



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Monday, May 21, 2018 at 6:00PM

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a District Board Meeting, please contact the District Office at 559-485-7353 at least 48 hours prior to the meeting, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

- ❖ Please submit all written correspondence for the Board of Directors by 12:00 pm the Friday prior to the meeting. Please deliver or mail to the District Clerk.
- ❖ Public comments are limited to three (3) minutes or less per individual per item, with a fifteen (15) minute maximum per group per item and will be heard during the communication portion of the agenda.

1. Call to Order:

2. Roll Call: President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

3. Certification: Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting.

4. Consent Agenda. The items listed below in the Consent Agenda are routine in nature and are usually approved by a single vote. Prior to any action by the Board of Directors, any Board member may remove an item from the consent agenda for further discussion. Items removed from the Consent Agenda may be heard immediately following approval of the Consent Agenda or set aside for discussion and action after Regular Business.

- a. Minutes of the Regular Board Meeting of May 03, 2018.

Recommended action: To approve the Consent Agenda as presented or amended.

Motion by: _____; **Second by:** _____

5. Old Business:

- a. **Request for Proposals (RFP) for the Park Restroom and Storage Room.** A request for proposals from qualified contractors has been prepared to build the restroom and storage room buildings at Malaga Park.

Recommended action: For reconsideration. Although MCWD is not required to publish an RFP for this project, reconsideration may be appropriate in order to identify the best qualified low bid.

Motion by: _____; **Second by:** _____

6. New Business:

- a. **Budget Workshop.** A workshop to review the first draft of the FY 2018-19 budget.

Recommended action: To hold a budget workshop prior to 8 June. The GM will be on vacation from 11-30 June.

Motion by: _____; **Second by:** _____.

7. Recreation Reports: None for this meeting.

8. Engineer Reports:

- a. District Engineer Report.
 - i. The SWRCB has approved the Water Meter Project plans and specifications. The Project will be advertised on May 23, 2018 for bidding.
- b. CDBG Engineer Report:
 - i. Well 6 VFD upgrade project is up for re-bid and will be opened on June 5, 2018.

9. General Manager’s Report:

- a. SWRCB report of K-12 schools that have performed lead testing.
- b. ACWA primer on groundwater rights.
- c. Department reports.
- d. Other reports.

10. President’s Report:

11. Vice President’s Report:

12. Director’s Reports:

13. Legal Counsel Report:

14. Communications:

- a. Written Communications:

15. Closed Session:

16. Adjournment:

Motion by: _____, **Second by:** _____

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing agenda for the Regular Meeting of the Board of Directors of May 21 2018 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, at 5:00P.M. On 05/18/2018.

Norma Melendez

Norma Melendez, District Clerk



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Thursday, May 3, 2018 at 6:00PM

Item 4.a

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a District Board Meeting, please contact the District Office at 559-485-7353 at least 48 hours prior to the meeting, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

- ❖ Please submit all written correspondence for the Board of Directors by 12:00 pm the Friday prior to the meeting. Please deliver or mail to the District Clerk.
- ❖ Public comments are limited to three (3) minutes or less per individual per item, with a fifteen (15) minute maximum per group per item and will be heard during the communication portion of the agenda.

1. Call to Order:

2. **Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

Arrival of Director Tovar, Jr. at 6:07pm. All Present.

Also present: Jim Anderson, Neal Costanzo, Romana Campos, and Norma Melendez.

3. **Certification:** Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting.

4. Old Business:

- a. **Request for Proposals: Park Restroom and Storage Room.** A request for proposals from qualified contractors to build the restroom and storage room buildings at Malaga Park.

Recommended action: To approve the request for proposals as presented or amended.

The board of directors found it not applicable to publish the RFP at this time.

5. New Business:

- a. **Malaga Economic Development Corporation (MEDC).** It is suggested that the MEDC be revitalized to enhance management of the Malaga Recreation District and to develop funding sources for improvements at Malaga Park.

For discussion and potential action.

Discussion was held. No reportable action.

6. **Recreation Reports:** To be submitted at the meeting.

The May calendar of events was presented to the board. The pool will open for three days on Memorial Day Weekend. The restroom needs a few improvements before this weekend arrives. Fiesta Day vendor applications have been mailed to previous patrons. Seventeen

applicants are expected to pay before the end of May. Finally, the RCD is considering to incorporate a triathlon to Fiesta Day schedule in September.

7. Engineer Reports:

- a. District Engineer Report. No new report for this meeting.
- b. CDBG Engineer Report: No new report for this meeting.

8. General Manager's Report:

- a. **Roll-Off Conversion.** There are still some businesses that have not converted to IWS.

