



BEAR VALLEY WATER DISTRICT

BOARD MEETING

July 22, 2019 - 9 A.M.

Conference Room

441 Creekside Drive, Bear Valley, CA 95223

Call-In Info: 605-475-5920 Access Code: 475-0045

LOCATION 2: 546 LUCILLE DRIVE, INCLINE VILLAGE, NV, 89451

DECLARATION OF A QUORUM

James Bissell, President - Stefaniya Becking, Vice President - John Boyle, Treasurer - Ken Brown, Secretary Gunnar Thordarson, Member

BOARD MEETING

Public comments on agenda items will be limited to 3 minutes or otherwise at the discretion of the Board Chair.

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction provided the matter is not on the agenda or pending before the Board.

BOARD BUSINESS

1. **Public Hearing** – Proposed Delinquent Sewer Service Fees To Be Added to 2019-20 Alpine County Tax Rolls - Discussion and Possible Action Item
2. **The Board will consider adoption of the May 20, 2019 Board Meeting minutes**
3. **Review Draft Revised District By-Laws** – Discussion and Possible Action Item
4. **Bear Valley Water District Wastewater Treatment Pond Improvement Project** – Update
5. **FY 19 - 20 Final Budget Proposal** – Discussion and Possible Action Item
6. **Manager's Report** – General Manager
7. **Financial Report** – General Manager
 - 7.1 P&L and Balance Sheet Reports - Discussion and Possible Action Item
 - 7.2 Accounts Payable Report - Discussion and Possible Action Item
 - 7.3 A/R & Aging Reports – Discussion
8. **Board Member Reports**

Materials related to any item on this Agenda are available for public inspection in the District Office at 441 Creekside Drive, Bear Valley, CA 95223 during normal business hours. Information on materials in the agenda is also available on the Bear Valley Water District website at <http://www.bvwd.ca.gov>, subject to staff's ability to post the documents before the meeting. Any material provided to the legislative body at the meeting by agency staff or a member of the legislative body will be available at the public meeting, documents provided by others will be available right after the meeting.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42USC, #12132) and the Ralph M. Brown Act, CA Government Code # 54954.2.

Any persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Judi Silber at 209-753-2112, during regular business hours, at least 72 hours prior to the meetings.



bear valley
WATER DISTRICT

PO Box 5027, Bear Valley CA 95223

JAMES D. BISSELL STEFANIYA
BECKING GUNNAR
THORDARSON JOHN BOYLE
KEN BROWN

List of Delinquent Accounts
FY2019/2020
Alpine County Tax Roll & Liens

July 18, 2019

To: Board of Directors
Bear Valley Water District

RE: Liens & Delinquent Account for the Alpine County Tax Roll FY2019-2020.

1. The BRW Family Trust, Waldman – TM009, 74 Bear Valley Road #9, Bear Valley, CA 95223. APN No.:005-620-009-0. Mailing address: c/o Ryan Management Co., 262 El Dorado Street, STE 300, Monterey, CA 93940. In debt to the District in the amount of \$2,629.67. \$846.18 is from FY18-19 Tax Roll not yet received from Alpine County Tax Collector.
2. Brent Waldman-BV373, 474 Snowshoe Road, Lot 373, Bear Valley, CA 95223. APN No.: 005-453-002-0. Mailing Address c/o Ryan Management Co., 262 El Dorado St., STE 300, Monterey, CA 93940. In debt to the District in the amount of \$2,484.08. \$799.54 is from FY 18-19 Tax Roll not yet received from Alpine County Tax Collector.
3. David & Lisa Maminski – CS006, 251 Creekside Drive, Bldg. A-2, Unit #6, Bear Valley, CA 95223. APN No.:005-501-006-0. Mailing address 2223 Westchester Drive, San Jose, CA 95124. In debt to the District in the amount of \$1,924.64. There is a previous balance on the FY18-19 Alpine County Tax Roll in the amount of \$1,554.91. There is a previous balance on the FY17-18 Alpine County Tax Roll in the amount of \$1,304.31. There is a previous balance on the FY 16/17 Alpine County Tax Roll in the amount of \$1,365.53. There is a previous balance of the FY15/16 Alpine County Tax Roll of \$976.78. There is a previous balance on the FY14/15 Alpine County Tax Roll in the amount of \$842.07. The total amount due to the District is \$7,968.24, of which \$ 6,043.60 are in arrears.
4. Marc & Tamara Garcia, CS057, 100 Creekside Dr., B Bldg. Unit #57, Bear Valley, CA 95223. APN No.: 005-505-009-3. Mailing address 2714 Twin Lakes Court, Stockton, CA 95207. In debt to the District in the amount of \$2,092.92. \$655.21 is from FY18-19 Tax Roll not yet received from Alpine County Tax Collector.
5. David Roberts, TM020, Tamarack Condo #20, Quaking Aspen Rd., Bear Valley, CA 95223. APN NO.: 005-620-020-0. Mailing address: The Entrust Group, Inc., 555 12th St., STE #1250, Oakland, CA 94607. In debt to the District in the amount of \$650.66.
6. Alton Smithwick, TM018, Tamarack Condo #18, Quaking Aspen Rd., Bear Valley, CA 95223. APN NO.: 005-620-018-0. Mailing address: P. O. Box 60025, Palo Alto, CA 94306. In debt to the District in the amount of \$623.55.
7. David Jones, BV137, 859 Quaking Aspen Rd., Bear Valley, CA 95223. APN NO.: 005-292-003-0. Mailing address: 350 Cordell Drive, Danville, CA 94526. In debt to the District in the amount of \$596.44.

8. Peter Krabacher, 309 Snowshoe Rd., Bear Valley, CA 95223. APN NO.: 005-461-004-0. Mailing address 9450 SW Gemini Dr., #6025, Beaverton, OR 97008. In debt to the District in the amount of \$596.44.
9. Matthew & Margaret McGarry, Creekside Condo #1, 251 Bear Valley Rd., Bear Valley, CA 95223. APN No.: 005-501-001-0. Mailing address: P. O. Box 5141, Bear Valley, CA 95223. In debt to the District in the amount of \$590.69.
10. Steven & Jesse Berry, 1000 Bear Valley Rd., Bear Valley, CA 95223. APN No.: 005-461-012-0. Mailing address: 2575 Ross Rd., Palo Alto, CA 94303. In debt to the District in the amount of \$566.09.

Public Hearing on Delinquent Accounts held on July 22nd, 2019

Public Hearing Open at 9:00 A.M.

Statement of Office Manager verifying mailing of notice.

List presented to the Board of unpaid sewer service charges.

Written protests: None

Oral testimony or comments: None



Judi Silber, Office Manager, BVWD

cc: Jeffrey Gouveia, General Manager, BVWD



BEAR VALLEY WATER DISTRICT
BOARD MEETING
May 20, 2019 - 8 A.M.
Conference Room
441 Creekside Drive, Bear Valley, CA 95223
Call- In Info: 605-475-5920 Access Code: 475-0045

LOCATION 2: 546 LUCILLE DRIVE, INCLINE VILLAGE, NV, 89451

DECLARATION OF A QUORUM

President James Bissell called the meeting to order at 8:05 A.M. Directors present were John Boyle, Treasurer, Ken Brown, Secretary, and Gunnar Thordarson, Director, via teleconference. Staff present were Jeff Gouveia, General Manager and Judi Silber, Office Manager. No public present.

Public comments on agenda items will be limited to 3 minutes or otherwise at the discretion of the Board Chair.

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction provided the matter is not on the agenda or pending before the Board.

BOARD BUSINESS

1. The Board will consider adoption of the February 19, 2019 Board Meeting Minutes

Motion/Boyle Second/Brown to accept the Minutes of the February 19, 2019 meeting as presented.

AYES: Bissell, Boyle, Brown Thordarson

NOES:

ABSENT: Becking

MOTION CARRIED

2. Review and Directions on Amending District By-Laws - Discussion and Possible Action Item

Legal Counsel Dan Schroeder attended the meeting via teleconference and addressed in detail each section of the 2010 bylaws. Counsel Schroeder advised the Board of changes that he recommended.

ACTION: The Board authorized staff to revise and amend the bylaws and present for consideration at the next Board meeting.

3. Procurement Policy – Resolution No. 497 - Discussion and Possible Action Item

Andy Pinasco of Neumiller & Beardsley joined the meeting via teleconference to address the draft procurement policy. Since it was ultimately determined that the District was formed as a California Water District and not a Municipal Water District as initially believed, Pinasco reiterated that the District is not subject to any competitive bid statutes. Pinasco clarified that The District, though it may choose to, is not bound to accept the lowest bid if or when bidding a project. Counsel stated that it is up to the District to establish its own rules for how to handle competitive bidding. The more specific the requirements for public bids the better off the District will be. Pinasco further advised the District to have language in the procurement policy stipulating that the District doesn't have to accept the lowest bid. Counsel stated that the District should disclose in the preamble of the procurement policy that under the California Water District statute the District is not subject to the bidding process. The Board discussed a threshold for letting of projects to competitive bid and Director Thordarson suggested a threshold of \$50K.

ACTION: The Board authorized Staff to revise the draft procurement policy and present for consideration at the next Board meeting.

4. Bear Valley Water District Wastewater Pond Improvement Project – Award Contract

Discussion and Possible Action Item

Weber, Ghio and Associates (WGA) conducted the bid opening on May 15, 2019 for the WWTP Improvement Project receiving only one bid. The bid received totaled \$166,705. The bid summary was reviewed and discussed by the Board. Based on Engineering's original estimate of \$90,000 for this public works portion of the project, the Board authorized an ad hoc committee to meet with the sole bidder to discuss the bid in greater detail and seek a reduction of costs where possible. The Board also discussed alternatives including trying to find another contractor or deferring the project another year. It was proposed to include a contingency allowance in the budget and to authorize the GM to spend up to \$225K on this project following approval by the ad hoc committee. After the meeting with the contractor the Board authorized a conference call with among the Ad Hoc Committee to determine final action.

Motion/Boyle Second/Brown to form an Ad Hoc Committee consisting of President Bissell and Secretary Brown. Authorizing GM Gouveia to spend up to \$225K on Wastewater Pond Improvement Project. If the bid goes over the \$225K the Board authorizes the Ad Hoc Committee to spend up to \$260K on the project.

AYES: Bissell, Boyle, Brown, Thordarson,

NOES:

ABSENT: Becking

MOTION CARRIED

5. FY 18 - 19 Budget Amendment Proposal – Discussion and Possible Action Item

After review and discussion of the FY 18 – 19 Budget Amendment Proposal, the Board moved to approve the proposal.

Motion/Boyle Second/ Brown to accept the FY 18 – 19 Budget Amendment Proposal

AYES: Bissell, Boyle, Brown, Thordarson

NOES:

ABSENT: Becking

MOTION CARRIED

6. FY 19 - 20 Preliminary Budget Proposal – Discussion and Possible Action Item

After discussion no further direction was given.

ACTION: Staff to revise and bring back final budget proposal at the July meeting.

7. Operations Report – General Manager

See Attachment.

8. Financial Report – General Manager

8.1 P&L and Balance Sheet Reports - Discussion and Possible Action Item

Motion/Boyle Second Brown to accept the P&L and Balance Sheet Reports as presented.

AYES: Bissell, Boyle, Brown, Thordarson

NOES:

ABSENT: Becking

MOTION CARRIED

8.2 Accounts Payable Report - Discussion and Possible Action Item

Motion/Boyle Second Bissell to accept the Accounts Payable Reports as presented.

AYES: Bissell, Boyle, Brown, Thordarson

NOES:

ABSENT: Becking

MOTION CARRIED

8.3 A/R & Aging Reports – Discussion

The Accounts Receivable balance as of May 16, 2019 was \$10,506.46. The previous year's balance was \$4,049.83. This could be due OM returning large credit balances back to some customers.

9. Board Member Reports

The next board meeting was set for Monday, July 22, 2019 at 9:00 A.M.

President Bissell adjourned the meeting at 11:30 A.M.

AGENDA ITEM

DATE: MAY 20, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: MONTHLY OPERATIONS REPORT

1. Collections, Treatment & Disposal Operations - Update

a. Flows - Influent Flows & Pond Transfers

Influent flows May 1 – 16, 2019 3.149(MG)

Transferred to PR 2.756 (MG)

a. Volumes - Storage, Capacity & Disposal

Highest Lever 2019 – 5/1/2019 = 7079.8' = 48.68 MG = 63.7%

2. Permit Compliance & Monitoring & Reporting Programs (MRPs) - Update

a. WDR MRP - Land Discharge Permit – Compliance & Reporting Update

i. Reporting Matrix – All Monthly Reporting Submitted On-Time

ii. 2018 Annual Operations Report Submitted on 1/30/2019

iii. 22 April 2019 Self-Monitoring Report Review - No violations of the WDRs or MRP Reporting Status

b. NPDES MRP – Surface Water Discharge Permit – Compliance & Reporting Update

i. Reporting Status Matrix – All Monthly Reporting Submitted On-Time

3. Other

a. DSOD Dam Break Analysis / Inundation Mapping – Inundation Study Report Submitted – EAP in Progress

Inundation Study for Bear Valley SH Dam (No. 1088-000) sent to Sharon K. Tapia, Chief, Division of Safety of Dams on March 12, 2019.

b. Director's Terms of Office – Update

Director Ken Brown and Director Gunnar Thordarson's terms will expire on 05 December 2019.

Both directors have confirmed that they will seek another term of office. The District will call a general election.

c. CWEA Collection System Workshop – May 8, San Ramon

GM Gouveia attended the 2019 SSS-WDR Revisions Collection System Workshop in San Ramon.

The workshop recapped the drivers influencing regulatory change, WDR re-issuance efforts, key potential changes to WDR and their impacts, the causes of high volume SSO discharges, steps agencies can take to assess risk and system resilience, identifying potential risk factors, prioritizing system capital improvements.

CVCWA Annual Conference – May 15, Rancho Cordova

GM attended 2019 CVCWA Conference. The conference covered future policy and compliance efforts, retaining and recruiting staff, State Water Boards water quality concerns, keeping biosolids as a valuable resource in a changing environment, Freshwater Mussel Study Special Project, and practical approaches to old and new challenges.

d. UWPA Local Agency Collaboration Meeting – March 29, Angels Camp

GM attended the Highway 4 Corridor Agencies collaboration meeting regarding natural disasters, regulatory burdens, aging infrastructure, struggles to find funds and resources to maintain the services they provide to our communities.

e. Alpine County Community Development Address Request

The Bear Valley Adventure Company has requested an assigned address for the Warming Hut property from Alpine County. The possible address would be 987 State Route 4. Consequently, BVWD requested that Alpine County consider adding similar addresses for the District's meadow locations. The BVWD pump station and Control building where the treatment ponds are located would be assigned addresses of 995 and 997 State Route 4 respectively.

AGENDA ITEM

DATE: JULY 22, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: REVISED DISTRICT BY-LAWS

BACKGROUND AND DISCUSSION:

Through the exercise Staff undertook to develop a procurement policy to ensure compliance with statutory requirements for public works projects, Staff engaged with Legal Counsel and reviewed the historical record related to the formation of the District.

During this review, Staff shared, among other items, the District's bylaws approved and adopted by the District's Board of Directors on August 10, 2010 as well as approved by the Alpine County Board of Supervisors on September 7, 2010.

Following review, Legal Counsel advised the District's Board of Directors at its May 20, 2019 meeting that many sections of the 2010 bylaws were unnecessarily detailed, overly complicated and potentially created exposure for its Staff as well as its Trustees based on a myriad of sections as they had been prepared in this document.

At its May 20, 2019 meeting, the Board of Directors acknowledged these deficiencies and directed Legal Counsel to prepare a draft revision of the bylaws for review by the Board at its next regularly scheduled meeting. Attached please find this draft revision of the bylaws prepared by Legal Counsel intended to streamline them in accordance with Water Code section 34700.

RECOMMENDATION

Review and discuss revised bylaws with Legal Counsel, make revisions or changes as necessary and motion to adopt revised bylaws as amended.

ACTION:

1. Motion to Accept the revised bylaws as presented or amended at this meeting.

Attachments:

- July 2019 Draft Revised Bylaws
- Adopted 2010 Bylaws
- Resolution 68-39 Order Declaring District Duly Formed

BYLAWS
OF THE
BEAR VALLEY WATER DISTRICT

Adopted July __, 2019

ARTICLE I GENERAL

Section 1. Name.

This water sanitary district shall be known as the BEAR VALLEY WATER DISTRICT (BVWD or District).

Section 2. District Office.

The District Office shall be at 441 Creekside Drive, Bear Valley, California 95223 or as established by Resolution and may be changed from time to time by Resolution.

ARTICLE II PURPOSE

The purpose of the BVWD is to provide services to the residents of Bear Valley consistent with the Division 13 of the California Water Code.

ARTICLE III BOARD OF DIRECTORS

Section 1. Number.

The governing body of BVWD shall consist of five (5) elected Directors, each of whom shall serve a term of four (4) years. Such terms of office to be established on a staggered basis. During elections every two (2) years, either two (2) or three (3) Directors are elected for the next four (4) years.

Section 2. Qualifications.

In accordance with Water Code section 34700, each Director shall be one of the following:

- (a) A holder of title to land within the BVWD.
- (b) The legal representative of a holder of title to land within BVWD in accordance with Water Code section 34030.
- (c) A representative designated by a holder of title to land within BVWD, if the holder has filed with BVWD written evidence of that designation.

Section 3. Responsibility.

The Board of Directors shall govern the BVWD and establish policies for the operation of the District. The Directors shall carry out their duties as set forth in law, these bylaws, and other policies of BVWD honestly and faithfully.

Section 4. Compensation.

Members of the Board of Directors shall receive compensation for each day's attendance at meeting of the Board or for each day's service rendered as a director by request of the Board in an amount established by resolution of the Board of Directors, but in no case may the amount exceed the amount set forth in Water Code section 34741. Nor shall the total compensation to any Director exceed the total of six days in any calendar month, together with any expenses authorized by the Board. Compensation for all other officers who are not members of the Board of Directors shall be established by the Board.

Section 5. Vacancies.

Vacancies on the Board shall be filled in accordance with Government Code Section 1780.

Section 6. Resignation.

A director may resign at any time by giving written notice to the Board, to the President, or to the Secretary of the Board. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE IV OFFICERS

Section 1. Elected Officers.

The elected officers shall be chosen by the Board from among the five (5) members of the Board and shall consist of a President and a Vice-President.

Section 2. Terms of Elected Officer.

Elected Officers of the Board shall be elected by the Board at its first meeting in a new calendar year and shall serve for one (1) year, said term to commence upon election. All elected officers shall be eligible to serve successive terms. Officers shall continue to serve in their capacity as an officer until their successor is elected.

Section 3. Duties of Elected Officers.

A. President.

1. Shall preside at all meetings of the board and such other meetings approved by the Board, and have the authority to call for short recesses during meetings unless a majority of the Directors by vote oppose a recess.
2. Shall serve as official spokesperson for the Board.
3. Shall appoint such committees and other working groups as prescribed by the Board.
4. Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences.
5. Shall perform such other duties as necessary to carry out the work of the Board.
6. Shall perform such duties as prescribed by law.

B. Vice-President.

1. Shall serve in the absence of the President.

ARTICLE V APPOINTED OFFICERS

Section 1. Appointed Officers.

- A. The appointed officers of the District shall be a General Manager and a Secretary who may be the same person, but none of whom shall be a Director. The duties of the appointed officers shall be as specified in law, and as directed by the Board. The Board may also appoint a Treasurer in accordance with.
- B. Pursuant to Water Code Section 34711, the District Board of Directors may appoint a District Treasurer, who shall be responsible for the deposit and withdrawal of funds of the District.
- C. The Board may appoint such other officers as it deems necessary.

Section 2. General Manager Duties.

The General Manager is employed by the board to run the day-to-day business of the BVWD.

Duties of the General Manager (Manager) include, but are not limited to:

- A. Appraise and evaluate the effects of the Board policies and the manner of their execution, and the efficiency of BVWD personnel in terms of services rendered to the people of the District.
- B. Provide leadership to staff in identifying district needs, establishing priorities and determining the objectives, which will achieve the established goals of the District.
- C. Encourage and assist staff in the performance of their duties and encourage their professional growth.
- D. Ensure evaluation of personnel under his/her direction.
- E. Provide financial oversight of the District and Alpine County pursuant to funds on deposit at that agency.
- F. Lead the District management team in the preparation of an annual budget, control of expenditures, inventory control, program planning, changing priorities and public relations.
- G. Perform the function of the District's Public Information Officer.
- H. Dispatch the contractor hired for operations on all wastewater problems in BVWD that require fieldwork. The Manager will respond only if the situation is too complicated for the contractor hired for operations to handle.
- I. Keep the Board informed of all communications affecting the District.
- J. Establish regular office hours and ensure that there is at least one person in the office during those hours.
- K. Such other duties as may from time to time be assigned by the Board.

Section 3. Secretary Duties.

- A. The Secretary shall attend Board meetings and prepare the minutes of the Board meetings which shall record the aye and no votes taken by the members of the Board for the passage of all ordinances, resolutions, or motions.
- B. The Secretary shall prepare the agenda for the Board meetings, post agendas, public notices and proposed action documents as required by the Board and government regulations.
- C. The Secretary shall keep a record of all Board actions, including financial transactions.
- D. The Secretary is responsible for keeping the Ordinances and all changes.
- E. The Secretary shall maintain and file with the County Clerk and the Secretary of State the filings required under Government Code section 53050 for the Roster of

Public Agencies.

Section 4. Treasurer Duties.

- A. If a Treasurer is appointed by the Board of Directors, they shall serve at the pleasure of the Board and be responsible for those responsibilities set forth in Water Code section 34711 and any other as determined by the Board.

**ARTICLE VI
MEETINGS**

Section 1. Regular and Special Meetings.

- A. The Board shall hold a regular meeting on dates and times as established by the Board from time to time by resolution. All regular meeting shall be held at the District Office. Such meetings may be altered as to date, time and place, as provided for in a Resolution adopted by the Board.
- B. Special meetings may be called by the President or by a majority of Directors.
- C. All meetings shall be conducted in accordance with the Ralph M. Brown Act.
- D. All motions made at Board meetings shall require a second to the motion prior to the Directors voting.
- E. Directors may attend any regular and special meeting telephonically as provided in the Ralph M. Brown Act.

Section 2. Quorum.

The Board shall be empowered to conduct the business of the District whenever there is a quorum of Directors at a properly noticed meeting. Three Directors shall constitute a Quorum.

Section 3. Voting.

- A. The vote of a majority of the Directors present at any meeting attended by a Quorum shall be necessary to pass any motion, adopt any resolution, or make any determination.
- B. Voting shall be by voice, show of hands, or roll call vote.
- C. Should a Director vote "Abstain" on a motion, the vote shall be considered a non-vote and not counted as an affirmative or negative vote.

Section 4. Notice of Regular and Special Meetings.

- A. Notices of all regular and special meetings shall be pursuant to the Ralph M. Brown Act.
- B. Notices of regular and special meetings. In the case of special meetings, the notice, written or by telephone, shall specify the specific nature of the business to be transacted.

**ARTICLE VII
ELECTIONS**

Section 1. Procedure of Voting.

All District elections shall be conducted in accordance with the procedures set forth in Water Code Section 35100 et. seq.

Section 2. Manner of Voting.

The manner of voting in all District elections shall be as set forth in Water Code section 35003.

Section 3. Voting in Person or by Proxy.

Every eligible voter may vote either in person or proxy in accordance with Water Code sections 35004-35006.

**ARTICLE VIII
PARLIAMENTARY AUTHORITY**

Rosenberg's Rules of Order, current edition and all future editions or such other authority as may be subsequently adopted by resolution of the Board is to apply to all questions of procedure and parliamentary law not specified in these Bylaws or otherwise by law.

**ARTICLE IX
PENALTIES**

The penalty for any single violation of these bylaws shall not exceed two hundred dollars (\$200.00).

ARTICLE X AMENDMENTS

The Bylaws may be repealed or amended, or new Bylaws by either of the following methods:

- (a) By four-fifths (4/5ths) vote of the total number of Directors as set forth in Article 3 Section 1 of these bylaws and approval of the Board of Supervisors of Alpine County, or
- (b) By two-thirds (2/3rds) vote of the total vote of the District in writing or cast by ballot at a District election.

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Doc # 2010000634

Page 1 of 18

Date: 10/14/2010 09:48A

Recording Requested By:

BEAR VALLEY WATER DISTRICT

Filed & Recorded in Official Records

of ALPINE COUNTY

CAROL MCELROY

COUNTY RECORDER

Fee: \$63.00

Bear Valley Water District

PO Box 5027

Bear Valley CA 95223

BEAR VALLEY WATER DISTRICT BYLAWS / RESOLUTION NO. 481

RESOLUTION NO. 481

A RESOLUTION AMENDING BYLAWS OF THE BEAR VALLEY WATER DISTRICT

WHEREAS, on August 5, 1968, the Board of Directors of the Bear Valley Water District adopted Bylaws of this District pursuant to Section 35302 of the Water Code;

WHEREAS, amendments to said Bylaws were duly and regularly passed and adopted by the Board of Directors of the Bear Valley Water District at a meeting held on the 13th day of September 1980;

WHEREAS, said amended Bylaws require further amending to be consistent with the various amendments to the California Water District Law;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Bylaws of the Bear Valley Water District, as further amended, in form attached hereto, be, and they are hereby adopted as the official Bylaws for the purpose of providing rules and regulations for the conduct of the affairs of the District.
2. The Board of Supervisors of the County of Alpine, being the County within which the District is located, be, and is hereby requested to approve said Bylaws, as amended.
3. The Secretary be, and is hereby, directed to file a certified copy of this Resolution with the Clerk of the County of Alpine.


PASSED AND ADOPTED this 20th day of September 2010 by the following vote of the Board of Directors of the Bear Valley Water District, to wit:

AYES, and in favor thereof: *DIRECTORS: PRESIDENT RITCHIE
BISSELL, COFFMAN, GOODRICH, NELSON ALL*


NOES: *IN FAVOR*

ABSENT:




David B. Ritchie
President
Bear Valley Water District

I hereby certify that this is a correct copy of the foregoing resolution that was duly and regularly passed and adopted by the Board of Directors of the Bear Valley Water District, Alpine County, California, at a meeting thereof held on the 20th day of September 2010.


Jean Nelson
Secretary
Bear Valley Water District

STATE OF CALIFORNIA
COUNTY OF ALPINE

On September 20, 2010, before me, Barbara Howard, County Clerk, County of Alpine, personally appeared David B. Ritchie, President Bear Valley Water District, and personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal.



BARBARA HOWARD, County Clerk
County of Alpine, State of California

Barbara Howard

STATE OF CALIFORNIA
COUNTY OF ALPINE

On September 20, 2010, before me, Barbara Howard, County Clerk, County of Alpine, personally appeared Jearl Nelson, Secretary Bear Valley Water District, and personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal.



BARBARA HOWARD, County Clerk
County of Alpine, State of California

Barbara Howard

BYLAWS
For the regulation, except as
otherwise provided by statute, of
The BEAR VALLEY WATER DISTRICT

As approved 9-7-2010

ARTICLE I

DIRECTORS AND OFFICERS

Section 1 - General.

All Directors and officers shall honestly and faithfully perform those duties prescribed by the laws of the State of California; particularly those duties prescribed by the Division 13 of the California Water Act and related authority and those duties prescribed by these Bylaws and by Policies and Procedures as adopted by the Board.

Section 2 - BVWD Directors and Officers.

The Directors of the district shall be elected or appointed according to provisions of the Water Code Section 35100. There shall be five (5) Directors. Two (2) officers of the Board of Directors shall be selected by a vote of the Directors of the District according to the provisions of these Bylaws. The officers of the BVWD shall be a President and Vice President. A Secretary shall be appointed by the Board of Directors and a Treasurer / Financial Officer may be appointed by the Board of Directors from among the Board of Directors or from qualified employees or members of the District.

Section 3 - Qualifications.

The Directors and Officers of the District must be citizens of the United States of America and at least of twenty-one years of age at the time of election and shall own real property within the District.

Section 4 - Tenure of Office.

All elected Directors shall hold office for the term of four (4) years as prescribed by the California Water District Code. The President and Vice President and all appointed officers shall

hold office for a term of one (1) year at the pleasure of the Board of Directors. The manner of electing Directors is specified in Article III of these Bylaws. Continuity of experienced Directors shall be assured by staggering the election of Directors such that the term of office will expire at the same time for no more than three Directors.

Section 5 – Conflict of Interest.

No Director or official of the District shall make, participate in making or in any way attempt to use his official position to influence a decision in which he knows or has reason to know he has a financial interest in accordance with the Conflict of Interest provisions of CA Government Code Section 1090, Section 87100 and Section 87103.

Section 6 - Duties of the President.

The President serves at the pleasure of the Board and is responsible for leading the Board in its activities and for serving as the principal liaison between the Board and District management. With respect to leading the Board in its activities, the President is primarily responsible, with the input of committee chairs and other Directors, for setting the agenda for regularly scheduled Board meetings consistent with these bylaws, and for determining whether and when special meetings should be held. The President presides at all meetings of the Board. The President shall coordinate Board representation for events and functions. The President is expected to keep the Board apprised of his or her activities that have a material bearing on District affairs.

With respect to serving as the principal liaison between the Board and District management, the President is expected to stay in regular contact with the Directors and officers of the board, in accordance with the open meeting provisions of the Brown Act. The President is also expected to keep the Board apprised on important issues he or she discusses with District management. Under no circumstances shall the President be authorized to take unilateral action on any District matter or publicly represent the District on any issue without prior authorization of the board in accordance with these Bylaws. The President operates in a capacity as a member of the Board and not as a member of the District's management and is expected to respect and reinforce the appropriate roles of the Board and District management.

Section 7 – Duties of the Vice President

In the absence of the President of the Board, the Vice President of the Board shall perform all of the duties defined in Section 6 of these Bylaws and act in all respects in the stead of the President during such absence. The Vice President shall provide advice, counsel, and support to the President and act as Parliamentarian to the Board of Directors when not engaged in the duties of the President.

Section 8 – Duties of the Secretary

The secretary shall keep a record of all the proceedings had at meetings of the board. All documents pertaining to District affairs shall be maintained in an appropriate filing system and filed in the office of the District by the secretary and shall be available for public inspection.

Section 9 - Duties of Treasurer / Financial Officer

If appointed by the Board of Directors of the District, The Treasurer / Financial Officer shall periodically review financial records of the District. The Treasurer / Financial Officer shall assure that appropriate controls are in effect to safeguard the finances of the District, including signatory requirements for all disbursements.

Section 10 - Duties of the General Manager.

