

# **SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

Post Office Box 339, Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

[www.sslocsd.org](http://www.sslocsd.org)

## **AGENDA**

### **BOARD OF DIRECTORS MEETING**

City of Arroyo Grande, City Council Chambers

215 East Branch Street

Arroyo Grande, California 93420

**Wednesday, June 03, 2015 at 6:00 P.M.**

#### **Board Members**

Jim Hill, Chair

John Shoals, Vice Chair

Matthew Guerrero, Director

#### **Agencies**

City of Arroyo Grande

City of Grover Beach

Oceano Community Services District

#### **Alternate Board Members**

Mary Lucey, Director

Tim Brown, Director

Barbara Nicolls, Director

Oceano Community Services District

City of Arroyo Grande

City of Grover Beach

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## **1. CALL TO ORDER AND ROLL CALL**

## **2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA**

This public comment period is an invitation to members of the community to present comments, thoughts or suggestions on matters not scheduled on this agenda. Comments should be limited to those matters which are within the jurisdiction of the District. The Brown Act restricts the Board from taking formal action on matters not published on the agenda. In response to your comments, the Chair or presiding Board Member may:

- Direct Staff to assist or coordinate with you.
- It may be the desire of the Board to place your issue or matter on a future Board meeting agenda.

Please adhere to the following procedures when addressing the Board:

- Comments should be limited to three (3) minutes or less.
- Your comments should be directed to the Board as a whole and not directed to individual Board members.
- Slanderous, profane or personal remarks against any Board Member, Staff or member of the audience shall not be permitted.

Any writing or document pertaining to an open-session item on this agenda which is distributed to a majority of the Board after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the offices of the Oceano CSD, a member agency located at 1655 Front Street, Oceano, California. Consistent with the Americans with Disabilities Act (ADA) and California Government Code §54954.2, requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires

modification or accommodation in order to participate at the above referenced public meeting by contacting the District Manager or Bookkeeper/Secretary at (805) 481-6903.

**3. CONSENT AGENDA**

The following routine items listed below are scheduled for consideration as a group. Each item is recommended for approval unless noted. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Any Board Member may request that any item be withdrawn from the Consent Agenda to permit discussion or to change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

**3A. Review and Approval of Warrants**

**4. PLANT SUPERINTENDENT'S REPORT**

**5. BOARD ACTION ON INDIVIDUAL ITEMS:**

**5A. PRESENTATION OF, AND PUBLIC HEARING FOR, ADOPTION OF THE FY 2015/16 BUDGET**

It is the staff recommendation that the Board review budget with suggested changes and adopt Resolution 2015-329 adopting the District's budget for FY 2015/16.

**5B. FY 2014 DRAFT AUDIT PRESENTATION**

That the Board continue approval of the 2014 Audit to the Board meeting of June 20, 2015.

**5C. NOTICE OF VIOLATION; REQUEST TO EXECUTE "ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER OF RIGHT TO PUBLIC HEARING"**

It is staff recommendation that the Board direct the District Manager to execute the "Acceptance of Conditional Resolution and Waiver of Right to Hearing" and authorize payment of nine thousand dollars (\$9,000) as a "mandatory minimum penalty" for violations occurring from 2011 to 2014.

**5D. REQUEST TO ENGAGE BROWNSTEIN HYATT FARBER SCHRECK AS INTERIM DISTRICT COUNSEL**

It is staff recommendation that the Board direct the District Manager to execute an agreement with Brownstein Hyatt Farber Schreck to perform the duties of interim District Counsel.

**6. MISCELLANEOUS ITEMS**

**6A. Miscellaneous Oral Communications**

**6B. Miscellaneous Written Communications**

**7. PUBLIC COMMENT ON CLOSED SESSION**



**8. CLOSED SESSION**

- (1) Conference with Legal Counsel regarding Existing Litigation;  
Pursuant to Government Code Section 54956.9; b1; South San  
Luis Obispo County Sanitation District vs. State Water  
Resources Control Board

**Case Number**

34-2012-80001209-CU-WM-GDS

District vs. SDRMA

And negotiations with Legal Counsel regarding contract  
negotiations regarding transitional legal services.

**9. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION**

**10. ADJOURNMENT**

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
WARRANT REGISTER  
06/03/2015 FY 2014/15

ISSUED TO	BUDGET LINE ITEM		WARRANT NO.	ACCT	ACCT BRKDN	TOTAL
ADVANCED FLOW MEASUREMENT	PERMITS, FEE, LICENSES	2452	0603-9481	8030	586.00	586.00
AMERICAN INDUSTRIAL SUPPLY	EQUIPMENT MAINTENANCE	0280648-IN	82	8030	69.06	69.06
AQUATIC BIOASSAY	CHEMICAL ANALYSIS	SLO0415.154	83	7078	3,065.00	3,065.00
ARAMARK	EMPLOYEE UNIFORMS	05/15, 05/22, 05/29	84	7025	711.51	711.51
ARIAS, MICHAEL	MEMBERSHIPS, SEMINARS, MEETINGS	ROCKWELL ANIMATION	85	7050	203.00	203.00
B&B STEEL	EQUIPMENT MAINTENANCE	475175, 475827, 475943	86	8030	474.13	474.13
BERCHTOLD	EQUIPMENT MAINTENANCE	PC70250	87	8030	1,563.41	1,563.41
BRENNTAG	PLANT CHEMICALS	BPI525217	88	8050	5,556.67	5,556.67
BURKE AND PACE OF AG	EQUIPMENT MAINTENANCE	01-25939-00	89	8030	76.06	76.06
CALIFORNIA ELECTRIC	EQUIPMENT MAINTENANCE	MULTIPLE	90	8030	407.31	407.31
CALPERS	EMPLOYEE MEDICAL	ACTIVE EMPLOYEES	91	6010	16,714.42	16,714.42
CHARTER	COMMUNICATIONS	JUNE	92	7013	291.42	291.42
CUMMINS PACIFIC	EQUIPMENT MAINTENANCE	026-7598	93	8030	1,368.13	1,368.13
ENGEL & GRAY, INC	BIOSOLIDS HANDLING	75527	94	7085	9,322.10	9,322.10
FASTENAL	EQUIPMENT MAINTENANCE	MULTIPLE	95	8030	517.88	649.85
	HOUSEHOLD	CAS1412698		8035	131.97	
FED EX	CHEMICAL ANALYSIS	5-041-40347	96	7078	18.40	18.40
FERGUSON ENTERPRISES, INC.	STRUCTURE MAINTENANCE REGULAR	GATE VALVE	97	8060	15,830.21	16,130.14
	EQUIPMENT MAINTENANCE	1971830		8030	299.93	
GORDON SAND	BIOSOLIDS HANDLING	0623593-IN	98	7085	1,067.56	1,067.56
GUERRERO, MATTHEW	BOARD MEMBER	MAY	99	7075	100.00	100.00
HACH	LAB SUPPLIES	9370192, 9381933	9500	8040	268.53	268.53
HILL, JIM	BOARD MEMBER	MAY	01	7075	200.00	200.00
I.I. SUPPLY	SAFETY SUPPLIES	31534	02	8056	26.66	269.75
	EQUIPMENT MAINTENANCE	31803		8030	243.09	
INSTUMENT TECHNOLOGY CORP	CAPITAL EQUIPMENT	SEWER PIPING CAMERA	03	8010	9,730.40	9,730.40
JB DEWAR	FUEL	87430	04	8020	402.44	402.44
JONES, MYCHAL	GRADE III WASTEWATER TEST	JONES	05	7068	350.00	350.00
KEYLOCK SECURITY SPECIALISTS		89691	06		122.96	122.96
LAUREN WOESTE ELECTRIC	EQUIPMENT RENTAL	MAY	07	7032	300.00	300.00
LUCEY, MARY	BOARD MEMBER	MAY	08	7075	100.00	100.00
MCMMASTER-CARR	TOOLS	MULTIPLE	09	8055	485.34	485.34
MUI, FANNY	MEDICAL REIMBURSEMENT	FY14/15	10	6075	386.72	736.72
	GRADE III WASTEWATER TEST	MUI		7068	350.00	
OCSD	BILLING	FINAL PAYMENT	11	7074	11,000.00	11,000.00
PG&E	UTILITIES-ELECTRIC	04/09/15 TO 05/11/15	12	7091	11,628.37	11,628.37
POLYDYNE INC.	PLANT CHEMICALS	966855, 9680165	13	8050	8,752.65	8,752.65
PRAXAIR DIST. INC	SAFETY SUPPLIES	52666401	14	8056	208.91	208.91
R.S. FIRE PROTECTION	SAFETY SUPPLIES	FIRE EXTINGUISHER	15	8056	510.30	510.30
SAFETY-KLEEN	PROF SERVICES-OTHER	MULTIPLE	16	7079	378.87	378.87
SHOALS, JOHN	BOARD MEMBER	MAY	17	7075	200.00	200.00
STATE FUND	WORKERS COMP	JUNE	18	6080	9,160.33	9,160.33
SUNBELT RENTALS	EQUIPMENT RENTAL	SCAFFOLDING	19	7032	372.60	372.60
TLT TRUCKING	BIOSOLIDS HANDLING	TRUCKING	20	7085	252.00	252.00
VWR	LAB SUPPLIES	MULTIPLE	21	8040	677.32	677.32
<b>SUB TOTAL</b>					<b>\$ 114,481.66</b>	<b>\$ 114,481.66</b>
SO. SLO CO. SANITATION DISTRICT	PAYROLL REIMBUSEMENT	05/15/15	22		25,053.23	25,053.23
<b>SUB TOTAL</b>						
<b>GRAND TOTAL</b>					<b>\$ 139,534.89</b>	<b>\$ 139,534.89</b>

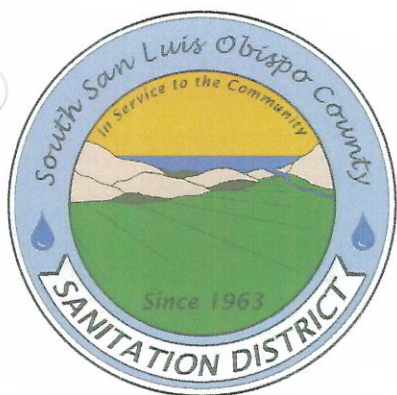
We hereby certify that the demands numbered serially from 060315-9481 to 060315-9522 together with the supporting evidence have been examined, and that they comply with the requirements of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT. The demands are hereby approved by motion of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT, together with warrants authorizing and ordering the issuance of checks numbered identically with the particular demands and warrants.

BOARD OF DIRECTORS:

DATE: \_\_\_\_\_

\_\_\_\_\_  
Chairman\_\_\_\_\_  
Board Member\_\_\_\_\_  
Board Member\_\_\_\_\_  
Secretary





## SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

1600 Aloha Oceano, California 93445-9735  
Telephone (805) 489-6666 FAX (805) 489-2765

Date: May 29, 2015

To: SSLOCSD Board of Directors

From: John Clemons, District Superintendent

Via: Rick Sweet, District Manager

Subject: **Superintendent's Report**

### Operations

**Chart 1 – Plant Data**

May 2015*	INF Flow MGD	Peak Flow MGD	INF BOD mg/L	EFF BOD mg/L	INF TSS mg/L	EFF TSS mg/L	Fecal Coli	Cl2 lbs/day	BOD REM Eff.%
Average	2.19	3.47	442	29.7	449	31.2	34	195	93.3
High	2.37	4.30	472	35.2	464	36.2	350	500	
Limit	5.0			40/60/90		40/60/90	2000		80
CY 2014 Monthly									
Average	2.35	3.8	392	26	406	31	87	188	93.4
High	2.70	4.8	444	34	470	39	1600	250	

- \* = Plant data through May 29th.

Limit – 40/60/90 represent NPDES Permit limits for the monthly average, weekly average, and instantaneous value for plant effluent BOD and TSS.

Treatment processes continue to operate efficiently. All KPI (key performance indicator) parameters are well within permit limits.

During the last Superintendent's report staff reported an abnormal(sour) condition for the #2 digester. Through good process management practices, this digester been restored to normal operational condition.

**Maintenance**

- Repaired hole in grinder drum and replaced blades at H/W.
- Annual flow meter calibration performed by Advanced Flow Measurement Inc.
- Installed 12" valve on sludge discharge line.
- Tested emergency back-up (Paco) pump and emergency generator.
- Replaced scraper blade on front loader bucket.
- Installed electrical conduit for sludge sump and CCT area improvements.

**Call Outs**

- No call outs this period.

**In-Progress**

- Garing, Taylor, and Associates is working with staff to review and ensure the integrity of the District's A.G. sewer bridge. Inspection was performed on April 22<sup>nd</sup>. Awaiting approval from Fish and Game to perform work.
- Digester #1 cleaning. Draining digester #1.
- Staff has begun work with MKA Engineers to draft an RFP for a new Grit Removal System.

**Miscellaneous**

- Three of our operators have received notice that they have passed the State Water Resources Control Board's Grade 3 Wastewater Treatment Plant Operators Exam. They are Mychal Jones, Michael Arias, and Fanny Mui.
- Operator-In Training Marc Lewis received his Grade 2 certification from the SWRCB.

Best regards,

John Clemons  
Superintendent





**Figure 1: New 12" Valve Installation**



**Figure 2: Lab and ECI Paperwork**



**Figure 3: Brine Station Transfer**



**Cleaning Sludge Beds**



**3Pipe Inspection Camera & Pipe Locator**



# **SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

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## **Staff Report**

To: Board of Directors  
From: Richard Sweet, PE, District Manager

Date: June 3, 2015

Subject: **2015-16 FISCAL YEAR BUDGET; PUBLIC HEARING; APPROVAL**

### **RECOMMENDATION:**

That the Board hold a public hearing, review and approve the revised 2015-16 Fiscal Year (FY) Budget, Attachment "A."

### **BACKGROUND**

At the May 20, 2015 Board meeting the Board received public input, directed changes and established a public hearing for this meeting (June 3, 2015) for the 2015-16 FY budget. This budget hearing was advertised in the San Luis Obispo Tribune.

### **DISCUSSION:**

The proposed budget reflects a carry over of \$582,000 from last year. Major projects that are proposed are a mechanical bar screen (\$325,000), Recycled Water Planning Study (District's share \$40,000), and the Redundancy Project (preliminary efforts \$35,000).

Proposed savings from the last FY are proposed in temporary labor, plant chemicals, safety supplies, FEMA expenditures, WDR and SSMP Reporting, laboratory supplies, and, Fats Oils and Grease. Many of these savings reflect bringing services in house or reducing need through enhance operational activities.

Proposed expenditure increases are proposed in ocean outfall maintenance and transfers out to Fund 26 (Replacement Fund). The increase to the ocean outfall line expenditure reflects requirements to maintain the outfall line every three years. Both reflect a continuing emphasis on plant maintenance and improvement.

The Budget has been revised to reflect input from the public and direction from the Board. The following changes have been made.



- A column was added to show the FY 13-14 actual expenditures
- Workers compensation expenditure (19-6080) was increased from \$100,000 to \$110,000 to reflect estimates received from the District's insurance provider.
- Beginning balance was changed by \$1 to be consistent at \$581,605 throughout the budget.
- A note was added to indicate that there is sufficient fund balance to cover the ACL
- The account descriptions were modified to reflect present District operations and addition of line items for outside counsel.
- The accounting fund flow chart was modified to remove Biosolids Handling as an element of Fund 26.

### **Options**

1. Request further substantial revisions to the Budget and continue approval of the Budget to the June 20, 2015 Board meeting.
2. Decline to approve the Budget and leave the District without an operating budget for the 2015-16 FY.

Richard G. Sweet, PE  
District Manager

Attachments: Attachment "A" FY 2015-16 Budget

*South San Luis Obispo County Sanitation  
District*

**BUDGET**

2015-16 Fiscal Year

**MEMBERS OF THE  
BOARD OF DIRECTORS:**

Jim Hill – Chairman  
John Shoals – Director  
Matthew Guerrero – Director

**South San Luis Obispo County Sanitation District**

PO Box 339  
1600 Aloha Place  
Oceano, CA 93445-9735

(805) 489-6666 Operations  
(805) 481-6903 Business Office  
(805) 489-2765 Fax



**NOTICE OF PUBLIC HEARING  
SOUTH SAN LUIS OBISPO COUNTY  
SANITATION DISTRICT  
ADOPTION OF FISCAL YEAR 2015/2016 BUDGET**

**DATE:** June 3, 2015  
**TIME:** 6:00 pm  
**PLACE:** City Council Chambers  
215 Branch Street,  
Arroyo Grande, CA 93420

**PLEASE TAKE NOTICE:**

1. The District Administrator has prepared a proposed final Budget which is available for inspection, during regular District business hours, at the District's Office located at 1600 Aloha Place, Oceano, California.
2. On June 3, 2015 at 6:00pm at the City of Arroyo Grande City Council Chambers, Arroyo Grande, California, the South San Luis Obispo County Sanitation District Board of Directors will meet to consider and adopt the final Budget.
3. At the time and place specified in this Notice any person may appear to be heard regarding any item in the Budget, or regarding the addition of any other items.
4. The hearing on the Budget may be continued from time to time.

If you should have questions related to the Budget, please contact Amy Simpson, District Secretary at (805) 481-6903.

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT RESOLUTION  
RESOLUTION NO. 2015-329

A RESOLUTION ADOPTING THE 2015-16 FISCAL YEAR BUDGET

WHEREAS, The District is required, pursuant to State codes, to designate a financial budget for its expenditures and revenues; and

WHEREAS, such budgeting requires that proper methods be used for the acquisition and disbursements of District monies; and

WHEREAS, the District desires to make known its planned activities and associated costs for the 2015-16 fiscal year.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors, South San Luis Obispo County Sanitation District, San Luis Obispo County, California, as follows:

1. That the proposed budget entitled, "South San Luis Obispo County Sanitation District, Fiscal Year Budget 2015-16 be adopted.
2. That the final budget be administered as established by past policies and practices.

Upon motion of Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ and on the following roll call vote to wit:

AYES:

NOES:

ABSENT:

the foregoing resolution was passed and adopted this day of June 03, 2015.

