, (40 sites for recycled water conversion), Los Angeles and San Bernardino Counties*
- *Multi-Facility Solar PV Preliminary Design and Finance Report (10-13MW), Metropolitan Water District of Southern California*
- *Skinner Water Treatment Plant (WTP) - 1-MW Solar Cogeneration Station, MWDSC*, CA
- *1-MW Solar Cogeneration Station at the Weymouth Water Treatment Plant and Feasibility Study for Full Scale PV at all WTPs, MWDSC*, CA
- *Water Reclamation Demonstration Plant, City of Anaheim*, CA
- *Lake View Wastewater Treatment Plant, Town of Lake View*, OR

EDUCATION

- Bachelor of Science in Civil Engineering
- Worcester Polytechnic Institute, Worcester, MA
- Civil Engineer CA No. 72523
- Passive House Institute US (Builder)

CONTACT

(415) 534-7070, ext. 204
arifian@freyerlaureta.com

505 San Marin Dr., Ste A220
Novato, CA 94945

CERTIFICATIONS

Civil Engineer CA No. 72523

KEY EXPERIENCE

- Experienced project manager with a track record in high-profile public and private projects across California and internationally.
- Oversaw engineering design and construction for major pipeline projects, conducting hydraulic analyses and utility conflict routing.
- Directed solar PV projects, including a 1-MW cogeneration station and feasibility studies for water treatment facilities, focusing on sustainability and innovative energy solutions.

Eric Biland, P.E., QSD/P, QISP, LEED AP

SENIOR PROJECT MANAGER

Eric Biland is an experienced water resource manager with over 20 years of experience. His engineering and construction practices background provides clients with technical expertise informed by practical experience in sanitary sewer pump station and bypass design and construction, stormwater, sanitary sewer, potable water systems, FEMA floodplain hydrology and hydraulic analyses, water quality issues, calculations, studies, and reports. CEQA/NEPA permitting experience includes regularly working with District representatives of the US Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board.

Eric has produced pump station renovation designs, Master Planning documents, reports, computer models, and EIR utility sections for communities in San Francisco, Alameda, the Peninsula, and the Central Valley and currently serves on the East Bay Leadership Council Water & Environment Task Force and the San Francisco Bay Area MRP 3.0 Provision C.3.c Alternative Treatment Systems Workgroup.

RELEVANT PROJECTS

Infrastructure Design & Master Planning

- *WBSD Willow Pump Station, Menlo Park*
- *WBSD Stowe Lane Pump Stations, Menlo Park*
- *WBSD Telemetry Systems Replacement Project, Menlo Park*
- *OAK International Sanitary Sewer Pump Station, Oakland*
- *San Mateo County Coyote Point Sewer System, San Mateo*
- *Treasure Island Master Plan Stormwater & Sanitary Sewer Pump Stations, San Francisco*
- *BART HMC Stormwater Master Plan, Hayward*
- *Port of Oakland 7th Street Grade Separation, Oakland*
- *Redwood Shores Sea Level Rise Levee Improvements, Redwood City*
- *Alameda FISC East Housing & Bayport Landing, Alameda*
- *City of Milpitas Berryessa BART Parking, Milpitas*
- *Redwood City Simms Metal Port-Based Recycling Center, Redwood City*
- *Atherton Channel Creek Stabilization, Atherton*
- *FEMA Flood Control & ESHA Channel Modifications (Lands of Washwani), Los Altos*
- *Creekside Park Sensitive Habitat, Greenbrae*
- *Alpine Hills Tennis Club, Portola Valley*
- *Emerald Glen Park Water Feature, Dublin*
- *Community Park Master Plan, Half Moon Bay*
- *Laurelwood Park Renovation, San Mateo*

EDUCATION

- Bachelor of Science in Environmental Engineering
- San Jose State University

CONTACT

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biland@freyerlaureta.com

20863 Stevens Creek Blvd, Ste 275
Cupertino, CA 95014

CERTIFICATIONS

Civil Engineer CA No. 75125

KEY EXPERIENCE

- 22+ years in water resources engineering and construction
- Specialized in sanitary, potable, stormwater & recycled water systems
- Experienced in pump station design, rehabilitation, construction for snitary , stormwater, potable, and recycled systems
- Master planning, hydrologic & hydraulic modeling, CEQA/NEPA
- Permitting: USACE, CDFW, RWQCB, FEMA
- Expertise in floodplain management, sea level rise, and habitat compliance

Jason Feudale

CONSTRUCTION & ENGINEERING SERVICES MANAGER

Jason brings over 24 years of experience in civil infrastructure design, utility coordination, and field inspection. His background bridges engineering design and hands-on construction oversight, enabling him to deliver practical, buildable solutions across public works and private development projects. Jason specializes in grading, drainage, utility design, and pump station planning, with extensive experience supporting capital improvement programs and redevelopment efforts throughout the Bay Area.

He has led and supported multidisciplinary design teams, prepared civil plan sets for complex utility and site infrastructure systems, and served as an on-site construction inspector for sanitary sewer, storm drain, and water system installations. His unique combination of design fluency and field expertise ensures constructibility, compliance, and streamlined project delivery across agencies and jurisdictions.

RELEVANT PROJECTS

Infrastructure Planning & Design

- *City of East Palo Alto University Ave. & Weeks Street 12-Inch Water Main, East Palo Alto*
- *City of East Palo Alto Woodland Ave, Waterline & Palo Alto Interconnect, East Palo Alto*
- *East Palo Alto Sanitary District, 2025 Master Plan Update, East Palo Alto*
- *Town of Los Altos Hills Engineering Analysis of Adobe Creek Sewer System, Los Altos Hills*
- *Mission Bay Development (Various Private Clients), San Francisco*
- *Britannia Development Oyster Point, South San Francisco*
- *WBSD Village Square Pump Station & Cervantes Rd. Grinder Pump Force Main, Portola Valley*
- *WBSD, Stowe Lane Pump Station, San Mateo County*
- *City of San Leandro Wicks & Blue Dolphin Pump Stations, Sewer Pipeline Replacement, and Point Repair Projects, San Leandro*
- *City of Palo Alto Foothills Park Maintenance and Parking Lot Improvements, Palo Alto*
- *City of Burlingame Neighborhood Storm Drain Projects #1 & #2, Burlingame*
- *EPASD CIP 2007 & 2008, 2010 Sanitary Sewer Improvement Project, East Palo Alto*
- *WBSD Illinois Pump Station, East Palo Alto*
- *WBSD Office Building Design, Menlo Park*
- *WBSD Belle Haven Phases I–III Pump Station, Menlo Park*
- *WBSD Sausal Vista Sanitary Sewer Pump Station, Menlo Park*
- *Stanford University SandHill Road Waterline Replacement (Phase 1 & 2), Stanford*
- *Stanford University Kappa Sigma & Lomita Residences Sewer Replacement, Stanford*

EDUCATION

- Bachelor of Science in Civil Engineering
- California State University, Chico

CONTACT

(408) 516-1090, x405
feaudale@freyerlaureta.com

20863 Stevens Creek Blvd., Ste 275
Cupertino, CA 95014

KEY EXPERIENCE

- Contruction inspector for West Bay Sanitary District, East Palo Alto Sanitary District, and erosion Control Inspector for the town of Portola Valley
- Areas of expertise include construction engineering, grading, drainage, erosion control, utility design, and construction inspection
- OSHA #7410 Managing Excavation Hazards; MUTCD Traffic Work Zone

- *Stanford University Residential Housing Area Water Main Replacement (Basis of Design), Stanford*
- *Stanford University Bowdin Storm Drain Replacement, Stanford*
- *Stanford University Lomita & Mayfield Water Main Replacement, Stanford*
- *Stanford University Upper Mayfield Water & Sewer Replacement, Stanford*
- *Stanford University Escondido Lake Water Replacement, Stanford*
- *Stanford University Salvatierra Street Sewer Extension, Stanford*
- *Stanford University Campus Drive Water Replacement, Stanford*

Construction Inspection

- *Town of Portola Valley, Grinder Pump and Sewer Projects (Kebcenell Residence Driveway, Peak Lane, Cervantes Road, Westridge Drive), Portola Valley*
- *West Bay Sanitary District, Sewer Improvements (Veterans Hospital, Royal Oak, Lane Woods, Heritage Oaks, Morgan Lane I & II, Pope Street Emergency Repair), Menlo Park*
- *San Mateo County, Los Trancos Sewer Project, San Mateo County*
- *Town of Los Altos Hills, 2016 Sanitary Sewer Capital Improvements, Los Altos Hills*
- *Villa Del Monte Mutual Water Company, Skyview Tarrance Tank & Chloramine Modification, Santa Cruz County*
- *West Bay Sanitary District, On-call inspection, San Mateo County*
- *City of East Palo Alto, Gloria Way Well, East Palo Alto*
- *Stanford University, On-call inspection, Stanford*
- *Stanford University, Lasuen Mall Utility Replacement Project, Stanford*
- *Los Altos Hills County Fire District, Hydrant Inspection, Los Altos Hills*

Rheanna Ostera, E.I.T

STAFF ENGINEER

Rheanna is an experienced civil design professional with over six years of expertise in construction inspection, preparation of construction documents, and the design of public infrastructure and private development projects. Her technical background includes extensive work in water system analysis and modeling, sanitary sewer system design and evaluation, and engineering planning for private redevelopment infrastructure. Rheanna is well-versed in coordinating with public agencies, developing detailed design documents, and delivering cost-effective, constructible solutions.

She has served as a staff engineer on a wide range of project types for F&L, including:

RELEVANT PROJECTS

Public Works

- *Great Oaks WD - PG&E Metcalf Road Water Main Extension, San Jose*
- *Stafford Lake Park Water Service Replacement, Novato*
- *WBSD FERRF Levee Improvements, Menlo Park*
- *East Palo Alto Master Plan Update, East Palo Alto*
- *Columbia/Crystal Springs Storm Drain Improvements, San Mateo*
- *Lloyden Park Lane Sanitary Sewer Relocation, San Mateo*
- *Great Oaks WD - Kaiser Permanente, San Jose*
- *Great Oaks WD - Equinix SV18 Dev., San Jose*
- *NCCWD Vallemar Tank Condition Assessment, Pacifica*
- *La Cresta Tank Replacement Project, Petaluma*
- *SVCW SWPP, Redwood City*
- *Vallemar Tank Condition Assessment, Petaluma*
- *Silicon Valley Clean Water SWPPP, Redwood City*
- *City of San Mateo Crystal Springs, San Mateo*
- *Great Oaks WD On-Call Fire Flow Analysis, San Jose*
- *Estero Municipal Improvements Emergency Generator Replacement, Foster City*
- *Los Altos Hills County Fire District Parcel Improvement, Los Altos*

EDUCATION

- Bachelor of Science in Civil Engineering
- University of California, Davis

CONTACT

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ostera@freyerlaureta.com

150 Executive Park Blvd., Ste 4200
San Francisco, CA 94134

KEY EXPERIENCE

- Experienced in hydraulic modeling and system analysis, supporting effective engineering solutions and coordination with local agencies.
- Extensive expertise in civil infrastructure design, including water and sanitary sewer systems, stormwater management, and private redevelopment planning.
- Proficient in preparing construction documents and performing construction inspection for a wide range of public infrastructure and private development projects.

Zoe Gnass, E.I.T.

STAFF ENGINEER

Zoe is a civil engineer with focused experience in public works infrastructure design, including sanitary sewer, stormwater, roadway, and utility projects across the Bay Area. They support pipeline rehabilitation, storm drain improvements, utility layout, grading design, and site development infrastructure with a strong background in GIS-based asset management and condition assessment programs. Their work includes preparing detailed design plans, integrating field data into design, and coordinating with agencies to deliver constructible, cost-effective solutions for both public agencies and private developments.

Zoe's background spans master planning, infrastructure rehabilitation, and redevelopment projects, allowing them to provide technical design, plan production, and field coordination for a wide range of municipal capital improvement efforts.

RELEVANT EXPERIENCE

Public Works

- *Columbia/Crystal Springs Storm Drain Improvements, San Mateo*
- *City of San Mateo CIP Management, San Mateo*
- *Pulgas Creek Watershed Study & Management Plan, San Carlos*
- *On-Call Fire Flow Analysis, San Jose*
- *East Palo Alto Sanitary District Master Plan Update, East Palo Alto*
- *La Cresta Tank Replacement Project, Petaluma*

Infrastructure

- *Mission Bay Park P2 - P8, San Francisco*
- *1450 Owens, San Francisco*
- *Laguna Honda Hospital Tank Replacement, San Francisco*
- *SFO RW Pipeline, Millbrae*
- *India Basin Redevelopment, San Francisco*
- *Presidio Master Specifications, San Francisco*
- *6373 San Ignacio, San Jose*
- *Kaiser Permanente - Great Oaks Water Company, San Jose*
- *PG&E Metcalf Road Extension, San Jose*
- *India Basin H1A, San Francisco*

EDUCATION

- Bachelor of Science in Civil Engineering
- University of California, Davis

CONTACT

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gnass@freyerlaureta.com

150 Executive Park Blvd., Ste 4200
San Francisco, CA 94134

KEY EXPERIENCE

- Progressive public works and infrastructure experience across transportation, utility, and site development projects
- Skilled in roadway rehabilitation, sanitary sewer design, and stormwater compliance to support resilient community infrastructure
- Proficient in grading, earthwork calculations, utility layout, and hydrologic analysis for both conceptual planning and detailed design phases
- Technical capabilities span design documentation, digital mapping, field assessment, and construction support for public agency and mixed-use development projects

Toni Steko, E.I.T.

STAFF ENGINEER

Toni brings 6 years of experience to the team, having worked on a wide variety of project designs for stormwater, drinking water, and sanitary sewer systems. With a background in the construction industry, he has developed a strong skill set through hands-on experience in inspecting and testing construction materials, conducting laboratory analyses, and monitoring construction sites to ensure safety compliance. With a keen focus on quality control and assurance, Toni excels at reading and interpreting construction plans, guaranteeing that projects meet the highest standards. His expertise also includes geotechnical observation and soil inspection, along with meticulous attention to below-grade utilities.

Throughout his career, Toni has successfully contributed to a diverse range of projects, including:

RELEVANT PROJECT

Public Works

- *East Palo Alto Woodland Ave. Waterline & Interconnect, East Palo Alto*
- *City of East Palo Alto University Ave. & Weeks 12-Inch Watermain, East Palo Alto*
- *San Mateo Crystal Springs Road Storm Drain Improvements, San Mateo*
- *West Bay Sanitary District Willow Road Pump Station Rehabilitation, Menlo Park*
- *West Bay Sanitary District Telemetry Systems Replacement, San Mateo County*
- *Silicon Valley Clean Water Pump Station Improvements, San Mateo County*
- *UCSF Parnassus Heights Campus Fire Water System, San Francisco*
- *UCSF Aldea Paving and Sidewalk, San Francisco*
- *Chemeketa Park Mutual Water Company Drought Relief Water Storage Capacity, Los Gatos*
- *Stanford University Cul-De-Sac Water and Sanitary Replacement, Stanford*
- *Stanford University Lomita and Mayfield Water Main Replacement, Stanford*
- *County of San Mateo Coyote Point Sanitary Sewer Improvements, San Mateo*
- *Bayshore Sanitary District Carlyle Pump Station, Brisbane*
- *San Lorenzo Valley Water District Foreman Pressure Break, Boulder Creek*
- *San Mateo Clombia Dr. & Crystal Springs Rd. Stormdrain Improvements, San Mateo*
- *San Carlos Pulgas Watershed Study, San Carlos*
- *Town of Atherton El Camino Real Corridor Stormwater, Atherton*
- *City of Pacifica Wet Weather Flow Equalization Basin (WWFEB), Pacifica*
- *West Valley Sanitation District Curtner Ave. Sewer Extension, Campbell*

EDUCATION

- Bachelor of Science in Construction Engineering
- North Dakota State University, Fargo, ND

CONTACT

(408) 516-1090, x407
steko@freyerlaureta.com

20863 Stevens Creek Blvd., Ste 275
Cupertino, CA 95014

KEY EXPERIENCE

- Experience in construction inspection, materials testing, and QA/QC
- Skilled in stormwater, water, and sewer system observation for public infrastructure projects
- Proficient in construction plan interpretation, below-grade utility inspection, and safety compliance

CERTIFICATIONS

- OSHA 10-Hour Safety Certification
- Nuclear Gauge Safety Certification, ANGA, 15292
- Concrete Field Testing Technician - Grade I (CFTT), American Concrete Institute, 01539079
- Construction Quality Management for Contractors, US Army Corps of Engineers, SPK-US-ACE-02-24-00242

Tess King, E.I.T.

STAFF ENGINEER

Tess brings a strong background in Transportation Engineering, Physical and Environmental Geography, and Geographic Information Systems (GIS). She has extensive experience in construction management, design support, and technical documentation, having contributed to multidisciplinary projects ranging from sanitary sewer and stormwater improvements to large-scale site infrastructure and urban design.

Before joining F&L, Tess worked on major construction and mining projects as a Survey Assistant and supported design initiatives including a multi-modal parking facility, light rail transit corridor, and river rehabilitation plan. Her approach emphasizes practical, sustainable solutions and clear communication across project teams.

She currently serves as a Staff Engineer on a range of public works and infrastructure assignments throughout the Bay Area.

RELEVANT PROJECTS

Public Works

- *Silicon Valley Clean Water – Laboratory Replacement, Redwood City*
- *Stanford University Cul-De-Sac Water & Sanitary Sewer Replacement, Stanford*
- *Atherton El Camino Real Stormwater & Drainage Improvements, Atherton*
- *SLVWD Foreman Creek Pressure Break, Boulder Creek*
- *East Palo Alto Sanitary District On-Call, East Palo Alto*
- *WBSD Plat & Legal Descriptions, Menlo Park & Portola Valley*
- *San Carlos Pulgas Watershed Study, San Carlos*

Infrastructure

- *UCSF – Parnassus Campus Fire Water System, San Francisco*
- *Revised Side-Wide Paster Plan Conceptual Design & Phase 1 Schematic Design (Private), San Francisco*
- *Kelley Foley – 25 Bear Gulch Sewer Annexation, Portola Valley*
- *UCSF Aldea Road Paving & Sidewalk Repair, San Francisco*

EDUCATION

- Bachelor of Engineering, Civil Engineering, Transportation Engineering Specialization - Toronto Metropolitan University, Toronto, ON
- Bachelor of Science in Physics, Physical & Environmental Geography, Minor in GIS - University of Toronto, Toronto, ON

CONTACT

(408) 516-1090 x 408
king@freyerlaureta.com

20863 Stevens Creek Blvd.,
Ste 275
Cupertino, CA 95014

KEY EXPERIENCE

- Public works and private infrastructure design support across multiple Bay Area agencies
- Strong technical background in construction management, CAD, and GIS applications
- Field and design experience in water, sewer, and stormwater improvements
- Interdisciplinary training in Transportation Engineering, Geography, and Environmental Systems

FREYER & LAURETA, INC.

HEADQUARTERS

150 Executive Park Blvd.
Suite 4200
San Francisco, CA 94134
(415) 534-7070

EAST BAY

1101 Marina Village Pkwy.
Suite 104
Alameda, CA 94501
(510) 937-2310

NORTH BAY

505 San Marin Dr.
Suite A220
Novato, CA 94945
(415) 534-7070

SOUTH BAY

20863 Stevens Creek Blvd.
Suite 275
Cupertino, CA 95014
(408) 516-1090

EKI C50315.00 | 15 OCTOBER 2025

STATEMENT OF QUALIFICATIONS FOR

EAST PALO ALTO SANITARY DISTRICT

ON-CALL GENERAL ENGINEERING SERVICES

eki environment & water

Corporate Office
2001 Junipero Serra Boulevard, Suite 300
Daly City, CA 94014
(650) 292-9100
ekiconsult.com

1. LETTER OF TRANSMITTAL

15 October 2025

Matthew Vining
East Palo Alto Sanitary District
901 Weeks Street
East Palo Alto, CA 94303

Subject: Statement of Qualifications for On-Call General Engineering Services (EKI C50315.00)

Dear Mr. Vining:

EKI Environment & Water, Inc. (EKI) has assembled a highly qualified team with the expertise required to successfully provide On-Call General Engineering Services for the East Palo Alto Sanitary District (EPASD/District). EKI brings the following benefits to the District:

- **Strong Technical Team and Qualifications.** *Our Lead Project Manager, Mr. Tyler Colyer, PE,* has over fifteen (15) years of extensive utility experience in water, wastewater, stormwater, and recycled water infrastructure and as a project manager overseeing planning, design, and construction support. Mr. Colyer has successfully worked with the City of East Palo Alto since 2014, providing on-call engineering services, overseeing preparation of multiple planning documents, and preparing infrastructure design documents. He is also currently providing on-call water and sewer main design and construction support services to several cities of similar size in the Bay Area, and has successfully managed the design of over 40,000 linear feet (LF) of sanitary sewer rehabilitation and repair projects over the past several years. He will be the main point of contact for the District. *Mr. David Umezaki, PE, will be the Principal-in-Charge* and has twenty-nine (29) years of experience in utility planning, design, and construction management. He is also experienced in District and City Engineering Services for several water agencies and municipalities. To support the team and facilitate quality delivery, EKI proposes *Mr. Jonathan Sutter, PE, as the QA/QC Manager*. Mr. Sutter brings over sixteen (16) years of infrastructure planning, design, and construction support experience, including acting as technical lead for the City of East Palo Alto's recent Water System Master Plan and Water Storage Tanks Siting study. Mr. Sutter serves as District Engineer for several Bay Area water agencies and has experience leading water facility designs, including water main replacement and rehabilitation projects involving trenchless technologies and rapid response to emergencies.

  To provide the District with a fully-rounded team, we have included our subconsultants TJC and Associates for structural and electrical engineering, and Geo-Logic Associates for geotechnical engineering.

- **Experience in Providing On-Call Engineering Services to Similar Clients.** EKI is currently providing on-call services to several municipalities and water districts and has successfully assisted clients with utility planning, design, construction, Capital Improvement Plan (CIP) development, and project implementation, where our staff have been trusted advisors for more than 30 years for many agencies in the Bay Area.

- **Working Relationship and Familiarity with the City of East Palo Alto.** EKI has worked with the City of East Palo Alto on its water infrastructure projects since 2014 and has developed a high level of trust with City staff by consistently providing high-quality work products and support. As East Palo Alto Sanitary District is now a subsidiary district of the City, we are well-positioned to leverage these established working relationships and

institutional knowledge regarding local infrastructure to efficiently support the District's capital improvement initiatives.

We look forward to continuing to serve the City of East Palo Alto's needs and assisting in achieving the District's goals through this important contract. We understand that no addendum has been issued by the District for this Request for Qualifications (RFQ). We have reviewed the District's Standard Contractor and Professional Services Agreement, and we will be able to execute the contract. Should you have any questions, please do not hesitate to contact Tyler Colyer at tcolyer@ekiconsult.com or (650) 292-9100.

Very truly yours,

EKI ENVIRONMENT & WATER, INC.