The General Manager of the District leads management's efforts in implementing and achieving the policies and priorities adopted by the Board. He or she has the discretion to determine the most appropriate means to achieve those priorities and is accountable to the Board for these actions. The General Manager is responsible to the Board for the operational management of the District and accountable to the Board of Directors to meet the operational goals of the District.

The General Manager is also responsible for keeping the Board appropriately informed regarding the District's significant activities and undertakings. The General Manager is responsible for providing the Board with information regarding the District that is relevant both to specific decisions the Board is required to make and to the Board's effective fulfillment of its general responsibility for oversight of the District's affairs. In particular, the General Manager is

responsible for ensuring the Board is notified of the items identified by the Board as matters about which the Board must be notified.

Each year the General Manager, working with his or her senior staff and in consultation with the Board, will develop a proposed annual budget. The proposed budget represents the District's plans for fulfilling the Board's annual priorities and will be presented to the Board (or if the Board so chooses, a committee of the Board) for consideration and approval. Additionally, as part of the General Manager's long-term budget planning, each year the General Manager, in consultation with the Board, cognizant committees and the public will develop proposed appropriations requests. The proposed request will be presented to the Board for approval. Any request for appropriations outside of the annual cycle (i.e., emergency requests) will be conducted in a similar fashion, but in an expedited manner.

Section 11 - Deputies and Employees.

The Board of Directors may also employ such agents, officers, deputy officers, and employees as may be required and prescribe their duties and fix their compensation as outlined in Policies and Procedures and adopted by the Board.

In accordance with District Policies and Procedures, the Board of Directors as a body will evaluate and make decisions regarding the hiring retention, and termination of the District's General Manager.

Section 12 - Administration of Oath.

The Oath of Office may be taken before any officer authorized by law to administer oaths.

The Board of Directors may, as necessary, appoint and approve the position of Financial Officer / Treasurer whose duties are outlined in Policies and Procedures and adopted by the Board. The prescribed duties of the Financial Officer may be accomplished by an appointed Treasurer.

Section 13 - Appointment of Directors

In the event that a position of BVWD Director becomes vacant as deemed by Government Code Section 1770, the District shall notify the county elections official of the vacancy no later than 15 days after either the date on which the District is notified of the vacancy or the effective date of

the vacancy, whichever is later. The remaining members of the BVWD Board may fill the vacancy in accordance with Government Code Section 1780, either by appointment or by calling an election pursuant Uniform Elections Code.

The Board shall post a notice of the vacancy in three or more conspicuous places in the District at least 15 days before the district board makes the appointment.

The remaining members of the BVWD Board shall make the appointment by majority vote within 60 days after either the date on which the District is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the District is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office. If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

If the BVWD Board of Directors fails to choose or chooses not to make an appointment, the Board may within 60 days of the date the Board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy. The election called shall be held on the next established election date that is 130 or more days after the date the district board calls the election.

If the vacancy is not filled by the BVWD Board by appointment, or if the Board has not called for an election within 60 days of the date the vacancy, the Board of Supervisors of Alpine County, may appoint a person to fill the vacancy within 90 days of the date that BVWD is

notified of the vacancy or the effective date of the vacancy, whichever is later, Alpine County Board of Supervisors may order the BVWD to call an election to fill the vacancy.

Section 14 - Compensation.

The Directors of the Board shall fix the compensation to be paid to all employees and officers of the District. The compensation received by Directors for attendance or participation at Board meetings, committee meetings, ceremonial events, or any officially authorized function representing the district shall not exceed that specified in Section 34741 of the Water Code. Directors shall be compensated for any expenses incurred in the performance of his/her duties required and authorized by the Board as defined in Director Compensation and Travel Policy, Ordinance No. 69 Adopted March 16, 2009 as Amended.

The Directors shall receive, for attendance at meetings outside their normal duty or for substantial services requiring more than ordinary absence from the place of business or residence of the Director, and performed at the request of the President, a per diem within the limits of the California Water Code, together with expenses incurred in traveling between their place of residence and the place of the assignment , together with other ordinary and necessary expenses incidental to their service as such Directors.

The salary of the Secretary, if any, and the salary of any and all agents, shall be fixed by the Board of Directors as outlined in Policies and Procedures and adopted by the Board.

Section 15 - Insurance Coverage of Members and Officers of the Board of Directors.

The Board of Directors shall be provided with coverage under an Errors and Omissions Liability insurance policy covering acts performed in connection with duties as District Director. The premium for such policy shall be paid by the District.

Section 16 - Indemnity of Board Members and Officers.

The District shall hold harmless, indemnify and defend any officer or Director from a claim, complaint, cause of action or other proceedings arising out of, or relating to the lawful and official performance of such individuals duties as an officer or Director of the Bear Valley Water District. As to any officer or Director who is no longer associated or employed by the District at

the time that such claim, complaint, cause of action, or other proceeding is brought, the District agrees to hold harmless, indemnify or defend such officer or Director as to any such claim, complaint, cause of action or other proceedings arising out of or relating to a lawful and official act undertaken by such officer or Director in the course of performance of his/her duties for the Bear Valley Water District.

ARTICLE II

BOARD OF DIRECTORS

Section 1 - Organization.

At the first regular meeting held following the general District election, the Directors shall meet and organize as a Board and may transact any other business of the District. At this meeting, the Board shall elect a President and Vice President from its members and appoint a Secretary, who may or may not be a member of the Board of Directors. The Board may appoint a Financial Officer / Treasurer from the Board, management, or a member of the District. The President, Vice President, Secretary and Financial Officer/Treasurer shall hold their respective offices at the pleasure of the Board of Directors.

Section 2 – Duties of the Board of Directors.

The property, affairs and business of the district shall be governed by the Board of Directors. The Board has general oversight responsibility for the management of all of the District's affairs. The Board satisfies this responsibility by providing active leadership regarding important issues facing the district. In particular, the Board shall provide leadership in:

- (i) defining the District's mission and strategies designed to achieve that mission;
- (ii) appointing and planning for succession of the General Manager;
- (iii) ensuring the District's compliance with the law;
- (iv) establishing District policies for guidance of the General Manager to manage the District;
- (v) assuring and maintaining the financial integrity of the District.

The Board shall act on all matters requiring Board approval. Appointed Committees shall have specific roles in the fulfillment of general oversight responsibilities and will conduct open meetings, as applicable, in accordance with the Ralph Brown Act.

DL 7

Special meetings as defined in the Ralph Brown Act can be called by the President at his or her discretion or by the request of any three (3) members of the Board on any issue that, in their judgment, has a material effect upon the operation of the District or its ratepayers.

The Board's is responsible for clear direction and accountability and shall establish policies for critical matters it wishes District management to pursue and set priorities for the accomplishment of Board directives. It is the responsibility of District management to determine the manner in which such directives are achieved and implemented consistent with priorities set by the Board.

In accordance with District Policies and Procedures, the Board of Directors as a body will evaluate and make decisions regarding the hiring, retention and termination of the District General Manager.

The Board will also be responsible for approving the hiring and termination of full-time District personnel. It will make these decisions, however, only after the General Manager has presented his or her recommendations regarding the same. Part-time and temporary workers may be engaged and dismissed by the General Manager for temporary and seasonal projects.

The Board and its individual Directors and officers, have fiduciary duties to the District and the ratepayers and shall conduct themselves in carrying out these duties within the highest recognized ethical standards of conduct.

Section 3 - Time and Place of Regular Meetings.

The place of holding regular meetings shall be the location of the office of the BVWD; or such other locations as posted, in the community of Bear Valley, County of Alpine, State of California, on the third Monday of each month at the prescribed time as defined in Policies and Procedures. If at any time a regular meeting falls on a holiday, such regular meeting may be held on the next business day. The time and place of the regular meeting may be changed by resolution of the Board of Directors. The regular time or place of any single meeting may be changed or altered by a consensus of the Board of Directors. If by reason of fire, flood, earthquake or other emergency, it shall be unsafe to meet in the place designated, the meeting may be held for the duration of the emergency at a reasonably close location as designated by the President of the Board of Directors. All meetings shall comply with the requirements of the then current Ralph Brown Act.

Section 4 - Adjourned Meetings.

The Board of Directors may adjourn any regular or special meeting or adjourned meeting to any time preceding the next regular meeting. When so adjourned, the adjourned meeting and all business transacted thereat is invalid unless all conditions of the Ralph Brown Act are prescribed to. When an order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour then in effect for the holding of regular meetings.

Section 5 - Special Meetings.

Special meetings of the Board of Directors may be held when required for the transaction of District business of such important nature that cannot be conducted at regular scheduled meeting. A special meeting and all business transacted thereat is invalid unless all conditions of the Ralph Brown Act California Government Code Sections 54950 – 54963, are prescribed to. The President or three (3) members of the Board of Directors may call the meeting by giving each Director, either personally or by mail, 24 hours written notice of the meeting.

The order calling a special meeting shall be entered of record and specify the business to be transacted.

Section 6 - Order of Business.

No other business than that specified in the order may be transacted at a meeting unless in accordance with the Ralph Brown Act and a quorum is present and consent to the consideration of any business not specified in the order.

Section 7 - Quorums.

Three Directors of the District concurrently in attendance shall constitute a quorum for the transaction of business. The vote of a quorum of the Board of Directors is necessary to determine any proposition or resolution presented. No District business shall be conducted in the absence of a quorum. A smaller number of Directors than a quorum may adjourn from day to day. Actions taken at a meeting where only a minimum quorum is present shall require all three (3) votes to be effective.

Section 8 - Conduct of Meetings.

The President of the Board of Directors and in his/her absence the Vice President shall preside at all meetings. In the absence of both the President and Vice President, when a quorum is present, the Board shall appoint a president pro tempore who shall preside at the meetings.

All Meetings of the Board of Directors shall be open and public and all persons shall be permitted to attend any meetings of the Board, except as otherwise provided by law.

The Board of Directors shall conduct meetings as specified by an agenda prepared by or caused to be prepared by the President of the Board of Directors.

Agenda items may be amended for a meeting in the event that other business as may properly come up and posted not later than seventy-two hours (72) before the scheduled meeting and approved by a minimum of three (3) Board members.

All records of the Board of Directors shall be open to public inspection during business hours as provided in Policies and Procedures.

Section 9 - Board Action.

The Board shall act only by motion, ordinance, or resolution.

Whenever, pursuant to any provisions of law, or otherwise, the Board of Directors is required, or shall choose to, take any action by resolution, such resolution or ordinance shall be enacted pursuant to the provisions of this section. Resolution or ordinance shall be adopted by the quorum of the Board of Directors which may be either at a regular or special meeting at which such resolution or ordinance is introduced.

The enacting clause of resolutions or ordinances shall be: THE BOARD OF DIRECTORS OF THE BEAR VALLEY WATER DISTRICT FINDS, DETERMINES AND RESOLVES AS FOLLOWS:

Resolutions or ordinances shall be signed by the President or Vice President and attested by the Secretary.

Within ten days after the passage of each resolution or ordinance, the Secretary shall cause a true copy of such resolution or ordinance to be posted in at least three public places in the District for a period of at least ten (10) days, and shall cause such resolution or ordinance to be published at

once in a newspaper of general circulation in Bear Valley, California, but only if such resolution or ordinance so require.

ARTICLE III

ELECTIONS

Section 1 - General Election.

The general election of the District shall be held as provided in the Uniform District Election Law, on the first Tuesday after the first Monday in November of each odd-numbered year. The election shall be held in conformity with the provisions of the Uniform Election Law Section 10500 et. Seq. and California Water Code Section 35100 et. Seq. and the Directors of the District shall be elected at such election.

Section 2 - Special Elections.

The Board of Directors, by resolution, may call a special election on any proposition which the Board desires or is required to present to the voters of the District. Such special election shall be called in the manner and upon the notice prescribed by the California Water District Law and these Bylaws and District Policies and Procedures.

Section 3 - Time, Place and Manner of Conducting Elections.

General elections shall be held at the time specified in these Bylaws. Special elections shall be held at such times as shall be determined by the Board of Directors. The polling place or places shall be determined by the Board of Directors and shall be set forth in the notice of election.

All elections shall be held and conducted under and in conformity with the Uniform District Election Law, the California Water District Law and by these Bylaws.

Notice of the time, place and purpose of special elections shall be given as provided by the Uniform District Election Law. Notice of time, place and purpose of special elections shall be given by publication once a week for at least two (2) weeks in a newspaper of general publication in Bear Valley, California and/or posted at three (3) places within the District for at least two (2) weeks.

Section 4 - Qualification of Voters.

Each voter voting at an election shall be qualified as provided by the California Water District Law and be entitled to cast the number of votes therein as specified by these Bylaws.

Section 5 - Manner of Voting.

In accordance with the applicable provisions of the California Water Act Section 35003, each parcel of land identified as being within the District and defined by an Alpine County Assessors Parcel Number (APN) shall be entitled to cast one (1) vote for each acre of each parcel owned by the voter of the district, provided that if the voter owns a parcel less than one (1) acre then the voter shall be entitled to one (1) vote for that parcel. For each voter who owns greater than one (1) acre, any fraction shall be rounded to the nearest full acre. Any fraction of exactly 0.5 acre shall be rounded up to the next full acre. The last assessment roll of Alpine County shall be used as conclusive evidence of ownership of real property within the District and the data from the Assessor's Parcel Number (APN) shall be the basis for the acreage of land owned in the District. Where there are multiple owners of one parcel, it is incumbent on the owners to define for the Alpine County Clerk or other designated election officer who is the designated voter for that parcel. Under no circumstance shall more votes, as defined in this section, be cast for the parcel defined in the APN. However, the Board of Directors of the District may determine by resolution that for District voting purposes, the assessment book of the County shall be corrected to reflect, in cases of transfers of land, those persons who as of the 45th day prior to the election appear as owners of land in the District on the records of Alpine County.

Section 6 – Removal by Recall

A Board member may be removed by the Voter Recall provisions of the California Election Code.

ARTICLE IV

PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Rosenberg's Rules of Order, newly revised edition, shall govern this Board of Directors in all cases to which they are applicable, and in which they are not inconsistent with the laws of the State of California Water District Act. Any Director may raise a parliamentary point of order at any district proceeding.

ARTICLE V

AMENDMENTS TO BYLAWS

These Bylaws may be repealed or amended or new Bylaws adopted by the assent of two-thirds of the total vote of the District, given either in writing or by ballot cast at a District election.

These Bylaws may also be amended or new Bylaws adopted by four-fifths vote of the Board of Directors with the approval of the Alpine County Board of Supervisors. Any amendments to these Bylaws shall be certified by the Board of Directors and attested by the Secretary and be recorded with the Alpine County Recorder, all in accordance with the provisions of the California Water District Law.

APPROVED AND ADOPTED AS AMENDED

I HEREBY CERTIFY that the foregoing Bylaws were passed and adopted as amended by the Board of Directors of the Bear Valley Water District at a regular meeting thereof held on the 16th day of August, 2010 by the following vote.

AYES: 5 Board Members: Bissell, Coffman, Goodrich, Nelson, Ritchie

NOES: 0 Board Members: _____

ABSTAIN: 0 Board Members: _____

ABSENT: 0 Board Members: _____



CERTIFYING SIGNATURE:

David Ritchie

David Ritchie

President, BVWD Board of Directors

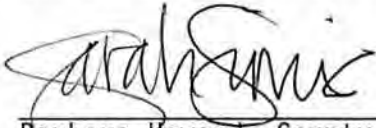
DR

ATTEST:



Secretary, Board of Directors

Approved by the Alpine County Board of Supervisors, being the County within which the district is located on 9-7-2010.



Barbara Howard, County Clerk and Ex
Officio Clerk to the Board of Supervisors.
By: Sarah Simis, Deputy

STATE OF CALIFORNIA
COUNTY OF ALPINE

On August 16, 2010, before me, Barbara Howard, County Clerk, County of Alpine, personally appeared David B. Ritchie, President Bear Valley Water District, and personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal.



BARBARA HOWARD, County Clerk
County of Alpine, State of California

Barbara Howard

STATE OF CALIFORNIA
COUNTY OF ALPINE

On August 16, 2010, before me, Barbara Howard, County Clerk, County of Alpine, personally appeared Jearl Nelson, Secretary Bear Valley Water District, and personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal.



BARBARA HOWARD, County Clerk
County of Alpine, State of California

Barbara Howard

WILSON MORTON ASSAF & McELLIGOTT

JAMES T. MORTON
PHILIP D. ASSAF
PEGGY L. McELLIGOTT (1928-1982)
THOMAS B. ADAMS
SHERROD S. DAVIS
GERALD A. LASTER
JAMES L. COPELAND
MAYER A. DANIEL
JOAN E. BRIODY

JAMES M. FARMELEE
ROBERT K. BOOTH, JR.
DEBRA L. CAUBLE
JAMES A. HILDEBRAND

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630 NORTH SAN MATEO DRIVE
P. O. BOX 152
SAN MATEO, CALIFORNIA 94401
(415) 342-3523

ERNEST A. WILSON
OF COUNSEL

AUTOMATIC TELECOPIER
GP3 (415) 342-6392

PLEASE REPLY TO:

P. O. BOX 152
SAN MATEO, CA 94401

June 12, 1985

Mr. Ted Merry
District Manager
Bear Valley Water District
P. O. Box 5027
Bear Valley, CA 95223

Dear Mr. Merry:

For your information and use, the Bear Valley Water District was duly formed and approved at an election by the voters within its boundaries on July 30, 1968, pursuant to the California Water District Law, Division 13 of the Water Code of the State of California.

Enclosed is a copy of Resolution No. 68-39, A Resolution Canvassing Election Returns, Declaring Results of Election, and Order Declaring District Duly Formed.

Very truly yours,


Joan E. Briody
WILSON MORTON ASSAF & McELLIGOTT

JEB:om
Enclosure

INDEXED

RECORDED AT REQUEST OF
James H. H. Attorney
 AT 2 MIN PAST 4 P M
 VOL 10 OFFICIAL RECORDS, PG 558
 8-13-68
 ALPINE COUNTY, CALIFORNIA
 Wm. CHRIS. MANN
 COUNTY RECORDER
 DOC #276 FEE *de*

RESOLUTION NO. 68-39

A RESOLUTION CANVASSING ELECTION RETURNS, DECLARING
 RESULTS OF ELECTION, AND ORDER DECLARING DISTRICT
 DULY FORMED

BEAR VALLEY WATER DISTRICT

RESOLVED, by the Board of Supervisors of the County of Alpine,
 State of California, that

WHEREAS, on the 31st day of May, 1968, at the hour of 2:00
 o'clock P.M. in an adjourned regular meeting of this Board, a
 petition, duly signed by the holders of title to a majority in
 area of the land therein described in accordance with law, for the
 incorporation of a portion of the territory of said County into the
 Bear Valley Water District, under Division 13 of the Water Code of
 the State of California, as amended, was presented to this Board;

WHEREAS, Monday, the 1st day of July, 1968, at 1:00 o'clock
 P.M., in the Supervisors Room, Courthouse, Markleeville, California,
 were fixed as the time and place of hearing of the petition;

WHEREAS, pursuant to notice duly given, at said time and place
 a hearing was held on said petition, evidence was taken, and all
 persons interested were given an opportunity to be heard on the
 subject of said petition;

WHEREAS, at the conclusion of said hearing and on the 1st day
 of July, 1968, this Board adopted its resolution in which it granted
 the petition for incorporation, established and fixed the boundaries
 of the proposed district, and called an election at which the question
 of said incorporation should be submitted to the voters of said ter-
 ritory, and the five Directors of the Board of Directors and an
 Assessor, Tax Collector and Treasurer of said district should be
 elected;

WHEREAS, said resolution ordered said election to be held on Tuesday, the 30th day of July, 1968, within the boundaries so established, and established one special election precinct for the conduct thereof, and designated the polling place and election officers therefor;

WHEREAS, in and by said resolution said Board further directed that notice of said election should be given as required by law and that the Clerk of said Board should publish notice of said election for formation and for the election of the first Board of Directors of said District in the Tahoe Daily Tribune, at least once a week for at least three weeks previous to the election, the form of which notice of election was set forth in said resolution;

WHEREAS, it now duly appears that notice of said election was duly and legally given by the publication of notice as by said Code and said resolution and order of this Board directed;

WHEREAS, it appears that a board of election was duly appointed and a board of election duly qualified in accordance with law; that before the opening of the polls, said board of election duly posted a list of voters and the number of votes each was entitled to cast; that the polls at said election were open for the hours appointed therefor; that ballots for the election were duly provided and cast; and that said election was duly held and conducted on the 30th day of July, 1968;

WHEREAS, it further appears that said board of election duly determined the total number of votes cast on ballots and at the close of the polls immediately opened the ballot box, tallied the votes cast, canvassed the votes and declared the result, posted the results at the entrance of the polling place, and forwarded to the County Clerk for this Board of Supervisors a certificate showing the results of the election and the number of votes cast for or against each candidate and proposition, and all ballots and papers

used at the election, all in the time, form and manner as required by said law and by said resolution, and in accordance with the law governing such elections;

WHEREAS, it further appears that the Clerk of this Board has certified and recorded with the County Recorder of the County of Alpine the certificate showing the results of the election received from said board of election; and

WHEREAS, it further appears that this Board has met on the 5th day of August, 1968, said date being the date of the next regular meeting of said Board following such election, and has canvassed the returns of said election as required by law, from which it appears that the said proposition for the formation of said District was duly submitted to the qualified voters of said proposed District, and that the number of votes cast in favor of and in opposition to said proposition are as hereinafter set forth, and five Directors for the Board of Directors, and an Assessor-Tax Collector-Treasurer of said District were elected as hereinafter set forth;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED and ORDERED, as follows:

1. That said election was duly called, held and conducted in the said territory on Tuesday, the 30th day of July, 1968, and the votes cast thereat were tabulated and the returns made and canvassed in the time, form and manner as required by law, and the proposition voted upon thereat was as follows:

"Shall the proposition to form Bear Valley Water District under the California Water District Law be adopted?"

2. That for the purpose of holding said election, one election precinct was duly established and provided, which precinct included the whole of said proposed Water District, and was designated as Consolidated Precinct No. 1.

3. That at said election in said precinct the number of votes

cast at said election for the formation of such Water District was 43601, of which total number of votes cast in said proposed district 43601 votes were cast in favor of the adoption of said proposition, and no votes were cast against the adoption of said proposition.

4. That the total number of votes cast in said District for and against the proposition is as follows:

SPECIAL ELECTION PRECINCT	TOTAL
For	<u>43601</u>
Against	0

5. That at said election a majority of the votes cast within said proposed Water District were in favor of the adoption of said proposition and the formation of said Bear Valley Water District, and said proposition was duly adopted.

6. That the territory so proposed to be incorporated is hereby declared to be duly organized and formed as a District under the name designated for it, to wit: Bear Valley Water District, pursuant to Division 13 of the Water Code, as amended, of the State of California, entitled "California Water District Law".

7. That the territory comprising the said District is situate in the County of Alpine, California, and particularly bounded and described in Exhibit "A" attached hereto and by reference made a part hereof.

8. The County Clerk of said County of Alpine shall immediately cause to be filed for record with the County Recorder of said County of Alpine, a certified copy of this resolution, together with a certified copy of the certificate of results pursuant to Section 35111 of the Water Code.

9. Said County Clerk shall immediately file with the Secretary of State of the State of California a certified copy of this resolution in lieu of the certificate to be filed with said Secretary

of State pursuant to Section 34503 of the Water Code.

10. Said County Clerk shall also cause to be filed with the County Assessor of Alpine County and with the State Board of Equalization, a statement of creation of said District, setting forth the legal description of its boundaries and a map or plat indicating the boundaries, as required by Sections 54900 to 54903, inclusive, of the Government Code.

11. The candidates voted for in said election for the five offices of Director and the office of Assessor, Tax Collector, and Treasurer of Bear Valley Water District, and votes cast for each of the candidates therefor were as follows:

<u>DIRECTOR</u>	<u>VOTES FOR AT POLLS</u>	<u>TOTAL</u>
James Kless	<u>43601</u>	<u>43601</u>
James Murphy	<u>43601</u>	<u>43601</u>
C. Bruce Orvis	<u>43601</u>	<u>43601</u>
James L. Orvis	<u>43601</u>	<u>43601</u>
William Verigin	<u>43601</u>	<u>43601</u>
 <u>ASSESSOR, TAX COLLECTOR and TREASURER</u>		
H. B. Werner	<u>43601</u>	<u>43601</u>

12. That the following candidates

James Kless
James Murphy
C. Bruce Orvis
James L. Orvis
William Verigin

being the five receiving the largest number of votes cast for Directors of said District, are hereby declared elected to the offices of Director, and H. B. Werner, being the one receiving the largest number of votes cast for Assessor, Tax Collector and Treasurer of said District, is hereby declared elected to said office.

13. That on behalf of the Board of Supervisors of the County of Alpine, the Clerk of said Board shall issue certificates of election to each of the successful candidates.

14. The County Clerk of Alpine County is further directed to cause this resolution and order to be entered in full upon the minutes of this Board as a statement of the results of said election.

* * * * *

PASSED and ADOPTED by the Board of Supervisors of the County of Alpine, California, at a regular meeting of said Board held on the 5th day of August, 1968, by the following vote of the members of the Board:

AYES, and in favor thereof, Supervisors: Egger, Chain, Cellard, Bruns and Love

NOES, Supervisors: none

ABSENT, Supervisors: none

/s/ Hubert Bruns

Chairman of said Board

ATTEST:

/s/ Wm . Chris Mann

Clerk of said Board

State of California) ss
County of Alpine)

I, Wm Chris Mann, County Clerk and Ex-Officio Clerk of the Board of Supervisors of Alpine County, California, do hereby certify that the foregoing is a true and correct copy of a resolution passed and adopted by the Board of Supervisors of said County, and State, this 5 of Aug, 1968

BOOK 10 PAGE 563

Wm Chris Mann
Wm Chris Mann, Co Clerk & Clerk
of Board of Supervisors

DESCRIPTION OF PROPOSED BEAR VALLEY
WATER DISTRICT

All that certain lot, piece or parcel of land, situate, lying and being a portion of Sections 7 and 18, T. 7 N., R. 18 E., and a portion of Section 12, T. 7 N., R. 17 E., M.D.B. & M., Alpine County, California, being more particularly described as follows:

PARCEL "A"

Beginning at the $\frac{1}{4}$ corner common to said Sections 7 and 18 and running thence N. $00^{\circ} 16' 30''$ W. 371.94 feet along the $\frac{1}{4}$ section line of said Section 7; thence leaving said $\frac{1}{4}$ Section, Section line S. $78^{\circ} 39' 44''$ W. 487.50 feet; thence, Northerly along a 160 foot radius curve, concave to the East a distance of 114.39 feet; thence along a tangent to the preceding curve N. $27^{\circ} 40' 46''$ E. 432.67 feet; thence along a 340 foot radius curve concave to the West a distance of 199.73 feet; thence, along a radial line to the preceding curve N. $84^{\circ} 01' 17''$ E. 64.94 feet; thence, S. $40^{\circ} 20'$ E. 254.00 feet; thence, S. $17^{\circ} 51' 30''$ E. 150.00 feet; thence, S. $40^{\circ} 51'$ E. 145.00 feet; thence, N. $89^{\circ} 43' 30''$ E. 108.00 feet to its intersection with the above described $\frac{1}{4}$ Section line; thence, along said $\frac{1}{4}$ Section line N. $00^{\circ} 16' 30''$ W. 3490.31 feet to the North $\frac{1}{16}$ corner of said Section 7; thence, N. $89^{\circ} 18' 00''$ W. 1392.00 feet along the North boundary of the $S\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7; thence, leaving said North boundary S. $39^{\circ} 56' 56''$ W. 139.19 feet along a radial line to the following curve; thence, Westerly along a 140 foot radius curve concave to the South a distance of 172.14 feet; thence, S. $59^{\circ} 30'$ W. 310.00 feet; thence, Westerly along a 310 foot radius curve, concave to the north, a distance of 125.70 feet; thence, S. $82^{\circ} 44'$ W. 270.00 feet; thence, SouthWesterly along a 315 foot radius curve concave to the SouthEast a distance of 231.46 feet; thence, along a course not tangent or radial to the previous curve, N. $71^{\circ} 40'$ W. 50.00 feet; thence, S. $56^{\circ} 25'$ W. 91.03 feet to the West boundary of said Section 7; thence, along said West boundary S. $10^{\circ} 25' 30''$ W. 517.00 feet; thence leaving said West boundary East 79.07 feet; thence, S. $8^{\circ} 41'$ E. 70.00 feet; thence, SouthWesterly along a 110 foot radius curve concave to the NorthWest a distance of 175.17 feet to its intersection with the above described West boundary; thence along said West boundary S. $10^{\circ} 25' 30''$ W. 81.61 feet to the West $\frac{1}{4}$ corner of said Section 7; thence, continuing along said West boundary S. $00^{\circ} 47'$ E. 671.06 feet to the NorthEast corner of the $S\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 12; thence along the North boundary of said $S\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ S. $89^{\circ} 55'$ W. 139.61 feet; thence, leaving said North boundary S. $12^{\circ} 00'$ E. 264.44 feet; thence SouthEasterly along a 240 foot radius curve concave to the NorthEast a distance of 354.65 feet; thence, N. $83^{\circ} 20'$ E. 168.68 feet; thence, N. $6^{\circ} 40'$ W. 280.00 feet; thence, N. $76^{\circ} 55' 06''$ W. 89.73 feet; thence, N. $23^{\circ} 08' 55''$ W. 150.08 feet; thence, N. $36^{\circ} 52' 12''$ W. 125.00 feet; thence, N. $12^{\circ} 15' 53''$ W. 117.69 feet; thence, N. $84^{\circ} 44' 46''$ W. 70.09 feet to its intersection with the above described West boundary; thence, along said West boundary N. $00^{\circ} 47'$ W. 96.02 feet; thence, leaving said

West boundary N. 79° 51' E. 94.81 feet; thence, N. 36° 04' E. 252.00 feet; thence, N. 20° 27' E. 300.00 feet; thence, N. 43° 08' E. 217.00 feet; thence, N. 13° 04' W. 166.00 feet; thence, N. 17° 44' E. 192.00 feet; thence, N. 58° 27' E. 434.00 feet; thence, N. 9° 53' W., 115.26 feet; thence, N. 59° 30' E. 191.93 feet; thence, Easterly along a 60 foot radius curve concave to the South, a distance of 111.33 feet; thence, S. 14° 11' 23" E. 129.05 feet; thence, S., 56° 00' W. 99.15 feet; thence, S. 15° 00' W. 174.00 feet; thence, S. 6° 25' E. 92.00 feet; thence, S. 30° 00' E. 102.00 feet; thence, S. 45° 40' E. 102.00 feet; thence, S. 8° 25' E. 81.00 feet; thence, S. 77° 00' E. 100.00 feet; thence, S. 13° 00' W. 304.82 feet; thence, Southerly along a 440 foot radius curve, concave to the East a distance of 216.69 feet; thence, along a radial bearing to the previous curve S. 74° 46' 59" W. 75.83 feet; thence, S. 16° 00' 27" E. 634.61 feet; thence, S. 82° 06' 20" E. 378.59 feet; thence, S. 29° 35' 23" E. 779.68 feet; thence, S. 75° 51' 44" E. 252.93 feet; thence, S. 14° 00' E. 115.00 feet; thence, Southerly along a 260 foot radius curve concave to the West, a distance of 189.14 feet; thence, S. 27° 40' 46" W. 432.67 feet; thence, Southerly along a 240 foot radius curve, concave to the East, a distance of 170.89 feet; thence, S. 13° 07' E. 212.09 feet; thence, Southerly along a 160 foot radius curve concave to the West, a distance of 165.09 feet; thence, along a course not tangent to the previous curve S. 88° 57' 01" W. 197.39 feet to its intersection with the SouthEast boundary of Lot 232 in Bear Valley Tract No. 1; thence, S. 38° 14' 10" W. 15.00 feet; thence, NorthWesterly along a 240 foot radius curve, concave to the SouthWest, a distance of 203.23 feet; thence, N. 82° 51' W. 328.06 feet; thence, N. 14° 33' E. 170.00 feet; thence, N. 46° 13' E. 270.00 feet; thence, N. 7° 31' 51" E. 80.46 feet; thence, N. 31° 27' 30" W. 201.93 feet; thence, N. 88° 26' 40" W. 57.09 feet; thence, N. 85° 41' W. 105.00 feet; thence, S. 53° 17' W. 385.00 feet; thence, S. 82° 37' W. 80.00 feet; thence, S. 7° 23' E. 265.00 feet; thence, SouthEasterly along a 190 foot radius curve concave to the NorthEast, a distance of 250.26 feet; thence, S. 82° 51' E. 463.41 feet; thence, S. 28° 32' W. 401.10 feet; thence, S. 38° 49' W. 617.34 feet; thence, S. 45° 40' W. 80.00 feet along a radial bearing to the following curve; thence, SouthEasterly along a 630 foot radius curve, concave to the NorthEast, a distance of 322.80 feet; thence, along a bearing not tangent or radial to previous curve S. 18° 35' W. 127.00 feet; thence, S. 71° 27' E. 120.00 feet; thence, S. 3° 48' 07" E. 109.27 feet; thence, S. 56° 45' E. 245.68 feet; thence, S. 33° 15' W. 140.94 feet; thence, Southerly along a 140 foot radius curve concave to the East, a distance of 117.98 feet; thence, S. 15° 02' E. 29.58 feet; thence, N. 74° 36' E. 80.00 feet; thence, N. 15° 02' W. 29.08 feet; thence, Northerly along a 60 foot radius curve, concave to the East, a distance of 50.56 feet; thence, N. 33° 15' E. 331.47 feet; thence, N. 78° 38' 46" E. 937.76 feet to its intersection with the $\frac{1}{4}$ Section line of said Section 18; thence, along said $\frac{1}{4}$ Section line N. 00° 32' 30" W. 1240.00 feet to the Point of Beginning and containing an area of 156.09 Acres, more or less.