\_\_\_\_\_  
Jim Hill  
Chair

ATTEST:

\_\_\_\_\_  
Rick Sweet  
District Manager

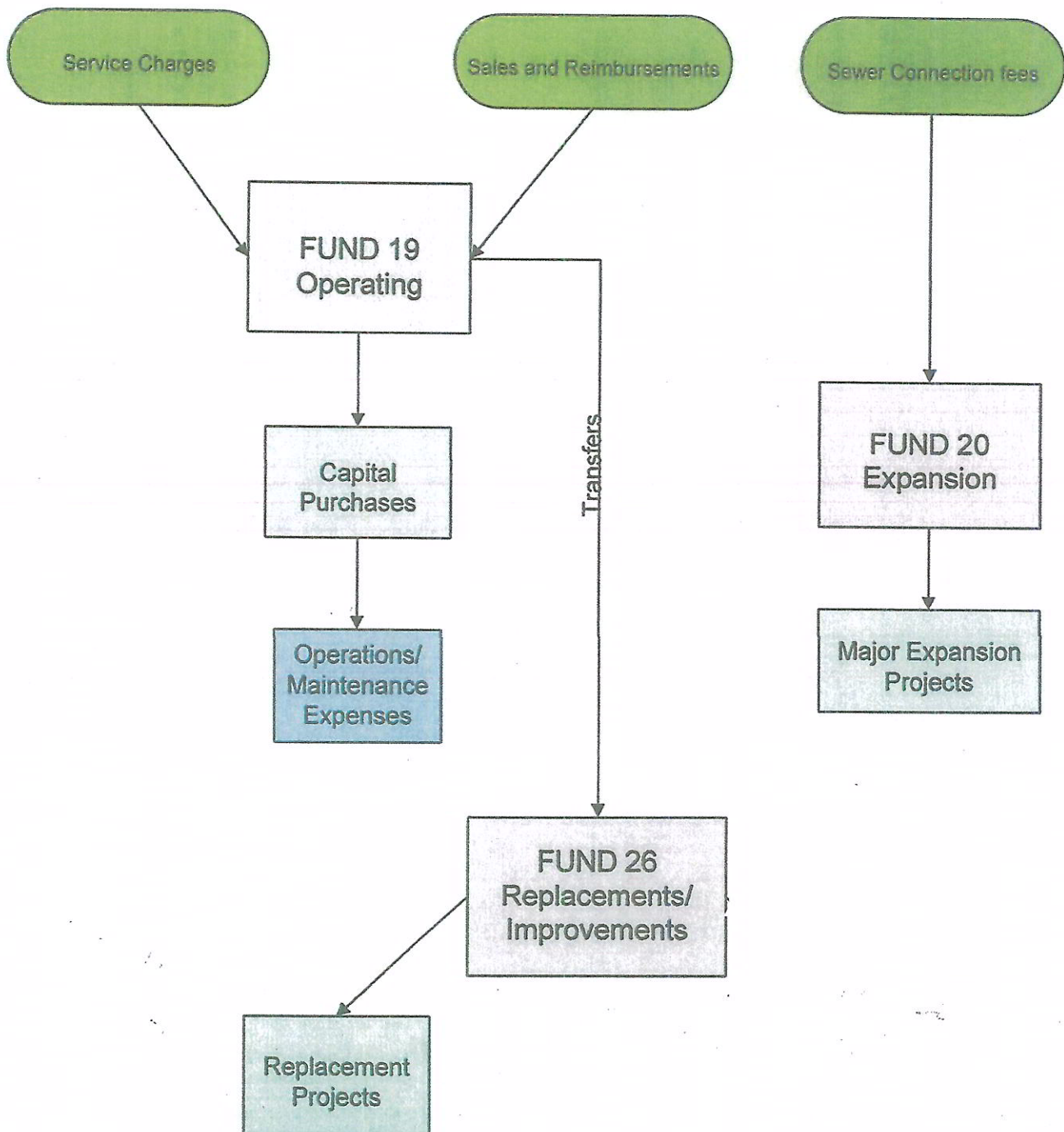
APPROVED AS TO FORM:

\_\_\_\_\_  
Michael W. Seitz  
District Legal Counsel



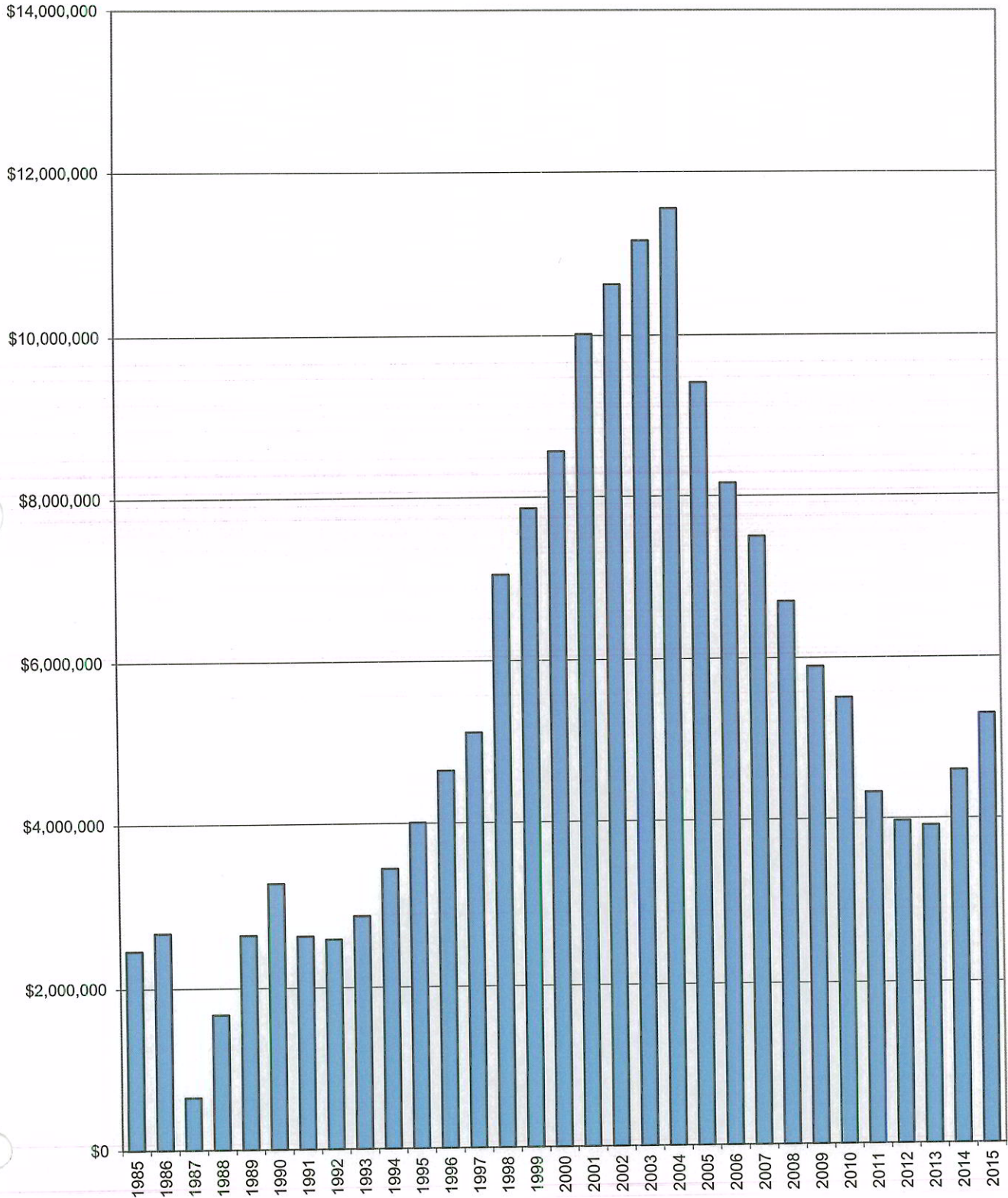
# South San Luis Obispo County Sanitation District

## Accounting Funds



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

**TOTAL CASH**  
**CASH BALANCE HISTORY**  
**1985 - 2015**







# SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

## FY 2015/16 Budget

### Consolidated

	Fund 19 Operating Fund	Fund 20 Expansion Fund	Fund 26 Replacement Fund	FY 2015/16 Total	
<b>Revenues</b>					
Gross Revenues					
Service Charges and Fees	3,013,500			3,013,500	
Connection Fees		120,000		120,000	
Interest	7,600	5,200		12,800	
Other Revenues	218,713			218,713	
<b>Total Revenues</b>	<b>3,239,813</b>	<b>125,200</b>	<b>0</b>	<b>3,365,013</b>	
<b>Expenditures &amp; Other Uses</b>					
Operating Expenditures					
Salaries and Wages	658,752	0		658,752	
Employee Benefits and Other Personnel Costs	575,300			575,300	
Permits, Fees and Licenses	42,700			42,700	
Communications	12,300			12,300	
Computer Support	5,000			5,000	
Administrative Costs	624,800			624,800	
Disposal Services	65,000			65,000	
Utilities	193,300			193,300	
Maintenance, Tools & Replacements	281,000			281,000	
Materials, Services and Supplies	250,500			250,500	
Training, Education & Memberships	25,000			25,000	
Cogeneration EISA - Debt Principal and Interest		76,000			
<b>Total Operating Expenditures</b>	<b>2,733,652</b>	<b>76,000</b>	<b>0</b>	<b>2,809,652</b>	
<b>Total Other Charges</b>	<b>0</b>			<b>0</b>	
<b>Capital Replacement/Maintenance (Fund 26)</b>			<b>500,000</b>	<b>500,000</b>	<b>Schedule A</b>
Capital Outlay					
Capital Equipment	15,000	180,000		195,000	
Expansion		75,000		75,000	
<b>Total Capital Outlay</b>	<b>15,000</b>	<b>255,000</b>		<b>270,000</b>	
Other Financing Sources & Uses					
Transfers Out (In)	500,000		(500,000)	0	
<b>Total Other Financing Sources &amp; Uses</b>	<b>500,000</b>		<b>(500,000)</b>	<b>0</b>	
<b>Beginning Cash Balance Used for Funding</b>	<b>581,605</b>	<b>0</b>	<b>0</b>	<b>581,605</b>	
<b>Net Change (Deficit)</b>	<b>572,766</b>	<b>(205,800)</b>	<b>0</b>	<b>366,966</b>	
Note: There is sufficient fund balance to cover the 2010 ACL.					

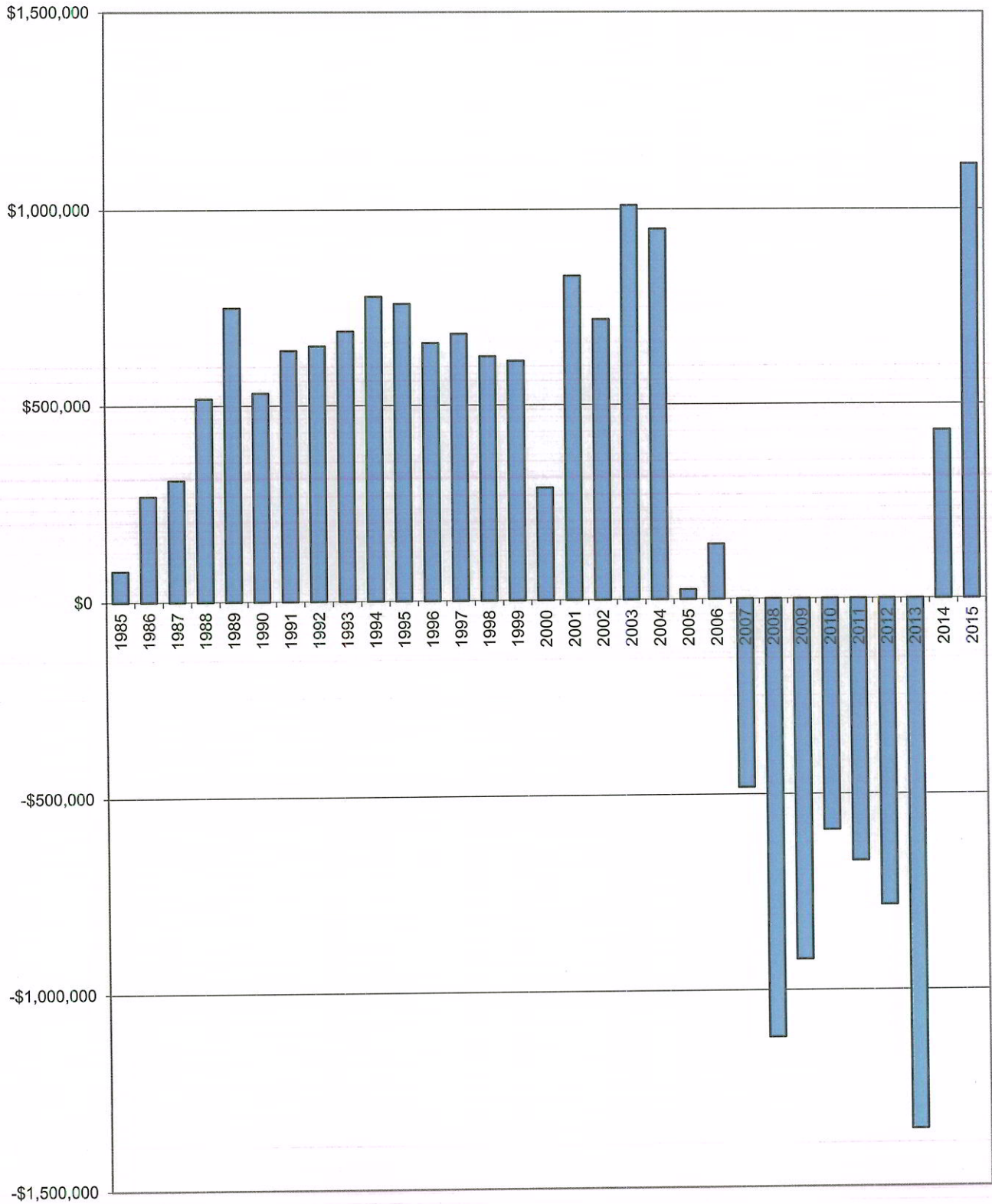


## *Operating Fund 19*

Provides for routine daily operations, as well as funding transfers for major maintenance and capital purchases.  
Primarily funded by user service fees.

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

**OPERATING FUND 19**  
**CASH BALANCE HISTORY**  
**1985 - 2015**



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
FY 2015/16 BUDGET**

Fund 19 - Operating Fund		FY 13-14 ACTUALS	FY 14-15 THOUGH MARCH 2015	FY 15-16 PROPOSED BUDGET	
Beginning Balance			552,762	581,605	
Revenues					
Gross Revenues					
Service Charges and Fees					
19-4015	Arroyo Grande Services	1,482,677	1,108,251	1,440,500	
19-4022	Grover Beach Services	1,113,130	810,596	1,050,000	
19-4035	OCSD Services	420,640	393,872	500,000	
19-4040	Other Service Income	600	1,836	0	
19-4045	School Services	24,574	462	23,000	
<b>Total Service Charges and Fees</b>		<b>3,041,621</b>	<b>2,315,017</b>	<b>3,013,500</b>	
19-5015	Interest	3,156	3,576	7,600	
<b>Total Interest</b>		<b>3,156</b>	<b>3,576</b>	<b>7,600</b>	
Other Revenues					
19-4050	Brine Disposal Service	85,099	167,378	190,000	
19-4055	Lease (AT&T)	24,547	19,453	22,525	
19-5020	Other Reimbursements	0	1,280	0	
19-5022	WDR Reimburs. (MAs)	4,812	0	0	
19-5023	FOG Reimbursement	20,854	4,624	0	
19-5025	Other Sales	27	6,290	4,788	
19-5030	IRWM Funding		0	1,400	
<b>Total Other Revenues</b>		<b>135,339</b>	<b>199,025</b>	<b>218,713</b>	
<b>Total Revenues</b>		<b>3,180,116</b>	<b>2,517,618</b>	<b>3,239,813</b>	
Beginning Balance		0	552,762	581,605	
Total Revenues		3,180,116	3,070,380	3,821,418	
<b>Fund 19 Total Balance</b>		<b>3,180,116</b>	<b>3,070,380</b>	<b>3,821,418</b>	
Expenditures & Other Uses					
Operating Expenditures					
19-6030	Plant Operators	525,814	414,967	601,620	
19-6040	Bookkeeper/Secretary	54,647	36,612	57,132	
<b>Total Salaries and Wages</b>		<b>580,461</b>	<b>451,579</b>	<b>658,752</b>	
Employee Benefits and Other Personnel Costs					
19-6010	Medical Insurance	176,386	152,972	200,000	
19-6025	Dental Insurance	12,059	9,893	15,000	
19-6050	Social Security & Medicare	44,733	33,602	56,000	
19-6055	State Disability Insurance	2,685	1,913	3,300	
19-6060	State Retirement	61,255	29,339	115,000	
19-6075	Medical Reimbursement	7,631	4,820	5,000	
19-6080	Worker's Compensation	53,226	67,600	110,000	
	Unfunded Liability			70,000	N1
19-6095	Unemployment Reimbursement	0	0	1,000	
<b>Total Employee Benefits and Other Personnel Costs</b>		<b>357,975</b>	<b>300,139</b>	<b>575,300</b>	



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
FY 2015/16 BUDGET**

Fund 19 - Operating Fund		FY 13-14 ACTUALS	FY 14-15 THOUGH MARCH 2015	FY 15-16 PROPOSED BUDGET
Permits, Fees and Licenses				
19-6090	Payroll Process Fee	2,252	1,835	2,700
19-7068	Permits/Fees/Licenses	33,652	33,778	40,000
<b>Total Permits, Fees and Licenses</b>		<b>35,904</b>	<b>35,613</b>	<b>42,700</b>
Communications				
19-7011	Comm (Alarm, Web Hosting)	3,852	2,818	3,300
19-7013	Communications - Telephone and Internet	5,837	6,051	6,600
19-7014	Communications - Cell Phones	0	0	2,400
<b>Total Communications</b>		<b>9,689</b>	<b>8,869</b>	<b>12,300</b>
Computer Support				
19-7015	Office Equipment/Computer Supplies	9,793	3,091	5,000
<b>Total Computer Support</b>		<b>9,793</b>	<b>3,091</b>	<b>5,000</b>
Administrative Costs				
19-7005	Advertisements/Legal & Recruit	2,599	766	2,000
19-7043	Insurance Liability - Auto	30,039	18,213	31,000
19-7065	Source Control Program	0	0	15,000
19-7069	LAFCO Budget Share	11,540	7,261	9,800
19-7070	Prof Services - Outside Counsel/Litigation	224,897	61,691	100,000
19-7071	Prof Services - Attorney Fee	19,187	33,252	48,000
19-7072	Prof Services - Auditing	5,840	5,544	10,000
19-7073	Prof Services - AG Billing	12,238	12,033	22,000
19-7074	Prof Services - OCSD Bill	22,000	11,000	22,000
19-7075	Prof Services - Board Members	6,500	5,300	7,500
19-7076	Prof Services - District Administration	49,969	60,864	80,000
19-7077	Prof Services - Engineering	39,338	46,664	100,000
19-7078	Prof Services Chemical Analysis	36,731	9,588	20,000
19-7079	Prof Services - Other Bill	29,512	5,003	20,000
19-7081	Prof Services - GB Bill	0	0	22,000
	Prof Services - Computer Support	0	0	10,000
19-7087	WDR & SSMP District Expenses	0	1,280	15,000
19-7088	Water Recycling Study	0	7,722	0 N2
19-7089	Rate Study	1,920	6,557	5,000
19-7090	Management Review	0	0	55,500
19-7095	Zone 1/1A Agreement	41,976	12,503	30,000
<b>Total Administrative Costs</b>		<b>534,286</b>	<b>305,241</b>	<b>624,800</b>
Disposal Services				
19-7085	Solids Handling	39,185	34,253	60,000
19-7086	Brine Disposal Expenses	0	1,818	5,000
<b>Total Disposal Services</b>		<b>39,185</b>	<b>36,071</b>	<b>65,000</b>
Utilities				
19-7091	Utilities - Electricity	152,569	146,160	180,000
19-7092	Utilities - Gas	25,434	1,654	10,000
19-7093	Utilities - Rubbish	1,606	890	1,800
19-7094	Utilities - Water	1,035	614	1,500
<b>Total Utilities</b>		<b>180,644</b>	<b>149,318</b>	<b>193,300</b>

