



**Montara Water
and Sanitary District**
Serving the Community of Montara and Moss Beach

P.O. Box 370131
8888 Cabrillo Hwy
Montara, CA 94037-0131
t: 650.728.3545 • f: 650.728.8556

To sensitively manage the natural resources entrusted to our care, to provide the people of Montara - Moss Beach with reliable, high – quality water, wastewater, and trash disposal at an equitable price, and to ensure the fiscal and environmental vitality of the district for future generations. Be open to providing other services desired by our community.

AGENDA

District Board of Directors

April 21, 2022 at 7:30 p.m.

THIS MEETING WILL BE HELD REMOTELY UNDER PARAGRAPH (1) OF SUBDIVISION (e) OF GOVERNMENT CODE SECTION 54953 DUE TO THE CURRENT PROCLAIMED STATE OF EMERGENCY. THIS MEETING WILL NOT HAVE A PHYSICAL LOCATION.

Directors, staff and the public may participate remotely via the application ZOOM:

ZOOM MEETING INFORMATION:

WEBSITE: <https://us02web.zoom.us/j/83797596489?pwd=MGFoazlpMGtxRUJxM2lrQkptcitoZz09>

MEETING ID: 837 9759 6489

Password: 133154

CALL IN PHONE NUMBER: +1 669 900 9128

INSTRUCTIONS for remote access are available at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>. You also may view video during the meeting via live stream or after the meeting at <https://videoplayer.telvue.com/player/wuZKb9gwEY7sMACIIsr7VSJglB35kNZA/stream/159?fullscreen=true&showtabssearch=false&autostart=false> . If you experience technical difficulties or have technical questions prior to or during the meeting, please contact MWSD's IT support at (650) 728-7843.
Note: Public participation is not permitted during closed session discussion items.

Public Comment

In accordance with the Government Code, members of the public may address the Board on specific agenda items when the matter is announced by the Board President. Any other item of interest that is within the subject matter jurisdiction of the District may be addressed during the Oral Comments portion of the meeting. A "raise hand" button is available for every Zoom user wishing to speak and should be used to alert the President of the intent to comment.

Upon request, this Agenda and written agenda materials will be made available in appropriate alternative formats to persons with a disability. Request for a disability-related modification or accommodation in order to participate in the public meeting should be emailed to info@mwsd.net or submitted by phone at 650-728-3545 at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, and local orders, the format of this meeting may be altered, or the meeting may be canceled. You may check on the status of the meeting by visiting the District's website at: <http://mwsd.montara.org> .

CALL TO ORDER

ROLL CALL

PRESIDENT'S STATEMENT

ORAL COMMENTS (Items other than those on the agenda)

PUBLIC HEARING (none)

CONSENT AGENDA (none)

OLD BUSINESS

1. [Receipt of District Transparency Certificate of Excellence from the Special District Leadership Foundation.](#)

NEW BUSINESS

1. [Review and Possible Action Concerning California SB 114 COVID-19 Supplemental Sick Leave.](#)
2. [Review and Possible Action Concerning Participation in State Scholarshare 529 Workplace Savings Program.](#)

REPORTS

1. Sewer Authority Mid-Coastside Meetings (Slater-Carter).
2. MidCoast Community Council Meeting (Slater-Carter).
3. CSDA Report (Lohman).
4. LAFCo Report (Lohman).
5. Attorney's Report (Fitzgerald).
6. Directors' Reports.
7. General Manager's Report (Heldmaier).

FUTURE AGENDAS

CONVENE IN CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code §54956.9(d)(1))

Case Name: *City of Half Moon Bay v. Granada Community Services District, et al.* (Santa Clara County Superior Court No. 17CV316927)

Case Name: *Sabrina Brennan v. Montara Water and Sanitary District* (San Mateo County Superior Court No. 8345693)

CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

(Government Code §54956.9(d)(4)) Initiation of Litigation (1 potential cases)

CONFERENCE WITH LABOR NEGOTIATORS

(§ 54957.6) Unrepresented Employees

CONFERENCE WITH LABOR NEGOTIATORS

(§ 54957.6) Unrepresented Employee: General Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code §54956.8)

Property: 771 Rivera Rd., Montara, CA

Agency Negotiators: District General Manager; District General Counsel Negotiating parties: Coast Wholesale Florists, a corporation/Miller-Havice Ranch Under Negotiation: Price and Terms of Payment.

REPORT OF ACTION TAKEN IN CLOSED SESSION, IF ANY ADJOURNMENT

The District has a curfew of 10:30 p.m. for all meetings. The meeting may be extended for one hour by vote of the Board.



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: April 21, 2022

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager *CH*

SUBJECT: Receipt of District Transparency Certificate of Excellence from the Special District Leadership Foundation

In 2021 Director Lohman asked that MWSD participate in the Special District Leadership Foundation (SDLF) District Transparency Certificate of Excellence program. Now the MWSD completed the program and the SDLF board approved the District Transparency Certificate of Excellence.

The attached application lists the numerous requirements and benefits for program participants.

SDLF staff will be available to award the Certificate to the MWSD board of directors.

RECOMMENDATION:

This is for information only.

Attachments



SHOWCASE YOUR DISTRICT'S COMMITMENT TO TRANSPARENCY

District Transparency Certificate of Excellence

Purpose

To promote transparency in the operations and governance of special districts to the public/constituents and provide special districts with an opportunity to showcase their efforts in transparency.

Duration

3 Years

Application Cost

FREE

Electronic filing is preferable.

info@sdlf.org

District Receives

- Certificate for display (covering 3 years)
- Press release template
- Recognition on the SDLF website
- Letter to legislators within the district's boundaries announcing the achievement
- Recognition in social media, and the CSDA eNews
- Window cling

Basic Requirements

Current Ethics Training for All Board Members *(Government Code Section 53235)*

- Provide names of board members and copies of training certificates along with date completed

Compliance with the Ralph M. Brown Act *(Government Code Section 54950 et. al)*

- Provide copy of current policy related to Brown Act compliance
- Provide copy of a current meeting agenda (including opportunity for public comment)

Adoption of Policy Related to Handling Public Records Act Requests

- Provide copy of current policy

Adoption of Reimbursement Policy, If District Provides Any Reimbursement of Actual and Necessary Expenses

(Government Code Section 53232.2 (b))

- Provide copy of current policy

Annual disclosure of board member or employee reimbursements for individual charges over \$100 for services or products. This information is to be made available for public inspection. "Individual charge" includes, but is not limited to: one meal, lodging for one day, or transportation. *(Government Code Section 53065.5)*

- Provide copy of the most recent document and how it is accessible.