Tyler F. Colyer, PE
Supervising Engineer/Project Manager

C. David Umezaki, PE
Principal-in-Charge

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3. WORK PLAN AND APPROACH

Our Approach to Accomplish the Work

EKI's Understanding of the Contract Requirements

EKI understands that East Palo Alto Sanitary District (EPASD or District) is seeking consultants to be available on an on-call basis to augment the District's staff and assist with the design and management of various engineering services and projects. The scope of services for each task order will be discussed with the selected consultant prior to issuing the notice to proceed. The RFQ includes a list of potential tasks that EPASD may request from selected consultants. EKI has the experience and expertise to assist the District with the following tasks:

- Review of environmental and technical documents, such as geotechnical investigations, hydraulic analyses, and water supply assessments.
- Design and implementation of Capital Improvement Plan (CIP) projects related to the District's wastewater collection systems, including, but not limited to, the following:
    - Technical, third-party design review
    - Liaison with relevant regulatory agencies, including obtaining required permits and negotiations with other agencies
    - Coordination with the District and relevant City Departments, including Public Works, Planning, Building, Legal, and Finance, among others
    - Tracking and management of capital fund expenditures based on available funding
    - Reporting and presentation to District, City, and other relevant governing bodies.

We recognize that the nature of the District's CIP projects reflects a commitment to the rehabilitation and renewal of its wastewater collection system infrastructure to improve the reliability and quality of your service delivered to the community. EKI has specific expertise in sewer infrastructure and is therefore prepared to assist the District with these types of projects. EKI understands that the District will use this on-call contract to oversee or design a variety of public works projects, from CIP projects such as sewer collection system upgrades to more complex projects such as pump stations and pump station improvements.

EKI assisted the City of East Palo Alto with preparation of its water supply and distribution system CIP during preparation of the City's Water System Master Plan (WSMP). We are also currently completing a Water Storage Tank Siting Study for the City of East Palo Alto, which will be recommending locations for above and/or below grade tanks. EKI's experience supporting the City of East Palo Alto on water system planning and capital improvement projects has given us a solid understanding of the City's infrastructure priorities, permitting processes, and coordination requirements. With the East Palo Alto Sanitary District now being a subsidiary district of the City of East Palo Alto, we are well positioned to leverage these established working relationships and institutional knowledge to efficiently support the District's capital improvement initiatives. EKI's familiarity with local stakeholders and infrastructure issues will enable us to seamlessly integrate with City and District staff to advance the District's sewer system improvement projects.

Project Management

Project Management Philosophy

EKI's project management philosophy is simply ***integrating innovation with technical breadth and proven project management processes to consistently deliver quality solutions efficiently.*** Our approach involves seamless coordination of EKI and sub-consultant resources to meet the District's performance requirements. Our firm's goal is to successfully resolve our clients' challenges through the accomplishment of their

objectives on time and within budget. We feel attaining these objectives demands a holistic client-centric approach focusing on risks, regulations, stakeholders, alternatives, and cost savings opportunities. Our firm's size and our high level of expertise permit a personalized approach to projects, where quality control oversight is provided by senior managers with extensive industry experience. A testament to EKI's philosophy is our high level of repeat business through referrals.

Project Management Approach

EKI's goal is to successfully resolve project challenges while providing quality that accomplishes the District's requirements and objectives in a timely manner within the District's budget. EKI's experience is that the planning and preliminary project phases are the keys to monitoring and maintaining costs, as well as mitigating project risk. EKI's approach to the management of task orders will include the following:

- Frequent and clear communications between the EKI team members and with the District staff;
- Risk, cost, and schedule control by identifying issues early in the project to be able to implement effective corrective measures;
- Regular project cost monitoring to be able to proactively identify cost trends early such that corrective measures can be implemented to maximize potential cost savings; and
- Implementation of quality control throughout the project duration.

Project Communication

EKI believes that communication is critical to the performance of any project. Frequent and clear communication between EKI and the District will be vital in order to keep tasks on track, present findings, make decisions and apprise all parties of issues that could affect the project schedule and budget.

EKI will compile meeting minutes or notes within three (3) working days of each meeting to memorialize findings and decisions. Meetings will include discussions of interim work products and a report on budget status and schedule. EKI has found that regular meetings are invaluable in keeping projects on schedule and within budget and ensuring there will be no surprises when work products are delivered to the District. Our Daly City headquarters location, approximately 30 minutes away from the District office, enhances in-person meeting opportunities.

Monitoring Task Costs

EKI will update the District on budget statuses as part of our monthly billings and at key task order milestones. The Project Manager will prepare a Progress Summary Report with each invoice that details progress made during the billing period, problems identified or anticipated, activities scheduled for the next reporting period, activity results, as well as general progress statuses. The report will include a table summarizing current and cumulative project expenditures to date, total approved budget, estimated cost at project completion, variances in planned budget, and estimated date of completion.

Task Schedule Management

EKI is able to manage complex projects with multiple team members. If requested by the District, for a given task order, we will develop a detailed schedule with durations and interdependencies. Documenting the baseline schedule assumptions will:

(1) determine and track project milestones/ development;

(2) allow all involved parties to be on the same page when completing project deadlines; and

(3) help in the identification of schedule variances, facilitating mitigation to limit schedule impact.

If schedule variances are identified, mitigation plans will be developed in conjunction with District staff to help ensure that corrective measures are implemented within the framework of the overall project schedule. At key

points of each task order, EKI will allocate sufficient time in the project schedule for District review and response to submittals.

Quality Control Procedures

Quality control is extremely important to us, and it is EKI's policy to provide senior technical reviews throughout the duration of all our projects. Jonathan Sutter, PE, will review deliverables and consult on special problems while working with our proposed team to provide overall technical guidance and direction. EKI's technical experts will be engaged from the early stages of the project so that potential major issues can be anticipated and dealt with during the feasibility planning effort. Once the project is underway, quality control will then be an ongoing process throughout the duration of the project. A summary of quality control procedures and tools is provided in the table below.

QA/QC Component	Purpose/Description
Kickoff Meeting	▪ Confirm District's goals/concerns/constraints/new issues ▪ Focus the Project at the onset
Deliverable Reviews	▪ EKI QA/QC staff perform internal reviews of all major deliverables at each major milestone, prior to submittal to the District ▪ Deliverable markups are backchecked to ensure comments are addressed ▪ Each deliverable will be signed off on by the project manager, QA/QC reviewer and principal-in-charge. This includes written verification of each review.
District Comment Tracking	▪ Maintain log of District's comments on previous deliverable and document how the comments have been addressed
Decision Log	▪ Document key decisions to make and memorialize decisions made with reference to supporting documentation (e.g., memoranda, emails, etc.)

Partner Agency and Stakeholder Engagement

EKI has valuable experience working with local partner agencies and stakeholders. Specifically, EKI has worked on projects that required coordination with California Department of Transportation (Caltrans), San Francisco Public Utilities Commission, Union Pacific Railroad, the California Public Utilities Commission, the California Office of Emergency Services, the California Department of Water Resources, State Water Resources Control Board, California Department of Fish and Wildlife, the Federal Emergency Management Agency, and United States Army Corps of Engineers.

EKI is known for its ability to provide technical information in an accessible fashion to managers and the public using compelling graphics and dynamic presentations. Our written materials like flyers, door hangers, website updates, newsletters and construction advisory notices clearly communicate key construction activities and potential traffic or other impacts to residents, businesses, and stakeholders. We have employed proactive and effective stakeholder engagement across a wide variety of projects.

4. KEY PERSONNEL BACKGROUND

About EKI

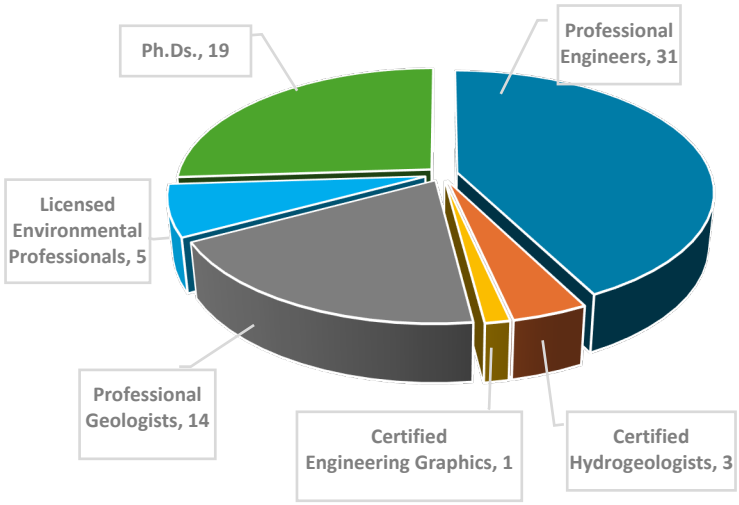
EKI Environment & Water, Inc. (EKI) is an employee-owned company that has provided comprehensive water resources and engineering services to public and private sector clients for over 35 years. EKI has maintained steady growth and financial stability since our founding in 1989. Our staff of 160+ employees includes licensed engineers, geologists, hydrogeologists, environmental scientists, computer-aided designers, geographic information system (GIS) and database specialists in offices throughout California and the United States.

EKI's staff includes an effective mix of disciplines comprising water resources, engineering, environmental, and litigation support. This complementary mix is an asset to understanding and effectively resolving a wide variety of complex technical challenges. Our project managers form strong professional relationships with clients and work hard to understand each project's technical, financial, and regulatory constraints. Communication within EKI is facilitated by frequent team meetings and one-on-one check-ins with team members. Each project manager is supported by an officer of the firm and a team of highly skilled technical staff.

Ability to Commit Resources

EKI understands that the continuity of key personnel assigned to a project is a key factor in project success. We are committed to the success of the District's contract and will dedicate the staff and technical resources needed for successful tasks completion under this contract.

Licensed Professional Engineers at EKI: 31



Company Philosophy

EKI takes a solution-oriented approach to projects that builds from a strong technical foundation and emphasizes proactive and effective communication. The size of our firm, the high level of experience and continuity of our multi-disciplinary staff, and our established credibility in our fields of expertise and with regulatory agencies allows us to effectively support our clients to meet their objectives across a variety of sectors and issues.

Management Philosophy

EKI has developed a reputation for effective technical project management by carefully assessing client needs, providing appropriate services led by experienced staff, and delivering products that fulfill client expectations. Our project managers form one-on-one relationships with clients and work hard to understand each project's

technical, financial, and regulatory constraints. Communication within EKI is facilitated by the proximity of all project team members and by frequent team meetings. Each project manager is supported by an officer of the firm and a team of technical staff.

Experience Providing Civil Engineering and Inspection Services

EKI is a leader in providing water resources engineering services and construction management services to multiple clients including municipalities, water districts, utility agencies, and private entities throughout Northern California. EKI has provided services on Master Service Agreement contracts on an as-needed basis. These services include planning, design, and construction management and oversight for potable water, recycled water, sanitary sewer, and stormwater infrastructure. EKI has also provided hydrogeologic services such as groundwater investigations, modeling, and well design. EKI serves as District Engineer for several municipalities and continues to provide program management, capital improvement project (CIP) development and implementation, and construction management services for their improvement projects.

EKI has broad experience in planning, engineering, and hydrogeology services for water resources throughout California

Specifically, EKI's planning, engineering, hydrogeology, and construction management services for water, sewer, and stormwater utilities include:

- Water supply and distribution system infrastructure planning, design, engineering services during construction, and construction management;
- Wastewater collection and recycled water facility planning, design, engineering services during construction, and construction management;
- Stormwater collection and conveyance infrastructure planning, design, engineering services during construction, and construction management;
- Program and project management for capital improvement programs and large water and wastewater infrastructure projects;
- Design, construction, and testing of water supply wells, including wellhead treatment;
- Development and project plan reviews and water and sanitary sewer service application reviews;
- Water, recycled water, and wastewater system master planning and hydraulic modeling;
- Grant funding support;
- RFP preparation for consultant procurement, bidding assistance, and plan review;
- Local and state regulatory and permit support;
- Water shortage contingency and water conservation planning;
- Water resource planning, including Urban Water Management Plans (UWMPs), Water Supply Assessments (WSAs), and Annual Water Supply and Demand Assessments (AWSDAs);
- Assessment and development of groundwater supplies, including basin safe yield assessments, aquifer testing, groundwater quality assessments, and groundwater modeling;
- Water supply portfolio development and management, including conjunctive use, water transfers, and aquifer storage and recovery (ASR) projects; and
- Evaluation of managed aquifer recharge, including with recycled water for indirect or direct potable reuse (IPR/DPR) purposes.

Our Subconsultants

EKI has worked successfully as the prime consultant on numerous multi-disciplinary projects that involve civil, mechanical, electrical, controls, structural, geotechnical engineering, mapping and survey, and construction management and inspections services. We have successfully completed wide range of water and wastewater projects while managing multidisciplinary subconsultants. Project experience that demonstrates our work with subconsultants and successful ability to coordinate work between disciplines is presented in the "Team Experience" section of this SOQ.

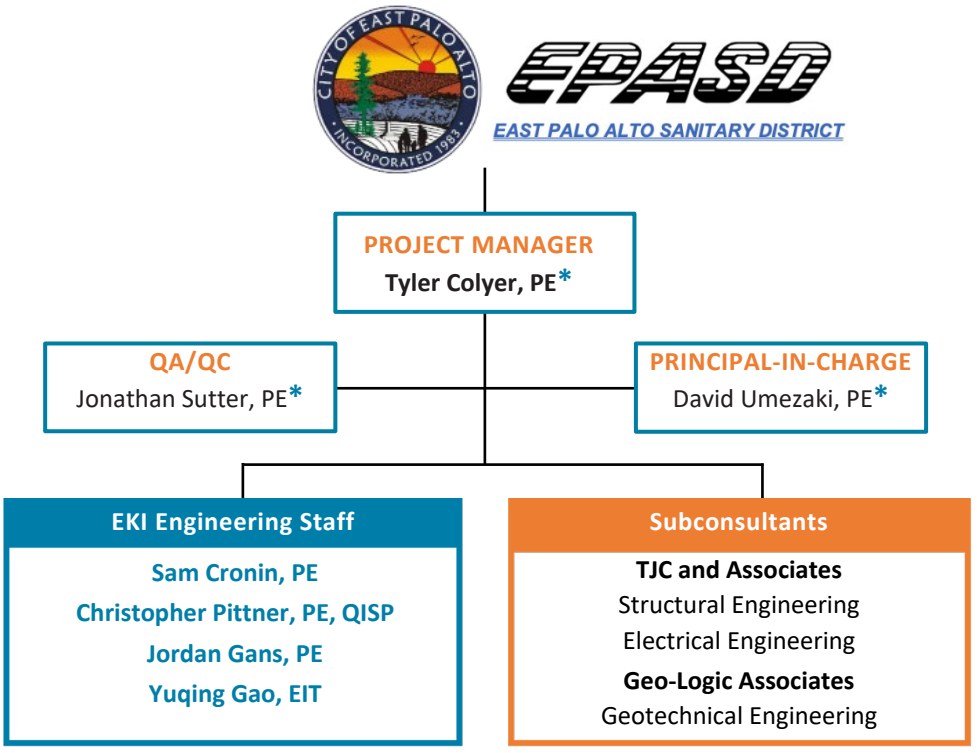
To support our work as the prime consultant, EKI is capable of bringing subconsultants on our team to provide comprehensive on-call engineering solutions. As-needed, based on the project requirements of each task order issued by the District, EKI can bring subconsultants identified below for the following disciplines:

- TJC and Associates for Structural Engineering, and Electrical and Instrumentation Engineering
- Geo-Logic Associates for Geotechnical Engineering

ORGANIZATIONAL CHART

As a local firm with a breadth of technical resources, we have the capabilities to efficiently handle task orders or projects generated from this contract. EKI has assembled a focused team of highly experienced and specialized professionals to support the District in all aspects of technical and administrative needs that may arise. The key individuals noted in the chart below are those staff members that can immediately address the requirements for the types of services included in the RFQ.

Our staff are local experts with a history of local, regional, and state-wide project experience, and are ideally positioned to seamlessly support the District's On-Call needs. Refer to **Appendix A** for detailed resumes of staff members.



Staff Bios

EKI Key Team member roles, qualifications, educational background, and certifications are highlighted below. These Key Team members will be supported by additional EKI staff as needed.

TYLER COLYER, PE– LEAD PROJECT MANAGER

- Professional Civil Engineer in California (C#80141)
- M.S., Civil and Environmental Engineering, University of California, Berkeley, 2010
- B.S., Environmental Engineering, University of California, Riverside, 2009

Mr. Tyler Colyer has over 15 years of project experience in water, wastewater, and stormwater infrastructure design and planning, water quality engineering, and environmental engineering. He has prepared and managed water, sewer, and storm pipeline design and rehabilitation, water treatment system designs, groundwater well designs, feasibility studies, and development of water use reports, and has provided construction management and construction observation services. As Project Manager and the Point of Contact (PoC) for the District, Mr. Colyer will coordinate the team's work efforts, track budgets and project schedules, develop project goals and technical approaches, and provide senior technical leadership.

DAVID UMEZAKI, PE – PRINCIPAL-IN-CHARGE

- Professional Civil Engineer in California (C#57697)
- M.S., Civil (Environmental) Engineering, Stanford University, 1995
- B.S., Civil Engineering, Stanford University, 1994

Mr. Umezaki has over 29 years of experience in water, wastewater, and recycled water projects. Mr. Umezaki has managed water, wastewater, and recycled water programs for a number of cities in Northern California. In this role, he has managed several permitting, design, and construction efforts for major water and wastewater treatment plant improvements. Mr. Umezaki has held key roles on several engineering projects, including engineering design and design review, construction review, and operation and maintenance of water, wastewater, and groundwater treatment systems. As Principal-in-Charge, Mr. Umezaki will provide strategic and technical direction and support and will ensure that appropriate staff resources are made available.

JONATHAN SUTTER, PE – QA/QC MANAGER

- Professional Civil Engineer in California (C#81606)
- M.S., Civil and Environmental Engineering, Stanford University, 2012
- B.S., Civil Engineering, Columbia University, 2008

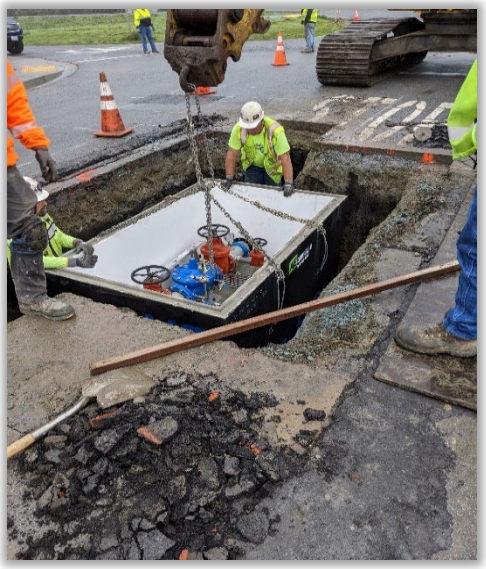
Mr. Sutter has over 16 years of experience in potable water, recycled water, and wastewater utility planning, design and construction management, and water resources planning. Over the past five years, Mr. Sutter has successfully led the design of over 40,000 linear feet (LF) of new water mains and other water system facilities in the Bay Area, led the preparation of four water system master plans for Bay Area agencies and has provided capital improvement program management and staff augmentation services to local agencies. He is currently serving as District Engineer for North Coast County Water District and Coastside County Water District. As the Quality Assurance and Quality Control Manager, Mr. Sutter will be responsible for reviewing EKI deliverables. He will serve as a technical advisor for CIP projects as well.

5. TEAM EXPERIENCE

EKI's On-Call Experience

EKI has a strong presence in the Bay Area. In addition to our work with the City of East Palo Alto, our staff serves as trusted advisors for several public agencies including the Coastside County Water District, North Coast County Water District, Westborough Water District, Purissima Hills Water District, Zone 7 Water Agency, Valley Water, Valley of the Moon Water District, Cal Water and the Cities of Daly City, South San Francisco, Brisbane, Burlingame, Calistoga, Foster City (Estero Municipal Water District), Menlo Park, Hayward, and the Town of Hillsborough.

EKI has provided engineering services for these agencies, including design, planning, and construction oversight for potable water, recycled water, sanitary sewer, and stormwater infrastructure. For many of these agencies, EKI has also provided hydrogeologic services such as groundwater investigations, modeling, and well design.



Similar Projects in the Last 5 Years

City of Daly City – Sewer and Water Main CIP Design Services

- Evergreen/Winchester/Templeton Sewer Replacement Design: Segments of the sanitary sewer in the project area were identified to be at high risk of failure in the City's 10-Year Wastewater System Master Plan. The system within the project area is principally made of terracotta pipes and brick manholes, which are in poor condition and past their useful life. The pipes range from 14-inch to 21-inch and will be replaced by 18-inch and 21-inch polyvinyl chloride (PVC) pipes. EKI prepared three design submittals corresponding to 60%, 90%, and 100% design. The design of the project is complete and EKI is currently working with the City to publicly bid the project.
- Callan Boulevard Water Main Design: Approximately 2,000 feet of existing 6-inch water main located adjacent to Callan Boulevard between Southgate Avenue and Serramonte Boulevard needs to be replaced with a 12-inch water main located within Callan Boulevard, and an existing pressure reducing valve (PRV) station at the intersection of Callan Boulevard and Clarinda Avenue also needs to be replaced and relocated out of the street. EKI has prepared the 60% design, and is currently developing the 90%, and 100% design submittals.
- I-280 Sewer Crossing Project: EKI is providing engineering design and construction support services for a proposed new sewer crossing underneath Highway 280 tentatively expected to consist of approximately 800 feet of 30-inch pipe within a 48-inch casing, plus 300 feet of open cut pipe. Due to difficulties with site topography and existing easements, EKI is preparing a Preliminary Design Report (PDR) to evaluate the feasibility and cost of alternate piping alignments and provide a recommendation for the apparent best alternative. As a part of the detailed design services, EKI's team is currently conducting site investigations and preparing the PDR evaluating available

Client Details
City of Daly City
153 Lake Merced Blvd.
Daly City, CA 94015

Years: 2023-Ongoing

Reference
Jeff Bastian
Project Development Coordinator
City of Daly City
Ph: (650) 742-4592
jbastian@dalycity.org

EKI Role & Team Members:
As-Needed Prime Engineering Consultant
Tyler Colyer, PE
Dave Umezaki, PE
Jonathan Sutter, PE
Sam Cronin, PE
Christopher Pittner, PE, QISP
Subconsultants:
Survey and Mapping
Electrical and Structural
Geotechnical

options and recommending a preferred alternative. Later our team will prepare detailed design documents for the selected alternative and provide bid support and construction support services.