9. President's Report:

President Garabedian, Jr. has requested to change the board meeting of May 22nd to May 21st due to his unavailability. Also, the incorporation of a budget workshop for that board meeting. He also reiterated the fact that Mike Martin of RV Jensen wants to buy the Maple/Malaga property for the construction of a Hydrogen plant.

10. Vice President's Report:

Vice President Cerrillo gave a friendly reminder to his fellow board members about the ACWA Conference on the 2nd week of May.

11. Director's Reports:

None for this meeting.

12. Legal Counsel Report:

None for this meeting.

13. Consent Agenda. The items listed below in the Consent Agenda are routine in nature and are usually approved by a single vote. Prior to any action by the Board of Directors, any Board member may remove an item from the consent agenda for further discussion. Items removed from the Consent Agenda may be heard immediately following approval of the Consent Agenda or set aside for discussion and action after Regular Business.

- a. Minutes of the Regular Board Meeting of April 24, 2018.
- b. Financial Statements and Account Payable reports.

Recommended action: To approve the Consent Agenda as presented or amended.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve the consent agenda as presented.

14. Communications:

- a. Written Communications:
 - 1. **Property Assessed Clean Energy Assessment (PACE).**
- b. **Public Comment:**
 - 1. **Lucia Rojas, President of the Malaga Elementary PTO, asks if the MCWD could donate \$300.00 for the mother/son dance. The pleasure of the board was to donate \$300.00 upon presenting receipts. The Recreation Committee at the Community Center will be donating hot dogs.**

- 2. Maria Castaneda, Treasurer of the Recreation Committee, asked the board of directors if they could individually make donations to the Mother's/ Father's Day program.**

15. Closed Session: No closed session for this meeting.

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 8:05pm.

| | Water | | Proposed |
|---|----------------|------------------|---------------------|
| | Mid Yr FY17/18 | FY 17/18 Budget | FY 18/19 |
| Income | | | |
| 41100-Residential Service | 36,322 | 72,643 | \$ 72,643 |
| 41200/41300-Commercial/Industrial Service | 383,912 | 800,857 | \$ 767,823 |
| 41210-GW Sustainability | 128,083 | 274,900 | \$ 256,167 |
| 41150-Fireline Service | 193,116 | 388,000 | \$ 386,231 |
| Sub-Total Income | 741,432 | 1,536,400 | \$ 1,482,865 |
| Other Income | | | |
| 42100-Deposits | 1,638 | 4,500 | \$ 3,275 |
| 42200-Fines & Penalties | 8,490 | 14,000 | \$ 16,979 |
| 42300-Connection Fees | 0 | 15,000 | \$ - |
| 49400-Temporary Usage | 12,266 | 21,000 | \$ 24,000 |
| 62100-Annexation Fees | 37,400 | 15,000 | \$ 20,000 |
| 62090-Non Optg -Other | 0 | 0 | \$ - |
| 63020-Admin Citation Fees | 0 | 0 | \$ - |
| 81600-Staff Revenue Sales | 173 | 0 | \$ 347 |
| 89825-Directors Fund | 0 | 0 | \$ - |
| 41700-Other - Other | 244 | 0 | \$ 487 |
| 62070-Bank Interest | 2,026 | 6,000 | \$ 4,053 |
| 49100-Rent & Lease Income | 1,200 | 4,500 | \$ 2,400 |
| 49715 CDBG Well 6 | | | \$ 250,000 |
| 49300-Taxes & Assessments | 35,538 | 6,000 | \$ 71,076 |
| Sub-Total Other Income | 98,974 | 86,000 | \$ 392,617 |
| Total Income | 840,407 | 1,622,400 | \$ 1,875,482 |
| Expense | | | |
| 52100-Salaries | 74,800 | 131,389 | \$ 149,599 |
| 56025-Sick | 0 | 500 | \$ - |
| 56026-Overtime | 7,565 | 12,000 | \$ 15,130 |
| 52200-Materials | 3,564 | 32,000 | \$ 7,129 |
| 52300-Utilities | 103,268 | 160,000 | \$ 206,536 |
| 53210-Testing | 1,376 | 6,000 | \$ 3,000 |
| 56010-Salaries Admin. | 46,192 | 118,744 | \$ 92,384 |
| 56020-Employee Benefits | 51,260 | 104,000 | \$ 102,519 |
| 56024-Payroll Taxes | 12,417 | 25,000 | \$ 24,834 |
| 56030-Directors Comp. | 5,740 | 14,000 | \$ 12,000 |
| 56036-Directors Benefits | 36,016 | 81,000 | \$ 76,000 |
| 56040-Election Expense | 0 | 3,000 | \$ - |
| 56060-Gas, Fuel, & Oil | 2,229 | 6,500 | \$ 4,457 |
| 56070-Insurance Liability | 2,493 | 40,000 | \$ 4,986 |
| 56080-Membership Regist. Dues | 15,972 | 28,000 | \$ 31,945 |
| 56090-Office Supplies | 2,413 | 5,000 | \$ 4,826 |
| 56110-Contract Service | 4,262 | 20,000 | \$ 8,524 |
| 56160-Summer Youth Contractors | 5,009 | 0 | \$ 10,017 |
| 56200-Other | 2,543 | 6,100 | \$ 5,086 |
| 56220-Education & Training | 314 | 6,000 | \$ 1,200 |
| 56230-Late Fees & Fin. Charges | 130 | 100 | \$ 260 |
| 56240-Donations | 0 | 600 | \$ - |
| 57040-Interest (Bond Debt) | 24,666 | 89,950 | \$ 49,331 |
| 57120-Professional Services | 84,969 | 195,000 | \$ 195,000 |
| 57140-Rents & Leases | 3,480 | 7,000 | \$ 6,960 |
| 57150-Repair & Maint. | 4,757 | 15,000 | \$ 9,514 |
| CDBG 16451-Well 6 Rehab | 0 | 250,000 | \$ 250,000 |
| 57170-Travel & Meetings | 609 | 5,000 | \$ 1,500 |
| 57206-Telephone/Communications | 4,242 | 9,000 | \$ 8,484 |
| 59060-Bank Fees | 3,710 | 4,500 | \$ 7,420 |
| 98000-Grant Expenses | 26,129 | 3,800 | \$ 52,257 |
| Total Expense | 530,123 | 1,379,183 | \$ 1,340,898 |