Timely Filing of State Controller's Special Districts Financial Transactions Report -

Includes Compensation Disclosure. *(Government Code Section 53891)*

- Provide copy of most recent filing.

SDLF staff will verify that district is not listed on the State Controller's 'non-compliance list'

Conduct Audits As Required By Law *(Government Code Section 26909 and 12410.6)*

- Provide copy of most recent audit, management letter, and a description of how/where documents were made available to the public

Other Policies – Have Current Policies Addressing the Following Areas

Provide copies of each:

- Conflict of Interest
- Provide copies of Form 700 cover sheet for board members and general manager
- Code of Ethics/Values/Norms or Board Conduct
- Financial Reserves Policy

Website Requirements

Maintain a district website with the following items Required. (provide direct website links for each item) - Required items available to the public:

- Names of board members and their full terms of office to include start and end date
- Name of general manager and key staff along with contact information
- Election/appointment procedure and deadlines
- Board meeting schedule
(Regular meeting agendas must be posted 72 hours in advance pursuant to *Government Code Section 54954.2 (a)(1)* and *Government Code Section 54956 (a)*)
- District's mission statement
- Description of district's services/functions and service area
- Authorizing statute/Enabling Act (Principle Act or Special Act)
- Current District budget
- Most recent financial audit
- Archive of Board meeting minutes for at least the last 6 months
- Link to State Controller's webpages for district's reported board member and staff compensation (*Government Code Section 53908*)
- Link to State Controller's webpages for district's reported Financial Transaction Report (*Government Code Section 53891 (a)*)
- Reimbursement and Compensation Policy
- Home page link to agendas/board packets (*Government Code Section 54957.5*)
- SB 272 compliance-enterprise catalogs (*Government Code Section 6270.5*)
- Machine readable/searchable agendas

Additional items – website also must include at least 4 of the following items:

- Post board member ethics training certificates
- Picture, biography and e-mail address of board members
- Last (3) years of audits
- Financial Reserves Policy
- Online/downloadable public records act request form
- Audio or video recordings of board meetings
- Map of district boundaries/service area
- Link to California Special Districts Association mapping program
- Most recent Municipal Service Review (MSR) and Sphere of Influence (SOI) studies (full document or link to document on another site)
- Link to www.districtsmakethedifference.org site or a general description of what a special district is
- Link most recently filed to FPPC forms

Outreach/Best Practices Requirements - (Must complete at least 2 of the following items)

Regular district newsletter or communication (printed and/or electronic) that keeps the public, constituents and elected officials up-to-date on district activities (at least twice annually)

- Provide copy of most recent communication and short description on the frequency of the communication, how it's distributed and to whom.

Community notification through press release to local media outlet announcing upcoming filing deadline for election or Appointment and process for seeking a position on the district board, prior to that election (or prior to the most recent deadline For consideration of new appointments for those districts with board members appointed to fixed-terms).

- Provide copy of the press release (and the printed article if available)

Complete salary comparison/benchmarking for district staff positions using a reputable salary survey (at least every 5 years)

- Provide brief description of the survey and process used as well as the general results

Special Community Engagement Project

Designed and completed a special project promoting community engagement with the district (potential projects may be broad in nature or focus on specific issues such as rate-setting, recycled water, identifying community needs, etc.)

- Submit an overview of the community engagement project reviewing the process undertaken and results achieved

Hold annual informational public budget hearings that engage the public (outreach, workshops, etc.) Prior to adopting the budget

- Provide copy of most recent public budget hearing notice and agenda.

Community Transparency Review

The district would be required to obtain a completed overview checklist from at least 2 of the following individuals (the district may choose to conduct the overview with these individuals simultaneously or separately):

- Chair of the County Civil Grand Jury
- Editor of a reputable local print newspaper (only one may count toward requirement)
- LAFCO Executive Officer
- County Auditor-Controller
- Local Legislator (only one may count toward requirement)
- Executive Director or President of local Chamber of Commerce
- General Manager of a peer agency (special district, city, county, neighborhood association, community organization or county administrative officer)

- Provide proof of completion signed by individuals completing Community Transparency Review



SHOWCASE YOUR DISTRICT'S COMMITMENT TO TRANSPARENCY

District Transparency Certificate of Excellence

Submit Application

Submit this application along with all required documentation to:

Special District Leadership Foundation
1112 I Street, Suite 200
Sacramento, CA 95814
Phone: 916-231-2909 • Fax: 916-442-7889

Electronic filing is preferable.

info@sdlf.org

District:		
Mailing Address:		
City:	State:	Zip:
Contact Name:		
Contact Title:		
Phone:	Fax:	
Email:	Website:	
Assembly Member(s)*:		
Senator*:		
Local Newspaper(s):		
I certify that the information submitted is accurate and complete to the best of my knowledge.	Signature:	

**include all state legislators representing the district's area of operation*

OUR COMMITMENT TO TRANSPARENCY

SDLF



**SPECIAL DISTRICT
LEADERSHIP FOUNDATION**

DISTRICT TRANSPARENCY CERTIFICATE OF EXCELLENCE RECIPIENT

sdlf.org

2022



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: April 21, 2022

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager *CH*

**SUBJECT: Review and Possible Action Concerning
California SB 114 COVID-19 Supplemental Sick
Leave.**

SB 114 was retroactively introduced in February 2022, requiring all employers in California with more than 25 employees to provide up to 40 hrs of COVID-19 Supplemental Paid Sick Leave to employees who are unable to work in person or remotely due to COVID-19 and/or provide up to 40hrs of COVID-19 Supplemental Paid Sick Leave to employees who are taking care of a close family member that tested positive for COVID-19.

Due to MWSD's staff size the District is not obligated to provide Supplemental Paid Sick Leave. However, management believes that the District would benefit greatly from implementing SB 114. Keeping infected or potentially infected employees from MWSD's small core of employees is important to continually provide essential water and sewer services.

The district's labor counsel Christopher Boucher provided this board with a detailed memorandum and is available to present this item to the board.


RECOMMENDATION:

In consideration of the ongoing and extraordinary circumstances presented by COVID-19, it is recommended that the Board consider and approve extending COVID-19 SPSL to all District staff with a retroactive date of January 1, 2022 and a sunset date of September 30, 2022, consistent with the provisions of SB 114.