PARCEL "B"

Beginning at a point from which the $\frac{1}{4}$ corner common to said Sections 7 and 18 bears the following two courses: First; N. $78^{\circ} 38' 46''$ E. 900.00 feet; thence Second, N. $00^{\circ} 32' 30''$ W. 1,240.00 feet and running thence along the centerline of a 10 foot wide easement, being 5 feet each side of the following described line, S. $38^{\circ} 57'$ W. 160.00 feet; thence Southerly along a 200 foot radius curve concave to the East, a distance of 72.46 feet; thence S. $18^{\circ} 11' 30''$ W. 293.35 feet; thence Southerly along a 650 foot radius curve concave to the East, a distance of 319.54 feet; thence S $9^{\circ} 58' 30''$ E. 80.00 feet to a point lying 15.00 feet East of the Northwest corner of a 100 foot square with sides bearing North-South and East-West which will include the Sewage Treatment Plants.

AGENDA ITEM

DATE: JULY 22, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: WWTP IMPROVEMENT PROJECT - UPDATE

BACKGROUND AND DISCUSSION:

Weber, Ghio and Associates (WGA) conducted the bid opening on May 15, 2019 for the WWTP Improvement Project receiving only one bid. The bid received totaled \$166,705 and the bid summary was reviewed and discussed by the Board at its May 20, 2019 Board meeting.

Based on Engineering's original estimate of \$90,000 for this public works portion of the project, the Board authorized an ad hoc committee to meet with the sole bidder at the Engineer's office to discuss the bid in greater detail and seek a reduction of costs if possible.

President James Bissell together with General Manager Jeff Gouveia met with Matt Ospital of WGA and Michael McPhee of K.W. Emerson, Inc. at WGA's office on May 21, 2019. The bid was discussed and reviewed in detail and Michael McPhee agreed to review his bid for potential areas for savings.

On Friday, May 24, 2019, Michael McPhee submitted a revised pricing schedule showing the updated costs for the treatment pond improvements totaling \$128,675. The ad hoc committee reviewed this submission and authorized the General Manager to accept the proposal as amended. On May 30, 2019, Matt Ospital on behalf of the District communicated the District's acceptance of the revised proposal.

Staff will be meeting with representatives from K.W. Emerson on July 25, 2019 to review the site in preparation for initiating the project tentatively scheduled for Monday, August 5, 2019.

Project Summary as Revised:

1. Triplepoint Diffuser Package - \$70,314
2. K.W. Emerson Public Works Proposal – Revised - \$128,675
3. Weber Ghio & Associates Engineering Fees - \$20,0000 (Estimated)

Project Total: \$218,989

Attachments:

- K.W. Emerson Revised Bid Summary as Accepted
- Triplepoint Environmental Aeration Upgrade Proposal as Accepted
- WGA Notice of Award & Construction Agreement Transmittal - May 31, 2019

BID SUMMARY
BEAR VALLEY WATER DISTRICT
WASTEWATER TREATMENT POND IMPROVEMENT PROJECT

Item	Quantity	Description	Unit Price	Total Price
1.	1 LS	Locate & Protect Existing Utilities in accordance with the plans and specifications.	\$ 1,525	\$ 1,525
2.	1 LS	Clearing and Grubbing in accordance with the plans and specifications.	\$ 20,030	\$ 20,030
3.	2100 SF	Wood Baffle Wall Repair in accordance with the plans and specifications.	\$ 19.50	\$ 40,950
4.	1 LS	Aeration System Installation in accordance with the plans and specifications.	\$66,170	\$ 66,170
BID TOTAL				\$ 128,675

CONTRACTOR NAME: K.W. Emerson, Inc.



Midwest Office
1010 W. Lake Street | Suite 503 | Oak Park IL 60301

Tel: 312 428 4634 | Fax 312 957 4712
info@tpenv.com | tpenv.com

PROPOSAL – AERATION UPGRADE

PROJECT NO.: 3173R7

PROJECT NAME: Bear Valley Water District

PROJECT LOCATION: Bear Valley, CA

DATE: February 25, 2019

PREPARED FOR

Jeff Gouveia
General Manager
Bear Valley Water District

C/O

Ray Sprague
JBI Equipment

PREPARED BY

Triplepoint Environmental, LLC
Tom Daugherty, Western Region Manager
Office: (312) 428-4634
Fax: (312) 957-4712
Cell: (208) 699-7090
Email: tomd@tpenv.com

Basis of Design

District seeks to upgrade aerated lagoon to more efficiently achieve discharge criteria based on values in the summary basis of design chart below. Values were derived from owner supplied data and operational preferences. A detailed basis of design is attached herewith.

Parameter	Influent Average	Effluent Design Criteria
Flow	0.062 MGD	0.120 MGD
BOD5	266/308 mg/L ¹	< 10 mg/L
TSS	363 mg/L ²	< 30 mg/L
Ammonia as N	34 mg/L	13 mg/L

1. 266 mg/L is most current average loading. The scope of supply will offer equivalent treatment to 308 mg/L at the design flow rate of 120,000 gpd.
2. TSS influent concentration was averaged from 2016-2018 available data.

Discussion

Layout and Existing Infrastructure

The current blower has adequate air for the proposed aeration scope at the design conditions. VFD turndown or on/off timing is advised to achieve the most efficient operating scheme to be determined after startup and acclimation. An existing buried air header from the blower to the nearest dike is verified as 8" ID stainless steel. A scope of supply is attached herewith to replace the existing header that runs the length of the nearest dike with CPVC piping and fittings. Note: The supplier data sheet from Gardner Denver suggests exit temperatures of 274F. It is assumed the stainless header will dissipate temperatures to below 225F as reaches the tee on the dike. CPVC is rated to 225F (Corzan CPVC).

Triplepoint proposes eight MARS aerators in Cell A which receives raw influent and four in Cell B which is the effluent side of the baffle. The specific final aerator layout is to be decided with site management to maximize solids oxidation at startup and during acclimation. The aerators may need to be repositioned after one full season of operation. The on-shore manifolds will be situated below grade. Manifold and header blow out vaults to be provided by others.

System Performance: The proposed MARS aeration system is designed to accommodate growth to approximately twice the current capacity, capable of treating average daily flows up to 120,000 gpd with up to 308 mg/L BOD influent concentration. BOD effluent values are modeled at single digits year around. TSS generally corresponds to BOD in a 1.5:1 ratio so will help the system with TSS excursions. Odor mitigation will be significant as there will no oxygen demand left in the treated effluent, a key cause of odors. Existing organic solids (bioavailable portion) will be mixed and oxidized over a season of acclimation resulting in increased volume and additional HRT leading to overall system health. Non-organic solids, e.g. silt, sand, plastics and the like will be unchanged. The scope of supply offers a conservative design giving operators significant fine tuning capabilities and removes concern of needing additional treatment for many years.

Triplepoint has a robust solution for retrofitting a lagoon or servicing individual aerators without dewatering.



The aerators are placed into position from a floating vessel. Air is fed to manifolds on shore via a header from the blower. Each manifold port features a ball valve linking to the aerators by weighted air hose allowing for individual aerator control.

Scope of Supply

Equipment	Quantity	Unit
MARS 750T Tube Aerators with Coarse and Fine Bubble	12	ea
High-flow Flexible Weighted Airline: From Manifold to Aerator	2700	ft
Ball valves for individual aerator control and barb set	12	ea
Custom Welded 304 Stainless Steel Manifold, 6-Port (2 caps)	1	ea
Custom Welded 304 Stainless Steel Manifold, 8-Port	1	ea
Header transition fittings (2-2.5" SS caps, 2-2.5" SS nipples, 2-2.5" SS Unions)	2	lot
316 Stainless Steel hose clamps	24	ea
Detailed Installation and layout plan (Shop Drawings)	1	ea
Person Days Triplepoint Installation Supervision, Start-up, and Training	2	ea
Freight FOB factory (TBD) (estimate \$2000-\$3000) (approximately 8-10 pallets)	0	lot
TOTAL PRICE:	\$70,314	

Conditions of Sale

Price and Payment

The quote in this proposal is in US Dollars and does not include applicable federal or state taxes, fees, or tariffs. It remains valid for a period of 90 days. Fifty (50) percent of the quote price is due upon contract acceptance, forty (40) percent upon shipment and ten (10) percent upon startup.

Installation

Triplepoint Environmental will provide installation supervision as part of this proposal along with certification of proper installation once complete. All installation labor is the responsibility of the customer. A separate proposal can be supplied for aeration and baffle installation. A floating vessel is required for installation.

Supplied by Others

Air headers are not included in this scope of supply. Installation and blower connection to air distribution header and integration to SCADA or other plant specific data recording schema are not included. Site specific preferred embodiments of installation such as exterior conduit runs, cable ties, and the like are not included.

Delivery

The MARS Aeration diffusers and tubing will be delivered within a period of 8-10 weeks after submittal approval or receipt of purchase order. All packing and shipping costs are FOB origination unless otherwise quoted herein. Customer is responsible for paying all taxes and fees associated with shipping.

Blowers

All blowers to provide the recommended airflow for each MARS option at the recommended pressure found in the basis of design document attached herewith.

Warranty

Triplepoint Environmental offers the most competitive warranty in the industry, ensuring that your MARS products are free from defects in material or workmanship for a period of one (1) year from the date of installation completion.

Limits of Liability

Triplepoint Environmental shall not be liable for any loss of profits, business, goodwill, interruption of business, nor for incidental or consequential merchantability or fitness of purpose, damages related to this quote.

CONFIDENTIALITY NOTICE

The MARS Aeration system is the subject of one or more confidential patents filed in the United States Patent Office. The Client, Engineer, and any other parties contracted recognize the importance of maintaining the continued confidentiality of the design of the MARS Aeration system. The Client, Engineer and any other parties contracted agree that they shall not sell, transfer or disclose any such confidential information relating to the design of the MARS Aeration system to any other person, organization, or corporation without the express written authorization of Triplepoint Environmental LLC and pursuant to an enforceable agreement of confidentiality, except as required by law or as necessary in connection with the use, operation, maintenance, repair, or replacement of the system. Additionally, the Client, Engineer and any other parties contracted all agree to preserve the confidentiality of this proposal and all materials attached and not to distribute or copy such materials for any other parties not previously authorized by Triplepoint Environmental LLC.



394 East St. Charles Street
P.O. Box 251
San Andreas, CA 95249
(209) 754-1824
FAX (209) 754-1092

TRANSMITTAL

Bear Valley Water District
P. O. Box 5027
Bear Valley CA 95223
ATTENTION Jeff Gouveia
General Manager

DATE: May 31, 2019
PROJECT NO. #2749
RE: WWTP Improvement Project

☒ HEREWITH ☐ UNDER SEPARATE COVER VIA _____

THE FOLLOWING

<input type="checkbox"/> ORIGINAL	<input type="checkbox"/> PARCEL MAP	<input type="checkbox"/> SPECIFICATIONS
<input type="checkbox"/> RECORD OF SURVEY	<input type="checkbox"/> IMPROVEMENT PLANS	<input type="checkbox"/> CHANGE ORDER NO. _____
<input type="checkbox"/> PRINTS	<input type="checkbox"/> DESCRIPTION	<input checked="" type="checkbox"/> SUBMITTALS
<input type="checkbox"/> COMPUTATIONS	<input type="checkbox"/> LETTER	<input type="checkbox"/> OTHER

QTY	DATE	DESCRIPTION
2	6/7/2019	Construction Agreement signed by K.W. Emerson
1	6/7/2019	Performance Bond
1	6/7/2019	Certificate of Insurance

FOR

<input checked="" type="checkbox"/> YOUR APPROVAL	<input checked="" type="checkbox"/> SIGNATURE	<input type="checkbox"/> REVISION
<input type="checkbox"/> CHECKING	<input type="checkbox"/> FOLLOW UP	<input type="checkbox"/> RECORDING
<input type="checkbox"/> YOUR FILES	<input type="checkbox"/> YOUR INFORMATION	<input type="checkbox"/> OTHER

REMARKS: Please sign both Construction Agreements. Keep one for your records and return the other to our office. Once all paperwork has been received and is in order, we'll schedule a pre-construction meeting.

BY: Matt Ospital, P.E.
COPY TO: _____



P.O. Box 549, San Andreas, CA 95249
Phone: 209-754-3839 Fax: 209-754-3830

June 6, 2019

Mr. Matt Ospital
Bear Valley Water District
C/O Weber Ghio Associates, Inc
PO Box 251
San Andreas, CA 95667

RE: Wastewater Pond Improvement Project

SUBJECT: Transmittal of Contract Documents

Please see the below items in accordance with our contract on the above-mentioned project:

- A. Signed Contract Document, two originals
- B. Performance & Payment Bonds, one original
- C. Insurance Certificate
- D. Signed Notice of Award

K. W. Emerson, Inc. respectfully requests a fully executed contract document upon completion.

Please let me know if you have any questions. I can be reached until 4pm Monday through Thursday at (209)754-3839 or alison@kwemerson.com.

Sincerely,

Alison Engell
Office Manager

NOTICE OF AWARD

TO: **K.W. Emerson, Inc.**
P.O. Box 549
San Andreas, CA 95249

PROJECT: Bear Valley Water District – Wastewater Pond Improvement Project

The OWNER has considered the revised proposal submitted by you for the above described WORK in response to its Notice to Contractors.

You are hereby notified that your revised proposal has been accepted for items in the amount of **\$128,675 (One Hundred Twenty-Eight Thousand Six Hundred Seventy Five and 00/100--Dollars).**

In accordance with the Proposal, you are required to execute and return the Construction Agreement and furnish the required CONTRACTOR'S Performance Bond, Payment Bond, and Certificate of Insurance within **ten (10)** calendar days from the date of receipt of this Notice.

If you fail to execute and return said Agreement and to furnish said bonds and certificate of insurance within **ten (10)** calendar days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER's acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER c/o of Weber, Ghio & Associates, Inc., P.O. Box 251, San Andreas, CA 95249.


Dated: May 31, 2019.

BEAR VALLEY WATER DISTRICT

By 
Matt Ospital, District Engineer

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by **K. W. Emerson, Inc.** this 3rd day of June, 2019.

By 
Title Dan Emerson, Vice President

BEAR VALLEY WATER DISTRICT WASTEWATER TREATMENT POND IMPROVEMENT PROJECT

CONSTRUCTION AGREEMENT

THIS AGREEMENT, made and entered into on June 3, 2019, by and between the Bear Valley Water District, California (hereinafter referred to as DISTRICT), and **K.W. Emerson, Inc.**, Contractor, (hereinafter referred to as CONTRACTOR), or under the authority of the Public Contract Code of the State of California.

The parties hereto mutually agree as follows:

For and in consideration of the mutual promises and other valuable consideration set forth herein, receipt of which is hereby acknowledged, District agrees to employ Contractor and Contractor agrees to furnish all materials and labor for the prescribed work; perform and complete in good and workmanlike manner all the work pertaining thereto shown on the plans and specifications therefore; to furnish at his sole cost and expense all materials, tools, equipment and facilities, and all labor and services necessary therefore (except such materials, if any, which under the specifications are to be furnished by the District), and to do everything required by this Agreement and said plans and specifications, including but not limited to the payment of prevailing wages as required by state law.

Contractor is responsible for furnishing all said materials and labor, tools and equipment, and doing all the work contemplated and embraced in this Agreement, also for all loss and damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties which may arise or be encountered in the prosecution of the work until its acceptance by the District, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work, except such as in the said specifications are expressly stipulated to be borne by the District. For well and faithfully completing the work and the whole thereof, in the manner shown and described in said plans and specifications, the District will pay and the Contractor shall receive in full compensation therefore the lump sum price, or if the bid is on the unit price basis, the total price for the several items furnished pursuant to the specifications, named in the schedule of the Proposal in the amount of **\$128,675.00**.

The Notice to Contractors, Proposal, and Specifications are hereby incorporated into and made a part of this Agreement by reference as if fully set forth.

Civil Code Section 3247 requires every contractor that receives a public works contract to file a payment bond and performance bond with the awarding agency for the agency's review and approval. It is the public agency's mandatory duty to ensure that the general contractor's payment bond surety meets the requirement of Code of Civil Procedure 995.310.

The District requires that the contractor submit verification from the California Insurance Commissioner of the surety's certificate of authority to issue such bonds. If the surety is not admitted or the certificate is unavailable, the agency must reject the bonds and the proposed contract unless and until the contractor furnishes bonds provided by an admitted surety insurer or by otherwise sufficient sureties. Verification from the California Insurance Commission must be received, along with the bonds, before work begins, or no payment shall be made to Contractor.

The District requires that the contractor submit verification from the California Insurance Commissioner of the surety's certificate of authority to issue such bonds. If the surety is not admitted or the certificate is unavailable, the agency must reject the bonds and the proposed contract unless and until the contractor furnishes bonds provided by an admitted surety insurer or by otherwise sufficient sureties. Verification from the California Insurance Commission must be received, along with the bonds, before work begins, or no payment shall be made to Contractor.

Contractor shall submit a detailed schedule of work at the pre-construction conference for approval by the District Engineer. This contract shall not take effect and no payment shall be made to Contractor until that schedule is submitted and approved.

If Contractor fails to complete the work in accordance with the schedule set forth in the specifications and/or accordance with Section II-4, of the project specifications, Contractor shall be liable for liquidated damages in the amount of \$1,000 per calendar day for each calendar day of delay. Liquidated damages accrued shall be deducted from compensation due the Contractor and retained by District.

All certificates of insurance, policy endorsements, and all other certificates required by the specifications shall be on file with the District before work begins or no payment will be made to Contractor.

This is a public works contract within the meaning of Part 7 of Division 2 of the California Labor Code (Sections 1720 and following), and the contractor and any subcontractor under him shall pay not less than the specified prevailing rates of wages to all workmen employed and be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

IN WITNESS WHEREOF, the Parties hereto have caused this contract to be executed the day and year first above written.

BEAR VALLEY WATER DISTRICT

CONTRACTOR

By _____
Date

By  6/3/19
Date

ATTEST:

BID SUMMARY
BEAR VALLEY WATER DISTRICT
WASTEWATER TREATMENT POND IMPROVEMENT PROJECT

Item	Quantity	Description	Unit Price	Total Price
1.	1 LS	Locate & Protect Existing Utilities in accordance with the plans and specifications.	\$ 1,525	\$ 1,525
2.	1 LS	Clearing and Grubbing in accordance with the plans and specifications.	\$ 20,030	\$ 20,030
3.	2100 SF	Wood Baffle Wall Repair in accordance with the plans and specifications.	\$ 19.50	\$ 40,950
4.	1 LS	Aeration System Installation in accordance with the plans and specifications.	\$66,170	\$ 66,170
			BID TOTAL	\$ 128,675

CONTRACTOR NAME: K.W. Emerson, Inc.

BEAR VALLEY WATER DISTRICT WASTEWATER TREATMENT POND IMPROVEMENT PROJECT

CONSTRUCTION AGREEMENT

THIS AGREEMENT, made and entered into on June 3, 2019, by and between the Bear Valley Water District, California (hereinafter referred to as DISTRICT), and K.W. Emerson, Inc., Contractor, (hereinafter referred to as CONTRACTOR), or under the authority of the Public Contract Code of the State of California.

The parties hereto mutually agree as follows:

For and in consideration of the mutual promises and other valuable consideration set forth herein, receipt of which is hereby acknowledged, District agrees to employ Contractor and Contractor agrees to furnish all materials and labor for the prescribed work; perform and complete in good and workmanlike manner all the work pertaining thereto shown on the plans and specifications therefore; to furnish at his sole cost and expense all materials, tools, equipment and facilities, and all labor and services necessary therefore (except such materials, if any, which under the specifications are to be furnished by the District), and to do everything required by this Agreement and said plans and specifications, including but not limited to the payment of prevailing wages as required by state law.

Contractor is responsible for furnishing all said materials and labor, tools and equipment, and doing all the work contemplated and embraced in this Agreement, also for all loss and damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties which may arise or be encountered in the prosecution of the work until its acceptance by the District, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work, except such as in the said specifications are expressly stipulated to be borne by the District. For well and faithfully completing the work and the whole thereof, in the manner shown and described in said plans and specifications, the District will pay and the Contractor shall receive in full compensation therefore the lump sum price, or if the bid is on the unit price basis, the total price for the several items furnished pursuant to the specifications, named in the schedule of the Proposal in the amount of \$128,675.00.

The Notice to Contractors, Proposal, and Specifications are hereby incorporated into and made a part of this Agreement by reference as if fully set forth.

Civil Code Section 3247 requires every contractor that receives a public works contract to file a payment bond and performance bond with the awarding agency for the agency's review and approval. It is the public agency's mandatory duty to ensure that the general contractor's payment bond surety meets the requirement of Code of Civil Procedure 995.310.

The District requires that the contractor submit verification from the California Insurance Commissioner of the surety's certificate of authority to issue such bonds. If the surety is not admitted or the certificate is unavailable, the agency must reject the bonds and the proposed contract unless and until the contractor furnishes bonds provided by an admitted surety insurer or by otherwise sufficient sureties. Verification from the California Insurance Commission must be received, along with the bonds, before work begins, or no payment shall be made to Contractor.

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Contractor shall submit a detailed schedule of work at the pre-construction conference for approval by the District Engineer. This contract shall not take effect and no payment shall be made to Contractor until that schedule is submitted and approved.

If Contractor fails to complete the work in accordance with the schedule set forth in the specifications and/or accordance with Section II-4, of the project specifications, Contractor shall be liable for liquidated damages in the amount of \$1,000 per calendar day for each calendar day of delay. Liquidated damages accrued shall be deducted from compensation due the Contractor and retained by District.

All certificates of insurance, policy endorsements, and all other certificates required by the specifications shall be on file with the District before work begins or no payment will be made to Contractor.

This is a public works contract within the meaning of Part 7 of Division 2 of the California Labor Code (Sections 1720 and following), and the contractor and any subcontractor under him shall pay not less than the specified prevailing rates of wages to all workmen employed and be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

IN WITNESS WHEREOF, the Parties hereto have caused this contract to be executed the day and year first above written.

BEAR VALLEY WATER DISTRICT

CONTRACTOR

By _____
Date

By  6/3/19
Date

ATTEST:

BID SUMMARY
BEAR VALLEY WATER DISTRICT
WASTEWATER TREATMENT POND IMPROVEMENT PROJECT

Item	Quantity	Description	Unit Price	Total Price
1.	1 LS	Locate & Protect Existing Utilities in accordance with the plans and specifications.	\$ 1,525	\$ 1,525
2.	1 LS	Clearing and Grubbing in accordance with the plans and specifications.	\$ 20,030	\$ 20,030
3.	2100 SF	Wood Baffle Wall Repair in accordance with the plans and specifications.	\$ 19.50	\$ 40,950
4.	1 LS	Aeration System Installation in accordance with the plans and specifications.	\$66,170	\$ 66,170
			BID TOTAL	\$ 128,675

CONTRACTOR NAME: K.W. Emerson, Inc.

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS,

That K.W. Emerson, Inc. as Contractor, and
The Ohio Casualty Insurance Company as Surety, are held and firmly
bound unto Bear Valley Water District hereinafter called "Owner," in the
sum of One Hundred Twenty Eight Thousand Six Hundred Seventy Five & No/100--(\$128,675.00) dollars,
(Equivalent to 100 percent of contract amount)

for the payment of which sum well and truly to be made, we bind ourselves, our
heirs, executors, administrators, successors, and assign, jointly and severally, firmly
by these presents.

WHEREAS, said Contractor has been awarded and is about to enter into the
contract agreement with said Owner to perform all work required under the bidding
schedule(s) of the Owner's specifications entitled "**BEAR VALLEY WATER
DISTRICT WASTEWATER TREATMENT POND IMPROVEMENT PROJECT.**"

NOW, THEREFORE, if said contractor shall perform all the requirements of said
contract required to be performed on his part, at the times and in the manner
specified therein, then this obligation shall be null and void, otherwise it shall remain
in full force and effect.

PROVIDED, that any alterations in the work to be done or the materials to be
furnished, or changes in the time of completion, which may be made pursuant to the
terms of said contract, shall not in any way release said Contractor or said Surety
thereunder, nor shall any extensions of time granted under the provisions of said
contract release either said Contractor or said Surety, and notice of such alterations
or extensions of the contract is hereby waived by said Surety.

SIGNED AND SEAL, this 3rd day of June, 2019.

K.W. Emerson, Inc. (SEAL) The Ohio Casualty Insurance Company (SEAL)
(Contractor) (Surety)

By: [Signature] By: [Signature]
(Signature) (Signature)

Kathy Rangel, Attorney-In-Fact

(SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer)

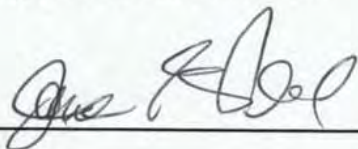
On June 3, 2019 before me, Jana B. Pilgard, Notary Public
(insert name and title of the officer)

personally appeared Kathy Rangel,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

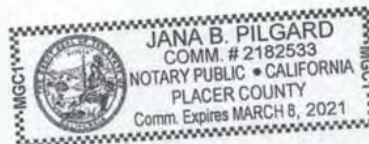
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



Premium is for Contract Price
and is Subject to Adjustment
Based on Final Contract Price.

Bond No. 070208135
Premium Included

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS,

That K.W. Emerson, Inc. as Contractor, and
The Ohio Casualty Insurance Company as Surety, are held and firmly
bound unto Bear Valley Water District hereinafter called "Owner," in the
sum of One Hundred Twenty Eight Thousand Six Hundred Seventy Five & No/100--(\$128,675.00) dollars,
(Equivalent to 100 percent of contract amount.)

for the payment of which sum well and truly to be made, we bind ourselves, our
heirs, executors, administrators, successors, and assign, jointly and severally, firmly
by these presents.

WHEREAS, said Contractor has been awarded and is about to enter into the
contract agreement with said Owner to perform all work required under the bidding
schedule(s) of the Owner's specifications entitled "**BEAR VALLEY WATER
DISTRICT WASTEWATER TREATMENT POND IMPROVEMENT PROJECT.**"

NOW, THEREFORE, if said contractor, or subcontractors fails to pay for any
materials, equipment, or other supplies, or for rental of same, used in connection
with the performance of work contracted to be done, or for amounts due under
applicable State law for any work or labor thereon, said Surety will pay for the same
in an amount not exceeding the sum specified above, and, in the event suit is
brought upon this bond, a reasonable attorney's fee to be fixed by the court. This
bond shall inure to the benefit of any persons, companies, or corporations entitled to
file claims under applicable State law.

PROVIDED, that any alterations in the work to be done or the materials to be
furnished, or changes in the time of completion, which may be made pursuant to the
terms of said contract, shall not in any way release said Contractor or said Surety
thereunder, nor shall any extensions of time granted under the provisions of said
contract release either said Contractor or said Surety, and notice of such alterations
or extensions of the contract is hereby waived by said Surety.

SIGNED AND SEAL, this 3rd day of June, 20 19.