FY 17/18 MID-YEAR BUDGET REVIEW

| | Sewer | | Proposed |
|---------------------------------|-----------------------|------------------------|---------------------|
| | Mid Yr FY17/18 | FY 17/18 Budget | FY 18/19 |
| <u>Income</u> | | | |
| 41100-Residential Service | 61,405 | 122,810 | \$ 122,810 |
| 41200-Commercial Service | 394,996 | 789,190 | \$ 789,993 |
| 41350-Capacity Expansion Surchg | 82,500 | 168,000 | \$ 165,000 |
| 41400-Ground Water Compl-Com | 59,986 | 122,000 | \$ 119,972 |
| 41450-Ground Water Compl-Res | 8,958 | 16,400 | \$ 17,916 |
| 41250-Collection Sys Surchr-Com | 65,371 | 132,000 | \$ 130,741 |
| 41260-Collection Sys Surchr-Res | 9,783 | 17,500 | \$ 19,566 |
| Sub-Total Income | 682,999 | 1,367,900 | \$ 1,365,997 |
| <u>Other Income</u> | | | |
| 42100-Deposits | 0 | 12,000 | \$ - |
| 42200-Fines & Penalties | 9 | 1,000 | \$ 18 |
| 42300-Connection Fees | 0 | 10,500 | \$ - |
| 43000-Surcharges | 12,500 | 20,000 | \$ 12,500 |
| 62100-Annexation Fees | 0 | 15,000 | \$ 20,000 |
| 41700-Other - Other | 3,213 | 0 | \$ 6,426 |
| 62070-Bank Interest | 2,003 | 0 | \$ 4,006 |
| 49100-Rent & Lease Income | 1,800 | 0 | \$ 3,600 |
| 49300-Taxes & Assessments | 36,034 | 0 | \$ 72,069 |
| 49700-Grants | 0 | 0 | \$ - |
| 49715-Grant-USDA | 0 | 200,000 | \$ - |
| Sub-Total Other Income | 55,559 | 258,500 | \$ 118,619 |
| Total Income | 738,558 | 1,626,400 | \$ 1,484,616 |
| <u>Expense</u> | | | |
| 52100-Salaries | 124,584 | 223,096 | \$ 249,168 |
| 56026-Overtime | 5,868 | 15,000 | \$ 11,736 |
| 52200-Materials/Bio Solids | 17,161 | 42,000 | \$ 34,323 |
| 52300-Utilities | 63,789 | 90,000 | \$ 127,577 |
| 53210-Testing | 21,336 | 22,500 | \$ 42,672 |
| 56010-Salaries Admin. | 57,740 | 156,166 | \$ 115,480 |
| 56020-Employee Benefits | 69,481 | 129,000 | \$ 138,961 |
| 56024-Payroll Taxes | 16,846 | 35,000 | \$ 33,693 |
| 56030-Directors Comp. | 5,740 | 12,500 | \$ 11,480 |
| 56036-Directors Benefits | 36,016 | 54,000 | \$ 72,032 |
| 56040-Election Expense | 0 | 3,000 | \$ 3,000 |
| 56060-Gas, Fuel, & Oil | 3,082 | 12,200 | \$ 6,163 |
| 56070-Insurance Liability | 2,437 | 40,000 | \$ 4,875 |
| 56080-Membership Regist. Dues | 33,469 | 30,000 | \$ 30,000 |
| 56090-Office Supplies | 3,016 | 6,100 | \$ 6,033 |
| 56110-Contract Service | 6,406 | 15,000 | \$ 12,812 |
| 56160-Summer Youth Contractors | 5,008 | 0 | \$ 10,016 |
| 56200-Other | 67,123 | 12,000 | \$ 12,000 |
| 56220-Education & Training | 1,091 | 6,000 | \$ 2,182 |
| 56230-Late Fees & Fin. Charges | 130 | 0 | \$ 260 |
| 56240-Donations | 500 | 600 | \$ 1,000 |
| 57040-Interest (Bond Debt) | 24,665 | 104,300 | \$ 49,331 |
| 57120-Professional Services | 79,424 | 182,000 | \$ 158,848 |
| 57140-Rents & Leases | 3,565 | 33,500 | \$ 7,131 |
| 57150-Repair & Maint. | 34,278 | 260,000 | \$ 35,000 |
| 57170-Travel & Meetings | 894 | 6,000 | \$ 1,789 |
| 57195-Rental Utilities | 1,806 | 4,000 | \$ 3,613 |
| 57206-Telephone | 8,043 | 16,000 | \$ 16,085 |
| 59060-Bank Fees | 1,725 | 0 | \$ 3,451 |
| 98000-Grant Expenses | 0 | 0 | \$ - |
| Total Expense | 695,225 | 1,509,962 | \$ 1,200,710 |