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
FY 2015/16 BUDGET**

Fund 19 - Operating Fund		FY 13-14 ACTUALS	FY 14-15 THOUGH MARCH 2015	FY 15-16 PROPOSED BUDGET
Maintenance, Tools & Replacements				
19-7060	Ocean Outfall Maintenance	35,490	0	40,000
19-8015	Trunk and Sewer Minor Maintenance	0	1,294	25,000
19-8030	Equip Maint Reg and Minor Replacement	47,819	73,280	100,000
19-8032	Automotive Maintenance	1,884	5,409	8,000
19-8055	Tools	9,266	7,950	13,000
19-8060	Structure Maintenance - Regular	64,115	19,254	50,000
19-8061	Structure Maintenance - Major	28,216	1,825	45,000
<b>Total Maintenance, Tools &amp;</b>		<b>186,790</b>	<b>109,012</b>	<b>281,000</b>
Materials, Services and Supplies				
19-6085	Temporary Labor Services	10,726	1,483	7,000
19-7025	Employee Uniforms	12,516	10,729	15,000
19-7032	Equipment Rental - other	2,894	3,269	6,000
19-8020	Gas and Oil	8,683	7,292	10,000
19-8035	Household Expense	2,493	3,574	4,000
19-8040	Laboratory Supplies	17,792	9,283	15,000
19-8045	Office Supplies and Expense	6,699	6,635	8,500
19-8050	Plant Chemicals	175,948	118,660	175,000
19-8056	Safety Supplies	9,398	3,777	10,000
<b>Total Materials, Services and Supplies</b>		<b>247,149</b>	<b>164,702</b>	<b>250,500</b>
Training, Education & Memberships				
19-7050	Memberships/Seminars/Meetings	21,178	15,645	25,000
<b>Total Training, Education &amp; Memberships</b>		<b>21,178</b>	<b>15,645</b>	<b>25,000</b>
<b>Total Operating Expenditures</b>		<b>2,203,054</b>	<b>1,579,280</b>	<b>2,733,652</b>
Other Charges				
19-7082	FEMA Expenditures	0	0	0
19-7083	WDR & SSMP Reporting (MAs)	10,497	0	0
19-7084	FOG (Member Agencies)	18,559	3,834	0
<b>Total Other Charges</b>		<b>29,056</b>	<b>3,834</b>	<b>0</b>
Capital Outlay				
19-8010	Capital Equipment	11,914	0	15,000
<b>Total Capital Outlay</b>		<b>11,914</b>	<b>0</b>	<b>15,000</b>
Other Financing Sources & Uses				
19-8079	Transfer out to fund 26	-170,037	150,440	500,000
<b>Total Other Financing Sources &amp; Uses</b>		<b>-170,037</b>	<b>150,440</b>	<b>500,000</b>
<b>Total Uses</b>		<b>2,073,987</b>	<b>1,733,554</b>	<b>3,248,652</b>
<b>Budget Income (Deficit)</b>			784,065	-8,839
<b>Fund 19 Balance</b>		<b>1,106,129</b>	<b>1,336,827</b>	<b>572,766</b>
Notes:				



**OPERATING FUND  
REVENUE  
FUND 19**

<i>Account No.</i>	<i>Title</i>	<i>Description</i>
<b>OPERATING REVENUE</b>		
4015	Arroyo Grande Services	User service fees collected from the City of Arroyo Grande
4022	Grover Beach Service Charges	User service fees collected from the City of Grover Beach
4035	OCSD Service	User service fees collected from Oceano Community Services District
4040	Pismo Beach/Receiving Water Monitoring	Pismo Beach share expenses incurred for outfall line maintenance and monitoring
4045	School Services	School services which are billed annually
4050	Brine Disposal	Fees collected for brine disposal service at plant
4055	Lease Revenue	Fees collected from Cellular One for Antennae site lease
<b>NON-OPERATING REVENUE</b>		
5015	Interest Income	Interest received on account balances
5020	Other Reimbursements	Miscellaneous reimbursements received (insurance premiums, refunds, etc.)
5021	FEMA Funding	FEMA funding related to flood damage expenses
5022	WDR Reimbursement (Member Agencies)	Reimbursement from member agencies for expenses related to report assistance
5023	FOG (fat, oil, grease) Reimbursement	Reimbursement from member agencies for expenses related to FOG program
5025	Other Sales	Miscellaneous funds collected through sale of District property, plans and specs



**OPERATING FUND  
EXPENDITURES  
FUND 19**

<i>Account No.</i>	<i>Title</i>	<i>Description</i>
<b>PERSONNEL EXPENSES</b>		
6010	Medical Insurance	Provides District portion of Health Insurance
6025	Dental Insurance	Provides District portion of Dental Insurance
6030	Plant Operators	Wages & Salaries for Plant Superintendent and Technical Staff
6040	Bookkeeper/Secretary	Wages & Salary for Bookkeeper/Secretary
6050	Social Security & Medicare	As defined in the <i>Contributions on Behalf of Employee</i> section of the Budget
6055	State Disability Insurance	As defined in the <i>Contributions on Behalf of Employee</i> section of the Budget
6060	State Retirement	As defined in the <i>Contributions on Behalf of Employee</i> section of the Budget
6075	Medical Reimbursement	As defined in the <i>Contributions on Behalf of Employee</i> section of the Budget
6080	Workers' Compensation	Provides District contribution of State Compensation Insurance at 1.14% for Clerical and 14.01% for Plant Employees with a 79% experience modification
6085	Temporary Labor Services	Labor that is paid to a temp agency
6090	Payroll Process Fee	Fee expended for outsourced payroll
6095	Unemployment Reimbursement	State Fund reimbursement for actual unemployment contributions
<b>OPERATING EXPENSES</b>		
7005	Advertising	Provides for recruitment and legal advertising costs
7011	Communications - USA, Alarm, Web Hosting & Internet	Provides for Underground Service Alert information service, Plant alarm fees, Web hosting fee, & Internet Fees
7013	Communications - Telephone	Local service and lease of equipment. Payment of cellular accounts

7014	Communications - Paging Service	Plant paging service
7015	Office Equipment/ Computer Support Maintenance	Provides for all office equipment maintenance/ computer upgrades and support
7025	Employee Uniforms	Provides for monthly uniform maintenance and shop towels used at the plant
7032	Equipment Rental - Other	Provides for miscellaneous equipment rental
7043	Insurance - Liability/ Automotive	Provides for Plant Operations and Automobile Liability Insurance
7050	Memberships/ Seminars/ Meetings	Provides for those expenses incurred by District personnel to maintain required memberships and to attend required schools and meetings. Also provides for subscriptions
7060	Ocean Outfall Maintenance Receiving Water Monitoring	Expenses incurred for testing and maintenance of the outfall line (expenses are shared 50% with the City of Pismo Beach)
7065	Source Control Program	Provides for expenses incurred during implementation of District's Source Control Program
7068	Permits, Fees, License	Provides for costs of permits, fees, and licenses required by the District
7069	LAFCO Budget Share	Provides for District Share of LAFCO Budget
7070	Professional Services -Outside Counsel	Provides for legal services not provided by District Counsel
7071	Professional Services - Attorney Fees	Monthly legal retainer and any other occasional legal fees
7072	Professional Services - Auditing Fees	Provides for fiscal year end audit
7073	Professional Services - Billing Services Arroyo Grande	Provides for Arroyo Grande's fees to bill the Districts sewer service user fees and hook-up fees



7074	Professional Services - Billing Services OCSD	Provides for OCSD's fees to bill the Districts sewer service user fees
7075	Professional Services - Board Members	Compensates Board Members for District Board Meetings
7076	Professional Services - District Admin	Provides for Administration services
7077	Professional Services - Engineering	Provides for miscellaneous engineering services.
7078	Professional Services - Chemical Analysis	Provides for monthly testing as required by the Water Quality Control Board
7079	Professional Services - Other Billings	Provides for incidental services, including website hosting
7081	Professional Services - Billing Services Grover Beach	Provides for Grover Beach's fees to bill the District's sewer service user fees
7082	FEMA Authorized Expenditures	Expenditures as authorized by FEMA for Earthquake Damage Repairs
7083	WDR & SSMP District Reporting (Member Agencies)	Expenses incurred while assisting Member Agencies with reporting requirements per agreement
7084	FOG (fats, oil, grease) Parent agencies	Expenses incurred while assisting Member Agencies with FOG Program. (To be reimbursed by Member Agencies)
7085	Solids Handling- Off-site	Provides for all expenses pertaining to off-site disposal of treated solids
7086	Brine Disposal Expense	Provide for all expenses pertaining to providing brine disposal service
7087	WDR & SSMP District Expense	Provides for all expenses related to Waste Discharge Reporting (expenses not related to member agencies)
7091	Utilities - Electricity	Plant electric service and power
7092	Utilities - Gas	Plant natural gas service
7093	Utilities - Rubbish	Garbage pick-up and dump charges
7094	Utilities - Water	Plant water service from OCSE and bottled water



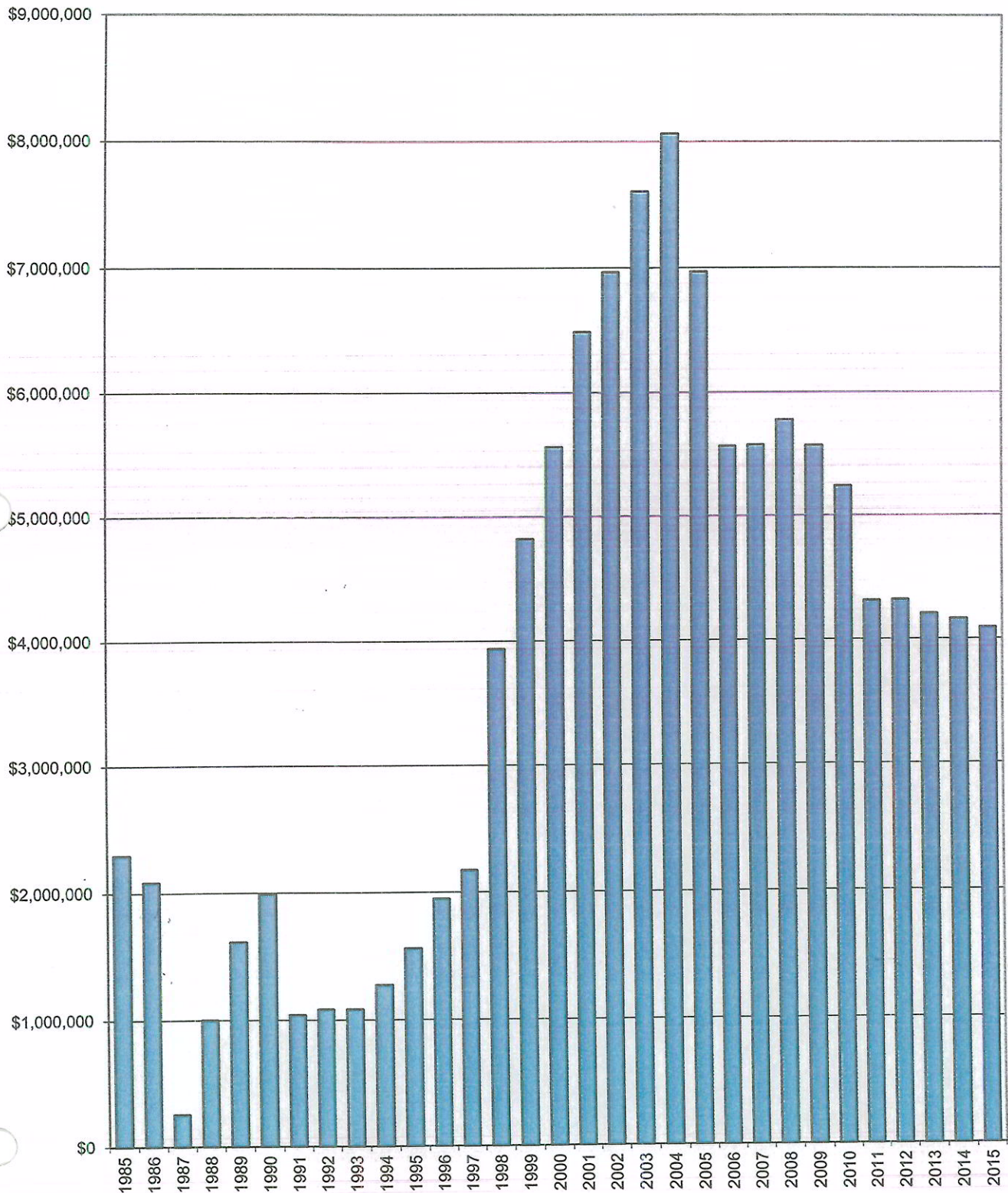
	Service	
7095	Zone 1/1A Agreement	Expenses associated with Zone 1/1A coordination and assessments
7096	Cogeneration EISA (Debt Service)	Self-funded Equipment Installation Sales Agreement
7097	Cogeneration Services Contract	Provides for annual maintenance of cogeneration facility
<b>MATERIALS AND SUPPLIES EXPENSES</b>		
8010	Capital Equipment	Purchase of all capital plant equipment, includes any item with purchase price over \$1,000 or which is an approved Major Budget Item
8015	Trunk Sewer Maintenance	Provides for maintenance of District owned trunk sewer lines
8020	Gas & Oil	Provides for Plant vehicle and equipment fuel and oil
8030	Equipment Maint Reg & Minor Replacement	Provides for routine maintenance of plant equipment and replacements under \$5,000
8032	Vehicle Maintenance	Provides for routine maintenance of rolling stock
8035	Household Expense	Supplies for simple routine maintenance of plant buildings and grounds, including cleaning and paper supplies, etc
8040	Laboratory Supplies	All supplies used at the Plant lab to perform routine testing, also includes distilled water
8045	Office Supplies and Expense	Provides for all expenses relating to District office including office supplies, postage, shipping expenses, mileage, etc
8050	Plant Chemicals	Provides for chemicals required in plant operations including chlorine, round-up, and degreasers
8055	Small Tools and Equipment	Provides for the purchase of small tools used in plant operations
8056	Safety Supplies	Provides for supplies related to safety equipment
8060	Structure Maintenance - Regular	Provides for routine maintenance of plant structures and grounds
8061	Structure Maintenance - Major	Provides for major maintenance of structures and grounds as approved as a major budget item

## *Expansion Fund 20*

To provide for major expenses in order to increase  
plant capacity or new equipment as required.  
Primarily funded by new user connection fees

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

**EXPANSION FUND 20**  
**CASH BALANCE HISTORY**  
**1985 - 2015**





**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
FY 2015/16 BUDGET**

<b>Fund 20 - Expansion Fund</b>		<b>FY13/14 ACTUALS</b>	<b>FY 14-15 AT MARCH 2015</b>	<b>FY 2015-16 BUDGET</b>
Revenues				
Gross Revenues				
Connection Fees				
20-4010	Arroyo Grande Connections	71,155	89,093	80,000
20-4020	Grover Beach Connections	37,124	34,650	30,000
20-4030	OCSD Connections	9,900	7,425	10,000
<b>Total Connection Fees</b>		<b>118,179</b>	<b>131,168</b>	<b>120,000</b>
Interest				
20-5015	Interest Income	4,880	4,335	5,200
<b>Total Interest</b>		<b>4,880</b>	<b>4,335</b>	<b>5,200</b>
<b>Total Revenues</b>		<b>123,059</b>	<b>135,503</b>	<b>125,200</b>
Expenditures & Other Uses				
Other Charges				
20-7096	Cogeneration EISA - Debt Principal and Interest	0	74,797	76,000
20-1010	Transfer to Fund 26	0	0	0
<b>Total Other Charges</b>		<b>0</b>	<b>74,797</b>	<b>76,000</b>
Capital Outlay				
20-8010	Capital Equipment	46,847	38,395	180,000
20-8065	Structure/Grounds Replacement	24,626	3,560	0
	Redundancy Project	0		35,000
	Water Recycling Study	0		40,000
<b>Total Capital Outlay</b>		<b>71,473</b>	<b>41,955</b>	<b>255,000</b>
<b>Total Uses</b>		<b>71,473</b>	<b>116,752</b>	<b>331,000</b>
<b>Budget Income (Deficit/Use of Fund Balance)</b>		<b>51,586</b>	<b>18,751</b>	<b>(205,800)</b>

EXPANSION FUND REVENUE FUND 20		
<i>Account</i>	<i>Title</i>	<i>Description</i>
4010	Arroyo Grande Connections	Hookup fees collected from the City of Arroyo Grande for new service connections (pass through)
4020	Grover Beach Connections	Hookup fees collected from the City of Grover Beach for new service connections (pass through)
4030	OCSO Connections	Hookup fees collected from the Oceano Community Services District for new service connections (paid directly to District)
5015	Interest Income	Interest received

EXPANSION FUND EXPENDITURES FUND 20		
<i>Account</i>	<i>Title</i>	<i>Description</i>
7089	Rate Study	Provides for consultant prepared Rate Study
8010	Capital Equipment	Capital Equipment purchased for plant expansion (Major Budget Items)
8065	Structure/Grounds Maint. – Major	Structure/Grounds Maintenance related to plant expansion (Major Budget Items)

## *Service Charges and Connection Fees*



ORDINANCE NO. 2006-01

AN ORDINANCE OF THE GOVERNING BOARD OF THE SOUTH  
SAN LUIS OBISPO COUNTY SANITATION DISTRICT ESTABLISHING  
MONTHLY RATES FOR SERVICE CHARGES AND SETTING CONNECTION  
FEES.

THE BOARD OF DIRECTORS OF THE SOUTH SAN LUIS OBISPO  
COUNTY SANITATION DISTRICT DOES ORDAIN AS FOLLOWS:

**WHEREAS**, the South County Sanitation District (District) operates a waste water treatment facility and maintains trunk lines that services the Communities of Arroyo Grande, Grover Beach and the Oceano Community Services District (Oceano) and;

**WHEREAS**, the entirety of it's funding from service charges and connection fees and the District has not raised connection and service fees since 1983 and 1986 and;

**WHEREAS**, the District has determined a need based upon a short fall for overhead expenses and for capital projects and;

**WHEREAS**, the District has retained the services of Tuckfield and Associates to conduct a rates study to determine rates appropriately fund the District for capital improvements and overhead expenses into the future and;

**WHEREAS**, the Districts Board of Directors has considered The Tuckfield report and has asked for modifications based upon local knowledge regarding actual flows and;

**WHEREAS**, the District has reviewed the Report and associated information with the Utilities Staff for Arroyo Grande, Grover Beach and Oceano and has reached concurrence in regards to the data contained therein.

**WHEREAS**, based upon facts and analysis presented Tuckfield and Associates, the Rate Study, the District Engineer's analysis, and the Staff Report, the Board of Directors finds:

- A. The public meetings adopting this Ordinance have been properly noticed pursuant to Government Code Section 54954.2 (The Brown Act); and
- B. That notice has been published and Mailed as required by law; and
- C. The fees, rates and charges that are the subject of this Ordinance do not exceed the estimated reasonable cost of providing the services for which the fees and/or charges are imposed; and
- D. That the public benefits from the logical, long-range approach to the operation, maintenance and financing of public facilities:

**NOW THEREFORE**, be it resolved and judged and determined that the District Rates structure shall be as follows:



The chart attached as **Exhibit A** to this Ordinance sets forth each customer classification, the existing rates and the rates by classification.

The chart attached as **Exhibit B** sets forth the connection fees.

The Board of Directors of the District hereby determines that it is necessary for the effective operation of the District to fund all projects that are anticipated and in anticipation of overhead costs and that the charges and fees outlined in **Exhibit A** and **Exhibit B** are necessary and hereby orders these fees to be implemented as set forth in **Exhibit A** and **Exhibit B**.

**Section 3.** The Recitals to this Ordinance are true and correct and incorporated herein by reference.

#### **Section 4. Repeal of Prior Ordinances and Resolutions**

All Ordinances, sections of Ordinances and Resolutions that are inconsistent with this ordinance are hereby repealed.