K.W. Emerson, Inc. (SEAL) The Ohio Casualty Insurance Company (SEAL)
(Contractor) (Surety)

By: K.W. Emerson
(Signature)

By: Kathy Rangel
(Signature)
Kathy Rangel, Attorney-In-Fact

(SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer)

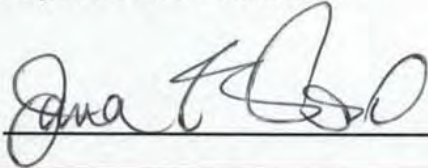
On June 3, 2019 before me, Jana B. Pilgard, Notary Public
(insert name and title of the officer)

personally appeared Kathy Rangel,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: **8200942-977442**

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Julie A. Shiroma, Stephen D. Bender, Dona Lisa Buschmann, J. Buschmann, Edward D. Johnson, Robert D. Laux, Jana B. Pilgard, Kathy Rangel

all of the city of Sacramento state of California each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 18th day of April, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By:

David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 18th day of April, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By:

Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 3rd day of June, 2019.



By:

Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/3/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Owen-Dunn Insurance Services 1455 Response Road, Suite 260 Sacramento CA 95815		CONTACT NAME: PHONE (A/C, No, Ext): 916-993-2700 FAX (A/C, No): 916-993-2683 E-MAIL: info@owendunn.com ADDRESS:		
INSURED K.W. Emerson, Inc. 413 W. St. Charles P.O. Box 549 San Andreas CA 95249 KWEMERS-01		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Zurich American Insurance Company		16535
		INSURER B: American Guarantee & Liability Ins. Co.		26247
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 396842822

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> No Deductible applies GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y	GLO 1040276-04	3/1/2019	3/1/2020	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
						MED EXP (Any one person)	\$ 10,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
							\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		BAP1040275-04	3/1/2019	3/1/2020	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ n		AUC 0113969-04	3/1/2019	3/1/2020	EACH OCCURRENCE	\$ 10,000,000
						AGGREGATE	\$ 10,000,000
							\$
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A	Y	WC1040274-04	3/1/2019	3/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
						E.L. EACH ACCIDENT	\$ 1,000,000
						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
						E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: Bear Valley Water District

The District, its officers, employees and agents are Additional Insured if required by contract. General Liability Additional Insured applies per terms and conditions of the attached endorsement(s). Primary Wording for General Liability applies per terms and conditions of the attached endorsement. Per Project Aggregate applies per terms and conditions of the attached endorsement. Workers Compensation Waiver of Subrogation applies per terms and conditions of the attached endorsement.

CERTIFICATE HOLDER

Bear Valley Water District
P.O. Box 251
San Andreas CA 95249

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

Additional Insured – Automatic – Owners, Lessees Or Contractors



Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer No.	Add'l. Prem	Return Prem.
GLO 1040276-04	03/01/2019	03/01/2020				

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Named Insured: K.W. Emerson, Inc.
Address (including ZIP Code): 413 W. St. Charles
San Andreas CA 95249

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

A. Section II – Who Is An Insured is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract or written agreement. Such person or organization is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf,

in the performance of your ongoing operations or "your work" as included in the "products-completed operations hazard", which is the subject of the written contract or written agreement.

However, the insurance afforded to such additional insured:

1. Only applies to the extent permitted by law; and
2. Will not be broader than that which you are required by the written contract or written agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or failure to render, any professional architectural, engineering or surveying services including:

- a. The preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
- b. Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or the failure to render any professional architectural, engineering or surveying services.

C. The following is added to Paragraph 2. Duties In The Event Of Occurrence, Offense, Claim Or Suit of Section IV – **Commercial General Liability Conditions:**

The additional insured must see to it that:

1. We are notified as soon as practicable of an "occurrence" or offense that may result in a claim;
2. We receive written notice of a claim or "suit" as soon as practicable; and
3. A request for defense and indemnity of the claim or "suit" will promptly be brought against any policy issued by another insurer under which the additional insured may be an insured in any capacity. This provision does not apply to insurance on which the additional insured is a Named Insured if the written contract or written agreement requires that this coverage be primary and non-contributory.

D. For the purposes of the coverage provided by this endorsement:

1. The following is added to the Other Insurance Condition of Section IV – **Commercial General Liability Conditions:**

Primary and Noncontributory insurance

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured provided that:

- a. The additional insured is a Named Insured under such other insurance; and
 - b. You are required by written contract or written agreement that this insurance be primary and not seek contribution from any other insurance available to the additional insured.
2. The following paragraph is added to Paragraph 4.b. of the Other Insurance Condition of Section IV – **Commercial General Liability Conditions:**

This insurance is excess over:

Any of the other insurance, whether primary, excess, contingent or on any other basis, available to an additional insured, in which the additional insured on our policy is also covered as an additional insured on another policy providing coverage for the same "occurrence", offense, claim or "suit". This provision does not apply to any policy in which the additional insured is a Named Insured on such other policy and where our policy is required by a written contract or written agreement to provide coverage to the additional insured on a primary and non-contributory basis.

E. This endorsement does not apply to an additional insured which has been added to this policy by an endorsement showing the additional insured in a Schedule of additional insureds, and which endorsement applies specifically to that identified additional insured.

F. With respect to the insurance afforded to the additional insureds under this endorsement, the following is added to Section III – **Limits Of Insurance:**

The most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the written contract or written agreement referenced in Paragraph A. of this endorsement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations,
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

All other terms and conditions of this policy remain unchanged.

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT— CALIFORNIA

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

You must maintain payroll records accurately segregating the remuneration of your employees while engaged in the work described in the Schedule.

The additional premium for this endorsement shall be 0 % of the California workers' compensation premium otherwise due on such remuneration.

Schedule

Person or Organization
ALL PERSONS OR
ORGANIZATIONS

Job Description

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

DESIGNATED CONSTRUCTION PROJECT(S) GENERAL AGGREGATE LIMIT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Designated Construction Project(s):

ALL PROJECTS

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

- A.** For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I – Coverage C, which can be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:
1. A separate Designated Construction Project General Aggregate Limit applies to each designated construction project, and that limit is equal to the amount of the General Aggregate Limit shown in the Declarations.
 2. The Designated Construction Project General Aggregate Limit is the most we will pay for the sum of all damages under Coverage A, except damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard", and for medical expenses under Coverage C regardless of the number of:
 - a. Insureds;
 - b. Claims made or "suits" brought; or
 - c. Persons or organizations making claims or bringing "suits".
 3. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the Designated Construction Project General Aggregate Limit for that designated construction project. Such payments shall not reduce the General Aggregate Limit shown in the Declarations nor shall they reduce any other Designated Construction Project General Aggregate Limit for any other designated construction project shown in the Schedule above.
 4. The limits shown in the Declarations for Each Occurrence, Damage To Premises Rented To You and Medical Expense continue to apply. However, instead of being subject to the General Aggregate Limit shown in the Declarations, such limits will be subject to the applicable Designated Construction Project General Aggregate Limit.

- B. For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I – Coverage C, which cannot be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:
1. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the amount available under the General Aggregate Limit or the Products-completed Operations Aggregate Limit, whichever is applicable; and
 2. Such payments shall not reduce any Designated Construction Project General Aggregate Limit.
- C. When coverage for liability arising out of the "products-completed operations hazard" is provided, any payments for damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard" will reduce the Products-completed Operations Aggregate Limit, and not reduce the General Aggregate Limit nor the Designated Construction Project General Aggregate Limit.
- D. If the applicable designated construction project has been abandoned, delayed, or abandoned and then restarted, or if the authorized contracting parties deviate from plans, blueprints, designs, specifications or timetables, the project will still be deemed to be the same construction project.
- E. The provisions of Section III – Limits Of Insurance not otherwise modified by this endorsement shall continue to apply as stipulated.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/3/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Owen-Dunn Insurance Services 1455 Response Road, Suite 260 Sacramento CA 95815		CONTACT NAME: PHONE (A/C, No, Ext): 916-993-2700 E-MAIL ADDRESS: info@owendunn.com FAX (A/C, No): 916-993-2683	
INSURED K.W. Emerson, Inc. 413 W. St. Charles P.O. Box 549 San Andreas CA 95249		INSURER(S) AFFORDING COVERAGE INSURER A: Zurich American Insurance Company INSURER B: American Guarantee & Liability Ins. Co. INSURER C: INSURER D: INSURER E: INSURER F:	
KWEMERS-01		NAIC # 16535 26247	

COVERAGES

CERTIFICATE NUMBER: 396842822

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> No Deductible applies GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	GLO 1040276-04	3/1/2019	3/1/2020	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		BAP1040275-04	3/1/2019	3/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$0		AUC 0113969-04	3/1/2019	3/1/2020	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	Y	WC1040274-04	3/1/2019	3/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: Bear Valley Water District

The District, its officers, employees and agents are Additional Insured if required by contract. General Liability Additional Insured applies per terms and conditions of the attached endorsement(s). Primary Wording for General Liability applies per terms and conditions of the attached endorsement. Per Project Aggregate applies per terms and conditions of the attached endorsement. Workers Compensation Waiver of Subrogation applies per terms and conditions of the attached endorsement.

CERTIFICATE HOLDER**CANCELLATION**

Bear Valley Water District
P.O. Box 251
San Andreas CA 95249

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**ZURICH**

Additional Insured – Automatic – Owners, Lessees Or Contractors

Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer No.	Add'l. Prem.	Return Prem.
GLO 1040276-04	03/01/2019	03/01/2020				

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Named Insured:

K.W. Emerson, Inc.

Address (including ZIP Code):

413 W. St. Charles

San Andreas

CA 95249

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

A. Section II – Who Is An Insured is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract or written agreement. Such person or organization is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf,

in the performance of your ongoing operations or "your work" as included in the "products-completed operations hazard", which is the subject of the written contract or written agreement.

However, the insurance afforded to such additional insured:

1. Only applies to the extent permitted by law; and
2. Will not be broader than that which you are required by the written contract or written agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to:

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or failure to render, any professional architectural, engineering or surveying services including:

- a. The preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
- b. Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or the failure to render any professional architectural, engineering or surveying services.

C. The following is added to Paragraph 2. Duties In The Event Of Occurrence, Offense, Claim Or Suit of Section IV – Commercial General Liability Conditions:

The additional insured must see to it that:

1. We are notified as soon as practicable of an "occurrence" or offense that may result in a claim;
2. We receive written notice of a claim or "suit" as soon as practicable; and
3. A request for defense and indemnity of the claim or "suit" will promptly be brought against any policy issued by another insurer under which the additional insured may be an insured in any capacity. This provision does not apply to insurance on which the additional insured is a Named Insured if the written contract or written agreement requires that this coverage be primary and non-contributory.

D. For the purposes of the coverage provided by this endorsement:

1. The following is added to the Other Insurance Condition of Section IV – **Commercial General Liability Conditions:**

Primary and Noncontributory insurance

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured provided that:

- a. The additional insured is a Named Insured under such other insurance; and
 - b. You are required by written contract or written agreement that this insurance be primary and not seek contribution from any other insurance available to the additional insured.
2. The following paragraph is added to Paragraph 4.b. of the Other Insurance Condition of Section IV – **Commercial General Liability Conditions:**

This insurance is excess over:

Any of the other insurance, whether primary, excess, contingent or on any other basis, available to an additional insured, in which the additional insured on our policy is also covered as an additional insured on another policy providing coverage for the same "occurrence", offense, claim or "suit". This provision does not apply to any policy in which the additional insured is a Named Insured on such other policy and where our policy is required by a written contract or written agreement to provide coverage to the additional insured on a primary and non-contributory basis.

E. This endorsement does not apply to an additional insured which has been added to this policy by an endorsement showing the additional insured in a Schedule of additional insureds, and which endorsement applies specifically to that identified additional insured.

F. With respect to the insurance afforded to the additional insureds under this endorsement, the following is added to Section III – Limits Of Insurance:

The most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the written contract or written agreement referenced in Paragraph A. of this endorsement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations,
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

All other terms and conditions of this policy remain unchanged.

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT— CALIFORNIA

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

You must maintain payroll records accurately segregating the remuneration of your employees while engaged in the work described in the Schedule.

The additional premium for this endorsement shall be 0 % of the California workers' compensation premium otherwise due on such remuneration.

Schedule

Job Description

Person or Organization

ALL PERSONS OR
ORGANIZATIONS

POLICY NUMBER: GLO 1040276-04

COMMERCIAL GENERAL LIABILITY
CG 25 03 05 09**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.****DESIGNATED CONSTRUCTION PROJECT(S)
GENERAL AGGREGATE LIMIT**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE**Designated Construction Project(s):**

ALL PROJECTS

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

- A.** For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I – Coverage C, which can be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:
1. A separate Designated Construction Project General Aggregate Limit applies to each designated construction project, and that limit is equal to the amount of the General Aggregate Limit shown in the Declarations.
 2. The Designated Construction Project General Aggregate Limit is the most we will pay for the sum of all damages under Coverage A, except damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard", and for medical expenses under Coverage C regardless of the number of:
 - a. Insureds;
 - b. Claims made or "suits" brought; or
 - c. Persons or organizations making claims or bringing "suits".
 3. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the Designated Construction Project General Aggregate Limit for that designated construction project. Such payments shall not reduce the General Aggregate Limit shown in the Declarations nor shall they reduce any other Designated Construction Project General Aggregate Limit for any other designated construction project shown in the Schedule above.
 4. The limits shown in the Declarations for Each Occurrence, Damage To Premises Rented To You and Medical Expense continue to apply. However, instead of being subject to the General Aggregate Limit shown in the Declarations, such limits will be subject to the applicable Designated Construction Project General Aggregate Limit.

- B. For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I – Coverage C, which cannot be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:
1. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the amount available under the General Aggregate Limit or the Products-completed Operations Aggregate Limit, whichever is applicable; and
 2. Such payments shall not reduce any Designated Construction Project General Aggregate Limit.
- C. When coverage for liability arising out of the "products-completed operations hazard" is provided, any payments for damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard" will reduce the Products-completed Operations Aggregate Limit, and not reduce the General Aggregate Limit nor the Designated Construction Project General Aggregate Limit.
- D. If the applicable designated construction project has been abandoned, delayed, or abandoned and then restarted, or if the authorized contracting parties deviate from plans, blueprints, designs, specifications or timetables, the project will still be deemed to be the same construction project.
- E. The provisions of Section III – Limits Of Insurance not otherwise modified by this endorsement shall continue to apply as stipulated.

AGENDA ITEM

DATE: JUNE 22, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: FY 2019-20 FINAL BUDGET

BACKGROUND & DISCUSSION:

Accompanying this memorandum is the final budget proposal for fiscal year 2019-20, presented in a revised format as requested by Trustees reflecting a comparison to the previous fiscal year as well as projecting out 3 future fiscal cycles. In so much as the 5 –year NPDES cycle is relevant as it relates to specific permit related expenses during the permit term and permit renewal, this final budget proposal discusses Year 4 of the 5-year NPDES cycle.

Below is a summary of the highlights of the final budget:

Revenue

Residential Revenue

Residential revenue is generally a fixed source of income due to the District's flat rate billing structure and the current rate of construction at approximately only (1) new home per year adding little to no increase in year-over-year residential revenue. FY 19 – 20 residential revenue is anticipated to remain effectively unchanged from the previous fiscal cycle, less any delinquency fees collected during the prior term.

Commercial Revenue

Commercial revenue is flow based. Commercial customers are charged \$0.064 per gallon for water metered at the commercial location and sent to the District for treatment and disposal. As water flow is tied to water use and water use can vary depending on the seasonal economy of many of the District's commercial customers, commercial revenue to the District tends to ebb and flow as the Bear Valley economy changes.

The majority of the District's commercial customers are invoiced for the current budget cycle based on water use in the previous budget cycle. However, the customer's in the Lake Alpine Basin, including the USFS, the Lake Alpine Lodge and the campground concessionaire, requested to be invoiced based on real time use and we have accommodated this request for the past several years.

On June 13, 2019, the Sonora office of the USFS notified the District that the Forest Service had awarded a contract to replace all seven full service toilets at the east end of Lake Alpine with premanufactured toilets with the work to begin in September 2019. At almost the same time, BVWD District staff determined that both pumps at the Chickaree lift station which service these same seven toilets had failed at approximately the same time. The pumps were removed and quickly delivered to a pump service facility to evaluate them for repair or replacement prior to the opening of the campground. It was determined that the cost to repair the pumps did not justify the expense and that the lead time for either repaired pumps or new pumps was approximately 6-8 weeks.

Working closely with USFS staff and the campground concessionaire, District staff determined that, in light of the decommissioning of the Chickaree lift station following the installation of the premanufactured toilets, that use of portable toilets at the east end of Lake Alpine was the best approach for this summer and these portable rental toilets are now currently in service.

However, the fiscal impact of the loss of this lift station and the flows it receives is more substantial. Staff have determined that the reduction in wastewater flows from these seven full service toilets may be approximately 319,610 gallons based on last year's calculations. At the District's commercial rate of \$0.64 per gallon, this is a net loss of approximately \$20,455 each fiscal year beginning with the current FY 19-20 cycle.

In addition, two (2) of the District's commercial customers, including the Alpine County's Community Center (aka Perry Walther Building) and the Base Camp Lodge suffered significant structural damage this past winter leading each building to be red tagged by the Alpine Country Building Department. Consequently, it is conceivable that if these buildings remain unoccupied for the long term, the District could see commercial revenue reduced additionally by approximately \$15,000 annually beginning FY20-21 until repairs have been completed.

In summary, projected aggregate gross revenue for FY19-20 is expected to **decrease by 20 % or \$33,719** from the previous fiscal cycle and potentially more than **28 % or nearly \$44,000** in future fiscal cycles if none of these accounts is restored to provide viable occupancy and normal water usage.

Expenses

Operating expenses for fiscal year 2019-20 are expected to **increase approximately 7.89 % to \$626,525** over the previous year's unaudited actual budget. This increase is largely confined to two specific areas including salaries, wages and benefits based on the expansion of the District's collection system maintenance program as well as regulatory fees.

Below is a summary of the most notable expense areas that impact this final budget projection for FY 19-20:

- Salaries, Wages and Benefits: Salaries, wages and benefits area projected to **increase +9.89 %** for FY19-20 over the previous year's unaudited actual budget. However, due to the medical leave of the Chief Plant Operator during the previous year, the gross actual wage and salary expense for FY18-19 is lower than was originally budgeted. This caused an artificial savings of approximately \$22,519 in FY18-19 and **the projected year-over-year increase for FY19-20 salaries and wages is in fact + 3.64 %**.

At the same time, **this + 3.64 % increase represents an increase of + 2.26 % or \$8255 based on the development of a dedicated collection system maintenance program beginning in FY19-20**. Before accounting for this new part time maintenance program, **the fiscal year increase from the budgeted previous FY salaries, wages and benefits is projected to be only + 1.38 %**.

With the addition of two new part time, seasonal employees, a Grade II operator and an Operator-In-Training (OIT), this "team" or crew will assume all of the primary hydro-jetting and CCTV work as part of the District's Sewer System Management Plan (SSMP). Additionally, this team will be tasked with collecting and/or verifying the geospatial location of all of the District's collections system related field assets (manholes, cleanouts, pipe segments, etc.) to improve the quality and accuracy of the District's maps, also a requirement of the SSMP. The GIS work will be performed by leveraging the District's ArcGIS license and employing ESRI's Collector application along with the District's co-investment with Lake Alpine Water Company in a triple-frequency, multi-constellation EOS Arrow Gold GPS receiver capable of sub-foot to sub-centimeter accuracy. These two seasonal employees will dedicate approximately 16 hours per week for 12 weeks to these various tasks for an **added fiscal impact of \$8255**.

- Regulatory Fees: Permit and dam fees have increased incrementally year-over-year for many years. However, both the Department of Dams (DOD) and the State Water Quality Control Board (SWQCB) have notified public water agencies who own dams or have waste discharge permits to anticipate substantially higher fees in the years to come, including 20 % and 10 % increases respectively for the upcoming fiscal cycle. As a result, the District is forecasting **an increase of approximately + 12 % or nearly \$6000** for taxes, fees, licenses and assessments for FY19-20.

Capital Projects

The District's **wastewater treatment lagoon and baffle replacement project** scheduled for August 2019 (FY19-20) is **now projected to be approximately a \$219,000 capital replacement event (\$70,314 for the Triplepoint Diffuser package, \$128,675 for the public works component and approximately \$20,000 in design and engineering fees)**. Approximately \$50,000 of the expenses associated with this project were incurred and capitalized during the previous fiscal cycle. In the attached FY19-20 budget proposal Staff have projected a capital commitment of approximately \$181,000 of unpaid expenses for the project which includes a 10 % contingency allowance to anticipate unexpected complications or change orders during the project.

In addition, the dam inundation and mapping work awarded to Mead and Hunt in FY18-19 for \$19,664 incurred \$11,768 in the previous fiscal cycle. The draft inundation study and related maps have been submitted to the Division of Safety of Dams for review. **The remaining \$7,896 for this work is anticipated to be incurred in FY19-20 and the proposed budget reflects this remaining commitment.**

In summary, capital expenditures for FY19-20 are estimated to be \$189,053 and include the treatment lagoon and baffle upgrade project with contingency and the remaining inundation mapping expenses.

RECOMMENDATION

FY 19-20 net income is anticipated to be \$17,996. The conservative budgeting approach employed by staff over the past few years seems to consistently provide for above projected net income revenue year over year and staff believes FY 19 – 20 to continue this trend suggesting that this number is likely to be higher than projected.

FY 19-20 net cash flow is expected to be - **\$97,491**. This negative cash flow estimate is due to a combination of higher than average proposed capital improvement projects for FY19-20, increased anticipated depreciation expenses as a result of a series of larger capital projects over the last several years and ongoing servicing of long term debt. The Board may want to consider reviewing the District's Reserve Policy and use of the CIP Reserve Fund currently funded to \$425,000 to offset this negative cash flow projection.

As proposed, the projected net cash flow loss during FY19-20 would be the only year in the current plus 3-year budget projection with an anticipated loss. **Fiscal years 2021, 2022 and 2023 restore positive net cash flow to between \$15,000 and \$25,000 annually.**

However, due to the unanticipated reduction in commercial revenue based on the various causes discussed above, **Staff now project negative net income for fiscal years FY 2021, FY 2022 and FY 2023 between in the order of (\$19,000_ to (\$34,000).**

Therefore, it is recommended that the Board vote to approve the Final FY19-20 budget and 3 year projection as presented and begin to discuss how to ameliorate the negative net income projections in the years ahead, including but not limited to use of the inflationary CPI-U index service rate adjustment, use of Reserve Funds according the District's Reserve Policy and/or a full Prop 218 rate increase.

ACTION:

1. Motion to Accept the final FY19-20 budget proposal and 3 year projected budget as presented

Attachments:

- FY 2019 -20 Budget Proposal & 3 year Budget Projection
- SDRMA 2020 Health Benefits Small Group Program Correspondence – July 11, 2019
- Memo from Dan Schroeder outlining Government Code Section 53736 re: CPI-U Rate Increase
- CSDA Prop 218 Guide – Pages 30 – 31
- BVWD March 2014 Prop 218 Notification

Bear Valley Water District Financial Year 2019-20 + 3 Year Budget Forecast											
	ACTUAL (EST) FY 18 - 19	% DIFF PREV YR	BUDGET FY 19 - 20	% DIFF PREV YR	BUDGET FY 20 - 21	% DIFF PREV YR	BUDGET FY 21 - 22	% DIFF PREV YR	BUDGET FY 22 - 23	% DIFF PREV YR	5 YR Total
REVENUES											
Residential	589,935		586,000		586,000		586,000		586,000		
Commercial	198,719		165,000		155,000		155,000		155,000		
Subtotal Operating Revenue	788,654		751,000	-5.01%	741,000	-1.35%	741,000	100.00%	741,000	100.00%	\$3,762,654
EXPENSES											
Salaries and Benefits	324,589		360,225	9.89%	378,255	4.77%	386,478	2.13%	394,899	2.13%	
Director Expenses - Meetings, Elections, Training	1,678		2,000		2,000		2,000		2,000		
Operator Education, Training & Certifications	756		1,500		1,500		1,500		1,500		
Gas, Diesel, Oil & Filters	2,766		3,000		3,000		3,000		3,000		
Insurance	22,574		23,000		23,000		23,000		23,000		
Memberships & Conferences	7,078		7,000		7,000		7,000		7,000		
Office Expenses & Supplies	9,337		10,000		10,000		10,000		10,000		
Field Expenses & Supplies	20,074		20,000		20,000		20,000		20,000		
Grooming, Snow Removal & Vehicle Storage	3,003		3,500		3,500		3,500		3,500		
General Engineering & Consulting	5,314		5,000		5,000		5,000		5,000		
General Legal & Accounting	16,224		10,000		10,000		10,000		10,000		
Equipment Rental	429		600		600		600		600		
Repairs & Maintenance	48,178		60,000		60,000		60,000		60,000		
Laboratory Fees	14,702		15,000		15,000		25,000		15,000		
Regulatory Reporting & Compliance Projects	6,305		6,700		6,700		6,700		6,700		
Taxes, Fees, Licenses & Assessments	34,325		39,000		40,000		40,000		40,000		
Utilities	59,778		60,000		60,000		60,000		60,000		
Subtotal Operating Expenses	577,110		626,525	7.89%	645,555	2.95%	663,778	2.75%	662,199	-0.24%	\$3,175,167
Net Operational Income	211,544		124,475		95,445		77,222		78,801		\$587,487
OTHER REVENUE											
Interest Income - LAIF	7,448		7,000		7,000		7,000		7,000		
Late Fees, Penalties & Interest	7,941		7,000		7,000		7,000		7,000		
Expense Reimbursements - USFS	2,870		3,538		3,538		3,538		3,538		
Expense Reimbursements - Concessionnaire	4,608		5,887		5,887		5,887		5,887		
Connection Fees (Incl Application & Inspection Fees)	0		0		0		0		0		
Other Income	408										
Subtotal Other Revenue	23,276		23,424		23,424		23,424		23,424		
OTHER EXPENSES											
Loan Interest	17,199		15,680		14,011		12,318		9,683		
Depreciation	111,803		114,223		123,451		122,551		120,601		
Misc Exp - Bad Debt	10										
Subtotal Other Expenses	129,012		129,903		137,462		134,869		130,284		
Net Other Income	(105,736)		(106,479)		(114,038)		(111,445)		(106,860)		
NET INCOME	105,808		17,996		(18,593)		(34,222)		(28,059)		\$42,929
NON-CASH EXPENDITURES (included in net income)											
Depreciation	111,803		114,223		123,451		122,551		120,601		
Subtotal Non-Cash Expenses	111,803		114,223		123,451		122,551		120,601		
CASH EXPENDITURES (Not Included in net income)											
Capital Improvements / Replacements	(115,728)		(189,053)		(37,000)		(30,000)		(30,000)		(\$401,781)
Loan Payments - Principal	(39,138)		(40,657)		(42,326)		(44,019)		(41,960)		
Subtotal Addl Cash Expenses	(154,866)		(229,710)		(79,326)		(74,019)		(71,960)		
NET CASH FLOW	62,745		(97,491)		25,532		14,310		20,582		\$25,677
Debt/Coverage Ratio - Loan Covenants - 1.25 or Greater	5.560		3.252		2.477		2.007		2.205		

Jeff Gouveia

Subject: FW: SDRMA Health Benefits 2020 Rates
Attachments: SDRMA 2020 Health Benefits Brochure.pdf
Importance: High

From: Alana Little <alittle@sdrma.org>
Sent: Thursday, July 11, 2019 10:43 AM
Subject: SDRMA Health Benefits 2020 Rates
Importance: High

Good morning,

Thank you for your continued participation in the SDRMA Health Benefits small group program. The Health Benefits program continues to offer competitive rates along with comprehensive coverages.

The attached Health Benefits brochure lists 2020 rates. Your agency will automatically renew current Health Benefits with SDRMA for 2020 unless we receive a written withdraw notice by September 1, 2019 from your agency. ***If your agency would like to make any plan changes such as change of medical plan, adding medical plan, etc. effective January 1, 2020 SDRMA must be notified of the plan changes no later than August 15, 2019 so that SDRMA can ensure the plan changes are built in our system in time for Open Enrollment.***

2020 Medical Benefits Plan Rate Changes – Beginning January 1, 2020

All medical plans will have a 3.3% increase

Medicare Coordination of Benefits Plans - rate increases for PPO plans 3.3%; no HMO or HDHP plans available. Kaiser Medicare rates to be released by the end of August 2019 and will be included in the hard copy brochure that SDRMA will mail September 2019 to your attention as the primary contact.

Claims were the main factor that affected the rate increases.

Changes to the 2020 Health Benefits Brochure for Medical plan listings: SDRMA has made minor changes to plans as outlined in blue on page 10 of the brochure. In addition, effective January 1, 2020 SDRMA now has an option for agencies that are interested in offering a Student Loan Repayment program through GotZoom.

Ancillary Coverages for 2020 – Beginning January 1, 2020

Delta Dental PPO plans - rate decrease -1.5%; rates guaranteed until January 1, 2021

Delta DHMO plans - no change in rates; rates guaranteed until January 1, 2021

VSP - no change in rates; rates guaranteed until January 1, 2021

VOYA Basic Life/AD&D, Supplemental Life and Long Term Disability rates are guaranteed until July 1, 2020.

EAP rates are guaranteed until July 1, 2023.

Upcoming Open Enrollment

The open enrollment period this year will be **October 1 - October 31**. Any changes made during open enrollment will become effective January 1, 2020. ***If participants do not make changes during open enrollment their current enrollments***

will rollover to the 2020 program year. You will receive a separate email regarding the open enrollment period/process no later than mid-September.

Again, thank you for your continued support of our Health Benefits program!

Sincerely,

Alana

Alana Little
Health Benefits Manager



Special District Risk Management Authority
1112 I Street, Suite 300
Sacramento, California 95814
Tel: 916.231.4141 Fax: 916.231.4111
Toll Free: 800.537.7790
www.sdrma.org

A proud CSDA Alliance partner.
California Special Districts Association
Special District Risk Management Authority
CSDA Finance Corporation

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Jeff Gouveia

From: Schroeder, Dan <dschroeder@neumiller.com>
Sent: Thursday, July 6, 2017 1:52 PM
To: gmbearvalleywater@sbcglobal.net
Cc: Schroeder, Dan
Subject: RE: BVWD

Jeff,

Here is Government Code Section 53756. I've highlighted the 30 day notice language:

An agency providing water, wastewater, sewer, or refuse collection service may adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation, if it complies with all of the following:

(a) It adopts the schedule of fees or charges for a property-related service for a period not to exceed five years pursuant to Section 53755.

(b) The schedule of fees or charges may include a schedule of adjustments, including a clearly defined formula for adjusting for inflation. Any inflation adjustment to a fee or charge for a property-related service shall not exceed the cost of providing that service.

(c) The schedule of fees or charges for an agency that purchases wholesale water, sewage treatment, or wastewater treatment from a public agency may provide for automatic adjustments that pass through the adopted increases or decreases in the wholesale charges for water, sewage treatment, or wastewater treatment established by the other agency.