FY 17/18 MID-YEAR BUDGET REVIEW

| | Pretreatment | | Proposed |
|-------------------------------|-----------------------|------------------------|-------------------|
| | Mid Yr FY17/18 | FY 17/18 Budget | FY 18/19 |
| <u>Income</u> | | | |
| 41100-Residential Service | 318 | 700 | \$ 636 |
| 41200-Commercial Service | 90,502 | 183,000 | \$ 181,005 |
| Sub-Total Income | 90,821 | 183,700 | \$ 181,641 |
| <u>Other Income</u> | | | |
| 42100-Deposits | | | \$ - |
| 42200-Fines & Penalties | 67 | 1,400 | \$ 134 |
| 42400-Permit Renewal | 7,577 | 7,360 | \$ 15,153 |
| 43000-Surcharges | | | \$ - |
| 62090-Non Optg -Other | | | \$ - |
| 63020-Admin Citation Fees | | | \$ - |
| 49100-Rent & Lease Income | | | \$ - |
| 49700-Grants | | | \$ - |
| Sub-Total Other Income | 7,644 | 8,760 | \$ 15,288 |
| Total Income | 98,464 | 192,460 | \$ 196,929 |
| <u>Expense</u> | | | |
| 52100-Salaries | 25,703 | 54,862 | \$ 54,000 |
| 56026-Overtime | 93 | 1,300 | \$ 187 |
| 52200-Materials | 519 | 2,000 | \$ 1,038 |
| 53210-Testing | 7,440 | 14,000 | \$ 15,000 |
| 56010-Salaries Admin. | 11,548 | 24,777 | \$ 23,096 |
| 56020-Employee Benefits | 13,356 | 11,500 | \$ 26,712 |
| 56024-Payroll Taxes | 3,516 | 7,700 | \$ 7,033 |
| 56060-Gas, Fuel, & Oil | 390 | 3,000 | \$ 781 |
| 56070-Insurance Liability | 2,493 | 1,800 | \$ 4,986 |
| 56080-Membership Regist. Dues | 492 | 1,400 | \$ 984 |
| 56090-Office Supplies | 603 | 1,000 | \$ 1,206 |
| 56110-Contract Service | 1,599 | 2,000 | \$ 3,199 |
| 56200-Other | 895 | 2,500 | \$ 1,789 |
| 56220-Education & Training | 162 | 5,500 | \$ 1,200 |
| 57120-Professional Services | 8,489 | 62,000 | \$ 16,977 |
| 57140-Rents & Leases | 585 | 1,000 | \$ 1,171 |
| 57150-Repair & Maint. | 1,239 | 1,500 | \$ 2,479 |
| 57170-Travel & Meetings | 198 | 1,000 | \$ 396 |
| 57206-Telephone | 1,672 | 2,200 | \$ 3,345 |
| Total Expense | 80,994 | 201,039 | \$ 165,577 |

