



**SPECIAL  
BOARD OF DIRECTORS  
SAN LORENZO VALLEY WATER DISTRICT  
AGENDA  
May 25, 2017**

**MISSION STATEMENT:** Our Mission is to provide our customers and future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding service and community relations; to manage and protect the environmental health of the aquifers and watersheds; and to ensure the fiscal vitality of the San Lorenzo Valley Water District.

Notice is hereby given that a special meeting of the Board of Directors of the San Lorenzo Valley Water District will be held on **Thursday, May 25, 2017 at 5:00 p.m.**, 13057 Highway 9, Boulder Creek, California.

*In compliance with the requirements of Title II of the American Disabilities Act of 1990, the San Lorenzo Valley Water District requests that any person in need of any type of special equipment, assistance or accommodation(s) in order to communicate at the District's Public Meeting can contact the District Secretary's Office at (831) 430-4636 a minimum of 72 hours prior to the scheduled meeting.*

*Agenda documents, including materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet, are available for public inspection and may be reviewed at the office of the District Secretary, 13060 Highway 9, Boulder Creek, CA 95006 during normal business hours. Such documents are also available on the District website at [www.slvwd.com](http://www.slvwd.com) subject to staff's ability to post the documents before the meeting.*

**1. Convene Meeting/Roll Call**

**2. Additions and Deletions to Agenda:**

*Additions to the Agenda, if any, may only be made in accordance with California Government Code Section 54954.2 (Ralph M. Brown Act) which includes, but is not limited to, additions for which the need to take action is declared to have arisen after the agenda was posted, as determined by a two-thirds vote of the Board of Directors (or if less than two-thirds of the members are present, a unanimous vote of those members present).*

**3. Oral Communications:**

*This portion of the agenda is reserved for Oral Communications by the public for items which are on the Closed Session portion of the Agenda. Any person may address the Board of Directors at this time, on Closed Session items. Normally, presentations must not exceed three (3) minutes in length, and individuals may only speak once during Oral Communications. No actions may be taken by the Board of Directors on any Oral Communications presented; however, the Board of Directors may request that the matter be placed on a future agenda. Please state your name and town/city of residence at the beginning of your statement for the record.*



4. Adjournment to Closed Session

*At any time during the regular session, the Board may adjourn to Closed Session in compliance with, and as authorized by, California Government Code Section 54956.9 and Brown Act, Government Code Section 54950. Members of the public will be given the opportunity to address any scheduled item prior to adjourning to closed session.*

a. CONFERENCE WITH LEGAL COUNSEL-LIABILITY CLAIMS

Government Code Section 54956.95

Claimant: Scott Ballard

Agency claimed against: San Lorenzo Valley Water District

b. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

Paragraph (1) of subdivision (d) of Government Code Section 54956.9

Name of Case: Charlene DeBert v. SLVWD

c. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Case Number CV180394-Bruce Holloway, Plaintiff, v. Terry Vierra; San Lorenzo Valley Water District; Showcase Realty Agents, Inc.; Gregory Dildine; Edwige Dildine; and Does 1 to 25, Defendants.

d. CONFERENCE WITH LEGAL COUNSEL-LIABILITY CLAIMS

Government Code Section 54956.95

Claimant: Charlene DeBert

Agency claimed against: San Lorenzo Valley Water District

5. Convene to Open Session at 6:30 p.m. (time certain)

6. Report of Actions Taken

7. Additions and Deletions to Agenda:

*Additions to the Agenda, if any, may only be made in accordance with California Government Code Section 54954.2 (Ralph M. Brown Act) which includes, but is not limited to, additions for which the need to take action is declared to have arisen after the agenda was posted, as determined by a two-thirds vote of the Board of Directors (or if less than two-thirds of the members are present, a unanimous vote of those members present).*

8. Oral Communications:

*This portion of the agenda is reserved for Oral Communications by the public for items which are not on the Agenda. Please understand that California law (The Brown Act) limits what the Board can do regarding issues raised during Oral Communication. No action or discussion may occur on issues outside of those already listed on today's agenda. Any person may address the Board of Directors at this time, on any subject that lies within the jurisdiction of the District. Normally, presentations must not exceed three (3) minutes in length, and individuals may only speak once during Oral Communications. Any Director may request that the matter be placed on a future agenda or staff may be directed to provide a brief response.*

9. Written Communications:

a. GLYPHOSATE AND FRENCH BROOM - M.VANDEMAN

b. LETTER FROM S. ATLEY



- c. LETTER FROM N. SINGH-BOWMAN
  - d. WATER RATE RIP-OFFS - P. LEMKIN
  - e. INVASIVE SPECIES - T. PURDY
10. District Manager Reports:  
*Information reports by the District Manager, Staff and Committees.*
- a. DEPARTMENT STATUS REPORTS  
 Receipt and consideration by the Board of Department Status Reports regarding ongoing projects and other activities.
    - (1) Administration
    - (2) Finance
    - (3) Environmental
    - (4) Operations
  - b. COMMITTEE REPORTS:
    - (1) Future Committee Meeting Agenda Items
      - (i) Admin
      - (ii) Budget & Finance
      - (iii) Engineering
      - (iv) Environmental
      - (v) LADOC
    - (2) Committee Meeting Notes
11. Board of Directors Reports:  
*Information reports by the Board of Directors.*
- a. BOARD OF DIRECTORS COMMUNICATIONS
  - b. BOARD OF DIRECTORS MEETINGS
    - (1) Future Board of Director Meeting Agenda Items
    - (2) Other Future Meetings
12. Consent Agenda:  
*The Consent Agenda contains items which are considered to be routine in nature and will be adopted by one (1) motion without discussion. Any Board member may request that an item be withdrawn from the Consent Agenda for separate discussion.*
- a. MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING FROM APRIL 12, 2017  
 Consideration and possible action by the Board to approve minutes for the April 12, 2017 Special Board of Directors meeting.



- b. MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING FROM APRIL 20, 2017  
Consideration and possible action by the Board to approve minutes for the April 20, 2017 Special Board of Directors meeting.
- c. MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING FROM MAY 1, 2017  
Consideration and possible action by the Board to approve minutes for the May 1, 2017 Board of Directors meeting.
- d. MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING FROM MAY 3, 2017  
Consideration and possible action by the Board to approve minutes for the May 3, 2017 Board of Directors meeting.
- e. MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING FROM MAY 8, 2017  
Consideration and possible action by the Board to approve minutes for the May 8, 2017 Board of Directors meeting.
- f. MINUTES OF THE SPECIAL BOARD OF DIRECTORS MEETING FROM MAY 18, 2017  
Consideration and possible action by the Board to approve minutes for the May 18, 2017 Special Board of Directors meeting.
- g. 2017 GARDEN FAIRE SPONSORSHIP  
Consideration and possible action by the Board to approve sponsorship of the 2017 Garden Faire.

13. Unfinished Business:

***Members of the public will be given the opportunity to address each scheduled item prior to Board action. The Chairperson of the Board may establish a time limit for members of the public to address the Board on agendum.***

- a. LOMPICO SURCHARGE  
Discussion and possible action by the Board regarding the Lompico Surcharge and Merger Revenue & Costs.
- b. FORMATION OF GROUNDWATER SUSTAINABILITY AGENCY JOINT POWERS AUTHORITY  
Discussion and possible action by the Board regarding the formation of the GSA JPA.

14. New Business:

***Members of the public will be given the opportunity to address each scheduled item prior to Board action. The Chairperson of the Board may establish a time limit for members of the public to address the Board on agendum.***



- a. ADMINISTRATIVE COMMITTEE RECOMMENDATIONS FOR DISTRICT COUNSEL - PRESENTATIONS BY CANDIDATES  
Discussion and possible action by the Board regarding the District Counsel Candidates.
- b. ON CALL AS NEEDED - ENGINEERING SERVICES  
Discussion and possible action by the Board regarding the District's need for engineering services, specifically related to upcoming construction projects and funding for same.
- c. FISH MONITORING CONTRACT  
Discussion and possible action by the Board regarding the Fish Monitoring Contract.
- d. 2017 CLASSIC WATERSHED EDUCATION GRANTS  
Discussion and possible action by the Board regarding the Education Commission grant recommendations.
- e. LOWER PASO TANK FENCING  
Discussion and possible action by the Board regarding the fencing of the Lower Paso Tank.
- f. PRELIMINARY 2017/18 BUDGET REVIEW  
Discussion by the Board regarding the preliminary budget review.
- g. DROUGHT SURCHARGE  
Discussion and possible action by the Board regarding the Drought Surcharge.
- h. PASATIEMPO WELL 7 REHABILITATION  
Discussion and possible action by the Board regarding the Pasatiempo Well 7 rehab.

15. Informational Material

- a. SLVWD PLANS REMOVAL-SC MOUNTAIN BULLETIN 4.17.17
- b. WATER DISTRICT MULLS - SANTA CRUZ SENTINEL 4.21.17

16. Adjournment



**Certification of Posting**

I hereby certify that on May 19, 2017 I posted a copy of the foregoing agenda in the outside display case at the District Office, 13060 Highway 9, Boulder Creek, California, said time being at least 24 hours in advance of the meeting of the Board of Directors of the San Lorenzo Valley Water District (Government Code Section 54954.2).

Executed at Boulder Creek, California on May 19, 2017

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Holly B. Morrison, Dist. Secretary  
San Lorenzo Valley Water Dist.



## Holly Morrison

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**From:** Mike Vandeman <mjvande@pacbell.net>  
**Sent:** Wednesday, May 10, 2017 8:00 AM  
**To:** Board of Directors  
**Subject:** Glyphosate and French broom

Re: [http://www.goldenstatenewspapers.com/press\\_banner/glyphosate-use-approved-in-olympia-wellfield/article\\_c39c6b50-347b-11e7-af12-c709cbf2216b.html](http://www.goldenstatenewspapers.com/press_banner/glyphosate-use-approved-in-olympia-wellfield/article_c39c6b50-347b-11e7-af12-c709cbf2216b.html)

Glyphosate is a carcinogen and is toxic to amphibians. But just as important, it doesn't work! It was applied by our park managers in my local park, Claremont Canyon Regional Preserve several years ago. The French broom came back full force soon after! I had to manually cut the broom myself. I have as much experience removing French broom as anyone in the world. Most people - including many so-called "plant experts" - don't understand the issue. They claim that when you cut broom (or other plants), they just re-sprout - implying that this always happens. It's not true!

Plants get their energy only through their leaves (or, in a few cases, green stems). They store that energy in their roots. That store of energy is finite! If you keep removing the leaves, eventually that store of energy will be exhausted, and the plant will die. That is just simple math and physics (the law of conservation of energy). There may also be seeds in the ground, which could be viable for a few years, so Glyphosate doesn't prevent you having to return for a few years.

When broom re-sprouts, the sprouts are much smaller than the original stem, and much easier to cut. Yes, you have to come back and cut the sprouts and seedlings for a few years, but each time it will be easier than the last, and then the broom will be gone. Cutting is 100% effective, and 100% non-toxic! It's also good exercise and good for the soul. It produces a feeling of proprietorship in the park or open space, which Glyphosate does not!

See also [http://mjvande.info/service\\_trips.htm](http://mjvande.info/service_trips.htm).

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I am working on creating wildlife habitat that is off-limits to humans ("pure habitat").  
Want to help? (I spent the previous 8 years fighting auto dependence and road construction.)

Wildlife must be given top priority, because they can't protect themselves from us.

Please don't put a cell phone next to any part of your body that you are fond of!

<http://mjvande.info>



SLV Water Board May 12, 2017

Greetings,

I think it would be a great help to those of us on a fixed income if there was a Senior Discount to our water bill. PGE does this to aid us.

I urge you to seriously

make this so we can have an easier way to live and yet be part of our community.

Thank you for your consideration.

Sharole Atley

May 12, 2017

SLV Water Board

Greetings,

I think it would be a great help to those of us on fixed income if there was a Senior Discount to our water bill. PGE does this to aid us.

I urge you to seriously make this so we can have an easier way to live and yet be part of our community.

Thank you for your consideration.

Sharole Atley



RECEIVED  
MAY 12 2017  
SAN LORENZO VALLEY  
WATER DISTRICT

May 9, 2017

San Lorenzo Valley Water District  
13060 Highway 9  
Boulder Creek, California 95006

Dear Members of the Board:

I am disappointed that the vote has been cast in favor of the plan to eradicate the French Broom in the Olympia water-shed area with glyphosate. This would not be my choice to solve the conundrum of eliminating an invasive species and protection of the fragile sand-hills area and native species.

It may seem the most expedient way of contending with the oversized volume of Broom. However, the trade-offs for our health and the environment are at best inconclusive due to the controversy surrounding the research done on glyphosate by Monsanto and other agencies.

The invasive species problem has been "growing" for a number of years but it is irrelevant now to postulate whether it was the Water District or public controversy that caused a delay in action being taken. In the future I would hope that the Board and our community at large would hold this issue in the highest priority. This would allow for mitigation other than chemical use to remain on the table for serious consideration to address a problem that will never go away and requires constant vigilance, long-term. Our health, our environment and our water must all be protected.



Nan Singh-Bowman

Ben Lomond



**Holly Morrison**

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**From:** AUSSIE PHIL <lustylamb888@juno.com>  
**Sent:** Friday, May 12, 2017 8:31 PM  
**To:** Board of Directors  
**Subject:** Water Rate rip-offs. GET REAL

**RECEIVED**

**MAY 15 2017**

**SAN LORENZO VALLEY  
WATER DISTRICT**

RE: 007783-000 Account OVERCHARGES

We are thoroughly disgusted at your robbery of ratepayers.

**We are age pensioners who received a whopping \$1.00 per month increase in our monthly pensions this year.**

**THERE has NOT been a real drought in Northern California for over a year, because of release of much of the stored waters to fish that are not even native to this state by a corrupt government that has also destroyed much of the Central Valley farmland because of the water rationing & a foolish fast train joke that will never pay for itself. IT WAS A MAN-MADE DROUGHT, BECAUSE WE HAVE REMOVED ALL WAYS OF STOPPING MASSIVE RUN-OFF WATERS, SUCH AS THE PROPOSED DAM ON THIS SIDE OF THE HILL AS LEXINGTON RESERVOIR WAS PART OF THE ORIGINAL SCOTTS VALLEY SIDE OF DAMMING . Where are the weirs in the San Lorenzo Valley? Boulder Creek catchments?**

**WE HAD over 115" of rain since OCTOBER 2016 here in BEN LOMOND and our guage overflowed twice. Yet you STILL add a surcharge to our monthly usage!!!!**

We are using LESS water than last year but because of your flagrant multiple increases in water rates and A FAKE DROUGHT SURCHARGE we are forced to PAY MORE for using LESS WATER.  
We also had a one-time leak refund that was AVERAGED over 12 months , when the leak only occurred over 2-3 months  
ROBBING US OF about \$80.00 in excess charges , when you refunded only \$22.00

**You are THIEVES who should be locked up for robbing your angry constituents.  
WE WILL VOTE AGAINST ANY SITTING DIRECTORS WHO ARE ON FUTURE BALLOTS  
UNTIL YOU ARE ALL REMOVED & WILL ADVERTISE AGAINST YOU WHO CONTINUE TO  
RAISE WATER RATES WITHOUT GIVING DISCOUNTS TO PENSIONERS ON FIXED INCOMES.**

**HOW DARE YOU KEEP INCREASING PAYMENTS TO YOURSELVES!**

Oh, by the way we have a water leak in the main pipe to the road in front of our neighbor's house that is getting worse

SHALOM,(Nothing Missing, Nothing broken, Complete, Whole)  
from ,(PHILLIP & LINDA LEMKIN)  
P.O. BOX 481,MT HERMON, CA 95041  
831 336 4119 or cell 831 212 6855~~~



**Holly Morrison**

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**From:** tompurdy <tompurdy@cruzio.com>  
**Sent:** Saturday, May 13, 2017 11:40 AM  
**To:** Board of Directors  
**Cc:** Tom Purdy  
**Subject:** Invasive Species Eradication Plan

**RECEIVED**

**MAY 15 2017**

**SAN LORENZO VALLEY  
WATER DISTRICT**

Dear Board of Directors,

I have been reading with interest the press coverage of your plans to eradicate French Broom from district watersheds. Having pulled and also cut french broom I understand how hard it is to eradicate if the roots are not also removed. So I realize that simply cutting will not make it go away, and in fact, may make it harder to remove in the future.

Where it has to be cut to avoid disturbing other organisms, I would like to see the district use the most environmentally safe procedure to kill the remaining stumps. If application of an herbicide such as glyco phosphate is the best option, I do not have a problem with this, so long as it is applied carefully by trained professionals. And I would hope that an independent group of experts would be involved in monitoring the results to insure there is no threat to our water supply.

While I am generally not in favor of using herbicides, the alternative of letting invasive species continue to choke out native plants, and/or using a procedure that will damage the habitat of endangered species, is worse in my opinion. Assuming, of course, that the herbicide will be used responsibly, and without harm to the ecosystem.

Thanks for your consideration!

Tom Purdy  
Ben Lomond



## M E M O

TO: Board of Directors  
FROM: District Manager  
SUBJECT: Administration/Engineering Departments Status Report  
DATE: ~~April 20~~ May 25, 2017

### RECOMMENDATION:

It is recommended that the Board of Directors review and file the Administration/Engineering Departments status report.

### BACKGROUND:

#### MEETINGS OF NOTE

- April 24 DM attended a GSA Formation Committee at SVWD.
- May 16 DM hosted a meeting with the Bar Creek Estates Wastewater System Customers.
- ~~March 28 DM attended and spoke at the monthly Spring Lakes MHP Board Meeting~~

#### BRUCE HOLLOWAY'S LEGAL COST TO DATE

- ~~1090 portion — \$30,035. Bruce Holloway has appealed the judge's decision and costs will escalate unless Bruce Holloway drops his appeal.~~
- ~~Conflict of interest portion — \$101,414.~~

#### LEGAL SERVICES REQUEST FOR PROPOSALS (RFP)

The District received 10 proposals for legal services. The Administration Committee ~~is currently interviewing~~ has interviewed four firms. ~~When t~~ They have completed their review and the Administration Committee ~~will~~ has forward a recommendation to the Board for further review tonight.

#### NEEDS ASSESSMENT REQUEST FOR PROPOSALS (RFP)

At its regularly scheduled February 16, 2017 meeting the Board awarded a contract to William Fisher Architecture to conduct a District Wide Needs Assessment. Staff is currently working with Mr. Fisher to complete the study. Mr. Fisher ~~is expected to~~ has interview ed senior staff ~~this last~~ month. Staff anticipates providing a report to the Board in July.



#### PROBATION TANK REPLACEMENT PROJECT

The 100% Plan Review is complete. The Project's Habitat Conservation Plan (HCP) was approved by the Board in late summer. The HCP has been posted in the Federal Register and the District is currently in a public review process. Staff anticipates obtaining a permit in late May / early June, after completion of the public review period.

Due to permit delays the bidding and construction of the Probation Tank project is now scheduled to start in early 2018, for completion in early 2019. Construction is expected to take 12 months

SRF Application has been submitted to State in August. State has responded and staff is working to provide additional information.

Staff has met with FEMA on the 2017 Storm related system damage and believes financially we can proceed with the Probation Tank project. Project continues to move toward an early 2018 start date.

#### SWIM TANKS REPLACEMENT PROJECT

Plans and Specifications are complete and a Mitigated Negative Declaration has been adopted by Board. Staff has met internally regarding cash-flow projections and with FEMA on the 2017 Storm related system damage and believes financially we can proceed with the Swim Tank project immediately. Bidding is expected to occur in June.

SRF Application has been submitted to State in August. State has responded and staff is working to provide additional information.

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#### FALL CREEK FISH LADDER

100% plans and specifications are under staff review.

Staff was informed in 2016 by Federal Fish and Wildlife (FFW) that the Fall Creek Diversion and Fish Ladder do not qualify for streamlined permitting. This is a change of direction from past conversations over the last three years. Individual consultation will be required and the District has submitted a request to the Army Corp of Civil Engineers. This new information will delay the project at least a year, if not longer.

#### FELTON HEIGHTS WATER STORAGE TANK

Staff is working to obtain necessary easements on neighboring property. Design is expected for winter of 2016 with construction occurring in Spring 2017. Project has been deferred while District applies for SRF funding.



#### LOMPICO ASSESSMENT DISTRICT PROJECTS

Staff has completed a 10-year schedule for completion of all projects assigned to the Lompico Assessment District. Staff is working on a Request for Proposals (RFP) to begin design work on the Lewis Tank Replacement.

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## M E M O

TO: Board of Directors

FROM: District Manager

PREPARED BY: Director of Finance & Business Services

SUBJECT: FINANCE & BUSINESS SERVICES STATUS REPORT

DATE: May 25, 2017

### RECOMMENDATION:

It is recommended that the Board of Directors review and file the Finance & Business Services Department Status Report.

### BACKGROUND:

The status report will now hold the Bill List, Financial Summary and other department information. This initial memo will hold high level background information. It is recommended to go to each individual section of interest to see any further detail.

### **BUDGET**

We have budget numbers back from the managers and have started sharing the information with the public. There will continue to be multiple rounds of review and follow up before a more polished budget package is ready. Each Board meeting and Finance & Budget Committee meeting will continue to have any new budget information provided so we can continue to have discussions. We are still on target to have an approved budget by the new fiscal year.

### **RATE STUDY**

We have held multiple public workshops to go over the rate study process. We will continue to have this as an agenda item and keep constant feedback to the consultants. The next meeting is scheduled for May 24<sup>th</sup> at 6pm. This meeting will begin to go over real potential rates for the water fund. These rates vary greatly as there are multiple scenarios the District is looking at..

### **STORM DAMAGE / FEMA**

Similar to the SRF loans we had received, this too will require a lot of tracking, gathering and submittal work. Our department will continue to be spread very thin since we will have FEMA, budget and rate study work all going on simultaneously.

### **INTERIM AUDIT WORK**



The auditors were here last week for their routine interim testing. Myself and staff collected all of the needed support and everything went well. We will likely have the auditors out again in September for the year end testing.

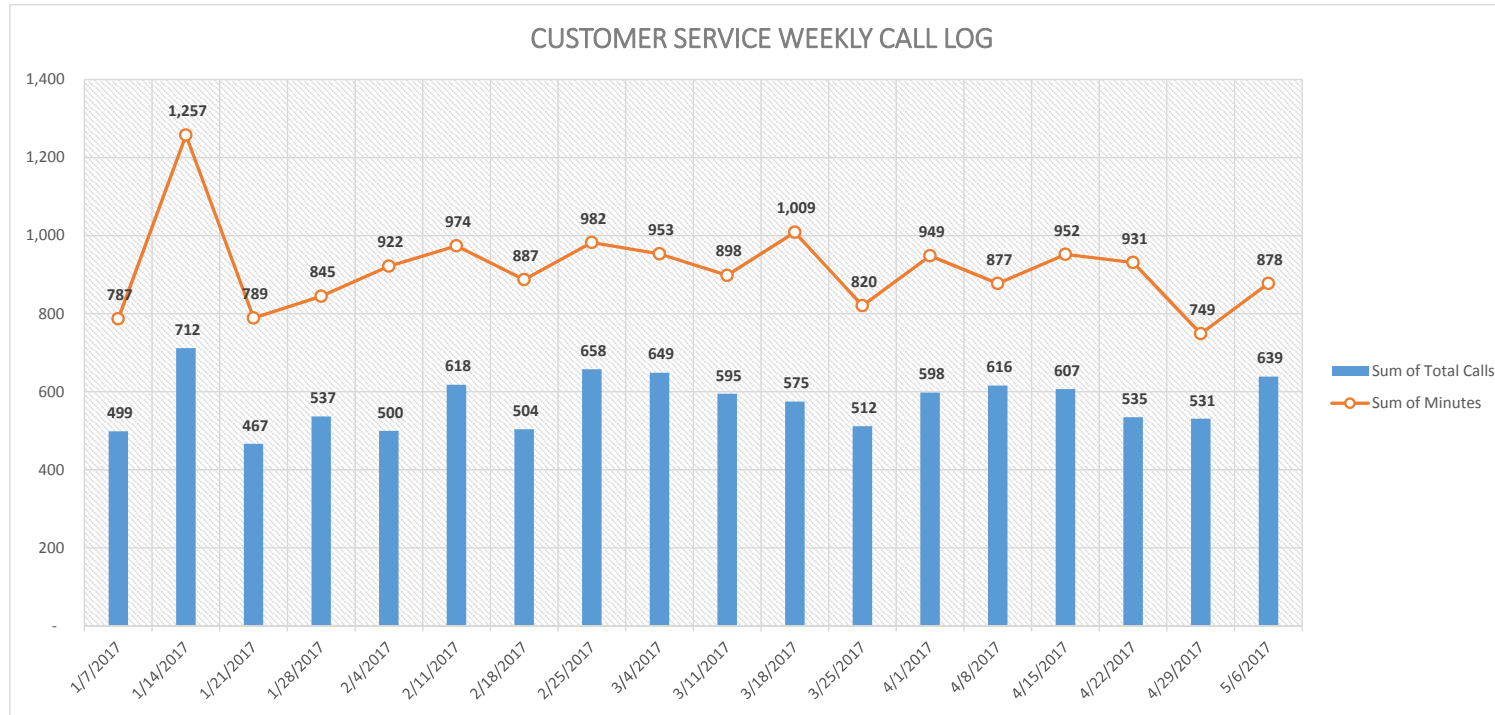
**BILL LIST**

The Bill List is included in this status report for review.

**Q3 FINANCIAL SUMMARY**

The Q3 Financial Summary is included in this status report for review.





Week Ending	Incoming Calls		Outgoing Calls		Total Calls	
	# Calls	Minutes	# Calls	Minutes	# Calls	Minutes
1/7/2017	323	636	176	151	499	787
1/14/2017	443	938	269	320	712	1,257
1/21/2017	302	591	165	198	467	789
1/28/2017	347	681	190	164	537	845
2/4/2017	296	638	204	284	500	922
2/11/2017	389	723	229	251	618	974
2/18/2017	303	692	201	196	504	887
2/25/2017	419	741	239	242	658	982
3/4/2017	396	785	253	168	649	953
3/11/2017	362	707	233	191	595	898
3/18/2017	340	757	235	252	575	1,009
3/25/2017	270	610	242	211	512	820
4/1/2017	353	759	245	190	598	949
4/8/2017	359	678	257	200	616	877
4/15/2017	366	737	241	215	607	952
4/22/2017	288	591	247	340	535	931
4/29/2017	298	622	233	127	531	749
5/6/2017	359	699	280	178	639	878

Weekly Notes
Tags, Main break: Redwood
Turn offs, Main breaks: Bear Creek, Visitar & Brookdale
Tags, Main breaks: River & Amity
Turn offs, Main breaks: Pine & Hillcrest
Tags, Main break: HW Y 9 Ben Lomond
Turn offs, Main breaks: Fair view & Lomita, Booster outage: Lompico & Paso
Tags, Main Breaks: Farmer & Bear Creek
Turn offs, Main breaks: Love Creek, Monan, Chantrelle & Shiloh
Tags, Main break: San Lorenzo Way, Tank Leaking: Blair & Douglas Tanks
Turn offs, Main break: Vovler & Brookside
Tags, Main Break: Brookside, Cliff View, Fairview & North st, Hydrant leak: Hillside dr
Turn offs
Tags, Hydrant repair: Lockwood Lane,
Turn offs, Main Break: Redwood, Mira flores, sylvan, bear creek, HWY 9, Russell
Tags, Main Break: Logan Way
Turn Offs, Main Break: Stewart Street
Main Break: Kings Creek
Tags



## CUSTOMER SERVICE DEPT SUMMARY

	*								
<b>Monthly Stats:</b>	<b>Mar-17</b>	<b>Feb-17</b>	<b>Jan-17</b>	<b>Dec-16</b>	<b>Nov-16</b>	<b>Oct-16</b>	<b>Sep-16</b>	<b>Aug-16</b>	<b>Jul-16</b>
Cut In/Outs	86	68	71	76	87	102	87	125	116
Final Bills	62	36	28	36	59	44	54	70	62
Tags	291	226	209	193	205	111	306	362	245
Turn-offs	33	12	34	38	40	23	47	74	46

### Online / Going Green

*As of 4/12/2017*

Online Sign-ups	3,038	2,985	2,929	2,880	2,826	2,772	2,712	2,640	2,585
E-Bills	879	858	843	826	808	783	762	740	721
Auto Pay	2,035	2,004	1,976	1,940	1,924	1,900	1,852	1,786	1,755

\*Only one billing cycle was tagged/turned off this month due to timing issues



# Accounts Payable

## Outstanding Invoices

User: KendraNegro  
Printed: 5/12/2017 - 2:35 PM  
Date Type: JE Date  
Date Range: 04/13/2017 to 05/12/2017

### BILL LIST SUMMARY

Check Register Total : \$338,132.37  
AP Outstanding Total: \$142,719.89  
Payroll 04/26: \$107,197.65  
Payroll 05/05: \$45,073.71  
Payroll 05/10: \$104,235.69  
**TOTAL FOR ACCEPTANCE: \$737,359.31**



13060 Highway 9  
Boulder Creek, CA 95006-9119  
(831) 338-2153 phone  
(831) 338-7986 fax

### Vendor

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
00001 - ROYAL WHOLESALE ELECTRIC						
01-800-5311	5/9/2017	5/4/2017	614989	00069-11-2017	408.74	Multi-Meter For 218
Task Label:		Type:	PO Number:	0000100867		
Total for Vendor 00001 - ROYAL WHOLESALE ELECTRIC:					408.74	
00016 - GREENWASTE RECOVERY,INC						
01-100-5420	5/5/2017	5/1/2017	2741280	00053-11-2017	332.40	TRASH/RECYCLE/YARDWASTE SERVICE
Task Label:		Type:	PO Number:	0000100734		
Total for Vendor 00016 - GREENWASTE RECOVERY,INC:					332.40	
00032 - SENSUS USA, INC						
01-200-5310	5/3/2017	4/21/2017	ZA17018475	00029-11-2017	368.76	EQUIPMENT MAINTENANCE
Total for Vendor 00032 - SENSUS USA, INC:					368.76	
00040 - SANTA CRUZ SENTINEL						
01-100-5640	5/2/2017	4/19/2017	5939685	00031-11-2017	149.49	ADVERTISING_PROBATION TANK PROJECT
Task Label: CAP-1516002A		Type: E	PO Number:			
01-100-5640	5/5/2017	5/5/2017	5938964	00053-11-2017	297.60	FLUSHING AD_4/22, 4/23
01-100-5640	5/5/2017	5/4/2017	5938966	00053-11-2017	248.00	FLUSHING AD_4/22, 23
01-100-5640	5/5/2017	5/4/2017	5943594	00053-11-2017	248.00	FLUSHING AD_5/2,3,4
Total for Vendor 00040 - SANTA CRUZ SENTINEL:					943.09	
00047 - SOIL CONTROL LAB						
01-800-5202	4/21/2017	4/21/2017	7040640	00191-10-2017	145.00	WATER ANALYSIS_CANEPA & ELENA
Task Label:		Type:	PO Number:	0000100864		
01-800-5202	5/2/2017	4/25/2017	7040427	00031-11-2017	74.00	WATER ANALYSIS_ARESENIC,MANGANESE,SOLIDS
Task Label:		Type:	PO Number:	0000100864		
01-800-5202	5/3/2017	5/1/2017	7040808	00029-11-2017	145.00	WATER ANALYSIS_BLUE RIDGE
Task Label:		Type:	PO Number:	0000100864		



**Vendor**

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
00047 - SOIL CONTROL LAB						
01-800-5202	5/8/2017	5/8/2017	7050119	00072-11-2017	145.00	WATER ANALYSIS_CANEPA & ELENA
Task Label:		Type:	PO Number:	0000100864		
Total for Vendor 00047 - SOIL CONTROL LAB:					509.00	
00057 - AFSCME COUNCIL 57						
01-000-2205	5/9/2017	5/9/2017	JUN 2017	00074-11-2017	983.48	UNION DUES_JUNE 2017
Total for Vendor 00057 - AFSCME COUNCIL 57:					983.48	
00058 - IHWY, INC.						
01-100-5200	5/3/2017	5/3/2017		00029-11-2017	25.00	BUSINESS HOSTING
Task Label:		Type:	PO Number:	0000100733		
Total for Vendor 00058 - IHWY, INC.:					25.00	
00076 - ERNIE'S AUTO CENTER						
01-800-5300	5/3/2017	4/14/2017	695838	00029-11-2017	3.08	HITCH PIN
01-400-5410	5/3/2017	4/14/2017	695847	00029-11-2017	25.94	HITCH PIN
01-800-5410	5/3/2017	4/19/2017	696354	00029-11-2017	27.22	TAIL LIGHT LENS
Total for Vendor 00076 - ERNIE'S AUTO CENTER:					56.24	
00080 - GRANITE CONSTRUCTION CO						
01-400-5300	5/2/2017	4/14/2017	1144446	00031-11-2017	51.95	AGG BASE_CARROL RD
01-400-5300	5/2/2017	4/19/2017	1145475	00031-11-2017	69.33	AGG BASE_LYON ACCESS RD
01-400-5300	5/2/2017	4/20/2017	1147194	00031-11-2017	69.53	AGG BASE_LYON ACCESS RD
01-400-5300	5/2/2017	4/21/2017	1147890	00031-11-2017	79.10	AGG BASE_LYON ACCESS RD
01-400-5300	5/2/2017	4/25/2017	1148445	00031-11-2017	104.16	AGG BASE_QUAIL BINS
01-400-5300	5/8/2017	4/27/2017	1150482	00072-11-2017	56.98	FILL SAND_QUAIL BINS
Total for Vendor 00080 - GRANITE CONSTRUCTION CO:					431.05	
00099 - JOEL BUSA						
01-100-5147	5/9/2017	5/9/2017	JUN 2017	00074-11-2017	125.00	CALPERS MEDICAL
Total for Vendor 00099 - JOEL BUSA:					125.00	
00115 - ATKINSON-FARASYN						
01-100-5210	5/9/2017	5/9/2017	JUN 2017	00074-11-2017	3,500.00	LEGAL SERVICES_JUNE 2017



Vendor

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
Total for Vendor 00115 - ATKINSON-FARASYN:					3,500.00	
00118 - FARMER BROTHERS COFFEE						
01-400-5600	5/8/2017	5/3/2017	65401060	00072-11-2017	298.40	COFFEE & SUPPLIES
Total for Vendor 00118 - FARMER BROTHERS COFFEE:					298.40	
00124 - BRUCE BARTON PUMP						
01-400-5300	5/8/2017	4/17/2017	0092388-IN	00072-11-2017	2,718.72	VFD FOR LOMPICO BOOSTER #2
Task Label: EXP-1516004A		Type: M		PO Number: 0000100868		
01-400-5300	5/8/2017	4/17/2017	0092415-IN	00072-11-2017	131.61	PANEL, MOUNTING KIT LOMPICO BOOSTER #2
Task Label: EXP-1516004A		Type: M		PO Number:		
Total for Vendor 00124 - BRUCE BARTON PUMP:					2,850.33	
00125 - SCARBOROUGH LUMBER						
01-800-5311	5/9/2017	5/1/2017	290080	00069-11-2017	101.62	DRILL BITS
01-800-5300	5/9/2017	5/1/2017	290107	00069-11-2017	10.69	DISTILLED H2O FOR KWTP
01-400-5300	5/9/2017	5/1/2017	290141	00069-11-2017	7.72	WIRE WHEEL
01-400-5300	5/9/2017	5/2/2017	290167	00069-11-2017	9.65	OIL FOR BORE TOOL
01-800-5300	5/9/2017	4/28/2017	557593	00069-11-2017	18.12	HOLE SAW/BUSHINGS
01-800-5300	5/9/2017	4/28/2017	557599	00069-11-2017	-12.55	HOLE SAW/BUSHINGS_CREDIT RETURN
01-400-5300	5/9/2017	5/1/2017	557715	00069-11-2017	53.14	CONCRETE MATERIAL/ TOOLS
01-800-5300	5/9/2017	5/4/2017	K17054	00069-11-2017	36.86	PUMP GREASE_LWTP
Total for Vendor 00125 - SCARBOROUGH LUMBER:					225.25	
00209 - ZEE MEDICAL, INC						
01-100-5600	5/5/2017	5/3/2017	66 287292	00054-11-2017	110.29	FIRST AID SUPPLIES
Total for Vendor 00209 - ZEE MEDICAL, INC:					110.29	
00210 - FISHER SCIENTIFIC						
01-800-5302	5/3/2017	4/17/2017	9729285	00029-11-2017	303.40	LAB/CLEANING SUPPLIES
Task Label:		Type:		PO Number: 0000100857		
Total for Vendor 00210 - FISHER SCIENTIFIC:					303.40	
00212 - COUNTY OF SANTA CRUZ ENVIRONMENTAL HEALTH SERVICE						
01-400-5320	5/8/2017	4/26/2017	IN0083573	00072-11-2017	602.00	LOMPICO HEALTH PERMIT
Task Label: EXP-1617001A		Type: E		PO Number:		
01-400-5320	5/8/2017	4/26/2017	IN0083579	00072-11-2017	752.00	ADMIN BDLG_HAZ MAT PERMIT



Vendor

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
00212 - COUNTY OF SANTA CRUZ ENVIRONMENTAL HEALTH SERVICE						
Task Label: EXP-1617001A	Type: E	PO Number:				
Total for Vendor 00212 - COUNTY OF SANTA CRUZ ENVIRONMENTAL HEALTH SERVICE:					1,354.00	
00213 - CHESTNUT IDENTITY						
01-400-5171	5/2/2017	4/12/2017	107254	00031-11-2017	118.77	UNIFORMS_OPS
01-800-5171	5/2/2017	4/12/2017	107254	00031-11-2017	97.15	UNIFORMS_WT
Total for Vendor 00213 - CHESTNUT IDENTITY:					215.92	
00241 - U S PLASTIC CORP						
01-800-5300	5/2/2017	4/11/2017	5098479	00031-11-2017	264.40	POLY CHEM BARREL_LYON PLANT
Total for Vendor 00241 - U S PLASTIC CORP:					264.40	
00263 - RAYNE WATER CONDITIONING						
01-800-5200	5/2/2017	4/30/2017		00031-11-2017	33.33	WATER CONDITIONER SVC
Task Label:	Type:	PO Number:	0000100703			
Total for Vendor 00263 - RAYNE WATER CONDITIONING:					33.33	
00265 - COMMUNITY TELEVISION						
01-100-5200	5/5/2017	4/11/2017	2397	00053-11-2017	295.00	MEETING COVERAGE_3/16/17
Total for Vendor 00265 - COMMUNITY TELEVISION:					295.00	
00273 - CORELOGIC, INC.						
01-300-5200	5/8/2017	4/30/2017	81793828	00072-11-2017	93.75	REALQUEST_ENG
Task Label:	Type:	PO Number:	0000100771			
01-200-5200	5/8/2017	4/30/2017	81793828	00072-11-2017	93.75	REALQUEST_FIN
Task Label:	Type:	PO Number:	0000100771			
Total for Vendor 00273 - CORELOGIC, INC.:					187.50	
00296 - MESITI-MILLER ENGINEERING,INC						
01-000-1565	5/5/2017	4/27/2017	417004	00053-11-2017	1,512.50	PROBATIO TANK - FINAL DESIGN
Task Label: CAP-1516002A	Type: E	PO Number:				
Total for Vendor 00296 - MESITI-MILLER ENGINEERING,INC:					1,512.50	
00302 - POLLARDWATER.COM						
01-400-5300	5/2/2017	4/19/2017	73209	00031-11-2017	112.86	REPLACEMENT PARTS FOR FLUSHING



Vendor

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
00302 - POLLARDWATER.COM						
01-400-5300	5/2/2017	4/21/2017	74453	00031-11-2017	456.48	REPLACEMENT PARTS FOR FLUSHING
Total for Vendor 00302 - POLLARDWATER.COM:					569.34	
00336 - LAND TRUST OF SANTA CRUZ CNTY						
01-500-5200	5/3/2017	3/31/2017	2017-3.31	00029-11-2017	1,371.23	OLYMPIA PATROL SERVICE
Task Label:		Type:	PO Number:	0000100698		
Total for Vendor 00336 - LAND TRUST OF SANTA CRUZ CNTY:					1,371.23	
00342 - BRASS KEY LOCKSMITH						
01-400-5200	5/8/2017	4/28/2017	946600	00072-11-2017	135.50	RIVERSIDE GROVE BOOSTER KEY
Total for Vendor 00342 - BRASS KEY LOCKSMITH:					135.50	
00343 - ERNIE'S SERVICE CENTER						
01-400-5410	5/3/2017	4/17/2017	58933	00029-11-2017	562.77	SERVICE & DIAGNOSE FOR DEAD BATTERY
Total for Vendor 00343 - ERNIE'S SERVICE CENTER:					562.77	
00365 - FREITAS + FREITAS						
01-100-5200	5/5/2017	5/1/2017	14012	00053-11-2017	750.00	SWIM TANK REPLACEMENT PROJECT
Task Label:	CAP-1516003A	Type:	E	PO Number:		
Total for Vendor 00365 - FREITAS + FREITAS:					750.00	
00367 - INFOSEND, INC						
01-800-5650	5/5/2017	4/26/2017	119943	00054-11-2017	894.70	POSTAGE
01-800-5200	5/5/2017	4/26/2017	119943	00054-11-2017	663.27	MAILING FEES
Total for Vendor 00367 - INFOSEND, INC:					1,557.97	
00378 - BANK OF THE WEST						
01-100-5600	5/8/2017	4/28/2017	042817	00072-11-2017	139.98	GO DADDY.COM
01-800-5200	5/8/2017	4/28/2017	042817	00072-11-2017	1,433.50	SONIC WALL SUPPORT
01-800-5630	5/8/2017	4/28/2017	042817	00072-11-2017	104.70	AMMS TRAINING
01-400-5200	5/8/2017	4/28/2017	042817	00072-11-2017	1,433.50	SONIC WALL SUPPORT
01-100-5640	5/8/2017	4/28/2017	042817	00072-11-2017	229.00	AD
01-400-5410	5/8/2017	4/28/2017	042817	00072-11-2017	185.67	TRUCK MIRROR
01-100-5200	5/8/2017	4/28/2017	042817	00072-11-2017	50.00	MAIL CHIMP
01-400-5300	5/8/2017	4/28/2017	042817	00072-11-2017	154.95	FACILITY LABELS
01-800-5630	5/8/2017	4/28/2017	042817	00072-11-2017	590.33	AMMS TRAINING



Vendor

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
00378 - BANK OF THE WEST						
01-400-5300	5/8/2017	4/28/2017	042817	00072-11-2017	119.99	GATE OPENERS
01-100-5630	5/8/2017	4/28/2017	042817	00072-11-2017	35.86	LUNCH
01-400-5630	5/8/2017	4/28/2017	042817	00072-11-2017	57.06	FEMA LUNCH
01-400-5630	5/8/2017	4/28/2017	042817	00072-11-2017	590.32	AMMS TRAINING
01-100-5200	5/8/2017	4/28/2017	042817	00072-11-2017	472.77	CLOUD SERVICE
01-100-5600	5/8/2017	4/28/2017	042817	00072-11-2017	59.59	EAGLE MT FLAG
01-100-5631	5/8/2017	4/28/2017	042817	00072-11-2017	160.00	GFOA MEMBERSHIP
01-400-5630	5/8/2017	4/28/2017	042817	00072-11-2017	104.70	AMMS TRAINING
01-100-5630	5/8/2017	4/28/2017	042817	00072-11-2017	55.74	LUNCHEON
01-400-5410	5/8/2017	4/28/2017	042817	00072-11-2017	989.79	VEHICLE REPAIR
01-800-5300	5/8/2017	4/28/2017	042817	00072-11-2017	222.00	SIGN_WT
Total for Vendor 00378 - BANK OF THE WEST:					7,189.45	
00415 - CA BANK & TRUST/GOV SVC DEPT						
01-000-1130	5/9/2017	5/9/2017	JUN 2017	00074-11-2017	15,581.43	1976 SAFE DRINKING WATER BOND
Total for Vendor 00415 - CA BANK & TRUST/GOV SVC DEPT:					15,581.43	
00525 - ESRI, INC.						
01-300-5200	5/5/2017	4/28/2017	93284309	00053-11-2017	10,000.00	ENGINEERING GIS SOFTWARE 2017
Task Label:		Type:	PO Number:	0000100871		
Total for Vendor 00525 - ESRI, INC.:					10,000.00	
00539 - MILLER MAXFIELD, INC						
01-100-5200	5/5/2017	4/30/2017	0417SLV	00054-11-2017	11,506.25	PUBLIC OUTREACH CONSULTING SERVICES
Total for Vendor 00539 - MILLER MAXFIELD, INC:					11,506.25	
00550 - HACH COMPANY						
01-800-5300	5/3/2017	5/1/2017	10434335	00034-11-2017	529.93	OPERATING SUPPLIES
Task Label:		Type:	PO Number:	0000100830		
Total for Vendor 00550 - HACH COMPANY:					529.93	
00609 - BALANCE HYDROLOGICS, INC						
01-500-5200	5/5/2017	5/4/2017	216018-0417	00054-11-2017	3,582.50	STREAM GAGING
Task Label: EXP-1516001A		Type: E	PO Number:			
Total for Vendor 00609 - BALANCE HYDROLOGICS, INC:					3,582.50	



Vendor

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
00662 - JAMES A. MUELLER						
01-100-5147	5/9/2017	5/9/2017	JUN 2017	00074-11-2017	50.00	CALPERS MEDICAL
Total for Vendor 00662 - JAMES A. MUELLER:					50.00	
00703 - DATAFLOW BUSINESS SYSTEMS, INC						
01-800-5200	5/5/2017	5/1/2017	210257	00053-11-2017	32.44	MAINTENANCE
01-800-5200	5/5/2017	5/1/2017	210258	00053-11-2017	259.48	MAINTENANCE
01-100-5200	5/5/2017	5/1/2017	210280	00053-11-2017	616.93	MAINTENANCE
01-200-5200	5/5/2017	5/1/2017	210281	00053-11-2017	175.47	MAINTENANCE
01-200-5600	5/5/2017	5/2/2017	210361	00053-11-2017	7.50	FREIGHT
Total for Vendor 00703 - DATAFLOW BUSINESS SYSTEMS, INC:					1,091.82	
00721 - UNITED SITE SVCS.,INC						
01-400-5200	5/5/2017	4/30/2017	114-5257732	00053-11-2017	165.21	PORTO-TOILET
Task Label:		Type:	PO Number:	0000100697		
Total for Vendor 00721 - UNITED SITE SVCS.,INC:					165.21	
00722 - SWRCB						
01-800-5320	5/9/2017	4/12/2017	LW-1010892	00074-11-2017	7,242.50	WATER SYSTEM FEES_FELTON
01-800-5320	5/9/2017	4/12/2017	LW-1010897	00074-11-2017	21,736.00	WATER SYSTEM FEES_NORTH
01-800-5320	5/9/2017	4/12/2017	SM-1010898	00074-11-2017	3,000.00	WATER SYSTEM FEES_LOMPICO
Total for Vendor 00722 - SWRCB:					31,978.50	
00727 - ULINE SHIPPING SUPPLIES						
01-400-5401	5/2/2017	4/27/2017	91892559	00031-11-2017	98.31	LATEX GLOVES
Total for Vendor 00727 - ULINE SHIPPING SUPPLIES:					98.31	
00729 - ALPHA ANALYTICAL LABS						
02-600-5202	5/2/2017	4/26/2017	7043102	00031-11-2017	1,205.00	BCEWW MONITORING
Task Label:		Type:	PO Number:	0000100700		
02-600-5202	5/2/2017	4/26/2017	7043103	00031-11-2017	1,205.00	BCEWW MONITORING
Task Label:		Type:	PO Number:	0000100700		
02-600-5202	5/5/2017	5/5/2017	7051383	00053-11-2017	390.00	BCEWW MONITORING
Task Label:		Type:	PO Number:	0000100700		
Total for Vendor 00729 - ALPHA ANALYTICAL LABS:					2,800.00	
00768 - USA BLUEBOOK						



Vendor

Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
00768 - USA BLUEBOOK						
02-600-5300	5/3/2017	4/18/2017	234810	00029-11-2017	999.35	BCEWW PUMP"2B"
02-600-5300	5/5/2017	5/1/2017	246846	00054-11-2017	9,985.14	BEAR CREEK WASTEWATER
Task Label: CAP-1617001A Type: M PO Number: 0000100847						
Total for Vendor 00768 - USA BLUEBOOK:					10,984.49	
00944 - PHIL NEUMAN PDN CONSULTING						
01-500-5200	5/5/2017	4/30/2017	2296	00054-11-2017	415.00	MONTHLY BACKUP & ANTI-VIRUS
01-500-5200	5/5/2017	5/4/2017	2310	00054-11-2017	312.50	SERVER MAINTENANCE
Total for Vendor 00944 - PHIL NEUMAN PDN CONSULTING:					727.50	
01075 - MPRESS DIGITAL, INC						
01-100-5640	4/27/2017	4/25/2017	7848	00204-10-2017	1,705.53	ADVERTISING
Total for Vendor 01075 - MPRESS DIGITAL, INC:					1,705.53	
10001 - RUTAN & TUCKER, LLP						
01-100-5210	5/2/2017	4/17/2017	774585	00031-11-2017	18,239.75	LEAGL SERVICES
Total for Vendor 10001 - RUTAN & TUCKER, LLP:					18,239.75	
10025 - BADGER METER, INC						
01-400-5200	5/8/2017	4/29/2017	80011892	00072-11-2017	556.25	BEACON SERVICES_APRIL
Total for Vendor 10025 - BADGER METER, INC:					556.25	
10105 - SIERRA CHEMICAL CO.						
01-800-5301	5/8/2017	4/27/2017	10015137	00072-11-2017	-1,200.00	CL2 DRUM CREDIT
01-800-5301	5/8/2017	4/24/2017	10045945	00072-11-2017	3,194.18	CL2 FOR WATER TREATMENT
Total for Vendor 10105 - SIERRA CHEMICAL CO.:					1,994.18	
10106 - CEL ANALYTICAL, INC						
01-800-5202	5/5/2017	5/3/2017	5904	00054-11-2017	409.00	LT2 MONITORING FOR CRYPTOSPORIDIUM
Total for Vendor 10106 - CEL ANALYTICAL, INC:					409.00	
10113 - BANK MIDWEST						
01-000-2405	5/9/2017	5/9/2017	JUN 2017	00074-11-2017	2,293.96	SOLAR LOAN_PRINCIPAL
01-000-7100	5/9/2017	5/9/2017	JUN 2017	00074-11-2017	955.94	SOLAR LOAN_INTEREST



Vendor						
Account Number	JE Date	Invoice Date	Invoice No	Journal Entry	Amount	Description
Total for Vendor 10113 - BANK MIDWEST:					3,249.90	
Report Total:					142,719.89	



# Accounts Payable

## Checks by Date - Detail by Check Number

User: KendraNegro  
Printed: 5/12/2017 2:34 PM



13060 Highway 9  
Boulder Creek, CA 95006-9119  
(831) 338-2153 phone  
(831) 338-7986 fax

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
12784	01050 301502	COLONIAL LIFE - BCN E4377735 SUPPLEMENTAL INS_3/1, 3/15, 3/29/17	04/14/2017		515.55
		Total for Check Number 12784:		0.00	515.55
12785	00050 07410216	COUNTY OF SANTA CRUZ LIEN RELEASE FEE	04/14/2017		15.00
		Total for Check Number 12785:		0.00	15.00
12786	00127 041417 041417	FELTON COMMUNITY HALL FELTON HALL SECURITY DEPOSIT FELTON HALL RENTAL FEE	04/14/2017		150.00 190.00
		Total for Check Number 12786:		0.00	340.00
12787	10005 102346327	ICMA RETIREMENT C/O M & T RETIRI RETIREMENT WITHHOLDING	04/14/2017		2,744.00
		Total for Check Number 12787:		0.00	2,744.00
12788	10136 040417	DANIEL MACK REIMBURSEMENT_MILEAGE	04/14/2017		39.59
		Total for Check Number 12788:		0.00	39.59
12789	UB*00262	Laura Keil Refund Check Refund Check Refund Check Refund Check	04/21/2017		138.68 6.13 1.61 26.74
		Total for Check Number 12789:		0.00	173.16
12790	00362 29641 29641	ACCELA, INC #774375 BANK FEE SERVICE FEE	04/21/2017		2,317.00 185.00
		Total for Check Number 12790:		0.00	2,502.00
12791	00162 26524943	ANTHEM BLUE CROSS RETIRED EMPLOYEE MEDICAL_05/01/17 -	04/21/2017		316.02
		Total for Check Number 12791:		0.00	316.02
12792	00767 940802241	ANTHEM BLUE CROSS MEDICARERX_05/01/17 - 06/01/17	04/21/2017		159.80
		Total for Check Number 12792:		0.00	159.80
12793	00055 040117	AT&T-ACCT #960 736-0489 TELEPHONE SERVICE_WT	04/21/2017		1,641.82



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	040117	TELEPHONE SERVICE_OPS			3,031.86
	040117	TELEPHONE SERVICE_BCEWW			327.25
	040117	TELEPHONE SERVICE_ADMIN			152.26
Total for Check Number 12793:				0.00	5,153.19
12794	UB*00263	VIC & DEBBI BROOKS Refund Check	04/21/2017		31.16
Total for Check Number 12794:				0.00	31.16
12795	00788 041117	COMCAST INTERNET_23 SUMMIT AVE	04/21/2017		141.05
Total for Check Number 12795:				0.00	141.05
12796	00020 4090-17040	HARO, KASUNICH & ASSOCIATES LYON WTP ACCESS RD REPAIR	04/21/2017		6,764.90
Total for Check Number 12796:				0.00	6,764.90
12797	10081 9730 9730	INFRASTRUCTURE ENGINEERING CO FLOW MONITORING STUDY IMPLEMENTATION & COMMISSIONING SE	04/21/2017		1,300.00 1,495.00
Total for Check Number 12797:				0.00	2,795.00
12798	01052 041417	SCOTT MATTOCH UNIFORM REIMBURSEMENT	04/21/2017		150.00
Total for Check Number 12798:				0.00	150.00
12799	00539 0317SLV	MILLER MAXFIELD, INC PUBLIC OUTREACH CONSULTING_MAR 20	04/21/2017		8,525.00
Total for Check Number 12799:				0.00	8,525.00
12800	10067 31700349	NBS WATER RATE STUDY	04/21/2017		9,720.00
Total for Check Number 12800:				0.00	9,720.00
12801	UB*00264	GEORGE SCOTT Refund Check Refund Check Refund Check	04/21/2017		3.00 11.43 79.53
Total for Check Number 12801:				0.00	93.96
12802	00687 040517 040617 040717	AT&T U-VERSE INTERNET_13057 HWY 9 INTERNET_MANANA WOODS INTERNET_GRAHAM HILL RD	04/21/2017		70.00 80.00 70.00
Total for Check Number 12802:				0.00	220.00
12803	00788 040517 040617 040717 040817	COMCAST INTERNET_280 BLUE RIDGE DR INTERNET_295 EAST RD INTERNET_15819 FOREST HILL DR INTERNET_17277 HWY 9	04/21/2017		170.19 170.19 170.19 170.19



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 12803:	0.00	680.76
12804	00359 9007512262	ALLIED ELECTRONICS RELAY FOR LWTP	04/21/2017		130.64
			Total for Check Number 12804:	0.00	130.64
12805	00729 7033863	ALPHA ANALYTICAL LABS BCEWW MONITORING	04/21/2017		390.00
			Total for Check Number 12805:	0.00	390.00
12806	00115 032317 32317	ATKINSON-FARASYN LEGAL SERVICES_HOLLOWAY LEGAL SERVICES_DEBERT	04/21/2017		3,260.06 106.25
			Total for Check Number 12806:	0.00	3,366.31
12807	10025 80011354	BADGER METER, INC BEACON SERVICES FOR 3/17	04/21/2017		547.35
			Total for Check Number 12807:	0.00	547.35
12808	00609 216018-0017 216018-0217	BALANCE HYDROLOGICS, INC STREAM GAGING STREAM GAGING	04/21/2017		13,120.59 5,006.25
			Total for Check Number 12808:	0.00	18,126.84
12809	00423 0344439 344290	BAY AREA BARRICADE FLUSHING SUPPLIES_SIGNS & STANDS FLUSHING SUPPLIES	04/21/2017		1,417.33 156.68
			Total for Check Number 12809:	0.00	1,574.01
12810	00342 61310 61416 946364	BRASS KEY LOCKSMITH LABOR_RE-KEY LOCKS TOOL BOX KEY OLY 2 LOCK REPAIR	04/21/2017		221.00 5.40 152.28
			Total for Check Number 12810:	0.00	378.68
12811	00566 17030	C S S C ANSWERING SERVICE	04/21/2017		358.92
			Total for Check Number 12811:	0.00	358.92
12812	00713 14441895 14442021	C.C.O.I. GATE & FENCE QUAL 5 YARD_GATE REPAIR REPAIR OPS GATE SWITCH	04/21/2017		1,230.00 135.00
			Total for Check Number 12812:	0.00	1,365.00
12813	00265 2387 2387	COMMUNITY TELEVISION BOARD COVERAGE_2/16/17 BOARD COVERAGE_2/22/17	04/21/2017		354.00 206.50
			Total for Check Number 12813:	0.00	560.50
12814	00306 4336-8253	CONTROL SYSTEMS WEST,INC PROGRAMMING SERVICE_KWTP	04/21/2017		1,548.50



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 12814:	0.00	1,548.50
12815	00703	DATAFLOW BUSINESS SYSTEMS, INC	04/21/2017		
	207490	MAINTENANCE_HP5200			85.49
	207939	MAINTENANCE_HP602			225.75
			Total for Check Number 12815:	0.00	311.24
12816	00418	DATCO SERVICES CORP	04/21/2017		
	129793	QUARTERLY SERVICE FEE			25.50
			Total for Check Number 12816:	0.00	25.50
12817	00061	DHS PUBLIC HEALTH LAB	04/21/2017		
	1388	TICK ANALYSIS			93.00
			Total for Check Number 12817:	0.00	93.00
12818	00147	EMERSON PROCESS MANAGEMENT	04/21/2017		
	9064376	FIELD SERVICE FOR OPS SCADA			5,575.50
			Total for Check Number 12818:	0.00	5,575.50
12819	00076	ERNIE'S AUTO CENTER	04/21/2017		
	689515	BATTERY CORE CREDIT			-18.00
	693050	MISC SUPPLIES			56.68
	693681	HITCH & PIN FOR KUBOTA			44.03
			Total for Check Number 12819:	0.00	82.71
12820	00343	ERNIE'S SERVICE CENTER	04/21/2017		
	58406	SERVICE V#155			98.99
	58753	SERVICE_V#280			107.12
	58770	VEHICLE MAINTENANCE			888.91
	58934	SERVICE V#181			84.92
			Total for Check Number 12820:	0.00	1,179.94
12821	00450	EUROFINS EATON ANALYTICAL, INC	04/21/2017		
	311775	WATER ANALYSIS_LOMPICO AREAS			400.00
	311783	WATER ANALYSIS_PASO 5, BOB'S LN			60.00
	312925	WATER ANALYSIS_BENNETT SPRINGS			30.00
	313995	WATER ANALYSIS_PEAVINE CREEK			680.00
	314025	WATER ANALYSIS_SWEETWATER CREEK			680.00
	314055	WATER ANALYSIS_CLEAR CREEK			680.00
	314311	WATER ANALYSIS_FOREMAN CREEK			680.00
	314329	WATER ANALYSIS_CLEAR CREEK			40.00
			Total for Check Number 12821:	0.00	3,250.00
12822	00991	EWING IRRIGATION PRODUCTS	04/21/2017		
	5003853	BCEWW T REPLACEMENT			408.37
			Total for Check Number 12822:	0.00	408.37
12823	00118	FARMER BROTHERS COFFEE	04/21/2017		
	65400769	COFFEE SUPPLIES			147.10
			Total for Check Number 12823:	0.00	147.10
12824	00750	FEDAK & BROWN, LLP	04/21/2017		



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	033117	AUDIT SERVICES _ THROUGH MARCH 201			2,000.00
			Total for Check Number 12824:	0.00	2,000.00
12825	00204 5-749-03710	FEDERAL EXPRESS CORP SHIPPING_GOLDAK LOCATOR REPAIR	04/21/2017		35.37
			Total for Check Number 12825:	0.00	35.37
12826	00164	FIRST ALARM	04/21/2017		
	303033	ALARM SERVICES_101 QUAIL HOLLOW			90.06
	303033	ALARM SERVICE_13057 HWY 9			555.09
	303033	ALARM SERVICES_365 MADRONE AVE			158.88
	303851	ALARM SERVICES_195 KIRBY ST			319.62
	303851	ALARM SERVICES_15900 BEAR CREEK RD			333.57
	303851	ALARM SERVICES_600 SAN LORENZO AVI			162.30
	303851	ALARM SERVICES_232 KINGS VILLAGE RI			279.24
			Total for Check Number 12826:	0.00	1,898.76
12827	00210 4753715	FISHER SCIENTIFIC PLASTIC CASES FOR WTP	04/21/2017		61.61
			Total for Check Number 12827:	0.00	61.61
12828	00080	GRANITE CONSTRUCTION CO	04/21/2017		
	1133007	FELTON HYDRANT REPAIR			46.40
	1134025	AGG BASE_QUAIL BINS			76.40
	1134060	AGG BASE_QUAIL BINS			76.79
	1134153	BASE ROCK_QUAIL BINS			417.96
	1135578	3/4" AGG BASE_QUAIL BINS			50.16
			Total for Check Number 12828:	0.00	667.71
12829	10133 714591	GRISWOLD INDUSTRIES CLAY VALVE REBUILD KITS	04/21/2017		755.31
			Total for Check Number 12829:	0.00	755.31
12830	00550	HACH COMPANY	04/21/2017		
	10370501	OPERATING SUPPLIES_REAGENT			898.25
	10371897	OPERATING SUPPLIES_BUFFER SOLUTION			298.41
			Total for Check Number 12830:	0.00	1,196.66
12831	00236	IDEXX DISTRIBUTION CORP	04/21/2017		
	3013665421	Bacteriological sample bottles and media			457.45
	3013707049	Bacteriological sample bottles and media			203.31
			Total for Check Number 12831:	0.00	660.76
12832	00058 12206	IHWY, INC. BUSINESS HOSTING_APRIL	04/21/2017		25.00
			Total for Check Number 12832:	0.00	25.00
12833	00695 032317	PAUL JENSEN SURVEY WORK_LYON ACCESS RD	04/21/2017		2,900.00
			Total for Check Number 12833:	0.00	2,900.00
12834	00608	LLOYD'S TIRE SERVICE, INC	04/21/2017		



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	322038	TIRES_V #280			979.43
			Total for Check Number 12834:	0.00	979.43
12835	00782 09-26 RET	MONTEREY PENINSULA ENGINEERIN LOMPICO PIPELINE RELOCATION PROJEC	04/21/2017		2,895.00
			Total for Check Number 12835:	0.00	2,895.00
12836	10067 31700109 31700109 31700109	NBS ACT ASSESSMENT CONSULTING SERVICE REIMBURSABLE EXPENSES ACT ASSESSMENT CONSULTING SERVICE	04/21/2017		1,125.00 46.19 750.00
			Total for Check Number 12836:	0.00	1,921.19
12837	00302 0070441 70438,40,56	POLLARDWATER.COM STREAM SHAPER FOR FLUSHING FLUSHING SUPPLIES	04/21/2017		170.64 4,816.38
			Total for Check Number 12837:	0.00	4,987.02
12838	00263 033117	RAYNE WATER CONDITIONING WATER CONDITIONER SVC	04/21/2017		35.50
			Total for Check Number 12838:	0.00	35.50
12839	00512 E146924	RIVERSIDE LIGHTING MISC ELECTRICAL_MW	04/21/2017		2.00
			Total for Check Number 12839:	0.00	2.00
12840	00001 7719-612220	ROYAL WHOLESALE ELECTRIC SHIPPING/HANDLING	04/21/2017		27.51
			Total for Check Number 12840:	0.00	27.51
12841	00040 0005927996 5923479	SANTA CRUZ SENTINEL MAIN FLUSHING AD	04/21/2017		297.60 347.20
			Total for Check Number 12841:	0.00	644.80
12842	10105 10044391	SIERRA CHEMICAL CO. CL2 FOR KWTP	04/21/2017		2,555.35
			Total for Check Number 12842:	0.00	2,555.35
12843	00281 1702	SLT INSTRUMENTATION, LLC REPLACEMENT TONE CARDS	04/21/2017		1,100.00
			Total for Check Number 12843:	0.00	1,100.00
12844	00047 7030497 7030695 7030696 7030697 7030897	SOIL CONTROL LAB WATER ANALYSIS_GEN PHYSICAL WATER ANALYSIS_GEN PHYSICAL WATER ANALYSIS_TOTAL PHOSPHATE WATER ANALYSIS_METALS DIGESTION, M WATER ANALYSIS_GENERAL PHYSICAL	04/21/2017		145.00 145.00 117.00 37.00 145.00
			Total for Check Number 12844:	0.00	589.00
12845	00461	SPECTOR INSTRUMENTS, INC	04/21/2017		



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	1703051003	WIN-911 SOFTWARE_WTP			247.50
	1703051003	WIN-911 SOFTWARE_OPS			247.50
Total for Check Number 12845:				0.00	495.00
12846	00510 9549	TOM'S SEPTIC CONSTRUCTION PUMP SERVICES_BCEWW	04/21/2017		10,936.00
Total for Check Number 12846:				0.00	10,936.00
12847	00567	BOB PILGREEN REMOVAL OF LEANING TREES LYON PLA	04/24/2017		9,100.00
Total for Check Number 12847:				0.00	9,100.00
12848	01075 04252017	MPRESS DIGITAL, INC POSTAGE	04/25/2017		1,952.18
Total for Check Number 12848:				0.00	1,952.18
12849	10012 04272017	MBWWA OPERATOR TRAINING	04/27/2017		35.00
Total for Check Number 12849:				0.00	35.00
12850	00057 MAY 2017	AFSCME COUNCIL 57 UNION DUES_MAY 2017	05/01/2017		983.48
Total for Check Number 12850:				0.00	983.48
12851	00115 MAY 2017	ATKINSON-FARASYN LEGAL FEES	05/01/2017		3,500.00
Total for Check Number 12851:				0.00	3,500.00
12852	10113 MAY 2017 MAY 2017	BANK MIDWEST SOLAR LOAN_PRINCIPAL SOLAR LOAN_INTEREST	05/01/2017		2,286.96 962.94
Total for Check Number 12852:				0.00	3,249.90
12853	00099 MAY 2017	JOEL BUSA CALPERS MEDICAL	05/01/2017		125.00
Total for Check Number 12853:				0.00	125.00
12854	00415 MAY 2017	CA BANK & TRUST/GOV SVC DEPT 1976 SAFE DRINKING WATER BOND	05/01/2017		15,581.43
Total for Check Number 12854:				0.00	15,581.43
12855	00662 MAY 2017	JAMES A. MUELLER CALPERS MEDICAL	05/01/2017		50.00
Total for Check Number 12855:				0.00	50.00
12856	00309 1558706306 1558706306 1558706306	AT&T IP SERVICES IP SERVICES_WT IP SERVICES_OPS IP SERVICES_ADMIN	05/02/2017		407.21 407.20 407.20
Total for Check Number 12856:				0.00	1,221.61



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
12857	00687	AT&T U-VERSE	05/02/2017		
	132167447	INTERNET_365 MADRONE			57.00
	132338293	INTERNET_GRAHAM HILL			70.00
Total for Check Number 12857:				0.00	127.00
12858	00055	AT&T-ACCT #960 736-0489	05/02/2017		
	041917	TELEPHONE CHARGES_FELTON ACRES			85.09
Total for Check Number 12858:				0.00	85.09
12859	00130	BOULDER CREEK HARDWARE	05/03/2017		
	B44135	LIGHT BULBS			5.85
Total for Check Number 12859:				0.00	5.85
12860	00784	HD SUPPLY WATERWORKS,LTD	05/03/2017		
	H021504	NIPPLE BRASS 3/4" X 0"			8.79
	H021504	CORP PIPE-COPPER IP 1"			227.85
	H021504	MTR VLV COPR-MTR STRT 1X1"			160.04
	H021504	NIPPLE GALV 1" X 6"			8.13
	H021504	CHECK VALVE METER SPUD 1"			375.63
	H021504	CORP PIPE-PIPE IP 1"			71.61
	H021504	MTR CPLG COPR-COPR 3PT 1"			244.18
	H021504	COPR-PIPE FEM 1"			181.42
Total for Check Number 12860:				0.00	1,277.65
12861	00181	LAS ANIMAS CONCRETE	05/03/2017		
	124760	LOCKEWOOD LANE HYDRANT REPAIR			897.30
Total for Check Number 12861:				0.00	897.30
12862	00711	ROBERTS & BRUNE CO.	05/03/2017		
	S1630104.004	NIPPLE GALV 2" X 5"			4.07
	S1630104.004	UNION GALV 2"			233.55
	S1630104.004	FLEX COUPLING 2" X 5" OD 2.000			607.05
	S1630104.004	UNION GALV 2"			170.62
	S1638674.001	2 X 3 245-00020003-000 F/2.00 OD			102.24
	S1639408.001	GATE VALVE FLG 6" A2360-6			574.43
	S1639420.001	6" GLAND PACK			49.78
	S1639420.001	CAP GALV 6"			37.50
	S1639420.001	GATE VALVE 1"			195.15
	S1639420.002	FLEX CPLG 6.05-6.30			413.06
	S1639420.002	SADDLE DS 6.84-7.60 X 1"			173.76
	S1641709.001	BULL/BENNETT SPRINGS			1,208.24
	S1642848.001	6 HYMAX CPLG **RANGE: 6.42 - 7.68** #			1,456.92
	S1642977.001	2" SQUARE NUT 4 BOLT FL x FL GATE VAL'			562.32
Total for Check Number 12862:				0.00	5,788.69
12863	00001	ROYAL WHOLESALE ELECTRIC	05/03/2017		
	613827	ADMIN LIGHTING			420.88
	614080	MISC SUPPLIES_FALL CREEK			228.19
	614407	ADMIN LIGHTING			170.24
	614739	PHOTO CELL SENSORS			126.07
	615102	STARTER,COIL FOR BLUE TANK PUMPS			445.27
Total for Check Number 12863:				0.00	1,390.65
12864	00142	SAN LORENZO LUMBER	05/03/2017		



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	90616	LOCATOR BATTERIES			13.89
			Total for Check Number 12864:	0.00	13.89
12865	00125	SCARBOROUGH LUMBER	05/03/2017		
	264752	MISC SAMPLING SUPPLIES			30.59
	288363	MISC SUPPLIES_MW			37.81
	288421	MISC SUPPLIES_MW			22.71
	288532	MISC SUPPLIES_BCEWW			42.96
	288598	SUPPLIES_MANANA WOODS BLDG			24.57
	288732	FLUSHING TAP			20.60
	288907	SUPPLIES_BLDG MAINTENANCE			18.25
	288936	MISC PLUMBING PARTS			7.38
	289092	MISC HARWARE_MANANA WOODS			70.85
	289359	BULL/ BENNETT WATER LINE			156.43
	289687	PARTS FOR KWTP TURBIDIMETER INSTAL			108.93
	289705	PLUMBING PARTS_KWTP			18.33
	365050	WEED WHIP HEAD			33.44
	556612	TRASH BAGS			16.03
	556942	WEED WHIP LINE, LOPPERS			63.34
	557090	PULL CORD FOR GENERATOR			46.02
	557436	LYON PLANT LIGHTING			15.25
			Total for Check Number 12865:	0.00	733.49
12866	00545	AFLAC	05/04/2017		
	APR 2017	SUPPLEMENTAL INSURANCE			377.30
			Total for Check Number 12866:	0.00	377.30
12867	00729	ALPHA ANALYTICAL LABS	05/04/2017		
	7042385	BCEWW MONITORING			926.00
			Total for Check Number 12867:	0.00	926.00
12868	UB*00265	ALTISOURCE SINGLE FAMILY INC	05/04/2017		
		Refund Check			11.33
			Total for Check Number 12868:	0.00	11.33
12869	00309	AT&T IP SERVICES	05/04/2017		
	5732996303	IP SERVICE_ADMIN			258.25
	5732996303	IP SERVICE_WT			258.25
	5732996303	IP SERVICE_OPS			258.25
			Total for Check Number 12869:	0.00	774.75
12870	00686	AT&T LONG DISTANCE	05/04/2017		
	041317	LONG DISTANCE_ADMIN			7.51
	041317	LONG DISTANCE_WT			375.79
	041317	LONG DISTANCE_OPS			202.97
			Total for Check Number 12870:	0.00	586.27
12871	UB*00268	BANK OF AMERICA	05/04/2017		
		Refund Check			6.80
			Total for Check Number 12871:	0.00	6.80
12872	00220	BAY BUILDING JANITORIAL,INC	05/04/2017		
	29696	JANITORIAL SERVICES_APRIL 2017			424.42



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 12872:	0.00	424.42
12873	00566 17040	C S S C ANSWERING SERVICE	05/04/2017		279.61
			Total for Check Number 12873:	0.00	279.61
12874	10106 5847	CEL ANALYTICAL, INC LT2 MONITORING, FIELD SAMPLES	05/04/2017		409.00
			Total for Check Number 12874:	0.00	409.00
12875	10121 32661	COLANTUONO,HIGHSMITH & WHATL LEGAL SERVICES THROUGH 3/31/17	05/04/2017		16,371.02
			Total for Check Number 12875:	0.00	16,371.02
12876	00788 041517 041617 041917 042617	COMCAST INTERNET_200 ANNIE'S WAY INTERNET_264 ORCHARD RD INTERNET_7400 HWY 9 INTERNET_195 KIRBY	05/04/2017		170.19 136.05 141.05 151.05
			Total for Check Number 12876:	0.00	598.34
12877	00273 81791071 81791071	CORELOGIC, INC. REALQUEST_FINANCE REALQUEST_ENG	05/04/2017		93.75 93.75
			Total for Check Number 12877:	0.00	187.50
12878	00037 31571	COUNTY OF SANTA CRUZ REBATE PROGRAM_TOILET REMOVAL	05/04/2017		45.50
			Total for Check Number 12878:	0.00	45.50
12879	00061 1446 1446	DHS PUBLIC HEALTH LAB TICK ANALYSIS_OP TICK ANALYSIS_WT	05/04/2017		62.00 31.00
			Total for Check Number 12879:	0.00	93.00
12880	00450 315161 315162 315461 315462 315475 315490 315709	EUROFINS EATON ANALYTICAL, INC WATER ANALYSIS_SWEETWATER CREEK WATER ANALYSIS_SWEETWATER CREEK WATER ANALYSIS_FALL CREEK WATER ANALYSIS_BULL SPRING WATER ANALYSIS_BULL SPRING WATER ANALYSIS_PASO 5, BOB'S LN WATER ANALYSIS_PASO 5A, BOB'S LN	05/04/2017		40.00 40.00 680.00 680.00 680.00 60.00 60.00
			Total for Check Number 12880:	0.00	2,240.00
12881	00080 1141178	GRANITE CONSTRUCTION CO LOMPICO WELLS ACCESS RD MAINT	05/04/2017		78.51
			Total for Check Number 12881:	0.00	78.51
12882	UB*00267	RIAN GRIFFITH Refund Check	05/04/2017		17.00



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 12882:	0.00	17.00
12883	10133 716216	GRISWOLD INDUSTRIES CLAY VAL PARTS	05/04/2017		3,072.71
			Total for Check Number 12883:	0.00	3,072.71
12884	10005 102354429	ICMA RETIREMENT C/O M & T RETIRI RETIREMENT WITHHOLDING	05/04/2017		2,744.00
			Total for Check Number 12884:	0.00	2,744.00
12885	UB*00252	Amalia Laugesen Refund Check Refund Check	05/04/2017		33.99 23.51
			Total for Check Number 12885:	0.00	57.50
12886	00313	MET LIFE	05/04/2017		
	MAY 2017	DENTAL INSURANCE_ADMIN			250.80
	MAY 2017	DENTAL INSURANCE_OPS			2,078.79
	MAY 2017	DISABILITY INSURANCE_ENG			41.45
	MAY 2017	LIFE INSURANCE_WT			146.52
	MAY 2017	DISABILITY INSURANCE_WTP			320.28
	MAY 2017	DENTAL INSURANCE_FINANCE			817.45
	MAY 2017	LIFE INSURANCE_OPS			219.78
	MAY 2017	DENTAL INSURANCE_WT			1,102.75
	MAY 2017	LIFE INSURANCE_FINANCE			99.90
	MAY 2017	DISABILITY INSURANCE_ADMIN			84.83
	MAY 2017	DISABILITY INSURANCE_FINANCE			189.11
	MAY 2017	DENTAL INSURANCE_ENG			60.75
	MAY 2017	LIFE INSURANCE_ADMIN			33.30
	MAY 2017	DENTAL INSURANCE_ENV			125.80
	MAY 2017	LIFE INSURANCE_ENG			16.65
	MAY 2017	DISABILITY INSURANCE_OPS			413.12
	MAY 2017	LIFE INSURANCE_ENV			16.65
	MAY 2017	DISABILITY INSURANCE_ENV			46.45
			Total for Check Number 12886:	0.00	6,064.38
12887	10135 4829850001 4856880001	MRC GLOBAL FIELD SERVICE TO INSPECT MOTOR OP Vlave Repair Supplies	05/04/2017		876.00 2,599.62
			Total for Check Number 12887:	0.00	3,475.62
12888	00054 042517	PACIFIC GAS & ELECTRIC ELECTRIC CHARGES_LAZYWOODS	05/04/2017		91.94
			Total for Check Number 12888:	0.00	91.94
12889	00944 2269	PHIL NEUMAN PDN CONSULTING MONTHLY MANAGED SERVER & BACKUP	05/04/2017		415.00
			Total for Check Number 12889:	0.00	415.00
12890	UB*00266	JEFFERY ROBINSON Refund Check Refund Check Refund Check	05/04/2017		2.00 34.00 7.62



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 12890:	0.00	43.62
12891	10001	RUTAN & TUCKER, LLP	05/04/2017		
	773548	DISBURSEMENTS & COSTS ADVANCED			306.33
	773548	PROFESSIONAL FEES			7,378.00
			Total for Check Number 12891:	0.00	7,684.33
12892	00047	SOIL CONTROL LAB	05/04/2017		
	7040137	WATER ANALYSIS_CANEPA & ELENA			145.00
	7040138	WATER ANALYSIS_MANANA WOODS			98.00
	7040424	WATER ANALYSIS_MIRA FLORES			145.00
	7040425	WATER ANALYSIS_MIRA FLORES			30.00
	7040425	WATER ANALYSIS_MIRA FLORES			7.00
	7040426	WATER ANALYSIS_11590 LAKESHORE DR			29.00
			Total for Check Number 12892:	0.00	454.00
12893	10138	SWRCB - DWOCF	05/04/2017		
	042417	GRADE 1 CERTIFICATION_UNGER			70.00
	042517	GRADE 1 CERTIFICATION_TOCCALINO			70.00
			Total for Check Number 12893:	0.00	140.00
12894	00510	TOM'S SEPTIC CONSTRUCTION	05/04/2017		
	9695	ADMIN SEPTIC INSPECTION			350.00
			Total for Check Number 12894:	0.00	350.00
12895	00721	UNITED SITE SVCS.,INC	05/04/2017		
	5160654	PORTO-TOILET			165.21
			Total for Check Number 12895:	0.00	165.21
12896	00011	VERIZON WIRELESS	05/04/2017		
	9783921646	CELL PHONE CHARGES_WT			558.90
	9783921646	CELL PHONE CHARGES_ADMIN			104.08
	9783921646	CELL PHONE CHARGES_OPS			865.53
	9783921646	CELL PHONE CHARGES_ENG			62.62
	9783921647	CELL, TABLET CHARGES_ENG			293.07
	9783921647	CELL, TABLET CHARGES_OPS			245.37
			Total for Check Number 12896:	0.00	2,129.57
12897	00399	VISION SERVICE PLAN - (CA)	05/04/2017		
	MAY 2017	VISION INSURNACE_ADMIN			37.82
	MAY 2017	VISION INSURNACE_ENG			16.96
	MAY 2017	VISION INSURNACE_ENG			10.92
	MAY 2017	VISION INSURNACE_WT			128.32
	MAY 2017	VISION INSURNACE_OPS			313.02
	MAY 2017	VISION INSURNACE_FIN			152.44
			Total for Check Number 12897:	0.00	659.48
12898	00398	WATSONVILLE METAL CO.,INC	05/04/2017		
	8424781	RECYCLE METAL			600.00
			Total for Check Number 12898:	0.00	600.00
12899	00259	WESTECH	05/04/2017		
	62465	FILTER GRATES			2,744.80



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 12899:	0.00	2,744.80
12900	UB*00269	Brooks of Swenson Collado Home/Collado	05/04/2017		
		Refund Check			67.80
		Refund Check			3.00
		Refund Check			11.43
			Total for Check Number 12900:	0.00	82.23
12901	00363 050117	CINCINNATI LIFE INSURANCE CO LIFE INSURANCE_APR 2017	05/04/2017		
					28.00
			Total for Check Number 12901:	0.00	28.00
12902	00444 042617	COSTCO-CAPITAL ONE COMMERCIAL OFFICE SUPPLIES	05/04/2017		
					86.12
			Total for Check Number 12902:	0.00	86.12
12903	00367 119113 119113	INFOSEND, INC MAILING FEES POSTAGE	05/04/2017		
					1,150.99
					2,680.52
			Total for Check Number 12903:	0.00	3,831.51
12904	00756 109916 109916	KENNEDY/JENKS CONSULTANTS INTERTIE #2 PROJECT INTERTIE #3 PROJECT	05/04/2017		
					4,200.00
					10,952.57
			Total for Check Number 12904:	0.00	15,152.57
12905	10135 4931760000	MRC GLOBAL FREIGHT CHARGES	05/04/2017		
					36.38
			Total for Check Number 12905:	0.00	36.38
12906	00054 042817 04282017 42817	PACIFIC GAS & ELECTRIC ELECTRIC CHARGES_19 SUMMIT AVE ELECTRIC CHARGES_19 SUMMIT AVE ELECTRIC CHARGES_ZAYANTE /ROSEBLC	05/04/2017		
					877.54
					46.14
					1,566.99
			Total for Check Number 12906:	0.00	2,490.67
12907	00178 MAY 2017 MAY 2017 MAY 2017 MAY 2017 MAY 2017 MAY 2017 MAY 2017 MAY 2017 MAY 2017	CALPERS MEDICAL INSURANCE_WT MEDICAL INSURANCE_OPS MEDICAL INSURANCE_RETIRED EMPLOY MEDICAL INSURANCE_FINANCE MEDICAL INSURANCE_ADMIN FEE MEDICAL INSURANCE_ENG MEDICAL INSURANCE_DEPENDENT MEDICAL INSURANCE_ADMIN MEDICAL INSURANCE_ENV	05/10/2017		
					8,698.86
					20,431.20
					600.00
					8,053.98
					152.00
					733.39
					3,106.61
					2,820.46
					2,037.00
			Total for Check Number 12907:	0.00	46,633.50
12908	00784 H091192	HD SUPPLY WATERWORKS,LTD AIR RELIEF VALVE 3/4"	05/10/2017		
					233.28
			Total for Check Number 12908:	0.00	233.28



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
12909	00711 S1641726.001	ROBERTS & BRUNE CO. 2107-075 / 1" AIR RELIEF VALVE	05/10/2017		314.18
			Total for Check Number 12909:	0.00	314.18
12910	00788 050117 050317	COMCAST INTERNET_215 BLACKSTONE DR INTERNET_545 FALL CREEK	05/10/2017		170.19 163.25
			Total for Check Number 12910:	0.00	333.44
12911	00172 050817 050817	JOSEPH F. CONE UNIFORM REIMBURSEMENT UNIFORM REIMBURSEMENT	05/10/2017		290.51 96.84
			Total for Check Number 12911:	0.00	387.35
12912	00306 4341-8253	CONTROL SYSTEMS WEST,INC KIRBY SCADA	05/10/2017		1,630.00
			Total for Check Number 12912:	0.00	1,630.00
12913	00343 58957	ERNIE'S SERVICE CENTER SERVICE TRUCK 264	05/10/2017		474.89
			Total for Check Number 12913:	0.00	474.89
12914	00204 5-770-82621	FEDERAL EXPRESS CORP SHIPPING_SLT INSTRUMENT	05/10/2017		39.48
			Total for Check Number 12914:	0.00	39.48
12915	00210 9917642	FISHER SCIENTIFIC PIPE-COATED LAB SPATULA	05/10/2017		42.70
			Total for Check Number 12915:	0.00	42.70
12916	10069 050817	NATE GILLESPIE UNIFORM REIMBURSEMENT	05/10/2017		152.60
			Total for Check Number 12916:	0.00	152.60
12917	00550 10417931	HACH COMPANY LAB SUPPLIES	05/10/2017		513.42
			Total for Check Number 12917:	0.00	513.42
12918	00054 050117 050117 050117 050117 050117 050217 050217 050217 050217 050417	PACIFIC GAS & ELECTRIC ELECTRIC CHARGES_LOMPICO PUMP ELECTRIC CHARGES_11590 LAKESHORE ELECTRIC CHARGES_CARROL & LOMPICO ELECTRIC CHARGES_LOMPICO PUMPING ELECTRIC CHARGES_WEST DR GAS/ELECTRIC CHARGES_OPS GAS/ELECTRIC CHARGES_WT GAS/ELECTRIC CHARGES_ADMIN GAS/ELECTRIC CHARGES_BCEWW ELECTRIC CHARGES_140 ELENA CT	05/10/2017		188.51 448.09 22.16 205.84 56.38 5,903.59 9,108.44 612.26 246.10 13.70
			Total for Check Number 12918:	0.00	16,805.07
12919	00040	SANTA CRUZ SENTINEL	05/10/2017		



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	5932457	FLUSHING AD_4/8, 4/9/17			297.60
	5935644	FLUSHING AD_4/15, 4/16/17			347.20
	5935646	FLUSHING AD_4/15, 4/16/17			347.20
Total for Check Number 12919:				0.00	992.00
12920	00044	STAPLES CREDIT PLAN	05/10/2017		
	042817	OFFICES SUPPLIES_FINANCE			37.97
	042817	OFFICES SUPPLIES_ADMIN			170.30
Total for Check Number 12920:				0.00	208.27
12921	00972	UPPER LAUREL RD ASSOC.	05/10/2017		
	050117	ASSOCIATION DUES			175.00
Total for Check Number 12921:				0.00	175.00
12922	00268	WATTS ON	05/10/2017		
	12008	BLUE RIDGE GEN. STARTER			668.74
Total for Check Number 12922:				0.00	668.74
12923	00599	WEX BANK	05/10/2017		
	043017	FUEL_WT			1,189.00
	043017	FUEL_OPS			2,125.84
	043017	FUEL_CUST SERVICE			641.58
Total for Check Number 12923:				0.00	3,956.42
12924	10023	AT & T CAPITAL SERVICES, INC	05/12/2017		
	3011920	V2 SYSTEM MAINTENANCE			396.07
Total for Check Number 12924:				0.00	396.07
12925	00055	AT&T-ACCT #960 736-0489	05/12/2017		
	050117	TELEPHONE SERVICE_ADMIN			153.38
	050117	TELEPHONE SERVICE_WT			1,811.46
	050117	TELEPHONE SERVICE_BCEWW			327.25
	050117	TELEPHONE SERVICE_OPS			3,185.27
Total for Check Number 12925:				0.00	5,477.36
12926	UB*00271	STEPHEN TYLER COLLINS	05/12/2017		
		Refund Check			42.50
Total for Check Number 12926:				0.00	42.50
12927	00788	COMCAST	05/12/2017		
	050417	INTERNET_LOMPICO			86.17
	050517	INTERNET_280 BLUE RIDGE			170.19
Total for Check Number 12927:				0.00	256.36
12928	00384	D.W. ALLEY & ASSOCIATES	05/12/2017		
	217-02	SURFACE WATER DIVERSION & TEMP MO:			15,559.50
Total for Check Number 12928:				0.00	15,559.50
12929	UB*00272	MAEVE & NOEL DuToit	05/12/2017		
		Refund Check			0.06
		Refund Check			0.19
		Refund Check			0.25



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 12929:	0.00	0.50
12930	10005 102361318	ICMA RETIREMENT C/O M & T RETIRI RETIREMENT WITHHOLDING	05/12/2017		2,744.00
			Total for Check Number 12930:	0.00	2,744.00
12931	UB*00270	INGE KASK Refund Check	05/12/2017		2.27
			Total for Check Number 12931:	0.00	2.27
12932	UB*00274	ELIJAH & ALLISON LECLAIR Refund Check Refund Check Refund Check	05/12/2017		3.57 0.53 0.94
			Total for Check Number 12932:	0.00	5.04
12933	UB*00273	RICHARD TINKESS Refund Check	05/12/2017		75.00
			Total for Check Number 12933:	0.00	75.00
			Report Total (150 checks):	0.00	338,132.37



0087 A87P-7177 San Lorenzo Valley Water District

# CASH REQUIREMENTS

THIS REPORT SUMMARIZES YOUR PAYROLL TRANSACTIONS FOR THE CHECK DATE 04/26/17. IT DOES NOT REFLECT MISCELLANEOUS ADMINISTRATIVE CHARGES. PLEASE REFER TO YOUR INVOICE(S) FOR THE TOTAL CASH REQUIRED FOR THIS CHECK DATE.

## TRANSACTION DETAIL

**ELECTRONIC FUNDS TRANSFER** - Your financial institution will initiate transfer to Paychex *at or after 12:01 A.M.* on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<b>BANK DRAFT AMOUNTS &amp; OTHER TOTALS</b>
04/25/17	WELLS FARGO BANK, NA	xxxxxx1358	Direct Deposit	Net Pay Allocations	52,116.17	52,116.17
04/25/17	WELLS FARGO BANK, NA	xxxxxx1358	Taxpay®	Employee Withholdings		
				Social Security	6,789.30	
				Medicare	1,587.78	
				Fed Income Tax	12,306.54	
				CA Income Tax	3,765.15	
				CA Disability	985.56	
				<b>Total Withholdings</b>	<b>25,434.33</b>	
				Employer Liabilities		
				Social Security	6,789.29	
				Medicare	1,587.82	
				<b>Total Liabilities</b>	<b>8,377.11</b>	<b>33,811.44</b>
04/25/17	WELLS FARGO BANK, NA	xxxxxx1358	401(k) Traditional	PXROTH 401 EEPO	2,026.73	
				PX401 EECU		
				PX401 ERMTCH		
				PXROTH 401 EECU		
				PX401 ERCUM		
				PX401 EEPRE	982.44	<b>3,009.17</b>
04/25/17	WELLS FARGO BANK, NA	xxxxxx1358	Section 125	PXDCA EE PRE	384.62	
				PXUME EE PRE	265.45	<b>650.07</b>
<b>EFT FOR 04/25/17</b>						<b>89,586.85</b>
<b>TOTAL EFT (Does not reflect administrative charges)</b>						<b>89,586.85</b>

**NEGOTIABLE CHECKS** - Check amounts will be debited when payees cash checks. Funds must be available on check date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<u>TOTAL</u>
04/26/17	WELLS FARGO BANK, NA	xxxxxx1358	Payroll	Check Amounts	17,610.80	
<b>TOTAL NEGOTIABLE CHECKS</b>						<b>17,610.80</b>



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# CASH REQUIREMENTS

THIS REPORT SUMMARIZES YOUR PAYROLL TRANSACTIONS FOR THE CHECK DATE 04/26/17. IT DOES NOT REFLECT MISCELLANEOUS ADMINISTRATIVE CHARGES. PLEASE REFER TO YOUR INVOICE(S) FOR THE TOTAL CASH REQUIRED FOR THIS CHECK DATE.

**REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES** - Paychex does not remit these funds. You must ensure accurate and timely payment of applicable items.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
04/26/17	Refer to your records for account Information		Payroll	Employee Deductions	
				Advance	500.00
				Aflc/Col Post	66.65
				Aflc/Col Pre	293.85
				Calper 457	525.00
				DPer	6,977.80
				Health	1,474.95
				ICMA	2,744.00
				Life Ins	14.00
				Union dues	506.92
				<b>Total Deductions</b>	<b>13,103.17</b>

**TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES (Does not reflect administrative charges)** **13,103.17**

**PAYCHEX WILL MAKE THESE TAX DEPOSIT(S) ON YOUR BEHALF** - This information serves as a record of payment.

<u>DUE DATE</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	
05/03/17	Taxpay®	FED IT PMT Group	29,060.73
05/03/17	Taxpay®	CA IT PMT Group	4,750.71



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**CASH REQUIREMENTS**

THIS REPORT SUMMARIZES YOUR PAYROLL TRANSACTIONS FOR THE CHECK DATE 05/05/17. IT DOES NOT REFLECT MISCELLANEOUS ADMINISTRATIVE CHARGES. PLEASE REFER TO YOUR INVOICE(S) FOR THE TOTAL CASH REQUIRED FOR THIS CHECK DATE.

**TRANSACTION DETAIL**

**ELECTRONIC FUNDS TRANSFER** - Your financial institution will initiate transfer to Paychex **at or after 12:01 A.M.** on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	<u>BANK DRAFT AMOUNTS &amp; OTHER TOTALS</u>
05/04/17	WELLS FARGO BANK, NA	xxxxxx1358	Taxpay®	Employee Withholdings	
				Social Security	2,693.19
				Medicare	629.85
				Fed Income Tax	9,525.89
				CA Income Tax	3,195.07
				CA Disability	390.94
				<b>Total Withholdings</b>	<b>16,434.94</b>
				Employer Liabilities	
				Social Security	2,693.18
				Medicare	629.85
				<b>Total Liabilities</b>	<b>3,323.03</b>
					<b>19,757.97</b>
05/04/17	WELLS FARGO BANK, NA	xxxxxx1358	Section 125	PXUME EE PRE	57.75
					<b>57.75</b>
				<b>EFT FOR 05/04/17</b>	<b>19,815.72</b>
				<b>TOTAL EFT (Does not reflect administrative charges)</b>	<b>19,815.72</b>

**NEGOTIABLE CHECKS** - Check amounts will be debited when payees cash checks. Funds must be available on check date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
05/05/17	WELLS FARGO BANK, NA	xxxxxx1358	Payroll	Check Amounts	25,257.99
				<b>TOTAL NEGOTIABLE CHECKS</b>	<b>25,257.99</b>

**REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES** - Paychex does not remit these funds. You must ensure accurate and timely payment of applicable items.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
05/05/17	Refer to your records for account	Information	Payroll	Employee Deductions	
				Aflc/Col Pre	67.00
				DPer	1,645.55
				ICMA	100.00
				<b>Total Deductions</b>	<b>1,812.55</b>
				<b>TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES (Does not reflect administrative charges)</b>	<b>1,812.55</b>



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## CASH REQUIREMENTS

THIS REPORT SUMMARIZES YOUR PAYROLL TRANSACTIONS FOR THE CHECK DATE 05/05/17. IT DOES NOT REFLECT MISCELLANEOUS ADMINISTRATIVE CHARGES. PLEASE REFER TO YOUR INVOICE(S) FOR THE TOTAL CASH REQUIRED FOR THIS CHECK DATE.

**PAYCHEX WILL MAKE THESE TAX DEPOSIT(S) ON YOUR BEHALF** - *This information serves as a record of payment.*

<u>DUE DATE</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	
05/10/17	Taxpay®	FED IT PMT Group	16,171.96
05/10/17	Taxpay®	CA IT PMT Group	3,586.01

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# CASH REQUIREMENTS

THIS REPORT SUMMARIZES YOUR PAYROLL TRANSACTIONS FOR THE CHECK DATE 05/10/17. IT DOES NOT REFLECT MISCELLANEOUS ADMINISTRATIVE CHARGES. PLEASE REFER TO YOUR INVOICE(S) FOR THE TOTAL CASH REQUIRED FOR THIS CHECK DATE.

## TRANSACTION DETAIL

**ELECTRONIC FUNDS TRANSFER** - Your financial institution will initiate transfer to Paychex **at or after 12:01 A.M.** on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<b>BANK DRAFT AMOUNTS &amp; OTHER TOTALS</b>
05/09/17	WELLS FARGO BANK, NA	xxxxxx1358	Direct Deposit	Net Pay Allocations	52,094.80	52,094.80
05/09/17	WELLS FARGO BANK, NA	xxxxxx1358	Taxpay®	Employee Withholdings		
				Social Security	6,579.58	
				Medicare	1,538.80	
				Fed Income Tax	12,214.08	
				CA Income Tax	3,806.30	
				CA Disability	955.12	
				<b>Total Withholdings</b>	<b>25,093.88</b>	
				Employer Liabilities		
				Social Security	6,579.65	
				Medicare	1,538.78	
				<b>Total Liabilities</b>	<b>8,118.43</b>	<b>33,212.31</b>
05/09/17	WELLS FARGO BANK, NA	xxxxxx1358	401(k) Traditional	PXROTH 401 EEPO	822.25	
				PX401 ERMTCH		
				PXROTH 401 EECU		
				PX401 EECU		
				PX401 EEPRE	1,051.07	
				PX401 ERCUM		<b>1,873.32</b>
05/09/17	WELLS FARGO BANK, NA	xxxxxx1358	Section 125	PXUME EE PRE	207.70	
				PXDCA EE PRE	384.62	<b>592.32</b>
<b>EFT FOR 05/09/17</b>						<b>87,772.75</b>
<b>TOTAL EFT (Does not reflect administrative charges)</b>						<b>87,772.75</b>

**NEGOTIABLE CHECKS** - Check amounts will be debited when payees cash checks. Funds must be available on check date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<u>TOTAL</u>
05/10/17	WELLS FARGO BANK, NA	xxxxxx1358	Payroll	Check Amounts	16,462.94	
<b>TOTAL NEGOTIABLE CHECKS</b>						<b>16,462.94</b>



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# CASH REQUIREMENTS

THIS REPORT SUMMARIZES YOUR PAYROLL TRANSACTIONS FOR THE CHECK DATE 05/10/17. IT DOES NOT REFLECT MISCELLANEOUS ADMINISTRATIVE CHARGES. PLEASE REFER TO YOUR INVOICE(S) FOR THE TOTAL CASH REQUIRED FOR THIS CHECK DATE.

**REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES** - Paychex does not remit these funds. You must ensure accurate and timely payment of applicable items.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
05/10/17	Refer to your records for account Information		Payroll	Employee Deductions	
				Aflc/Col Post	66.65
				Aflc/Col Pre	260.35
				Calper 457	525.00
				DPer	6,849.28
				Health	1,474.95
				ICMA	2,644.00
				Life Ins	14.00
				Union dues	499.33
				<b>Total Deductions</b>	<b>12,333.56</b>

**TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES (Does not reflect administrative charges)** **12,333.56**

**PAYCHEX WILL MAKE THESE TAX DEPOSIT(S) ON YOUR BEHALF** - This information serves as a record of payment.

<u>DUE DATE</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>	
05/17/17	Taxpay®	FED IT PMT Group	28,450.89
05/17/17	Taxpay®	CA IT PMT Group	4,761.42



# Fiscal Year 2016/2017

## Third Quarter Financial Summary

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### Management's Discussion and Analysis (MDA)

#### Overview

This section presents management's analysis of the San Lorenzo Valley Water District's (the District) financial condition and activities as of the above mentioned period. This information should be read in conjunction with the unaudited financial information that follows. For a complete review of a fiscal year, it is best to come back and look at the audited Annual Financial Report.

The District does a hard year end close, through that process there are yearend expenses that are booked at yearend and not represented in the monthly expenses. There may also be annual expenses paid upfront that could cause individual months to appear skewed. Data is continuously being reviewed, so it is not un-common for a prior month balance to change slightly throughout the year as accounts are reconciled. It is important to understand this in connection with the numbers that follow.