#### **Section 5. Effect of Repeal on Past Actions and Obligations.**

This Ordinance does not affect prosecutions for Ordinance violations committed prior to the effective date of this Ordinance, does not waive any fee or penalty due and unpaid on the effective date of this Ordinance..

#### **Section 6. CEQA Findings**

The Board of Directors of the District finds that the fees and charges adopted by this Ordinance are exempt from the California Environmental Quality Act pursuant to Public Resources Code § 21080(b)(8) and CEQA Guidelines Section 15273. The Board of Directors further finds that the adoption of the Rules and Regulations established by this Ordinance fall within the activities described in Section 15378(b)(4) and (5) of the CEQA Guidelines which are deemed not to be "projects" for the purposes of CEQA, because it can be seen with certainty that the adoption of the Fees and Charges that are the subject of this Ordinance will not have a significant effect on the environment. The District Administrator is directed to prepare and file an appropriate notice of exemption.

#### **Section 7. Severance Clause.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Board of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

#### **Section 8. Effect of Headings in Ordinance.**

Title, division, part, chapter, article, and section headings contained herein do not in any manner affect the scope, meaning, or intent of the provisions of this Ordinance.

**Section 9. Effective Date.**

The Connection fees established by this Ordinance shall take effect sixty (60) days after passage. The Service Charges established by this Ordinance shall take effect thirty (30) days after passage. Before the expiration of fifteen (15) days after passage it shall be posted in three (3) public places with the names of the members voting for and against the Ordinance and shall remain posted thereafter for at least one (1) week. The Ordinance shall be published once with the names of the members of the Board of Directors voting for and against the Ordinance in a newspaper of general circulation within the District.

Based upon motion made by: Director Ekbom

Seconded by: Director Dahl

And upon Roll Call Vote:

AYES: Director Ferrara, Director Ekbom, Director Dahl

NOES: None


ABSENT: None

ABSTAINING: None

This Ordinance is hereby adopted as of November 29, 2006.

  
Vice Chairman

  
Secretary of Board

  
MICHAEL W. SEITZ  
District Legal Counsel



**South San Luis Obispo County Sanitation District**

**NOTICE OF PROPOSED SERVICE CHARGE AND CONNECTION FEE INCREASE**

Dear Property Owner:

This is a notice to explain the proposed increases in service charges and connection fees for the South San Luis Obispo County Sanitation District (SCSD). This notice is being sent to all property owners within the District or who currently receive service outside the District. The proposed rate increases will be recommended for adoption by the SCSD's Board of Directors at a public hearing described in this notice.

**NOTICE OF PUBLIC HEARING**

At a public hearing the SCSD will consider proposed increases for service charges and connection fees. The proposed changes are listed in this notice. The public hearing will be held on November 29<sup>th</sup>, 2006 at 6 o'clock p.m. at the Oceano Community Services District office building located at : 1655 Front Street Oceano, CA.

Annual rate increases beginning in January 2007 through May 1<sup>st</sup>, 2010 with subsequent inflationary adjustments will be recommended for adoption by the Board of Directors at the November 29<sup>th</sup>, 2006 public hearing. If approved, these rate increases will take effect January 1<sup>st</sup>, 2007.

Customers may voice their support or opposition to the proposed rate changes during the public hearing. In addition, customers may support or protest the proposed rates by filing a written statement with the District's secretary at or before the time set for the public hearing. A written statement of support or protest should include the property owner's name and address and which portion of the rate changes are being supported or protested and mailed to SCSD P.O. Box 339 Oceano, CA 93445.

The SCSD Board of Directors will be discussing the proposed rates on November 1<sup>st</sup> at the Board's regular meeting at 6 P.M. at 1655 Front Street Oceano, CA. The public will also have the opportunity to ask questions of the District Staff and make comments to the Board at that meeting.

**WHY CHANGE THE SEWER RATES**

Providing reliable and affordable sewer service is the mission of the District. The District is required to provide service primarily through user rates. It receives no other funding by property taxes or otherwise for the provision of sewer service. The proposed sewer rate increases are needed to:

1. Provide sufficient funds for ongoing operation and maintenance.
2. Support rehabilitation and upgrade of the facilities, which provide service and to comply with governmental regulations.
3. To maintain reserves to reduce risk and prudently manage District's resources.

What follows is additional information for your consideration. First you will see the current and proposed service charges. Following you will see a comparison of current and proposed connection fees.

**HOW THE TYPICAL SEWER BILL BE AFFECTED**

Current and Proposed Monthly Wastewater Service Rates

Customer Classification	Existing Rates	Future Rate As of Jan 1, 2007	Future Rate As of May 1, 2007	Future Rate As of May 1, 2008	Future Rate As of May 1, 2009	Future Rate As of May 1, 2010
a. Residences and Apartments	\$6.50	\$8.93	\$10.70	\$12.31	\$13.52	\$14.86
b. Hotel Units with Kitchens	5.20	9.41	11.29	12.98	14.28	15.71
c. Motel Units without Kitchens	4.40	8.02	7.22	8.30	9.12	10.02
d. Hotel Room	4.55	6.22	7.45	8.59	9.42	10.36
e. Commercial Establishments	6.73	4.59	5.51	6.26	6.97	7.55
Each additional employee above 5	0.44	0.92	1.10	1.25	1.39	1.53
f. Beauty Shops	8.55	8.49	10.19	11.60	12.73	13.97
Each additional operator above 5	0.86	1.41	1.70	1.93	2.12	2.33
g. Eating Establishments w/o Grinders	9.31	9.11	10.92	12.56	13.79	15.16
Each additional 5 seats above 30	1.01	1.52	1.82	2.09	2.30	2.53
h. Restaurants (w/ Grinders) less than 30 seats	14.78	17.30	20.67	24.31	28.12	31.07
Restaurants (w/ Grinders) seats over 30	18.29	22.18	26.51	31.17	36.05	39.84
i. Laundromats - per washing machine	2.96	5.53	7.01	7.98	8.85	9.71
minimum charge	8.71	17.50	21.03	23.93	26.54	29.14
j. Service Stations - no wash/rack	7.86	23.25	27.91	31.84	34.11	37.41
Service Stations - with wash/rack	12.47	34.18	41.06	45.56	49.65	54.40
k. Factories	12.47	13.34	16.02	18.30	20.08	22.05
Each additional employee above 20	0.38	0.66	0.80	0.91	1.00	1.10
l. Churches	6.71	7.57	9.10	10.34	11.44	12.58
Per ADA with elementary school	0.21	0.21	0.25	0.28	0.31	0.34
Per ADA with other school	0.30	0.30	0.35	0.42	0.46	0.51
m. Bottling Plants	12.47	13.34	16.02	18.30	20.08	22.05
n. Schools (Non-boarding)	3.25	4.27	5.13	5.83	6.44	7.07
Per ADA with elementary school	0.21	0.20	0.24	0.27	0.30	0.33
Per ADA with other school	0.30	0.31	0.35	0.43	0.47	0.52
o. Schools (Boarding)	3.25	4.27	5.13	5.83	6.44	7.07
Per ADA with elementary school	0.38	0.43	0.51	0.59	0.65	0.71
Per ADA with other school	0.48	0.57	0.68	0.79	0.86	0.95
p. Trailer/Mobile Home Space	6.50	2.52	3.02	3.47	3.81	4.19
q. RV Dump Stations - Less Than 50 services	21.00	25.22	30.15	35.20	38.75	42.69
r. Brine (per gallon)	\$0.01125	\$0.01125	\$0.01125	\$0.01125	\$0.01125	\$0.01125

FY 2006-07 rates to be implemented January 1. All other rates to be implemented May 1 of fiscal year. After FY 2010-11, rates increase by the change in CPI. Rate adjustments reflect changes in capital cost allocations with the addition of capital improvements to fixed assets.

Comparison of Existing and Proposed Connection Fees

Dwelling Unit or Meter Size	Existing Connection Fee	Proposed Connection Fee
Single Family Dwelling unit	\$2,000	\$2,475
Apartment Complex (Bachelor, 1 or 2 bedrooms)	\$1,500	\$1,856
Apartment Complex (3 or more bedrooms)	\$2,000	\$2,475
Motel/Hotel (per room)	\$1,000	\$1,237
Hybrid Use	\$1,500	\$1,856
Condominium (per unit)	\$2,000	\$2,475
Mobile Home Parks (per space)	\$2,000	\$2,475
Travel Trailer (per space)	\$1,000	\$1,237
5/8 inch (meter)	\$2,000	\$2,475
3/4 inch (meter)	\$2,800	\$3,712
1 inch (meter)	\$4,900	\$6,187
1 to 1 1/2 inch (meter)	\$11,000	\$13,612
2 inch (meter)	\$19,500	\$24,131
3 inch (meter)	\$44,000	\$54,450

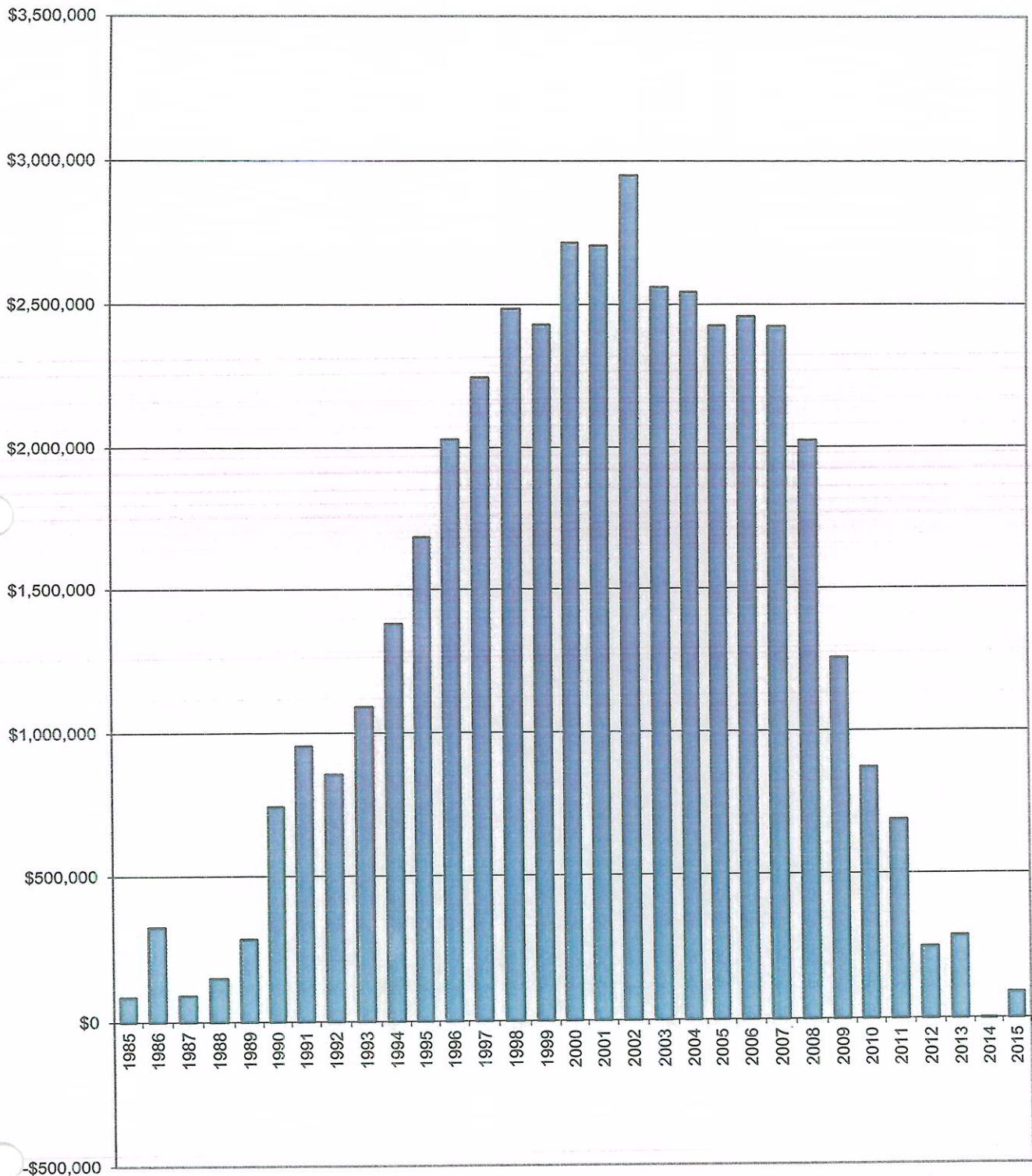
## *Replacement Fund 26*

To provide for the replacement of Plant treatment and processing equipment. Also provides for future solids handling requirements. Primarily funded by user service fees provided for through transfers from the Operating Fund as budgeted annually.



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

**REPLACEMENT FUND 26**  
CASH BALANCE HISTORY  
1985 - 2015





# SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

## FY 2015/16 BUDGET

Fund 26 - Replacement Fund		FY13/14 ACTUALS	NOTE NO.	FY 2015-16 Budget
Revenues				
Gross Revenues				
Interest				
26-5015	Interest Income	0		
<b>Total Interest</b>		<b>0</b>		
Other Revenues				
26-5040	Transfer from Fund 19	170,037		500,000
26-5040	Transfer from Fund 20	0		
<b>Total Other Revenues</b>		<b>170,037</b>		<b>500,000</b>
<b>Total Revenues</b>		<b>170,037</b>		<b>500,000</b>
Expenditures & Other Uses				
26-8015	Trunk Sewer Maintenance	0		80,000
26-8061	Structures/Grounds Maint-Maj	7,990		0
26-8065	Structures/Grounds Repl/Imp	173,753		420,000
26-8070	Emergency Equipment Repair	0		0
<b>Total Expenditures</b>		<b>181,743</b>		<b>500,000</b>
<b>Total Uses</b>		<b>181,743</b>		<b>500,000</b>
<b>Budget Income (Deficit/Use of Fund Balance)</b>		<b>-</b>		<b>0</b>

# SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

## FY 2015/16 BUDGET

Schedule A	
Detail List of Replacement Projects in Fund 26	
<b>26-8015 Trunk Sewer Maintenance</b>	
Item	Cost
Trunk Sewer Maintenance	\$80,000
<b>Total for 26-8015</b>	<b>\$80,000</b>
<b>26-8061 Structures/Grounds - Major Maintenance</b>	
Item	Cost
<b>Total for 26-8061</b>	
<b>26-8065 Structures/Grounds - Replacement and Improvement</b>	
Item	Cost including Design/Installation
2 Electric Carts	20,000.00
Camera for Pipes	10,000
Safety Ladder/Platform	5,000
Cat Walk	20,000
Lab Centrifuge	10,000
ISCO Sampler	10,000
Mechanical Bar Screen	325,000
Info Truck	20,000
<b>Total for 26-8065</b>	<b>\$420,000</b>
<b>TOTAL OF ALL REPLACEMENT PROJECTS IN FUND 26</b>	<b>\$500,000</b>

REPLACEMENT AND IMPROVEMENT FUND REVENUE FUND 26		
<i>Account</i>	<i>Title</i>	<i>Description</i>
5015	Interest Income	Interest received

REPLACEMENT AND IMPROVEMENT FUND EXPENDITURES FUND 26		
<i>Account</i>	<i>Title</i>	<i>Description</i>
8015	Trunk Sewer Maintenance	Provides for maintenance of District owned trunk sewer lines
8061	Structure Maintenance - Major	Provides for major maintenance of structures and grounds as approved as a major budget item
8065	Structures/Grounds Repl & Improvement	Expenses related to structure/grounds replacement
8070	Emergency Equipment Repair	Provides for repairs on an emergency basis



RESOLUTION 2015-325

A RESOLUTION OF THE SOUTH SAN LUIS OBISPO  
COUNTY SANITATION DISTRICT BOARD  
OF DIRECTORS APPROVING A RESOLUTION GRANTING  
A COST OF LIVING ADJUSTMENT TO DISTRICT STAFF  
OF ONE PERCENT RETROACTIVE TO FEBRUARY 1, 2015

**WHEREAS**, the South San Luis Obispo County Sanitation District (District) desires to remain competitive in salary and benefits that it provides to its employees; and

**WHEREAS**, the Consumer Price Index (CPI) for the Los Angeles area for the twelve months prior to December of 2014 was 0.7 percent which represented a 0.5 decrease from the prior month; and

**WHEREAS**, the cost of living adjustment (COLA) provided to Social Security recipients for this year is 1.7 percent; and

**WHEREAS**, in 2014 District granted employees a 2.93 percent COLA effective on February 1<sup>st</sup>;

**THEREFORE, BE IT RESOLVED THAT**, the District hereby grants employees a one percent COLA increase retroactive to February 1, 2015

**PASSED AND ADOPTED** at a regular meeting of the South San Luis County Sanitation District Board of Directors held this 18th day of February 2015.

On the motion of John Shoals seconded by Mary Lucey  
and of the following roll call vote, to wit:


AYES: John Shoals, Mary Lucey, Jim Hill

NOES:

ABSENT :

CONFLICTS:

  
\_\_\_\_\_  
Jim Hill, Chairman  
Board of Directors  
South San Luis Obispo County Sanitation District

Revised as to Form  
  
Michael Setz

# EXHIBIT "A"

## 2014-15 FISCAL YEAR SALARY/RANGE MONTHLY COMPENSATION COLA INCREASE AT 1.0%

### FULL TIME EMPLOYEES

<i>Level Authorized</i>	<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>	<i>Step 5</i>
1 Plant Superintendent	6575	6709	7045	7398	7769
1 Shift Supervisor	5371	5481	5757	6043	6346
0 Operator 3	4769	4867	5110	5367	5635
1 Senior Maintenance Mechanic	4634	4867	5110	5367	5635
0 Lead Operator	4426	4648	4881	5126	5382
1 Lab Tech/ Operator	4426	4648	4881	5126	5382
3 Operator 2	4300	4516	4741	4978	5230
0 Operator 1 *** *** Grade II 2.5% increase	3993	4192	4403	4623	4975
1 Operator In Training Intern	3609	3791	3980	4181	4389
1 Maintenance Assistant	3609	3791	3980	4181	4389
1 Bookkeeper/Secretary	3916	4112	4318	4534	4761
10 TOTAL STAFF					

### PART TIME EMPLOYEES - MONTHLY RATE

Board Member or Alternate	\$100 per meeting attended (Resolution 1995-150)
Administrator	Per Contract
Attorney	Per Contract
Volunteers	See Resolution No. 76



RESOLUTION NO. 2015-326

A RESOLUTION OF THE SOUTH SAN LUIS OBISPO  
COUNTY SANITATION DISTRICT BOARD OF DIRECTORS  
APPROVING THE ADOPTION OF A REVISED  
PLANT SUPERINTENDENT EMPLOYMENT STANDARDS AND  
PLANT SUPERINTENDENT COMPENSATION SCHEDULE

**WHEREAS**, the Plant Superintendent for the South San Luis Obispo County Sanitation District (District) has roles that exceed that of what is typically expected of a Chief Plant Operator (CPO).

**WHEREAS**, the Plant Superintendent for SSLOCSD is required to perform the duties of CPO as well as manage a sewage collection system, manage all District owned systems, supervise District employees and define budgetary needs.

**WHEREAS**, the Plant Superintendent also plays a major role in defining the long-term vision for the District.

**WHEREAS**, the District attempts to keep Employment Standards and Compensation Schedules current.

**BE IT RESOLVED** that the South San Luis Obispo County Sanitation Board of Directors adopt the revised Plant Superintendent Employment Standard Exhibit "A", and Monthly Compensation Schedule Exhibit "B" for the Plant Superintendent.