FY 17/18 MID-YEAR BUDGET REVIEW

| | Recreation | | Proposed |
|--------------------------------------|----------------|-----------------|-------------------|
| | Mid Yr FY17/18 | FY 17/18 Budget | FY 18/19 |
| <u>Income</u> | | | |
| 41500-Recreation Revenues | | | |
| 81100-Swim Pool Receipts | 3,148 | 0 | \$ 6,297 |
| 81203-Snack Bar Proceeds | 0 | 0 | \$ - |
| 81204-Recreation Rentals | 13,214 | 32,000 | \$ 32,000 |
| 81208-Activities Revenue | 7,682 | 12,000 | \$ 12,000 |
| Sports Activities | | 5,000 | \$ - |
| 84100-Rec Leases | 1,200 | 0 | \$ 2,400 |
| 85100-Rec Baseball Field Rental | 3,175 | 0 | \$ 6,350 |
| 85200-Rec Tournament Fees | 0 | 0 | \$ - |
| 89830-Seniors | 990 | 1,000 | \$ 1,200 |
| Special Events | 0 | 12,000 | \$ - |
| Sub-Total Recreation Revenues | 29,409 | 62,000 | \$ 60,247 |
| <u>Other Income</u> | | | |
| 62090-Non Optg -Other | 0 | 0 | \$ - |
| 81000-Committee Revenue | 2,722 | 8,000 | \$ 5,444 |
| 81600-Staff Revenue Sales | 0 | 0 | \$ - |
| 89825-Directors Fund | 1,436 | 2,500 | \$ 2,871 |
| 62070-Bank Interest | 0 | 0 | \$ - |
| 42070-Interest Income - Other | 892 | 0 | \$ 1,784 |
| 49300-Taxes & Assessments | 165,903 | 308,000 | \$ 331,806 |
| 49700-Grants | 5,574 | 0 | \$ 11,147 |
| Solid Waste-Franchise Fees | | | \$ 25,133 |
| 81201-Donations | 500 | 48,000 | \$ 500 |
| Sub-Total Other Income | 177,026 | 366,500 | \$ 378,685 |
| Total Recreation Revenue | 206,435 | 428,500 | \$ 438,932 |
| <u>Expense</u> | | | |
| 52100-Salaries | 60,768 | 123,876 | \$ 121,536 |
| 56026-Overtime | 534 | 3,000 | \$ 1,068 |
| 52200-Materials | 24,776 | 11,600 | \$ 30,000 |
| 52300-Utilities | 43,392 | 43,300 | \$ 86,784 |
| 56020-Employee Benefits | 36,305 | 78,500 | \$ 72,610 |
| 56024-Payroll Taxes | 9,217 | 19,000 | \$ 18,434 |
| 56060-Gas, Fuel, & Oil | 1,252 | 1,500 | \$ 2,503 |
| 56070-Insurance Liability | 2,493 | 1,500 | \$ 4,986 |
| 56080-Membership Regist. Dues | 3,949 | 800 | \$ 3,000 |
| 56090-Office Supplies | 200 | 500 | \$ 400 |
| 56110-Contract Service | 4,333 | 12,000 | \$ 5,000 |
| 56200-Other | 1,136 | 4,600 | \$ 2,271 |
| 56220-Education & Training | 0 | 2,500 | \$ 2,500 |
| 56230-Late Fees & Fin. Charges | 229 | 0 | \$ 459 |
| 56240-Donations | 200 | 3,500 | \$ 500 |
| 56145-Snack Bar Supplies | 134 | 200 | \$ 300 |
| 56135-Rec. Activities Supplies | 1,852 | 7,600 | \$ 3,703 |
| 56150-Pool Contractors | 21,099 | 25,000 | \$ 25,000 |
| 56120-Bingo Expenses | 933 | 1,000 | \$ 1,866 |
| 56130-Youth Sports Program | 37 | 5,000 | \$ 2,500 |
| 56140-Special Events | 11,564 | 12,500 | \$ 12,500 |
| 56100-Recreation Programs - Other | 193 | 200 | \$ 386 |
| 57120-Professional Services | 0 | 5,000 | \$ - |
| 57140-Rents & Leases | 167 | 3,000 | \$ 334 |
| 57150-Repair & Maint. | 15,606 | 23,800 | \$ 20,000 |
| 57170-Travel & Meetings | 2,400 | 3,800 | \$ 4,800 |
| 57206-Telephone | 4,227 | 13,000 | \$ 8,454 |
| 98000-Grant Expenses | 18,686 | 0 | \$ - |
| Total Recreation Expense | 265,681 | 406,276 | \$ 431,896 |