Town of Hillsborough On-Call Sanitary Sewer and Water Main Services

EKI is providing as-needed general engineering and consulting services for the Town of Hillsborough under our third, consecutive multiple-year on-call contract. Our work includes the design and preparation of PS&E, construction management and inspection services for sanitary sewer and other pipeline projects. Recent sanitary sewer related task orders include:

Client Details
Town of Hillsborough
1320 La Honda Road
Hillsborough, CA 94010

Years: 2013-Ongoing

Reference
Natalie Gribben
Senior Civil Engineer
(650) 375-7444
ngribben@hillsborough.net

EKI Role & Team Members:
Prime On-Call Consultant
Tyler Colyer, PE – Project Manager
Jonathan Sutter, PE
Sam Cronin, PE
Subconsultant:
Electrical and Structural

- Sanitary Sewer Rehabilitation and Replacement Program. EKI has been providing design and construction support services for replacing or rehabilitating over 35,000 LF of sanitary sewer pipe and its appurtenances using pipe bursting, pipe reaming, and open trench methods in the public right-of-way and within easement areas. Pipe bursting is the preferred construction method and has been specified for all pipe replacements except when potential conflicts were identified. For these potential conflict areas and along new sewer alignments, open trench construction was specified. EKI created base maps for these projects via the use of GPS surveying equipment, allowing for identification of potential conflicts in the field early in each project. A summary of each phase's scope and level of effort is listed below:

Phase	Linear Feet (LF)	No. of Manholes	Pipe Sizes and Material	Construction Completion Date
Phase 1A	7,000 LF	40	6-inch and 8-inch vitrified clay pipe (VCP)	Fall 2020
Phase 1B	10,000 LF	47	6-inch and 8-inch VCP	Winter 2021
Phase 1C	10,500 LF	70	6-inch and 8-inch VCP and ductile iron pipe	Early 2024
Phase 23A	5,700 LF	36	6-inch and 8-inch VCP	Spring 2024
Phase 24A	4,200 LF	30	6-inch and 8-inch VCP	Summer 2025

- Forest View Avenue/Newhall Road Sewer Main Replacement Project: EKI performed design services for replacement and upsizing of approximately 2,300 LF of sanitary sewer pipe from 8-inch to 14-inch diameter HDPE. Prior to the start of design, EKI performed an evaluation of various sanitary sewer improvements and alignments with the intent of eliminating sanitary sewer overflows. EKI assisted the Town with choosing the most favorable project based on capital and operational improvement criteria.

- Roblar Avenue/Santa Inez Avenue Sanitary Sewer Study. EKI prepared an alternatives analysis for replacement and upsizing of approximately 6,440 LF of sanitary sewer pipe (2,500 LF of which is a parallel sewer pipe). The design intent was to reduce the overall length of piping and eliminate sanitary sewer overflows. EKI reviewed sanitary sewer video for pipe and manhole condition, prepared a desktop model of the sewer alignment, and developed conceptual-level cost estimates for two alternative improvement projects.
- Ralston Avenue Pepper Avenue Water Main Replacement Project. The project replaced approximately 2,300 LF of existing 10-inch diameter ductile iron pipeline with a new 12-inch PVC pipeline. In addition, the Town

engaged EKI to consolidate this project's design documents with another consultants' sanitary sewer design documents to develop the overall bid package. The project was successfully completed.

- Sandra/Hayne Storm Drain Replacement. EKI evaluated alternatives and developed the design for replacement of the Cherry Creek storm drainage structures and pipes at Hayne Road and Sandra Road. The selected final alternative included replacement of a concrete headwall structure, replacement and consolidation of four failing corrugated metal pipelines with high-density polyethylene pipes (24-in to 60-in) of large diameters. The project also included the restoration of the creek downstream where each pipe daylights. For the pipelines, EKI prepared design plans, specifications, opinions of probable construction costs and provided construction oversight through key inspections during the project. EKI also oversaw the structural and environmental designers for the project.

Sanitary Sewer Rehabilitation – Phase 7, City of Piedmont

EKI is providing design, bid support, and construction support services to replace and rehabilitate approximately 23,000 linear feet (LF) of aging sanitary sewer pipeline as a part of Phase 7 of the City's Sanitary Sewer Rehabilitation Project. Infiltration and inflow are the chief issues motivating the improvement of these sections of sanitary sewer line. This project's specific goals are the result of a Consent Decree with the United States Environmental Protection Agency, the State of California, and six other East Bay sewer agencies to reduce inflow and infiltration and sewer system overflows.

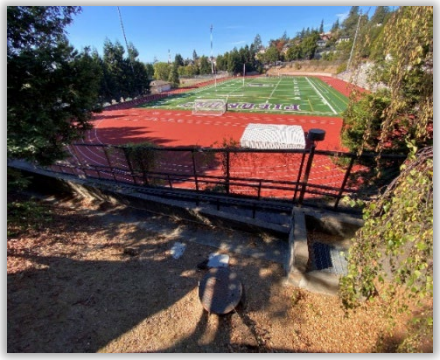
Client Details
City of Piedmont
120 Vista Avenue
Piedmont, California 94611

Years: 2024 – Current

Reference
Daniel Gonzales
Director of Public Works
Ph: (510) 420-3061
dgonzales@piedmont.ca.gov

EKI Role & Team Members:
Prime On-Call Consultant
Tyler Colyer, PE
Dave Umezaki, PE
Sam Cronin, PE
Jordan Gans, PE

This Project involves replacements and/or rehabilitation of 6- to 16-inch vitrified clay pipe (VCP) and associated lower sewer laterals that are within the City right-of-way or easements. Associated manholes (172) are also to be replaced or rehabilitated utilizing cementitious and epoxy coatings, and cleanouts/lampholes are to be similarly improved. Due to very limited access along many of the alignments (particularly those in easements), EKI is prioritizing the use of trenchless replacement and rehabilitation methods, including pipebursting and cured-in-place pipe (CIPP) lining. However, a detailed constructability review at each stage of design is part of EKI's scope to review access conditions, existing pipe materials, and potential conflicts with other utilities. Generally, the existing pipes are being replaced with high-density polyethylene (HDPE) wherever feasible.



EKI is also assisting the City with preparing an application for a State Revolving Fund (SRF) loan through the State Water Resources Control Board (SWRCB) to fund this project. The project scope is split into two phases as it depends on the extent of the secured funding, the estimates prepared during the 75% design phase, and the actual pricing from bidding contractors. Since the construction of the project is dependent on obtaining funding, EKI is prioritizing initial design (35% design) and preparation of the California Environmental Quality Act (CEQA) documentation to support the SRF loan application.

North Coast County Water District - District Engineering Services

EKI has worked closely with the North Coast County Water District staff and management since 2020 to provide District Engineering services which include:

- CIP Programming and Budgeting: EKI assisted in the preparation of the Fiscal year CIP budgets for 2020-2021 and 2021-2022. Near-term projects were prioritized and the budgets and cash flows for each project were updated.
- Hydraulic Modeling and Storage Evaluations: Our engineers constructed and calibrated a new hydraulic model for the District. This required updates to the District's water system GIS by merging multiple datasets and incorporating recent projects. At the same time, a storage evaluation was completed in conjunction with this modeling effort that identified the required volume and location of future storage projects.
- Pipeline Design: We are the lead engineering designers with the District on the following projects:
  - Multi-phase water main loop at Everglades Drive that will create a loop in the southeast areas of the District's system and allow abandoning the inaccessible aging pipes.
  - Emergency installation of a new main at Frances Avenue to replace a leaking pipe located behind homes.
- Groundwater Supply System Design: Based on the groundwater supply study recently completed by EKI which secured a grant of $6.6M. Our team is initiating design, CEQA compliance, bid support, engineering services, construction management and grant administration support for the installation of up to three new groundwater wells, conveyance piping and pumping and treatment.
- Construction Inspection: Our engineers provided construction inspection services on behalf of the District for the City of Pacifica's Balboa Way water main replacement project and we are currently teaming with Tanner Pacific to provide inspection services for the Loop at Everglades Drive Project.
- Third-Party Engineering Reviews: EKI has provided third-party peer reviews for several projects with the District such as Sheila Tank Project Design, Fassler Tank Replacement Siting Study, Manor Drive Overpass Feasibility Study, and Hinton Ranch Pipeline Project Feasibility Study.

- Urban Water Management Plan (UWMP): EKI prepared the District's 2020 UWMP and Water Shortage Contingency Plan and developed an understanding of the District's water supply and water demand projections.

Client Details
North Coast County Water District
80 Eureka Square Suite #219
Pacifica, CA 94044

Years: 2020-Ongoing

Reference
Adrianne Carr, Ph.D.
General Manager
North Coast County Water District
Ph: (650) 355-3462
acarr@nccwd.com

EKI Role & Team Members:
As-Needed Prime Engineering Consultant
Tyler Colyer, PE
Jonathan Sutter, PE
Sam Cronin, PE
Chris Pittner, PE, QISP
Jordan Gans, PE
Yuqing Gao, EIT
Subconsultants:
Survey and Mapping
Electrical and Structural
Geotechnical

Coastside County Water District – On-Call Capital Improvement Projects and Engineering Services

EKI has assisted Coastside County Water District in managing and implementing its 10-year CIP since November 2018. EKI has helped the District prioritize, program, manage, plan, design and oversee the construction of its near-term capital improvement projects. Recently, EKI has expanded its role with the District to review development applications for new water services and mainline extensions. Specifically, EKI has completed the following projects:

- CIP Management: Our engineering experts conducted a detailed review of the District's 10 year CIP budget and prepared implementation schedules for 2-years and 10-years along with cash flow analyses for both terms.
- Project Management: We provided project management services that included preparation of RFPs, selection and management of consultants, and review of work project deliverables for projects. An example is the seismic evaluation of the District's welded-steel water storage tanks.
- Water Distribution System Design and Construction Management: Our engineers have designed and managed 29,000 LF of new water mains for the District, ranging in size from 2-in to 20-in. Several projects have included trenchless construction, including several horizontal directional drilling (HDD) installations under creeks with sensitive habitats and bore and jack across Highway 1. Projects have also included the installation of new pressure regulating valve (PRV) stations. In addition to the design, bid support and construction management, EKI has been responsible for easement support, environmental compliance, permitting and construction inspection for several projects. EKI is currently designing a pipeline rehabilitation using a flexible reinforced fabric liner (Primus Line).

Client Details
Coastside County Water District
766 Main St.
Half Moon Bay, CA 94019

Years: 2011-Ongoing

Reference
Mary Rogren.
General Manager
Ph: (650) 726-4405
mrogren@coastsidewater.org

EKI Role & Team Members:
As-Needed Prime Engineering Consultant
Tyler Colyer, PE
Jonathan Sutter, PE
Sam Cronin, PE
Jordan Gans, PE
Yuqing Gao, EIT
Subconsultants:
Electrical and Structural
Geotechnical

Project Name	Linear Feet (LF)	Pipe Sizes and Material	Construction Method/Project Features
Highway 92 Emergency Pipeline Replacement Project	5,650 LF	10-inch DI pipe and 12-inch HDPE pipe	Three (3) HDD creek crossings + open trench / Private property acquisition
Grandview Water Main Replacement	3,400 LF	6-inch and 8-inch DI pipe	Pipe jacking under Highway 1 + open trench + new PRV station/ Caltrans Permitting
Pilarcitos Avenue (Strawflower) Water Pipe Replacement	475 LF	10-inch HDPE pipe	HDD under creek / Private property acquisition
	200 LF	8-inch DI pipe	Open trench
El Granada Water Pipeline Replacement - Final Phase	420 LF	20-inch HDPE	HDD under creek
	900 LF	16-inch and 6-inch DI Pipe	Open trench
Casa Del Mar and Grand Blvd PRV Stations and Pipeline Extension	520 LF	8-inch DI pipeline	Open trench + new PRV stations
Ferdinand Avenue Water Main Replacement	1,590 LF	6-inch DI pipe	Open trench

Project Name	Linear Feet (LF)	Pipe Sizes and Material	Construction Method/Project Features
Pine/Willow/Oak Water Main Replacement	4,350 LF	New 8-inch DI pipe	Open Trench
Miramontes Point Road Water Main Replacement	3,600 LF	10-inch iPVC pipe	Open Trench
	2,200 LF	6-inch iPVC pipe	Open Trench

- Storm Drainage and Road Resurfacing Design and Construction Management: EKI completed design and construction management for the replacement of the existing culverts and reconstruction of the steep access road from the Denniston Water Treatment Plant to the Denniston Tank Site.
- Development Projects and Third-Party Review: EKI has reviewed development applications for new service and mainline extensions to evaluate services and ensure compliance with District standards. The projects were specifically for New RV and City parks. Additionally, EKI reviewed and proposed updates on the District's Non-Complex Mainline Extension Policy, Half Moon Bay Highway 1 North Improvements and San Mateo Midcoast Multi-Modal Trail Improvements.

- Hydraulic Modeling: EKI has updated the District's water system hydraulic model to incorporate recent system improvements, current demand conditions and recent pump curves and settings. Our engineers also performed an extended period of simulation calibration.
- Systemwide Storage Evaluation: EKI prepared a systemwide storage evaluation to assess the District's existing storage tanks and prioritize future storage improvement projects in the District.

City of Brisbane / Guadalupe Valley Municipal Improvement District (GVMID) - As-Needed Water & Wastewater Engineering Services

EKI has assisted the City of Brisbane / Guadalupe Valley Municipal Improvement District (City) plan, manage, and implement its water and sewer CIPs, as well as manage its water resources planning efforts. Specifically, EKI has completed the following projects within the past three years:

- CIP Management: EKI helped the City develop a 10-year Water and Sewer CIP implementation schedules and cash flows that covered two $5 million utility bonds.
- Engineering Design: EKI has performed the following engineering design projects:

  Annis Road PRV Station and Fire Main Replacement Project: EKI prepared plans, specifications, and cost estimates to replace approximately 6,500 LF of existing 6-inch water mains with new 8-inch and 10-inch ductile iron water mains and install a new PRV station to improve the potable water system's capacity to supply fire flows in a residential area. All work is within residential area characterized by narrow streets, hilly terrain with extensive bedrock, and existing utilities that cover a significant footprint in the project area. To

Client Details
City of Brisbane
50 Park Place
Brisbane, CA 94005

Years: 2015-Ongoing

Reference
Jerry Flanagan, P.E.
Deputy Director, Public Works Department – Utilities
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Jflanagan@ci.brisbane.ca.us

EKI Role & Team Members:
Prime On-Call Consultant
Jonathan Sutter, PE
Chris Pittner, PE
Yuqing Gao, EIT
Subconsultants:
Electrical and Structural
Geotechnical

minimize impacts in residential areas with narrow streets and hilly terrain with extensive bedrock, EKI developed a temporary bypass and sequencing plan so that the new main could be installed in the existing water main trench. Construction of the project was split into two phases: Phase 1 was completed in Spring 2019 and Phase 2 was completed in December 2020. EKI performed construction management and engineering services during construction for both phases. The Fire Main Replacement Project - Phase 2 was recognized as Honorable Mention for the Utilities ($2M – $5M) Category by the American Public Works Association (APWA) Silicon Valley Chapter in 2021.

Glen Park Pump Station Upgrades Project: EKI is preparing the design for the replacement of the Glen Park Pump Station. The project will replace the existing potable water booster pump station and building and increase the firm capacity from 450 gallons per minute (gpm) to 1,450 gpm. EKI has completed the 90% Design submittal. The project is currently on hold until the City can secure additional funding.

Piping Interconnection Improvements at Glen Park Way and Humboldt Drive: As part of the Glen Park pump station design, EKI completed a pump test and hydraulic model evaluation that identified a disconnection in the pump stations discharge piping. EKI oversaw site investigations and designed a new interconnection to resolve the issue.

- As-needed Hydraulic Modeling: EKI has provided on-call hydraulic modeling services for the City to support operations and infrastructure improvements.
- Owner's Representative for Design/Build Project: *SCADA Upgrades Project:* EKI is managing the City's SCADA Upgrades Project, which will replace the City's existing out of date SCADA system at all their water and wastewater facilities. EKI prepared the SCADA preliminary design, technical requirements, and a request for proposals to select a SCADA integrator to design and build the City's new SCADA system. The EKI team will assist in the selection of the design/builder and provide engineering services during construction. The project is currently on hold until the City can secure additional funding.

- Construction Management: EKI performed construction management services for the Annis Road PRV Station and Fire Main Replacement Project - Phase 1 and Phase 2, including contract administration, field review, document control, and change order negotiation.
- Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP): EKI assisted the City prepare its RRA and ERP and comply with the America's Water Infrastructure Act (AWIA) of 2018.
- Review of Development Plans: EKI is also currently supporting the City's planning department in reviewing the utility plans and the environmental cleanup process for the Baylands Development.
- Water Resources Work: EKI prepared a preliminary assessment of groundwater resources development potential to meet non-potable irrigation needs. In addition, EKI is currently preparing several Water Supply Assessments to support development projects within the City.

Previously, EKI prepared the City's 2017 Water and Sewer Systems Master Plan Updates; assisted the City in public outreach for the Annis Road PRV Station and Fire Main Improvement Project, including preparation of presentation materials and participation in public meetings; and helped secure the CEQA categorical exemption, SFPUC Project Review Committee approval, and a Division of Drinking Water pipe separation requirement exemption for the Annis Road PRV Station and Fire Main Replacement Project. EKI also prepared the City's most current Water Shortage Contingency Plan.

Valley of the Moon Water District On-Call Design Engineering and Water Supply Planning Services

EKI has been working with Valley of the Moon Water District (VOMWD) since 2015 and has successfully completed water supply and conservation and infrastructure design and construction support projects.:

- Engineering Design: *Park Avenue Well Replacement, Chestnut Exploratory Borehole, and Aquifer Storage and Recovery:* EKI prepared design documents for the construction and equipping of a replacement supply well at the District's Park Avenue Well site. The well is located in fractured bedrock, and the design included a new submersible well pump, piping, appurtenances, and connections to the existing well system. The design also included the drilling of an exploratory borehole at a nearby tank site to assess whether a permanent supply well could be constructed at that location. The drilling portions of the project were repackaged as part of the District's Aquifer Storage and Recovery (ASR) project, which also includes three dual-nested monitoring wells at the Park Avenue and Well 5A sites. The drilling portion of the ASR project was recently completed and EKI is provided construction and testing oversight. EKI recently prepared a feasibility study to determine whether the Park Avenue Well and Well 5A are suitable for ASR operations, and will begin implementing a pilot test at each well site in fall 2024. Additionally, EKI assisted the District in obtaining approximately $3 million of drought-relief funding from the Department of Water Resources to support the ASR project.

  Altimira Fire Flow Improvements Design: EKI is preparing plans, specifications, and cost estimates to replace approximately 5,000 LF of existing 6-inch and 8-inch water mains with new 12-inch PVC water mains to improve fire flows. The project includes relocating portions of the water main along with a pressure-reducing valve.

  Well 5A Production Well Replacement: EKI prepared design documents, performed construction management, and led permitting for the Well 5A Production Well Project, which included construction of a new well cased to a depth of 692 feet, rehabilitation and refurbishing the existing iron and manganese treatment system, and piping and appurtenant work.

  Well 5A Treatment and Water Quality Investigations: Water quality testing during construction of Well 5A, which replaced an existing well at the same site, showed that there were elevated levels of arsenic, iron and

Client Details
Valley of the Moon Water District
19039 Bay St.
Sonoma, CA 95476

Years: 2014-Ongoing

Reference
Matthew Fullner
General Manager
Valley of the Moon Water District
19039 Bay St., Sonoma, CA 5476
Ph: (707) 996-1037
mfullner@vomwd.org

EKI Role & Team Members: Prime On-Call Consultant
Tyler Colyer, PE
Jonathan Sutter, PE
Dave Umezaki, PE
Chris Pittner, PE
Jordan Gans, PE
Yuqing Gao, EIT

manganese, as well as a periodic hydrogen sulfide odor in the groundwater. The well system already had a greensand filter to remove iron and manganese, so EKI developed a design for a new ferric chloride feed system that would allow the existing filters to co-precipitate and remove the arsenic and a residuals management system. To address the hydrogen sulfide odors, EKI developed a scope of work for a driller to perform zone testing and oversaw water quality testing of hydrogen sulfide during scope implementation. While the testing identified areas of higher hydrogen sulfide, additional testing may be done to further isolate and test specific water bearing zones to make a final recommendation on well modifications.

- Storage Tank Evaluations: *Richards Boulevard Tank:* EKI prepared a siting evaluation for a potential new prestressed concrete water storage tank, including a conceptual site layout, hydraulic modeling evaluation to determine if the tank site will benefit operations and improve fire flow availability, cost estimate, and a constructability review.

  Evaluation of Storage and Supply Requirements for Glen Ellen: EKI prepared several studies related to new storage tanks in Glen Ellen (Pressure Zone 1F). EKI performed an analysis to identify potential tank sites by reviewing properties located at elevations that match the Pressure Zone 1F hydraulic grade line. For one of these sites, EKI prepared site maps and cost estimates for a new partially buried prestressed concrete tank to support negotiations with property owners. EKI also recently updated the storage and supply evaluations for Pressure Zone 1F that EKI previously prepared as part of the 2019 Water Master Plan to account for storage within the Sonoma County Water Agency (SCWA) Aqueduct and recent improvements.

- Grant Funding: EKI prepared the District's application for the Department of Water Resources Urban and Multibenefit Drought Relief Grant to implement several groundwater supply and aquifer storage and recovery (ASR) projects. The District was recently awarded over $3.4 million in grant funding to replace the Park Well and implement ASR at the Park Well and Well 5A sites.
- Water System Master Plan: EKI prepared the District's 2019 Water Master Plan, which serves as the basis for the District's 25-year CIP. As part of this effort, EKI constructed and calibrated a new GIS-based hydraulic and performed a storage and supply evaluation. To construct the hydraulic model, EKI converted the District's CAD maps into a geodatabase of all the water system facilities.
- On-Call Hydraulic Modeling: EKI has performed on-call hydraulic modeling evaluations to support operational decisions and evaluate alternative improvement projects, including evaluating the need for a temporary bypass during construction of the Boyes Avenue Bridge Project, alternative water main improvement in lieu of the Saddle Tank Replacement Project, implications of deferring replacement of the 8-inch main on the Arnold Drive Bridge until the bridge is repaired or replaced, and fire flow availability for a new development.
- Permitting Support: EKI assisted VOMWD with updating its water system permit from the State Water Resources Control Board, Department of Drinking Water. VOMWD is adding two new wells to its system, as well as replacing onsite chlorine generators with liquid chlorine at seven additional wells. EKI developed and compiled the permit package including preparing drinking water sources assessments and documenting the final construction for the two new wells, compiling documentation that all materials and chemicals in contact with water are certified as compliant with National Sanitation Foundation, Standards 60 or 61, and developing system schematics and site plans.
- Third-Party Review: EKI provided a third-party engineer review of the County of Sonoma's Boyes Boulevard Bridge Replacement Project related to the replacement of the water main attached to the existing bridge and recommended several design changes, including installation of EBAA Iron Flex-Tend Couplings.
- Engineering and Water Resources Support for System Consolidation: EKI providing engineering and water resources support related to consolidation of the Sonoma Developmental Central (SDC) water system with the District's water system, as part of redevelopment of the SDC site. EKI completed a water supply model to assess the reliability of the SDC's existing surface water supplies and is preparing a Water Supply Assessment to support the SDC Specific Plan. EKI is currently preparing an engineering evaluation to assess the required

infrastructure needed to consolidate and transfer flows between the two systems and is preparing a transition plan that maps out permitting requirements and next steps.

- Urban Water Management Planning: EKI prepared the District's 2020 UWMP and Water Shortage Contingency Plan (WSCP) in accordance with the California Department of Water Resources UWMP Guidebook requirements.

City of Lathrop Integrated Water Resources Planning and other Water Resource Planning Services

EKI was retained by the City to prepare integrated water, wastewater, and recycled water master plans, provide technical support for detections of per- and polyfluoroalkyl substances (PFAS) in the City's groundwater, conduct various water resources planning efforts, and serve as program manager for various improvement projects at the wastewater and recycled water facilities.