**PASSED AND ADOPTED** at a regular meeting of the South San Luis County Sanitation District Board of Directors held this 18th day of March 2015.

On the motion of John Shoals seconded by Matt Guerrero  
and of the following roll call vote, to wit:

AYES: Shoals, Guerrero, Hill

NOES:

ABSENT :

CONFLICTS:

---

Jim Hill, Chairman  
Board of Directors  
South San Luis Obispo County Sanitation District



**7010 - PLANT SUPERINTENDENT**

**EMPLOYMENT STANDARDS**

Position Characteristics This individual is responsible for wastewater treatment/water reclamation plant and District owned sewer, operations and maintenance. This includes administering all wastewater treatment, reclamation and disposal functions for the SSLOCSD Wastewater Treatment Plant, providing work oversight, review and evaluation to treatment plant personnel. Successful performance of the work; requires a high degree of technical and regulatory knowledge to ensure that all plant operations and laboratory activities are in compliance with National Pollutant Discharge Elimination System (NPDES), Regional Water Quality Control Board (RWQCB) and Air Pollution Control District (APCD) as well as other regulatory requirements.

Plans, coordinates, manages, reviews and evaluates all water reclamation facility operations, maintenance and effluent disposal activities; ensures compliance with federal, state and local water, biosolids and air-quality regulations; performs related work as assigned.

The SSLOCSD Plant Superintendent receives general direction from the contract District Manager within a framework of legal requirements, policies and established organizational values and processes, with independence of action to meet changing operational conditions. Direct supervision is provided at various levels within the organization requiring the use of sound management skills, business management practices, professional development, and supervisory skills.

Education and Experience Equivalent to completion of two years of college or technical school training or possession of an Associate of Arts degree in chemistry, biology, wastewater treatment or a closely-related field and/or successful completion of training required by the California State Water Resources Control Board and four years experience operating and performing maintenance on facilities and equipment in a secondary wastewater treatment/reclamation plant, including two years at a supervisory level or shift lead.

Possession of: Must possess a valid California class C driver's license and a satisfactory driving record. Must possess, or obtain prior to completion of the probationary period, a Grade III Wastewater Treatment Plant Operator certificate issued by the California State Water Resources Control Board.

Knowledge of:



- The operation, cleaning and preventive maintenance of wastewater treatment and disposal facilities and equipment.
- The operation and preventive maintenance of piping systems, including hydraulics, telemetry, valves and related appurtenances.
- Principles of contract negotiation and administration.
- Document preparation.
- Recent developments, current technology and informational resources regarding wastewater treatment and reclamation.
- Standard chemical and physical tests of wastewater, sludge, effluent and related materials.
- Supervisory principles and practices, including work planning, assignment, review and evaluation.
- Techniques for training staff in work procedures.
- Principles and practices of public agency budget preparation, administration, and control.
- The operation and minor maintenance of a variety of hand and power tools, vehicles and equipment related to the work.
- Safety equipment and practices related to the work, including the handling of hazardous chemicals and confined space entry procedures.
- Applicable laws, codes and regulations.
- Principles and practices of public agency budget preparation, administration, and maintenance.
- Principles and practices of contract negotiation and administration.
- Computer applications related to the work.
- Standard office practices and procedures, including the use of standard office equipment.
- Effective and diplomatic communications skills.
- Techniques for providing a high level of customer service to public and District staff, in person and over the telephone.

○ Ability to:

- Plan, organize, supervise, coordinate, review, evaluate and personally participate in the functions and activities of a comprehensive wastewater treatment, reclamation and disposal system.
- Plan, assign, supervise, review and evaluate the work of treatment plant operations, laboratory and maintenance staff.
- Train staff in work and safety procedures.
- Recognize, correct and/or report unusual, inefficient or dangerous operating conditions.
- Read and comprehend a variety of gauges, charts and meters; record data accurately and make appropriate process adjustments.
- Conduct standard chemical and physical tests of wastewater, sludge and related materials.
- Troubleshoot maintenance problems and determine materials and supplies required for repair.
- Read and accurately interpret construction drawings and specifications.
- Maintain accurate logs and written records of operations and work performed.



- Us tact, initiative, prudence and independent judgment within general policy, procedural and legal guidelines.
- Communicate effectively, both orally and in writing.
- Establish and maintain effective working relations with those contacted in the course of the work.
- Take a proactive approach to problem solving.
- Use good judgment, make sound decisions,
- Make recommendations on matters of policy, or complex technical and administrative problems.
- Working in a team atmosphere.

○ Typical Duties:

- Plans, oversees and evaluates the operation and maintenance of the District tertiary wastewater reclamation facility and the associated laboratory.
- Plans, organizes, assigns, supervises and reviews the work of staff to ensure that work is completed in a safe and appropriate manner and within regulatory requirements; develops and implements work and standby schedules.
- Trains staff in work procedures and methods; evaluates the work of staff, initiates and implements work selection and disciplinary procedures.
- Inspects the plant and reviews laboratory testing results to determine operational status; authorizes changes in activities to meet regulatory requirements and ensures the most effective and efficient processes are used.
- Assists in and makes recommendations regarding the long-and short-range planning of plant collection, operational and disposal facility construction and modification activities; assists in the development of the annual and capital improvement budgets.
- Directs the maintenance and inventory of materials, chemicals, supplies and equipment required for the effective operation of the wastewater reclamation plant.
- Oversees laboratory testing activities; prepares or directs the preparation of regulatory reports and ensures their timely submission to appropriate agencies.
- Contributes to and assists in the long-and short-range planning of water reclamation facility construction and modification projects; develops and administers the water reclamation section operating budget; assists in the development and review of requests for proposals; contacts vendors and service contractors regarding prices, delivery and services for materials, chemicals, supplies and equipment; negotiates and administers contracts for contractors and suppliers.
- Inspects the plant for safety violations; ensures that safety procedures are followed and that safety equipment is worn; makes periodic safety presentations to plant staff.
- Troubleshoots operational and maintenance problems; corrects, repairs or directs the correction and repair of operational and/or equipment problems.



- Reads and interprets plans, specifications, blueprints and schematics.
- Responds to and resolves complaints regarding plant operations, including odors, discharge quality and permit problems.
- Responds to emergency situations during off-hours, as required; maintains employee standby availability on a scheduled basis.
- Directs the maintenance of treatment plant, shop areas and other facilities and equipment in a clean and orderly condition.
- May operate valves, pumps and automated controls to regulate the flow of wastewater through the plant; may operate a variety of treatment plant equipment, such as pumps, motors, chlorinators, filters, chemical valves, digesters, bar screens and blowers.
- Prepares and directs the preparation and timely submission of a variety of written correspondence, reports, procedures, ordinances and other materials.
- Maintains and directs the maintenance of automated and manual files.
- Monitors changes in laws, regulations and technology that may affect division operations; implements changes to policies and procedures, after approval.

Working Conditions:

Work in wastewater treatment plant, wastewater collection system environments; some exposure to water, chemicals, hazardous materials, and noise; heavy lifting/moving, standing, climbing. May work at heights, in confined spaces, and in inclement weather conditions. Must be available for standby assignments and to work emergency overtime, as required.

Physical Demands: Must possess strength, stamina and mobility to work in a wastewater treatment plant and laboratory setting, to lift and carry materials weighing up to fifty pounds and to use specialized test equipment, hand and power tools and instrumentation; stamina to work in confined spaces around machines and to climb and descend ladders; vision to read printed materials, charts, gauges and a computer screen; hearing and speech to converse in person and over the telephone or radio.

**Exhibit "B"**

**PLANT SUPERINTENDENT  
MONTHLY COMPENSATION SCHEDULE**

	Step 1	Step 2	Step 3	Step 4	Step 5
Proposed	7768	8157	8565	8993	9443

2014-15 FISCAL YEAR  
SALARY/RANGE MONTHLY COMPENSATION  
Resolution 2015-326

FULL TIME EMPLOYEES

<i>Level Authorized</i>	<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>	<i>Step 5</i>
1 Plant Superintendent	7768	8157	8565	8993	9443
1 Shift Supervisor	5371	5481	5757	6043	6346
0 Operator 3	4769	4867	5110	5367	5635
1 Senior Maintenance Mechanic	4634	4867	5110	5367	5635
0 Lead Operator	4426	4648	4881	5126	5382
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1 Bookkeeper/Secretary	3916	4112	4318	4534	4761
10 TOTAL STAFF					

PART TIME EMPLOYEES - MONTHLY RATE

Board Member or Alternate

\$100 per meeting attended  
(Resolution 1995-150)

Administrator

Per Contract

Attorney

Per Contract

Volunteers

See Resolution No. 76



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

RESOLUTION NO. 2014-317

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT ADOPTING THE YEAR 2014 DISTRICT INVESTMENT POLICY

**WHEREAS**, The Board of Directors of the South San Luis Obispo County Sanitation District ("District") believes that the public funds should, so far as is reasonably possible, be invested in financial institutions to produce revenue for the District rather than to remain idle, and

**WHEREAS**, from time to time there are District funds which for varying periods of time will not be required for immediate use by the District, and which will, therefore, be available for the purpose of investing in financial institutions with the objectives of safety, liquidity, yield, and compliance with state and federal laws and policies.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the South San Luis Obispo County Sanitation District as follows:

1. The District hereby adopted the Investment Policy attached hereto as Exhibit "A" as the District's Investment Policy;
2. The District General Manager shall act as Treasurer/Finance Officer of the District and is authorized to invest and re-invest funds in accordance with the Investment Policy for the succeeding twelve (12) month period or until such time as the delegation of authority is revoked.

PASSED AND ADOPTED by the Board of Directors of the South San Luis Obispo County Sanitation District this March 19, 2014, on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:



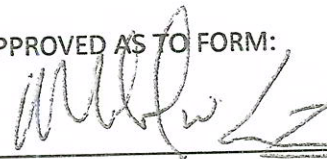
Matthew Guerrero, Chairperson,  
South San Luis Obispo County Sanitation District

ATTEST:



Rick Sweet, District Manager

APPROVED AS TO FORM:



Michael W. Seitz  
District Legal Counsel

RESOLUTION 2014-317

EXHIBIT A

YEAR 2014 INVESTMENT POLICY

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

1. INTRODUCTION

This policy establishes the standards under which the District's Finance Officer will conduct business with financial institutions with regard to the investment process.

2. PURPOSE AND SCOPE

This investment policy is intended to outline the guidelines and practices to be used in effectively managing the District's available cash and investment portfolio. It applies to all cash and investment assets of the District except those funds maintained in deferred compensation accounts for employees, and proceeds of debt issuance that shall be invested in accordance with the permitted investment provisions of their specific bond indentures. District monies not required for immediate expenditure will be invested in compliance with governing provisions of law (Government Code Sections 53600 et seq) and this policy. Investments shall be made in judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (California Government Code Section 53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers (Finance Officer) acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

3. FINANCE OFFICER

The Board of Directors appoints the District Manager as the District Finance Officer and Treasurer.

4. SCOPE

The District investment portfolio shall consist of money held in a sinking fund of, or surplus money in, the District's treasury not required for the immediate necessities of the District. The District's investment portfolio shall be invested in accordance with this policy.



## 5. OBJECTIVES

The primary objectives are safety, liquidity, yield, and compliance.

### A. SAFETY

The investment portfolio shall be managed in a manner that ensures the preservation of capital. The objective is to minimize credit risk and interest rate risk.

### LIQUIDITY

The investment portfolio shall remain sufficiently liquid to meet all operating requirements. This shall be accomplished by structuring the investment portfolio so that investments mature in advance of with cash needs.

### B. YIELD

Yield shall be a consideration only after the requirements of safety and liquidity have been met.

### C. COMPLIANCE

This Investment Policy is written to be in compliance with California and Federal law.

## 6. STANDARD OF CARE

### A. PRUDENCE

The Finance Officer will manage the portfolio pursuant to the "Prudent Investor Standard." When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds in the District's investment portfolio, the Finance Officer shall act with care, skill, prudence, and diligence under the circumstances then prevailing, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the District.

### B. DISCLOSURES

Finance Officer shall disclose any material interest in financial institutions with which he/she conducts the District business.

## 7. INVESTMENTS AUTHORITY

### A. PERMITTED INVESTMENTS

The District Finance Officer is authorized to invest in the following institutions:

1. County pooled funds (California Government Code § 61730)
2. The Local Agency Investment Fund created by the California State Treasury (California Government Code §16429.1)

3. One or more FDIC insured Banks and/or Savings and Loan Associations that are designated as District depositories by resolution of the Board of Directors (California Government Code §61053).
4. Such other financial institutions or securities that may be designated by the Board of Directors from time to time in compliance with California and Federal law.

#### B. PROHIBITED INVESTMENTS

The District's Finance Officer shall not invest in:

1. Inverse floaters, range notes or interest only strips that are derived from a pool of mortgages.
2. Any security that could result in a zero interest accrual if held to maturity.
3. A state or federal credit union, if a member of the District's Board of Directors or an administrative officer also serves on the Board of Directors, or any committee appointed by the Board of Directors, or the credit committee or supervisory committee, of the state or federal credit union.

#### C. DIVERSIFIED INVESTMENTS

Investments, other than investments referenced in paragraphs 7-A (1) and (2) above, will be diversified to avoid losses that may be associated with any one investment.

### 8. REPORTS

#### A. MONTHLY REPORT

Finance Officer/Treasurer shall make monthly reports to the Board with the following information:

- Investments made or retired during the preceding month.
- Single transfers between permitted institutions of greater than \$150,000.

#### B. QUARTERLY REPORTS

Finance Officer shall file a quarterly report that identifies the District's investments and their compliance with the District's Investment Policy. The quarterly report must be filed with the District's auditor and considered by the District's Board of Directors within thirty (30) days after the end of each quarter (i.e., by May 1, August 1, November 1, and February 1) (California Government Code §53646). Required elements of the quarterly report are as follows:

1. Type of Investment



2. Institution
3. Date of Maturity (if applicable)
4. Amount of deposit or cost of the security
5. Current market value of securities with maturity in excess of twelve months (if applicable)
6. Rate of interest
7. Statement relating the report to the Statements of Investments Policy
8. Statement of the District's ability to meet cash flow requirements for the next six months.
9. Accrued Interest (if applicable)

C. ANNUAL REPORT

Prior to February 1, of each year, the Finance Officer shall file and submit an annual report to the district's auditor and Board of Director's which will contain the same information required in the quarterly report.

The annual report will include a recommendation to the Board of Directors to either:

1. Readopt the District's then current annual Investment Policy
2. Amend the District's then current Investment Policy.

D. LIMITED QUARTERLY REPORT

If the District has placed all of its investments in the Local Agency Investment Fund (LAIF), created by California Government Code § 16429.1, or in Federal Deposit Insurance Corporation, insured accounts in a bank or savings and loan association, in a County investment pool, or any combination of these, the Finance Officer may submit to the Board of Directors, and the auditor of the District the most recent statement or statements received by the District from these institutions in lieu of the information required in paragraph 8.B, above. This special reporting policy does not relieve the Finance Officer of the obligation to prepare an annual investment report as identified in paragraph 8.C., above.



## **SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

[www.sslocsd.org](http://www.sslocsd.org)

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### **Staff Report**

To: Board of Directors  
From: Richard Sweet, PE, District Manager  
Date: June 3, 2015

Subject: **APPROVAL OF 2014 AUDIT; REQUEST TO CONTINUE TO JUNE  
20, 2015 BOARD MEETING**

#### **RECOMMENDATION:**

That the Board continue approval of the 2014 Audit to the Board meeting of June 20, 2015.

#### **BACKGROUND**

At the meeting of July 16, 2014, the Board approved retaining Moss, Levy & Hartzheim, LLP to perform the annual audit for the District. The auditors reviewed District financial statements and records and met with District staff to develop the Audit Report. At the May 20, 2015 Board meeting the Board took public input and provided direction on changes to the audit. The Board directed that accounting and legal be separated in the audit report.

The District improved its fiscal standing during 2014 fiscal year (FY). The change in net assets for FY 2013 was a negative (\$2,191,626) while in FY 2014 the change in net assets was a negative (\$460,183). Cash and cash equivalent assets increased in value from the 2013 FY by \$675,045. The improved cash assets are being secured to pay for ongoing capital improvement projects to update and replace existing equipment and improve plant operations. The decline in net assets reflects depreciation of District facilities.

#### **DISCUSSION:**

Since the May 20, 2015 Board meeting the District has been coordinating with the auditor, Moss, Levi, Hartzman the completion of final letters concurring and responding to the audit. This process has been more complex than anticipated and while very near



completion, it is not complete yet. We therefore are requesting a continuance of this item to the Board meeting of June 20, 2015.

Richard G. Sweet, PE  
District Manager



## **SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

[www.sslocsd.org](http://www.sslocsd.org)

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### **Staff Report**

To: Board of Directors  
From: Richard Sweet, PE, District Manager  
  
Date: June 3, 2015  
  
Subject: **NOTICE OF VIOLATION; REQUEST TO EXECUTE  
"ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER  
OF RIGHT TO PUBLIC HEARING"**

#### **RECOMMENDATION:**

That the Board direct the District Manager to execute the "Acceptance of Conditional Resolution and Waiver of Right to Hearing" and authorize payment of nine thousand dollars (\$9,000) as a "mandatory minimum penalty" for violations occurring from 2011 to 2014.

#### **BACKGROUND**

On May 8, 2015 the Central Coast Regional Water Quality Control Board notified the District that the District had violated its effluent limitations from 2011 to 2014, attachment "A."

A "penalty" is enforced when any four non-serious permit violations occur within a 180-day period or any single occurrence of a serious violation. Within a 180-day period in 2011 the District violated discharge levels for Biological Oxygen Demand (BOD) by exceeding weekly or monthly averages four times. Exceeding BOD limits is a non-serious violation. Within 180-day period in 2012 the District exceeded Fecal Coliform discharge levels on four occasions. Exceeding Fecal Coliform limits is a non-serious violation. In 2014 the District exceeded an instantaneous discharge level for chlorine by 31%. As chlorine is determined to be a group 2 pollutant and the chlorine discharge exceeded the permitted level by more than 20 percent, this was considered a serious violation and resulted in a penalty being assessed.

The three incidents described above resulted in the Board assessing three "mandatory minimum penalties" of three thousand dollars (\$3,000) each or total of nine thousand dollars (\$9,000).



## DISCUSSION:

The District has the ability to decide to contest the penalties or to accept a conditional offer to settle and waive the District's right to contest the penalties and pay the "mandatory minimum penalty." To accept the conditional offer to settle the District must execute the "Acceptance of Conditional Resolution and Waiver of Right to Hearing" (Offer) by June 8, 2015. The Offer is an attachment to the letter, which is attachment "A" to this staff report. Within the agreement it states, "The Permittee understands that if significant comments are received in oppositions to the Offer, the Central Coast Water Board enforcement staff's offer to resolve the violations set forth in the NOV may be withdrawn."

A number of dischargers within the Central Coast Region have received similar notifications within the last thirty days.

## Options

1. Direct the District Manager to not execute the "Acceptance of Conditional Resolution and Waiver of Right to Hearing." The letter from the Board indicates that, "If the Permittee chooses not to make a payment in response to the determination, the Permittee should expect to be contacted regarding a formal enforcement action that will be initiated with regard to the contested violations. In a formal enforcement action, the liability amount sought and/or imposed may exceed the liability amount set forth in this Conditional Offer. Moreover, the cost of enforcement is a factor which can be considered in accessing the liability amount."