FY 17/18 MID-YEAR BUDGET REVIEW

| | Solid Waste | | Proposed |
|---------------------------------|-----------------------|------------------------|------------------|
| | Mid Yr FY17/18 | FY 17/18 Budget | FY 18/19 |
| <u>Income</u> | | | |
| 60060-Solid Waste Trsh Coll Cnt | 34,080 | 79,465 | \$ 68,161 |
| Sub-Total Income | 34,080 | 79,465 | \$ 68,161 |
| Other Income | | | |
| 41700-Other - Other | | | \$ - |
| 49300-Taxes & Assessments | 1,019 | | \$ 2,039 |
| Sub-Total Other Income | 1,019 | 0 | \$ 2,039 |
| Total Income | 35,100 | 79,465 | \$ 70,199 |
| <u>Expense</u> | | | |
| 56080-Membership Regist. Dues | 931 | 0 | \$ 1,862 |
| 56200-Other | 827 | | \$ 1,653 |
| 74060-Solid Waste-Colltn Contrt | 32,434 | 65,000 | \$ 64,868 |
| 74065-Solid Waste-Dumping Fee | 4,339 | 8,500 | \$ 8,679 |
| Total Expense | 38,531 | 73,500 | \$ 77,061 |

| | |
|---|-------------------|
| YTD FY18-19 Revenue | 4,066,158.60 |
| YTD FY18-19 Expense | 3,216,142.18 |
| Total Revenue vs. Income All Departments | 850,016.42 |

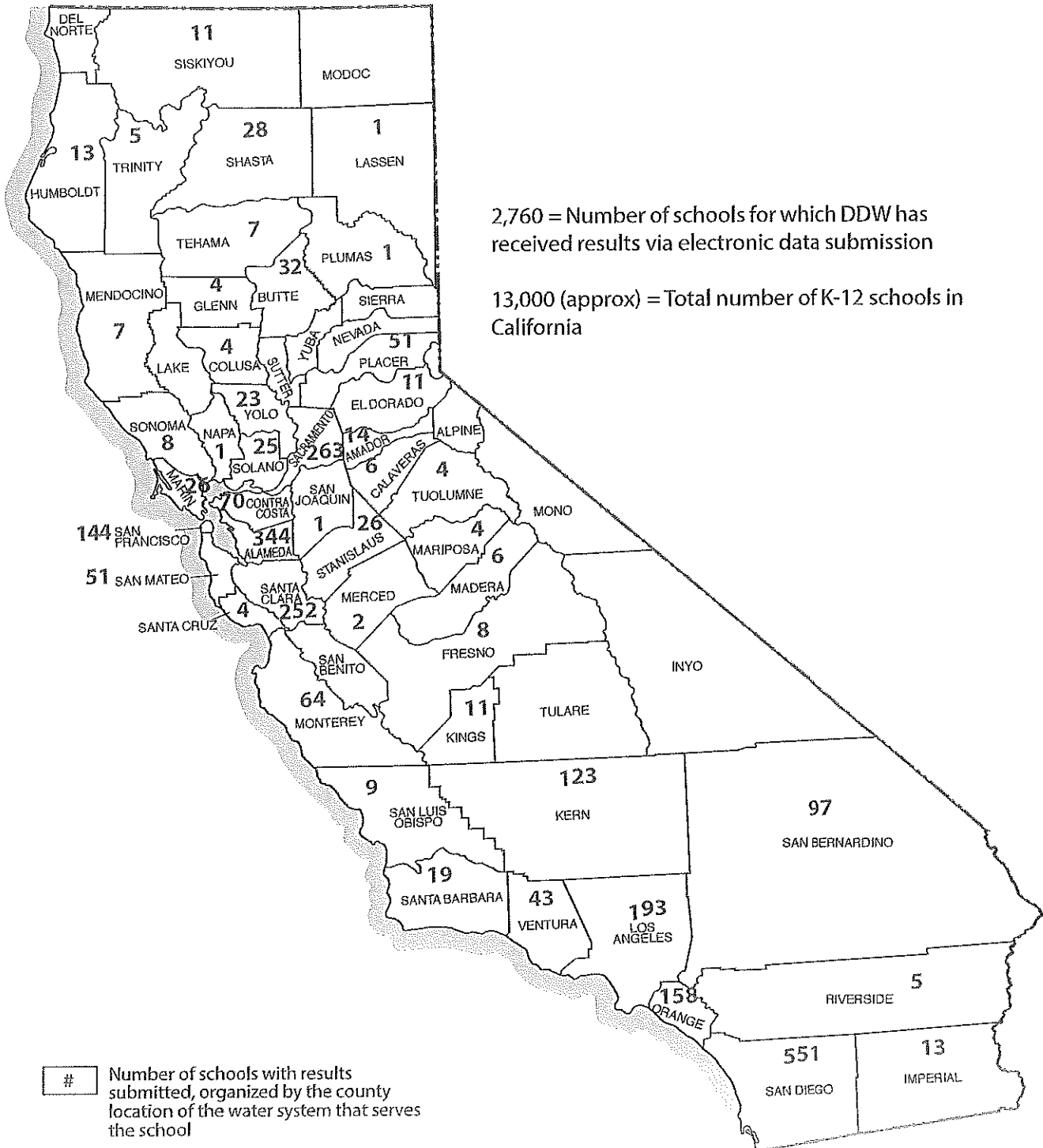
Item 9.a.