#### Operations Net Results

For the three months ended March 31, 2017, the District had an operating loss of \$525K. Quarterly operating revenue was \$1.5M with operating expenses of \$2.1M. Included in the operating expenses are an estimated depreciation expense of \$389K. Q3 tends to be the lowest revenue quarter. There were 3 pay periods in March, which increases Q3 expense. The annual budgeted operating net position is expected to be a loss of \$1.3M. At this point there are no recommendations to adjust the FY2016/2017 budget.

#### Operating Revenue

Quarterly operating revenue of \$1.5M is in line with expectations, as this is typically when consumption is the lowest of the year. January, February and March had usage of 45.4K, 37.7K and 41.17K units of water billed, respectively.

#### Operating Expenses

Quarterly operating expenses were \$2.1M, or 25% of the annual budget.

Q3 CY compared to Q3 PY had an increase of \$777K, or 61%. This was due to a quarterly estimated depreciation entry of \$389K in the current quarter, of which it was not booked quarterly in the prior year. Excluding depreciation, contract & professional services had an increase of \$150K, or 110% and salaries & benefits had an increase of \$196,056 or 24% over the prior year quarter.

- The contract and professional fees increase is due to \$105K increase in legal expenses spent in the current quarter compared to the prior year.
- Remainder is due to salary and benefits for new hires hired since Q3 in the prior year.



## Non-Operating Revenue & Expenses

Below itemizes the different non-operating revenue and expenses of the District as of Q3 YTD. Please note some of these accounts have historically had annual bookings, so transactions may have occurred that not accounted for yet herein. We are moving towards having more monthly and quarterly entries, which will eventually bring more meaning to this section.

Non-operating Revenue	Q3 YTD Total
Lease Reveue	\$ 20,266
Property Taxes	350,249
Assessment Revenue	196,125
Rental Income	24,161
Interest	8,428
	<u>\$ 599,229</u>

Non-operating Expenses	Q3 YTD Total
Interest Expense	\$ 118,934

## Debt Obligations

Below itemizes current debt obligations of the District as of Q3 2017. Please note some of these accounts have historically had annual bookings, so transactions may have occurred that not accounted for yet herein. We are moving towards having more monthly and quarterly entries, which will eventually bring more meaning to this section. Some of the debt obligations are solely funded from assessments and not paid out of the general fund. There will eventually be a more detailed reconciliation of debt and how it fits into cash flow.

	Balance 2016	Additions	Payments	Balance 2017
Felton Loan	\$ 1,794,766		\$ 142,555	\$ 1,652,211
Refunding Bond	3,127,332		632,479	2,494,853
Olympia SRF Loan	1,622,227			1,622,227
Solar Lease		325,983	13,000	312,983
Other Bonds	126,000			126,000
	<u>\$ 6,670,325</u>	<u>\$ 325,983</u>	<u>\$ 788,034</u>	<u>\$ 6,208,274</u>

## Capital Projects & Expenditures

Below itemizes the Q3 YTD capital expenditures that have been spent. Please note if any projects used in-house labor, these amounts have not yet been allocated to the projects. Please note some of these accounts have historically had annual bookings, so transactions may have occurred that not accounted for yet herein. We are moving towards having more monthly and quarterly entries, which will eventually bring more meaning to this section.



PROJECT	PROJECT TOTAL
INTERTIE 2, 3, & 4	\$ 224,831
BCEWW IMPROVEMENTS	40,841
PROBATION TANK	14,825
SWIM TANK DESIGN	12,173
LYON WTP CONTROL UPGRADE	69,856
LOMPICO CAPITAL PROJECTS	82,298
RALSTON TANK SCADA UPGRADE	8,247
BEAR CREEK RD MAIN RELOCATION	9,694
LYON WATER TREATMENT PLANT ACCESS RD REPAIR	6,765
LOST ACRES WATER TANK PROJECT	1,907
	<hr/>
	\$ 471,437

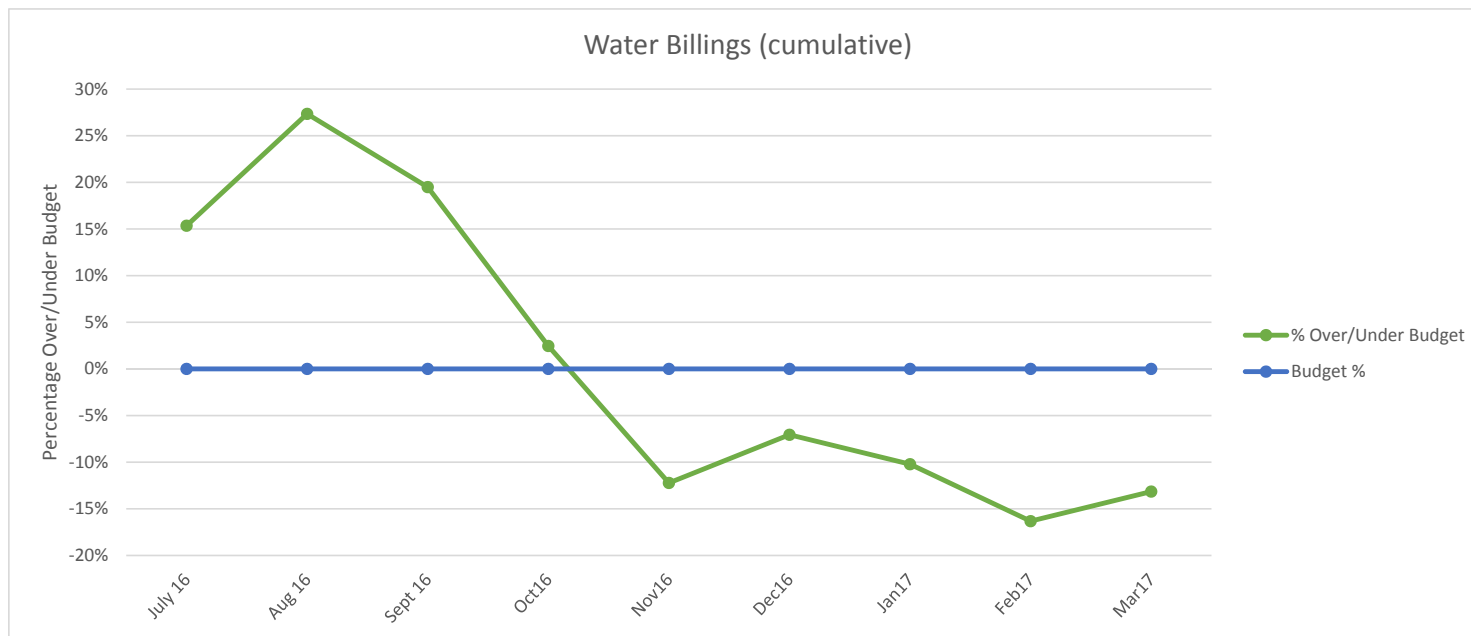
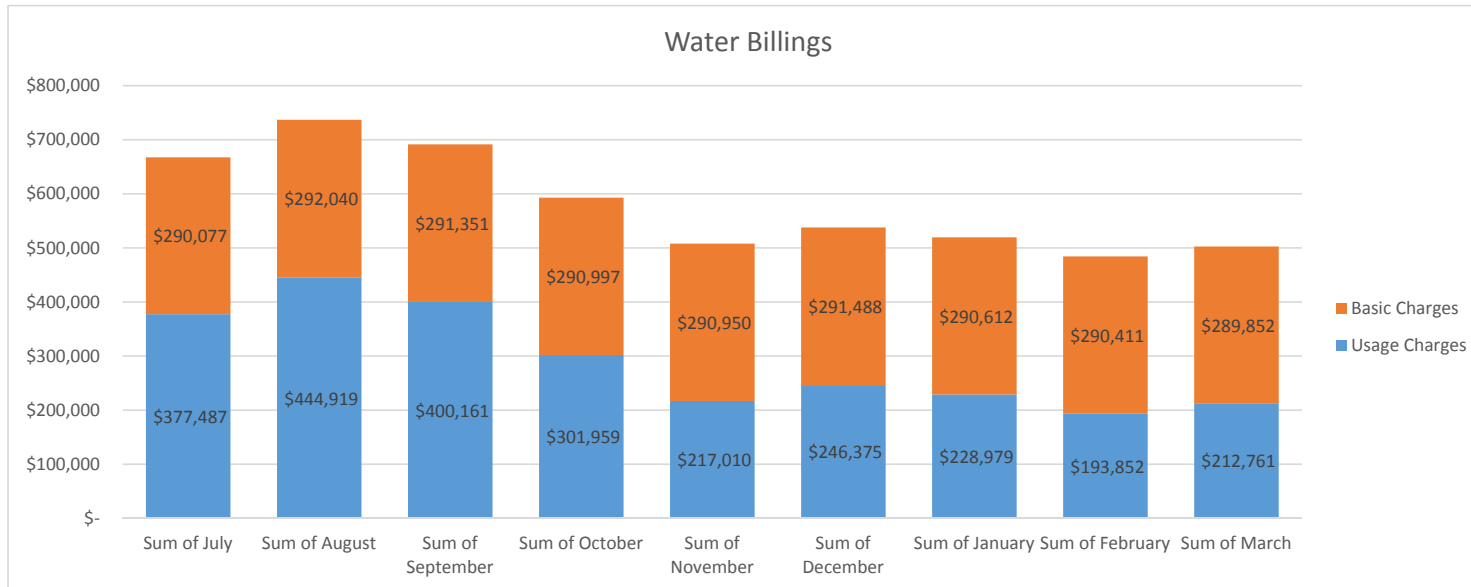


## OPERATING ANALYSIS [A]

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	YTD	ANNUAL BUDGET	% of Budget
<b>OPERATING REVENUE</b>												
Water Basic	290,077	292,040	291,351	290,997	290,950	291,488	290,612	290,411	289,852	2,617,779		
Water Usage	377,487	444,919	400,161	301,959	217,010	246,375	228,979	193,852	212,761	2,623,503		
Water Fees	7,100	6,325	6,660	2,435	4,600	4,680	6,060	5,565	7,830	51,255		
Water Misc	6,452	8,697	13,185	1,397	2,949	3,302	3,281	1,773	(21,242)	19,793		
Sewer	8,046	8,046	8,046	7,897	8,026	11,975	8,344	8,344	8,344	77,068		
Sewer Misc	-	-	-	-	-	-	-	-	-	-		
<b>TOTAL OPERATING REVENUE</b>	<b>689,162</b>	<b>760,027</b>	<b>719,403</b>	<b>604,684</b>	<b>523,535</b>	<b>557,820</b>	<b>537,276</b>	<b>499,945</b>	<b>497,545</b>	<b>5,389,398</b>	<b>6,944,640</b>	<b>77.6%</b>
<b>OPERATING EXPENSES:</b>												
Salaries & Benefits	577,959	375,342	284,121	396,642	276,479	276,380	288,360	302,002	437,239	3,214,523		
Materials & Services	13,725	280,631	657,675	198,655	229,919	578,756	189,918	186,835	655,431	2,991,543		
<b>TOTAL OPERATING EXPENSES</b>	<b>591,683</b>	<b>655,973</b>	<b>941,796</b>	<b>595,297</b>	<b>506,398</b>	<b>855,135</b>	<b>478,278</b>	<b>488,837</b>	<b>1,092,669</b>	<b>6,206,066</b>	<b>8,365,760</b>	<b>74.2%</b>
<b>TOTAL OPERATING INCOME (LOSS)</b>	<b>97,479</b>	<b>104,054</b>	<b>(222,393)</b>	<b>9,388</b>	<b>17,137</b>	<b>(297,315)</b>	<b>58,998</b>	<b>11,108</b>	<b>(595,124)</b>	<b>(816,668)</b>	<b>(1,321,151)</b>	<b>61.8%</b>

[A] As mentioned previously, monthly data can appear skewed due to the nature of entries. For example, estimated depreciation is booked quarterly on the last day of the quarter. Fiscal year end accruals and reversals are performed at once and may not coincide with the month the expense came in.



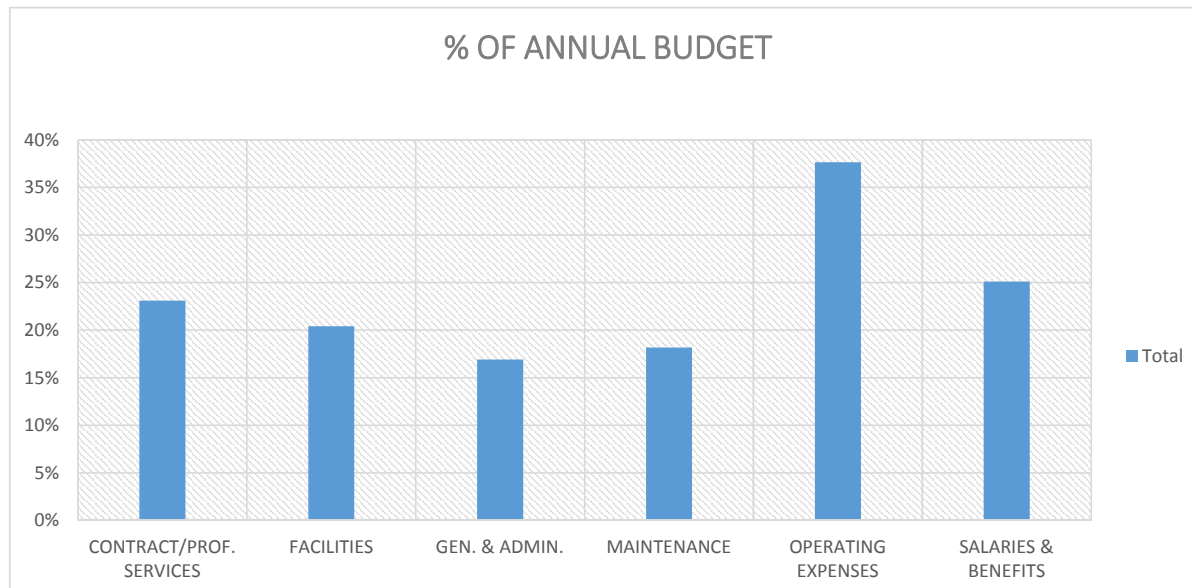
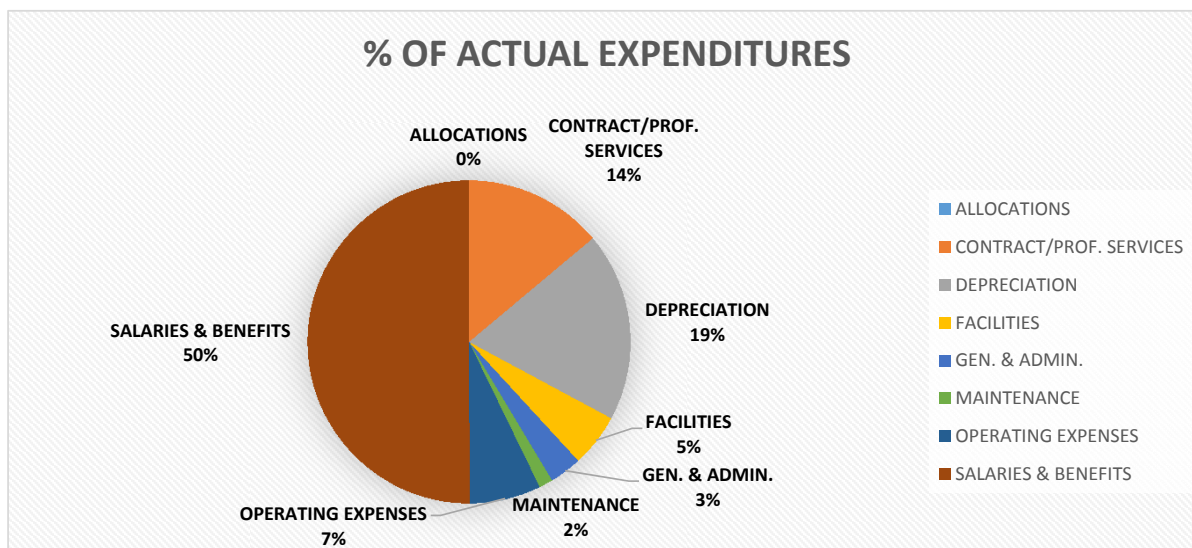




## OPERATING EXPENSE ANALYSIS - Q3

### EXPENSES BY CATEGORY

Description	COMPARING AGAINST PRIOR YEAR				COMPARING AGAINST BUDGET		
	Q3 CY ACTUALS	Q3 PY ACTUALS	\$ Diff.	% Diff.	% of Budget	25% of Budget	ANNUAL BUDGET
SALARIES & BENEFITS	\$ 1,028,413	\$ 832,357	\$ 196,056	24%	25%	\$ 1,024,482	\$ 4,097,927
CONTRACT/PROF. SERVICES	\$ 285,704	\$ 136,099	\$ 149,604	110%	23%	\$ 309,121	\$ 1,236,483
OPERATING EXPENSES	\$ 146,798	\$ 95,222	\$ 51,575	54%	38%	\$ 97,500	\$ 390,000
MAINTENANCE	\$ 28,621	\$ 68,031	\$ (39,410)	-58%	18%	\$ 39,375	\$ 157,500
FACILITIES	\$ 109,442	\$ 93,325	\$ 16,117	17%	20%	\$ 134,025	\$ 536,100
GEN. & ADMIN.	\$ 66,254	\$ 52,231	\$ 14,022	27%	17%	\$ 97,938	\$ 391,750
DEPRECIATION	\$ 389,000	\$ -	\$ 389,000	0%	25%	\$ 389,000	\$ 1,556,000
ALLOCATIONS	\$ -	\$ -	\$ -	0%	0%	\$ -	\$ -
	\$ 2,054,232	\$ 1,277,266	\$ 776,965	61%	25%	\$ 2,091,440	\$ 8,365,760

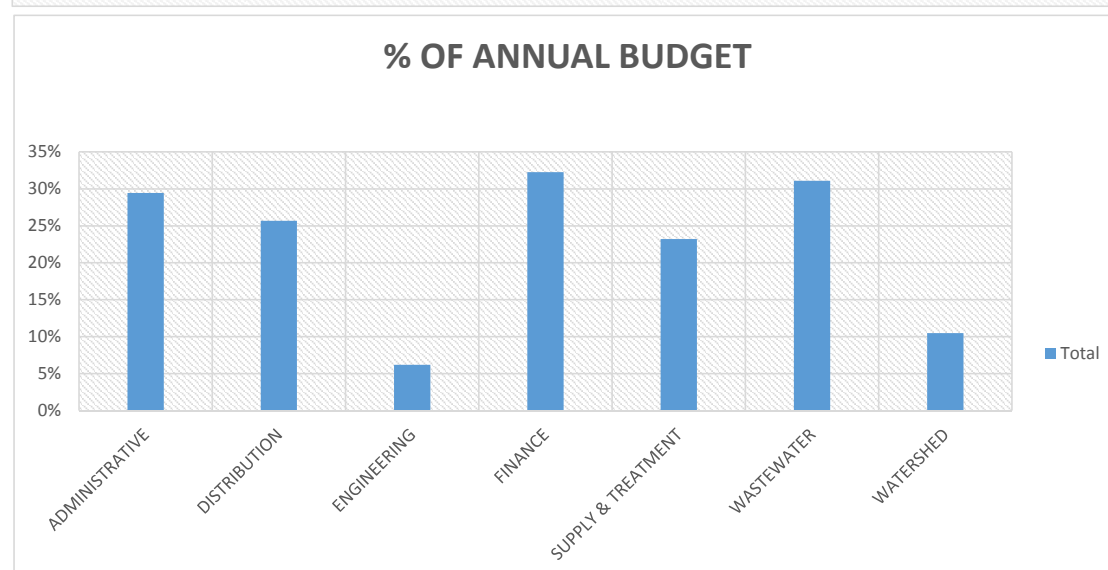
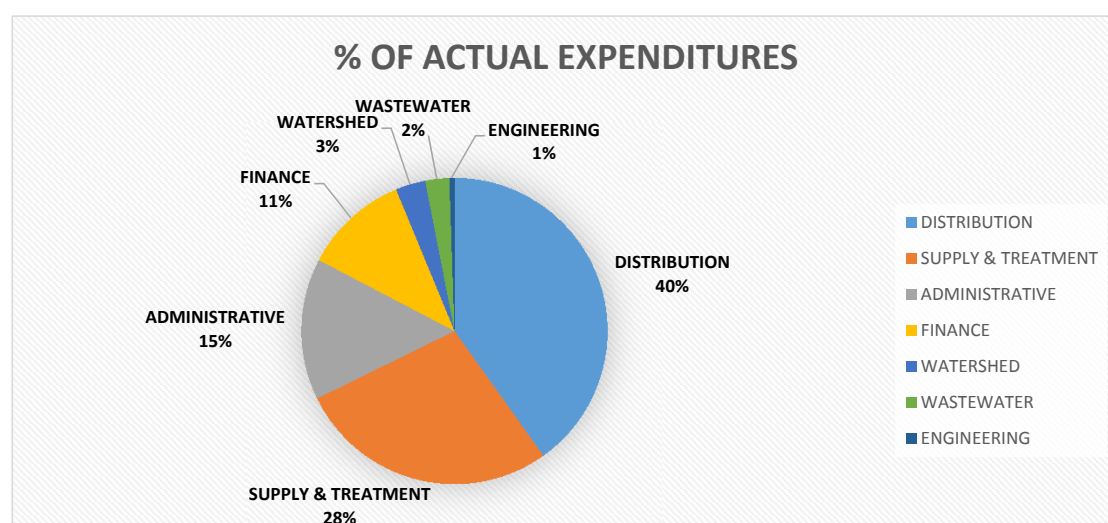




## OPERATING EXPENSE ANALYSIS - Q3

### EXPENSES BY DEPARTMENT

Dept.	Description	COMPARING AGAINST PRIOR YEAR				COMPARING AGAINST BUDGET		
		Q3 CY ACTUALS	Q3 PY ACTUALS	\$ Diff.	% Diff.	% of Budget	25% of Budget	ANNUAL BUDGET
100	ADMINISTRATIVE	\$ 306,915	\$ 207,600	\$ 99,315	48%	29%	\$ 260,460	\$ 1,041,838
200	FINANCE	\$ 227,959	\$ 155,099	\$ 72,859	47%	32%	\$ 176,762	\$ 707,048
300	ENGINEERING	\$ 11,107	\$ 35,003	\$ (23,895)	-68%	6%	\$ 44,883	\$ 179,531
400	DISTRIBUTION	\$ 824,502	\$ 442,765	\$ 381,737	86%	26%	\$ 802,375	\$ 3,209,498
500	WATERSHED	\$ 64,875	\$ 79,126	\$ (14,251)	-18%	10%	\$ 154,855	\$ 619,421
600	WASTEWATER	\$ 52,149	\$ 14,565	\$ 37,583	258%	31%	\$ 41,929	\$ 167,718
800	SUPPLY & TREATMENT	\$ 566,725	\$ 343,108	\$ 223,616	65%	23%	\$ 610,176	\$ 2,440,706
		\$ 2,054,232	\$ 1,277,266	\$ 776,965	61%	25%	\$ 2,091,440	\$ 8,365,760





## OPERATING EXPENSE ANALYSIS - Q3

### DETAILED EXPENSES BY DEPARTMENT

<b>ADMINISTRATIVE</b>	<b>Q3 CY ACTUALS</b>	<b>Q3 % of Budget</b>	<b>YTD ACTUALS</b>	<b>YTD % of Budget</b>	<b>ANNUAL BUDGET</b>
SALARIES & BENEFITS	\$ 97,800	23%	\$ 430,520	102%	\$ 422,938
CONTRACT/PROFESSIONAL SERVICES	\$ 182,545	50%	\$ 407,458	112%	\$ 365,200
OPERATING EXPENSES	\$ 509	51%	\$ 1,235	123%	\$ 1,000
MAINTENANCE	\$ 4,842	32%	\$ 10,749	72%	\$ 15,000
FACILITIES	\$ 5,972	20%	\$ 18,168	61%	\$ 30,000
GEN. & ADMIN.	\$ 12,747	6%	\$ 106,871	54%	\$ 197,700
DEPRECIATION	\$ 2,500	25%	\$ 7,500	75%	\$ 10,000
ALLOCATIONS	\$ -	0%	\$ -	0%	\$ -
CLEARING	\$ -	0%	\$ -	0%	\$ -
<b>TOTAL ADMINISTRATIVE</b>	<b>\$ 306,915</b>	<b>29%</b>	<b>\$ 982,501</b>	<b>94%</b>	<b>\$ 1,041,838</b>

<b>FINANCE</b>	<b>Q3 CY ACTUALS</b>	<b>Q3 % of Budget</b>	<b>YTD ACTUALS</b>	<b>YTD % of Budget</b>	<b>ANNUAL BUDGET</b>
SALARIES & BENEFITS	\$ 177,294	36%	\$ 456,087	92%	\$ 494,748
CONTRACT/PROFESSIONAL SERVICES	\$ 14,394	14%	\$ 88,200	83%	\$ 106,000
OPERATING EXPENSES	\$ 703	0%	\$ 703	0%	\$ -
GEN. & ADMIN.	\$ 35,568	33%	\$ 108,639	102%	\$ 106,300
DEPRECIATION	\$ -	0%	\$ -	0%	\$ -
ALLOCATIONS	\$ -	0%	\$ -	0%	\$ -
<b>TOTAL FINANCE</b>	<b>\$ 227,959</b>	<b>32%</b>	<b>\$ 653,628</b>	<b>92%</b>	<b>\$ 707,048</b>

<b>ENGINEERING</b>	<b>Q3 CY ACTUALS</b>	<b>Q3 % of Budget</b>	<b>YTD ACTUALS</b>	<b>YTD % of Budget</b>	<b>ANNUAL BUDGET</b>
SALARIES & BENEFITS	\$ 10,423	7%	\$ 20,043	13%	\$ 154,831
CONTRACT/PROFESSIONAL SERVICES	\$ 361	4%	\$ 3,339	33%	\$ 10,000
OPERATING EXPENSES	\$ -	0%	\$ -	0%	\$ 6,000
MAINTENANCE	\$ -	0%	\$ -	0%	\$ 2,000
FACILITIES	\$ 129	4%	\$ 642	21%	\$ 3,000
GEN. & ADMIN.	\$ 194	5%	\$ 840	23%	\$ 3,700
DEPRECIATION	\$ -	0%	\$ -	0%	\$ -
<b>TOTAL ENGINEERING</b>	<b>\$ 11,107</b>	<b>6%</b>	<b>\$ 24,864</b>	<b>14%</b>	<b>\$ 179,531</b>

<b>DISTRIBUTION</b>	<b>Q3 CY ACTUALS</b>	<b>Q3 % of Budget</b>	<b>YTD ACTUALS</b>	<b>YTD % of Budget</b>	<b>ANNUAL BUDGET</b>
SALARIES & BENEFITS	\$ 398,384	25%	\$ 1,267,025	80%	\$ 1,585,498
CONTRACT/PROFESSIONAL SERVICES	\$ 20,828	17%	\$ 62,575	52%	\$ 120,000
OPERATING EXPENSES	\$ 69,704	62%	\$ 143,998	128%	\$ 112,500
MAINTENANCE	\$ 15,981	17%	\$ 57,227	60%	\$ 96,000
FACILITIES	\$ 39,600	22%	\$ 120,326	68%	\$ 177,000
GEN. & ADMIN.	\$ 3,756	28%	\$ 6,035	45%	\$ 13,500
DEPRECIATION	\$ 276,250	25%	\$ 828,750	75%	\$ 1,105,000
ALLOCATIONS	\$ -	0%	\$ (439)	0%	\$ -
CLEARING	\$ -	0%	\$ -	0%	\$ -
<b>TOTAL DISTRIBUTION</b>	<b>\$ 824,502</b>	<b>26%</b>	<b>\$ 2,485,496</b>	<b>77%</b>	<b>\$ 3,209,498</b>



**DETAILED EXPENSES BY DEPARTMENT (continued)**

<b>WATERSHED</b>	<b>Q3 CY ACTUALS</b>	<b>Q3 % of Budget</b>	<b>YTD ACTUALS</b>	<b>YTD % of Budget</b>	<b>ANNUAL BUDGET</b>
SALARIES & BENEFITS	\$ 40,026	21%	\$ 111,279	58%	\$ 192,288
CONTRACT/PROFESSIONAL SERVICES	\$ 13,041	4%	\$ 119,138	34%	\$ 347,283
OPERATING EXPENSES	\$ 439	29%	\$ 472	31%	\$ 1,500
MAINTENANCE	\$ -	0%	\$ -	0%	\$ 15,000
FACILITIES	\$ -	0%	\$ -	0%	\$ 300
GEN. & ADMIN.	\$ 11,368	18%	\$ 16,901	27%	\$ 63,050
<b>TOTAL WATERSHED</b>	<b>\$ 64,875</b>	<b>10%</b>	<b>\$ 247,791</b>	<b>40%</b>	<b>\$ 619,421</b>

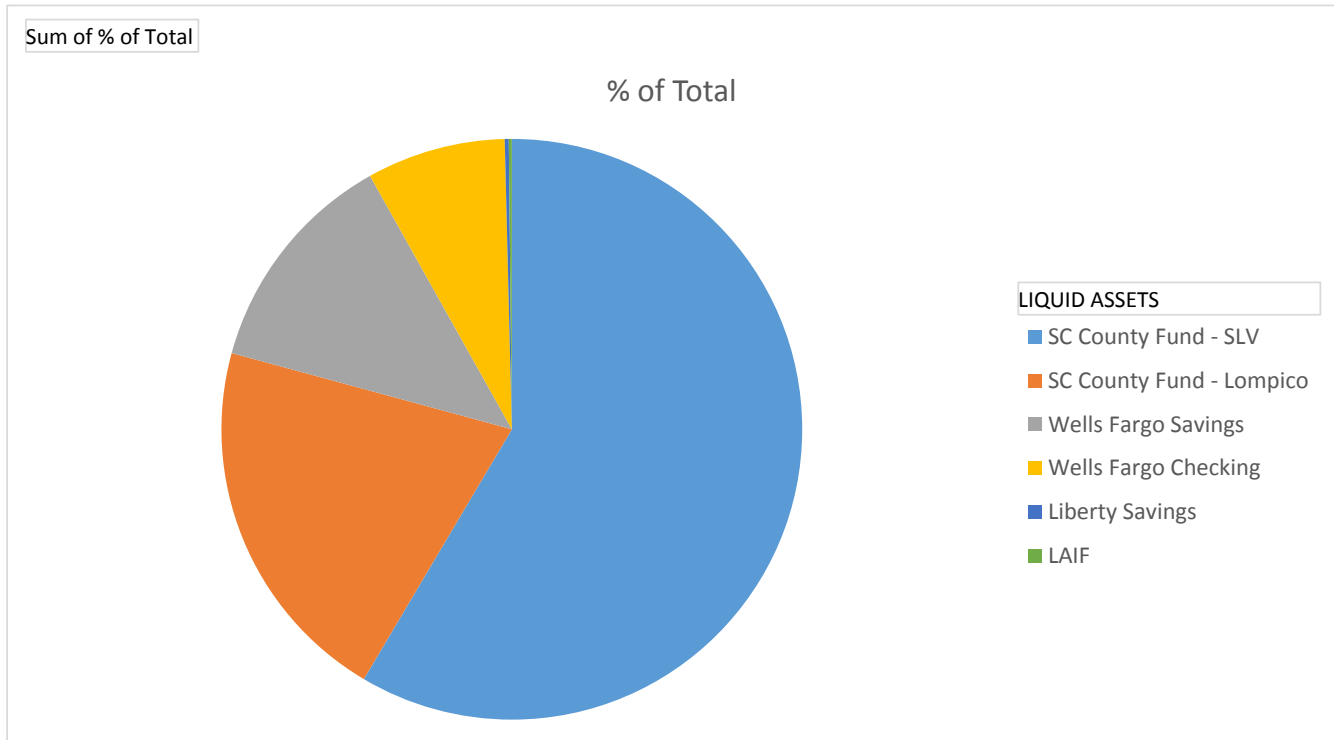
<b>SUPPLY &amp; TREATMENT</b>	<b>Q3 CY ACTUALS</b>	<b>Q3 % of Budget</b>	<b>YTD ACTUALS</b>	<b>YTD % of Budget</b>	<b>ANNUAL BUDGET</b>
SALARIES & BENEFITS	\$ 304,486	25%	\$ 930,381	76%	\$ 1,228,206
CONTRACT/PROFESSIONAL SERVICES	\$ 20,561	9%	\$ 55,834	25%	\$ 225,000
OPERATING EXPENSES	\$ 71,859	29%	\$ 168,400	68%	\$ 247,500
MAINTENANCE	\$ 7,798	27%	\$ 22,065	77%	\$ 28,500
FACILITIES	\$ 62,150	20%	\$ 219,145	70%	\$ 315,000
GEN. & ADMIN.	\$ 2,620	35%	\$ 3,085	41%	\$ 7,500
DEPRECIATION	\$ 97,250	25%	\$ 291,750	75%	\$ 389,000
ALLOCATIONS	\$ -	0%	\$ -	0%	\$ -
<b>TOTAL SUPPLY &amp; TREATMENT</b>	<b>\$ 566,725</b>	<b>23%</b>	<b>\$ 1,690,661</b>	<b>69%</b>	<b>\$ 2,440,706</b>

<b>WASTEWATER</b>	<b>Q3 CY ACTUALS</b>	<b>Q3 % of Budget</b>	<b>YTD ACTUALS</b>	<b>YTD % of Budget</b>	<b>ANNUAL BUDGET</b>
SALARIES & BENEFITS	\$ -	0%	\$ -	0%	\$ 19,418
CONTRACT/PROFESSIONAL SERVICES	\$ 33,974	54%	\$ 60,053	95%	\$ 63,000
OPERATING EXPENSES	\$ 3,584	17%	\$ 15,163	71%	\$ 21,500
MAINTENANCE	\$ -	0%	\$ -	0%	\$ 1,000
FACILITIES	\$ 1,590	15%	\$ 4,532	42%	\$ 10,800
GEN. & ADMIN.	\$ -	0%	\$ -	0%	\$ -
DEPRECIATION	\$ 13,000	25%	\$ 39,000	75%	\$ 52,000
ALLOCATIONS	\$ -	0%	\$ -	0%	\$ -
CLEARING	\$ -	0%	\$ -	0%	\$ -
<b>TOTAL WASTEWATER</b>	<b>\$ 52,149</b>	<b>31%</b>	<b>\$ 118,748</b>	<b>71%</b>	<b>\$ 167,718</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 2,054,232</b>	<b>25%</b>	<b>\$ 6,203,689</b>	<b>74%</b>	<b>\$ 8,365,760</b>



AS OF 3/31/17

<b>LIQUID ASSETS</b>	<b>\$ Amount</b>	<b>% of Total</b>	<b>Ave Interest Rate</b>
Wells Fargo Checking	155,596	7.7%	0.100%
Wells Fargo Savings	254,726	12.7%	0.150%
Liberty Savings	4,501	0.2%	0.150%
SC County Fund - SLV	1,178,040	58.5%	0.783%
SC County Fund - Lompico	417,084	20.7%	0.783%
LAIF	3,378	0.2%	0.821%
	<u>\$ 2,013,325</u>	<u>100%</u>	





Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)  
April 13, 2017

SAN LORENZO VALLEY WATER DISTRICT

DISTRICT MANAGER  
13060 HIGHWAY 9  
BOULDER CREEK, CA 95006

[PMIA Average Monthly Yields](#)

[Tran Type Definitions](#)

March 2017 Statement

**Account Summary**

Total Deposit:	0.00	Beginning Balance:	3,378.12
Total Withdrawal:	0.00	Ending Balance:	3,378.12



**G/L Balances**

Criteria: As Of = 3/31/2017; Fund = 76530, 76531, 35115

G/L Account	Title	Beginning Balance	Year-To-Date Debits	Year-To-Date Credits	End Balance
Fund 76530 -- SLV-LOMPICO WTR, EFF 6/2/16					
101	EQUITY IN POOLED CASH	217,734.66	187,044.24	0.00	404,778.90
102	IMPREST CASH	250.00	0.00	0.00	250.00
124	INVENTORIES	17,497.00	0.00	0.00	17,497.00
150	BOND ISSUANCE COST	2,125.00	0.00	0.00	2,125.00
161	LAND	34,820.00	0.00	0.00	34,820.00
162	STRUCTURES AND IMPROVEMENTS	3,658,470.00	0.00	0.00	3,658,470.00
163	ACCUM. DEPR - STRUCT & IMP	(2,579,523.00)	0.00	0.00	(2,579,523.00)
164	EQUIPMENT	75,283.00	0.00	0.00	75,283.00
201	VOUCHERS PAYABLE (VENDOR)	0.00	26.70	(26.70)	0.00
208	COMPENSATED ABSENCES	(7,232.05)	0.00	0.00	(7,232.05)
232	BONDS OUTSTANDING	(361,000.00)	0.00	0.00	(361,000.00)
234	OTHER LONG-TERM LIABILITIES	(110,789.96)	0.00	0.00	(110,789.96)
240	STALE DATED WARRANTS LIABILITY	(1,337.20)	0.00	(26.70)	(1,363.90)
302	FUND BAL-NONSPENDABLE INVENTOR	(17,497.00)	0.00	0.00	(17,497.00)
341	FUND BAL-NONSPENDABLE	(250.00)	0.00	0.00	(250.00)
343	FUND BAL-ASSIGNED	(2,191.57)	0.00	0.00	(2,191.57)
344	FUND BALANCE	(139,298.88)	0.03	(187,017.57)	(326,316.42)
349	INVESTMENT IN PROPRIETARY FIXE	(787,060.00)	0.00	0.00	(787,060.00)
Total Fund 76530		0.00	187,070.97	(187,070.97)	0.00
Fund 76531 -- SLV-LOMPICO WATER-DWR RES					
101	EQUITY IN POOLED CASH	12,305.00	0.00	0.00	12,305.00
344	FUND BALANCE	(12,305.00)	0.00	0.00	(12,305.00)
Total Fund 76531		0.00	0.00	0.00	0.00



## G/L Balances

Criteria: As Of = 3/31/2017; Fund = 76644

G/L Account	Title	Beginning Balance	Year-To-Date Debits	Year-To-Date Credits	End Balance
Fund 76644 -- SAN LORENZO VALLEY WATER TRUST					
101	EQUITY IN POOLED CASH	828,328.63	349,711.04	0.00	1,178,039.67
220	DEFERRED CREDITS	(500,000.00)	0.00	0.00	(500,000.00)
344	FUND BALANCE	(328,328.63)	0.26	(349,711.30)	(678,039.67)
Total Fund 76644		0.00	349,711.30	(349,711.30)	0.00



## M E M O

TO: Board of Directors

FROM: District Manager

PREPARED BY: Environmental Programs Manager

SUBJECT: Environmental Status Report

DATE: May 25, 2017

### RECOMMENDATION:

It is recommended that the Board of Directors review and file the Environmental Department status report.

### CLASSIC WATERSHED EDUCATION GRANTS

Staff received 11 applications for Classic Watershed Education Grants. The Education Commission reviewed all the applications and met at a public meeting on March 28<sup>th</sup> at 7:00 PM to discuss the applications and voted on 7 applications to recommend for funding to your board. More information was included on the Agenda Packet for April 20 2017 but was delayed until the May 25, Board Meeting.

### WATER RESOURCE STRATEGIC PLANNING

#### ENVIRONMENTAL DEPARTMENT ACTION PLAN

Staff is working on an Environmental Department Action Plan which forms the fiscal year work program and includes all of the projects and key initiatives prioritized according to the Watershed Management Plan's Part II: Goals, Objectives and Policies and the District's 2015 Strategic Plan. The plan identifies areas which the Department will pursue and for which it will dedicate staff and financial resources. Significant staff resources have been focused on environmental compliance for Capital Improvement, Operations, and state mandated requirements. The Environmental Department Action Plan was introduced to the Environmental Committee in January & February, and will be discussed in further detail at upcoming Environmental Committee meetings.

#### CONJUNCTIVE USE PLANNING GRANT AWARDED

In a collaborative effort with the County of Santa Cruz a Prop 1 Planning Grant was awarded in the amount of \$330,000: The award will fund 1. Further scientific analysis to improve stream flow and fish habitat in the upper San Lorenzo River, Fall Creek and Lompico Creek during dry periods, 2. Create an Operations Plan with metrics that will indicate when to divert surface water and when to pump groundwater, 3. Address the intermittent violation of the Fall Creek diversion permit 4. Support the Sustainable Groundwater Management Plan being developed by the Santa Margarita Groundwater



Management Agency, and 5. CEQA permitting for the operation of the interties for expanded conjunctive use. This effort will help the San Lorenzo Valley utilize water resources sustainably and will make the water system more climate resilient.

## **ENVIRONMENTAL COMPLIANCE**

### **PROBATION TANK**

Staff has been notified that the Habitat Conservation Plan, mitigation for the Probation Tank Replacement Project- which should result in a conservation bank on the Olympia Watershed has been reviewed by US Fish and Wildlife Service and has been submitted to the Federal Register. Timelines for Federal Register have been slow due to the new Federal Administration. We have been told that we should expect the permitting process to be completed by mid May - as long as there aren't significant comments.

Staff is also working with USFWS and the Land trust of Santa Cruz County and Jodi McGraw to finalize the language for the Conservation Bank Easement. Language for the Easement has been submitted to the USFWS and we are awaiting comment. CEQA has been completed. Following the Public Hearing held on May 18<sup>th</sup>, a Notice of Determination was submitted to the County.

### **SWIM TANKS MITIGATED NEGATIVE DECLARATION**

Environmental compliance (CEQA) requirements for the Swim Tank Replacement Project are complete. The project is currently awaiting funding for construction.

## **WATERSHED MANAGEMENT**

### **KIRBY TREATMENT PLANT RIPARIAN RESTORATION / FELTON LIBRARY OUTDOOR EDUCATION ZONE**

Staff is part of the Felton Library Design Team. A portion of the District property at the Kirby Treatment Plant in Felton, which is not useful for water operations, has been requested for use as part of the outdoor education zone as well as onsite mitigation for the riparian impacts. Staff is coordinating with county officials & resource agency staff to secure permits and an easement. A survey of the District parcel was completed in April, and is being used for the design specification.

#### **Tentative Schedule:**

August 2016 CCC crews stripped and prepared blackberry hybrid for root extraction.

March 2017 AmeriCorps conducted root extraction of the blackberry.

February 2017 a survey of Kirby parcel was completed.

Spring 2017 District to move fence back to open riparian area to expand the outdoor education area.

Early Summer 2017: Easement Agreement with County for access to District Property.

## **MEETINGS OF NOTE:**

Staff met with the Santa Cruz Mountains Stewardship Network in May for two days. The Stewardship Network brings great value to the District by way of strong relationships



with other large land management organizations, resource agencies, a other stewardship groups in the Santa Cruz Mountains. The deep relationships built at network meetings help the District to benefit from collaborations and share resources to achieve greater results with regard to public awareness, permitting, environmental compliance, science and monitoring, and adapting to climate change.

## **ENVIRONMENTAL REVIEW**

### **COUNTY ORDINANCE ON CANNABIS CULTIVATION**

The Environmental Impact Report for the Cannabis Ordinance is being prepared by the County of Santa Cruz. The EIR is scheduled to be available for public review in June 2017. The District has been involved in the Cannabis Cultivation Ordinance due to the potential impacts on water resources and water quality in the San Lorenzo Watershed.

### **MT. HERMON ADVENTURE PARK**

Staff has been notified by the County Planning Department that the Environmental Impact Report for the Mount Hermon Adventure Bike Park will be available for public review in Spring 2017.

## **STREAM HABITAT ENHANCEMENT**

### **ZAYANTE LARGE WOOD PROJECT - UPDATE**

Staff continues to participate on the Technical Advisory Team for the Stream Enhancement Program on Zayante Creek. Though the project did not receive funding through the SLR 2025 Watershed Restoration Grant Suite to CDFW. A grant application has been submitted to the Wildlife Conservation Board.

The Large Wood Project, which will include habitat restoration on both SLVWD and City of Santa Cruz Water Department property in the upper Zayante Watershed. An Integrated Watershed Restoration Program Grant is funding the planning phase of the project in which is underway.

## **WATER CONSERVATION**

Stage 2 water restrictions are still in effect. The District continues to ask customers to Conserve Water as a way of life. The District Manager has determined that this summer customers will not be asked to water on assigned days, but can water any day of the week provided that it is only 2 days per week, and not between the hours of 10AM - 5PM and only 15 minutes per irrigation station. Hand watering may happen as frequently as necessary and food gardens are exempt.

Staff is working with the Water Conservation Coalition and the County Green Business Program to promote a Water Conservation & Pollution Prevention Video Contest: 65 videos were submitted, the WCC is now reviewing the videos and will announce the awards in early May.



## COMMUNICATIONS

Staff met with the Santa Cruz Sentinel and the Mountain Bulletin to for articles regarding the Olympia Wellfield Management Plan. Articles were published in the Sentinel on 4.22.17.

A Postcard was mailed directly to all customers in the District. Content focused on the ongoing challenges with groundwater sustainability, and asked customers to continue to conserve.

Our monthly e-newsletters include information regarding District operations, general news and notifications and events. Staff produces multiple posts on Facebook every week focused on various district business.

Staff provided presentations for the State Park Docents at Henry Cowell & the Rotary Club of San Lorenzo Valley.

### PUBLIC OUTREACH/ DROUGHT OUTREACH - UPDATE

- E Newsletters are sent out to over 3500 customer email addresses once or twice monthly.
- The District Facebook page and website are updated regularly (3-5 times per week).
- Media Alerts have been published in local papers regarding:  
Statements management efforts on the Olympia watershed.  
Information regarding Conjunctive Use Plan.

## NETWORKING/ COLLABORATIONS

### SAN LORENZO 2025

The San Lorenzo River Watershed is the main source of drinking water for multiple communities and tens of thousands of residents. This watershed is home to dozens of species of fish and wildlife, including both threatened and endangered species. It is the heart of our community and is at risk because the San Lorenzo River is under stress from the effects of drought, climate change, and habitat degradation. Acting now we can keep the San Lorenzo River watershed viable for our communities and our native fish and wildlife for generations to come.

San Lorenzo River 2025 is a collaborative effort focused on addressing the risks facing the San Lorenzo River over the next ten years. Through a partnership between local governments, water districts, the Resource Conservation District and local nonprofits, San Lorenzo River 2025 seeks to achieve **reliability** of water, **restoration** of watershed habitats, and a **resilient and safe** community resource. This effort will increase both the pace and the scale of investment into the San Lorenzo Watershed.

San Lorenzo River 2025 will:

- Implement a suite of habitat restoration and watershed protection activities to maintain and improve water supplies, water quality, and natural habitats for native fish and wildlife



- Provide wildfire planning and readiness to avoid catastrophic events in the watershed
- Improve ailing infrastructure for flood protection and projected sea level rise
- Maintain and improve public areas, trails, and places for the community to enjoy the river.

FELTON LIBRARY - <http://feltonlibraryfriends.org/>

Staff continues to participate with the Technical Advisory Committee including Friends of the Felton Library, the Valley Women's Club and County Planners and administrators to design and implement a new Library building located on Gushee Street in Felton as well as an outdoor education area adjacent to the location and the District's Kirby Treatment Plant. The New Library has been awarded 10 million dollars for construction of a new library. Meetings held several times a month.

SANTA CRUZ MOUNTAINS STEWARDSHIP NETWORK - <http://scmsn.net/>

The Santa Cruz Mountains Stewardship Network is a region-wide and cross-sector collaboration of independent individuals and organizations who are committed to working together to help cultivate a resilient, vibrant region where human and natural systems thrive for generations to come. Meeting was held March 9, 2017 all day.

SANTA CRUZ MOUNTAINS BIOREGIONAL COUNCIL - <http://www.scmbc.org/>

The Bioregional Council is dedicated to the preservation and enhancement of regional biodiversity over time through education, the dissemination of accurate scientific information and assistance in the planning, coordination and implementation of conservation efforts. Next meeting scheduled May 19<sup>th</sup>.

WATER CONSERVATION COALITION - <http://watersavingtips.org/>

The Water Conservation Coalition is a partnership between all the local Water Districts in Santa Cruz County as well as the County Water Resources Division, Ecology Action and other groups who share a passion for water conservation and public education. Our goal is to combine efforts and share resources to provide a common message about water conservation issues to residents throughout Santa Cruz County, which is a special place because ALL of our water supply comes from rain that falls within our County boundaries. Though each water district gets drinking water from different sources, we all share a common goal and work together to protect water resources in our aquifers and watersheds and continue to provide safe, high quality drinking water to all who live, work and play in Santa Cruz County. Meeting held quarterly or monthly depending on activity level.

SANTA MARGARITA GROUNDWATER AGENCY- <http://smgwa.org/>

Under the Sustainable Groundwater Management Act of 2014, overdrafted groundwater basins need to be sustainably managed by a Groundwater Sustainability Agency (GSA) through the development of a Groundwater Sustainability Plan (GSP). The GSP must be completed by 2020, and the basin must reach sustainability by 2040.



Under development is the Santa Margarita Groundwater Agency (SMGA), a three-member agency comprised of the Scotts Valley Water District, San Lorenzo Valley Water District and the County of Santa Cruz, which will oversee the groundwater management activities of the Santa Margarita Basin Area in Santa Cruz County, California. The Board of Directors of the SMGA includes two Board members from each of the water districts, one from the County, one from the City of Scotts Valley, one from the City of Santa Cruz, one from the Mount Hermon Association Community Water System and two private well owner representatives.

Once a Joint Powers Agreement (JPA) is completed in early 2017, the SMGA will apply to the state Department of Water Resources to become the GSA for the Basin.

**SANTA CRUZ INTEGRATED GROUNDWATER MANAGEMENT -**  
<http://www.santacruzirwmp.org/>

The Santa Cruz Integrated Regional Water Management (IRWM) program provides a framework for local stakeholders to manage this region's water and water-related resources. The Santa Cruz IRWM Plan was developed in response to California's IRWM planning initiative to promote an informed, locally-driven, and consensus-based approach to water resources management.

The IRWM Plan includes strategies for developing and implementing policies and projects to ensure sustainable water use, reliable water supply, better water quality, improved flood protection and stormwater management, and environmental stewardship. [Find out more](#)



## MEMO

TO: District Manager

FROM: Director of Operations

SUBJECT: OPERATIONS DEPARTMENT STATUS REPORT APRIL 2017

DATE: May 25, 2017

### RECOMMENDATION:

It is recommended that the District Manager review and file the Operations Department Project Status Report for the month of April 2017.

### BACKGROUND:

#### STORM DAMAGE REPAIRS FEMA DISASTERS DECLARATIONS

Staff continued working on Storm Damage during the reporting period. The President of the United States has declared three major disasters making federal disaster aid available to 34 counties in the State of California including Santa Cruz County.

14 facilities experienced disaster related damage with a repair estimate of \$2,470,000 with the Lyon WTP access road being \$1.5 million included in the damage estimate. Staff has had the initial damage assessment kick off meeting with FEMA and Cal OES. The 14 projects have been submitted and are eligible for Federal Disaster Aid. Federal Disaster Aid obligates 75% of the eligible costs of both emergency work and permanent work. Individual project descriptions are included in this report.

#### SCADA COMMUNICATIONS

Communications issues are continuing to be experienced with the District's SCADA system, however have been greatly reduced. Loss of communications and intermittent alarms sometimes up to several hundred over a short period of time are being experienced. AT&T SCADA Bridge has been upgraded to IP based communication as a possible solution. This work has been completed and alarm issues are still being experienced but greatly reduced. The next corrective action to take will be replacing the data concentrator which collects and sorts data. Equipment has been order and will be shipped directly to the SCADA manufacture for programing then installed at the District. At this time we are still waiting for delivery/installation of the data concentrator.



## BULL BENNETT SUPPLY LINE - STORM DAMAGE

During the reporting period staff placed the 2,000 lineal feet of temporary supply



line in service. The existing pipe is located in the stream bed and was damaged by high stream flows. The pipe will eventually be replaced buried in the roadway protecting the pipe. Environmental review will be conducted before the old pipe can be removed from the stream and the new pipe can be buried.

Currently the springs are supplying 100% of water supply for the town of Felton leaving Fall Creek Intake off line.

Temporary pipe in roadway

## FALL CREEK LOG JAM

District staff continued with removing material from the Fall Creek intake structure that were impeding flow and could cause potential damage to the intake structure.

## MAINLINE FLUSHING ZAYANTE AREA

Staff continued with the annual main line flushing program for 2017. Flushing was performed in the Quail Hollow and Scott Valley areas. Several areas throughout the District are flushed annually to remove sediment from the Distribution system. Flushing is done during spring in order to take advantage of excess surface water and High River flows.

Rick Rogers  
Director of Operations



## SAN LORENZO VALLEY WATER DISTRICT PRODUCTION COMPARRISON

Source	April-17	March-17	April-13	Difference This Year To 2013
<b>North System</b>				
<b>Surface Water Sources</b>				
Foreman Creek	39,765,727	41,329,494	25,458,000	
Peavine Creek + Hydro	0	0	4,340,000	
Clear Creek	164	904	0	
Sweetwater Creek	109	602	0	
<b>Sub-Total (Streams)</b>	<b>39,766,000</b>	<b>41,331,000</b>	<b>29,798,000</b>	33.45%
<b>Wells (North)</b>				
Olympia No. 2	893,000	769,000	0	
Olympia No. 3	-	150,000	0	
Quail Well No. 4-A	77,000	-	5,506,000	
Quail Well No. 5-A	224,500	22,000	2,161,800	
<b>Sub Total North Wells</b>	<b>1,194,500</b>	<b>941,000</b>	<b>7,667,800</b>	-84.42%
<b>South System Wells</b>				
Pasatiempo 5A	3,071,600	898,600	N/A	
Pasatiempo 6	-	-	7,713,000	
Pasatiempo 7	-	-	2,456,000	
<b>Sub Total Pasatiempo Wells</b>	<b>3,071,600</b>	<b>898,600</b>	<b>10,169,000</b>	-69.79%
<b>North South All Sources Combined</b>	<b>44,032,100</b>	<b>43,170,600</b>	<b>47,634,800</b>	-7.56%
<b>Felton System - Surface Water</b>				
Fall Creek	358,133	40	8,284,270	
Bennett Spring	8,587,538	6,216,074	3,020,500	
Bull 1 & 2	2,985,184	4,826,893	3,561,900	
<b>Total Felton System Sources</b>	<b>11,930,855</b>	<b>11,043,007</b>	<b>14,866,670</b>	-19.75%
<b>Manana Woods System</b>				
Well 1	-	-	386,725	
<b>Total Manana Woods Sources</b>	<b>-</b>	<b>-</b>	<b>386,725</b>	
<b>Sub - Total Production</b>				
<b>North / Felton / Manana</b>	<b>55,962,955</b>	<b>54,213,607</b>	<b>62,888,195</b>	-11.01%
<b>Surface</b>	<b>51,696,855</b>	<b>52,374,007</b>	<b>44,664,670</b>	15.74%
<b>Wells</b>	<b>4,266,100</b>	<b>1,839,600</b>	<b>18,223,525</b>	-76.59%
<b>Total Surface Water Percentage</b>	<b>92.38</b>	<b>96.61</b>	<b>71.02</b>	30.07%
<b>Total Wells Percentage</b>	<b>7.62</b>	<b>3.39</b>	<b>28.98</b>	-73.69%



**SAN LORENZO VALLEY WATER DISTRICT  
PRODUCTION BY SYSTEM  
+/- INTERTIES  
April 2017**

North System All Sources	<u>44,032,100</u>
Interties IN +	<u>88,065</u>
Interties OUT -	<u>10,506,559</u>
<b>TOTAL NORHT SYSTEM</b>	<b><u>33,613,606</u></b>
Felton Water system All Sources	<u>11,930,855</u>
Interties IN +	<u>1,628,978</u>
Interties OUT -	<u>1</u>
<b>TOTAL FELTON SYSTEM</b>	<b><u>13,559,832</u></b>
Manana Woods System	
Manana Woods Well 1	<u>0</u>
Interties IN +	<u>402,816</u>
<b>TOTAL MANANA WOODS</b>	<b><u>402,816</u></b>



**SAN LORENZO VALLEY WATER DISTRICT  
INTERTIE USAGE  
April 2017**

**INTERTIE 2**

SLVWD to SVWD 0

SVWD to SLVWD 0

**INTERTIE 3**

SLV SOUTH to SLV NORTH 88,064

SLV NORTH to SLV SOUTH 6,279,939

**INTERTIE 4**

SLVWD to MHWD 0

MHWD to SLVWD 0

**INTERTIE 6**

SLV NORTH to SLV FELTON 1,628,978

SLV FELTON to SLV NORTH 1

**LOMPICO INTERTIE**

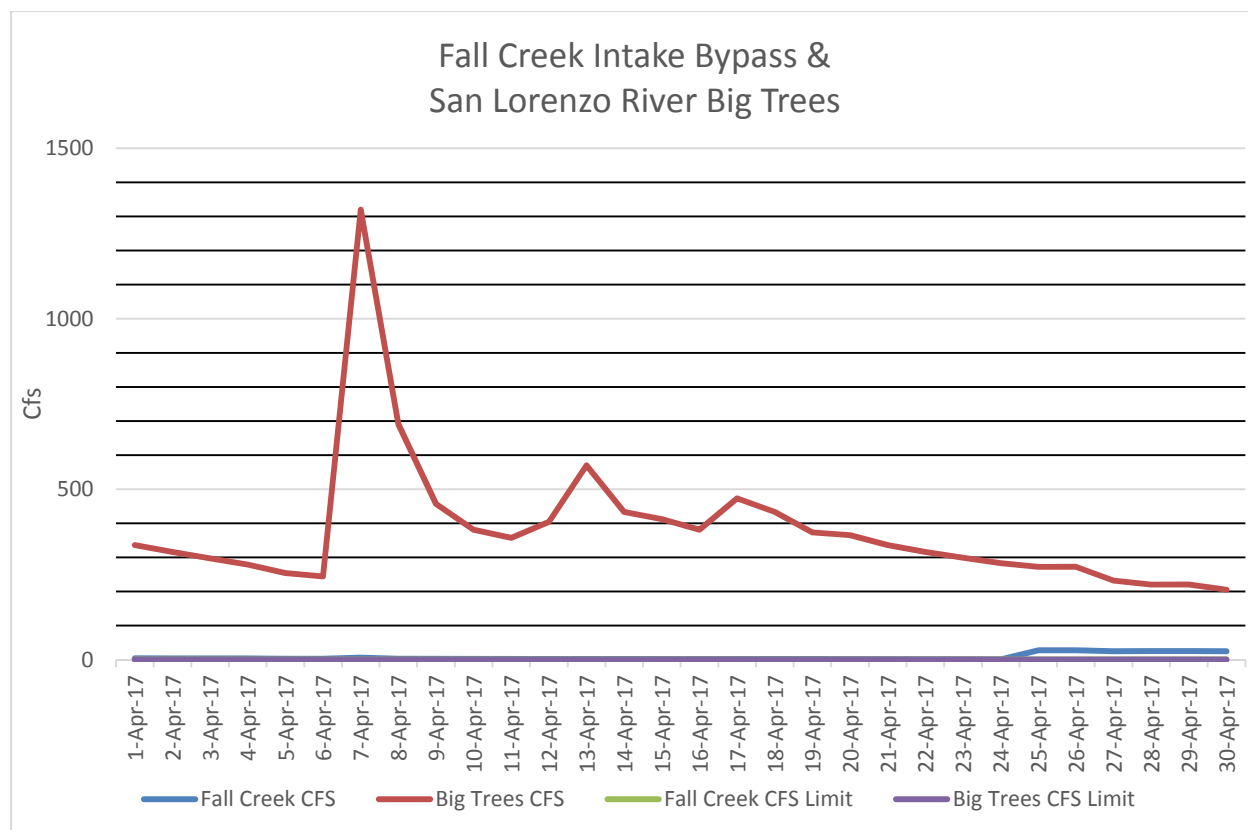
SLV NORTH to LOMPICO 2,061,510

**MANANA WOODS INTERTIE**

SLVWD to MANANA WOODS 536,132



## Fall Creek Intake April 2017



### Normal Rainfall Fall Creek Intake Bypass Requirements

April 1 through October 31                      1.0 cubic feet per second

November 1 through March 31                      1.5 cubic feet per second

### Dry Conditions Fall Creek Intake Bypass Requirements

April 1 through October 31                      0.5 cubic feet per second

November 1 through March 31                      0.75 cubic feet per second

Number of Days in month 0.75 cfs or below, ZERO days

### San Lorenzo River USGS Big Trees Flow Requirements

September                      11 cubic feet per second

October                      26 cubic feet per second

November 1 through May 31                      21 cubic feet per second

June - August                      No Requirements



## Fall Creek Intake April 2017

For the protection of fish and wildlife, during the period: (a) April 1 through October 31 bypass a minimum of 0.5 cfs; (b) November 1 through March 31 bypass a minimum of 1.5 cfs past the Fall Creek point of diversion. The natural streamflow shall be bypassed whenever it is less than 1.5 cfs; provided, however, that during a dry year, the bypass requirement shall be reduced from 1.5 to 0.75 cfs. A dry year is defined on a monthly basis of cumulative runoff beginning October 1 of each season in the San Lorenzo River at the USGS gage at Big Trees. These runoff figures are based on approximately 50 percent of normal runoff as the dividing level between normal and dry year runoff and are as follows:

- November 1 for the month of October 500 af
- December 1 for October-November, inclusive 1,500 af
- January 1 for October-December, inclusive 5,000 af
- February 1 for October-January, inclusive 12,500 af
- March 1 for October-February, inclusive 26,500 af



Fall Creek Weir Measurement												
Agenda: 5.25.17												
	Month:	April		Year:	2017	Big Trees > 26,500 Acre-ft Oct-Feb Normal Yr				X	Big Trees <26,500 Acre-ft Oct-Feb Dry Yr	
											Item: 10a4	
Date	Time	Initials	Pump #	Fall Cr. GPM into Kirby plant	Weir Board Height	Weir Height Measurement	Fall Creek (Cubic Feet per Second)	Big Trees (Cubic Feet per Second)	Rainfall (Felton gauge)	Met Fall Cr, Bypass Requirement: Normal Year April 1 - Oct 31 1.0 cfs Dry Year April 1- Oct 31 0.5 cfs Nov. 1 - March 31 0.75 cfs (yes/no)	Met Big Trees Requirement Nov-May 21cfs Sept 11 cfs Oct 26 cfs (yes/no)	Notes
1	13:10	db	off	0	25.0	36.4	3.809	336	0	Yes	Yes	Fall Cr. Weir Up
2	7:40	ks	off	0	25.0	35.62	3.190	316	0	Yes	Yes	Fall Cr. Weir Up
3	12:30	ks	off	0	25.0	35.62	3.190	297	0	Yes	Yes	Fall Cr. Weir Up
4	7:30	ks	off	0	25.0	35.42	3.042	279	0	Yes	Yes	Fall Cr. Weir Up
5	15:55	jg	off	0	25.0	34.46	2.32	254	0	Yes	Yes	Fall Cr. Weir Up
6	14:45	db	off	0	25.0	34.3	2.327	244		Yes	Yes	Fall Cr. Weir Up
7	8:20	jg	off	0	25.0	38.12	5.37	1320	2.61	Yes	Yes	Fall Cr. Weir Up
8	10:50	jg	off	0	25.0	34.26	2.25	691	.30	Yes	Yes	Fall Cr. Weir Up
9	8:45	ho	off	0	25.0	33.1	1.65	457	0	Yes	Yes	Fall Cr. Weir Up
10	13:45	ks	off	0	25.0	32.91	1.527	381	0	Yes	Yes	Fall Cr. Weir Up
11	10:20	ks	off	0	25.0	32.91	1.527	357	0	Yes	Yes	Fall Cr. Weir Up
12	10:25	jg	off	0	25.0	34.26	2.25	404	.75	Yes	Yes	Fall Cr. Weir Up
13	15:40	jg	off	0	25.0	34.65	2.47	570	.85	Yes	Yes	Fall Cr. Weir Up
14	12:10	jg	off	0	25.0	32.91	1.527	433	0	Yes	Yes	Fall Cr. Weir Up
15	8:30	jg	off	0	25.0	32.33	1.25	412	0	Yes	Yes	Fall Cr. Weir Up
16	10:55	ks	off	0	25.0	32.50	1.337	381	0	Yes	Yes	Fall Cr. Weir Up
17	9:00	ks	off	0	25.0	34.65	2.511	473	1.1	Yes	Yes	Fall Cr. Weir Up
18	16:00	ks	off	0	25.0	33.30	1.72	433	0	Yes	Yes	Fall Cr. Weir Up
19	16:15	ks	off	0	25.0	32.91	1.528	373	0	Yes	Yes	Fall Cr. Weir Up
20	10:50	jg	off	0	25.0	32.53	1.333	365	.25	Yes	Yes	Fall Cr. Weir Up
21	9:30	jg	off	0	2.50	31.75	1.016	336	0	Yes	Yes	Fall Cr. Weir Up
22	8:45	ks	off	0	25.0	31.18	0.80	316	0	No	Yes	Fall Cr. Weir Up
23	8:45	ks	off	0	25.0	30.79	0.70	299	0	No	Yes	Fall Cr. Weir Up
24	13:30	ks	off	0	25.0	30.40	0.59	283	0	No	Yes	Fall Cr. Weir Up
25	8:30	ks	off	0	25.0	50.09	27.38	272	0	Yes	Yes	Fall Cr. Weir Down
26	9:25	jg	off	0	25.0	50.09	27.38	272	0	Yes	Yes	Fall Cr. Weir Down
27	12:05	jg	1	350	25.0	49.32	24.49	232	0	Yes	Yes	Fall Cr. Weir Down
28	8:45	jg	1	345	25.0	49.13	24.80	220	0	Yes	Yes	Fall Cr. Weir Down
29	12:00	NG	off	0	25.0	49.10	24.80	220	0	Yes	Yes	Fall Cr. Weir Down
30	12:00	NG	off	0	25.0	49.70	24.49	205	0	Yes	Yes	Fall Cr. Weir Down
31	: 76							8				



# San Lorenzo Valley Water District Loch Lomond Water Supply April 2017

## Loch Lomond Water Level



**Week ending 5/10/2017**

(in feet above mean sea level; lake spills at 577.25 feet)

Currently:	577.25ft
Percent of capacity:	99.6%

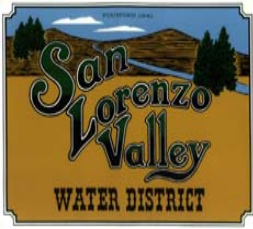
In 1958 SLVWD sold 2,500 acres of property in the vicinity of the Newell Creek Watershed to the City of Santa Cruz, with the agreement that SLVWD would be entitled to purchase 12 ½ percent of the annual safe yield from a future Newell Creek reservoir, up to a maximum of 500 AF/yr. Based on the 1958 agreement, SLVWD began receiving delivers of Loch Lomond water from the City in 1963. In 1965 the District constructed the Glen Arbor Water treatment plant for treating Loch Lomond water. Toward the end of the 1976-77 drought, the City stipulated that the District was not entitled to an allocation of 500 AF/yr, merely 12.5% of the safe yield. This decision based on a reduction to the estimated annual safe yield from the Newell Creek Reservoir, reduced the Districts contractual allocation. On June 7, 1977, the District filed a Complaint for Declaratory Relief, which requested the court to make a judicial determination of the respective parties' duties and rights. In June 1980 a court order fixed the estimated safe yield from Newell Creek Reservoir at reduced quantity, which resulted in a reduction to the Districts contractual allocation to 313 AF/yr.

### Production Loch Lomond to SLVWD

Date	Total Used	Total Available
1976 July to June 1977	353 AF	
1977 July to June 2015	0	313 AF
2015 July to 02/2016	0	313 AF
2/20/16 to Current	0	313 AF

Last time District used Loch Lomond water was June 1977



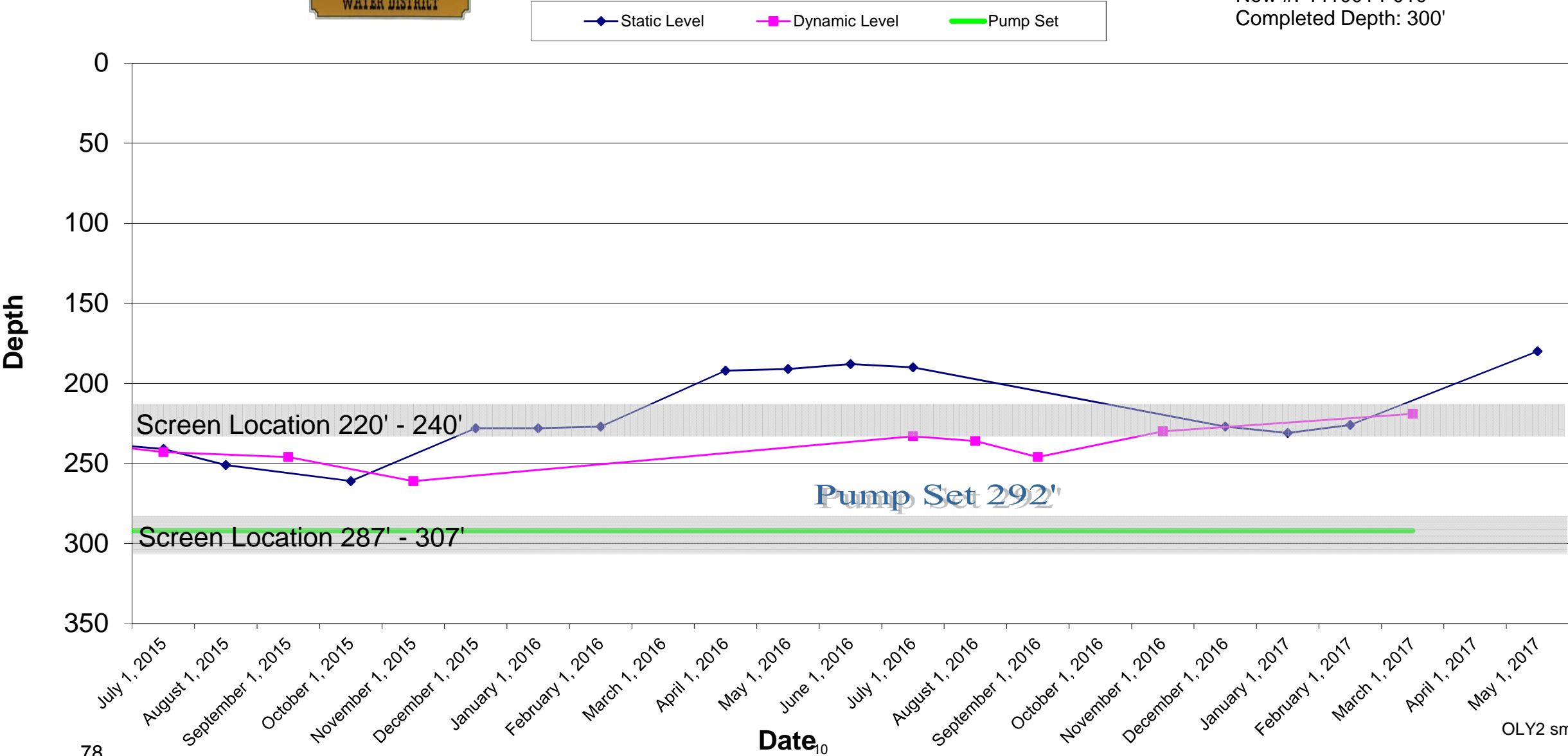


# SAN LORENZO VALLEY WATER DISTRICT

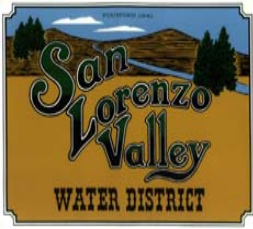
## Well Drawdown Report

### Olympia 2

Location: 7701 E. Zayante Rd.  
Elevation: 525'  
Installed: April 28, 1980  
State Well #:10S/O2W-11P01  
New #: 4410014-010  
Completed Depth: 300'





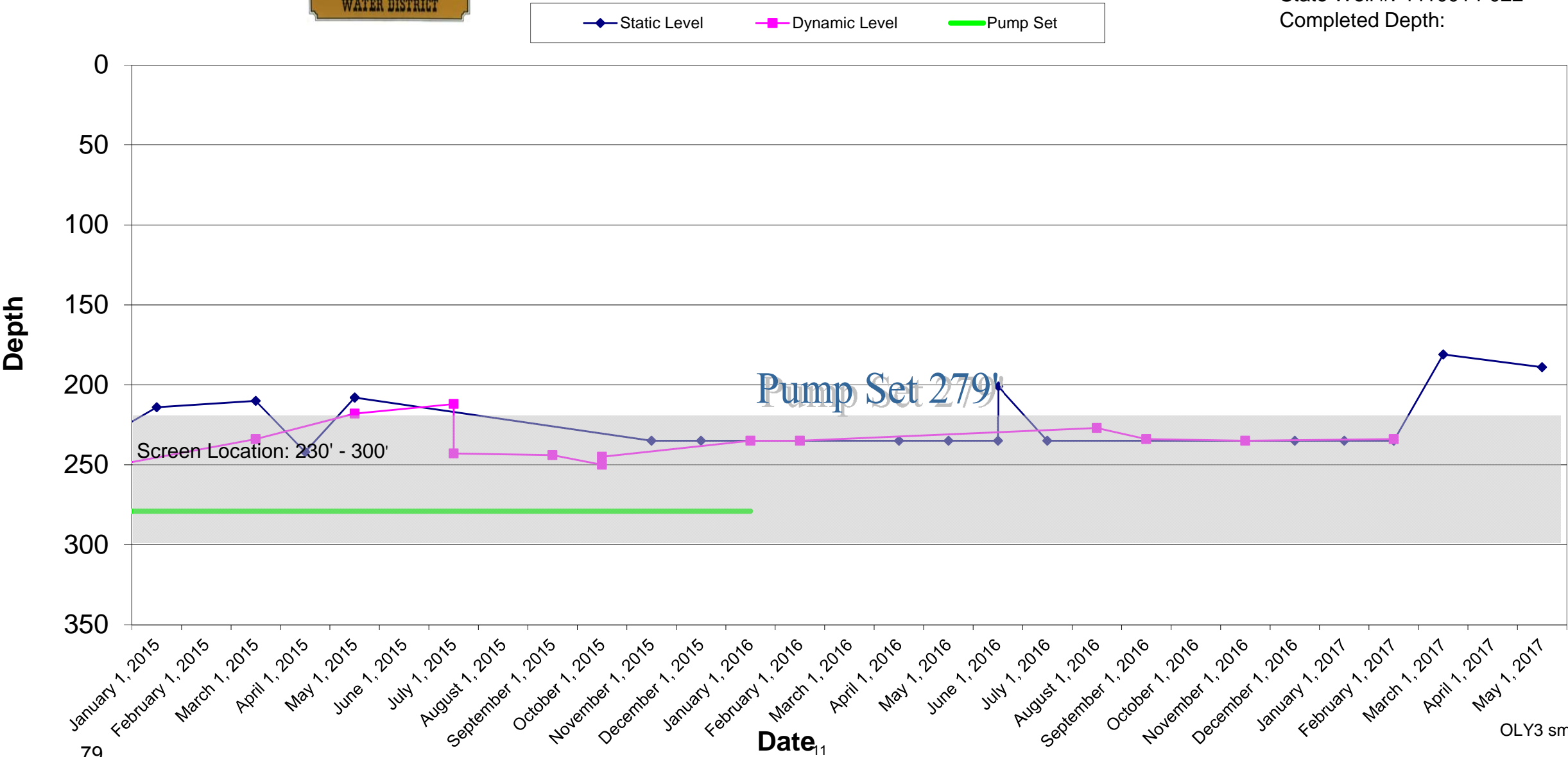


# SAN LORENZO VALLEY WATER DISTRICT

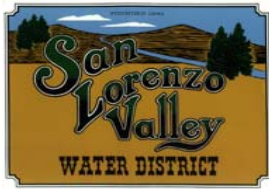
## Well Drawdown Report

### Olympia 3

Location: 7701 E. Zayante Rd  
Elevation: 538' Mean Sea Level  
Installed: 8-15-90  
State Well #: 4410014-022  
Completed Depth:





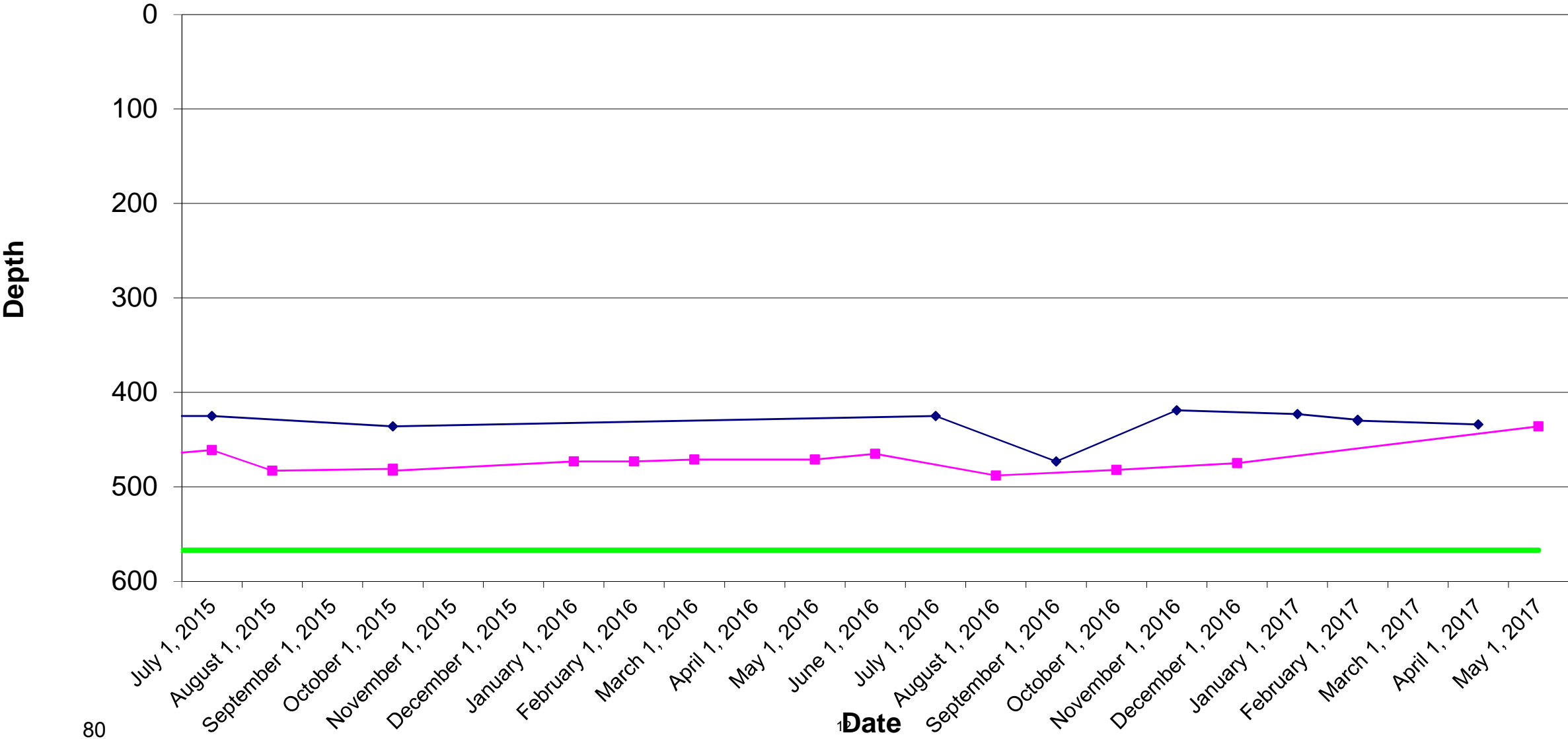


# ***SAN LORENZO VALLEY WATER DISTRICT***

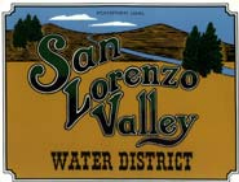
## ***Well Drawdown Report***

### ***Pasatiempo 5-A***

Location: So. Of 3650 Graham Hill Rd  
Elevation: 752'  
Installed 1-1-14  
State Well #:4410014-014  
Completed Depth: 710'

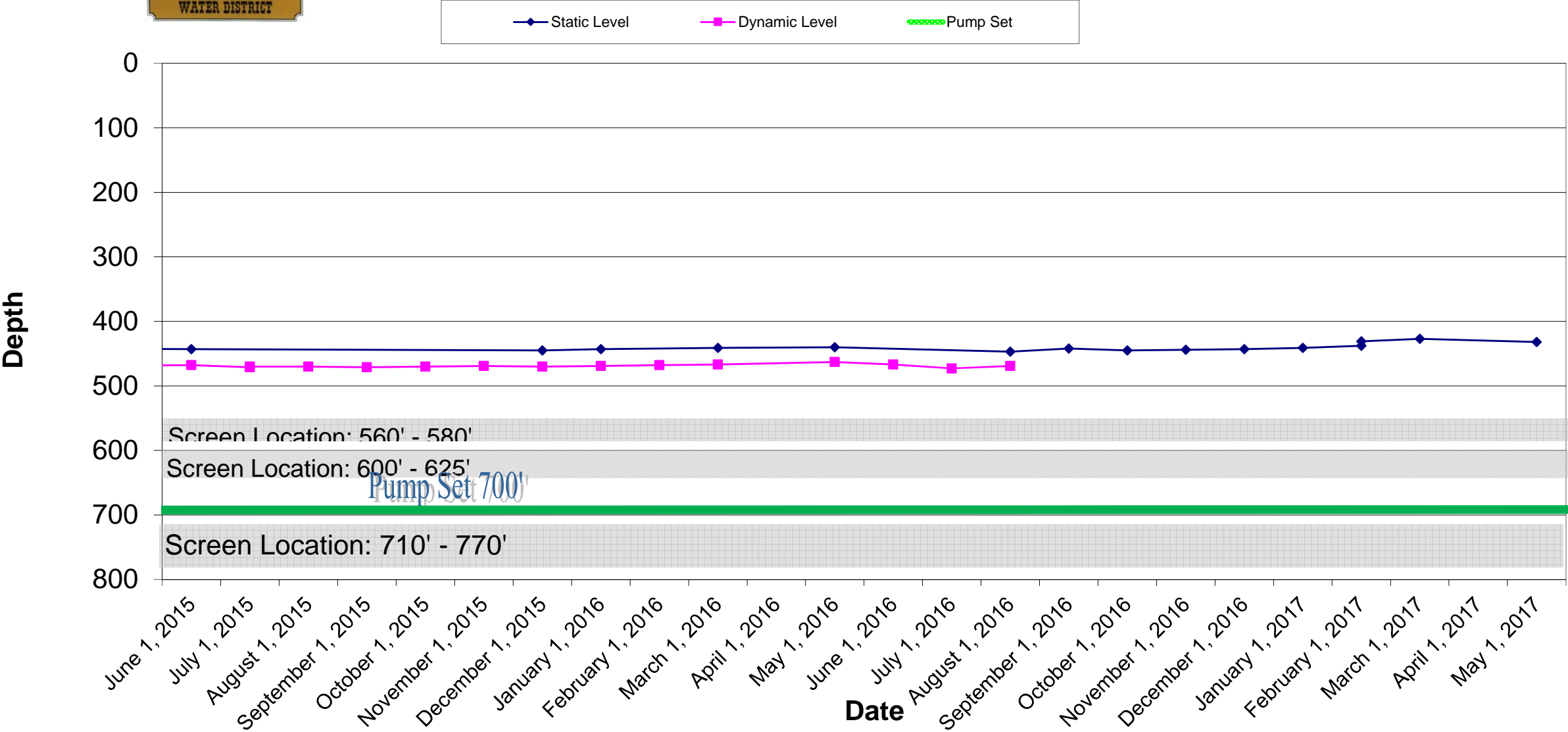






**SAN LORENZO VALLEY WATER DISTRICT**  
**Well Drawdown Report**  
**Pasatiempo 6**

Location: Behind 3650 Graham Hill Rd.  
Elevation: 775'  
Installed: 5-30-91  
State Well #: 4410014-023

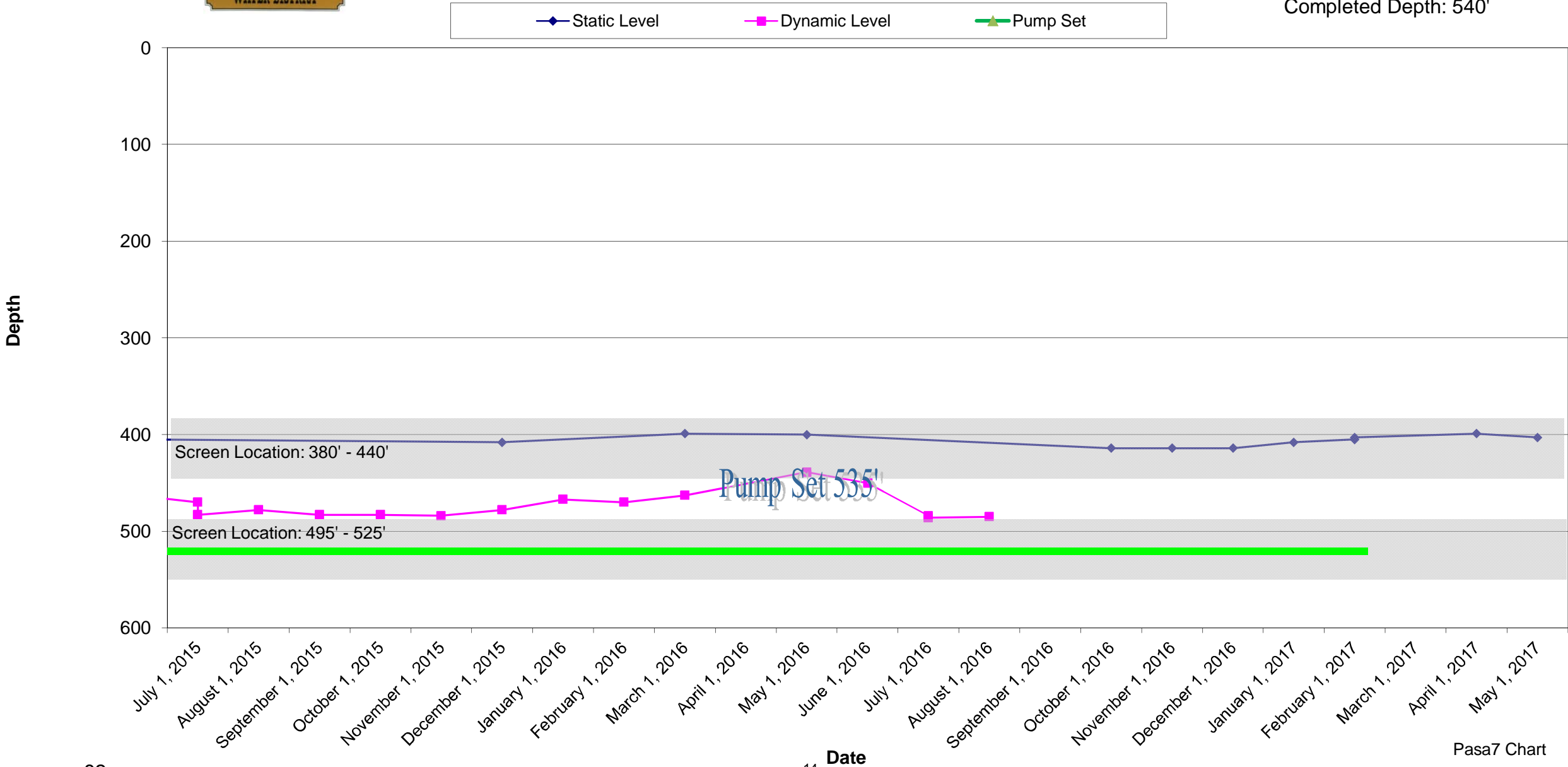






**SAN LORENZO VALLEY WATER DISTRICT**  
**Well Drawdown Report**  
**Pasatiempo 7**

Location: South of Probation  
Center  
Elevation: 734' MSL  
Installed: July 21, 1990  
State Well #: 4410014-024  
Completed Depth: 540'





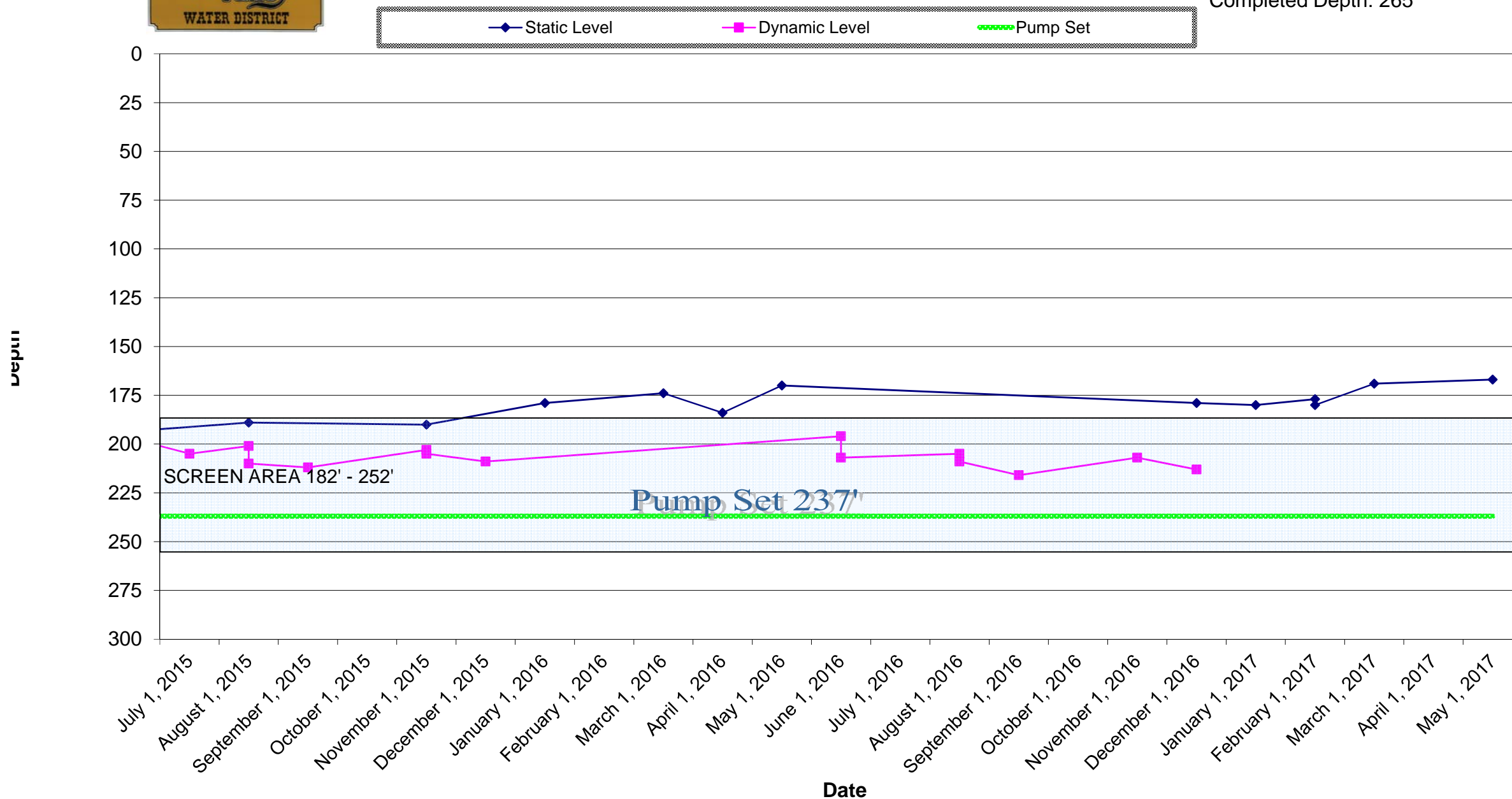


# SAN LORENZO VALLEY WATER DISTRICT

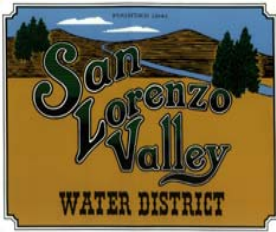
## Well Drawdown Report

### Quail Well 4-A

Location: Cumora Ln. Ben Lomond  
 Elevation: 596.54 ft @ Pad  
 Installed: 6-07-2001  
 State Well #: 4410014-026  
 Completed Depth: 265





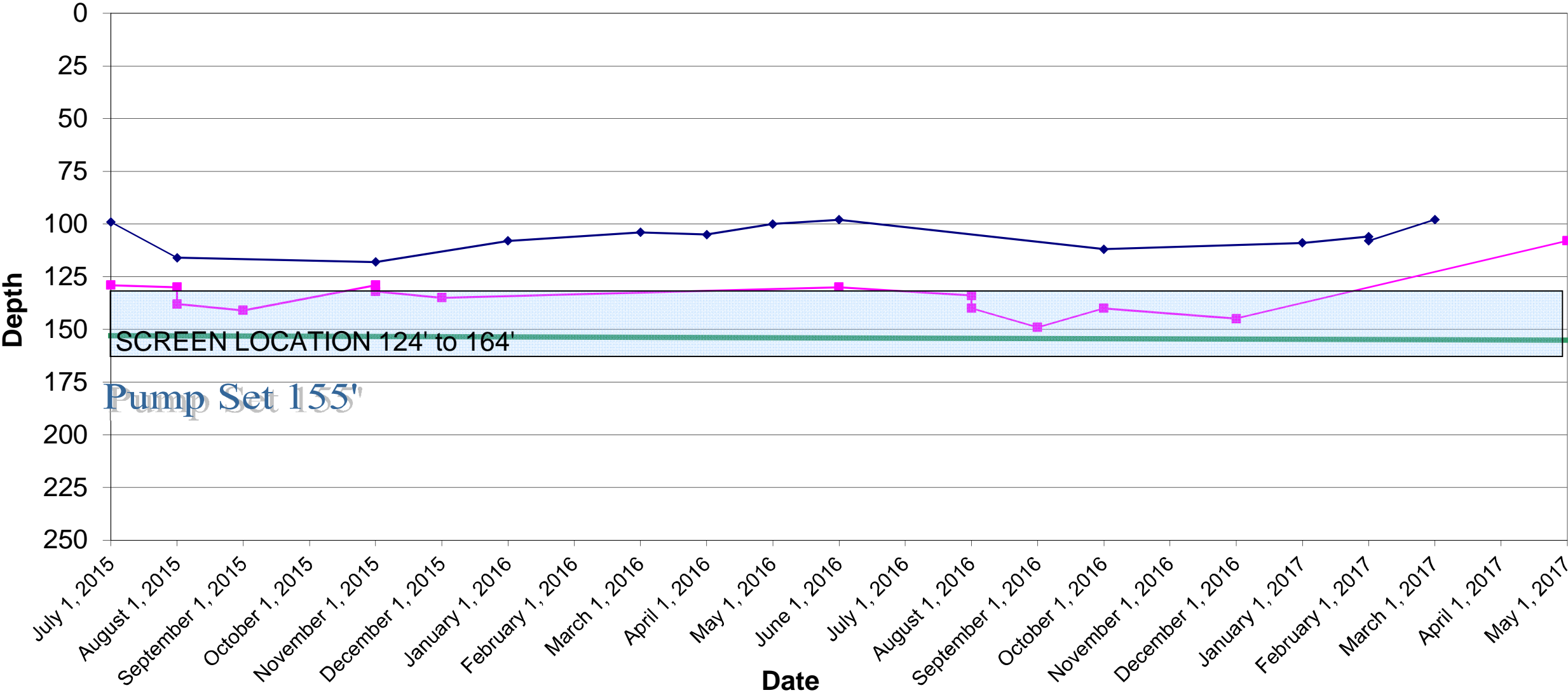


# **SAN LORENZO VALLEY WATER DISTRICT**

## **Well Drawdown Report**

### **Quail Well 5-A**

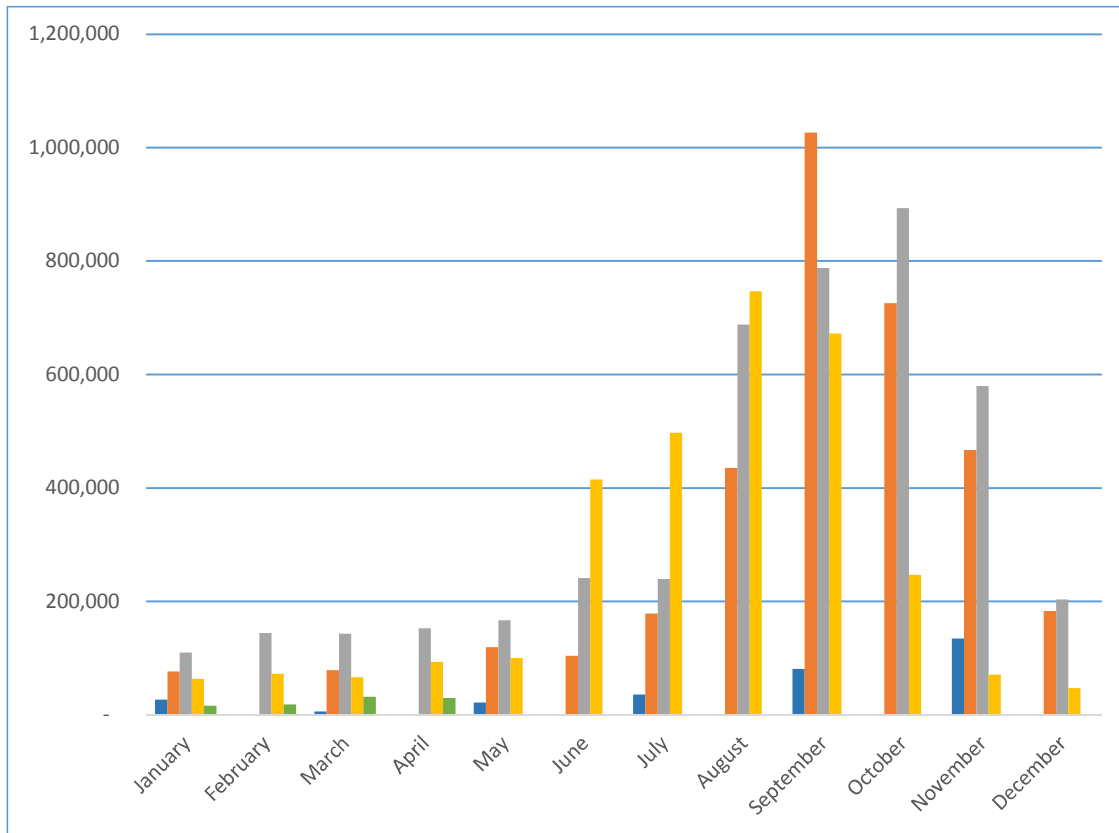
Location: 1161 Quail Hollow Rd.  
Ben Lomond  
Elevation: 517.65 ft. @ Pad  
Installed: March 2000  
State Well #: 4410014-025  
Completed Depth: 174'





**SAN LORENZO VALLEY WATER DISTRICT**  
**BULK WATER SALES**  
**GALLONS**  
**April 2017**

Agenda: 5.25.17  
Item: 10a4



<u>Month</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
January	26,928	76,296	109,965	63,850	16,456
February			144,364	72,556	18,700
March	5,984	78,540	142,868	66,572	32,164
April			152,592	93,500	29,920
May	21,692	119,680	166,804	100,232	
June		103,972	240,983	415,140	
July	35,904	178,772	239,360	497,420	
August		435,336	688,160	746,504	
September	81,352	1,026,256	787,644	672,183	
October		725,560	893,112	246,840	
November	134,640	466,752	579,700	71,060	
December		183,260	203,456	47,124	
<b>Totals</b>	<b>306,500</b>	<b>3,394,424</b>	<b>4,349,008</b>	<b>3,092,981</b>	<b>97,240</b>