Client Details
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Years: 2015 – Current

Reference
Greg Gibson, Senior Civil Engineer
City of Lathrop
Ph: (209) 941-7220
ggibson@ci.lathrop.ca.us

EKI Role & Team Members:
Prime On-Call Consultant
Jonathan Sutter, PE
Dave Umezaki, PE
Chris Pittner, PE
Jordan Gans, PE

- Integrated Water Resources Master Plan: EKI prepared the City's Integrated Water Resources Master Plan (IWRMP), which includes comprehensive updates to the Water, Wastewater, and Recycled Water Master Plans and associated CIPs. We updated the City's infrastructure and land use geodatabases to develop new GIS-integrated hydraulic models in InfoWater and InfoSWMM, evaluated water demands and wastewater flows projections and peaking factors, evaluated the City's future water supply reliability, and recommended CIPs for each utility. EKI performed field testing to calibrate the City's new hydraulic model. EKI also provides on-call hydraulic modeling analyses to evaluate required water, sewer, and recycled water infrastructure needed to support new major developments.
- UWMP/SGMA/WSA: Prepared the City's 2015 and 2020 UWMPs, and associated AWSDAs and WSAs. Successfully secured a basin boundary modification on behalf of the City to move portions of Lathrop from the East San Joaquin Subbasin, a high-priority and critically overdrafted basin, to the Tracy Subbasin, a medium priority basin.
- PFAS Technical Support: EKI provided the City with technical support related to the detection of PFAS in the City's groundwater supply. EKI assisted the City to determine the extent of the impacts, meet the dynamic regulatory requirements, and evaluate potential treatment and blending options. EKI presented initial findings to the City Council. EKI completed a bench-scale test to evaluate the effectiveness of granulated activated carbon (GAC) in removal of PFAS in the City's groundwater supply and prepared a feasibility study of potential alternatives.
- Recycled Water Program Management: Served as Program Manager for the CTF Expansion Project and Five-Year Wastewater Capacity Project – expansion of MBR wastewater treatment plant from 1.0 mgd to 2.0 mgd. Role included selection of engineer for the construction, coordination with stakeholders, management of three consultants and six developers, and technical review of engineering documents. Secured a new Waste Discharge Requirements (WDR) permit for the expansion of the membrane bioreactor (MBR) wastewater recycling plant (CTF Expansion Project and Five-Year Wastewater Capacity Project); Coordinated eight consulting engineering firms and fifteen developers on behalf of the City as it underwent a complex permit compliance process, prepared detailed project schedules, technical review of engineering documents, and interfaced with regulatory agencies. Currently managing compliance actions for the City's WDR permit, which

permits the discharge of recycled water from the City's domestic wastewater treatment plant to parks, landscaping, and agricultural land.

EKI's City of East Palo Alto Planning and Design Experience

EKI has supported the City of East Palo Alto on multiple projects over the last several years related to water system planning and design. Specifically, EKI has completed the following projects within the past three years:

Client Details
City of East Palo Alto
2415 University Avenue
East Palo Alto, CA 94303

Years: 2014-Ongoing

Reference
Humza Javed, City Engineer
(650)853-3179
hjaved@cityofepa.org

EKI Role & Team Members:
Prime On-Call Consultant
Tyler Colyer, PE – Project Manager
Jonathan Sutter, PE
Yuqing Gao, EIT
Subconsultant:
Electrical and Structural

- Water System Master Plan and CIP Development: EKI recently prepared the City's 2022 Water System Master Plan, which will serve as the basis for the City's 20-year capital improvement program. This effort included developing a new all-pipes hydraulic model, a spatial demand analysis, a storage and supply capacity assessment, and hydraulic model calibration and analysis. EKI developed capital improvement projects to address several areas with existing fire flow and supply deficiencies, developed opinions of probable costs, and risk-based 20-year CIP budgets and schedules in five-year increments.
- Development Project Review and As-Needed Engineering Support: Over the last few years, EKI has assisted the City with review of tank and pipeline design plans prepared by developers, preparation of grant applications, and development of ordinances and RFPs.
- Engineering Design:
  - Pad D Well: EKI performed design services for the construction of a new municipal supply well and above-ground disinfection and distribution components at the Pad D well site. The system is anticipated to be used primarily for emergency purposes and will include a submersible well pump, chemical amendments, and a hydropneumatic tank. The footprint for the system was optimized due to the very small parcel and room must be reserved for potential future treatment units.

  - Gloria Way Well Facility: EKI provided planning, design, permitting, and start up support for the Gloria Way Iron and Manganese Groundwater Treatment System**,** which included the installation of new iron and manganese treatment chloramination systems, blending with high-quality SFPUC Hetch-Hetchy water to address high chloride and total dissolved solids levels, and a new high service pumping and surge tank. EKI also conducted a hydrogeologic investigation and installation of a test well at the Pad D site, which included test well design and construction, aquifer testing, water quality sampling, groundwater modeling, preliminary design, and cost estimation. To support these groundwater projects, EKI assisted the City to secure $3 million in Prop 84 grant funding.
- Urban Water Management Planning: EKI prepared the City's 2015 and 2020 UWMPs in accordance with the California Department of Water Resources UWMP Guidebook requirements. EKI presented the findings from the UWMPs to the City Council. EKI also prepared the City's 2022, 2023, and 2024 Annual Water Supply and Demand Assessments.

- Water Supply Support: EKI facilitated the first ever transfer of Individual Supply Guarantee (ISG) between wholesale customers on the San Francisco Public Utilities Commission (SFPUC) system when the City purchased a portion of ISG from the Cities of Palo Alto and Mountain View in 2017.

The table below illustrates key EKI staff members and relevant project experience.

EKI's Services for Capital Improvement Projects and Utility and Facility Operations Engineering	Key Staff			Selected Experience							
	Dave Umezaki, PE	Tyler Colyer, PE	Jonathan Sutter, PE	City of Daly City	North Coast County WD	Coastside County WD	City of Brisbane	Valley of the Moon WD	City of Piedmont	Town of Hillsborough	City of East Palo Alto
General and Specialized Engineering Support Services for Utilities Systems (Sewers and Stormwater only)	⊙	⊙	⊙	♦		♦			♦	♦	
General and Specialized Engineering Support Services for Utilities (Potable Water and Recycled Water)	⊙	⊙	⊙	♦	♦	♦	♦	♦			♦
Utilities Services Evaluation for Development Projects (All Utilities)	⊙	⊙	⊙		♦	♦	♦	♦			♦
Management Services (Utilities)	⊙	⊙	⊙		♦	♦	♦	♦		♦	♦
Design, Bid Support, and Engineering Services During Construction	⊙	⊙	⊙	♦	♦	♦	♦	♦	♦	♦	♦
Construction Management and Inspection	⊙	⊙	⊙		♦	♦	♦	♦	♦		
Capital Project Planning, Programming, and Management	⊙	⊙	⊙	♦	♦	♦	♦	♦			♦
Condition Assessments and Asset Management	⊙	⊙	⊙		♦	♦	♦	♦		♦	
Preparation of Staff Reports and Presentations to Board of Directors/City Councils	⊙	⊙	⊙		♦	♦		♦	♦		♦
Hydraulic Modeling			⊙	♦	♦	♦	♦	♦			♦
GIS System Support			⊙		♦	♦	♦	♦			♦
Permitting Support	⊙	⊙	⊙	♦		♦		♦		♦	♦
Grant Funding Support	⊙	⊙	⊙		♦	♦	♦	♦			♦
On-Call Services	⊙	⊙	⊙	♦	♦	♦	♦	♦		♦	♦

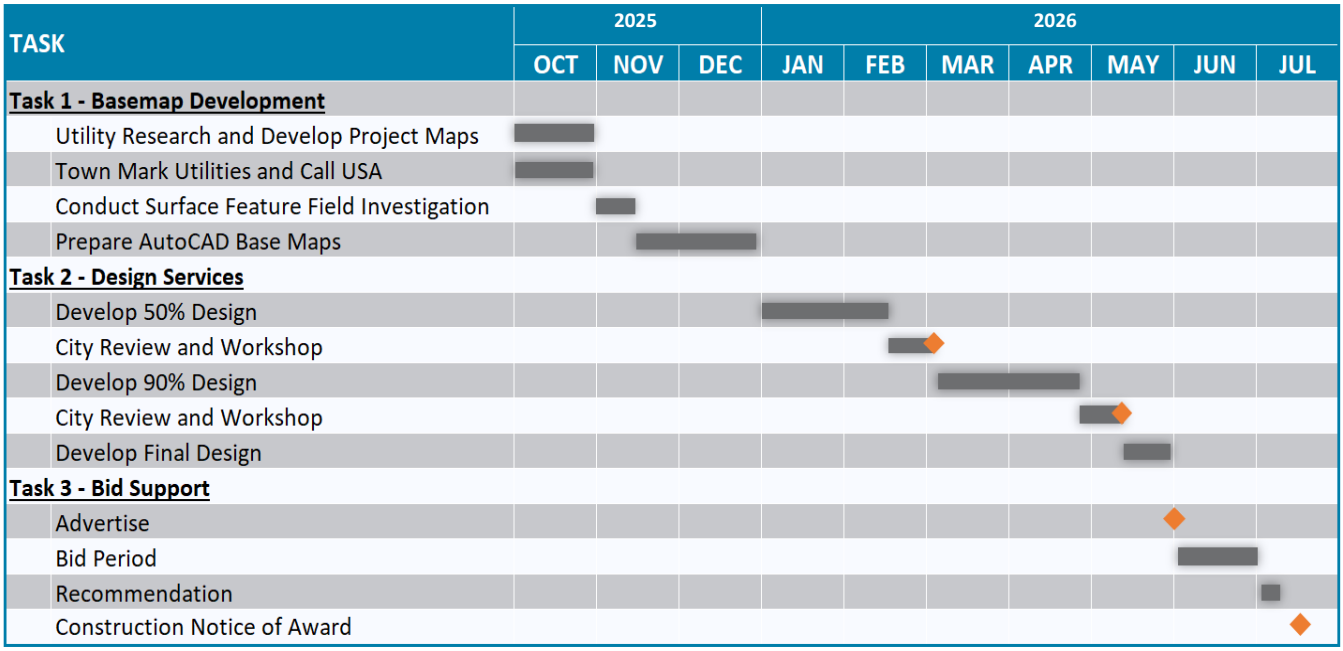
6. REFERENCES

EKI has provided similar engineering services to municipal clients in California. Our clients trust our teams for the high quality of our work, our attention to detail, and our responsiveness. The references below can attest to our team's relevant experience providing a full range of civil engineering services and support for municipal water, sewer, and stormwater projects.

References
Coastside County Water District. Under a professional services agreement for Capital Project Management, EKI is providing district engineering, planning, design, bid support and construction support services for a variety of pipeline, tank, booster pump station, and miscellaneous water system facility projects. Contact Name: Mary Rogren | P: (650) 726-4405 | E: mrogren@coastsidewater.org
City of Daly City. EKI has been assisting the City of Daly City with sanitary sewer and water main CIP project design and construction services for a variety of pipeline projects, including the Evergreen/Winchester/Templeton Sewer Replacement Project, the I-280 Sewer Crossing Project, and the Callan Boulevard Water Main. Contact Name: Jeff Bastian | P: (650) 742-4592 | E: jbastian@dalycity.org
North Coast County Water District. EKI has worked closely with the North Coast County Water District (NCCWD) staff and management over the last four plus years to provide On-Call and District Engineering services, including construction, maintenance, and analysis of a new hydraulic model. Contact Name: Adrianne Carr, Ph.D. | P: (650) 355-3462 | E: acarr@NCCWD.com
Town of Hillsborough. EKI has been assisting the Town of Hillsborough with its Sanitary Sewer Rehabilitation and Replacement Program, providing design and construction support services for replacing or rehabilitating over 35,000 LF of sanitary sewer pipe and its appurtenances using pipe bursting, pipe reaming, and open trench methods in the public right-of-way and within easement areas. EKI has also assisted the Town with the following projects: (1) Sandra Hayne Storm Drain Replacement; (2) Forest View Avenue/Newhall Road Sewer Main Replacement; (3) Roblar Avenue/Santa Inez Avenue Sanitary Sewer Study; and (4) Ralston Avenue Pepper Avenue Water Main Replacement. Contact Name: Natalie Gribben | P: (650) 375-7444 | E: ngribben@hillsborough.net
City of Brisbane. EKI has assisted the City plan, manage, and implement its water and sewer CIPs. Specifically, EKI (1) prepared the City's 2017 Water and Sewer Systems Master Plan Updates, (2) helped the City develop a 10-year CIP implementation schedule and budget that covered two $5 million utility bonds, (3) performed engineering design for the Annis Road PRV Station and Fire Main Replacement Project, Glen Park Pump Station Upgrades, and the Humboldt PRV Station Preliminary Design, and (4) prepared the City's 2014 and 2023 Water Shortage Contingency Plans. EKI is currently managing the City's SCADA Upgrades Project, which will replace the City's existing out-of-date SCADA system at all of its water and wastewater facilities. Contact Name: Jerry Flanagan, PE | P: (415) 508-2137 | E: jflanagan@ci.brisbane.ca.us
Valley of the Moon Water District. EKI has supported the Valley of the Moon Water District in several different capacities. EKI prepared the District's Water Master Plan, prepared its 2015 and 2020 Urban Water Management Plans (UWMP), and assisted on a variety of planning, design, and construction management projects for its water system. EKI provided engineering design and construction management services for the Well 5A Production Well Project and is currently performing feasibility analysis, engineering design and construction management for the District's Aquifer Storage and Recovery project. Additionally, EKI has performed On-Call hydraulic modeling evaluations to support operational decisions and evaluate alternative improvement projects. Contact Name: Matthew Fullner | P: (707) 966-1037 | E: mfullner@vomwd.org

7. SCHEDULE

For each task order, EKI will develop a detailed schedule with durations and interdependencies. EKI will work with the District to meet schedule expectations and track the schedule throughout the project to identify any schedule variances. If schedule variances are identified, mitigation plans will be developed in conjunction with the District staff to help ensure that corrective measures are implemented within the framework of the overall project schedule. Included below is a sample schedule from a "typical" pipeline replacement project; however actual schedules will depend on the scope of each task order.



Sample Schedule for a Pipeline Replacement and Rehabilitation Project

8. COST

SCHEDULE OF CHARGES FOR EKI ENVIRONMENT & WATER, INC. 1 January 2025

Personnel Classification	Hourly Rate 2025
Officer and Chief Engineer-Scientist	355
Principal Engineer-Scientist	343
Supervising I, Engineer-Scientist	333
Supervising II, Engineer-Scientist	319
Senior I, Engineer-Scientist	306
Senior II, Engineer-Scientist	295
Associate I, Engineer-Scientist	283
Associate II, Engineer-Scientist	267
Engineer-Scientist, Grade 1	248
Engineer-Scientist, Grade 2	234
Engineer-Scientist, Grade 3	215
Engineer-Scientist, Grade 4	193
Engineer-Scientist, Grade 5	170
Engineer-Scientist, Grade 6	148
Project Assistant	139
Technician	133
Senior GIS / Database Analyst	175
CADD Operator / GIS Analyst	152
Senior Administrative Assistant	167
Administrative Assistant	132
Secretary	111

Direct Expenses

Reimbursement for direct expenses, as listed below, incurred in connection with the work will be at cost plus fifteen percent (15%) for items such as:

a) Maps, photographs, reproductions, printing, equipment rental, and special supplies related to the work.
b) Consultants, soils engineers, surveyors, drillers, laboratories, and contractors.
c) Rented vehicles, local public transportation and taxis, travel, and subsistence.
d) Special fees, insurance, permits, and licenses applicable to the work.
e) Outside computer processing, computation, and proprietary programs purchased for the work.

A Communication charge for e-mail access, web conferencing, cellphone calls, messaging and data access, file sharing, local and long-distance telephone calls and conferences, facsimile transmittals, standard delivery U.S. postage, and incidental in-house copying will be charged at a rate of 4% of labor charges. Large volume copying of project documents, e.g., bound reports for distribution or project-specific reference files, will be charged as a project expense as described above.

Reimbursement for company-owned automobiles, except trucks and four-wheel drive vehicles, used in connection with the work will be at the rate of sixty cents ($0.60) per mile. The rate for company-owned trucks and four-wheel drive vehicles will be seventy-five cents ($0.75) per mile. There will be an additional charge of thirty dollars ($30.00) per day for vehicles used for field work. Reimbursement for the use of personal vehicles will be at the federally allowed rate plus fifteen percent (15%).

CADD and other specialized software computer time will be charged at twenty dollars ($20.00) per hour. In-house material and equipment charges will be in accordance with the current rate schedule or special quotation. Excise taxes, if any, will be added as a direct expense.

Rate for professional staff for legal proceedings or as expert witnesses will be at a rate of one and one-half times the Hourly Rates specified above.

The foregoing Schedule of Charges is incorporated into the Agreement for the Services of EKI Environment & Water, Inc. and may be updated annually.

APPENDIX A – RESUMES OF KEY PERSONNEL

Tyler F. Colyer, PE

Supervising Engineer - Project Manager

Mr. Colyer is a Professional Civil Engineer with over fifteen (15) years of experience in design, planning, and construction management of potable water, wastewater, stormwater and recycled water infrastructure, as well as experience in water quality and water resources planning. He has developed and managed all phases of design, project management, construction management, budgeting, scheduling, permitting, and coordinating with and on behalf of private clients and municipalities.

Education

- M.S., Civil and Environmental Engineering, University of California, Berkeley, 2010
- B.S., Environmental Engineering, University of California, Riverside, 2009

Registrations/Certifications

- Professional Engineer, CA (C #80141)
- Professional Civil Engineer AZ (#64179)
- 40-hour OSHA HAZWOPER Training Course

Relevant Experience

- **City of East Palo Alto.** *Water System Master Plan.* East Palo Alto, CA. Project Manager. Mr. Colyer oversaw the preparation of the City of East Palo Alto's Water System Master Plan Update. The project included construction of a new all-pipe hydraulic model, water demand projections, a risk-based capital improvement plan and a recycled water feasibility evaluation. Cost estimates and schedules were prepared for each recommended capital improvement project.
- **City of Daly City.** *Callan Boulevard Water Main Replacement.* Daly City, CA. Project Manager. Mr. Colyer is currently overseeing the design for replacing approximately 1,750 LF of the existing 6-inch diameter water main with 12-inch ductile iron pipe along a busy thoroughfare within the City. The project also includes relocating an existing pressure reducing valve station out of the roadway.
- **City of Daly City.** *I-280 Sewer Crossing.* Daly City, CA. Project Manager. Mr. Colyer is currently overseeing the design of a new sanitary sewer crossing underneath Interstate 280 to augment an existing crossing that is undersized and a single point of failure in the City's sanitary sewer system. The crossing is anticipated to be approximately 1,000 LF of 30-inch pipeline installed within a 48-inch casing that will be installed using trenchless techniques (e.g., tunnel boring machine). The project includes evaluation of several potential alignments, coordinating and permitting with Caltrans and adjacent municipalities, and significant pre-design investigations (geotechnical, aerial and ground survey, etc.). The project is currently in its preliminary design phase.
- **City of Daly City.** *Evergreen/Winchester/Templeton Sewer Replacement.* Daly City, CA. Project Manager. Mr. Colyer is currently overseeing the design for replacement and upsizing of approximately 2,200 LF of 14-inch through 21-inch terracotta combined storm and sanitary sewer pipelines and brick manholes. The project also includes reconnection of laterals and storm drain catch basin fly lines. Pipelines will be replaced via open-trench construction due to the pipeline sizes and proximity of other utilities within the roadways.
- **City of Piedmont.** *Phase 7 Sewer Replacement and Rehabilitation Project,* Piedmont, CA. Project Manager. Mr. Colyer is working with the City of Piedmont to replace or rehabilitate approximately 23,000 linear feet of sewer line and 170 sewer manholes. The project includes preparing a Basis of Design memo, CEQA and other Environmental Documentation, preparation of an SRF Loan application, preparation of contract

design documents, bid support, and construction support. This project will leverage Mr. Colyer's experience working in challenging site conditions, including limited equipment access during construction, steep and heavily vegetated terrain, work within easements on private property, and extensive homeowner coordination.

- **Town of Hillsborough.** *Sanitary Sewer Rehabilitation Projects,* Hillsborough, CA. Project Engineer. Mr. Colyer has provided oversight for the design and construction of a series of sanitary sewer replacement projects since 2020. Two phases of the project have been constructed, two phases a under construction, and the next phase is in design. In total, these projects account for the replacement or rehabilitation of over 35,000 LF of sanitary sewer lines, generally 6-in to 8-in in diameter.
- **Town of Hillsborough.** *Sandra/Hayne Storm Drain Replacement Project,* Hillsborough, CA. Project Engineer. Mr. Colyer evaluated alternatives and developed the design for replacement of the Cherry Creek storm drainage structures and pipes at Hayne Road and Sandra Road. The selected final alternative included replacement of a concrete headwall structure, replacement and consolidation of four failing corrugated metal pipelines with high-density polyethylene pipes (24-in to 60-in) of large diameters.
- **Town of Hillsborough.** *Roblar Avenue/Santa Inez Avenue Sanitary Sewer Study*, Hillsborough, CA. Project Manager. Mr. Colyer prepared an alternatives analysis for replacement and upsizing of approximately 6,440 linear feet of sanitary sewer pipe (2,500 linear feet of which is a parallel sewer pipe) with the intent of reducing the overall length of piping and eliminating sanitary sewer overflows. Mr. Colyer reviewed sanitary sewer video for pipe and manhole condition, prepared a desktop model of the sewer alignment, and developed conceptual-level cost estimates for two alternative improvement projects.
- **Town of Hillsborough**. *Forestview Avenue/Newhall Road Sewer Main Replacement Project*, Hillsborough, CA. Project Engineer. Mr. Colyer prepared an evaluation of various sanitary sewer improvements and alignments within a residential neighborhood and provided recommendations for the most appropriate improvements. Based on the recommendation of improvements, Mr. Colyer prepared engineering plans and specifications for the construction of a 2,300-linear foot sanitary sewer upsize and replacement. The design included replacement of a flume (Palmer-Bowlus), flow sensor, and metering manhole. Mr. Colyer also provided engineering services during construction for this successful project.
- **Coastside County Water District.** *Installation of Pressure Reducing Valve Stations.* Half Moon Bay, CA. Project Engineer. Mr. Colyer oversaw the preparation of the design documents for this project. This project involved installation of (1) two new pressure reducing valve (PRV) stations, at Wave Avenue and Frontage Road and at Casa Del Mar Drive and Frontage Road, and approximately 520 linear feet (LF) of new 8-inch ductile iron pipe (DIP) between Beach Avenue and Casa Del Mar Drive to create a new pressure zone in the Casa Del Mar neighborhood and (2) installation of a new PRV station on at Grand Boulevard and approximately 140 LF of new 6-inch DIP along Grand Boulevard to add a new connection from the District's main transmission main to downtown Half Moon Bay.
- **Valley of the Moon Water District**. *Aquifer Storage and Recovery Project*, El Verano, CA. Project Manager. Mr. Colyer is overseeing the implementation of the District's Aquifer Storage and Recovery (ASR) project at two well sites. The project includes studies to determine the feasibility of ASR at the two sites, performing pilot studies at each site, and the design and construction of ASR infrastructure including a new ASR well, conversion of another existing supply well to an ASR Well, and construction of monitoring wells at each site. Additionally, EKI assisted the District in obtaining approximately $3 million of drought-relief funding from the Department of Water Resources to support the ASR project.