Number of Results Received as of April 22, 2018

Lead Sampling in California Schools



STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS





Bartkiewicz, Kronick & Shanahan
A Professional Corporation

Ryan S. Bezerra

Primer on Groundwater Rights

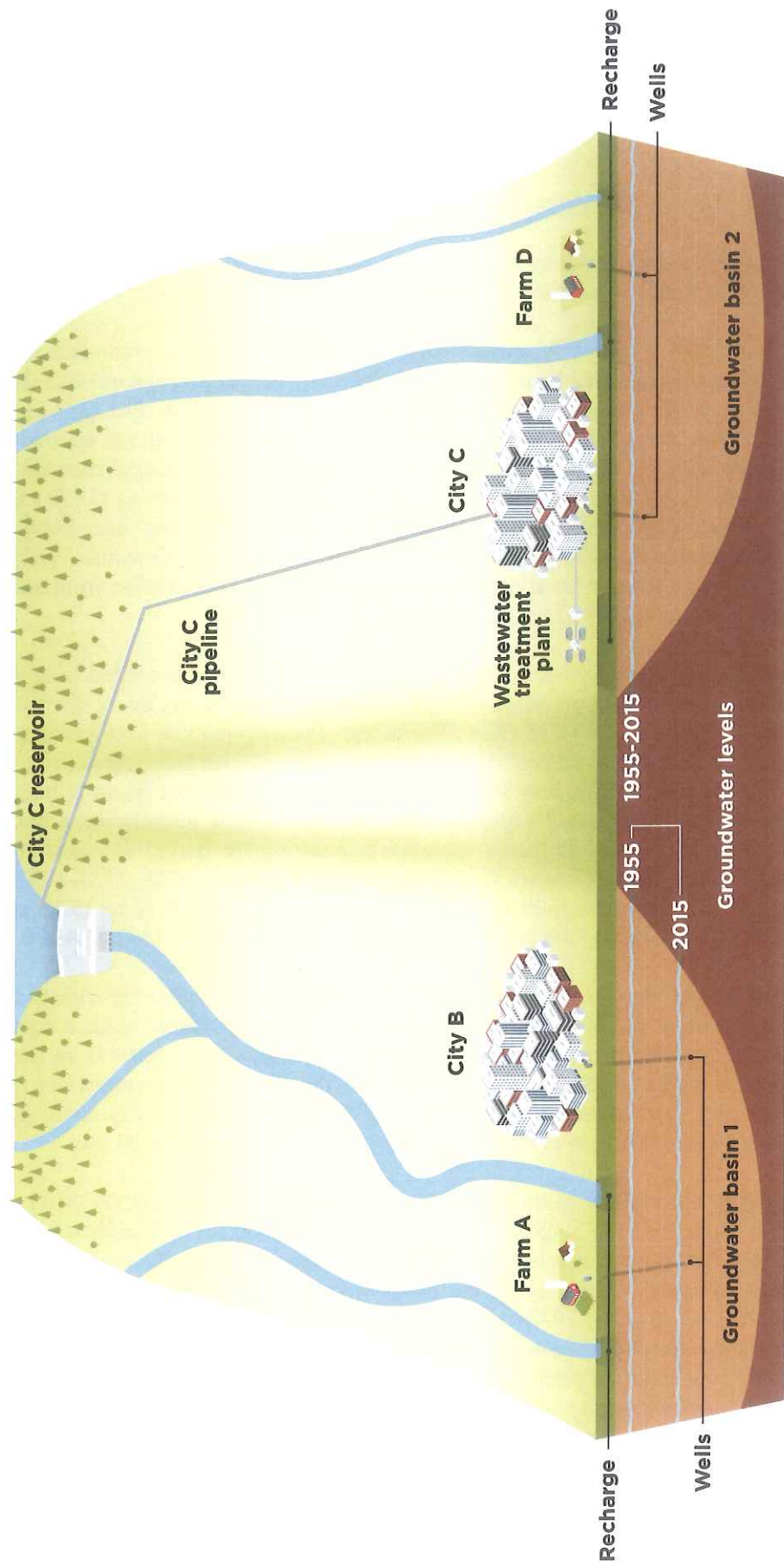
The following is a very general summary of California groundwater rights. There are many variants of the rules and issues presented here. Please consult an attorney about any specific water-right question.