Attachments

memo

To: Honorable Board of Directors
Montara Water & Sanitary District

From: Christopher K. Boucher, Esq. 

Date: April 14, 2022

Re: California SB 114 COVID-19 Supplemental Sick Leave (Retroactive to January 1, 2022 through September 30, 2022)

Please accept this memorandum which sets forth the background information in advance of the April 21, 2022 Board meeting to consider the issue related to COVID-19 Supplemental Sick Leave. As further discussed below, due to the ongoing circumstances presented by COVID-19 and the passage of Senate Bill 114, Board authorization is requested to extend COVID-19 SPSL to all District staff with a retroactive date of January 1, 2022 and a sunset date of September 30, 2022.

I. BACKGROUND INFORMATION

On February 9, 2022, Governor Newsom signed SB 114 into law, requiring all California employers with more than 25 employees to provide up to 40 hours of COVID-19 Supplemental Paid Sick Leave ("COVID-19 SPSL") to employees who are unable to work or telework due to COVID-19 reasons (a copy of SB 114 is attached to this report as Exhibit A).

Under the new COVID-19 SPSL, two banks of leave will be available. One bank of up to 40 hours will be available if an employee is unable to work or telework due to certain reasons related to COVID-19, including that the employee is attending a COVID-19 vaccine or vaccine booster appointment for themselves or a family member, or is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or vaccine booster.

In addition, SB 114 would entitle an employee, in addition to the COVID-19 supplemental paid sick leave described above, to take up to 40 more hours of COVID-19 supplemental paid sick leave if the employee, or a family member for whom the covered employee is providing care, tests positive for COVID-19.

The total paid sick leave is capped at 80 hours for the period between January 1, 2022 to September 30, 2022. In addition, employers are not required to pay more than \$511 per day and \$5,110 in the aggregate to an employee. An employer's obligation to provide COVID-19 Supplemental Paid Sick Leave is retroactive to January 1, 2022, and remains in effect through September 30, 2022.

Importantly, because SB 114 specifically requires employers with more than 25 employees to provide COVID-19 SPSL, given the size of the District’s workforce, MWSD is not obligated under the law to provide COVID-19 SPSL. Therefore, Board authorization is requested to extend this leave bank to its staff.

As additional background information, in March 2020, the Board declared a local emergency due to the circumstances presented by COVID-19. Since that time, District staff have provided continuing and dedicated support in ensuring that all District functions are effectively carried out, both in carrying out key administrative and operational functions.

With ongoing public health concerns related to COVID-19 and the latest variants, including the Omicron¹ and IHU, which are reported to spread more easily than the original SARS-CoV-2 virus, providing a supplemental COVID-19 SPSL bank to employees will ensure employee and community safety and further mitigate the present challenges related to COVID-19. Based on current Centers for Disease Control and Prevention (CDC) and California Department of Public Health (CDPH) guidelines, quarantine and isolation are still effective tools to combat COVID-19 transmission among the healthy population and to mitigate against the risk of staff transmission in the workplace. This is particularly relevant given the small size of the District’s workforce and the potential for operational disruptions in the event of multiple COVID-19 illnesses reported or transmission among staff.

II. SUMMARY OF OPTIONS

The options for the Board’s consideration are as follows: i) extend COVID-19 SPSL to all District staff with a retroactive date of January 1, 2022 and a sunset date of September 30, 2022, consistent with the provisions of SB 114; ii) not take any action, in which case the District would not extend COVID-19 SPSL to staff.

III. FINANCIAL IMPACT

As it is difficult to predict how many employees may need COVID-19 SPSL, it would be speculative to quantify the financial impact of extending COVID-19 SPSL to staff through September 30, 2022. However, any COVID-19 SPSL leave would be already accounted for under the current salary costs budgeted for FY21-22, so extending COVID-19 SPSL should not require a budget increase.

IV. RECOMMENDATION

Based on our assessment of the above, and in consideration of the ongoing and extraordinary circumstances presented by COVID-19, it is recommended that the Board consider and approve extending COVID-19 SPSL to all District staff with a retroactive date of January 1, 2022 and a sunset date of September 30, 2022, consistent with the provisions of SB 114.

¹ See <https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>.

Honorable Board of Directors
Re: California SB 114 COVID-19 Supplemental Paid Sick Leave
April 14, 2022
Page 3

**CONFIDENTIAL – SUBJECT TO
ATTORNEY-CLIENT PRIVILEGE;
ATTORNEY WORK PRODUCT**

V. CONCLUSION

Staff and I are available to answer any questions the Board may have at its April 21 meeting. As always, thank you for the continued privilege of serving the District.

cc: Clemens Heldmaier, General Manager
Christine Fitzgerald, *Esq.*, General Counsel

Exhibit A



SB-114 Employment: COVID-19: supplemental paid sick leave. (2021-2022)

SHARE THIS:



Date Published: 02/14/2022 02:00 PM

Senate Bill No. 114

CHAPTER 4

An act to add Sections 248.6 and 248.7 to the Labor Code, relating to employment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor February 09, 2022. Filed with Secretary of State February 09, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 114, Committee on Budget and Fiscal Review. Employment: COVID-19: supplemental paid sick leave.

(1) Existing law, the Healthy Workplaces, Healthy Families Act of 2014, entitles an employee who works in California for the same employer for 30 or more days within a year from the commencement of employment to paid sick days. Under existing law, an employee accrues paid sick days at a rate of not less than one hour per every 30 hours worked, subject to certain use, accrual, and yearly carryover limitations. Existing law requires the Labor Commissioner to enforce the act and provides for procedures, including investigation and hearing, and for remedies and penalties.

Existing law, until December 31, 2020, provided for COVID-19 food sector supplemental paid sick leave for food sector workers and required a hiring entity to provide COVID-19 food sector supplemental paid sick leave, as described, to each food sector worker unable to work due to specified reasons relating to COVID-19. Existing law also established, until December 31, 2020, COVID-19 supplemental paid sick leave for covered workers, including certain persons employed by private businesses of 500 or more employees or persons employed as certain types of health care providers or emergency responders by public or private entities.

Existing law, until September 30, 2021, provided for COVID-19 supplemental paid sick leave for covered employees, in-home supportive service providers, and waiver personal care service providers who were unable to work due to certain reasons related to COVID-19, including that the employee or provider was advised by a health care provider to self-quarantine due to concerns related to COVID-19. Existing law entitled a covered employee or provider to 80 hours of COVID-19 supplemental paid sick leave, as specified, and set the compensation for that leave.