C. David Umezaki, PE

Principal Engineer - Principal in Charge

Mr. Umezaki has performed water, wastewater and recycled water program management for a number of cities in Northern California. In this role, he has managed several permitting, design, and construction efforts for major improvements to water and wastewater treatment plants. As part of his program management efforts, he has prepared technical evaluations, interfaced with regulatory agencies, and managed the efforts of numerous consultant teams and stakeholders on behalf of cities.

For twenty-nine years (29), Mr. Umezaki has held key roles on several engineering projects, including engineering design and design review, construction review, and operation and maintenance of water, wastewater, and groundwater treatment systems. He has provided construction observation services for soil and groundwater remediation and is experienced with construction management and contract administration. Mr. Umezaki has prepared engineering documents for submittal to regulatory agencies such as the United States Environmental Protection Agency and several California Regional Water Quality Control Boards. Mr. Umezaki evaluates technologies as part of feasibility studies, preparing cost estimates, and designing groundwater treatment systems.

Education

- M.S., Civil (Environmental) Engineering, Stanford University, 1995
- B.S., Civil Engineering, Stanford University, 1994

Registrations/Certifications

- Professional Civil Engineer, CA (#57697)
- Forty-hour OSHA HAZWOPER Training Course
- 8-hour Health and Safety Training Course for Supervisors

Relevant Experience

- **City of Daly City.** *On-Call Engineering Services,* Daly City, CA. Principal-In-Charge. Mr. Umezaki performed on-call engineering services related to sanitary sewer and storm drain systems. He managed on-call work including evaluation of proposal for a new discharge to sanitary sewer or storm drain system at a site located at the Serramonte Center. The project involved the evaluation of potential impacts to the wastewater treatment plant if hydrocarbon containing groundwater were discharged to the plant, and later an evaluation of potential options for discharge to the storm drain under existing General Permits. He also is currently the Principal-In-Charge for a series of pipeline design projects, including the Callan Boulevard Water Main, the Evergreen/Winchester/Templeton Sewer Main, and the I-280 Sewer Crossing projects.

- **City of Pacifica.** *On-Call Wastewater Projects,* Pacifica, CA. Project Manager. Mr. Umezaki served as project manager for a series of on-call services contract projects at the City's Calera Creek Water Recycling Plant (CCWRP). For the CCWRP ultraviolet disinfection system replacement project, He prepared the request for proposal (RFP) and related RFP addenda for engineering design services and assisted with the management and coordination of the associated pre-bid site meeting. He assisted with the planning and initial design of the upcoming headworks channel corrosion improvement project, including developing a workplan outlining the steps for the installation of new coatings in the concrete channel and vertical concrete box downstream of the Parshall flume and upstream of the sequencing batch reactor (SBR) influent pipeline. Mr. Umezaki's work included the initial preliminary design services and cost estimation on bypass components such as an inflatable plug, FRP bypass piping, and a sluice gate, and preliminary work

sequencing. He prepared an RFP for design services for the Arc Flash Study and Electrical Condition Assessment Project.

- **City of South San Francisco.** *WQCP Wet Weather and Digester Improvements Project,* South San Francisco, CA. Deputy Program Manager. Mr. Umezaki provided program management services for the design and construction of a $50 million improvement project at the City's Water Quality Control Plant, acting as the City representative through the design and construction phases, facilitating project decision making throughout the bidding and construction phases. As part of his program management responsibilities, assisted the City and design engineer in formulating an approach to bidding a proprietary digester equipment/process which includes a process warranty from the manufacturer. Mr. Umezaki also acted as the City's liaison to the State Water Resources Control Board and its Drinking Water State Revolving Fund (SRF) program staff during the construction phase.
- **City of Foster City.** *Clean Water Program,* Foster City, CA. Mr. Umezaki is serving as Foster City's representative in its participation with the City of San Mateo in their Clean Water Program. The Clean Water Program is a comprehensive plan to upgrade the aging wastewater collection and treatment system with advanced infrastructure that will provide reliable services for years to come. The Wastewater Treatment Plant components of the Clean Water Program are a joint effort between the City of San Mateo and City of Foster City/Estero Municipal Improvement District (EMID). The goals of the Clean Water Program are to: replace aging infrastructure and facilities, build wet weather sewer system capacity assurance, and meet current and future regulatory requirements, align with the City of San Mateo and Foster City's sustainability goals. As Foster City's representative, Mr. Umezaki participates in the selection of consultants and contractors, review of technical reports, assisting with the evaluation of Foster City's share of the cost for the Clean Water Program, as well making presentations to the Foster City Council regarding the progress of the program.
- **City of Lathrop.** *Consolidated Treatment Facility,* Lathrop, CA. Project Engineer. Mr. Umezaki performed performing program management for the City of Lathrop's wastewater and recycled water programs for over a decade. He was the Project Engineer responsible for management of the permitting and design of the Phase 2 expansion of City of Lathrop's Consolidated Treatment Facility, which has a capacity of approximately 2.5 million gallons per day. His work on this project has included preparation and maintenance of detailed project schedules, technical review of engineering documents, and oversight of numerous permit-related strategic, managerial, and technical tasks for the City. He was the Project Engineer responsible for management and coordination of efforts of eight consulting firms and fifteen developers as the City underwent a complex Waste Discharge Requirements (WDR) permit compliance process for its newly constructed wastewater and recycled water facilities. For this project, Mr. Umezaki successfully coordinated efforts among many parties to meet an extremely aggressive compliance schedule. In addition, Mr. Umezaki performed a detailed evaluation of the sources of high salinity detected in the City's wastewater collection system, including a mass balance for all major sources of salinity. Based on the findings of this evaluation, he developed a salt control implementation plan that included a ban on self-regenerating water softeners and measures to control infiltration of high-salinity groundwater into the wastewater collection system.

Jonathan P. N. Sutter, PE

Principal Engineer - QA/QC Manager

Mr. Sutter has over 16 years of experience in managing all phases of planning, design, and construction management for new and existing potable water, recycled water, wastewater, stormwater, utility infrastructure. Mr. Sutter is experienced in the management of complex projects requiring coordination of multi-discipline design teams, as well as CEQA and multi-agency permitting processes for projects in highly sensitive areas. Mr. Sutter has led the development of master plans and capital improvement plans with risk-based prioritization for several utility systems. Mr. Sutter currently serves in the capacity of consulting District Engineer for two public water agencies.

Education

- M.S., Civil and Environmental Engineering, Stanford University, 2012
- B.S., Civil Engineering, Columbia University, 2008

Registrations/Certifications

- Professional Civil Engineer, CA (#81606)
- 40-hour OSHA HAZWOPER Training Course

Relevant Experience

- **Coastside County Water District**. *Capital Improvement Program Management and Various Engineering Projects.* Half Moon Bay, CA. District Engineer/Project Manager. Assisted in programming, managing, and designing the District's 10-year CIP budget and prepared near-term cash flows. Managed the design and construction of water main capital projects and managed consultants for the welded-steel water storage tank seismic evaluation and Carter Hill Tank Project. Led efforts to update hydraulic model and support alternative analysis. Project manager for the 13 water main improvement projects totaling approximately 30,000 linear feet of pipe ranging in size from 6-inch to 20-inch in diameter. As District Engineer, Mr. Sutter provides plan reviews for mainline extensions.

- **North Coast County Water District.** *District Engineering Services*. Pacifica, CA. District Engineer. Managed the development of a new hydraulic model including construction, calibration, and analysis to identify recommended improvements and development of a storage evaluation. Led the design of four water main improvement projects and other emergency repairs. Among other roles, provided owner's assistance during design and construction of a new prestressed concrete tank, helped develop CIP budgets since 2020, managed development of Urban Water Management Plan, and is managing the current Advanced Metering Infrastructure (AMI) Project.

- **City of Brisbane**. *Annis Fire Main Replacement, Glen Park Pump Station, and Other As-Needed Projects.* Brisbane, CA. Project Manager/Construction Manager for the replacement of approx. 6,500 linear ft of water main and install a new pressure reducing valve station. Also managed the Glen Park Pump Station Upgrades Project, Water and Sewer System Master Plan Update and SCADA Upgrades Project for the City.

- **City of Lathrop.** Integrated Water Resources Master Plan and On-Call Hydraulic Modeling. Lathrop, CA. Project Manager. Mr. Sutter served as Project Manager for the preparation of the City's Integrated Water Resources Master Plan, which included comprehensive updates to the Water System, Wastewater System, and Recycled Water System Master Plans. Mr. Sutter led efforts to update the City's infrastructure and land use GIS databases to develop new GIS-integrated hydraulic models, evaluate the City's potable and recycled

water demands and wastewater flows projections, evaluate the City's future water supply and reliability, and develop recommended Capital Improvement Programs for each utility. Mr. Sutter led coordination efforts with the City staff and participated in the outreach efforts with the project stakeholders, including the City's development community. Mr. Sutter has managed hydraulic modeling analyses to evaluate the required water, sewer, and recycled water infrastructure needed to support new major developments. Potable water system analysis included fire flow and storage evaluations and modeling of developmental phasing to identify required infrastructure construction trigger points. Recycled water hydraulic analyses were conducted on multiple recycled water transmission main improvement alternatives to identify the most cost-effective solution for meeting City design requirements.

- **Valley of the Moon Water District.** Water Master Plan and On-Call Hydraulic Modeling. El Verano, CA. Project Manager. EKI prepared the District's Water Master Plan, which will serve as the basis for the District's 25-year capital improvement program. Mr. Sutter managed the development of a zone analysis of demands; storage and supply capacity assessment; construction, calibration, and analysis of a new hydraulic model; the development of a recommended capital improvement program; and preparation of the Final Master Plan Report. Mr. Sutter presented to Board of Directors to present findings during the development of the Water Master Plan. Mr. Sutter also managed the evaluation of a potential site on Richards Boulevard for a new storage tank, including a hydraulic modeling evaluation and preparation of a conceptual site plan, constructability review, and opinion of costs. Mr. Sutter is currently managing on-call hydraulic modeling tasks.

- **City of East Palo Alto.** Water System Master Plan, Hydraulic Model Construction and Analysis. East Palo Alto, CA. Project Manager. Mr. Sutter served as Technical Lead for the preparation of the Water System Master Plan Update, which will guide the next 20 years of water system reliability and related capital improvement program projects that will support the City to improve the current system and plan for the anticipated development. Mr. Sutter led the construction of a new hydraulic model, water demand projections, and a recycled water feasibility evaluation. He also led the development of a risk-based capital improvement plan.

- **City of Brisbane, Water and Sewer System Master Plan Update and On-Call Hydraulic Modeling.** Brisbane, CA. Project Engineer/Deputy Project Manager. Mr. Sutter developed a new baseline and projected future water demands and sanitary flows to reflect changes since the prior master plans. Based on his analysis of the City’s sewer system infrastructure and condition assessment, EKI refined the City’s sewer system capital improvement program. He also assisted in updating the water system capital improvement program, reducing pipeline projects by recommending efficient use of interties and PRVs between pressure zones. As Project Manager for on-call hydraulic modeling, Mr. Sutter managed the analysis of a new Humboldt Road PRV and recommended PRV sizing to improve fire flow in a lower pressure zone.

Sam Cronin, PE

Project Engineer

Mr. Cronin has provided support in a variety of engineering and environmental service applications since joining EKI in June of 2016. Specifically, Mr. Cronin has practiced within the fields of municipal utility rehabilitation, process wastewater management, groundwater and soil remediation, municipal wastewater treatment plant rehabilitation, and construction oversight. His educational background includes water treatment, wastewater treatment, water resources, air quality engineering, and geotechnical engineering.

Education

- M.S., Environmental Engineering, UC Berkeley, 2016
- B.S., Environmental Engineering, Cal Poly SLO, 2015

Registrations/Certifications

- Professional Engineer, CA (#92190)

Relevant Experience

- **City of Daly City.** *Evergreen/Templeton/Winchester Sanitary Sewer Replacement,* Daly City, CA. Project Engineer. Mr. Cronin is providing services at all levels to complete design documents for the replacement and upsizing of approximately 2,200 LF of 14-inch through 21-inch terracotta combined storm and sanitary sewer pipelines and brick manholes. The Project also includes reconnection of laterals and storm drain catch basin fly lines. Mr. Cronin coordinated with survey and potholing contractors, and has led efforts to complete 100% design drawings, specifications, and the engineer's opinion of probable cost.
- **City of Daly City.** *Callan Boulevard Water Main Replacement,* Daly City, CA. Project Engineer. Mr. Cronin is providing services at all levels to complete contract design documents for replacing approximately 1,750 LF of existing 6-inch diameter water main with 12-inch PVC pipe along a busy thoroughfare within the City. The project also includes relocating an existing pressure reducing valve station out of the roadway.
- **City of Daly City.** *I-280 Sewer Crossing,* Daly City, CA. Project Engineer. Mr. Cronin is providing design services for the proposed installation of 1,000 feet of 30-inch sewer main to be installed under the Interstate 280 highway via microtunneling. The Project is intended to capture all upstream future flows currently being served by an existing pipeline designated as an extreme risk due to likelihood of failure and consequence of failure. Mr. Cronin is currently preparing the preliminary design report that includes a feasibility assessment, cost estimate, and 30% design drawings. Mr. Cronin will assist in the preparation of permits, construction design drawings, specifications, and opinion of probable cost for the duration of the project. The current estimate of construction cost is approximately $4.5M.
- **City of Hillsborough.** *Sanitary Sewer Line Rehabilitation and Replacement,* Hillsborough, CA. Design Engineer. Mr. Cronin has prepared design drawings used for the replacement or rehabilitation of over 35,000 LF of sanitary sewer pipe. The since-replaced vitrified clay pipe had been experiencing high extraneous inflow and infiltration flows that were increasing wastewater treatment plant usage fees. Mr. Cronin incorporated accurate locations for all utility lines along the sewer line alignment to be replaced using a high-precision GPS unit to collect data for all surface utility features and 811 markings. The updated utility line locations were imported into AutoCAD Civil 3D along with high-definition aerial imagery to create basemaps that were augmented with design notes to communicate important construction

information. Mr. Cronin coordinated potholing efforts to inform comprehensive plan and profile design sheets. Techniques for the replacement of each section of sanitary sewer line were decided based on cost, constructability, and avoiding vicinity conflicts with other utility lines.

- **City of Piedmont.** *Phase 7 Sewer Replacement and Rehabilitation Project,* Piedmont, CA. Design Engineer. Mr. Cronin is working with the City of Piedmont to replace or rehabilitate approximately 23,000 linear feet of sewer line and 170 sewer manholes. Mr. Cronin is currently coordinating the utility survey effort that spans most of the city's sewer subbasins. Mr. Cronin will also be leading efforts to provide a Basis of Design Memo, CEQA and other Environmental Documentation, SRF Loan Coordination, and all contract design documents. This project will provide experience working in challenging site conditions, including limited equipment access during construction, steep and heavily vegetated terrain, and extensive homeowner coordination. The city's projected total project budget is $8.4M.
- **City of Pacifica.** *Sewer Main Replacement Design,* Pacifica, CA. Project Engineer. Mr. Cronin worked with the City of Pacifica to develop design plan drawings to be included in an application to receive approximately $25 million in loan funding to replace approximately 25,000 LF of sewer main lines in their Vallemar neighborhood. Mr. Cronin created design drawings in AutoCAD Civil 3D that featured high-definition aerial imagery, City-provided sewer utility line locations, North Coast County Water District (NCCWD)-provided water line locations, gas and electric line locations available through the CivilGrid online platform, and high-level design details. The drawings provided justification for the requested loan amount by displaying the project's extent and level of effort.
- **Coastside County Water District.** *Water Utility Main Design,* Half Moon Bay, CA. Design Engineer. Mr. Cronin has provided design engineering services for the replacement of complex sections of water utility main lines and associated appurtenances. Specifically, he has drafted field mapping of existing conditions using a high precision GPS unit and created plan and profile drawings using AutoCAD Civil 3D software to show existing project site conditions. Mr. Cronin has proposed new system components and estimations of probable cost using the data.
- **City of South San Francisco.** *South San Francisco Water Quality Control Plant Coatings Project,* South San Francisco, CA. Design Engineer. High moisture content and vicinity to the saline San Francisco Bay caused corrodible surfaces of the South San Francisco Water Quality Treatment Plant and associated pumping stations to sustain corrosion damage that required rehabilitation. Mr. Cronin worked in a project management role to coordinate with coatings experts and City personnel to design rehabilitation plans for the replacement or recoating of all deficient components of the plant and pump stations while maintaining typical plant operations during construction.

Jordan Gans, PE
Environmental Engineer

Mr. Gans is a multidisciplinary engineer providing technical support on a broad range of projects. He has experience with computer-aided design software, hydraulic modeling, data processing and analysis, technical report writing, and project management. His experiences combined with his educational background in civil and environmental engineering and management make him a valuable team member on projects. At EKI, he has worked on design, modeling, construction services, and project management for several municipal water projects. Additionally, he has used data processing and analysis to create technical reports for potable water, wastewater, recycled water planning, and environmental compliance permitting.

Education

- M.E., Systems Engineering and Technology Management, Rensselaer Polytechnic Institute, 2019
- B.S., Environmental Engineering, Rensselaer Polytechnic Institute, 2018

Registrations/Certifications

- CA, Professional Civil Engineer (#97423)

Relevant Experience

- **City of Redwood City.** *Recycled Water Main Downtown Extension Project* Redwood City, CA. Project Engineer. Mr. Gans is the lead project engineer in the design of 1,550 linear feet of 30-inch high density polyethylene (HDPE) recycled water main installed underneath Caltrains Railroad right-of-way and in the heavily congested downtown area. The project is designed using a combination of open-cut and trenchless construction methods. Mr. Gans is leading the design, permitting, and project management.
- **Coastside County Water District.** *Miramontes Point Road Water Main Replacement,* Half Moon Bay, CA. Design Engineer. Mr. Gans is the design engineer for the replacement of approximately 5,800 linear feet of ductile iron pipes that have experienced multiple premature failures in recent years with the suspected cause of corrosive soil coupled with the lack of any corrosion protection. In addition to design drawings, he developed a comprehensive project budget and schedule. Mr. Gans also prepared a technical memorandum that analyzed the use of alternative pipe materials that were novel to the district, due to the failures in the existing district standard material pipes. The analysis also looked at various construction methods and upsized a section of the pipeline after modeling.
- **North Coast County Water District.** *Loop at Everglades Drive Project,* Pacifica, CA. Design Engineer. Mr. Gans is the design engineer for the multi-phase project that will install approximately 5,500 linear feet of ductile iron pipe to create a loop in the District's pressure zone while simultaneously addressing fire flow deficiencies identified in the system. The design of the project includes identifying the optimal tie-in locations and obtaining Title 22 clearance exemptions for the Department of Drinking Water (DDW). In addition to design, Mr. Gans created a budget, schedule, and report which evaluated the project in a single or multi-phased approach.
- **Valley of the Moon Water District.** *Altimira Fire Flow Improvements Design.* El Verano, CA. Mr. Gans is serving as the Project Engineer and preparing plans, specifications, and cost estimates to replace approximately 5,000 LF of existing 6-inch and 8-inch water mains with new 12-inch PVC water mains to

improve fire flows. The project includes relocating portions of the water main along with a pressure reducing valve.

- **Coastside County Water District.** *Poplar Street Water Main Replacement Project.* Half Moon Bay, CA. Mr. Gans designed the replacement of approximately 1,000 linear feet of 6-inch ductile iron pipe. In addition to design, he developed a comprehensive project budget and schedule for the project.
- **Placer County Water Agency.** *Hayford Siphon Replacement Project.* Auburn, CA. Engineer. Mr. Gans is providing engineering services during construction for the replacement and upsizing of approximately 2,900 linear feet of riveted steel pipe with a diameter of 30”-36” with a 42” diameter pipe made of ductile iron pipe for below ground and coated welded steel pipe for above ground. His duties include reviewing and responding to RFIs and submittals and producing contract drawing amendments.
- **North Coast County Water District.** *Recycled and Potable Water Consumption Analysis.* Pacifica, CA. Water Resources Engineer. Mr. Gans used present and historical SCADA data to analyze the historical recycled water use across the district and identify when supplemental potable water was used. This analysis was used in conversations with San Francisco Public Utilities District to plan future recycled water expansion projects.
- **City of Lathrop.** *Integrated Waste Resources Master Plan Amendment.* Lathrop, CA. Lead Wastewater Hydraulic Modeler. Mr. Gans is the lead Hydraulic Modeler in the project to model wastewater flow and characteristics in the rapidly expanding City of Lathrop. This effort includes updating wastewater flow factors, wastewater generation events, and major storm events. Additionally, Mr. Gans is designing a study to determine flow and characteristics of the City’s wastewater and using hydraulic modeling software to develop projects to optimize wastewater flow and treatment and support the City’s recycled water initiatives.
- **Tejon Ranch Company.** *Tejon Recharge Facility.* Lebec, CA. Design Engineer. Mr. Gans leads the technical design efforts for the feasibility of developing a recharge facility within the 1,300-acre Tejon Ranch site. His responsibilities included preliminary calculations, design, and costs for flows, mechanical infrastructure, site development, and recharge facilities.
- **Valley of the Moon Water District.** *Park Avenue Well and Chestnut New Supply Well.* El Verano, CA. Mr. Gans prepared the mechanical and well design, budgeting, and bid documents for the construction of a new municipal supply well, which included a new submersible well pump, piping, and appurtenances. Additionally, he prepared the design, budgeting, and documents for a new exploratory borehole to evaluate future production well on the site.

Christopher Pittner, PE, QISP

Project Engineer

Mr. Pittner has 7 years of experience in potable water, recycled water and wastewater systems design. Specifically, distribution hydraulic modeling, design CIP cost estimation, master planning of water supplies and distribution system improvements. He is efficient at identifying system deficiencies and recommending improvements to improve system capacities, simplify operations, and improve system resiliency and redundancy. Mr. Pittner is presently engaged in the Daly City I-280 Crossing project.