(d) Notice of any adjustment pursuant to the schedule shall be given pursuant to subdivision (a) of Section 53755, not less than 30 days before the effective date of the adjustment.

Dan

Daniel J. Schroeder
Attorney at Law



Neumiller & Beardslee

ATTORNEYS AND COUNSELORS | EST. 1903

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From: Jeff Gouveia [<mailto:gmbearvalleywater@sbcglobal.net>]
Sent: Wednesday, July 5, 2017 1:23 PM



**California Special
Districts Association**

Districts Stronger Together

Proposition 218 Guide for Special Districts



A GUIDE TO UNDERSTANDING THE IMPACTS OF PROPOSITION 218 ON SPECIAL DISTRICTS.

Property-related fees and charges continued

the special district need only send notice of proposed rate increases to the property owners of the parcels upon which the fees or charges will be imposed.

Government Code section 53755 was adopted to clarify the provisions of Article XIII D that govern the notice, protest, and hearing procedures for imposing new or increasing existing property-related fees or charges. Specifically section 53755 was intended to address how notice may be mailed, rather than determine who should receive notice pursuant to Article XIII D, section 6(a). Accordingly, section 53755 provides that if a public agency is currently providing an existing property-related service, the agency may give the notice required pursuant to Article XIII D, section 6(a)(1) of an increase to an existing fee or charge by including the notice in (1) the agency's regular billing statement for the fee or charge; or (2) any other mailing by the agency to the address to which the billing statement for the fee or charge is customarily mailed.¹³¹ If a public agency is proposing to impose a new fee or charge, notice may be provided in the same manner as for an increase to an existing fee or charge if the public agency is currently providing a property-related service at that same address.¹³²

It is important to note that an additional mailing may still be required when a special district chooses to include a notice in its billing statement or any other mailing that it regularly sends to its customers. Although the provisions of Government Code section 53755 are intended to address

how to mail the written notice, section 53755's requirements indirectly impact who receives, or more importantly does not receive, the written notice required by Article XIII D, section 6(a)(1). Article XIII D, section 6(a)(1) explicitly requires that notice must be provided to the "record owner."¹³³ In some instances, the record owner may not reside at the address to which the billing statement for a property-related service or other mailer is customarily mailed. In that situation, if notice is sent only to the service address, the public agency will have failed to provide the required notice to the record owner. Thus, in order to ensure that the property owner of record receives written notice,¹³⁴ the notice may be mailed in the billing statement or other mailer as authorized by California Government Code section 53755(a), *and* should also be mailed to the property owner of record at the address identified for such property owner on the last equalized secured property tax assessment roll, if that address is different from the service address.¹³⁵

Multi-Year Rate Increases and Pass Through Charges

California Government Code section 53756 provides that a public agency adopting an increase to a property-related fee or charge may adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation if the schedule complies with all of the following:



The schedule of inflationary adjustments and any pass-through increases must be included in the notice of the public hearing and may only be authorized for five years.

- the schedule of fees or charges for a property-related service may not exceed five years;¹³⁶
- the schedule of fees or charges may include a schedule of adjustments, including a clearly defined formula for adjusting for inflation, provided that the property-related fee or charge, as adjusted for inflation, does not exceed the cost of providing the service;¹³⁷ and
- if an agency purchases wholesale water, sewage treatment, or wastewater treatment from a public agency, the schedule of fees or charges may provide for automatic adjustments that pass through any increases or decreases in the wholesale water charges adopted by the other agency.¹³⁸

The schedule of inflationary adjustments and any pass-through increases must be included in the notice of the public hearing and may only be authorized for five years. After the five years has elapsed, a public agency must comply with the procedural requirements of Article XIII D, section 6(a) for any additional rate increases.

An agency is not required to follow the forty-five day notice provisions of California Constitution article XIII D, section 6(a) when implementing any adjustment made pursuant to a schedule of fees or charges as authorized pursuant to California Government Code section 53756. However, the agency must provide written notice of the adjustment *not less than thirty calendar*

days prior to the effective date of the adjustment. The agency may provide the required notice, as provided in California Government Code section 53755(a), by including the notice in the agency's regular billing statement for the fee or charge (if there is one), or by any other mailing by the agency to the address to which the agency customarily mails the billing statement for the fee or charge.¹³⁹

Public Hearing and Majority Protest

The next step in the process is the public hearing and determination of whether there is a majority protest against the property-related fee or charge. The public hearing must be conducted on the date and time stated in the notice, but in any event shall not be less than forty-five days after the notice of the proposed fees or charges and public hearing is mailed.¹⁴⁰ At the public hearing, the agency must hear and consider all public comments regarding the fees,¹⁴¹ but only written protests submitted prior to the close of the public hearing should be considered when determining whether a majority protest against the imposition of the fees exists. Upon the conclusion of the public hearing, if written protests against proposed new, or increases to the existing, property-related fees or charges are not presented by a majority of property owners of the identified parcels upon which the rates and charges are proposed to be imposed and any tenants directly liable for the payment of the fees, the legislative body may proceed with imposing the fees or charges.¹⁴²



bear valley WATER DISTRICT

PO Box 5027, Bear Valley, CA 95223
P 209.753.2112 • F 209.753.6267 • BEARVALLEYWATER.ORG

JAMES D. BISSELL
BARBARA J. GOODRICH
GUNNAR THORDARSON
STEFANIYA BECKING
JOHN BOYLE

Proposition 218 Notification

NOTICE TO PROPERTY OWNERS OF PUBLIC HEARING ON PROPOSED CHANGES TO SEWER RATES

Hearing Date & Time: March 29, 2014, 3 PM

Hearing Location: Perry Walther Building, 325 Creekside Drive, Bear Valley, CA 95223

Basis of Proposed Rates

The Bear Valley Water District (“BVWD” or “District”) has prepared a three-year budget to plan for annual, recurring expenses as well as periodic expenses associated with its National Pollution Discharge Elimination System (NPDES) permit, which is up for renewal in 2016.

The District Engineer has certified a 2013 Rate Study report as of December 17, 2013 and supporting memorandum dated August 7, 2013 (hereinafter collectively “Rate Report”) that recommends sewer rates that meet the revenue requirements of the District and addresses the unpredictability and variability of charges for its commercial customers. The Rate Report can be viewed at www.bearvalleywater.org and is also on file and available for public review at the Bear Valley Water District office, 441 Creekside Drive, Bear Valley, CA 95223.

New Sewer Rates

The rate structure for residential users is proposed to change from a progressive rate to a flat fee in the amount of \$90.37 per month for all residential users. The proposed commercial users’ rate structure will change from a calculation that includes residential use to a fixed cost of \$0.064 for each gallon of water used, with a minimum monthly charge of \$80.48, representing the fixed cost to be connected to the BVWD system.

Why is a Rate Adjustment Needed?

In 2011, the District’s NPDES discharge permit was renewed without requiring the construction of a costly tertiary treatment facility. However, the NPDES permit still requires regular testing, reporting and potential mitigation requirements over its five-year term. In 2016, the District will have to go through the NPDES permit renewal process again, re-making its case that tertiary treatment is not needed, with attendant engineering and legal costs. The current sewer rates charged by the District will not cover the District’s costs to operate, maintain and replace aging infrastructure and service debt on the existing wastewater system and provide additional funds for NPDES requirements and renewal, even with the District’s plan to offset the additional expenses with \$250,000 in operating reserves.

Why is the Residential Rate Structure Changing?

Since there was no practical way of determining sewer use for each residence, BVWD historically charged for sewer services on the assumption that sewer requirements were proportional to the number of bathrooms and kitchens in a home. The more bathrooms and kitchens a home had, the greater the presumed use, and the higher the fee. Currently, rates vary from a low of \$76.50/month to a high of \$252.45/month. Since water meters were installed by Lake Alpine Water Company for much (but not all) of Bear Valley in 2007, the District now has access to actual data using water meter information. That data reflects that the number of bathrooms and kitchens in a home is not a reliable predictor of how much water/sewer services ratepayers use, and BVWD's practice of billing according to number of bathrooms is not a fair measure of load on the system.

Further, based on the District Engineer's review, approximately 89% of BVWD's expenses are fixed ("89% Fixed Costs"), meaning that most expenses are incurred to have a system in place and operational, irrespective of how heavily it's used. Thus, variable sewer usage only makes up 11% of the costs of providing service to District customers.

The proposed rate structure addresses these realities by establishing a single fixed residential rate on the basis that (1) every user should share equally in the 89% Fixed Cost, and (2) there is no practical way to assign the 11% sewer usage cost on a residential ratepayer-by-ratepayer basis. This will result in an increase for ratepayers that are currently charged \$229.50/quarter and a decrease for other residential ratepayers.

Why is a Commercial Rate Adjustment Needed?

Commercial rates have been historically calculated based on two factors: (1) the amount of water used by a business in the preceding year and (2) the relationship of a business' water use to average residential use. This calculation creates a great deal of uncertainty for local businesses because of the residential water use portion of the calculation.

For example, if a business uses 100,000 gallons of water every year, it might be billed at 5 times the residential rate one year and 10 times the residential rate the next year, dependent entirely on whether residences averaged 20,000 gallons per household or 10,000 gallons per household. If a business' water use declines, its sewer bill could still go up, depending on the average amount of water used by residences.

After reviewing the District's three-year budget, the District Engineer prepared a calculation of \$0.064 cost-per-gallon to process sewage. Since water usage information for local businesses is readily available, the proposed commercial sewer rate for local businesses will be calculated at a rate of \$0.064 times the number of gallons of water used by a specific business, with no reference to average residential water use. Currently, the water usage for the preceding fiscal year is used to perform this calculation for each commercial user.

Because 89% of the District's costs are fixed, the minimum monthly charge for any commercial customer connected to the system, even with no water usage, will be \$80.48, the same Fixed Cost assigned to residential customers. Thus, if the amount of water used multiplied by \$0.064 per gallon is less than \$80.48, then the user shall pay the minimum monthly charge of \$80.48, or \$965.76 per year.

The current minimum annual charge for commercial customers is \$0 (for non-use) and \$918 for all other commercial ratepayers. This proposed rate structure, commonly used in other districts, will provide more predictability to commercial ratepayers' sewer rates because it doesn't include an annual reference to residential use.

Proposed Sewer Rates

	Current	Proposed Rates 2014-15 and thereafter [1]
Residential	\$76.50 - \$252.45 [2] per month	\$90.37 per month
Commercial	\$0.074 per gal.	\$0.064 per gal. [3]

[1] The new sewer rate will be effective on July 1, 2014. Starting 2016/2017 and the four years thereafter, the above rates may be adjusted annually up to the percentage increase, if any, of the United States Department of Labor All Item Consumer Price Index for All Urban Consumers (CPI-U) – (1982-84 Base 100) for the twelve months ending March 1 of the prior fiscal year.

[2] \$76.50 is a minimum flat rate for up to 3 sewer service units (bathrooms and kitchens). Each additional bathroom or kitchen is an additional \$25.50/month.

[3] Under the proposed rate change, the commercial minimum monthly charge will be \$80.48, which is equal to residential “89% Fixed Costs.” The commercial customer’s charge will be its water usage at \$0.064 per gallon or the minimum monthly charge, whichever is greater. The calculation is currently based on the preceding fiscal year’s water usage.

Impact on Your Bill

Single family residences, condominiums and Lake Alpine permittees currently pay fixed, but progressive, sewer charges ranging from \$76.50 per month to \$252.45[2] per month. Under the proposed rates, all residential customers will pay a total of \$90.37 per month beginning July 1, 2014. Commercial users currently pay \$0.074 per gallon for sewer service, with a minimum fee of \$0 for non-users and \$918 per year for all others. Under the proposed rate, commercial users will pay \$0.064 per gallon of water used/sewage discharged (currently computed based on its water usage in the preceding fiscal year), with a minimum monthly rate of \$80.48 (\$965.76 per year) to be connected to the system. The District currently bills customers on a quarterly basis, which it may change by ordinance.

Compliance with Proposition 218

In 1996, California voters approved Proposition 218, which amended the state constitution as it relates to the passage of property-related fees. “Prop 218” requires that local governments follow a strictly defined process for setting fees such as water or sewer bills.

Generally speaking, the District must (1) inform ratepayers that a proposed rate increase is being considered (this notice), (2) clearly demonstrate the basis on which these fees are calculated (this letter and the District Engineer’s Rate Report), and (3) hold a public hearing at least 45 days after noticing property owners, at which time the District hears all protests to the rate increase.

These rates are subject to “majority protest,” meaning they **cannot be passed** if a majority of property owners (or renters/lessees, where the renter/lessee is financially responsible for the bill) impacted by the rate change submit written and signed protests opposing the increase.

To Protest These Changes

If you have questions or comments about the proposed rate changes or wish to protest, you may:

Address the Board of Directors: Attend the Public Hearing on March 29, 2014, at 3 PM at the Perry Walther Building in Bear Valley, CA.

Write: Written protests against the proposed rate change must be received by the District by the close of the public hearing on March 29, 2014 and must identify the owner(s) of the property, the parcel (APN) number or address of the affected property and include the original signature(s) of the property owner(s). Renters/lessees may protest if they are financially responsible for the bill.

If the District receives written protests against the proposed rates by a majority of the affected property owners/renters/lessees prior to the end of the hearing, the District cannot approve the change.

Written protests must be sent to:

**Bear Valley Water District,
PO Box 5027, Bear Valley, CA 95223**

Original signature protests are required. Please note that emails, scans and photocopies of signed protests will not be accepted.

RESERVE FUND POLICY

OVERVIEW

The Bear Valley Water District (District) considers careful fiscal planning essential to the long term, sustainable delivery of its core services, specifically the collection, treatment and disposal of waste water for all of its customers as well as the careful stewardship of the public's financial and environmental assets.

The District has determined that a key part of the District's financial preparedness rests on sound reserve policies and guidelines. This policy is intended to provide for the prudent accumulation and management of designated reserve funds to achieve the District's long term financial goals.

OBJECTIVES

Managed and allocated effectively, reserves ultimately provide stakeholders a variety of benefits. In addition to financial policies established to guarantee that the District can meet the future financial requirements of customer demand and system reliability, reserve policies are also considered essential to ensure stable rates for ratepayers in the District, well-maintained public assets, emergency preparedness, capital improvement and replacement of assets, savings to balance budgets and the proper allocation of funds for the future growth and expansion of facilities.

This Reserve Fund Policy was developed to clearly identify specific designated reserve funds and govern how they will be managed. It is the intent of this Reserve Fund Policy to clearly identify types of reserve funds as well as define the purpose, target balance, use and funding mechanism of each fund. The adequacy of the target reserve year-end balance ranges and/or annual contributions will be reviewed annually during the budgeting process and may be revised accordingly as necessary.

The Board of Directors establishes the following reserve funds with this policy:

1.0 - Sewer Operations and Maintenance (O&M) Emergency Reserve Fund

2.0 - Sewer Capital Improvement & Replacement Program (CIP) Reserve Fund

3.0 - Sewer System Capacity Fee Reserve Fund

1.0 SEWER OPERATIONS AND MAINTENANCE (O&M) EMERGENCY RESERVE FUND

- 1.1. Fund Type: Assigned Fund (GASB 54) - The District's Assigned Fund balance classification reflects a fund that the Board of Directors intends to be used for specific purposes but is subject to neither the restricted nor committed levels of constraint bound by legislation or formal Board action. As an Assigned Fund, this lower level of constraint provides for more flexibility by the General Manager to access and utilize this fund as emergencies arise.
- 1.2. Purpose: To ensure cash resources are available to fund the daily administration, operation and maintenance activities necessary to provide District services in the event of unplanned major maintenance or equipment failure.
- 1.3. Target Balance: A minimum of three (3) months of O&M expenses to fund the District's operational expenditures during a potential emergency.

- 1.4. Methodology/Rationale: The District is required to have sufficient cash flow to meet the next three months of budgeted District expenditures (Government Code Section 53646(b)(3)). In addition to holding enough cash for 3 months of operating expenses, industry standards also suggest setting aside sufficient cash in anticipation of an emergency system failure to replace the most vulnerable component of your system or one that would cause the greatest disruption of service.
- 1.5. Use of Funds: This fund will be used to pay for unplanned, emergency O&M expenditures determined necessary by the Board and/or the General Manager.
- 1.6. Funding: Annual contributions will vary depending on the current balance of the fund and current year regular and emergency expenditures. The 5-year O&M expense average is approximately \$600,000 suggesting an O&M emergency fund balance of a minimum of \$150,000. The Agency will strive to fully fund this Reserve every year based on excess cash flow as available.

2.0 SEWER CAPITAL IMPROVEMENT PROGRAM (CIP) RESERVE FUND

- 2.1. Fund Type: Committed Fund (GASB 54) - The District's Committed Fund balance classification is subject to internal constraints self-imposed by formal action of the District's Board of Directors. For committed fund balances, formal action of the Board is required to establish (and modify or rescind) a commitment of fund balance.
- 2.2. Purpose: Fees are collected for the future replacement of existing facilities and major equipment.
- 2.3. Target Balance: The target balance will comprise an amount determined by the Board of Directors which considers both the District's 5-Year Capital Improvement Program (CIP) and the current total aggregate asset value as reflected in the most current depreciation schedule. The District records depreciation using the straight-line method over the estimated useful lives of facilities and equipment. The 5-Year CIP assumes replacement of capital equipment equivalent to the depreciation schedule. At a minimum, the Board should allocate to the fund enough each fiscal year to adequately fund the 5-Year CIP.
- 2.4. Methodology/Rationale: The Capital Improvement Program (CIP) reserve fund is for system rehabilitation, long term equipment replacement and equipment and component purchases that meet the District's Capital Assets Policy. The fee is collected through ratepayer service fees to replace District facilities and equipment as they reach the end of their useful life and also to handle unanticipated repairs during the life-cycle. A key objective for accumulating capital reserves is to minimize external borrowing and interest expenses.
- 2.5. Use of Funds: The CIP Reserve Fund will be used to replace facilities and equipment as necessary to continue reliable and efficient delivery of District services. The Board of Directors will authorize use of planned capital reserves during the budget process. Capital reserves are also available for unplanned (unbudgeted) capital replacement projects.
- 2.6. Funding: At a minimum, the target annual funding amount of the CIP Fund should reflect the approved annual budgeted depreciation amount in conjunction with the approved 5-Year CIP Plan. However, by vote of the Board of Directors, this reserve fund balance may be fully funded either at once or incrementally to provide for capital reserves sufficient to cover the District's total depreciated fixed asset position.

3.0 SEWER SYSTEM CAPACITY CHARGE RESERVE FUND

- 3.1. Fund Type: Restricted Fund (GASB 54) - The District's Restricted Fund balance classification reflects a fund subject to externally imposed and legally enforceable constraints which limit the District's Board to redirecting these funds to other uses or funds. The California Water Code explicitly limits public water agencies use of capacity funds collected from new customers to expanding system capacity.
- 3.2. Purpose: Government Code Section 66013(b)(3) does not allow us to charge new or existing customers an arbitrary amount to fund a future, undefined capacity expansion project. On the other hand, we are permitted to charge a new customer a fee that reflects an appropriate share of the historic cost of the established capacity. The amount of this fee is periodically calculated and adjusted through an engineering report that is subject to board approval. This "capacity" fee is collected from new customers and is required by law to be reserved for future capacity expansion, even if no expansion plan is in place at that time.
- 3.3. Target Balance: The target balance shall be set as a function of any board approved capacity enhancement plans. In the absence of any such approved plans, no specific target shall be set, but the funds shall accrue as available. At the time the District may need to expand capacity in the system, the target balance will be set at the amount as determined by the District Engineer.
- 3.4. Methodology/Rationale: Capacity charges are based on the capacity of the District's wastewater system to provide service to customers. Capacity charges are determined by an engineering report that establishes the basis for the charge and how it was calculated. All applicants for new or additional sewer service to the District's Sewer System shall pay a Capacity Charge as defined by Government Code Section 66013(b)(3) and District Ordinance 71 prior to issuance of a permit by the District. Capacity Charges represent the property owner's proportional capital costs associated with existing system capacity for a new sewer connection at the time of the connection. The current capacity fee calculation reflects the recommended cost for each equivalent dwelling unit (EDU) served until such time as the District reaches its current system capacity.
- 3.5. Use of Funds: The funds shall be used only for system capacity expansion/enhancement projects which ensure the property owner's proportional share of capacity in the system is associated with the specific capital cost for a new sewer connection at the time of the connection.
- 3.6. Funding: This fee is collected with each service application from a vacant parcel with the intent to connect to the wastewater system. In addition, the per new connection value of treatment and distribution capacity will be charged to all new land development projects and deposited into this account. Interest earnings will be accrued on and added to fund balance, using the District's earnings rate on investments.

AGENDA ITEM

DATE: JULY 22, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: MANAGER'S REPORT

1. Collections, Treatment & Disposal Operations - Update
 - a. Flows - Influent Flows & Pond Transfers
 - a. Volumes - Storage, Capacity & Disposal
2. Permit Compliance & Monitoring & Reporting Programs (MRPs) - Update
 - a. WDR MRP - Land Discharge Permit – Compliance & Reporting Update
 - i. Reporting Status Matrix – All Monthly Reporting Submitted On-Time
 - b. NPDES MRP – Surface Water Discharge Permit – Compliance & Reporting Update
 - i. Reporting Status Matrix – All Monthly Reporting Submitted On-Time
3. Other
 - a. NPDES August 30, 2018 Permit Amendment Request - Update
 - b. USFS – Chickaree Campground Vault Toilet Installation Project
 - c. DSOD Dam Break Analysis / Inundation Mapping – Notice of Receipt & Review of Inundation Maps
 - d. CASA Memo on Garamendi Legislation to Extend NPDES Permit Terms to 10 Years
 - e. LAFCO Representation – Alpine County Special Districts
 - f. Director's Terms of Office – Update



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SMR / DMR Reporting

Facility Name: Bear Valley WWTF
Water Board Office: Region 5S - Sacramento
Reporting Level: Level 1

To review or submit a report, select it from the list below. To change the list of reports, check the status types and/or enter start and end dates.

Show reports that meet these criteria

Status:
☒ Submitted - report was already submitted to water board
☒ In-Progress - report has been edited but not submitted
☒ Past Due - report deadline has passed and report has not been submitted
☒ Future - report due date is in the future
☒ Withdrawn - report has been withdrawn

Show Report Due Between: 01/18/2019 and 01/18/2020

[Refresh List](#) [Show Calendar Year](#)

Navigate to:
You are logged in as: gmbearvalleywater. If this account does not belong to you, please log out

Order Number: 5-01-208
Case Worker: Kenny Crayle

Search results:

Export to Excel Show: 100 Previous 1-14 of 14 Next

ID	Report Name	Type	Frequency	Reporting Period	Due Date	Status	Date Received	Date Reviewed	Certified Violations
2194107	June 2019	MONRPT	Monthly	06/01/2019 - 06/30/2019	06/01/2019	Future			No
2172201	Q1 2019 (3 times per year)	GR_WATER	Quarterly	04/01/2019 - 07/31/2019	06/01/2019	Future			No
2204887	July 2019	MONRPT	Monthly	07/01/2019 - 07/31/2019	06/01/2019	Future			No
2215080	August 2019	MONRPT	Monthly	08/01/2019 - 08/31/2019	10/01/2019	Future			No
2224552	September 2019	MONRPT	Monthly	09/01/2019 - 09/30/2019	11/01/2019	Future			No
2204888	Q2 2019 (3 times per year)	GR_WATER	Quarterly	08/01/2019 - 09/30/2019	11/01/2019	Future			No
2118530	Q3 2018 (3 times per year)	GR_WATER	Quarterly	10/01/2018 - 12/31/2018	02/01/2019	Submitted	01/24/2019		No
2015249	2018	MONRPT	Annual	01/01/2018 - 12/31/2018	02/01/2019	Submitted	01/24/2019		No
2139328	December 2018	MONRPT	Monthly	12/01/2018 - 12/31/2018	02/01/2019	Submitted	01/08/2019		No
2153876	January 2019	MONRPT	Monthly	01/01/2019 - 01/31/2019	03/01/2019	Submitted	02/25/2019		No
2170219	February 2019	MONRPT	Monthly	02/01/2019 - 02/28/2019	04/01/2019	Submitted	03/28/2019		No
2172199	March 2019	MONRPT	Monthly	03/01/2019 - 03/31/2019	05/01/2019	Submitted	04/24/2019		No
2172200	April 2019	MONRPT	Monthly	04/01/2019 - 04/30/2019	06/01/2019	Submitted	05/28/2019		No
2184793	May 2019	MONRPT	Monthly	05/01/2019 - 05/31/2019	07/01/2019	Submitted	06/25/2019		No

Jeff Gouveia

From: Goode, Danielle@Waterboards <Danielle.Goode@waterboards.ca.gov>
Sent: Wednesday, July 17, 2019 11:36 AM
To: Jeff Gouveia
Subject: Bear Valley WWTP NPDES Permit Amendment

Hi Jeff,

My name is Danielle and I work with Dania in the NPDES permitting group in Sacramento. I'm currently working on an amendment to the District's NPDES permit for the Bear Valley WWTP regarding a couple of requests you sent almost a year ago, namely, reducing effluent monitoring to once/week for certain parameters and removing receiving water monitoring requirements when there is no flow present in Bloods Creek.

Dania had compiled some effluent data from CIWQS up through May 2018 and I tried using CIWQS to pull any additional data from then until now, but CIWQS produced nothing when I searched. I see that you have a seasonal discharge to the creek and only when there is 20:1 dilution, and you also spray irrigate under a separate land discharge permit. So I wanted to confirm if there have been, or have not been, any effluent discharges to the creek from May 2018 through present? I just want to make sure I have all the most current data for our analysis.

Thank you!

Danielle Goode, P.E.
NPDES Permitting
San Joaquin/Delta Unit
Central Valley Regional Water Quality Control Board
Phone: (916) 464-4843
danielle.goode@waterboards.ca.gov



August 30, 2018

Mr. Jim Marshall
California Regional Water Quality Control Board
Central Valley Regional
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

Subject: Order R5-2016-0045-01 MRP Modification Request

Dear Jim,

The Bear Valley Water District (District) is hereby requesting two changes to Attachment E – Monitoring and Reporting Program of the District's Surface Water WDRs, Order R5- 2016-0045-01 (Order). Specifically, the District is requesting the following:

1. The minimum sampling frequency for effluent monitoring (Table E-3 of the Order) should be reduced from 2/week to 1/week for constituents currently having the 2/week sampling frequency requirement. This request is based on the effluent quality compositing effect of the District's 76.4 million-gallon effluent storage/polishing reservoir; the 20:1 dilution requirement for effluent discharged to Bloods Creek; and the high cost compared to benefit of the 2/week sampling frequency.
2. Footnote 2 of Table E-7 should be deleted because the quality of ephemeral Bloods Creek in May and June in years when the District is not discharging to the creek in these months (for lack of adequate dilution flow in the creek) is not representative of Bloods Creek water quality when there is adequate dilution flow in the creek for effluent discharge.

These requests are discussed in greater detail below.

REDUCING EFFLUENT MONITORING FROM 2/WEEK TO 1/WEEK

The basis for the District's request to reduce effluent monitoring (Table E-3 of the Order) from 2/week to 1/week is a matter of cost versus benefit based on consideration of situation-specific factors. Specifically, the District is sufficiently remote that transportation of samples from the District to an ELAP certified laboratory (or lab courier route) is expensive during the winter/spring snowmelt season when effluent discharges are made. At best, the roundtrip transit time to the nearest courier route (Big Trees State Park) is 60 minutes but can be up to 3 hours under heavy snowfall and hazardous road conditions. If we miss the courier for any reason, then we drive the samples to Elk Grove. The staff time, transportation costs, and hazardous driving conditions are the District's real costs associated with effluent sampling.

In addition to these costs, if heavy snowfall is occurring, we have to snowmobile into the effluent sampling house, and at times dig snow to get into the sampling building.

We believe the benefits of 2/week sampling is limited because of the effluent quality composting effect of the District's storage reservoir, and because the discharge is diluted 20:1 with snowmelt water in a flowing mountain stream. The water quality equalizing effects of both the treatment ponds and effluent storage/polishing reservoir are such that effluent quality should not vary materially from day-to-day, or week-to-week, except as a result of an unrepresentative grab samples, e.g., when sampling from a natural pond-like setting, an organic particle of natural origins will get captured in the sample from time to time. Reservoir effluent BOD results from the 2017 and 2018 effluent discharge seasons are shown in Table 1 and show little variation from day-to-day and week-to-week. Elevated effluent BOD values in late June 2017 (a heavy snowfall year necessitating late season effluent discharges) are believed to be a result of increased attached and suspended algae growth associated with the long and warmer days, and lower reservoir volumes associated with that specific discharge period. However, even with seasonal algal interference and/or wind induced roiling and reservoir currents, it is highly unlikely that the BOD of the entire reservoir increased from 6.8 mg/L to 32 mg/L in six days, and then crashed to 15 mg/L the following day. Those two elevated results (and the May 2 and 3 results) cannot be happening in the bulk fluid of the pond, but rather appear to be a result of something happening in the pond localized to the sampling point. However, with the 20:1 dilution requirement, even if the maximum observed effluent BOD concentration of 32 mg/L (6/28/2017) was real and occurred all day, it would correlate to a 5-day BOD increase in the creek of less than 2 mg/L, which could easily be assimilated by a flowing mountain stream at 4°C, not 20°C as used in a BOD test. As we understand biology and ecology, there is no real chance of a measurable impact under "worst-case" non-representative grab sample result conditions in the District's specific discharge situation.

Within this District, 2/week versus 1/week effluent sampling effort is a notable cost difference. The District does not see a commensurate benefit derived from that cost considering the water quality equalizing effect of the reservoir and the 20:1 effluent dilution requirement in a cold, flowing mountain stream. Thus, the District requests that the effluent sampling frequency be reduced from 2/week to 1/week for high cost/low benefit reasons specific to the District's effluent discharge situation. San Andreas Sanitary District is in a similar situation, but without the benefit of the composting effect of an effluent storage reservoir. We note that the San Andreas Sanitary District required effluent monitoring frequency for BOD, TSS, ammonia, pH, total coliform, etc., is 1/week.