This bill, beginning January 1, 2022, until September 30, 2022, would provide for COVID-19 supplemental paid sick leave for covered employees who are unable to work or telework due to certain reasons related to COVID-19, including that the employee is attending a COVID-19 vaccine or vaccine booster appointment for themselves or a family member, or is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or vaccine booster. The bill would entitle a covered employee to 40 hours of COVID-19 supplemental paid sick leave if that employee works full time or was scheduled to work, on average, at least 40 hours per week for the employer in the 2 weeks preceding the date the covered employee took

COVID-19 supplemental paid sick leave. The bill would provide a different calculation for supplemental paid sick leave for a covered employee who is a firefighter subject to certain work schedule requirements and for a covered employee working fewer or variable hours, as specified.

This bill would entitle a covered employee, in addition to the COVID-19 supplemental paid sick leave described above, to take up to 40 more hours of COVID-19 supplemental paid sick leave if the covered employee, or a family member for whom the covered employee is providing care, tests positive for COVID-19. The bill would authorize the employer to require the covered employee, if that employee tests positive, to submit to another test on or after the fifth day after the first positive test and provide documentation of those results. The bill would also authorize the employer to require the covered employee to provide documentation of a family member's test result before paying the additional COVID-19 supplemental paid sick leave, as applicable. The bill would specify that the employer has no obligation to provide additional COVID-19 supplemental paid sick leave if the employee refuses to provide documentation of a test result.

This bill would provide that the total number of hours of COVID-19 supplemental paid sick leave to which a covered employee is entitled to under these provisions is in addition to any paid sick leave available under the Healthy Workplaces, Healthy Families Act of 2014, and in addition to prior COVID-19 supplemental paid sick leave the employee was entitled to, as specified.

This bill would specify the compensation rate for nonexempt and exempt covered employees. The bill would require the Labor Commissioner to enforce these COVID-19 supplemental paid sick leave provisions, and make publicly available a model notice relating to COVID-19 supplemental paid sick leave.

This bill would also provide for COVID-19 supplemental paid sick leave for specified in-home supportive service providers and waiver personal care service providers, as defined, who are unable to work due to certain reasons related to COVID-19. Under the bill, a provider would be entitled to COVID-19 supplemental paid leave for the same reasons as a covered employee. The bill would entitle a provider to up to 40 hours of COVID-19 supplemental paid leave, if the provider worked or was scheduled to work, on average, at least 40 hours per week, as specified, or met certain other work conditions, and entitle a provider to take additional COVID-19 supplemental paid sick leave under specified conditions. The bill would set the compensation rate for this supplemental paid sick leave, as specified. The bill would authorize the State Department of Social Services and the State Department of Health Care Services to implement, interpret, or make these provisions specific by means of all-county letters or similar instructions, without taking any regulatory action.

This bill would make these requirements, with respect to covered employees, in-home supportive service providers, and personal waiver care service providers, to provide COVID-19 supplemental paid sick leave take effect 10 days after the date of enactment of the bill and would apply these provisions retroactively to January 1, 2022, as specified. The bill would provide that the requirement to provide COVID-19 supplemental paid sick leave would apply until September 30, 2022, as specified.

(2) This bill would appropriate \$100,000 from the General Fund to the Labor Commissioner to implement the provisions related to the COVID-19 supplemental paid sick leave, as specified.

(3) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 248.6 is added to the Labor Code, to read:

248.6. (a) As used in this section:

(1) "Covered employee" means an employee who is unable to work or telework for an employer because of a reason listed under paragraph (1) of subdivision (b).

(2) "COVID-19 supplemental paid sick leave" means supplemental paid sick leave provided pursuant to this section.

(3) "Employer" means an employer, as defined in subdivision (b) of Section 245.5, that employs more than 25 employees.

(4) "Family member" has the same meaning as in subdivision (c) of Section 245.5.

(5) "Firefighter" means an active firefighting member of any of the following:

(A) A fire department of a city, county, city and county, district, or other public or municipal corporation or political subdivision.

(B) A fire department of the University of California and the California State University.

(C) The Department of Forestry and Fire Protection.

(D) A county forestry or firefighting department or unit.

(E) A fire department that serves a United States Department of Defense installation and whose firefighters are certified by the United States Department of Defense as meeting its standards for firefighters.

(F) A fire department that serves a National Aeronautics and Space Administration installation and that adheres to training standards established in accordance with Article 4 (commencing with Section 13155) of Chapter 1 of Part 2 of Division 12 of the Health and Safety Code.

(G) A fire department that provides fire protection to a commercial airport regulated by the Federal Aviation Administration (FAA) under Part 139 (commencing with Section 139.1) of Subchapter G of Chapter 1 of Title 14 of the Federal Code of Regulations whose firefighters are trained and certified by the State Fire Marshal as meeting the standards of Fire Control 5 and Section 139.319 of Title 14 of the Federal Code of Regulations.

(H) Fire and rescue services coordinators who work for the Office of Emergency Services. For purposes of this clause, "fire and rescue services coordinators" means coordinators with any of the following job classifications: coordinator, senior coordinator, or chief coordinator.

(b) A covered employee shall be entitled to COVID-19 supplemental paid sick leave as follows:

(1) An employer shall provide COVID-19 supplemental paid sick leave to each covered employee if that covered employee is unable to work or telework due to any of the following reasons:

(A) The covered employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance of the State Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer who has jurisdiction over the workplace. If the covered employee is subject to more than one of the foregoing, the covered employee shall be permitted to use COVID-19 supplemental paid sick leave for the minimum quarantine or isolation period under the order or guidance that provides for the longest such minimum period.

(B) The covered employee has been advised by a health care provider to isolate or quarantine due to COVID-19.

(C) The covered employee is attending an appointment for themselves or a family member to receive a vaccine or a vaccine booster for protection against COVID-19, subject to the limitation in clause (ii) of subparagraph (D).

(D) (i) The covered employee is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or vaccine booster that prevent the employee from being able to work or telework.

(ii) For each vaccination or vaccine booster, an employer may limit the total COVID-19 supplemental paid sick leave to 3 days or 24 hours unless the employee provides verification from a health care provider that the covered employee or their family member is continuing to experience symptoms related to a COVID-19 vaccine or vaccine booster. The 3-day or 24-hour limitation applied to each vaccine or vaccine booster includes the time used under subparagraph (C) to get the vaccine or vaccine booster.