Education

- M.S.c., Civil and Environmental Engineering, California Polytechnic State University San Luis Obispo, 2018
- B.S., Environmental Engineering, California Polytechnic State University San Luis Obispo, 2018

Registrations/Certifications

- Professional Civil Engineer, California No. 93576
- Qualified Industrial Stormwater Practitioner

Relevant Experience

- **North Coast County Water District**. *Park Pacific Tank Recoating and Pump Station Upgrades Design*, Pacifica, CA. Project Engineer. The tank requires several improvements as identified in previous assessments to remain in service. The District will be upgrading the upper zone Fassler Tank. This project included a pre-design analysis which determined the Park Pacifica Pump Station needed new variable frequency drive pumps to service the upper zone during the construction of the Fassler Tank. Initial testing of coating materials found high concentrations of PCBs and lead, thus re-coating operations will occur in an enclosed tent around the tank. Currently, EKI is preparing the 90% design submittal.
- **Coastside County Water District.** *El Granada No. 1 Tank Demo & Booster Pump Station Upgrades,* El Granada, CA. Project Engineer. The District's EG-1 tank will be removed from service due to seismic concerns and thus, the EG-1 booster pump station will need to be modified to pump directly from the former tank feed line. The District is currently reviewing the draft pre-design study which includes recommendations for tank and pump station demolition, pump selection (standard above grade or below grade pitless boosters), conceptual site layouts, construction sequencing, and opinion of probable cost.
- **North Coast County Water District.** *Water System Hydraulic Modeling,* Pacifica, CA. Project Engineer. Mr. Pittner is providing as-needed engineering services including planning and hydraulic modeling of specific capital improvement projects. Mr. Pittner was the Project Engineer for feasibility study for rehabilitation or replacement of the District's main 21-inch transmission line that cross under Interstate 280.
- **City of Brisbane.** *On-Call Water and Recycled Water System Hydraulic Modeling,* Brisbane, CA. Project Engineer. Mr. Pittner has provided hydraulic analysis of new or alternative operational scenarios, evaluation of various fire flow demand conditions, and analysis of potential hydraulic impacts on the City's distribution system. Mr. Pittner has assisted the City with an analysis of a new Humboldt Road PRV and has identified recommended PRV sizing and settings to increase fire flow availability at a local school.
- **Valley of the Moon Water District.** *Water Master Plan***,** El Verano, CA. Project Engineer. EKI has prepared the Valley of the Moon Water District's Water Master Plan which will serve as the basis for the District's

25-year capital improvement program. Completed work on the Master Plan includes a zone analysis of demands; a storage and supply capacity assessment; construction, calibration, and analysis of a new hydraulic model; and development of a recommended capital improvement program. Based on these efforts, Mr. Pittner has identified system deficiencies and recommended improvements to improve system capacities, simplify operations, and improve system resiliency and redundancy.

- **City of Lathrop.** *Integrated Water Resources Master Plan***,** Lathrop, *CA.* Project Engineer. This project includes comprehensive updates to the City's Water System, Wastewater System and Recycled Water System Master Plans and associated CIPs. Mr. Pittner has updated the City's infrastructure and land use GIS databases to develop new GIS-integrated water and recycled water hydraulic models, calibrated hydraulic models with fire hydrant flow data. Additionally, he evaluated the City's potable and recycled water demands, wastewater flows projections, as well as the City's future water supply and reliability. Mr. Pittner also assisted in updating the City's 2015 Urban Water Management Plan, which includes an evaluation of the City's future water supply and reliability, as well as conservation efforts. Based on the successful completion of the IWRMP in 2015, Mr. Pittner is currently assisting with the 2023 update to the City's IWRMP.
- **City of Brisbane.** *Glen Park Pump Station Upgrades Project,* Brisbane, CA. Project Engineer. Mr. Pittner is currently designing the replacement of the Glen Park Pump Station, a critical component of the City's potable water distribution system, pumping to fill the 500,000-gallon Margaret Tank and serve residents located in the highest-pressure zones in the City's system. Mr. Pittner began by updating the existing hydrant model to better represent current operations and size the new pumps. During this process, EKI conducted pump tests that indicated a discrepancy between the modeled system and observed results and identified a hydraulic restriction in the City's distribution system that was limiting flow from the pump station. Through this analysis EKI recommended a short intertie to that will provide significant cost savings in pump sizing and operational energy costs for the City.
- **Placer County Water Agency.** *Hayford Siphon Replacement Project***,** Colfax, CA. Project Engineer. EKI is providing engineering design services to the Placer County Water Agency to support the replacement of approximately 2,100 LF of 36-in diameter transmission pipelines and appurtenances. Project challenges include the design, permitting and installation by auger boring under a Union Pacific Railroad.
- **Golden Oak Real Estate.** *Sewer Planning for New Development*, Hayward, CA. Project Engineer. Mr. Pittner is performing a sanitary sewer study to support the construction of a 40-town home development. The study shall assess the impact of the proposed project on the existing sewer and determine if any improvements are required to support the project.

Yuqing Gao, EIT

Project Engineer

Ms. Gao provides technical support for a broad range of civil engineering and water resource planning projects. She has extensive experience with wet utility design, master planning, data processing, data visualization, technical writing, and project management. Her educational background in civil and environmental engineering combined with her skills in hydrological and hydraulic modeling with various software (InfoSewer, InfoWater Pro, PCSWMM, Flo-2D, InfoSWMM, InfoMaster, and AquaTwin), wet infrastructure condition assessment, all phases of civil design via AutoCAD make Ms. Gao a strong asset on civil engineering and planning projects including Water System Master Plans, Urban Water Management Plans, on-call hydraulic modeling, Water Supply Assessments, and CIP budgeting for various agencies.

Education

- M.S., Civil Engineering, University of Florida, 2021
- B.S., Environmental Engineering, Dalian University of Technology, 2018

Registrations/Certifications

- Engineer-in-Training (EIT), CA, (#173972)

Relevant Experience

- **Hydraulic Modeling for Tank and Pump Station Replacements**. Multiple Locations, CA. As Project Engineer, Ms. Gao worked with the City of Millbrae and North Coast County Water District to assist the replacement of their storage tanks and pump stations. Her responsibilities included reviewing the planning documents and current water usage, conducting storage evaluations, pumping test results, and determining the appropriate capacity for the new storage tank and booster pumps under multiple scenarios. She updated the hydraulic models to reflect current operational settings and revised demand sets, performed hydraulic analyses to assess system performance with and without the new facilities, and recommended interim and long-term infrastructure and operational improvements to address identified performance deficiencies.
- **Water/Recycled Water Distribution System Hydraulic Modeling**. Multiple Locations, CA. Ms. Gao works with the Cities of Bakersfield, Lathrop, Woodlake and Soledad, as well as Alco Water Service and Cal Water Service Group for developing their water/recycled water system hydraulic models. Her responsibilities include coordinating with local agencies; constructing, validating, and calibrating new hydraulic models using GIS and asset management data; developing water demand projections and peaking factors; calculating water balance; evaluating facility capacities under various operational scenarios; identifying hydraulic capacity improvements to address system deficiencies; recommending and prioritizing capital improvement projects; and preparing engineer's opinions of probable cost for each project.
- **On-Call Water/Sewer/Recycled Water System Hydraulic Modeling.** Multiple locations, CA. Ms. Gao worked with cities and agencies in Northern and Southern California, including the LA County Waterworks District, North Coast County Water District, Coachella Valley Water District, Crescenta Valley Water District, Cities of Brisbane, Lathrop, East Palo Alto, Mogan Hill, Beaumont and Whittier. Her tasks include utilizing the existing hydraulic models to perform feasibility studies for new developments/improvements in various fields and provide immediate modeling responses to emergency service disruptions. Ms. Gao is highly proficient in performing fire flow analyses and water/sewer/recycled water main capacity evaluation, and providing improvement alternative recommendations to ensure service reliability.

- **Sewer System Master Plan.** Multiple Locations, CA and WA. Ms. Gao is the Project Engineer for development Sewer System Master Plan (or Wastewater System Master Plan) for multiple agencies including Cities of South San Francisco, Lathrop, Whittier, Gilroy, and Morgan Hill. Her responsibilities include analyzing the historical wastewater flow and developing future effluent projections, evaluating existing infrastructure capacities based on tabular analyses and hydraulic modeling, conducting condition assessment based on PACP/CCTV scoring system, and development capital improvement projects and priorities for identified system deficiencies.
- **Wet Infrastructure Condition Scoring and Prioritizing**. Multiple locations, CA and WA. Project Engineer. Ms. Gao conducted scoring-based condition assessment for the water system for the City of Pittsburg and sewer system for the Cities of South San Francisco and Yakima. Her responsibilities include using field inspection data, asset information, and task order records to determine pipeline risk, developing specific risk and decision matrix, prioritizing identified extreme and high-risk pipes, and estimating rehab costs.
- **Water Supply Assessments**. Multiple locations, CA and WA. Project Engineer. Ms. Gao helped prepare SB-610-compliant Water Supply Assessment (WSA) for agencies including Cities of Gonzales, Morgan Hill, and Lancaster, Los Angeles County Waterworks District. She helped develop water demand projections for new mixed-use development and evaluated the sufficiency of the available water supplies to meet the total project and existing system water demands, including in normal year, dry year, and multiple dry year conditions.
- **City of Corcoran.** *Urban Water Management Plan.* Corcoran, CA. Tasks included providing support to compile historical water use information, project future demands based on population growth and water conservation assumptions and assessing the water loss. Ms. Gao evaluated their progress in reaching their targeted reductions as per Senate Bill X7-7 and their State Water Resources Control Board mandated water conservation target, water supply reliability, as well as demand management measures as they relate to supply reliability and demographic projections going forward.
- **Diablo Water District and Ironhouse Sanitary District.** *Recycled Water Feasibility Study. CA*. As Project Engineer, Ms. Gao helped identify the permitting requirements and develop cost estimates along with 30-year cash flow projections for the Indirect Potable Reuse alternative and Direct Potable Reuse alternative. Ms. Gao prepared the total present value and revenue projections under multiple scenarios, i.e., different combinations of founding sources, to quantify the cost per hundred cubic feet of potable water served by the alternative that the client elected to proceed.
- **Water System Master Plan.** *Multiple Water Suppliers,* CA. Ms. Gao worked with various cities and agencies to develop their WSMPs, including Cities of East Palo Alto, Lathrop, Morgan Hill, Gilroy, Pittsburg, and Hanford. Her responsibilities include analyzing existing water supply data and billed water usage and projecting future water demand, identifying service area wide land use and resolving GIS data discrepancies, constructing or updating and validating legacy hydraulic model, water system capacity evaluation for existing condition and anticipated future expansions, developing capital improvement projects to address the deficiencies of the Cities' current system or to accommodate future growth, preparing the reports.

eki environment & water

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EAST PALO ALTO SANITARY DISTRICT STAFF REPORT

DATE: December 2, 2025

TO: Honorable Members of the City of East Palo Alto City Council, Governing Board to the East Palo Sanitary District, a Subsidiary of the City of East Palo Alto

VIA: Melvin E. Gaines, General Manager

BY: Tomohito Oku, District Treasurer
Jessica Y Caballero, Financial Services Manager

SUBJECT: Cash Disbursement Report for October 2025

Recommendation

Accept the cash disbursement report required pursuant to California Health and Safety Code Section 6794.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

Priority: Governance, Organizational Strength, and Fiscal Sustainability
Priority: Public Health, Safety, and Quality of Life

Background

On November 15, 2023, the San Mateo Local Area Formation Commission ("LAFCo") unanimously approved the City of East Palo Alto's application requesting that the East Palo Alto Sanitary District ("District" or "EPASD") be made a subsidiary of the City of East Palo Alto.

On October 1, 2024, the reorganization of the District as a subsidiary of the City of East Palo Alto ("City"), and the City Council its governing board, became effective. Prior to and since that time, staff has worked diligently toward a peaceful and smooth transition. To that end, one aspect of that transition has required staff to review local rules and regulations of EPASD that may require amendment in light of the reorganization.

California Health and Safety Code (H&S) Section 6794 allows the Board to adopt a procedure

that provides for checks or warrants to pay claims and demands without approval by the Board of Directors before payment if the District Treasurer determines that the demands are payable within the District's approved budget.

On December 3, 2024, the Board adopted an ordinance amending various provisions of the Sanitary District Code including Section 303 Appointed Positions, which authorizes District Treasurers to perform duties including the deposit and withdrawal of funds of the District, issuance of checks or warrants to pay claims and demands without approval by the Board before payment if the District Treasurer determines that the demands are payable within the District's approved budget.

Furthermore, H&S Section 6794 requires staff to present cash disbursements to the Board at the next regular Board meeting and seek Board approval if demands exceed the District's approved budget.

This staff report is provided for informational purposes and details all cash disbursements for the month ending October 31, 2025, as approved by the District Treasurer. As of October 31, 2025, actual expenses remain within the District's approved budget. Year-to-date expenditures total $1.6 million, compared to the adopted budget of $6.6 million, representing 24% of the budget spent to date.

Analysis

The following cash disbursements have been approved by the District Treasurer pursuant to the District Code Section 303, and are hereby reported to the Board:

EPASD Cash Disbursement Reports
For Period Ending October 31, 2025

Vendor Name	Invoice Number	Description	Check Amount	Check Number
ADP	H826 - 10/03/25	EPASD PAYROLL FEES	$ 52.85	826
ADP	H826 - 10/31/25	EPASD PAYROLL FEES	$ 52.85	826
AppleOne, Inc	01-7170111	Staffing Services	$ 1,521.60	73229
AppleOne, Inc	01-7174279	Staffing Services	$ 1,521.60	73272
AppleOne, Inc	01-7177893	Staffing Services	$ 1,521.60	73327
AppleOne, Inc	01-7181834	Staffing Services	$ 1,517.28	73369
ARIAS F ELECTRIC INC	1377	Electrical work at EPASD	$ 2,317.00	73179
AT&T	287239974171X10092025	Monthly phone services charges Oct 2 - Nov 1 EPASD	$ 248.69	73274
CALIF PUBLIC EMPLOYEES'	H82 7 - 09/15/25	HEALTH PREMIUM	$ 9,456.63	827
CALIF PUBLIC EMPLOYEES'	H827 - 10/14/25	HEALTH PREMIUM	$ 9,456.63	827
California Special Districts Associaton	2026	2026 CSDA MEMBERSHIP RENEWAL	$ 1,872.00	73373
Caltronics Business Systems	4462422-CAL	Equipment base charge and Usage	$ 129.00	73279
COMCAST	252830139	Reoccurring charges for ACC#905067630 EPASD OCT 2025	$ 409.45	73283
COMCAST	5362 1025	Recurring charges for ACCT#8155 20 007 0165362 for Oct 2025 EPASD	$ 449.89	73282
Everon, LLC	159497384	Service at EPASD for 9/18/25-10/17/25	$ 1,169.13	73297
Everon, LLC	159708198	Service at EPASD for 10/18/25-11/17/25	$ 1,169.13	73244
FREYER & LAURETA INC.	25-663	Summary of work for Sep 2025	$ 5,381.50	73337
HOME DEPOT CREDIT SERVCIES	3282968	Plants and other irrigation material for EPASD	$ 555.97	73343
HORIZON	1N647461	Irrigation repairs	$ 26.25	73201

***Manual Checks have three-digit check numbers.**

EPASD Cash Disbursement Reports
For Period Ending October 31, 2025
(Continued)

Vendor Name	Invoice Number	Description	Check Amount	Check Number
Marquee Pest Management, Inc.	206717	R&M Ants/Roach /GP	$ 77.00	73257
Marquee Pest Management, Inc.	206718	SERVICE FOR E.B.S	$ 125.00	73257
Marquee Pest Management, Inc.	207377	SERVICE FOR E.B.S	$ 125.00	73387
PACIFIC GAS & ELECTRIC	2164215266-0 09/25	PACIFIC GAS & ELECTRIC	$ 217.17	73258
PACIFIC GAS & ELECTRIC	2205881930-5 1025	PACIFIC GAS & ELECTRIC EPASD 2205881930-5 FOR 9/4/25-10/14/25	$ 18.03	73391
Recology San Mateo County	730936203 9/25	Waste for month of SEP 2025 EPASD	$ 206.80	73260
Recology San Mateo County	730936203 2/5	Waste for month of Sep 2025	$ 206.80	73260
U.S.BANK CORPORATE PAYMENT SYSTEM	Aug-25	Tim Hortons Dark Roast Coffee	$ 11.98	73218
U.S.BANK CORPORATE PAYMENT SYSTEM	Aug-25	Water, Staples, Batteries, Air Freshener	$ 49.83	73218
U.S.BANK CORPORATE PAYMENT SYSTEM	Aug-25	General Office Supplies	$ 40.99	73218
U.S.BANK CORPORATE PAYMENT SYSTEM	Aug-25	Fuel - Operating Supplies	$ 50.00	73218
U.S.BANK CORPORATE PAYMENT SYSTEM	Aug-25	General Office Supplies	$ 11.44	73218
U.S.BANK CORPORATE PAYMENT SYSTEM	Aug-25	General Office Supplies	$ 64.82	73218
U.S.BANK CORPORATE PAYMENT SYSTEM	Aug-25	Permit for SCVWD Filing	$ 500.00	73218
VEOLIA WATER NORTH AMERIC	385576 1025	WATER BILL FOR EPASD FOR 9/6/25-10/5/25 acct#385576	$ 396.44	73321
VEOLIA WATER NORTH AMERIC	386303 1025	Charges for account 386303 9/6/25-10/5/25 EPASD	$ 152.96	73321
VEOLIA WATER NORTH AMERIC	415720 1025	WATER BILL FOR EPASD FOR 9/6/25-10/5/25 acct#415720	$ 31.13	73321
VEOLIA WATER NORTH AMERIC	501630 0925	WATER BILL FOR EPASD FOR ACCT#501630 FOR 8/24/25-9/24/25	$ 279.95	73220
VEOLIA WATER NORTH AMERIC	501630 1025	EPASD WATER BILL 09/24/2025 - 10/24/2025 (Acct#501630)	$ 645.56	73396
WEST BAY SANITARY DISTRIC	2025/26-047	Maintenance services agreement 9/2025	$ 183,943.21	73323

***Manual Checks have three-digit check numbers.**

Fiscal Impact

There is no budget impact by this action as the year-to-date cash disbursements did not exceed the District's approved budget.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The proposed action is not a "project" under California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378(b)(4) because it is a fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

Government Code § 84308

Applicability of Levine Act: No, as the proposed action involves no entitlement.

Analysis of Levine Act Compliance: Not applicable.

Attachments: None.

EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Diana Tran, Environmental Services Aide
Humza Javed, Public Works Director

SUBJECT: Street Sweeping Signage Audit Project – Informational Report

Recommendation

Receive an informational report and presentation from staff concerning the Street Sweeping Signage Audit project.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

- Priority: Public Health, Safety, and Quality of Life
- Priority: Public Infrastructure and Utilities

Background

Function of Street Sweeping Programs

As stormwater runoff collects and mobilizes pollutants from roads and paved surfaces, it flows through storm drain inlets and enters local creeks and the San Francisco Bay untreated. Federal regulations outlined in the Clean Water Act (1972) and the ensuing National Pollution Discharge and Elimination System (NPDES) require municipalities to prevent pollution from entering U.S. waters. One method of prevention is the City's street sweeping program. Street sweeping improves water quality and protects aquatic ecosystems by removing pollutants from streets before they can enter waterways. Street sweeping is particularly important along curb and gutters because they are designed to quickly direct stormwater runoff to a storm drain without allowing for infiltration or pollutant removal. Street sweeping also enhances the

appearance of streets and neighborhoods, and clears drain inlets entrances, promoting flood prevention, proper drainage, and improved air quality.

Existing Program

The City of East Palo Alto began utilizing street sweeping services in 1992 to keep streets clean of debris and meet federal, state, and regional stormwater regulatory requirements. The City has had an active agreement with Sweeping Corporation of America (SCA) since 2016 for services that include the collection, transportation, and disposal of sweeping debris. SCA services residential and light commercial streets five (5) days a week, Monday through Friday, and covers approximately ninety-five (95) miles each month. Street sweeping occurs on Mondays and Wednesdays for heavy traffic areas, Thursdays and Fridays for major arterials, and a minimum of once a month for neighborhood streets. For streets that lack curb and gutter, the street sweeping contractor sweeps to the edge of all roadways, without expressing dust or debris from unfinished shoulders of the roadways. In 2021, the City started a Street Sweeping Signage Project to install poles and signs in seven sections of the City on streets that previously did not have street sweeping signs. The project was completed in 2022.

Signage Audit

In order to make improvements to the street sweeping program and fill any gaps from the 2021 Street Sweeping Signage Pr, the Environmental Services Division conducted an internal street sweeping signage audit from May through August 2025. The purpose of this project was to verify the accuracy of signage against the service schedule and Master map, assess if streets have adequate signage, and identify where new signage is needed, or if the existing signage requires repair or maintenance. During the audit, Environmental Services verified signs against the established schedule in the City’s agreement with SCA and the Master Street Sweeping Map to check for inconsistencies. The audit was conducted neighborhood by neighborhood and each sign was inspected, logged on Google Earth, then transferred to a spreadsheet for categorization. Some common issues identified with street sweeping signage included:

- signs with graffiti or stickers
- broken or faded signs
- signs missing from poles
- signs that are inconsistent with the street sweeping schedule or Master Map
- signs obstructed by vegetation
- streets without sufficient signage
- streets without curb and gutter

Analysis

Part of an effective street sweeping program includes the installation and maintenance of adequate signage to inform residents of the street sweeping schedule and temporarily restrict parking for that time. Enforceable streets have curb, gutter, street parking, and signage indicating sweeping routes and times, and therefore restrict parking during scheduled street sweeping hours and days. Non-enforceable streets do not have parking restrictions and street sweeping signage because they either do not have a curb and gutter or street parking.

Following the completion of the audit, the Maintenance, Engineering, and Code Enforcement Divisions were notified of the project findings and will address each issue based on urgency. High priority action items include replacing signs that do not match the Master Street Sweeping Map and street sweeping schedule; trimming public trees that block signage; installing signs that are missing from poles; and replacing signs that are bent or faded. In total, the audit found that there were ten (10) faded signs, two (2) bent signs, two (2) signs that were inconsistent with the street sweeping schedule, eleven (11) signs missing from poles, seven (7) signs that were blocked by vegetation, and sixty-six (66) signs with stickers or graffiti. So far, the Code Enforcement Division has notified three (3) residents with trees on private property that are blocking signs to trim back vegetation, the Maintenance Division has trimmed five (5) public trees that were blocking signs and replaced one (1) sign that did not reflect the sweeping schedule, and the Engineering Division has made changes to the Master Street Sweeping map to correct inaccuracies.

Next Steps

Streets that require new installation of poles, signage, curb, and gutter were inventoried and will be addressed in the next phase of this project.

The next steps for this project are as follows:

- August 2026: Identify the need to consider changes to the street sweeping schedule
- January 2026: Take inventory and order new signs
- Ongoing: Work with the Maintenance division to order new signs to replace inaccurate or damaged signs
- Tentative: Identify future projects to install new curb, gutter, and signage.

Fiscal Impact

There is no fiscal impact for this item. Future projects for the installation of curb, gutter, and other street improvements will be identified and budgeted through the Capital Improvement program.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The action being considered by the City Council is exempt from the California Environmental Quality Act (CEQA) because it may entail the implementation of management operations programs and plans to enhance and protect the environment by facilitating the street sweeping. (CEQA Guideline section 15308).

Government Code § 84308

Applicability of Levine Act: No.

Analysis of Levine Act Compliance: Not applicable.

EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Denise J. Garcia, Assistant to the City Manager
Shiri Klima, Assistant City Manager

SUBJECT: Introduction of Chapter 5.76 – Sidewalk Vendors Ordinance

Recommendation

By motion:

1. Waive the first reading and introduce an ordinance adding a new Chapter 5.76, Sidewalk Vendors, to update and clarify regulations governing sidewalk vending in the City of East Palo Alto, repeal the prior Chapter 5.76, Vending, make various other conforming amendments to the East Palo Alto Municipal Code as noted in the ordinance, and any amendments proposed by Council; and

2. Direct staff to return with a fee resolution setting the costs associated with the sidewalk vending pilot program; and

3. Find that the proposed action is not subject to the California Environmental Quality Act ("CEQA") because it is not a "project" pursuant to CEQA Guidelines section 15061(b)(3), or alternatively, it is exempt pursuant to Sections 15301 (Existing Facilities); 15304 (Minor Alterations to Land) (e) for minor temporary use of land having negligible or no permanent effect on the environment; 15305 (Class 5 –Minor Alterations to Land Use Limitations), or 15308 (Actions by Regulatory Agencies for Protection).