Richard G. Sweet, PE  
District Manager

Attachments: Attachment "A" Letter from Central Coast Regional Water Quality Control Board dated May 8, 2015



Central Coast Regional Water Quality Control Board

May 8, 2015

**CERTIFIED MAIL**  
**7009 2250 0001 0315 6168**

Rick Sweet, General Manager  
South San Luis Obispo County Sanitation District WWTP  
P.O. Box 339  
Oceano, CA 93475  
[rsweet@ci.santa-maria.ca.us](mailto:rsweet@ci.santa-maria.ca.us)

**ENFORCEMENT PROGRAM: EXPEDITED PAYMENT LETTER (EPL) NO. R3-2015-0020,  
OFFER TO PARTICIPATE IN EXPEDITED PAYMENT PROGRAM RELATING TO  
VIOLATIONS OF NPDES PERMIT FOR SOUTH SAN LUIS OBISPO COUNTY SANITATION  
DISTRICT WASTEWATER TREATMENT PLANT (WDR ORDER NO. R3-2009-0046 AND NO.  
R3-2010-0011, NPDES NO. CA0048003, WDID NO. 3 400111001)**

Dear Mr. Sweet:

This letter is to notify the South San Luis Obispo County Sanitation District Waste Water Treatment Plant (hereinafter "Permittee" or "you") of alleged violations of the California Water Code identified in the Central Coast Regional Water Quality Control Board's (Central Coast Water Board) water quality data system and to allow the Permittee to participate in the Central Coast Water Board's Expedited Payment Program to address \$9,000 in liability which may be assessed pursuant to Water Code sections 13385 and 13385.1.

**NOTICE OF VIOLATION:** Based on information in the California Integrated Water Quality System (CIWQS), the Central Coast Water Board's Assistant Executive Officer alleges that from July 1, 2011, to March 12, 2014, the Permittee violated the effluent limitations identified in the Notice of Violation (NOV) attached as Exhibit A. The Permittee will have the opportunity to address the alleged violations as discussed below. To assist the Permittee in reviewing the alleged violations, the attached NOV/Exhibit A provides instructions for accessing the alleged violations within CIWQS.

**STATUTORY LIABILITY:** Subdivisions (h) and (i) of California Water Code section 13385 require the assessment of a mandatory minimum penalty of \$3,000 for specified serious and non-serious (formerly named "chronic") effluent limit violations. The Permittee is also potentially subject to discretionary administrative civil liabilities of up to ten thousand dollars (\$10,000) for each day in which the violation occurs, plus ten dollars (\$10) for each gallon discharged but not cleaned up in excess of 1,000 gallons. These mandatory minimum penalties and discretionary administrative civil liabilities may be assessed by the Central Coast Water Board or the State Water Board (collectively "the Water Boards"), beginning with the date that the violations first occurred<sup>1</sup>. The formal enforcement action that the Water Boards use to assess such liability is

<sup>1</sup> Please note that there are no statutes of limitation that apply to administrative proceedings to assess mandatory minimum penalties. See City of Oakland v. Public Employees' Retirement System, (2002) 95 Cal.App.4th 29, 48; 3 Witkin, Cal. Procedure (4th ed. 1996) Actions, §405(2), p. 510.) The Permittee has not been substantially prejudiced by the passage of time between the date(s) that Permittee reported the violations identified on Exhibit A and the date of this letter. The Permittee was aware of the violations at the time it reported them to the Central Coast Water Board. Water Board staff's limited enforcement resources and competing enforcement priorities provide a rational explanation for the delay. In fact, the delay has



an administrative civil liability complaint, although the Water Boards may instead refer such matters to the Attorney General's Office for prosecution. If referred to the Attorney General for prosecution, the Superior Court may assess up to twenty-five thousand dollars (\$25,000) per violation. In addition, the Superior Court may assess up to twenty-five dollars (\$25) per gallon discharged but not cleaned up in excess of 1,000 gallons.

**OFFER TO PARTICIPATE IN EXPEDITED PAYMENT PROGRAM:** The Permittee can avoid the issuance of a formal enforcement action and settle the alleged violations identified in the attached NOV by participating in the Central Coast Water Board's Expedited Payment Program. Details of the proposed settlement are described below and addressed in the enclosed documents.

To promote resolution of these violations, the Central Coast Water Board enforcement staff makes this Conditional Offer. The Permittee may accept this offer, waive the Permittee's right to a hearing, and pay the mandatory minimum penalty as indicated on Exhibit A for the violations described. If the Permittee elects to do so, subject to the conditions below, the Central Coast Water Board will accept that payment in settlement of any enforcement action that would otherwise arise out of the violations identified in the NOV. Accordingly, the Central Coast Water Board enforcement staff will forego issuance of a formal administrative complaint, will not refer the violations to the Attorney General, and will waive its right to seek additional discretionary civil liabilities for the violations identified in the NOV.

The Expedited Payment Program does not address liability for any violation that is not specifically identified in the NOV.

**PERMITTEE'S OPTIONS FOR RESPONSE TO OFFER:** If you accept this offer, please complete and return the enclosed "Acceptance of Conditional Resolution and Waiver of Right to Hearing; Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order No. R3-2015-0020 (Upon Execution)" (Acceptance and Waiver) no later than June 8, 2015. The returned Acceptance and Waiver will be held, pending a 30-day public notice period, and then will be counter-signed by the Executive Officer and returned to you with an invoice for payment.

If you contest some but not all of the violations identified in the attached NOV, the Permittee may elect to reserve the right to address the contested matters and resolve any uncontested violations through the payment of the mandatory minimum penalty for each uncontested violation. If the Permittee chooses this option, please communicate with the staff contact identified below to discuss the mechanism for memorializing that election on or before the due date.

If the Permittee chooses to contest any of the violations alleged in the NOV, please identify the specific violation and the basis for the challenge (factual error, affirmative defense, etc.) on or before the due date. Central Coast Water Board staff will evaluate the contested violation and take one of two actions:

- 1) Central Coast Water Board staff will determine that the violation is not supported, expunge the alleged violation from the CIWQS database, take no further action against the Permittee



for the alleged violation, and notify the Permittee of that determination;

- 2) Central Coast Water Board staff will determine that the alleged violation is validated, notify the Permittee, and provide 30 days for the Permittee to submit a supplemental Expedited Payment for those violations. If the Permittee chooses not to make a payment in response to the determination, the Permittee should expect to be contacted regarding formal enforcement action that will be initiated with regard to the contested violations. In a formal enforcement action, the liability amount sought and/or imposed may exceed the liability amount set forth in this Conditional Offer. Moreover, the cost of enforcement is a factor which can be considered in assessing the liability amount.

**CONDITIONS FOR WATER BOARD ACCEPTANCE OF RESOLUTION:** Federal regulations require the Central Coast Water Board to publish and allow the public 30 days to comment on any settlement of an enforcement action addressing NPDES permit violations [40 C.F.R. section 123.27(d)(2)(iii)]. Upon receipt of the Permittee's Acceptance and Waiver, Central Coast Water Board enforcement staff will publish a notice of the proposed resolution of the violations.

If no comments are received within the 30-day period, and unless there are new material facts that become available to the Central Coast Water Board, the Executive Officer will execute the Acceptance and Waiver as a settlement agreement and stipulation for entry of administrative civil liability order assessing the uncontested mandatory minimum penalty amount pursuant to Water Code section 13385.

If, however, significant comments are received in opposition to the settlement, this Offer may be withdrawn. In that case, the Permittee's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn. In that case, the unresolved violations will be addressed in a liability assessment proceeding. At the liability assessment hearing the Permittee will be free to make arguments as to any of the alleged violations, and the Permittee's agreement to accept this conditional offer will not in any way be binding or used as evidence against the Permittee. The Permittee will be provided with further information on the liability assessment proceeding.

In the event the Acceptance and Waiver is executed by the Executive Officer, payment of the assessed amount shall be due and payable within 30 days and as specified in the letter and/or invoice that will accompany the Permittee's receipt of the Executive Officer's signed stipulated order. Failure to pay the penalty within the required time period may subject the Permittee to further liability.

**OPPORTUNITY FOR SUPPLEMENTAL ENVIRONMENTAL PROJECT OR COMPLIANCE PROJECT IN LIEU OF ADMINISTRATIVE LIABILITY:** In lieu of paying to the State Water Board Cleanup and Abatement Account all of the mandatory minimum penalty, the Permittee may elect to use part of the penalty to fund a supplemental environmental project (SEP) as defined in the State Water Board's Supplemental Environmental Project Policy. There is currently one SEP option available:

1. **Groundwater Assessment and Protection (GAP):** GAP is focused on the assessment and protection of groundwater, providing the public with information about the safety of their drinking water, and the provision of drinking water for disadvantaged communities. Funding for GAP is managed and administered by the non-profit Bay Foundation of Morro Bay. No SEP funds are directed to the Central Coast Water Board. More information on GAP is available at:



[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/gap/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/gap/index.shtml)

GAP is an established, on-going, region-wide project administered by an approved third party, which allows the Permittee to satisfy its selected project obligations by transferring the agreed-upon funds in a timely manner. Funds derived from suspended liability related to the alleged violations are appropriate for this SEP because the project is implemented throughout the region and is related to waters associated with the Permittee's waste discharge. The State Water Board Office of Enforcement has approved GAP as an appropriate SEP. The Central Coast Water Board has established GAP as a top priority for SEP funding. Central Coast Water Board staff will not accept SEP proposals other than that listed above as part of the EPL process.

In rare circumstances, the Permittee may be eligible to fund a compliance project (CP) if it can demonstrate status as a publicly owned treatment works serving a small community with a financial hardship pursuant to Water Code section 13385(k) and the State Water Board Enforcement Policy, and the Central Coast Water Board elects at its discretion to accept the CP in lieu of assessing all or a portion of the mandatory minimum penalty. If the Permittee believes it meets the CP criteria, then **no later than June 8, 2015**, the Permittee shall respond in writing documenting population and financial hardship data supporting its request to propose a CP. Water Board staff will review the initial proposal and provide further guidance. Permittees proposing CPs may not submit the enclosed Acceptance and Waiver with the CP proposal. If Water Board staff determines the CP criteria do not apply, rejects the proposed CP, or otherwise elects to deny the CP option, staff may provide the Permittee with another opportunity to submit the Acceptance and Waiver.

Permittees may choose to pay the total settlement amount to the State Water Board's Cleanup and Abatement Account (CAA) rather than fund the above SEP or propose a CP (where applicable). The CAA's primary purpose is to address drinking water and drought issues throughout California.

The SEP and CAA options are represented in the enclosed Acceptance and Waiver. If you want to discuss any of the above options, please contact the person identified below.

**CONTACT PERSON:** Should you have any questions about the Notice of Violation or the Conditional Offer, please contact Katie DiSimone at (805) 542-4638 or [Katie.DiSimone@waterboards.ca.gov](mailto:Katie.DiSimone@waterboards.ca.gov), or Thea Tryon at (805) 542-4776 or [Thea.Tryon@waterboards.ca.gov](mailto:Thea.Tryon@waterboards.ca.gov).

Sincerely,



Digitally signed by Michael  
Thomas

Date: 2015.05.08 09:25:48 -07'00'

Michael J. Thomas  
Assistant Executive Officer

Encl. — 1. Exhibit A - Notice of Violation



2. Acceptance of Conditional Resolution and Waiver of Right to Hearing; Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order No. R3-2015-0020 (Upon Execution)

cc: Michael Thomas, Water Board Assistant Executive Officer  
Thea Tryon, Water Board Enforcement Coordinator  
Sheila Soderberg, Water Board Permitting Supervisor  
Katie DiSimone, Water Board Permitting Staff  
Todd Stanley, Water Board Enforcement Staff  
Jill North, Water Board Enforcement Staff

File Location: R:\RB3\Enforcement\EPLs\2015 So SLO WWTP\South SLO WWTP MMP EPL Offer.docx  
Primary Indexing #257887

EPL No. R3-2015-0020 – Exhibit A  
Proposed Stipulated ACL Order No. R3-2015-0020  
South San Luis Obispo CSD WWTP

**Exhibit A – Notice of Violation**  
**South San Luis Obispo CSD WWTP**  
**ALLEGED VIOLATIONS (July 1, 2011 – March 12, 2014)**  
**MANDATORY MINIMUM PENALTY VIOLATIONS REQUIRING ENFORCEMENT**

The Enforcement staff of the Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) reviewed information submitted by this facility to determine whether the discharger is subject to mandatory minimum penalties (MMPs) pursuant to subdivisions (h) and (i) of California Water Code section 13385. The following table lists this facility's alleged violations of Waste Discharge Requirements Order No. R3-2009-0046, NPDES Permit No. CA0048003 from July 1, 2011, through March 12, 2014, for which the Central Coast Water Board has not assessed MMPs. Final calculation of MMP amounts owed and descriptions of the abbreviations that appear in the table are also listed below.

For additional information about the alleged violations listed in the table, please refer to the State Water Resources Control Board CIWQS Public Reports webpage [http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/publicreports.shtml](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml) and select the "Mandatory Minimum Penalty (MMP) Report" link located under the "Violations Reports" category. Once in the Mandatory Minimum Penalty Reports search page, select Region 3 along with the beginning and ending dates shown in this exhibit, select Run Report, and then select your facility to access the list of violations. Expand the Effluent MMP Violations section of the page by selecting the "+" icon to the left of the section title. To view details of a violation, select the Violation ID number. For chronic violations, select the "Chronic" link in the "MMP Type" column to see a list of the three or more violations preceding each chronic violation within 180 days and thus qualifying the chronic violation as a MMP.

#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious Violation	Date 180 Days Prior	No. of Viols within 180 days	Penalty
1	907286	07/31/2011	Biochemical Oxygen	Group 1	30-Day Average	40	42.9	mg/L	7%	N/A	01/02/2011	1	\$ 0
2	908826	08/20/2011	Biochemical Oxygen	Group 1	Weekly Average	60	68	mg/L	13%	N/A	02/16/2011	2	\$ 0
3	908827	08/31/2011	Biochemical Oxygen	Group 1	Monthly Average	40	47	mg/L	18%	N/A	02/16/2011	3	\$ 0



EPL No. R3-2015-0020 – Exhibit A  
Proposed Stipulated ACL Order No. R3-2015-0020  
South San Luis Obispo CSD WWTP

#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious Violation	Date 180 Days Prior	No. of Viols within 180 days	Penalty
4	911791	09/10/2011	Biochemical Oxygen Demand	Group 1	Weekly Average	60	63.5	mg/L	6%	N	03/11/2011	4	\$ 3,000
5	930699	06/06/2012	Fecal Coliform	Other	Daily Maximum	2000	13000	MPN/100 mL	N/A	N/A	12/09/2011	1	\$ 0
6	937775	09/12/2012	Fecal Coliform	Other	Daily Maximum	2000	3500	MPN/100 mL	N/A	N/A	03/16/2012	2	\$ 0
7	937776	09/28/2012	Fecal Coliform	Other	Daily Maximum	2000	50000	MPN/100 mL	N/A	N/A	04/01/2012	3	\$ 0
8	939559	10/24/2012	Fecal Coliform	Other	Daily Maximum	2000	160000	MPN/100 mL	N/A	N	04/27/2012	4	\$ 3,000
9	967711	03/12/2014	Chlorine, Total Residual	Group 2	Instantaneous	9.96	13.5	mg/L	31%	S	09/13/2013	N/A	\$ 3,000

**Total Penalty: \$9,000**

**Total Mandatory Minimum Penalty Amount for Effluent Violations**  
(1 Serious Violation + 2 Non-Serious Violations) × \$3,000 = \$9,000

For Group 1 pollutants, a violation is serious when the limit is exceeded by 40% or more, and non-serious (formerly “chronic”) when the limit is exceeded by less than 40%.

For Group 2 pollutants, a violation is serious when the limit is exceeded by 20% or more, and non-serious when the limit is exceeded by less than 20%.

EPL No. R3-2015-0020 – Exhibit A  
Proposed Stipulated ACL Order No. R3-2015-0020  
South San Luis Obispo CSD WWTP

For “Other” (i.e., Other Effluent Violation) pollutants, a violation is non-serious when the limit is exceeded by any amount. For the purposes of MMP enforcement, Other Effluent Violations are not categorized as serious.

Serious violations are subject to a penalty of no less than \$3,000 each, as are non-serious violations when preceded by three or more specified violations within any period of 180 days.

**Definitions**

CIWQS	California Integrated Water Quality System database used by the Water Boards to manage violation and enforcement activities, as well as other data types relevant to water quality protection.
NPDES	National Pollutant Discharge Elimination System permit program that controls water pollution by regulating point sources that discharge pollutants into waters of the United States.
Violation Number	Identification number assigned to a violation in CIWQS.
Violation Date	Date that a violation actually occurred, with the exception that for some violation types, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date used is the day the violation was first discovered by staff, the Discharger, or a third party.
Pollutant Types: Group 1 & 2	Groups of pollutants defined in the State Water Resources Control Board Water Quality Enforcement Policy. Also referred to as Category 1 or CAT1, Category 2 or CAT2, respectively.
Pollutant Type: Other	“Other” refers to “Other Effluent Violation”. Group of pollutants other than those included in Group 1 or 2.
mg/L	Milligrams per liter.
MPN/100 mL	Most probable number per 100 milliliters.



**ACCEPTANCE OF CONDITIONAL RESOLUTION  
AND WAIVER OF RIGHT TO HEARING;**

**SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL  
LIABILITY ORDER NO. R3-2015-0020 (UPON EXECUTION)**

South San Luis Obispo County Sanitation District WWTP  
EPL No. R3-2015-0020  
Waste Discharge Requirements Order No. R3-2009-0046  
National Pollutant Discharge Elimination System (NPDES) Permit No. CA0048003

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Central Coast Regional Water Quality Control Board (Central Coast Water Board), the South San Luis Obispo County Sanitation District Waste Water Treatment Plant (Permittee) hereby accepts the "Offer to Participate in Expedited Payment Program" (Offer) and waives the right to a hearing before the Central Coast Water Board to dispute the alleged violations described in the Notice of Violation (NOV) attached to the Offer as Exhibit A and incorporated herein by reference.

The Permittee agrees that the NOV shall serve as a complaint pursuant to Article 2.5 of the Water Code and that no separate complaint is required for the Central Coast Water Board to assert jurisdiction over the alleged violations through its enforcement staff. The Permittee agrees to pay the penalties authorized by California Water Code section 13385, as specified in the NOV (Expedited Payment Amount), which shall be deemed payment in full of any civil liability pursuant to the Water Code sections 13385 and 13385.1 that otherwise might be assessed for the violations described in the NOV.

Expedited Payment Amount: **\$9,000.**

The Permittee understands that it may pay up to the maximum allowable portion<sup>1</sup> of the Expedited Payment Amount towards the Supplemental Environment Project (SEP) it indicates with an "X" in the first column of the table below. If selecting this option, the Permittee will indicate in the second column of the table below how much of the maximum allowable portion it will direct to the selected SEP. If the Permittee does not select the SEP option, the Permittee shall pay the total Expedited Payment Amount to the State Water Resources Control Board Cleanup and Abatement Account.

Maximum Allowable Portion for SEPs: **\$4,500.**

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<sup>1</sup> Pursuant to Water Code section 13385(l)(1), if the penalty amount exceeds \$15,000, the amount the Water Board may direct to a SEP may not exceed \$15,000 plus 50 percent of the penalty amount over \$15,000. For penalty amounts of \$15,000 or less, the Water Board may direct half of the full amount to a SEP.