Table 1. Order R5-2016-0045-01 Effluent BOD Results

Sampling Date	Effluent BOD Result (mg/L)
3/8/2017	6.2
3/9/2017	5.8
3/15/2017	4.8
3/16/2017	3.8
3/22/2017	3.0
3/23/2017	3.1
3/29/2017	3.3
3/30/2019	2.4
4/5/2017	2.5
4/6/2017	2.7
4/12/2017	2.6
4/13/2017	2.6
4/19/2017	2.3
4/20/2017	2.7
4/26/2017	2.4
4/27/2017	2.4
5/3/2017	ND
5/4/2017	ND
5/10/2017	ND
5/11/2017	ND
5/17/2017	ND
5/18/2017	ND
5/24/2017	ND
5/25/2017	2.1
5/31/2017	2.5
6/1/2017	3.7
6/7/2017	2.4
6/8/2017	2.6
6/14/2017	2.1
6/15/2017	2.4
6/21/2017	7.8
6/22/2017	6.8
6/28/2017	32
6/29/2017	15
4/18/2018	5.2
4/19/2018	4.8
4/25/2018	4.3
4/26/2018	3.9
5/2/2018	13
5/3/2018	16
5/9/2018	6.7
5/10/2018	5.8
5/16/2018	5.4
5/17/2018	6.6
5/23/2018	6.9
5/24/2018	6.7
5/30/2018	9.1
5/31/2018	7.4

DELETING FOOTNOTE 2 OF TABLE E-7

Snow melt season typically can occur as late as June or as early as April, depending on climatic variables. To preserve the natural ecology of the USFS lands irrigated with District effluent to the extent feasible, as well as to preserve the State's freshwater resources to the extent feasible (and in doing so reduce the District's use of fossil fuel and associated air emissions and costs), the District discharges effluent to Bloods Creek if the creek has adequate dilution flow and if the District has effluent in storage. These conditions occur during the Bloods Creek snow melt season.

The District knows that the water quality of ephemeral Bloods Creek is materially different during snow melt (i.e., effluent discharge) season compared to when the creek is seasonally drying up (and effluent discharge is not feasible for lack of adequate dilution water in the creek). Specifically, as the stream dries up after snow melt, extensive blooms of naturally occurring water weeds occur and persist until the stream has little to no flow, just stagnant pools of water. Under these conditions, the stream's dissolved oxygen concentration and pH can swing radically diurnally as a result of in-stream photosynthesis. Atypical temperature swings will also occur. Turbidity may or may not change depending on seasonal algae growth type. The hardness will also be different from snowmelt season because of less direct snow melt runoff (very low hardness in the stream), and because of possible calcium precipitation under elevated pH conditions caused by in-stream photosynthesis. Monitoring Bloods Creek water quality when it does not have adequate flow to allow effluent discharge is not representative of creek conditions when effluent discharges realistically could occur. Non-representative data are of no value to the permitting and compliance mission of the Regional Water Board as the District understands it, and therefore should not be collected.

Based on the foregoing assessment of this specific situation, the District requests that footnote 2 be deleted from Table E-7 of the Order such that receiving water monitoring occurs only under conditions when effluent discharges to Bloods Creek are occurring. Without footnote 2, comparing RSW-001 results to RSW-002 results actually discloses the impact (or lack of impact) the effluent discharge has on the stream.

SUMMARY

The foregoing represents the District's requests and basis for requesting two revisions to the current Order MRP. The District will provide additional information, if requested, and is willing to discuss this request over the phone, or in person. Please feel free to contact me to discuss this request further.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JG', with a horizontal line underneath.

Jeff Gouveia, District Manager

c: Eric Zeigler, Stantec Consulting Services

Jeff Gouveia

From: Hughes, Timothy - FS <timothy.hughes@usda.gov>
Sent: Thursday, June 13, 2019 8:55 AM
To: Jeff Gouveia
Cc: Jardine, Casey A -FS; Cablayan, Ray -FS
Subject: East End Lake Alpine Toilet Replacement

Jeff,

The Forest Service has awarded a contract to replace the seven full service toilet buildings at the east end of Lake Alpine with premanufactured vault toilets. Work is scheduled to begin after Labor Day and once complete the BVWD lift station in the Chickaree Day Use area will no longer be required. Please let me know if you have any questions or comments. I will keep you apprised of our progress once contract work begins.



Tim Hughes, PE
Forest Engineer

Forest Service
Stanislaus National Forest

p: 209-288-6329

c: 209-768-0402

timothy.hughes@usda.gov

19777 Greenley Road

Sonora, CA 95370

www.fs.fed.us



Caring for the land and serving people

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Jeff Gouveia

From: Hughes, Timothy - FS <timothy.hughes@usda.gov>
Sent: Thursday, June 13, 2019 3:21 PM
To: Jeff Gouveia
Cc: Jardine, Casey A -FS; Cablayan, Ray -FS
Subject: RE: East End Lake Alpine Toilet Replacement

Jeff,

The project came out of the blue from our Regional Office so there wasn't a lot of time to plan before the contracting deadline. I would suggest mothballing the lift station facilities since there aren't funds for anything else. The wet well components should be removed, are the pumps and other items compatible with the lift station at the boat ramp? Once the wet well is empty, a thorough cleaning is needed and/or the structure needs to be decommissioned to prevent residual sewage from flowing out into the Lake. Again, something we all need to discuss because there aren't funds for any of this. I am not so worried about the building.

The remaining buildings in the basin (Boat Ramp, Lake Alpine CG, Marmot DUA) are currently not on any list I am aware of, but then again, this project came out of nowhere.



Tim Hughes, PE
Forest Engineer

Forest Service
Stanislaus National Forest

p: 209-288-6329

c: 209-768-0402

timothy.hughes@usda.gov

19777 Greenley Road
Sonora, CA 95370

www.fs.fed.us



Caring for the land and serving people

From: Jeff Gouveia [mailto:Jeff.Gouveia@bvwd.ca.gov]
Sent: Thursday, June 13, 2019 10:58 AM
To: Hughes, Timothy - FS <timothy.hughes@usda.gov>; Jeff Gouveia <Jeff.Gouveia@bvwd.ca.gov>
Cc: Jardine, Casey A -FS <casey.jardine@usda.gov>; Cablayan, Ray -FS <ray.cablayan@usda.gov>
Subject: RE: East End Lake Alpine Toilet Replacement

Thanks Tim.

Any thoughts on how the USFS wants to handle the assets at this lift station once they're no longer necessary, including the wet well and building ?

Also, do you have plans to eventually replace the other full service toilets in the basin ? It would be helpful for us to know as we budget to manage these remaining assets in the coming years.

Please also note my email address has been updated to: Jeff.Gouveia@bvwd.c.gov.

Thanks.

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



RECEIVED JUN - 6 2019

JUN 03 2019

Mr. Jeff Gouveia, General Manager
Bear Valley Water District
Post Office Box 5027
Bear Valley, California 95223

Bear Valley SH Dam, No. 1088
Alpine County

Dear Mr. Gouveia:

This is in reply to your letter dated March 12, 2019, enclosing the inundation map for Bear Valley SH Dam. This submittal was made in response to the requirements of Division 3, Part 1, Chapter 4, section 6161(a) of the California Water Code.

The Division of Safety of Dams is reviewing inundation maps based on the priorities specified in section 6161(d) of the CA Water Code. We will notify you as to our progress in reviewing your submitted information or if additional information is required.

In addition, upon our approval, inundation maps will be made publicly available as required by section 6161(c) of the CA Water Code.

If you have any questions or need additional information, you may contact Design Engineer Phu Huynh at (916) 565-7872 or me at (916) 565-7870.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Balakrishnan".

Ariya Balakrishnan, Chief
Re-evaluation Engineering Branch
Division of Safety of Dams

cc: Mr. José Lara, Chief
Dam Safety Planning Division
California Governor's Office of Emergency Services
3650 Schriever Avenue
Mather, California 95655



Federal Update

[< Previous](#) [Next >](#)



Congressman Garamendi Introduces NPDES Permit Term Extension Legislation



On March 14, Congressman John Garamendi introduced legislation to address extending NPDES permit terms for a fixed period of up to 10 years. This CASA priority bill gives USEPA and delegated states the authority to grant extended permit terms to public agencies. The [legislation](#) is consistent with CASA's advocacy during the recent Washington D.C. Policy Forum and long-term federal legislative priorities.

The introduction of this bill moves the initiative forward and is an important step in the process of making 10-year permit terms a reality. It allows CASA and other stakeholders to seek specific support by requesting members to cosponsor the legislation, setting the stage for Congressman Garamendi to seek passage of the measure in the House. While the actual path forward is yet to be determined, one option involves seeking an amendment to a future infrastructure bill that includes these provisions.

In a demonstration of broad support for this concept, CASA secured the endorsement of the legislation from a number of national organizations including NACWA, WEF, the National League of Cities and many others. A [letter](#) highlighting this support was sent to Congressman Garamendi last week.

Later this week, we will be distributing a call to action requesting all CASA member agencies write to their member(s) of Congress, with a request that the member(s) cosponsor this legislation. We are also requesting data from member agencies that summarizes the potential benefits of extending permit terms.

Trump Administration Introduces 2020 Federal Budget Proposal



Last week, the White House Office of Management and Budget released a limited FY 2020 budget request for congressional consideration. The limited request will be followed by a detailed 2020 fiscal year budget. The proposal includes significant cuts for domestic spending while boosting defense spending. The budget is a starting point for negotiations. The clean water priorities in this budget version are:



- Cut USEPA's overall budget by 31 percent down to \$6.1 billion. The budget would impact every budget activity including the state revolving fund and a wide variety of clean water programs.
- Reduce the Clean Water SRF program to \$1.1 billion, representing a 34 percent cut from current spending levels.
- Impose a 60 percent cut to the popular Water Infrastructure Finance and Innovation Act Program, providing only \$25 million. This is reduced from the current \$65 million.

In addition, the administration also proposes to reduce the U.S. Army Corps of Engineers budget by \$2 billion. The formal budget transmittal is expected this week. Formal hearings into the Committee on Appropriations will follow in the weeks to come. The ultimate goal is to move all spending bills through the House and to the Senate by late June.

By [Cheryl MacKelvie](#) | March 18th, 2019 | [Hot Topics](#) | [Comments Off](#)

Share This Story, Choose Your Platform!



@CASA_CleanWater

Thank you @RepGaramendi for your leadership on a key clean water initiative! H.R. 1764 will support local water infrastructure by allowing for NPDES permit terms of up to 10 years. garamendi.house.gov/media/pre...

About 5 days ago from CASA_CleanWater's Twitter

ABOUT US

CASA provides leadership, advocacy and information to our members, legislators and the public, and promotes partnerships on clean water and beneficial reuse issues that protect public health and the environment.

CONTACT US

1225 8th Street, Suite
595
Sacramento, CA 95814
(916) 446-0388

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Jeff Gouveia

From: Dane Wadle <danew@csda.net>
Sent: Friday, June 21, 2019 1:57 PM
To: Erik Christeson; Jeff Gouveia; Dave Harden
Subject: Conference Call to Discuss Alpine County LAFCO Special District Representation
Attachments: LAFCO Representation White Paper .pdf

Good afternoon Erik, Jeff, Dave:

As a reminder, I am the Field Coordinator for the California Special Districts Association (CSDA) to your three districts in Alpine County.

I am writing to see if the three of us can have a conference call sometime in the middle of July to discuss getting special district representation on the Alpine County Local Agency Formation Commission (LAFCO)?

Pursuant to state law, each County has a LAFCO made up of county supervisors, city councilmembers (of course, doesn't apply to Alpine County), special districts, and members of the public. Alpine County does not currently have representation from special districts on LAFCO. CSDA has worked with districts across the state to get representatives on LAFCO as LAFCO has to the authority to take various actions that affect districts.

Erik and I at Kirkwood Meadows PUD have had some preliminary discussions about this issue. I believe now is a good opportunity to get district representation. Although the LAFCO currently does very little, that will undoubtedly change at some point. Furthermore, as a condition of getting representation, the districts must pay a portion of the LAFCO budget. The LAFCO does not have a large budget, so the cost would be minor for your three districts.

I have attached a white paper CSDA put together that gives more information on the process, benefits, etc.

So, I would like to schedule a conference call for the 3 of us (or other representatives from your districts) to discuss the issue. I am pretty open the weeks of July 15, July 22, and July 29. Can you please let me know your availability and I will schedule a call, develop an agenda, etc.

Thanks. I look forward to chatting.

Dane

Dane Wadlé, CPFO
Public Affairs Field Coordinator

Celebrating 50 Years of Service: 1969-2019

California Special Districts Association
1112 I Street, Suite 200
Sacramento, CA 95814
877.924.2732, 916.442.7889 fax
www.csda.net

A Proud California Special Districts Alliance Partner.
California Special Districts Association
Special District Risk Management Authority
CSDA Finance Corporation



**Alpine County Special Districts
LAFCO Representation Discussion**

Date/Time: July 16, 2019: 9:30am

Conference Call # = 415-604-5515 Password = 5001758#

AGENDA

- 1. Welcome and Introductions**
- 2. Background on LAFCO Representation**
 - a. CSDA White Paper on LAFCO Representation (Attachment)
- 3. Why Join LAFCO: Benefits of Representation**
 - a. CSDA White Paper on LAFCO Representation – Page 4 (Attachment)
- 4. LAFCO Representation Process**
 - a. District Resolution (Attachment)
 - b. Cost Share Breakdown (Attachment)
- 5. Wrap – Up/Questions/Next Steps**
- 6. Adjourn (10:30 am)**

GOVERNMENT CODE COST SHARE - SPECIAL DISTRICT LAFCO REPRESENTATION

Based on FY 2019-20

ALPINE COUNTY LAFCO OPERATIONAL COSTS

	EXPENSES COVERED BY LAFCO AGENCIES ¹	SPECIAL DISTRICT COST SHARE (1/2 Split)	County Budget (General Fund + Special Revenue Funds) = 23.2 Million
TOTAL FY 2019-20 BUDGET EXPENSES	\$2,800.00	\$1,400.00	

SPECIAL DISTRICT COSTS

INDEPENDENT SPECIAL DISTRICT	TOTAL REVENUE ² per GC 53681(b)(1)(C) SCO Report - FY 2016-17	PROPORTION OF TOTAL REVENUE	ADJUSTED PROPORTION OF TOTAL REVENUE ³	PROPORTIONAL DISTRICT COST 1/2 SPLIT
<i>Utilities Districts</i>				
Kirkwood Meadows PUD	\$10,631,481.00	92.69%	50.00%	\$700.00
Markleeville PUD	\$61,359.00	0.53%	3.66%	\$51.24
<i>Water District</i>				
Bear Valley Water District	\$776,818.00	6.77%	46.34%	\$648.76
TOTAL SPECIAL DISTRICT REVENUE	\$11,469,658.00			\$1,400.00

Notes

- These are Alpine County LAFCO's budgeted expenses for the 2019-2020 fiscal year as outlined in the County budget document. The County currently covers this cost
- This total revenue is calculated per Government Code 53681(b)(1)(C) based on the following revenues reported in the latest State Controllers Report
Enterprise Operating + Enterprise Non-Operating + Non-Enterprise Gen Purpose - Total Inter Governmenta
- Gov Code 56381(F) does not allow any district to pay more than 50% of costs without consent. The share beyond 50% is proportionally split by the remaining district:

NOTE: A different cost share can be agreed to by a majority vote, but no District can be required to pay more than the above share or 50% without their consen

ALPINE COUNTY DISTRICT (KIRKWOOD, BEAR VALLEY, MARKLEEVILLE)

**DISTRICT
RESOLUTION NO. _____**

**SUPPORTING SPECIAL DISTRICT REPRESENTATION ON THE ALPINE COUNTY
LOCAL AGENCY FORMATION COMMISSION (LAFCO)**

WHEREAS, Local Agency Formation Commissions (LAFCO) were established by state legislature in 1963 as regulatory agencies in each California county to ensure the orderly formation and development of local agencies, which is now provided for in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CA Government Code Section 56000 et seq.); and

WHEREAS, among other regulatory powers, LAFCOs are responsible for approving, establishing, expanding, reorganizing and, in limited circumstances, dissolving cities and special districts within their respective counties; and

WHEREAS, LAFCOs are required to be made of two county representatives, two city representatives and one public member; and

WHEREAS, in 1972, state law made it possible for LAFCOs to expand their membership by adding two independent special district representatives, which can be achieved through a process set forth in CA Government Code Section 56332; and

WHEREAS, Alpine County LAFCO currently does not have independent special district representation; and

WHEREAS, since Alpine County LAFCO directly impacts operations, existence and growth of independent special districts within the County, including _____ District (District), it is important for the District and other districts, that special districts gain representation on the Alpine County LAFCO; and

WHEREAS, if special districts gain representation on the Alpine County LAFCO, they will be required to share a negotiated portion (up to one-half) of the total Alpine County LAFCO costs, which averaged about \$2,800 per year over the last two years; and

WHEREAS, the independent special districts in Alpine County held a conference call on July 16, 2019, to begin discussions regarding interest in gaining special district representation on Alpine County LAFCO and negotiation of potential costs; and

WHEREAS, it is in the best interest of the District to support special district representation on Alpine County LAFCO, to collaborate with other independent special districts to complete the process of gaining special district representation, and to negotiate cost share with the County and other special districts; and

NOW, THEREFORE, BE IT RESOLVED, by the District Board of Directors that:

1. The District formally supports independent special districts gaining representation on the Alpine County LAFCO; and
2. The General Manager is authorized to represent the District by continuing discussions with other special districts and the County needed to gain special district representation on Alpine County LAFCO; and
3. The General Manager is authorized to negotiate on behalf of the District to determine special districts' share of LAFCO costs and the District's share of LAFCO costs; and
4. The Board President is authorized to vote on behalf of the District in favor of gaining special district representation on Alpine County LAFCO, should it be determined that the vote may occur by mail-in ballot or in person instead of by formal resolution.

PASSED AND ADOPTED, by the Board of Directors of _____ District
on (DATE) by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Name, Board President

Name, Board Secretary



**California Special
Districts Association**
Districts Stronger Together

SPECIAL DISTRICT REPRESENTATION ON LAFCO



**California Special
Districts Association**
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Since 1972, state law made it possible for Local Agency Formation Commissions (LAFCOs) to expand their memberships by adding two representatives of independent special districts. Today, just over half of all LAFCOs have commissioners representing special districts. LAFCO commissioners are appointed as follows:

- *Two County Supervisors:* Each county's board of supervisors appoints two of its members to serve on LAFCO. The county supervisors also select a third supervisor as an alternate.
- *Two City Councilmembers:* In counties with two or more cities, there is a "city selection committee" composed of the cities' mayors. The city selection committee appoints two elected city officials (city council members or mayors) and one alternate to serve on LAFCO.
- *Two Special District Board Members:* In 30 counties, the LAFCOs also have special district members. An "independent special district selection committee" composed of the presiding officers of each independent district appoints two district board members and one alternate to serve on LAFCO.
- *One Public Member:* The six (or four) appointed LAFCO commissioners choose the seventh (or fifth) commissioner, a public member, and one alternate. Professors, civic activists, and former elected officials often serve as public members on LAFCOs.

Who Generally Pays for LAFCO Operations?

Originally, state law required the county governments to pay for LAFCOs. With the passage of AB 2838 (Hertzberg, 2000), the Legislature required cities and independent special districts to share the counties' fiscal burden. Each sector (county, city, district) typically pays one-third of a LAFCO's budget. Where there is no independent special district representation on the LAFCO, the county and cities split the funding responsibility. Statutory formulas allocate the cities' default share among the cities and the independent special districts' share among the districts based on each agency's annual revenue. However, local officials can negotiate alternative formulas.

State law allows a LAFCO to charge fees to recover its costs of reviewing boundary changes and other actions. Most LAFCOs require the proponents to pay these fees when they apply for the boundary change, regardless of whether the applicants are voters, property owners, or local agencies.

Do Special Districts, Cities, and Counties Always Need to Split Costs Equally?

No. Some LAFCOs have special membership formulas. Three counties, Alpine, Mariposa, and Trinity have no incorporated cities, so their LAFCOs consist of three county supervisors and two public members. The three supervisors appoint the other two commissioners and one alternate.

Some counties, such as Sierra County, have only one incorporated city. Their LAFCOs have two county supervisors, one city council member, and two public members. The three elected officials appoint the two members of the public and one alternate.



For reasons relating to local politics, geography, and population, some LAFCOs have unique membership/funding formulas. For example, in Butte County, special districts collectively pay 10 percent of the LAFCO budget, in Sonoma County they pay 20 percent of the budget, and in San Diego County they pay two-sevenths.

In Santa Clara County, LAFCO splits costs between the cities, county, and special districts evenly. However, the special district portion is divided based upon an alternative formula. Santa Clara Valley Water District pays 50 percent of the special district share and is guaranteed one of the two special district seats on the LAFCO. The remaining districts split the other 50 percent of the special district share based upon budget size and elect the second district representative.

For a detailed breakdown of each LAFCO's representation and funding formulas, please see the attached document.

What are the Benefits of Representation?

LAFCOs impact special district governance and operations whether special districts have representation on LAFCO or not. When determining whether to acquire representation on LAFCO, special districts may consider the following:

- LAFCO is one of the very few regional forums where special districts can sit as equals in decision making with their peers from cities and the county.
- Districts have a direct voice in policy development and decisions governing boundary changes, consolidations, annexations, formations, dissolutions, service extensions, power activation, and other actions of the LAFCO.
- Districts participate in the preparation and approval and Spheres of Influence and Municipal Service Reviews, which are typically conducted on all special districts every five years.
- Districts' perspective and expertise are included in a commission that has oversight over the very existence and growth of special districts.
- Demonstrating that special districts can take responsibility at the local-level and collaborate effectively with their local government peers through LAFCO fortifies the reputation of districts and protects against, forced consolidations and other mandates from the State.

Are There Any Additional Considerations?

The process to be seated on LAFCO is specified in Government Code §§ 56332 and 56332.5.

Formerly, the process to be seated on LAFCO required that independent special districts within the county must initiate the process through a resolution. There was a one-year period for a majority of the independent special districts in the county to adopt the resolution. If a majority of district boards approved the resolution, the LAFCO would have convened an independent special district selection committee to select the two voting commissioners and one alternate.

However, CSDA and CALAFCO co-sponsored legislation, AB 979 (Lackey) of 2017 simplified this bureaucratic process by allowing special districts to simply vote on LAFCO representation using an existing statutory process (Government Code § 56332).

Now, special districts can participate on LAFCO simply by a vote of a quorum of what's called the "independent special districts selection committee". If special districts in a county do not yet have representation on LAFCO, then this committee has likely never convened. It consists of the presiding officer (board president or chair) of each independent special district in the county. If a



special district's presiding officer is unable to participate, the district may appoint an alternate representative from its board.

A vote to determine special district representation on LAFCO is conducted by the LAFCO executive officer at an in-person meeting or by mail-ballot. Such a vote can be called by one of two methods:

1. Upon written request to the LAFCO executive officer by one or more members of the above-referenced independent special districts selection committee representing 10 percent or more of the assessed value of taxable property within the county, as shown on the last equalized county assessment roll; or
2. Upon adoption of a resolution by the LAFCO proposing representation of special districts upon the commission.

Importantly, a vote on LAFCO representation is also an opportunity to appoint the special district representative for the Countywide Redevelopment Agency Oversight Board. The first such appointment must occur prior to July 15, 2018. Should the post remain unfilled by July 15th, the Governor may appoint any individual to that position. (Health and Safety Code § 34179)

Where Should We Start?

If you are interested in learning more about special district representation on LAFCO, you should start by reaching out to the Executive Officer of your county's LAFCO. You can find a roster for all 58 LAFCOs at www.calafco.org. You can also speak with your local CSDA public affairs field coordinator who can connect you with other special district leaders in your county who may be interested in working with you. Find your public affairs field coordinator at www.csda.net.

Local Agency Formation Commissions

**Are you
seated on
LAFCo?**

**LAFCos with
Special District
representation**



Govern with your peers – Claim your seat on LAFCo

**APPORTIONMENT OF LAFCO NET OPERATING EXPENSES BETWEEN GENERAL MEMBERSHIP CLASSES AND
BETWEEN AGENCIES WITHIN EACH MEMBERSHIP CLASS¹**

	County	Cities²	Districts³	Govt. Code §
County, City & Special District Representation [Alameda, Calaveras, Contra Costa, El Dorado, Humboldt, Lake, Mendocino, Nevada, Placer, Riverside, San Luis Obispo, San Mateo, Santa Cruz, Santa Barbara, Shasta, Sutter, Ventura] Except the Following:	33⅓%	33⅓% Individual apportionments in proportion to each city's total revenues	33⅓% Individual apportionments in proportion to each district's total revenues	56381(b)(1)(A)
Butte	45%	45%	10%	56381(b)(4)
Kern	33⅓%	33⅓%	33⅓% Individual apportionments in proportion to operating revenues	56381(b)(1)(C),(E)
Los Angeles	38.462%	Los Angeles: 15.385% All Others: 23.077%	23.077%	56326; 56381; 56381.6
Mono	50%	Mammoth Lakes: 50%	0	56381(b)(4)
Monterey	33⅓%	33⅓%	33⅓% Hospital District: 25% All Others: 75%	56381(b)(1)(C)-(F)
Orange	33⅓%	33⅓% Individual apportionments based on population and area in sq. miles	33⅓% Individual apportionments based on alternative formula	56381(b)(1)(B),(C)
San Diego	2/7	San Diego: 1/7 All Others: 2/7 Individual apportionments in proportion to general revenues	2/7	56328; 56381; 56381.6
Sonoma	40 %	40%	20%	56381(b)(4)
San Bernardino	33⅓%	33⅓%	33⅓% See Note #4	56381(b)(1)(C)-(F)

	County	Cities²	Districts³	Govt. Code §
Sacramento	33⅓%	33⅓% Sacramento: 50% All Others 50%	33⅓% SMUD: 50% All Others: 50% Individual apportionments except SMUD based on five yr. average of total revenues	56326.5; 56381; 56381.6
Santa Clara	33⅓%	San Jose: 16.7% All Others: 16.7%	33⅓% Santa Clara Valley Water District pays	56327; 56381; 56381.6
County & City Representation (No Districts) [Amador, Del Norte, Glenn, Lassen, Madera, Merced, Modoc, Plumas, Stanislaus, Sierra, Yuba] Except the Following:	50%	50% Individual apportionments in proportion to total revenues	-	56381(b)(2)
Colusa	Based on % population of the cities and unincorporated area		-	
Kings	50%	50% Individual apportionments in proportion to population	-	56381(b)(1)(B), (2)
Napa	50%	50% Individual apportionments in proportion to population (60%) and general tax revenues (40%)	-	56381(b)(1)(B), (2)
San Joaquin	50%	50% Individual apportionments in proportion to population	-	56381(b)(1)(B), (2)

	County	Cities²	Districts³	Govt. Code §
Solano	50%	50% Individual apportionments in proportion to general revenues	-	56381(b)(1)(B), (2)
Tulare	Based on % population of the cities and unincorporated area		-	56381(b)(4)
Tuolumne	Apportionments for the County and the (one) city based on the Local Transportation Fund per capita percentage. The City of Sonora currently pays 8.1% and the County pays the balance.		-	56381(b)(4)
Yolo	50%	50% Individual apportionments in proportion to general revenues	-	56381(b)(1)(B), (2)
County & Special District Representation (No Cities) [Trinity]	50%	-	50% Individual apportionments in proportion to total revenues	56381(b)(3)
County Representation Only (No Special Districts or Cities) [Alpine]	100%	-	-	56381(b)(3)
San Francisco	100% County/City		-	56381(b)(4)

- ¹ Table does not include information for the following counties: Fresno, Imperial, Inyo, Marin, Mariposa, San Benito, Siskiyou and Tehama.
- ² Except for the alternative methods (exceptions) noted in the table, the cities' share is apportioned in proportion to each city's total revenues, as reported in the most recent edition of the Cities Annual Report published by the Controller, as a percentage of the combined city revenues within a county pursuant to Section 56381(b)(1)(B) of the Govt. Code.
- ³ Except for the alternative methods (exceptions) noted in the table, the independent special districts' share is apportioned in proportion to each district's total revenues, as reported in the most recent edition of the Special Districts Annual Report published by the Controller, as a percentage of the combined total district revenues within a county pursuant to Section 56381(b)(1)(C) and (E) of the Govt. Code.
- ⁴ San Bernardino County special districts alternative funding formula (Adopted by Special District Vote July 2002; Amended by Special District Vote March 2, 2010):
1. Healthcare (Hospital) Districts shall be limited to payment of \$1,500 regardless of Total Revenue.
 2. Those districts with Total Revenue of more than \$50,000,000 shall pay \$30,000.
 3. Those districts with Total Revenue between \$20,000,000 and \$50,000,000 shall pay \$20,000.
 4. Those districts with Total Revenue between \$5,000,000 and \$20,000,000 shall pay \$10,000.
 5. Those districts with Total Revenue between \$2,000,000 and \$5,000,000 shall contribute an amount not to exceed \$5,000.
 6. Those districts with Total Revenue of less than \$2,000,000 shall be apportioned an amount to be determined by the ratio of each district's Total Revenue as compared to the Total Revenues whose share does not exceed \$5,000

GOVERNMENT CODE – (GOV)

CHAPTER 2. Formation of Commission and Selection of Commissioners [56325 - 56337]

(Chapter 2 added by Stats. 1985, Ch. 541, Sec. 3.)

56325.

There is hereby continued in existence in each county a local agency formation commission. Except as otherwise provided in this chapter, the commission shall consist of members appointed as follows:

(a) Two appointed by the board of supervisors from their own membership. The board of supervisors shall appoint a third supervisor who shall be an alternate member of the commission. The alternate member may serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself or herself from participating in a meeting of the commission.

If the office of a regular county member becomes vacant, the alternate member may serve and vote in place of the former regular county member until the appointment and qualification of a regular county member to fill the vacancy.

(b) Two appointed by the cities in the county, each of whom shall be a mayor or council member, appointed by the city selection committee. The city selection committee shall also appoint one alternate member who shall also be a mayor or council member and shall be appointed and serve pursuant to Section 56335. The city selection committee is encouraged to appoint members to fairly represent the diversity of the cities in the county, with respect to population and geography.

(c) Two presiding officers or members of legislative bodies of independent special districts appointed by the independent special district selection committee pursuant to Section 56332. The independent special district selection committee shall also appoint a presiding officer or member of the legislative body of an independent special district as an alternate member who shall be appointed and serve pursuant to Section 56332. The independent special district selection committee is encouraged to make appointments that fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

(d) One representing the general public appointed by the other members of the commission. The other members of the commission may also appoint one alternate member who shall serve pursuant to Section 56331. Appointment of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the other appointing authorities. Whenever a vacancy occurs in the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted as provided in Section 56158. A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice.

(Amended by Stats. 2015, Ch. 114, Sec. 2. Effective January 1, 2016.)

56325.1.