Executive Summary

In alignment with Senate Bill 946 (Safe Sidewalk Vending Act) and other state laws, including SB 635 (Street Vendor Business Protection Act) the proposed ordinance establishes clear, objective standards to guide sidewalk vending in East Palo Alto. The intent is to both expand

lawful economic opportunities for small and microenterprise vendors and ensure that vending activities occur safely and respectfully within shared public spaces.

This ordinance reflects extensive collaboration between City staff, San Mateo County Environmental Health, and local partners such as the Renaissance Entrepreneurship Center (REN Center). It also incorporates feedback gathered from sidewalk vendors themselves and from the City Council's study sessions earlier this year.

The resulting framework is designed to be practical and adaptable. It introduces clear expectations for vendors, including permit requirements and operating standards, while creating space for ongoing community dialogue, bilingual education, and fair enforcement to ensure compliance.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

- Priority: Land Use, Economic and Workforce Development

Background

Sidewalk vending plays a visible role in California's local economies, supporting entrepreneurship and cultural diversity, particularly among immigrant and low-income communities. In East Palo Alto, vending activity has increased in recent years, generating both community support and calls for clearer oversight regarding health, safety, and accessibility.

The City's existing ordinance, Chapter 5.76 VENDING, was adopted before Senate Bill 946 took effect in 2019. State law now limits how cities may regulate vending and requires that local rules be objective, nondiscriminatory, and tied to genuine health, safety, or welfare concerns. Following the State's definition of a sidewalk vendor, the ordinance before the Council defines a sidewalk vendor as a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. This ordinance applies specifically to vendors operating under this definition. This ordinance does not apply to food trucks.

On April 15, 2025, staff presented an analysis of sidewalk vending activities to the City Council, including current issues related to safety, ADA accessibility, environmental impacts, and potential connections to human trafficking. On September 23, 2025, the Council provided direction on several key provisions, including insurance requirements, trash receptable requirements, minimum distances from sensitive areas, and hours of operation, that staff refined for consideration in a formal draft ordinance.

Analysis

Following the September 23, 2025, City Council meeting, staff incorporated Council feedback and insights from additional outreach, research, and field review. To provide better insights on

the draft ordinance, staff conducted two follow-up site visits:

- **October 21, 2025 – Field Review**: Public Works and Code Enforcement staff inspected a few vending areas to assess sidewalk width, pedestrian safety, and ADA access. Vending areas included portions of the east side of the U.S. 101, including Manhattan Avenue, O'Connor Street, and Newell Road, and on the west side of the U.S. 101, including Pulgas Avenue and Bay Road. While no clear "prohibited" or "preferred" zones emerged, the findings support a pilot approach, which is to evaluate each vendor location on a case-by-case basis during the program's first year.

- **November 6, 2025 – Vendor Outreach**: Staff met with six vendors to discuss proposed requirements and to understand their current challenges. Vendors were generally supportive of operating legally and expressed appreciation for the City's efforts to include them in the process. Some, however, raised concerns about financial barriers, specifically regarding insurance costs and potential reductions in operating hours that might affect their income. Staff also identified a notable compliance gap: three of the six vendors were operating without the required City and/or County permits, and one new unpermitted vendor was discovered during this effort operating on City property.

In addition, staff coordinated with the REN Center and County Health to ensure consistency and alignment with broader business support and health compliance programs. The REN Center reported that many of its clients are pursuing alternative vending models such as food trucks or Microenterprise Home Kitchen Operations (MEHKO), which operate under separate health and permitting frameworks. If Council provides such direction, staff can return with policy recommendations on those related programs in the future.

Key Provisions of the Draft Ordinance

The draft ordinance incorporates lessons learned from other jurisdictions, City Council direction, and local vendor feedback. It provides clear expectations for the vendors that are grounded in fairness, public safety and accountability.

1. *General Liability Insurance:*

The ordinance proposes that sidewalk vendors maintain commercial general liability insurance, consistent with neighboring cities' requirements. This protects both the vendor and the public in the event of accidents or injuries. Staff's research found there is range of insurance options, and depending on the type of coverage, costs can range from $30 to $90 per month. Many existing vendors who already hold City or County permits carry insurance; for others, this may represent a new cost. Staff consulted with the insurance risk pool for other opportunities to make compliance more accessible, but as of now there are no other creative solutions than to continue to provide education to our vendors about how to obtain insurance and potentially partner with San Mateo County's Chamber of Commerce for support and guidance.

2. *Hours of Operation:*

To balance neighborhood quality of life for residents with vendors' economic needs, the ordinance recommends allowing vending in residential areas from 9:00 a.m. to 9:00 p.m., while allowing vendors in commercial areas to mirror operating hours of other businesses on the same street. During outreach, many vendors expressed that they often operate past 10:00 p.m. Staff proposes that the City evaluate these impacts during the first year and return to Council with any recommended adjustments once data and feedback are available.

3. Residential Zone Restrictions:

Recognizing that most of East Palo Alto's land is residential, the ordinance does not prohibit vending in residential areas outright. Instead, it provides flexibility for vendors to operate unless specific health, safety, or welfare concerns arise. This approach ensures that the City retains the ability to address localized issues through individual permit conditions or, if necessary, broader adjustments to the program in the future.

4. Trash Receptacle Requirement:

The ordinance requires vendors to provide trash receptacles for customer use and to clean the surrounding area after operating, including appropriate disposal of any trash. This standard mirrors practices already followed by many vendors and helps maintain clean, welcoming public spaces for all users.

5. Restrictions Near Sensitive Areas:

To promote pedestrian and traffic safety, the ordinance establishes minimum distances from emergency facilities, intersections, hydrants, and special events and farmers' markets. These restrictions align with those in neighboring jurisdictions while ensuring vendors can still access viable, high-foot-traffic locations. Additionally, the ordinance states sidewalk vendors are prohibited from constricting passageways for pedestrians or any ADA-required accessible routes below the minimum required width as determined by the Public Works Director.

6. *Alignment with County Health*

The draft ordinance also requires vendors selling food to maintain a valid San Mateo County Health permit and comply with all operational standards, including requirements for handwashing sinks, refrigeration, and commissary access. The use of open flames remains prohibited per County regulations.

<u>Permit Process</u>:

Requiring permits is the first step in creating consistent rules for vendors. The process will be administered through the Public Works Department and supported by trained bilingual staff who can assist vendors with applications, documentation, and compliance questions.

Permit applications will be processed through the City's existing permit tracking system and issued at the City's permit counter. Vendors will also be required to obtain a City business

license, as is standard for all businesses operating within the City's boundaries. Each approved vendor will receive a visible permit card to display, similar to the County Health food permit system, to help code enforcement officers verify the vendor is in compliance and reduce unnecessary enforcement interactions.

The City Council previously approved $18,000 for program implementation, which will support materials, outreach, and initial administrative setup.

Enforcement and Education:

Following the City Council's prior guidance, enforcement during the first year will emphasize education and voluntary compliance. Staff's approach will prioritize relationship building, equitable treatment, and transparency in enforcement actions.

Administrative citations will follow the limits established under SB 946, with fines beginning at $100 for a first violation and increasing for repeat offenses. For unpermitted vending, fines range from $250 for a first violation to $1,000 for subsequent ones. The ordinance authorizes the City Manager (or designee) to deny, suspend, or revoke a permit for any reason, including violations under Chapter 5.76. The ordinance also authorizes an ability-to-pay process for vendors who demonstrate financial hardship, ensuring penalties do not create undue economic strain.

While impoundment authority exists under State law, when staff brought this recommendation to Council at the last study session, the majority of Council were not in favor of impoundment. Thus, staff has excluded this option from the City's ordinance at this time. Instead, the City will focus on outreach, education, and progressive enforcement. Additionally, impoundment remains a remedy that County officials can wield as necessary. Staff will evaluate the effectiveness of this approach after one year and may return to Council with recommendations if additional enforcement tools become necessary.

Fees and Cost Structure:

All vendors operating within East Palo Alto are required to obtain a City business license. The initial business license fee is $89 for the first year, after which renewal fees are determined by annual gross income, consistent with the City's existing business license schedule.

In addition to a business license, a sidewalk vending application fee will apply to recover the cost of staff review and processing. This fee is based on the City's Staff Augmentation and Technical Review hourly rate of $252 per hour. However, to minimize financial burden on small vendors and encourage early compliance, staff recommends the City charge half the full rate ($126) for the first year of implementation. This reduced rate would remain in effect until the next update to the City's Master Fee Schedule, when it can be reevaluated based on actual program experience and cost recovery.

Food vendors are also required to obtain a permit from the San Mateo County Environmental Health Division, which regulates compact mobile food operators (the County's classification for sidewalk food vendors). The County's plan review fee is currently $841, and the annual

operating permit fee ranges from $335 to $892, depending on the type and complexity of food operation.

Next Steps:

If the City Council introduces the ordinance, staff will incorporate any feedback received during this first hearing and return for final adoption in early January 2026. Following adoption, the City will launch a bilingual education campaign to help vendors understand the new requirements, assist with permitting, and promote compliance.

Fiscal Impact

There is no fiscal impact on this item at this time.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The proposed action is not subject to the California Environmental Quality Act ("CEQA") because it is not a "project" as it can be seen with certainty that it would not have a direct physical change or a reasonably foreseeable indirect physical change on the environment pursuant to CEQA Guidelines section 15061(b)(3). Even if it were a project subject to CEQA review, the proposed action is exempt pursuant to Section 15301 (Existing Facilities); 15304 (Minor Alterations to Land) (e) for minor temporary use of land having negligible or no permanent effect on the environment; 15305 (Class 5 –Minor Alterations to Land Use Limitations), and that it is further exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment), as it will not result directly or indirectly in significant environmental impacts.

Government Code § 84308

Applicability of Levine Act: No, as the proposed action does not involve an entitlement.

Analysis of Levine Act Compliance: Not applicable.

Attachments

1. Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO

ADDING A NEW CHAPTER 5.76 (SIDEWALK VENDORS) TO GOVERNING SIDEWALK VENDING IN THE CITY OF EAST PALO ALTO; REPEALING VARIOUS PARTS OF THE EAST PALO ALTO MUNICIPAL CODE, INCLUDING CHAPTER 5.76 (VENDING), AND MAKING VARIOUS OTHER CONFORMING AMENDMENTS TO THE EAST PALO ALTO MUNICIPAL CODE AS NOTED HEREIN

WHEREAS, on September 17, 2018, California Governor Brown signed Senate Bill 946 ("SB 946") into law, which added Chapter 6.2 (commencing with Section 51036) to Part 1 of Division 1 of Title 5 of the California Government Code to regulate sidewalk vendors throughout the State; and

WHEREAS, SB 946 establishes requirements for local regulation of sidewalk vendors and authorizes such regulations to be adopted by resolution or ordinance; and

WHEREAS, on September 23, 2022, California Gavin Newsom signed Senate Bill 972 ("SB 972") into law, which amended Sections 113818, 113831, and 113868 of, and added Chapter 11.7 (commencing with Section 114368) to, Part 7 of Division 104 of, the Health and Safety Code, relating to retail food throughout the State, and amended the California Retail Code (regulates sale of food) to accommodate sidewalk/mobile vendors; and

WHEREAS, the City seeks to implement sidewalk vending regulations to provide a permitting process and impose operational and locational requirements for sidewalk vendors in the City to comply with applicable law, including SB 946 and SB 972, and to protect the health, safety, and welfare of the community; and

WHEREAS, on April 15, 2025, staff presented a sidewalk vending analysis to the City Council. Staff shared findings related to prominent issues related to sidewalk vending, such as trash and ADA accessibility, and areas of improvement to mitigate these issues, which included updating the vending ordinance. City Council provided staff with direction to return to City Council with proposed key provisions and some optional regulatory requirements for Council consideration; and

WHEREAS, on September 23, 2025, the Council provided direction on several key provisions, including insurance requirements, trash receptable requirements, minimum distances from sensitive areas, and hours of operation, that staff refined for consideration in a formal draft ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO DOES ORDAIN AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS. The City Council finds that all the foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2: MUNICIPAL CODE AMENDMENT. Chapter 5.76 of Title V of the City of East Palo Alto Municipal Code is hereby amended in its entirety to read as follows:

CHAPTER 5.76 SIDEWALK VENDORS

SEC. 5.76.010. TITLE.

This Chapter shall be known as the "Sidewalk Vendor Ordinance".

SEC. 5.76.020. FINDINGS AND PURPOSE.

The City Council of the City of East Palo Alto finds and declares:

A. Article XI, § 7 of the California Constitution confers local governments the authority to adopt ordinances and regulations designed to promote the public health, safety, and general welfare of their communities. This Chapter is adopted consistent with the applicable law, including provisions of Government Code § 51036 et seq. and Health & Safety Code §§ 114368 and 114368.8.

B. If properly regulated, sidewalk vending can foster vibrant public spaces, promote a diverse and inclusive local economy, and create economic opportunities for low-income and immigrant communities.

C. At the same time, inadequately regulated sidewalk vending has presented unintended negative consequences for the city. For example, sidewalk vending has caused or been associated with unsafe overcrowding; decreased accessibility for persons with disabilities; a lack of adequate access for first responder and emergency personnel; the monopolization of public spaces for private commercial use; traffic safety concerns for motorists, bicyclists, and pedestrians; diversion of pedestrians into bike lanes or vehicular lanes; parking congestion; accumulation of trash and pollution (and the harms that flow from them, e.g., contamination, pests, and rodents) in public spaces, including public parks and open space amenities, including Bay-adjacent ecosystems; violent altercations arising from vending "turf wars"; foodborne illnesses; the sale of counterfeit goods; and a lack of sales tax being collected by sidewalk vendors.

D. Since the City, and the surrounding area, is densely populated by residents and visitors, its public spaces often become extremely crowded. Many of the city's parks, open space amenities, and its side streets, and pedestrian paths are heavily trafficked by the public, and heavy congestion in these places can be constant.

E. Sidewalk vending must be regulated to address the concerns discussed above.

F. The purpose of this Chapter is, therefore, to promote the public peace, safety, health, and welfare by, among other outcomes, ensuring rapid access for first responder and emergency personnel; improving sidewalk accessibility for persons with disabilities; facilitating ingress into and egress from vehicles, rights-of-way,

buildings, and public spaces; maximizing use and promoting maintenance of public rights-of-way, parks, open space amenities, and other public spaces; and reducing the city's exposure to civil liability.

G. The City desires to accomplish all of the foregoing public health, safety, and welfare policy objectives while simultaneously providing ample public access to desired goods, including culturally significant food and merchandise, and providing ample opportunity for underrepresented community members, including low-income and immigrant communities, to access the formal economy through entrepreneurial sidewalk vending.

SEC. 5.76.030. DEFINITIONS.

For the purpose of this Chapter, certain words and phrases are defined, and certain provisions shall be construed as herein set out, unless it shall be apparent from their content that a different meaning is intended:

"Roaming sidewalk vendor" means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

"Sidewalk" means a path along the side of the road or street designed primarily for pedestrian use.

"Sidewalk vendor" means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path.

"Stationary sidewalk vendor" means a sidewalk vendor who vends from a fixed location.

"Vending display device" means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, nonmotorized conveyance (including trailers), freestanding table, rack, chair, box, stand, or any container, structure, or other object used or capable of being used for holding, selling, advertising, or displaying tangible things, together with any associated seating facilities. "Vending display device" does not include any street furniture such as benches or planters, any other structure permanently installed by the City of East Palo Alto or with the consent of the City, or newsracks placed in conformity with the East Palo Alto Municipal Code.

SEC. 5.76.040. PERMIT REQUIRED.

A. Only sidewalk vendors with valid sidewalk vending permit issued by the City Manager, or his or her designee, and who are in compliance with the provisions of this Chapter, may vend within the City's public right-of-way.

B. A sidewalk vending permit shall only permit the operation of one vending display device at any one time.

C. No permit granted pursuant to this chapter shall be transferable.

D. To apply for a sidewalk vending permit, the applicant must file an application, on a form prescribed by the City Manager (or designee), accompanied by an application

fee in an amount established by resolution of the city council. Applications shall include information required by the City including, but not limited to the following:

1. The name, phone number, mailing address and email address of the applicant.
2. Description of the merchandise and/or food offered for sale.
3. A description of, along with the dimensions of, the vending display device that will be used.
4. If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal and any owners of the company, partnership, corporation, or other entity.
5. Whether the vendor intends to operate as a stationary sidewalk vendor or a roaming sidewalk vendor.
6. The hours per day and the days per week during which the applicant sidewalk vendor proposes to operate.
7. The location(s) in the City where the sidewalk vendor intends to operate. If the sidewalk vendor proposes to be a stationary sidewalk vendor, a description or site plan/map of the proposed location(s) where vending will take place; and
8. A copy of a valid California Department of Tax and Fee Administration seller's permit, if applicable.
9. A copy of all valid permits required by the San Mateo County Health, Division of Environmental Health Services, if required.
10. Proof of a policy or policies of comprehensive general liability insurance, in an amount as approved by the City Attorney, against any injury, death, loss, or damage because of wrongful or negligent acts or omissions by the permittee, with an endorsement naming the City as an additional insured.
11. Payment of a nonrefundable processing fee, if required, in an amount established by resolution of the City Council.
12. Certification under penalty of perjury that all information provided to the City to process the application is true to his or her knowledge and belief.
13. An acknowledgement of having read and an agreement to abide by this Chapter and other relevant provisions of the East Palo Alto Municipal Code.
14. An acknowledgement of having read and an agreement to abide by the Sidewalk Vending Stormwater Best Management Practices Guide, to be provided by the City.
15. Execution of a release, indemnification, and acknowledgment, in a form prescribed by the City Attorney, including the following:
    i. An agreement by the applicant to waive and release the city and its officers, agents, employees, contractors, and volunteers from and against any and all claims, costs, liabilities, expenses, or judgments (including attorneys' fees and court costs) related to or arising out of the applicant's sidewalk vending activities.

ii. An agreement by the applicant to, to the greatest extent allowed by law, defend, indemnify, and hold harmless the city, its officers, agents, employees, contractors, and volunteers from and against any and all claims related to or arising out of the applicant's sidewalk vending activities.

iii. An acknowledgement and agreement that the applicant's use of the sidewalk or other city facilities is at the applicant's own risk, and it is not the city's responsibility to ensure that the vending location is safe or conducive to the vending activities.

16. All sidewalk vendors are required to have a business license pursuant to Chapter 5.04 (Business Licenses Generally), Title 5 (Business Licenses and Regulations) of the East Palo Alto Municipal Code. All applicants must provide copy of a valid business license issued pursuant to Chapter 5.04 prior to issuance of a sidewalk vending permit. Each separate concurrently operating vending location requires its own business license and sidewalk vending permit.

E. A sidewalk vending permit shall expire on December 31st of each calendar year, irrespective of whether a twelve-month period has elapsed since the original issuance of the permit. A city sidewalk vending permit shall also be deemed null and void upon the revocation or expiration of: (a) the related city-issued business license, (b) a required permit from the San Mateo County Health, Division of Environmental Health Services, and/or (c) the California seller's permit pursuant to Revenue and Taxation Code Section 6067.

SEC. 5.76.050. OPERATIONAL REGULATIONS.

A. It shall be unlawful for any person to operate as a sidewalk vendor or to engage in sidewalk vending activities in the City without first obtaining a sidewalk vending permit pursuant to Section 5.76.040 of this Chapter, a business license pursuant to Section 5.04.030 of the East Palo Alto Municipal Code, a sidewalk vending permit, if applicable, and any other regulatory approval or permit required by applicable law, including administrative policies and regulations promulgated pursuant to Section 5.76.090 of this Chapter.

B. Sidewalk vendors shall comply with the following to prevent unreasonable pedestrian and vehicular traffic; improper disposal of trash; provide access to Bay adjacent wetlands, trails, and open space amenities; assure that pedestrians (including pedestrians with disabilities) have adequate and accessible thoroughfares; minimize trip and fall hazards; address visibility concerns; prevent glare for drivers; and address other public health, safety, and welfare concerns:

1. All sidewalk vendors must display their City-issued sidewalk vending permit and any other licenses issued by other agencies on the street-side portion of their pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance when operating in the public right-of-way. A properly permitted sidewalk vendor must remain on site for all vending activities.

2. Vending display devices shall not be chained, fastened, or affixed at any time to any building or structure, including, but not limited to, lampposts, parking meters, traffic signals, fire hydrants, benches, bus shelters, trash cans, street signs, trees, or other objects within the public right-of-way. No vending display device shall become a permanent fixture on the vending site or be considered an improvement to real property.
3. Vending display devices shall not be left or stored unattended on public property or within the public right-of-way.
4. Sidewalk vending activities in residential zoning districts may occur only between the hours of 9:00 a.m. and 9:00 p.m. Sidewalk vendors must remove all equipment and other vending facilities from the site immediately after operations.
5. Sidewalk vending activities in nonresidential zones will be as restrictive as general limitations on hours of operation imposed on other businesses or uses on the same street, excluding those permitted to operate 24 hours by a separate permit.
6. If applicable, sidewalk vendors who sell food in the City shall obtain and maintain a valid permit from the San Mateo County Health, Division of Environmental Health Services and abide by the County's structural and operational requirements, including but not limited to requirements of sinks, commissaries, and mechanical refrigeration. Sidewalk vendors shall display the appropriate County Health permit during food vending operations and shall be made available to the City as part of the permit application or renewal process.
7. Each sidewalk vendor selling food shall provide a trash receptacle for use by its customers and shall ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash so that public trash receptacles for use by the general public do not have to be used by customers.
8. All sidewalk vendors are responsible for ensuring that the surrounding sidewalk is kept clean and free of trash and debris associated with their vending operation. Prior to leaving any vending location, the sidewalk vendor shall pick up, remove, and dispose of all trash generated by the vending operations and/or the vendor's customers within a fifteen-foot radius of the vending location. Sidewalk vendors are responsible for disposing of the trash associated with their business and may not use city receptacles for this purpose. Sidewalk vendors shall not dispose of customer or sidewalk vendor's trash in trash receptacles for public use.
9. All sidewalk food vendors shall immediately clean up any food, grease, or other fluid or item related to their sidewalk vending activities that are spilled or discharged on public property in a manner that applicable law, including the Chapters 13.08 (Sanitary Sewers) and 13.12 (Stormwater Management and Discharge) of the East Palo Alto Municipal Code and the East Palo Alto

Sanitary District Code. Disposal of trash, food, grease or other materials to any storm drain, creek, or waterway is prohibited. Vendors shall not dump, drain, or discard any fouled, spoiled, or unused product, which includes draining ice coolers, drink containers and/or miscellaneous containers on the ground.