(E) The covered employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

(F) The covered employee is caring for a family member who is subject to an order or guidance described in subparagraph (A) or who has been advised to isolate or quarantine, as described in subparagraph (B).

(G) The covered employee is caring for a child, as defined in subdivision (c) of Section 245.5, whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

(2) A covered employee shall be entitled to the following number of hours of COVID-19 supplemental paid sick leave:

(A) A covered employee is entitled to 40 hours of COVID-19 supplemental paid sick leave, if the covered employee satisfies either of the following criteria:

(i) The employer considers the covered employee to work full time.

(ii) The covered employee worked or was scheduled to work, on average, at least 40 hours per week for the employer in the two weeks preceding the date the covered employee took COVID-19 supplemental paid sick leave.

(B) Notwithstanding subparagraph (A), a covered employee who is a firefighter who was scheduled to work more than 40 hours for the employer in the one workweek preceding the date the covered employee took COVID-19 supplemental paid sick leave is entitled to an amount of COVID-19 supplemental paid sick leave equal to the total number of hours that the covered employee was scheduled to work for the employer in that workweek.

(C) A covered employee who does not satisfy the criteria in subparagraph (A) or subparagraph (B) is entitled to an amount of COVID-19 supplemental paid sick leave as follows:

(i) If the covered employee has a normal weekly schedule, the total number of hours the covered employee is normally scheduled to work for the employer over one week.

(ii) If the covered employee works a variable number of hours, seven times the average number of hours the covered employee worked each day for the employer in the six months preceding the date the covered employee took COVID-19 supplemental paid sick leave. If the covered employee has worked for the employer over a period of fewer than six months but more than seven days, this calculation shall instead be made over the entire period the covered employee has worked for the employer.

(iii) If the covered employee works a variable number of hours and has worked for the employer over a period of seven days or fewer, the total number of hours the covered employee has worked for that employer.

(D) (i) A covered employee is entitled to additional COVID-19 supplemental paid sick leave in an amount not to exceed that which the covered employee was entitled to under subparagraph (A), (B), or (C), as applicable, if the covered employee, or a family member for whom the covered employee is providing care, tests positive for COVID-19.

(ii) If the employee tested positive as described in clause (i), an employer may require the employee to submit to a diagnostic test on or after the fifth day after the test described in clause (i) was taken and provide documentation of those results. The employer shall make such a test available at no cost to the employee.

(iii) If the employee requests to use additional leave pursuant to this subparagraph because a family member for whom they are providing care tests positive for COVID-19, the employer may require that the employee provide documentation of that family member's test results before paying the additional leave.

(iv) The employer has no obligation to provide additional COVID-19 supplemental paid sick leave under this subparagraph for an employee who refuses to provide documentation of the results of the test described in clause (i) upon the request of the employer.

(v) The employee does not need to exhaust the leave to which they are entitled under subparagraph (A), (B), or (C), before using the additional leave provided for in this subparagraph.

(vi) This section shall not limit an employer's duties to comply with the Cal-OSHA COVID-19 Emergency Temporary Standards, including, but not limited to, Sections 3205 to 3205.4, inclusive, of Title 8 of the California Code of Regulations or the Cal-OSHA Aerosol Transmissible Diseases Standard at Section 5199 of Title 8 of the California Code of Regulations.

(E) The total maximum amount of COVID-19 supplemental paid sick leave a covered employee is entitled to pursuant to this section shall not exceed 80 hours for the period between January 1, 2022, and September 30, 2022. This subparagraph does not apply to employees subject to subparagraph (B) of paragraph (2) of this subdivision.

(F) The total number of hours of COVID-19 supplemental paid sick leave to which a covered employee is entitled pursuant to subparagraph (A), (B), or (C), and the total number of hours of additional COVID-19 supplemental paid sick leave to which a covered employee is entitled pursuant to subparagraph (D), shall be in addition to any paid sick leave that may be available to the covered employee under Section 246.

(G) A covered employee may determine how many hours of COVID-19 supplemental paid sick leave to use, up to the total number of hours to which the covered employee is entitled pursuant to subparagraph (A), (B), (C), or (D). The employer shall make COVID-19 supplemental paid sick leave available for immediate use by the covered employee, upon the oral or written request of the covered employee to the employer.

(H) An employer is not required to provide a covered employee more than the total number of hours of COVID-19 supplemental paid sick leave to which the covered employee is entitled pursuant to subparagraph (A), (B), or (C), or more than the total number of hours of additional COVID-19 supplemental paid sick leave to which the covered employee is entitled pursuant to subparagraph (D).

(3) (A) Each hour of COVID-19 supplemental paid sick leave shall be compensated at a rate equal to the following:

(i) For nonexempt covered employees, by one of the following:

(I) Calculated in the same manner as the regular rate of pay for the workweek in which the employee uses paid sick time, whether or not the employee actually works overtime in that workweek.

(II) Calculated by dividing the employee's total wages, not including overtime premium pay, by the employee's total nonovertime hours worked in the full pay periods occurring within the prior 90 days of employment; provided that, for nonexempt employees paid by piece rate, commission or other method that uses all hours to determine the regular rate of pay, total wages, not including overtime premium pay, shall be divided by all hours, to determine the correct amount of COVID-19 supplemental paid sick leave under this subdivision.

(ii) COVID-19 supplemental paid sick leave for exempt employees shall be calculated in the same manner as the employer calculates wages for other forms of paid leave time.

(B) Notwithstanding subparagraph (A), a covered employee who is entitled to an amount of COVID-19 supplemental paid sick leave under subparagraph (B) of paragraph (2), shall be compensated for each hour of COVID-19 supplemental paid sick leave at the regular rate of pay to which the covered employee would be entitled as if the covered employee had been scheduled to work those hours, pursuant to existing law or an applicable collective bargaining agreement.

(C) Notwithstanding subparagraph (A) or (B), an employer shall not be required to pay more than five hundred eleven dollars (\$511) per day and five thousand one hundred ten dollars (\$5,110) in the aggregate to a covered employee for COVID-19 supplemental paid sick leave taken by the covered employee unless federal legislation is enacted that increases these amounts beyond the amounts that were included in the Emergency Paid Sick Leave Act established by the federal Families First Coronavirus Response Act (Public Law 116-127), in which case the new federal dollar amounts shall apply to this section as of the date the new amounts are applicable under the federal law. Nothing in this subparagraph shall prevent a covered employee who has reached the maximum amounts, as set forth herein, from choosing to utilize other paid leave that is available to the covered employee in order to fully compensate the covered employee for leave taken.