**Expedited Payment Letter (EPL) No. R3-2015-0020**  
**NPDES Permit No. CA0048003**

Check Below to Select the SEP Option	Amount (\$) of Maximum Allowable Portion for this SEP	SEP Name
		Groundwater Assessment and Protection (GAP)

The Groundwater Assessment and Protection (GAP) program is the SEP option offered above. GAP is focused on addressing drinking water issues in disadvantaged communities. Information on GAP is available here:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/gap/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/gap/index.shtml)

Funding for GAP is managed and administered by the non-profit Bay Foundation of Morro Bay. No SEP funds are directed to the Central Coast Water Board.

The State Water Resources Control Board's Enforcement Policy provides that payments for SEPs shall be treated as suspended liabilities pending completion of the SEP, or portion thereof, at which time the suspended liability becomes permanently waived by the Central Coast Water Board. By selecting the SEP option, the Permittee understands and acknowledges that the suspended portion of its Administrative Civil Liability is permanently suspended upon being spent towards the SEP by the party implementing the SEP. If the implementing party is unable to spend any portion of the suspended liability towards the SEP, then Central Coast Water Board staff will direct the implementing party to pay that amount to the Cleanup and Abatement Account to permanently suspend the remaining liability.

The Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the Notice of Violation.

Upon execution by the Permittee, the Permittee shall return this Acceptance and Waiver to:

Thea Tryon  
Enforcement Coordinator  
Central Coast Water Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

The Permittee understands that federal regulations set forth in title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Central Coast Water Board to publish notice of and provide at least 30 days for public comment on any proposed resolution of this enforcement action. Accordingly, this Acceptance and Waiver, prior to execution by the Executive Officer of the Central Coast Water Board, will be published as required by law for public comment.



**Expedited Payment Letter (EPL) No. R3-2015-0020**  
**NPDES Permit No. CA0048003**

The Permittee understands that if significant comments are received in opposition to the Offer, the Central Coast Water Board enforcement staff's offer to resolve the violations set forth in the NOV may be withdrawn. In that circumstance, the Permittee will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the Central Coast Water Board. For such a liability hearing, the Permittee understands that this Acceptance and Waiver executed by the Permittee will be treated as a settlement communication and will not be used as evidence in that hearing.

If no comments are received within the notice period that causes the Executive Officer to reconsider the Offer, the Executive Officer will execute the Acceptance and Waiver as Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order No. R3-2015-0020 (Settlement and Order).

The Permittee understands that after the signed Acceptance and Waiver is publicly noticed and executed by the Executive Officer of the Central Coast Water Board, Water Board staff will transmit the executed Settlement and Order to the Permittee with payment instructions and due dates. Furthermore, the Permittee understands that full payment of the Expedited Payment Amount, including any allowable portion of which is authorized for use in SEPs, within 30 days after staff transmits the executed Settlement and Order is a condition of this Acceptance and Waiver.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver and the terms of the Settlement and Order.

By: \_\_\_\_\_  
(Signed Name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Printed or typed name)

\_\_\_\_\_  
(Title)

**Expedited Payment Letter (EPL) No. R3-2015-0020**  
**NPDES Permit No. CA0048003**

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13385

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kenneth A. Harris Jr.  
Executive Officer  
Central Coast Water Board

File Location: R:\RB3\Enforcement\EPLs\2015 So SLO WWTP\South SLO WWTP-MMP EPL Acceptance-Waiver  
Form.docx  
Primary Indexing #257887





# **SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

[www.sslocsd.org](http://www.sslocsd.org)

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## **Staff Report**

To: Board of Directors  
From: Richard Sweet, PE, District Manager

Date: June 3, 2015

Subject: **REQUEST TO ENGAGE BROWNSTEIN HYATT FARBER  
SCHRECK AS INTERIM DISTRICT COUNSEL**

### **RECOMMENDATION:**

That the Board directs the District Manager to execute an agreement with Brownstein Hyatt Farber Schreck to perform the duties of interim District Counsel.

### **BACKGROUND**

At the Board meeting of May 20, 2015, long time District Counsel Michael Seitz with the firm of Shipsey and Seitz resigned from the position of District Counsel effective this Board meeting (June 3, 2015). The District has an immediate need for Counsel to respond to project needs, approaches and initiatives, that emerge while pursuing the needs of the District.

### **DISCUSSION:**

Given the short timeframe available to the District to provide seamless legal support, the District has requested a proposal, Attachment "A," from one of the leading law firms with a local presence, Brownstein Hyatt Farber Schreck (BHFS), to provide services as Interim District Counsel. The rates required to retain BHFS are significantly higher than those of Shipsey and Seitz. BHFS has indicated that they will utilize Associates at the firm to perform the majority of the work with the work being reviewed by a Shareholder in an attempt to keep the total costs to the District to a minimum. Stephanie Hastings will be the Shareholder that will lead BHFS's effort to serve the District.

To find a permanent District Counsel, the District proposes to prepare a Request for Proposals, solicit proposals from qualified firms, review and evaluate the proposals, and select the best firm to meet the long-term needs of the District. It is anticipated that this process will take between eight and twelve weeks.

### Options

1. Decline to engage BHFS to perform the service of interim District Counsel and direct the District Manager to seek additional proposals for the services of interim District Counsel.
2. Decline to engage services for interim District Counsel and leave the District without legal support until the process of seeking a permanent District Counsel is complete.

Richard G. Sweet, PE  
District Manager

Attachments: Attachment "A" Proposal from Brownstein Hyatt Farber Schreck



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*Prepared for*

**South San Luis Obispo Sanitation District**  
**Provision of Legal Services**

Stephanie Hastings  
Brownstein Hyatt Farber Schreck, LLP  
1020 State Street  
Santa Barbara, CA 93101-2711  
T 805.882.1415  
shastings@bhfs.com  
bhfs.com

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**Table of Contents**

**COVER LETTER**

**STATEMENT OF QUALIFICATIONS**

Brownstein Hyatt Farber Schreck

Public Agency Practice

California Public Agency Clients

Water Resources Practice

Water Resources Clients

**COST PROPOSAL**

**ATTORNEY BIOGRAPHIES**



May 27, 2015

Rick Sweet  
South San Luis Obispo County Sanitation District  
1600 Aloha Place  
Oceano, CA 93475

RE: Provision of Legal Services to South San Luis Obispo County Sanitation District

Dear Mr. Sweet:

Thank you for the opportunity to provide information about our qualifications to represent South San Luis Obispo County Sanitation District. Brownstein Hyatt Farber Schreck is an Am Law 200 firm with five offices throughout the state of California giving us the geographic breadth to serve our client's needs. Brownstein is known throughout California for our expertise in public agency and national resources law, and particularly with respect to water resources, including both water and wastewater legal services. Further distinguishing ourselves, Brownstein is also able to offer clients state and national lobbying and government relations services.

Brownstein's Public Agency Group frequently serve as both outside counsel, as well as special counsel, to public agencies and water and wastewater districts. Brownstein has a strong reputation for creative problem-solving and the ability to tackle a broad array of day-to-day task as well as complex issues in a cost-efficient manner. We have represented public agencies in many of the State's most significant and complex water resources matters. Our specialized expertise in water resources is unmatched in the industry.

Following is a summary of our firm's qualifications, relevant experience and relationships. We have proposed discounted hourly rates for our services. However, the District may also wish to consider whether an alternative fee structure for specified services better suits its needs. We would be pleased to discuss such an arrangement with you. As we discuss below, Brownstein is uniquely qualified to provide the District with both general counsel services, as well as specialized expertise in water resource matters.

Thank you for considering Brownstein for the District's general counsel. Please contact me if I can provide you with any further information.

Most sincerely,

Stephanie O. Hastings



## STATEMENT OF QUALIFICATIONS

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### Brownstein Hyatt Farber Schreck

Brownstein Hyatt Farber Schreck provides its clients a value that no other California law firm can match—an integrated approach that combines sensible business solutions with a Capitol Hill perspective. The firm's lawyers and policy advisors have built a reputation for providing legal counsel that drives results and connects business leaders to the information they need to make decisions. Brownstein, who merged with Hatch & Parent in 2008, and with the assimilation of their clients like Nestle Waters North America, San Diego County Water Authority, South Tahoe Public Utility District, and the Cities of Fresno and Oxnard, is regarded as one of the premier water resources practices in the Western U.S. The Brownstein Water Resources Group's attorneys have served as counsel in major matters involving the use of water throughout the United States, including the West, the Great Lakes region, and the Southeast. Our attorneys also have experience internationally in the areas of water law reform and trans-boundary litigation. The Public Agency Group includes attorneys with experience in the particular disciplines germane to public law. Representative areas of expertise include water resources, land use permitting, construction contracting and management, elections, eminent domain, environmental compliance, utility franchises, project finance, and agency procedures.

Brownstein currently operates five offices across the state giving us the geographic breadth to serve our clients' needs. From Sacramento to San Diego, Brownstein offers a range of services across California, including natural resources, land use, public agency, environmental and water resources law.

### Approach to Representation

Brownstein is committed to providing top-quality counsel that is cost-effective, accessible and comprehensive. It is through frequent communication and responsiveness that we can best serve our clients and see projects through to completion. We take particular pride in working closely with our clients as we are at our best when we are considered a part of the client's in-house team, and we thus look for opportunities where we can integrate fully with them. We believe the best way to keep teams working efficiently is to assemble a group of talented, dedicated professionals to each matter.

We propose to assign Stephanie Hastings to act as the attorney-in-charge. She has nearly 20 years of experience providing representation to water users, many of whom are public agencies, throughout California, including presently acting as the Assistant General Counsel to the Central Coast Water Authority. Her qualifications are described in detail in the attached résumé. Where specialized knowledge is required to perform specific legal services, Stephanie may draw on the expertise of other members of Brownstein's Water and Public Agency groups within the firm.

### The Brownstein Team

Primary proposed team members include: Stephanie Hastings (Shareholder), who will serve as the primary contact and lead attorney for the District. She will be assisted by Jena Shoaf (Associate) and Dylan Johnson (Associate), both of whom have substantial public agency and water resources experience. The team members will also draw upon the full resources of the firm to put together the best qualified team for any given matters. In particular, attorneys whose expertise may be of assistance to the District includes: Peter Brown (Shareholder), who acts as City Attorney to the City of Carpinteria, Steven Amerikaner (Shareholder), who is the General Counsel for the Central Coast Water Authority and has extensive land-use and public agency experience, Beth Collins-Burgard (Shareholder) who has extensive land-use expertise, and Gary Kvistad (Shareholder) who has extensive environmental law expertise.



## PUBLIC AGENCY PRACTICE

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To aid public agencies in their missions to provide the best service possible for their citizens, Brownstein Hyatt Farber Schreck maintains a well-seasoned multidisciplinary team experienced in the full range of legal issues that public agencies must address. The Brownstein Public Agency Group includes attorneys with broad experience representing public agencies in general counsel, transactional, and litigation matters. We serve as counsel to public agencies throughout California, both as general counsel and as special counsel on particular transactions and litigation. Our clients include cities, counties, redevelopment authorities, regional agencies and special districts that provide utility services. Representative areas of expertise include water resources, land use permitting, construction contracting and management, elections, eminent domain, environmental compliance, utility franchises, public finance, and agency procedures.

The Brownstein Public Agency Group has a strong reputation among public agencies for creative problem-solving and the ability to tackle complex issues in a cost-efficient manner. We approach our clients' concerns using customized teams chosen for their experience with the particular issue at stake. We also understand the financial constraints under which many public agencies must operate. Our general counsel work covers the full range of local agency issues, including management of agency meetings, preparation of resolutions and ordinances, and ensuring compliance with government transparency and conflict-of-interest requirements. Brownstein's Public Agency Group has a particular proficiency in assisting public agencies with their public infrastructure projects, which are often tangled in the regulatory requirements imposed by other agencies at the federal, state and local levels, such as the State and Regional Water Quality Control Boards and the U.S. Fish and Wildlife Service.

Our years of experience serving as legal advisors to numerous public agencies give us the background to ask the right questions, identify the pertinent concerns of our clients, and help achieve their goals in the most efficient manner possible. When necessary, we can call on resources from Brownstein's highly respected Government Relations Group to assist with public policy, lobbying and regulatory counsel. Our in-house professional staff also includes land use planners with substantial experience working for local development permitting agencies.

**Broad Expertise.** We have broad expertise in the full range of issues that are presented to public agencies, including agency procedures (open meetings, public records, meeting protocol, etc.), formation of joint powers authorities, public contracting, ethics and conflicts of interest, elections, finance and economic development, land use regulation, environmental protection and permitting, code enforcement, and liability/litigation.

**California Environmental Quality Act (CEQA) Guidance.** The Public Agency Group for years has provided legal advice to public agencies, including California water districts and regional water agencies, related to project review under the California Environmental Quality Act. We are well-versed in the application of CEQA to issues such as alternative water supplies, contaminated groundwater sources, and agency review of projects, including those proposed by the agency itself.

**California Environmental Quality Act (CEQA) Litigation.** Working with the firm's NEPA/CEQA Group, we can litigate issues related to CEQA. This work includes dispute avoidance and resolution counsel to avoid courtroom-driven outcomes whenever it is more beneficial for the client.



**Public Infrastructure.** The Group handles issues related to contracting, permitting and litigation for public works projects (such as water treatment plants, utility development, and public works projects), real estate transactions, land use development, engineering and construction.

**Public Financing Litigation.** The Public Agency Group can act as special counsel or as a litigation team to defend public agencies from lawsuits involving issues of public financing and tax incentives.

## REPRESENTATIVE MATTERS

Brownstein provides creative problem-solving for a full range of legal issues that our public agency clients must address. The following projects are representative of the work we do.

**Goleta West Sanitary District.** General Counsel to the Goleta West Sanitary District, a public agency that provides wastewater collection and treatment services to 6000 customers in the Goleta Valley. Brownstein Hyatt Farber Schreck provides the District with advice on public agency operations, including meeting procedures, Brown Act compliance, conflict of interest issues, personnel, and public facility contracting. Brownstein attorneys also negotiate on behalf of the District with other local public agencies, including the University of California, Santa Barbara and the County of Santa Barbara.

**City of San Juan Capistrano.** Ongoing provision of legal services for City for all water resources matters, including representation of City in evaluation and implementation of reorganization of water and wastewater utility, representation of City in litigation involving the City's water rights and operations of its groundwater recovery project, and representation of City with regard to regional water resources matters and membership within the San Juan Basin Authority, a joint powers authority.

**City of Carpinteria.** Ongoing provision of a wide range of services as acting City Attorney for the City of Carpinteria, including drafting ordinances, prosecuting and defending against litigation on a broad range of public agency matters, attending and representing public agency at meetings, and advising city regarding Brown Act requirements, Public Records Act requests, code enforcement and land use issues, CEQA, public contracting, property transactions, and related matters.

**Central Coast Water Authority.** General Counsel to the Central Coast Water Authority, a joint powers authority comprised of eight member agencies. CCWA is a wholesale water provider to 13 water districts and private companies in Santa Barbara County, and another 11 water purchasers in San Luis Obispo County. Provides legal services for all phases of planning, permitting, environmental compliance, right-of-way acquisition, construction and operation related to a \$600 million drinking water delivery system. Lead counsel in three cases involving validation and CEQA challenges to 1990's amendments to State Water Project contracts, and revised amendments that resulted from settlement of previous litigation challenges, and CEQA compliance for both.

**South Tahoe Public Utility District.** General counsel to South Tahoe Public Utility District, including advice to the Board of Directors and District staff; drafting and review of ordinances and resolutions, contracts and other legal documents; business negotiations; construction; environmental regulatory compliance, water resources, and litigation.



**Santa Ynez River Water Conservation District, Improvement District No. 1.** General counsel to Santa Ynez River Water Conservation District, Improvement District No. 1., including advice to the Board of Directors and District staff; drafting and review of ordinances and resolutions, contracts and other legal documents; business negotiations; construction; environmental regulatory compliance, water resources, and litigation.

**City of Fresno.** Advised City on reorganization of its water, wastewater and solid waste utilities, including evaluation of dependent and independent special district, privatization and public-private partnership options and financing. Legal services were provided in conjunction with financial consultants to advise the city on developing an option to meet its short and longterm financial goals and commitments.

**California Building Industry Association.** Represented client on various CEQA and water resources issues. Litigation challenging State Board issued NPDES general permit for stormwater discharges associated with construction activities as violating the federal Clean Water Act and California's Porter-Cologne Act.

**Master Ordinance Provisions.** Crafted master ordinance provisions for municipally owned water and wastewater divisions. Assisted in rate making issues, including compliance with Proposition 218 fees, charges and assessment requirements.

**REPRESENTATIVE CALIFORNIA PUBLIC AGENCY CLIENTS (PAST AND PRESENT)**

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Calleguas Municipal Water District	Central Coast Water Authority	San Diego County Water Authority
Camrosa Water District	El Dorado County Water Agency/El Dorado Water & Power Authority	San Juan Capistrano Community Redevelopment
City of Baldwin Park	Foothill/Eastern Transportation Corridor Agency	San Luis & Delta Mendota Water Authority
City of Calabasas	Groveland Community Services District	Santa Ana Watershed Project Authority
City of Camarillo	Goleta West Sanitary District	Santa Clara Valley Water District
City of Carmel-by-the-Sea	Indio Water Authority	Santa Margarita Water District
City of Carpinteria	Marina Coast Water District	Santa Ynez River Water Conservation District, ID#1
City of Del Rey Oaks	Mesa Water District	South Orange County Wastewater Authority
City of Fresno	Monterey Peninsula Regional Water Authority	South Tahoe Public Utility District
City of Glendale	Midpeninsula Regional Open Space District	Soquel-Aptos Basin Joint Powers Authority
City of Indio	Olivenhain Municipal Water District	Transbay Joint Powers Authority
City of Long Beach	Orange County Transit Authority	Water Replenishment District of Southern California
City of Monterey	Otay Water District	West Valley Water District
City of Oceanside	Pixley Irrigation District	Western Municipal Water District
City of Oxnard		Westlands Water District
City of San Juan Capistrano		
City of San Luis Obispo		
City of Sand City		
City of Seaside		
Cuyama Community Services District		



## WATER RESOURCES PRACTICE

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Considered among the nation's premier water law and policy practices, Brownstein's Water Group boasts unparalleled expertise in every aspect of water resources, quality, supply, use, distribution and policy. We represent both public and private water and wastewater producers, suppliers, providers and operators, including municipalities, wholesale and retail water agencies, public utilities, industrial users, real estate and land developers, vineyards, ranchers, significant land owners and various water-related public policy organizations. Our practice is simultaneously both local and national in scope, bringing intelligence and experience on national issues along with a sensitivity for local needs.

For decades, we have been on the ground dealing in the areas where water issues are most contentious. Brownstein has represented major water users and government agencies in some of the most significant and complex water projects in the country, often affecting multiple jurisdictions and states.

Our Water Group includes more than 30 attorneys with specialized water practices and licenses throughout the country. Our group's Shareholders and Senior Counsel average more than 21 years of legal experience in water resources issues. In short, in one firm, you will find the expertise to navigate any water resources problem you face.

**Transactional Representation.** The Water Group provides the full range of legal services involving water-related transactions, including creating and dissolving water utilities and other corporate structures to use, manage and deliver water; developing and implementing groundwater management systems; developing required local and regional planning documents; evaluating users' existing and prospective water resources; protecting existing assets from interference; evaluating water supply availability in the land development context; acquiring new water supplies; complying with water quality requirements; negotiating and preparing purchase, sale, lease, transfer and exchange agreements; and permitting surface water resources.