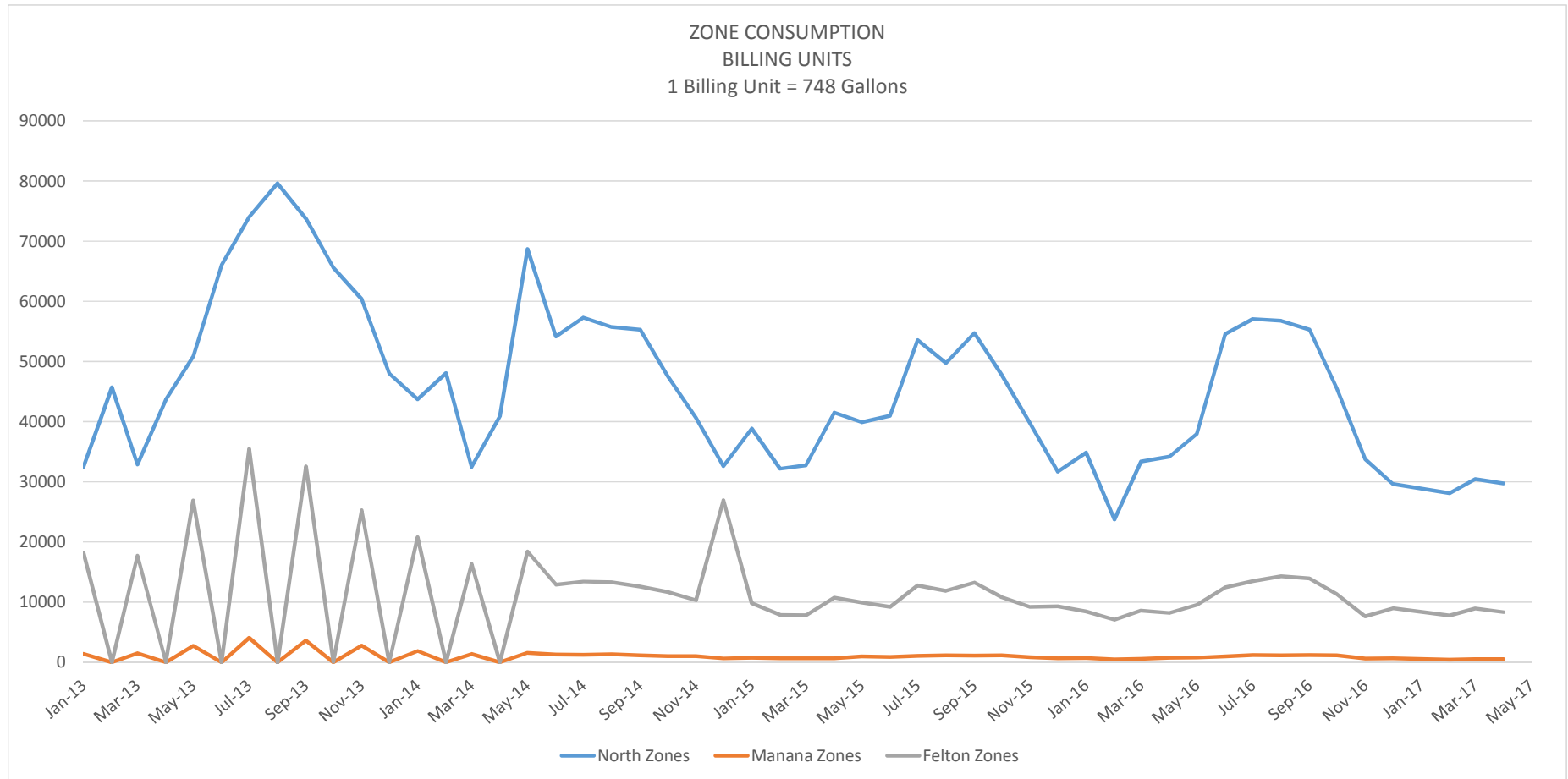


# SAN LORENZO VALLEY WATER DISTRICT

## Consumption by Zone

### March 2017

Agenda: 5.25.17  
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**SAN LORENZO VWLLEY WATER DISTRICT  
ZONE CONSUMPTION BY YEAR**

Agenda: 5.25.17  
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Zones	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17
1	N/A	365	270	335								
2	N/A	64	64	67								
3	N/A	137	159	140								
4	N/A	5067	6232	5753								
5	N/A	915	1056	943								
6	N/A	46	61	48								
7	N/A	39	54	43								
8	N/A	3536	4028	3818								
9	N/A	163	206	163								
10	N/A	41	40	94								
11	N/A	432	429	417								
12	N/A	6	4	3								
13	N/A	248	336	230								
14	N/A	348	376	417								
15	N/A	17	19	17								
16	N/A	7065	7307	8268								
17	N/A	253	239	227								
18	N/A	585	664	758								
19	N/A	206	213	269								
20	N/A	487	536	574								
21	N/A	2270	2465	288								
22	N/A	4775	4522	5607								
23	N/A	445	585	586								
24	N/A	581	578	687								
25	N/A	334	391	414								
26	N/A	92	101	112								
27	N/A	20	24	20								
28	N/A	209	232	237								
29	N/A	95	119	101								
30	N/A	130	439	159								
31	N/A	6189	6893	6493								
32	N/A	151	171	185								
33	N/A	990	1092	1179								
	-	36,300	39,903	38,651	-	-	-	-	-	-	-	-
										TOTAL		114,854

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17
North Zones	N/A	28090	30442	29752								
Manana Zones	N/A	446	516	546								
Felton Zones	N/A	7764	8945	8353								



**SAN LORENZO VWLLEY WATER DISTRICT  
ZONE CONSUMPTION BY YEAR**

Agenda: 5.25.17  
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Zones	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16
1	329	288	296	430	319	449	448	475	508.85	408	475	378
2	76	63	57	91	118	216	211	229	173	151	72	69
3	437	276	151	149	169	271	284	305	304.92	247	176	162
4	7122	5428	5909	5840	6444	9068	9163	9567	8747.49	7159	5085	6362
5	1235	1018	1237	1029	1176	1748	1542	1610	1666	1245	822	1250
6	46	42	50	36	42	50	59	70	83	60	43	50
7	65	55	57	64	126	201	173	167	154	87	52	52
8	3970	4050	4342	3754	4465	6214	6963	6632	6001.34	4077	3690	3279
9	227	195	227	226	253	300	360	411	326	291	165	219
10	42	39	34	49	61	92	118	118	106	73	38	45
11	527	410	418	446	567	625	759	674	624	619	391	550
12	6	5	3	6	7	16	22	20	14	12	4	6
13	311	242	298	302	315	460	409	441	407	297	233	315
14	405	357	406	411	438	802	743	789	763	569	377	475
15	14	14	18	17	15	22	22	23	18	16	18	20
16	8487	1589	7985	9003	10501	13585	15009	15944	14740.21	12455	8885	5716
17	284	392	220	225	303	268	307	329	267.6	223	240	252
18	755	600	605	669	816	773	976	838	856	788	630	641
19	267	219	203	217	277	311	384	327	330.1	323	231	247
20	661	461	528	614	643	1047	1042	989	1207	962	629	649
21	3036	2802	3447	4390	3478	6851	5456	4909	5282	4279	4486	1174
22	4955	4230	5690	4978	6110	8786	9935	9466	10238.36	8897	5744	6084
23	535	432	637	557	704	1393	1723	1409	1441.53	1432	688	1050
24	1063	524	571	697	632	1004	969	1011	1041	815	587	613
25	529	355	419	562	658	794	973	983	995	944	495	532
26	160	106	132	154	117	168	228	178	171	171	83	124
27	17	15	16	17	16	15	26	34	33	43	19	28
28	133	218	260	306	304	418	547	558	691.95	452	340	232
29	350	101	118	118	133	196	246	232	227	190	110	128
30	195	161	178	157	175	272	255	294	466.56	276	165	181
31	6347	5394	6525	6305	7316	9692	10479	11103	10525.97	8663	5774	6867
32	223	162	256	172	228	225	271	265	301	250	165	227
33	1176	1026	1269	1136	1371	1634	1702	1824	1704.06	1482	1073	1326
	43,985	31,269	42,562	43,128	48,295	67,967	71,804	72,222	70,416	57,956	41,983	39,303
	TOTAL											630,889
	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16
North Zones	38888	23731	33389	34201	37977	54552	57076	56752	55300	45485	33761	31382
Manana Zones	755	476	567	733	791	977	1227	1195	1199	1158	597	684
Felton Zones	9815	7062	8606	8194	9527	12438	13500	14275	13917	11313	7626	8961



**SAN LORENZO VWLLEY WATER DISTRICT  
ZONE CONSUMPTION BY YEAR**

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Zones	Jan-15	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
1	326	311	347	322	319	375	402	458	415	425	343	258
2	83	81	121	183	118	164	189	223	237	221	196	94
3	189	185	203	220	169	237	326	253	291	274	229	166
4	6869	5450	5779	7138	6444	7035	9539	7914	8396	7595	5959	5021
5	1724	944	1032	1115	1176	1405	1512	1356	1652	1463	1085	976
6	60	44	51	49	42	51	52	62	63	60	48	36
7	71	59	64	78	126	68	100	89	114	82	70	66
8	4567	3788	3864	4590	4465	4849	6115	5352	6775	5380	4144	3964
9	302	255	287	340	253	293	386	353	466	363	301	151
10	54	41	40	59	61	75	85	68	70	79	45	32
11	649	464	401	538	567	528	709	571	667	654	514	426
12	13	10	12	15	7	15	17	17	17	23	12	6
13	437	270	298	391	315	390	508	383	507	407	399	249
14	516	415	428	589	438	538	689	595	2385	617	439	368
15	8	8	15	20	15	18	27	14	44	23	14	12
16	8729	7826	8767	10388	10501	10971	13128	13307	14181	13525	10530	7906
17	282	217	214	258	303	281	268	258	314	234	228	265
18	827	673	674	810	816	717	911	776	962	755	737	586
19	284	246	256	312	277	261	317	280	373	278	295	212
20	742	597	605	823	643	732	1018	889	940	1013	789	590
21	3367	2493	2587	3317	3478	3259	5163	5226	4947	4679	4120	3026
22	7333	6458	5402	8115	6110	7006	9817	9032	9940	7359	7438	6031
23	720	761	716	1160	704	979	1331	1187	1561	1327	1079	711
24	736	584	592	684	632	715	935	1063	929	929	696	536
25	576	524	506	667	658	701	857	920	877	884	667	528
26	154	132	141	165	117	177	219	220	201	225	164	137
27	25	17	21	18	16	15	20	22	36	23	15	9
28	264	227	206	276	304	259	322	374	364	208	148	124
29	158	130	125	179	133	154	234	198	243	185	171	179
30	239	193	191	268	175	231	333	256	307	271	236	212
31	7477	6048	5906	8188	7316	7018	9736	9279	10208	8432	7030	7588
32	231	176	210	236	228	212	268	244	359	275	297	173
33	1446	1108	1175	1590	1371	1350	1877	1548	1772	1445	1324	1043
	49,458	40,735	41,236	53,101	48,295	51,079	67,410	62,787	70,613	59,713	49,762	41,681
	TOTAL											635,870

	Jan-15	February	March	April	May	June	July	August	September	October	November	December
North Zones	38888	32180	32755	41514	39916	40962	53544	49726	54707	47765	39710	31688
Manana Zones	755	673	668	668	990	893	1096	1162	1114	1132	846	674
Felton Zones	9815	7882	7813	10737	9950	9224	12770	11899	13253	10816	9206	9319



**SAN LORENZO VWLLEY WATER DISTRICT  
ZONE CONSUMPTION BY YEAR**

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Zones	Jan-14	FEB	MAR	APR	MAY	JUNE	JUL	AUG	SEPT	OCT	NOV	DEC
1	0	911	0	686	319	548	514	562	492	457	411	300
2	0	397	0	279	118	197	190	214	217	149	167	92
3	0	577	0	422	169	284	311	389	266	310	235	163
4	17	14471	5	12306	6444	9023	9868	9573	8845	8286	6338	5540
5	5	2647	-22	2116	1176	1600	1654	1652	1407	1291	1184	854
6	2	104	0	89	42	52	53	51	44	42	45	41
7	0	215	81	134	126	94	106	101	107	89	61	41
8	238	9707	0	8387	4465	5312	6271	5501	6341	5593	4051	3837
9	0	900	0	631	253	496	425	515	419	426	380	221
10	0	106	4	105	61	102	88	94	139	68	51	33
11	0	1533	0	1109	567	716	700	644	725	542	545	379
12	0	22	0	25	7	18	17	20	40	18	19	6
13	2	887	0	721	315	484	561	515	457	472	327	261
14	0	1258	0	902	438	702	761	704	653	691	466	354
15	0	33	11804	30	15	30	32	18	19	19	12	8
16	15851	9694	0	9163	10501	14392	14747	15650	14297	11712	10482	7978
17	0	578	0	490	303	263	302	273	309	260	222	325
18	7	1747	0	1481	816	947	957	868	1034	799	823	533
19	1	762	0	544	277	317	351	320	363	301	321	194
20	1973	11	1334	15	643	1060	1203	987	964	971	778	593
21	7125	25	5372	0	3478	4518	4780	4705	4212	3912	3450	3327
22	16003	11	12196	2	6110	10524	10920	10121	11515	9124	8293	6193
23	2451	0	1634	0	704	1700	1315	1264	1472	1215	1045	730
24	33	1474	31	1286	632	920	1172	990	969	894	927	604
25	1435	0	1049	0	658	1008	973	1025	909	830	777	514
26	404	0	300	0	117	250	245	286	237	210	206	133
27	49	0	40	0	16	21	23	22	22	19	31	12
28	730	0	541	0	304	412	375	466	345	355	326	229
29	311	0	182	0	133	248	286	257	248	247	173	138
30	640	0	457	0	175	355	414	319	300	333	246	183
31	15707	3	12246	1	7316	9945	10294	10341	9717	8968	7894	25290
32	289	0	345	0	228	260	266	243	276	229	241	155
33	3134	0	2584	0	1371	1690	1802	1700	1683	1555	1424	966
	66,407	48,073	50,183	40,924	48,295	68,488	71,976	70,390	69,043	60,387	51,951	60,227
											<b>Total 2014</b>	<b>706,344</b>

	Jan-14	February	March	April	May	June	July	August	September	October	November	December
North Zones	43708	48070	32439	40923	68699	54161	57298	55731	55306	47641	40633	32607
Manana Zones	1888	0	1389	0	1567	1279	1241	1333	1168	1059	1014	659
Felton Zones	20811	3	16355	1	18389	12910	13437	13326	12569	11687	10304	26961



**SAN LORENZO VWLLEY WATER DISTRICT  
ZONE CONSUMPTION BY YEAR**

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Zones	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13
1	0	742	0	684	319	375	0	1315	0	1267	2	1204
2	0	174	0	199	118	164	0	631	0	519	0	458
3	0	436	0	399	169	237	0	814	0	850	5	676
4	1	14856	0	13189	6444	7035	5	25687	18	20923	8	15756
5	0	2782	0	2430	1176	1405	1	4676	5	3612	0	2820
6	0	100	0	90	42	51	0	157	0	104	0	82
7	0	118	0	147	126	68	0	333	0	297	0	266
8	52	9308	19	9210	4465	4849	52	15349	107	12132	123	9060
9	0	622	0	701	253	293	0	1671	0	1289	0	907
10	0	231	0	66	61	75	0	278	0	188	0	152
11	0	1144	2	1180	567	528	0	2131	0	2353	6	1613
12	0	18	0	20	7	15	0	47	0	42	0	39
13	0	694	0	668	315	390	0	1420	2	1117	0	828
14	0	1024	0	981	438	538	0	2144	0	1648	5	1251
15	0	13	0	33	15	18	0	74	0	54	0	37
16	12023	9045	12059	9786	10501	10971	25131	16108	27729	13526	20690	7555
17	0	592	0	569	303	281	0	891	2	707	10	674
18	8	1752	0	1457	816	717	1	2386	0	2001	1	1907
19	2	608	0	538	277	261	5	869	1	842	0	796
20	1203	12	1359	9	643	732	3325	44	2985	12	2900	11
21	5759	0	5447	3	3478	3259	12741	7	12050	2	9618	0
22	12014	0	12416	0	6110	7006	28212	29	26767	24	23624	0
23	1340	0	1567	0	704	979	4511	30	4056	9	3360	0
24	26	1408	26	1284	632	715	36	2521	40	2062	29	1902
25	1053	0	1118	0	658	701	3000	0	2760	0	2136	0
26	302	0	332	0	117	177	937	0	725	0	561	0
27	55	0	65	0	16	15	136	0	121	0	105	0
28	675	0	632	0	304	259	1308	0	935	0	827	0
29	185	0	177	0	133	154	699	0	637	0	464	0
30	514	0	580	0	175	231	991	8	1000	0	765	0
31	13634	0	13424	0	7316	7018	27588	10	25615	12	19096	0
32	239	0	258	0	228	212	307	0	293	0	324	0
33	2978	0	2663	1	1371	1350	4604	-54	4080	58	3777	0
Total	52063	45679	52144	43644	48,295	51079	113590	79576	109928	65650	88436	47994
											Total 2013	798078.34

Zone	Jan-13	February	March	April	May	June	July	August	September	October	November	December
North Zones	32428	45679	32895	43643	50821	66024	74020	79612	73762	65580	60381	47994
Manana Zones	1410	0	1515	0	2708	0	4073	0	3606	0	2802	0
Felton Zones	18225	0	17734	1	26885	14	35497	-36	32560	70	25253	0



				Water Quality Complaint List						
Date Received	Type Of Complaint							Address	Conclusion	System
	Taste/ Odor	Color	Turbidity/ Particles	Worms/ Other Visible Organisms	Pressure (High/Low)	Illness (Waterborne)	Other (Specify)			
4/17/2017	X						Customer complained of strong chlorine odor.	401 Blair St	Upon field investigation water quality results were normal and within range. Free chlorine was 0.7 mg/L.	SLVWD-Felton
4/19/2017	X							28 Bay Laurel Ave	Upon field investigation, water quality results appeared to be normal and within range. Free chlorine was 0.7 mg/L. Informed customer of results-will call back if problem persists.	SLVWD

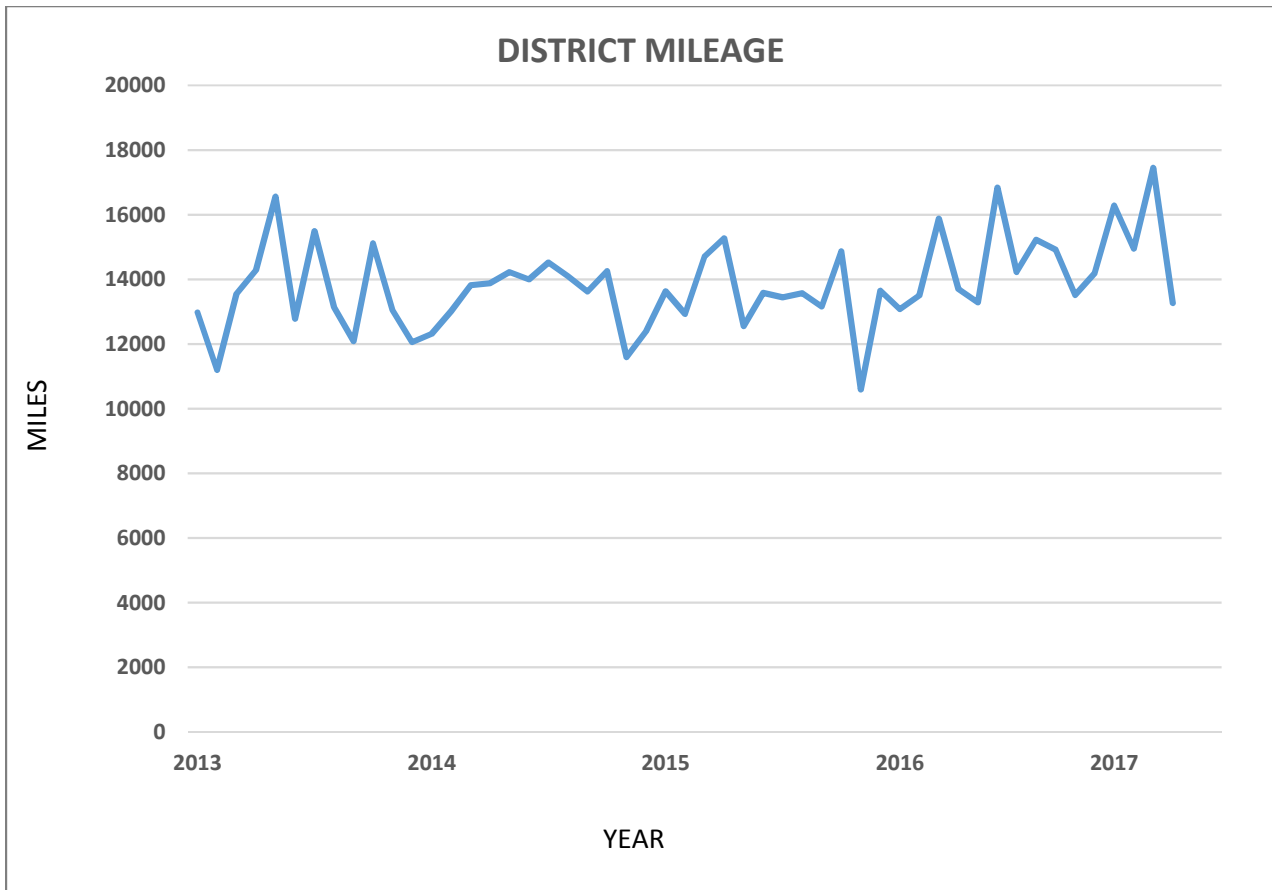


# SAN LORENZO VALLEY WATER DISTRICT

## VEHICLE MILEAGE

### April 2017

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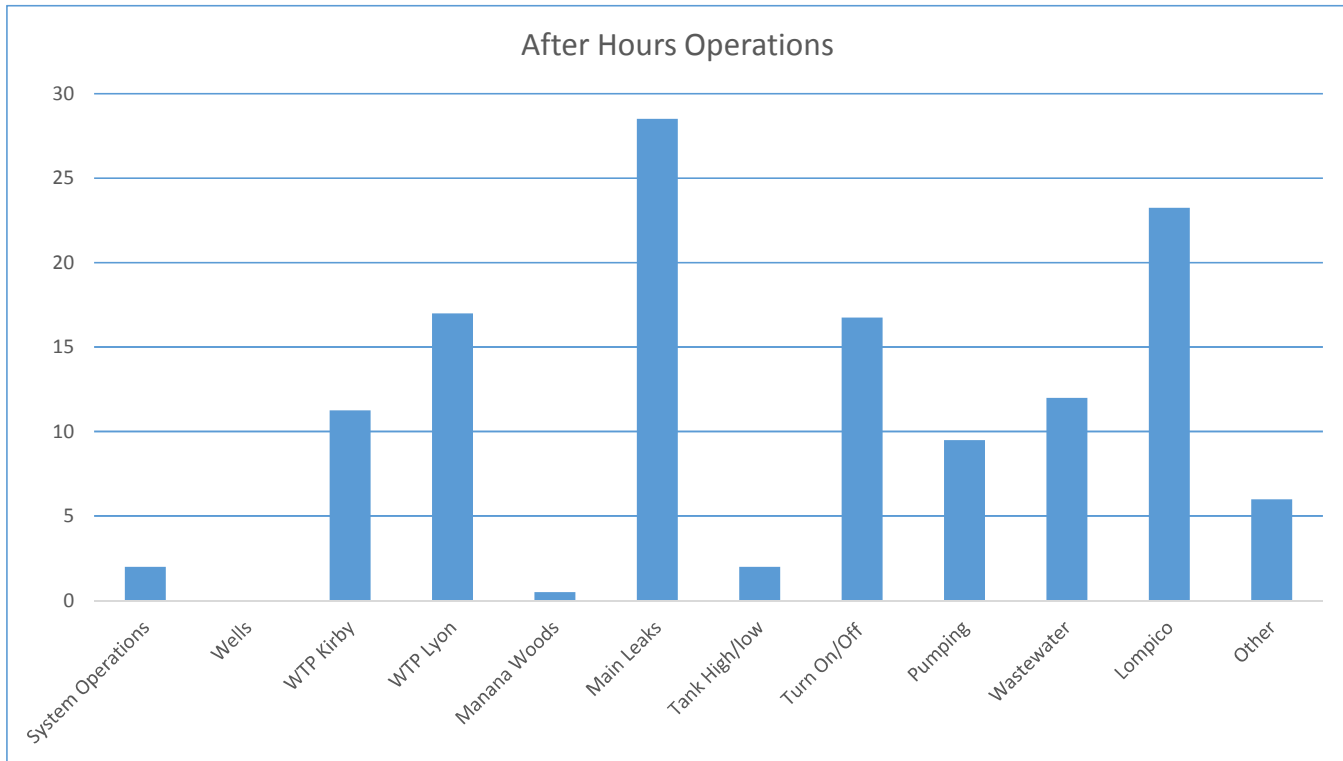


Month	2013	2014	2015	2016	2017
January	12,976	12,317	13,633	13,082	16,286
February	11,201	13,015	12,934	13,505	14,945
March	13,558	13,817	14,714	15,882	17,451
April	14,283	13,883	15,279	13,704	13,270
May	16,560	14,228	12,550	13,290	
June	12,780	14,000	13,582	16,841	
July	15,497	14,519	13,441	14,228	
August	13,136	14,096	13,569	14,923	
September	12,087	13,622	13,137	15,229	
October	15,120	14,261	14,868	14,924	
November	13,046	11,594	10,591	13,510	
December	12,060	12,394	13,648	14,187	
Totals	162,304	161,746	161,946	173,305	61,952



**SAN LORENZO VALLEY WATER DISTRICT**  
**OPERATIONS DEPARTMENT**  
 April 2017

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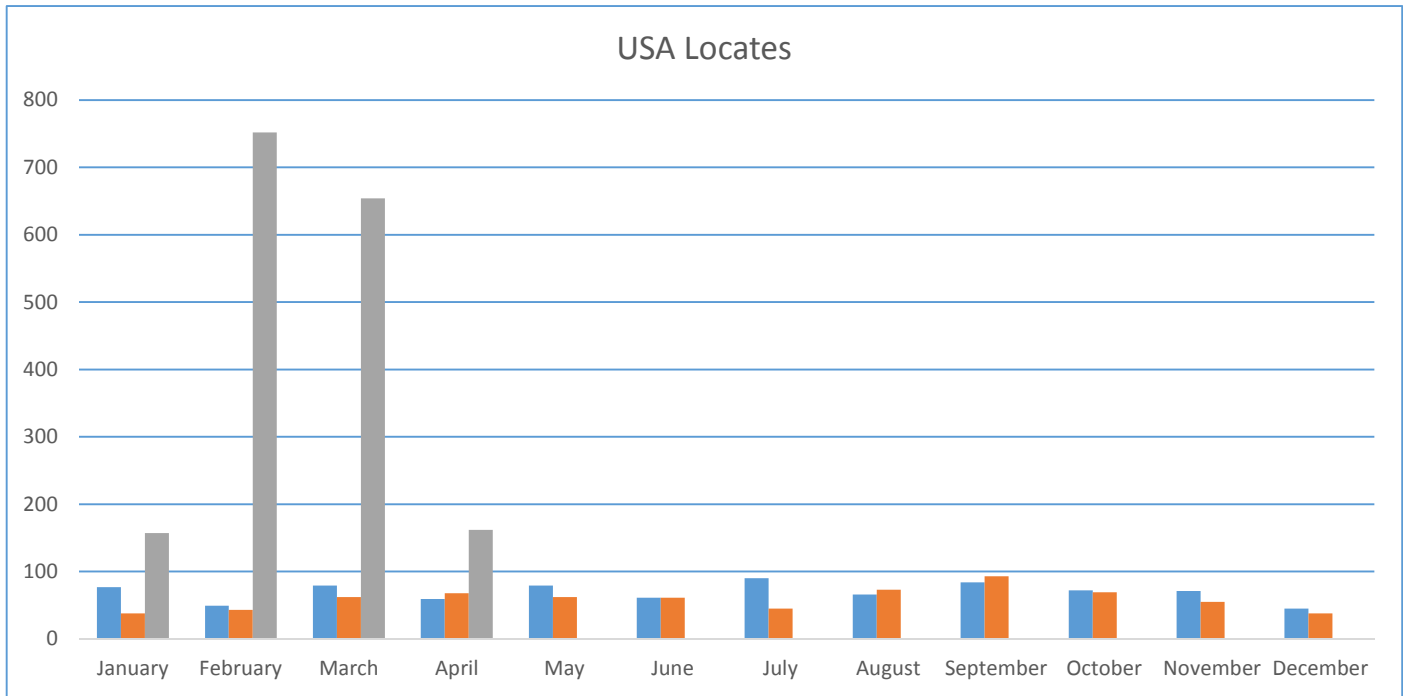


<u>Description</u>	<u>Hours</u>		<u>2015</u>	<u>2016</u>	<u>2017</u>
System Operations	2	January	N/A	145	280.75
Wells	0	February	N/A	86.5	192.25
WTP Kirby	11.25	March	N/A	153.75	105.75
WTP Lyon	17	April	82.50	72	128.75
Manana Woods	0.5	May	104.75	49.25	
Main Leaks	28.5	June	172.50	83.25	
Tank High/low	2	July	124.25	80.25	
Turn On/Off	16.75	August	111.75	81.25	
Pumping	9.5	September	230.25	175	
Wastewater	12	October	128.25	78.5	
Lompico	23.25	November	114.25	96.25	
Other	6	December	186.25	130.75	
<b>Total</b>	<b>128.75</b>		<b>1254.75</b>	<b>1231.75</b>	<b>707.5</b>



**SAN LORENZO VALLEY WATER DISTRICT**  
**OPERATIONS DEPARTMENT**  
**April 2017**

Agenda: 5.25.17  
Item: 10a4



<u>Month</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
January	77	38	157
February	49	43	752
March	79	62	654
April	59	68	162
May	79	62	
June	61	61	
July	90	45	
August	66	73	
September	84	93	
October	72	69	
November	71	55	
December	45	38	
<b>Total to Date</b>	<b>832</b>	<b>707</b>	<b>1,725</b>





# Memorandum

**To:** SLVWD BoD  
**From:** LADOC  
**Date:** Discussed at 5/11/2017 LADOC Meeting  
**Re:** Preliminary list of information required for the Lompico Assessment District monthly Finance Report

- Project Code assigned to each Assessment District project. The project code could include one or two letters indicating that it IS a Lompico Assessment District project, then specify the particular Assessment District agreement project.
- Any capital cost outlay assigned to the Assessment District funds should include the invoice number, company, details of what was purchased, date and total amount charged and Project Code
- Any employee hours assigned to the Assessment District should include their hourly wages, number of hours charged, any additional charges that will be applied to the Assessment District Projects (such as Benefits, vacation time, FTE) and the project code.



# Memorandum

**To:** SLVWD BoD  
**From:** Lompico Assessment District Oversight Committee (LADOC)  
**Re:** Questions generated at 5/11/17 LADOC meeting

As per the email instructions sent by District Manager, Brian Lee, the Lompico Assessment District Oversight Committee is directing the following statements, questions or concerns to your attention:

1. Moving forward the LADOC regular meetings will be held on the 2nd Tuesday of each month at 5:30 at the same location in the old Lompico County Water District Office on Lompico Road. Please update the meeting information on the LADOC Page at SLVWD.com and request that staff arrange to have the office open for the meeting.
2. Was the decision to not have a staff member attend the LADOC meetings a result of a SLVWD BoD vote? If so, please provide the date of the meeting and advise if minutes/and or recording is posted to SLVWD.com.
3. Would it be possible to have the Finance Manager attend an upcoming LADOC meeting to brainstorm with the committee regarding the design and implementation of the Lompico Assessment District monthly finance report?
4. Would it be possible to have Director of Operations, Rick Rogers attend a LADOC meeting once quarterly to share status of the Lompico Assessment Projects?



May 19, 2017

5. Does the BoD assert that all of the invoices, time cards, etc. provided by SLVWD staff as informational material for the April 13 LADOC meeting agenda pertain to the Assessment District Projects and will be charged to the Lompico Assessment District funds?

Just one example of the concerns that we have regarding these documents is the 240 hours for Rachael Munoz (Finance Personnel) in the month of August. Please explain her role in supporting the Lompico Assessment District projects.

6. Attached in the same email as this memo is a preliminary list of the information which must be included in the monthly Lompico Assessment District Finance report for the LADOC to fulfill their responsibility to the residents of Lompico by reviewing matters of revenue and expenses directly related to the Assessment District Projects.
7. Lydia Hammack and Toni Norton would like the BoD's authorization to attend the Monterey 7/19 CFCC Funding Fair. There is no charge for attending the Fair. Citizen committee members of Water Districts may attend with the authorization of the Water District they represent. We'd like to attend so that we can gather information regarding loans that SLWVD may be able to take advantage of for the Assessment District Projects and make use of the interest revenues included in the Assessment District funds. We will report back to the SLVWD BoD and/or Finance Committee. Once we receive your verbal authorization we will register online for the fair.
8. Please update verbiage, as previously promised, on the SLVWD.com LADOC page and the BoD Policy Manual to read: "Responsible to review matters of revenue and expenses directly related to the *projects* financed by Assessment District 2016-1"



*May 19, 2017*

9. Please advise whether or not there is a specified turn-around time for posting minutes to the SLVWD.com LADOC page from the time they are delivered to SLVWD Staff.



**SAN LORENZO VALLEY WATER DISTRICT  
SPECIAL BOARD MEETING MINUTES**

April 12, 2017

1:30 p.m.

**CONVENE MEETING/ROLL CALL:**

President Ratcliffe convened the meeting at 1:35 p.m.

Dirs. Hammer, Baughman and Ratcliffe were present. District Manager Lee, Director of Finance and Business Services Hill, Budget and Finance Committee member Hayes were also present.

**NEW BUSINESS:**

SAN LORENZO VALLEY WATER DISTRICT RATE STUDY-PRESENTED BY NBS

Greg Clumpner, NBS, presented Rate Study Tasks

Carmen Narayanan, NBS, presented the Sewer Plan

H. Stanley, Boulder Creek, L. Henry, Lompico, D. Loewen, Lompico, M. Lee, Ben Lomond, E. Frech, Lompico addressed the Board.

A motion was made to adopt the Sewer Rates.

A motion was made to rescind the previous motion. All present voted in favor of rescinding the motion.

K. Brown, Boulder Creek, L. Henry, M. Lee, D. Loewen addressed the Board.

B. Holloway, Boulder Creek and M. Lee addressed the Board.

At 3:30 p.m. a 5 minute recess was taken.

**ADJOURNMENT:**

President Ratcliffe adjourned the meeting at 4:04 p.m.



**SAN LORENZO VALLEY WATER DISTRICT  
SPECIAL BOARD MEETING MINUTES**

April 20, 2017

5:00 p.m.

**CONVENE MEETING/ROLL CALL:**

President Ratcliffe convened the meeting at 5:05 p.m.

Dirs. Hammer, Baughman, Ratcliffe, Bruce & Smallman were present. District Manager Lee, Director of Operations Rogers, Director of Finance and Business Services Hill, Environmental Programs Manager Michelsen were also present.

A motion was made to pull Item 4a from discussion. All present were in favor.

**ORAL COMMUNICATIONS:**

P. Lang, Boulder Creek, addressed the Board.

**ADJOURNMENT TO CLOSED SESSION:**

President Ratcliffe adjourned to closed session at 5:10 p.m.

**RECONVENE TO OPEN SESSION:**

Pres. Ratcliffe reconvened the meeting to open session at 6:30 p.m.

**REPORT ACTIONS TAKEN IN CLOSED SESSION:**

President Ratcliffe reported that there were no reportable actions taken.

**ORAL COMMUNICATIONS:**

M. Rodriguez, Felton, T. Norton, Lompico, R. Moran, Ben Lomond, C. Moran, Ben Lomond, J. Fasolas, Felton, P. Lang, Boulder Creek, N. Nicari, Ben Lomond, L. Henry, Lompico, J. Mosher, Felton, S. Ballard, Felton, J. Wentworth, Felton, D. DeBert, Boulder Creek, a man from Ben Lomond, D. Loewen, Lompico, J. Macha, Boulder Creek, M. Meacham, Lompico, K. Urlick, Lompico, M. Messimer, Felton, T. Norton, Lompico (again), R. McPherson, Boulder Creek addressed the Board.

**DISTRICT MANAGER REPORTS**

B. Holloway, Boulder Creek, addressed the Board.

D. Loewen, Lompico, addressed the Director of Finance and Business Services.

M Messimer, Felton, addressed the Environmental Programs Manager.



M. Lee, Ben Lomond, R. Moran, Ben Lomond, B. Fultz, J. Calaprice, B. Holloway, P. Lang, R. McPherson, T. Norton and J. Grunow, Lompico addressed the Board.

10 minutes recess was taken.

### **NEW BUSINESS:**

A motion was made to move Item 14b DATA COLLECTION/RESTORATION GRANT up in the agenda to accommodate late hours for high school student presenters. All were in favor.

### **CONSENT AGENDA:**

A motion was made to approve Items 12 a, b, c & d. All voted in favor.

Director Hammer recused himself from voting on Item 12 e because he sits on a sub-committee of the Redwood Mountain Faire. The remaining 4 Board members voted in favor.

### **UNFINISHED BUSINESS:**

S. Baird, M. Meacham, L. Henry, J. Schneider, Lompico, B. Fultz, and a man from Lompico addressed the Board.

A motion was made to table Item 13a LOMPICO SURCHARGE until a formal response has been received from the FPPC and after review by counsel with a copy of the letter sent by Dir. Smallman clarifying 87200 filing.

M. Meacham and T. Norton addressed the Board.

All voted in favor of the motion.

### **NEW BUSINESS (cont.):**

14a HIGHWAY 9 METER APPLICATION/REVIEW/INSTALLATION-SIBLEY

B. Sibley addressed the Board and read a letter.

B. Fultz and M. Lee, Ben Lomond, addressed the Board.

No action was taken by the Board.

14e LOMPICO ASSESSMENT DISTRICT OVERSIGHT COMMITTEE

T. Norton, M. Meacham, & L. Henry addressed the Board.

### **ADJOURNMENT:**

President Ratcliffe adjourned the meeting at 12:18 a.m.



**SAN LORENZO VALLEY WATER DISTRICT  
SPECIAL BOARD MEETING MINUTES**

May 1, 2017  
6:00 p.m.

**CONVENE MEETING/ROLL CALL:**

President Ratcliffe convened the meeting at 6:03 p.m.

Dirs. Bruce, Hammer, Baughman, Smallman and Ratcliffe were present. District Manager Lee, Director of Finance and Business Services Hill, Director of Operations

**ORAL COMMUNICATIONS:**

A motion was made to move Oral Communications to the end of the meeting. All voted in favor.

**NEW BUSINESS:**

SAN LORENZO VALLEY WATER DISTRICT RATE STUDY-PRESENTED BY NBS  
Greg Clumpner, NBS, presented Rate Scenarios  
Carmen Narayanan, NBS, presented the Sewer Plan

K. Hill, Ben Lomond, R. Shaw, Lompico, D. Loewen, Lompico, L. Hammack, Lompico, M. Lee, Ben Lomond, E. Frech, Lompico, J. Hayes, Felton, B. Holloway, Boulder Creek, K. Brown, Boulder Creek, R. Shaw and S. Yergovich, Boulder Creek addressed the Board.

Director of Finance and Business Services Hill addressed the Board.

**ORAL COMMUNICATIONS (cont.):**

M. Lee, addressed the Board

**ADJOURNMENT:**

President Ratcliffe adjourned the meeting at 8:07 p.m.



**SAN LORENZO VALLEY WATER DISTRICT  
SPECIAL BOARD MEETING MINUTES**

May 3, 2017  
10:00 a.m.

**CONVENE MEETING/ROLL CALL:**

President Ratcliffe convened the meeting at 10:02 a.m.

Drs. Baughman, Ratcliffe and Bruce were present. District Manager Lee, Environmental Programs Manager Michelsen and Director of Operations Rogers were also present.

**ORAL COMMUNICATIONS:**

A motion was made to move Oral Communications to the end of the meeting. All voted in favor.

**UNFINISHED BUSINESS:**

**BROOM AND ACACIA MANAGEMENT PLAN FOR THE OLYMPIA WELLFIELD**

B. Largay, Felton, S. Yergovich, Boulder Creek, D. Belom, Boulder Creek, K. Murello, Ben Lomond, Jan, Jill, Dana Felton, R. Shaw, Lompico, L. Hammack, Lompico, Nan Singh, Ben Lomond, C. Moran, P. Murello, Ben Lomond, D. Alley, Ben Lomond, Josh, Boulder Creek, F. McPherson, Boulder Creek, R. McPherson, Boulder Creek, P. Lang, Boulder Creek, M. Flegel, Ben Lomond, J. Baker, Ben Lomond addressed the Board.

Recess was called at 11:50 for 10 minutes.

P. Lang, D. Belom, F. McPherson, R. McPherson, K. Murello, C. Moran, S. Yergovich, D. Alley, N. Singh, K. Murello, N. Singh, C. Moran addressed the Board.

**ORAL COMMUNICATIONS (cont.):**

No oral communications.

**ADJOURNMENT:**

President Ratcliffe adjourned the meeting at 2:06 p.m.



**SAN LORENZO VALLEY WATER DISTRICT  
SPECIAL BOARD MEETING MINUTES**

May 8, 2017

6:00 p.m.

**CONVENE MEETING/ROLL CALL:**

President Ratcliffe convened the meeting at 6:00 p.m.

Drs. Smallman, Baughman, Hammer, Ratcliffe and Bruce were present. District Manager Lee, Environmental Programs Manager Michelsen and Director of Operations Rogers were also present.

**ORAL COMMUNICATIONS:**

A motion was made to move Oral Communications to the end of the meeting. All voted in favor.

**UNFINISHED BUSINESS:**

**BROOM AND ACACIA MANAGEMENT PLAN FOR THE OLYMPIA WELLFIELD**

K. Holl, L. Ford, Felton, P. Lang, Boulder Creek, S. Yergovich, Boulder Creek, Janine, SLV, F. McPherson, Boulder Creek, T. Cockrell, SLV, L. Hammack, Lompico, R. Shaw, Lompico, Linda, Ben Lomond, Mr. Barlett, C. West, Felton, C. Moran, Ben Lomond, M. Emory, Zayante, J. Mertzly, SLV, R. Moran, Ben Lomond, J. Gomez, Lompico, W. Mertzly, SLV, M. Barr, Santa Cruz Co., J. Bates, Ben Lomond, J. McGraw, SLV, D. Alley, Brookdale addressed the Board.

A 5 part motion was made:

1. The Board should convene a Blue Ribbon task force of outside ecosystem restoration experts to report out in 6 months.
2. Staff should scope the costs associated with manual management of the broom, including monitoring and disposal costs per year for a period of 5 years based on priority areas, and include this in next and succeeding year's budgets.
3. Include applying for a "Take" permit in upcoming work plans.
4. Embark upon an immediate hand cutting eradication targeting priority locations within the scope of our existing budget.
5. Selectively apply glyphosate to the few mother plants in the most sensitive areas 1 time and monitor

L. Hammack, R. Shaw, S. Yergovich, L. Ford addressed the Board.



**ROLL CALL:**

Ayes: Baughman, Ratcliffe, Bruce  
Noes: Smallman, Hammer  
Abstain:  
Absent:

The motion passed.

**ORAL COMMUNICATIONS (cont.):**

No oral communications.

**ADJOURNMENT:**

President Ratcliffe adjourned the meeting at 8:22 p.m.



**SAN LORENZO VALLEY WATER DISTRICT  
SPECIAL BOARD MEETING MINUTES**

May 18, 2017

6:30 p.m.

**CONVENE MEETING/ROLL CALL:**

President Ratcliffe convened the meeting at 6:30 p.m.

Drs. Smallman, Ratcliffe and Baughman were present. Environmental Programs Manager Michelsen was also present.

A motion was made to excuse the absences of Directors Bruce and Hammer. All present voted in favor.

**ORAL COMMUNICATIONS:** None

**UNFINISHED BUSINESS:**

PUBLIC HEARING FOR THE MITIGATED NEGATIVE DECLARATION FOR THE  
PROBATION TANK REPLACEMENT PROJECT

Pres. Ratcliffe opened the public meeting. No public comments.

Pres. Ratcliffe closed the public meeting.

A motion was made to accept the Mitigated Negative Declaration for the Probation Tank Replacement project. All present voted in favor.

**ADJOURNMENT:**

President Ratcliffe adjourned the meeting at 6:43 p.m.



## MEMO

TO: Board of Directors

FROM: District Manager

SUBJECT: REQUEST FOR DISTRICT SPONSORSHIP OF THE 2017 GARDEN FAIRE

DATE: May 25, 2017

### **RECOMMENDATION:**

It is recommended that the Board of Directors review this memo and approve an appropriate level of funding to sponsor the 2017 Garden Faire to be held Saturday, June 17, 2017 at Sky Park, Scotts Valley.

### **BACKGROUND:**

On May 8, 2017, the Board received a letter from Sheryl McEwan, Coordinator of The Garden Faire requesting District sponsorship of the 2017 Garden Faire in the amount of \$2,500 (attached). In this letter Ms. McEwan includes a description of the theme of this year's event "Cultivating Community in Times of Change," and the Garden Faire's educational value.

The Garden Faire, Inc., is a non-profit community organization that advocates ecologically responsible gardening. The Garden Faire is admission-free and will include speakers from various community groups and agencies such as, the Water Conservation Coalition of Santa Cruz County, who will provide have a booth on water conservation methods and dialogs with water customers. A local business will have a major demonstration of water storage systems.

Each year since its inception in 2006 the Garden Faire has actively educated the public about landscaping practices that conserve water and protect water quality, including the use of native plants, water-saving technologies, and or reduced pesticide/herbicide use.

Since 2007, District staff has worked with the inter-agency Water Conservation Coalition (WCC) of Santa Cruz County to promote efficient use of water in residential landscaping which can greatly reduce water demand.

In past years, District funding has contributed toward reserving a large, strategically placed booth at the Garden Faire for use by the WCC, providing an opportunity for the District to display public information about its water conservation program at this event.

From 2006 through 2008, the District funded the Garden Faire through its Education Grant Program with awards of \$970, \$2,500, \$1,400, respectively. From 2009 through 2013 our Board sponsored the Garden Faire in the amount of \$2,500. Other Garden Faire sponsors



have included the Scotts Valley Water District, the City of Scotts Valley, the Soquel Creek Water District, the Santa Cruz Water Department, the Santa Cruz Weekly and Vision Recycling.

It is recommended that the Board of Directors review this memo and approve an appropriate level of funding to sponsor the 2017 Garden Faire to be held Saturday, June 17, 2016 at Sky Park, Scotts Valley.

FISCAL IMPACT:

FY 15-16 Budget - Water Conservation, \$2,500

2015 STRATEGIC PLAN:

Strategic Element 6.0 - Public Affairs

Strategic Element 7.0 - Strategic Partners



# The Garden Faire

Monday, May 8, 2017

Board of Directors  
San Lorenzo Valley Water District  
13060 Highway 9  
Boulder Creek, CA 95006-9119

Dear Directors,

We invite the San Lorenzo Valley Water District to sponsor The Garden Faire. This one-day, free admission event is scheduled for June 17, 2017 at Skypark in Scotts Valley. The Garden Faire, Inc., a non-profit community organization that advocates ecologically responsible gardening, is the host of this home gardening event. Our theme for 2017: "Cultivating Community in Times of Change."

The day will feature a series of talks given by well qualified speakers, informational presentations by local gardening, ecological and landscaping groups and a marketplace of garden-related items. Examples: the Water Conservation Coalition of Santa Cruz County will have a prominent booth on water conservation methods and dialogs with water customers; a local business will have a major demonstration of water storage systems. The speakers' topics will be supportive of sustainable gardening, including the use of less-toxic chemicals, watershed protection, and gray water recycling.

We will also focus on edible gardening, with gardening and cooking demonstrations. The day will be rounded out with children's activities, music, and healthful food booths.

The Monterey Bay area is the home of scores of garden-related organizations and thousands of home gardeners. The Garden Faire works with professional landscapers and gardening-related businesses and provides a valuable opportunity to learn about best practices in gardening and landscaping.

We are requesting a District sponsorship in the amount of \$2,500. The support of the District—together with other local water providers and related businesses—makes this event possible on a greater scale than could be achieved otherwise.

We appreciate the District's support for the past ten years. We look forward to your participation in the 11th annual offering of this event, as a visible and enjoyable source of information needed to meet California's urgent need to conserve water.

Cordially,



for Sheryl McEwan

Enclosures

Cc: District Manager Brian Lee, Environmental Programs Manager Jennifer Michelsen



## The Garden Faire 2017

### Attachment A: Project Budget

#### Expenses

Contracted Services (coordination, promotion)	3,500
Publicity	3,000
Website, E-mail, Social Media	1,000
Rentals (canopies, tables, chairs, public address)	2,000
Office Supplies (signage, photocopies, printer ink, etc.)	1,000
Speaker Fees	500
Music Fees	650
Legal, Accounting, Insurance	2,000
Contingencies (10%)	1,365
Reserve for 2017 Faire	2,500
<b>Total, Expenses</b>	<b>17,515</b>

#### Revenues

Gold Sponsorships	
Scotts Valley Water District	
Soquel Creek Water District	
San Lorenzo Valley Water District	
Santa Cruz Water Department	
Pajaro Valley Water Management Agency	
Sub-total	10,000
Silver & Bronze Sponsorships	2,000
Fees Paid by Participating Exhibitors	5,000
Miscellaneous Income	515
<b>Total, Revenues</b>	<b>17,515</b>

Note: The Garden Faire also benefits from substantial in-kind contributions of services and volunteer time. In 2016, these contributions exceeded \$8,000.



**The Garden Faire 2017**  
**Attachment B: Key Personnel**

**The Garden Fire**

Phone: (831) 212-5861

Email: [thegardenfaire@rocketmail.com](mailto:thegardenfaire@rocketmail.com)

Web: [www.TheGardenFaire.org](http://www.TheGardenFaire.org)

**Coordinator**

Sheryl McEwan

Phone: (831) 212-5861

Email: [sherylmcewan@pacbell.net](mailto:sherylmcewan@pacbell.net)

**Business Manager**

Thomas Karwin

Phone: (831) 760-6727

Email: [tom@karwin.com](mailto:tom@karwin.com)

Web: [ongardening.com](http://ongardening.com)

**Publicity**

Pete Christensen

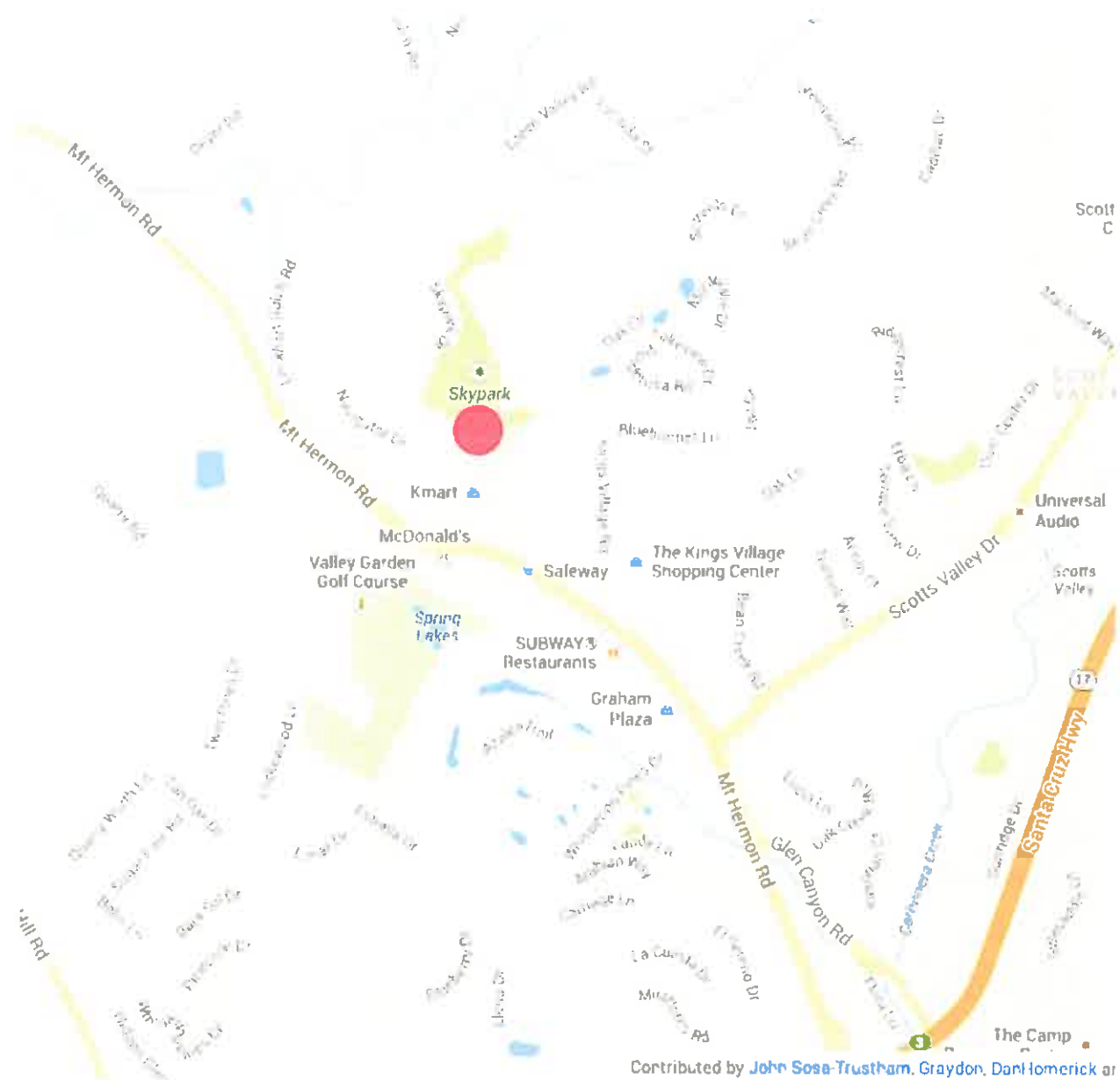
Phone: (831) 448-6356

Email: [petechris23@comcast.net](mailto:petechris23@comcast.net)



## The Garden Faire 2017

### Attachment D: Location Map





INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

SEP 17 2014

THE GARDEN FAIRE  
201 NAVIGATOR DRIVE  
SCOTTS VALLEY, CA 95066-4065

Employer Identification Number:  
45-5111480  
DLN:  
26053639001564  
Contact Person:  
CUSTOMER SERVICE ID# 31954  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
509(a)(2)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
August 15, 2014  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436



THE GARDEN FAIRE

Sincerely,

A handwritten signature in cursive script, reading "Tamera Rippanda".

Director, Exempt Organizations

Letter 5436



## MEMO

To: Board of Directors  
From: District Manager  
Subject: LOMPICO SURCHARGE  
Date: May 25, 2017

### **RECOMMENDATION:**

It is recommended that the Board of Directors set the second year Lompico Surcharge at \$18.50 per month. Additionally, it is recommended that the Board of Directors terminate the Lompico Surcharge effective December 31, 2017.

### **BACKGROUND:**

On June 1<sup>st</sup>, 2016, the District merged with Lompico County Water District (LCWD) through a Local Agency Formation Commission process. The merger was predicated on an agreement signed by both Districts (attached as LAFCO Resolution 953-A). A condition of that agreement was a Lompico Surcharge, *"...in order to cover the difference between SLVWD's estimated revenues collected in Lompico and SLVWD's estimated operating costs in Lompico..."*.

In October 2016, to ensure fairness and equity to all 8,000 District customers, including the 500 Lompico Service Area customers, the Board committed to review the Lompico Surcharge after the final LCWD Audit (partial 15/16) was completed.

John Hayes, public member of the Budget and Finance Committee, has been working with Stephanie Hill, Director of Finances, to develop a five-year projection of expenses and revenue for the Lompico Service Area (attached).

The projection shows that the surcharge may be reduced to \$18.50 per month starting in July of 2017 (two months away). That is less than the LAFCo Agreement of \$19.50 per month for the second year. Additionally, the five-year projection would be at a 'break even' if the surcharge was eliminated on December 31, 2017.

Staff supports this analysis and recommends that the Board set the Lompico Surcharge at \$18.50 per month for the months of July 2017 through December 2017. Staff recommends the Board vote to eliminate the Lompico Surcharge effective December 31, 2017.

### **STRATEGIC PLAN:**

Element 5.0 - Fiscal Planning

### **FISCAL IMPACT:**

None



LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. 953-A

On the motion of Commissioner Coonerty  
Duly seconded by Commissioner Dodge  
The following resolution is adopted:

MAKING DETERMINATIONS AND ORDERING PROTEST PROCEEDINGS  
OF TERRITORY DESIGNATED AS THE LOMPICO REORGANIZATION  
LAFCO NO. 953-A

\*\*\*\*\*

The Santa Cruz Local Agency Formation Commission does hereby RESOLVE,  
DETERMINE, AND ORDER as follows:

1. A resolution for the proposed annexation of certain territory was filed by Resolution No. 128-2013 of the Lompico County Water District and Resolution No. 31 (13-14) of the San Lorenzo Valley Water District, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.); and the territory is assigned the short term designation of the "Lompico Reorganization, LAFCO No. 953-A".
2. The reorganization consists of the following changes of organization:
  - Dissolution of the Lompico County Water District,
  - Annexation of territory to the San Lorenzo Valley Water District.
3. The Executive Officer of the Commission has reviewed the resolutions; has prepared a report, including his recommendations thereon; and has presented the same before this Commission for consideration.
4. Public hearing by the Commission was held on August 6, 2014; and at the hearing the Commission heard and received all oral and written protests, objections, and evidence that were presented.
5. Said territory includes approximately 757 acres and is found to be inhabited for purposes of reorganization law.
6. The boundaries of the area of the proposed reorganization are approved as revised to include the annexation of parcels on Zayante Drive and as shown on Exhibit A.
7. The approval of this reorganization is conditioned upon the following terms and conditions:
  - A) INFRASTRUCTURE BOND  
Prior to the filing of the Certificate of Completion, a Community Facilities District bond or similar revenue instrument shall be passed by the voters



and/or property owners of the Lompico service area so that proceeds not greater than \$2.75 million will go to the San Lorenzo Valley Water District (SLVWD) for the purposes of infrastructure improvements solely for the benefit of the Lompico service area. If a grant or other source of funds can be secured to make infrastructure improvements that are programmed to be included in the not-to-exceed \$2.75 million of bond proceeds, or if the costs of the programmed improvements are lower, the amount of the bond proceeds can be a lesser amount if authorized in writing by the San Lorenzo Valley Water District Board following consideration of the reduction at a public meeting of that board.

**B) BOND OVERSIGHT COMMITTEE**

Upon distribution of the bond proceeds, SLVWD shall establish a citizens' bond oversight committee consisting of five Lompico water customers to review expenditure of the bond proceeds on projects that directly benefit Lompico.

**C) LOAN PAYBACK**

Prior to the filing of the Certificate of Completion, Lompico County Water District shall pay the entire amount due on the PERS Side Fund Loan Agreement that was executed on July 30, 2013 by and between Lompico County Water District and San Lorenzo Valley Water District.

**D) LOMPICO WATER RATES AND CHARGES**

SLVWD shall bill the Lompico customers of SLVWD the same rates as the other customers within SLVWD. However, prior to filing of the Certificate of Completion, in order to cover the difference between SLVWD's estimated revenues collected in Lompico and SLVWD's estimated operating costs in Lompico, Lompico County Water District shall enact a reduction in their water rates, effective only upon the reorganization, so that \$140,000 in excess of the amount generated by SLVWD rates would be collected in the first year following the effective date of the reorganization. LAFCO shall authorize SLVWD to continue to collect these Lompico charges after the reorganization. Prior to the Certificate of Completion being filed, SLVWD will deliver a letter to the LAFCO Executive Officer indicating that the charges adopted by the Lompico County Water District are structured in a manner that SLVWD is willing to implement. The Lompico charges shall not exceed the following amounts:



<u>Year</u>	<u>Beginning</u>	<u>Per Month</u> <u>Per Connection</u>
1	Upon the effective date of the reorganization	\$23.50
2	One year after effective date of the reorganization	\$19.50
3	Two years after effective date of the reorganization	\$8.50
4	Three years after effective date of the reorganization	\$5.50
5	Four years after effective date of the reorganization	\$5.50

The Lompico charges shall be phased out no later than five years after the effective date of the reorganization.

- E) The proponent districts shall provide a legal map, description, and fees to meet State Board of Equalization requirements.
  - F) The proponent districts shall be responsible to pay any fees required to comply with Fish and Game Code Section 711.4 (Fish and Game Fees required when notices of environmental decisions are filed).
  - G) The proponent districts shall pay any remaining processing fees as set in this Commission's Schedule of Fees and Deposits.
  - H) Prior to issuance of a Certificate of Completion for this reorganization, the proponent districts shall deliver an executed indemnification agreement that is in a form that is acceptable to this Commission and suitable for recordation.
8. This project qualifies for a Class 19 Categorical Exemption (annexation of existing facilities) and a Class 20 Categorical Exemption (consolidation or two or more districts having identical powers) from further analysis under the California Environmental Quality Act.
  9. Upon completion of this reorganization, the property tax revenues will be transferred in accordance with the Board of Supervisors tax exchange resolution (No. 158-2014) adopted for the Lompico Reorganization.
  10. Upon completion of this reorganization, all assets and liabilities of Lompico County Water District shall transfer to the San Lorenzo Valley Water District.
  11. The reorganization, as approved, is consistent with the Spheres of Influence of the Lompico County Water District and the San Lorenzo Valley Water District as amended by LAFCO Resolution No. 953 on August 6, 2014.
  12. This Commission hereby approves this reorganization, as conditioned, and directs the Executive Officer to conduct protest proceedings in accordance with State law.



PASSED AND ADOPTED by the Local Agency Formation Commission in the County of Santa Cruz this sixth day of August 2014.

AYES: R. Anderson, Bottorff, Coonerty, Dodge, Friend, Rapoza, Chairperson J. Anderson

NOES: None

ABSENT: None

*/original signed/*

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JAMES W. ANDERSON, CHAIRPERSON  
Santa Cruz Local Agency Formation Commission

Attest:

*/original signed/*

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Patrick M. McCormick, Executive Officer

Approved as to form:

*/original signed/*

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LAFCO Counsel



# Lompico Surcharge Update

John Hayes, Public Member Finance & Budget Committee

San Lorenzo Valley Water District

May 25, 2017



# Original Merger Pro-Forma

Source: Options for Future Water Service in Lompico, May 22, 2014

“Slvwd.com/lompico/Lompico Merger Options May 2014 ppt.pdf”

<b>EXPENDITURES:</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
Salaries and Benefits	\$ 270,375.00	\$ 278,486.00	\$ 243,815.00	\$ 226,016.00	\$ 221,157.00
Supplies and Services	\$ 164,731.00	\$ 169,673.00	\$ 174,763.00	\$ 174,763.00	\$ 179,952.00
Debt Service, etc.	\$ 27,315.00	\$ 20,068.00	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$ 462,421.00</b>	<b>\$ 468,227.00</b>	<b>\$ 418,578.00</b>	<b>\$ 400,779.00</b>	<b>\$ 401,109.00</b>

<b>REVENUES:</b>					
Property Taxes	\$ 53,040.00	\$ 54,101.00	\$ 55,183.00	\$ 56,286.00	\$ 57,412.00
Connection Fees, etc.	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	\$ -
Water Sales	\$ 266,000.00	\$ 295,000.00	\$ 310,000.00	\$ 310,000.00	\$ 310,000.00
Surcharge	\$ 138,381.00	\$ 114,066.00	\$ 51,273.00	\$ 32,307.00	\$ 31,446.00
Other Revenue	\$ 2,000.00	\$ 2,060.00	\$ 2,122.00	\$ 2,185.00	\$ 2,251.00
<b>TOTAL</b>	<b>\$ 462,421.00</b>	<b>\$ 468,227.00</b>	<b>\$ 418,578.00</b>	<b>\$ 400,778.00</b>	<b>\$ 401,109.00</b>
Schedule of Surcharges	\$23.50	\$19.50	\$8.50	\$5.50	\$5.50



# First Year Comparison

<b>EXPENDITURES:</b>	<b>Pro-Forma</b>	<b>2016/17 Actual</b>
Salaries and Benefits	\$ 270,375.00	\$ 336,680.00
Supplies and Services	\$ 164,731.00	\$ 158,614.88
Debt Service, etc.	\$ 27,315.00	\$ 140,904.00
<b>TOTAL</b>	<b>\$ 462,421.00</b>	<b>\$ 636,198.88</b>

<b>REVENUES:</b>		
Property Taxes	\$ 53,040.00	\$ 66,958.00
Connection Fees, etc.	\$ 3,000.00	\$ -
Water Sales	\$ 266,000.00	\$ 327,691.00
Surcharge	\$ 138,381.00	\$ 148,039.00
Other Revenue	\$ 2,000.00	\$ -
<b>TOTAL</b>	<b>\$ 462,421.00</b>	<b>\$ 542,688.00</b>
<b>NET</b>	<b>\$ -</b>	<b>\$ (93,510.88)</b>



# Updated 5 Year Projection

## EXPENDITURES:

		2016/17	2017/18	2018/19	2019/20	2020/21
Direct Labor & Expenses	\$	336,680.00	\$ 267,555.63	\$ 275,582.30	\$ 283,849.77	\$ 292,365.26
Indirect Labor & Expenses	\$	158,614.88	\$ 163,373.32	\$ 168,274.52	\$ 173,322.76	\$ 178,522.44
One-time expenses	\$	140,904.00	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$</b>	<b>636,198.88</b>	<b>\$ 430,928.95</b>	<b>\$ 443,856.82</b>	<b>\$ 457,172.53</b>	<b>\$ 470,887.70</b>

## REVENUES:

		2016/17	2017/18	2018/19	2019/20	2020/21
Property Taxes	\$	66,958.00	\$ 72,984.22	\$ 77,363.27	\$ 79,684.17	\$ 82,074.70
Connection Fees, etc.						
Water Sales	\$	327,691.00	\$ 301,810.00	\$ 310,864.30	\$ 320,190.23	\$ 329,795.94
Surcharge	\$	148,039.00	\$ 55,500.00			
Other Revenue						
<b>TOTAL</b>	<b>\$</b>	<b>542,688.00</b>	<b>\$ 430,294.22</b>	<b>\$ 388,227.57</b>	<b>\$ 399,874.40</b>	<b>\$ 411,870.63</b>
<b>Lompico Oper Net</b>		<b>(\$93,510.88)</b>	<b>(\$634.73)</b>	<b>(\$55,629.25)</b>	<b>(\$57,298.13)</b>	<b>(\$59,017.07)</b>
Liquid Asset Transfer	\$	266,068.00	\$ -			
<b>NET CASH FLOW</b>		<b>\$172,557.13</b>	<b>(\$634.73)</b>	<b>(\$55,629.25)</b>	<b>(\$57,298.13)</b>	<b>(\$59,017.07)</b>

**(\$22.05)**



# Recommendation

- Lompico Surcharge can be reduced to \$18.50 on 7/1/2017 and eliminated 12/31/2017
- Assumes expense of running the Lompico zones will fall into line with rest of district
- Assumes growth of property tax revenue and water sales



**Bill Smallman, P.E.**  
11765 Edgewood Drive  
Felton, CA 95018  
(831) 335-2911  
Mobile (831) 246 3830

February 28<sup>th</sup>, 2017

**Fair Political Practices Commission**  
428 J Street, Suite 620  
Sacramento, CA 95814

Dear FPPC,

**RE: Formal Advice Needed**

I have three issues, which I'd like to request your legal advice. As background, I was elected to, and served almost eight years on the board in the small Lompico County Water District, LCWD. This Water District was falling apart simply because it had two few customers and with not enough money and neglect. It became very clear early on that we needed to merge with the larger and surrounding San Lorenzo Valley Water District, SLVWD. We successfully achieved this extremely important goal, and then I ran and was elected to the SLVWD Board last year

In question is my position regarding participation in discussing merger agreement terms, now and in the future. Terms of the merger agreement included 1) funding of Lompico infrastructure repairs and upgrades via an assessment, and 2) a special fee to only those in the Lompico service area, called a surcharge, to a) cover the balance payments on two third-party debts, and b) difference in cost to operate Lompico as an independent water system until it could be integrated into the larger SLVWD water district.

Conditions changed, and Lompico ratepayers have asked for a review of the surcharge for possible reduction or elimination, as all debts were paid off and the former independent water system is now a regular zone of service via an intertie. The surcharge affects all 500 customers of the former district equally. I am a homeowner in this area. The specific question now is do I have a conflict of interest to discuss and vote on this special fee surcharge evaluation on the agenda?

The second issue is that I am presently the only member of the current SLVWD Board that has normal working hours, and a commute. All other Board members are retired, or consultants with flexible hours. Board meetings are held in the evenings. I've always understood this was done to increase transparency,



allowing anyone to attend meetings. I was selected to serve on the Engineering Committee, as this is my specialized field. When committees were first discussed, there was no problem accommodating my schedule for a once-a-month 5 pm committee meeting time. The board and manager acknowledged that some committees regularly met evenings in the past. Since then, there have been several controversial issues in which I have been the lone dissenting vote. The district manager and board now propose to limit committee meetings to meet only during working hours, they say to accommodate employees. I feel this is an attempt to eliminate me from the committee, and also special board meetings, several of which have recently also been scheduled during the day. I feel this has to do with political reasons, rather than practical issues. There is no requirement of full-time availability in running for the board. Senior employees regularly attend evening regular board meetings. Can the district therefore use restricted meeting times to eliminate a full-time working director's participation?

Finally, the third issue is that before I was sworn in, the General Manager contacted me that he would like to meet with me, and he also said that he meets one on one with each Director once every month. He asked me a good time for me, and I said 5pm, and we met and talked. I then became concerned that this practice may be an impetus for serial meetings. So, as this made me uncomfortable, I declined to meet with the General Manager until this could be clarified. At LCWD, any director could ask the general manager questions any time, but only the President met regularly with the General Manager to review agendas and issues. I don't really have any proof that in fact a serial meeting was conducted, nor do I have a specific issue that was decided as such, but many people feel this Board seems to express a consensus of opinion prior to the item being on an agenda at a public meeting, and that the General Manager may be using these private meetings to promote his opinion and influence on an issue or agenda item, out of the public eye. I would like to err on the side of appearances, and request your opinion on whether regular monthly meetings with the general manager place me at risk of a serial meeting.

If you could provide advice on these three issues, it would be greatly appreciated. If you decide that there is an exception on the first issue not being a conflict of interest, I would also greatly appreciate a formal letter to provide relief so that I can participate in the discussion of this surcharge.

Respectfully Submitted,



Bill Smallman, P.E.  
Director, San Lorenzo Valley Water District





STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
428 J Street • Suite 620 • Sacramento, CA 95814-2329  
(916) 322-5660 • Fax (916) 322-0886

May 3, 2017

Bill Smallman, P.E.  
11765 Edgewood Drive  
Felton, CA 95018

Re: Your Request for Advice  
Our File No. A-17-053

Dear Mr. Smallman:

This letter responds to your request for advice regarding conflict of interest provisions of the Political Reform Act (the "Act").<sup>1</sup>

Please note that we are only providing advice under the conflict of interest provisions of the Act and not under other general conflict of interest prohibitions such as common law conflict of interest or Section 1090.

### QUESTION

May you take part in decisions by the San Lorenzo Valley Water District discussing and potentially eliminating a special surcharge that applies to the approximately 500 customers of the former Lompico Water District even though your residence is subject to the surcharge?

### CONCLUSION

Yes. Because the surcharge is a result of the merger of two water districts and for broadly provided public services, you may take part in the decisions under the public generally exception for special circumstances in Regulation 18703(e)(1).

### FACTS

You are currently an elected board member of the San Lorenzo Valley Water District ("SLVWD") and previous elected board member of the Lompico County Water District ("LCWD"). You served for approximately eight years as a member of LCWD. As a small district, LCWD was failing and was ultimately merged with the larger and surrounding SLVWD. The terms of the merger included the funding of LCWD infrastructure repairs and upgrades via an assessment, a special surcharge for customers within the former LCWD to cover the LCWD's third-party debt

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.



and the cost of operating the former LCWD until its system is integrated with the SLVWD system. This surcharge applies to all former LCWD customers, which total approximately 500.

Following the merger, you ran for and were elected to SLVWD's board. Because your residence is subject to the surcharge, you ask whether you have a potential conflict of interest in decisions to adjust or eliminate the surcharge. In subsequent conversations, you have indicated that the surcharge is approximately \$20 per month and that SLVWD has about 7,800 total customers.<sup>2</sup>

## ANALYSIS

Section 87100 prohibits any public official from making, participating in making, or using his or her official position to influence a governmental decision in which the official has a financial interest. A public official has a "financial interest" in a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on one or more of the public official's interests set forth in Section 87103. As pertinent to this request, the only interest implicated by your account of the facts is your residence within the former LCWD. Under Section 87103(b), an official has an interest in any real property in which he or she has a direct or indirect interest worth \$2,000 or more.<sup>3</sup> Thus, we must determine if a decision to adjust or eliminate the surcharge will have a foreseeable and material effect on your property interest.

### *Foreseeability and Materiality*

A governmental decision's financial effect on a public official's interest is presumed to be reasonably foreseeable if the interest is a named party in, or the subject of, the decision. Regulation 18701(a) provides:

"Financial Interest Explicitly Involved: A financial effect on a financial interest is presumed to be reasonably foreseeable if the financial interest is a named party in, or the subject of, a governmental decision before the official or the official's agency. A financial interest is the subject of a proceeding if the decision involves the issuance, renewal, approval, denial or revocation of any license, permit, or other entitlement to, or contract with, the financial interest, and includes any governmental decision affecting a real property financial interest as described in Regulation 18702.2(a)(1)-(6)."

Additionally, Regulation 18702.2(a)(3) provides that the reasonably foreseeable financial effect of a governmental decision on real property is material whenever the governmental decision, "Would impose, repeal, or modify any taxes, fees, or assessments that apply to the parcel."

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<sup>2</sup> We note that you have also sought advice regarding open meeting laws. However, as we discussed by phone, the Commission may provide advice only under the Act. We must refer you to your agency's counsel for questions outside of the Act.

<sup>3</sup> While an official also has an interest in his or her personal finances, including those of an immediate family member (Section 87103; Regulation 18700(c)(6)), an effect on an official's personal finances is not considered separately where the decision affects the official's interest in a business entity or real property (Regulation 18702.5(c)).



Accordingly, the financial effect of a decision to adjust or eliminate the surcharge will have foreseeable and material effect on your property and, absent an applicable exception, you have a potentially disqualifying financial interest in the decision.

*Public Generally Exception*

Section 87103 prohibits an official from taking part in a decision only if the effect of the decision on the official's interest is distinguishable from the effect on the public generally. Regulation 18703(a) sets forth the general rule to determine if the effect of the decision on the official's interest is distinguishable from the effect on the public generally.

"A governmental decision's financial effect on a public official's financial interest is indistinguishable from its effect on the public generally if the official establishes that a significant segment of the public is affected and the effect on his or her financial interest is not unique compared to the effect on the significant segment."

In most cases, the "public generally" exception, will apply only if the decision will affect a "significant segment of the public" defined as at least 25 percent of (1) the businesses or non-profit entities; (2) the real property, commercial real property, or residential real property; or (3) the individuals within the official's jurisdiction. (Regulation 18703(b).) While this is not the case with the surcharge at issue, Regulation 18703(e) provides additional limited exceptions, which apply in special circumstances. As pertinent to your question, Regulation 18703(e)(1) provides a exception if the official establishes:

"The decision establishes or adjusts assessments, taxes, fees, or rates for water, utility, or other broadly provided public services or facilities that are applied equally, proportionally, or by the same percentage to the official's interest and other businesses, properties, or individuals subject to the assessment, tax, fee, or rate."

In this case, the special surcharge was imposed to cover costs incurred with the merger of two water districts including the third-party debt of LCWD and the costs of operating LCWD until its systems were integrated with SLVWD. Because the primary purpose of the surcharge was to continue the delivery of water for the former customers of LCWD, we find that the surcharge is an assessment, tax, fee, or rate for broadly provided public services. Additionally, this surcharge applies to all former LCWD customers, and it appears from the facts presented that the adjustment or elimination of the surcharge would be applied "equally, proportionally, or by the same percentage to the official's interest and other businesses, properties, or individuals subject to the surcharge." Therefore, based on the facts presented, the exception applies. Accordingly, we find that you may take part in the decisions at issue under the Act.



If you have other questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Hyla P. Wagner  
General Counsel



By: Brian G. Lau  
Senior Counsel, Legal Division

BGL:jgl



## Lompico Surcharge

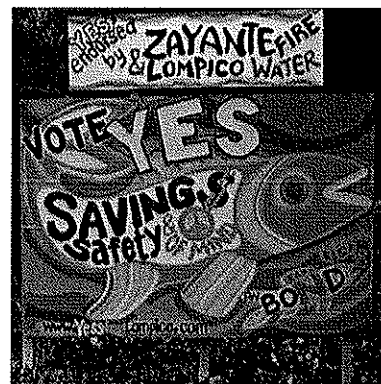
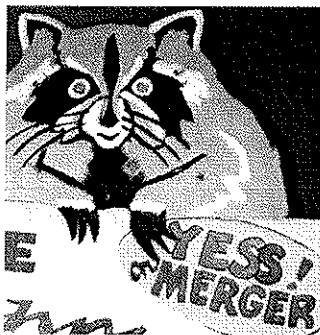
By Bill Smallman P.E.



## MERGER was WIN-WIN

### Important Facts to Consider:

- The unanticipated \$229,000 in cash the District was immediately able to use to install new smart meters and SCADA making Lompico much less costly to operate, eliminating most of the need for the surcharge.
- \$47,383 of debt for pension costs for a former LCWD employee specifically used in the surcharge calculation. However, this was paid off before the merger by LCWD. This amounts to \$4.55 and \$3.35 per household, per billing for the 1<sup>st</sup> and 2<sup>nd</sup> year respectively. Another words, Lompico is paying for a debt they already paid for. And there is more...





## More Facts:

- From the audit report done by Fedak and Brown, on page 36, shows the District's "Net Position" increasing by \$1,145,807 as result of the Lompico merger. If you don't think this merger made financial sense, you better think again.
- SLVWD basically added a new stream of money from 500 household neighborhood that financially has the means to repair most of its infrastructure.

## The Surcharge

- Is very ill-defined. There is no accountable structure.
- No information from the Audit helps.
- Cost accounting is very vague, making it impossible to determine ordinary cost, for the non-ordinary.
- May, in fact, show valuable information on the upcoming rate study.

## And....

- The \$2.9+ million dollars in enough to make Lompico one of the newest and lower maintenance cost neighborhoods.
- Lompico might just be the best thing that ever happened to SLVWD, and this kind of attention to rebuilding infrastructure will hopefully spread throughout the District.

## Numerous Errors in Manager's Claims

- **Michael Freitas did work for Zayante:** Over \$20,000 was charged for doing assessments outside of Lompico's jurisdiction. The work was useless for the Lompico Merger.
- **Meter Reading and no SCADA costs:** \$18.95 per month per service was included. Smart meter reading and SCADA has been installed, so this needs to be included in the adjustment.



## And.....

- **Fact is:** If the entire District were to divide up into 20 areas of 500 homes, they would all average the about the same cost. After Lompico repairs most of it's infrastructure with the latest technology, it will probably move to the top of the list of the lowest operating and maintenance costs.
- **Cost SLVWD did not recognize during negotiations:** SLVWD unrecognized far more costs with the Felton merger, and did not charge Felton residents to pay for them. Nowhere is it written that the Surcharge is to include them, Line 10 clearly states that ALL assets and LIABILITIES are to transfer to SLVWD.

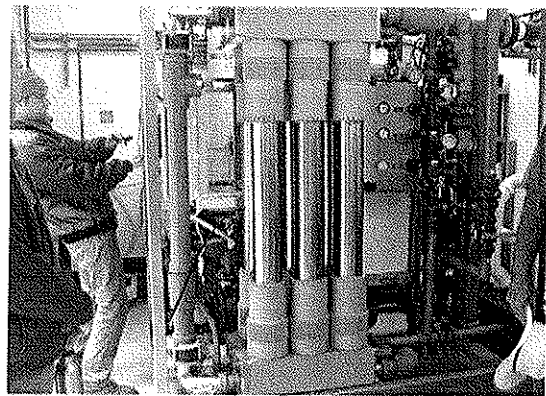


### Also.....

- Again, the list of costs have numerous items that are typical for operating a Water District.
- Lompican's have exceeded providing the success and benefit for SLVWD by agreeing to pay for most of it's infrastructure. Most of the mainline piping was installed in 1979, is PVC, and will lasts a very long time.

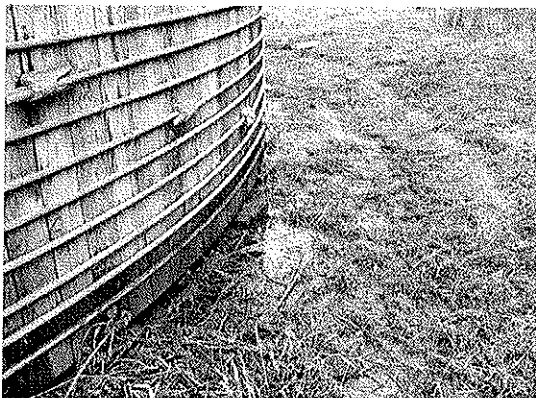
### Main Reasons Surcharge To End.

- Closely tied to the possible amount necessary for the possible rate increase. This District should have been easily able to absorb this cost. There is both a spending problem, and perhaps higher rates.
- Lompico is a proven beneficial partner in making the merger a success, by handing over \$235K in cash + on the hook for \$2.9+ million which will, in fact, making one of the lowest cost areas to not only operate, but have zero capital improvement costs.



### Conclusion

- Lompico has paid a full year of this surcharge. Lompican's do not deserve this since they are providing 500 home money stream from a neighborhood that will have a new system in place, from now and forever.
- Like I said, the Lompico Merger will probably be the best thing that ever happened to this District. It provide a great example of a Water District not focused on keeping up it's infrastructure. Believe it or not, the same thing could happen here.





## M E M O

**TO:** Board of Directors

**FROM:** District Manager

**SUBJECT:** DISCUSSION AND POSSIBLE ACTION REGARDING THE DRAFT JOINT POWERS AUTHORITY (JPA) FOR THE SANTA MARGARITA BASIN GROUNDWATER SUSTAINABILITY AGENCY (GSA).

**DATE:** MAY 25, 2017

### RECOMMENDATION:

The Board should review and approve the draft Santa Margarita GSA JPA and authorize the Board President to execute same.

The Board should approve two representatives and one alternate representative to the SMGA Board of Directors.

The Board should terminate the District's participation in the Santa Margarita Groundwater Basin Advisory Committee and approve dissolution of same.

### BACKGROUND:

On September 16, 2014, Gov. Jerry Brown signed the Sustainable Groundwater Management Act of 2014 (SGMA).

On November 16, 2015, the Department of Water Resources implemented a key provision of the groundwater law - the new Basin Boundary Regulations, which outline the process that local agencies need to follow to request that DWR modify the boundaries of a groundwater basin or sub basin, or the creation of new sub basin.

The District submitted a basin boundary modification request to the Department of Water Resources (DWR) in March 2016 and DWR approved basin boundary revision request with modifications in September 2016.

Pursuant to the decision of the Santa Margarita Groundwater Basin Advisory Committee, a Groundwater Sustainability Agency (GSA) Formation Committee was established in May 2016. The committee met regularly, preparing a draft Joint Powers Agreement (JPA) for the proposed Santa Margarita Groundwater Agency. Two public meetings were held to engage and involve the impacted parties and stakeholders.

The Santa Margarita Groundwater Basin Advisory Committee held a meeting on April 19<sup>th</sup> to review the draft JPA and consider public comments. Based on the stakeholder input the agreement was modified to allow for more flexibility in appointing the representatives of the member agencies and non-municipal pumpers. Attached is the final draft of the JPA and the initial draft of the SMGA Bylaws that will be finalized and adopted within the first 6 months from the first meeting of the SMGA Board.



The San Lorenzo Valley Water District along with the Scotts Valley Water District and the County of Santa Cruz will be the founding members of the agency. The Board of Directors of SMGA will consist of eleven Directors: in addition to the two representatives from each of the member agencies, one representative from the City of Scotts Valley, one representative from the City of Santa Cruz, one representative from the Mt. Hermon Association and two representatives for private well owners. Each member agency may also appoint one alternate to act as a substitute for either of member's directors.

As a first order of business, the Board of SMGA will finalize and adopt the bylaws, develop a budget and establish any necessary committees. Agency administration and management will be conducted using a collaborative staffing model in which the professional and technical staff of the member agencies work together to provide staff leadership, management and administration of the agency. Required staffing support for implementation of the agency's work plan will most likely comprise in-kind contributions of staff resources from member agencies and/or contract employees.

The District has been a signatory to the Memorandum of Understanding for Santa Margarita Groundwater Basin Advisory Committee since 1995. The advisory committee has been responsible for making recommendations for the cooperative groundwater management of the basin, advising member agencies and promoting development of the new water resources and maintenance of the existing ones. With the creation of the Santa Margarita Groundwater Agency, the advisory committee becomes redundant.

#### STRATEGIC PLAN:

Element 7.1 - Develop strategic Partnerships with Other Agencies

#### FISCAL IMPACT:

Estimated first year budget for the Santa Margarita Groundwater Agency is \$360,000, funded by the three member agencies (SLVWD - 39%, SVWD - 53%, County - 8%). SLVWD's proportional cost share is \$140,400.



## GSA FORMATION NOTIFICATION GUIDELINES FOR LOCAL AGENCIES



# ACTIONS FOR LOCAL AGENCIES TO FOLLOW WHEN DECIDING TO BECOME OR FORM A GROUNDWATER SUSTAINABILITY AGENCY (GSA)

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## INTRODUCTION

The Sustainable Groundwater Management Act (SGMA), which became effective January 1, 2015, established a framework of priorities and requirements to help local agencies sustainably manage groundwater within a basin or subbasin (basin). The information in this document highlights the requirements that should be followed by a local agency in order to become or form a groundwater sustainability agency (GSA) and to be identified as an exclusive GSA by the Department of Water Resources (DWR or department). The GSA formation requirements are located in Division 6 of the Water Code, Part 2.74, Chapter 4, Section (§) 10723 *et seq.* and this document incorporates the amendments made to SGMA by Senate Bill (SB) 13 in September 2015. For reference, the definitions for GSA and local agency as defined in Water Code §10721 are as follows:

*“Groundwater sustainability agency” means one or more local agencies that implement the provisions of this part [Part 2.74]. For purposes of imposing fees pursuant to Chapter 8 (commencing with [Water Code] Section 10730) or taking action to enforce a groundwater sustainability plan, “groundwater sustainability agency” also means each local agency comprising the groundwater sustainability agency if the plan authorizes separate agency action.*

*“Local agency” means a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin.*

One local agency can decide to become a GSA or a combination of local agencies can decide to form a GSA by using either a joint powers authority (JPA), a memorandum of agreement (MOA), or other legal agreement. However, a local agency will only be presumed to be the exclusive GSA within their respective service area or combined service areas. A local agency must define its service area as part of its GSA formation process.

## SUMMARY OF INFORMATION REQUIRED TO BE FILED WITH DWR

A local agency is required to file the following information with DWR in order to complete the GSA formation notification requirements of Water Code §10723.8(a). Effective January 1, 2016, a notice of GSA formation will not be determined complete until all applicable information is submitted – please see **Attachment A**.

- Information that clearly shows the GSA formation notice was submitted to DWR within 30 days of the decision to become or form a GSA – the decision date is generally the date the local agency signed the resolution or legal agreement that formed the GSA.
- A map and accompanying narrative indicating: (1) the local agency’s service area boundaries; (2) the boundaries of the basin or portion of the basin the agency intends to manage; and (3) any other agencies managing or proposing to manage groundwater within the basin.
  - Please include a hard-copy map and GIS shape files. The area of a basin claimed by a local agency in the GSA formation notice should match the area provided in the GIS shape files. DWR’s Region Office staff will contact local agencies if those areas do not match.
- A copy of the resolution or legal agreement forming the new agency.
- A copy of any new bylaws, ordinances, or new authorities developed by the local agency.
- A list of interested parties developed pursuant to Water Code §10723.2 and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the GSA’s sustainability plan.



## GSA FORMATION NOTIFICATION GUIDELINES FOR LOCAL AGENCIES

A representative of the local agency deciding to become a GSA, or a designated representative from the group of local agencies deciding to form a GSA, should include a statement in its notification that all applicable information listed in Water Code §10723.8(a) has been provided.

DWR recommends that the local agency submitting the GSA formation notice include a copy of its Government Code §6066 notice, as well as evidence demonstrating that a public hearing in accordance with Water Code §10723(b) was held in the county or counties overlying the basin.

Additional information related to a local agency's decision to be a GSA is welcomed and will help demonstrate to DWR, the State Water Resources Control Board (SWRCB), and other local agencies that a proposed GSA has the long-term technical, managerial, and financial capabilities to sustainably manage basin-wide groundwater resources and prepare a groundwater sustainability plan (GSP) or coordinated GSP for an entire groundwater basin.

### FORMING A GSA AND PUBLIC NOTIFICATION REQUIREMENTS

The following summarizes the public notification and GSA formation requirements identified in SGMA. Relevant Water Code sections are excerpted for reference.

#### Step 1: Decision to Form a GSA

The first step in the GSA formation process is public notification that a local agency is either (1) deciding to become a GSA or (2) deciding to form a GSA together with other local agencies. Water Code §10723(b) requires that a local agency or group of local agencies hold a public hearing(s) in the county or counties overlying the groundwater basin.

SGMA identifies 15 exclusive local agencies created by statute to manage groundwater within their respective statutory boundaries; however, the 15 exclusive local agencies must still decide to become GSAs and follow the same public notification process as all other local agencies. The 90-day period described in Water Code §10723.8(c) does not apply to the 15 exclusive agencies, and no other local agency can decide to be a GSA in those areas unless one of the exclusive agencies opts out of its presumed role. The relevant Water Code sections are excerpted below.

#### WATER CODE §10723

- (a) *Except as provided in subdivision (c), any local agency or combination of local agencies overlying a groundwater basin may decide to become a GSA for that basin.*
- (b) *Before deciding to become a GSA, and after publication of notice pursuant to Section 6066 of the Government Code, the local agency or agencies shall hold a public hearing in the county or counties overlying the basin.*
- (c) *[Includes list of 15 "exclusive" local agencies – these agencies do not become a GSA until they submit a notification of GSA formation to DWR].*

#### GOVERNMENT CODE §6066

*Publication of notice pursuant to this section shall be once a week for two successive weeks. Two publications in a newspaper published once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the fourteenth day, including therein the first day.*



## GSA FORMATION NOTIFICATION GUIDELINES FOR LOCAL AGENCIES

### Step 2: Consideration of Interests of Beneficial Uses and Users of Groundwater

Water Code §10723.2 requires GSAs to consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing GSPs. An explanation of how those interests will be considered by a GSA when developing and implementing a GSP is required as part of the GSA formation notification requirements. The details of the explanation will be considered by DWR staff when performing its completeness review. The relevant Water Code sections are excerpted below.

#### WATER CODE §10723.2

*The GSA shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing GSPs. These interests include, but are not limited to all of the following:*

- (a) Holders of overlying groundwater rights, including:
  - (1) Agricultural users.*
  - (2) Domestic Well owners.**
- (b) Municipal well operators.*
- (c) Public water systems.*
- (d) Local land use planning agencies.*
- (e) Environmental users of groundwater.*
- (f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.*
- (g) The federal government, including, but not limited to, the military and managers of federal lands.*
- (h) California Native American Tribes.*
- (i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems.*
- (j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the GSA.*

GSAs are encouraged to engage additional stakeholders in order to develop the relationships and expertise necessary to develop and implement GSPs. As stated in Water Code §10727.8, “*The GSA shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin prior to and during the development and implementation of the GSP.*”

### Step 3: Submittal of GSA Formation Information to DWR for Completeness Review

A local agency or group of local agencies must notify DWR and document its intent to become or form a GSA. The requirement for DWR to post complete GSA notices was added by an amendment made by SB 13 and is included in the Water Code references below. DWR will not post GSA formation notifications on its website that are determined incomplete – please see Attachment A.

#### WATER CODE §10723.8

- (a) Within 30 days of deciding to become or form a GSA, the local agency or combination of local agencies shall inform the department of its decision and its intent to undertake sustainable groundwater management. The notification shall include the following information, as applicable:
  - (1) The service area boundaries, the boundaries of the basin or portion of the basin the agency intends to manage pursuant to this part, and the other agencies managing or proposing to manage groundwater within the basin.*
  - (2) A copy of the resolution forming the new agency.*
  - (3) A copy of any new bylaws, ordinances, or new authorities adopted by the local agency.*
  - (4) A list of interested parties developed pursuant to Section 10723.2 and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the agency’s sustainability plan.**



## GSA FORMATION NOTIFICATION GUIDELINES FOR LOCAL AGENCIES

- (b) The department shall post all complete notices received under this section on its Internet Web site within 15 days of receipt.*

### EXCLUSIVE GSA FORMATION TIMELINE – OVERLAPPING GSA SERVICE AREAS

Water Code §10735.2(a) says the SWRCB, after notice and a public hearing, may designate a high- or medium-priority basin as a probationary basin after June 30, 2017, if a local agency or a collection of local agencies has not decided to become a GSA(s) and develop a GSP(s) for the entire basin – or if a local agency has not submitted an Alternative Plan for the entire basin. A local agency that decides to become a GSA within its service area, or a group of local agencies that decides to form a GSA within their combined service areas, does not effectively become the exclusive GSA for those areas until the provisions of Water Code §10723.8(c) and (d) are met – these provisions address overlapping GSAs and management within a service area. If multiple local agencies form separate GSAs in a basin within a 90-day period, and if any of those GSA formations result in a service area overlap in the areas proposed to be managed, then none of the local agencies will become the exclusive GSA unless the overlap is resolved, which could require making a material change to the posted notice(s). The relevant Water Code sections are excerpted below.

#### WATER CODE §10723.8

- (c) The decision to become a GSA shall take effect 90 days after the department posts notice under subdivision (b) if no other local agency submits a notification under subdivision (a) of its intent to undertake groundwater management in all or a portion of the same area. If another notification is filed within the 90-day period, the decision shall not take effect unless the other notification is withdrawn or modified to eliminate any overlap in the areas proposed to be managed. The local agencies shall seek to reach agreement to allow prompt designation of a GSA. If agreement is reached involving a material change from the information in the posted notice, a new notification shall be submitted under subdivision (a) and the department shall post notice under subdivision (b).*
- (d) Except as provided in subdivisions (e) and (f), after the decision to be a GSA takes effect, the GSA shall be presumed to be the exclusive GSA within the area of the basin within the service area of the local agency that the local agency is managing as described in the notice.*

#### WATER CODE §10726.8

- (b) Nothing in this part shall be construed as authorizing a local agency to make a binding determination of the water rights of any person or entity, or to impose fees or regulatory requirements on activities outside the boundaries of the local agency.*

### CONDITIONS FOR DETERMINING A GSA NOTIFICATION INCOMPLETE

A GSA formation notice could be determined incomplete if the provisions of Water Code §10723.8(a) are not clearly addressed. An incomplete notice will not be posted on DWR's GSA Formation Table – DWR staff will inform local agencies of the reason(s) for not posting. Local agencies will be given an opportunity to provide additional required information, if applicable. A complete notice will be posted within 15 days of being determined complete. Examples of what could deem a GSA formation notification to be incomplete include, but are not limited to, the following:

- Informing DWR of the decision to become a GSA more than 30 days after the decision was made.
- Submitting an incomplete map or insufficient information to clearly define the local agency's service area boundaries with respect to the area of the basin proposed to be managed as a GSA.
  - DWR must be able to determine if one GSA notice overlaps with another GSA notice, and a GIS shapefile may be required to make this determination. *Please submit an accurate shapefile.*
- No copy of a resolution or legal agreement forming the new agency.
- No copy of any new bylaws, ordinances, or new authorities adopted, if applicable.



## GSA FORMATION NOTIFICATION GUIDELINES FOR LOCAL AGENCIES

- An incomplete list of interested parties developed pursuant to Water Code §10723.2 or an insufficient explanation of how their interests will be considered by the GSA when developing a GSP.
- Submitting a GSA formation notification for a basin or portion of a basin where a local agency is already presumed to be the exclusive GSA.
- Deciding to become or form a GSA for an area that is outside the service area boundary of the local agency(s) forming the GSA (without a legal coordination agreement).
- Forming a GSA outside the boundaries of a basin defined in DWR's Bulletin 118.

Questions related to GSA formation can be directed to DWR by contacting Mark Nordberg at [Mark.Nordberg@water.ca.gov](mailto:Mark.Nordberg@water.ca.gov) or calling 916-651-9673. Other information and responses to frequently asked questions are located on DWR's GSA webpage at: <http://water.ca.gov/groundwater/sgm/gsa.cfm>.

Please e-mail your GSA formation notification and GIS shape files, and send via postal mail a hardcopy, to the following DWR staff:

**Mark Nordberg, GSA Project Manager**

Sustainable Groundwater Management Program  
California Department of Water Resources  
901 P Street, Room 213-B  
P.O. Box 942836  
Sacramento, CA 94236

**DWR Region Office Groundwater Contact**

<http://water.ca.gov/groundwater/gwinfo/contacts.cfm>

Bill Ehorn, Northern Region  
Bill Brewster, North Central Region  
Mike McKenzie, South Central Region  
Tim Ross, Southern Region

## SELECT SGMA AND GSA RESOURCES

- Sustainable Groundwater Management Website: <http://water.ca.gov/groundwater/sgm/index.cfm>
- 2014 SGMA Legislation Text with 2015 Legislative Amendments:  
[http://www.water.ca.gov/cagroundwater/docs/2014%20Sustainable%20Groundwater%20Management%20Legislation%20with%202015%20amends%2011-10-2015\\_clean-2.pdf](http://www.water.ca.gov/cagroundwater/docs/2014%20Sustainable%20Groundwater%20Management%20Legislation%20with%202015%20amends%2011-10-2015_clean-2.pdf)
- GSA Frequently Asked Questions: see <http://water.ca.gov/groundwater/sgm/gsa.cfm>
- GSA Formation Table: [http://www.water.ca.gov/groundwater/sgm/gsa\\_table.cfm](http://www.water.ca.gov/groundwater/sgm/gsa_table.cfm)
- GSA Interactive Map: [http://water.ca.gov/groundwater/sgm/gsa\\_map.cfm](http://water.ca.gov/groundwater/sgm/gsa_map.cfm).
- Water Management Planning Tool: <http://water.ca.gov/groundwater/boundaries.cfm>
- Basin Boundaries Assessment Tool: <http://water.ca.gov/groundwater/sgm/bbat.cfm>
- GIC Interactive Map (Data): [http://water.ca.gov/groundwater/MAP\\_APP/index.cfm](http://water.ca.gov/groundwater/MAP_APP/index.cfm)





**GSA FORMATION NOTIFICATION GUIDELINES FOR LOCAL AGENCIES**

**ATTACHMENT A**  
**PROCESS FOR REVIEWING GSA FORMATION NOTICES AND ADDRESSING  
OVERLAPPING SERVICE AREA BOUNDARIES**

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1. DWR receives a GSA formation notification (notification or notice) from a local agency(s).
2. DWR reviews the notice for completeness.
  - a. If incomplete, the local agency(s) is contacted and the notice is not posted. DWR informs the local agency(s) of the reason(s) for being determined incomplete – the local agency will be given an opportunity to make the notification complete.
  - b. If complete, the notice is posted on DWR's GSA Formation Table within 15 days.
3. Complete GSA notifications are posted with (1) the posting date and (2) a date that indicates the posting-date-plus-90-calendar-days. This is the active 90-day period for that portion of the basin.
  - a. The GSA area submitted with the notice is included on DWR's GSA Interactive Map after DWR Region Office staff determines the suitability of the GIS shape files. The area included as a shape file must match the area depicted in the notice.
  - b. The 90-day period does not apply to the statutory boundaries of the exclusive local agencies listed in Water Code §10723(c).
4. If no other local agency(s) submits a notification within the 90-day period in all or a portion of the same basin area, the local agency(s) that submitted the notification will become the "exclusive" GSA for the area of the basin as described in the notice.
  - a. Status as "exclusive" GSA will be indicated on the GSA Formation Table and the area claimed by the GSA will be distinctly colored on the GSA Interactive Map.
  - b. If any other local agency(s) submits a notification for all or a portion of an area managed by an "exclusive" GSA, DWR will determine the notification to be incomplete and will contact that local agency(s).
5. If another local agency(s) submits a complete notification within an active 90-day period, and that notification results in an overlap in all or a portion of the same area of an existing notice, then:
  - a. The notification will be included on the GSA Formation Table with a posting date.
  - b. The column with the posting-date-plus-90-days date for all affected notifications will be labeled with "overlap" to indicate a GSA formation overlap.
  - c. The GIS shape files on the GSA Interactive Map for all affected notifications will be labeled with a color that clearly indicates the extent of the GSA formation overlap.
6. All local agencies that are affected by overlapping notifications will remain in overlap status until the conditions stated in Water Code §10723.8(c) are met.
  - a. "Exclusive" designation of a GSA will not proceed unless conflicting notifications are withdrawn or modified to eliminate any overlap in the areas proposed to be managed.
7. If agreement is reached involving a material change from the information in the posted notice, a new notification shall be submitted in accordance with Water Code §10723.8(a) and the new notification will be reviewed and posted by DWR as described in this process.
  - a. A material change includes, but is not limited to: a significant GSA boundary revision; a change of local agencies forming the GSA; or a consolidation of local agencies or proposed GSAs through a JPA or MOA or other legal agreement.
8. If overlapping GSA notifications exist in a basin after June 30, 2017, then that basin is subject to probationary status by the SWRCB per Water Code §10735.2(a). In addition, the groundwater extraction reporting requirements in Water Code §5200 *et seq.* apply to the portions of that basin where local agencies have not been determined "exclusive" GSAs.