(4) An employer shall not require a covered employee to use any other paid or unpaid leave, paid time off, or vacation time provided by the employer to the covered employee before the covered employee uses COVID-19 supplemental paid sick leave or in lieu of COVID-19 supplemental paid sick leave.

(5) An employer shall not require a covered employee to first exhaust their COVID-19 supplemental paid sick leave under this section before satisfying any requirement to provide paid leave for reasons related to COVID-19 under any Cal-OSHA COVID-19 Emergency Temporary Standards, including, but not limited to, Sections 3205 to 3205.4, inclusive, of Title 8 of the California Code of Regulations or the Cal-OSHA Aerosol Transmissible Diseases Standard at Section 5199 of Title 8 of the California Code of Regulations.

(c) Notwithstanding subdivision (b), if an employer pays a covered employee another supplemental benefit for leave taken on or after January 1, 2022, that is payable for the reasons listed in paragraph (1) of subdivision (b) and that compensates the covered employee in an amount equal to or greater than the amount of compensation for COVID-19 supplemental paid sick leave to which the covered employee is entitled as set forth under paragraph (3) of subdivision (b), then the employer may count the hours of the other paid benefit or leave towards the total number of hours of COVID-19 supplemental paid sick leave that the employer is required to provide to the covered employee under paragraph (2) of subdivision (b). For purposes of the foregoing, the other supplemental benefit for leave taken that may be counted does not include paid sick leave to which the covered employee is entitled under Section 246, subdivision (e) of Section 248, subdivision (f) of Section 248.1, or subdivision (f) of Section 248.2 but may include paid leave provided by the employer pursuant to any federal or

local law in effect or that became effective on or after January 1, 2022, if the paid leave is provided to the covered employee under that law for any of the same reasons set forth in paragraph (1) of subdivision (b).

(d) In addition to other remedies as may be provided by the laws of this state or its subdivisions, including, but not limited to, the remedies available to redress any unlawful business practice under Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code, the Labor Commissioner shall enforce this section. For purposes of enforcement and to implement COVID-19 supplemental paid sick leave, this section shall apply as follows:

(1) The Labor Commissioner shall enforce this section as if COVID-19 supplemental paid sick leave constitutes "paid sick days," "paid sick leave," or "sick leave" under subdivisions (i) and (n) of Section 246, subdivisions (b) and (c) of Section 246.5, Section 247, Section 247.5, and Section 248.5.

(2) For purposes of the enforcement of subdivision (i) of Section 246 as it relates to this section, COVID-19 supplemental paid sick leave shall be set forth separately from paid sick days. The employer shall provide an employee with written notice that sets forth the amount of COVID-19 supplemental paid sick leave that the employee has used through the pay period in which it was due to be paid on either the employee's itemized wage statement described in Section 226 or in a separate writing provided on the designated pay date with the employee's payment of wages. The employer shall list zero hours used if a worker has not used any COVID-19 supplemental paid sick leave. This requirement is not enforceable until the next full pay period following the date that this section takes effect.

(3) Section 249 applies to COVID-19 supplemental paid sick leave.

(4) By seven days after the date of enactment of this section, the Labor Commissioner shall make publicly available a model notice for purposes of Section 247. Only for purposes of COVID-19 supplemental paid sick leave, if an employer's covered employees do not frequent a workplace, the employer may satisfy the notice requirement of subdivision (a) of Section 247 by disseminating notice through electronic means, such as by electronic mail.

(e) (1) The requirement to provide COVID-19 supplemental paid sick leave as set forth in this section shall take effect 10 days after the date of enactment of this section, at which time the requirements shall apply retroactively to January 1, 2022.

(2) The requirement to provide COVID-19 supplemental paid sick leave as set forth in this section applies retroactively to January 1, 2022, in order to protect the economic well-being of covered employees who took leave for the reasons listed in paragraph (1) or (2) of subdivision (b) beginning on or after January 1, 2022, as all the requirements in Sections 248, 248.1, 248.2, and 248.3, and the Emergency Paid Sick Leave Act established by the federal Families First Coronavirus Response Act (Public Law 116-127) expired before the effective date of this section. An employer may require a covered employee to provide documentation of a positive COVID-19 diagnostic test during the relevant period if an employee requests retroactive payment of the COVID-19 supplemental paid sick leave described in clause (i) of subparagraph (D) of paragraph (2) of subdivision (b).

(A) (i) For any such leave taken, if the employer did not compensate the covered employee in an amount equal to or greater than the amount of compensation for COVID-19 supplemental paid sick leave to which the covered employee is entitled as set forth under paragraph (3) of subdivision (b), then upon the oral or written request of the employee, the employer shall provide the covered employee with a retroactive payment that provides for such compensation.

(ii) For any such leave taken, if the employer did compensate the covered employee in an amount equal to or greater than the amount of compensation for COVID-19 supplemental paid sick leave to which the covered employee is entitled as set forth under paragraph (3) of subdivision (b), then upon the oral or written request of the employee, such employee should be credited for any leave hours used for COVID-specific leave purposes, and the employer should be credited for providing those hours as COVID-19 supplemental paid sick leave.

(B) For any such retroactive payment, the number of hours of leave corresponding to the amount of the retroactive payment shall count towards the total number of hours of COVID-19 supplemental paid sick leave that the employer is required to provide to the covered employee under paragraph (2) of subdivision (b).

(C) This retroactive payment shall be paid on or before the payday for the next full pay period after the oral or written request of the covered employee. The retroactive payment shall be reflected on the written notice required by paragraph (2) of subdivision (d) for the corresponding pay period.

(D) The requirement to provide a retroactive payment under this subdivision is in addition to the requirement in subdivision (f) of Section 248.2 that a covered employee taking COVID-19 supplemental paid sick leave at the time of the expiration of those sections shall be permitted to take the full amount of such supplemental paid sick leave to which that covered employee otherwise would have been entitled under those sections.

(f) The requirement to provide COVID-19 supplemental paid sick leave as set forth in this section shall remain in effect through September 30, 2022, except that a covered employee taking COVID-19 supplemental paid sick leave at the time of the expiration of this section shall be permitted to take the full amount of COVID-19 supplemental paid sick leave to which the covered employee otherwise would have been entitled under this section.