While serving on the commission, all commission members shall exercise their independent judgment on behalf of the interests of residents, property owners, and the public as a whole in furthering the purposes of this division. Any member appointed on behalf of local governments shall represent the interests of the public as a whole and not solely the interests of the appointing authority. This section does not require the abstention of any member on any matter, nor does it create a right of action in any person.

(Added by Stats. 2000, Ch. 761, Sec. 57. Effective January 1, 2001.)

56326.

In Los Angeles County, the commission shall consist of nine members, appointed as follows:

(a) Two appointed by the board of supervisors from its own membership. The board of supervisors shall also appoint a third supervisor who shall be an alternate member of the commission. The alternate member may serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself or herself from participating in a meeting of the commission.

If the office of the regular county member becomes vacant, the alternate member may serve and vote in place of the former regular county member until the appointment and qualification of a regular county member to fill the vacancy.

(b) One appointed by the board of supervisors, who shall not be a member of the board of supervisors but who shall be a resident of the San Fernando Valley Statistical Area, as defined in subdivision (c) of Section 11093. The board of supervisors shall also appoint an alternate member who shall not be a

member of the board of supervisors but who is a resident of the San Fernando Valley Statistical Area. The alternate member may serve and vote in place of the member appointed pursuant to this subdivision if that member is absent or disqualifies himself or herself from participating in a meeting of the commission.

If the office of the regular member becomes vacant, the alternate member may serve and vote in place of the former regular member until the appointment and qualification of a regular member to fill the vacancy.

(c) Two appointed by the cities in the county, each of whom shall be a mayor or council member, appointed by the city selection committee. The city selection committee shall also appoint one alternate member who shall also be a mayor or council member and shall be appointed and serve pursuant to Section 56335. The city selection committee is encouraged to appoint members to fairly represent the diversity of the cities in the county, with respect to population and geography.

(d) One appointed by the presiding officer of the legislative body of a city in the county having a population in excess of 30 percent of the total population of the county who is a member of the legislative body of the city. The presiding officer of the legislative body shall also appoint an alternate member who is a member of the legislative body. The alternate member may serve and vote in place of the member appointed pursuant to this subdivision if the member is absent or disqualifies himself or herself from participating in a meeting of the commission.

If the office of the regular member becomes vacant, the alternate member may serve and vote in place of the former regular member until the appointment and qualification of a regular member to fill the vacancy.

(e) Two presiding officers or members of legislative bodies of independent special districts appointed by the independent special district selection committee pursuant to Section 56332. The independent special district selection committee shall also appoint one alternate member who shall be a presiding officer or member of the legislative body of an independent special district and shall be appointed and serve pursuant to Section 56332. The independent special district selection committee is encouraged to appoint members to fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

(f) One representing the general public appointed by the other members of the commission. The other members of the commission may also appoint one alternate member who shall serve pursuant to Section 56331.

(Amended by Stats. 2015, Ch. 114, Sec. 3. Effective January 1, 2016.)

56326.5.

In Sacramento County, the commission shall consist of seven members, appointed as follows:

(a) Two appointed by the board of supervisors from their own membership. The board of supervisors shall appoint a third supervisor who shall serve as an alternate member of the commission. The alternate member may serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself or herself from participating in a meeting of the commission. If the office of the regular county member becomes vacant, the alternate member may serve and vote in place of the former regular county member until the appointment and qualification of a regular county member to fill the vacancy.

(b) One appointed by the City of Sacramento who is a member of the city council, appointed by the mayor and confirmed by the city council. The mayor shall also appoint, subject to confirmation by the council, an alternate member who is a member of the city council. The alternate member may serve and vote in place of the regular city member if the city member is absent or disqualifies himself or herself from participating in a meeting of the commission. If the office of the regular city member becomes vacant, the alternate member may serve and vote in place of the former regular city member until the appointment and qualification of a regular city member to fill the vacancy.

(c) One appointed by the cities in the county, who is a mayor or council member appointed by the city selection committee. The city selection committee shall also appoint one alternate member who shall also be a mayor or council member and shall be appointed and serve pursuant to Section 56335. The city selection committee is encouraged to appoint members to fairly represent the diversity of the cities in the county, with respect to population and geography.

(d) Two presiding officers or members of legislative bodies of independent special districts appointed by the independent special district selection committee pursuant to Section 56332. The independent special district selection committee shall also appoint one alternate member who shall be a presiding officer or member of the legislative body of an independent special district and shall be appointed and serve pursuant to Section 56332. The independent special district selection committee is encouraged to appoint

members to fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

(e) One representing the general public, appointed by the other six members of the commission. The commission may also appoint an alternate public member who may serve and vote in the place of the regular public member if the regular public member is absent or disqualifies himself or herself from participating in a meeting of the commission. If the office of the regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.

(Amended by Stats. 2015, Ch. 114, Sec. 4. Effective January 1, 2016.)

56327.

In Santa Clara County, the commission shall consist of five members, appointed as follows:

(a) Two appointed by the board of supervisors from their own membership. The board of supervisors shall appoint a third supervisor who shall serve as an alternate member of the commission. The alternate member may serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself or herself from participating in a meeting of the commission. If the office of the regular county member becomes vacant, the alternate member may serve and vote in place of the former regular county member until the appointment and qualification of a regular county member to fill the vacancy.

(b) One appointed by the city in the county having the largest population, who is a member of the legislative body of the city, appointed by the city council. The city council shall also appoint an alternate member who is a member of the legislative body of the city. The alternate member may serve and vote in place of the regular city member if the city member is absent or disqualifies himself or herself from participating in a meeting of the commission. If the office of the regular city member becomes vacant, the alternate member may serve and vote in place of the former regular city member until the appointment and qualification of a regular city member to fill the vacancy.

(c) One appointed by the cities in the county, who is a mayor or council member appointed by the city selection committee. The city selection committee shall also appoint one alternate member who shall also be a mayor or council member and shall be appointed and serve pursuant to Section 56335. The city selection committee is encouraged to appoint members to fairly represent the diversity of the cities in the county, with respect to population and geography.

(d) One representing the general public, appointed by the other four, or, if the commission is enlarged pursuant to Section 56327.3, the other six, members of the commission. This member shall not be a resident of a city which is already represented on the commission. The commission may also appoint an alternate public member, who shall not be a resident of a city represented on the commission, and who may serve and vote in the place of the regular public member if the regular public member is absent or disqualifies himself or herself from participating in a meeting of the commission. If the office of the regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.

(Amended by Stats. 2015, Ch. 114, Sec. 5. Effective January 1, 2016.)

56327.3.

In Santa Clara County, the commission shall be enlarged by two members if, pursuant to the provisions of Chapter 5 (commencing with Section 56821), the commission orders representation of special districts upon the commission.

(Amended by Stats. 2015, Ch. 114, Sec. 6. Effective January 1, 2016.)

56328.

(a) In San Diego County, the commission, which consists of seven members, augmented pursuant to Section 56332, shall be additionally augmented by the appointment of an eighth member and that member shall, notwithstanding subdivision (b) of Section 56325, be a member of the legislative body of the city in the county having the largest population, appointed by the legislative body of that city.

(b) The legislative body of the city shall appoint an alternate member at the same time and in the same manner as it appoints the regular member appointed pursuant to subdivision (a). If the regular city member is absent from a commission meeting, or disqualifies himself or herself from participating in a meeting, the alternate member may serve and vote in place of the regular city member for that meeting. If the office of the regular city member becomes vacant, the alternate member may serve and vote in place

of the former regular city member until the appointment and qualification of a regular city member to fill the vacancy.

(Amended by Stats. 2000, Ch. 761, Sec. 61. Effective January 1, 2001.)

56328.5.

(a) In Kern County, the commission, which consists of seven members, augmented pursuant to Section 56332, shall be additionally augmented by the appointment of an eighth member and a ninth member.

(b) The eighth member shall, notwithstanding subdivision (b) of Section 56325, be a member of the legislative body of the city in the county having the largest population, appointed by the legislative body of that city.

The legislative body of the city shall appoint an alternate member at the same time and in the same manner as it appoints the eighth regular member. If the regular city member is absent from a commission meeting, or disqualifies himself or herself from participating in a meeting, the alternate member may serve and vote in place of the regular city member for that meeting. If the office of the regular city member becomes vacant, the alternate member may serve and vote in place of the former regular city member until the appointment and qualification of a regular city member to fill the vacancy.

(c) The ninth member shall represent the general public, but shall not be a member of the governing body of any local agency. The ninth member shall be appointed by the four members of the commission appointed by the county supervisors and the independent special district selection committee. Those commission members may also appoint an alternate public member, who is not a member of the governing body of any local agency, who may serve and vote in the place of the regular public member appointed pursuant to this subdivision if that regular public member is absent or disqualifies himself or herself from participating in a meeting of the commission. If the office of the regular public member appointed pursuant to this subdivision becomes vacant, the alternate member may serve and vote in place of that former regular public member until the appointment and qualification of a regular public member pursuant to this subdivision to fill the vacancy.

(Added by Stats. 2005, Ch. 559, Sec. 1. Effective January 1, 2006.)

56329.

If there is no city in the county, the commission shall consist of five members, appointed as follows which may be further augmented pursuant to Sections 56332 and 56332.5:

(a) Three appointed by the board of supervisors from their own membership. The board of supervisors shall appoint a fourth supervisor who is an alternate member of the commission. The alternate member may serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself or herself from participating in a meeting of the commission.

If the office of a regular county member becomes vacant, the alternate member may serve and vote in place of the former regular county member until the appointment and qualification of a regular county member to fill the vacancy.

(b) Two representing the general public appointed by the other three members of the commission.

Appointment of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities.

(Amended by Stats. 2015, Ch. 114, Sec. 7. Effective January 1, 2016.)

56331.

When appointing a public member pursuant to Sections 56325, 56326, 56326.5, 56327, 56328, 56328.5, and 56329, the commission may also appoint one alternate public member who may serve and vote in place of a regular public member who is absent or who disqualifies himself or herself from participating in a meeting of the commission. The public member and the alternate public member shall be residents of the county of the appointing commission.

If the office of a regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.

No person appointed as a public member or alternate public member pursuant to this chapter shall be an officer or employee of the county or any city or district with territory in the county, provided, however, that any officer or employee serving on January 1, 1994, may complete the term for which he or she was appointed.

(Amended by Stats. 2016, Ch. 165, Sec. 3. (AB 2910) Effective January 1, 2017.)

56331.3.

If two or more members are absent or disqualify themselves from participating in a meeting of the commission, any alternate member who is authorized to serve and vote in the place of a member shall only have one vote.

(Added by Stats. 1987, Ch. 1327, Sec. 4.)

56332.

(a) The independent special district selection committee shall consist of the presiding officer of the legislative body of each independent special district. However, if the presiding officer of an independent special district is unable to participate in a meeting or election of the independent special district selection committee, the legislative body of the district may appoint one of its members as an alternate to participate in the selection committee in the presiding officer's place. Those districts shall include districts located wholly within the county and those containing territory within the county representing 50 percent or more of the assessed value of taxable property of the district, as shown on the last equalized county assessment roll. Each member of the committee shall be entitled to one vote for each independent special district of which he or she is the presiding officer or his or her alternate as designated by the governing body. Members representing a majority of the eligible districts shall constitute a quorum.

(b) The executive officer shall call and give written notice of all meetings of the members of the selection committee. A meeting shall be called and held under one of the following circumstances:

(1) Whenever the executive officer anticipates that a vacancy will occur within the next 90 days among the members or alternate member representing independent special districts on the commission.

(2) Whenever a vacancy exists among the members or alternate member representing independent special districts upon the commission.

(3) Upon receipt of a written request by one or more members of the selection committee representing districts having 10 percent or more of the assessed value of taxable property within the county, as shown on the last equalized county assessment roll.

(4) Upon the adoption of a resolution of intention pursuant to Section 56332.5.

(5) Upon receipt of a written request by one or more members of the selection committee notifying the executive officer of the need to appoint a member representing independent special districts on an oversight board pursuant to paragraph (3) of subdivision (j) of Section 34179 of the Health and Safety Code.

(c) The selection committee shall appoint two regular members and one alternate member to the commission. The members so appointed shall be elected or appointed members of the legislative body of an independent special district residing within the county but shall not be members of the legislative body of a city or county. If one of the regular district members is absent from a commission meeting or disqualifies himself or herself from participating in a meeting, the alternate district member may serve and vote in place of the regular district member for that meeting. Service on the commission by a regular district member shall not disqualify, or be cause for disqualification of, the member from acting on proposals affecting the special district on whose legislative body the member serves. The special district selection committee may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on proposals affecting the district on whose legislative body the member serves.

(d) If the office of a regular district member becomes vacant, the alternate member may serve and vote in place of the former regular district member until the appointment and qualification of a regular district member to fill the vacancy.

(e) A majority of the independent special district selection committee may determine to conduct the committee's business by mail, including holding all elections by mailed ballot, pursuant to subdivision (f).

(f) If the independent special district selection committee has determined to conduct the committee's business by mail or if the executive officer determines that a meeting of the special district selection committee is not feasible, the executive officer shall conduct the business of the committee by mail. Elections by mail shall be conducted as provided in this subdivision.

(1) The executive officer shall prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.

(2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. If two or more candidates are nominated, the executive officer shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the executive officer by the date specified in

the voting instructions, which date shall be at least 30 days from the date on which the executive officer mailed the ballot to the eligible district.

(3) The call for nominations, ballots, and voting instructions shall be delivered by certified mail to each eligible district. As an alternative to the delivery by certified mail, the executive officer, with prior concurrence of the presiding officer or his or her alternate as designated by the governing body, may transmit materials by electronic mail.

(4) If the executive officer has transmitted the call for nominations or ballots by electronic mail, the presiding officer, or his or her alternate as designated by the governing body, may respond to the executive officer by electronic mail.

(5) Each returned nomination and ballot shall be signed by the presiding officer or his or her alternate as designated by the governing body of the eligible district.

(6) For an election to be valid, at least a quorum of the special districts must submit valid ballots. The candidate receiving the most votes shall be elected, unless another procedure has been adopted by the selection committee. Any nomination and ballot received by the executive officer after the date specified is invalid, provided, however, that if a quorum of ballots is not received by that date, the executive officer shall extend the date to submit ballots by 60 days and notify all districts of the extension. The executive officer shall announce the results of the election within seven days of the date specified.

(7) For a vote on special district representation to be valid, at least a quorum of the special districts must submit valid ballots. By majority vote of those district representatives voting on the issue, the selection committee shall either accept or deny representation.

(8) All election materials shall be retained by the executive officer for a period of at least six months after the announcement of the election results.

(g) For purposes of this section, "executive officer" means the executive officer or designee as authorized by the commission.

(Amended by Stats. 2017, Ch. 203, Sec. 1. (AB 979) Effective January 1, 2018.)

56332.5.

(a) If the commission does not have representation from independent special districts on or before January 1, 2001, the commission shall initiate proceedings for representation of independent special districts upon the commission if either of the following occur:

(1) Upon receipt of a written request by one or more members of the selection committee representing districts having 10 percent or more of the assessed value of taxable property within the county, as shown on the last equalized county assessment roll.

(2) Upon adoption of a resolution by the commission proposing representation of special districts upon the commission.

(b) The commission, at its next regular meeting, shall adopt a resolution of intention. The resolution of intention shall state whether the proceedings are initiated by the commission or by an independent special district or districts, in which case, the names of those districts shall be set forth. The commission shall order the executive officer to call and give notice of a meeting of the independent special district selection committee to be held within 15 days after the adoption of the resolution in order to determine whether independent special districts shall accept representation on the commission and appoint independent special district representation pursuant to Section 56332.

(Amended by Stats. 2017, Ch. 203, Sec. 2. (AB 979) Effective January 1, 2018.)

56333.

When a commission is enlarged to seven members as provided in Section 56332, the public members appointed pursuant to Sections 56325 and 56329 shall thereafter be appointed by members of the commission representing cities, counties, and special districts. Those appointments shall be made at the times and in the manner provided in Section 56334.

(Amended by Stats. 2001, Ch. 388, Sec. 6. Effective January 1, 2002.)

56334.

The term of office of each member shall be four years and until the appointment and qualification of his or her successor. Upon enlargement of the commission by two members, as provided in Section 56332, the new members first appointed to represent independent special districts shall classify themselves by lot so that the expiration date of the term of office of one new member coincides with the existing member who holds the office represented by the original two-year term on the commission and the term of office of the other new member coincides with the existing member who holds the office represented by the original

four-year term on the commission. The body which originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which the term of the member expires, unless procedures adopted by the commission specify an alternate date to apply uniformly to all members. However, the length of a term of office shall not be extended more than once. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant.

The chairperson of the commission shall be selected by the members of the commission.

Commission members and alternates shall be reimbursed for the actual amount of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office. The commission may authorize payment of a per diem to commission members and alternates for each day while they are in attendance at meetings of the commission.

(Amended by Stats. 2002, Ch. 664, Sec. 121. Effective January 1, 2003.)

56335.

In each county containing two or more cities, regular and alternate city members to the commission shall be appointed by the city selection committee organized in the county pursuant to and in the manner provided in Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1. Regular members of the commission shall be appointed by the city selection committee pursuant to Sections 56325, 56326, and 56327.

The city selection committee shall appoint one alternate member to the commission in the same manner as it appoints a regular member. If one of the regular city members is absent from a commission meeting, or disqualifies himself or herself from participating in a meeting, the alternate member may serve and vote in place of that regular city member for that meeting.

Except in the case of a member appointed pursuant to subdivision (d) of Section 56326 or subdivision (b) of Section 56327, a city selection committee, may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on proposals affecting the city which the member or alternate represents.

If the office of a regular city member becomes vacant, the alternate member may serve and vote in place of the former regular city member until the appointment and qualification of a regular city member to fill the vacancy.

(Amended by Stats. 1986, Ch. 86, Sec. 2.)

56336.

Each commission may adopt regulations with respect to disqualification of members or alternates from participating in the review of a proposal. In the absence, however, of those regulations, Section 56332 or 56335 shall apply. The representation by a member or alternate of a city or district shall not disqualify, or be cause for disqualification of, the member or alternate from acting on a proposal affecting the city or the district, and any regulation providing for the disqualification of a city or district representative for that reason is null and void.

(Amended by Stats. 1986, Ch. 86, Sec. 3.)

56337.

A city, county, or district officer may serve as a member of the commission while holding office as a city, county, or district officer. If a member who is a city, county, or district officer ceases to be an officer of a city, county, or district during his or her term, his or her membership on the commission shall be considered vacant.

(Amended by Stats. 2004, Ch. 355, Sec. 4.5. Effective January 1, 2005.)

Health and Safety Code (HSC)

CHAPTER 4. Oversight Boards [34179 - 34181]

(Chapter 4 added by Stats. 2011, 1st Ex. Sess., Ch. 5, Sec. 7.)

34179.

(a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

- (1) One member appointed by the county board of supervisors.
- (2) One member appointed by the mayor for the city that formed the redevelopment agency.
- (3) (A) One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.
- (B) On or after the effective date of this subparagraph, the county auditor-controller may determine which is the largest special district for purposes of this section.
- (4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.
- (5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.
- (6) One member of the public appointed by the county board of supervisors.
- (7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time. In the case where city or county employees performed administrative duties of the former redevelopment agency, the appointment shall be made from the recognized employee organization representing those employees. If a recognized employee organization does not exist for either the employees of the former redevelopment agency or the city or county employees performing administrative duties of the former redevelopment agency, the appointment shall be made from among the employees of the successor agency. In voting to approve a contract as an enforceable obligation, a member appointed pursuant to this paragraph shall not be deemed to be interested in the contract by virtue of being an employee of the successor agency or community for purposes of Section 1090 of the Government Code.
- (8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.
- (9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.
- (10) If a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, if that appointment is subject to confirmation by the county board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city if that appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.
- (11) Each appointing authority identified in this subdivision may, but is not required to, appoint alternate representatives to serve on the oversight board as may be necessary to attend any meeting of the oversight board in the event that the appointing authority's primary representative is unable to attend any meeting for any reason. If an alternate representative attends any meeting in place of the primary representative, the alternate representative shall have the same participatory and voting rights as all other attending members of the oversight board.
- (b) The Governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.
- (c) The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's and the successor agency's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget. Oversight board members shall serve without compensation or reimbursement for expenses.
- (d) Oversight board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974. All actions taken by the oversight board shall be adopted by resolution.

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h) (1) The department may review an oversight board action taken pursuant to this part. Written notice and information about all actions taken by an oversight board shall be provided to the department as an approved resolution by electronic means and in a manner of the department's choosing. Without abrogating the department's authority to review all matters related to the Recognized Obligation Payment Schedule pursuant to Section 34177, oversight boards are not required to submit the following oversight board actions for department approval:

(A) Meeting minutes and agendas.

(B) Administrative budgets.

(C) Changes in oversight board members, or the selection of an oversight board chair or vice chair.

(D) Transfers of governmental property pursuant to an approved long-range property management plan.

(E) Transfers of property to be retained by the sponsoring entity for future development pursuant to an approved long-range property management plan.

(2) An oversight board action submitted in a manner specified by the department shall become effective five business days after submission, unless the department requests a review of the action. Each oversight board shall designate an official to whom the department may make those requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. Except as otherwise provided in this part, in the event that the department requests a review of a given oversight board action, it shall have 40 days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and the oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for department approval and the modified oversight board action shall not become effective until approved by the department. If the department reviews a Recognized Obligation Payment Schedule, the department may eliminate or modify any item on that schedule prior to its approval. The county auditor-controller shall reflect the actions of the department in determining the amount of property tax revenues to allocate to the successor agency. The department shall provide notice to the successor agency and the county auditor-controller as to the reasons for its actions. To the extent that an oversight board continues to dispute a determination with the department, one or more future Recognized Obligation Payment Schedules may reflect any resolution of that dispute. The department may also agree to an amendment to a Recognized Obligation Payment Schedule to reflect a resolution of a disputed item; however, this shall not affect a past allocation of property tax or create a liability for any affected taxing entity.

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Except as specified in subdivision (q), commencing on and after July 1, 2018, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board, which shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select after consulting with the department. Pursuant to Section 34183, the county auditor-controller may recover directly from the Redevelopment Property Tax Trust Fund, and distribute to the appropriate city or county entity, reimbursement for all costs incurred by it or by the city or county pursuant to this subdivision, which shall include any associated startup costs. However, if only one successor agency exists within the county, the county auditor-controller may designate the successor agency to staff the oversight board. The oversight board is appointed as follows:

(1) One member may be appointed by the county board of supervisors.

(2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.

(3) One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.

(4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public may be appointed by the county board of supervisors.

(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The Governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2018, or any member position that remains vacant for more than 60 days.

(l) Commencing on and after July 1, 2018, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (j).

(m) Any oversight board for a given successor agency, with the exception of countywide oversight boards, shall cease to exist when the successor agency has been formally dissolved pursuant to Section 34187. A county oversight board shall cease to exist when all successor agencies subject to its oversight have been formally dissolved pursuant to Section 34187.

(n) An oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

(o) An oversight board is authorized to contract with the county or other public or private agencies for administrative support.

(p) On matters within the purview of the oversight board, decisions made by the oversight board supersede those made by the successor agency or the staff of the successor agency.

(q) (1) Commencing on and after July 1, 2018, in each county where more than 40 oversight boards were created by operation of the act adding this part, there shall be five oversight boards, which shall each be staffed in the same manner as specified in subdivision (j). The membership of each oversight board shall be as specified in paragraphs (1) through (7), inclusive, of subdivision (j).

(2) The oversight boards shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Except as specified in paragraph (3), each oversight board shall have jurisdiction over each successor agency located within its borders.

(3) If a successor agency has territory located within more than one county board of supervisors' district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date.

(4) The successor agency to the former redevelopment agency created by a county where more than 40 oversight boards were created by operation of the act adding this part, shall be under the jurisdiction of the oversight board with the fewest successor agencies under its jurisdiction.

(Amended by Stats. 2015, Ch. 325, Sec. 11. (SB 107) Effective September 22, 2015.)



COUNTY OF ALPINE Office of the County Clerk

Teola L. Tremayne, County Clerk
Ex Officio Clerk to the Board of Supervisors
Ex Officio Registrar of Voters

June 4, 2019

Bear Valley Water District
P.O. Box 5027
Bear Valley CA 95223

Attn: Jeff Gouveia, General Manager
Judi Silber, Office Manager

Dear Jeff and Judy:

Preparations are currently in progress for the November 5, 2019 election. Several items will need to be acted upon by your district board in conjunction with the required "Notice of Election". Please provide in writing the information outlined below.

1. **NOTICE CALLING THE ELECTION**

The general district election will be held on November 5, 2019. Pursuant to Elections Code §10509, on the 125th day (July 3, 2019) prior to the day fixed for the general district election, the secretary shall deliver a notice to the county elections official. The notice shall bear the secretary's signature and the district seal and shall also contain all of the following:

Please include in the notice, in case of a tie vote, how the method of selecting the winner will be determined, and who is responsible for determining the winner.

A. **Elective offices**

The elective office of this district to be filled at the next general district election, specifying which offices, if any, are for the balance of an unexpired term.

It is the District's responsibility to ensure accurate information is provided to the Registrar's office when a vacancy occurs. According to law, you have 15 days to notify the Registrar's office of the vacancy. If you have a vacancy occur between the date of your resolution and the beginning of the nomination period, you must notify the Registrar within 48 hours of vacancy.

B. **Candidate's statement — number of words**

The district board must determine whether to limit candidate statements of qualifications to 200 words or authorize an extension to 400 words (We recommend 200 words). (Reference: Elections Code §13307(a))

C. **Candidate's statement costs**

The district board must determine whether the individual candidate(s) or the district will pay for the publication of the voluntary candidates' statements included in the Sample Official Ballot Pamphlet. If prepayment is required, a statement to this effect must be included in the notice. The Registrar of Voters office will then direct candidates to prepay the estimated costs at the district office or the County Clerk's office prior to the statement being filed with the nomination documents.

Enclosed is a sample notice, which may be of assistance to you in providing the required information. **The deadline for submission of the notice for the November 5, 2019 Utility District Election is no later than July 3, 2019.** This date is to ensure that the information, for your general board member election, is included in the Candidates Guide that is prepared and distributed by this office.

2. **NOTICE OF DISTRICT ELECTION AND PUBLICATION OF ELECTION NOTICE**

Elections Code §12112 requires that we publish a notice of election providing information on the date of the election, offices for which candidates may file, qualifications required by your principal act, etc. Since we have no newspaper of general circulation in Alpine County, the Attorney General has determined that we may post rather than publish. Your district board has a choice of how they would prefer this required publication:

A. **Combined election notice with other districts**

In an effort to reduce costs to the district(s) while still meeting requirements of code, we propose to post one election notice, combining information on all special districts scheduled for election on November 5, 2019.

OR

B. **Individual district notice**

If your district board prefers an individual election notice, I will prepare an individual notice and only post it within your district.

Please complete the attached two forms ("Notice of Election" and "Publication of Notice of Election"). They are to be submitted with the election resolution.

3. **REIMBURSEMENT OF COSTS**

The Board of Supervisors adopted a Resolution establishing a schedule of fees and charges for the administration of elections by Alpine County Elections.

A bill will be submitted to your district after the November 5, 2019 election.

4. **CERTIFICATION OF MAPS AND BOUNDARIES**

Elections Code §10522 requires that at least 125 days before the election a current map and boundary description be delivered to the Registrar of Voters. For the November 5, 2019 Election, **our administrative deadline is July 3, 2019**. If, however, there have been no boundary changes since your last election, you may certify the map and boundary description, which we have on file, as being current. You can do so, by enclosing a signed letter stating this information, or stating that there has been no boundary changes in your resolution submitted to our department.

5. **OTHER**

- A. **If your district is contemplating placing a measure in the November 5, 2019 Election, please coordinate this with our office at the earliest date possible. The administrative deadline for a district measure to be consolidated with the November election is August 14, 2019.** If this deadline cannot be met, contact this office immediately. It is important for your district and our office to coordinate the details of what and how items need to be submitted to us.
- B. If any resolutions necessitate special requirements that the Elections' Office needs to fulfill, such requirements need to be listed in the resolution.

6. **RETURN TO VOTER REGISTRATION AND ELECTIONS**

- ▶ Notice of Election
- ▶ Posting of Notice of Election form
- ▶ Certification of maps and boundaries

The nomination period for the November 5, 2019 election is July 15, 2019 through August 9, 2019. A "Candidate Guide" for the election is being prepared and will be provided to all candidates at the time they obtain their nomination papers.

If you have any questions regarding the election, or require additional information or clarification of the above, please call me at (530) 694-2281.

Very truly yours,

/s/ Teola L. Tremayne

Teola L. Tremayne
County Clerk / Elections Official
Enclosures

NOTICE OF DISTRICT ELECTION

DISTRICT

Notice is hereby given that a General District Election will be held November 5, 2019 in this district. The offices for which candidates may declare their candidacy are (list title of office and number of positions):

Qualifications: Each candidate must meet the following qualifications for office as specified in the principal act or code under which this district is organized:

Candidate's Statement – Number of words: **(check one)**

- ☐ 200 word limit
☐ 400 word limit

Candidate Statement - Costs

- ☐ Candidate pre-pays at the district office or the County Clerk's office
☐ District pays for the candidate statement

for the publication of the candidate's statement, pursuant to Elections Code §13307.

Reimbursement of Costs: Bear Valley Water District agrees to reimburse the Alpine County Clerk for actual costs accrued, such costs to be calculated by the method set forth in the County's current Election Cost Allocation Procedures.

In case of a tie vote, how the method of selecting the winner will be determined, and who is responsible for determining the winner.

Code Reference:

Official declarations of candidacy for eligible candidates desiring to file for any of the elective offices may be obtained from the office of the County Clerk at 99 Water Street, Markleeville CA or the Bear Valley Water District at 441 Creekside Drive, Bear Valley CA, on and after July 15, 2019, and must be filed not later than 5:00 p.m. on August 9, 2019. However, if a declaration of candidacy for an incumbent is not filed by the latter date and hour, any person other than the incumbent shall have until 5:00 p.m. on August 14, 2019, to file a declaration of candidacy for such office.

Appointment to each elective office will be made by the supervising authority as prescribed by Elections Code §10515 in the event there are no candidates or an insufficient number of candidates for such office and a petition for an election is not filed within the time prescribed by Elections Code §10515; that is, by 5:00 p.m. on August 14, 2019.

Dated this _____ day of _____, 2019.

(District Seal)

District Secretary

PUBLICATION OF NOTICE OF ELECTION

Elections Code §12112 requires the publication of a "Notice of Election." The notice shall contain the date of the general district election, name the offices for which candidates may file, and state the qualifications required by the principal act for each office, as well as other pertinent information. Since Alpine County has no newspaper of local circulation, the Attorney General has determined that the notice may be posted.