In general, landowners like Farmers A and D whose properties overlie a groundwater basin have a priority to apply that water to reasonable use on those properties over “appropriators” like City B and City C. (*City of Barstow v. Mojave Water Agency* (2000) 23 Cal.4th 1224, 1240-1241 (*Mojave*)). Overliers like Farmers A and D can change their water use over time as long as the water is applied to reasonable use on their properties. (*Id.*) As between overlies, they each have a right to use a reasonable share of the basin’s safe yield. (*Id.*; *Tehachapi-Cummings County Water Dist. v. Armstrong* (1975) 49 Cal.App.3d 992, 1000-1002.) Cities are appropriators because they deliver water for others’ use. (*Mojave*, 23 Cal.4th at pp. 1239-1241.) They have rights to water that is surplus to the overlies’ demands. (*Id.*) All of these rights apply to the recharge from a basin’s natural sources, primarily percolation from surface streams. (*City of Santa Maria v. Adam* (2012) 211 Cal.App.4th 266, 279, 301-305.)

Where groundwater levels have declined because long-term pumping has exceeded long-term recharge, however, appropriators can obtain prescriptive rights against overlies. (*City of Los Angeles v. San Fernando* (1975) 14 Cal.3d 199, 277-278 (*San Fernando*)) Prescription can occur where appropriators have openly pumped adversely to overlies’ rights by pumping for at least five years during the overdraft. (*Mojave*, 23 Cal.4th at p. 1241.) This may have occurred in Basin 1, but not Basin 2, because there has been no long-term decline in Basin 2’s groundwater levels. Where appropriators have prescribed, overlies’ priority rights are limited to their reasonable use during the period of overdraft. (*Hi-Desert County Water Dist. v. Blue Skies Country Club* (1994) 23 Cal.App.4th 1723, 1731-1732.) In a future shortage, the ratio of the prescriptive right and the remaining overlying right is set to be as favorable to the prescriptive right as it was during the prescriptive period. (*San Fernando*, 14 Cal.3d at p. 293.)

Different rules apply to recharge to a basin from the use of imported or other “artificial” water sources. (*San Fernando*, 14 Cal.3d, at pp. 261-264, 286.) In Basin 2, City C probably holds a right senior to all other rights to pump the amount by which recharge from City C’s imports of water from Basin 1 augment Basin 2’s yield. Under Water Code section 1210, however, the owner of the wastewater treatment plant (WWTP) in Basin 2 may have a priority right over City C to the recharge to groundwater percolating from the WWTP because its treatment of the wastewater makes it fit for additional use.

In 2014, the Legislature enacted the Sustainable Groundwater Management Act (SGMA). (Water Code §§ 10720-10737.8.) Under SGMA, by 2022 for most basins and 2020 for “critically overdrafted” basins, there must be a “groundwater sustainability plan” (GSP) that describes how the basin will be managed to meet the “sustainability goal” of managing the basin without “undesirable results” within 20 years. (§§ 10720.7; 10721(u), (w), (x); 10727; 10727.2(b).) Undesirable results are “significant and unreasonable” effects like chronic lowering of groundwater levels, reduced groundwater storage, seawater intrusion, migration of contaminant plumes, land subsidence and depletions of surface water that impact beneficial uses of the surface water. (§ 10721(x).) Each basin must be covered by a “groundwater sustainability agency” (GSA), or coordinated GSAs, by June 30, 2017. (§§ 5202, 10723(a), 10723.6, 10727, 10735.2(a)(1).) The State Water Resources Control Board, in consultation with the Department of Water Resources, can intervene in a basin if deadlines are not met for a GSA’s formation or a GSP’s adoption; if a GSP is inadequate; if a GSP is inadequately implemented; or a basin does not meet the sustainability goal by its deadline. (§ 10735.2.)



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