(g) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(h) The provisions of this section shall not apply to providers of in-home supportive services under Section 14132.95, 14132.952, or 14132.956 of, or Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of, the Welfare and Institutions Code, or waiver personal care services pursuant to Section 14132.97 of the Welfare and Institutions Code.

SEC. 2. Section 248.7 is added to the Labor Code, to read:

248.7. (a) As used in this section:

(1) "COVID-19 supplemental paid sick leave" means supplemental paid sick leave provided pursuant to this section.

(2) "Family member" has the same meaning as in subdivision (c) of Section 245.5.

(3) "Provider" or "providers" means a provider of in-home supportive services under Section 14132.95, 14132.952, or 14132.956 of, or Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of, the Welfare and Institutions Code, or waiver personal care services pursuant to Section 14132.97 of the Welfare and Institutions Code.

(4) "Work" or "worked" means providing authorized in-home supportive services under Section 14132.95, 14132.952, or 14132.956 of, or Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of, the Welfare and Institutions Code, or waiver personal care services pursuant to Section 14132.97 of the Welfare and Institutions Code, to an eligible recipient.

(b) A provider shall be entitled to COVID-19 supplemental paid sick leave as follows:

(1) COVID-19 supplemental paid sick leave shall be available to a provider if that provider is unable to work due to any of the following reasons:

(A) The provider is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance of the State Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer who has jurisdiction over the workplace. If the provider is subject to more than one of the foregoing, the provider shall be permitted to use COVID-19 supplemental paid sick leave for the minimum quarantine or isolation period under the order or guidance that provides for the longest minimum period.

(B) The provider has been advised by a health care provider to isolate or quarantine due to COVID-19.

(C) The provider is attending an appointment for themselves or a family member to receive a vaccine or vaccine booster for protection against COVID-19, subject to the limitation in clause (ii) of subparagraph (D).

(D) (i) The provider is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or vaccine booster that prevents the provider from being able to work.

(ii) For each vaccination or vaccine booster, the provider is limited in total COVID-19 supplemental paid sick leave to 3 days or 24 hours unless the provider provides verification from a health care provider that the provider or their family member is continuing to experience symptoms related to a COVID-19 vaccine or vaccine booster. The three days or 24 hour limitation applied to each vaccine or vaccine booster includes the time used under subparagraph (C) to get the vaccine or vaccine booster.

(E) The provider is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

(F) The provider is caring for a family member who is subject to an order or guidance described in subparagraph (A) or who has been advised to isolate or quarantine, as described in subparagraph (B).

(G) The provider is caring for a child, as defined in subdivision (c) of Section 245.5, whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

(2) A provider shall be entitled to the following number of hours of COVID-19 supplemental paid sick leave:

(A) A provider is entitled to 40 hours of COVID-19 supplemental paid sick leave if the provider worked or was scheduled to work, on average, at least 40 hours per week in the two weeks preceding the date the provider took COVID-19 supplemental paid sick leave.

(B) A provider who does not satisfy the criteria in subparagraph (A) is entitled to an amount of COVID-19 supplemental paid sick leave as follows, up to a maximum of 40 hours of COVID-19 supplemental paid sick leave:

(i) If the provider has a regular weekly schedule, the total number of hours the provider is normally scheduled to work over one week.

(ii) If the provider works a variable number of hours, seven times the average number of hours the provider worked each day for the employer in the six months preceding the date the provider took COVID-19 supplemental paid sick leave. If the provider has worked over a period of fewer than six months but more than seven days, this calculation shall instead be made over the entire period the provider has worked.

(iii) If the provider works a variable number of hours and has worked over a period of seven days or fewer, the total number of hours the provider has worked.

(C) The total number of hours of COVID-19 supplemental paid sick leave to which a provider is entitled pursuant to subparagraph (A) or (B) shall be determined on the first day that the provider uses COVID-19 supplemental paid sick leave under this section.

(D) A provider is entitled to additional COVID-19 supplemental paid sick leave in an amount not to exceed that which the provider was entitled to under subparagraph (A) or (B), if the provider, or a family member for whom the provider is providing care, tests positive for COVID-19 via a diagnostic test.

(E) A provider may determine how many hours of COVID-19 supplemental paid sick leave to use, up to the total number of hours to which the provider is entitled pursuant to subparagraph (A), (B), or (D). The COVID-19 supplemental paid sick leave is available for immediate use by the provider, and the provider shall inform the recipient of the need to take sick leave and submit a sick leave claim to the county consistent with established procedures in that county. The COVID-19 supplemental paid sick leave shall be in addition to any paid sick leave that may be available to the provider under Section 246.

(F) The total maximum amount of COVID-19 supplemental paid sick leave a provider is entitled to pursuant to this section shall not exceed 80 hours for the period between January 1, 2022, and September 30, 2022.

(3) Each hour of COVID-19 supplemental paid sick leave shall be compensated at the regular rate of pay to which the provider would be entitled if the provider had been scheduled to work those hours pursuant to existing law or an applicable collective bargaining agreement.

(4) A provider shall not be required to use any other paid or unpaid leave before the provider uses COVID-19 supplemental paid sick leave or in lieu of COVID-19 supplemental paid sick leave.

(c) Notwithstanding subdivision (b), if a provider takes paid leave on or after January 1, 2022, that is payable for the reasons listed in paragraph (1) of subdivision (b) that compensates the provider in an amount equal to or greater than the amount of compensation for COVID-19 supplemental paid sick leave to which the provider is entitled as set forth under paragraph (3) of subdivision (b), the hours of the other paid benefit or leave may be counted towards the total number of hours of COVID-19 supplemental paid sick leave to which the provider is entitled under paragraph (2) of subdivision (b). For purposes of the foregoing, the other supplemental benefit for leave taken that may be counted does not include paid sick leave to which the provider may be entitled to under Section 246, but may include paid leave provided by any federal or local law that becomes effective on or after January 1, 2022, if the paid leave is provided to the provider under that law for any of the same reasons set forth in paragraph (1) of subdivision (b).

(d) (1) The entitlement to COVID-19 supplemental paid sick leave as set forth in this section shall take effect 10 days after the date of enactment of this section, at which time the entitlements shall apply retroactively to January 1, 2022.

(2) The entitlement to COVID-19 supplemental paid sick leave as set forth in this section applies retroactively to January 1, 2022.