## **BYLAWS**

### **SANTA MARGARITA GROUNDWATER AGENCY**

**XXXX XX, 2017**

Draft 4-28-17



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## PREAMBLE

These Bylaws are adopted and effective as of xx xx, 2017, pursuant to the Joint Exercise of Powers Agreement of the Santa Margarita Groundwater Agency (the "Agreement").

## ARTICLE 1. THE AGENCY

1.1 NAME OF AGENCY. The name of the Agency created by the Agreement shall be the Santa Margarita Groundwater Agency ("SMGA" or "Agency").

1.2 OFFICE OF AGENCY. The principal office of the Agency shall be at the Scotts Valley Water District located at 2 Civic Center Drive, Scotts Valley, CA 95066, or at such other location as the Board may designate by resolution.

1.3 POWERS. The powers of the Agency shall be as set forth in Article 4 of the Agreement.

## ARTICLE 2. BOARD OF DIRECTORS

2.1 BOARD OF DIRECTORS. The Agency shall be governed by a Board of Directors (the "Board") as set forth in Article 6 of the Agreement.

### 2.2 PROCEDURE FOR APPOINTMENT OF DIRECTORS REPRESENTING PRIVATE WELL OWNERS.

A procedure shall be followed that allows for the private well owners as a group to select their representatives to the Board. If the private well owners as a group are willing and able to agree on the two representatives for Directors positions and one representative for Alternate Director position, then those nominations shall be approved by the Member Agency Directors. If more applications are received than the number of positions available, the private well owner representatives shall be selected in the manner described below.

2.2.1 Notification. The Board shall issue formal notification of the opportunity to apply for the appointment to the Board as Directors representing the interests of private well owners.

- I. The notification shall include a description of the work of the Agency, the desired characteristics and skills of Directors representing the interests of private well owners and the screening criteria to be used in evaluating applications received, as well as the timeline for decision-making on appointees.
- II. The notification shall also describe the opportunity for the private well owners as a group to self-select their representatives by limiting the number of applications to only the number of positions available.
- III. The Board shall use a variety of print media, electronic and other formal and informal communication mechanisms in this notification, and the period of notification will cover, at a minimum, 10 working days.
- IV. A standardized application will be required as part of each applicant's submittal.
- V. Applications must be received in the Agency's offices (Scotts Valley Water District) by the close of the filing period.



2.2.2 Opportunity for Self-Selection. Upon the close of the filing period, if there are more applicants than the number of positions available, the applicants shall be notified of the opportunity to act as a group representative of the private well owners by reaching agreement among themselves for some applicants to withdraw their applications so that the remaining number of applications is the same as the number of positions available. Applicants shall be given the names and contact information of the other applicants and shall be allowed 30 days to meet and confer and seek agreement on which applicant(s) shall become the group representative(s). Withdrawal of an application must be done by submitting a request to withdraw signed by the applicant at the Agency office. If after 30 days, the number of applications is greater than the number of positions available, the procedure for selection described below will be followed.

2.2.3 Screening and Interviews. A subcommittee of the Board, with member agency staff participation as appropriate, shall screen applications using the set of screening criteria included in the notification described in 2.2.1. The subcommittee shall hold interviews with the top candidates from the screening process and develop recommendations for the full Board's consideration.

2.2.4 Nomination. The subcommittee of the Board involved with screening and interview of candidates shall nominate candidates for appointment to the Director positions representing private well owners, including one Alternate Director.

2.2.5 Appointment. Appointment of Directors and Alternate Director representing private well owners shall be made by a unanimous vote of the Member Agency Directors in compliance with Section 6.3.7 of the Agreement. If the private well owners have self-selected their representatives, as described in Section 2.2.2, the Board shall appoint those representatives.

2.3 CODE OF CONDUCT. The Board understands the importance and value of a positive and constructive culture to the overall performance of the Agency. In order for the Board to function in an effective manner, it is important that the Directors understand their respective roles and the level of performance necessary to carry out the duties of a Director. All Directors shall agree in writing to follow the Code of Conduct as presented in Appendix A.

## ARTICLE 3. BOARD MEETINGS

3.1 MEETINGS. The Board's regular meeting schedule shall be developed and adopted by the Board at its first meeting after January 1st of each year. Special meetings of the Board may be called by the Chair or any four directors by written request. Board meetings shall be conducted in compliance with Article 8 of the Agreement, all applicable laws, and as further specified herein.

3.2 QUORUM. In determining a quorum as defined by Section 9.1 of the Agreement, Alternate Directors attending meetings shall not be counted as part of any meeting quorum unless such Alternate Director is formally representing an absent appointed Director.

3.3 ORDER OF BUSINESS. In general, at the regular meetings of the Board, the following will be the order of business:

3.3.1 Call to Order.



3.3.2 Roll Call.

3.3.3 Oral Communications Related to Items Not on the Agenda.

3.3.4 Approval of Minutes of the Previous Meeting.

3.3.5 Agenda Items, including any appropriate combination of consent items, regular business items, or public hearing items.

3.3.6 Oral Updates from Directors and Staff.

3.3.7 Adjournment.

3.4 **ACTION BY THE BOARD.** Action by the Board on all resolutions or ordinances shall be taken using a roll-call vote and shall be recorded in writing, signed by the Chair, and attested to by the Secretary. All other actions of the Board shall be by motion recorded in written minutes. The Chair shall announce the results of the vote including the names of the Directors, if any, voting in the minority.

3.5 **RULE OF ORDER.** All rules of order not otherwise provided for in these Bylaws shall be determined, to the extent practicable, in accordance with "Rosenberg's Rules of Order;"<sup>1</sup> provided, however, that no action of the Board shall be invalidated or its legality otherwise affected by the failure or omission to observe or follow "Rosenberg's Rules of Order."

## ARTICLE 4. OFFICERS

4.1 **OFFICERS.** The Officers of the Agency are the Chair, Vice-Chair, and Secretary, as provided for in Article 6 of the Agreement. All Directors are eligible to serve as an Officer. The Chair, the Vice Chair, and the Secretary must be Directors. The Treasurer shall be appointed consistent with the provisions of Section 14.3 of the Agreement, will not be a Director.

4.2 **ELECTION OF OFFICERS.** At the first meeting of the Board of each fiscal year, nominations for the Officers will be made and seconded by a Director. If more than two (2) Directors are nominated for any one office, voting occurs until a nominee receives a majority of the votes cast. The initial term of the elected Officers shall run from the date of their election to office until June 30, 2017. Thereafter, each Officer shall serve a term of one (1) year. An Officer may succeed himself/herself and may serve any number of consecutive or non-consecutive terms.

4.3 **REMOVAL OF ELECTED OFFICERS.** An Officer may be removed, with or without cause, by a majority vote of the Board at a regular or special meeting.

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<sup>1</sup> Rosenberg's Rules of Order is appended to these Bylaws as Attachment A



4.4 VACANCIES. Any vacancy in the offices because of death, resignation, removal, disqualification, or any other cause will be filled for the balance of the vacated term in the manner prescribed in these Bylaws for regular appointments to that office; provided, however, that such vacancies may be filled at any regular or special meeting of the Board.

4.5 RESIGNATION OF OFFICERS. Any Officer may resign at any time by giving written notice to the Board Chair or Secretary. Any resignation takes effect at the date of the receipt of that notice or at any later time specified in that notice. Unless otherwise specified in that notice, the acceptance of the resignation is not necessary to make it effective.

4.6 RESPONSIBILITIES OF OFFICERS.

4.6.1 Chair of the Board. The Chair of the Board shall preside at meetings of the Board and exercise and perform such other powers and duties as may be assigned to him/her by the Board or prescribed by these Bylaws.

4.6.2 Vice-Chair of the Board. The Vice-Chair of the Board shall fulfill all the duties of the Chair in his/her absence and exercise and perform such other powers and duties as may be assigned to him/her by the Board.

4.6.3 Secretary. The Secretary shall perform, but not be limited to, the following duties:

- I. Book of Minutes. Keep or cause to be kept, at the principal executive office of the Agency or such other place as the Board may direct, a book of minutes of all meetings and actions of Directors and Committees of the Agency, with the time and place of holding the meeting, whether regular or special, and, if special, how authorized, the notice given, the names of those present and absent at such meetings and the proceedings of such meetings. Minutes will be in the form of Action Minutes and a meeting summary.
- II. Notices and Other Duties. Prepare, give, or cause to be given, notice of, and agendas for, all meetings of the Board and committees of the Agency.
- III. Exercise and perform such other powers and perform such other duties as may be assigned to him/her by the Board.

## ARTICLE 5. BOARD COMMITTEES, WORKING GROUPS, AND ADVISORY COMMITTEES

5.1 BOARD COMMITTEES. The Board may establish temporary or permanent Board Committees composed entirely of Board Members to facilitate conduct of its work. Temporary Board Committees will have a specific charge and operational duration not to exceed six months and are not subject to the Brown Act unless they include more than seven Directors as Committee members. Permanent Committees will be given a specific role and regardless of the number of Directors appointed shall be subject to compliance with the Brown Act. All Board Committees will make provide regular updates to the full Board about their activities and the progress of their work.



**5.2 WORKING GROUPS.** Informal working groups may be formed from time to time to provide opportunities for a small subset of Directors to work with staff on specific planning, analytical, or community engagement activities. Such working groups will have a defined area as the focus for its work and may function for a duration of up to six months, and may include such membership as needed to accomplish the object for which the working group was created.

**5.3 ADVISORY COMMITTEES.** Pursuant to Section 12 of the Agreement, the Board may establish one or more advisory committees to assist in carrying out the purposes and objectives of the Agency.

5.3.1 In establishing an Advisory Committee, the Board shall provide specific direction to the Committee as to its charge, expected duration for completion of its charge, and a summary of the resources, including staff or consultant support available to the Committee in performing its work.

5.3.2 Advisory Committee membership and appointments shall be at the Board's discretion based on the creating the membership needed to meet the purpose for which the Advisory Committee was created.

5.3.3 Any advisory committee shall exercise such powers as may be delegated to it, except that no committee may:

- i. Take any final action on matters which, under the Agreement, require approval by a majority vote of the Board;
- ii. Amend or repeal the Bylaws or adopt new Bylaws;
- iii. Amend or repeal any resolution of the Board; or
- iv. Appoint any other committees of the Board or the members of these committees.

5.3.4 Advisory committees shall meet at the call of their respective committee chairs. All advisory committee meetings shall be conducted in accordance with the Ralph M. Brown Act (California Government Code sections 54950 et seq.). Minutes of committee meetings shall be recorded and upon approval shall be distributed to the Board.

## ARTICLE 6. AGENCY ADMINISTRATION, MANAGEMENT AND STAFFING

**6.1 COLLABORATIVE MANAGEMENT.** Except for the Agency's Treasurer function, Agency administration and management will be conducted using a collaborative staffing model in which the professional and technical staff of the member agencies work together to provide staff leadership, management and administration of the agency.

6.1.1 Staffing Support for Agency Officers and Board Members. Senior level executive staff will work together to provide staff support for the Agency Officers and Board members. Board agenda and meeting materials will generally be prepared by or reviewed by one or more members of the executive staff prior to being finalized. Should member agency senior level staff not be in agreement on any topic, the Agency Board Chair and Vice-Chair will be consulted to provide the necessary direction. Any issue not resolvable by member agency senior staff and the Agency Board Chair and Vice-Chair will be referred to the full Board for decision.



6.1.2 Staffing support for Implementation of the Agency Work Plan. Both senior level executive staff from the Agreement member agencies and other professional and technical staff from the member agencies will be involved in providing staff support for the Agency. The Board may agree to contract for staffing resources as needed.

6.1.3 In-Kind Contribution of Staff. Unless otherwise specified in the Agreement or these Bylaws, member agency staff contributions will be in the form of "in kind" contributions. The Agency will not budget for or reimburse member agencies for the work contributed by their staff to the administration or management of the Agency.

6.2 TREASURER. The Treasurer shall be the depository and have custody of all the money of the Agency from whatever source, and shall provide strict accountability of said funds in accordance with Government Code Sections 6505 and 6505.5. The Treasurer shall possess the powers of, and shall perform those functions required by Government Code Sections 6505, 6505.5, and all other applicable laws and regulations, including any subsequent amendments thereto.

6.2.1 Memorandum of Understanding ("MOU") for Treasurer Services with the Scotts Valley Water District ("District"). The Board has appointed the Finance Manager of the Scotts Valley Water District as Agency Treasurer and will execute a MOU with the District to reimburse them for these services. Reimbursement will include necessary staff time as well as the purchase and maintenance of any necessary materials and/or equipment required by the Treasurer in order to complete the work.

6.2.2 Treasurer's Duties. Particularly, the Treasurer shall perform, but not be limited to, the following duties:

- I. Books of Account. Keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of Agency, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and other matters customarily included in financial statements. The books of account will be open to inspection by any Director at all reasonable times.
- II. Deposit and Disbursement of Money and Valuables. Consistent with the provisions of Article 14 of the Agreement, deposit all money and other valuables in the name and to the credit of the Agency within such depository accounts as may be designated by the Board; disburse the funds of the Agency as may be ordered by the Board; and render to the Board, whenever requested, an account of all of his/her transactions as Treasurer and of the financial condition of the Agency.
- III. Exercise and perform such other powers and perform such other duties as may be assigned to him/her by the Board.

6.3 STAFFING STRATEGY REVIEW UPON COMPLETION OF THE GROUNDWATER SUSTAINABILITY PLAN. The collaborative staffing model for the Agency will be reviewed and revised if or as needed upon completion of the development of the Groundwater Sustainability Plan. In particular, the performance of the collaborative staffing model in meeting the Agency's needs and the proposed role of the Agency in implementing projects identified and recommended for implementation in the GSP will be considered when determining the potential need future staffing needs of the Agency.



## ARTICLE 7. FINANCES

**7.1 DEPOSIT AND DISBURSEMENT OF FUNDS.** All funds of the Agency shall be deposited in one or more depository accounts as may be designated by the Board. Such accounts shall be independent of any account owned by or exclusively controlled by any of the Members. No disbursements of such funds shall be made unless the same shall have been approved in the annual operating budget, or otherwise specifically approved by the Board. All disbursements shall be by check. Disbursements of not more than five thousand dollars (\$5,000) may be issued pursuant to the Treasurer's sole signature. Disbursements in excess of five thousand dollars (\$5,000) may only be issued upon the signature of the Treasurer and Chair, or in the Chair's absence, the Vice-Chair. The Treasurer may establish and implement a protocol allowing for electronic signatures by the Chair or Vice-Chair in order to facilitate efficient operation of the Agency.

**7.2 BUDGET.** The Agency shall operate pursuant to an operating budget to be adopted prior to the beginning of each new fiscal year. The Agency shall endeavor to operate each year pursuant to an annually balanced budget so that projected annual expenses do not exceed projected annual revenues. Budget adjustments to the annual budget shall be reviewed and acted upon by the Board at a regularly scheduled Board meeting occurring after January 1 of each calendar year. The Board may take action to amend the budget at other times if circumstances require more immediate action.

## ARTICLE 8. DEBTS AND LIABILITIES

The debts, liabilities and obligations of the Agency are not and will not be the debts, liabilities or obligations of any or all of the Members. However, nothing in this Article or in the Agreement prevents, or impairs the ability of, a Member or Members, from agreeing, in a separate agreement, to be jointly and/or severally liable, in whole or in part, for any debt, obligation or liability of the Agency, including but not limited to, any bond or other debt instrument issued by the Agency.

## ARTICLE 9. RECORDS RETENTION

**9.1 MAINTENANCE OF THE AGENCY RECORDS.** The Agency will keep:

9.1.1 Adequate and correct books and records of account; and of the Board.

9.1.2 Minutes in written form of the proceedings of its Board, and committees, and advisory committees, if any.

9.1.3 All such records will be kept at the Agency's principal office.

**9.2 RECORDS RETENTION POLICY AND SCHEDULE.** By June 30, 2017 the Board will review and adopt a Records Retention Policy and Schedule that specifies the retention period of different categories of materials. Implementation of this Policy will be the responsibility of Agency staff.

**9.3 INSPECTION RIGHTS.**



8.2.1 Any Member may inspect the accounting books and records and minutes of the proceedings of the Board and committees of the Board, at any reasonable time, for a purpose reasonably related to such person's interest.

8.2.2 Any inspection and copying under this Section may be made in person or by an agent or attorney or the entity entitled thereto and the right of inspection includes the right to copy and make extracts.

9.4 MAINTENANCE AND INSPECTION OF AGREEMENT AND BYLAWS. The Agency will keep at its principal executive office the original or copy of the Agreement and these Bylaws as amended to date, which will be open to inspection by the Agency or any Member at all reasonable times during office hours.

9.5 INSPECTION BY DIRECTORS. Every Director has the absolute right at any reasonable time to inspect all non-confidential books, records, and documents of every kind and the physical properties of the Agency. This inspection by a Director may be made in person or by an agent or attorney, and the right of inspection includes the right to copy and make extracts of documents.

## ARTICLE 10. ETHICS AND CONFLICTS OF INTEREST

The Agency shall be subject to the conflict of interest rules set forth in the Political Reform Act (commencing with Section 81000 of the Government Code of the State of California) and Sections 1090 et seq. of the Government Code of the State of California, and the Agency shall adopt an ethics policy as well as a conflict of interest code as required and as provided by the implementing regulations of the Political Reform Act.

## ARTICLE 11. AMENDMENT

These Bylaws may be amended from time to time by resolution of the Board duly adopted upon majority of the Board at a regular or special meeting of the Board; provided, however, that no such amendment shall be adopted unless at least thirty (30) days written notice thereof has previously been given to all members of the Board. Such notice shall identify the Article to be amended, the proposed amendment, and the reason for the proposed amendment.

## ARTICLE 12. DEFINITIONS AND CONSTRUCTION

Unless specifically defined in these Bylaws, all defined terms shall have the same meaning ascribed to them in the Agreement. If any term of these Bylaws conflicts with any term of the Agreement, the Agreement's terms shall prevail, and these Bylaws shall be amended to eliminate such conflict of terms. Unless the context or reference to the Agreement requires otherwise, the general provisions, rules of construction, and definitions in the California Civil Code will govern the construction of these Bylaws.



**JOINT EXERCISE OF POWERS AGREEMENT**

**by and among**

**SCOTTS VALLEY WATER DISTRICT**

**SAN LORENZO VALLEY WATER DISTRICT**

**and**

**COUNTY OF SANTA CRUZ**

**creating the**

**SANTA MARGARITA GROUNDWATER AGENCY**

**xxxx xx, 2017**



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## JOINT EXERCISE OF POWERS AGREEMENT OF THE SANTA MARGARITA GROUNDWATER AGENCY

This **Joint Exercise of Powers Agreement (“Agreement”)** is made and entered into as of xxxx xx, 2017 (“Effective Date”), by and among the Scotts Valley Water District, the San Lorenzo Valley Water District, and the County of Santa Cruz, sometimes referred to herein individually as a **“Member”** and collectively as the **“Members”** for purposes of forming the Santa Margarita Groundwater Agency (**“Agency”**) and setting forth the terms pursuant to which the Agency shall operate. Capitalized defined terms used herein shall have the meanings given to them in Article 1 of this Agreement.

### RECITALS

- A. Each of the Members is a local agency, as defined by the Sustainable Groundwater Management Act of 2014 (**“SGMA”**), duly organized and existing under and by virtue of the laws of the State of California, and each Member can exercise powers related to groundwater management.
- B. SGMA requires designation of a groundwater sustainability agency (**“GSA”**) by June 30, 2017, for groundwater basins designated by the California Department of Water Resources (**“DWR”**) as medium- and high-priority basins.
- C. SGMA requires adoption of a groundwater sustainability plan (**“GSP”**) by January 31, 2022, for all medium- and high-priority basins not identified as being subject to critical conditions of overdraft.
- D. Each of the Members either extracts groundwater from or regulates land use activities overlying a common groundwater basin located in Santa Cruz County in the vicinity of Scotts Valley, Felton, Ben Lomond and Boulder Creek. This area is known as the Santa Margarita Groundwater Basin (hereafter **“Basin”**), and is proposed by DWR to be designated as Basin 3-027 in the Draft Bulletin 118 Basins (2016 Edits). It is expected that the Basin will be designated by DWR as having a medium or high priority.
- E. The Members intend for the Agency to develop a GSP and manage the Basin pursuant to SGMA.
- F. Under SGMA, a combination of local agencies may form a GSA through a joint powers agreement.
- G. The Members have determined that the sustainable management of the Basin pursuant to SGMA may best be achieved through the cooperation of the Members operating through a joint powers agency.
- H. The Joint Exercise of Powers Act of 2000 (**“Act”**) authorizes the Members to create a joint powers authority, to jointly exercise any power common to the Members, and to exercise additional powers granted under the Act.
- I. The Act, including the Marks-Roos Local Bond Pooling Act of 1985 (Government Code sections 6584, *et seq.*), authorizes an entity created pursuant to the Act to issue bonds, and under certain circumstances, to purchase bonds issued by, or to make loans to, the Members for financing public capital improvements, working capital, liability and other insurance needs or projects whenever doing so results in significant public benefits, as determined by the Members. The Act further authorizes and empowers a joint powers authority to sell bonds so issued or purchased to public or private purchasers at public or negotiated sales.



J. The Members have a history of collaborating on groundwater management issues in the Santa Margarita Groundwater Basin, originally with a memorandum of understanding dated June 30, 1995, forming the Santa Margarita Groundwater Basin Management Advisory Committee (SMGBAC).

K. The Members agree that by approving the creation of the Santa Margarita Groundwater Agency they are withdrawing from and disbanding the Santa Margarita Groundwater Basin Management Advisory Committee (SMGBAC).

L. Based on the foregoing legal authority, the Members desire to create a joint powers authority for the purpose of taking all actions deemed necessary by the joint powers authority to ensure sustainable management of the Basin as required by SGMA.

M. The governing board of each Member has determined it to be in the Member's best interest and in the public interest that this Agreement be executed.

## **TERMS OF AGREEMENT**

In consideration of the mutual promises and covenants herein contained, the Members agree as follows:

### **ARTICLE 1 DEFINITIONS**

The following terms have the following meanings for purposes of this Agreement:

- 1.1 "Act" means the Joint Exercise of Powers Act, set forth in Chapter 5 of Division 7 of Title 1 of the Government Code, sections 6500, *et seq.*, including all laws supplemental thereto.
- 1.2 "Agreement" has the meaning assigned thereto in the Preamble.
- 1.3 "Auditor" means the auditor of the financial affairs of the Agency appointed by the Board of Directors pursuant to Section 14.3 of this Agreement.
- 1.4 "Agency" has the meaning assigned thereto in the Preamble.
- 1.5 "Basin" has the meaning assigned thereto in Recital D.
- 1.6 "Board of Directors" or "Board" means the governing body of the Agency as established by Article 6 of this Agreement.
- 1.7 "Bylaws" means the bylaws, if any, adopted by the Board of Directors pursuant to Article 11 of this Agreement to govern the day-to-day operations of the Agency.



1.8 “Director” and “Alternate Director” mean a director or alternate director appointed pursuant to Article 6 of this Agreement. “Member Director” is a Director or Alternate Director appointed by and representing a Member agency pursuant to Article 6 of this Agreement.

1.9 “DWR” has the meaning assigned thereto in Recital B.

1.10 “GSA” has the meaning assigned thereto in Recital B.

1.11 “GSP” has the meaning assigned thereto in Recital C.

1.12 “Member” means each party to this Agreement that satisfies the requirements of Section 5.1 of this Agreement, including any new members as may be authorized by the Board, pursuant to Section 5.2 of this Agreement.

1.13 “Officer(s)” means the Chair, Vice Chair, Secretary, or Treasurer of the Agency to be appointed by the Board of Directors pursuant to Section 7.1 of this Agreement.

1.14 “SGMA” has the meaning assigned thereto in Recital A.

1.15 “State” means the State of California.

## **ARTICLE 2**

### **CREATION OF THE AGENCY**

2.1 Creation of a Joint Powers Authority. There is hereby created pursuant to the Act a joint powers authority, which will be a public entity separate from the Members to this Agreement, and shall be known as the Santa Margarita Groundwater Agency (“**Agency**”). Within 30 days after the Effective Date of this Agreement and after any amendment, the Agency shall cause a notice of this Agreement or amendment to be prepared and filed with the office of the California Secretary of State containing the information required by Government Code section 6503.5. Within 10 days after the Effective Date of this Agreement, the Agency shall cause a statement of the information concerning the Agency, required by Government Code section 53051, to be filed with the office of the California Secretary of State and with the County Clerk for the County of Santa Cruz, setting forth the facts required to be stated pursuant to Government Code section 53051(a).

2.2 Purpose of the Agency. Each Member to this Agreement has in common the power to study, plan, develop, finance, acquire, construct, maintain, repair, manage, operate, control, and govern the water supply and water management within the Basin, either alone or in cooperation with other public or private non-member entities, and each is a local agency eligible to serve as a GSA within the Basin, either alone or jointly through a joint powers agreement as provided for by SGMA. The purpose of this Agency is to serve as the GSA for the Basin and to develop, adopt, and implement the GSP for the Basin pursuant to SGMA and other applicable provisions of law.

## **ARTICLE 3**

### **TERM**

This Agreement shall become effective upon execution by each of the Members and shall remain in effect until terminated pursuant to the provisions of Article 17 (Withdrawal of Members) of this Agreement.



## **ARTICLE 4 POWERS**

The Agency shall possess the power in its own name to exercise any and all common powers of its Members reasonably related to the purposes of the Agency, including but not limited to the following powers, together with such other powers as are expressly set forth in the Act and in SGMA. For purposes of Government Code section 6509, the powers of the Agency shall be exercised subject to the restrictions upon the manner of exercising such powers as are imposed on the County of Santa Cruz, and in the event of the withdrawal of the County of Santa Cruz as a Member under this Agreement, then the manner of exercising the Agency's powers shall be those restrictions imposed on the Scotts Valley Water District.

- 4.1 To exercise all powers afforded to a GSA pursuant to and as permitted by SGMA.
- 4.2 To develop, adopt and implement the GSP pursuant to SGMA.
- 4.3 To adopt rules, regulations, policies, bylaws and procedures governing the operation of the Agency and adoption and implementation of the GSP.
- 4.4 To obtain rights, permits and other authorizations for or pertaining to implementation of the GSP.
- 4.5 To perform other ancillary tasks relating to the operation of the Agency pursuant to SGMA, including without limitation, environmental review, engineering, and design.
- 4.6 To make and enter into all contracts necessary to the full exercise of the Agency's power.
- 4.7 To employ, designate or otherwise contract for the services of agents, officers, employees, attorneys, engineers, planners, financial consultants, technical specialists, advisors, and independent contractors.
- 4.8 To exercise jointly the common powers of the Members, as directed by the Board, in developing and implementing a GSP for the Basin.
- 4.9 To investigate legislation and proposed legislation affecting the Basin and to make appearances regarding such matters.
- 4.10 To cooperate and to act in conjunction and contract with the United States, the State of California or any agency thereof, counties, municipalities, public and private corporations of any kind (including without limitation, investor-owned utilities), and individuals, or any of them, for any and all purposes necessary or convenient for the full exercise of the powers of the Agency.
- 4.11 To incur debts, liabilities or obligations, to issue bonds, notes, certificates of participation, guarantees, equipment leases, reimbursement obligations and other indebtedness, and, to the extent provided for in a duly adopted Agency to impose assessments, groundwater extraction fees or other charges, and other means of financing the Agency as provided in Chapter 8 of SGMA commencing at Section 10730 of the Water Code.
- 4.12 To collect and monitor data on the extraction of groundwater from, and the quality of groundwater in the Basin.



- 4.13 To establish and administer a conjunctive use program for the purposes of maintaining sustainable yields in the Basin consistent with the requirements of SGMA.
- 4.14 To exchange and distribute water.
- 4.15 To regulate groundwater extractions as permitted by SGMA.
- 4.16 To impose groundwater extraction fees as permitted by SGMA.
- 4.17 To spread, sink and inject water into the Basin.
- 4.18 To store, transport, recapture, recycle, purify, treat or otherwise manage and control water for beneficial use.
- 4.19 To apply for, accept and receive licenses, permits, water rights, approvals, agreements, grants, loans, contributions, donations or other aid from any agency of the United States, the State of California, or other public agencies or private persons or entities necessary for the Agency's purposes.
- 4.20 To develop and facilitate market-based solutions for the use and management of water rights.
- 4.21 To acquire property and other assets by grant, lease, purchase, bequest, devise, gift or eminent domain, and to hold, enjoy, lease or sell, or otherwise dispose of, property, including real property, water rights, and personal property, necessary for the full exercise of the Agency's powers.
- 4.22 To sue and be sued in its own name.
- 4.23 To provide for the prosecution of, defense of, or other participation in actions or proceedings at law or in public hearings in which the Members, pursuant to this Agreement, may have an interest and may employ counsel and other expert assistance for these purposes.
- 4.24 To exercise the common powers of its Members to develop, collect, provide, and disseminate information that furthers the purposes of the Agency, including but not limited to the operation of the Agency and adoption and implementation of the GSP to the Members, legislative, administrative, and judicial bodies, as well the public generally.
- 4.25 To accumulate operating and reserve funds for the purposes herein stated.
- 4.26 To invest money that is not required for the immediate necessities of the Agency, as the Agency determines is advisable, in the same manner and upon the same conditions as Members, pursuant to Government Code section 53601, as it now exists or may hereafter be amended.
- 4.27 To undertake any investigations, studies, and matters of general administration.
- 4.28 To perform all other acts necessary or proper to carry out fully the purposes of this Agreement.



## **ARTICLE 5 MEMBERSHIP**

5.1 Members. The Members of the Agency shall be the Scotts Valley Water District, the San Lorenzo Valley Water District, and the County of Santa Cruz, as long as they have not, pursuant to the provisions hereof, withdrawn from this Agreement.

5.2 New Members. Any public agency (as defined by the Act) that is not a Member on the Effective Date of this Agreement may become a Member upon: (a) the approval of the Board of Directors by a supermajority of at least seventy-five (75%) of the votes held among all Directors as specified in Article 9 (Member Voting); (b) payment of a pro rata share of all previously incurred costs that the Board of Directors determines have resulted in benefit to the public agency, and are appropriate for assessment on the public agency; and (c) execution of a written agreement subjecting the public agency to the terms and conditions of this Agreement.

## **ARTICLE 6 BOARD OF DIRECTORS AND OFFICERS**

6.1 Formation of the Board of Directors. The Agency shall be governed by a Board of Directors ("**Board**"). The Board shall consist of eleven (11) Directors consisting of the following representatives who shall be appointed in the manner set forth in Section 6.3:

6.1.1 Two (2) representatives appointed by the governing body of each of the following public agency Members: the Scotts Valley Water District, the San Lorenzo Valley Water District and the County of Santa Cruz

6.1.2 One (1) representative appointed by the governing body of the City of Scotts Valley

6.1.3 One (1) representative appointed by the governing body of the City of Santa Cruz

6.1.4 One (1) representative of the Mt. Hermon Association Community Water System

6.1.5 Two (2) representatives of private well owners or small public water systems within the boundaries of the Agency.

6.2 Duties of the Board of Directors. The business and affairs of the Agency, and all of its powers, including without limitation all powers set forth in Article 4 (Powers), are reserved to and shall be exercised by and through the Board of Directors, except as may be expressly delegated to the staff or others pursuant to this Agreement, Bylaws, or by specific action of the Board of Directors.

6.3 Appointment of Directors. The Directors shall be appointed as follows:

6.3.1 The two representatives from the Scotts Valley Water District shall be appointed by the Scotts Valley Water District Board of Directors.

6.3.2 The two representatives from the San Lorenzo Valley Water District shall be appointed by the San Lorenzo Valley Water District Board of Directors.

6.3.3 The two representatives from the County of Santa Cruz shall be appointed by the County of Santa Cruz Board of Supervisors.



6.3.4 The representative from the City of Scotts Valley shall be appointed by the City of Scotts Valley Council.

6.3.5 The representative from the City of Santa Cruz shall be appointed by the City of Santa Cruz Council.

6.3.6 The representative from the Mt. Hermon Association Community Water System shall be appointed by the Mt Hermon Association, Inc.

6.3.7 The two representatives of private well owners shall be appointed by unanimous vote of the Member Agency Directors unless the private well owners choose their representatives by a method of self-selection as described in the Bylaws. The procedures for nominating the private well owners shall be set forth in the Bylaws. Prior to the adoption of the Bylaws and selection of the private well owner representatives, the Board may appoint temporary Directors to serve as the representatives of the private well owners.

6.4 Alternate Directors. Each Member may have one Alternate to act as a substitute Director for either of the Member's Directors. One Alternate shall also be appointed to act as a substitute Director for the two Directors representing private well owners, and one alternate for each entity may be appointed to act as a substitute Director for the City of Scotts Valley, City of Santa Cruz and Mt. Hermon Association. All Alternates shall be appointed in the same manner as set forth in Section 6.3. Alternate Directors shall have no vote, and shall not participate in any discussions or deliberations of the Board unless appearing as a substitute for a Director due to absence or conflict of interest. If the Director is not present, or if the Director has a conflict of interest which precludes participation by the Director in any decision-making process of the Board, the Alternate Director appointed to act in their place shall assume all rights of the Director, and shall have the authority to act in his/her absence, including casting votes on matters before the Board. Alternates are strongly encouraged to attend Board meetings and stay informed on current issues before the Board.

6.5 Requirements. Each Member's Directors and Alternate Director shall be appointed by that Member's governing body. A Member's Director or Alternate Director may be removed during his or her term or reappointed for multiple terms at the pleasure of the Member that appointed him or her. A Director representing private well owners, the City of Scotts Valley, the City of Santa Cruz or the Mt. Hermon Association may be removed or reappointed in the same manner as he or she was appointed as set forth in Section 6.3. No individual Director may be removed in any other manner, including by the affirmative vote of the other Directors except as described in Section 6.6

6.6 Code of Conduct. All Directors and Alternate Directors shall agree in writing to comply with the Code of Conduct as contained in the Bylaws. Breach of the Code could result in the removal of the Director from the Board.

6.7 Vacancies. A vacancy on the Board of Directors shall occur when a Director resigns or at the end of the Director's term as set forth in Section 6.5. For Member Directors, a vacancy shall also occur when he or she is removed by his or her appointing Member. For Directors representing private well owners, the City of Scotts Valley, the City of Santa Cruz or the Mt. Hermon Association, a vacancy shall also occur when the Director is removed as set forth in Section 6.5. Upon the vacancy of a Director, the Alternate Director shall serve as Director until a new Director is appointed as set forth in Section 6.3 unless the Alternate is already serving as a substitute Director in the event of a prior vacancy, in which case, the seat shall remain vacant until a replacement Director is appointed as set forth in Section 6.3. Members shall



provide notice of any changes in Director or Alternate Director positions to the Board of Directors or its designee in writing and signed by an authorized representative of the Member.

## **ARTICLE 7 OFFICERS**

7.1 Officers. Officers of the Agency shall be a Chair, Vice Chair, Secretary, and Treasurer. The Treasurer shall be appointed consistent with the provisions of Section 14.3. The Vice Chair, or in the Vice Chair's absence, the Secretary, shall exercise all powers of the Chair in the Chair's absence or inability to act.

7.2 Appointment of Officers. Officers shall be elected annually by, and serve at the pleasure of, the Board of Directors. Officers shall be elected at the first Board meeting, and thereafter at the first Board meeting following January 1st of each year, or as duly continued by the Board. An Officer may serve for multiple consecutive terms, with no term limit. Any Officer may resign at any time upon written notice to the Board, and may be removed and replaced by a simple majority vote of the Board.

7.3 Principal Office. The principal office of the Agency shall be established by the Board of Directors, and may thereafter be changed by a simple majority vote of the Board.

## **ARTICLE 8 DIRECTOR MEETINGS**

8.1 Initial Meeting. The initial meeting of the Board of Directors shall be held in the County of Santa Cruz, California, within thirty (30) days of the Effective Date of this Agreement.

8.2 Time and Place. The Board of Directors shall meet at least quarterly, at a date, time and place set by the Board within the jurisdictional boundaries of one or more of the Members, and at such other times as may be determined by the Board.

8.3 Special Meetings. Special meetings of the Board of Directors may be called by the Chair or by a simple majority of Directors, in accordance with the provisions of Government Code section 54956.

8.4 Conduct. All meetings of the Board of Directors, including special meetings, shall be noticed, held, and conducted in accordance with the Ralph M. Brown Act (Government Code sections 54950, *et seq.*). The Board may use teleconferencing in connection with any meeting in conformance with and to the extent authorized by applicable law.

8.5 Local Conflict of Interest Code. The Board of Directors shall adopt a local conflict of interest code pursuant to the provisions of the Political Reform Act of 1974 (Government Code sections 81000, *et seq.*)

## **ARTICLE 9 MEMBER VOTING**

9.1 Quorum. A quorum of any meeting of the Board of Directors shall consist of an absolute majority of Directors plus one Director. In the absence of a quorum, any meeting of the Directors may be adjourned by a vote of the simple majority of Directors present, but no other business may be transacted. For purposes of this Article, a Director shall be deemed present if the Director appears at the meeting in person



or participates telephonically, provided that the telephone appearance is consistent with the requirements of the Ralph M. Brown Act.

9.2 Director Votes. Voting by the Board of Directors shall be made on the basis of one vote for each Director. A Director, or an Alternate Director when acting in the absence of his or her Director, may vote on all matters of Agency business unless disqualified because of a conflict of interest pursuant to California law or the local conflict of interest code adopted by the Board of Directors.

9.3 Affirmative Decisions of the Board of Directors. Except as otherwise specified in this Agreement, all affirmative decisions of the Board of Directors shall require the affirmative vote of a simple majority of all appointed Directors participating in voting on a matter of Agency business, provided that if a Director is disqualified from voting on a matter before the Board because of a conflict of interest, that Director shall be excluded from the calculation of the total number of Directors that constitute a majority. Notwithstanding the foregoing, a unanimous vote of all Member Directors participating in voting shall be required to approve any of the following: (i) any expenditure that is estimated to cost \$50,000 or more; (ii) the annual budget; (iii) the GSP for the Basin or any amendment thereto; (iv) the levying of assessments or fees; (v) issuance of indebtedness; or (vi) any stipulation to resolve litigation concerning groundwater rights within or groundwater management for the Basin.

## **ARTICLE 10**

### **AGENCY ADMINISTRATION, MANAGEMENT AND OPERATION**

The Board of Directors may select and implement an approach to Agency administration and management that is appropriate to the circumstances and adapted to the GSA's needs as they may evolve over time. Details of the Board's decision on Agency administration, management and operation shall be incorporated into the GSA's bylaws and reviewed and revised as needed using the established process for revising the GSA's bylaws.

## **ARTICLE 11**

### **BYLAWS**

The Board of Directors shall cause to be drafted, approve, and amend Bylaws of the Agency to govern the day-to-day operations of the Agency. The Bylaws shall be adopted within six months from the Board's first meeting.

## **ARTICLE 12**

### **ADVISORY COMMITTEES**

The Board of Directors may from time to time appoint one or more advisory committees or establish standing or ad hoc committees to assist in carrying out the purposes and objectives of the Agency. The Board shall determine the purpose and need for such committees and the necessary qualifications for individuals appointed to them.

## **ARTICLE 13**

### **OPERATION OF COMMITTEES**

Each committee shall include a Director as the chair thereof. Other members of each committee may be constituted by such individuals approved by the Board of Directors for participation on the committee. However, no committee or participant on such committee shall have any authority to act on behalf of the Agency except as duly authorized by the Board.



## **ARTICLE 14 ACCOUNTING PRACTICES**

14.1 General. The Board of Directors shall establish and maintain such funds and accounts as may be required by generally accepted public agency accounting practices. The Agency shall maintain strict accountability of all funds and a report of all receipts and disbursements of the Agency.

14.2 Fiscal Year. Unless the Board of Directors decides otherwise, the fiscal year for the Agency shall run from July 1<sup>st</sup> through June 30<sup>th</sup>.

14.3 Appointment of Treasurer and Auditor; Duties. The Treasurer and Auditor shall be appointed in the manner, and shall perform such duties and responsibilities, specified in Sections 6505.5 and 6505.6 of the Act.

## **ARTICLE 15 BUDGET AND EXPENSES**

15.1 Budget. Within 120 days after the first meeting of the Board of Directors, and thereafter prior to the commencement of each fiscal year, the Board shall adopt a budget for the Agency for the ensuing fiscal year no later than June 30<sup>th</sup>. In the event that a budget is not so approved, the prior year's budget shall be deemed approved for the ensuing fiscal year, and any groundwater extraction fee or assessment(s) of contributions of Members, or both, approved by the Board during the prior fiscal year shall again be assessed in the same amount and terms for the ensuing fiscal year.

15.2 Agency Funding and Contributions. For the purpose of funding the expenses and ongoing operations of the Agency, the Board of Directors shall maintain a funding account in connection with the annual budget process. The Board of Directors may fund the Agency and the GSP as provided in Chapter 8 of SGMA, commencing with Section 10730 of the Water Code, and may also issue assessments for contributions by the Members in the amount and frequency determined necessary by the Board. Such Member contributions shall be paid by each Member to the Agency within 30 days of assessment by the Board.

15.3 Return of Contributions. In accordance with Government Code section 6512.1, repayment or return to the Members of all or any part of any contributions made by Members and any revenues by the Agency may be directed by the Board of Directors at such time and upon such terms as the Board of Directors may decide; provided that (1) any distributions shall be made in proportion to the contributions paid by each Member to the Agency, and (2) any capital contribution paid by a Member voluntarily, and without obligation to make such capital contribution pursuant to Section 15.2, shall be returned to the contributing Member, together with accrued interests at the annual rate published as the yield of the Local Agency Investment Fund administered by the California State Treasurer, before any other return of contributions to the Members is made. The Agency shall hold title to all funds and property acquired by the Agency during the term of this Agreement.

15.4 Issuance of Indebtedness. The Agency may issue bonds, notes or other forms of indebtedness, as permitted under Section 4.11, provided such issuance be approved at a meeting of the Board of Directors by unanimous vote of the Member Directors as specified in Article 9 (Member Voting).



## **ARTICLE 16 LIABILITIES**

16.1 Liability. In accordance with Government Code section 6507, the debt, liabilities and obligations of the Agency shall be the debts, liabilities and obligations of the Agency alone, and not the Members.

16.2 Indemnity. Funds of the Agency may be used to defend, indemnify, and hold harmless the Agency, each Member, each Director, and any officers, agents and employees of the Agency for their actions taken within the course and scope of their duties while acting on behalf of the Agency. Other than for gross negligence or intentional acts, to the fullest extent permitted by law, the Agency agrees to save, indemnify, defend and hold harmless each Member from any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorney's fees and costs, court costs, interest, defense costs, and expert witness fees, where the same arise out of, or are in any way attributable, in whole or in part, to negligent acts or omissions of the Agency or its employees, officers or agents or the employees, officers or agents of any Member, while acting within the course and scope of a Member relationship with the Agency.

## **ARTICLE 17 WITHDRAWAL OF MEMBERS**

17.1 Unilateral Withdrawal. Subject to the Dispute Resolution provisions set forth in Section 18.9, a Member may unilaterally withdraw from this Agreement without causing or requiring termination of this Agreement, effective upon 30 days written notice to the Board of Directors or its designee.

17.2 Rescission or Termination of Agency. This Agreement may be rescinded and the Agency terminated by unanimous written consent of all Members, except during the outstanding term of any Agency indebtedness.

17.3 Effect of Withdrawal or Termination. Upon termination of this Agreement or unilateral withdrawal, a Member shall remain obligated to pay its share of all debts, liabilities and obligations of the Agency required of the Member pursuant to terms of this Agreement, and that were incurred or accrued prior to the effective date of such termination or withdrawal, including without limitation those debts, liabilities and obligations pursuant to Sections 4.11 and 15.4. Any Member who withdraws from the Agency shall have no right to participate in the business and affairs of the Agency or to exercise any rights of a Member under this Agreement or the Act, but shall continue to share in distributions from the Agency on the same basis as if such Member had not withdrawn, provided that a Member that has withdrawn from the Agency shall not receive distributions in excess of the contributions made to the Agency while a Member. The right to share in distributions granted under this Section 17.3 shall be in lieu of any right the withdrawn Member may have to receive a distribution or payment of the fair value of the Member's interest in the Agency.

17.4 Return of Contribution. Upon termination of this Agreement, any surplus money on-hand shall be returned to the Members in proportion to their contributions made. The Board of Directors shall first offer any property, works, rights and interests of the Agency for sale to the Members on terms and conditions determined by the Board of Directors. If no such sale to Members is consummated, the Board of Directors shall offer the property, works, rights, and interest of the Agency for sale to any non-member for good and adequate consideration. The net proceeds from any sale shall be distributed among the Members in proportion to their contributions made.



## **ARTICLE 18**

### **MISCELLANEOUS PROVISIONS**

18.1 No Predetermination or Irretrievable Commitment of Resources. Nothing herein shall constitute a determination by the Agency or any of its Members that any action shall be undertaken, or that any unconditional or irretrievable commitment of resources shall be made, until such time as the required compliance with all local, state, or federal laws, including without limitation the California Environmental Quality Act, National Environmental Policy Act, or permit requirements, as applicable, has been completed.

18.2 Notices. Notices to a Director or Member hereunder shall be sufficient if delivered to the respective Director or clerk of the Member agency and addressed to the Director or clerk of the Member agency. Delivery may be accomplished by U.S. Postal Service, private mail service or electronic mail.

18.3 Amendments to Agreement. This Agreement may be amended or modified at any time only by subsequent written agreement approved and executed by all of the Members.

18.4 Agreement Complete. The foregoing constitutes the full and complete Agreement of the Members. This Agreement supersedes all prior agreements and understandings, whether in writing or oral, related to the subject matter of this Agreement that are not set forth in writing herein.

18.5 Severability. Should any part, term or provision of this Agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any applicable federal law or any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms, or provisions hereof shall not be affected thereby, provided however, that if the remaining parts, terms, or provisions do not comply with the Act, this Agreement shall terminate.

18.6 Withdrawal by Operation of Law. Should the participation of any Member to this Agreement be decided by the courts to be illegal or in excess of that Member's authority or in conflict with any law, the validity of the Agreement as to the remaining Members shall not be affected thereby.

18.7 Assignment. The rights and duties of the Members may not be assigned or delegated without the written consent of all other Members. Any attempt to assign or delegate such rights or duties in contravention of this Agreement shall be null and void.

18.8 Binding on Successors. This Agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the Members.

18.9 Dispute Resolution. In the event that any dispute arises among the Members relating to (i) this Agreement, (ii) the rights and obligations arising from this Agreement, or (iii) or a Member proposing to withdraw from membership in the Agency, the aggrieved Member or Member proposing to withdraw from membership shall provide written notice to the other Members of the controversy or proposal to withdraw from membership. Within thirty (30) days thereafter, the Members shall attempt in good faith to resolve the controversy through informal means. If the Members cannot agree upon a resolution of the controversy within thirty (30) days from the providing of written notice specified above, the dispute shall be submitted to mediation prior to commencement of any legal action or prior to withdrawal of a Member proposing to withdraw from membership. The mediation shall be no less than a full day (unless agreed otherwise among the Members) and the cost of mediation shall be paid in equal proportion among the Members. The mediator shall be either voluntarily agreed to or appointed by the Superior Court upon a suit and motion for appointment of a neutral mediator. Upon completion of mediation, if the controversy has not been resolved, any Member may exercise all rights to bring a legal action relating to the controversy or (except where such



controversy relates to withdrawal of a Member's obligations upon withdrawal) withdraw from membership as otherwise authorized pursuant to this Agreement.

18.10 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

18.11 Singular Includes Plural. Whenever used in this Agreement, the singular form of any term includes the plural form and the plural form includes the singular form.

18.12 Member Authorization. The legislative bodies of the Members have each authorized execution of this Agreement, as evidenced by their respective signatures below.

**IN WITNESS WHEREOF**, the Members hereto have executed this Agreement by authorized officials thereof.

SCOTTS VALLEY WATER DISTRICT

APPROVED AS TO FORM:

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

SAN LORENZO VALLEY WATER  
DISTRICT

APPROVED AS TO FORM:

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

COUNTY OF SANTA CRUZ

APPROVED AS TO FORM:

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_



## M E M O

**TO:** Board of Directors

**FROM:** District Manager

**SUBJECT:** DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT FOR  
GENERAL COUNSEL SERVICES.

**DATE:** MAY 25, 2017

### RECOMMENDATION:

The Board should review the top two candidates recommended by the Administration Committee and select a firm to provide general counsel services with a retainer based contract for 30 hours per month. Suggested contract start date is July 1, 2017, beginning with the new budget year.

### BACKGROUND:

Over the past year, the Administration Committee has been working on recommending a firm to provide legal general counsel services for the District. Work included preparation of a Request for Proposals, review of ten submitted proposals and interview of the top ranked four firms.

Based on their proposals and interview, the Administration Committee has recommended two firms for consideration by the Board; Churchwell White & Nossaman. Both firms are represented here tonight.

### STRATEGIC PLAN:

9.0 - Administrative Management

### FISCAL IMPACT:

The proposed retainer fees range from \$70,200 per year for 30 hours of legal work per month up to \$228,000 per year for 50 hours of legal work per month.





## **Proposal to Provide General Legal Counsel Services – San Lorenzo Valley Water District**

December 15, 2016



## **Executive Summary**



## Executive Summary

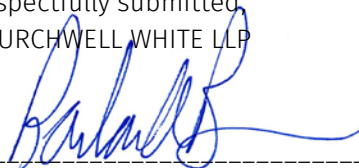
Churchwell White LLP (“Firm”) is pleased to present a proposal to the San Lorenzo Valley Water District (“District”) in response to the District’s Request for Proposals (“RFP”). Our attorneys provide full service advice and counsel to our clients, which makes the Firm uniquely qualified and prepared to deliver the highest quality legal services at competitive rates.

The following proposal demonstrates the Firm’s experience in nearly all matters that would be of interest to the District, as well as our proposed attorneys’ experience and qualifications. The Firm is well-versed in the laws that regulate special districts and other public agencies in the State of California. In order to provide the best service to our clients, our attorneys stay up-to-date on current general municipal and public law issues and trends that affect public agencies, including changes to the Ralph M. Brown Act, Public Records Act, Political Reform Act, and other relevant statutes. The Firm has a pulse on emerging case law and regulations that may impact local government entities in areas including local ordinances and resolutions, real estate, land use and planning, environmental and natural resources, CEQA/NEPA, water law, administrative law, employment and personnel matters, Proposition 218, ethics and conflicts of interests. The Firm rounds out the legal services offered to clients by providing governmental affairs and lobbying services at the Capitol.

Our lawyers and legislative advocates represent public interests across the state. The Firm proudly serves as general counsel or special counsel to the San Miguel Community Services District, Grizzly Flats Community Services District, California Valley Community Services District, Reclamation District 799, Westley Community Services District, Rio Linda-Elverta Community Water District, Marina Coast Water District, Fort Ord Reuse Authority, Empire Sanitary District, Georgetown Divide Public Utility District, the Port of Oakland, and Riverbank Local Redevelopment Authority, among others. The Firm also serves as City Attorney or special counsel to the cities of Benicia, Ceres, Dixon, Fresno, Newman, Oakdale, Orange Cove, Patterson, Riverbank, San Bruno and Sonora, to name a few. In addition, our attorneys are often hired by other prominent public and municipal law firms seeking assistance with complex litigation, transactional matters, and regulatory compliance matters.

Churchwell White LLP is committed to meeting the requirements set forth in the solicitation by the District and its staff. We are confident that the Firm’s attorneys have the qualifications and experience to execute all of the requested legal services to the highest ability and quality. Should you have any questions, please do not hesitate to contact me directly at (916) 468-0625 or at [barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com). Thank you for your consideration.

Respectfully submitted,  
CHURCHWELL WHITE LLP



Barbara A. Brenner  
Partner



## **Firm Description**



## Firm Description

Churchwell White LLP has deep roots in California, representing many public agencies throughout the State. Located within a block of the State Capitol in Sacramento, our attorneys are dedicated to providing advice and expertise at the highest levels of law and policy. The Firm's attorneys have achieved extraordinary results by staying singularly focused on proactively solving the issues facing our clients with a diligent work ethic.

The Firm was established in 2013 as a limited liability partnership by partners Steven Churchwell, Douglas White, Barbara Brenner, and Randy Pollack. After years of experience at some of the largest law firms in the country, including DLA Piper, Greenberg Traurig, and Stoel Rives, our partners set out to build a new firm with the goal of providing exceptional service to interesting and unique clients without the conflicts they all experienced at larger firms.

Attorneys at Churchwell White LLP take great pride in their work, producing powerful solutions to the most complex legal issues. Churchwell White LLP clients benefit from attorneys who are thought leaders and deal makers, who also bring a common sense approach to the practice of law. We focus on results, while providing the type of exceptional and personal client service only found at boutique law firms. Our attorneys are experienced in helping our clients navigate the legal complexities that are unique to California. Whatever the context, public agencies or governmental bodies are in a perpetual cycle of growing, strengthening or defending their tax base and constituent services. Churchwell White LLP has the expertise to provide clients with the leadership, advocacy and creative solutions they need to be successful.

Among our attorneys' areas of expertise, public law and water law are particular strengths. Churchwell White LLP understands the benefit of developing long-term solutions that can successfully adapt to new and proposed state and federal laws and regulations related to both water rights and water quality. Our water practice includes permit proceedings, regulatory compliance, legislative assistance and state and federal litigation. Our attorneys have represented clients before regional, state and federal agencies.

The long-term viability of the clients we serve is paramount to us. Accordingly, we help clients develop long-range management plans to ensure that they have the water needed to remain viable and that they meet obligations under state and federal laws, including the California Water Code, Sustainable Groundwater Management Act, Safe Drinking Water Act, Clean Water Act, and California's Porter-Cologne Water Quality Act, state and federal endangered species laws and the Warren Act. Such efforts include water transfers, acquiring and protecting water rights, and regional planning. In addition, water users in California face challenges beyond the acquisition of water rights, such as meeting the demands of constantly changing environmental regulations. Churchwell White LLP is ready to assist small and large water users and landowners in order to meet these permitting, regulatory, and long-term planning challenges.



For more areas of expertise, please refer to the Identification of General Counsel Expertise section of the proposal. The Firm is also happy to provide more information upon request.

Churchwell White LLP is currently comprised of 18 attorneys: 6 partners, 3 of-counsel attorneys and 9 associate attorneys. We also have 2 paralegals, 1 legislative advocate, 1 legal secretary, 1 file clerk, 1 marketing coordinator, 1 firm administrator and 1 receptionist.

## **Firm Location and Contact**

Legal Name and Address: Churchwell White LLP  
1414 K Street, 3<sup>rd</sup> Floor  
Sacramento, CA 95814  
T 916.468.0950  
F 916.468.0951  
[www.churchwellwhite.com](http://www.churchwellwhite.com)

Primary Contact: Barbara A. Brenner, Partner  
T 916.468.0625  
F 916.468.0951  
[barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)



## Identification of Prime Counsel



## Identification of Prime Counsel

We believe that the General Counsel is not just a legal counselor, but also an advocate and at times a member of the District's management team. Our approach to tackling the array of challenges a District may face is to maintain an active and cooperative relationship with the Board of Directors, General Manager and District staff. We believe this active level of involvement and candid communication regarding the strategy and management of the District's legal affairs lead to optimal results.

As such, our Firm is committed to proposing the most qualified attorney(s) to meet the needs of each client. In line with that commitment, the Firm is proposing Barbara A. Brenner as General Counsel to lead the District's legal team. Ms. Brenner will have day-to-day responsibility to the District and staff, supervise and bill all provided legal services, and ensure that the most qualified attorneys are responding to the District's needs. We are also proposing Robin Baral and Kerry Fuller as Deputy Legal Counsel to assist Ms. Brenner. Both of these associate attorneys have experience representing special districts, including public water purveyors.

The Firm works collectively as a team for the benefit of our clients, and the District will benefit from the full resources of the Firm. Full resumes for Ms. Brenner, Mr. Baral and Ms. Fuller, as well as the rest of the Churchwell White LLP legal team, follow under this tab.

### Barbara A. Brenner – General Legal Counsel

Attorney Name:	Barbara A. Brenner
Specialization:	Municipal, Water, Environmental, Land Use
Legal Training:	J.D., McGeorge School of Law L.L.M., Pace University School of Law
Years of Practice:	27
Date of Admittance to the California State Bar:	12/1989
Public Sector Experience:	<ul style="list-style-type: none"> <li>• 20 years of Public Law experience</li> <li>• General Counsel for Reclamation District 799, Rio Linda-Elverta Community Water District, Georgetown Divide Public Utilities District, Grizzly Flats Community Services District</li> <li>• Provides special counsel services relating to water to the cities of Dixon, Patterson, Riverbank, Oakdale and Newman, as well as to San Miguel Community Services District</li> <li>• Advises clients in the areas of municipal, special district, water and environmental law, as well as land use, public contracting, project entitlement and regulatory compliance</li> <li>• Her water law practice includes permitting of water projects, litigation involving the protection and acquisition of water resources, state and federal water</li> </ul>



	contract interpretation and negotiation, and legislative review
Litigation Experience:	<ul style="list-style-type: none"> <li>• Successfully represented the City of Patterson in a decade-long lawsuit against members of the Patterson Hotel Associates, LLC (PHC). This three week trial stemmed from the city's claim for unpaid taxes in the amount of \$237,000 and PHC's various cross claims for approximately \$4,000,000. The court found in favor of the city for all taxes owed, plus interest, and nothing owed by the city to PHC. Since the city was the prevailing party, the city was also awarded attorneys' fees and costs.</li> <li>• <i>Mount Shasta Bioregional Ecology Center v. County of Siskiyou</i> (210 Cal. App. 4th 184), where CEQA findings were successfully defended and costs on appeal were awarded.</li> </ul>

## Robin Baral – Deputy General Legal Counsel

Attorney Name:	Robin R. Baral
Specialization:	Municipal, Water, Environmental, Land Use
Legal Training:	J.D., Loyola Law School
Years of Practice:	6
Date of Admittance to the California State Bar:	12/2010
Public Sector Experience:	<ul style="list-style-type: none"> <li>• 6 years of Public Law experience</li> <li>• Deputy City Attorney for the cities of Dixon, Riverbank and Patterson</li> <li>• Deputy General Counsel for Rio Linda/Elverta Community Water District</li> <li>• Advises municipal clients on issues pertaining to land use and development, environmental compliance and project negotiation</li> </ul>
Litigation Experience:	<ul style="list-style-type: none"> <li>• Successfully represented the City of Dixon in a pre-election challenge to two initiatives filed by a local taxpayer association on the basis the initiatives were unconstitutional and beyond the power of the electorate. By prevailing against the local tax payer group, the City of Dixon was able to move forward with increasing its sewer rates to comply with a state regulatory mandate in order to protect the City's groundwater from contamination and implement a wastewater solution for the next generation.</li> </ul>



## Kerry Fuller – Deputy General Legal Counsel

Attorney Name:	Kerry A. Fuller
Specialization:	Municipal, Water, Environmental Compliance, Ethics and Political Law
Legal Training:	J.D., University of California, Davis
Years of Practice:	3
Date of Admittance to the California State Bar:	12/2013
Public Sector Experience:	<ul style="list-style-type: none"><li>• 3 years of Public Law experience</li><li>• Deputy City Attorney for the City of Newman</li><li>• Deputy General Counsel for Reclamation District 799</li><li>• Advises municipal clients on issues pertaining to the Brown Act, Political Reform Act, Public Records Act, public contracting, code enforcement, and other municipal and public law matters</li></ul>
Litigation Experience:	<ul style="list-style-type: none"><li>• Assists in defending groundwater litigation</li><li>• Successfully assisted in defending citizen suit brought under Federal Clean Water Act</li></ul>





**Barbara A. Brenner**  
Partner

D 916.468.0625  
[barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)

#### EDUCATION

L.L.M., Pace University School of Law

J.D., University of the Pacific,  
McGeorge School of Law

B.A., Sonoma State University

CA Bar Admission Date: 12/1989

Bar No. 142222

Barbara A. Brenner is a partner of Churchwell White LLP with extensive experience in the areas of natural resources, environmental, land use, energy and municipal law. Prior to joining Churchwell White, Barbara was formerly a partner at Stoel Rives LLP, practicing in their natural resources and environmental group as well as land use. As a leader of the Churchwell White team, Barbara advises public and private clients in permitting, regulatory compliance, transactional and litigation matters involving water resources, water quality, endangered species, land use, energy, eminent domain and general municipal matters.

In the area of water resources, Barbara has extensive experience with the protection and acquisition of water resources, water contract interpretation and negotiations, water supply planning and assessments, aquifer storage and recovery, water transfers and water quality. Barbara's in-depth experience in water law allows her to represent water districts and other purveyors, growers, ranchers, and other rural landowners, as well as various industry clients, including those involved in the agricultural, timber, renewable energy, and land use and development sectors that are addressing California's myriad of water supply and quality challenges.

Within her natural resources practice, Barbara assists clients with the state and federal Endangered Species Acts, wetlands, land conservation permitting, and related litigation. She has assisted private and public interests with the evaluation of Habitat Conservation Plans, Natural Community Conservation Plans, Biological Opinion consultations, California Incidental Take Permits, 404 individual permits, timber harvest plans, and conservation easements.

Barbara's land use practice includes representing private land owners, developers, and public agencies in matters involving local government planning and zoning, Coastal Act permitting, CEQA and NEPA compliance, Clean Water Act compliance, land development strategy, eminent domain and related litigation.

Barbara's municipal practice includes serving as general and special counsel to special districts, joint power agencies, cities, and counties. Barbara regularly advises on compliance with the Brown Act, Public Records Act, Public Contract Code, as well as various other laws impacting public agencies.



**Significant Projects and Representations:**

- Lead counsel for an irrigation district through the federal and state entitlements for the development of a water banking project, including state and federal endangered species consultation
- Assisting a biomass project through the land use permit approval process involving CEQA compliance and air permitting including subsequent legal challenges to the favorable permits obtained
- Represented a private enterprise in the development of a unique water project in Northern California involving a number of regulatory agencies, permits, administrative hearings, and litigation (CalFed In-Delta Storage Project)
- Represented City in its damage claim resulting from California Department of Fish and Game's pike eradication program at Lake Davis
- Special Counsel to City for conjunctive use program
- Lead endangered species counsel for a variety of solar and wind projects

**Professional Honors and Activities:**

- Member, American Bar Association, Natural Resources, Environmental and Litigation Sections, 1984-Present
- Member, Legislative Committee, Environmental Law Section, State Bar of California, 2001-2006
- Member, Agribusiness Subcommittee Business Law Section, State Bar of California, 2011-Present
- Member, Referendum Review Committee, California Women Lawyers
- Member, Legal Committee, Association of California Water Agencies, 2010-2012
- Member, Federal Committee, Association of California Water Agencies, 2007-2009
- Member, California Building Industry Association
- Member, American Council of Engineers of California, Water Resources and Land Use Planning Committees
- Board Member, Placer Land Trust





**Robin Baral**  
Attorney

D 916.468.0576  
[robin@churchwellwhite.com](mailto:robin@churchwellwhite.com)

**EDUCATION**

J.D., Loyola Law School of Los Angeles

B.A., University of California, Berkeley

CA Bar Admission Date: 12/2010

Bar No. 271882

Robin Baral provides specialized counsel to public and private entities in the areas of land use, environmental law, regulatory proceedings and municipal law. Robin's practice focuses on the intersection of land use, water supply planning and largescale infrastructure projects. In the public sector, Robin currently serves as Deputy City Attorney for the City of Dixon and the City of Riverbank, while providing counsel to cities and water districts throughout California. Robin's land use practice is highlighted by his ability to work with developers and municipalities to negotiate development agreements, process complex entitlement packages, and establish viable finance mechanisms for large infrastructure improvements, such as wastewater treatment upgrades and recycled water facilities. Robin is actively working with several public entities to finance, develop and construct surface water and groundwater storage projects, and treatment projects totaling hundreds of millions of dollars.

Robin works closely with public entities, and their constituents, in a variety of matters involving municipal finance, such as Proposition 218 proceedings, the adoption of impact fees, the formation of special assessments and other voter-approved taxes. He is skilled in working with agencies and citizens' groups in connection with local initiatives and ballot measures. In each case, Robin understands the benefit of providing effective counsel in response to the specific needs and concerns of the local community.

In addition to his public practice, Robin represents industrial operators, natural resource companies and renewable energy companies in obtaining entitlements for new projects, along with providing guidance during regulatory proceedings and administrative actions by state agencies.

Prior to entering private practice, Robin volunteered as a Special Deputy Attorney in the California Attorney General's office, Environment Section. In law school, Robin interned in the Land Law Section for nine months, through the California Attorney General's Law School Honors Program in Los Angeles.

Robin has developed close ties with the Sacramento region since relocating to the area in 2011. He currently serves as a director of the Yolo Land Trust, and he also enjoys volunteering and participating in seminars by the Urban Land Institute. These groups exemplify Robin's passion for balancing smart urban development with the preservation of a vibrant agricultural economy. When he is not serving his community, Robin enjoys exploring and eating his way through the best restaurants and local establishments throughout California.

**Significant Projects and Representations:**



- Representing a private developer to obtain entitlements in the mixed-use development of 2,700 units and 280,000 square feet of commercial and retail uses, with environmentally sustainable infrastructure;
- Representing the City of Patterson in the development of a 400-acre master development plan and bond financing involving numerous landowners and stakeholders;
- Representing a private entity in the permitting of a \$100 million industrial facility in Northern California;
- Represented the City of Patterson in the development of a 1.2 million square-foot distribution center for Restoration Hardware;
- Represented the City of Dixon in the development and financing of wastewater treatment facility upgrades totaling approximately \$30 million.

**Professional Honors and Activities:**

- Contributor, California Municipal Law Handbook, Municipal Services and Utilities, California Continuing Education of the Bar (2014-present)
- Editor, California Water Law Journal (2013-present)
- Urban Land Institute – Sacramento District (2012-present)
- Law School Honors Program, California Department of Justice, Division of Public Rights, Land Law section (2009)
- Founding Director, Leadership for Urban Renewal Network, Los Angeles (2009-2012)
- Super Lawyers 2015 and 2016 Rising Star





**Kerry Fuller**  
Attorney

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**EDUCATION**

J.D., University of California, Davis  
School of Law

B.A., University of California,  
Santa Barbara

CA Bar Admission Date: 12/2013

Bar No. 292466

Kerry Fuller's exposure to California's complex water system started early. Due to her father's work as an engineer for a water agency in the San Bernardino Valley, Kerry became fascinated with the vast web of infrastructure and accompanying laws and agreements that govern California's water.

After graduating from the University of California, Santa Barbara with degrees in Political Science and Psychology, Kerry spent several years working in Washington D.C. for Hillary Clinton's 2008 presidential primary campaign, as well as for Defenders of Wildlife, an environmental nonprofit. It was there, encouraged by her mentors and still fascinated by California's water system, that Kerry became inspired to become a lawyer. As a result, Kerry returned to California, where she graduated from the University of California, Davis with her Juris Doctor. While in law school, Kerry worked as a law clerk at the California Attorney General's Office in the Environment, Land Law, and Natural Resources Section and continued to explore her interest in water by taking classes focusing on water law and ocean and coastal laws. She also served as an Executive Editor of UC Davis' environmental journal, *Environs*, and was selected for a Michael H. Remy Scholarship to attend the 2012 Environmental Law Conference at Yosemite.

From inspiration to actuality, Kerry now flexes her decision-making and problem-solving skills as a member of the Churchwell White team. Kerry belongs to the Public Law and Environmental Law Sections of the California State Bar, and channels all of her experiences into her municipal, water, and environmental practices.

**Significant Projects and Representations:**

- Assisting private clients with Clean Water Act compliance and permitting
- Representing a municipal client in a quiet title action regarding groundwater rights
- Drafting a number of alerts regarding developments in the water arena, including the ongoing drought response, the adoption and implementation of the Sustainable Groundwater Management Act, and newly adopted laws and regulations effecting water purveyors state-wide
- Drafting ordinances that were successfully adopted in several California cities with topics including limiting the sale and use of e-cigarettes, establishing rules regarding city-owned skate park use, and noise control regulations



**Professional Honors and Activities:**

- Member of the California State Bar, Public Law and Environmental Law sections
- Law clerk at the California Attorney General's Office; Environment, Land Law, and Natural Resources Sections
- Intern for California Assembly Member, Anthony Rendon
- Recipient of Michael H. Remy Scholarship to attend the 2012 Environmental Law Conference at Yosemite
- Executive Editor, Environs, UC Davis' environmental journal





**Douglas L. White**  
Managing Partner

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#### EDUCATION

J.D., University of the Pacific,  
McGeorge School of Law

B.A., University of California,  
Davis

CA Bar Admission Date: 5/2000

Bar No. 206705

As a founding and managing partner of Churchwell White LLP, Doug White has set himself apart as a widely respected thought leader and legal practitioner. Doug's "clients first" approach is focused in the areas of real estate, land use, municipal law and litigation. His diverse groups of clients range from cities, counties, special districts, and other public agencies to private developers, builders, lenders, professional associations, unions and business owners. Doug has vast experience in land use entitlements and project approvals, CEQA and NEPA, real estate contracts and commercial transactions, leasing, building and project certifications, project financing, eminent domain, public contracting and regulatory and governmental affairs.

Doug currently serves as the City Attorney for the cities of Dixon and Sonora, as well as Deputy City Attorney for the cities of Oakdale, Patterson, Riverbank, and Ceres, and is also special counsel for a number of other cities. He advises public entities and officials on issues pertaining to the Brown Act, Political Reform Act, Public Records Act, public contracting, code enforcement, and other municipal and public law matters. In addition to his municipal work, Doug has also successfully represented his public and private clients in high-profile litigation matters and has obtained favorable judgments and settlements.

Prior to forming Churchwell White, Doug served as legal counsel and Vice President of Government Affairs for the California Bankers Association as well as legal staff for the Fair Political Practices Commission. Doug also benefits from his extensive political experience as Chief of Staff, Legislative Director and consultant to various elected officials, including former Congressman Dennis Cardoza and former State Superintendent of Public Instruction Jack O'Connell.

Doug has been recognized as one of the leading attorneys in the United States on issues related to renewable energy and sustainability and has been named by the *California Real Estate Journal* as one of California's Green Leaders. He has been selected as a Northern California Super Lawyer by *Super Lawyers Magazine* and been featured as a speaker and moderator at state and national conferences. Doug is as an AV Rated attorney by Martindale-Hubbell and was also honored by his peers in the 2014, 2015 and 2016 Best of the Bar by the *Sacramento Business Journal*.

Doug is not only an innovative leader in his field, but also in the office. As managing partner, he leads by example, incorporating his business experience and technological know-how into ensuring Churchwell White remains at the



forefront in providing exceptional legal services to its clients.

**Significant Projects and Representations:**

- As the City Attorney, represents the City of Dixon in all municipal and legal matters
- Deputy City Attorney for the cities of Oakdale, Patterson, Newman, and Riverbank
- Facilitated the development of the Restoration Hardware distribution center in the City of Patterson, which is expected to generate over 350 new jobs for the City
- Guided the City of Patterson's efforts in processing the necessary city approvals for a project consisting of a 120-acre business park, expected to bring over 1,000 new jobs to the City
- Responsible for the planning of a 1,100 acre industrial and commercial business park for the City of Patterson
- Assists cities in the preparation and evaluation of general and specific plan updates and adoptions
- Represented the City of Riverbank in CEQA litigation, resulting in a \$4M settlement for the city
- Successfully mediated and settled litigation cases on behalf of both private and public clients

**Professional Honors and Activities:**

- Member, California State Bar, Real Estate Section
- Member, California State Bar, Environmental Section
- Member, Sacramento County Bar Association
- Licensed California Real Estate Broker
- 2009 Rising Star, *Super Lawyers Magazine*
- Northern California Super Lawyer, 2016
- Best of the Bar 2014, 2015 and 2016, *Sacramento Business Journal*





**Steve Churchwell**  
Partner

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**EDUCATION**

J.D., University of Tennessee,  
College of Law

B.A., Vanderbilt University

CA Bar Admission Date: 12/1983

Bar No. 110346

Steve Churchwell is a partner at Churchwell White LLP. Since 1982, he has assisted clients in charting a successful course through the challenging waters of California government and politics. He represents corporations, associations, Indian tribes and government agencies in regulatory matters, political law compliance and enforcement issues, legislative affairs, and related litigation.

A native of Memphis, Tennessee, Steve brings a bit of Southern charm and twang to the Churchwell White office. He is a graduate of Vanderbilt University and the University of Tennessee College of Law. Steve was a partner at DLA Piper LLP (US) from 2005 to 2013 and served as General Counsel for the Fair Political Practices Commission from 1993 to 2000.

Steve has served as lead counsel to more than two dozen statewide initiative or referendum measures, and has successfully litigated cases involving many of the measures. He has two 7-0 victories in the California Supreme Court and many other appellate wins.

Steve has worked on issues in many areas of public policy, including ethics/conflicts of interest, charter schools, energy, government contracts, healthcare, infrastructure projects, internal investigations, as well as constitutional law and public finance.

For his accomplishments and experience, Steve has been given the highest rating of AV<sup>®</sup> by Martindale-Hubbell and was selected for inclusion as a Northern California Super Lawyer multiple times. Steve is a Past President of the California Political Attorneys Association and helped develop methodology used by the Ethisphere Institute, which annually ranks the *World's Most Ethical Companies*.

Steve's scholarly articles have been published in Intellectual Property Law Review, Pepperdine Law Review, Tennessee Law Review and Criminal Law Bulletin.

Steve is very committed to providing pro bono legal services. He is passionate about giving back and creating a better society for others, beliefs which are reflected in the work and culture of the attorneys at Churchwell White. As a result of his commitment to pro bono work, Steve was named by the *National Law Journal* to its "2013 Pro Bono Hot List." He was one of only 10 attorneys in the United States selected for this honor, based on his work on juvenile justice issues, including Senate Bill 9 (Yee), the Fair Sentencing for Youth Act. Steve also won the 2009 National Pro Bono Award at DLA Piper for his work in South Africa with Zimbabwean women refugees.



**Professional Honors and Activities:**

- Best of the Bar 2015 and 2016, *Sacramento Business Journal*
- *National Law Journal* "2013 Pro Bono Hot List"
- Past President, California Political Attorneys Association
- AV® Rated by Martindale-Hubbell
- Northern California Super Lawyer
- Recipient, 2009 National Pro Bono Award, DLA Piper

**Government Experience:**

- General Counsel, California Fair Political Practices Commission
- Chief Counsel, Cal-OSHA Appeals Board
- Legal Counsel, Office of Administrative Law
- Legislative Intern





**Randy Pollack**  
Partner

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#### EDUCATION

J.D., University of the Pacific,  
McGeorge School of Law

B.A., State University of New York,  
Buffalo

#### MEMBERSHIPS

State Bar of California, 1987

New York State Bar, 1988

Randy Pollack specializes in developing and directing government and regulatory affairs strategies through lobbying, political grassroots, public relations efforts and organizing industry coalitions. He regularly represents businesses and trade associations before the California Legislature, the executive branch and state agencies.

Randy has served as the lead lobbyist on issues involving chemical policy, dietary supplements, consumer packaging, cosmetics, privacy, financial, education and agricultural issues. Additionally, he has extensive knowledge in working with the California Department of Food & Agriculture, Cal-EPA, Department of Health Services, Consumer Services Agency and various other agencies to resolve issues on behalf of his clients. In a November 2009 survey, California Legislators voted Randy as the “Most Underrated Lobbyist” working at the Capitol—a testament to the effective and pragmatic approach he employs on behalf of his clients.

Before joining Churchwell White LLP, Randy established his own company focusing on legislative and regulatory affairs. Prior to that, Randy was a shareholder of a national law firm where he directed legislative and regulatory strategies for Fortune 500 companies and trade associations. Randy’s 25 years of government experience include serving as Chief Deputy Legal Affairs Secretary to former Governor George Deukmejian, where he counseled the Governor and senior staff on a variety of legal, public policy and legislative issues. As chief consultant to the Assembly of Agriculture Committee, he oversaw issues affecting California’s \$20 billion agricultural industry. In addition, Randy served as legal advisor to the California Public Employment Relations Board.

Randy Pollack is a registered California lobbyist and a member of the California and New York State Bars. He received his J.D. from University of the Pacific, McGeorge School of Law and his B.A. degree from the State University of New York, Buffalo. As an attorney and lobbyist, Randy is an AV® Peer Review Rated lawyer, the highest rating given by Martindale-Hubbell for legal ability and ethical standards.

#### Significant Projects and Representations:

- Represented dietary supplement companies in defeating legislation that would have placed onerous requirements on dietary supplement manufacturers to place on the label the country of origin of every ingredient
- Represented a trade association in passing legislation that will make it easier for self-storage facility operators



to run their businesses more effectively and efficiently by streamlining procedures in the operation of their businesses

- Represented a California direct seller in passing legislation that makes it easier for companies who are exporting products to other countries to obtain approval by the California Department of Public Health in an expedited manner
- Represented a data management company in defeating legislation that would have made it difficult for businesses to market consumers through online ads

**Professional Honors and Activities:**

- Chief Deputy Legal Affairs Secretary to Governor George Deukmejian
- Chief consultant, Assembly Agriculture Committee
- Legal advisor, California Public Employment Relations Board
- Voted “Most Underrated Lobbyist” working at the Capitol by California Legislators in 2009
- AV® Peer Review Rated lawyer by Martindale-Hubbell





**Tom Hallinan**  
Partner

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#### EDUCATION

J.D., Lincoln Law School of  
Sacramento

B.A., California State University,  
Fresno

CA Bar Admission Date: 6/1994

Bar No. 170196

Tom Hallinan brings extensive, and a career's worth, of municipal knowledge to the Churchwell White team. Tom currently represents the communities of Empire, Grayson, Oakdale, Riverbank, Ceres and Patterson as City Attorney and Special District General Counsel. As such, he is experienced in providing legal advice on the Brown Act, Political Reform Act, Public Records Act, contracts and procurement, and all phases of real property development including public finance. He also prosecutes all municipal code violations.

A 20-year member of the Central Valley City Attorney's Association, Tom is also active in the League of California Cities' City Attorney Department, where he has served as the Department's representative to the Annual Conference Planning Committee and on the Transportation, Communication and Public Works Committee. He was recently appointed as the Central Valley representative to the League's Legal Advocacy Committee.

Tom is an elected member of the Yosemite Community College District Board of Trustees, where he is currently serving his fifth four-year term. He also serves on the Stanislaus-Ceres Oversight Board of the former Redevelopment Agency, and the Stanislaus County Assessment Appeals Board. Hallinan has served as a Governor's appointee to the 38<sup>th</sup> District Agricultural Association, and on numerous local non-profit boards and commissions. In 2015, Tom was appointed to the California Law Revision Commission by Governor Brown. He was also recently appointed as a member of the Gaming Policy Advisory Committee of the California Gambling Control Commission.

Prior to joining Churchwell White LLP, Tom worked in the California Legislature, and for the State of California, Department of Toxic Substances Control, and the U.S. Attorney's Office.

Having served for two decades as both an elected official; and federal, state, county and city appointee, Tom is knowledgeable of and works well with all government agencies.

#### **Significant Projects and Representations:**

- As City Attorney, represents the cities of Oakdale, Riverbank, Ceres and Patterson in all municipal and legal matters



- Represented the City of Oakdale in preparing and evaluating general and specific plan updates for development projects
- Advises cities on Prop 218 matters and negotiates related franchise agreements
- Represented the City of Patterson in land use and City code matters in order to expedite economic development projects, such as the Restoration Hardware distribution center

**Professional Honors and Activities:**

- Member, Gaming Policy Advisory Committee or the California Gambling Control Commission
- Governor's appointee, California Law Revision Commission
- Governor's appointee, 38<sup>th</sup> District Agricultural Association
- Board Member, Stanislaus County Assessment Appeals Board
- Board Member, Stanislaus-Ceres Oversight Board of the former Redevelopment Agency
- Elected member, Yosemite Community College District Board of Trustees
- Central Valley representative, League of California Cities' Legal Advocacy Committee
- Member, Central Valley City Attorney's Association



## Churchwell White<sup>LLP</sup>



**Elisabeth L. White**  
Partner

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### EDUCATION

J.D., University of the Pacific,  
McGeorge School of Law

B.A., University of California,  
Santa Barbara

CA Bar Admission Date: 6/2008

Bar No. 256966

Elisabeth L. White is a partner with Churchwell White LLP whose practice focuses on issues related to healthcare law, administrative law, and government affairs. As a registered lobbyist, Elisabeth has assisted a wide variety of both public agencies and private companies. Her experience as an attorney sets her apart as a lobbyist, providing her with a thorough understanding into the nuances of legislation and the language of a bill.

Prior to joining Churchwell White LLP, Elisabeth lobbied on behalf of Costco Wholesale, the California Construction Trucking Association, West Basin Municipal Water District, the City of La Canada Flintridge, and the San Diego Association of Governments (SANDAG). In particular, Elisabeth represented the City of Inglewood and advocated on their behalf before the California State Legislature. A significant project of impact involved working with Southern California water agencies and other Southern California cities to successfully oppose the City and its residents from being charged additional money for the water they were receiving.

Apart from lobbying, Elisabeth also advises clients on issues related to healthcare compliance, State licensing and certification, Medicare certification, Medicare and Medi-Cal enrollment and complex healthcare agreements. She also advises clients on, among other things, required governmental filings (e.g., Statement of Economic Interests) and political law issues including committee and campaign reporting.

Elisabeth has represented large hospital systems, foundations and physician groups. She has also worked in an in-house setting as a law clerk for both UC Davis Health System and Dignity Health. As a legislative advocate, she advanced the interests and priorities of healthcare organizations, Southern California cities, large corporations and special interest associations before the State Legislature. Elisabeth is a member of the American Health Lawyers Association and the California Society for Health Care Attorneys. She was named a 2015 Rising Star by *Super Lawyers Magazine* in the areas of Government Relations, State, Local & Municipal Law, and Health Care. In her time away from the office, Elisabeth stays very active chasing her twin daughters and son (all age five and under).



**Significant Projects and Representations:**

- Worked with a team of attorneys and regulatory specialists for a major health organization to accomplish a change of ownership with applications pending before the California and Federal Administration including the Department of Public Health, Board of Pharmacy, Medi-Cal, Department of Social Services and many others
- Actively tracked legislation and lobbyist dealings related to all rail issues, in order to catch key California transportation and regional growth issues for the San Diego Association of Governments.
- As part of a coalition of Los Angeles County water agencies, and representative of the City of Inglewood, successfully blocked legislation to raise water rates
- Assisted the California Construction Trucking Association with a variety of administrative issues, including wage and hour regulations.

**Professional Honors and Activities:**

- 2015 and 2016 Rising Star, *Super Lawyers Magazine*
- Registered Lobbyist
- Member, American Health Lawyers Association
- Member, California Society for Health Care
- Attorney, DL White Law Group
- Law Clerk, UC Davis Health System
- Law Clerk, Dignity Health (formerly CHW)
- J.D., University of the Pacific, McGeorge School of Law
- B.A., University of California, Santa Barbara





**Kurt D. Hendrickson**  
Of Counsel

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#### EDUCATION

J.D., University of the Pacific,  
McGeorge School of Law

B.A., Arizona State University,  
Tempe

CA Bar Admission Date: 12/2007

Bar No. 251509

Kurt Hendrickson is a litigator with a focus on business and governmental disputes involving contract, real property, and employment law. Kurt handles professional licensing and disciplinary matters before regulatory agencies such as the Medical Board of California, the Bureau of Automotive Repair, and the Mine Safety and Health Administration (MSHA).

His representation includes counseling clients, investigation, discovery, mediation/arbitration and litigating cases through trial. One of Kurt's goals is to ensure his clients understand the litigation process and the work and resources involved in their case.

Kurt serves as Vice President of the Barristers' Club of Sacramento and is the former Treasurer, Media Chair and Membership Chair for the organization. He also served as the Membership-Committee Chairman for the Sacramento County Bar Association.

During law school, Kurt clerked for Commissioner William A. Mundell at the Arizona Corporations Commission. He worked as a state field director for three grassroots programs for a 2006 gubernatorial campaign in California. Kurt was an active participant in on-campus activities and served as the President of the Junior Barristers Club, an affiliate of the Barristers' Club of Sacramento.

When he is not working, Kurt enjoys many outdoor activities including golf and fishing. He enjoys camping and traveling with his wife, Nicole, and two small dogs, Peanut and Walnut. Additionally, he maintains a regular workout routine and can be found playing basketball at a downtown athletic club.

#### Significant Projects and Representations:

- Participated as assistant, trial counsel in all phases of prosecution of a two week jury trial involving a real property dispute, business tort claims and a punitive damages claim resulting in a jury verdict of over \$150,000 in compensatory damages and a separate award of punitive damages.
- Represented mine operator in trial over wrongful-termination claim filed under the Mine Safety and Health Act of 1977 resulting in a compromised settlement of damages amount.
- Assisted in settlement negotiation of construction claim valued at over \$500,000 arising from installation of flooring at Sacramento area four-star hotel.



- Represented Sacramento boat dealership in lawsuit to enforce lease option to purchase commercial building resulting in the negotiated purchase of building by the client.
- Negotiated \$40,000 settlement of petition for \$147,000 in civil penalties prosecuted by U.S. Labor Department on behalf of Mine Safety and Health Administration (MSHA).
- Represented bank in foreclosure action and as a creditor in bankruptcy action arising from default on Small Business Administration loan.
- Assisted in negotiating settlement of breach of oral contract and fraud claim valued at over \$200,000 with an additional claim for punitive damages.
- Facilitated local church's repurchase of former church real estate after foreclosure, lease back and threatened eviction.
- Represented automotive repair shop in Labor Commission hearings brought by former employees for unpaid wages and penalties.

**Professional Honors and Activities:**

- Vice President, Barristers' Club of Sacramento
- Northern California Super Lawyer, 2016
- Member, Sacramento Metro Edge
- Membership-Committee Chairman, Sacramento County Bar Association, 2013-2015
- Clerk, Commissioner William A. Mundell of the Arizona Corporations Commission





**Nubia I. Goldstein**  
Attorney

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#### EDUCATION

J.D., University of the Pacific,  
McGeorge School of Law

B.A., California State University,  
Sacramento

CA Bar Admission Date: 12/2010

Bar No. 272305

#### LANGUAGES

Spanish (fluent)

If Nubia Goldstein's career seems perfectly tailored towards municipal law, that's because it is. From majoring in Government at California State University, Sacramento to choosing Public Law and Policy as her academic focus at the University of the Pacific, McGeorge School of Law, Nubia has developed a background in politics and policy that continually influences her diverse municipal work today.

As part of the Churchwell White LLP team, Nubia's areas of practice include real estate and land use, litigation, eminent domain and legislative advocacy. Nubia serves as City Attorney for the city of Newman, and advises Churchwell White LLP's municipal clients on issues related to the Brown Act, conflicts of interest, election law and land use matters. She represents the firm's public and private clients in all stages of litigation, mediation and alternative dispute resolution. She is a member of the Public Law section of the California State Bar, a member of the Hispanic National Bar Association, and a registered lobbyist.

Before entering law school, Nubia gained both legislative experience working at the Capitol for a California Assemblywoman and political know-how while working on local election campaigns. The time spent staffing bills and communicating with constituents and lobbyists naturally carried over to her desire to practice law. While at McGeorge, Nubia participated in several student organizations and served as President and Executive Chair of McGeorge's Public Legal Services Society. In addition to graduating with distinction, she earned the Witkin Award for Excellence in two courses, was admitted to the Traynor Honor Society, and received the Outstanding Student service Award for her significant contributions to the McGeorge community.

Outside of her academic honors, Nubia built upon her governmental relations and legal experience at the California Attorney General's Office, Fair Political Practices Commission, and the Department of Fair Employment and Housing. She also previously worked in the Civil Law and Motion Department of the Sacramento County Superior Court. The accumulation of all of these experiences naturally drew Nubia towards municipal law as an intersection of politics, policy, and law.

#### Significant Projects and Representations:

- Representing the City of Patterson in all aspects of litigation with local developers
- Assisting the City of Newman in developing an urban growth boundary
- Representing local business owners in obtaining entitlements for emerging industries



- Advising municipal clients in evaluating compliance with California and federal election laws
- Representing the City of Patterson in litigation regarding environmental and permit conditions related to storm drainage
- Assisting the City of Newman in developing an urban growth boundary
- Representing solar developers in obtaining entitlements and drafting contracts related to large-scale photovoltaic systems
- Represented the City of Riverbank in CEQA litigation, resulting in a \$4M settlement for the city

**Professional Honors and Activities:**

- Member, Hispanic National Bar Association
- Registered Lobbyist
- President and Executive Chair of McGeorge's Public Legal Services Society
- Recipient of the Witkin Award for Excellence
- Member of the Traynor Honor Society
- Recipient, Outstanding Student Service Award
- Contributor and reviewer, California Municipal Law Handbook
- Selected for inclusion as a Super Lawyers 2015 and 2016 Rising Star



## Churchwell White LLP

**Josiah Young**  
Legislative Advocate

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### EDUCATION

J.D., American University  
Washington College of Law

B.A., Morehouse College

NY Bar Admission Date: 2013

NY Bar No. 5136627

Josiah Young is both a registered lobbyist and attorney for Churchwell White LLP, providing strategic counsel to the firm's public and private clients. Josiah seeks to achieve clients' government affairs objectives by advocating on their behalf before legislative, regulatory and administrative bodies, drawing on his experience in policy and political work including coalition building, grassroots mobilization, strategic planning, legislative/initiative campaigns, direct lobbying, legislative tracking, regulatory monitoring and procurement services. As a Sacramento lobbyist, Josiah has worked on issues including renewable energy, advanced vehicle technology manufacturing, and environmental justice, regularly presenting targeted messages to key stakeholders. As a member of the Churchwell White LLP, team Josiah sits on the 2017 California Special Districts Association Legislative Committee.

Licensed to practice law by the State of New York, Josiah also counsels Churchwell White LLP clients on transactional matters, municipal and special district law, and political issues.

After earning his bachelor's degree in business management from Morehouse College, Josiah attended American University Washington College of Law where he focused on commercial transactions and was active on campus, serving as President of the Black Law Students Association. While in law school, Josiah interned for a US House of Representatives member, where he worked on legislative research and drafting, as well as constituent outreach. Also, while in law school, Josiah clerked in the Office of the General Counsel for the US Department of Commerce. There he spent time reviewing contracts, providing general litigation support, and drafting congressional correspondence. Upon graduating from law school in two and a half years, Josiah went on to oversee policy and grassroots advocacy work for several national NGOs.

When not working, Josiah enjoys spending time with his family, reading and exercising to stay fit.

### Significant Projects and Representations:

- Represented renewable energy companies in passing legislation making it easier for them to optimize the rate of return on energy investment through the statutory setting of favorable utility tariff rates
- Represented municipal transit authorities in submitting bids on competitive procurement solicitations



- Advising private clients on statutory and regulatory compliance with the Medical Marijuana Regulation and Safety Act (MMRSA) and AUMA (Adult Use of Marijuana Act)
- Advising municipal clients on statutory and regulatory compliance with MMRSA, AUMA, and federal law including the adoption of municipal ordinances
- Drafted public comments and testified on behalf of advanced vehicle technology manufacturing companies before regulatory rulemaking bodies
- Drafting legislative alerts and updates

**Professional Honors and Activities:**

- Member of the New York Bar
- J.D., American University Washington College of Law
- President, Black Law Students Association
- B.A., Business Management, Morehouse College
- Legislative Intern, US House of Representatives Member, 111th Congress
- Law Clerk, Office of General Counsel, US Department of Commerce





**Karl Schweikert**  
Attorney

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#### EDUCATION

J.D., University of the Pacific,  
McGeorge School of Law

M.B.A., Santa Clara University

B.S., San Jose State University

CA Bar Admission Date: 12/2013

NV Bar Admission Date: 05/2015

CA Bar No. 291497

Not many people can claim to be a pilot, much less a CFO and attorney. However, Karl Schweikert has transformed his diverse experiences and natural problem-solving skills into an informed law practice that focuses on litigation, aviation and airport land use, governmental relations, and administrative law.

Prior to launching his legal career, Karl spent 14 years working for Silicon Valley start-ups in marketing and finance, as well as 8 years as a professional pilot. Karl then received his Juris Doctor from the University of the Pacific, McGeorge School of Law with great distinction. While in school, he served as President of the McGeorge Health Law Association and was admitted to several honors societies, including the Order of the Coif. He additionally worked as a summer associate at DLA Piper and interned with Judge Ronald Sargis in the Eastern District of California Bankruptcy Court.

Since joining Churchwell White, Karl has been able to combine his love for aviation and his talents for communication and problem solving. As an AOPA Panel Attorney and member of the ABA Forum on Air and Space Law, as well as a member of the Healthcare and Business sections of the Sacramento County Bar Association, Karl has gained favorable rulings for a number of professional boards and worked on several issues regarding aviation and airport land use.

#### Significant Projects and Representations:

- Represent licensees in front of the Board of Professional Engineers, Land Surveyors, and Geologists in investigatory and licensing matters
- Represent licensees in front of the Contractor's State License Board (CSLB) in investigatory and licensing matters
- Represent applicants in front of the Bureau for Private Postsecondary Education.
- Represent parties in front of the California Massage Therapy Council
- Support litigation activities defending municipalities from suit
- Support litigation activities in disputes with airport tenants



- Review materials associated with a Part 13 investigation of airport and airway improvement act compliance
- Provide Pro-Bono support to the California Pilots Association

**Professional Honors and Activities:**

- Member, ABA Forum on Air and Space Law
- AOPA (Aircraft Owner and Pilot Association) Panel Attorney
- Sacramento County Bar Association, Healthcare Section
- Sacramento County Bar Association, Business Section
- President, McGeorge Health Law Association
- Recipient, Witkin Award
- Member, Order of the Coif
- Phi Kappa Phi Honor Society
- Traynor Honor Society
- Pilot Qualifications: ATP, CFI, CFII, MEI
- Former Training Captain, BE-99, Ameriflight Part 135
- Former Check Airman, BE-99, Ameriflight Part 135
- Over 4,500 hours of flight time





**Helane Seikaly**  
Attorney

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[helane@churchwellwhite.com](mailto:helane@churchwellwhite.com)

#### EDUCATION

J.D., South Texas College of Law

B.A., Southern Methodist  
University

CA Bar Admission Date: 05/2014

TX Bar Admission Date: 11/2013

CA Bar No. 296874

After graduating from Southern Methodist University with degrees in Political Science and French, Helane Seikaly spent a year working in Dallas on a Texas Gubernatorial campaign before attending law school in Houston. While in law school, Helane became very involved in South Texas' nationally renowned Advocacy Program. While she was there, she competed in many mock trial tournaments, winning the American Bar Association's sponsored Labor & Employment Mock Trial Tournament in 2012.

Because of her passion for being in the courtroom, Helane accepted a position at the Harris County District Attorney's Office as an intern in the felony division. During her third year of law school, she first chaired a jury trial with minimal supervision by the prosecutor. She received a favorable verdict.

During law school, Helane became very passionate about labor and employment law which led her to an internship at the Equal Employment Opportunity Commission (EEOC) in Houston to further gain inside experience to real world employment issues. During her time with the EEOC, Helane assisted Administrative Law Judges with preliminary hearings on discrimination claims filed by Federal employees. She also wrote decisions for the Administrative Law Judges on motions for summary judgment usually filed by Federal agencies.

Because of her love for France, after college Helane spent a year in a small French town in the center of Burgundy, France teaching English to high school students. While she was there, she was able to take advantage of traveling all over France to experience the country like a local. She also attended the largest wine festival in all of France.

#### Significant Projects and Representations:

- Train City employees on state and federal anti-harassment policies
- Advise Human Resources Departments on issues regarding the Americans with Disabilities Act, the Age Discrimination in Employment Act, and anti-discrimination laws until Title VII and the Department of Fair Employment and Housing
- Advise Human Resources Departments on application of pension plans under CalPERS
- Advise Human Resources Departments on issues regarding union activity
- Conduct legal research in a variety of areas including labor and employment law, municipal law, property law, election law and water law



- Draft City Councilmember Handbook and Code of Ethics and Civility
- Draft Employee Handbooks
- Draft motions and pleadings in litigation disputes

**Professional Honors and Activities:**

- Member of the State Bar of California, Labor and Employment Law Section
- Member of the State Bar of Texas, Labor and Employment Law Section
- Registered with the United States Eastern District of California
- Registered with the United States Northern District of California
- Registered with the United States Northern District of Texas
- Member, Dallas Association of Young Lawyers Leadership Class, 2014 – 2015
- The Heart of the South Texas Advocacy Award, 2013
- Recipient of the Houston Bar Association Labor & Employment Law Scholarship, 2013
- Phi Delta Phi Legal Honor Society—Wood Inn
- 2012 Winner of the American Bar Association Labor and Employment Mock Trial Competition
- Fluent in French





**Embert P. Madison, Jr.**  
Attorney

D 916.458.4375  
[embert@churchwellwhite.com](mailto:embert@churchwellwhite.com)

#### EDUCATION

J.D., University of California, Davis  
School of Law

B.A., University of California,  
Riverside

CA Bar Admission Date: 05/2014

Bar No. 296269

Embert P. Madison, Jr.'s practice focuses on the areas of public law, real estate and land use, and political law. Prior to joining the Churchwell White LLP team, Embert spent several years at the state Capitol. This previous experience with the California Legislature, created a natural transition to working with cities, counties and special districts.

During his time at the Capitol, Embert toed the political ropes staffing taxation, health, and employment issues while working at the Capitol for a California Assembly Member. He also gained unique legal experience working as counsel for the Legislature at the Office of Legislative Counsel (OLC). Embert's practice areas at the OLC included taxation (income and sales and use taxation), public contracting, and state and local government.

While in law school, Embert served as a Judicial Extern for the Honorable John A. Mendez at the United State District Court, Eastern District. During this time, he diversified his experience reviewing civil rights claims, employment matters and federal rules of court. He also worked for Chairman Emeritus of the California Board of Equalization, Jerome E. Horton, analyzing tax appeal cases. Embert was an active participant on campus as President of the Black Law Student's Association, and as a member of Moot Court, Real Estate Club and the UC Davis School of Law Business Law Journal.