Bear Valley Water District

Recommends that the Registrar of Voters publish (check one only):

☐ A combined election notice with other districts

or

☐ A separate/individual district notice.

Dated:

District Secretary

NOTICE OF ELECTIVE OFFICES TO BE FILLED AND TRANSMITTAL OF MAP AND BOUNDARIES

(Residential and Landowner Voting Districts)

(Elections Code Sections 10509, 10522, 10524)

Bear Valley Water District

(Name of District)

To the County Clerk / Registrar of Voters:

County of Alpine

PO Box 158

Markleeville, CA 96120

(1) Notice is hereby given that at the next general district election, to be held in the above district on November 5, 2019, the elective offices listed below are to be filled, and the following measure(s) are to be voted upon:

OFFICE

ELECTED

NUMBER TO BE

At Large

By Division

ELECTED

Director

x

2

(2) A map showing the boundaries of the district and the boundaries of the divisions of the district, if applicable, is attached hereto.

(3) That if any candidate elects to file a statement of qualifications, pursuant to Elections Code §13307, the expense of publication is to be paid by the _____.
(candidate or district)

DATED: _____

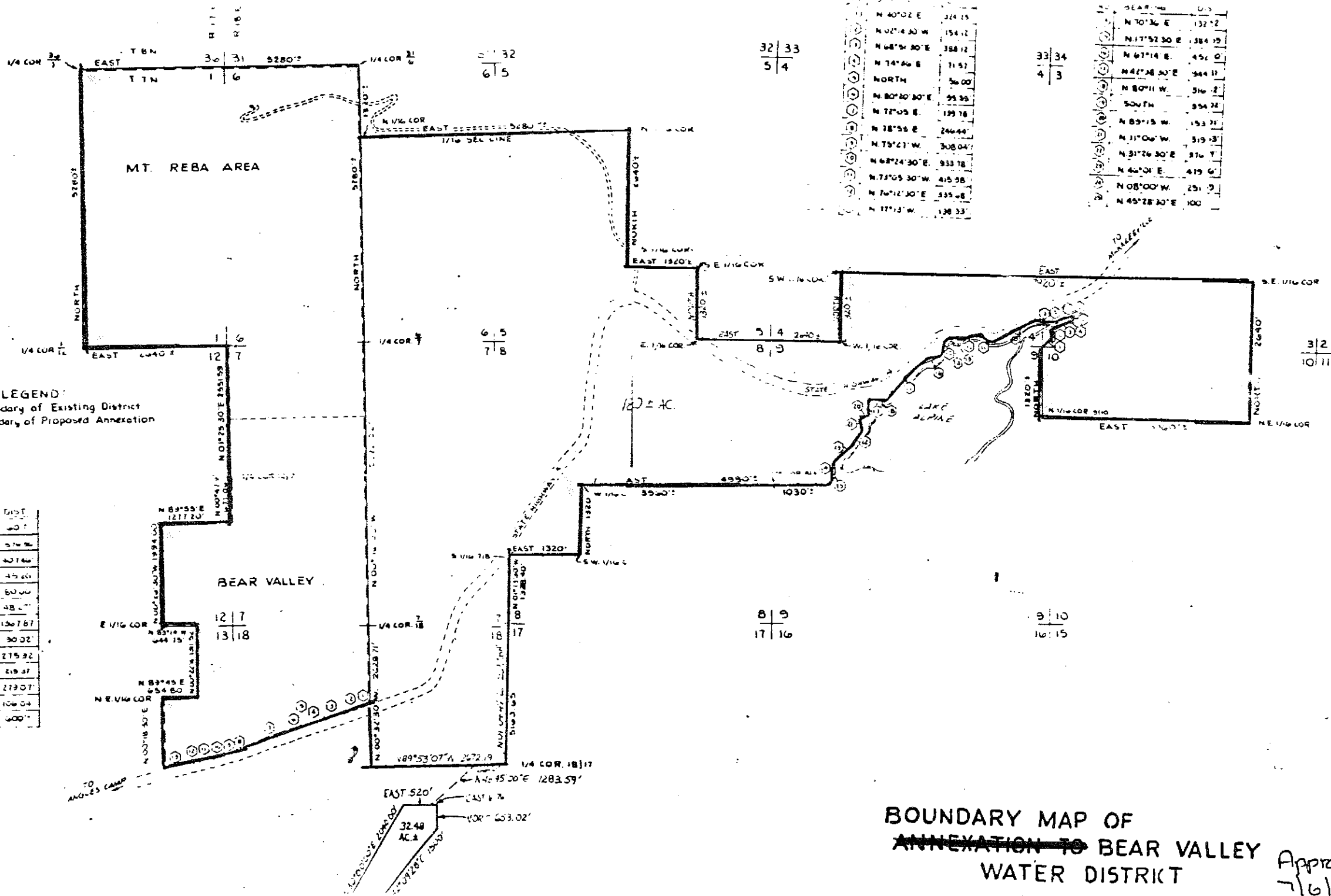
(Signature of Secretary)

(District Seal)

By the 125th day prior to the general district election the secretary shall deliver this notice bearing his/her signature and the district seal to the county elections official. (Elections Code §10509)

At least 125 days prior to the general district election the secretary shall deliver to the elections official of each affected county a map showing district boundaries and boundaries of divisions within the district, if applicable. (Elections Code §10522)

SCALE 1"=100'



BOUNDARY MAP OF ANNEXATION TO BEAR VALLEY WATER DISTRICT

Approved
7/6/78



COUNTY OF ALPINE Office of the County Clerk

Teola L. Tremayne, County Clerk
Ex Officio Clerk to the Board of Supervisors
Ex Officio Registrar of Voters

SPECIAL DISTRICTS ELECTION CALENDAR

TUESDAY, NOVEMBER 5, 2019

July 3, 2019
(E-125)

DELIVERY OF NOTICE OF ELECTIVE OFFICES TO BE FILLED AND BOUNDARY MAPS.

The district secretary delivers to the county elections official notice that specifies the offices to be filled and indicates whether the district or the candidate is to pay for candidate's statements. The notice must bear the secretary's signature and the district seal. (EC 10509)

District secretary delivers to the county elections official of each affected county a map showing the boundaries of the district and boundaries of divisions within the district, if applicable, and must indicate in which divisions a director is to be elected at large. (EC 10522)

**July 8, 2019 to
August 7, 2019**
(E-120 to E-90)

PUBLICATION OF NOTICE OF ELECTION. First and last day for one-time publication of the Notice of Election. If there is no newspaper of general circulation in the district, the elections official of the principal county will publish in the nearest newspaper having general circulation. (EC 12112)

(Please note that the Attorney General of California has given an opinion that Alpine County may post rather than publish since we have no newspaper of general circulation in the County.)

**July 15, 2019 to
August 9, 2019**
(E-113 to E-88)

**DECLARATION OF CANDIDACY, FILING TIME. NOMINATION
PERIOD.** Dates candidates obtain and file their Declarations of Candidacy for special district boards. (EC 10510)

Declarations of Candidacy will be issued by the county elections official or the district secretary, and must be received in the election official's office by 5:00 p.m. on August 9, 2019. (EC 10510)

Candidates who wish to have a Candidate's Statement of Qualifications included in the voter's pamphlet must file candidate's statements at the time they file the declaration of candidacy. (EC 13307)

No candidate shall withdraw his or her declaration of candidacy after 5:00 p.m. on the 88th day prior to the general district election. (EC 10510)

- August 14, 2019**
(E-83) **EXTENSION OF NOMINATION PERIOD.** If an incumbent officer of a special district does not file a declaration of candidacy by 5:00 p.m. on August 11th, any person, other than the incumbent, may file a declaration of candidacy by 5:00 p.m. on August 14, 2019. This provision does not apply if there is no incumbent eligible to be elected. (EC 10516)
- August 14, 2019**
(E-83) **INSUFFICIENT CANDIDATES. APPOINTMENT OF CANDIDATES.** If by 5:00 p.m. on this day: (1) only one person has filed a declaration of candidacy for any elective office to be filled, (2) no one has filed a declaration of candidacy, (3) or an insufficient number of persons has filed to fill the offices; and if a petition signed by 10% of voters has not been submitted requesting that the district election be held, the election official shall certify this fact to the board of supervisors, and a person who has filed a declaration of candidacy shall be appointed at a regular or special meeting held prior to the first Monday before the first Friday in December. If no one filed, another qualified person shall be appointed and shall take office and serve as if elected. (EC 10515)
- August 15, 2019**
(E-82) **RANDOMIZED ALPHABET DRAWING.** The Registrar of Voters conducts the randomized alphabet drawing at 11:00 a.m. to determine the order in which candidates' names appear on the ballot. (EC 13112(b)(C))
- October 21, 2019**
(E-15) **CLOSE OF VOTER REGISTRATION.** Last day to register or transfer registration for this election. (EC 2107)
- October 7, 2019 to**
October 26, 2019
(E-29 to E-10) **MAILING BALLOTS AND SAMPLE BALLOT PAMPHLETS.** The combined sample ballot pamphlet and mail ballots shall be mailed between these dates. (EC 4002, 4101, 13300)
- November 5, 2019** **ELECTION DAY.** Ballots must be received by 8:00 p.m. by the elections official.
- November 29, 2019** **DECLARATION OF ELECTED CANDIDATES.** Deadline for the county elections official to declare the elected candidates. (EC 10551)
- December 6, 2019** **ASSUMING OFFICE.** Officers declared elected or appointed take office this date at noon after having taken any oath or posted any bond required by the principal act. (EC 10505, 10554)

**COUNTY OF ALPINE
BEAR VALLEY WATER DISTRICT**

**ROSTER
2019**

Legal Name of Public Agency: Bear Valley Water District
PO Box 5027
Bear Valley, CA 95223
209-753-2112

General Manager:	Jeffrey Gouveia
Office Manager:	Judy Silber
Board President:	James Bissell
Board Vice President	Stefaniya Becking
Treasurer	John Boyle
Secretary:	Ken Brown

BOARD OF DIRECTORS:

TERM OF OFFICE:

Ken Brown
4656 Winding River Cir
Stockton CA 95219
209-969-3406

12-04-2015 to 12-06-2019
Appointed 6-23-2014

John Boyle
541 Fanita Way
Menlo Park CA 94025
650-323-5438

12-01-2017 to 12-03-2021
Appointed 12-3-2013

Stefaniya Becking
PO Box 400
Los Gatos, CA 95031
650-804-6155

12-01-2017 to 12-02-2021
Appointed 11-5-2013

Gunnar Thordarson
P.O. Box 7739
Incline Village, NV 89450
209-753-2410

12-04-2015 to 12-06-2019
Elected 11-8-2011

James D. Bissell
17480 Madison Ave.
Castro Valley, CA 94546
510-886-1598

12-01-2017 to 12-03-2021
Elected 11-3-2009
Appointed 11-5-2013

Bear Valley Water District

Performance vs. Budget

June 2018 vs. June 2019

	Prior Year July 1 - June 30	FY 17-18 Budget	FY 17-18 % Budget	Current Year July 1 - June 30	FY 18-19 Budget	FY 18-19% Budget	Variance Explanation
REVENUES							
Residential	582,196	589,000	99%	589,935	586,000	101%	
Commercial	204,119	190,000	107%	198,719	176,000	113%	
Subtotal Operating Revenue	786,315	779,000	101%	788,654	762,000	103%	Revenue Target - 100%
EXPENSES							
Salaries & Benefits	309,857	325,776	95%	324,589	347,108	94%	
Director Expenses	2,363	3,000	79%	1,678	3,000	56%	
Operator Training & Certs	490	1,500	33%	756	1,500	50%	
Gas, Diesel, Oil & Filters	3,282	3,000	109%	2,766	3,000	92%	On Target
Insurance	26,613	22,500	118%	22,574	23,000	98%	
Memberships & Conferences	5,968	5,500	109%	7,078	8,000	88%	On Target
Office Expenses & Supplies	13,971	10,000	140%	9,337	10,000	93%	
Field Expenses & Supplies	23,682	18,000	132%	20,074	15,000	134%	Bio-Aug, Disinfect, Dechlor
Grooming, Snow Removal & Vehicle Storage	2,682	3,500	77%	3,003	3,500	86%	
Engineering & Consulting	6,759	5,000	135%	5,314	5,000	106%	Permit Mod / Diff Upgrade Proj
Legal & Accounting	14,545	10,000	145%	16,224	10,000	162%	Audit, Pub Cont, Procur Policy
Equipment Rental	558	600	93%	429	600	72%	
Repairs & Maintenance	80,116	78,214	102%	48,178	60,000	80%	
Laboratory Fees	21,477	25,000	86%	14,702	18,000	82%	
Regulatory Reporting & Comp. Projects	6,271	6,500	96%	6,305	6,500	97%	
Taxes, Fees, Licenses & Assessments	30,173	30,000	101%	34,325	33,000	104%	Inc Permit & Dam Fees
Utilities	50,328	55,000	92%	59,778	55,000	109%	Inc Elec for Treatment
Subtotal Operating Expenses	599,133	603,090	99%	577,111	602,208	96%	Expense Target - 100%
Net Operational Income	187,182	175,910	106%	211,544	159,792	132%	
OTHER REVENUE							
Interest Income - LAIF	4,318	2,000	216%	7,448	4,000	186%	
Late Fee, Penalties and Interest	9,158	10,000	92%	9,054	0	UBD	
Expense Reimbursements - USFS Campground	3,863	3,863	100%	2,870	2,870	100%	
Expense Reimbursements - Concessionnaire	5,290	5,290	100%	4,608	4,608	100%	
Misc Other Income	190	0	UBD	408	0	UBD	
Subtotal Other Revenue	22,818	21,153	108%	24,389	11,478	212%	
OTHER EXPENSES							
Loan Interest	18,703	18,809	99%	17,199	17,203	100%	
Depreciation	101,629	114,223	89%	111,803	103,451	108%	
Misc Expense	-576	UBD	UBD	10	0	UBD	
Subtotal Other Expenses	119,756	133,032	90%	129,012	120,654	107%	
Net Other Income	(96,938)	(115,156)	84%	(104,623)	(109,176)	96%	
NET INCOME	90,244	60,754	149%	106,921	50,616	211%	
NON CASH EXPENDITURES (included in net income)							
Depreciation	101,629	114,223	89%	111,803	103,451	108%	
Subtotal Non-Cash Expenses	101,629	114,223	89%	111,803	103,451	108%	
CASH EXPENDITURES (Not Included in net income)							
Capital Improvements / Replacements	(124,220)	(117,500)	106%	(115,728)	(92,500)	125%	BG Lift Station Upgrade
Loan Payments - Principal	(37,635)	(37,629)	100%	(39,138)	(39,134)	100%	
Subtotal Addl Cash Expenses	(161,855)	(155,129)	104%	(154,866)	(131,634)	118%	
NET CASH FLOW	30,019	19,848	151%	63,857	22,433	-33%	

BVWD
Balance Sheet Prev Year Comparison
As of June 30, 2019

	<u>Jun 30, 19</u>	<u>Jun 30, 18</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Checking/Savings				
11015 · F&M Bank	432,317.46	364,715.05	67,602.41	18.54%
11018 · LAIF	311,394.63	303,989.99	7,404.64	2.44%
11020 · Petty Cash	50.00	50.00		
11025 · Capital Facilities Fund	21,656.00	21,656.00		
Total Checking/Savings	765,418.09	690,411.04	75,007.05	10.86%
Accounts Receivable				
11050 · Accounts Receivable	-24,393.71	-15,372.91	-9,020.80	-58.68%
Total Accounts Receivable	-24,393.71	-15,372.91	-9,020.80	-58.68%
Other Current Assets				
11055 · Accounts Receivable-Tax Roll	9,608.41	18,317.28	-8,708.87	-47.55%
11140 · Prepaid Insurance	12,603.00	11,949.75	653.25	5.47%
11170 · Prepaid Dam Fees	11,724.00	9,771.00	1,953.00	19.99%
Total Other Current Assets	33,935.41	40,038.03	-6,102.62	-15.24%
Total Current Assets	774,959.79	715,076.16	59,883.63	8.37%
Fixed Assets				
12010 · Land	25,805.16	25,805.16		
12020 · SbSrfLine	1,196,893.29	1,196,893.29		
12040 · Col Facilities	425,176.65	425,176.65		
12041 · LA Facilities	166,428.79	166,428.79		
12050 · TRT Facilities	1,127,133.14	1,127,133.14		
12060 · DSP Facilities	1,244,788.01	1,244,788.01		
12080 · P & A (Plant & Admin)Facilities	482,118.91	482,118.91		
12100 · Accumulated Depreciation	-2,673,692.00	-2,561,889.00	-111,803.00	-4.36%
14030 · Work in Progress				
16540 · Bee Gulch Lift Station Upgrade	60,407.85		60,407.85	100.0%
16550 · Inundation Mapping Project	15,691.20		15,691.20	100.0%
16560 · Treatment Pond Improvement Proj	47,363.91		47,363.91	100.0%
Total 14030 · Work in Progress	123,462.96		123,462.96	100.0%
Total Fixed Assets	2,118,114.91	2,106,454.95	11,659.96	0.55%
TOTAL ASSETS	<u>2,893,074.70</u>	<u>2,821,531.11</u>	<u>71,543.59</u>	<u>2.54%</u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
21021 · Accounts Payable	9,306.27	4,188.26	5,118.01	122.2%
Total Accounts Payable	9,306.27	4,188.26	5,118.01	122.2%
Other Current Liabilities				
21090 · Payroll Liabilities	7,782.33	8,957.94	-1,175.61	-13.12%
2110 · Direct Deposit Liabilities	-8.18	-8.18		
22021 · Accrued Vacation	7,489.19	7,671.06	-181.87	-2.37%
Total Other Current Liabilities	15,263.34	16,620.82	-1,357.48	-8.17%
Total Current Liabilities	24,569.61	20,809.08	3,760.53	18.07%

BVWD
Balance Sheet Prev Year Comparison
As of June 30, 2019

	Jun 30, 19	Jun 30, 18	\$ Change	% Change
Long Term Liabilities				
26025 · F&M Bank Loan	416,443.40	455,581.79	-39,138.39	-8.59%
Total Long Term Liabilities	416,443.40	455,581.79	-39,138.39	-8.59%
Total Liabilities	441,013.01	476,390.87	-35,377.86	-7.43%
Equity				
29000 · Retained Earnings	1,748,484.24	1,658,240.13	90,244.11	5.44%
29100 · O & M Emergency Reserve Fund	150,000.00	150,000.00		
29200 · CIP Reserve Fund	425,000.00	425,000.00		
29300 · Capacity Fee Reserve Fund	21,656.00	21,656.00		
Net Income	106,921.45	90,244.11	16,677.34	18.48%
Total Equity	2,452,061.69	2,345,140.24	106,921.45	4.56%
TOTAL LIABILITIES & EQUITY	2,893,074.70	2,821,531.11	71,543.59	2.54%

BVWD
A/P Aging Summary
As of April 30, 2019

Prepays April 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
A.T.&T.	90.12					90.12	Telephone for Lake Alpine Boat Ramp & Eq. Hse
A.T.&T.	148.45					148.45	Telephone for Main Office
A.T.&T.	45					45	U-Verse for Main Office
Card Services	1121.37					1121.37	Office, Field Supplies. Board Meeting.
E.D.D.	322.33					322.33	State Payroll Taxes
E.D.D.	84.99					84.99	State Payroll Taxes
E.D.D.	81.68					81.68	State Payroll Taxes
E.D.D.	353.02					353.02	State Payroll Taxes
F&M Bank	4694.8					4694.8	Principal and Interest on Loan
I.R.S.	2168.04					2168.04	Federal Payroll Taxes
I.R.S.	7.71					7.71	Federal Payroll Taxes
I.R.S.	2121.6					2121.6	Federal Payroll Taxes
Lake Alpine Water Company	219.19					219.19	Water for Main Office
P.G.&E.	2638.04					2638.04	Electricity for April
SDRMA	1799.28					1799.28	Employee Health Insurance
SDRMA	656.32					656.32	Employee Dental, Vision, LTD, Life Insurance
Vantagepoint Transfer	840.78					840.78	Retirement for Empolyees
Vantagepoint Transfer	237.38					237.38	Retirement for Empolyees
Vantagepoint Transfer	238.26					238.26	Retirement for Empolyees
Vantagepoint Transfer	841.66					841.66	Retirement for Empolyees
TOTAL	18710.02					18710.02	

Account Payable April 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Alpha Analytical Laboratories Inc.		799.00				799.00	Laboratory Analysis
Arnold Auto Supply Inc.		52.45				52.45	Auto Parts
Bear Valley Snowmobile Inc.					-213.24	-213.24	J/E Adjustment
Borges & Mahoney Co.		1,350.46				1,350.46	Repair & Maintenance
EBBETTS PASS GAS CO. Inc.	644.33	1,230.77				1,875.10	Propane
Ebbetts Pass Lumber Co. Inc.		99.73				99.73	Field Supplies
Guy West		63.80				63.80	Employee Reimbursement
Hach		1,401.45				1,401.45	Field Supplies

BVWD
A/P Aging Summary
As of April 30, 2019

Account Payable April 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
ICMA Retirement Corporation		51.01				51.01	Administrative Fees for the 1st Quarter 2019
Ken Grady Company, Inc.		149.82				149.82	Field Supplies
Lake Alpine Water					-0.04	-0.04	Bank Adjustment
Mead & Hunt		3,922.80				3,922.80	Dam Inundation Mapping
Neumiller and Beardslee		315.00				315.00	Legal Fees
Weber Ghio and Associates, Inc		2,034.28				2,034.28	Engineering Fees
TOTAL	644.33	11,470.57			-213.28	11,901.62	

BVWD
A/P Aging Summary
As of May 31, 2019

Prepays May 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
A.T.&T.	45.00					45.00	U-Verse Main Office
A.T.&T.	143.40					143.40	Telephone Main Office
A.T.&T.	90.13					90.13	Telephone Lake Alpine Boat Ramp & Eq. Hse.
E.D.D.	86.31					86.31	State Payroll Taxes
E.D.D.	246.25					246.25	State Payroll Taxes
E.D.D.	97.56					97.56	State Payroll Taxes
E.D.D.	339.38					339.38	State Payroll Taxes
E.D.D.	386.82					386.82	State Payroll Taxes
E.D.D.	115.66					115.66	State Payroll Taxes
F&M Bank of Lodi	4,694.80					4,694.80	Principal and Interest on Loan
I.R.S.	2,247.16					2,247.16	Federal Payroll Taxes
I.R.S.	2,477.32					2,477.32	Federal Payroll Taxes
I.R.S.	2,818.18					2,818.18	Federal Payroll Taxes
Lake Alpine Water Company	0.00					0.00	No Charge in May
P.G.&E.	3,514.67					3,514.67	Electricity for May
P.G.&E.	3,660.42					3,660.42	Electricity for June
SDRMA	1,799.28					1,799.28	Employee Health Benefits
SDRMA	656.32					656.32	Employee Dental, Vision, LTD, & Life Insurance
Vantage Point Transfer	252.09					252.09	Employee Retirement
Vantage Point Transfer	900.96					900.96	Employee Retirement
Vantage Point Transfer	282.91					282.91	Employee Retirement
Vantage Point Transfer	1,036.88					1,036.88	Employee Retirement
Vantage Point Transfer	310.68					310.68	Employee Retirement
Vantage Point Transfer	1,079.04					1,079.04	Employee Retirement
The Zenith	1,200.00					1,200.00	Workers Compensation Insurance
TOTAL	28,481.22					28,481.22	

Accounts Payable May 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Alpha Analytical Laboratories Inc.	1,799.00					1,799.00	Laboratory Analysis
Alpine County Public Works		354.64				354.64	Fuel
Aqua Sierra Controls, Inc.		4,384.68				4,384.68	Scada Loaner

BVWD
A/P Aging Summary
As of May 31, 2019

Accounts Payable May 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Balance Hydrologics, Inc		2,326.78				2,326.78	Creek Water Flow Measurement
Bear Valley Snowmobile Inc.					-213.24	-213.24	Voided Check
Card Services		2,618.81				2,618.81	Office, Field Supplies, Board Meeting
Dept. of Water Resources		-11,724.00				-11,724.00	Prepaid Dam Fees
Ebbetts Pass Lumber Co. Inc.		57.31				57.31	Field Supplies
Encode		300.00				300.00	Database Hosting 1 Year
Gravison Inc. - Pioneer Electric		1,044.64				1,044.64	Repair and Maintenance - Chickaree Station
Gunnar Thordarson		100.00				100.00	Director's Fees Regular Meeting May 20th
Guy West		7.78				7.78	Employee Reimbursement
Hach		516.53				516.53	Laboratory Supplies
Jeff Gouveia		125.28				125.28	Employee Reimbursement
Jim Bissell		200.00				200.00	Director's Fees Regular Meeting May 20th
John Boyle		100.00				100.00	Director's Fees Regular Meeting May 20th
Ken Brown		100.00				100.00	Director's Fees Regular Meeting May 20th
Ken Grady Company, Inc.		111.73				111.73	Repair and Maintenance
Lake Alpine Water					-0.04	-0.04	Bank Adj.
Neumiller and Beardslee		1,192.50				1,192.50	Legal Fees
Steve Mikesell	210.00					210.00	Employee Reimbursement
Thatcher Company of California		783.16				783.16	Sodium Bisulfite
The Zenith							Included with April
Weber Ghio and Associates, Inc		599.13				599.13	Engineering Fees for May
TOTAL	2,009.00	3,198.97			-213.28	4,994.69	

BVWD
A/P Aging Summary
As of June 30, 2019

Prepays June 2019	Current		1 - 30	31 - 60	61 - 90	> 90		TOTAL	Description
A.T.&T.	45.00							45.00	U-Verse Main Office
A.T.&T.	90.13							90.13	Telephone Lake Alpine Boat & Eq. Hse
A.T.&T.	143.40							143.40	Telephone Main Office
Card Services	2,618.81							2,618.81	Office, Field Supplies
E.D.D.	119.36							119.36	State Payroll Taxes
E.D.D.	573.71							573.71	State Payroll Taxes
E.D.D.	8.70							8.70	State Payroll Taxes
E.D.D.	53.94							53.94	State Payroll Taxes
E.D.D.	122.99							122.99	State Payroll Taxes
E.D.D.	588.58							588.58	State Payroll Taxes
F&M Bank of Lodi	4,694.80							4,694.80	Principal and Interest on Loan
I.R.S.	3,119.90							3,119.90	Federal Payroll Taxes
I.R.S.	133.10							133.10	Federal Payroll Taxes
I.R.S.	3,167.30							3,167.30	Federal Payroll Taxes
Lake Alpine Water Company	508.56							508.56	Water for May & June Main Office
P.G.&E.								0.00	Electricity (See May)
SDRMA	1,799.28							1,799.28	Employee Health Benefits
SDRMA	656.32							656.32	Employee Dental, Vision, LTD, Life Ins.
Vantagepoint Transfer	351.26							351.26	Employee Retirement
Vantagepoint Transfer	1,180.16							1,180.16	Employee Retirement
Vantagepoint Transfer	349.10							349.10	Employee Retirement
Vantagepoint Transfer	1,197.37							1,197.37	Employee Retirement
The Zenith	799.00							799.00	Workers Compensation Insurance
TOTAL	22,320.77							22,320.77	

Accounts Payables June 2019	Current		1 - 30	31 - 60	61 - 90	> 90		TOTAL	Description
Alpha Analytical Laboratories Inc.	1,634.00							1,634.00	Laboratory Analysis
Alpine County Public Works			367.88					367.88	Fuel
Arnold Auto Supply Inc.			19.27					19.27	Auto Parts
Bear Valley Snowmobile Inc.						-213.24		-213.24	Voided Check
EBBETTS PASS GAS CO. Inc.			707.27					707.27	Propane

BVWD
A/P Aging Summary
As of June 30, 2019

Accounts Payables June 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Ebbetts Pass Lumber Co. Inc.		71.70				71.70	Field Supplies
Jeff Gouveia		93.96				93.96	Employee Reimburement
Lake Alpine Water					-0.04	-0.04	Bank Adj.
Neumiller and Beardslee		1,055.00				1,055.00	Legal Fees
P.G.&E.		3,781.86				3,781.86	Electricity
Pacific EcoRisk		644.20				644.20	Field Supplies
Thatcher Company of California		694.41				694.41	Chlorine
The Zenith							No Charge
Weber Ghio and Associates, Inc		450.00				450.00	Engineering Fees
TOTAL	1,634.00	7,885.55			-213.28	9,306.27	

BVWD
A/R Aging Summary
As of June 30, 2019

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
BV345			27.11	271.11	267.87	566.09
CS001			27.11	271.11	292.47	590.69
BV335			27.11	271.11	298.22	596.44
BV137			27.11	271.11	301.23	599.45
TM018			54.22	271.11	298.22	623.55
BV034			27.11	271.11	325.33	623.55
TM020			27.11	271.11	352.44	650.66
BV082				271.11	438.33	709.44
BV338				271.11	867.55	1,138.66
CS057	108.08		27.11	271.11	1,031.41	1,437.71
BV373	271.39		27.11	271.11	1,114.93	1,684.54
TM009	327.07		27.11	271.11	1,158.20	1,783.49
CS006	406.54		27.11	271.11	1,219.88	1,924.64
TOTAL	<u>1,113.08</u>	<u>3,950.04</u>	<u>-74.05</u>	<u>27,553.75</u>	<u>-56,936.53</u>	<u>-24,393.71</u>
TOTAL CREDITS	0.00	-965.51	-1,910.55	-1,418.60	-66,485.89	-70,780.55
TOTAL DEBITS	1,113.08	4915.55	1836.5	28972.35	9,549.36	46,386.84
TOTAL	<u>1,113.08</u>	<u>3,950.04</u>	<u>-74.05</u>	<u>27,553.75</u>	<u>-56,936.53</u>	<u>-24,393.71</u>

BVWD
A/R Aging Summary
As of June 30, 2018

TOTAL	<u>-9,181.32</u>	<u>962.49</u>	<u>-3,118.84</u>	<u>27,044.67</u>	<u>-31,079.94</u>	<u>-15,372.94</u>
TOTAL CREDITS	-9,321.77	-419.15	-3,118.84	-95.81	-45,432.03	-58,387.60
TOTAL DEBITS	140.45	1,381.64	0.00	27,140.48	14,352.12	43,014.69
TOTAL	<u>-9,181.32</u>	<u>962.49</u>	<u>-3,118.84</u>	<u>27,044.67</u>	<u>-31,079.91</u>	<u>-15,372.91</u>