(A) For any such leave taken, if the provider was not compensated in an amount equal to or greater than the amount of compensation for COVID-19 supplemental paid sick leave to which the provider is entitled as set forth under paragraph (3) of subdivision (b), then the provider shall be entitled to a retroactive payment that provides for such compensation.

(B) For any such retroactive payment, the number of hours of leave corresponding to the amount of the retroactive payment shall count towards the total number of hours of COVID-19 supplemental paid sick leave that the provider is entitled to under paragraph (2) of subdivision (b).

(e) The entitlement to COVID-19 supplemental paid sick leave as set forth in this section shall remain in effect through September 30, 2022, except that a provider taking COVID-19 supplemental paid sick leave at the time of the expiration of this section shall be permitted to take the full amount of COVID-19 supplemental paid sick leave to which the provider otherwise would have been entitled under this section.

(f) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(g) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services and the State Department of Health Care Services may implement, interpret, or make specific this section by means of all-county letters or similar instructions, without taking any regulatory action.

SEC. 3. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated from the General Fund to the Labor Commissioner to implement the provisions related to the COVID-19 supplemental paid sick leave, as set forth in this act.

SEC. 4. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: April 21, 2022

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager *CH*

**SUBJECT: Review and Possible Action Concerning
Participation in State Scholarshare 529
Workplace Savings Program.**

The Scholarshare 529 Workplace Savings Program (WSP) is offered by the CA State Treasurer's Office as an after-tax direct deposit program for employees of participating agencies. There are no reporting requirements, and no contract is required. The service is free-of-charge for employers. Employers provide a payroll slot to facilitate the direct deposit feature for employees into an employee owned 529 account. The State Treasurer's Office educates the employees and provides all the support they need.

Savings can be used at approved institutions nationally and internationally for expenses such as tuition, room, board, books and even computers. Employees can open an account with any amounts, set up payroll contributions, and their savings are completely portable.

On the other hand, similar to retirement accounts, employees have total annual asset-based fees related to their portfolios and invested assets. Those fees are very low (range 0% - 0.41%) depending on the investment portfolio selected with an average of 0.26% but some of the passive portfolios are in the low 0.10 percentages.

RECOMMENDATION:

Direct the General Manager to enlist MWSD as participating agency in the State WSP.

Attachments



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: April 21, **2022**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager



ScholarShare as a Voluntary Employer Benefit: Montara Water and Sanitary District

TIAA-CREF Tuition Financing, Inc. (TFI) is the plan manager and TIAA-CREF Individual & Institutional Services, LLC, member FINRA, is distributor and underwriter for the ScholarShare 529 College Savings Plan, on behalf of the ScholarShare Investment Board, an instrumentality of the State of California.

ScholarShare 529 Workplace Savings Program is a **free** voluntary benefit offered through payroll direct deposit. There is no cost to the employer and no cost to the employee for accessing ScholarShare 529 through their employer.

TFI will provide Montara Water and Sanitary District with the following services:

<i>Support & Resources</i>	<i>Services Added</i>	<i>Delivery Dates/Notes</i>
529 educational webinars (live & recorded)	Yes	TBD
Dedicated 529 Consultant: Available to assist you and your employees with any related 529 and program specific questions.	Yes	James Palen
Resources for your benefits portal: PDF Flyers, Videos and consultant's letterhead.	Yes	Once SOW and logo are received
Support the following events: Open enrollment and benefits/wellness fairs	Yes	When Applicable
Benefit announcement support: Email and flyer	Yes	Once SOW and logo are received
Promotions: ScholarShare to provide information and resources for any promotion we offer	Yes	When Applicable
Permit ScholarShare to reference employer as a WPS partner	Yes	Approved

Montara Water and Sanitary District agrees to supply TFI with its company logo and for TFI to use the logo in marketing and promotion materials (e.g. ScholarShare.com website, social media applications, or brochures). The social media push is an added benefit we make available to our Workplace Savings employer partners as it yields great brand exposure and goodwill in the public eye, while also serving to position our employer partners as desirable employment destinations.

This service can be terminated at will.

Sincerely,

Gloria Yvette Haring, Director

Name/Title

Name/Title

03/11/2022

Date

Date



More California employers are participating in the ScholarShare 529 Workplace Savings Program

1,000+

employers around the state participate including



SCHOOLS & UNIVERSITIES



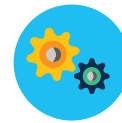
TECH GIANTS & START-UPS



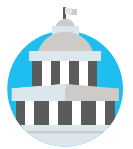
HEALTHCARE PROVIDERS



FINANCE & BANKING



MANUFACTURING & CONSTRUCTION



LOCAL/STATE GOVERNMENT

Employers such as



Some of the largest employers in California¹

NO

costs.
reporting.
contracts.



¹Source: Among 100 Largest Employers, Derived from State of California Employment Development Department Data TIAA-CREF Tuition Financing, Inc, Program Manager for ScholarShare, California's 529 college savings plan. 1316236

BE AN

HR HERO!

PAYING FOR COLLEGE IS ONE OF THE MOST IMPORTANT FINANCIAL GOALS FOR YOUR EMPLOYEES WITH FAMILIES.

ScholarShare 529 Workplace Savings is a direct deposit program that can make it easy for you and them. Plus, it offers 100% tax-free growth, making the most of every dollar they save.

It can be worth thousands to your employees at no cost to you!

EASY TO SET UP

Simply assign a payroll slot for contributions.

EASY TO MANAGE

Let us come educate your employees.

NO EMPLOYER COST!

NO REPORTING!

EASY TO MAINTAIN

Employees manage their own account online.

NO CONTRACT REQUIRED!

To learn more visit
ScholarShare529.com/employer or
email workplace529@scholarshare.com.


ScholarShare529
WORKPLACE SAVINGS



To learn more about the California 529 College Savings Plan, its investment objectives, tax benefits, risks, and costs, please see the Plan Description at ScholarShare529.com. Read it carefully. Check with your home state to learn if it offers tax or other benefits such as financial aid, scholarship funds or protection from creditors for investing in its own 529 plan. Consult your legal or tax professional for tax advice. Investments in the Plan are neither insured nor guaranteed and there is the risk of investment loss. If the funds aren't used for qualified higher education expenses, a 10% penalty tax on earnings (as well as federal and state income taxes) may apply. Non-qualified withdrawals may also be subject to an additional 2.5% California tax on earnings. TIAA-CREF Individual & Institutional Services, LLC, Member FINRA, distributor and underwriter for the California 529 College Savings Plan. 909322