When he is not working, Embert enjoys learning about real estate markets and being active by biking or playing basketball. He is a lifelong Lakers enthusiast.

#### Significant Projects and Representations:

- Drafted Assembly Bill (AB) 35, which would increase the aggregate housing credit dollar amount that may be allocated among low-income housing projects by \$100,000,000
- Drafted Assembly Bill (AB) 1399, which would modify credit allowed under the Personal Income Tax Law and Corporation Tax Law to conform with a federal New Markets Tax Credit
- Staffed Assembly Bill (AB) 2535, which would allow employers to exempt from the requirement for information on total work hours an employee exempt from payment of minimum wage and overtime under specified statutes or any applicable order of the Industrial Welfare Commission
- Staffed Assembly Bill (AB) 2690, which would authorize the Los Angeles County Metropolitan Transportation Authority



to give greater consideration to small business and disabled veteran business enterprise bidders

- Instructed attorneys within the Office of the Legislative Counsel on how to write a bill and income tax matters

**Professional Honors and Activities:**

- Member, Wiley W. Manual Bar Association
- Member, California Association of Black Lawyers
- Judicial Extern, Honorable John A. Mendez of the United State District Court, Eastern District
- Recipient of Wiley W. Manual Bar Association Scholarship
- President, Black Law Students Association
- J.D., University of California Davis School of Law (Dr. Martin Luther King, Jr. Hall)
- B.A., English, University of California, Riverside





**Christopher LaGrassa**  
Attorney

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[christopher@churchwellwhite.com](mailto:christopher@churchwellwhite.com)

#### EDUCATION

J.D., University of California,  
Davis School of Law

B.A., University of California,  
Irvine

CA Bar Admission Date: 05/2016

Bar No. 309114

Born and raised in Sacramento, Christopher LaGrassa always knew he wanted to be a professional that could contribute back to his hometown and other local communities. As a result, Chris's practice focuses on public law, land use, political law and civil litigation.

Chris received his undergraduate degree from the University of California, Irvine with a degree in Political Science. His degree focused on political theory with an emphasis on local government. His passion for politics and local government even inspired him to volunteer for Assembly Member Kevin McCarty's campaigns in both 2010 and 2014.

Prior to joining Churchwell White LLP, Chris earned a wealth of public and political law experience working as a law clerk for the City of Elk Grove, Kronick Moskowitz Tiedemann & Girard, the Fair Political Practices Commission and Nielsen Merksamer Parrinello Gross & Leoni, LLP. These experiences gave him a comprehensive understanding of serving public agencies from the inside and out. As a member of the Churchwell White LLP team, Chris is excited to assist public entities in creating innovative solutions and positive change for their communities.

In his spare time, Chris is a passionate Sacramento sports fan. He can be seen attending every Sacramento Republic home game, proudly rooting for his younger brother, Matt (#16). Chris is also well known amongst his peers and friends for shamelessly defending the Sacramento Kings.

#### Significant Projects and Representations:

- Assisting multiple municipal clients with California Voting Rights Act compliance
- Drafting a number of alerts regarding developments in municipal law, including the Public Records Act, the Brown Act, CEQA, water law, and other statutory and regulatory developments
- Drafting ordinances and resolutions that were successfully adopted in several California cities with topics including district elections, appointment of city treasurers, and code enforcement regulations
- Assisting the litigation team in responding to and propounding discovery requests
- Develop extensive guides for compliance with campaign finance and lobbying law



- Enforce several violations of the Political Reform Act
- Aid municipalities through code enforcement and nuisance abatement procedures

**Professional Honors and Activities:**

- J.D, University California, Davis, 2015
- UC Davis Public Law Certificate 2015
- B.A. Political Science, University California, Irvine, 2012
- Member of the California State Bar, Public Law section
- Law Clerk, Nielsen, Merksamer, Parrinello Gross & Leoni LLP
- Law Clerk, Fair Political Practices Commission, Enforcement Division
- Summer Associate, Kronick, Moskowitz, Tiedemann and Girard
- Law Clerk, City of Elk Grove, City Attorney's Office
- Intern, Kevin McCarty Campaign for Assembly, 2010 and 2014





**Elaine Won**  
Attorney

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**EDUCATION**

J.D., University of California, Davis  
School of Law

B.A., University of California,  
Irvine

Elaine Won has always been guided by her passion for public service and politics. This passion led her to the Office of the UC Student Regent, where she assisted the Student Regent in advocating for policies beneficial to students in the University of California system. She also interned at Congressman Mike Honda's District Office, where she dealt directly with various local and federal issues in California's 17th congressional district.

After graduating from the University of California, Irvine, Elaine attended UC Davis School of Law. She began to pursue public law because it complemented her interest in public service and politics. Elaine worked at Churchwell White LLP during the summer after her second year, where she assisted in variety of litigation and transaction law matters and expanded on her employment and labor law experience within a public law context. In order to build her litigation and employment law practice, Elaine also externed at the Office of the Attorney General – Employment and Administrative Mandate Section. At the Office of the Attorney General, Elaine gained firsthand experience interviewing witnesses and engaging in pre-trial matters.

Elaine is passionate about staying involved in her community and assisting low-income individuals access legal services. She plans on working to solidify the structure of the Grace Lee Boggs Asian Pacific Islander Legal Clinic, which she co-founded in law school to assist underserved low-income Asian Pacific Islanders in the Sacramento and Yolo County area.

**Significant Projects and Representations:**

- Revised city personnel handbooks for the City of Dixon, Oakdale, Riverbank, and Ceres
- Created a detailed policy for City staff and employees to follow when engaging in the Proposition 218, initiative, referendum, and recall process
- Drafted a comprehensive list of California legislation passed in 2015
- Cite-checked revisions to the Municipal Law Handbook
- Drafted special interrogatories
- Created tenant rules and regulations for a military base converted into an industrial park
- Conducted legal research on a variety of issues, including the California Environmental Quality Act, labor and employment, adverse possession, drought rates,



Proposition 218, probate, arbitration, and the Public  
Records Act

**Professional Honors and Activities:**

- J.D., University of California, Davis School of Law
- B.A., University of California, Irvine
- Extern, Office of Legislative Counsel (2016)
- Extern, Office of the Attorney General – Employment and Administrative Mandate Section (2015)
- Law Clerk, Churchwell White LLP (2015)
- Sacramento County Bar Association Diversity Fellow (2014)
- Senior Notes and Comments Editor, UC Davis Law Review
- Fourth Place Paper, California Legal History (2015)
- Asian/Pacific Bar Association of Sacramento Law Foundation Scholarship (2015)
- Asian/Pacific Bar Association of Sacramento-Unity Bar Scholarship (2014)
- Outreach Coordinator, Hong Yen Chang Citizenship Project
- Policy Director, Office of the UC Student Regent
- Intern, U.S. Congressman Mike Honda



# Identification of General Counsel Expertise

Identification of General  
Counsel Expertise



## Identification of General Counsel Expertise

Below is a more detailed look at the Firm's demonstrated legal specialization in areas that may be of interest to the District.

### ***Public Law***

Our attorneys assist clients in successfully maneuvering through legal complexities and governmental mandates. Serving as general counsel to several public agency clients, our attorneys regularly provide day-to-day legal advice and counsel on transactional and litigation matters, including but not limited to the following areas:

- General counsel services at board meetings, as well as other special meetings;
- Public law;
- The Ralph M. Brown Act and Public Records Act;
- Election law;
- The Political Reform Act and conflicts of interest;
- Public contracts, including professional consultant, public works and commercial services and prevailing wage compliance;
- Environmental issues, including the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the Endangered Species Act and toxic substances;
- Natural resources issues, including water law, toxic waste health hazards, and air quality compliance;
- Planning, building and development matters;
- Employment law matters, including termination, discrimination, disciplinary actions, and labor negotiations; and
- Litigation.

The Firm is a member of several public law organizations and associations, such as the League of California Cities, the Association of California Water Agencies, the California Special District's Association, as well as other similar organizations.

### ***Public Contracting***

The attorneys at Churchwell White LLP provide advice regarding compliance and competitive bidding, prevailing wage laws, and state and federal procurement and budgeting processes. We also assist with complex negotiations and litigation matters related to public works projects. Our goal is to help our clients avoid construction and other contract disputes.

The Firm's attorneys draft public works bid packages and contract documents, purchasing and other related contracts tailored to individual clients' objectives.



## ***Environmental Law***

Churchwell White LLP understands the dual responsibility of protecting our unique and valuable natural resources while continuing to progress as a society. As such, attorneys at the Firm have worked consciously to develop a deep expertise in all aspects of environmental law and natural resources issues, with a particular emphasis on California's unique regulations and requirements. The Firm routinely assists its clients in successfully navigating the complexities of state and federal environmental and natural resources laws.

Attorneys at the Firm represent clients in environmental permitting, regulatory compliance, enforcement and litigation, business transactions and legislative advocacy that involve environmental problems or risks. Whether the project involves water quality, compliance with CEQA and NEPA or the California Coastal Act, as well as matters involving air quality, hazardous waste, asbestos, and the California and Federal Endangered Species Acts, the Firm has led private and public clients to a successful outcome. Churchwell White LLP assists clients with due diligence requirements, site audits, site remediation, and cost recovery. The environmental and natural resources practice at Churchwell White LLP includes working with the California Environmental Protection Agency, U.S. Environmental Protection Agency, U. S. Bureau of Land Management, U.S. Bureau of Reclamation, California Department of Toxic Substances Control, California Air Resources Board, and California Department of Water Resources and California State Water Resources Control Board and Regional Water Quality Control Boards.

The Firm advises clients on acquisitions, sales and exchanges of various natural resources such as timber, minerals, water and other natural resources. We advise clients on the development of renewable energy projects such as hydroelectric, solar, wind and biomass from site acquisition to resource management and local, state and federal approvals. The Firm's expertise in environmental and natural resources includes administrative hearings, appeals and state and federal litigation.

## ***Contracts, Joint Powers Authorities, Memorandums of Understanding***

The attorneys at Churchwell White LLP are experienced in drafting a variety of contracts and agreements, including development, construction and public works contracts, and real estate contracts.

On behalf of both public and private clients, the Firm also has experience with negotiating, drafting, interpreting and enforcing over 25 MOUs. Negotiations of MOUs and other contractual instruments is a key area of our practice. The variety of legal matters relative to MOUs that we have negotiated range from water supply, real estate, public private partnerships to electric supply. Attorneys at Churchwell White LLP are prepared to review memoranda of understanding between agencies and provide analysis of legislation as it may affect District projects.

## ***Ordinances and Resolutions***

All of our public law attorneys are experienced in drafting ordinances. While our experience in representing other clients affords us the ability to spare you from unnecessary legal costs by allowing us to draw upon the vast library of documents that currently exist in our network, we also have the



experience required to tailor our ordinance examples to meet your needs. We have drafted special ordinances relating to tree and hillside preservation, landscape and water conservation, drought restrictions, habitat conservation, growth management, and more.

## ***Real Estate***

Another unique offering our firm provides is our expertise in real estate matters. Our managing partner, Douglas White, is recognized as one of the leading attorneys in the United States on issues related to renewable energy and sustainability and was named by the California Real Estate Journal as one of California's Green Leaders. Our attorneys routinely handle a broad spectrum of real estate matters for clients throughout California in every aspect of real estate, including:

- Residential development and subdivisions;
- Construction matters;
- Retail development and leasing;
- Office and industrial development and leasing;
- Commercial lease disputes;
- Ground leasing;
- Sales and acquisitions;
- Real estate finance;
- Workout transactions;
- Complex real estate litigation;
- Power purchase agreements; and
- Solar lease agreements.

## ***Ethics (Public Records Act, Brown Act, Conflicts of Interest/Campaign Reform)***

The Firm brings to the District a one-of-a-kind perspective and approach to ethics-related matters that is unmatched by any other firm, large or small. One of our founding partners, Steve Churchwell, served as General Counsel to the Fair Political Practices Commission and personally established many of the policies and procedures that are currently in place today. This means the Firm is uniquely qualified to provide counsel to the District on issues like the Public Records Act, the Brown Act, and the Political Reform Act. The Firm can also provide custom tailored training to the District in all areas related to ethics and will ensure the District meets its requirements under AB 1234.

## ***Formation of Assessment and Improvement Districts***

Churchwell White LLP has experience in forming and advising assessment districts, improvement districts, joint power authorities and private water companies. Our experience includes advising on which type of legal entity formation best meets the client's needs. The formation of new entities can often require legislative efforts, which the Firm also handles.

## ***Fees, Taxes, Proposition 218***

Churchwell White LLP has extensive experience with Propositions 13, 62 and 218. Our attorneys can offer an evaluation of the City's fee and assessment structure, as well as guide the City through compliance with applicable laws. In addition, the Firm offers a full range of services related to the adoption and defense of taxes, assessments, fees and charges. The Firm has successfully steered multiple public agency clients through Proposition 218 proceedings, as well as defeated referendum and initiative challenges by local taxpayer groups.



### ***Acquiring, Protecting, and Administering Water Rights***

In California, issues related to water rights continue to evolve and become more and more important to every aspect of life. Churchwell White LLP's water rights team assists in difficult matters involving water rights, supply, use, distribution and policy. Our attorneys represent clients of all ranges, from small homestead owners, to cities and water districts and large companies, in matters involving riparian, appropriative and overlying water rights.

Our attorneys have represented clients before state and federal water resources agencies, environmental regulators, and other governmental agencies. We have a strong reputation and bring excellent working relationships with state and federal agencies to the table. Although we emphasize communication and negotiation in resolving conflicts, litigation and water rights adjudications are sometimes the only effective means of protecting our clients' interests. We have also represented clients in proceedings before the State Water Resources Control Board and Regional Water Quality Control Boards, in matters involving conflicts between junior and senior water users, conversion of minimum stream flows to in-stream water rights, transfers and sales of existing water rights, and conflicts between hydroelectric power use and municipal water use.

### ***Water Quality and Wastewater***

The Firm's expertise in matters relating to water quality includes industrial pre-treatment compliance, regional storm drain permits, point source and non-point source permitting and compliance, Clean Water Act section 404 dredge and fill permits, Total Maximum Daily Load issues, Water Quality Control Plan Review, Basin Plan updates and water quality standards, watershed-based programs, Best Management Practices, and construction water quality compliance. We are committed to working with regulatory agencies to avoid litigation and excessive penalties whenever possible. However, when necessary, we have defended clients in penalty actions, administrative enforcement proceedings and citizen suits under the Clean Water Act.

This regulatory expertise has also been applied to matters regarding the treatment, disposal and use of recycled water. We assist both private and public clients in meeting requirements for operation of wastewater systems, including compliance with rules promulgated under the National Pollutant Discharge Elimination System (NPDES), including Waste Discharge Requirements.

### ***Utility Rate Setting***

The Firm's attorneys are experienced in the areas of utility rate-setting, public finance, procurement law, as well as water and wastewater utilities, including regulatory, state and federal consent order negotiation, discharge permits, construction, contracts, public-private partnerships procurement, and rate setting and analysis. Attorneys with Churchwell White LLP are experienced with legislation and policy drafting relating to all aspects of water and wastewater utility matters.



## ***Litigation***

The Firm takes a proactive approach to providing advice and counsel to its clients. We feel strongly that each litigation matter should be evaluated based on legal costs, staff resources needed to support litigation, public response, risk of litigation and potential for actual financial recovery. An evaluation of the potential benefits against cost, certainty of outcome and the time it takes to litigate a matter versus settlement should all be considered. While the Firm represents clients at trial and arbitrations in a broad array of areas, no employment related matters have proceeded to trial to date. The Firm's attorneys are experienced in utilizing alternative dispute resolution techniques to resolve matters quickly and effectively. Our overall philosophy is to first attempt good faith negotiations before either party decides to go to court. Informal and formal mediation is encouraged. With that said, the percentage of cases currently in litigation is approximately 35% of the overall services being performed by the firm.

Among the variety of matters that the Firm's litigation attorneys have worked on are cases involving the Brown Act, the Public Records Act, water resources and quality, CEQA, fee and rate challenges (including Proposition 218), hazardous materials and toxic clean-up, real estate, labor and employment matters, public contracting and bidding disputes, equal protection claims, civil rights claims and First Amendment issues, and more. The Firm's litigation attorneys practice in the federal and state courts, at both the trial and appellate levels.

## ***Labor Law***

Our attorneys regularly provide advice and litigation services to our clients in all types of complex employment matters, including:

- Employee handbooks and employment policies;
- Employee health and safety;
- Employee privacy/background investigations;
- Workplace investigations;
- Workplace violence;
- Family and medical leave;
- Disability discrimination;
- Drug and alcohol testing;
- Sexual harassment
- Wage and hour law, including prevailing wage;
- Public employment termination;
- Wrongful termination and retaliation;
- Unemployment compensation;
- Labor negotiations;
- The Affordable Care Act;
- Healthy Workplaces, Healthy Families Act of 2014 (Paid Sick Leave Policies); and
- Public Employee Retirement Benefits.



## **Experience and Past Performance**



## Experience and Past Performance

The Firm is well-versed in special district laws, regulations and California codes. Our attorneys stay up-to-date on issues and trends that affect special districts, including water and sanitary districts. As such, Churchwell White LLP is an active member of several public law organizations and associations, such as the California Special District's Association, the Association of California Water Agencies, as well as other similar organizations.

Not only does Ms. Brenner serve as General Counsel to several special districts that provide water services, including Rio Linda-Elverta Community Water District, Georgetown Divide Public Utilities District and Grizzly Flats Community Service District, but she also assists the Firm's other public agency clients with water rights and acquisition, wastewater treatment, utility rate setting, and environmental compliance issues. This includes both cities, such as Dixon, Patterson and Riverbank, as well as other special districts.

Churchwell White LLP currently has several clients of similar size and industry as the District. Below is a list of the public clients for which the Firm currently provides similar general counsel, water or environmental services to under a fee series basis or on a retainer basis:

### Rio Linda-Elverta Community Water District

Contact: Mary Henrici, former General Manager and current Board Member

Agency Size and Description: The District supplies water utilities to the Rio Linda and Elverta communities in Sacramento County.

Agency Budget: \$2,502,200.00

Total Term of Relationship with Agency: General Counsel, 2014-Present

### Georgetown Divide Public Utilities District

Contact: Lon Uso, Board President

Agency Size and Description: The District provides water utilities for a population of about 15,000 within an area of 415 square miles located in El Dorado County.

Agency Budget: \$3,707,525.00

Total Term of Relationship with Agency: General Counsel, 2013-Present

### Grizzly Flats Community Services District

Contact: Jodi Lauther, General Manager

Agency Size and Description: The District has the responsibility of providing treated water for domestic use and fire protection to the residents within its service area. Approximately 1225 parcels exist in the service area within El Dorado County.

Agency Budget: \$432,644.00

Total Term of Relationship with Agency: General Counsel services, 2014-Present



Reclamation District 799

Contact: Mike Alvarez, District Manager

Agency Size and Description: The District maintains approximately 3,100 acres of levees and 8.9 miles of non-project levees on Bethel Island in Contra Costa County.

Agency Budget: \$471,176.69

Total Term of Relationship with Agency: General Counsel services, 2016-Present

San Miguel Community Services District

Contact: Darrell Gentry, General Manager

Agency Size and Description: The District provides fire protection, water, wastewater, lighting and solid waste collection services to the San Miguel community in San Luis Obispo County.

Agency Budget: \$1,059,951.00

Total Term of Relationship with Agency: General and Special Counsel services, 2015-Present

City of Patterson

Contact: Ken Irwin, City Manager

Agency Size and Description: The City has a population of just over 20,000 and is located in Stanislaus County.

Agency Budget: \$14,438,218.00

Total Term of Relationship with Agency: City Attorney and Special Counsel services, 2013-Present

City of Dixon

Contact: Jim Lindley, City Manager

Agency Size and Description: The City has a population of nearly 20,000 and is located in Solano County.

Agency Budget: \$26,493,517.00

Total Term of Relationship with Agency: City Attorney and Special Counsel services, 2013-Present

City of Riverbank

Contact: Marisela Garcia, Interim City Manager

Agency Size and Description: The City has a population of over 22,000 and is located in Stanislaus County.

Agency Budget: \$11,109.925.00

Total Term of Relationship with Agency: City Attorney and Special Counsel services, 2013-Present

City of Ceres

Contact: Toby Wells, P.E., City Manager

Agency Size and Description: The City has a population of over 45,400 and is located in Stanislaus County.

Agency Budget: \$18,569,375.00

Total Term of Relationship with Agency: City Attorney and Special Counsel services, 2014-Present



## **Firm's Local Experience**



## Firm's Local Experience

Although the Firm has not yet worked with any public agencies within the Santa Cruz region, our attorneys have advised and assisted agencies up and down the Central Coast, including water and community service districts in Monterey and San Luis Obispo counties. As such, our attorneys are familiar with the issues facing water districts, such as San Lorenzo Valley Water District, and can offer insight not generally available into the culture, environment and issues that influence and inform the legal matters of the District and surrounding region.

The Firm supports the District's request to attend regularly scheduled meetings in order to keep the General Manager and Board of Directors informed of all ongoing legal matters, trends and developments. Regularly scheduled check-in calls with the General Manager are also encouraged so that we can be informed of any concerns. In the event an issue arises that needs more immediate attention, we will work directly with the General Manager or whomever the District designates to determine the best approach in developing a response.

At this time, we do not foresee any potential issues concerning availability for meetings, communications, consultation and expenses. The attorney proposed as General Legal Counsel, Barbara A. Brenner, understands that meeting attendance as directed by the District Board and/or General Manager is required. Ms. Brenner is available to attend regularly scheduled meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Thursdays of each month, as well as any special meetings that require her attendance. If a scheduling conflict should arise, one of the attorneys designated a Deputy General Legal Counsel would step in to attend the meeting or assist the District in any way necessary. Furthermore, three of our attorneys are licensed pilots and are able to travel on a moment's notice if needed or required.



## **Conflict of Interest/Ethics**



## **Conflict of Interest/Ethics**

Churchwell White LLP does not currently have any clients or interests in the Santa Cruz region and therefore does not foresee any conflicts of interest or other concerns arising while serving as General Legal Counsel to the District. Nor does the Firm have any business relationships, direct or indirect, with any neighboring agencies, cities or special districts to San Lorenzo Valley Water District.

## **License to Practice in California, Malpractice and Conflict of Interest**

None of the Firm's attorneys have ever been sued for conflict of interest or malpractice related issues. Furthermore, all of the Firm's attorneys are licensed to practice in California and are in good standing with the California State Bar.

## **Exceptions to this RFP**

Churchwell White LLP certifies that it has fully read the RFP and takes no exceptions to this RFP including, but not limited to, the Consultant Services Agreement.

## **Insurance Requirements**

Churchwell White LLP carries professional liability coverage with Arch Insurance Company, policy number 05LPL0002050609 with a total limit of liability in excess of \$1,000,000 per claim. Churchwell White LLP does not self-insure. The Firm also carries general liability, business automobile liability and employer's liability insurance in the amount of \$1,000,000, as well as workers' compensation coverage as required by law.

We would be happy to provide a copy of a valid insurance certificate and proof of coverage to the District. As with all of our public agency clients, we can provide the District with a Certificate of Insurance or required endorsements naming the District as an additional insured, indicating that our policy is primary over any insurance covered by the District and will not be cancelled or materially changed without thirty (30) days' prior notice to the District.



# **SAN LORENZO VALLEY WATER DISTRICT**

## **Proposal to Provide General Legal Counsel Services**

**December 15, 2016**



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## 1. EXECUTIVE SUMMARY

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Nossaman LLP is pleased to submit our proposal to provide San Lorenzo Valley Water District (SLVWD) with general legal counsel services. As a premier water district providing water services to a network of distribution lines, pump stations and reservoirs to more than 7,300 connections through a network of water lines totaling more than 185 miles, SLVWD requires a law firm with extensive general counsel, public agency and water law experience to handle the multiple areas of specialization identified in SLVWD's request for proposal (RFP). Nossaman is a California-based law firm with over 160 professionals and 70 years of experience representing public agencies, water districts, irrigation districts, and some of the country's largest infrastructure projects.

Nossaman possess not only the capability to represent SLVWD, we have unparalleled depth and expertise in each and every area of specialty identified in the RFP. In our proposal, we have assembled a team of attorneys that includes individuals who act as general counsel to multiple public agencies, including water, fire and irrigation districts, as well as attorneys with in-depth specialized experience in all areas identified by SLVWD. Among the many qualities that set Nossaman apart are:

- **Demonstrated Experience Serving as General and Special Counsel to Public Agencies.** Nossaman has extensive experience acting as General and Special Counsel to several public agencies. In addition to the General and Special Counsel Services, our attorneys provide specialized services in the areas of water industry and supply, water rights, water quality management and compliance, water and sewer fees and charges, policy, litigation, environment & land use, real estate, eminent domain and employment. For example, Nossaman's employment attorneys recently revised and updated employment policies and practices in Central Basin Water District's Administrative Code; advised on laws relating to benefits and compensation of board members, per state auditor recommendation. Our team has also assisted in handling and resolving employee performance and management issues, and provided day-to-day employment counseling and advice, including on leaves of absence, disability accommodation, wage and hour issues, and labor relations for Olivenhain Municipal Water District.
- **A leader in California's Water Industry for over 70 Years.** We recognize that the long-term supply of surface water, groundwater, reclaimed water, and desalinated water is critical, as resources become scarce throughout the State. Our team understands California and federal law and regulations that impact water from every possible perspective, which enables us to serve our clients' diverse needs effectively.

Nossaman proposes Alfred Smith to become SLVWD's General Legal Counsel. Mr. Smith acts as General and Special Counsel to several public agencies, including Rainbow Municipal Water District, Olivenhain Municipal Water District, Central Basin Municipal Water District, Main San Gabriel Basin Watermaster, Newhall County Water District, Upper Los Angeles River Area Watermaster, Metro Gold Line Foothill Extension Construction Authority, and the Cities of Ontario and Santa Monica. For over a decade, Mr. Smith has served as an appointed member of the Legal Affairs Committee for ACWA. He also serves on the ACWA programs committee.

Nossaman proposes Gina Nicholls to serve as SLVWD's Deputy General Counsel. Ms. Nicholls assists Mr. Smith and other attorneys in representing multiple public agencies. She has significant litigation, regulatory, and transactional experience, as well as subject-matter expertise related to Proposition 218 and the Sustainable Groundwater Management Act. Ms. Nicholls was pleased to meet SLVWD Board Member Margaret Bruce while participating in a panel presentation at the fall ACWA conference and receive an invitation from Ms. Bruce to respond to SLVWD's RFP.

Mr. Smith and Ms. Nicholls speak and write regularly on topics of interest to California water agencies and prepare an annual summary of appellate case law that is distributed to ACWA's membership. They will use this industry knowledge to keep SLVWD up to date on the legal, policy and industry matters of interest to SLVWD and its customers.

By choosing Nossaman, SLVWD will get the breadth and experience of a law firm with no conflicts of interest. We have performed a comprehensive conflict check, and Nossaman is free and clear of all conflicts in SLVWD's service area.



Alfred E. Smith, II  
of Nossaman LLP



## 2. FIRM DESCRIPTION

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Nossaman LLP is a California-based national law firm with approximately 160 professionals who work seamlessly across eight U.S. offices in Irvine, Sacramento, San Francisco, and Los Angeles, California; Austin, Texas; Washington, DC; Seattle, Washington and Arlington, Virginia. We utilize a multi-disciplinary approach that combines the skills and experience of our transactional and regulatory attorneys, litigators, and state and federal policy advisors to achieve clients' goals. Nossaman focuses its practices on several key areas of law and industries including water, environment and land use, infrastructure, employment, litigation, real estate, eminent domain and valuation, tax and public finance matters.

Nossaman has an extensive public agency practice, representing well over a hundred California public agencies and governmental entities at the local, state, and federal levels. As a result of this representation and our public service activities, we have an in-depth understanding of the legal and political issues and constraints confronting public entities. We also possess one of the premiere Water Law practices in the state and have worked with multiple water agencies to acquire and protect clean, reliable water supplies. We believe these characteristics, combined with our dedication to customer service makes us the ideal candidate to provide legal services to SLVWD.

Nossaman is intimately familiar with the water, environmental, public agency and other issues facing SLVWD. Nossaman is the General Counsel for the Olivenhain Municipal Water District, Central Basin Municipal Water District, and the Rainbow Municipal Water District -- all water districts with a five-member board of directors very similar to SLVWD. Like SLVWD, these agencies provide water service through a network of distribution lines, pump stations and reservoirs to thousands of connections.



### 3. Identification of Prime Counsel

The following are the attorneys who form the team that Nossaman proposes to provide legal services for SLVWD, as well as their years of practice. Please see **Attachment A** for full team resumes.

Proposed Nossaman Team Attorneys					
Attorney	Title	Area of Expertise	Years of Practice	Date of Admission	Length of Employment
Alfred Smith	Partner	Prime – General Counsel / Water Law	20	12/10/1996	6/30/1996
Gina Nicholls	Associate	Deputy – General Counsel / Water Law	6	6/1/2010	7/30/2014
Lloyd (Bill) Pellman	Partner	Supporting – General Counsel / Water Law	45	12/14/1972	9/1/2005
Willis Hon	Associate	Supporting – Water Law	2	6/1/2016 NY - 2014	10/3/2016
Katherine Thursby	Associate	Supporting – Public Finance	10	12/11/2006	7/6/2015
John Kennedy	Partner	Supporting Counsel – Employment Law	28	12/7/1988	1/22/1996
Allison Callaghan	Associate	Supporting Counsel – Employment Law	6	12/11/2013	9/30/2015
Carl Blumenstein	Partner	Supporting Counsel – General Litigation	20	12/11/1996	11/1/1993
Mary Lynn Coffee	Partner	Supporting Counsel – Environmental Law	26	1/10/1990	5/1/2003
Stephanie Clark	Associate	Supporting Counsel – Environmental Law	7	12/23/2008	9/23/2014
Danielle Gensch	Partner	Supporting Counsel – Transactional Real Estate	12	6/29/2004	7/16/2007
Bernadette Duran-Brown	Partner	Supporting Counsel – Eminent Domain/Real Estate Litigation	8	6/3/2008	7/5/2011



## 4. Identification of General Counsel Expertise

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### General Counsel Experience

From its inception, Nossaman has taken great pride in the services we provide to our public agency clients, helping them shape and grow their surrounding communities. Nossaman assists a variety of California public agencies and governmental entities at the local, state and federal levels.

The partner we are proposing to become SLVWD's District General Legal Counsel, Alfred Smith, is the Chair of Nossaman's Water Practice Group. Mr. Smith acts as General and Special Counsel to several public agencies, including Rainbow Municipal Water District, Olivenhain Municipal Water District, Central Basin Municipal Water District, Main San Gabriel Basin Watermaster, Newhall County Water District, Upper Los Angeles River Area Watermaster, Metro Gold Line Foothill Extension Construction Authority, and the Cities of Ontario and Santa Monica. Mr. Smith will be regularly available to attend SLVWD's regular Board Meetings.

To date, Mr. Smith has secured more than \$500 million worth of contamination settlements in favor of his clients. He has also successfully litigated at all levels, including helping negotiate one of California's largest water contamination mitigation settlements in favor of his clients, and confirming his clients water rights at over \$50 million before the California Supreme Court.

Alfred Smith currently serves on both the Programs Committee and the Legal Affairs Committee for the Association of California Water Agencies and the American Bar Association's Water Resources Committee. He is also a member of the Water Education Foundation's Alumni Association, and he is pro bono special counsel to the Association of Groundwater Agencies.

A graduate of the Harvard Law School, Mr. Smith was named as one of Los Angeles' top 100 lawyers by the *Los Angeles Business Journal*, and has been named a "Super Lawyer" from 2008-2016 by *Los Angeles* magazine. Mr. Smith has a unique set of skills and experience, which includes water and public agency laws that we believe makes him the ideal candidate for General Counsel to SLVWD.

As a result of Mr. Smith's general counsel work for other agencies, he is familiar with the intricate details involved with public agency governance and regularly provides advice to boards and staff on public meeting requirements under California's Ralph M. Brown Act. This includes advice and consultation on notice and agenda requirements, regular, special and emergency meeting legal requirements, assistance in preparation for board and committee meetings, as well as addressing issues arising during meetings, including questions regarding conflicts of interest, closed sessions, quorum and voting requirements and related meeting matters. Mr. Smith works closely with directors, management and in-house counsel to develop legal strategies with consideration of implications and potential outcomes. He has a proven record of proactively anticipating and resolving legal issues.

Mr. Smith also advises our public agency clients in complying with public records requirements, including the California Public Records Act as well as the federal Freedom of Information Act. Our services include advice regarding responses to requests made pursuant to such statutes, providing tutorials on complying with laws regarding maintenance of electronic records and documents, and advising on preparing and maintaining records retention policies consistent with the Act and good public agency practice. We assist with code enforcement matters, including compliance with administrative procedures, as well as the filing of actions to carry out administrative rules and regulations.

Mr. Smith assists our public agency clients in identifying and resolving potential conflicts of interest for board members and staff under state laws such as the California Political Reform Act, California Government Code Section 1090 et seq., common law conflict and bias issues, gift, travel, and loan restrictions for board members and staff, incompatible offices and activities proscriptions. We also provide ethics training for board members and staff. Nossaman has significant experience litigating complex provisions of the California Fair Political Practices Act and similar state regulations pertaining to conflicts and assist in interpreting the requirements associated with the California FPPC Form 700 – Statement of Economic Interest.



Mr. Smith will be supported by Gina Nicholls as Deputy General Counsel. Ms. Nicholls has significant litigation, regulatory, and transactional experience, as well as subject-matter expertise related to Proposition 218 and the Sustainable Groundwater Management Act. She will personally attend any board meeting Mr. Smith is unable to attend.

Nossaman is fully integrated into all areas of California water law and will use this industry knowledge to keep SLVWD updated. Nossaman attorneys hold leadership positions in key statewide water organizations. Our attorneys serve on the Legal Affairs Committee, the Programs Committee, and served on the Board of Directors for ACWA. Nossaman serves as the longtime legal counsel and lobbyist for the California Water Association, and serves as the Executive Director and lobbyist for WateReuse Association. Nossaman also formed and serves as the General Counsel to the Association of Groundwater Agencies, an organization consisting of the most significant groundwater managers in Southern California.

### **Public Agency Law, Contracts Review and Compliance**

Nossaman attorneys have developed an expertise and understanding of the unique challenges faced by public agencies, particularly water agencies. We are familiar with the laws applicable to public agency contracts, including requirements associated with competitive lowest responsible bidder, qualifications-based procurements, and issues related to state and federal funding.

Nossaman is well-equipped to advise SLVWD in contract review and compliance issues because our attorneys can call upon the expertise of our insurance recovery, construction and bankruptcy attorneys. We have worked with many clients to develop procurement policies and procedures and in negotiating and procuring contracts with private entities, including competitive procurements and negotiated contracts. We assist in developing forms for a wide variety of contracts, including purchase orders, service agreements, consultant agreements, operations and maintenance contracts, construction contracts, design-build contracts, development agreements, concession agreements, utility relocation agreements, franchise agreements, and leases.

Nossaman attorneys have assisted public agencies with the following issues:

- Developing procurement policies and procedures, and negotiating and procuring contracts with private entities, including competitive procurements. We have developed forms for public contracts including bid specifications, purchase orders, service agreements, consultant agreements, memoranda of understanding, and operations and maintenance contracts.
- Reviewing and preparing contracts and board materials, preparing documents for board adoption, and negotiating public meeting requirements.
- Providing advice regarding internal governance matters including conflicts of interest and elections procedures.
- Consulting and providing on-going assistance in complying with public agency public records requirements, including the California Public Records Act and similar laws in other states, and the federal Freedom of Information Act. Our services include advice regarding responses to requests made pursuant to such statutes; providing tutorials on complying with laws regarding maintenance of electronic records and documents; and advising our clients with respect to preparing and maintaining records retention policies consistent with the Act and good public agency practice.
- Providing counsel for the implementation of risk avoidance and mitigation strategies, including contract review and the design of protection measures against manufacturer's defect. Nossaman's insurance recovery attorneys have represented dozens of public agencies, including water agencies, with their insurance needs, working closely with clients and their brokers to ensure they have obtained the appropriate insurance products. We have helped our public agency clients recover tens of millions through insurance coverage lawsuits.



## **California Environmental Quality Act and National Environmental Policy Act**

Nossaman specializes in serving as counsel for public agencies and private developers with respect to compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). Our services range from advising clients regarding the obligations imposed on public agencies by CEQA and NEPA to “soup to nuts” project management as environmental review moves forward.

Our team members are recognized for their experience in the CEQA and NEPA in California and nationwide. We regularly contribute to leading publications followed by the environmental bar nationally, such as the *American Bar Association's Natural Resources and Environmental Law Journal* and *California Lawyer Magazine*. Our attorneys routinely are involved in policy-making at the state and federal levels, for example by drafting provisions in the California Global Warming Solutions Act of 2006 (AB 32) and the Sustainable Communities and Climate Protection Act of 2008 (SB 375). Our team members are frequently consulted by the California Resources Agency, the Department of Transportation, and the Federal Highways Administration regarding the CEQA and NEPA regulations and reform, and we routinely provide commentary on proposed regulatory amendments to all key state and federal resource agencies.

## **Joint Powers Authorities and Memorandums of Understanding**

Nossaman has helped public agencies in negotiating intergovernmental agreements, including joint exercise of public agency powers and cooperative agreements. We have extensive experience representing our public agency clients in connections with memoranda of understanding (MOU) and risk transfer provisions, including indemnification, insurance, bonds, and other mechanisms to protect our client's interests and mitigate risk.

As an example, Nossaman assisted Kern Water Bank in forming the Joint Powers Authority, including the MOU, related contracts, environmental approvals and risk transfer provisions for the nation's largest water storage bank.

## **Real Estate and Eminent Domain**

Nossaman offers and provides the full range of real estate services through both its real estate and eminent domain practice groups. Our real estate and eminent domain teams frequently work together on public projects throughout California. This complementary working relationship results in many efficiencies, including providing high-level real estate transactional advice during right of way acquisition activities, thoroughly analyzing title issues, encroachments, and leases, and assisting in avoiding disputes related to other property rights claims and property management issues.

Nossaman prides itself on its in-depth expertise and reputation for success in eminent domain and other real estate litigation. We successfully represent public agencies in the acquisition of right-of-way and other property for the most important public works projects in the state, including flood control, utility, major road, and rail projects. Our attorneys, and their unrivaled courtroom successes, consistently garner substantial attention statewide. We have shaped the law of eminent domain in California and are responsible for several of the seminal appellate court opinions favorable to public agencies. We also frequently write and speak on eminent domain trends, putting us at the cutting edge of the recent changes to California's eminent domain law. This includes publication of the most active blog focused on California eminent domain issues, found at [www.CaliforniaEminentDomainReport.com](http://www.CaliforniaEminentDomainReport.com).

## **Formation of Assessment and Improvement Districts**

Nossaman assists our clients in proceedings before Local Agency Formation Commissions (LAFCOs), including the creation and formation of various types of special districts, as well as annexations, detachments and the expansion of district powers. We also represent clients in connection with the process for amending their boundaries with adjacent public agencies; and in the contracts, incorporation, dissolution and financing matters relating to the formation of assessment and improvement districts.



## Laws Pertaining to Fees and Taxes, Including Proposition 218

Nossaman advises agencies on the complex issues arising out of California's proposition system and its constitutional limitations pertaining to taxes, fees, and assessments, particularly Propositions 218, 13, and 26. We assist cities, special districts, and other public agencies comply with those laws, including conducting majority protest hearings. We also are experienced in trial and appellate matters involving the imposition of fees, assessments, and special taxes for various purposes.

Nossaman also provides financing advice and representation, including assisting in identifying, seeking and obtaining funding for projects and programs from state, local and federal funding sources as well as private sources of funding, including serving as issuer, disclosure and bond counsel for all aspects of municipal finance needs.

## Other Specialized Services

**Water Law.** Nossaman has been a leader in California's water industry for over seventy years. We recognize that the long-term supply of surface water, groundwater, reclaimed water, and desalinated water is critical as resources become scarce throughout the State. Our water practice group represents watermasters, water districts, cities, utilities, developers, agricultural growers and processors, design-builders, operators, and local, regional, and state agencies on a wide range of environmental, financing, water law, and water utility issues, including related litigation. We understand California and federal law and regulations that impact water from every possible perspective, which enables us to serve our clients' diverse needs effectively.

Nossaman's water practice group works with clients to craft strategies that avoid costly and disruptive disputes. When litigation is unavoidable, we have a successful track record in litigating a wide range of water law and other environmental issues, including: Water rights adjudications, groundwater contamination, disputes over the exportation of water, defense of and challenges to state enforcement actions, groundwater regulation disputes, contested water quality matters, toxic tort lawsuits and private cost recovery actions, and disputes over water charges and California Proposition 218.

**Public Policy Advocacy.** Nossaman's statewide resources include an active legislative and administrative advocacy practice in Sacramento to help our clients achieve legislative and administrative solutions to the legal, environmental, and political barriers to permitting, construction, development, and project approval. We work daily with engineers, hydrologists, geologists, water quality specialists, and other professionals whose assistance is often crucial to the successful resolution of water law, water rights and other natural resource legal matters. Additionally, members of our Water Group are actively involved in and frequently serve on expert panels for industry and professional organizations such as the Association of California Water Agencies, the California Water Association, the American Water Works Association, the American Groundwater Trust, the Water Education Foundation, the Groundwater Resources Association, and the Association of Ground Water Agencies.

**Public Finance.** Nossaman has extensive experience advising water/wastewater agencies, project developers, contractors, and operators on the financing and revenue enhancements of water/wastewater treatment plants, reclaimed water systems, biosolid facilities, water banking facilities, and desalination facilities. As a nationally recognized bond counsel firm, we have also been extensively involved as Bond Counsel, Disclosure Counsel, or Underwriters Counsel in a wide variety of wastewater and water financings throughout the State. We have particular expertise in the structuring of water debt, for both urban and agricultural issuers.

**General Public Agency Litigation.** Nossaman's litigation team consists of seasoned litigators with extensive trial experience throughout California in both federal and state courts. Our litigators are mindful of our clients' individual motivations and objectives in litigation and dispute resolution, and recognize the need for tailored approaches and strategies rather than a one-size-fits-all approach. We understand that legal disputes can significantly impact the operations and reputation of a public agency. Sometimes the best defense is a good offense, and filing affirmative claims can be just as critical to our clients' success as defending claims.

Whatever the objective, Nossaman attorneys have the demonstrated ability to partner with our public agency clients, to identify how legal disputes affect their mission as a whole, designing a strategy aimed not just at



success in the legal courtroom, but also in the court of public opinion. Our litigation strategy is to advance your agency's mission and vision.

Our trial and appellate experience has included leading cases and decisions in the fields of governmental law, public contract and procurement, constitutional law, land use, transportation, healthcare, environmental and insurance coverage, as well as a wide range of more traditional tort, contract and real property issues. Because the firm represents a large number of public agencies, we are especially experienced in the types of lawsuits that affect our public agency clients. For example:

- In the procurement arena, Nossaman is experienced in strategizing responses with the aim of avoiding protests altogether, or at least minimizing risk in litigation.
- Many actions against government entities are writs of mandate or injunctive actions; Nossaman attorneys are practiced in the legal issues attendant to these types of litigation.
- In the public contract area, Nossaman attorneys have sat on claims committees for governmental clients, assisting them in avoiding disputes before they arise, or trying the disputes before dispute review boards or arbitrators to avoid costly formal litigation.
- Nossaman attorneys are conversant with the Public Records Act and the Brown Act in the specific context of litigation, as well as in other contexts, and are thus sensitive to client needs in this regard.
- If insurance can be implicated, Nossaman has an experienced team of policyholder litigators.

Nossaman is uniquely qualified in the field of innovative government contracts, such as design-build contracts and public private partnerships; to the extent such contracts have been litigated, the firm has that experience.

**Employment Law.** Nossaman assists public agency clients to address wage and labor requirements, including minimum wage and prevailing wage requirements, apprenticeship requirements and related matters under the California Labor Code and similar requirements in other states, and under applicable federal contracting requirements. We have also advised and consulted on related employment law, employee benefits issues, and employment litigation.

Nossaman offers a full service employment practice, one that begins with identifying, understanding, and implementing our clients' goals in an effective and efficient manner. Our attorneys provide counseling, advice, and litigation services to public entities and private and public companies, on a broad array of employment and labor related matters, including harassment, discrimination, wage and hour, ERISA, unfair competition/trade secrets, wrongful terminations, executive employment agreements and benefits, leave laws, reductions in force/WARN Act, record retention, and union/employer relations. We are also qualified and experienced trainers in the state mandated sexual harassment prevention training and also provide training on multiple current topics to our clients.



## 5. Experience and Past Performance

Due to client confidentiality we are unable to provide all of the requested information stated in the RFP for each matter description below.

In lieu of providing the details requested for each matter, we have provided seven client references below.

<b>Tom Kennedy</b> General Manager Rainbow Municipal Water District 3707 Old Highway 395 Fallbrook, CA 92028 Phone: 760.728.1178 Email: tkennedy@rainbowmwd.com	<b>Stephen Cole</b> , General Manager Newhall County Water District 23780 North Pine Street Santa Clarita, CA 91322 Phone: 661.259.3610 Email: scole@ncwd.org
<b>Anthony Zampielo</b> , Executive Officer Main San Gabriel Basin Watermaster 725 North Azusa Ave. Azusa, CA 91702 Phone: 626.815.1300 Email: tonyz@watermaster.org	<b>Mark Mackowski</b> , Watermaster (Retired) Upper Los Angeles River Area Watermaster 19620 Sheryl Ave. Cerritos CA 90703 Phone: 562.595.2125 Email: mgm7457@msn.com
<b>Mitch Purcell, Esq.</b> , Chief Contracting Officer and In-House Counsel Metro Gold Line Foothill Extension Construction Authority 406 East Huntington Drive Suite 202 Monrovia, CA 91016 Phone: 626.305.7035 Email: mpurcell@foothillgoldline.org	<b>Kevin Hunt</b> , General Manager Central Basin Municipal Water District 6252 Telegraph Road Commerce, CA 90040-2515 Phone: 323.201.5548 Email: kevinh@centralbasin.org
<b>Kelly O'Donnell Henderson, Esq.</b> , Senior Attorney Southern California Edison Environmental & Licensing Section 2244 Walnut Grove Avenue Rosemead CA 91770-3714 Phone: 626.302.4411 Email: kelly.henderson@sce.com	

### Representative Experience – General and Special Counsel

- **Rainbow Municipal Water District.** Serve as General Counsel to the Rainbow Municipal Water District, a public agency providing water and sewer service to an 80 square mile area in Northeast San Diego County. We were instrumental to this District in successfully resisting a reorganization in proceedings before the San Diego County Local Agency Formation Commission in which the Fallbrook Public Utility District sought to dissolve the Rainbow Municipal Water District and annex the territory. Despite the strong recommendation of the staff, the Commission voted 5 to 3 to reject the reorganization. (2 years)



- **Olivenhain Municipal Water District.** General Counsel to this municipal water district on all aspects of its operations including the provision of water, wastewater services, recycled water, hydroelectricity, and operation of the Elfin Forest recreational reserve. Nossaman successfully represented client regarding dispute with regional water supplier regarding potential water transfers and participated in regulatory proceedings and development of legal strategy. We engaged in mediation with other parties that resulted in a \$13.5 million settlement for our client. In addition, we are advising our client in the production of recycled water; and the collection and treatment of wastewater pursuant to CCR Titles 17 and 22. (19 years)
- **Central Basin Municipal Water District.** General Counsel to this municipal water district on all aspects of its operations involving the delivery of wholesale imported water to a population of more than 2 million people throughout 24 cities. Representation includes advising the client on the delivery of recycled water for municipal, commercial and industrial uses to the District's customers which include investor-owned utilities, mutual water companies, government agencies and private companies. (1 year)
- **Main San Gabriel Basin Watermaster.** General Counsel for over 20 years to the Main San Gabriel Basin Watermaster, which consists of a nine-member board and is the agency appointed by the Court to administer the judgment, which sets up a management system for water in the Main San Gabriel Basin. We are involved in all aspects of the operation and management of the basin, including determination of safe operating yield, evaluation of proposed assessments, analysis of operations affecting water quality, and documentation of transfers of rights. We also advise on a variety of water rights issues. Nossaman successfully negotiated a landmark \$350 million settlement from eight companies responsible for contaminating the Main San Gabriel Basin in Southern California, allowing for the implementation of a series of treatment plants to restore this valuable source of potable water. (23 years)
- **Metro Gold Line Foothill Extension Construction Authority.** General Counsel to this public agency on all aspects of the \$1.6 billion project that will extend light rail service from Pasadena to Montclair. Representation includes advising on such issues as the Brown Act, Public Records Act, ethics and political law compliance, CEQA, public contracting, construction claims and disputes, employment, eminent domain, environmental issues and litigation. (17 years)
- **City of Ontario.** Representing the City with respect to water rights, recycled water and contamination issues in the Chino Basin. Represented the City in the development of the Chino Basin desalination facilities which treat and produce 14 million gallons of water per day. Also advising the City on the Phase 3 expansion of the desalter facilities, an estimated \$130 million project that will provide 10.5 million gallons of water per day for 1.5 million people. (12 years)
- **City of Santa Monica.** Served as water rights counsel to the City in groundwater litigation involving Methyl Tertiary Butyl Ether (MTBE) contamination in the Charnock Basin. Matter settled favorably for the client. (25 years)

### Representative Experience – Public Contracting

- **Main San Gabriel Basin Watermaster and AISLIC.** Represented a public water agency in obtaining defense cost reimbursements and full insurance coverage for a lawsuit related to groundwater contamination. Nossaman established that the policy's description of covered operations as "groundwater monitoring" included the Watermaster's actions in directing pumping in the basin, which other parties had claimed exacerbated contaminant plumes. (23 years)
- **Metropolitan Water District v. Hartford.** Assisted the MWD by providing second opinions on insurance coverage matters relating to builders risk policies, commercial general liability policies and workers' compensation policies. (18 years)
- **NUFIC and Pajaro.** Represented a public water district in settling payment claims by a surety who took over construction after contractor's bankruptcy. (14 years)



- **Dispute Review Board Matters.** Represented a public agency toll road builder in complex construction claim cases involving earth moving, engineering design, and other issues. By contract the claims were tried before a dispute review board. Also sat on a claims committee, which dealt with disputes on regularly scheduled basis. (Confidential)

### Representative Experience – Proposition 218

- **Pajaro Valley Water Management Agency.** Served as special counsel on multiple litigation matters. We represented Pajaro in several pieces of litigation related to Propositions 13 and 218 issues and the imposition of a fee for the pumping of groundwater, at trial and on appeal. After winning at both trial and on appeal, in other cases the Supreme Court ultimately changed the meaning of what constituted property related fees. (14 years)
- **West Point Fire Protection District.** Successfully represented District in litigation concerning the legality under Proposition 218 of benefit assessment district charges. The District won the case after a trial, and the matter is now on appeal at the Court of Appeal. (8 years)
- **LACTC v. Richmond (1982) 31 Cal.3rd 197.** In one of the very first cases in this arena, Nossaman represented the Los Angeles County Transportation Commission (LACTC) – now the MTA – in sustaining validity of half cent sales tax under proposition 13. In establishing the tax's validity, we brought an original writ in the California Supreme Court. This sales tax is now funding Los Angeles area rail and other transportation projects. (36 years)

### Representative Experience – Other

- **Imperial Irrigation District.** Assists the Imperial Irrigation District with a wide variety of water issues. Nossaman represents Imperial Irrigation District in litigation challenging its Equitable Distribution Plan, an effort by IID to equitably apportion its water supplies among its customers. We recently successfully defended the District's water rates from attack pursuant to Proposition 218 in *Morgan v. Imperial Irrigation District*, 223 Cal. App. 4th 892 (2014). (18 years)
- **South Coast Water District.** Retained to assist the District, including the board and staff, as well as the District's outside consultants, in connection with the use and development of a more than thirty acre parcel that is contemplated to include the District's facilities, such as offices and yards, a desalination plant and other long term ground lease uses. We prepared and/or assisted in preparation of the Request for Qualifications, Request for Proposals, form of Ground Lease, MOU, staff reports and analysis. (13 years)
- **High Desert Water District.** Nossaman attorneys represented the High Desert Water District in Yucca Valley in the planning and acquisition of subsurface sewer easements and other property interests from over 270 parcels for its Wastewater Reclamation Project. (8 years)
- **Santa Clara Valley Water District.** Represented the District in a comprehensive effort to clean up perchlorate contamination and recover costs from potentially responsible parties and their insurance carriers. We also represented the District in Regional Water Quality Control Board proceedings against perchlorate dischargers, including developing and defending replacement water and contamination abatement plans. In addition, Nossaman defended the District in state and federal courts against 140 citizen suits related to the perchlorate contamination; the cases were dismissed with prejudice. (13 years)



## 6. Firm's Local Experience

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While we have limited experience specifically in Santa Cruz County and San Lorenzo Valley, we have a wealth of experience practicing in all areas highlighted in our proposal in Northern California.

**A sampling of our clients in Northern California includes:**

- Alameda Corridor Transportation Authority
- Alameda County Employees' Retirement Association
- California Polytechnic State University, San Luis Obispo
- City and County of San Francisco Employees' Retirement System
- City of Oakland
- City of Redwood City
- City of San Jose
- County of Monterey
- Marin County Employees' Retirement Association
- Port of Oakland
- Sacramento County Employees' Retirement System
- San Francisco Bay Area Water Emergency Transportation Authority
- San Francisco County Transportation Authority
- San Jose Water Corporation
- Santa Cruz Seaside Company
- Santa Clara County Health Authority
- Santa Clara Valley Transportation Authority
- Santa Clara Valley Water District
- Sonoma County Employees' Retirement Association
- Sonoma-Marin Area Rail Transit
- Transportation Agency of the County of Monterey

Nossaman has four offices located in California and anticipate utilizing our San Francisco and Los Angeles offices to serve SLVWD. Our team members are dedicated to providing SLVWD with exceptional legal services and a major contributor to this will be timely responses and easy accessibility. Alfred Smith expects to be onsite at SLVWD on a regular basis in order to attend meetings and discuss matters with the Board and staff members. He is committed to being available 24 hours a day in case of emergencies.



## 7. CONFLICTS OF INTEREST / ETHICS

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Nossaman takes great pride in the services we provide to our public agency clients and considers it a hallmark of our Firm. Nossaman recognizes the importance SLVWD places upon avoiding any conflict or the appearance of conflict that has the potential to interfere with its working relationship with adjacent water providers or other members of the water industry. Potential or real conflicts for SLVWD's legal counsel could have far reaching affects and hamper or halt a wide variety of business transactions and projects. Nossaman conducted an exhaustive conflicts check prior to submitting our proposal and we currently have no business or legal conflicts with SLVWD. Once engaged, we take every precaution possible to ensure that we do not put SLVWD in jeopardy by representing other parties in matters that are adverse to the District or its interests.

### **Malpractice Complaints and Suits**

**Valaree Wahler v. Nossaman LLP Malpractice claim against Nossaman LLP (Pending).** On May 20, 2015 Nossaman LLP received a copy of a letter of that same date from Michael Buley addressed to our former partner Suzanne Tague who is currently an attorney at Ross, Wersching & Wolcott, LLP, in Costa Mesa, California. Ms. Tague and her college, our former associate Gianna Gruenwald, previously worked on estate planning for Robert Wahler and his second wife Mrs. Valaree Wahler. All of that work was completed while both Ms. Tague and Ms. Gruenwald were with Nossaman. Although Mrs. Wahler's attorney, Michael Buley, has not yet contacted us, we are treating his letter as though it has been presented to us. We implemented a litigation hold to apply to all documents relating to Nossaman's representation of the Wahlers. We also had our former partner Ms. Tague sign a tolling agreement requested by Mr. Buley. Mr. Buley expresses concern about claims asserted by Mrs. Wahler's stepchildren and by the estate of Mr. Wahler's prior wife. In general the claims assert an interest in properties based upon agreements between Mr. Wahler and his prior wife and interests that her estate and her children allegedly retained as a result of those agreements and of court orders. We are in the process of evaluating the claim and no lawsuit has yet been filed. Based on our preliminary investigation it does not appear that any different estate planning work by Ms. Tague would have prevented the claims of which Mrs. Wahler and her attorney complain. The claims appear to be seeking to enforce various property rights that were irrevocable before Ms. Tague did estate planning work for the Wahlers and thus could not have been changed by any additional legal work.

**Beacon Healthcare Services (Dismissed).** Nossaman was defending a malpractice claim in the action *Beacon Healthcare Services, Inc. v. Nossaman LLP, et al.*, Superior Court of the State of California, County of Los Angeles, Case No. BC 485796. We previously represented both Beacon Healthcare Services, or Beacon (previously known as Newport Bay Hospital), jointly with Newport Hospital Corporation ("NHC"), its sublandlord under a sublease, in a dispute with the ground lessors. Nossaman disclosed to both clients that the scope of our representation was limited to resisting the unlawful detainer action that the ground lessors had filed against Beacon and NHC and that we would not be involved in disputes between the two clients. The unlawful detainer matter was settled, and both Beacon and NHC appeared to be pleased with the results. Beacon filed a complaint against the firm and its former partner Kathy Emanuel on June 1, 2012. Beacon alleged that Nossaman's representation extended to negotiation of the underlying sublease and that it committed malpractice in the course of such representation. However, we believe that it is clear that our representation never extended to such matters and that the claim is without merit. In May of 2013, Nossaman won a motion for summary judgment and, subsequently, Beacon appealed that decision, but the ruling on the summary judgment was upheld.

**Leon Grant, D.D.S. and Rene Espinoza (Dismissed).** Nossaman LLP was a named defendant in *United States and the State of California, ex rel. Leon Grant, D.D.S. and ex rel. Rene Espinoza, Plaintiffs, vs. Bright Now! Dental, Inc.*, et al., filed in the U.S. District Court for the Central District of California, Case No. 8:09-cv-00380-JVS-AN. Nossaman's client in the underlying matter was Bright Now! Dental, Inc. Leon Grant, D.D.S. and Rene Espinoza (the relators) alleged that Nossaman conspired with its client to recover allegedly false governmental billings and that Nossaman represented Dr. Grant and mishandled such representation in various ways, committing malpractice. Nossaman's review indicates that we never represented Dr. Grant but only Bright Now! Dental, Inc. Relators agreed to dismiss all causes of action against Nossaman other than the malpractice claim, with prejudice. The malpractice claim against Nossaman was dismissed with prejudice on October 12, 2012.



## **8. PROFESSIONAL FEES AND FEE SCHEDULES**

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**Please see separate Professional Fees and Fee Schedules Document.**



## 9. Exceptions to this RFP

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I, Alfred Smith, have fully read the RFP and take no exceptions to this RFP.

The policy limits of Nossaman's professional liability coverage are \$30,000,000 each claim and \$60,000,000 aggregate.



# **Attachment A**

## **Resumes**





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**Practice Areas & Industries**

- Environment and Land Use
- Litigation
- Climate Change
- Water
- Land Development

## Alfred E. Smith, II | Partner

Alfred Smith, Chair of Nossaman's Water Practice Group, is a recognized expert in water and environmental law. A graduate of the Harvard Law School, he has secured more than \$500 million worth of contamination settlements in favor of his clients.

He is a trusted advisor on matters involving water rights, contamination remediation, groundwater adjudications, water transfers, recycled water, desalination, conjunctive use, climate change, and environmental regulatory compliance. Mr. Smith has also developed water supply assessments and environmental impact reports for a wide range of residential and commercial developments.

Mr. Smith has successfully litigated at all levels. His accomplishments include helping negotiate one of California's largest water contamination mitigation settlements in favor of his clients and winning a unanimous decision from the U.S. Supreme Court.

He is an appointed member of the Association of California Water Agencies' (ACWA) Legal Affairs Committee. He was listed as one of Los Angeles's Top 100 Lawyers in 2009 by the *Los Angeles Business Journal* and was named a "Super Lawyer" in 2008-2016 by *Los Angeles* magazine. In 2016, the *Los Angeles Business Journal* named Mr. Smith one of the "Most Influential Minority Lawyers" in the Los Angeles region.

### Representative Work

- **Main San Gabriel Basin Watermaster.** General Counsel to the Watermaster on all aspects of operation and management of the vast San Gabriel Groundwater Basin. Successfully negotiated a landmark \$350 million water quality settlement with eight companies responsible for contaminating the Basin's water supplies. Worked with the U.S. Army Corps of Engineers in developing remediation plans and treatment facilities for the treatment of contaminated soil and groundwater. Also advised client in connection with climate change and greenhouse gas emissions issues.
- **Castaic Lake Water Agency, Newhall County Water District, Valencia Water Company, and Santa Clarita Water Company.** Represented four water agencies in a federal action to force a cleanup of perchlorate contamination in the Santa Clarita Valley. Obtained summary judgment against defendants establishing their liability for cleanup costs in a decision reported at 272 F.Supp.2d 1053 (2003). The settlement agreement provided the agencies with an estimated \$100 million for cleanup. Worked with the U.S. Army Corps of Engineers in developing water quality remediation plans and treatment facilities for the treatment of contaminated soil and groundwater.
- **Association of California Water Agencies ("ACWA").** Represented ACWA, the National Association of Water Companies, the California Water Association, the California State Association of Counties and several other parties before the United States Supreme Court in *U.S. v. Atlantic Research*, a CERCLA cost recovery action. Obtained a unanimous decision from the Supreme Court in favor of these clients.
- **Olivenhain Municipal Water District.** General counsel to this municipal water district on all aspects of its operations including the provision of water, wastewater services, recycled water, hydroelectricity, and operation of the Elfin Forest recreational reserve. Successfully represented client regarding dispute with regional water supplier regarding potential water transfers. Participated in regulatory proceedings and development of legal strategy. Engaged in mediation with other parties resulting in a \$13.5 million settlement for client.
- **Metro Gold Line Foothill Extension Construction Authority.** General Counsel to this public agency on all aspects of the \$1.6 billion project that will extend light rail service from Pasadena to Montclair. Representation includes advising on such issues as the Brown Act, Public Records Act, ethics and political law compliance, CEQA, public



contracting, construction claims and disputes, employment, eminent domain, environmental issues and litigation.

- **Central Basin Municipal Water District.** General Counsel to this municipal water district on all aspects of its operations involving the delivery of wholesale imported water to a population of more than 2 million people throughout 24 cities. Advising client on the delivery of recycled water for municipal, commercial and industrial uses to the District's customers which include investor-owned utilities, mutual water companies, government agencies and private companies.
- **City of Ontario.** Representing the City with respect to water rights, recycled water and contamination issues in the Chino Basin. Represented the City in the development of the Chino Basin desalination facilities which treat and produce 14 million gallons of water per day. Also advising the City on the Phase 3 expansion of the desalter facilities, an estimated \$130 million project that will provide 10.5 million gallons of water per day for 1.5 million people.
- **Upper Los Angeles River Area (ULARA) Watermaster.** Special counsel to the Watermaster on the full range of water issues relating to the ULARA, which provides approximately 15 percent of the City of Los Angeles' total water supply needs. Successfully represented the Watermaster in litigation concerning chromium VI contamination in the San Fernando Valley and in preventing the waste of water valued at over \$10 million.
- **Apple Valley Ranchos Water Company.** Served on the appellate team that successfully litigated water rights in the Mojave River System before the California Supreme Court. Confirmed client's water rights valued at over \$50 million. Advised client in the preparation of its Urban Water Management Plan and SB 610 water supply assessments for major commercial developments. Also advising on rights to reclaimed water discharged to the Mojave River in a matter before the State Water Resources Control Board. Representation includes advising on Safe Drinking Water Act standards and handling water rights transfers.
- **City of Santa Monica.** Served as water rights counsel to the City in groundwater litigation involving MTBE contamination in the Charnock Basin. Matter settled favorably for the client.
- **California Water Association.** Assisted with the preparation of a template joint powers agreement for use in streamlining the formation of Groundwater Sustainability Agencies under the Sustainable Groundwater Management Act, including legal research regarding governance issues.
- **Cities of Pismo Beach, Grover Beach, Arroyo Grande and the Oceano Community Services District.** Successfully represented these public water suppliers in the water rights adjudication of the Santa Maria Valley Groundwater Basin. Defeated landowners' claims that their water rights were superior to clients' rights, and prevailed on clients' cross-claims by obtaining declaratory relief and a physical solution to manage the groundwater basin in the future. The litigation involved more than 1,000 parties.
- **Standard Pacific Homes.** Assisted client with land use entitlements, environmental due diligence and SB 221 water supply assessments for large residential developments.
- **Southern California Edison.** Advised client on its water rights associated with the successful sale of its 26 hydroelectric plants throughout California. Reviewed documentation from as early as 1887, including contracts, notices of appropriation and judgments relating to water rights associated with each project.

#### Professional Affiliations

Association of California Water Agencies, Appointed Member of the Legal Affairs Committee  
American Bar Association, Water Resources Committee  
Association of Groundwater Agencies, Pro Bono Special Counsel  
Southern California Water Committee, Inc.



American, California State and Los Angeles County Bar Associations, Environmental Sections  
Triedstone Church, Board of Trustees  
Water Education Foundation Alumni Association

#### Presentations

Speaker, "Implementation of the Sustainable Groundwater Management Act (SGMA)," Nossaman Drought Solutions Webinar Series, September 20, 2016.  
Speaker, "The Role of County Counsels in Sustainable Groundwater Management," Nossaman Webinar, July 28, 2016.  
Panelist, "The Sustainable Groundwater Management Act (SGMA)" 2015 CLE International California Water Law Conference, San Francisco, CA, October 8, 2015.  
Speaker, "Sustainable Groundwater Management Act," California Water Association, May 14, 2015.  
Speaker, "Water Quality Challenges During a Time of Drought," Association of California Water Agencies, May 2014.  
Speaker, "Groundwater Contamination Litigation: Proving and Defending Against Liability," Strafford CLE, October 10, 2013.  
Speaker, "Perchlorate and the Colorado River," CLE International Water Law Conference, January 24, 2013.  
Speaker, "Groundwater Contamination," Association of California Water Agencies' 2011 Continuing Legal Education for Water Professionals, September 23, 2011.  
Speaker, "The Clean Water Act: EPA's Water Transfer Rule and Recent Congressional Developments," Association of California Water Agencies, December 3, 2009.  
Speaker, "External Utility Stewardship: Conjunctive Use," California Water Association, November 10, 2009.  
Speaker, "Current Urban Water Use Issues," California Water Association, June 5, 2008.  
Speaker, "Water Supply: Turning Case Law into a CEQA Analysis," Association of Environmental Professionals, Chapman University, May 12, 2008.  
Speaker, "Watermasters," CLE International Water Law Institute, November 2, 2007.  
Speaker, "Litigation and Emerging Contaminants," American Water Resources Association, Vail, Colorado, June 26, 2007.  
Speaker, "Watermasters and the Management of Adjudicated Groundwater Basins," CLE International, October 27, 2006.  
Speaker, "Water Supply and Development: SB 610 and SB 221," Building Industry Association of the San Joaquin Valley Members, March 16, 2006.  
Speaker, "Urban Water Management Plans. What Can Go Wrong? Some Case Studies," Urban Water Institute, Riverside, California, January 24, 2005.

#### Publications

Author, "Water Rules," *Los Angeles Lawyer*, February 2015.  
Author, "Historic Calif. Groundwater Bills are Dry on Specifics," *Law360*, September 17, 2014  
Author, "The Federal Government's Liability in Cost Recovery Actions," *Daily Journal*, March 31, 2011.  
Author, "No Crystal Ball for Predicting Water Supplies," *Daily Journal*, October 27, 2010.  
Co-Author, "Prescriptive Water Rights Confirmed," *The Friday Letter*, California Water Association, May 23, 2008.  
Author, "Legislation Introduced to Amend Key Provisions of the Clean Water Act," *American Bar Association Environmental Section Newsletter*, August 2005.  
Author, "Supreme Court Rules that Water Pumps Not Generating Pollutants Are Point Sources under the Clean Water Act," *California Environmental Law Reporter*, July 2004.  
Author, "Groundwater Management and Conjunctive Use," *Water Education Foundation*, November 1999.  
Co-Author, "Will Court Ruling Increase Superfund Liability?" *Legal Opinion Letter*, *Washington Legal Foundation*, July 8, 2011.



Education

J.D., Harvard Law School, 1996

B.A., University of California, Berkeley, 1993, Phi Beta Kappa

Admitted

California

United States Supreme Court





## Gina Nicholls | Associate

Gina Nicholls is a member of Nossaman's Water Practice Group and represents public agency clients and investor-owned utilities. Ms. Nicholls has litigation, regulatory, and transactional experience. Her practice focuses on water rights, California public agencies, and limitations imposed by the state constitution on water-related rates, fees, and charges. She was named a Super Lawyers "Southern California Rising Star" in 2016 by *Los Angeles* magazine.

Prior to joining Nossaman, Ms. Nicholls practiced complex litigation at a large international law firm. Ms. Nicholls also worked as an attorney in the office of general counsel of a federally funded research laboratory and institute of higher education. Before attending law school, Ms. Nicholls worked as a consulting environmental engineer and served in the United States Navy.

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### Practice Areas & Industries

- Water

### Representative Work

- **Proposition 218.** Provided legal advice to several public agency clients regarding potential changes to water or sewer fees and charges.
- **California Water Association.** Assisted with the preparation of a template joint powers agreement for use in streamlining the formation of Joint Powers Authorities to serve as Groundwater Sustainability Agencies under the Sustainable Groundwater Management Act, including legal research regarding governance issues. Assisted with preparing public comment letters to state agencies including the Department of Water Resources and the State Water Resources Control Board.
- **City of Ontario.** Advising the City on ongoing basis in connection with a wide range of water-related legal issues including regional water and sewer system management and proceedings seeking to amend the Chino basin judgment.
- **Imperial Irrigation District.** Assisting with the District's defense to a writ of mandate brought by agricultural water users to challenge the District's water distribution plan.
- **San Gabriel Valley Water Company, Fontana Water Company, and Fontana Union Water Company.** Litigating a complex water rights dispute involving numerous issues arising under the Orange County judgment, the Western-San Bernardino judgment, and other water-related decrees and doctrines. Monitoring and preparing public comments regarding proposed basin boundary modifications under the Sustainable Groundwater Management Act.
- **Goleta Water District.** Assisted with a water rights lawsuit brought by the District in Santa Barbara Superior Court against a private water user.

### Presentations

- Speaker, "Drought, Conservation Pricing, and the Law," Association of Water Agencies (ACWA) fall conference, November 30, 2016.
- Speaker, "Stormwater Capture: Water Supply Issues and Opportunities," Nossaman Drought Solutions Webinar Series, October 13, 2016.
- Speaker, "Implementation of the Sustainable Groundwater Management Act (SGMA)," Nossaman Drought Solutions Webinar Series, September 20, 2016.
- Speaker, "The Role of County Counsels in Sustainable Groundwater Management," Nossaman Webinar, July 28, 2016.
- Speaker, "Water Rights in California," NBI Water Law Conferences, January 11, 2016, September 13, 2016, and September 14, 2016.



Speaker, "Proposition 218, Conservation Pricing, and SGMA," 2015 CLE International California Water Law Conference, October 8, 2016; NBI Water Law Conferences, September 13, 2016, and September 14, 2016.

#### Publications

Co-Author, "Newhall Case Applies Proposition 26 to Wholesale Water Rates," March 3, 2016.  
Author, "Are Groundwater Pumping Fees or Charges Subject to Proposition 218? California Supreme Court to Resolve Conflicting Precedent," January 14, 2016.  
Co-Author, "Deadlines Fast Approaching to Modify Groundwater Basin Boundaries Under New Regulation," December 1, 2015.

#### Education

J.D., University of California, Los Angeles, School of Law, 2009; *UCLA Law Review*  
B.S., Massachusetts Institute of Technology, 2000

#### Admitted

##### California

United States District Court, Central District of California  
United States Court of Appeals, Ninth Circuit





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**Practice Areas & Industries**

- Public Agency Law
- Environment and Land Use
- Litigation
- Employment
- Healthcare
- Land Development
- Water

**Lloyd W. Pellman | Partner**

Bill Pellman has extensive experience in municipal law, governmental litigation, land use and mediation. Prior to joining Nossaman, he served as the ninth County Counsel of Los Angeles County. His 31 years with the County Counsel's office covered a myriad of responsibilities and legal areas. These included being legal advisor to the Board of Supervisors, County Districts, the Metropolitan Transportation Authority, County Superintendent of Schools, the Superior Courts and special districts.

For 20 years, Mr. Pellman was the advisor to the Los Angeles County Local Agency Formation Commission. Subsequent to his service as the County Counsel of Los Angeles, he assisted and advised public agency clients and private clients regarding a variety of government law issues.

**Representative Work**

- **Central Basin Municipal Water District.** Serves as Assistant General Counsel, assisting in responding to a State Legislative Audit, and implementation of changes to procedures through updating the District's Administrative Code. The District wholesales both potable and recycled water for over two million residents within its boundaries.
- **Foothill Gold Line Construction Authority.** Serves as Assistant General Counsel to this statutory authority responsible for the construction of the extension of the LA Metro Gold Line eastward from Pasadena through the San Gabriel Valley to Montclair.
- ***Medical Acquisition Company v. Tri-City Healthcare District.*** Served as a designated expert witness rebutting Government Code section 1090 allegations in a five week consolidated trial of lawsuits and cross-complaints with additional claims of breach of contract, eminent domain, and various torts, resulting in a jury award to the client of \$20 million.
- **Rainbow Municipal Water District.** Served as special counsel to this San Diego County district in successfully resisting a reorganization in proceedings before the San Diego County Local Agency Formation Commission in which the Fallbrook Public Utility District sought to dissolve the Rainbow Municipal Water District and annex the territory. Despite the strong recommendation of the staff, the Commission voted 5 to 3 to reject the reorganization.
- **County of Los Angeles.** Participated in successful defense of proposed class action attacking the County of Los Angeles transient occupancy tax as violating Proposition 62 in a decision that was upheld on appeal in 2014 in an unpublished decision *RAJENDRA PERSHADSINGH v. County of Los Angeles*.
  - Participated in successful defense of a post-election challenge to the County of Los Angeles voter approved measures for transient occupancy taxes and its landfill tax.
  - Participated in successful defense of a lawsuit filed by a city seeking a court order prohibiting the County from including the issue of sales tax sharing in the course of negotiating a property tax exchange pursuant to California Revenue and Taxation Code section 99 to enable annexation to be processed.
- **Confidential Client.** Served as a consultant to provide advice as to compliance with the California Park Preservation Act in a proposed exchange of property.



- **Exposition Metro Line Construction Authority.** Assisted in the successful defense at the trial court, Court of Appeal and California Supreme Court of a challenge to compliance with the California Environmental Quality Act (CEQA) for Phase 2 in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal. 4th 439.
- **Confidential clients.** Assisted an association of homeowners in developing their position regarding property rights resulting from a 1904 tract map which created a marginal or perimeter street which was never timely accepted, never developed and never used by the general public for such purposes.
- **Confidential client.** Drafted two initiatives for an association seeking to establish additional land use regulations and to implement a tax on the newly regulated land uses.
- **Confidential clients.** Assisted a variety of private clients in understanding governmental laws, policies, and procedures in addressing a variety of issues resulting from governmental regulations, permitting procedures, and environmental clearances.
- **Various public agencies.** Assist various public agencies in dealing with issues regarding the Ralph M. Brown Act, the California Public Records Act, the California Political Reform Act, and other statutory mandates.
- ***Chapman v. Superior Court*** (Malcolm), (2005) 130 Cal. App. 4th 261, [29 Cal. Rptr. 3d 852]. Served as the designated expert witness as to the standard of care of a public agency attorney in advising officials regarding Government Code section 1090.
- **Monterey County.** Coordinated analysis of general plan initiative and associated compliance with Federal Voting Rights Act. Also successfully defeated a trial court challenge seeking to remove from the ballot a measure proposed by the Board to compete with a land use initiative; ruling was allowed to stand by the Court of Appeal.
- **Napa County.** Coordinated statutory analysis of general plan initiative.
- **Confidential County.** Provided consultation and advice to a County and its County Counsel regarding the Brown Act and subsequent litigation, resulting in a denial of relief to the complaining parties, affirmed on appeal.
- **Confidential Client.** Served as a designated expert witness in cross actions regarding the standard of care of a private attorney representing and advising a public agency, resulting in settlement payment of more than \$1 million to the client for services rendered.
- **Metropolitan Water District.** Served as special counsel in advising the Board during closed session interviews of candidates for General Manager and in reviewing candidates for General Counsel and advising the Board during closed session interviews of selected candidates. Investigated alleged violations of ethics provisions and conflict of interest in a contract. Also conducted a “360 degree” evaluation of a manager in conjunction with Claremont’s Peter F. Drucker and Masatoshi Ito Graduate School of Management.
- **Various Clients.** Assisted in analysis and advice regarding a variety of planning and permitting issues.
- **Los Angeles County Local Agency Formation Commission.** Conducted pro bono mandated ethics training at statewide conference hosted by Los Angeles County LAFCO.



- **Confidential City.** Served as special counsel to a city regarding the process for amending its boundary with an adjacent city.
- **Confidential City.** Served as special counsel to conduct limited peer review of representation by another firm in a trial court matter.
- Served as lead counsel in negotiating the settlement of federal litigation attacking the County of Los Angeles ordinance restricting the sale of guns and ammunition on County owned property and the claims for damages by the previous gun show operator at the County fairgrounds located within a city.
- Served as lead counsel in negotiating the settlement of a lawsuit seeking placement on the ballot of an initiative to impose limits of two terms on Los Angeles County Supervisors commencing in December of 2000, resulting in a ballot measure to impose three consecutive terms commencing in December of 2002.
- Served as lead counsel in negotiation of nine class action federal lawsuits alleging damages for over-detentions and strip searches of persons in custody of the Los Angeles County Sheriff's Department on terms favorable to the County as to the amount of damages, payments over time, and portions of the settlement fund to be spent on improving programs for inmates.
- Mediated issues between two groups of shareholders of two closely held corporations (one the holder of a patent and the other the holder of a license to use the patent) resulting in an exchange of shares of one corporation, which then dissolved, for shares of the other corporation, averting a threatened collapse of both corporations. The surviving corporation continues to manufacture and sell its product on a national scale.
- Served as lead counsel in negotiating the settlement of multiple consolidated federal lawsuits contending that Los Angeles County Sheriff's Deputies systematically violated the constitutional rights of individuals within the service area of a particular Sheriff's station with a portion of the settlement amount being set aside for the Sheriff's Department to provide additional training for Sheriff's Deputies.
- Defended the County of Los Angeles in state and federal court in lawsuits alleging failures to comply with the California Environmental Quality Act and the National Environmental Policy Act.
- Represented the County of Los Angeles in a proceeding under the National Historic Preservation Act and negotiated with the State Historic Preservation Officer an agreement on terms which permitted the County project to proceed.
- Reviewed draft environmental documents and advised County departments and elected officials regarding compliance with legal requirements for a number of projects including Kenneth Hahn State Recreation Area, Pan Pacific Park and Santa Fe Dam Recreation Area.
- Retained by the Metropolitan Water District as special counsel to investigate and prepare a written report on an alleged ethics violation.
- Served as an expert witness for the plaintiff in a lawsuit involving Government Code 1090 conflict issue and as an expert witness for a defendant in a lawsuit regarding the attorney's ethical duties to a public agency.



- Served as the Chair of the Los Angeles County Metropolitan Transportation Authority Settlement Committee from its creation until April 2004.
- Served as a member of the Los Angeles County Claims Board for 20 years.
- Authored State legislation which permits counties to lease its real property to private lessees for revenue purposes and assisted in the negotiation of the first leases utilizing that authority.
- Authored State legislation to prohibit various actions concerning facsimile badges of firefighters.
- Co-authored the first local ordinance to regulate training requirements, equipment standards and Charter boat activities relating to SCUBA diving; and assisted in the successful defense of the lawsuit challenging the ordinance on preemption grounds.
- Co-authored an opinion on a revolving door issue and conducted a session on ethics at an annual conference of the California Association of Local Agency Formation Commissions.

#### Professional Affiliations

##### State Bar of California

California General Counsel Forum, Founding Executive Committee Member  
County Counsels' Association of California, Former Member of the Board of Directors,  
Former Second Vice President, Former Treasurer, Former Member of Litigation Overview  
Committee, Opinion Overview Committee and several Ad Hoc Committees  
Los Angeles County Management Council, Member, Former President  
Loyola Law School Alumni Association Board of Governors' Award, March 2001  
Chancery Club, Member

#### Presentations

Presenter, "Managing Outside Counsel Within Budget," County Counsels' Association of California Civil Law and Litigation 2012 Conference, April 19, 2012.

Presenter, "Pitfalls and Must-Haves When Hiring Independent Contractors," California Association of Community Managers (CACM), May 2007.

Panelist, "Succession Planning and the Grooming and Cross-Training of Deputies," County Counsels' Association of California Annual Meeting, Marina del Rey, September 15, 2006.

Speaker, "Capital Facilities Fees - San Marcos and Beyond," Association of California Water Agencies' Continuing Legal Education Workshop, Costa Mesa, October 6, 2005.

#### Education

J.D., Loyola Law School, 1972

B.S., Ohio State University, 1965

#### Admitted

##### California

United States District Court, Central District

Ninth Circuit Court of Appeal

United States Supreme Court





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**Practice Areas & Industries**

- Insurance
- Litigation
- Employment
- Healthcare

**Carl L. Blumenstein | Partner**

Carl Blumenstein specializes in complex business litigation, primarily insurance coverage, antitrust, and employment law disputes. For more than 20 years, he has provided counsel and representation to clients in trial and appellate courts and in myriad disputes.

On behalf of policyholders, he has obtained millions of dollars of insurance recoveries for environmental, employment, and intellectual property matters. Presently, he is representing one of the world's leading manufacturers of TFT-LCD panels in a nationally high-profile criminal and civil antitrust proceeding. His employment law experience includes representing private and public entities and individual employees in disputes involving wrongful termination, discrimination and harassment, disability, drug testing, trade secret misappropriation, and violations of constitutional law. Over the past decade, Mr. Blumenstein, a user-friendly neutral, has mediated more than 50 civil disputes.

Mr. Blumenstein clerked for the Honorable Charles A. Legge, District Judge of the United States District Court in San Francisco, and also for the Honorable Daral G. Conklin, United States Magistrate for the District of Hawaii.

**Representative Work**

- ***United States v. AU Optronics.*** Represents leading global manufacturer of TFT-LCD panels in multi-billion dollar antitrust prosecution.
- ***In re TFT-LCD Antitrust Litigation.*** Represents global manufacturer of TFT-LCD panels in complex multi-district antitrust litigation and related opt-out and state enforcement proceedings. Defended client in five-week trial against nationwide retailer. Litigating cutting-edge issues in circuit courts and U.S Supreme Court.
- ***Aerojet-General Corp. v. Fidelity & Casualty Ins. Co.*** Represented policyholder in action seeking reimbursement of defense and indemnity expense in connection with allegations of chemical releases arising from TCE (and other VOCs), NDMA and perchlorate exposure at and near Azusa site.
- ***Aerojet-General Corp. v. Transport Indemnity Co.*** (17 Cal. 4th 38 (1997)) Represented policyholder in appeals seeking reimbursement of defense and indemnity expense in connection with historical chemical releases at Sacramento site. Obtained landmark appellate decision, holding that investigative expenses are recoverable as defense expenses.
- ***Aerojet-General Corporation v. Transcontinental Ins. Co.*** Represented policyholder. This case of first impression under California law adjudicated the circumstances by which settlements with primary insurers would establish policy exhaustion in a case involving continuing environmental loss.
- ***LSI Corporation.*** Successfully defended high-tech client in an alleged breach of a lease agreement. After prevailing on summary adjudication motion, case proceeded to trial, and client obtained affirmative recovery.
- ***American States Water Co. v. Aerojet-General Corp.*** Defended aerospace manufacturer against utility's claims arising from alleged chemical contamination of groundwater.
- ***Children's Hospital and Research Center, Oakland v. WCAB, 2010 Cal.App. Unpub. LEXIS 8027.*** Successfully invoked statutory and constitutional privacy protections to obtain Court of Appeal decision to maintain confidentiality of medical files of HIV-infected children.



- **Photon Dynamics, Inc. v. Nat'l Union Fire Ins. Co.** Filed lawsuit against D&O and EPL insurers and successfully recovered defense expenses after high-tech client obtained jury verdict on securities and misrepresentation claims in lawsuit by former officer.
- **City of Richmond v. Levin Enterprises.** Pursued insurers who provided coverage dating back over 40 years and successfully obtained nearly complete recovery of settlement and defense expenses incurred by client—all without filing litigation.
- **Trend Micro.** Obtained insurance reimbursement for litigation expenses, without filing lawsuit, in high-stakes patent infringement litigation for a software manufacturer.
- Assisted semiconductor manufacturer in coverage disputed under technical errors and omissions policy.
- Successfully asserted owners' rights and obtained a settlement from the title insurer, without filing suit, when owners of a historically significant live-work space learned that the title policy had failed to disclose a 100-year old deed that threatened rights to access the property.
- Represented high-tech client in successfully obtaining insurance coverage under a technical errors and omissions policy for product-related claims asserted by an international customer.

#### Awards & Honors

AV Preeminent® Peer Review Rated by Martindale-Hubbell.  
Named a Northern California "Super Lawyer" by *San Francisco* magazine in 2004 (Insurance Coverage), 2011 (Antitrust Litigation), and 2012-2016 (Insurance Coverage).

#### Professional Affiliations

ProVisors, Group Leader

#### Presentations

- Speaker, "Is Your Policy Panacea or Placebo," Silicon Valley Association of General Counsel's 27<sup>th</sup> Annual All Hands Meeting, October 28, 2015.
- Speaker, "Dodging Bullets at the O.K. Corral: How to Investigate and Resolve the Many Issues that Arise in a Questionable Jewellery Loss Without Resorting to Cowgirl Tactics or Litigation," 2014 Malta Conference, St. Julians, Malta, October 24, 2014.
- Speaker, "Stay Ahead: Can Insurance Ease the Headache of Employee Claims?," Nossaman and Lockton Insurance Brokers Seminar, Santa Clara and San Francisco, CA, March 17 and 18, 2009.
- Speaker, "Stay Ahead: 2009 Emerging Employment Issues," Nossaman Employment Law Seminar, January 2009.
- Speaker, "Beauty Contests, RFPs, and Your Best Friend's Cousin: How NOT to Choose a Lawyer (or a Prom Date)," Association of Corporate Counsel (ACC) San Francisco Bay Area Chapter, CLE Spring Training Day, Burlingame, CA, April 18, 2008.
- Speaker, "Independent Contractors," Nossaman New Developments in Employment Law Seminars, November 2007.
- Speaker, "Directors & Officers and Employed Lawyers Liability Insurance: Your 2007 Guide to More Comprehensive Coverage," Silicon Valley Association of General Counsel, August 17, 2007.
- Speaker, "Your Liability Policies – Air Bag or Hot Air?" Association of Corporate Counsel (ACC) San Francisco Bay Area Chapter, July 2007.
- Speaker, "Sexual Harassment Training," Client Presentation, June 5, 2007.
- Speaker, "Legal Update: Privacy in the Workplace," East Bay Affiliate of the National Human Resources Association, May 17, 2007.
- Speaker, "New Federal Rules of Civil Procedure on 'Electronically Stored Information'," Client Presentation, November 29, 2006.



Speaker, "What Strategy Will You Use If Your Company Makes a Claim and Your Insurance Company Tells You 'You're Not Covered'?" Association of Corporate Counsel - Southern California Chapter, September 20, 2006.

#### Publications

Author, "Navigating The Product Liability Coverage Obstacle Course," *Law360*, October 29, 2015.

Co-Author, "When Antitrust Disputes Loom, Businesses Need to Make Savvy Arbitration Decisions," *Today's General Counsel*, December/January 2014.

Author, "Avoiding 'Health Factor' Discrimination," *Daily Journal*, February 16, 2007.

Author, "Employers Must Protect Themselves Against Liability Over Illegal Workers," *San Francisco Daily Journal*, September 22, 2006.

Co-Author, "Insurance Coverage: A Year in Review," *Risk Factor*, February 1, 2006.

Co-Author, "Unleashing the Value in Lost or Missing Insurance Policies," Submitted to the Advanced National Forum on Environmental Insurance Coverage and Claims, New York, NY, December 6, 2005.

Co-Author, "A Policyholder's Settlement with Some Insurers Does Not Cut Off Its Access to Others," *Environmental Claims Journal*, Summer 2003.

Co-Author, "Insurers Are Obligated to Defend until Coverage Appeals Are Resolved," *Journal of Insurance Coverage*, Spring 2000.

#### Education

J.D., University of California, Berkeley School of Law, 1986

A.B., Princeton University, 1982, *cum laude*

#### Admitted

California

All Federal Courts in California

Ninth Circuit Court of Appeals





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**Practice Areas & Industries**

- Environment and Land Use
- Climate Change
- Land Development
- Home Building
- Real Estate
- Water
- Energy

## **Mary Lynn K. Coffee | Partner**

Mary Lynn Coffee has extensive experience providing strategic, legal and regulatory advice and counsel with respect to complying with, and permitting under the federal Clean Water Act, the California Porter Cologne Water Quality Control Act, the California Fish and Game Code, as well as CEQA, NEPA and state and federal water quality, wetlands, endangered species, and other natural resource protection laws. She provides advice for successfully obtaining and defending, or administratively challenging and moderating the requirements of general and individual Clean Water Act Section 402 NPDES Discharge Permits; Porter Cologne Waste Discharge Requirements and Waivers; Clean Water Act Section 401 water quality certifications; Clean Water Act Section 404 Permits; Porter Cologne Waste Discharge Requirements for dredge and fill discharges to land, or discharges to groundwater; Cal. Fish and Game Code Section 1602 Streambed Alteration Agreements; and state and federal Endangered Species Act permits. She also provides advice regarding the preparation of informative and defensible CEQA/NEPA documents.

Ms. Coffee has unique and specialized experience and expertise in the development, preparation and implementation of multi-agency, and/or multiple stakeholder regional or watershed based permitting and compliance protection programs, including Clean Water Act and Porter Cologne Special Area Management Plan (SAMPs) and other water quality management plans and programs to address Section 303(d) impaired water bodies and TMDLs, Individual NPDES Permits, General NPDES Phase I and Phase II MS4 Permit requirements (including low impact development requirements), Construction Activities General NPDES Permit requirements, Industrial General NPDES Storm Water Permit requirements, and other surface and ground water quality requirements. In addition, Ms. Coffee has substantial experience in developing and implementing compliance programs for Clean Water Act and Porter-Cologne general storm water and individual NPDES permits, Section 1602 Agreements, and state and federal Endangered Species Act permits and related Natural Community Conservation Plans (NCCPs) and Habitat Conservation Plans (HCPs).

Ms. Coffee is at the forefront developing legislative, policy, and regulatory initiatives to respond to ever-changing requirements imposed on public agencies and private entities under the federal Clean Water Act, Porter Cologne, the state and federal Endangered Species Acts, and CEQA and NEPA. Most recently such work has included development of administrative and legislative approaches for streamlining environmental approvals required to implement storm water capture, advanced purification, recycled water, and other “new water” projects.

### **Representative Work**

- **Ventura Water.** Ms. Coffee leads the Nossaman team as special environmental counsel for Ventura Water, a division of the City of Ventura, assisting the City in developing and implementing an integrated and comprehensive regulatory permitting and compliance strategy for obtaining environmental approvals needed for, and assuring compliance with environmental regulations applicable to discharges of tertiary treated wastewater to both the Santa Clara River Estuary, as well as to advanced purification recycling facilities and reclamation uses. Specific tasks for the City include advice, counsel and representation of Ventura Water with respect to: amendment, renewal and compliance with requirements of: the City's Section 402 NPDES Permit and Waste Discharge Requirements issued under the CWA and Porter-Cologne; compliance with and permitting under the state and federal Endangered Species Acts; compliance with and permitting under Sections 401 and 404 of the CWA; compliance with and permitting under the Streambed Alteration Agreement provisions of the California Fish and Game Code; and compliance with CEQA



and NEPA requirements related to permitting. Simultaneously, Ms. Coffee is responsible for coordinating these regulatory activities with Nossaman's defense of third party water quality related citizen suits and administrative challenges, administrative civil liability complaints, and other enforcement actions. Ms. Coffee was also the primary architect of a comprehensive Consent Decree settling third party citizen suit claims and administrative challenges under the CWA and Porter-Cologne, and she now works on the behalf of Ventura Water with all regulatory agencies and two nongovernmental organizations (Heal the Bay and Ventura Coastkeeper) to implement the settlement agreement in coordination with satisfying Ventura Water's other regulatory compliance obligations.

- **Irvine Ranch Water District.** Ms. Coffee leads the Nossaman team serving as special environmental counsel for IRWD. As special counsel, Ms. Coffee's team provides services that include strategic regulatory affairs advice and legal counsel with respect to: CEQA analyses of projects for IRWD and projects of concern proposed by other lead agencies; the impacts of proposed and new environmental legislation and regulations on IRWD operations; permitting and compliance under the federal Clean Water Act, Porter Cologne, state and federal Endangered Species Acts, Dept. of Fish and Wildlife Streambed Alteration Agreements, and other wetlands, water quality and environmental requirements and regulations; defense of third party water quality related citizen suits and administrative challenges; defense of administrative civil liability complaints, and other enforcement actions; and negotiation and implementation of several regulatory and stakeholder-driven TMDL programs to address Section 303(d) impaired water bodies, General NPDES Phase I Permit, General NPDES Construction Activities Permit, and General NPDES Industrial Storm Water Permit requirements (including TMDL effluent limitations and low impact development requirements), and other surface and ground water quality requirements.
- **San Jose Water Corporation.** Ms. Coffee leads the Nossaman environmental team in providing regulatory affairs and legal advice regarding state and federal environmental permitting for new water supply projects, including recycled water projects, as well as opportunities for streamlining of state and federal environmental permits, and CEQA and NEPA environmental reviews for new public infrastructure related to indirect and direct potable supply projects. Duties include advice and counsel under the federal Clean Water Act, the Porter-Cologne Water Quality Control Act, state and federal Endangered Species Acts, and Cal. Dept. of Fish and Wildlife Streambed Alteration Agreements.
- **California Water Association.** Ms. Coffee assists the California Water Association in moderating the terms and conditions of proposed federal Clean Water Act/Porter Cologne precedential water quality orders, NPDES discharge permits, and water quality and enforcement policies, guidelines and programs. She provides legal and policy advice with respect to Clean Water Act and Porter Cologne issues on an ongoing basis to the Association's Water Quality Committee.
- **Orange County Transportation Corridor Agencies.** Ms. Coffee assists the client in complying with the requirements of, and obtaining federal Clean Water Act Section 404 permits, Clean Water Act Section 401 water quality certifications, Cal. Dept. of Fish and Wildlife Streambed Alteration Agreements, implementation of the Central Coastal NCCP/HCP and related as well as new state and federal Endangered Species Act permits for toll road construction and improvements. Duties also include legal advice with respect to compliance with water quality regulations, TMDLs, storm water quality NPDES Permit requirements (including MS4 NPDES Storm Water Permits and the General Construction NPDES Storm Water Permit), and development of comprehensive environmental law and permit compliance programs.
- **California High Speed Rail Authority.** Ms. Coffee leads the Nossaman team serving as special environmental counsel to assist the client in complying with the requirements of, and obtaining federal Clean Water Act Section 404 permits, Clean Water Act Section 401 water quality certifications, state and federal Endangered Species Act permits, Cal. Dept. of Fish and Wildlife Streambed Alteration Agreements, and other state and federal



approvals required for the construction of the high speed rail facilities and improvements, and establishment of habitat and species mitigation banks. Client duties also include legal advice with respect to compliance with water quality regulations, TMDLs, storm water quality NPDES Permit requirements (including MS4 NPDES storm water permits and the General Construction NPDES Storm Water Permit), and development of comprehensive environmental law and permit compliance programs.

- **City of Irvine Orange County Great Park.** Ms. Coffee served as special environmental counsel to the Orange County Great Park, one of the nation's largest public works projects. Nossaman provided strategy, advice, and counsel with respect to compliance with and approvals and permitting under CEQA, NEPA, endangered species, wetlands, water quality and all other environmental resource protection laws and regulations. Specific highlights for this representation included obtaining the permit amendments for, and complying with federal Clean Water Act Section 404 permits, Section 401 water quality certifications, state and federal Endangered Species Act permits, Cal. Dept. of Fish and Wildlife Streambed Alteration Agreements, and other state and federal approvals required for the construction of the Great Park facilities and establishment of a wildlife corridor, habitat mitigation bank, and water quality mitigation bank implementation and modification. Ms. Coffee also provided advice to the client and its private development co-builder with respect to contributions that the Park and the surrounding private transit-oriented development can make to green building standards, the City of Irvine's Conserve Energy Plan, the City's AB 32 Climate Action Plan, and the subregion's compliance with SB 375.

#### Awards & Honors

Named the Building Industry Legal Defense Volunteer of the Year in 2016 by the Building Industry Association's Orange County Chapter.

Chosen for individual recognition for Environmental Law in California by *Chambers USA*, 2016

Named to California's "Top Women Attorneys" list in 2016 by *The Daily Journal*

Named a Southern California "Super Lawyer" and "Top Women Attorneys" for Environmental Law in 2011 - 2016 by *Los Angeles* magazine.

Named Orange County's Outstanding Volunteer Fundraiser for 2013.

#### Professional Affiliations

Building Industry Legal Defense Foundation, Board Member

California Building Industry Association Select Conference on Industry Litigation, Member

California Building Industry Association Regulatory Affairs Committee, Member

California Building Industry Association Governmental Affairs Committee Member

Construction Industry Coalition for Water Quality, Member

California Building Industry Water, CEQA, and Climate Change Task Forces

California Association of Storm Water Quality Agencies (CASQA), Member

California Association of Sanitation Agencies (CASA), Attorneys' Committee Member

American, California and Orange County Bar Associations, Member

Association of Women in Water, Energy and Environment, Member

#### Presentations

Speaker, "Stormwater Capture: Water Supply Issues and Opportunities," Nossaman Drought Solutions Webinar Series, October 13, 2016.

Panelist, "Integration of Storm Water Into Water Supply Planning Panel," Urban Water Institute's 23<sup>rd</sup> Annual Conference, San Diego, CA, August 25, 2016.

Speaker, "Stormwater Capture: Water Supply Threats and Opportunities" Association of Clean Water Agencies Conference, Monterey, CA, May 5, 2016.

Speaker, "2016 'Wetlands and Waters' Regulations," American Planning Association, California Chapter, Orange Section, Irvine, CA, January 28, 2016.



Speaker, Law Seminars International "New" Water CLE Conference, "New Water: 'Pollution' Meets Water Supply," Anaheim, California, October 5-6, 2015.

Speaker, Nossaman Environmental Legal Update: "The Federal Clean Water Act Jurisdictional Waters of the United States: The 2015 Clean Water Rule," Newport Beach, CA, September 22, 2015.

Speaker, "The Proposed Wetlands Rule: The Good, The Bad and The Ugly," Building Industry Legal Defense Foundation Law and Policy Conference, Los Angeles, CA, October 2, 2014.

Speaker, "California High Speed Rail Authority: Advancing Sustainable Design," California Endowment Program for Transportation and Heavy Industry in an Era of Low Impact Development, Los Angeles, CA, September 30, 2014.

Speaker, "Clean Water Act Permits for Public Water System Discharges," San Gabriel Valley Water Association, May 29, 2014.

Speaker, "Integrating NEPA and Other Regulatory Requirements," 9th Annual CLE NEPA Conference, San Francisco, CA, April 22, 2013.

Speaker, "20th Century Water Quality Regulations; 21st Century Problems," CASQA 8th Annual Conference, San Diego, CA, November 5, 2012.

Speaker, "Low Impact Development, Storm Water Permitting, and Water Supply," Conference on California Water Law, San Diego, CA, May 4, 2012.