10. Except for the brief duration of time for a roaming sidewalk vendor to conduct sale, to maintain accessibility standards, sidewalk vendors shall not place or allow any obstruction to be placed on the sidewalk that would reduce the width of the sidewalk or pedestrian areas to a minimum of forty-eight inches, excluding the curb and excluding any sidewalk areas that are made non passable due to any obstructions such as posts, parking meters, street trees, planters, or signs that are located on the sidewalk. Sidewalk vendors shall maintain their vending display devices at all times in a manner that provides sufficient access to the sidewalk and avoids impeding the flow of pedestrian traffic. At no time may a sidewalk vendor operate in such a way that would violate the Americans with Disabilities Act or state law on accessibility, or cause the sidewalk to narrow in a way that violates the accessible path of travel for persons with disabilities, including persons who use wheelchairs or other mobility devices.
11. Sidewalk vendors shall not vend to occupants of motorized vehicles in operation, and may only vend to customers whose vehicles are legally parked.
12. Sidewalk vendors may not engage in vending in such a manner as to cause onlookers, customers, or others to obstruct the accessible path of travel for persons with disabilities, or the free flow or view of pedestrian or vehicular traffic, including impeding entry to and exit from a business or residence or access to a public facility. Sidewalk vendors are therefore responsible for managing customer queuing, ensuring pedestrian accessibility is maintained, and ensuring customers do not loiter after receiving their purchased food or goods.
13. Consistent with Chapter 18.32 (Signs) of the East Palo Alto Municipal Code and to maintain the free movement of pedestrians and/or vehicles, sidewalk vendors may not use signs in connection with the sale, display, or offering for sale of items, except for those signs affixed to or painted on a vending display device.

C. Sidewalk vending of the following is prohibited:

1. Alcoholic beverages;
2. Tobacco, tobacco products, or electronic smoking devices;
3. Cannabis or cannabis products;
4. Dangerous weapons, including knives, firearms, or fireworks, as those terms are defined in the East Palo Alto Municipal Code;
5. Items that are not for immediate sale;
6. Selling or offer to sell services, or engage in or offer to engage in any type of rental activity, including the rental of any goods or services;

7. Pharmaceuticals; and

8. Any other merchandise prohibited by federal, state, or local law from being vended.

D. Sidewalk vendors who choose to use, play, or employ any amplifier, loudspeaker or any other device for sound production when parked or standing at any location, and shall comply with the noise standards provided in Chapter 8.52, of the East Palo Alto Municipal Code, as it is most currently in effect and as may be amended.

E. Consistent with the San Mateo County Department of Environmental Health limitations, no pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending shall not use an open flame on or within any pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending.

F. Any electrical, flashing, wind-powered, or animated freestanding signs are prohibited. Vending equipment may have signs attached to or painted on the vending equipment. The total sign area shall not exceed four square feet.

G. Sidewalk vendors shall be responsible for their own compliance with all generally applicable federal, state, and local laws, including without limitation state food preparation, handling, and labeling requirements; fire codes and regulations (Chapter 15.58); noise standards (Chapter 8.52); alcoholic beverages (Chapter 9.04), tobacco products (Chapter 5.80), cannabis (Chapter 9.32), electronic cigarette (Chapter 5.80), smoking devices and controlled substances regulations; sanitation and health standards, environmental regulations (Chapters 13.08, Sanitary Sewers, and 13.12, Stormwater Management and Discharge),); and the Americans with Disabilities Act of 1990 and other disability access standards (both state and federal).

SEC. 5.76.060. LOCATION-SPECIFIC REGULATIONS.

A. The location-based restrictions set forth in this section are intended to comply with and implement the requirements of state law (SB 946), which may be amended from time to time. Unless specifically permitted by another provision of this East Palo Alto Municipal Code, to ensure rapid access by first responder and emergency personnel; to improve sidewalk accessibility for persons with disabilities; to facilitate ingress into and egress from vehicles, rights-of-way, buildings, and public spaces; to maximize use and promote maintenance of public rights-of-way, parks, the Bay, and other public spaces; to help preserve and protect sensitive habitats, community landmarks, natural and scenic areas, including Dumbarton Bridge Vista Point Trail, the Ravenswood Open Space Preserve, and Cooley Landing Park and Education Center, Faber-Laumeister Trail, Faber Marsh Fishing Area, and Don Edwards Wildlife Preserve; and to reduce the city's exposure to civil liability, sidewalk vending is restricted as follows:

1. Prohibited on any public property that does not meet the definition of a sidewalk, including, but not limited to, any street, roadway median, pedestrian islands, or bicycle lanes;

2. Prohibited on City-owned property including, but not limited to, parking structures and parking lots, unless otherwise authorized by the City;
3. Prohibited in any area that constricts passageway for pedestrians or any ADA-required accessible route below the minimum required width, or vehicles to less than minimum required or obstructs traffic signals or regulatory signs, as determined by the Public Works Director (or designee);
4. Prohibited on any median strip or dividing section within public right-of-way areas;
5. Prohibited within 18 inches from the edge of a curb;
6. Prohibited within 15 feet from any fire hydrant, driveway or alleyway, or door/emergency exit;
7. Prohibited within 20 feet of any mid-block crosswalk or storm drain;
8. Prohibited within 25 feet of any bus stop, street corner, or street intersection;
9. Prohibited within 100 feet of any emergency facility (fire station, police station, hospital) or public or private school on days when school is in session;
10. Prohibited within a certain distance of certified farmer's market or special event for the duration of the event, as prescribed by state law, as amended from time to time;
11. Prohibited within 200 feet of any freeway entrance or exit;
12. Stationary sidewalk vendors shall not vend within a park if the City has signed an agreement for concessions that exclusively permits the sale of food or merchandise by a concessionaire;
13. Unless permitted via a temporary use permit or another entitlement, sidewalk vendors are prohibited from entering or encroaching onto private property while engaged in sidewalk vending activities.

B. The city council, by resolution, may from time to time designate no vending or limited vending zones due to objective health, safety, or welfare concerns. In designating a no vending or limited vending zone, the city council shall first determine that vending without limitation in the area would impede or interfere with public health, safety, or welfare.

C. This section shall not be construed as prohibiting events that are conducted pursuant to, and in accordance with, Chapter 12.08 (Special Events), Major Public Special Events, and 10.65, Public Gathering and Expression Events.

SEC. 5.76.070. PENALTIES AND ADMINISTRATIVE CITATIONS.

A. Persons found in violation of this Chapter shall be subject to the Administrative Citation procedures found in Chapter 1.14 of the East Palo Alto Municipal Code, except as to fine amounts, which are noted below:

i. Persons that violate local regulations, other than operating without a permit, are punishable by an administrative fine not to exceed:

a. One hundred dollars ($100.00) for a first violation; or

b. Two hundred dollars ($200.00) for a second violation within one year of the first violation; or

c. Five hundred dollars ($500.00) for each additional violation within one year of the first violation.

ii. Persons vending without a sidewalk vending permit are punishable by an administrative fine not to exceed:

a. Two hundred fifty dollars ($250.00) for the first violation; or

b. Five hundred dollars ($500.00) for a second violation within one year of the first violation; or

c. One thousand dollars ($1,000.00) for each additional violation within one year of the first violation.

iii. All administrative citations will be accompanied by a notice advising the person of their right to request an ability-to-pay determination and the process for requesting an ability-to-pay determination.

B. Revocation of Permit. Any permit issued under this Chapter may be denied, suspended or revoked for any reason established by the City Manager (or designee), including any violations under this Chapter and any administrative policies or regulations adopted pursuant to Section 5.76.090.

C. Appeals. The appeals process contained in Chapter 1.14 of the East Palo Alto Municipal Code shall apply to citations issued under this Chapter as well as requests for an ability-to-pay determination. An administrative fine imposed pursuant to this Chapter need not be paid as a pre-requisite to requesting an appeal hearing or a hearing to determine ability-to-pay an administrative fine.

SEC. 5.76.090. CITY MANAGER AUTHORITY.

The City Manager, or their Designee, shall have the authority to establish administrative policies and regulations that may be necessary to implement the provisions of this Chapter.

SECTION 3. AMENDMENTS TO CHAPTER 5.08

Chapter 5.08 (Business Taxes) of the City of East Palo Alto Municipal Code is hereby amended as follows (edits in redline; deletion in ~~strikethrough~~; otherwise, no change):

SEC. 5.08.160

As used in this chapter:

"Peddler" means any person not having a regularly established place of business, who travels or goes from house to house, or from place to place, or who has a stand or other temporary structure upon or along any public street, alley or other public place, doorway of any building, unenclosed or vacant lot, or parcel of land, and who sells and makes immediate delivery, or offers for sale and immediate delivery, any services, goods,

wares or merchandise in his/her possession. “Peddler,” as used in this Chapter, defined to exclude a “sidewalk vendor,” which shall be governed by Chapter 5.76 of the East Palo Alto Municipal Code.

“Solicitor” means any person who travels or goes from house to house, or from place to place, or in or along the streets taking orders for, or endeavoring to take orders for the sale, exchange or delivery of any services, goods, wares or merchandise not in his immediate possession.

SECTION 4. AMENDMENTS TO CHAPTER 8.12

Chapter 8.12 (Environmental Health) of the City of East Palo Alto Municipal Code is hereby amended as follows (edits in redline; deletion in ~~strikethrough~~; otherwise, no change):

8.12.090 - Mobile food vendors.

“Mobile food vendor” means and includes all persons, corporations or entities which sell food or food products at retail to the public either from vehicles or from manually mobile containers. The term includes, but is not limited to the following:

A. Industrial catering vehicles;

B. Bakery product vehicles; and

C. Mobile food preparation units.

The term does not include the following:

D. Distributors of milk, delivering products to regular customers;

E. Distributors of food or food products, delivering such products to either retail or wholesale establishments for resale;

F. Distributors of produce or shell eggs; and

G. Operators of restaurants, itinerant restaurants, sidewalk vendors, and caterers.

SECTION 5. AMENDMENTS TO CHAPTER 12.04

Chapter 12.04 (Park Regulations) of the City of East Palo Alto Municipal Code is hereby amended as follows (edits in redline; deletion in ~~strikethrough~~; otherwise, no change):

12.04.060 - ~~Itinerant vendors near approaches to parks~~[RESERVED.].

~~No itinerant vendor shall sell, or offer to sell, merchandise in or along a street adjoining or approaching a park, within two hundred (200) feet of an entrance.~~

SECTION 6. AMENDMENTS TO CHAPTER 18.94

18.94.040 - Exempt Temporary Uses

The following minor and limited duration temporary uses are exempt from the requirement for a Temporary Use Permit. Uses that do not fall within the categories defined below shall comply with provisions related to allowed temporary uses:

A. Construction Sites – On-Site.

1. On-site contractors' construction/storage uses, in conjunction with an approved construction project on the same parcel. One adult caretaker may be present during non-construction hours.

2. The construction and/or storage use shall be removed immediately upon completion of the construction project, or the expiration of the companion building permit authorizing the construction project, whichever first occurs.

B. **Emergency Facilities.** Emergency public health and safety needs/land use activities, as determined by the Director.

C. **Publicly Owned Property.** Events conducted on publicly owned property, subject to the approval of a Special Event Permit under the Municipal Code.

D. **Sidewalk Vending.** Sidewalk vending uses that are approved by the City and comply with applicable state and local law.

SECTION 7. AMENDMENTS TO CHAPTER 5.44

5.44.020 - License required.

Unless otherwise permitted under municipal code, no person shall peddle any services, goods, wares, or merchandise without first obtaining a license and paying the license fee therefore. Licenses shall be required of all persons soliciting goods shipped by interstate commerce. All veterans shall be required to obtain licenses, provided however, that veterans not employed by a corporation shall be exempt from any fees set forth in Section 5.44.110.

SECTION __. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

This Ordinance is not subject to CEQA because it is not a “project” because it can be seen with certainty that it would have a direct physical change or a reasonably foreseeable indirect physical change on the environment pursuant to California Environmental Quality Act (“CEQA”) Guidelines section 15061(b)(3). Even if it were a project subject to CEQA review, the proposed action is exempt pursuant to Section 15301 (Existing Facilities); 15304 (Minor Alterations to Land) (e) for minor temporary use of land having negligible or no permanent effect on the environment; 15305 (Class 5 –Minor Alterations to Land Use Limitations), and that it is further exempt pursuant to Section

15308 (Actions by Regulatory Agencies for Protection of the Environment), as it will not result directly or indirectly in significant environmental impacts.

SECTION __. IMPLIED REPEAL.

Any provision of the East Palo Alto Municipal Code inconsistent with this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effectuate this Ordinance.

SECTION __. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION __. EFFECTIVE DATE.

This Ordinance shall take effect and be in full force thirty (30 days after the date of its adoption.

SECTION __. PUBLICATION.

The City Clerk is hereby directed to cause publication of this Ordinance as required by Government Code Section 36933.

This Ordinance was introduced at the_____ meeting of the City Council of the City of East Palo Alto.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

PASSED AND ADOPTED this _____ day of _____, 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Martha Barragan, Mayor

ATTEST:

_____
James Colin, City Clerk

APPROVED AS TO FORM:

_____
John D. Lê, City Attorney

EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: December 2, 2025

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Jeff Liu, Chief of Police

SUBJECT: Continued use of Automated License Plate Recognition Systems for Enhanced Public Safety

Recommendation

Adopt a resolution:

1. Authorizing the City Manager to enter into a five-year agreement with **Flock Group Inc. (Flock Safety)** for the continued provision of Automated License Plate Reader (ALPR) services in an amount not to exceed $453,250.00;

2. Finding that awarding of the proposed agreement is exempt pursuant to East Palo Alto Municipal Code, which exempts certain purchases under applicable state, federal or local law, including “sole source”; and

3. Finding that the proposed action is exempt from the California Environmental Quality Act (CEQA) as not a “project” pursuant to sections 15378(b)(2) and 15378(b)(4) because it is a governmental administrative or fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

Executive Summary

On September 27, 2024, the City Council approved a one-year pilot program to deploy Flock Automated License Plate Recognition (ALPR) cameras to enhance public safety in East Palo Alto. The system went live in December 2024 and has since proven effective, assisting the Police Department in solving numerous investigations. Based on these positive results, staff is recommending a five-year contract extension with Flock Safety. Approval will ensure continued access to this valuable technology to support crime prevention and investigations.

On November 4, 2025, during a regularly scheduled City Council meeting, Council expressed concerns about ALRP data security and the concern that East Palo Alto ALPR data would be used by Federal authorities for immigration enforcement. Council directed staff to return at a future meeting with Flock representatives to speak about data security.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

Priority: Public Health, Safety, and Quality of Life

Background

In 2024, the City Council authorized a one-year pilot program with Flock Safety to assess the feasibility and benefits of Automated License Plate Reader (ALPR) technology. As part of the pilot, the City finalized Policy 428, launched a transparency portal, and committed to quarterly updates to the Council. The pilot was completed successfully, and staff is now recommending entering into a long-term sole source agreement with Flock.

Analysis

MORE ABOUT FLOCK TECHNOLOGY

Flock Safety began operations in 2017 as a modern, lower-cost alternative to legacy ALPR systems. It has rapidly evolved into a dominant provider of ALPR technology in the Bay Area, with a closed network accessible only to customer agencies. Participation in this closed network is exclusive to Flock clients—providing a unique, non-duplicable capability that would be unavailable through other vendors.

Flock's ALPR system has been instrumental in assisting regional agencies in locating wanted vehicles and suspects connected to crimes that occurred in East Palo Alto. Because agencies input BOLO (Be-On-The-Lookout) information into the shared network, Flock cameras have enabled arrests well outside the City's boundaries when wanted vehicles were located by external partners.

Key Features of Flock Technology:

- Fixed Cameras photograph vehicles as they pass, capturing license plates, time, date, and general vehicle characteristics.
- The system stores captured images on Flock's encrypted servers for 30 days, after which the data is automatically and permanently deleted.
- In addition to plate reading, Flock uses vehicle fingerprinting—identifying distinguishing features like roof racks or bumper stickers—to track vehicles even when the license plate is obscured.
- Flock cannot access DMV data. Investigators must use CLETS to run plate queries

separately.

- Each system user has an individual login. Every query requires an associated case number, and usage is logged and auditable.
- Investigative data can be downloaded as evidence and attached to case reports.
- Agencies can share data only on a case-by-case basis and must follow the same access and audit rules. Misuse may lead to account suspension.

Flock provides a public-facing transparency portal, accessible via the East Palo Alto Police Department's website. The portal displays:

- Number of vehicle scans
- Number of BOLO hits
- Number of user-generated searches

Flock is compliant with California law:

- Prohibits use for immigration enforcement
- Disallows sharing with out-of-state agencies
- Ensures data ownership resides with the client, and data is never sold

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THE UTILITY OF ALPR TECHNOLOGY

ALPR systems are valuable investigative tools, especially in communities like East Palo Alto where law enforcement resources are limited. Flock enhances the Police Department's ability to solve serious crimes.

ADDRESSING CONCERNS ABOUT ALPR TECHNOLOGY

Concern	Mitigation
Privacy Infringement	Use is strictly for criminal investigations. Every access is logged and tied to a case number.
Abuse Potential	Built-in audit trails. Misuse triggers disciplinary action and can result in account suspension.
Data Security	All data is encrypted and stored in AWS GovCloud. No breaches have been reported.
Chilling Effect	Public education and policy transparency reduce fear of surveillance.
Overreach	Governed by Policy 428, with monthly audits and Council oversight.
Bias Concerns	ALPRs are objective and do not capture driver or pedestrian identities.

Concern	Mitigation
Loss of Anonymity	Vehicle data is stored temporarily and used only for investigating serious crimes.

REPORTED BREACHES OF ALPR DATA SHARING

Recent media reports have raised concerns about instances where Automated License Plate Recognition (ALPR) data collected by Flock Safety had been shared with federal and out of state agencies, in violation of California law. Subsequent reviews indicate these breaches were not the result of system vulnerabilities. The common cause was that personnel working for Flock Safety customers granted access to agencies not authorized under California law.

The East Palo Alto Police Department conducts monthly Flock Safety audits, which are posted on our ALPR transparency webpage for public access. Our monthly audits have confirmed that every search has complied with established regulations and only California agencies have accessed our ALPR data. The only personnel who have been authorized to approve agency requests to access East Palo Alto Police ALPR data are our designated administrator and the Chief of Police, which contribute to our existing high level of control over our data.

In response to the reports of data breaches, Flock Safety implemented additional tools to assist agencies with auditing the use of their data. The department has turned on the new option of requiring a case number in addition to a valid search reason, prior to searching our database.

On November 4, 2025, staff presented to the City Council on the Flock Safety platorm. During the discussion, Council members raised questions regarding the platform's security precautions. The meeting was continued to December 2, 2025, to allow representatives from the ALPR provider to be present and address the Council's concerns.

Identified Need for Expanded Community Coverage

During the course of the City's pilot program with Flock Safety Automated License Plate Reader (ALPR) technology, staff conducted a review of current camera placements and investigative outcomes. This review identified several areas within the community where additional ALPR coverage would enhance our ability to investigate criminal activity, improve response times, and support ongoing public safety initiatives.

Proposal to Add Up to 5 Additional Cameras

To address these identified coverage gaps and further strengthen our community's safety infrastructure, staff recommends that the City Council authorize the ability to add up to five (5) additional Flock Safety cameras as part of the contract renewal. This flexibility will allow the Police Department to strategically deploy new cameras in locations where data and

investigations demonstrate the greatest need for enhanced monitoring and deterrence.

Sole Source Acquisition of Flock Technology

During the City's one-year pilot program with Flock Safety automated license plate reader (ALPR) technology, staff learned that there is tremendous value in participating in the Flock Safety network of cameras. The ability to locate suspect vehicles within the Flock Safety network has proven to be critical to many investigations. Flock's closed network, which includes over 80 Bay Area law enforcement agencies, creates a robust database of shared information that significantly expands each agency's investigative capacity. This network is only accessible to Flock Safety clients and is comprised solely of Flock Safety client databases—meaning only agencies and private entities that are Flock customers can access and contribute to this shared resource. Staff has found no comparable vendor offering a system that provides the City access to such a vast network with similar or better software functionality. The City can only access this closed database through the use of Flock technology, and access is strictly limited to Flock customers. This unique capability allows the City to receive and share information with other jurisdictions, greatly enhancing the ability to locate and apprehend wanted vehicles and subjects connected to criminal investigations, including violent crimes that have occurred in East Palo Alto when vehicles have been entered into the wanted vehicle system. The network's effectiveness is further supported by the fact that Flock technology is consistently used by other agencies throughout the Bay Area to successfully locate suspect vehicles and aid in investigations. The Flock Safety network does not include any personally identifiable information beyond license plate data, and investigators must use separate, controlled law enforcement databases to obtain registered owner information. All data is owned by the client agency and is never sold or shared by Flock to private entities. The Flock Safety network is, therefore, a secure, client-only database that has proven to be a vital investigative tool during the City's trial period with the technology.

Fiscal Impact

The total cost of the contract over the five-year term beginning November 1, 2025, is **$453,250**, summarized as follows:

Year 1	Year 2	Year 3	Year 4	Year 5	Total
$ 93,250	$ 90,000	$ 90,000	$ 90,000	$ 90,000	**$ 453,250**

Because the contract period does not align with the City's fiscal year (July 1 – June 30), the budgetary impact is distributed as follows:

FY2025-26	FY2026-27	FY2027-28	FY2028-29	FY2029-30	FY2030-31	Total
$ 62,167	$ 91,083	$ 90,000	$ 90,000	$ 90,000	$ 30,000	**$ 453,250**

The cost for FY2025-26 is included in the adopted budget, and no additional appropriation is required. Staff will incorporate the ongoing costs into the respective fiscal year budgets.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The action being considered by the City Council is exempt from the California Environmental Quality Act (CEQA) because it is not a "project" pursuant to 15378(b)(4) because it is a fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

Government Code § 84308

Applicability of Levine Act: Yes.

Analysis of Levine Act Compliance: The signatory for the agreements is Dan Haley of Flock Safety. Staff is unaware of any other parties or participants relevant to the Council's consideration of this item.

Attachments

1. Resolution
2. Flock quote

RESOLUTION NO. XX – 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE-YEAR CONTRACT WITH FLOCK SAFETY FOR THE CONTINUED USE OF AUTOMATED LICENSE PLATE READER (ALPR) TECHNOLOGY AND NETWORK FOR ENHANCED PUBLIC SAFETY

WHEREAS, the City of East Palo Alto has successfully been engaged in a pilot program with Flock Safety ALPR technology, which has proven to be a vital investigative tool for solving crimes and enhancing public safety; and

WHEREAS, the City has implemented robust data privacy, security, and compliance measures, including monthly audits, strict access controls, and adherence to California law prohibiting the sharing of ALPR data with unauthorized agencies; and

WHEREAS, Flock Safety has implemented additional auditing tools and security measures in response to concerns about data breaches, further enhancing the City's ability to control and monitor access to ALPR data; and

WHEREAS, the City Council finds that entering into a five-year contract with Flock Safety will provide continuity of service, maintain high standards of data security and privacy, and support the City's public safety objectives;

WHEREAS, The City's Municipal Code permits the waiver of formal bid procedures in special circumstances requiring immediate action to protect public health and safety, with City Manager recommendation and Council approval; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO HEREBY:

1. Finds the foregoing recitals are true and correct, and are incorporated by this reference into this action;

2. Authorizes the City Manager to negotiate, award, and execute a five-year contract with Flock Safety, in a form approved by the City Attorney, for the continued use of ALPR technology and network;

3. Directs staff to continue monthly audits, maintain the ALPR transparency portal, and ensure compliance with all applicable laws and policies.

PASSED AND ADOPTED this 2nd day of December 2025**,** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Martha Barragan, Mayor

ATTEST:

James Colin, City Clerk

APPROVED AS TO FORM:

John D. Lê, City Attorney