Speaker, "Storm Water Discharge Permitting and Regulation" Southern California Environmental Law Symposium, Whittier Law School, Orange County, CA, February 17, 2012.

#### Publications

Co-Author, "Clean Water Rule (WOTUS) Update," *The Natural Lawyer*, January 2016.

Co-Author, "Court Allows EPA to Stop Ongoing Projects, Years After Permits Were Granted," *Daily Journal*, May 28, 2013.

Interviewed and Quoted, "Builders and Developers Seek To Avoid Delays In Determinations of Federal Jurisdiction," Linda Roeder, Reporter, The BNA Daily Environment Report, December 16, 2010.

Interviewed and Quoted, "Green Infrastructure Could Cut Stormwater Pollution in Ventura County," Molly Peterson, Reporter, September 2, 2010.

Co-Author, "EPA Issues Final Water Transfers Rule: No NPDES Permit For Now, But Litigation Looms," The Inland Empire Field Report, June/July 2008.

#### Education

J.D., University of Texas School of Law, 1989, *with honors*  
B.S., Trinity University, 1985, *summa cum laude*

#### Admitted

California





## **Bernadette M. Duran-Brown | Partner**

Ms. Duran-Brown is an eminent domain and real estate litigation attorney primarily focusing on eminent domain, inverse condemnation, regulatory takings and valuation matters. Ms. Duran-Brown also has experience assisting clients with land use, entitlement matters, and landlord/tenant-related disputes.

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### **Practice Areas & Industries**

- Eminent Domain and Valuation
- Litigation

Ms. Duran-Brown has worked for some of the largest public agencies and projects in California, such as San Bernardino Associated Governments, San Diego Association of Governments, Los Angeles County Metropolitan Transportation Authority, Exposition Metro Line Construction Authority, and Los Angeles Unified School District. She plays an active role in project planning and implementation, from initial planning and the precondemnation acquisition process all the way through trial and appeal. She has advised public agency clients on a variety of infrastructure improvements, such as roadways, railroads, schools, and flood control projects. Her experience in project oversight and coordination ensures the necessary steps are taken to meet project construction schedules, thereby minimizing construction delays or the potential loss of project funding. Her team's early involvement results in a high percentage of voluntary acquisitions at a significant cost savings, and where agreements with property owners cannot be reached, her agency clients see far fewer challenges to their right to take or their attempts to secure prejudgment possession.

Ms. Duran-Brown also represents a broad-range of property and business owners in California, including Sprint/Nextel Corporation, T-Mobile, and Outback Steakhouse. She has experience litigating issues related to the acquisition of personal property and intangible rights, business goodwill claims, relocation issues, severance damages, precondemnation damages, entitlement and challenges to a project's environmental approvals.

### **Representative Work**

- **San Bernardino County Transportation Commission.** Currently representing SBCTC with the acquisition of approximately 65 properties for the Downtown San Bernardino Passenger Rail Project, a proposed Metrolink commuter rail line between San Bernardino and Redlands.
- **Exposition Metro Line Construction Authority.** Currently assisting Expo with acquiring commercially developed properties in Santa Monica necessary for future terminal stations for Phase II of the Project, along with securing easements for street widening and utility relocations.
- **San Diego Association of Governments.** Currently representing SANDAG with project planning, environmental approval, and right of way acquisitions for the Mid-Coast Corridor Transit Project, the Sorrento Valley Double Track Project, the South Bay BRT Project, and the Inland Rail Trails Project.
- **Los Angeles County Metropolitan Transportation Authority.** Currently assisting MTA with acquiring property necessary for the LAX/Crenshaw Transit Corridor Project and the Westside Subway Extension (Purple Line).
- **San Bernardino Association of Governments.** Represented SANBAG with acquiring portions of 150+ properties for the sbX E-Street Corridor Bus Rapid Transit Project, a 15.7-mile bus rapid transit line in the Inland Empire. Ms. Duran-Brown was part of the team that was able to secure possession of the entire right of way on an incredibly ambitious schedule to ensure the project secured necessary FTA funding. The team also ensured all property rights were obtained under project budget.



- **OCTA v. M&H Realty Partners.** Represented OCTA in an eminent domain and inverse condemnation action arising from the Placentia Avenue Grade Separation Project. The property owner and two national retail tenants, Home Depot and Sam's Club, cumulatively claimed nearly \$100 million in damages due to OCTA's acquisition and the purported impacts on the ability to redevelop the site. All owner and tenant claims were resolved shortly before trial for approximately 3% of the claimed damages.
- **SANBAG v. Luga.** Represented SANBAG in an eminent domain action to acquire a portion of a gas station where the property/business owner was seeking compensation for nearly 10 times SANBAG's appraised value. On the first day of trial, the court granted SANBAG's motions in limine and excluded the owner's appraisers' severance damages opinions. The case then resolved for a nominal amount above SANBAG's appraised value (an amount far less than SANBAG's previously exchanged final offer of compensation).

#### **Other Real Estate Litigation**

- **Nextel adv. 801 S. Los Angeles, LLC.** Represented Nextel in an unlawful detainer action related to a cellular telecommunications facility. Ms. Duran-Brown successfully briefed and argued a motion to quash service of the summons and the three-day-notice, which effectively concluded the matter and resulted in a dismissal by plaintiff.
- **Nextel adv. Campbell.** Represented Nextel in a breach of contract action related to a former cellular telecommunications site. Ms. Duran-Brown successfully settled the matter in mediation for a quarter of the compensation the plaintiffs were seeking from Nextel.
- **Natalie Anne Kotsch v. Hyo Koo Lee, et al.** Represented Ms. Kotsch regarding her complaint to quiet title by adverse possession, a feat rarely accomplished for an entire property, complete with improvements. Ms. Duran-Brown successfully obtained a default judgment in Ms. Kotsch's favor, which awarded her legal title and ownership of the home and property she had occupied since 2002.

#### **Awards & Honors**

Named a Super Lawyers "Southern California Rising Star" in 2014 - 2016 by *Los Angeles* magazine.

#### **Professional Affiliations**

Women in Transportation Seminars, Orange County Chapter, Mentoring Committee  
American Bar Association  
Orange County Bar Association  
International Right of Way Association, Chapter 67

#### **Presentations**

- Speaker, "Precondemnation Procedures: Acquiring Right of Way in a New World," Nossaman's 2016 Right of Way & Legal Strategies for Successful Project Delivery, March 1, 2016.
- Speaker, "Fun and Games and...Eminent Domain? A 2015 Recap," Nossaman's 2016 Eminent Domain Seminar.
- Speaker, "How Do Attorneys Select and Evaluate Experts," Appraisal Institute Annual Litigation Seminar, November 13, 2014.
- Speaker, "How Cellular Sites are Impacted by Public Projects," International Right of Way (IRWA) Chapter 57 Education Seminar, October 17, 2014.



Speaker, "How to be an Effective Litigation Expert and What Not To Do as An Expert," Cal Poly Pomona & Orange County Chapter of the California Land Surveyors Association's Joint Conference, September 26, 2014.

Speaker, "Expo v. Patchett – Leasehold & Goodwill Issues," IRWA Chapter 1 Annual Valuation Seminar, April 24, 2014.

Speaker, "How to Acquire Right of Way Without Blowing Your Project's Budget," Nossaman's 2014 Eminent Domain Seminar, March 20, 2014.

Speaker, "Cities vs. Banks: Eminent Domain and Mortgages," Santa Monica College Public Policy Institute's Public Policy Forum, October 28, 2013.

Speaker, "The Condemnation of Underwater Mortgages: Will it Float?" International Right of Way (IRWA) Chapter 1 Fall Seminar, October 23, 2012.

Speaker, "Everything You Need to Know About Appraisals for Litigation," American Society of Appraisers Seminar, March 21, 2012.

#### Publications

Author, "Open Questions About New Calif. Redevelopment Bill," *Law360*, September 29, 2015.

Co-Author, "Shifting the Date of Value for Public Agency Acquisition Appraisal Assignments," *The Appraisal Journal*, March 17, 2014.

Co-Author, "Precondemnation Vs. De Facto: A Cautionary Tale," *Law360*, September 11, 2013.

Co-Author, "Temporary Regulatory Takings Do Exist In Calif.," *Law360*, May 22, 2013.

Co-Author, "Eminent Domain Opinions Focus on 'Just Compensation,'" *Daily Journal*, January 4, 2013.

#### Education

J.D., University of Southern California, 2007  
B.A., Seattle University, 2004, *magna cum laude*

#### Admitted

California





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**Practice Areas & Industries**

- Real Estate
- Public Pensions and Investments
- Environment and Land Use
- Land Development

**Danielle Sveska Gensch | Partner**

Danielle Sveska Gensch's practice focuses on real estate and land use issues. She represents public agencies, pension funds, corporate entities and developers in a variety of real estate transactions, including acquisitions, dispositions, leasing and loan transactions. Ms. Gensch has extensive experience in complex transaction and portfolio due diligence matters, including review of entitlements. She has also represented developers and public agencies in a variety of public/private real estate financing programs, including low-income housing tax credits, tax increment financing and property tax abatements. Her land use practice has included representation of developers and corporations in all phases of development – urban/suburban/rural, residential/office/retail/industrial and brownfields/greenfields. She also has experience with transactional and land use aspects of mixed-use developments, including preparation of covenants, conditions and restrictions and reciprocal easement agreements.

Prior to law school, Ms. Gensch was a transportation planner/traffic engineer at an engineering firm in the Washington, D.C. area.

**Representative Experience**

**Real Estate**

- **Sacramento County Employees' Retirement System.** Responsible for all commercial leasing activities in portfolio of office, industrial, retail and mixed-use buildings. Lead attorney on acquisition of three multi-family residential buildings and sale of retail center.
- **San Jose Police and Fire Department Retirement Fund (SJP&F).** Responsible for all commercial leasing activities in portfolio. Lead attorney on acquisition, development and leasing of LEED-certified office building of 120,000 square feet in suburban St. Louis, Missouri. Provided ongoing corporate structuring advice for title-holding entities.
- **County of Sonoma.** Drafted purchase and sale agreement for complex public-private partnership associated with divestiture of County's solid waste assets. Assisted in significant due diligence and procurement activities.
- **Children's Hospital & Research Center Oakland.** Represented Children's in acquisition and financing of medical office building in Walnut Creek, California. Provided assistance on non-profit restructuring and debt matters.
- **Automotive Client.** Lead attorney on acquisition of research and development facility in Carlsbad, California.
- **Various Clients.** Represented multiple purchasers of office condominiums, potential purchaser of hotel site and new master developer at Mission Bay in San Francisco.
- **Life Insurance Company.** Negotiated loan documents and performed lender due diligence for Northern California loan transactions.
- **Tax Credit Syndicators.** Negotiated limited partnership agreements, loan documents and development agreements for low-income housing tax credit transactions. Performed significant due diligence activities on portfolio of approximately 100 properties.
- **Food Service.** Negotiated property tax abatements and tax increment financing arrangements for manufacturer in Illinois, Wisconsin and Missouri.

**Public Agency**

- **San Francisco Bay Area Water Emergency Transportation Authority.** Advised on public meeting, conflict of interest and other public agency operational issues; current Assistant General Counsel to Agency. Negotiated final lease terms for new ferry terminal in South San Francisco, California.



- **San Francisco County Transportation Authority.** Advised on procedural and administrative code matters at public agency and committee meetings. Negotiated quitclaim deeds and escrow arrangements associated with potential de-funding of mixed-use transportation and office facility.
- **Special District.** Negotiated amendments to joint powers authority-related documents and purchase and sale agreement for three-party land exchange.

#### Land Use and Natural Resources

- **Residential and Mixed-Use Developer.** Drafted and reviewed CEQA documentation for multiple proposed developments. Advised on brownfields reuse issues for former burn dump, airfield and steel plant.
- **Residential Developer.** Reviewed environmental documentation for proposed reuse of former Marine Corps air station. Advised client on development agreement issues.
- **Retailer.** Drafted appellate briefs for Illinois case involving claims of inadequate due process at special use public hearing.
- **Residential Developer.** Represented developer at extensive hearings for proposed 500-acre suburban Chicago residential and commercial development.

#### Awards & Honors

Named a Super Lawyers "Northern California Rising Star" in *San Francisco* magazine, 2014

#### Professional Affiliations

American Bar Association, Sections on Real Estate and State and Local Government  
State Bar of California, Sections on Real Estate and Environmental Law  
Urban Land Institute  
President of Board of Directors, The Bethany Center (low income senior housing)

#### Publications

Co-Author, "Separate Account Real Estate Investments: What Do I Need to Know and What is My Role?" *The NAPPA Report*, March 6, 2013.

#### Presentations

Speaker, "Fiduciary, Conflict of Interest and Transparency Issues Involving Investment-Related Service Providers," Nossaman's 2016 Fiduciaries' Forum, San Francisco, CA, October 28, 2016.  
Speaker, "LEED Due Diligence – Risks and Rewards," Greenbuild International Conference and Expo, November 15, 2012.

#### Education

J.D., University of Michigan Law School, 1999, *cum laude*  
B.S., Cornell University, 1995, *with distinction*

#### Admitted

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Illinois





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**Practice Areas & Industries**

- Litigation
- Healthcare
- Employment

## John T. Kennedy | Partner

John Kennedy specializes in complex business litigation with an emphasis in employment law. He also specializes in administrative law representing individuals and entities before quasi-judicial administrative tribunals, e.g., the State Personnel Board, and the Office of Administrative Hearings. Mr. Kennedy represents public and private entities in state and federal courts, administrative tribunals, and through alternative dispute resolution mechanisms such as binding arbitration and mediation.

In addition to his litigation experience, Mr. Kennedy counsels and advises both public and private employers regarding a broad array of matters including public disclosure of information, the Brown Act, and employment matters. Among others, Mr. Kennedy provides these services to the California Office of the Legislative Counsel, the California Assembly Rules Committee, and the Sacramento County Employees' Retirement System. Employment advice and consultation is given in areas including personnel policies and procedures, discipline and termination, the Americans with Disabilities Act and California's counterpart, wage and hour issues, leave issues, privacy issues, trade secret protection, discrimination, harassment and retaliation, and workplace violence issues.

Mr. Kennedy also provides sexual harassment prevention and other training seminars to employers, their supervisors, and staff. He is AV Preeminent® Peer Review Rated by Martindale-Hubbell.

### Representative Work

- ***Sonoma County Employees' Retirement Assn. v. Superior Court.*** Defended against Public Records Act request seeking individual names and pensions paid to retirees.
- ***Sacramento County Employees Retirement System v. Superior Court.*** Defended against Public Records Act request seeking individual names and pensions paid to retirees.
- **Employment Matter.** Represented Fire Protection District investigating employee misuse of computer and successfully defended District's termination of employee for viewing salacious images on District computers.
- **Disability Retirement Matters.** Represented Sacramento County Employee's Retirement System on several administrative hearings before the Office of Administrative Hearings in which retirees seek enhanced disability retirement and/or service-connected disability retirement benefits.
- ***Rewards Network, Inc. v. Borge, et al.*** Defense of new employer in lawsuit brought by former employer alleging former employee violated the Computer Fraud and Abuse Act, misappropriated trade secrets, breached his contract, and unlawfully interfered with his former employer's business relations.
- ***Teachers' Retirement Bd. v. Genest.*** Defended state's effort to attempt to reduce state payment to public retirement fund.
- ***Moore v. State of California.*** Represented defendant employer in discrimination, harassment and retaliation lawsuit by former employee.
- ***Lais, et al. v. The Permanente Medical Group, Inc., et al.*** Represented defendants sued by shareholder for, among other things, breach of contract, age discrimination, denial of due process and wrongful termination.



- **Crandall v. Esten, et al.** Defeated plaintiff's defamation, violations of the Public Safety Officers' Procedural Bill of Rights, invasion of privacy and deprivation of due process claims against state employer and individual defendants by summary judgment.
- **McCullough v. California Department of Corrections.** Plaintiff held a high ranking career executive assignment in this state agency. When the assignment was withdrawn due to a lack of competence, plaintiff sued for disability, religious and sex discrimination in the form of retaliation, emotional distress, and wrongful termination. This lawsuit was defeated by summary judgment.

#### Awards & Honors

Named a Northern California "Super Lawyer" in the area of General Litigation in 2004 and 2006 and in the area of Employment Litigation in 2014-2015 by *San Francisco* magazine. AV Preeminent® Peer Review Rated by Martindale-Hubbell.

#### Professional Affiliations

California Bar Association, Litigation and Labor and Employment Law Sections  
Sacramento County Bar Association, Environmental, Employment and Administrative Law Sections  
Placer County Bar Association

#### Presentations

Speaker, "Stay Ahead: 2016 Emerging Employment Issues," Nossaman Employment Law Seminar, February 2016.

Speaker, "California Public Records Act - the Basics," Conference of California Public Utility Counsel, October 18, 2015.

Speaker, "Stay Ahead: 2015 Emerging Employment Issues," Nossaman Employment Law Seminar, February 2015.

Speaker, "American Academy of Ophthalmic Executives," American Academy of Ophthalmology, January 30, 2015.

Speaker, "Hiring: Maximize the Value of New Hire Acquisition and On-Boarding Efforts," California Employer Resources 8th Annual California Employment Law Update, Oakland and Anaheim, CA, October 2013.

Speaker, "Developing Effective Strategies - Protecting Requestor and Public Sector Interests and Reducing Disputes," Law Seminar International, May 2013

Speaker, "California Pension Reform and Other Pension Developments," Fire Districts' Association of California Annual Conference, April 2013

Speaker, "2013 Employment Law Update Presentation - Disability and Reasonable Accommodation," Nossaman Seminar, January 2013

Speaker, "Government Ethics Training," Nossaman Seminar, December 2012

Speaker, "Discrimination, Harassment, and Retaliation: The Law and Updates," Asian Pacific State Employees Association, October 2012

Speaker, "Public Records Act Requests and Pending Litigation," Association of California Water Agencies, October 2012.

Speaker, "Stay Ahead: 2012 Emerging Employment Issues," Nossaman Employment Law Seminar, January 2009, February 2012.

Speaker, "HR Essentials: How to Avoid Common Pitfalls," Professionals in Human Resources Association (PIHRA), February 3, 2012.

Speaker, "Elimination of Bias: Professionalism in the Workplace," Association of Corporate Counsel (ACC) Sacramento Chapter, October 15, 2009.

Speaker, "Mandatory Sexual Harassment Prevention Training Regulations and Expanded Leave Benefits for Military Families," Association of Corporate Counsel (ACC) Sacramento Chapter, May 15, 2008.



Speaker, "Legislative and Case Round-Up," Nossaman New Developments in Employment Law Seminars, November 2007.  
Speaker, "Why Do Performance Evaluations?" Santa Clara Family Health Plan, April 30, 2007.  
Speaker, "Policy and Politics, Issues Before the Legislature & the Voters," Association of Corporate Counsel - Sacramento Chapter, September 21, 2006.  
Speaker, "Professionalism in the Workplace: Sexual Harassment Prevention," presented to various clients during 2005.

#### Publications

Co-Author, "Kirby Clarifies Post-*Brinker* Attorney Fees," *Daily Journal*, May 8, 2012.  
Co-Author, "Brinker: The Long and Winding Road Comes to an End," *Daily Journal*, April 16, 2012.  
Author, "What's New in Employment Law for 2008?", *The Bottom Line*, Official Publication of the State Bar of California Law Practice Management and Technology Section, Vol. 29, No. 2 (April 2008).  
Author, "What's New in Employment Law for 2008?", *HRWest*, Northern California Human Resources Association (NCHRA), Spring 2008.

#### Education

J.D., University of the Pacific, McGeorge School of Law, 1988, *with distinction*  
B.A., University of California, Davis, 1984

#### Admitted

California  
All California courts  
U.S. District Court, Eastern District of California  
U.S. District Court, Northern District of California  
U.S. Court of Appeals, Ninth Circuit





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**Practice Areas & Industries**

- Employment
- Litigation

**Allison C. Callaghan | Associate**

Allison Callaghan is a litigator focusing primarily on employment law. She has experience in complex litigation, including wage-and-hour class and representative actions, and single-plaintiff harassment, discrimination, and wrongful termination cases. She has also represented clients in alternative dispute resolution and administrative agency proceedings.

In addition to litigation, Ms. Callaghan advises and counsels both public and private employers on employment matters.

Prior to joining Nossaman, Ms. Callaghan practiced general business litigation and employment litigation at law firms in Sacramento and Los Angeles. As a law student, she clerked for the California Department of Fair Employment and Housing. She was the recipient of Witkin Awards for Academic Excellence (awarded to the highest grade in class) for Employment Discrimination, Criminal Procedure, and Legal Research & Writing, and served as Senior Articles Editor for the U.C. Davis Law Review.

**Professional Affiliations**

Vice Chair, Career Advancement and Retention Committee, Women Lawyers of Sacramento  
Board Member, King Hall Young Alumni Association  
Member, Sacramento County Bar Association, Litigation and Labor & Employment  
Member, MetroEDGE

**Publications**

Padilla: *A Case for Retroactivity*, 46 U.C. Davis Law Review 701 (2012)

**Presentations**

Presenter, "Stay Ahead: 2016 Emerging Employment Issues," Nossaman Employment Law Seminar, February 2016.

**Education**

J.D., University of California, Davis School of Law, 2013  
Senior Articles Editor, *U.C. Davis Law Review*  
Senior Articles Editor, *U.C. Davis Journal of Int'l Law & Policy*

B.A., Claremont McKenna College, 2007

**Admitted**

California  
U.S. Court of Appeals, Ninth Circuit  
U.S. District Court, Eastern and Central Districts of California





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**Practice Areas & Industries**

- Environment & Land Use

## Stephanie Clark | Associate

Stephanie Clark is a member of Nossaman's Environment & Land Use Practice Group. She advises clients on a variety of land use and environmental matters, including matters dealing with the California Environmental Quality Act, Endangered Species Act, the National Environmental Policy Act, the Administrative Procedures Act, the California Planning and Zoning Law, the Clean Water Act, the Migratory Bird Treaty Act, and federal and state constitutions.

Ms. Clark assists in representing resource developers, industry organizations, landowners, and public agencies on matters involving federal and state permitting issues, local zoning issues, environmental planning and litigation, and wildlife impact and permitting issues. Ms. Clark counsels potential investors in both renewable energy and development projects on adherence to state and federal wildlife and environmental laws. Ms. Clark assists in state and federal litigation, and has assisted in administrative hearings before various state and local hearing bodies.

Prior to joining Nossaman LLP, Ms. Clark worked as a law clerk and legal extern at the City of Yakima City Attorney's Office, Orange County Office of County Counsel, and City of Seattle Torts Division.

Ms. Clark regularly comments on news, events, and policies affecting endangered species issues in California and throughout the United States on the Firm's Endangered Species Law & Policy blog.

### Representative Matters

- **Orange County Transportation Corridor Agencies.** Provides counsel on state and federal permitting issues for the Tesoro Extension (SR 241). Part of the team providing representation in administrative hearings and litigation concerning the Tesoro Extension project.
- **Arizona Department of Transportation.** Part of the team providing counsel to the Arizona Department of Transportation regarding National Environmental Policy Act and Section 4(f) compliance for the South Mountain Freeway.
- **Amicus Curiae Brief in *Center for Biological Diversity v. California Department of Fish and Wildlife*, S217763.** Drafted amicus curiae brief on behalf of transportation and water agencies regarding greenhouse gas emissions analysis compliance under the California Environmental Quality Act and incidental take of species protected under multiple California laws and the Endangered Species Act.
- **Bald and Golden Eagle Act Litigation.** Drafted complaint on behalf of a wind and solar energy group challenging the U.S. Fish and Wildlife Service's incidental take permitting program for Bald and Golden Eagles under the Bald and Golden Eagle Protection Act and Administrative Procedures Act.
- **Coalition for a Sustainable Delta.** Collaborate with client team to develop a strategy to address significant contributors to ecosystem decline in the Sacramento-San Joaquin Bay-Delta. Assist client with implementation of strategy through regulatory and legal proceedings.

### Publications

Co-Author, "Debunking the Delisting Myths: What's Working and What Isn't," *American Bar Association Special Committee for Young Lawyers Newsletter*, August 2016.

### Education

J.D., University of Washington, Gates School of Law, 2014, *Washington Journal of Environmental Law & Policy*, Managing Editor  
M.A., Boston University, 2010



**Stephanie Clark**  
Page 29

B.A. Boston University, 2010  
Admitted  
California





## **Willis Hon | Associate**

Willis Hon is a member of Nossaman's Water Practice Group and represents investor-owned utilities that provide, or are seeking to provide, public utility service in proceedings before the California Public Utilities Commission (CPUC).

Prior to joining Nossaman, Mr. Hon was an associate at a boutique environmental law firm in New York City, where he worked on federal and state environmental litigation and advised clients in regulatory investigations. He has also spent time as a judicial extern to the Honorable Dora L. Irizarry and as a law clerk with the United States Department of Justice, Environment and Natural Resources Division, Law and Policy Section.

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San Francisco, CA 94111  
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whon@nossaman.com

### **Education**

J.D., Columbia Law School, 2014  
B.S., University of California, Berkeley, 2010, *with honors*

### **Practice Areas & Industries**

- Water
- Environment and Land Use

### **Admitted**

California  
New York





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34th Floor  
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T 415.438.7212  
F 415.398.2438  
kthursby@nossaman.com

**Practice Areas & Industries**

- Public Finance
- Water

**Katherine S. Thursby | Associate**

Katherine Thursby serves as bond counsel, disclosure counsel, and underwriters' counsel in connection with various public finance matters. She assists school districts, community college districts, cities, counties, water districts, 501(c)(3) organizations, and a variety of public agencies with the issuance of general obligation bonds, revenue bonds, special tax bonds, pension obligation bonds, and the execution and delivery of certifications of participation, for new money and refunding purposes. Her experience also includes short-term financings, including bond anticipation note financings and individual and pooled tax and revenue anticipation note financings, and private financings involving solar lease-purchase agreements, loan agreements, credit reimbursement agreements, and related documentation. She counsels clients on the issuance of tax-exempt and taxable bond issues, as well as tax credit and direct pay bonds, including Qualified Zone Academy Bonds, Build America Bonds, and Qualified School Construction Bonds.

Ms. Thursby previously represented emerging growth and technology companies, venture capital and angel investors, and private equity firms in connection with various public and private financings. She began her career in-house with the legal department of Morgan Stanley.

**Representative Work**

- Represented more than 50 California school districts and community college districts as bond counsel and disclosure counsel with respect to their issuance of general obligation bonds, as special counsel and disclosure counsel in connection with the execution and delivery of certifications of participation, and as issuer's counsel in connection with private loan and lease-purchase financings.
- Represented investment banks as underwriters' counsel with respect to the issuance of general obligation bonds, revenue bonds to finance charter schools and hospital projects, special tax bonds, and the execution and delivery of certifications of participation.
- Represented cities and counties as bond counsel and disclosure counsel with respect to their issuance of general obligation bonds, tax and revenue anticipation notes, lease revenue bonds, water and wastewater utility revenue bonds, pension obligation bonds, and as special counsel and disclosure counsel in connection with the execution and delivery of certifications of participation.
- Represented water districts and public utility districts as bond counsel and disclosure counsel with respect to their issuance of water, wastewater, and other utility revenue bonds, and as special counsel and disclosure counsel in connection with the execution and delivery of certifications of participation.
- Represented a regional park district in connection with its issuance of promissory notes, and its subsequent issuance of general obligation bonds.

**Professional Affiliations**

National Association of Bond Lawyers  
Bar Association of San Francisco  
Women in Public Finance

**Education**

University of California, Hastings College of Law, J.D., 2006, *Hastings Law Journal*, Editor;  
Within Award for Academic Excellence in Advanced Business Law  
Columbia College, A.B., 2003, *with honors*; Edwin Robbins Research & Public Service Prize

**Admitted**

California



## Proposed Total Professional Fee and Fee Schedules

Our firm understands the challenges public agencies face in trying to balance selecting a firm that is the most qualified with the firm that is the most cost-effective. Churchwell White LLP combines both of these factors by implementing more cost-effective and efficient systems for delivering high quality legal services in a timely fashion and at an affordable cost. We believe the quality and depth of our experience and expertise is unmatched by any other firm, large or small.

During the interview process, our firm would welcome the opportunity to discuss a fee structure that would best suit the District's needs. Below is our hourly fee structure for our public clients which reflects our discounted rates for both General and Special counsel services.

### Hourly Rates

General Counsel Legal Services: For General Counsel legal services, the Firm proposes the following rates:

- \$200/hr. blended for attorneys
- \$100/hr. blended for paralegals & clerks

An example of General Counsel legal services is as follows:

- Routine legal advice, consultation, and opinions to the District and staff;
- Assistance in the preparation and review of agendas for Board meetings and other special meetings;
- Review of agreements, contracts and related documents, forms, notices, and other documents required by the District;
- Attendance at scheduled Board meetings or other meetings as requested by the Board;
- Routine employment law advice and counsel;
- Monitoring pending and current state and federal legislation and case law as appropriate; and
- Coordinating the work of outside legal counsel as needed and as directed by the Board and General Manager.

Special Counsel Legal Services: For Special Counsel legal services, the Firm is proposing the following hourly rates:

- \$275/hr. blended for attorneys
- \$175/hr. blended for paralegals & clerks

Special Counsel legal services will be provided in addition to, and billed separately from, the General Counsel legal services. Special Counsel legal services, such as litigation, water, environmental, and complex labor and employment services, will be provided at the hourly rates listed above.



Reimbursable Services: Legal services provided to the District for which the District receives reimbursement (i.e., from a developer or other third party), would be billed at the Firm's then current published standard private client rates, minus ten percent (10%).

- \$350/hr. blended for all attorneys & paralegals

The Firm does not charge for administrative professionals. All rates would be adjusted annually by the CPI.

## Costs/Expenses

The Firm makes no separate charge for secretarial or other administrative charges. Our fees include all routine word processing, secretarial and office costs associated with the provision of legal services. Reimbursement of costs advanced by us on behalf of the District, as well as other expenses, will be billed in addition to the amount billed for fees. These currently include, but are not limited to, automobile mileage at the authorized IRS rate, actual expenses away from our office on District business, long distance telephone calls, extraordinary photocopy charges at \$0.20/page, and any costs of producing or reproducing photographs, documents and other items necessary for legal representation.

## Monthly Itemized Statements

The Firm will provide the District with detailed monthly invoices for legal services performed and expenses incurred. Each monthly invoice reflects both fees for services rendered through the end of the prior month, as well as expenses incurred on the District's behalf that have been processed by the end of the prior month. Processing of some expenses may be delayed until the next month and billed thereafter. Fees are not contingent upon any aspect of the matter.

Our invoices for hourly services reflect the activity of each billing professional (attorney/clerk/paralegal) in detail as to the date, amount of time, nature of work performed and cost. Our invoices provide sufficient detail to track reimbursable legal expenses.

If any questions arise regarding the Firm's invoices, we ask that the District contact the Firm promptly so that issues can be handled expeditiously and fairly. If needed, we would be happy to have a call with District staff after receipt of our first few monthly invoices to insure that the description of services provided meets the District's expectations.

## Complimentary Services

In order to keep our clients compliant with the law, the Firm regularly provides complimentary in-service training for all of our public agency clients. Mr. Churchwell, after serving as General Counsel for the California Fair Political Practices Commission, prepared an AB 1234 training video on conflicts of interest and government ethics requirements. In addition to Ethics and Conflicts of Interest (Ab 1234) trainings, our attorneys also regularly provide trainings in the areas of Sexual Harassment Avoidance (AB 1825), Mandated Reporter, Public Records Act, Brown Act, CEQA, Prop. 218, legislative updates and more.



Thursday, May 18, 2017 at 2:07:23 PM Pacific Daylight Time

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**Subject:** Additional rate proposal information  
**Date:** Tuesday, May 16, 2017 at 4:00:55 PM Pacific Daylight Time  
**From:** Barbara Brenner  
**To:** Brian Lee  
**CC:** Emily Helton  
**Attachments:** image001.png, image002.png, image003.png

Dear Mr. Lee,

It was a pleasure speaking with you. In our current proposal for General Counsel services we propose a blended rate for General Counsel service of \$200 per hour. Pursuant to our conversation I propose the following blended General Counsel rate options.

1. First 30 hours of General Counsel services will be equal to \$5,850 (\$195/hr.), after 30 hours rates will increase to \$200 per hour; or
2. First 40 hours of General Counsel services will be equal to \$7,600 (\$190/hr.), after 40 hours rates will increase to \$200 per hour; or
3. First 50 hours of General Counsel services will be equal to \$9,500 (\$190/hr.), after 50 hours rates will increase to \$200 per hour.

In addition our Firm would also be willing to reduced our annual CPI rate cap from 5% to 4%. As the cost of business increases each year 4% would be the highest increase we would propose. The increase would be based on the CPI for the Bay Area and if there is no CPI increase, our rates would not increase. However, if there is a CPI increase of 4% or less, our rates would increase by that percentage. This allows us to keep our rates somewhat in step with the increased costs of doing business. Keep in mind we are seeing significant increases in health care and rent costs that exceed the CPI over the last few years. It is not practical for us to lock in our rates for a 3-5 year period given our already discounted public agency rates.

I look forward to seeing you next Thursday. Please do not hesitate to reach out with any other questions or concerns.

Best regards,

Barbara

## Churchwell White LLP

Barbara A. Brenner | Partner  
916.468.0625 | [barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)

**Churchwell White LLP**

1414 K Street, 3<sup>rd</sup> Floor, Sacramento, CA 95814  
M 916.995.7314 | T 916.468.0950  
[churchwellwhite.com](http://churchwellwhite.com)







## 8. PROFESSIONAL FEES AND FEE SCHEDULES

Nossaman is prepared to provide SLVWD with legal services at a monthly retainer or hourly rate, whichever the Board of Directors and General Manager prefers. After we obtain additional information about the nature and scope of SLVWD's legal needs, we would be pleased to sit down with SLVWD representatives and develop a compensation schedule specifically tailored to SLVWD's needs. As a preliminary matter, Nossaman offers the following proposals for SLVWD's consideration:

### ***Retainer based fee structure***

This retainer would include services for regular General Counsel Services listed in the RFP issued by SLVWD. Any specialized matters (Services to be provided on an as needed basis at the District's request) would be excluded from the monthly retainer.

30 hours per month at \$420=\$12,600/month – any hours over 30 would be charged at \$410 per hour  
40 hours per month at \$400=\$16,000/month – any hours over 40 would be charged at \$390 per hour  
50 hours per month at \$380=\$19,000/month – any hours over 50 would be charged at \$370 per hour

### ***Hourly Rates***

Detailed below are discounted rates by attorney and type of service provided that we are offering:

Individual Attorney	2017 Standard Hourly Rate Legal Services	2017 Discounted Hourly Rate Legal Services
	<b>Water Law</b>	
Alfred Smith, Partner	\$560	\$495
Gina Nicholls, Associate	\$410	\$385
Bill Pellman, Partner	\$795	\$495
Willis Hon, Associate	\$335	\$300
	<b>Public Finance</b>	
Katherine Thursby	\$465	\$425
	<b>Environmental Law</b>	
Mary Lynn Coffee, Partner	\$595	\$495
Stephanie Clark, Associate	\$325	\$295
	<b>Eminent Domain/Real Estate Litigation</b>	
Bernadette Duran-Brown, Partner	\$440	\$400
	<b>Transactional Real Estate</b>	
Danielle Gensch, Partner	\$495	\$475
	<b>General Litigation</b>	
Carl Blumenstein, Partner	\$625	\$495
	<b>Employment Law</b>	
John Kennedy, Partner	\$555	\$495
Allison Callaghan, Associate	\$335	\$300





These discounts reflect our dedication to public agencies and our enthusiasm to work with SLVWD. In the event of any uncertainty as to whether particular services qualify as highly complex or specialized, then at the time the services are requested, Nossaman would first meet and confer with SLVWD to reach agreement on whether such services are to be billed within the regular General Counsel rates or at the Special Counsel rates.

These rates are fully burdened and include all administrative and overhead costs, such as secretarial assistance, word processing, and local telephone charges. These rates will be in effect for 2017 and are subject to a mutually agreed upon increase each new calendar year. For any other attorney, paralegal, or law clerk assigned to matters, we will propose discounted hourly rates for them at that time.

In addition to the hourly rates listed above, other reimbursable costs such as computer research, messenger services, and postage charges are charged to our clients at the actual transaction charge incurred by Nossaman. See following breakdown for details.

<b>Travel</b>	Nossaman will charge for travel in accordance with SLVWD's policies.
<b>Computer Research</b>	Computer assisted research expenses are charged at cost, except for instances where the Firm maintains a fixed subscription contract with the vendor. Under this circumstance, we prorate the cost for the fixed subscription charges among all of the firm's clients using computerized research during the research period. Currently, this often results in substantial discounts to our clients.
<b>Court Filings</b>	Nossaman will pass on to the SLVWD the direct cost of any filing fees charged by outside vendors for court filings, including fees for electronic court filings.
<b>Postage</b>	Nossaman will pass on to the SLVWD any postage related charges at the actual cost.
<b>Faxing</b>	Nossaman will charge \$1 per page for outgoing faxes.
<b>Photocopying</b>	Project/case-related photocopying will be passed on to the SLVWD at 20 cents per page.



## Holly Morrison

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**From:** Brian Lee  
**Sent:** Tuesday, May 16, 2017 10:01 AM  
**To:** Holly Morrison  
**Subject:** FW: Attorney Recommendation

For inclusion in the general counsel agenda item in next week's Board Packet.

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Brian C. Lee, District Manager - 831.338.2153  
San Lorenzo Valley Water District  
13060 Highway 9  
Boulder Creek, CA 95006

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**From:** Bob Fultz <bob.fultz@pacbell.net>  
**Reply-To:** Bob Fultz <bob.fultz@pacbell.net>  
**Date:** Monday, May 15, 2017 at 5:11 PM  
**To:** Brian Lee <blee@slvwd.com>  
**Subject:** Attorney Recommendation

To the SLVWD Board of Directors:

This letter represents my opinion and not the position of the SLVWD Administration Committee as a whole. My concurrence with the recommendation of Churchwell White to the full board for consideration was made with three contingencies.

1. Clarification on what was meant by "blended rates". Depending on the situation, blended rates can work in your favor--or not. In one area of my professional life (Telecom) blended rates were not advantageous. My understanding was that District Manager Brian Lee was going to ask for clarification and how this rate was going to be applied to work for SLVWD.
2. Whether or not additional discounting could be achieved by negotiating a set number of guaranteed hours per month and/or term of the agreement. My understanding was that District Manager Lee was going to handle further negotiations on price and commitments.
3. During a question about a board member making a statement to the media that might violate Board policy, the Churchwell representative responded in a manner that gave me some cause for concern--that they possibly viewed Board members taking their dissent to the media as problematic and an action that would be worthy of followup. In the limited time we had it is possible that the Churchwell answer was poorly worded or not understood correctly by myself. In this case, I believe it is up to the dissenting Board Member, within the bounds of the law, to decide how they will make their dissent (and attempts at persuasion towards a different path) known to the ratepayers and voters of the District to whom they are uniquely accountable. In my opinion, the general counsel should focus on providing the best possible legal advice and recuse themselves from the politics of the situation.

In the case where the Board Member has violated the law (e.g., FPPC and/or the Brown Act), then of course a different path can and should be followed and that path may vary based on the severity and/or duration of the violation. On a related topic, I hope that the Board Policy manual can be returned to the Administration Committee for additional discussion on this very important topic, particularly in light of recent events.

Regrettably, I am unable to attend the Board meeting on the 25th to personally pose questions to the Churchwell representative and so I hope that someone else will explore this topic with them. I'm confident that, with a little back and forth discussion, we can clarify the situation and close out this topic.

Sincerely yours,



## M E M O

**TO:** Board of Directors

**FROM:** District Manager

**SUBJECT:** DISCUSSION AND POSSIBLE ACTION REGARDING DISTRICT NEED FOR ENGINEERING SERVICES TO COMPLETE FINANCING FOR CAPITAL IMPROVEMENT PROJECTS.

**DATE:** MAY 25, 2017

### RECOMMENDATION:

The Board authorize the District Manager to approve an as-needed engineering services contract not to exceed \$60,000 to WSC Engineering to obtain low interest loans for the Swim Tank, Probation Tank, Fall Creek Fish Ladder and Lompico Assessment District Projects.

### BACKGROUND:

The District has a number of capital projects that are nearing the construction phase; Probation Tank, Swim Tank, Fall Creek Fish Ladder and the Lompico Assessment District Projects. The aggregated total construction cost for those projects is estimated at near \$6,000,000.

It is appropriate fiscal strategy for the District to apply for low interest loans to complete these projects. The Board is aware that staff has started the process of applying for State Revolving Loan funds. Completing the application for SRF funds has been hampered by the lack of a Technical, Managerial, and Financial TMF report required by the State. Staff has been unable to complete the TMF report due to time constraints.

Staff reached out to Water System Consulting (WSC), a firm currently under contract with the District, and inquired about completing the application process for both Swim and Probation Tank projects (proposals attached). During discussions with WSC another opportunity was presented, funding projects through the United States Department of Agriculture (USDA). The application process for USDA loans appears more streamlined than SRF loans. Additionally, funds through USDA may be available within 90 days, as opposed to SRF loans availability within 180 days. The loan payback period for USDA loans is 40 years, versus the typical 20 years for SRF loans.

The success of obtaining these loans is intended to set precedent for future capital improvement projects.

Staff would like to continue pursuing funding options for the projects discussed and is requesting that the Board authorize the District Manager to execute a contract with WSC to finalize applications for upcoming Board approval.



STRATEGIC PLAN:

3.1 - Capital Improvement Program

FISCAL IMPACT:

Engineering - Salaries & Benefits	
Total Budget for 2016/17	\$154,831
Total Available for 2016/17	\$130,000
as of May 17, 2017	
Maximum Requested	\$60,000





May 12, 2017

Mr. Brian Lee  
General Manager  
San Lorenzo Valley Water District  
13060 CA-9  
Boulder Creek, CA 95006

**SUBJECT: PROPOSAL TO CONDUCT AS-NEEDED PLANNING AND FUNDING ACTIVITIES INCLUDING  
COMPLETION OF SRF APPLICATIONS AND USDA APPLICATION FOR SLVWD CAPITAL  
IMPROVEMENT PROGRAM**

Dear Mr. Lee,

Water Systems Consulting, Inc. (WSC) is pleased to present this letter proposal on behalf of our team to provide as-needed engineering planning and funding services including, but not limited to, completion of State Revolving Fund (SRF) applications and an application package for the United States Department of Agriculture (USDA) Rural Development Water and Wastewater Program. WSC is committed to being a partner that the District trusts to support your funding pursuits, both large and small. If selected, here are just a few of the ways WSC will add value to the District:

- Responsive and customized service keeps the District engaged throughout each project
- Active collaboration with District staff improves project quality
- An expert team with local experience streamlines planning and design
- Engineering support with an operations perspective informs decisions with long term success

The District is an important client for WSC, as we hope you felt with the completion of your UWMP. We strive to continue to maintain a relationship with your staff, Board, stakeholders and community that is built on trust and mutual respect from successful collaboration.

We hope the three projects presented in this proposal give you a sense for our interest in and commitment to the District. We expect these projects to be billed on a time and material basis, thereby allowing the District flexibility on which funding mechanisms you pursue. The cost proposals for Projects 1 and 2, the SRF Application Projects, assume both projects are awarded so that efficiencies can allow for a reduction in hours spent. The attached scope and fee are anticipated project costs and can be used as a not to exceed amount.

If you have any questions or would like clarification on any aspect of our proposal, please feel free to contact Kirsten at (619) 450-4558, ext. 304 ([kplonka@wsc-inc.com](mailto:kplonka@wsc-inc.com)) or Jeff at (805) 457-8833, ext. 101 ([jszytel@wsc-inc.com](mailto:jszytel@wsc-inc.com)) or at your convenience. Thank you again for this opportunity, and we look forward to your response.



Sincerely,

Water Systems Consulting, Inc.

A handwritten signature in cursive script that reads "Kirsten Plonka".

Kirsten Plonka, PE  
Project Manager

A handwritten signature in cursive script that reads "Jeffery M. Szytel".

Jeffery M. Szytel, PE, MBA  
Principal



# Project 1. San Lorenzo Valley Water District – Swim Tank Replacement

## Project Funding Support for State Revolving Fund Loan

### Scope of Work

#### TASK 1.0 PROJECT MANAGEMENT & MEETINGS

##### 1.1 Project Administration

- Provide project administration and coordination, prepare project schedule and update as-required based upon actual progress and SLVWD's direction. Prepare monthly progress reports.

##### 1.2 Meetings

- WSC will prepare materials for and facilitate the following four (4) meetings: (1) Kickoff meeting, (2) Biweekly phone calls and monthly progress meetings; and (3) A SLVWD Board Meeting Presentation. These meetings are expected to cover both Swim and Probation Tank Applications for efficiency.

##### 1.3 QA/QC

- Perform quality control reviews of all deliverables.

*Deliverable: Agendas & Meeting Minutes*

#### TASK 2.0 DATA & INFORMATION

##### 2.1 Information Review

- Review DWSRF Application prepared 8/5/16 and documents relevant to the DWSRF Application.

##### 2.2 Data Collection

- Prepare a data log for submission to the District and coordination to obtain required information.

*Deliverable: Data Request Log*

#### TASK 3.0 UPDATE AND PREPARE SWIM TANK REPLACEMENT PROJECT DWSRF APPLICATION PACKAGE

##### 3.1 Develop Complete DWSRF (Construction) Application Package

- Prepare a complete DWSRF (Construction) package using the District's 8/5/16 DWSRF application and additional data provided by the District. Required Application Packages and updates include:
  - (1) General Information Package
    - (a) Prepare the General Information Package by updating application sections as required and by compiling required documentation for Attachments G1 (Ownership Documentation); G3 (Organization Chart); G7 (Service Area Map); and G8 (Water System Permit(s)).



(2) Technical Package

- (a) Prepare the Technical Package using the Water Boards (REV. 07/2016) form. Compile required documentation for Attachments T1 (Engineering Report); T4 (Alternative TMF Assessment Form); T5 (Water Rights Documentation); T9 Plans and Specifications); and T10 (Contract for Professional Engineering Services).

(3) Environmental Package

- (a) Prepare Environmental Package by updating application sections as required and by compiling required documentation for Attachments E2 (Final Initial Study/Mitigated Negative Declaration); E4 (Comments and Responses); E6 (Mitigation Monitoring and Reporting Plan/Program); E7 (Resolution/Minutes Approving the CEQA Document); and E9 (Notice of Determination and Department of Fish and Wildlife CWQA Filing Fee Receipt). WSC's scope does not include the preparation of environmental documents.

(4) Financial Security Package

- (a) Prepare Financial Security Package by updating application sections as required and by compiling required documentation for Attachments F1 (Water Rate Structure -3 years); F2 (Revenue/Expenditure Projection – 5 years); F3 (Tax Questionnaire); F4 (Reimbursement Resolution); F5 (Audited Financial Statements or Federal Tax Returns – 3 years); F6a (Authorizing Resolution/Ordinance); F7 (Rate Adoption Resolution); F8 (Draft Pledged Revenues and Funds (PRF) Resolution/Certification); F9 (Related Debt); and Form 204 (Payee Data Record Form). Preparation of this package will require close collaboration with District staff.

**3.2 Final DWSRF Application Packages**

- Draft General Information, Technical, Environmental, and Financial Security Packages will be submitted to the District as soon as each one is complete for review prior to finalizing.
- WSC will incorporate comments received into the Final Packages prior to submitting to the Water Board.

***Deliverable: Draft and Final General Information, Technical, Environmental, and Financial Security Packages***

**TASK 4.0 SUBMIT DWSRF APPLICATION PACKAGE**

**4.1 Application Submission using the Water Boards Financial Assistance Application Submittal Tool (FAAST)**

- The General Information Package will be completed and submitted as early as possible using FAAST so the project is added to the Comprehensive List. WSC will submit documents on behalf of the District.



- The Technical, Environmental, and Financial Security Packages (including required documentation and attachments) will be uploaded to FFAST once approval is received from the District.

## **TASK 5.0    OPTIONAL TASK**

### **5.1 Swim Tank Cost Peer Review**

- Prepare a preliminary cost opinion for the Swim Tank Replacement Project. The cost opinion will be based on the plans for the Swim Tanks Replacement Project prepared by Freitas + Freitas Engineering and Planning Consultants, Inc. dated 5/16.
- Review the cost opinions for the Swim Tank Replacement Project prepared by Freitas + Freitas Engineering and Planning Consultants, Inc. listed in the District's DWSRF application dated 8/5/16. Identify and summarize key differences from the cost opinions prepared by WSC.

***Optional Task Deliverable: Draft Cost Estimate and Peer Review TM.***

### **Assumptions**

- Documents and information required to complete the Alternative TMF form (or the TMF form if required) will be provided by the District.
- A general conformity section in the CEQA document is not required.
- Required documents for the Environmental Package are either included in the 8/5/16 package or will be provided by the District/environmental consultant. Required documents include: project level biological report/assessment (with up to date species lists for the project area); cultural resources report; floodplain map; map identifying the Area of Potential Effects (APE) of the project in relation to National Forest Lands; and estimated project construction and operational air emissions chart. Should the District prefer, the outstanding environmental documents can be completed by WSC and their Subcontractors as an Optional Task.
- Scope does not include coordination with the District's legal counsel and the Division of Financial Assistance's legal counsel regarding the financing agreement and required legal opinion needed at closing.
- Scope does not include additional meetings or coordination after a decision is made by the Water Board in regard to the award of funding.
- Scope does not include coordination with DWSRF tax attorney nor completion of a Tax Certificate.
- WSC anticipates receiving previous documents in their native editable format (Word, Excel, etc.), for use in preparing the DWSRF application package.
- Scope provides for one iteration of each Application Package in response to feedback received from the Water Board during their review.
- Scope does not include additional hours for tracking application after final submittal, but can be included as an additional task if so desired by SLVWD.
- Final application package will be provided to the District in electronic format only.



- Supporting documentation for each Package will be provided by the District unless specifically mentioned above. Development of supporting documents is not included.
- Cost opinions for the peer review will be Class 4 estimates based on guidelines developed by the Association for the Advancement of Cost Engineering (AACE).
- The cost opinion will be developed using a combination of data from RS Means CostWorks®, recent bids, vendor quotes, experience with similar projects, current and foreseeable regulatory requirements, and an understanding of the necessary project components. Cost opinions are planning level and may not fully account for site-specific conditions that will affect the actual costs, such as soils conditions and utility conflicts.
- Cost opinions will include markups and contingencies that are applied to the estimated construction costs to obtain the total estimated project costs. Implementation Markups are intended to account for costs of engineering, design, administration, permitting, and legal efforts associated with implementing the project. Contingency accounts for additional construction costs that could not be anticipated at the time of the cost opinion preparation.
- Scope does not include an analysis of the Project “green components”; however, this effort could be added as an Optional Task.



## Estimated Cost

WSC estimates that the cost to complete the Swim Tank Replacement Project Drinking Water State Revolving Fund Application is \$21,272. A detailed hourly and cost breakdown by task is provided below.



San Lorenzo Valley Water District  
Swim Tank Replacement Project Funding Support  
Cost Proposal  
5/5/2017



Task No.	Task Description	WSC								
		Senior Engineer III	Associate Planner I	Senior Engineer I	Assist. Engineer	Clerical/ Admin	Total Labor Hours	Total Labor	Expenses	Fee
Billing rates, \$/hr		\$225	\$165	\$200	\$126	\$90				
1	Project Management	18	4	0	0	2	24	\$ 4,890	\$800	\$5,690
1.1	Project Management	4	2			2	8	\$ 1,410	\$200	\$1,610
1.2	Meetings	8	2				10	\$ 2,130	\$600	\$2,730
1.3	QA/QC	6					6	\$ 1,350	\$0	\$1,350
2	Data & Information	2	4	0	12	0	18	\$ 2,622	\$0	\$2,622
2.1	Information Review	2	2		6		10	\$ 1,536	\$0	\$1,536
2.2	Data Collection		2		6		8	\$ 1,086	\$0	\$1,086
3	DWSRF Application Package	9	9	0	21	0	39	\$ 6,156	\$0	\$6,156
3.1	General Information Package	2	2		6		10	\$ 1,536	\$0	\$1,536
3.1	Technical Package	3	3		11		17	\$ 2,556	\$0	\$2,556
3.1	Environmental Package	2	2		2		6	\$ 1,032	\$0	\$1,032
3.1	Financial Security Package	2	2		2		6	\$ 1,032	\$0	\$1,032
4	Final DWSRF Application Submittal	0	0	0	4	0	4	\$ 504	\$0	\$504
4.1	Application Submittal to FFAST				4		4	\$ 504	\$0	\$504
Column Totals		29	17	-	37	2	85	\$ 14,172	\$800	\$14,972
5	Optional Task	0	0	30	0	0	30	\$ 6,000	\$300	\$6,300
5.1	Swim Tank Cost Peer Review			30			30	\$ 6,000	\$300	\$6,300
Column Totals with Optional Task		29	17	30	37	2	115	\$20,172	\$1,100	\$21,272



## Project 2. San Lorenzo Valley Water District – Probation Tank Replacement Project Funding Support for State Revolving Fund Loan

### Scope of Work

#### TASK 1.0 PROJECT MANAGEMENT & MEETINGS

##### 1.1 Project Administration

- Provide project administration and coordination, prepare project schedule and update as-required based upon actual progress and SLVWD's direction. Prepare monthly progress reports.

##### 1.2 Meetings

- WSC will prepare materials for and facilitate the following four (4) meetings: (1) Kickoff meeting,(2) Biweekly phone calls and monthly progress meetings; and (3) A SLVWD Board Meeting Presentation. These meetings are expected to cover both the Swim and Probation Tank Applications for efficiency.

##### 1.3 QA/QC

- Perform quality control reviews of all deliverables.

*Deliverable: Agendas & Meeting Minutes*

#### TASK 2.0 DATA & INFORMATION

##### 2.1 Information Review

- Review DWSRF Application prepared 8/5/16 and documents relevant to the DWSRF Application.

##### 2.2 Data Collection

- Prepare a data log for submission to the District and coordination to obtain required information.

*Deliverable: Data Request Log*

#### TASK 3.0 UPDATE AND PREPARE PROBATION TANK REPLACEMENT PROJECT DWSRF APPLICATION PACKAGE

##### 3.1 Develop Complete DWSRF (Construction) Application Package

- Prepare a complete DWSRF (Construction) package using the Districts 8/5/16 DWSRF application and additional data provided by the District. Required Application Packages and updates include:
  - (1) General Information Package
    - (a) Prepare the General Information Package by updating application sections as required and by compiling required documentation for Attachments G1 (Ownership Documentation); G3 (Organization Chart); G7 (Service Area Map); and G8 (Water System Permit(s)).



(2) Technical Package

- (a) Prepare Technical Package by updating application sections as required and by compiling required documentation for Attachments T1 (Engineering Report); T4 (Alternative TMF Assessment Form); T5 (Water Rights Documentation); T4 (Plans and Specifications); and T10 (Contract for Professional Engineering Services).

(3) Environmental Package

- (a) Prepare Environmental Package by updating application sections as required and by compiling required documentation for Attachments E2 (Final Initial Study/Mitigated Negative Declaration); E4 (Comments and Responses); E6 (Mitigation Monitoring and Reporting Plan/Program); E7 (Resolution/Minutes Approving the CEQA Document); and E9 (Notice of Determination and Department of Fish and Wildlife CWQA Filing Fee Receipt). WSC's scope does not include the preparation of environmental documents.

(b) Financial Security Package

- (c) Prepare Financial Security Package by updating application sections as required and by compiling required documentation for Attachments F1 (Water Rate Structure -3 years); F2 (Revenue/Expenditure Projection – 5 years); F3 (Tax Questionnaire); F4 (Reimbursement Resolution); F5 (Audited Financial Statements or Federal Tax Returns – 3 years); F6a (Authorizing Resolution/Ordinance); F7 (Rate Adoption Resolution); F8 (Draft Pledged Revenues and Funds (PRF) Resolution/Certification); F9 (Related Debt); and Form 204 (Payee Data Record Form). Preparation of this package will require close collaboration with District staff.

**3.2 Final DWSRF Application Packages**

- Draft General Information, Technical, Environmental, and Financial Security Packages will be submitted to the District as soon as each one is complete for review prior to finalizing.
- WSC will incorporate comments received into the Final Packages prior to submitting to the Water Board.

***Deliverable: Draft and Final General Information, Technical, Environmental, and Financial Security Packages***

**TASK 4.0 SUBMIT DWSRF APPLICATION PACKAGE**

**4.1 Application Submission using the Water Boards Financial Assistance Application Submittal Tool (FAAST)**

- The General Information Package will be completed and submitted as early as possible using FAAST so the project is added to the Comprehensive List. WSC will submit documents on behalf of the District.



- The Technical, Environmental, and Financial Security Packages (including required documentation and attachments) will be uploaded to FAAST once approval is received from the District.

## Assumptions

- Documents and information required to complete the Alternative TMF form (or the TMF form if required) will be provided by the District.
- A general conformity section in the CEQA document is not required.
- Required documents for the Environmental Package are either included in the 8/5/16 package or will be provided by the District/environmental consultant. Required documents include: project level biological report/assessment (with up to date species lists for the project area); cultural resources report; floodplain map; map identifying the Area of Potential Effects (APE) of the project in relation to National Forest Lands; and estimated project construction and operational air emissions chart. Should the District prefer, the outstanding environmental documents can be completed by WSC and their Subcontractors as an Optional Task.
- Additional documents required as part of the Environmental Package to be provided by the District include: Final Initial Study/Mitigated Negative Declaration and all comments and responses; Resolution/Minutes Approving the CEQA documents; Notice of Determination and Department of Fish and Wildlife CEQA filing fee receipt; and final Habitat Conservation Plan.
- Scope does not include coordination with the District's legal counsel and the Division of Financial Assistance's legal counsel regarding the financing agreement and required legal opinion needed at closing.
- Scope provides for one iteration of each Application Package in response to feedback received from the Water Board during their review.
- Scope does not include additional hours for tracking application after final submittal, but can be included as an additional task if so desired by SLVWD.
- Scope does not include additional meetings or coordination after a decision is made by the Water Board in regard to the award of funding.
- Scope does not include coordination with DWSRF tax attorney nor completion of a Tax Certificate.
- WSC anticipates receiving previous documents in their native editable format (Word, Excel, etc.), for use in preparing the DWSRF application package.
- Final application package will be provided to the District in electronic format only.
- Supporting documentation for each Package will be provided by the District unless specifically mentioned above. Development of supporting documents is not included.
- Scope does not include an analysis of the Project "green components"; however, this effort could be added as an Optional Task.



## Estimated Cost

WSC estimates that the cost to complete the Probation Tank Replacement Project Drinking Water State Revolving Fund Application is \$14,951. A detailed hourly and cost breakdown by task is provided below.



[illegible]294



## Scope of Work

### TASK 1.0 PROJECT MANAGEMENT & MEETINGS

#### 1.1 Project Administration

- Provide project administration and coordination, prepare project schedule and update as required based upon actual progress and SLVWD's direction. Prepare monthly progress reports.

#### 1.2 Meetings

- WSC will prepare materials for and facilitate the following four (4) meetings: (1) Kickoff meeting, (2) Biweekly phone calls and monthly progress meetings; (3) an Application Meeting with USDA staff and the environmental review team to discuss USDA's application process and review the materials required for a formal application, and (4) a SLVWD Board Meeting Presentation.

#### 1.3 QA/QC

- Perform quality control reviews of all deliverables.

*Deliverable: Agendas & Meeting Minutes*

### TASK 2.0 PRELIMINARY ENGINEERING REPORT (PER)

#### 2.1 Prepare Preliminary Engineering Report

- WSC will prepare a PER per USDA guidelines. Consistent with USDA Bulletin 1780-2, the PER will include the following sections:

1. Executive Summary
2. Introduction
3. Project Planning Area
4. Existing Facilities
5. Need for Project
6. Alternatives Considered
7. Selection of an Alternative
8. Proposed Project
9. Conclusions and Recommendations

WSC will prepare and submit a draft of the PER to SLVWD and USDA for review. The PER and all attachments will be provided in PDF format and will be submitted via email. Deliverables for the final PER will include electronic files in PDF format.

*Deliverable: Preliminary Engineering Report*

### TASK 3.0 COMPILE FINAL APPLICATION PACKAGE

#### 3.1 Develop Complete USDA Application Package

- With support from SLVWD, WSC will compile a complete application package. The package is anticipated to include the items summarized in the "California RUS/CF Reference Guide No. 4".



## Scope of Work

WSC will prepare a checklist of required items, and manage the process of compiling required information for SLVWD approval, signatures and submission to USDA.

***Deliverable: Complete USDA Final Application Package***

### **Assumptions**

- Scope does not include additional hours for tracking application after final submittal, but can be included as an additional task if so desired by SLVWD.
- Scope does not include additional meetings or coordination after a decision is made by USDA regarding the award of funding.
- WSC anticipates receiving previous documents in their native editable format (Word, Excel, etc.), for use in preparing the USDA application package.
- Final application package will be provided to the District in electronic format only.
- Supporting documentation for each Package will be provided by the District unless specifically mentioned above. Development of supporting documents is not included.
- WSC's scope does not include preparation of CEQA/NEPA documentation.
- Alternatives analyses required for Preliminary Engineering Report will be provided by the District.



## Estimated Cost

WSC estimates that the cost to complete the funding support tasks as identified above for a USDA loan is \$74,790. A detailed hourly and cost breakdown by task is provided below.



San Lorenzo Valley Water District  
 USDA Funding Support  
 Cost Proposal  
 5/12/2017



Task No.	Task Description	WSC								
		Principal	Senior Engineer III	Associate Planner I	Assist. Engineer	Clerical/ Admin	Total Labor Hours	Total Labor	Expenses	Fee
Billing rates, \$/hr		\$275	\$225	\$165	\$126	\$90				
1	Project Management	6	30	26	0	2	64	\$ 12,870	\$800	\$13,670
1.1	Project Management		4	2		2	8	\$ 1,410	\$200	\$1,610
1.2	Meetings	4	24	24			52	\$ 10,460	\$600	\$11,060
1.3	QA/QC	2	2				4	\$ 1,000	\$0	\$1,000
3	Preliminary Engineering Package	0	64	72	216	20	372	\$ 55,296	\$100	\$55,396
3.1	General Information Package		64	72	216	20	372	\$ 55,296	\$100	\$55,396
4	Compile Final Application	0	16	8	4	0	28	\$ 5,424	\$300	\$5,724
4.1	Compile and Submit Final Package		16	8	4		28	\$ 5,424	\$300	\$5,724
Column Totals		6	110	106	220	22	464	\$73,590	\$1,200	\$74,790



## MEMO

TO: Board of Directors

FROM: District Manager

PREPARED BY: Environmental Manager

SUBJECT: Fish Monitoring in the San Lorenzo River

DATE: May 25, 2017

### **RECOMMENDATION:**

It is recommended that the Board review this memo and continue to support monitoring efforts in the San Lorenzo River Watershed in partnership with the County of Santa Cruz and other partner agencies.

### **BACKGROUND:**

For 20 years, the San Lorenzo Valley Water District has supported the effort to monitor fish in the San Lorenzo River Watershed. As a community who depends on ecosystem services for water production, the San Lorenzo Valley Water District Board has long supported the effort to monitor impacts on fish, wildlife and habitat resources, and where feasible support restoration efforts to sustain and improve ecosystem services for future generations.

Ecosystem Services such as forest ecosystems and aquatic ecosystems provide clean drinking water, the decomposition of wastes, regulation of climate and disease and provide recreational, cultural and spiritual benefits to our community. These ecosystem services are now being assigned economic values and the numbers in Santa Cruz County are staggering. Ecosystem services are valued to provide between \$800 million to \$2.2 billion to the local and regional economy every year. (Healthy Lands & Healthy Economies: Nature's Value in Santa Cruz County; Resource Conservation District of Santa Cruz County, 2015: <http://www.rcdsantacruz.org/publications>) If the San Lorenzo Valley is to remain a vibrant and attractive community we must continue to invest in our ecosystem services.

One way to invest in ecosystem services is through flow, temperature and fish monitoring programs. In an effort to coordinate the fish monitoring efforts county wide, in 2006, the County of Santa Cruz Water Resources Program, in partnership with local agencies, began managing the contract for the monitoring stream habitat and juvenile steelhead in four Santa Cruz County watersheds: San Lorenzo, Soquel, Aptos and Corralitos. Local agencies - San Lorenzo Valley Water District, Soquel



Creek Water District, City of Santa Cruz, City of Capitola and City of Watsonville contribute funding to implement this monitoring program.

The primary goal of this monitoring program is to track habitat conditions and site densities of juvenile steelhead in multiple watersheds throughout Santa Cruz County. This information has been used to track steelhead spawning and rearing habitat conditions, prioritize restoration and conservation efforts, and inform land and water use decisions. This information has provided habitat and juvenile steelhead density information for permitting, monitoring, restoration and public works projects.

Over the past few years partner agencies have been working toward the creation of a database with which the data can be analyzed and queried in order to better guide and prioritize conservation efforts and hopefully lead to the recovery of steelhead and coho salmon in the San Lorenzo River Watershed and other watersheds in our county.

DW Alley and Associates has supported San Lorenzo Valley Water District with other ongoing monitoring efforts as well. Those efforts include: 1. Stream Flow and Water Temperature Monitoring, an effort to identify how SLVWD surface diversions impact stream flow and water temperature. 2. Fish passage study in Fall Creek to determine minimum flow requirements for fish migration associated with the Fall Creek Diversion. And proposed for 2017/18 is a Fish Passage Study for Boulder Creek. DW Alley and Associates has conducted an estimated \$80,000 - \$100,000 annually in monitoring efforts and has been one of the primary ways SLVWD supports ecosystem services in our watershed.

## RECOMMENDATION

It is recommended that the Board continue to support the monitoring programs for the 2017-2018 year.

### *D.W. Alley 16/17 Budget:*

Fish Monitoring in SLR: \$22,197

Stream Flow & Water Temperature Monitoring: \$37,132

Fall Creek Critical Riffle Study: \$23,420

### *D.W. Alley Proposed 17/18 Budget:*

2017/18 Fish Monitoring in SLR: \$24,860

Stream Flow & Water Temperature: \$35,778.24

Boulder Creek Critical Riffle Study: \$36,756

## 2015 STRATEGIC PLAN:

Strategic Element 1.0 - Water Supply Management

Strategic Element 2.0 - Watershed Stewardship



**Holly Morrison**

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**From:** Bruce Ashley <ba@phot.com>  
**Sent:** Monday, May 08, 2017 11:33 AM  
**To:** Board of Directors  
**Subject:** Defunding of Fish Biologist's Summary

Dear San Lorenzo Valley Water District Board,

As a Santa Cruz city small business owner, resident, sport fisherman and conservation activist, I have a topic that I would like to bring to the attention of Santa Cruz City Council, County of Santa Cruz Supervisors and the local water agencies. The issue is the proposed defunding of the Annual report of juvenile steelhead densities and habitat conditions in our local watersheds by the fishery biologist who does the actual sampling. This sampling and reporting program began in the mid-1990's and is being funded by the local water departments/agencies, 3 cities and County Environmental Health Department. I have witnessed the alarming decline of steelhead and other salmon throughout California and the San Lorenzo River in my lifetime. The data and insights gained from the comprehensive fish sampling program and reporting that our local fishery biologist, Donald Alley, has implemented over the past 20 years are critical to recovery of Threatened and Endangered fish species in our watersheds.

These fishery reports have contained the data gathered on steelhead abundance and habitat conditions and trends over the past 20 years in our local watersheds and include management recommendations. It is my understanding that the county is preparing a database of all data collected that will be available to the public, which is good. However, an annual report is necessary from the experienced fishery biologist who has accumulated years of experience. I find the annual summary report especially valuable in that it represents a scientific, quantified history of the fishery and the unique insights of the scientist doing the field work in the streams. Those insights include the on-the-ground observations of barriers to fish migration and the integration of steelhead density data with winter stormflow patterns, summer baseflow and habitat change to assign causal factors for the densities measured. The relational conclusions are not necessarily obvious from the raw data, and the experience and intuition of the scientist is, in my opinion, invaluable if we are serious about maintaining the environment for ocean-going salmonids and helping the populations of these animals to recover from Endangered Status. The plans for new water sources now under discussion will, especially in drought conditions, need to take fish habitat issues discussed in these valuable reports into account.

I would also like to encourage the funding agencies to make the annual report by the fisheries biologist easily available online. This is not currently the case. The last summary report I could find on the County Web Site was for 2011.

I don't think this defunding of the fishery biologist's reporting is a matter of cost because when the funding is split between multiple agencies, it cannot be much savings. I believe that if the county, a



co-funder, plans to take over the report writing and that portion of the budget, it will lack the skilled methods of reporting and assignment of causal factors that a professional fishery biologist, familiar with the watersheds, would provide. The county has its own plans regarding water management to provide water to an expanding human population and dealing with potential fishery impacts from its plans. The best way to obtain an unbiased, complete report that focuses on fish requirements is to continue the established 20-year pattern of having the independent fishery biologist continue to report his annual findings. The only reason I can think of for discontinuing the fishery biologist's reporting is that his conclusions may raise red flags with implementing the various water management scenarios that are out there. Instead of reducing the independent fishery biologist's involvement in analyzing data, we should be increasing the fishery biologist's input in water management issues.

The question to be answered is simple: Do we really want to make a serious effort to maintain the public trust and do the right thing for steelhead and coho salmon in our local waterways? Or do we want to continue the sidestepping of the serious issues of water use and development that are the critical factors inhibiting their recovery?

Sincerely,  
Bruce Ashley



**Holly Morrison**

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**From:** jen@jmparks.com  
**Sent:** Wednesday, May 17, 2017 7:51 PM  
**To:** Board of Directors  
**Subject:** Fish monitoring and analysis

Dear Board Members,

I would like to express my strong desire to please have Don Ally not only continue monitoring the fish, but doing the analysis, comparing past and present, evaluating the data and its relevance to planning and decision-making, as well. This is extremely valuable data!

A proposal to only fund data collection and not analysis is very dangerous to our community, which relies on the health our fish and streams.

Our beautiful environment in the SLV is already under attack from many pressures - please assure that this analysis AND monitoring continues.

Thank you for doing the right thing for our community and preserving it for future generations!

Jennifer Parks  
San Lorenzo Valley resident  
Member Valley Women's Club Environmental Committee

831-331-0113





# County of Santa Cruz

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## HEALTH SERVICES AGENCY

701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060-4073

(831) 454-2022 FAX: (831) 454-3128 TDD/TTY – Call 711

[www.sceeh.com](http://www.sceeh.com)

### ENVIRONMENTAL HEALTH

May 17, 2017

Dear San Lorenzo Valley Water District,

We are writing to clarify some points regarding the letter sent to you by the Valley Women's Club regarding the Fish Monitoring Program.

In 2006, the County of Santa Cruz Water Resources Program (Environmental Health, Health Services Agency) offered to manage a coordinated fish monitoring program. This partnership of seven agencies has been very successful in collecting information on fish and stream conditions in four watersheds: San Lorenzo, Soquel, Aptos and Pajaro watersheds. DW ALLEY & Associates collect high quality field data at up to 38 sites each year and have provided valuable data and data analysis over the past 10 years. Don's analysis has identified important patterns and trends for juvenile salmonids including areas of high quality habitat, growth potential in different parts of the watershed and passage conditions. His reports have contributed greatly to our understanding of local steelhead populations and limiting factors.

Over the past 6 years, County staff have worked to develop a database for the monitoring program. The goals of the database are to: (1) preserve the value of the data by collecting it into an electronic database; (2) develop the ability to show and analyze the data in new ways, and (3) increase the audience by providing the information on-line and with options to facilitate understanding for partners, agencies, public, teachers and students.

With the past 10 years of monitoring and the additional years of monitoring from 1981-2005, some locations now have 20 years of data. With the maturity of the monitoring program, both the partner agencies and other agency reviewers think that the reporting can be simplified and does not need to include an in-depth analysis each year. In addition, we will soon have the ability to explore the data in new ways that we hope will guide and prioritize conservation efforts for steelhead and coho salmon. For example, the database will provide the opportunity to examine



juvenile densities at one site over time. In addition, a tremendous amount of habitat data have been collected that have not been analyzed over the long term. We intend to focus on understanding larger trends and general patterns and less on year-to-year analysis.

The development of the website and database has been identified as a high priority action for the fish monitoring program. For the 2016 contract, the County of Santa Cruz dedicated our annual funding (\$12,000 plus program management) to completing three critical components of the database: fish densities, site habitat conditions and the presence and absence of fish and wildlife species. We plan to share the new website and database with the partner agencies at our annual meeting in June. For 2016-17, Don Alley signed a contract with the County that did not include the preparation of reports in order to provide his expertise and time to help complete these database components. In the end, there was some funding left from the fieldwork tasks for Don to complete multiple reports. For the coming year, the County again intends to dedicate our annual funding to further the database with a focus on stream habitat conditions and the stream wood inventories. In addition, staff will work on the website to complete the report library and resources for students and teachers. After the fieldwork and data submissions have been completed, we will look at the remaining budget and discuss database needs and reports that will be prepared.

We hope that the San Lorenzo Valley Water District will continue to partner with the monitoring program for the 2017-18 year. We look forward to sharing the website and on-line database with your staff and board soon.

Thank you for your consideration,



John A. Ricker,  
Water Resources Division Director  
Environmental Health, Health Services Agency  
County of Santa Cruz  
701 Ocean Street, Room 312  
Santa Cruz, CA 95060



## MEMO

TO: Board of Directors

FROM: District Manager

PREPARED BY: Environmental Programs Manager

SUBJECT: EDUCATION PROGRAM ADVISORY COMMISSION  
RECOMMENDATIONS FOR 2017 "CLASSIC WATERSHED  
GRANT" AWARDS

DATE: April 20, 2017

### **RECOMMENDATION:**

It is recommended that your Board review this memo and approve the attached resolution regarding the Education Program Advisory Commission's recommended 2017 Education Program "Classic Watershed Grant" awards.

### **BACKGROUND:**

On June 5, 2003 your Board approved District Ordinance No. 100, which established the San Lorenzo Valley Water District Education Program Advisory Commission. The Purpose of the Commission is to advise the Board of Directors regarding the selection and allocation of Education Program grants.

The mission of the Education Program is to provide funding for the Educational and other projects that enhance the understanding of the San Lorenzo River watershed or improve the watershed's environmental health.

From 2004 to 2016, the District annually budgeted up to \$17,500 to fund education grants that advance the mission of the District's Education Program. To date, the District has funded a total of 77 projects through the program. The amount awarded to date is \$182,874.

In 2010, the Commission requested that staff solicit proposals that add to the understanding of District-owned watershed lands. The Commission also requested that an optional public outreach component be added to the project guidelines, increasing maximum funding for each project from \$2,500 to \$3,000 while the budget remained at \$17,500.

On January 26, 2012 your Board held a special joint meeting with the Commission. Your Board directed staff to include two rounds of Education Program Grants each year. The first round of grants was to be designated as "Classic Watershed Grants," and would solicit proposals aimed at watershed education in schools, outdoor camps and community education through hikes and public outreach.



The second round of grants was to be designated as “Data Collection/Restoration Grants” on District lands and would be funded through the Watershed Department. The Commission would also evaluate these grant proposals, the evaluation guidelines, as well as suggested projects would be recommended by the Environmental Committee to the Board prior to the Commission’s evaluation.

### **2017 Notice of Availability and Response**

2017 is the fifth year that two rounds of Education Program Grant funding are being noticed. On February 6, 2017 staff noticed the availability of this year’s Educational Grant Program funding for “Classic Watershed Grants.” Subsequently, the District received eleven (11) “Classic Watershed Grant” proposals for a total funding request of \$28,000 summarized in Item 14e Exhibit A.

### **Evaluation Procedure**

To evaluate and score “Classic Watershed Grant” proposals, the Commission used the procedure that it established in 2006. According to this procedure, each commissioner independently evaluates and scores each grant proposal, using a standard scoring matrix. Each Commissioner returns, anonymously, the scored grant proposal application to District staff. Staff compiles the aggregate scores for review by the Commission at a scheduled public meeting (Item 14e. Exhibit B).

On March 28, 2017, the Education Advisory Commission met at a noticed public meeting to evaluate proposals, and to recommend funding awards to your Board. This year, 9 grant applicants attended the meeting and presented their projects to the Commission. At the end of the meeting, the Commission agreed on its final funding recommendations to your Board.

### **RECOMMENDED GRANT AWARDS:**

As shown in Item 14e Exhibit A to the resolution, the Commission recommended funding seven of the eleven proposals for an aggregate sum of \$17,500. Copies of the 7 proposals recommended for funding are included in Item 14e with the following caveats:

1. SLOPE - District staff needs ensure SLOPE is in compliance with permitting requirements in order to fund the work.
2. Exploring SLR - Funds from this grant will exclusively fund walks in the San Lorenzo Valley.

It is recommended that your Board review this memo and approve the attached resolution regarding the Education Program Advisory Commission’s recommended 2017 Education Program “Classic Watershed Grant” awards.

### **FISCAL IMPACT:**

FY 15-16 Budget - Water Conservation, \$17,500

### **STRATEGIC PLAN:**

Strategic Element 2.0 - Watershed Stewardship



SAN LORENZO VALLEY WATER DISTRICT

RESOLUTION NO. 28 (16-17)

SUBJECT: APPROVAL OF EDUCATION PROGRAM ADVISORY COMMISSION  
FUNDING RECOMMENDATIONS FOR 2017 CLASSIC WATERSHED  
GRANT PROPOSALS

WHEREAS, the Education Program Advisory Commission (Commission) was established by the Board of Directors in 2003 to advise the Board regarding the selection and allocation of Education Program grants; and

WHEREAS, staff publicly noticed the 2017 Education Program Grant Notice of Availability 30 days prior to the March 6, 2017 application deadline; and

WHEREAS, staff received eleven (11) Classic Watershed Education Program grant proposals according to established procedures; and

WHEREAS, the Commission found seven 2017 Classic Watershed Education Program grant proposals to satisfy the mission of the Education Program and to be worthy of funding; and

WHEREAS, Exhibit A summarizes the eleven 2017 Classic Watershed Education Program Grant proposals recommended for funding and the Commission's recommended funding levels; and

WHEREAS, the Board of Directors has reviewed and considered said recommendation,

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the San Lorenzo Valley Water District that:

Education Program Advisory Commission's recommended 2017 Education Program "Classic Watershed Grant" awards are approved for funding.

PASSED AND ADOPTED by the Board of Directors of the San Lorenzo Valley Water District, County of Santa Cruz, State of California on the 20th of April, 2017 by the following vote of the members thereof:

AYES:  
NOS:  
ABSTAIN:  
ABSENT:

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Holly Morrison  
District Secretary



<div> <div>Exhibit A:</div> <div>2017 San Lorenzo Valley Water District "Classic Watershed Education Grant" Applications Summary Sheet</div> </div>							
Project Title	Project description	Amount requested	Award Recommendation	Funds to be used for:	Matching funds	Public outreach component description	Grant applicant
Environmental Monitoring	Honors Biology prepares sophomores, juniors and seniors for a year-long monitoring project. Environmental monitoring involves juniors & seniors in conducting a year long field-based environmental science project. Each project has a mentor (a professional in the field). Students enter projects in the Monterey Bay Sanctuary Symposium, Santa Cruz County Science Fair & the SLVHS Science Symposium.	\$0	Declined	\$450 Mentor Stipends; \$240 Poster Boards; \$100 refreshments/supplies for poster review session; \$160 for honorariums to students w/financial need; \$550 Equipment, kit refills etc.	San Lorenzo Valley School District is providing a part time position to and stipend to support the program. Past grants have purchased labs, and computers, materials and equipment.	Science Symposium in June 2018; Local papers including the Sentinel and Press Banner host announcements; SLVHS web page, Marquee and Cougar Mail will advertise events.	Jane Orbuch Science Teacher
Fifth Graders to Science Camp	To lower the costs for families of fifth grade students attending the Camp Campbell Outdoor Science School (CCOSS) May 23-26 2017.	\$2,500	\$2,000	\$2500 used to reduce cost of Camp Campbell Outdoor Science School.	\$4535 Fundraising through concession sales & Family Dinner Nigh & Redwood Mountain Faire.	n/a	Boulder Creek Elementary Parents Club
Water and Environmental Awareness through Science Literacy: K-3 Science Enrichment at San Lorenzo Valley Elementary School	Deliver 4 water science lessons to approx 400 students at SLVE grades K-3; Provide Science Notebooks to students to record observations and collect data and conduct experiments as well as journal observations; Support coordination of the school Science Fair.	\$2,500	\$2,500	Water Science Lessons \$25 /hr. @ 56 hours = \$1400; Science Journals \$2.00 X 300 students = \$600; Science Fair Coordination \$25/hr. X 20 hours = \$500	The total cost of the program is \$15,000. The Bobcat Club fundraising will match the proposed grant several times over to reach goal.	n/a	San Lorenzo Valley Elementary Bobcat Club
Banana Slug String Band	Interactive and Engaging performances that integrate music, theater, movement & Puppetry to teach watershed education to elementary school students and teachers.	\$3,000	\$0	\$600 - \$800 Assembly Cost (per school)	Banana Slug String Band provides all instruments, costumes, sound system, administration and transportation & original music.	5 elementary school assemblies in SLV and SV Local press (radio and newspapers) Facebook, Twitter, and LinkedIn Network.	Larry Graff Co- Manager
Watershed Rangers	In an after-school program, 15 SLVMS students will enhance understanding of watershed issues including watershed dynamics, endangered/ invasive species and water quality to develop leadership skills necessary to engage the SLV community in the preservation and protection of the San Lorenzo River watershed.	\$3,000	\$2,500	Project oversight \$100; Teachers & lesson planning \$2,250; Evaluation \$100; advertising materials \$500; Mileage \$75	City of Santa Cruz & CWC funding \$31,885	Publicize and host a student-led community service day. Promoted on social media, Local Media and supplies for the event.	Coastal Watershed Council
Family Science Night at SLVE	Family Science Night is an engaging and fun event where students, siblings, and parents learn about science, as it is related to water and watersheds.	\$2,500	\$2,500	Family Science Night Package from Children's Discovery Museum \$1015; Coordinator Stipends \$700; Supplies \$550; water activity \$235	In-kind matching funds valued at the following: SLVUSD \$900; Twelve volunteers \$15/hour \$720; CWC staffing \$400	n/a	SLV Elementary School
Exploring the San Lorenzo River	The Museum will create a series of free educational walks and a culminating Bio Blitz event along the upper and lower San Lorenzo River to educate the community and inspire stewardship about this important wildlife habitat, with a special outreach effort to San Lorenzo Valley residents. SCMNH will work alongside the Coastal Watershed Council (CWC) to coordinate these expert-led walks, including several along the upper portion of the river.	\$3,000	\$3,000	\$1570 Education Personnel; Expert Guides \$250; Supplies \$1,180	County of Santa Cruz Fish and Wildlife Advisory Commission	The Press Banner to reach out to San Lorenzo Valley residents, and the Good Times. A press release to distribute to our other media outlets. Action Cards will be a collectable keepsake to provide ongoing inspiration for participants to act as stewards of the San Lorenzo River.	Santa Cruz Museum of Natural History
Environmental Education for Underserved Students	ENH immerses students in the redwoods and along the coast to foster a deep understanding of the environment and their place in it. Students explore three distinct ecosystems - old growth redwoods, oak woodlands and marine environments. funds raised help to reduce the costs for youth from low-income families so they may enjoy our outdoor education program with their classmates and have equitable opportunity for hands-on learning.	\$2,500	0	\$54,918 Personnel 9 weeks; \$12,580 Travel expenses for students; \$4,000 Supplies; \$225,199 Insurance, Facility Use, Food & Admin Costs	Dean Witter Foundation; Margaret & Dean Leshner Foundation; Save the Redwoods League; Change happens; Sun Power; Other Corporate & Private Foundations Student fees = \$275,000	n/a	Exploring New Horizons



Project Title	Project description	Amount requested	Award Recommendation	Funds to be used for:	Matching funds	Public outreach component description	Grant applicant
San Lorenzo Outdoor Preserve for Education (SLOPE)	The San Lorenzo Outdoor Preserve for Education (SLOPE) provides a safe and accessible environment for the students and community at large to engage in watershed educational activities while restoring a critical riparian habitat near the San Lorenzo River.	\$3,000	\$2,500	Labor & Materials	Donated Labor \$5,000; materials \$2,000; Crowdsourcing \$500;	Public press event at the site at each milestone; website; social media like Facebook; an ongoing log of data collected, including before and after pictures of all activities, as well as Youtube videos and live events at the Preserve itself.	SLVMS
Interpretive Panel for Oly Welfield with Digital Access	An interpretive sign would make information about Sandhills life readily accessible to those who are already interested enough to visit the site. Also to increase general public awareness of the uniqueness of the Sandhills and contribute to respectful use of the site by visitors. The objective is to create an attractive display that will 1) feed visitors' curiosity, 2) convey accurate information, and 3) lead visitors to more information.	3,000	0	No budget provided	none	Every visitor to the site is a member of the public, and there could be more visitors in the future. An illustrated article on the project could appear in the Scotts Valley Press-Banner. A brief article could be enclosed in customers' water bills.	Greening Associates
Getting to Know Our Watershed: The Turkey Foot - Where Boulder Creek & Bear Creek Meet the SLR	Educational exploration of the San Lorenzo River Watershed, with a 10- to 15-minute video about the area near Junction Park in Boulder Creek- a very important place from both a geological and hydrological perspective in understanding the northern part of the San Lorenzo River watershed.	3,000	\$2,500	Labor, drone pilots, video editing etc. \$2,400; Cost of materials (Mini DVD & Video Tapes \$100; Public Outreach \$500	none	YouTube, Face Book, etc.), distributed on DVD to local schools and other groups. distribute copies to local libraries, community watershed educational events, and to other community organizations (such as SLV Rotary, Valley Women's Club Environmental Committee, Henry Cowell Docents).	Fred & Roberta McPherson
Total requested funds		\$28,000	\$17,500				
Available budget:		\$17,500					



[illegible]



SAN LORENZO VALLEY WATER DISTRICT								
CLASSIC WATERSHED EDUCATION GRANT PROGRAM								
GRANT PROPOSAL APPLICATION SCORING FORM								
SPRING 2017								
<b>Environmental Monitoring</b>								
				Educational	Viability		Creativity	Total Aggregate
	Responsive	Non-Responsive		Outreach	of Project		of Project	Score
1	X			9	5		5	19
2	X			10	5		5	20
3	X			10	5		5	20
4	X			10	5		5	20
5	X			10	5		5	20
TOTAL	X			49	25		25	99
<b>Fifth Graders to Science Camp - BCE Parents Club</b>								
				Educational	Viability		Creativity	Total Aggregate
	Responsive	Non-Responsive		Outreach	of Project		of Project	Score
1	X			8	3		3	14
2	X			10	5		5	20
3	X			10	5		4	19
4	X			10	2		5	17
5	X			10	5		3	18
TOTAL	X			48	20		20	88
<b>Water &amp; Env. Awareness through Science Literacy: K-3 SLVE</b>								
				Educational	Viability		Creativity	Total Aggregate
	Responsive	Non-Responsive		Outreach	of Project		of Project	Score
1	X			8	5		4	17
2	X			10	5		5	20
3	X			10	4		4	18
4	X			10	5		5	20
5	X			10	5		5	20
TOTAL	X			48	24		23	95
<b>Banana Slug String Band</b>								
				Educational	Viability		Creativity	Total Aggregate
	Responsive	Non-Responsive		Outreach	of Project		of Project	Score
1	X			9	2		4	15
2	X			10	5		5	20
3	X			9	4		5	18
4	X			10	5		5	20
5	X			10	5		3	18
TOTAL	X			48	21		22	91



<b>Watershed Rangers - CWC</b>									
					Educational	Viability		Creativity	Total
	Responsive	Non-Responsive	Outreach		of Project			of Project	Aggregate
									Score
1	X				9	5		4	18
2	X				10	1		5	16
3	X				10	5		5	20
4	X				10	5		5	20
5	X				9	5		4	18
<b>TOTAL</b>					<b>48</b>	<b>21</b>		<b>23</b>	<b>92</b>
<b>Family Science Night SLVE</b>									
					Educational	Viability		Creativity	Total
	Responsive	Non-Responsive	Outreach		of Project			of Project	Aggregate
									Score
1	X				8	5		4	17
2	X				10	5		5	20
3	X				10	4		5	19
4	X				10	5		5	20
5	X				10	5		5	20
<b>TOTAL</b>					<b>48</b>	<b>24</b>		<b>24</b>	<b>96</b>
<b>Exploring the San Lorenzo River - SCMNH</b>									
					Educational	Viability		Creativity	Total
	Responsive	Non-Responsive	Outreach		of Project			of Project	Aggregate
									Score
1	X				10	5		4	19
2	X				10	5		5	20
3	X				10	5		4	19
4	X				10	5		5	20
5	X				10	4		4	18
<b>TOTAL</b>	<b>X</b>				<b>50</b>	<b>24</b>		<b>22</b>	<b>96</b>
<b>Environmental Education for Understerved Students - Exploring New Horizons</b>									
					Educational	Viability		Creativity	Total
	Responsive	Non-Responsive	Outreach		of Project			of Project	Aggregate
									Score
1	X				6	3		2	11
2	X				6	5		5	16
3	X				9	4		4	17
4	X				10	5		5	20
5	X				7	5		5	17
<b>TOTAL</b>	<b>X</b>				<b>38</b>	<b>22</b>		<b>21</b>	<b>81</b>



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Please accept this **Classic Watershed Grant application** on behalf of the Boulder Creek Elementary Parents Club, for the benefit of fifth grade students at Boulder Creek Elementary located at 400 W Lomond St, Boulder Creek, CA 95006. This application has been completed by Jacqueline Spracklen, Boulder Creek Elementary Parent Club Member and fifth grade parent. Please contact her at 831-338-3502 home, or by mail at 278 Hill Top Court, Boulder Creek, CA 95006, or [jacquie@spracklen.info](mailto:jacquie@spracklen.info) with any questions regarding this proposal.

The Boulder Creek Elementary Parents Club's "Fifth Graders to Science Camp" project is requesting \$2500 to assist in lowering the costs to fifth grade families for students attending Camp Campbell Outdoor Science School (CCOSS) in Boulder Creek, from May 23-26. Attendance at camp not only helps our staff and students meet the state science framework standards, but also gives a unique opportunity for our students to better understand the San Lorenzo River watershed. This matches the mission of the SLVWD Education Grant Program, which is to provide funding for educational projects that enhance the understanding of the San Lorenzo River watershed.

The Boulder Creek Elementary Parents Club works to support the students and families at BCE. Part of our organizational mission is to raise funds to supplement and enhance the student's academic enrichment. In addition, our mission is to work to strengthen our academic community, building on BCE's and SLVUSD's strong foundation. The primary goal of the Boulder Creek Elementary Parents Club in this specific project is to bring costs to families down enough so that all kids can afford to attend science camp with their classmates and teachers this year.



Environmental education at CCOSS is an extension of classroom curriculum which has been taking place throughout the school year. The overall program goals and objectives for CCOSS are:

- Enhance concepts learned in the classroom
- Develop an understanding and appreciation of the functioning ecosystems
- Develop an understanding of the interdependence between humans and the environment
- Provide a quality experiential learning adventure in an outdoor setting
- Develop respect for self, others, and the environment
- Increase students' sense of self-worth through successful learning

They hope to achieve these goals through the exploration of the following core concepts:

- Adaptation
- Interdependence
- Cycles/Changes
- Community
- Ecological Responsibility
- Conservation

They will also achieve these goals and objectives through investigating functioning ecosystems such as:

- Riparian and lotic aspects of the San Lorenzo River, and the unique characteristics of the redwood forest, mixed evergreen forest, chaparral and meadow communities.
- Experiential strategies and activities like observation, measurement, sampling, sensory experience and interpretation, and comparative investigations.



- Fundamental ecology and resource management concepts in ever field study.

The staff at CCOSS will utilize a variety of teaching techniques including the following:

- Each field group participates in a daylong hike, approximately 3-5 miles round trip, traveling through several eco-communities.
- Students experience a night hike and astronomy study that emphasizes nocturnal animal life and nighttime sensory awareness.
- Students participate in a campfire where each cabin group presents a skit about concepts learned during the week.

Success will be measured by the number of students participating in camp. Last year the BCE Parents Club was able to offset costs for each student by \$50. We have the opportunity this year to increase the number of days that students will attend camp which in turn increases the cost per student. We continue to fundraise through concessions sales at events, volunteer work at Redwood Mountain Faire, and family dinner nights, where we partner with local restaurants and receive a portion of their proceeds for an evening. We are hoping to help make camp attendance a reality for all fifth grade students.

While I am not a grant writer, I am a concerned parent who is involved with Boulder Creek Elementary Parents Club. While I, along with other involved parents, and staff, are working toward this same goal, three Boulder Creek Elementary staff members are at the heart of this effort. Dana Thomsen, Lisa Muirhead, and Kim Peterson are our dedicated fifth grade instructors and will be accompanying our students at Camp Campbell Outdoor Science Camp.

Students will be attending camp from May 23-26, 2017. We will be completing a final project report after the students return and expect to have that completed



by June 2, 2017.

## **Budget Summary**

### **Expenses**

\$285 per student to attend Camp Campbell Outdoor Science School

X 87 students

**\$ 24,795**

**\$210 per teacher x 3 = \$630**

**Total= \$25,425**

### **Income**

\$539 earned through Family Dinner Night

\$1,140 earned through volunteers at Redwood Mountain Faire

\$2,856.97 earned through bake sales and BBQ

\$4535.97 estimated fundraising totals

+\$2,500 from Classic Watershed Grant

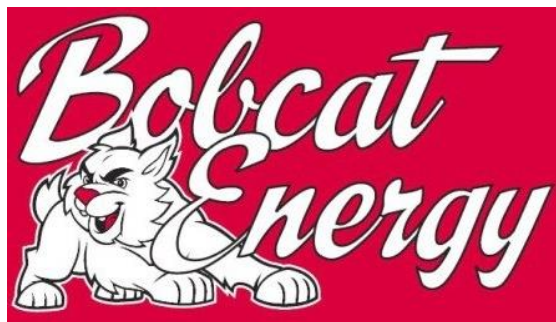
**\$7,035.97 estimated total income to offset expenses**

**All income will be used to directly offset expenses per student.**



## Water and Environmental Awareness through Science Literacy: K-3 Science Enrichment at San Lorenzo Valley Elementary School

**San Lorenzo Valley Elementary Bobcat Club**  
**Attn: Hilde Largay, K-3 Science Enrichment Teacher**  
**c/o San Lorenzo Valley Elementary School**  
**7155 Highway 9, Felton, CA 95018**  
**831-335-4475**  
**hildelargay@gmail.com**



**Funding amount requested: \$2500**

### Summary

This project would support the education of approximately 350-400 San Lorenzo Valley students in the basics of the science of water, and build science literacy at an early age.

It would:

- match Bobcat Club funding of a Science Enrichment Teacher for grades K-3,
- provide science notebooks to students in 1<sup>st</sup> through 3<sup>rd</sup> grades for use in recording their observations and collecting data on a variety of experiments, and
- fund a coordinator/s for the school Science Fair.

### Need

The principles of watershed stewardship and water conservation are built on a foundation of science and engineering. When citizens are asked to change their behavior, whether that means turning off the tap while they brush their teeth, or preventing erosion in the watershed, they often ask why. Without an appreciation for science, people often doubt the experts charged with managing our resources, especially when those experts ask them to do something inconvenient or less fun than what they had in mind. But with an understanding of the fundamentals of physics and earth science, and an appreciation of the scientific method, people are more likely to understand the rationale behind conserving resources or reducing pollution and act accordingly.

Students at the San Lorenzo Valley Elementary School receive an excellent education. But without external funding, education in science for K-3 students is led by their classroom teacher. These teachers, while exceptionally capable, often don't have the capacity to support hands-on science, which requires extensive preparation and specialized materials. The proposed project will help support a dedicated Science Enrichment teacher who will collaborate with the classroom teachers to provide that hands-on experience with a focus on water and the scientific method.



The San Lorenzo Valley Elementary School Science Fair is an annual event that inspires 40 to 60 students to take the extra step of developing an independent science fair project, including designing and executing an experiment, and presenting the results to a number of judges. The school regularly fills all of the ten places available to it at the Santa Cruz County Science Fair.

Essential to good science is good note-taking. By providing the students with science notebooks, the project would elevate students' perceptions of the program with the special notebooks, and enable students to learn strong methods for capturing their observations.

### **Project Goal and Measures of Success**

This project aims to strengthen our community's science literacy with a focus on water and watersheds. The key objectives are to:

- Deliver an average of four water science lessons to each of approximately 350-400 school children at the San Lorenzo Valley Elementary School, grades K-3
  - *Success metric: tally of students and number of lessons*
- Dedicate those lessons to aspects of science that are fundamental to water resources management:
  - the water cycle and states of matter
  - physics of water: water molecules, surface tension, capillary action
  - watersheds and our local water system
  - water treatment and conservation
  - *Success metric: brief summary of lessons per grade*
- Coordinate the San Lorenzo Valley Elementary Science Fair
  - *Success metric: tally of projects and number of volunteers*
- Provide science notebooks to participating 1<sup>st</sup> – 3<sup>rd</sup> grade students
  - *Success metric: tally of notebooks distributed*

### **Qualifications, Leadership and Key Participants**

The Bobcat Club is a group of parents committed to providing excellent educational experiences and support for all our kids at SLVE. The Bobcat Club raises funds and provides support for the following programs:

- Art Masterpiece
- Yearbook
- Life Lab Science
- Science Enrichment Teacher (K-3)
- Music Enrichment Teacher (K-3)



Supervision of staff hired to deliver programs funded through the Bobcat Club is provided by the principal of San Lorenzo Valley Elementary. Jennifer Lahey has been the principal for one year, and oversees a staff of over 30 professional educators.

The science enrichment teacher whose work would be supported by the proposed grant, Hilde Largay, is a California credentialed multiple-subject educator with eleven years of primary grade classroom experience. She has been teaching the K-3 Science Enrichment program for four years. She is fluent in Spanish.

## **Scope of Work**

### **Water Science Lessons**

The proposed water science lessons would be integrated into the existing K-3 Science Enrichment Program at San Lorenzo Valley Elementary School. The logistics of the K-3 Science Enrichment Program are already established: Once a week for 17 weeks the Science Enrichment Teacher visits each first through third grade classroom to deliver a 45-minute lesson. Each kindergartener receives one 45-minute lesson and hands on experience each month for one semester. Each grade level has approximately 85-100 students, a total of 350-400 students. This grant, by sponsoring an average of four lessons for each student, will provide approximately 1600 learning experiences in science related to water resources.

Focus topics include the water cycle and states of matter: evaporation, condensation, precipitation, water as solid, liquid and gas; the physics of water: water molecules, surface tension, and capillary action. Lessons will also cover our local watershed and water treatment. Other topics could include potential and kinetic energy, including how energy governs the flow of water, with examples provided related to pumps, tanks, water pressure, stream flow, and erosion. We expect that this hands-on experience will help cement the concepts that these students will use for the rest of their lives as educated water users.

### **The San Lorenzo Valley Elementary Science Fair**

Enthusiastic students will benefit from the opportunity to go deeper into the scientific method. The proposed project will support the coordination of the San Lorenzo Valley Elementary Science Fair. Coordination includes managing volunteers who coach students and judge projects, as well as set-up, break down, and providing advice to students and parents. This year 52 students participated in the science fair, entering 41 projects. Ten of these projects represented SLVE at the Santa Cruz County Science Fair. Each year the number of participants and projects increases and we anticipate the same for next year. Through this experience, students gain considerable appreciation for the principles of science, and science based management, such as what the Water District conducts.



### Science notebooks

Organization and recording observations are key components of science education. The proposed project will provide simple yet sturdy science notebooks for the participating 1<sup>st</sup> – 3<sup>rd</sup> grade students. These journals serve as a place for students to record their hypotheses and data from various experiments, to draw diagrams and write new vocabulary. These will be made available for teachers to use year-round in all areas of science. Journals will be stamped with recognition to the SLVWD for providing them (photo at right).

This journal was paid for by a grant from the San Lorenzo Valley Water District's Education Grant Program. SLVE thanks them!

### Timelines and Milestones

- September 2017: Science Enrichment Classes begin for two grade levels, to be determined by administration. Science notebooks distributed to all 1<sup>st</sup>-3<sup>rd</sup> grade classes.
- February 2018: Science Enrichment Classes switch grade levels.
- February 2018: San Lorenzo Valley Elementary Science Fair
- June 2018: Science Enrichment Classes end.
- June 2018: Final report submitted to San Lorenzo Valley Water District

### Monitoring Program

The monitoring program will be structured to track the success metrics for each of the project objectives.

- The number of students receiving Water Science education will be tracked
- Brief summaries of the water related lessons will be compiled
- The number of Science Fair projects and volunteers will be tracked
- The number of students receiving Science Notebooks will be tracked

### Relationship to the Education Program

This project directly advances the mission of the Education Grant Program by empowering students with the basic understanding of what water is, how it moves through the environment, and how it is managed to provide for environmental health and human benefit.

The project will also help build a generation of students in the San Lorenzo Valley with science literacy. This, especially when taught in the context of water, will help them appreciate as they grow older the reasons for water conservation, erosion control, habitat preservation and other science based actions that citizens and water managers take to understand the San Lorenzo River watershed and improve its environmental health.



Kids love science. When asked 'what did you do at school today', we expect the students will be good teachers of their parents, too.

### **Matching Funds**

The total cost of the K-3 Science Enrichment Program is approximately \$15,000. The Bobcat Club fundraising will match the proposed grant several times over to reach this total.



## Water and Environmental Awareness through Science Literacy: K-3 Science Enrichment at San Lorenzo Valley Elementary School

### *Project Budget*

Item	Cost per unit	Quantity	Total
Water Science Lessons	\$25.00	56 hours	\$1400.00
Science Journals	\$2.00	300	\$600.00
Science Fair Coordination	Stipend, based on 20 hours at \$25/hour		\$500.00
		TOTAL	\$2500.00



Coastal Watershed Council Proposal  
2017 Watershed Education Grant Program  
San Lorenzo Valley Water District  
March 6, 2017

**1. Name of Individual(s)/Organization Submitting Proposal: Provide the full and correct name of the individual(s)/organization that will receive the grant and be responsible for the project.**

Mollie Behn, Education Coordinator, Coastal Watershed Council (CWC)  
Greg Pepping, Executive Director, Coastal Watershed Council (CWC)

**2. Name, Address, Telephone Number(s) and Email Address of Contact Person: Provide the name, address, telephone number(s) and email address of one (1) contact individual who carries the proposal/project responsibilities.**

Mollie Behn, 345 Lake Ave., Suite F, Santa Cruz, CA 95062, (831) 464-9200,  
[mbehn@coastal-watershed.org](mailto:mbehn@coastal-watershed.org):



**3. Title of Project: Provide a descriptive title of your project.** Watershed Rangers

**4. Amount of Funds Requested: Identify the total amount of San Lorenzo Valley Water District Education Grant Program funds you are requesting for your project.**

\$3,000 (includes \$500 public outreach component)

**5. Briefly describe and summarize your project.**

Watershed Rangers connects, inspires and empowers San Lorenzo Valley middle school students in the hands-on exploration of the San Lorenzo River watershed and activities that benefit the watershed's environmental health. Using the scientific method, inquiry and analysis students explore the watershed and use tools and technologies to measure environmental parameters. Students learn the importance of the resources the San Lorenzo River watershed provides, including critical habitat and drinking water supply. What makes this environmental education program unique is not only hands-on science experience, but also the emphasis on leadership development through a service learning model. Service learning models, as demonstrated through Watershed Rangers, begin with education and result in action for direct environmental benefit and leadership development as students determine and implement the best solution to address local watershed issues.

**6. Briefly describe why this project is needed and/or what specific problems your project will address.**

While many San Lorenzo Valley students recreate with their families along the San Lorenzo River or Fall Creek, many do not understand the intricacies of how their daily actions impact the health of their watershed. Through participating in the Watershed Rangers program, students will become highly engaged in watershed education, develop an increased awareness of issues affecting local watersheds and will generate a direct, positive impact on the San Lorenzo River watershed by putting their newly developed skills to action and hosting a community project in the watershed.

CWC's Watershed Ranger program fulfills a very specific and unique niche within environmental education in San Lorenzo Valley. We work after school, directly building upon and deepening the understanding of what students learn in the classroom, and we work specifically with middle school students, for whom there is typically a gap in resources for out of school programming and who are at an age where it is so important to engage youth in pro-social and career focused activities.

**COASTAL WATERSHED COUNCIL**

345 Lake Avenue, Suite F, Santa Cruz, CA 95062 · (831) 464-9200  
[www.coastal-watershed.org](http://www.coastal-watershed.org)



Currently, San Lorenzo Valley Middle School students receive some watershed education programming in the classroom. By strategically building upon the classroom experience, San Lorenzo Valley Water District will allow students to enhance their understanding of watershed issues and develop the leadership skills necessary to engage the San Lorenzo Valley community in the preservation and protection of the San Lorenzo River watershed.

**7. Identify the overall goal(s) and primary objective(s) of your project/program. Objectives are the “real world” things you will do as a means of achieving your goals.**

*Goal:* The goal of the Watershed Rangers program is to connect, inspire and empower San Lorenzo Valley youth to explore and protect the San Lorenzo River watershed through meaningful hands-on learning and action. *Objectives:* CWC staff will engage 15 students in 5 hands-on learning and leadership experiences after-school in the 2017-18 school-year. 15 students will design and implement one of the hands-on learning and leadership experiences by putting their increased knowledge and leadership skills into action -- engaging friends, classmate and family in the San Lorenzo Valley community to participate in a culminating community service activity to benefit the health of the San Lorenzo River watershed.

**8. Describe how you will demonstrate achievement of the stated goal(s) and proposed objective(s).**

CWC will demonstrate achievement of the stated goals and objectives by measuring: 1) Number of students participating in the program, 2) number of hands-on learning experiences, 3) number of community members reached through the culminating community service activity to benefit the health of the San Lorenzo River watershed, 4) change in student awareness of watershed issues in their community and change in self-identified leadership skills using a pre and post survey. In addition to these quantitative assessments, CWC staff will also document observed changes in students' attitudes and behaviors in relation to the San Lorenzo River watershed and their own community throughout the program. Watershed Rangers activities are regarded as key investments working towards sustainable short-, middle- and long-term improvements in the natural environment of the San Lorenzo River Watershed.

**9. Describe your qualifications to complete the grant proposal.**

The Coastal Watershed Council (CWC), a 501(c)3 nonprofit, was formed in 1995 in response to the declining health of watersheds connected to the Monterey Bay. Over the past 20 years, CWC has educated thousands of students and trained thousands of volunteers to protect the natural resources along California's Central Coast. CWC has built a strong relationship with the San Lorenzo Valley School District by collaborating with teachers, presenting at school assemblies and working with student interns to implement community engagement activities.

CWC Education Coordinator Mollie Behn manages and implements the education programs for Santa Cruz County schools, including San Lorenzo Valley Middle and Elementary Schools, focusing on watersheds, climate change, and sustainable practices. Mollie's experience previous to CWC includes serving as a program manager in Seattle, WA for a forest restoration and service learning education program inspiring stewardship through hands-on experiences. As an environmental educator at North Cascades Institute, Mollie led K-12 grade students in hands-on exploration and investigation of public lands. For seven years, Mollie worked for the National Park Service in various capacities including Interpretive Park Ranger at Acadia and Sequoia National Parks; resource management at Yellowstone National Park and research and development for nation-wide interpretation, education and youth programs in the Washington DC headquarters. Mollie is currently implementing a 2016 Classic Watershed Education Grant from the San Lorenzo Valley Water District to implement the Watershed Rangers program in the current 2016-17 academic year.



**10. Identify the key participants and leadership of your proposed project. If you are a group or organization, identify the stated purpose of your group or organization.**

The mission of the Coastal Watershed Council (CWC) is to preserve and protect coastal watersheds through community stewardship, education and monitoring. Watershed Rangers project involves all three of these program areas as through education, students get hands-on experience with water quality monitoring and will develop the leadership skills needed to take beneficial actions as stewards for the San Lorenzo River watershed. The project will be led by CWC Education Coordinator Mollie Behn and will involve collaboration with teachers at San Lorenzo Valley Middle School. In the current 2016-17 academic year, Mollie is working with all 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grade science teachers at San Lorenzo Valley Middle School to engage students in lessons about watershed dynamics and water quality monitoring.

Mollie will build upon existing relationships with teachers and school administration to enroll students in the Watershed Rangers after-school program, identify educational activities that build upon classroom learning and collaborate with the SLV High School Watershed Academy teachers to facilitate learning experiences that prepare students to further engage in watershed activities in their continuing education.

CWC will also work with partners to bring more diverse perspectives to students and model environmental careers. For example, with current funding from the San Lorenzo Valley Water District, CWC has partnered with young professional fisheries biologists from FISHBIO to bring fishery science to the students and to model that environmental protection can be a career choice that students can make. FISHBIO staff accompanies CWC educators in the field to conduct stream health surveys. Partnerships like these increase the impact of the funding from the Water District by broadening student perspectives and inspiring commitment to environmental stewardship. CWC will continue to seek unique partnerships like this example in the 2017-18 academic year.

**11. Briefly describe exactly what you are going to do and how you are going to accomplish your proposed project. Provide a clear statement of the work to be undertaken.**

Each learning experience of the five week Watershed Rangers after-school program will engage students in hands-on science to understand more about the health of their watershed and provide them with additional information for their community service day.

- **Week 1 (Watershed Disturbance Assessment):** Students will conduct their first Watershed Disturbance Survey at Fall Creek to observe and document evidence of human disturbance on the watershed that can affect the health of the river and in turn water quality for human use. Students will sum up their ratings to determine the rate of disturbance in their watershed.
- **Week 2 (Stream Health Survey):** Students will observe and conduct scientific tests at Fall Creek to assess if the stream will support local fish habitat. Students will use this information to understand the habitat requirements of the local fish and how humans can improve habitat.
- **Week 3 (Watershed Disturbance Assessment and Stream Health Survey repeated):** Students will repeat both the Watershed Disturbance Survey and Stream Health Survey at the San Lorenzo River and compare the results to Fall Creek. Students will use the information gathered from the Watershed Disturbance Surveys and Stream Health Surveys to identify the key issues in their community that they can address during the community service project.
- **Week 4 (Preparing for Community Project):** Students will work as a team to identify an issue impacting their local watershed that they would like to address during their community service project. Students will research solutions to the problem and plan/prepare a simple community project or activity to help address their identified watershed issue. Students will identify either a community service project or community outreach project to address the issue.



- **Week 5: (Student-Led Community Project)** Students will then engage their families, friends and communities in a student-led community project that will directly benefit the health of the San Lorenzo River. The exact activity will be determined by the students with guidance from CWC and could involve a river clean up, water quality monitoring, stream bank improvements or community outreach/education.

**12. Identify specific timelines & milestones for project completion and the final project report.**

- **November/December 2017-** CWC Education Coordinator Mollie Behn will coordinate with SLV Middle School to coordinate timing for the after-school program and teachers throughout the school district to develop curriculum activities.
- **January 2018** - Mollie and partner teachers will recruit and enroll students in program.
- **February 2018 – April 2018-** Mollie and partner teachers will lead four consecutive after-school activities and will plan, advertise and host a community service day.
- **May 2018 (or immediately following the program)-** Mollie will solicit feedback from partner teachers, evaluate program and complete reporting to San Lorenzo Valley Water District.

**13. Describe your proposed project monitoring program.**

Mollie will manage, lead and enact the Watershed Rangers program under the guidance of CWC Executive Director Greg Pepping. Mollie will lead evaluation activities including monitoring student and community enrollment, partner relationships and student learning (as described in Question #8).

**14. Briefly describe how your proposed project relates to and supports the Education Program Mission Statement.**

The Watershed Rangers project enhances student's understanding of the San Lorenzo River watershed through experiential learning. By analyzing and generating maps students will learn what a watershed is and how water moves through it; by identifying the flora and fauna of the San Lorenzo watershed and the environmental features that impact their survival, students will understand the challenges for survival, particularly as they pertain to threatened and endangered species; and by visiting Fall Creek and investigating sources of erosion students will discover one of the greatest sources of pollution for the San Lorenzo River watershed. Finally, students will practice their leadership skills by planning and implementing a community activity to share their watershed knowledge with the San Lorenzo Valley community.

**15. Identify any other source(s) of funding for your proposed project. Include any matching funds, materials, services, equipment, personnel and/or other resources.**

The Watershed Ranger program at San Lorenzo Valley Middle School will be an expansion of the work done in partnership with the City of Santa Cruz Watershed Education and Outreach. Through CWC's funding from the City of Santa Cruz we have been able to build partnerships with San Lorenzo Valley Middle School. Watershed Rangers is an opportunity for a unique investment from the San Lorenzo Valley Water District to add an after school program that incorporates enhanced learning, leadership development and community-service based projects into the classic environmental education model.

**16. Optional public outreach component: To be eligible for up to \$500.00 in additional funding, describe how you would publicize your project. What media would you use? How would you make it interesting to your audience?**

CWC requests \$500 in funding to publicize and host a student-led community service day at the completion of the Watershed Rangers program. Students will recruit family, friends and the community to participate through mediums such as posters, radio, school or community newsletter and promoted by CWC on social media and in the media. The funds will also be used in public outreach to provide a small budget for supplies needed for the event.



**San Lorenzo Valley Watershed Education and Outreach Services  
2017-18 Budget**



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*Preserving and protecting  
our coastal watersheds*

Personnel total by task	Hours	Rate (\$/hr)	Cost	SLVWD Budget
Task 1: Project oversight and financial management	15	86	\$1,304.00	\$100.00
Task 2: Lesson planning, coordination with teachers, classroom and field instruction, including travel	430	62	\$26,653.00	\$2,225.00
Task 3: Evaluation (elicit teacher feedback, summarize and report)	18	62	\$1,092.00	\$100.00
Personnel Subtotal:	463		<b>\$29,049.00</b>	<b>\$2,425.00</b>
Direct expense:	Quantity	Unit Cost (\$)	Cost	SLVWD Budget
Mileage	1613	0.535	\$863.00	\$75.00
Materials & Supplies			\$993.00	\$500.00
Curriculum			\$120.00	\$0.00
WQM Kits			\$360.00	\$0.00
Direct Subtotal:			<b>\$2,836.00</b>	<b>\$575.00</b>
<b>Watershed Education &amp; Outreach Services Total:</b>			<b>\$31,885.00</b>	<b>\$3,000.00</b>

Note: labor costs computed using aggregate average billing rate including payroll and indirect (overhead) costs



## Family Science Night at San Lorenzo Valley Elementary School

Jessica Curcio, Science Teacher  
c/o San Lorenzo Valley Elementary School  
7155 Highway 9, Felton, CA 95018  
831-335-4475  
[jcurcio@slvusd.org](mailto:jcurcio@slvusd.org)

**Funding amount requested: \$2500**

### Summary

This project will support a Family Science Night for all San Lorenzo Valley Elementary School families. This educational experience will benefit students, as well as their parents and siblings, in an engaging and fun event where they would learn about science, and particularly science related to water and watersheds.

It will:

- Purchase a “Family Science Night” package from the Children’s Discovery Museum of San Jose
- Support 2 coordinators for the event
- Purchase 2 compound cordless microscopes specifically for grades K-5
- Purchase consumable supplies for teacher-led activities and pumps for the stream tables

### Need

Thanks to last year’s grant, SLVE families enjoyed an evening learning about chemistry from the Children’s Discovery Museum, using microscopes to look up close at water bugs and more, played with the physics of water moving over land with stream tables, along with what makes a good water filter with the Coastal Watershed Council. We had over 130 kids attend last year’s event! An evening of families learning scientific principles together with hands-on activities was an excellent way to kick off the year and support the science that is already going on in the classroom. It is a way to teach parents and students alike in an atmosphere where learning is fun. Teachers at SLVE talk about how much they would like to have family education nights every year, in math, in reading, in science. Lack of funding is always what stands in the way.

Family Science Night would leverage the investment made by the water district in the K-3 Science Enrichment Program at SLVE (described in a separate proposal) by bringing the community together in a festival setting that creates a learning bridge between the classroom and family.

Watershed stewardship and water conservation are rooted in science and engineering. Citizens with greater science literacy are better able to appreciate – and more likely to follow – guidance



given by District professionals. When citizens are asked to change their behavior, whether that means turning off the tap while they brush their teeth, or preventing erosion in the watershed, they often ask why. Without an appreciation for science, people often doubt the experts charged with managing our resources, especially when those experts ask them to do something inconvenient or less fun than what they had in mind. But with an understanding of the fundamentals of physics and earth science, and an appreciation of the scientific method, people are more likely to understand the rationale behind conserving resources or reducing pollution and act accordingly.

### **Project Goal and Measures of Success**

This project aims to strengthen our community's science literacy with a focus on water and watersheds. The key objectives are to:

- Provide SLVE families with a “Family Science Night” by the Children’s Discovery Museum  
*Success metric: tally of parents and students in attendance*

We estimate that 200 people will attend the event.

- Dedicate at least three activity stations to water resource science. These stations would include activities related to:
  - Local water samples under the microscope
  - Water testing and treatment
  - Erosion and how to prevent it

*Success metric: tally of water resource related activity stations*

### **Qualifications, Leadership and Key Participants**

Jessica Curcio teaches 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> grade science at San Lorenzo Valley Elementary and Middle Schools. Hilde Largay teaches Kindergarten – 3<sup>rd</sup> grade science enrichment at San Lorenzo Valley Elementary.

Ms. Curcio and Ms. Largay each have over 10 years of experience as educators, and have coordinated many similar events. Together, they will coordinate the evening.

The Children’s Discovery Museum of San Jose is a 25-year old institution with a mission to inspire creativity, curiosity and lifelong learning. In addition to operating the museum itself, the museum routinely delivers interactive science-based learning programs at school campuses.

“Family Science Night” is a special program targeted towards the whole family. More information is available here:

<https://www.cdm.org/learn-create/for-teachers-community-groups/family-science-nights-at-schools/>



## **Scope of Work**

### **Site Preparation**

Ms. Curcio and Ms. Largay will work with fellow students, teachers, and administrators to prepare the community and the site. Activities include: advertising through classroom announcements and the Principal's electronic newsletter, reserving and preparing the room, and purchasing supplies.

### **Coordination with the Museum and Volunteers**

Ms. Curcio and Ms. Largay will contract with the Family Science Night program. Activity stations will be selected from a menu of options to ensure a rich set of activities. To the extent feasible, we will choose activity stations that pertain to the physics, chemistry and biology of water and watersheds. The Children's Discovery Museum will deliver their program, which involves bringing 10 activity stations to the school. Ms. Curcio and Ms. Largay will recruit 12 volunteers from among parents, teachers and alumni. Museum staff will train volunteers to operate and engage families at each station. Museum staff will oversee the operations of the various stations. Ms. Curcio and Ms. Largay will welcome and orient families. All hands will help break down the event.

### **Additional exhibits focused on water resource science**

In addition to the Children's Discovery Museum activities, we will provide at least 2 stations related to water resource science. These stations will include activities related to the ecology of our local watershed, water testing and treatment, conservation, erosion, or pollution.

- One station will be stream tables, which will give students an opportunity to explore concepts of erosion and sedimentation. Included in this proposal is funding for consumables to fill the tables: sand, soil, clay, etc.
- One station will include scientific observation with microscopes. Samples of local water sources will be some of these samples.
- The Coastal Watershed Council will provide an activity table related to water resource science.
- The Water District would be more than welcome to join us and provide an additional station for learning about the Water District, our watersheds and water conservation.

Ms. Curcio and Ms. Largay will plan the water related stations, purchase necessary materials, and coordinate with the Coastal Watershed Council for the event.

## **Timelines and Milestones**

- June/July 2017, or as soon as we have secured funding: Set a date and make a reservation with the Children's Discovery Museum
- August/September 2017: Purchase microscopes
- Late Fall 2017 or Spring 2018: Family Science Night
- June 2018: Final report submitted to San Lorenzo Valley Water District



### **Monitoring Program**

*Success metric: tally of parents and students in attendance*

Ms. Curcio and Ms. Largay will tally parents and students in attendance.

*Success metric: tally of water resource related activity stations*

Ms. Curcio and Ms. Largay will provide a list of the stations, including a description of the water related activities.

### **Relationship to the Education Program**

This project directly advances the mission of the Education Grant Program by providing families a fun context for learning some of the science of what water is, how it moves through the environment, and how it is managed to provide for environmental health and human benefit.

### **Matching Contributions**

In kind matching contributions for this project are estimated at \$2020.

The San Lorenzo Valley Unified School District, through the San Lorenzo Valley Elementary School campus, will provide in-kind match to this funding request. The room and tables for the day are valued at \$500. School staff effort in publicizing, setting up and cleaning up after the program is estimated at \$400.

Twelve volunteers are anticipated to provide four hours of work on the night of the event. At \$15/hour, is contribution is valued at \$720.

The Coastal Watershed Council is anticipated to provide staffing and preparation effort for their exhibit, with an estimated value of \$400.



## Family Science Night at San Lorenzo Valley Elementary School

### *Project Budget*

Item	Cost
Family Science Night package from the Children's Discovery Museum of San Jose	\$1015.00
Coordinator Stipends	\$700.00
2 compound cordless microscopes, plus shipping and handling	\$550.00
Consumables for the water related activity stations and pumps for the stream tables	\$235.00
<b>TOTAL</b>	<b>\$2500.00</b>



## Exploring the San Lorenzo River Budget

### Santa Cruz Museum of Natural History

EXPENSE		Budget	Other Sources	Request from SLWD
<i>Itemize all expenses for project budget</i>			<i>How funds from sources other than SLWD will be allocated</i>	<i>How funds from SLWD grant will be allocated</i>
Personnel	% of Time			
Education Manager		\$1,400	\$230	\$1,170
Museum Program Coordinator		\$1,400	\$1,000	\$400
Education Assistants		\$700	\$700	\$0
Fringe Benefits - All Salaries @				
<b>Subtotal Salaries and Benefits</b>		\$ 3,500	\$ 1,930	\$ 1,570
Consultants	Rate of Pay			
Honoraria for Expert Guides		\$500	\$250	\$250
<b>Subtotal Consultant Fees</b>		\$ 500	\$ 250	\$ 250
<b>Total Personnel Expenses</b>		\$ 4,000	\$ 2,180	\$ 1,820
Non-Personnel				
Program Supplies		\$440	\$290	\$150
Transportation (Mileage)		\$130	\$30	\$100
Printing, Family Passes (Action Cards)		\$400	\$0	\$400
Online Services (surveys, etc.)		\$30	\$0	\$30
Marketing (ads, social media)		\$1,000	\$500	\$500
<b>Total Non-Personnel Expenses</b>		\$ 2,000	\$ 820	\$ 1,180
<b>GRAND TOTAL – ALL EXPENSES</b>		\$ 6,000	\$ 3,000	\$ 3,000

Budget prepared by:

Ami Davis

Telephone Number:

(831) 420-6115

Notes:





# San Lorenzo Outdoor Preserve for Education (SLOPE)

03.03.2017--A proposal to the San Lorenzo Valley Water District for \$2500 towards Phase I of our project for creating an outdoor space for watershed education, and \$500 for special promotional activities highlighting its relationships with the Education Program Mission Statement and other related topics.

## Organization:

### San Lorenzo Valley Middle School

ATTN: Rachel Hager, Science Dept.

7179 Hacienda Way, Felton, CA 95018

Email: [rhager@slvusd.org](mailto:rhager@slvusd.org)

## Contact:

### Rachel Hager

605 San Lorenzo Ave.

Felton, CA 95018

phone: (831) 246-2003

## Overview of SLOPE

As a middle school science teacher at SLVMS, I have struggled to have a place where I can easily take my students outside to explore stated curricula, particularly around watershed education standards, which is a critical part of getting them engaged with this necessary material. To get to any similar environments now, elementary and middle school students have to go past the high school and the sports fields, through often wet and unstable areas. The San Lorenzo Outdoor Preserve for Education (SLOPE) provides a safe and accessible environment for the students and community at large to engage in watershed educational activities while restoring a critical riparian habitat near the San Lorenzo River.



## Goals

1. To create an outdoor educational environment that combines a 50 seat class “room” with a watershed interpretive zone as Phase I, and lay the groundwork and boundaries for a student/community restoration project as Phase II.
2. To create an ongoing online presence and student/community involvement plan to manage all future issues like maintenance and upgrades.


## Specifications and Qualifications

I have over 14 years as a middle school science teacher, and I brought in my husband Mark Hager who has over 20 years of outdoor theater installations and environmental restoration with such groups like Shakespeare Santa Cruz, Villa Montalvo, PG and E and the Indian Canyon Nation. He immediately identified the ideal spot, a neglected segment of riparian habitat at the middle school entrance adjacent to the back of the elementary school. This northeast segment of the school district property is currently overgrown with french broom and German ivy, but still contains several old growth oak and redwood trees along a shady stream and small waterfall, and is already intersected by a full access path at the elementary school. We have cleared the critical hurdle of securing permission from both principals, and are beginning implementation now. In addition to providing for the need of an outdoor education space, SLOPE fills the additional need of restoring a portion of riparian habitat close to the San Lorenzo River and being a critical model educational site for such material. It will also allow for a more safe and open use of this area at the boundary of both schools and the community in general. The watershed education grant will allow aggressive milestones to be met for Phase I by buying key materials and securing contractor labor on critical community involvement days. The grant money will also allow for interpretive displays and online applications, as well as an ongoing system to organize teacher and community group involvement, including future project phases to be planned out roughly for the next five years. The interpretive material will be based entirely around watershed standards, but the space will be available more mixed outdoor topics.

### Phase I, the SLOPE Outdoor Class “room”

The first step will be a general cleanup of the property to clear garbage, poison oak, non-native invasive species, and address general access and safety issues, as well as delineate the boundaries of the project. Mark Hager is already assembling the volunteer contractor team to implement this cleanup. The largest capital expenses and labor will be put into a set of benches, sufficient to seat fifty students, facing a small clearing and





interpretive display and instructional surface/bulletin board at the northeast point of the property adjacent to Hacienda road. The outdoor class “room” will be surrounded with small trails between twenty tasteful yet durable interpretive numbered labels on examples of native plants, like redwood, coast live oak, rushes and sedges. These numbers will refer to an online database of identified species that can increase with time and can be accessed with a smartphone. The interpretive display at the head of the theater will be composed of three hinged 4’x7’ panels. The two outer panels will have pre-printed content about the SLOPE watershed specifics and the major project sponsors and donors, and the center panel will be a bulletin board/instructional surface for teachers.

## Phase II, the SLOPE Propagation/Restoration Demonstration Zone and SLOPERS

The site will be delineated into key areas where students can engage in hands-on restoration and propagation projects, ranging from rush and sedge division to seed collection, and ongoing non-native invasive species removal. Projects will be student led and implemented with online verification and the data tracked for continuous future reference, and will be tied directly to class curricula and current standards. Phase II also includes the creation of the San Lorenzo Outdoor Preserve for Education Restoration Society (SLOPERS) which will be a loose organization of interested community members for the completion and implementation of a five-year plan for the site. .

## Milestones

### I. Phase I

Phase i will be completed in ten full workdays spread out between March 1 and an opening ceremony on Sept. 1 of 2017. Community work days and media promotional events will be held in summer 2017 on weekends in July and August, when most of the work will get done. The rest will be finished by the core team to be ready for the opening and fall classes, and a final project report.

### II. Phase II

Phase two will be implemented from September of 2017 through May of 2018, and will begin a process of tying each year’s class schedules to the phases of the project. The SLOPE site will be tracked for the whole school year, through the rainy season and spring, and thus will have milestones corresponding to semester midterms and semester breaks. Students will complete in-class assignments in SLOPE according to class schedules.





## Educational Program Mission Statement

We cannot state strongly enough that the mission of SLOPE is nearly identical to the Educational Program Mission Statement, with the exception that we are a specific model example of it where teachers, students, and the community can come together to explore the topics of watershed science and environmental restoration.

## Additional Resources

We are implementing a community crowd-sourcing campaign to encourage further donations of money, time and materials, through the rest of the summer. These community campaigns will directly evolve into SLOPERS at the launch in September. Current project members have extensive connections with local contractors and suppliers who will be approached to make contributions. Several offers of donations of materials and times have already been made. All funds will be publicly tracked and transparent. Parental and community contributions and involvement will be actively encouraged on an ongoing basis.

## Optional Public Outreach Component

Each of the milestones shall be celebrated with a public press event at the site. Outreach shall be maintained through a website with links to major partners and sponsors, as well as social media like Facebook and/or other appropriate formats, and shall serve as an ongoing log of data collected, including before and after pictures of all activities, as well as Youtube videos and live events at the Preserve itself. Community news and media outlets will be actively informed of each of the stages of the endeavor, with participation encouraged at every step along the path.



# San Lorenzo Outdoor Preserve for Education

## Phase I Budget Summary

Expense	anticipated % donated	
<b>Unmet need</b>		
Labor:		
300 hrs @ \$25/hr=\$7500	80%	\$1500
Materials:		
\$4000	50%	<u>\$2000</u>
Total unmet needs:		\$3500

### Projected Income:

SLVWD Classic Education Grant	\$3000
Crowdsourcing Campaign	<u>\$ 500</u>
Total:	\$3500

### Breakdown:

Total Value of Goods and Services:	\$10,500
Total anticipated value of donated labor:	\$5000
Total anticipated value of donated materials:	\$2000
Total anticipated funds raised:	\$3500

All funds raised will be funneled directly into the project, and all expenses shall be tracked and presented in the final project report.



**San Lorenzo Valley Water District  
Classic Watershed Education Grant Application  
February 27, 2017**

**1. Name of Individual(s)/Organization Submitting Proposal:**

Fredrick L. and Roberta L. McPherson

**2. Name, Address, Telephone Number(s) and Email Address of Contact Person:**

Provide the name, address, telephone number(s) and email address of one contact individual who carries the proposal/project responsibilities.

Fred McPherson

P. O. Box 544

Boulder Creek, CA 95006

(831) 338-2097

*fredwood@cruzio.com*

**3. Title of Project:**

Getting to Know Our Watershed: The Turkey Foot – Where Boulder Creek and Bear Creek meet the San Lorenzo River

**4. Amount of Funds Requested:** \$2,500.00 (plus optional public outreach DVD. See #16 below.)

**5. Briefly describe and summarize your project.**

We would like to continue our description and educational exploration of the San Lorenzo River Watershed, this time bringing attention to understanding the northern part of the watershed by producing a 10- to 15-minute video about the Turkey Foot, that area in Boulder Creek often referred to as The Junction. It's a very important place from both a geological and hydrological perspective in understanding the northern part of the San Lorenzo River watershed. Geologically, it's where the Ben Lomond and Zayante faults meet and where the northern part of Ben Lomond Mountain ends and the southern part of the Butano Ridge begins.

In terms of hydrology, it's where, within a very short distance, Boulder Creek and Bear Creek join the San Lorenzo River, forming what looked to early pioneers like a turkey's foot.

This video will deal with the Boulder Creek Treatment Plant and the associated pipelines only in a general way. A more detailed description of this system and facilities deserves a whole video in itself, assuming the San Lorenzo Valley Water District would like more detailed documentation about the northern system to be made public.



**6. Briefly describe why this project is needed and/or what specific problems your project will address.**

People's lives are so busy that it is often hard for them to see beyond superficial political issues to develop an understanding of the deeper reality of what is needed to provide them with high-quality drinking water every day.

There is much more to learn about the San Lorenzo River Watershed and the work the San Lorenzo Valley Water District does in relation to it. Focusing on the northern end of the watersheds will help extend Water District customers' knowledge and understanding of the extent of the area involved in bringing their water supply to their homes.

Many customers within the District who spend time researching the District website could benefit from and enjoy learning about this aspect of their watershed.

**7. Identify the overall goal(s) and primary objective(s) of your project/program:** (Objectives are the "real world" things you will do as a means of achieving your goals.)

Our overall goal remains to help people to understand the unique characteristics of their watershed, where their water comes from, and how it gets to them, by continuing our video series about the San Lorenzo River Watershed. Our primary objective is to focus on the confluences of Boulder Creek, Bear Creek and the San Lorenzo River as a reference point for understanding the underlying geology, hydrology, and natural history of the upper watershed.

The idea continues to be to get customers invested in their watershed, as something to be appreciated and cared for, not only because of its beauty, but also because it provides essential ecosystem services and high-quality drinking water.

This video would be the second in a series of videos documenting various aspects of the San Lorenzo River watershed, its tributary sub-watersheds, and their contribution to our surface and ground water supply.

**8. Describe how you will demonstrate achievement of the stated goal(s) and proposed objective(s).**

We will demonstrate achievement of the stated goals by completing and delivering a video that tells a story about the watershed as described above.

**9. Describe your qualifications to complete the grant proposal.**

Fred McPherson has been involved with and actively working on issues of the San Lorenzo River and its watershed for over 40 years. Throughout this time, he has been working as a teacher and biologist studying and teaching about the San Lorenzo River and its watershed and the Santa Cruz Mountains. His PhD (received in 1976) was a comparative project focusing on the differences between how people perceived and used the upper San Lorenzo River compared with the lower river. He was a founding member of Save San Lorenzo River Association in the 70's, has served on



the SLVWD Board of Directors and its various committees and study groups for a number of years, and is well versed in the issues and ideas necessary to make the above presentation. In the last 15 years, he has turned his interest in photographing plants, animals, and landscapes of the Santa Cruz Mountains toward video work, taping hundreds of hours of footage documenting this diverse area.

Roberta McPherson has gained an extensive knowledge of video editing, script writing, and narration through the production of the various video documentaries she and Fred have produced over the years.

We have produced numerous videos, including "Getting to Know Our Watershed: Fall Creek," funded by a grant from the SLV Water District; "A Fish Tale," commissioned by Henry Cowell for exhibit in their Visitor Center; "The Wonders of Henry Cowell Redwoods State Park," "Introduction to the Merced National Wildlife Refuges," and "Eye of the Flycatcher." Our videos have been shown in the Santa Cruz Film Festival, the Henry Cowell Natural History Film Festival, to the docents at Henry Cowell and Natural Bridges State Parks, at public meetings of the California Native Plant Society, SLV Rotary, at the Watershed Conference of the Valley Women's Club, and in science classes at SLV High School, Middle School, and both SLV elementary schools.

Our video work can also be seen on our YouTube channel – Natural History Santa Cruz Mountains.

**10. Identify the key participants and leadership of your proposal project.** If you are a group or organization, identify the stated purpose of your group/organization.

Fred and Roberta McPherson are the key participants of this project. As well as interviewing pertinent Water District personnel and area geologists, we plan to work with at least one local drone pilot to get overview shots of the area.

**11. Briefly describe exactly what you are going to do and how you are going to accomplish your proposed project.** Provide a clear statement of the work to be undertaken.

As videographers we have been documenting the San Lorenzo River and its watershed for over 10 years and have accumulated a wealth of archived video footage about Boulder Creek, Bear Creek and the San Lorenzo River. We will augment this with new seasonal footage, geological overview footage, and possible interviews of involved District personnel and area geologists, which will be woven together to tell a story about the San Lorenzo River watershed at the Turkey Foot and in the surrounding area.

As part of the educational option we would be happy to make 25 copies of a DVD with an attractive label for distribution as described below in #16.



**12. Identify specific timelines and milestones for project completion and the final project report.**

1. Prepare an outline and draft script; 2. Inventory and assemble archival images into a draft timeline to ascertain what additional footage is needed; 3. Travel to various locations in the Northern Watershed area to shoot any needed additional video footage; 4. Engage the services of a local drone pilot to get certain overview shots of the area; 5. Interview involved District personnel and area geologists, if available; 6. Organize and edit the video clips into an easily understood, interesting storyline; 7. Complete a final draft of the script for narration; 8. Record voice-over narrative and add any interviews and background music; 9. Complete the final video for viewing on the website and on a thumb drive and/or master DVD; 10. As part of the educational option, we would also prepare a set of 25 DVD's for distribution as described above.

**13. Describe your proposed project monitoring program.**

We do not have a monitoring program as such, but the project will be done in phases as described above in #12.

**14. Briefly describe how your proposed project relates to and supports the Education Program Mission Statement.**

This project directly relates to the Education Program Mission Statement in that it provides a visual introduction to two key tributaries in the San Lorenzo River watershed and will increase the understanding of the watershed, its use as a source of surface water, and needs for protection on the part of anyone viewing the District's website. It has the potential to educate a large number of people about another important aspect of the watershed not only through the District website, but also in classrooms, and public presentations to community groups.

**15. Identify any other source(s) of funding for your proposed project. Include any matching funds, materials, services, equipment, personnel and/or other resources.**

We have no other sources of funding for this project.

**16. Optional public outreach component:** To be eligible for up to \$500.00 in additional funding, describe how you would publicize your project. What media would you use? How would you make it interesting to your audience?

Aside from being designed for viewing by the general public on the District's Website (with links to YouTube, Face Book, etc.), as an optional educational component of this grant, the video can also be made available and distributed on DVD to local schools and other groups. It could help acquaint and instruct teachers and students about SLVWD operations. To broaden the scope of who will see this information, we would also be happy to distribute copies to local libraries, as well as showing it at community watershed educational events, and to other community organizations (such as SLV Rotary, Valley Women's Club Environmental Committee, Henry Cowell Docents).



### Budget Summary

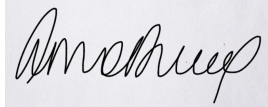
<u>Program Expense Item</u>	<u>Cost</u>
Labor involved with script writing, working with local drone pilots, video editing, shooting new video, and production as described above to provide a video of approximately 10 to 15 minutes in length. Use of video and computer equipment is included in the above charges.	\$2,400.00
*See note below	
Cost of materials (Mini DVD Video Tapes, DVD's, etc.)	<u>\$100.00</u>
TOTAL	\$2,500.00
Optional Public Outreach DVD, making 25 copies for distribution, and presentations to local schools and civic organizations.	<u>\$500.00</u>
OPTIONAL GRAND TOTAL	\$3,000.00

\*NOTE: Every minute of completed video will represent countless hours of work: Weeks in the field shooting footage and gathering information and many hours in post-production developing the story, finding just the right clips to illustrate a specific point, writing a script to tell the story, and editing audio together with visual to produce the final video.



**Proposal for the 2017 San Lorenzo Water District Classic Watershed Education Grant**

---

**1. Name of Individual(s)/Organization Submitting Proposal:**

Ami Davis, Development Manager  
Santa Cruz Museum of Natural History

**2. Name, Address, Telephone Number(s) and Email Address of Contact Person:**

Ami Davis, Development Manager  
Santa Cruz Museum of Natural History  
1305 East Cliff Drive, Santa Cruz, CA 95062  
831.420.6115 x 14, development@santacruzmuseum.org

**3. Title of Project:** Exploring the San Lorenzo River**4. Amount of Funds Requested:** \$2,500 + \$500 public outreach component (\$3,000 total)**5. Briefly describe and summarize your project.**

The Santa Cruz Museum of Natural History (SCMNH) will create a series of free educational walks and a culminating BioBlitz event along the upper and lower San Lorenzo River to educate the community and inspire stewardship about this important wildlife habitat, with a special outreach effort to San Lorenzo Valley residents. SCMNH will work alongside the Coastal Watershed Council (CWC) to coordinate these expert-led walks, including several along the upper portion of the river, bringing together two successful programs: SCMNH's "Birding Along the San Lorenzo River Walk Series" and CWC's "Ecosystem Expeditions." The San Lorenzo Water District Classic Watershed Education Grant would support SCMNH expenses for this joint program.

**6. Briefly describe why this project is needed and/or what specific problems your project will address.**

The reputation of the San Lorenzo River has suffered with recent incidences of crime and a history of unhealthy water. In combination with this negative reputation, the lack of positive uses for the Riverwalk is discouraging to those who may be curious. SCMNH and CWC see an opportunity to improve this dynamic with our Exploring the San Lorenzo series of programs.

The Exploring the San Lorenzo River series will provide unique educational experiences inspired by best practices in outdoor education, including hands-on exploration, student-led learning, and opportunities to apply knowledge. The walks, held from Felton to Santa Cruz, will build positive memories that connect youth and their families to nature, and foster a sense of responsibility for the health and quality of native fish and wildlife habitats. Participants will learn from expert birders and wildlife specialists to identify species, and learn about their life cycles, habitats and behavior. They will also learn about the impacts of humans on the river ecosystem. SCMNH and CWC will support this outdoor learning with activities and games that help students and their families retain knowledge and appreciate their role in this diverse urban river ecosystem.



The concluding BioBlitz is a concrete way for program participants to contribute to the health and study of the River. A BioBlitz is a focused survey of a particular ecological area by scientists and citizen scientists in order to provide a natural “snapshot” of that region over a specified period of time. We will train participants to record their own scientific observations during our Earth Day 2018 BioBlitz. According to the California Academy of Sciences, “BioBlitzes not only help land managers build a species list and atlas for their park and provide invaluable data for researchers, they also highlight the incredible biodiversity in these...oases.” A BioBlitz can help communities learn together, connect with their local ecosystem, and take part in conserving it.

SCMNH will also provide “Action Cards” for participants as a program take-away. These cards will explain what participants can do in their everyday lives to be citizen scientists and stewards of their watershed, such as cleaning up after pets, conserving water, and participating in other stewardship projects that directly impact the riverine ecosystem.

SCMNH will make a special effort to reach out to the San Lorenzo Valley (SLV) community by hosting several walks along the upper portion of the San Lorenzo River, placing an ad in the local paper, *The Press Banner*, and promoting the event to the Museum’s roughly 500 SLV constituents. All attendees will leave each tour with clarity on what actions they can take to preserve and protect the San Lorenzo River habitat.

By providing this program series free of charge, we offer an inclusive way for people from all economic levels and academic backgrounds to practice citizen science, and become empowered to contribute to the scientific study of and appreciation for the San Lorenzo River.

**7. Identify the overall goal(s) and primary objective(s) of your project/program. Objectives are the “real world” things you will do as a means of achieving your goals.**

**Goals:**

1. Reconnect a healthy San Lorenzo watershed to a vibrant community.
2. Educate the public, especially San Lorenzo Valley residents, about the river and raise awareness of the river’s integral role in the health of our community and the ecosystems it supports.
3. Reframe the river as a space for community gathering and recreation, and inspire regional pride in this ecosystem and community resource.
4. Inspire and equip participants to take action and engage with efforts to support the health of the San Lorenzo River ecosystem.

**Objectives:**

- Provide participants with opportunities to connect with experts and to explore and discover the riverine ecosystem.
- Host 10 bird, fish and wildlife tours and one culminating BioBlitz along the San Lorenzo River from February to April 2018, bringing approximately 250 school age youth and family members to visit the river and learn about local wildlife in this habitat.
- Provide “Action Cards” for participants as a program take-away to promote ongoing stewardship projects that directly impact the river ecosystem.



**8. Describe how you will demonstrate achievement of the stated goal(s) and proposed objective(s).**

1. Participation in each walk will be at maximum capacity (250 participants total).
2. As a result of the program, survey responses will demonstrate an increase in environmental concern, the value of a free citizen science program to participants' lives, and an increase in knowledge about the watershed.
3. There will be an increase in the number of observations conducted during the 2018 BioBlitz compared to the 2017 pilot program.

**9. Describe your qualifications to complete the grant proposal.**

The Santa Cruz Museum of Natural History works toward its mission *connecting people to nature and inspiring stewardship of the natural world*. The Museum is a leader in environmental education in the community. With diverse Museum and field-based programs, we serve more than 30,000 children and adults each year. The programs are supported by a dedicated base of trained volunteer docents that allow us to keep programs low priced and accessible.

The Museum education staff has extensive experience in watershed education, curriculum development, restoration, fieldwork, volunteer coordination, program development, and program evaluation. We are consistently working to upgrade our programs and make them relevant to diverse audiences throughout Santa Cruz County.

**10. Identify the key participants and leadership of your proposed project.**

The Museum's education team is led by Education Manager Felicia Van Stolk. Felicia has been developing, leading and training others in environmental education programs since 2010. She is a Santa Cruz native with extensive experience in marine science education, and was responsible for programming at the Marine Science Institute. Felicia has a Bachelors in Marine Biology (with a minor in Conservation Biology) from UCLA and has facilitated watershed education programs for children and the general public.

The CWC, a supporting partner, was formed in 1995 in response to the declining health of watersheds connected to the Monterey Bay. CWC's mission is to preserve and protect coastal watersheds through stewardship, education and monitoring. Over the past 21 years, CWC has educated thousands of students and trained thousands of volunteers to protect the natural resources along California's Central Coast. CWC's technical experts follow state and federal protocols to generate scientifically valid data that inform key decision-makers. CWC's history has positioned it as a well-respected leader in watershed protection.

**11. Briefly describe exactly what you are going to do and how you are going to accomplish your proposed project.**

Program planning will take place in January 2018 and will include coordinating and scheduling guest speakers, applying for permits, developing promotional materials, and designing curriculum for youth engagement and the BioBlitz. SCMNH will develop curricula for the walks as well as take-away "Action Cards" for participants. SCMNH and CWC will organize ten weekly walks, five focused on birdwatching and five focused on fish and wildlife, along the San Lorenzo River for school-aged children and their families to occur February through April 2018, including recruiting experts, obtaining permits, and



coordinating marketing efforts.

**12. Identify specific timelines & milestones for project completion and the final project report.**

Task	Completed by
Expert recruitment	January 2018
Obtain necessary permits	January 2018
Launch marketing campaign	January 2018
Conduct programs	February-April 2018
BioBlitz Event	Earth Day 2018
Final project report	June 2018

**13. Describe your proposed project monitoring program.**

We use an online system, Altru, to track RSVPs and attendance. We distribute paper surveys to participants after each walk (for improved survey compliance), then enter the data into Survey Monkey to track and analyze program impact. We use the iNaturalist citizen scientist database to record observations made during the BioBlitz program.

**14. Briefly describe how your proposed project relates to and supports the Education Program Mission Statement.**

The San Lorenzo River is an integral part of our community's history, public health and local economy and is the primary source of drinking water for nearly 100,000 people. It is home to threatened steelhead trout and endangered Coho salmon and local and migratory bird species. Yet our community has a mixed relationship with the San Lorenzo River and its riverfront parks with specific concerns of public safety and accessibility of the river for positive uses. In order to better make informed decisions and to take daily actions that support the mutual health of humans and wildlife, we must build a positive association with this habitat. The purpose of Exploring the San Lorenzo is to raise awareness about this critical ecosystem. The river walks and Action Cards will empower participants with concrete steps to improve the watershed's health and help them associate the river with natural beauty and vitality.

**15. Identify any other source(s) of funding for your proposed project.**

We will apply to other sources, such as the County of Santa Cruz Fish and Wildlife Advisory Commission, to cover additional staffing costs of the program. CWC will identify separate funding from a source other than the San Lorenzo Water District or County of Santa Cruz Fish and Wildlife Advisory Commission for their project components.

**16. Optional public outreach component:**

SCMNH will design ads that promote the series and present an educational anecdote about the watershed. We will utilize marketing funds to purchase ads in *The Press Banner* to reach out to San Lorenzo Valley residents, and the Good Times (one of our media partners). We will create a press release to distribute to our other media outlets. Finally, the Action Cards will be a collectable keepsake to provide ongoing inspiration for participants to act as stewards of the San Lorenzo River. The San Lorenzo Water District would be prominently recognized on all print and web literature about the series, as well as the Action Cards.



## MEMO

TO: Board of Directors  
FROM: District Manager  
WRITTEN BY: Director of Operations  
SUBJECT: Request to Remove Fencing Lower Pasatiempo Water Storage Tank  
DATE: May 25, 2017

### Recommendation:

It is recommended that the Board of Directors review the attached correspondence from Greg Pierson, 1025 Whispering Pines Drive requesting removal of District Fencing at the Districts Lower Pasatiempo Water Storage Tank.

### Background:

On March 16, 2017 the District received correspondence from Greg Pierson, 1025 Whispering Pines Drive in Scotts Valley requesting removal of District fencing in front of his home (see attachment 1). The Pierson's home is adjacent to the Districts Lower Pasatiempo Water Storage Tank in Scotts Valley.

In 2006 the District started receiving complaints from several homeowners in the area of the Lower Pasatiempo Water storage tank and the Scotts Valley Planning Department. The complaints were in regards to illegal parking on District property, construction of retaining walls, planters, storage of material on top of the water tank, and illegal activity all on District property. The parking was so bad District staff were unable to access the tank without walking some distance.

On May 18, 2006 the Board of Directors discussed this issue and appointed two Board Members and staff to address this issue (attachment 2). The District moved forward with surveying parcels to determined property corners (attachment 3). The owners of 1025 Whispering Pines drive disputed District ownership and obtained legal representation. Complaints intensified from the



neighborhood and attempts failed to work out a neighborhood agreement. The Department of Health Services, February 16, 2007 Health Inspection noted that “the roof of the tank and the area directly around the tank had a significant amount of garbage and debris, which must be removed immediately. The report also noted that security around the tank should be increased to ensure that no further items are placed on or around the tank, and to ensure that intrusion into the tank does not occur” (attachment 4).

In July 2007 the District filed a lawsuit and after a long court proceeding the District moved forward in June 2010 with security measures with the installation of perimeter fencing pursuant to the Statement of Decision filed in Action No. CV157662, Superior Court of the State of California, County of Santa Cruz as outlined on the attached drawing (attachment 3). Correspondence was sent May 20, 2010 to the owner informing the statement of Decision concluded that the equitable servitude which burdened Tank Lot A for the benefit of their property does not confer any right to park vehicles on District property (attachment 5). The cost of legal proceeding was in excess of \$90,000 not including the fencing.

An easement does exist for 1025 Whispering Pines, allowing for access over District property Tank Road A and Tank Lot A (attachment # 6). The easement is limited to passage for ingress to and egress, expressly prohibiting parking on District property.

Shortly after the fencing was installed the property was foreclosed and bank sold for a reduced price because of the City of Scotts Valley Compliance Orders (red tags) and newly installed fencing.

On March 16, 2017 the District received correspondence from Greg Pierson, the new owner 1025 Whispering Pines Drive in Scotts Valley requesting removal of District fencing in front of his home. The Pierson’s home is adjacent to the Districts Lower Pasatiempo Water Storage Tank. The original driveway to their home is located off Whispering Pines Drive and was damaged and abandoned making the back entrance in front of the tank into the front entrance to their home (attachment #7). Mr. Pierson states that the fence has posed a hardship on multiple occasions as he needs to remove trees, access issues, and aesthetic value.

There are currently issues with the Pierson’s complying with the recorded easement. The Pierson have already infringed on District property by placing construction material, portable toilet, and parking on District property. Recently



we have received complaints from Hidden Glen Subdivision as the Piersons have been blocking the emergency exit from Hidden Glen parking on District property.

Removing the fence would again create security issues; block access to district facilities plus the \$100,000 dollar expense and several years of litigation to install the fence. The removal of the fence would just intensify these problems.

Relocating the fence would also block access to the District Upper water storage tank as to access the Upper Tank you have to drive by the lower tank. Twenty-four hour access is needed to both tanks without have to wake people to move cars in the night. The Pierson's purchased the home at a reduced price with the fence installed at the present location knowing there was a fence in place. Staff is recommending the fence remain installed at the present location and continue to work with the Pierson's with gaining access on District property for tree removal or as needed and enforce the no parking on district property.

FISCAL IMPACT:

none

STRATEGIC PLAN:

Strategic Element 1.0 - Water Supply Management

Attachments:

- 1 Correspondence from Pierson
2. Customer complaint/Board Meeting
3. Survey Map/Fencing
4. State Heath 2006 Inspection
5. Letter installing Fence
6. Easement
7. Driveway Map



RECEIVED  
MAR 16 2017  
SAN LORENZO VALLEY  
WATER DISTRICT

March 16, 2017

Greg Pierson  
1025 Whispering Pines Dr.  
Scotts Valley, CA 95066  
858-245-9270  
[cloudslyr@gmail.com](mailto:cloudslyr@gmail.com)

SLVWD Board Members  
13060 Hwy 9  
Boulder Creek, CA 95006

Dear Board Members,

My family and I own a home in Scotts Valley directly adjacent to Lower Pasatiempo Tank on Tank Rd.

We are requesting that the portions of the SLVWD fence directly in front of our home be removed permanently.

The fence has posed a hardship on us on multiple occasions by being unable to temporarily allow vehicle access for delivering building materials, landscape maintenance, and for crane access to remove large trees as well as associated additional financial costs.

We currently have two large trees (please see pictures), that are in eminent danger of falling into our home and need to be cut down ASAP. Access for the tree service company is currently not possible without three SLVWD gates being unlocked at the minimum.

While our current situation requiring access is our paramount concern, we believe the reasons the fence was erected in the first place are no longer warranted since we became the owners of this property. We have spent considerable funds restoring our home to its current state, but we still have a great deal of work left, and having the access and convenience, as well as aesthetic value would mean a great deal to us.

We of course would pay for the cost of the fence removal to SLVWD's satisfaction. We can also offer to have the asphalt resealed around the water tank and road (very much needed) as well as replace a listing wooden retaining wall with a more permanent solution such as a concrete block wall. We further agree to be responsible, conscientious custodians of the area by keeping SLVWD's access free at all times as well as maintain the adjacent areas of the tank and roadway clean and free of debris and obstructions.

Thank you for your consideration of our request.

Sincerely,



Greg Pierson



From: Greg Pierson cloudslyr@gmail.com  
Date: Mar 16, 2017, 1:54:26 PM  
To: Greg Pierson cloudslyr@gmail.com



Sent from my iPhone



From: Greg Pierson cloudslyr@gmail.com  
Date: Mar 16, 2017, 1:54:40 PM  
To: Greg Pierson cloudslyr@gmail.com

Agenda: 5/25/17  
Item: T4e  
**Attachment 1**



Sent from my iPhone



From: Greg Pierson cloudslyr@gmail.com  
Date: Mar 16, 2017, 1:54:17 PM  
To: Greg Pierson cloudslyr@gmail.com





From: Greg Pierson cloudslyr@gmail.com  
Date: Mar 16, 2017, 1:53:53 PM  
To: Greg Pierson cloudslyr@gmail.com

Agenda: 5.25.17  
Item: 4e  
**Attachment 1**





From: Greg Pierson cloudslyr@gmail.com  
Date: Mar 16, 2017, 1:53:37 PM  
To: Greg Pierson cloudslyr@gmail.com

Agenda: 5.25.17  
Item: 14e  
**Attachment 1**



Sent from my iPhone



Agenda: 05.18.06  
Item: 5a

To: San Lorenzo Valley Water District Board  
13060 Highway 9  
Boulder Creek, CA. 95006-9119

RECEIVED

MAY 10 2006

From: Daron Pisciotta  
1055 Whispering Pines Dr.  
Scotts Valley, CA. 95066

SAN LORENZO VALLEY  
WATER DISTRICT

Subject: Tank Road A Property

I am the resident and property owner of the parcel located at 1055 Whispering Pines Drive (021-101-22) adjacent to the property which you own titled "Tank Road and Tank Lot A" (40-M-1). I have recently completed a surveyor's map by a licensed and registered surveyor to locate the exact location of my property lines. I have found that the location of Tank Road is not exactly located on your Tank Road A Property. The road is in fact located on some of my property as well. I have recently met with Ken Girouard, James Mueller and Rick Rogers of the Water District to discuss this issue and review with them the surveyor's map. Following are the facts and concerns that have been discussed regarding Tank Road A and its access:

1. The residents at 1025 Whispering Pines Drive (021-101-17) are using Tank Road to access their home and do not have an official easement. This causes me great concern. If while they are traveling down this road and they are involved in an accident or have other issues on this property, the Water District and myself, as the legal property owners, could be liable or responsible.
2. The residents at 1025 Whispering Pines Drive have also recently constructed a retaining wall and widened the Tank Road on my portion of the property without permission in order to accommodate more parking and traffic. Furthermore, there is other "construction" being done that I believe could be located on the Water District's property.
3. The residence at 1025 Whispering Pines Drive has been using a single-family residence and garage to house numerous tenants. As a result, there have been issues requiring police involvement and there has been excessive use of Tank Road. The City of Scotts Valley is aware of the situation and is currently pursuing building use issues regarding this property.
4. The owner at 1085 Whispering Pines Drive (021-115-08) has an official easement to use Tank Road to access his residence and uses the roadway appropriately.

I have enclosed pictures of the area and an official copy of the surveyor's map that was prepared by Michael Beautz, a licensed and registered surveyor. The total cost of the map and survey was \$1,840. I would like to request a sharing of that cost between the property owners involved. Chuck Maffia, owner at 1085 Whispering Pines Drive, has already provided me with \$500 to help pay for the cost of the survey. I would like to request that the SLV Water District match that payment. This map shows all locations of property lines that boarder all of the involved parties as well as other areas surrounding Tank Road A.

Thank you for your attention to this matter. I look forward to hearing from you soon.

Sincerely,

  
Daron Pisciotta

Cc: Gary Redenbacher, Attorney at Law  
Chuck Maffia  
City of Scotts Valley Building Department



MINUTES  
BOARD OF DIRECTORS MEETING  
MAY 18, 2006  
SAN LORENZO VALLEY WATER DISTRICT  
BOULDER CREEK, CALIFORNIA

The regular meeting of the Board of Directors of the San Lorenzo Valley Water District was called to order by Pres. Nelson on Thursday, May 18, 2006, at the Operations Building, 13057 Highway 9, Boulder Creek, California, at 7:30 p.m.

**CONVENE MEETING/ROLL CALL**

Roll call showed Dirs. Nelson, Prather, Vierra, and Rapoza were present. District Manager Mueller and Legal Counsel Hynes were also present.

**MINUTES**

- a. Regular Meeting of May 4, 2006  
Motion was made by Dir. Rapoza to approve the Minutes of the Regular Meeting of May 4, 2006.

**ROLL CALL:**

Ayes: Nelson, Vierra, Prather, Rapoza  
Noes: None  
Absent: None

**ADDITIONS AND DELETIONS TO AGENDA:** None.

**ORAL COMMUNICATIONS:** None.

**WRITTEN COMMUNICATIONS:** None.

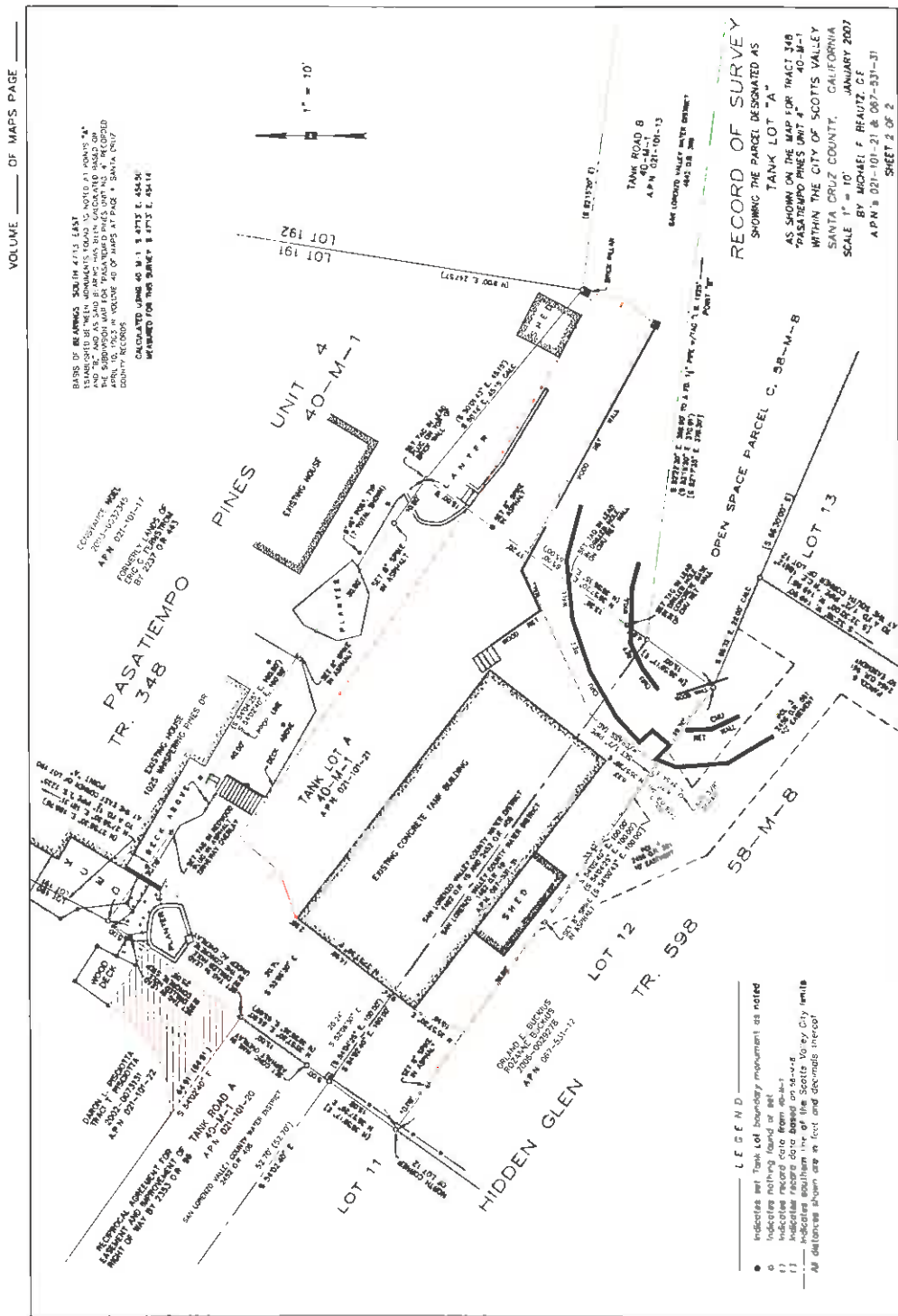
- a. Correspondence from Daron Pisciotto regarding District Tank Road A Property, Scotts Valley.

Dir. Nelson directed Staff to address the issues and report back to the Board. Director Vierra requested that report should also include any security or liability issues. Dir. Nelson appointed Dir. Rapoza and Vierra to act as a committee to work with Staff.

**CONSENT AGENDA:** None.

**UNFINISHED BUSINESS:** None.







**California Department of Health Services  
Drinking Water Field Operations Branch  
Monterey District**

**2006 INSPECTION REPORT**

Purveyor: <u>San Lorenzo Valley Water District</u>	System No.: <u>4410014</u>
Person(s) contacted/Position: <u>Jim Mueller, District Manager</u>	<u>831-430-4625</u>
Date of Inspection: <u>May 2-4, 2006</u>	Reviewing Engineer: <u>Zachary C. Rounds, P.E.</u>
Date of Last A.I.: <u>November 30, 2000</u>	District Engineer: <u>Jan Sweigert, P.E.</u>

**A. INTRODUCTION**

**1. Permit Status:**

The San Lorenzo Valley Water District (System) was issued a permit by the California Department of Health Services (Department) on January 19, 1979. The permit has been amended numerous times for source and treatment additions. The System needs a new permit for further changes to the water system since 2000.

**2. Changes in System:**

Since the last annual inspection, the System has replaced the Quail Hollow 4 well with the Quail Hollow 4A well, replaced the Quail Hollow booster station, installed numerous dedicated water sampling locations, installed or replaced approximately 16,000 linear feet of distribution system piping, and installed a static mixer following the Pasatiempo Wells to treat for arsenic via blending.

The System plans to incorporate Manana Woods during the summer months of 2006 and to connect the North and South distribution systems in the near future. Arsenic blending will also likely be implemented downstream of the Pasatiempo Wells in mid-2006.

The addition of Quail Hollow 4A well was done under permit approval, and the construction of a connecting pipeline between the North and South distribution systems will not require permit approval. However, the consolidation with the Manana Woods water system and the installation of the arsenic blending facilities will require a permit amendment from the Department.

In addition, the use of phosphate for sequestering iron and manganese and changes to the Lyon Surface Water Treatment Plant since 1996 (e.g., addition of a third filter unit, changes to coagulant alarm system, and changes to chemicals used) need a permit amendment from the Department.

**3. Consumer Data:**

The system has approximately 5,824 service connections, all with meters, separated into two unconnected pressure zones. The permanent population served by the system is approximately 19,000. Production data for the system for the past ten years is shown below.

**4. Sources of Information**

Information for this report came from Department files, discussions with System operators and personnel, and an inspection of the water system conducted on May 2-4, 2006 by Zachary Rounds of the Department.



The System will require a permit amendment for the installation of a static mixer for arsenic blending treatment, and will be required to perform monthly monitoring for arsenic following the static mixer. The effectiveness of the static mixer will be determined after additional post-mixing data is collected. In accordance with the new Arsenic Rule, the System must monitor Pasatiempo Well 06 quarterly for arsenic until the Department has determined that the well is reliably and consistently below the arsenic MCL. The most recent arsenic data does not demonstrate that Pasatiempo Well 06 is reliably and consistently below the arsenic MCL.

The System will require a permit amendment for the installation and operation of the iron and manganese sequestering treatment. In addition, the System must submit a request for a waiver from the requirement to comply with the iron and manganese secondary MCLs.

## D. TRANSMISSION FACILITIES

The System employs multiple long-distance transmission lines to convey water from the creek intakes to the treatment plant. A five-mile long, 6 to 8-inch diameter high density polyethylene (HDPE) pipeline connects Clear Creek and Sweetwater Creek to the 5-mile collector located behind the System's treatment plant. The pipe was installed in 1995, and runs mostly above ground. System personnel have not experienced any significant problems with the line.

Another 8,000-foot, 8-inch HDPE transmission line connects the Peavine Creek and Silver Creek to the five-mile diffusion box. The line was first created in 1985 and connected to the diffusion box in 1995. A third transmission line, constructed in 1994, connects the Foreman Creek to the diffusion box. The third line consists of 3,000 feet of 10-inch HDPE. Both lines are in good condition.

The System can also receive water from the Loch Lomond Pipeline, which is a three-mile, 24-inch asbestos concrete pipeline connecting the Loch Lomond Reservoir with the City of Santa Cruz' water treatment plant. The City of Santa Cruz owns the pipeline.

## E. STORAGE FACILITIES

The System maintains 35 active storage tanks (including the clearwells) located throughout the system with a total capacity of 7,585,000 gallons. The attached tank table describes the condition and security of the tanks, with additional specific detail below. Tanks with poor paint or graffiti should be cleaned or painted as soon as possible. Tanks with mediocre paint should be scheduled for repainting in the near future, and tanks marked as needing cleaning should be cleaned in the near future.

### Lyon

The roof vent is not appropriately screened to restrict intrusion from wildlife. System operators indicated that the tank used to have security problems, but increased security on the whole at the water treatment plant appears to have eliminated intrusion; the System should investigate additional fencing to ensure the security of the tank, as well as the security of Little Lyon Tank.

### Eckley

The tank sheet lists Eckley as not secure, but the remote location and low visibility of the tank will probably curtail any unauthorized activity.

### Riverside Grove

The center vent screen must be repaired.

### Pasatiempo Lower

The roof of the tank and the area directly around the tank had a significant amount of garbage and debris, which must be removed immediately. Security around the tank should be increased to ensure that no further items are placed on or around the tank, and to ensure that intrusion into the tank does not occur.



Frederick H. Ebey SBN 33802  
Laura Uddenberg SBN 75630  
GRUNSKY, EBËY, FARRAR & HOWELL  
A Professional Corporation  
240 Westgate Drive  
Watsonville, CA 95076

Telephone: 831/722-2444  
Facsimile: 831/722-6153

Attorneys for Plaintiff  
SAN LORENZO VALLEY WATER DISTRICT

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CRUZ

SAN LORENZO VALLEY WATER  
DISTRICT, a County Water District,

Plaintiff,

v.

CONSTANCE NOEL; ORLANDO E.  
BUCKIUS; ROZANNE BUCKIUS; DARON  
L. PISCIOTTA, TRACI T. PISCIOTTA; and  
ALL PERSONS UNKNOWN, claiming any  
legal or equitable right, title, estate, lien, or  
interest in the property described in the  
complaint adverse to Plaintiff's title, or any  
cloud on Plaintiff's title thereto, and DOES 1  
through 50, inclusive.

Defendants.

Action No. CV 157662

**STATEMENT OF DECISION**

**AND RELATED CROSS-ACTIONS**

The equitable causes of action and issues of law in this matter came on regularly for trial on November 24, 2008 in Department 4 of the above entitled court, the Honorable Paul Burdick presiding, sitting without a jury. Plaintiff appeared by Laura Uddenberg, counsel; defendants appeared by Arther R. Montandon, counsel. Oral and documentary evidence was presented by both parties. The cause was argued and submitted for decision. The Decision of the Court is as follows:



1           1.       Title is quieted in plaintiff SAN LORENZO VALLEY WATER DISTRICT (SLVWD)  
2 in fee simple as to the properties known in this action as Tank Road A, Tank Lot A, the Addition and  
3 Tank Road B.

4           2.       Tank Road B is not subject to a burden of any type in favor of the Noel or Buckius  
5 properties.

6           3.       The 1973 Reciprocal Agreement for Easement and Improvement of Right of Way  
7 between Hidden Glenn and Eric Fernstrom created an easement for the benefit of the Fernstrom/Noel  
8 property over Tank Road A for vehicular ingress and egress to the Noel property.

9           4.       The Michael Beautz 2007 survey, recorded at Volume 110 of Maps, Page 39, page 1,  
10 accurately depicts the boundaries of Tank Lot A, the Addition and Tank Road B and their boundary  
11 lines with the Noel and Buckius properties.

12           5.       The Michael Beautz 2007 survey, recorded at Volume 110 of Maps, Page 39, page 2,  
13 accurately depicts the encroachments from the Noel property onto Tank Lot A and Tank Road B. The  
14 planters do not constitute a trespass on Tank Lot A.

15           6.       Tank Lot A is burdened with an equitable servitude for the benefit of the Noel property  
16 based on the following facts: (a) SLVWD had constructive notice of the covenant for easement in  
17 favor of the Noel property over Tank Lot A; and (b) SLVWD accepted the benefits of Fernstrom's  
18 improvements and maintenance of Tank Lot A over many years, which Fernstrom performed in  
19 reliance on the easement agreement.

20           7.       The equitable servitude is not exclusive, but is subordinate to SLVWD's rights to  
21 maintain and service the water tank. Its scope is limited to vehicular ingress and egress to the Noel  
22 property, including the right of pedestrians to walk from the structures on the Noel property to the  
23 vehicles. It does not include a right of pedestrian access between the Noel and Buckius properties. It  
24 does not confer any right on the Noel property to park vehicles on Tank Lot A. It does not give Noel  
25 the right to prevent SLVWD from taking the security measures depicted in Plaintiff's Security Plan, a  
26 reduced version of which is attached as Exhibit A.  
27  
28



1           8.     The 1973 Easement Agreement does not constitute a covenant that runs with the land  
2 because the covenantor, Hidden Glenn, did not own Tank Lot A at the time the easement was granted,  
3 and because there was no privity of contract between Hidden Glenn and SLVWD.

4           9.     No mandatory injunction will issue to compel Noel to remove her structures that  
5 encroach onto Tank Lot A. If she wishes vehicular access to the east house on her property, she will  
6 need to remove them herself.

7           10.    Cross-complainants failed to sustain their burden of proving that a contract existed  
8 between the parties which was breached by plaintiff/cross-defendant SLVWD.

9           11.    Cross-complainants failed to sustain their burden of proving inverse condemnation  
10 occurred.

11  
12 DATED:

13  
14 By \_\_\_\_\_  
15 Paul Burdick  
16 JUDGE OF THE SUPERIOR COURT  
17  
18  
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Laura Uddenberg SBN 75630  
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Attorneys for Plaintiff  
SAN LORENZO VALLEY WATER DISTRICT

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CRUZ

SAN LORENZO VALLEY WATER  
DISTRICT, a County Water District,

Plaintiff;

v.

CONSTANCE NOEL; ORLANDO E.  
BUCKIUS; ROZANNE BUCKIUS; DARON  
L. PISCIOTTA, TRACI T. PISCIOTTA; and  
ALL PERSONS UNKNOWN, claiming any  
legal or equitable right, title, estate, lien, or  
interest in the property described in the  
complaint adverse to Plaintiff's title, or any  
cloud on Plaintiff's title thereto, and DOES 1  
through 50, inclusive.

Defendants.

Action No. CV 157662

**JUDGMENT**

**AND RELATED CROSS-ACTIONS**

The equitable causes of action and issues of law in this matter came on regularly for trial on  
November 24, 2008 in Department 4 of the above entitled court, the Honorable Paul Burdick  
presiding, sitting without a jury. Plaintiff appeared by Laura Uddenberg, counsel; defendants  
appeared by Arther R. Montandon, counsel. Oral and documentary evidence was presented by both



1 parties. The cause was argued and submitted for decision. A statement of Decision has been made  
2 and filed.

3 NOW, THEREFORE, IT IS ADJUDGED, ORDERED AND DECREED that:

4 1. Plaintiff, SAN LORENZO VALLEY WATER DISTRICT (SLVWD), is the sole  
5 owner in fee simple of the properties known in this action as Tank Road A, Tank Lot A, and Tank  
6 Road B, Parcels 21, 20 and 13 respectively on Santa Cruz County Assessor's Map No. 21-10.  
7 SLVWD is also the sole owner of the property known in this action as the Addition, Assessor's Parcel  
8 No. 067-531-31.

9 2. The Michael Beautz 2007 survey, recorded at Volume 110 of Maps, Page 39, page 1,  
10 accurately depicts Tank Lot A, the Addition and Tank Road B and their boundary lines with the Noel  
11 and Buckius properties.

12 3. The Michael Beautz 2007 survey, recorded at Volume 110 of Maps, Page 39, page 2,  
13 accurately depicts the encroachments from the Noel property onto Tank Lot A and Tank Road B. The  
14 planters do not constitute a trespass on Tank Lot A.

15 4. Tank Lot A is burdened with an equitable servitude for the benefit of the Noel  
16 property. The equitable servitude is not exclusive, but is subordinate to SLVWD's rights to maintain  
17 and service the water tank. Its scope is limited to vehicular ingress and egress to the Noel property,  
18 including the right of pedestrians to walk from the structures on the Noel property to the vehicles. It  
19 does not include a right of pedestrian access between the Noel and Buckius properties. It does not  
20 confer any right on the Noel property to park vehicles on Tank Lot A. It does not give Noel the right  
21 to prevent SLVWD from taking the security measures depicted in Plaintiff's Security Plan, a reduced  
22 version of which is attached as Exhibit A.

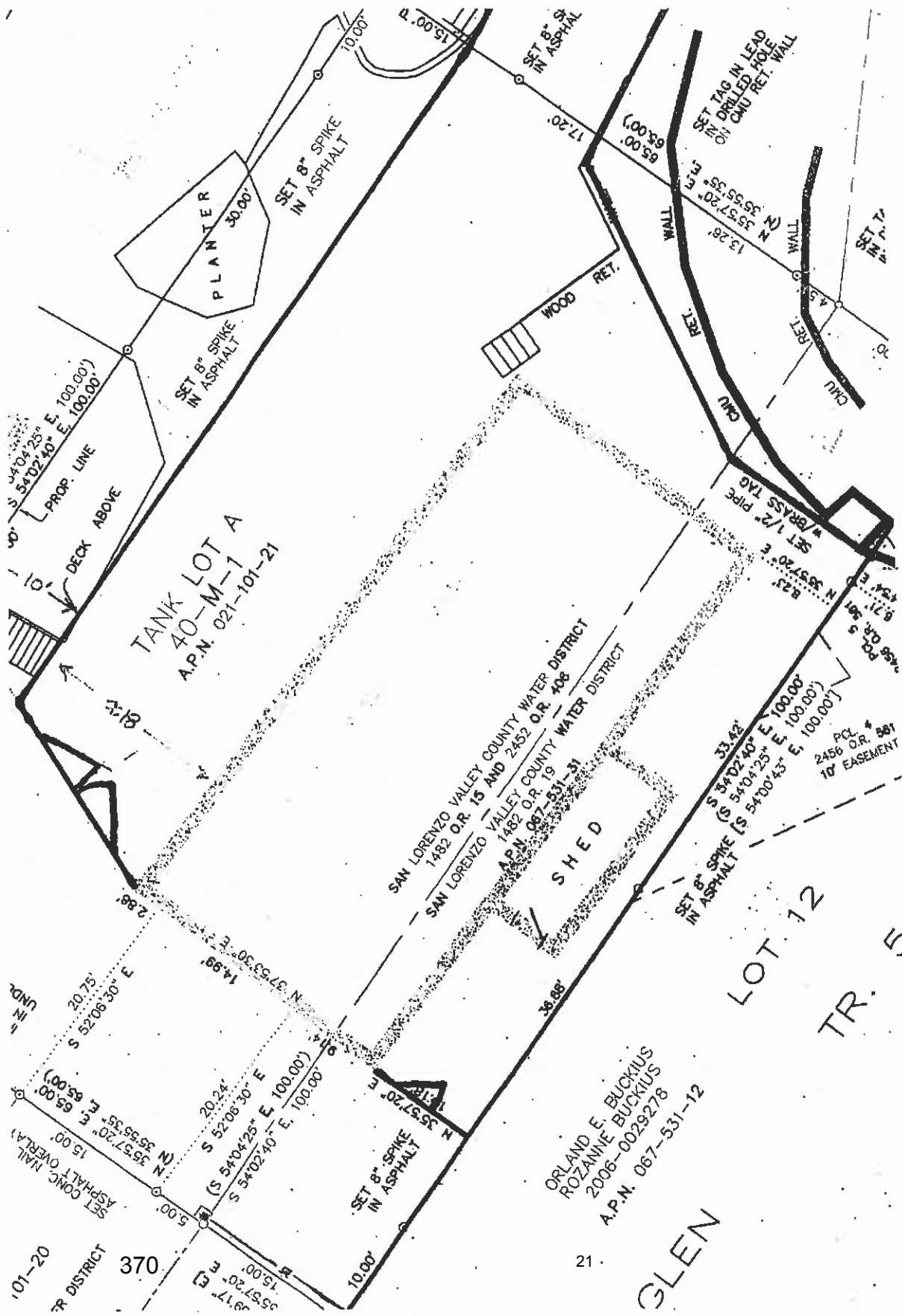
23  
24 DATED:

25  
26 By \_\_\_\_\_

27 Paul Burdick

28 JUDGE OF THE SUPERIOR COURT









**SAN LORENZO VALLEY WATER DISTRICT**

13060 Highway 9 • Boulder Creek, CA 95006-9119

Office (831) 338-2153 • Fax (831) 338-7986

Website: www.slvwd.com

Attachment 5  
Agenda: 5.25.47  
Item: 14e

May 20, 2010

Constance Noel  
1025 Whispering Pines Drive  
Scotts Valley, CA 95066-4604

Subject: 1025 Whispering Pines Drive, Scotts Valley

Dear Ms Noel,

The purpose of this correspondence is to provide you with advanced notification that the District is moving forward with security measures for District properties located adjacent to your property APN 021-101-17, generally known as 1025 Whispering Pines Drive, Scotts Valley. Said District properties are generally known as Tank Lot A and the addition to Tank Lot A, APN 021-101-21. Security measures include the installation of perimeter fencing pursuant to the Statement of Decision filed in Action No. CV157662, Superior Court of the State of California, County of Santa Cruz. It is estimated that construction activities will be completed by June 30, 2010.

A component of the construction activities will be relocation of the existing water meter which services your property. Relocation is required to move your water meter outside the fenced area, thereby providing you with access to the meter. During relocation your water service will be temporarily interrupted. The District will provide advanced notice to the occupants of 1025 Whispering Pines Drive prior to interruption of water service.

In addition, the Statement of Decision (CV157662) concluded that the equitable servitude which burdened Tank Lot A for the benefit of your property (APN 021-101-17) does not confer any right to park vehicles on Tank Lot A. Therefore, upon completion of security measures, the District will actively enforce a prohibition of parking of any vehicles on District Tank Lot A.

If you have any questions or need additional information please do not hesitate to contact me at 831-430-4625.

Very Truly Yours,

James A. Mueller  
District Manager

JAM/bsb



FROM :

Agenda: 5.25.17

Item: 149

Attachment 6

TO: JIM MUELLER, DM

BOOK 2353 PAGE 96

FROM: ART MANTANOU  
(805) 927-623639549  
039549  
BOOK 2353 PAGE 96

OCT 2 4 12 PM '73

RECORDED AT REQUEST OF

ADJ. L. H. KROE  
1953 & 3405RECIPROCAL AGREEMENT FOR EASEMENT  
AND IMPROVEMENT OF RIGHT OF WAY

THIS AGREEMENT made and entered into this 31 day of August, 1973, by and between ERIC G. FERNSTROM, residing at 1025 Whispering Pines Drive, Scotts Valley, California, herein-after referred to as "Fernstrom", and HIDDEN GLEN, a Limited Partnership of record in Santa Cruz County, California, hereinafter referred to as "HIDDEN GLEN."

FERNSTROM is the owner of Lot 191 as shown on Tract No. 348, Pasatiempo Pines, Unit 4, as shown and recorded on April 10, 1963, in Volume 40 of Maps, at Page 1, Santa Cruz County Records.

HIDDEN GLEN is the owner of adjoining lands known as HIDDEN GLEN TRACT 598, which map was filed for record on March 27, 1973, in Book 58 of Maps at page 8, Santa Cruz County Recorder, HIDDEN GLEN is also the owner of two parcels of land bounding the above described property of FERNSTROM and of HIDDEN GLEN and being Tank Lot A, as shown on that map entitled, "TRACT 348 PASATIEMPO PINES UNIT NO. 4", filed for record in Map Book 40, page 1, on April 10, 1963, Santa Cruz County Recorder.

By reason of the difficult access from Whispering Pines Drive up to the residence of FERNSTROM, FERNSTROM desires to have an easement to said Lot 191 over property owned by HIDDEN GLEN and described as "Tank Road A" (being Tax Assessor's Parcel No. 21-101-20), and shown on that map entitled, "TRACT 348 PASATIEMPO PINES UNIT NO. 4", filed for record in Map Book 40, page 1, on April 10, 1963, Santa Cruz County Records, and across that portion of Tank Lot A such as will provide FERNSTROM with ingress to and egress from said Lot 191.

HIDDEN GLEN has agreed to provide FERNSTROM with a recorded easement for said purposes conditioned upon the agreement of FERNSTROM to improve said roadway by paving the existing road over Tank Lot A.

IT IS THEREFORE AGREED AS FOLLOWS:

Tank  
ingress/egress  
No parking



## Attachment 6

BOOK 2353 PAGE 97

1. HIDDEN GLEN hereby agrees to and does hereby grant to ERIC G. FERNSTROM, a single person an easement appurtenant to Lot 191, Tract No. 348, Pasatiempo Pines Unit No. 4, over that property described as Tank Road A and Tank Lot A, as shown on that map entitled, "TRACT 348 PASATIEMPO PINES UNIT NO. 4", filed for record in Map Book 40, page 1, Santa Cruz County Records, for purposes of providing passage of vehicles to said Lot 191;

2. This easement is limited to passage for ingress to and egress from said Lot 191. This easement shall not be used for parking.

3. It is acknowledged by FERNSTROM that this easement is not exclusive and that an easement exists for the benefit of San Lorenzo Valley County Water District for the purpose of servicing and maintaining the water tank on Tank Lot A described hereinabove. FERNSTROM agrees that he shall not interfere with the rights of said Water District therein;

4. In exchange for the granting of this easement by HIDDEN GLEN to FERNSTROM, FERNSTROM agrees to pave, at his own expense, that existing roadway (as limited by the boundaries of ownership of HIDDEN GLEN) as located on Tank Lot A and Tank Road A, and agrees to maintain said roadway in a usable condition at his own expense.

This agreement shall be binding upon and shall inure to the benefit of the parties, their heirs, successors and assigns.

HIDDEN GLEN, a Limited Partnership

BY

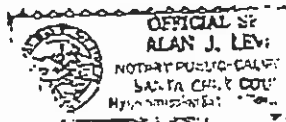
*James R. Noren*  
James R. Noren,  
General Partner

*Eric G. Fernstrom*  
ERIC G. FERNSTROM



## Attachment 6

BOOK 2353 PAGE 98



Grant the following to the undersigned, Notary Public  
State of California, Santa Cruz County

STATE OF CALIFORNIA

County of Santa Cruz

On this 31 day of August 1973 the year one thousand nine hundred and seventy-three before me,  
a Notary Public State of California, duly commissioned and sworn, personally appeared

JAMES R. NOBEN

known to me to be one of the partners of the partnership that executed the within document, and acknowledged to me that such partnership executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal this day of August 1973 the first year in the certificate first above written.

My Commission Expires

State of California

County of Santa Cruz

On this 31st day of August A.D. 1973 before me,  
Alan J. Levin a Notary Public in and for the said  
County and State, residing therein, duly commissioned and sworn, personally appeared

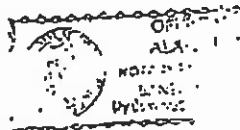
ERIC G. PERNSTROM

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

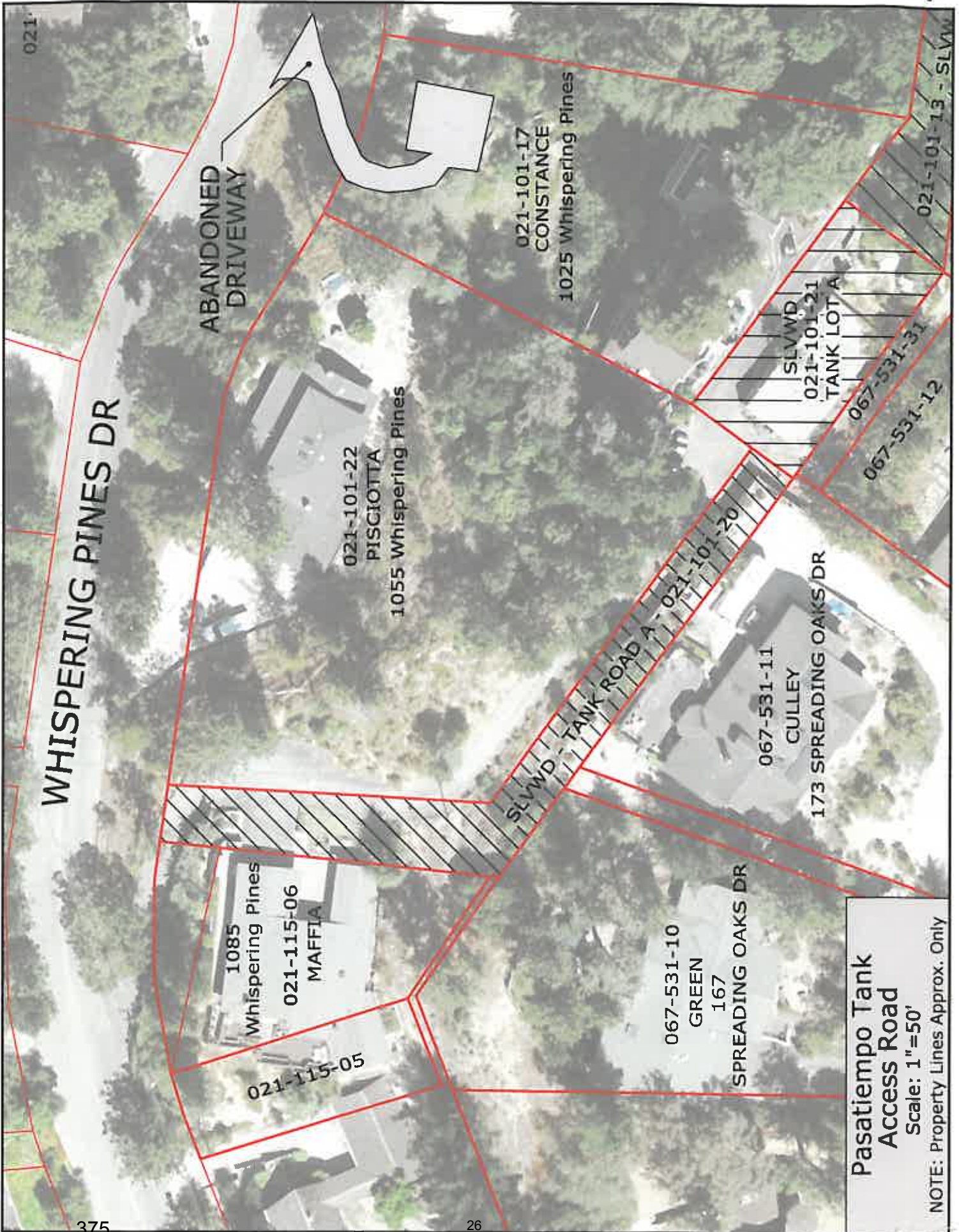
In Testimony Whereof, I have hereunto set my hand and official seal this day and year in this Certificate first above written.

My Commission expires

Grant the following to the undersigned, Notary Public  
State of California, Santa Cruz County







**Pasatiempo Tank  
Access Road**  
Scale: 1"=50'  
NOTE: Property Lines Approx. Only



## M E M O

TO: Board of Directors  
FROM: District Manager  
SUBJECT: PRELIMINARY BUDGET  
DATE: May 25, 2017

### RECOMMENDATION:

It is recommended that the Board of Directors review the preliminary budget numbers.

### BACKGROUND:

The District goes through an annual budget process where we gather information from managers and forecast revenues and expenditures for an anticipated fiscal budget.

We are currently in the initial phase where we have first round numbers back from the managers that is being reviewed. This makes up the bulk of our operating expenses.

Revenues will be budgeted relatively flat compared to the current year as there are no scheduled rate increases and customer consumption has been relatively consistent.

We will continue to have the budget on the Board and Committee agendas as we progress in this process. This is intended to be an initial snapshot of the process and where some numbers currently stand. We are on target to have a completed package for the June 15<sup>th</sup> Board meeting.

STRATEGIC PLAN: 5.1 Fiscal Plan for support of Strategy

FISCAL IMPACT: none



**DRAFT - OPERATING INCOME/(LOSS)**

**WATER FUND**

Operating Revenue	\$	7,046,000
Operating Expenses	\$	<u>7,140,587</u>
Operating Gain (Loss)	\$	(94,587)

**SEWER FUND**

Operating Revenue	\$	100,128
Operating Expenses	\$	<u>144,331</u>
Operating Gain (Loss)	\$	(44,203)

The above is the first round unreviewed draft of operating income/loss, excluding depreciation. Considering the new hires and no projected revenue increases, this seems like a good starting place for our budget process.



**DRAFT - REVENUE PROJECTIONS**

**WATER FUND REVENUE**

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Basic	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 290,500	\$ 3,486,000
Usage	\$ 350,000	\$ 385,000	\$ 420,000	\$ 315,000	\$ 280,000	\$ 245,000	\$ 245,000	\$ 210,000	\$ 210,000	\$ 210,000	\$ 315,000	\$ 315,000	\$ 3,500,000
	\$ 640,500	\$ 675,500	\$ 710,500	\$ 605,500	\$ 570,500	\$ 535,500	\$ 535,500	\$ 500,500	\$ 500,500	\$ 500,500	\$ 605,500	\$ 605,500	\$ 6,986,000
Consumption Est.	65,000	71,500	78,000	58,500	52,000	45,500	45,500	39,000	39,000	39,000	58,500	58,500	650,000
	10%	11%	12%	9%	8%	7%	7%	6%	6%	6%	9%	9%	
Misc. fees	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 60,000

**WATER FUND OPERATING REVENUE**

Total	\$ 645,500	\$ 680,500	\$ 715,500	\$ 610,500	\$ 575,500	\$ 540,500	\$ 540,500	\$ 505,500	\$ 505,500	\$ 505,500	\$ 610,500	\$ 610,500	\$ 7,046,000
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**SEWR FUND REVENUE**

Basic	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 8,344	\$ 100,128
-------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	------------



DRAFT - FIRST ROUND OPEX BUDGET ROLL-UP - UNREVIEWED

												Notes	
Account	Budget Yr Requested	Description	YTD Feb Actuals	YTD Annualized or		2017 Adopted Budget	Two Yr Prior Actuals	Three Yr Prior Actuals	% Change on		% Change on		Vs. FY1617
				Estimated Annual					Est		FY1617 Bud.	Vs. Est Actuals	
5100		\$288,698.00 REGULAR SALARIES	\$168,838.24	\$265,438.00	\$257,045.05	\$236,904.59	\$243,269.80	9%	12%	de minimis		\$31,653	
5101		\$10,000.00 DIRECTORS FEES	\$9,475.00	\$14,212.50	\$23,000.00	\$14,550.00	\$19,100.00	-30%	-57%	de minimis		-\$13,000	
5120		\$3,500.00 OVERTIME WAGES	\$171.57	\$257.36	\$0.00	\$0.00	\$0.00	1260%	0%	de minimis		de minimis	
5140		\$34,692.00 MEDICAL INSURANCE	\$27,396.71	\$41,095.07	\$29,915.00	\$40,900.65	\$36,700.53	-16%	16%	de minimis		de minimis	
5141		\$3,085.00 DENTAL INSURANCE	\$1,962.54	\$2,943.81	\$3,159.01	\$3,837.65	\$2,479.40	5%	-2%	de minimis		de minimis	
5142		\$465.00 VISION INSURANCE	\$350.88	\$526.32	\$590.18	\$666.51	\$407.50	-12%	-21%	de minimis		de minimis	
5143		\$400.00 LIFE INSURANCE	\$266.40	\$399.60	\$599.40	\$597.19	\$457.92	0%	-33%	de minimis		de minimis	
5144		\$1,340.00 LONG TERM DISABILITY	\$549.41	\$824.12	\$1,285.23	\$1,209.72	\$903.94	63%	4%	de minimis		de minimis	
5145		\$1,520.00 WORKERS COMPENSATION	\$1,926.19	\$2,889.29	\$1,465.16	\$2,527.69	\$1,932.64	-47%	4%	de minimis		de minimis	
5146		\$0.00 ASSISTANCE PROGRAM	\$0.00	\$0.00	\$0.00	\$19.08	\$28.64	0%	-100%	de minimis		de minimis	
5147		\$19,000.00 RETIRED EMPLOYEE MEDICAL	\$9,572.54	\$14,358.81	\$17,000.00	\$13,706.40	\$11,740.79	32%	12%	de minimis		de minimis	
5150		\$39,393.00 PERS - RETIREMENT	\$159,979.88	\$170,000.00	\$33,014.00	\$27,908.67	\$22,178.41	-77%	19%	-\$130,607	de minimis		FY1617 had \$124K UAL payment for Lompico. Overall 5150 accounts
5160		\$14,887.00 FICA - SOCIAL SECURITY	\$6,091.25	\$9,136.88	\$10,512.00	\$13,106.56	\$12,449.45	63%	42%	de minimis		de minimis	
5161		\$4,382.00 MEDICARE	\$2,596.97	\$3,895.46	\$3,227.00	\$3,578.64	\$3,611.09	12%	36%	de minimis		de minimis	
5170		\$2,000.00 OTHER PAYROLL CHARGES	\$722.60	\$1,083.90	\$2,000.00	\$18,240.94	\$22,801.10	85%	0%	de minimis		de minimis	
5171		\$1,000.00 UNIFORMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%	de minimis		de minimis	
5172		\$0.00 CERTIFICATIONS	\$116.00	\$174.00	\$0.00	\$0.00	\$0.00	-100%	0%	de minimis		de minimis	
5181		\$30,000.00 OPEB EXPENSE GASB 45	\$0.00	\$0.00	\$40,000.00	\$24,203.27	\$19,219.86	0%	-25%	de minimis		de minimis	
5200		\$115,000.00 CONTRACT/PROFESSIONAL SERVICES	\$159,412.31	\$239,118.47	\$285,200.00	\$166,389.18	\$124,841.18	-52%	-60%	-\$124,118		-\$170,200	
5210		\$120,000.00 LEGAL SERVICES	\$156,479.36	\$234,719.04	\$80,000.00	\$82,177.57	\$114,362.66	-49%	50%	-\$114,719		\$40,000	
5320		\$1,000.00 RENTALS/LEASES/PERMITS	\$777.39	\$1,166.09	\$1,000.00	\$2,987.22	\$1,847.62	-14%	0%	de minimis		de minimis	
5420		\$23,600.00 BUILD MAINT-SERVICES & SUPPLYS	\$9,692.00	\$17,538.00	\$15,000.00	\$56,460.43	\$25,824.89	35%	57%	de minimis		de minimis	
5500		\$12,000.00 UTILITIES - DISTRICT OFFICE	\$5,767.59	\$8,651.39	\$12,000.00	\$17,411.44	\$10,472.33	39%	0%	de minimis		de minimis	
5510		\$18,000.00 TELEPHONE/COMMUNICATIONS	\$10,400.29	\$15,600.44	\$18,000.00	\$20,548.23	\$19,969.39	15%	0%	de minimis		de minimis	
5600		\$10,000.00 OFFICE SUPPLIES	\$6,047.49	\$9,071.24	\$10,000.00	\$10,967.36	\$24,513.15	10%	0%	de minimis		de minimis	
5620		\$0.00 WATER CONSERVATION PROGRAM	\$3,206.39	\$4,809.59	\$0.00	\$0.00	\$80,196.77	-100%	0%	de minimis		de minimis	
5622		\$0.00 EDUCATION PROGRAM	\$0.00	\$0.00	\$0.00	\$5,900.00	\$4,375.00	0%	0%	de minimis		de minimis	
5630		\$10,000.00 TRAINING,CONFERENCES &MEETINGS	\$3,840.04	\$5,760.06	\$15,000.00	\$12,878.99	\$11,599.67	74%	-33%	de minimis		de minimis	
5631		\$35,000.00 MEMBERSHIP & DUES	\$24,678.00	\$37,017.00	\$40,000.00	\$28,714.90	\$12,319.83	-5%	-13%	de minimis		de minimis	
5632		\$1,000.00 SUBSCRIPTIONS/BOOKS	\$1,091.87	\$1,637.81	\$500.00	\$1,310.47	\$1,569.80	-39%	100%	de minimis		de minimis	
5633		\$0.00 EMPLOYEE RECOGNITION PROGRAM	\$0.00	\$0.00	\$0.00	\$27.17	\$176.27	0%	0%	de minimis		de minimis	
5634		\$4,200.00 AUTO ALLOWANCE	\$0.00	\$0.00	\$4,200.00	\$0.00	\$1,275.80	0%	0%	de minimis		de minimis	
5640		\$5,000.00 ADVERTISING	\$2,540.47	\$3,810.71	\$5,000.00	\$7,251.74	\$4,843.96	31%	0%	de minimis		de minimis	
5650		\$5,000.00 POSTAGE	\$2,162.37	\$3,243.56	\$13,000.00	\$11,832.38	\$86.71	54%	-62%	de minimis		de minimis	
5660		\$80,000.00 INSURANCE - PROPERTY	\$63,332.61	\$65,000.00	\$110,000.00	\$53,064.33	\$54,487.87	23%	-27%	\$15,000		-\$30,000	FY1617 budgeted for some unknowns, was over budgeted
ADMINISTRATIVE	\$894,162.00		\$839,444.36	\$1,174,378.45	\$1,031,838.03	\$879,878.97	\$890,043.97	-24%	-13%	-\$280,216		-\$137,676	
New Hire: Est. \$67K, Reorg of 2 employees from Dept 400 to 200: \$150K, Full year of FY1617													
5100		\$697,842.00 REGULAR SALARIES	\$232,093.46	\$470,000.00	\$358,536.94	\$374,666.86	\$374,630.60	48%	95%	\$227,842	\$339,305	new hire: \$25K	
5120		\$0.00 OVERTIME WAGES	\$21.72	\$32.58	\$0.00	\$1,050.55	\$0.00	-100%	0%	de minimis		de minimis	
5140		\$153,800.00 MEDICAL INSURANCE	\$60,801.14	\$91,201.71	\$68,945.00	\$55,182.45	\$41,010.59	69%	123%	\$62,598	\$84,855	Similar to above, 1 new hire, 2 switching dept, 1 current employee getting coverage	
5141		\$14,677.00 DENTAL INSURANCE	\$6,827.59	\$10,241.39	\$6,859.13	\$8,143.23	\$4,567.62	43%	114%	de minimis		de minimis	
5142		\$2,192.00 VISION INSURANCE	\$1,220.70	\$1,831.05	\$1,180.37	\$1,086.40	\$874.10	20%	86%	de minimis		de minimis	
5143		\$1,798.00 LIFE INSURANCE	\$749.25	\$1,123.88	\$1,198.80	\$1,093.07	\$762.54	60%	50%	de minimis		de minimis	
5144		\$3,783.00 LONG TERM DISABILITY	\$1,152.88	\$1,729.32	\$1,792.68	\$1,841.31	\$1,386.77	119%	111%	de minimis		de minimis	
5145		\$12,871.00 WORKERS COMPENSATION	\$5,373.44	\$8,060.16	\$4,087.31	\$2,593.65	\$1,984.08	60%	215%	de minimis		de minimis	
5146		\$0.00 ASSISTANCE PROGRAM	\$0.00	\$0.00	\$252.00	\$52.47	\$57.24	0%	-100%	de minimis		de minimis	
5150		\$74,190.00 PERS - RETIREMENT	\$42,232.30	\$63,000.00	\$24,468.00	\$36,536.70	\$30,232.75	18%	203%	\$11,190	\$49,722	Similar to above	
5160		\$42,630.00 FICA - SOCIAL SECURITY	\$14,505.98	\$32,000.00	\$22,229.23	\$22,690.83	\$21,929.93	33%	92%	\$10,630	\$20,401	Similar to above	
5161		\$10,119.00 MEDICARE	\$3,392.45	\$7,000.00	\$5,198.77	\$5,306.64	\$5,128.69	45%	95%	de minimis		de minimis	
5171		\$900.00 UNIFORMS	\$150.00	\$225.00	\$0.00	\$0.00	\$0.00	300%	0%	de minimis		de minimis	
5200		\$85,000.00 CONTRACT/PROFESSIONAL SERVICES	\$60,985.04	\$91,477.56	\$82,000.00	\$80,167.06	\$44,344.01	-7%	4%	de minimis		de minimis	
5201		\$22,500.00 AUDIT SERVICES	\$23,054.30	\$34,581.45	\$24,000.00	\$22,600.00	\$53,402.00	-35%	-6%	-\$12,081	de minimis		FY1617 had Lompico audit fees
5310		\$500.00 EQUIP NON-CAP	\$702.77	\$1,054.16	\$0.00	\$2,355.21	\$0.00	-53%	0%	de minimis		de minimis	
5600		\$10,000.00 OFFICE SUPPLIES	\$697.40	\$1,046.10	\$12,000.00	\$9,428.16	\$18,809.37	856%	-17%	de minimis		de minimis	
5610		\$100,000.00 BANK CHARGES	\$57,516.38	\$86,274.57	\$50,400.00	\$65,412.53	\$30,641.42	16%	98%	\$13,725	\$49,600		
5611		\$7,500.00 BAD DEBTS	\$10,468.70	\$15,703.05	\$6,000.00	\$562.12	\$0.00	-52%	25%	de minimis		de minimis	
5630		\$2,500.00 TRAINING,CONFERENCES &MEETINGS	\$2,084.59	\$3,126.89	\$2,000.00	\$618.07	\$1,774.31	-20%	25%	de minimis		de minimis	
5632		\$250.00 SUBSCRIPTIONS/BOOKS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%	de minimis		de minimis	
5650		\$34,000.00 POSTAGE	\$20,392.78	\$30,589.17	\$35,900.00	\$35,628.07	\$50,359.16	11%	-5%	de minimis		de minimis	
FINANCE & BUSINESS SERVICES	\$1,277,052.00		\$544,422.87	\$950,298.02	\$707,048.23	\$727,015.38	\$681,895.18	34%	81%	\$326,754		\$570,004	



DRAFT - FIRST ROUND OPEX BUDGET ROLL-UP - UNREVIEWED

												Notes	
Account	Budget Yr Requested	Description	YTD Feb Actuals	YTD Annualized or		2017 Adopted Budget	Two Yr Prior Actuals	Three Yr Prior Actuals	% Change on		% Change on		Vs. FY1617
				Estimated Annual					Est	FY1617 Bud.	Vs. Est Actuals	Bud	
5100	\$78,664.00	REGULAR SALARIES	\$0.00	\$30,000.00	\$106,552.68	\$112,075.78	\$106,320.97	162%	-26%		\$48,664	-\$27,889	Full year of GIS new hire during FY1617
5140	\$9,637.00	MEDICAL INSURANCE	\$733.39	\$3,000.00	\$16,681.04	\$11,999.29	\$15,225.47	221%	-42%	de minimis			
5141	\$747.00	DENTAL INSURANCE	\$60.75	\$91.13	\$1,364.96	\$1,093.05	\$1,270.77	720%	-45%	de minimis			
5142	\$134.00	VISION INSURANCE	\$0.00	\$0.00	\$205.38	\$163.00	\$179.30	0%	-35%	de minimis			
5143	\$200.00	LIFE INSURANCE	\$16.65	\$24.98	\$199.80	\$166.50	\$199.79	701%	0%	de minimis			
5144	\$472.00	LONG TERM DISABILITY	\$41.45	\$62.18	\$532.76	\$309.60	\$358.97	659%	-11%	de minimis			
5145	\$471.00	WORKERS COMPENSATION	\$798.46	\$1,197.69	\$607.35	\$742.49	\$568.24	-61%	-22%	de minimis			
5146	\$0.00	ASSISTANCE PROGRAM	\$0.00	\$0.00	\$42.00	\$9.54	\$19.08	0%	-100%	de minimis			
5150	\$5,139.00	PERS - RETIREMENT	\$8,821.59	\$10,750.00	\$19,819.00	\$11,730.35	\$10,972.73	-52%	-74%	de minimis		-\$14,680	
5160	\$4,877.00	FICA - SOCIAL SECURITY	\$0.00	\$2,100.00	\$6,606.27	\$6,898.74	\$6,078.57	132%	-26%	de minimis			
5161	\$1,141.00	MEDICARE	\$0.00	\$475.00	\$1,545.01	\$1,613.38	\$1,421.59	140%	-26%	de minimis			
5171	\$150.00	UNIFORMS	\$0.00	\$0.00	\$675.00	\$739.48	\$522.04	0%	-78%	de minimis			
5200	\$20,000.00	CONTRACT/PROFESSIONAL SERVICES	\$3,165.49	\$4,748.24	\$10,000.00	\$12,658.49	\$3,530.28	321%	100%		\$15,252		
5310	\$1,000.00	EQUIP NON-CAP	\$0.00	\$0.00	\$6,000.00	\$0.00	\$5,564.58	0%	-83%	de minimis			
5410	\$500.00	MAINT & OPERATIONS OF VEHICLES	\$0.00	\$0.00	\$2,000.00	\$1,061.41	\$5,397.66	0%	-75%	de minimis			
5510	\$3,000.00	TELEPHONE/COMMUNICATIONS	\$597.79	\$896.69	\$3,000.00	\$1,855.62	\$1,159.97	235%	0%	de minimis			
5600	\$750.00	OFFICE SUPPLIES	\$0.00	\$0.00	\$750.00	\$485.52	\$540.74	0%	0%	de minimis			
5630	\$1,200.00	TRAINING, CONFERENCES & MEETINGS	\$0.00	\$0.00	\$1,200.00	\$0.00	\$356.22	0%	0%	de minimis			
5631	\$1,500.00	MEMBERSHIP & DUES	\$646.02	\$969.03	\$1,500.00	\$628.20	\$591.36	55%	0%	de minimis			
5632	\$250.00	SUBSCRIPTIONS/BOOKS	\$0.00	\$0.00	\$250.00	\$0.00	\$0.00	0%	0%	de minimis			
ENGINEERING		\$129,832.00	\$14,881.59	\$54,314.92	\$179,531.25	\$164,230.44	\$160,278.33	139%	-28%		\$75,517	-\$49,699	
5100	\$920,113.00	REGULAR SALARIES	\$622,173.64	\$982,000.00	\$1,005,218.62	\$914,029.00	\$946,313.33	-6%	-8%	de minimis			Reorg of 2 employees from Dept 400 to 200: -\$150K, full year hire from FY1617: \$35K (other 50% in Dept 800)
5120	\$30,000.00	OVERTIME WAGES	\$33,123.24	\$49,684.86	\$36,000.00	\$34,360.78	\$48,647.48	-40%	-17%		-\$19,685		
5130	\$24,024.00	STANDBY	\$13,083.80	\$19,625.70	\$27,000.00	\$21,180.90	\$16,959.19	22%	-11%	de minimis			
5140	\$205,490.00	MEDICAL INSURANCE	\$166,413.63	\$240,000.00	\$205,918.00	\$202,465.73	\$182,084.38	-14%	0%		-\$34,510		Similar to above
5141	\$20,894.00	DENTAL INSURANCE	\$15,923.19	\$23,884.79	\$21,611.89	\$23,226.10	\$18,606.34	-13%	-3%	de minimis			
5142	\$3,000.00	VISION INSURANCE	\$2,315.20	\$3,472.80	\$3,751.52	\$3,213.48	\$2,593.01	-14%	-20%	de minimis			
5143	\$2,238.00	LIFE INSURANCE	\$1,724.94	\$2,587.41	\$2,637.36	\$2,626.69	\$2,302.79	-14%	-15%	de minimis			
5144	\$5,160.00	LONG TERM DISABILITY	\$3,222.23	\$4,833.35	\$4,980.63	\$4,282.93	\$3,586.86	7%	4%	de minimis			
5145	\$50,472.00	WORKERS COMPENSATION	\$74,666.09	\$60,000.00	\$56,794.85	\$73,104.57	\$55,893.82	-16%	-11%	de minimis			
5146	\$0.00	ASSISTANCE PROGRAM	\$0.00	\$0.00	\$575.40	\$116.38	\$194.57	0%	-100%	de minimis			
5150	\$139,621.00	PERS - RETIREMENT	\$123,887.51	\$145,000.00	\$135,291.00	\$102,233.37	\$87,749.65	-4%	3%	de minimis			
5160	\$61,048.00	FICA - SOCIAL SECURITY	\$40,658.34	\$60,987.51	\$61,483.14	\$56,626.60	\$58,515.83	0%	-1%	de minimis			
5161	\$14,427.00	MEDICARE	\$9,818.30	\$14,727.45	\$14,575.67	\$13,576.43	\$13,685.04	-2%	-1%	de minimis			
5171	\$5,100.00	UNIFORMS	\$6,801.67	\$10,202.51	\$8,910.00	\$8,446.05	\$8,422.27	-50%	-43%	de minimis			
5172	\$500.00	CERTIFICATIONS	-\$50.00	\$250.00	\$750.00	\$495.00	\$150.00	100%	-33%	de minimis			
5200	\$120,000.00	CONTRACT/PROFESSIONAL SERVICES	\$53,578.56	\$120,000.00	\$120,000.00	\$59,892.45	\$62,861.17	0%	0%	de minimis			
5300	\$115,000.00	OPERATING SUPPLIES	\$123,216.69	\$180,000.00	\$90,000.00	\$149,470.67	\$61,399.10	-36%	28%		-\$65,000	\$25,000	Looking into account detail for coding. Some of this is from storm damage and will be capitalized.
5310		EQUIP NON-CAP	\$0.00	\$0.00	\$0.00	\$2,378.25	\$3,323.24	0%	0%	de minimis			
5311	\$12,500.00	SMALL TOOLS/MAINT & REPAIRS	\$5,902.95	\$8,854.43	\$12,500.00	\$6,792.63	\$10,087.67	41%	0%	de minimis			
5320	\$10,000.00	RENTALS/LEASES/PERMITS	\$6,279.22	\$9,418.83	\$10,000.00	\$20,557.32	\$8,084.42	6%	0%	de minimis			
5401	\$6,500.00	SAFETY EQUIPMENT - MAINTENANCE	\$3,886.73	\$5,830.10	\$2,000.00	\$5,975.38	\$935.20	11%	225%	de minimis			
5410	\$78,000.00	MAINT & OPERATIONS OF VEHICLES	\$45,567.25	\$68,350.88	\$78,000.00	\$88,914.13	\$71,316.90	14%	0%	de minimis			
5420	\$16,000.00	BUILD MAINT-SERVICES & SUPPLYS	\$1,546.15	\$2,319.23	\$16,000.00	\$10,206.77	\$9,110.33	590%	0%		\$13,681		Looking into coding, some may be in 01-400-5300
5500	\$100,000.00	UTILITIES - DISTRICT OFFICE	\$54,373.65	\$95,000.00	\$110,000.00	\$77,727.20	\$82,164.11	5%	-9%	de minimis			
5510	\$67,000.00	TELEPHONE/COMMUNICATIONS	\$53,432.84	\$80,149.26	\$67,000.00	\$65,432.33	\$55,119.41	-16%	0%		-\$13,149		Verifying the savings expected
5600	\$6,000.00	OFFICE SUPPLIES	\$2,793.86	\$4,190.79	\$6,500.00	\$8,121.73	\$41,757.38	43%	-8%	de minimis			
5630	\$8,000.00	TRAINING, CONFERENCES & MEETINGS	\$639.18	\$958.77	\$7,000.00	\$4,106.39	\$1,750.69	734%	14%	de minimis			
5800	-\$11,625.00	ALLOCATIONS	-\$439.05	-\$658.58	\$0.00	-\$32,324.47	-\$24,337.71	1665%	0%		-\$10,966		
OPERATIONS		\$2,009,462.00	\$1,464,539.81	\$2,191,670.06	\$2,104,498.08	\$1,927,234.79	\$1,829,276.47	-8%	-5%	de minimis		de minimis	
5100	\$174,604.00	REGULAR SALARIES	\$58,493.12	\$100,500.00	\$133,988.40	\$97,166.60	\$40,978.77	74%	30%		\$74,104	\$40,616	New hire: \$70K
5140	\$34,692.00	MEDICAL INSURANCE	\$16,046.41	\$24,069.62	\$25,043.00	\$19,557.82	\$10,407.70	44%	39%		\$10,622		New hire
5141	\$3,085.00	DENTAL INSURANCE	\$984.44	\$1,476.66	\$2,978.64	\$1,208.97	\$866.53	109%	4%	de minimis			
5142	\$465.00	VISION INSURANCE	\$135.68	\$203.52	\$458.01	\$115.42	\$89.65	128%	2%	de minimis			
5143	\$400.00	LIFE INSURANCE	\$133.20	\$199.80	\$106.56	\$108.13	\$116.50	100%	275%	de minimis			
5144	\$942.00	LONG TERM DISABILITY	\$342.56	\$513.84	\$669.94	\$260.16	\$286.18	83%	41%	de minimis			
5145	\$1,045.00	WORKERS COMPENSATION	\$1,004.05	\$1,506.08	\$763.73	\$864.22	\$661.68	-31%	37%	de minimis			
5146	\$0.00	ASSISTANCE PROGRAM	\$0.00	\$0.00	\$42.00	\$9.54	\$9.55	0%	-100%	de minimis			



DRAFT - FIRST ROUND OPEX BUDGET ROLL-UP - UNREVIEWED

												Notes
Account	Budget Yr Requested	Description	YTD Feb Actuals	YTD Annualized or Estimated Annual	2017 Adopted Budget	Two Yr Prior Actuals	Three Yr Prior Actuals	% Change on Est	% Change on FY1617 Bud.	Vs. Est Actuals	Vs. FY1617 Bud	
5150	\$24,531.00	PERS - RETIREMENT	\$13,781.71	\$20,672.57	\$17,988.00	\$12,284.32	\$4,206.00	19%	36%	de minimis	de minimis	
5160	\$10,825.00	FICA - SOCIAL SECURITY	\$3,566.47	\$5,349.71	\$8,307.28	\$5,686.33	\$2,233.56	102%	30%	de minimis	de minimis	
5161	\$2,532.00	MEDICARE	\$834.08	\$1,251.12	\$1,942.83	\$1,329.82	\$522.32	102%	30%	de minimis	de minimis	
5171	\$150.00	UNIFORMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%	de minimis	de minimis	
Working on detail breakdown, some money not being spent in FY1617, but still needs to occur												
5200	\$393,637.00	CONTRACT/PROFESSIONAL SERVICES	\$118,198.71	\$290,000.00	\$347,283.00	\$229,708.23	\$214,753.48	36%	13%	\$103,637	\$46,354	so pushing into FY1718
5300	\$500.00	OPERATING SUPPLIES	\$32.77	\$49.16	\$500.00	\$543.16	\$364.04	917%	0%	de minimis	de minimis	
5310	\$2,000.00	EQUIP. NON-CAP	\$0.00	\$0.00	\$1,000.00	\$0.00	\$2,547.67	0%	100%	de minimis	de minimis	
5430	\$15,000.00	ROAD MAINTENANCE	\$0.00	\$5,000.00	\$15,000.00	\$1,052.62	\$7,238.23	200%	0%	de minimis	de minimis	
5510	\$300.00	TELEPHONE/COMMUNICATIONS	\$0.00	\$0.00	\$300.00	\$185.34	\$177.06	0%	0%	de minimis	de minimis	
5620	\$60,000.00	WATER CONSERVATION PROGRAM	\$6,387.61	\$15,000.00	\$26,000.00	\$60,894.57	\$0.00	300%	131%	\$45,000	\$34,000	Working on detail breakdown, but is asking for more for program in FY1718
5621	\$15,000.00	WATERSHED GRANTS DATA COLLECT	\$0.00	\$0.00	\$15,000.00	\$9,710.00	\$4,660.00	0%	0%	de minimis	de minimis	
5622	\$17,500.00	EDUCATION PROGRAM	\$4,090.00	\$6,135.00	\$17,500.00	\$19,800.00	\$0.00	185%	0%	\$11,365	de minimis	Timing of program?
5630	\$3,000.00	TRAINING, CONFERENCES & MEETINGS	\$0.00	\$0.00	\$3,000.00	\$2,177.68	\$0.00	0%	0%	de minimis	de minimis	
5631	\$1,500.00	MEMBERSHIP & DUES	\$0.00	\$0.00	\$1,250.00	\$500.00	\$0.00	0%	20%	de minimis	de minimis	
5632	\$300.00	SUBSCRIPTIONS/BOOKS	\$0.00	\$0.00	\$300.00	\$0.00	\$0.00	0%	0%	de minimis	de minimis	
WATERSHED			\$762,008.00	\$224,030.81	\$471,927.06	\$619,421.39	\$463,162.93	\$290,118.92	61%	23%	\$290,081	\$142,587
5100	\$26,000.00	REGULAR SALARIES	\$0.00	\$20,000.00	\$15,000.00	\$0.00	\$5,243.64	30%	73%	de minimis	\$11,000	
5120	\$2,500.00	OVERTIME WAGES	\$0.00	\$2,500.00	\$2,500.00	\$0.00	\$921.45	0%	0%	de minimis	de minimis	
5130		STANDBY	\$0.00	\$0.00	\$500.00	\$0.00	\$0.00	0%	-100%	de minimis	de minimis	
5150		PERS - RETIREMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$582.17	0%	0%	de minimis	de minimis	
5160		FICA - SOCIAL SECURITY	\$0.00	\$0.00	\$1,092.25	\$0.00	\$377.46	0%	-100%	de minimis	de minimis	
5161		MEDICARE	\$0.00	\$0.00	\$325.42	\$0.00	\$88.26	0%	-100%	de minimis	de minimis	
5171		UNIFORMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%	de minimis	de minimis	
5180		PENSION EXPENSE GASB 68	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%	de minimis	de minimis	
5200	\$50,000.00	CONTRACT/PROFESSIONAL SERVICES	\$15,864.21	\$51,000.00	\$51,000.00	\$20,293.65	\$19,971.79	-2%	-2%	de minimis	de minimis	
5202	\$20,000.00	OUTSIDE WATER ANALYSIS	\$21,733.00	\$32,599.50	\$12,000.00	\$13,497.00	\$1,528.28	-39%	67%	-\$12,600	de minimis	
5300	\$6,500.00	OPERATING SUPPLIES	\$4,313.62	\$6,470.43	\$6,500.00	\$3,809.80	\$2,453.03	0%	0%	de minimis	de minimis	
5320	\$15,000.00	RENTALS/LEASES/PERMITS	\$8,288.00	\$12,432.00	\$15,000.00	\$8,474.74	\$16,749.29	21%	0%	de minimis	de minimis	
5410		MAINT & OPERATIONS OF VEHICLES	\$0.00	\$0.00	\$500.00	\$0.00	\$0.00	0%	-100%	de minimis	de minimis	
5420		BUILD MAINT-SERVICES & SUPPLYS	\$0.00	\$0.00	\$500.00	\$0.00	\$0.00	0%	-100%	de minimis	de minimis	
5500	\$6,000.00	UTILITIES - DISTRICT OFFICE	\$1,688.20	\$5,000.00	\$0.00	\$12,342.19	\$5,307.69	20%	-14%	de minimis	de minimis	
5510	\$3,800.00	TELEPHONE/COMMUNICATIONS	\$2,291.77	\$3,437.66	\$3,800.00	\$3,143.74	\$3,299.89	11%	0%	de minimis	de minimis	
5600		OFFICE SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%	de minimis	de minimis	
5650		POSTAGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%	de minimis	de minimis	
5800	\$14,531.00	ALLOCATIONS	\$0.00	\$0.00	\$0.00	\$22,987.23	\$0.00	0%	0%	de minimis	de minimis	Does not include any G&A allocations yet
WASTE WATER (SEWER)			\$144,331.00	\$54,178.80	\$133,439.59	\$115,717.67	\$84,548.35	\$56,522.95	8%	25%	de minimis	\$28,613
5100	\$841,168.00	REGULAR SALARIES	\$497,736.95	\$830,000.00	\$815,279.96	\$667,568.88	\$675,553.00	1%	3%	de minimis	de minimis	
5120	\$38,000.00	OVERTIME WAGES	\$18,119.08	\$27,178.62	\$30,000.00	\$44,045.02	\$35,313.90	40%	27%	\$10,821	de minimis	
5130	\$29,120.00	STANDBY	\$8,624.33	\$12,936.50	\$4,000.00	\$13,682.49	\$6,192.34	125%	628%	\$16,184	\$25,120	Separate WT and OPS on-call personnel
5140	\$106,542.00	MEDICAL INSURANCE	\$68,372.82	\$102,559.23	\$117,981.00	\$52,529.83	\$59,230.63	4%	-10%	de minimis	de minimis	
5141	\$13,564.00	DENTAL INSURANCE	\$8,181.68	\$12,272.52	\$12,098.53	\$6,268.72	\$7,363.42	11%	12%	de minimis	de minimis	
5142	\$1,975.00	VISION INSURANCE	\$972.24	\$1,458.36	\$2,459.90	\$946.42	\$884.95	35%	-20%	de minimis	de minimis	
5143	\$1,758.00	LIFE INSURANCE	\$1,122.21	\$1,683.32	\$1,958.04	\$939.06	\$1,158.84	4%	-10%	de minimis	de minimis	
5144	\$4,453.00	LONG TERM DISABILITY	\$2,271.92	\$3,407.88	\$4,083.21	\$1,868.20	\$2,137.46	31%	9%	de minimis	de minimis	
5145	\$46,547.00	WORKERS COMPENSATION	\$61,671.92	\$50,000.00	\$46,910.82	\$35,459.71	\$23,726.55	-7%	-1%	de minimis	de minimis	
5146	\$0.00	ASSISTANCE PROGRAM	\$0.00	\$0.00	\$432.60	\$41.03	\$110.68	0%	-100%	de minimis	de minimis	
5150	\$138,743.00	PERS - RETIREMENT	\$89,769.07	\$117,000.00	\$120,171.00	\$74,687.43	\$64,185.12	19%	15%	\$21,743	\$18,572	Full year of new hires, 50% of new hire split between 400/800
5160	\$56,211.00	FICA - SOCIAL SECURITY	\$31,367.86	\$47,051.79	\$52,343.08	\$43,462.66	\$41,921.53	19%	7%	de minimis	de minimis	
5161	\$13,246.00	MEDICARE	\$7,612.29	\$11,418.44	\$12,372.56	\$10,410.34	\$9,804.26	16%	7%	de minimis	de minimis	
5171	\$4,050.00	UNIFORMS	\$3,253.32	\$4,879.98	\$6,615.00	\$3,218.99	\$2,909.60	-17%	-39%	de minimis	de minimis	
5172	\$1,600.00	CERTIFICATIONS	\$466.20	\$699.30	\$1,500.00	\$1,728.68	\$325.00	129%	7%	de minimis	de minimis	
5200	\$120,000.00	CONTRACT/PROFESSIONAL SERVICES	\$20,854.31	\$31,281.47	\$150,000.00	\$119,781.60	\$78,154.88	284%	-20%	\$88,719	-\$30,000	Looking into coding within these accounts.
5202	\$75,000.00	OUTSIDE WATER ANALYSIS	\$22,911.00	\$34,366.50	\$75,000.00	\$61,053.45	\$74,337.61	118%	0%	\$40,634	de minimis	Looking into coding within these accounts.
5300	\$75,000.00	OPERATING SUPPLIES	\$78,997.14	\$118,495.71	\$57,000.00	\$81,511.18	\$47,531.99	-37%	32%	-\$43,496	\$18,000	Looking into coding within these accounts.
5301	\$30,000.00	CHEMICALS	\$12,511.71	\$18,767.57	\$35,000.00	\$14,289.61	\$25,096.33	60%	-14%	\$11,232	de minimis	Looking into coding within these accounts.
5302	\$25,000.00	LAB SUPPLIES	\$701.86	\$1,052.79	\$24,500.00	\$4,232.52	\$14,383.11	2275%	2%	\$23,947	de minimis	Looking into coding within these accounts.
5310	\$0.00	EQUIP. NON-CAP	\$702.78	\$1,054.17	\$15,000.00	\$2,827.95	\$4,120.48	-100%	-100%	de minimis	-\$15,000	
5311	\$6,000.00	SMALL TOOLS/MAINT & REPAIRS	\$1,847.54	\$2,771.31	\$6,000.00	\$2,403.63	\$2,684.17	117%	0%	de minimis	de minimis	
5320	\$110,000.00	RENTALS/LEASES/PERMITS	\$33,139.80	\$49,709.70	\$110,000.00	\$107,708.76	\$100,991.94	121%	0%	\$60,290	de minimis	Looking into coding within these accounts.



DRAFT - FIRST ROUND OPEX BUDGET ROLL-UP - UNREVIEWED

												Notes
Account	Budget Yr Requested	Description	YTD Annualized or			Two Yr Prior Actuals	Three Yr Prior Actuals	% Change on	% Change on	Vs. FY1617		
			YTD Feb Actuals	Estimated Annual	2017 Adopted Budget			Est	FY1617 Bud.	Vs. Est Actuals	Bud	
5401	\$2,500.00	SAFETY EQUIPMENT - MAINTENANCE	\$2,819.42	\$4,229.13	\$0.00	\$0.00	\$80.35	-41%	0%	de minimis	de minimis	
5410	\$21,000.00	MAINT & OPERATIONS OF VEHICLES	\$14,067.87	\$21,101.81	\$21,000.00	\$19,267.67	\$18,813.82	0%	0%	de minimis	de minimis	
5420	\$7,500.00	BUILD MAINT-SERVICES & SUPPLYS	\$1,687.57	\$2,531.36	\$7,500.00	\$276.35	\$4,498.26	196%	0%	de minimis	de minimis	
5500	\$250,000.00	UTILITIES - DISTRICT OFFICE	\$175,697.30	\$263,545.95	\$275,000.00	\$204,237.28	\$283,336.27	-5%	-9%	de minimis	de minimis	
5510	\$45,000.00	TELEPHONE/COMMUNICATIONS	\$27,513.95	\$41,270.93	\$40,000.00	\$39,131.44	\$34,684.45	9%	13%	de minimis	de minimis	
5600	\$3,000.00	OFFICE SUPPLIES	\$599.61	\$899.42	\$3,500.00	\$2,340.91	\$2,771.73	234%	-14%	de minimis	de minimis	
5630	\$3,500.00	TRAINING,CONFERENCES &MEETINGS	\$165.14	\$247.71	\$3,500.00	\$150.09	\$690.20	1313%	0%	de minimis	de minimis	
5632	\$500.00	SUBSCRIPTIONS/BOOKS	\$126.50	\$189.75	\$500.00	\$0.00	\$0.00	164%	0%	de minimis	de minimis	
5800	-\$2,906.00	ALLOCATIONS	\$0.00	\$0.00	\$0.00	\$0.00	-\$306.31	0%	0%	de minimis	de minimis	
WATER TREATMENT & SUPPLY	\$2,068,071.00		\$1,193,885.39	\$1,814,061.18	\$2,051,705.70	\$1,616,069.90	\$1,622,686.56	14%	1%	\$254,010	de minimis	
TOTAL WATER FUND	\$7,140,587.00		\$4,281,204.83	\$6,656,649.67	\$6,694,042.68	\$5,777,592.41	\$5,474,299.43	7%	7%	de minimis	de minimis	
TOTAL SEWER FUND	\$144,331.00		\$54,178.80	\$133,439.59	\$115,717.67	\$84,548.35	\$56,522.95	8%	25%	de minimis	\$28,613	



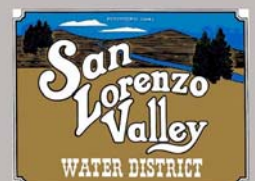
# BUDGET

## FY 2017/18

### SAN LORENZO VALLEY WATER DISTRICT



BOULDER CREEK, CA





## MISSION & CONTACT INFORMATION

### OUR MISSION

Our mission is to provide our customers and all future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding customer service; to manage and protect the environmental health of the aquifers and watersheds; and, to ensure the fiscal vitality of the San Lorenzo Valley Water District.

### BOARD OF DIRECTORS

Name	Title	Elected/Appointed	Term Expires
Gene Ratcliffe	President	Elected	December 2018
Charles Baughman	Vice President	Elected	December 2018
Margaret Bruce	Director	Elected	December 2020
Eric Hammer	Director	Elected	December 2018
Bill Smallman	Director	Elected	December 2020

### DISTRICT CONTACT INFORMATION

District Manager : Brian Lee

Address: 13060 Highway 9 Boulder Creek, California 95006

Phone: (831) 338-2153 Website: [www.slvwd.com](http://www.slvwd.com)

Office Hours: 8AM – 5PM Monday – Friday



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## BUDGET OVERVIEW

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### *TRANSMITTAL LETTER*



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## *ABOUT THE COMMUNITY*

The San Lorenzo Valley is located in the Santa Cruz mountains in Santa Cruz County, California. The area was once heavy in the logging industry, especially during the rebuilding of San Francisco after the 1906 earthquake. More recently, the growth in Silicon Valley has made the area more desirable and slightly more affordable. The San Lorenzo Valley contains multiple State parks, golf courses and an active railroad attraction. Over the years, the District's service area has changed from rural and vacation cabins to a more urbanized, year-round water-use area. It is home to over 35,000 people. The District's service area covers the towns of Ben Lomond, Felton, Brookdale, Boulder Creek and parts of the City of Scotts Valley.





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## *ABOUT THE DISTRICT*

The San Lorenzo Valley Water District was established in 1941 as an independent special district. The District is governed by a five-member Board of Directors, elected at-large from within the District's service area. The San Lorenzo Valley Water District employs a full-time staff of 33 employees.

The District's boundaries comprise approximately 60 square miles and 170 miles of pipeline. The District currently provides service to approximately 7,900 residential, commercial, and institutional connections. The District relies on both surface water and groundwater resources, including nine currently active stream diversions, one groundwater spring, and eight active groundwater wells. The District owns, operates, and maintains four water systems from separate water sources. These sources are derived solely from rainfall within the San Lorenzo River watershed.

The District owns, operates, and maintains a wastewater system in Boulder Creek's Bear Creek Estates, which serves approximately 56 homes.





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## ABOUT THE BUDGET PROCESS

Budgets are a fiscally responsible instrument for local government agencies, to help plan, prepare and forecast the financial and operational objectives of the District. The District operates as an enterprise fund with a fiscal year that begins July 1 and ends June 30. For financial reporting, the District follows Generally Accepted Accounting Principles (GAAP), of which we follow accrual based accounting, meaning revenues are recognized in the period in which they were earned and expenses when incurred. For the most part, the budget is prepared by the same accrual based method. Non-cash expense items such as depreciation expense for fixed assets and accrued compensated absences are excluded from the budget, but included later on as additional information to help bridge a comparison to the audited financials.

The budget planning and preparation process is an important District activity and provides opportunity for the Board of Directors, management and staff to reassess goals and objectives for the upcoming and future years:

- This process typically begins in January internally as templates and initial forecasts for the current year are prepared. Any budget assumptions, procedures and changes from the prior year's budget are discussed in a management kick-off meeting in February.
- Management begins to prepare departmental operating and capital expenditure forecasts. Finance compiles a consolidated budget package and begins comparative analysis to identify any anomalies or outliers that need further explanation.
- Finance will forecast revenue expectations based on active rate schedules in connection with historic and anticipated future consumption levels.
- Meetings typically begin at the Budget & Finance Committee during end of March and then escalate to the full Board of Directors. The budget continues to be a regular discussion as it is updated throughout the process.
- The budget will typically go back to the Board of Directors 2 – 3 times during the process to allow optimal discussion and public discussion. The budget is intended to be approved prior to the beginning of the new fiscal year.

A budget should be balanced with current revenues equal to or greater than current expenditures. The District may elect to utilize reserves to attain a balanced budget. In the event a budget is not balanced, an action plan should be put in place to explain the shortfall and how the District plans to remedy.



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*BUDGET DEFINITIONS*



## OVERALL BUDGET SUMMARY



## OPERATING BUDGET

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### *SUMMARY*

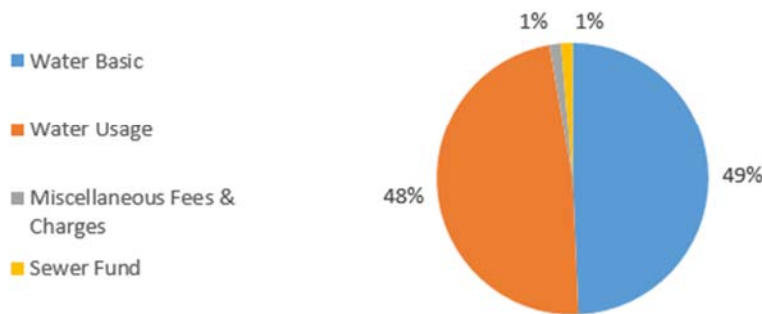


## OPERATING REVENUE SUMMARY

Table X: Operating Revenue Budget

	FY1718 Proposed Budget	FY1617 Adopted Budget	FY1617 Est. Actuals	Variance to FY1617 Budget		Variance to FY1617 Est. Actuals	
Water Basic	\$ 3,600,000	\$ 3,326,000	\$ 3,625,000	\$ 274,000	8%	\$ (25,000)	-1%
Water Usage	3,500,000	3,521,640	3,450,000	(21,640)	-1%	50,000	1%
Sewer Fund	100,000	100,000	100,000	-	0%	-	0%
Miscellaneous Fees & Charges	100,000	97,000	90,000	3,000	3%	10,000	11%
<b>Total Operating Revenue</b>	<b>\$ 7,300,000</b>	<b>\$ 7,044,640</b>	<b>\$ 7,265,000</b>	<b>\$ 255,360</b>	<b>4%</b>	<b>\$ 35,000</b>	<b>0%</b>

Figure x: Operating Revenue as % of Budget



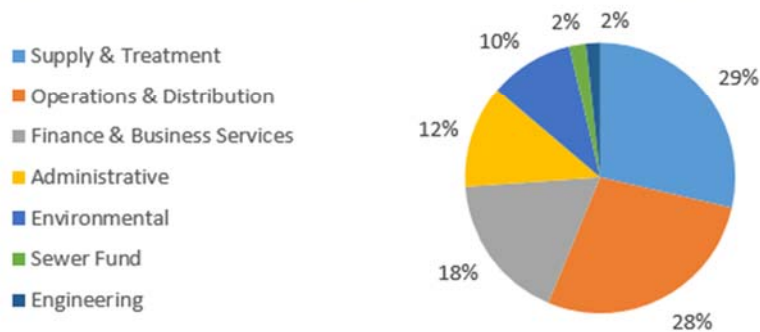


## OPERATING EXPENSE SUMMARY

**Table X: Operating Expense Budget by Department**

	Proposed Budget	Adopted Budget	FY1617 Est. Actuals	Variance to FY1617 Budget		Variance to Est. Actuals	
Administrative	\$ 895,062	\$ 1,031,838	\$ 1,252,741	\$ (136,776)	-13%	\$ (357,679)	-29%
Finance & Business Services	1,279,052	707,048	955,434	572,004	81%	323,618	34%
Engineering	123,082	179,531	54,315	(56,449)	-31%	68,767	127%
Operations & Distribution	2,009,462	2,104,498	2,191,670	(95,036)	-5%	(182,208)	-8%
Environmental	733,032	619,421	471,927	113,611	18%	261,105	55%
Supply & Treatment	2,079,671	2,051,706	1,814,061	27,965	1%	265,610	15%
Sewer Fund	145,331	115,718	130,940	29,613	26%	(609)	0%
<b>Total Operating Departments</b>	<b>\$ 7,264,692</b>	<b>\$ 6,809,760</b>	<b>\$ 6,871,088</b>	<b>\$ 454,932</b>	<b>7%</b>	<b>\$ 393,604</b>	<b>6%</b>

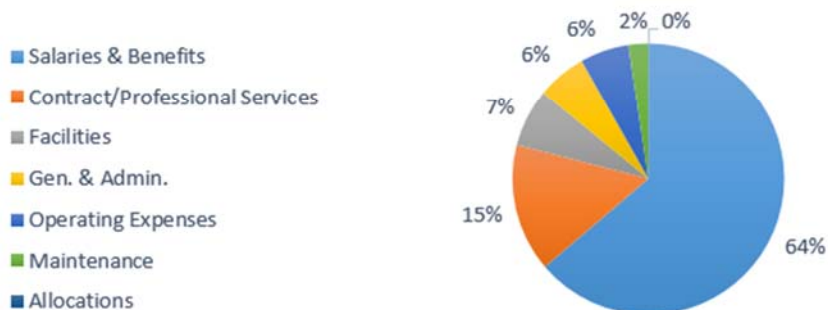
**Figure x: Operating Expense Budget by Department as % of Budget**



**Table X: Operating Expense Budget by Expense Category**

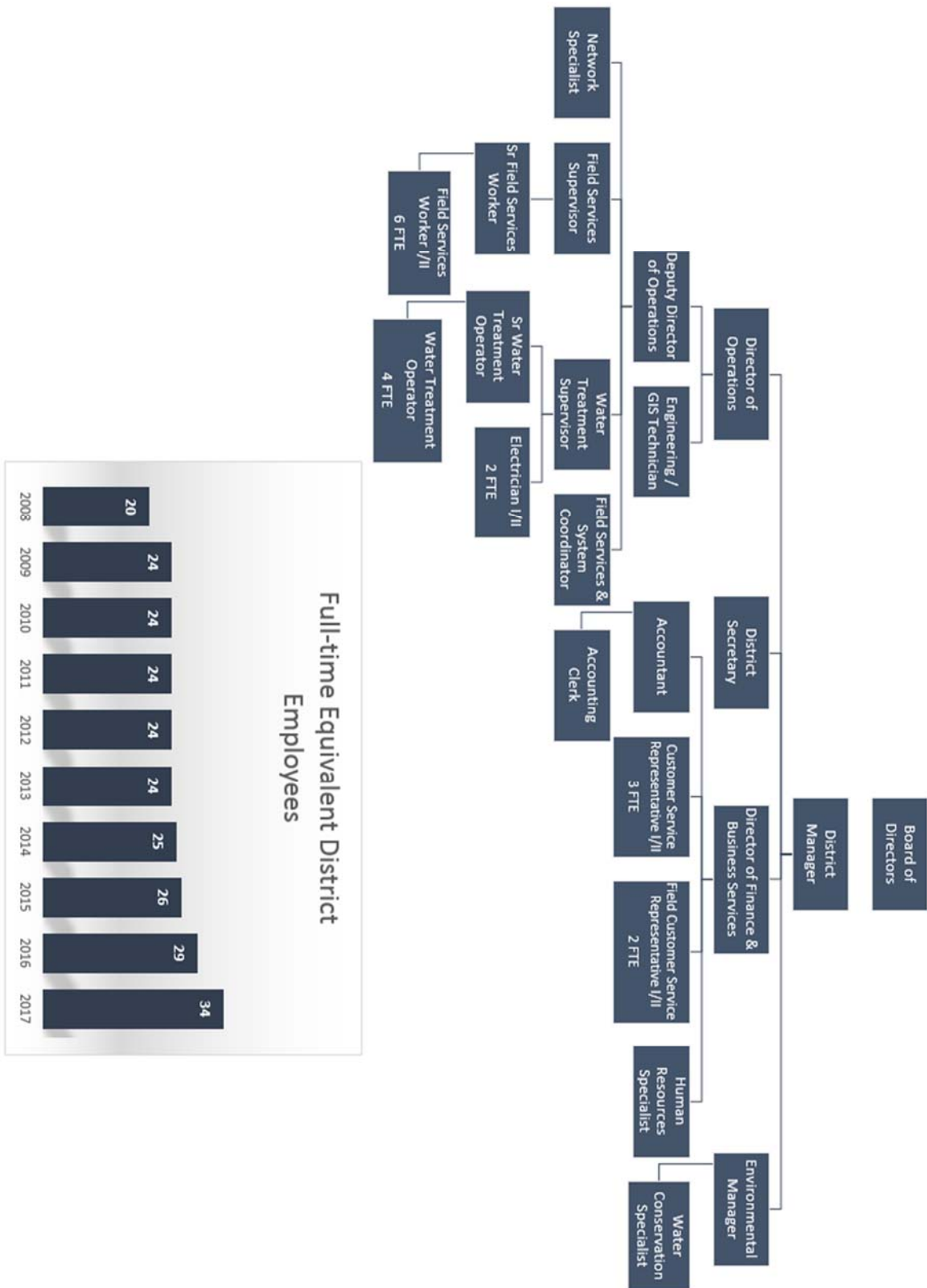
	Proposed Budget	Adopted Budget	FY1617 Est. Actuals	Variance to FY1617 Budget		Variance to Est. Actuals	
Salaries & Benefits	\$ 4,632,131	\$ 4,097,927	\$ 4,276,926	\$ 534,204	13%	\$ 355,205	8%
Contract/Professional Services	1,107,661	1,236,483	1,245,255	(128,822)	-10%	(137,594)	-11%
Facilities	503,100	536,100	513,552	(33,000)	-6%	(10,452)	-2%
Gen. & Admin.	429,700	391,750	300,816	37,950	10%	128,884	43%
Operating Expenses	420,600	390,000	411,296	30,600	8%	9,304	2%
Maintenance	171,500	157,500	123,900	14,000	9%	47,600	38%
Allocations	-	-	(659)	-	0%	659	-100%
	\$ 7,264,692	\$ 6,809,760	\$ 6,871,088	\$ 454,932	7%	\$ 393,604	6%

**Figure x: Operating Expense Budget by Category as % of Budget**





## ORGANIZATIONAL CHART





## PERSONNEL

Overall the largest operating expense of the District are the salary & benefits portion, making up approximately 64% of the overall operating expense. The FY2017/18 budget consists of 34 full-time equivalent (FTE) employees, with over 65% of them typically being out in the field. District employees are what make our mission to provide our customers and all future generations with reliable, safe and high quality water possible.

### REQUESTED NEW HIRES

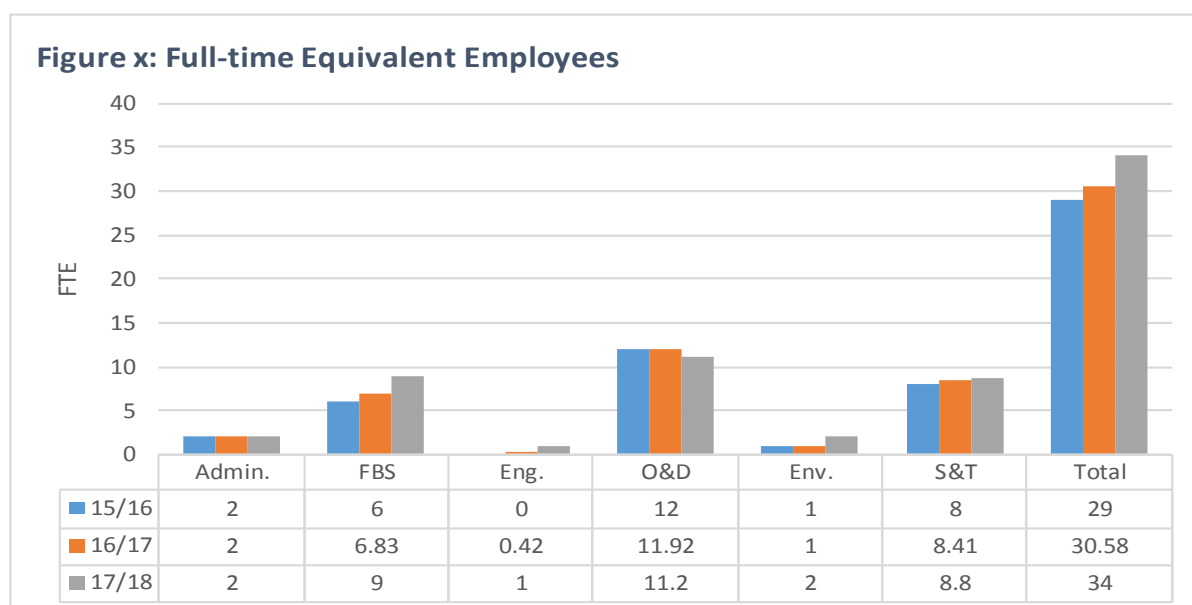
There are no new hire positions planned for this fiscal year budget.

### VARIANCE TO PRIOR YEAR BUDGET:

Expenses have increased \$534,204 or 13% compared to the prior year budget. This is due to recognizing the full year expenses of new hires hired during the year and any increases to current employee salaries, health and retirement benefits.

### VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:

Expenses have increased \$355,205 or 8% compared to the estimated prior year actuals. This is due to recognizing the full year expenses of new hires hired during the year. In addition, the prior year actuals include a one-time payment to pay off a portion of the unfunded pension liability.

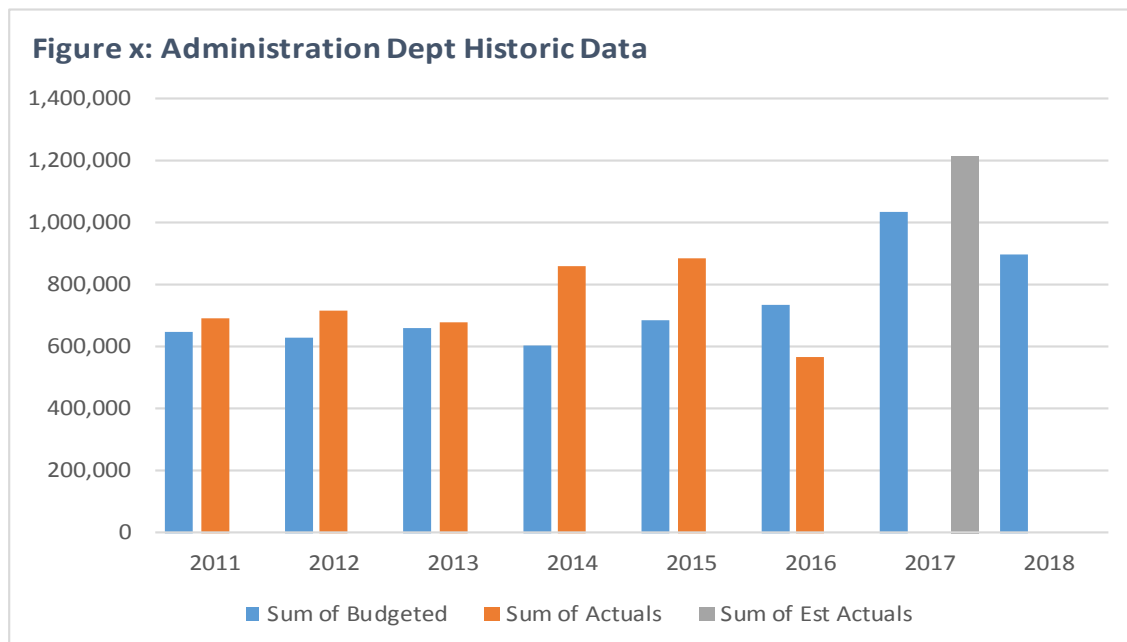




## ADMINISTRATION DEPARTMENT

The Administration department is responsible for maintaining communications, coordinating meetings and providing requested support to the public and the Board of Directors. The department assists in developing policies and procedures, rules and regulations and the overall strategic plan of the District. There are 2 FTE employees.

- The District Manager is appointed by the Board of Directors and is responsible for exercising overall supervision of District staff. The District Manager is responsible for the execution of contracts and other documents on behalf of the District to the extent provided by the Board of Directors.
- The District Secretary prepares Board agenda packets for all Board meetings, documents the notes from the meetings, maintains insurance policies and claims and public outreach communication with our third party consultant.
- This department also contains the direct expenses of the Board of Directors.





## ADMINISTRATIVE DEPARTMENT

### Administration by Expense Category

	<b>FY1718 Proposed Budget</b>	<b>FY1617 Adopted Budget</b>	<b>FY1617 Est. Actuals</b>	<b>Variance to FY1617 Budget</b>		<b>Variance to FY1617 Est. Actuals</b>	
Salaries & Benefits	\$ 454,362	\$ 422,938	\$ 527,235	\$ 31,424	7%	\$ (72,873)	-14%
Contract/Professional Services	235,000	365,200	515,000	(130,200)	-36%	(280,000)	-54%
Gen. & Admin.	150,200	197,700	130,350	(47,500)	-24%	19,850	15%
Facilities	30,000	30,000	24,252	-	0%	5,748	24%
Maintenance	24,500	15,000	14,538	9,500	63%	9,962	69%
Operating Expenses	1,000	1,000	1,166	-	0%	(166)	-14%
<b>Total Operating Expense</b>	<b>\$ 895,062</b>	<b>\$ 1,031,838</b>	<b>\$ 1,212,541</b>	<b>\$ (136,776)</b>	<b>-13%</b>	<b>\$ (317,479)</b>	<b>-26%</b>

### VARIANCE TO PRIOR YEAR BUDGET:

Expenses have decreased \$136,776 or (13%) compared to the prior year budget. The decrease is due to ....

### VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:

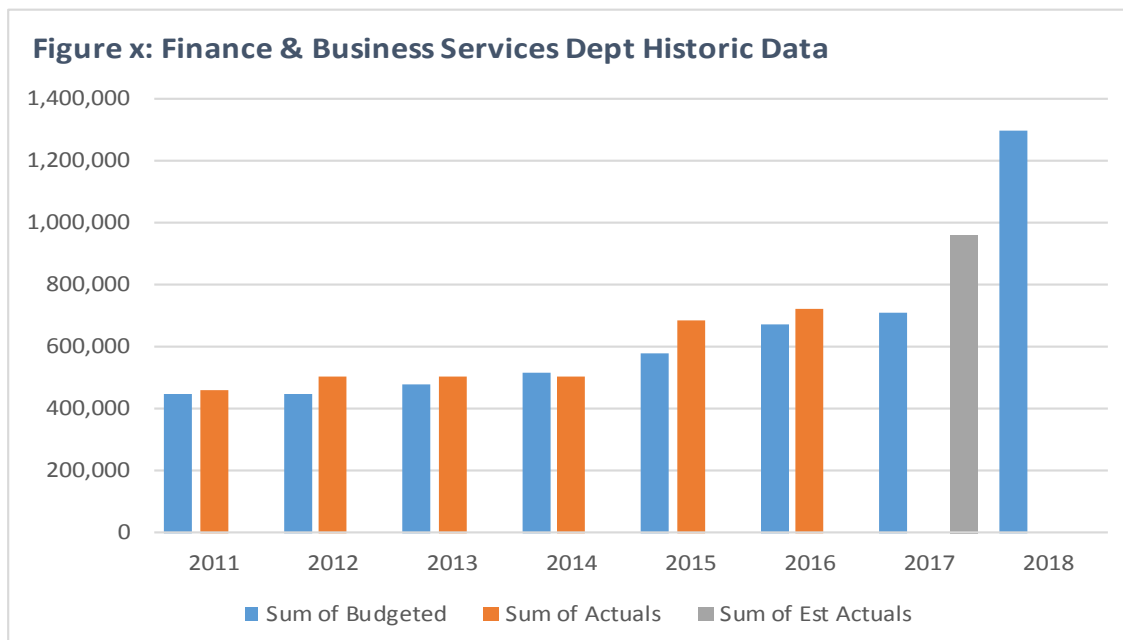
Expenses have decreased \$317,479 or (26%) compared to the estimated prior year actuals. The decrease is due to ....



## FINANCE & BUSINESS SERVICES DEPARTMENT

The Finance & Business Services (FBS) department is responsible for District's accounting and financial duties, customer service, field customer service and human resources needs. The department has the responsibility to oversee the general day-to-day business of the District, meeting short and long term financial objectives, as well as ensuring all financial reporting requirements are being met. There are 9 FTE employees.

- The customer service team is responsible for customer accounts, billing, processing payments, customer inquiries and assigning customer service orders.
- The field customer service team is responsible for reading and maintaining meters, investigating high or low usage, turning service on/off, customer rebate program field review and other service orders as assigned.
- Human resources (HR) provides administrative and operational support to District employees and retirees on benefit administration, recruitment, training and other essential HR functions.
- The finance team is responsible for finance and accounting duties to support all departments, ensure adequate internal controls, prepare and analyze annual financial and budget reports of the District. The department also maintains the general ledger, accounts payable/receivable, capital project accounting, grant accounting, payroll, inventory management and purchasing.





## FINANCE & BUSINESS SERVICES DEPARTMENT

### Finance & Business Services by Expense Category

	<b>FY1718 Proposed Budget</b>	<b>FY1617 Adopted Budget</b>	<b>FY1617 Est. Actuals</b>	<b>Variance to FY1617 Budget</b>	<b>Variance to FY1617 Est. Actuals</b>		
Salaries & Benefits	\$ 1,014,802	\$ 494,748	\$ 686,445	\$ 520,054	105%	\$ 328,357	48%
Contract/Professional Services	114,000	106,000	126,059	8,000	8%	(12,059)	-10%
Gen. & Admin.	155,750	106,300	141,876	49,450	47%	13,874	10%
Maintenance	7,500	-	-	7,500	0%	7,500	0%
Operating Expenses	500	-	1,054	500	0%	(554)	-53%
<b>Total Operating Expense</b>	<b>\$ 1,292,552</b>	<b>\$ 707,048</b>	<b>\$ 955,434</b>	<b>\$ 585,504</b>	<b>83%</b>	<b>\$ 337,118</b>	<b>35%</b>

### VARIANCE TO PRIOR YEAR BUDGET:

Expenses have increased \$585,004 or 83% compared to the prior year budget. The increase is due to a full year of new hire expenses, changes from department reorganization and the shift of two Field Customer Service Representatives from the O&D department to here. Other increases are due to shifts of HR expenses from the Administration department, maintenance of vehicles and increased banking fees as more customers are utilizing electronic payments.

### VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:

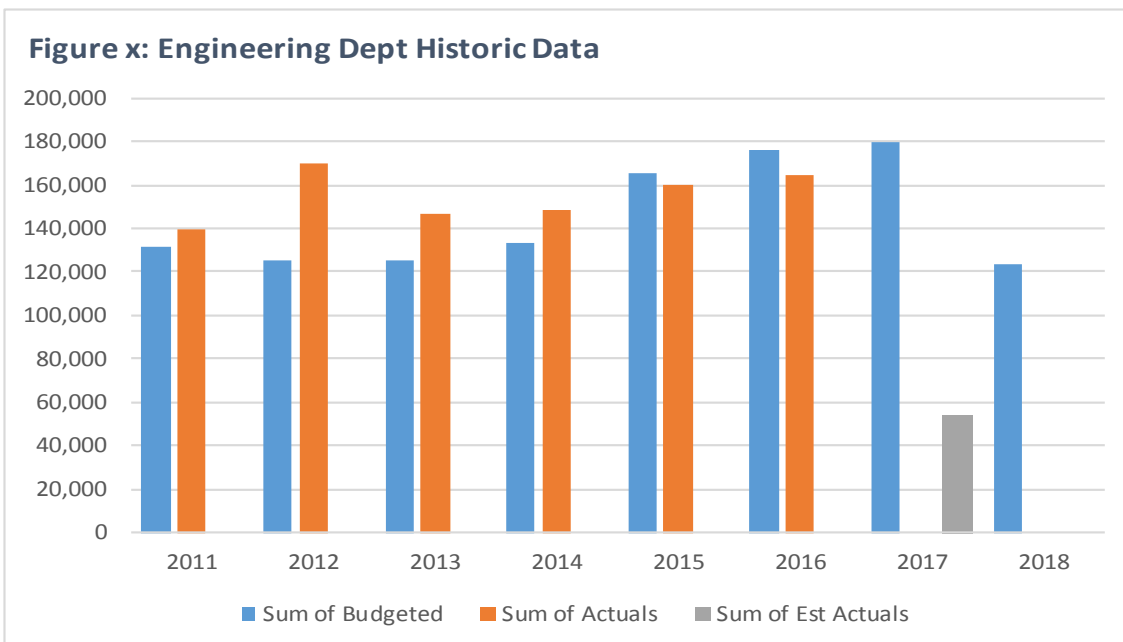
Expenses have increased \$337,672 or 35% compared to the estimated prior year actuals. The increase is due to a full year of new hire expenses, changes from department reorganization and the shift of two Field Customer Service Representatives from the O&D department to here.



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## ENGINEERING DEPARTMENT

The Engineering department coordinates and inspect the efforts of projects to expand the water system. Projects can include contracted out projects or internal meter reviews for individual parcels coming on to the water system. Engineering also maintains the District infrastructure drawings and maps. The Engineering department is responsible for Geographic Information Systems (GIS) and the development of valuable tools for more efficient and effective access, linking, analysis, and maintenance of information for and about the District and its service connections. There is 1 FTE.





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## ENGINEERING DEPARTMENT

### Engineering by Expense Category

	<b>FY1718 Proposed Budget</b>	<b>FY1617 Adopted Budget</b>	<b>FY1617 Est. Actuals</b>	<b>Variance to FY1617 Budget</b>		<b>Variance to FY1617 Est. Actuals</b>	
Salaries & Benefits	\$ 101,632	\$ 154,831	\$ 47,701	\$ (53,199)	-34%	\$ 53,931	113%
Contract/Professional Services	15,000	10,000	4,748	5,000	50%	10,252	216%
Gen. & Admin.	5,450	3,700	969	1,750	47%	4,481	462%
Facilities	1,000	3,000	897	(2,000)	-67%	103	12%
Maintenance	-	2,000	-	(2,000)	-100%	-	0%
Operating Expenses	-	6,000	-	(6,000)	-100%	-	0%
<b>Total Operating Expense</b>	<b>\$ 123,082</b>	<b>\$ 179,531</b>	<b>\$ 54,315</b>	<b>\$ (56,449)</b>	<b>-31%</b>	<b>\$ 68,767</b>	<b>127%</b>

### VARIANCE TO PRIOR YEAR BUDGET:

Expenses have decreased \$56,449 or (31%) compared to the prior year budget. The decrease from prior year budget is due to employee changeover.

### VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:

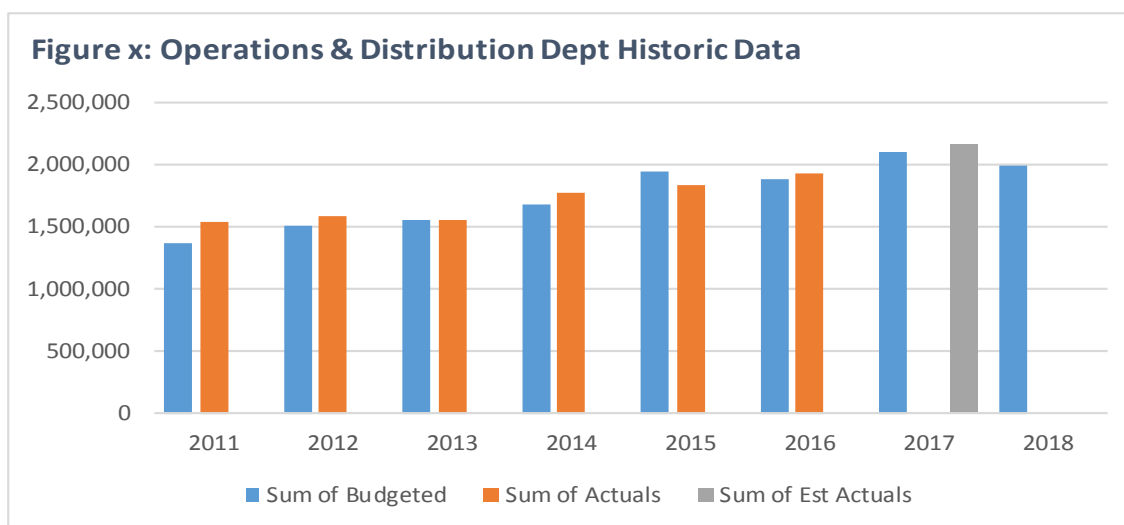
Expenses have increased \$68,767 or 127% compared to the estimated prior year actuals. The increase from prior year estimated actuals is due to the filling of a vacant position.



## OPERATIONS & DISTRIBUTION DEPARTMENT

The Operations & Distribution department is responsible for the District's operations and maintenance of the water system infrastructure, wastewater system, facilities security and emergency preparedness programs. In addition to complying with all applicable environmental regulations; performing preventive and corrective fleet, facilities and right of way maintenance; managing computerized controls equipment and monitoring and maintaining infrastructure assets. The operations team operates the water system and facilities 24-hour a day, 7 days a week. There are 11.2 FTE employees.

- Upper management consists of the Director of Operations and the Deputy Director of Operations, which oversee all staff within the Operations & Distribution and Supply & Treatment departments. The Director of Operations also oversees the Engineering department.
- The Field Services Supervisor oversees the Field Service Worker staff and are responsible for the daily operation and maintenance of the systems, repairing and replacing service lines, distribution mains and valves, annual flushing to maintain water quality and locating services from Dial 811.
- Field Services & System Coordinator provides administrative support to the Director of Operations, and performs a variety of field work relative to the operations and maintenance of water and wastewater systems.
- The Network Specialist performs administrative and technical work maintaining servers, computers and peripherals; maintains and prepares records and reports; monitors SCADA systems to report alarms; develops and maintains the District website, email and security systems.





## OPERATIONS & DISTRIBUTION DEPARTMENT

### Operations & Distribution by Expense Category

	<b>FY1718 Proposed Budget</b>	<b>FY1617 Adopted Budget</b>	<b>FY1617 Est. Actuals</b>	<b>Variance to FY1617 Budget</b>		<b>Variance to FY1617 Est. Actuals</b>	
Salaries & Benefits	\$ 1,482,087	\$ 1,585,498	\$ 1,617,256	\$ (103,411)	-7%	\$ (135,169)	-8%
Contract/Professional Services	100,000	120,000	100,000	(20,000)	-17%	-	0%
Gen. & Admin.	14,000	13,500	5,150	500	4%	8,850	172%
Facilities	167,000	177,000	175,149	(10,000)	-6%	(8,149)	-5%
Maintenance	100,500	96,000	76,500	4,500	5%	24,000	31%
Operating Expenses	137,500	112,500	198,273	25,000	22%	(60,773)	-31%
Allocations	(11,625)	-	(12,000)	(11,625)	0%	375	-3%
<b>Total Operating Expense</b>	<b>\$ 1,989,462</b>	<b>\$ 2,104,498</b>	<b>\$ 2,160,329</b>	<b>\$ (115,036)</b>	<b>-5%</b>	<b>\$ (170,867)</b>	<b>-8%</b>

### VARIANCE TO PRIOR YEAR BUDGET:

Expenses have decreased \$115,036 or (5%) compared to the prior year budget. The majority of the decrease was due to the move of two Field Customer Service Representatives to the FBS department. This was offset by the full year impact of prior year new hires.

### VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:

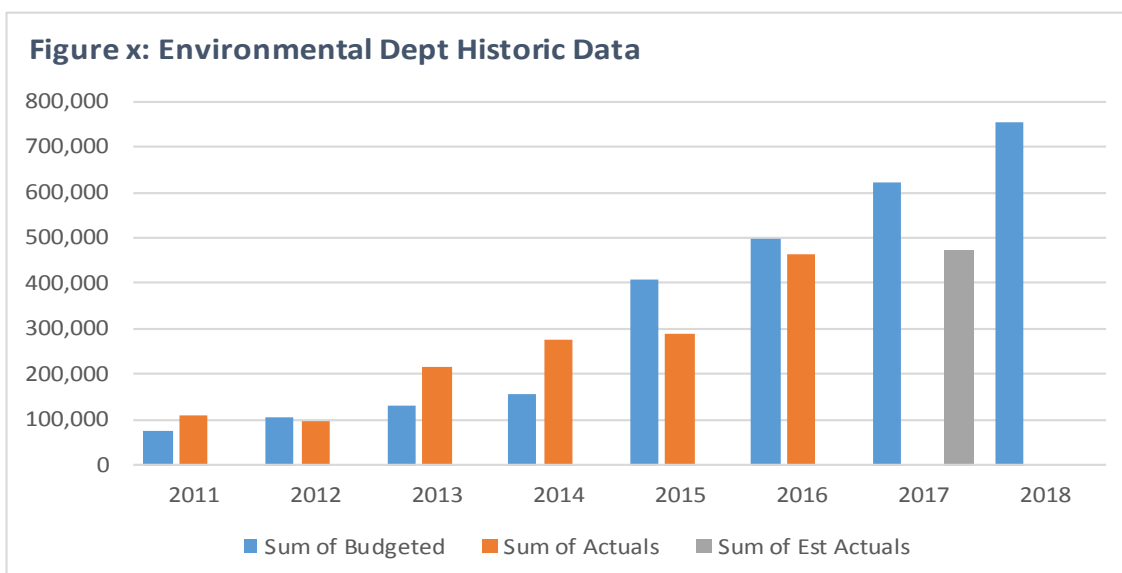
Expenses have decreased \$170,867 or (8%) compared to the estimated prior year actuals. The majority of the decrease was due to the move of two Field Customer Service Representatives to the FBS department. This was offset by the full year impact of prior year new hires and a decrease in one-time operating expenses experienced in the prior year from the Lompico merger.



## ENVIRONMENTAL DEPARTMENT

The Environmental department oversees an array of strategies and programs related to increasing public awareness of the District's efforts investments to provide a safe and reliable water supply. There is 1 current FTE, with an additional 1 FTE approved and in the hiring process.

- Facilitates programs to encourage water users to improve or maintain long-term water-use efficiency.
- Helps identify current or potential drought conditions to help the District increase water conservation guidelines to meet demand or regulatory requirements.
- Identifies potential grant funding, prepares applications, coordinates with other agencies for collaborative grants and coordinates any grant implementation.
- Conducts California Environmental Quality Act (CEQA) review of District projects and determines potential impact.





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**ENVIRONMENTAL DEPARTMENT**

**Environmental by Expense Category**

	<b>FY1718 Proposed Budget</b>	<b>FY1617 Adopted Budget</b>	<b>FY1617 Est. Actuals</b>	<b>Variance to FY1617 Budget</b>		<b>Variance to FY1617 Est. Actuals</b>	
Salaries & Benefits	\$ 253,271	\$ 192,288	\$ 155,743	\$ 60,983	32%	\$ 97,528	63%
Contract/Professional Services	384,661	347,283	290,000	37,378	11%	94,661	33%
Gen. & Admin.	97,300	63,050	21,135	34,250	54%	76,165	360%
Facilities	300	300	-	-	0%	300	0%
Maintenance	15,000	15,000	5,000	-	0%	10,000	200%
Operating Expenses	2,500	1,500	49	1,000	67%	2,451	4986%
<b>Total Operating Expense</b>	<b>\$ 753,032</b>	<b>\$ 619,421</b>	<b>\$ 471,927</b>	<b>\$ 133,611</b>	<b>22%</b>	<b>\$ 281,105</b>	<b>60%</b>

**VARIANCE TO PRIOR YEAR BUDGET:**

Expenses have increased \$133,611 or 22% compared to the prior year budget. The increase is due to the full year of a new hire position in the process of being filled and an increase in water conservation/education expenses.

**VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:**

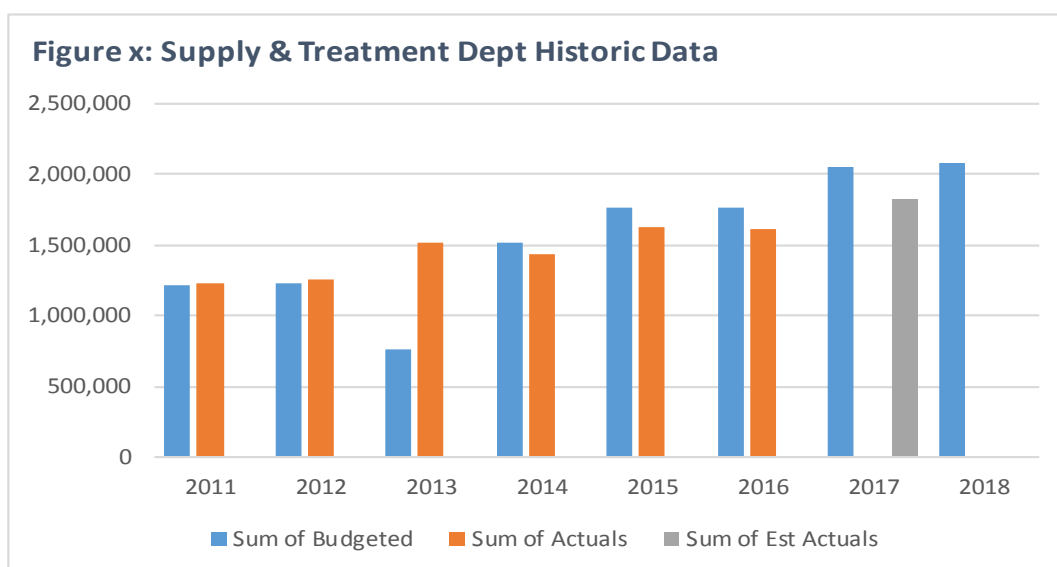
Expenses have increased \$281,105 or 60% compared to the estimated prior year actuals. The increase is due to the full year of a new hire position in the process of being filled and XXX



## SUPPLY & TREATMENT DEPARTMENT

The Supply & Treatment department receives raw water from multiple surface and groundwater sources. The department treats the water utilizing full conventional treatment technologies to meet all state and federal potable water standards and performs all chemical and biologic analyses required by the California Department of Public Health and the U.S. Environmental Protection Agency. There are 8.8 FTE employees.

- The Water Treatment Supervisor plans, organizes, and participates in the operation, maintenance and repair of equipment used in the operation of the water and wastewater treatment systems, including wells, pumps, valves, reservoirs and treatment plants. Plans and implements a comprehensive water quality monitoring program.
- Water Treatment Operator staff inspect stream intakes, water production, treatment and storage facilities, and wastewater collection, transmission and treatment facilities. Collects water and wastewater samples at various locations, performs routine laboratory analysis and records and reports results.
- Electrician staff perform a variety of skilled work related to the installation, maintenance and repair of industrial high voltage electrical motors, motor controls and equipment used in water and wastewater facilities; installs, maintains, calibrates, repairs and operates electrical, pneumatic and mechanical instrumentation, controls, and equipment associated with the Supervisor Control and Data Acquisition (SCADA) system.





## SUPPLY & TREATMENT DEPARTMENT

### Supply & Treatment by Expense Category

	<b>FY1718 Proposed Budget</b>	<b>FY1617 Adopted Budget</b>	<b>FY1617 Est. Actuals</b>	<b>Variance to FY1617 Budget</b>		<b>Variance to FY1617 Est. Actuals</b>	
Salaries & Benefits	\$ 1,296,977	\$ 1,228,206	\$ 1,222,546	\$ 68,771	6%	\$ 74,431	6%
Contract/Professional Services	195,000	225,000	65,648	(30,000)	-13%	129,352	197%
Gen. & Admin.	7,000	7,500	1,337	(500)	-7%	5,663	424%
Facilities	295,000	315,000	304,817	(20,000)	-6%	(9,817)	-3%
Maintenance	31,000	28,500	27,862	2,500	9%	3,138	11%
Operating Expenses	257,600	247,500	191,851	10,100	4%	65,749	34%
Allocations	(2,906)	-	(3,000)	(2,906)	0%	94	-3%
<b>Total Operating Expense</b>	<b>\$ 2,079,671</b>	<b>\$ 2,051,706</b>	<b>\$ 1,811,061</b>	<b>\$ 27,965</b>	<b>1%</b>	<b>\$ 268,610</b>	<b>15%</b>

### VARIANCE TO PRIOR YEAR BUDGET:

Expenses have increased \$27,965 or 1% compared to the prior year budget. The increase is due to the full year of a new hire position, off-set by decreases in other operating expenses.

### VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:

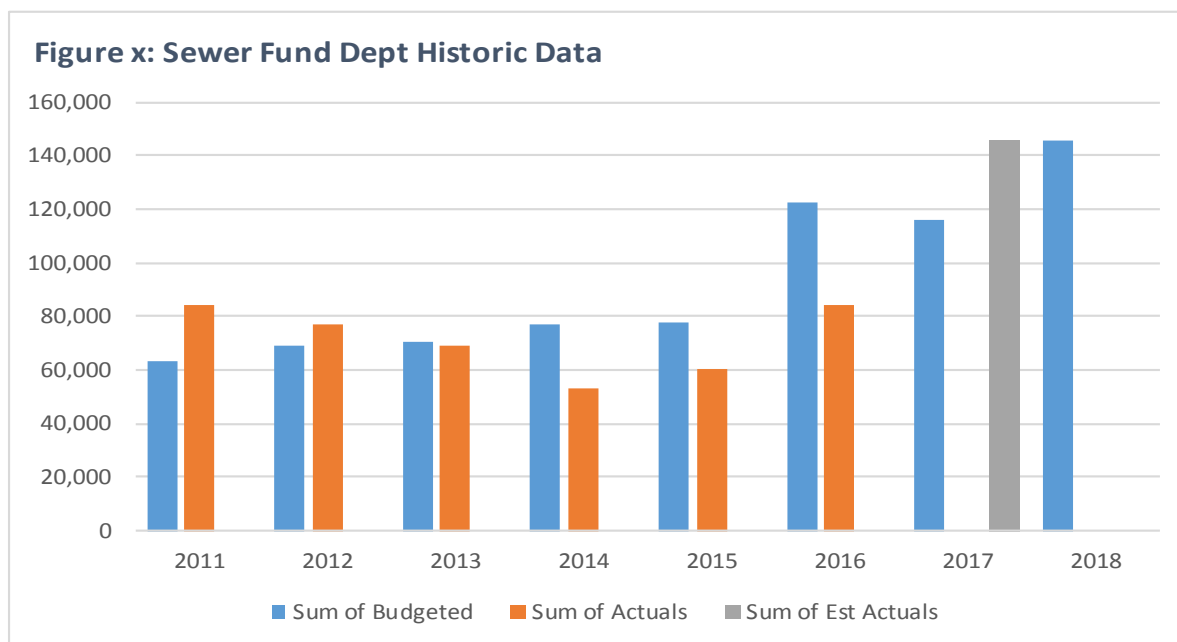
Expenses have increased \$268,610 or 15% compared to the estimated prior year actuals. The increase is due to the full year of a new hire position and one-time expenses from the Lompico merger.



## SEWER FUND

The District owns, operates and maintains a wastewater system in Boulder Creek's Bear Creek Estates, which serves approximately 56 homes. The system is operating on a routine or as needed basis with staff being allocated from the Operations & Distribution or Supply & Treatment departments.

- The system operates a .....





## SEWER FUND

### Sewer Fund by Expense Category

	<b>FY1718 Proposed Budget</b>	<b>FY1617 Adopted Budget</b>	<b>FY1617 Est. Actuals</b>	<b>Variance to FY1617 Budget</b>		<b>Variance to FY1617 Est. Actuals</b>	
Salaries & Benefits	\$ 29,000	\$ 19,418	\$ 20,000	\$ 9,582	49%	\$ 9,000	45%
Contract/Professional Services	70,000	63,000	83,600	7,000	11%	(13,600)	-16%
Facilities	9,800	10,800	8,438	(1,000)	-9%	1,362	16%
Maintenance	500	1,000	-	(500)	-50%	500	0%
Operating Expenses	21,500	21,500	18,902	-	0%	2,598	14%
Allocations	14,531	-	15,000	14,531	0%	(469)	-3%
<b>Total Operating Expense</b>	<b>\$ 145,331</b>	<b>\$ 115,718</b>	<b>\$ 145,940</b>	<b>\$ 29,613</b>	<b>26%</b>	<b>\$ (609)</b>	<b>0%</b>

### VARIANCE TO PRIOR YEAR BUDGET:

Expenses have increased \$29,613 or 26% compared to the prior year budget. The increase is due to additional staffing and expense needs to maintain the system.

### VARIANCE TO PRIOR YEAR ESTIMATED ACTUALS:

Expenses are relatively flat compared to the estimated prior year actuals due to the changes to expected operating costs.



## NON-OPERATING REVENUE & EXPENSES

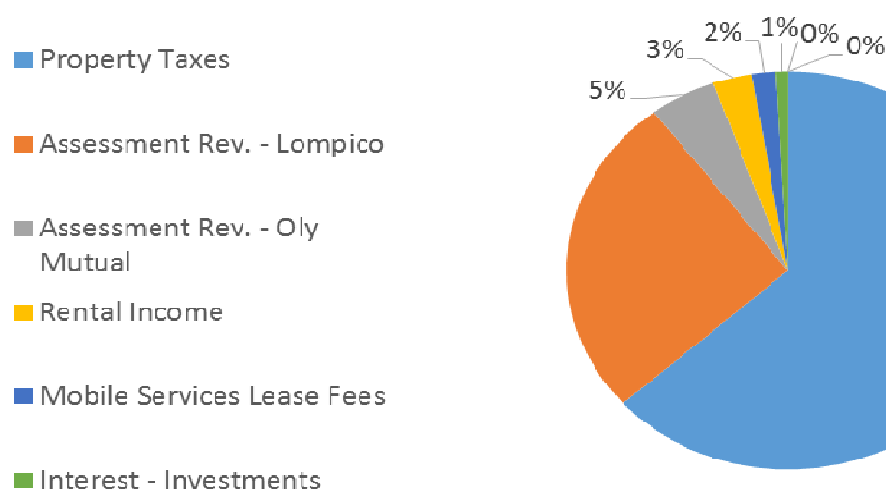
### NON-OPERATING REVENUE

[insert description] [update chart, missing some %'s]

**Table X: Non-Operating Revenue Budget**

Non-operating Revenue	FY1718 Proposed Budget	FY1617 Adopted Budget	FY1617 Est. Actuals	Variance to FY1617 Budget		Variance to FY1617 Est. Actuals	
Property Taxes	\$ 725,000	\$ 600,000	\$ 665,000	\$ 125,000	21%	\$ 60,000	9%
Assessment Rev. - Oly Mutual	56,000	57,600	56,000	(1,600)	-3%	-	0%
Assessment Rev. - Lompico	300,000	302,400	300,000	(2,400)	-1%	-	0%
Mobile Services Lease Fees	20,000	15,800	25,000	4,200	27%	(5,000)	-20%
Sale Of Surplus Property	-	-	-	-	0%	-	0%
Rental Income	32,600	36,000	32,600	(3,400)	-9%	-	0%
Reimb. For Manana Woods	-	35,000	46,000	(35,000)	-100%	(46,000)	-100%
Interest - Investments	10,000	5,000	8,000	5,000	100%	2,000	25%
<b>Total Non-Operating Revenue</b>	<b>\$ 1,143,600</b>	<b>\$ 1,051,800</b>	<b>\$ 1,132,600</b>	<b>\$ 91,800</b>	<b>9%</b>	<b>\$ 11,000</b>	<b>1%</b>

**Figure x: Non-operating Revenue as % of Budget**





## CAPITAL PROJECTS

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### *SUMMARY*

The Capital Improvement Projects (CIP) section is a component of the non-operating expense section of the budget. The CIP budget includes expenditures for fixed asset/equipment purchases as well as the accumulation of expenditures associated with construction projects undertaken by the District. Whenever a project is done in-house, the related labor costs will be allocated to the project and off-set the operating expense

The District typically funds capital projects by funding internally from cash reserves, grants awarded, individual assessments or debt financing.

The District recently incurred storm damage from a severe winter. [write more on FEMA funding]

The Capital Project Listing will list out project titles, anticipated funding, any monies spent in prior years, expected to be spent in the current budget year and any future spending. Each project will be described in further detail in the Capital Project Description sections.



## CAPTIAL PROJECT LISTING

#	Project	Funding Type	Spent in Prior FY	FY1718 Budget	Future FY Projection	Total Project Cost
<b>General Water System:</b>						
1	Swim Tanks Replacement	Loan	84,000	594,000		678,000
2	Probation Tank Replacement	Loan	199,000	590,000	951,000	1,740,000
3	Upper Paso Tank Fence	Reserves		8,000		8,000
4	Elsolyo Tank Fence	Reserves		6,000		6,000
5	Lyon WTP Filter Painting	Reserves		190,000		190,000
6	District Radio Replacement	Reserves		15,000		15,000
7	Emersion 64 Bit 7 Licensing	Reserves		26,000		26,000
8	Water Quality Vehicle	Reserves		32,000		32,000
9	Felton Heights Mutual	Customer/reserves		35,000		35,000
10	Bear Creek Wastewater	Reserves		28,000		28,000
11	SCADA HMI Software upgrade	Reserves		105,000		105,000
12	Pasatiempo Well 6 Repairs	Reserves		45,000		45,000
13	Pasatiempo Well 7 Rehab	Reserves		65,000		65,000
14	Firehouse Booster Electrical	Reserves		75,000		75,000
15	Meter Replacement	Reserves		220,000		220,000
16	Operations Building Gate Openers	Reserves		8,000		8,000
17	Operations Replacement Vehicle	Reserves		36,000		36,000
18	Manana Woods Treatment Facility	Reserves		25,000	225,000	250,000
19	Fall Creek Fish Ladder	Grant/loan	360,000	60,000	740,000	1,160,000
<b>Lompico Assessment District</b>						
19	Lompico Lewis Tank Replacement	Assessment District		25,000	175,000	200,000
20	Lompico PRV Replacements	Assessment District		50,000	150,000	200,000
<b>Storm Damage 2017 FEMA</b>						
21	Highway 9 Western Ave 6"	75% FEMA, Reserves		300,000		300,000
22	Bear Creek Road 8"	75% FEMA, Reserves	10,000	190,000		200,000
23	Lyon Tank Access Road Repair	75% FEMA, Reserves	7,000	75,000	1,418,000	1,500,000
24	Small Main Repairs	75% FEMA, Reserves		40,000		40,000
25	Bull/Bennett Supply Line	75% FEMA, Reserves	20,000	35,000		55,000
26	Fall Creek Intake	75% FEMA, Reserves		55,000		55,000
27	Alta Via 4"	75% FEMA, Reserves		35,000		35,000
28	Bear Creek Tank SCADA	75% FEMA, Reserves		35,000		35,000
29	Foreman Creek Intake	75% FEMA, Reserves		25,000		25,000
30	Raw Water Supply Lines Repairs	75% FEMA, Reserves		40,000		40,000
			<b>680,000</b>	<b>3,068,000</b>	<b>3,659,000</b>	<b>7,407,000</b>
Expected funding from non-debt sources				(757,500)		
Expected funding from debt sources				(1,184,000)		
<b>Ending cash reserves required</b>				<b>1,126,500</b>		



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*CAPTIAL PROJECT DESCRIPTION*



## MEMO

To: Board of Directors  
From: District Manager  
Subject: DROUGHT SURCHARGE  
Date: April 20, 2017

### **RECOMMENDATION:**

Staff has no recommendation.

### **BACKGROUND:**

Attached is Resolution 19(15/16), Drought Surcharge, approved on November 19, 2015.

Due to the recent winter rainfall and the Governors declaration that the drought is over it is appropriate for the District to review its Drought Surcharge at this time.

Projects listed in the November 19, 2015 memo are:

Project	Estimated Cost	Proposed Construction Year	Status	Revised Construction Year
Intertie 6	\$ 2,000,000	2014	Completed	-
Interties 2,3 4	\$ 6,000,000	2015	Completed	-
Probation Tank	\$ 1,660,000	2017	Design Completed	2018
Swim Tank	\$ 360,000	2016	Design Completed	2017
Fall Creek Fish Ladder	\$ 600,000	2016	Design Completed	2018

### **STRATEGIC PLAN:**

Element 5.0 - Fiscal Planning

### **FISCAL IMPACT:**

Unknown



SAN LORENZO VALLEY WATER DISTRICT  
RESOLUTION NO. 19 (15-16)  
FIXING AND ADOPTING A DROUGHT SURCHARGE

WHEREAS, in 2013 the San Lorenzo Valley Water District finalized a five-year rate study that provided yearly revenue and expenditure projections based on historical water consumption trends; and

WHEREAS, since adoption of the 2013 rate structure the State of California continues to suffer a severe multiyear drought that has had a significant negative impact to District revenue; and,

WHEREAS, the drought caused revenue shortfall is negatively impacting the District's efforts to fund current capital projects while maintaining reserves for emergencies; and

WHEREAS, the Board of Directors has reviewed and considered the projected expenses and revenues of the District, and has found and determined that a drought surcharge of \$1.00 per unit of water (748 gallons) sold is the best and necessary way to ensure that needed capital projects may continue for the benefit of the ratepayers; and

WHEREAS, the Board of Directors recognizes that the Drought Surcharge is temporary and that long term fiscal solutions will be necessary; and

WHEREAS, in compliance with Proposition 218 and District procedures, the Board of Directors held a public hearing to consider all public testimony and written protests against the proposed drought surcharge; and

WHEREAS, said public hearing was held not less than forty-five days after the District mailed information to property owners regarding the proposed drought surcharge, and;

WHEREAS, the final tabulation of written protests against the drought surcharge presented to the Board did not constitute a majority protest; and

WHEREAS, the Board has fully considered the proposed drought surcharge.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Lorenzo Valley Water District that a Drought Surcharge equal to \$1.00 for each unit of water delivered shall be imposed on each meter of the District beginning on the first bill after December 31, 2015. Said surcharge shall be included as a separate line item on each statement provided by the District to customers; and

BE IT FURTHER RESOLVED that the Board will revisit the adequacy of the drought surcharge on a yearly basis at the first regularly scheduled meeting in June.



BE IT FURTHER RESOLVED that the Drought Surcharge may be rescinded at any time by a majority of the Board finding any one of the following conditions have been met:

1. District-wide consumption has returned to 2013 levels because water Sources have returned to pre-drought levels.
2. The District adopts new rates and charges sufficient to cover operational and capital costs.
3. Capital projects listed in the November 19, 2015 Board Agenda Memo are completed or completely funded.
4. Other revenue sources are identified and secured which are sufficient to close revenue gaps.

BE IT FURTHER RESOLVED that the Board of Directors of the San Lorenzo Valley Water District hereby directs the District Manager to take all action necessary to implement this Resolution.

.....

PASSED AND ADOPTED by the Board of Directors of the San Lorenzo Valley Water District, County of Santa Cruz, State of California, on the 19<sup>th</sup> day of November, 2015 by the following vote of the members thereof:

AYES:

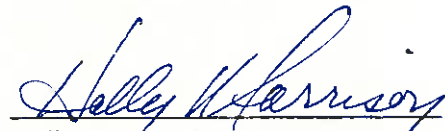
NOES:

ABSTAIN:

ABSENT:



Margaret Bruce  
Board President  
San Lorenzo Valley Water District



Holly Morrison  
Board Secretary  
San Lorenzo Valley Water District



## MEMO

To: Board of Directors

From: District Manager

Prepared By: Director of Operations

SUBJECT: Pasatiempo Well 7 - Proposal for Hydrogeological Services,  
Waiver of Formal Bids

DATE: May 25, 2017

### RECOMMENDATION

It is recommended that the Board of Directors review this memo and authorize staff to accept the Martin B. Feeney, Consulting Hydrogeologist, proposal for Hydrogeological Services totaling \$19,950, waiving formal bidding procedures, in regards to the District's Pasatiempo Well 7 rehabilitation project.

### BACKGROUND

The District's Pasatiempo Well 7 was constructed in 1990 as an Earthquake replacement well. Water production of the well has declined and based on past history, it is assumed the well is plugged by a build-up of iron bacteria. Iron bacteria are common in wells in the Scotts Valley area and It has plugged the well screens in the past.

Martin Feeney has performed Hydrogeological Services for the District in the past; including overseeing the construction of Pasatiempo Well 7 and his knowledge is invaluable.

Staff is requesting sole source procurement utilizing Martin B. Feeney moving forward with a proposal at a cost of \$19,950.

District Ordinance 8, Article 18.8(a) Waiver of Provisions-Competitive Bidding, states "Notwithstanding any other provision of these rules, the Board by four-fifths (4/5) vote may waive as to individual purchases, the competitive bidding requirements of these rules and may make such purchasing without calling for bids".

STRATEGIC PLAN: Capital Improvement 3.1

FISCAL IMPACT: \$19,950



April 28, 2017

San Lorenzo Valley Water District  
13060 Highway 9  
Boulder Creek CA 95006

Attention: Rick Rodgers – Director of Operations

Subject: Proposal for Hydrogeologic Services – Pasatiempo Well No. 7 Rehabilitation

Dear Mr. Rodgers:

Following up on your request, I am pleased to present this proposal for hydrogeologic services associated with the rehabilitation of San Lorenzo Valley Water District's Pasatiempo Well No. 7. Presented below is a scope of work and budget.

### **Background**

San Lorenzo Valley Water District's (District) Well No. 7 was constructed in 1990. Since the time of its construction it has provided the District with a significant percentage of its groundwater supply. The performance of the well has declined and, based on past history, is assumed well is impacted by a build-up of iron bacteria biofilms that have plugged the screens. The occurrence of iron bacteria in wells in the Scotts Valley area is not unusual and many wells have chronic problems with this condition. Indeed, efforts to mitigate iron bacterial in this well were undertaken in 2007 which restored some of the performance loss. Production is again declining and it is evident that a renewed effort to remediate the iron bacteria will be necessary to restore well capacity. A scope of work to assist the District with implementing a rehabilitation program is presented below.

### **SCOPE OF WORK**

**Task 1 – Data Review/Logistical Planning** – This task will include review of discharge rate and water level data from the well to assess the severity of the plugging. This task will also include logistical planning regarding disposal of produced water, staging area for tanks and equipment, and safety issues.

**Task 2 – Prepare Workplan and Specifications** – After completion of Task 1, a workplan and specifications suitable for soliciting bids for the rehabilitation work will be prepared. It is assumed that the task includes preparation of "technical specifications" suitable for inclusion with District's "boiler plate" procurement package. A list of potential contractors from which to solicit bids will be provided. This task also assumes assistance to the District in reviewing bids/experience and selection of contractor.

**Task 3 – Oversee Execution of Workplan** – The workplan is anticipated to include removal of pump, pre-rehabilitation video, mechanical cleaning, chemical treatment, post-chemical cleaning, disinfection, test pumping and post-rehabilitation video. It is estimated this work will take approximately two weeks. This task will include observation, direction and documentation at critical portions of the project. It is anticipated that the overall supervision time would be approximately 75% of contractor's time on project. If available, I will attempt to have some of the supervision performed by an employee of HydroMetrics. This will reduce project costs and whatever reduction is achieved will be passed on to the District.



**Task 4 – Prepare Summary Report** – Upon completion of the rehabilitation effort, a summary report documenting work performed and improvement in well performance will be prepared.

### BUDGET

Project will be performed on a time and expense basis in accordance with the 2017 fee schedule. A full breakdown of the costs is attached. The budget broken down by task is presented below.

Task	Cost
Task 1- Data Review/Logistical Planning	760
Task 2 – Prepare Workplan and Specifications	1,520
Task 3 – Oversee Execution of Workplan	13,530
Task 4 – Prepare Summary Report	1,140
Total	\$16,950

### SCHEDULE

It is understood that the District would like to move forward on this project as soon as possible. Given my current work load, an appropriate goal would to get the “technical specifications” completed by end of May so the District can assemble and distribute bid notice in June with an anticipated work-start date of July or August.

The opportunity to provide this proposal is appreciated. Please contact me if you have any questions.

Sincerely,



Martin Feeney



## Pasatiempo Well No. 7 Rehabilitation

**\$16,950**

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SANTA CRUZ MOUNTAIN BULLETIN · MONDAY, APRIL 17, 2017

The Olympia Watershed, within the sensitive Sandhills habitat, continues to suffer from long-term impacts of the invasive and fast-growing French broom plant. French broom grows into dense thickets that block sunlight and out-compete native specialty plant species, many of which are listed as endangered. The Sandhills and the Olympia Watershed also provide habitat for animals, such as the charismatic Santa Cruz kangaroo rat and the critically endangered Mount Hermon June beetle, found only in the Sandhills area.

SLVWD, which owns approximately 180 acres in the Olympia watershed, is strongly committed to improving the health of the watershed and protecting native habitat. Removal of French broom is critical to this effort.

However, removing mature French broom in the Sandhills habitat is very challenging because the plants have large root systems that are difficult to remove. More problematic, pulling out mature plants destroys the habitat of the federally-listed June beetle. Cutting French broom, without combining with an additional strategy, is ineffective because the plant is fast-growing and grows back quickly.

For several years, the District has worked on a plan to manage French broom in the Olympia Watershed in partnership with the US Fish and Wildlife Service (USFWS), which administers the Endangered Species Act. The plan includes a combination of cutting mature plants and a one-time application by a certified expert of a small amount of diluted glyphosphate herbicide to individual French broom stumps, one at a time, using a specialized sponge applicator. There will be absolutely NO spraying of herbicide in the watershed.

Similar to several other agencies in Santa Cruz County, SLVWD's watershed management plan restricts, and where feasible, excludes the use of pesticides or herbicides on District land. In addition, the District supports the goal of not using herbicides or pesticides anywhere in the San Lorenzo River watershed.

Following public review by the District's Environmental Committee, which is comprised of two board members and a member of the public, the French Broom Management Plan was scheduled to be heard by the SLVWD Board of Directors on April 20. However, changes recently discovered in the behavior of the June beetle resulted in USFWS requiring an additional permit to ensure protection of the beetle. SLVWD was notified Wednesday 4/12 that an additional permit will be necessary. As a result, the Broom Management Plan was removed from the April 20 board agenda in order to provide time for District staff to review next steps with USFWS.

As soon as the District meets the additional permit requirements of the USFWS to ensure the endangered June beetle will be protected, the plan will be brought forth to the Board of Directors for review and public comment. We invite community members to engage with the District as work moves forward to balance environmental priorities within our watershed lands.



Santa Cruz Sentinel (<http://www.santacruzsentinel.com>)

## Water district mulls ways to sweep French broom from Santa Cruz sandhills

### Water district considers options, including herbicide glyphosate

*By Ryan Masters, Santa Cruz Sentinel*

Friday, April 21, 2017



FELTON >> The management of land as sensitive and rare as the sandhills habitat in the Santa Cruz Mountains is complex — no perfect solution exists for some problems. Such is the San Lorenzo Valley Water District's current conundrum: how to eradicate 20,000 invasive French broom plants from 40 acres of sandhills without damaging the fragile ecosystem.

At this time of year, the fast-growing French broom is awash in bright yellow flowers. While it's not the ugliest invasive plant in the world, it's dangerous to native species.

"It grows in dense thickets that block sunlight and out-compete native specialty plant species, many of which are listed as endangered," said Jen Michelsen, the water district's environmental programs manager. "However, removing mature French broom in the sandhills habitat is challenging because of its huge root systems."

The water district manages roughly 2,000 acres of land in the San Lorenzo Valley Watershed. Of that land, 180 acres is sandhills habitat within the Olympia Watershed — an area in the Zayante area northeast of Felton.

The sandhills are basically the exposed remnants of an ancient seabed. In 1963, the fossil remains of an extinct species of sea cow that lived about 10 million to 12 million years ago in shallow, nearshore waters were discovered in the Olympia Watershed.

When the waters of this ancient sea receded, they left behind large deposits of porous, high-grade sand that turned out to be exceptionally good for optics, glass and silicon chips. As a result, much of the Santa Cruz Sandhills habitat endured devastating mining operations. Until 2002, CEMEX mined sand from the Olympia Watershed, which is how the extinct sea cow was found.

An estimated 7,000 acres of sandhills habitat once existed. Today, maybe 4,000 acres exist, according to ecologist Jodi McGraw. Of that acreage, only 2,500 acres remain undeveloped.

Today, rusting vestiges of the sand mining operation are strewn across the Olympia Watershed like old, iron bones. Yet the robust biodiversity of the sandhills continues to surprise scientists. Numerous species have evolved to survive in the porous, nutrient-lean sandy soil, some of which are found nowhere else in the world. The Olympia Watershed is home to the Zayante Band-Winged Grasshopper, the Santa Cruz wallflower, the Ben Lomond spineflower, the Ben Lomond buckwheat and Bonny Doon manzanita.

Yet it's the federally protected Mount Hermon June Beetle that has precipitated the water district's current French Broom problem.

The 2 centimeter, striped, hairy beetle lives just inches below the surface of the ground; hence, the problematic size of the French broom root systems.



"We can't pull it out by the roots because it would disturb the June Beetles," said Michelsen.

That leaves a few other options. They could burn the broom, but that would damage far more than the June Beetles. They could try goats, but goats eat everything, including native plants. They could hire a crew to cut back the 20,000 French broom plants, but that would be incredibly labor intensive and expensive.

"The problem with that plan is French broom grows back very quickly. We'd have to do it every year," said Michelsen.

Or they could do nothing and allow the French broom to out-compete all the native species, which defeats the entire purpose.

"French broom is also a nitrogen fixer, meaning it could permanently alter the composition of the soil," said water district board president Gene Ratcliffe. "After a while, they just wouldn't be sandhills anymore."

The final option is to cut the French broom and then dab the stump with the herbicide glyphosate.

"There would be no spraying involved. This would be a supervised, certified direct application of the herbicide by trained professionals," said Michelsen. "It would be a one-time event."

The water district understands the idea of applying even the smallest amount glyphosate on the watershed could provoke an emotional response from the public. That's because glyphosate is also commercially sold by the company Monsanto under the name Roundup. In January, a Superior Court judge ruled that California can require Monsanto to label its popular weed killer as a possible cancer threat.

However, the cut-and-dab method is considered standard practice to eradicate French broom and is approved by the U.S. Fish & Wildlife Service, which administers the Endangered Species Act. Despite its reputation, glyphosate breaks down quickly and is approved for use in water.

In 2000, the water district proved the cut-and-dab method's effectiveness by targeting another invasive species, acacia trees. Today, acacia trees are few and far between Olympia Watershed.

"We're not blindly doing this and we're not advocates of chemicals," said Michelsen. "We want to be transparent about this decision; but at this time, herbicide appears to be the best option."

Despite this assertion, the water district is still vetting strategies and has invited public comment.

"Do we go with the current common practice of one-time cutting plus herbicide, which fits with our budget? Or do we move beyond herbicides and go with repeated cutting of the plants, which could cost three or four times more and could result in water rates going up?" said water district manager Brian Lee. "These are major issues for discussion with our customers, who ultimately are the stewards of this precious resource."

The public is invited to weigh in at the San Lorenzo Valley Water District's environmental committee meeting at 10 a.m. May 3 in the Operations Building, 13057 Highway 9, Boulder Creek.

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URL: <http://www.santacruzsentinel.com/environment-and-nature/20170421/water-district-mulls-ways-to-sweep-french-broom-from-santa-cruz-sandhills>

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