**Regulatory Compliance.** The use, transportation and distribution of water are highly regulated. Our attorneys appear before local, state and federal regulatory bodies in jurisdictions throughout the country, ensuring our clients' compliance with applicable regulatory schemes and securing regulatory approvals associated with any water transaction. We have crafted master ordinance provisions for municipally owned water and wastewater divisions and assisted in rate making issues, including compliance with Proposition 218 fees, charges and assessment requirements.

**Litigation.** In the litigation context, we have extensive experience before both administrative and judicial tribunals, at local, state and federal levels. We have played a leading role in important water resources litigation in the West, including the adjudication of rights in dozens of groundwater basins and stream systems as well as water quality concerns, and have developed physical solutions to help manage these important water resources.

**Legislative Services.** Often, complex water problems require legislative solutions. Our policy advocates have collaborated with city, state and federal agencies and spent years lobbying for forward-thinking water policies. We have drafted state and local legislation and have participated in the creation of several special groundwater management agencies.

## REPRESENTATIVE MATTERS

Brownstein has been involved in developing value for its clients in every aspect of the water space. The following projects are representative of the work we do.

**Groundwater Management Planning.** Representation of public agencies developing and amending groundwater management plans. Our attorneys and policy advisors were also deeply involved in the negotiation and drafting of the Sustainable Groundwater Management Act (SGMA) in 2014 and are now representing public agencies and other stakeholders concerning compliance with the SGMA and its implementation.

**Southwest Water Company.** Representing private company throughout negotiation and implementation of agreement with a California municipal water district for design, construction, finance and operation (DBFO) of new water treatment facility.

**Ormat Technologies, Inc.** Representing Ormat Technologies, the largest global geothermal energy company, based in Israel, with their Brawley Plant geothermal project regarding the negotiations of P3 contract to design, build and transfer tertiary wastewater treatment plant to the city in exchange for reliable recycled water supply.

**Golden State Water Company.** Representing Golden State Water Company in adjudication of the Los Osos groundwater basin in California, including development of a Basin Plan. The Basin Plan is an innovative water resources plan that includes significant projects related to urban water use efficiency improvements, groundwater treatment, water reuse and recycling, prevention of seawater intrusion and establishment of a water market and watermaster.

**Recycled Water for New Development.** On behalf of several large new developments in northern and southern California, Brownstein has overseen environmental review and permitting of numerous recycled water components of the projected supply, including on-site recycled water facilities.

**Agreement for Treatment of Wastewater at Hyperion.** Negotiated thirty-year wastewater treatment agreement for the Cities of Beverly Hills and Burbank and Universal Studios, with the City of Los Angeles for use of the largest wastewater facility in the Western United States.



## REPRESENTATIVE WATER RESOURCES CLIENTS (PAST AND PRESENT)

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Alpine Bank	City of Oxnard	NBC Universal, Inc.	Sleeping Lion Ranch, LLC
Antelope Valley Ground Water Agreement Association	City of Seaside	Nestlé Waters North America	Slippery Rock Ranch LLC
Aqua Capital Management, LP	ClubCorp, Inc.	Newhall Land and Farming Company	South Tahoe Public Utilities District
Arrowhead Lake Association	Colorado River Water Conservation District	NRG Energy, Inc.	Southern California Edison
C & A Companies, Inc.	Colorado Water Users Coalition	Ormat Technologies, Inc	Southern Nevada Water Authority
Cadiz, Inc.	El Dorado County Water Agency	Pardee Homes	Southwest Texas Water Resources, LP
California Correctional Cannisia Plantation, LLC	Electrum USA Ltd.	Pioneer Natural Resources USA, Inc.	Suncor Energy (U.S.A.) Inc.
Central Coast Water Authority	Golden State Water Company	Plains Metropolitan District	The Hearst Corporation
Chino Basin Watermaster	Goleta West Sanitary District	Pulte Homes	Todd Creek Village Metropolitan District
City of Aurora	Groundwater Resources Association	Renewable Resources Group	Town of Minden
City of Fresno	Idaho Power Company	Resource Land Holdings, LLC	Water Asset Management, LLC
City of Indio	Las Varas/Edwards Ranch	San Diego County Water Authority	West Basin Water Assn
City of Long Beach	Lennar Colorado, LLC	Santa Clara Valley Water District	Westlands Water District
City of Morgan Hill	Moapa Tribe of Paiutes	Santa Paula Basin Pumpers Association	West Valley Water District
	Napa Redevelopment Partners, LLC	Santa Ynez River WCD, ID #1	Western Growers Association
			Yuma County Water Authority

## COST PROPOSAL

### Hourly Rates

Brownstein's fees are based primarily on the actual amount of time spent by our attorneys, paralegals, law clerks and specialists in performing services for our clients. The following table presents the specific hourly rates proposed for general counsel services for South San Luis Obispo Sanitation District.

Attorney Name	Attorney Level	Primary Practice Area(s)	2015 Proposed Discounted Hourly Rates*	2015 Public Agency Discount Rate	2015 Standard Rate
Stephanie Hastings	Shareholder	Natural Resources: Water & Public Agency	\$400	\$515	\$565
Dylan Johnson	Associate	Natural Resources: Water & Public Agency	\$285	\$285	\$315
Jena Shoaf	Associate	Natural Resources: Water & Public Agency	\$255	\$255	\$280

\* All shareholder rates for general counsel services will be capped at \$400/hour. All associate rates for general counsel services will be at BHFS's discount rate for public agencies. Fees for special services – such as litigation or lobbying services – would be negotiated separately.

While we have identified an initial team based on our understanding of the District's operations, we have the bench-depth to adjust the personnel assigned to any particular objective or project to ensure the optimal likelihood of success. Every member of our team has unique capabilities and can provide valuable expertise. We will remain nimble and responsive to the District's needs. Our practice is to utilize the resources of any firm member who we believe can benefit the District.

### Alternative Fee Structures

Brownstein has successfully developed alternative fee structures for a number of clients, including various public agencies.

Brownstein is willing to explore alternative fee pricing structures with the District for on a project-by-project basis. These might include reduced rates for attorney work on specific services, fix/flat fees, blended billing rates, or monthly retainers for specified services. Typically, we work with our clients to design alternative fee arrangements after developing a clear understanding of the needs and expectations for the specific project.





## **Steven A. Amerikaner**

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Steve's career in real estate law spans three decades and numerous changes in environmental and land use regulations. Focusing on California's Central Coast, Steve represents property owners and businesses seeking development permits and other governmental approvals. As land use rules have become more complex and unpredictable, he has also increasingly provided pre-acquisition due diligence counsel.

Steve regularly counsels developers, public agencies, businesses and homeowners, including coastal property owners, on land development issues such as securing land use permits (including coastal permits and major general plan and zoning amendments). He also serves as general counsel to a regional water agency and a local sanitary district.

In addition, Steve has significant experience in counseling established businesses and associations, including a prestigious private school, a movie theater corporation and a ranch owners association. He also represents a number of public agencies and advises businesses and individuals facing problems with public agencies. For example, he advised a major California water agency in the permitting, financing, planning and construction of a \$600 million water distribution system and treatment plant and, more recently, represented a California special district in securing permits for construction of a new trunk line extending through multiple jurisdictions and abandonment of a portion of an existing trunk line partially located in a state and federally designated wetland.

### **Coastal Development**

Much of Steve's work concerns matters that involve California's Central Coast, from Los Angeles to San Francisco. He is among the best attorneys in California when it comes to coastal land use regulations for residential and commercial developments.

In recent years, Steve has counseled the owner of a 25,000-acre cattle ranch, one of the largest remaining undeveloped properties along the California coast, on land use, Coastal Act and environmental issues. He has also advised a major national utility in securing land use permits for a system upgrade on the Central Coast and represented a major California residential builder in securing permits for a beach-area condominium project, including successful environmental litigation defending those permits.

### **Environmental Impact Analyses**

Environmental impact analyses are part of doing business for anyone

### **Practices**

Infrastructure Development  
Land Use  
Public Agency

### **Industries**

Real Estate  
Water

### **Previous Experience**

City Attorney, Santa Barbara, California  
Assistant City Attorney/Deputy City Attorney, Land Use & Environmental Section, Los Angeles, California

### **Education**

J.D., 1973, Harvard Law School  
A.B., 1969, magna cum laude, Harvard College

### **Admitted**

California  
Supreme Court of the United States  
United States Court of Appeals, Ninth Circuit  
United States District Court, Central District of California

### **Distinctions**

*Best Lawyers in America*, 2012-2015  
*California Super Lawyers*, 2014-2015  
Hillel Hall of Fame Award, 2010

### **Memberships**

California Association of Sanitation Agencies  
California Special Districts Associations (CSDA), Santa Barbara County Chapter

### **Community Involvement**

Board of Directors, Santa Barbara Region Chamber of Commerce  
Co-Chair, Santa Barbara Business Leaders Council



developing land in California. A significant part of Steve's practice involves reviewing environmental impact reports and advising clients on what steps need to be taken prior to land development to ensure compliance with state law. From extensive experience representing clients and as a former land use and environmental attorney for the City of Los Angeles, he is thoroughly familiar with the process associated with environmental review.

### **REPRESENTATIVE MATTERS**

Representing a company that owns a 270-acre ranch outside Paso Robles in San Luis Obispo County in seeking approvals for three hotels, 20 homes, retail and associated improvements. The approvals will include annexation to Paso Robles, subdivision, and development permits.

Advising various property owners at Hollister Ranch with respect to public access issues.

Representing a beachfront property owner in Santa Barbara who is facing a condemnation lawsuit from the City of Santa Barbara for reconstruction of a bridge adjacent to the property.

Represented a Santa Barbara County beachfront property owner in litigation challenging acceptance of an offer to dedicate a public access way.

Represented a housing developer in securing a Local Coastal Plan amendment and Coastal Development Permit for a 25-unit single family housing project.

Represented a neighborhood association objecting to a Local Coastal Program Amendment and a Public Works Plan proposed by a regional open space agency, including extensive proceedings before the Coastal Commission and subsequent litigation and appeal.

Represented a Malibu beachfront property owner in litigation challenging acceptance of an offer to dedicate a public access way.

Represented a Santa Barbara County beachfront property owner in securing a Coastal Development Permit for a new residence on 4.2 acres.

Representing the Hollister Ranch Owners Association on issues relating to the Coastal Act.

Representing a group of coastal property owners objecting to proposed amendments to Santa Barbara County's coastal zoning ordinance (a portion of the Local Coastal Program) which would significantly and adversely affect private property rights.

Advised a client on updating a 250 unit retirement community to expand the number of independent living units and resident services.

Land use due diligence for acquisition of a 350-acre ranch in Ojai, California.

Board Member Emeritus, Coastal Housing Coalition

Member, Hillel Foundation Board of Trustees

Member, South Coast Business and Technology Awards Dinner Steering Committee

Board of Directors, Miller-McCune Center for Research, Media and Public Policy



Ongoing advice regarding land use issues.

Provided legal services to the Central Coast Water Authority for all phases of planning, permitting, environmental compliance, right-of-way acquisition, construction and operation related to a \$600 million drinking water delivery system. The project included 150 miles of pipeline, multiple pumping stations and a water treatment plant. Resolved construction disputes by negotiation and successfully defended the Authority in related litigation.

Provides general counsel services to Goleta West Sanitary District, a California public agency, including advice to the Board of Directors and management; drafting of ordinances and resolutions, contracts and other legal documents; business negotiations; regulatory compliance and litigation.

Assist with land use due diligence for the acquisition of a 25,000-acre ranch property on the California coast. Ongoing advice regarding natural resource and Coastal Act compliance issues.

Land use due diligence for acquisition of a 780-acre ranch in the Santa Barbara foothills, and subsequent advice on land use and natural resource issues.

Represented Capital Pacific Holdings in the land use permitting proceedings and subsequent environmental litigation for a 40-unit condominium project in Santa Barbara.

Assisted Terroir Hotel & Resort Fund, LP in the acquisition of a Santa Barbara historical inn and adjacent parcels of land for the preservation of the property and development of a complementary luxury resort. Following the acquisition, Brownstein advised on land development issues.

Represented a California health club organization in the preparation of a property report assessing land use opportunities and constraints relative to long-term planning for a community recreation facility.

Conducted due diligence and land use research related to the acquisition of a historic 16-acre estate in California.

Provided land use and CEQA compliance advice to a major utility regarding a large transmission line project traversing two counties.

#### **PUBLICATIONS & PRESENTATIONS**

"Brownstein Trial Victory Emphasizes Limits on Indemnifying Party's Right to Control Litigation in M&A Indemnification Context," *Brownstein Client Alert*, April 22, 2014

"Upcoming Changes to California's Open Meeting Laws," *Brownstein Client Alert*, December 17, 2013

"Does CEQA Ever Require Analysis of the Environment's Impact on the Project?" Law Seminars International, Santa Monica, CA, September 14, 2012

"Trends in Land Use Law and Analysis," California Association of Realtors  
Government Affairs Directors Institute, Santa Barbara, CA, August 23, 2011





## **Peter N. Brown**

SHAREHOLDER  
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SANTA BARBARA  
T 805.882.1401 F 805.564.6531

Peter serves as office managing partner of the Santa Barbara office. Peter concentrates his practice in the representation of clients before governmental agencies in land use and environmental entitlement matters. He has successfully represented applicants in a wide range of complex land use matters, shopping centers, and master plan permits for non-profit and educational and cultural organizations.

Peter has addressed a variety of land use and environmental regulation issues in his practice, both before administrative agencies and in the courts. Particular specialties include environmental regulation and permitting, development agreements, exactions and dedications, coastal permitting, growth management, and the law of inverse condemnation and takings. He is a regular speaker on land use law, climate change, environmental law, and public law issues, and has provided professional education on these topics to a range of groups and public agencies.

Peter also has significant and broad experience in the public law field. He has served as city attorney for the City of Carpinteria, California since 1992 and as special counsel to a variety of public agencies. He has held several leading positions with the statewide League of California Cities, City Attorneys' Department, serving three years as an Officer of the Department, including one year as President.

Before joining Brownstein, Peter served as Deputy District Attorney for the County of Santa Barbara and was a shareholder with the law firm of Hatch & Parent in Santa Barbara for twenty-four years.

### **REPRESENTATIVE MATTERS**

Provided land use and CEQA compliance advice to mixed-use project with 266 apartments and 88,000 square feet of commercial, the largest mixed-use project processed and approved by the City of Goleta, California.

Completed entitlement work for a major housing development and for homeowners seeking coastal development permits.

Represented client who will be proposing an industrial/warehouse/storage project in Coastal Zone, which will require addressing coastal habitat issues.

Represented Edison Mission Energy in zoning and land use matters related to obtaining entitlements for construction of a solar energy project in Santa

### **Practices**

Land Use  
Climate Change  
Public Agency

### **Education**

J.D., 1975, University of Southern California Gould School of Law  
B.A., 1968, Amherst College, *cum laude*

### **Admitted**

California  
United States District Court,  
Central District of California  
United States Court of Appeals,  
Ninth Circuit

### **Distinctions**

Chairman's Award, Goleta Valley Chamber of Commerce  
Note and Article Editor, *Southern California Law Review*, University of Southern California Law School, 1975

### **Memberships**

President, League of California Cities, City Attorneys' Department, 2001-2002  
Chair, Permit Streamlining Subcommittee of the Santa Barbara Economic Community Project, 1996-1997  
Chair, Legal Advocacy Committee, League of California Cities, City Attorneys' Department, 1994-1995  
Chair, Santa Barbara County Hazardous Waste Management Plan Advisory Committee, 1987-1989  
Santa Barbara Environmental Quality Act Task Force, 1987

### **Community Relations**

Board Member, Santa Barbara Center for the Performing Arts, 2005-Present  
Board Member, Santa Barbara Choral Society Foundation



Barbara County, California. Representation included environmental review, amendment of the zoning ordinance to provide for solar projects in agricultural zones, and conformity with the Williamson Act (Agricultural Preserve).

Provided City of Oxnard with expert advice to insure that environmental documents prepared by the City appropriately evaluated the global warming impacts created by the projects and city planning documents.

Negotiated purchase and sale agreement for private property adjacent to city parks and open space; secured purchase monies from public grants and non profit contributions in exchange for a covenant restricting development.

Successfully represented interests of private property owners in Santa Barbara against proposal by an organization to paint blue waves across 68 city streets depicting a potential flood zone, which would have devalued hundreds of Santa Barbara homes and businesses.

Offered Sares-Regis strategic direction for the development of one million square-feet of space for a research and development business park situated on 92 acres. Brownstein handled issues including negotiation of the development agreement, negotiation of aviation easements with Municipal Airport oversight of the project's environmental review, and full implementation of a complete set of project conditions of approval.

Represented The Towbes Group, Inc., the developer of an apartment project in a redevelopment area of the City of Goleta, California. Brownstein resolved a variety of complex issues, including environmental permitting, negotiation of a development agreement and assistance with the negotiation of public financing for low-income units within the project.

Represented Music Academy of the West, an internationally renowned music conservatory in gaining comprehensive land use permits for their campus. Directed permit processing, environmental review compliance and public hearing presentations, and negotiated the settlement of threatened litigation by project opponents.

## **PUBLICATIONS AND PRESENTATIONS**

"The New Universe of Land Use Initiative," Speaker, League of California Cities, City Attorneys Spring Conference, Fish Camp, CA, May 6, 2011

"California's Water Supply: A Report from the Front Lines," Panel Moderator, at the State Bar Environmental Law Section's Central Coast Symposium, Trends in Environmental Law, Santa Barbara, CA, April 25, 2009

"Global Warming and Climate Change: Implications for Lawyers in the Asia-Pacific and Americas Region," Presented at the MultiLaw International Legal Conference, Honolulu, HI, March 13, 2009

Board Member, Music Academy of the West, 1985-2002



"The Impact of Global Warming on Land Use Regulation: The California and Colorado Experience," Presented to the Rocky Mountain Land Use Institute, Annual Conference, Denver, CO, March 6, 2009

"The Impact of Global Warming on Land Use Planning: The California and Colorado Experiences," Presentation to the American Planning Association, Colorado Chapter, Annual Conference, Breckenridge, CO, September 12, 2008

"Public Agency Alert: New Requirement Under California S.B. 343," Brownstein Client Alert, June 6, 2008

"California Public Agency Ethics Training," Brownstein Client Alert, February 14, 2008

"Ethics and Effectiveness in Land Use Practices," Presenter at Zoning and Land Use in California Seminar, July 2003

"California Public Officials Training Seminar: What You Need to Know," Moderator and Presenter, May 2003

"The Brown Act: An Overview," Ventura County CPA/Law Society, March 2003

"Short Overview of Development Impact Fees," League of California Cities, City Attorneys' Department, Update of Law of Municipal Finance, February 2003



## **Beth Collins-Burgard**

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Beth is known as a problem solver who routinely tackles high profile, high controversy cases. She has a rare mix of significant entitlement, transactional and litigation experience which gives her a unique perspective and her clients an edge—whether she is litigating in the courts, drafting documents, negotiating a deal or advocating before public officials and agencies.

In her practice, Beth assists various landowners, public agencies and institutions, energy companies and developers through all stages of the development process, specializing in high-controversy projects and properties. She has deep knowledge on a broad range of issues, including the California Environmental Quality Act (CEQA), Coastal Act, Subdivision Map Act, Endangered Species Act and easement, title and public law issues. She has also advocated for clients before numerous courts and agencies (including the California Coastal Commission and the Public Utilities Commission).

Before attending law school, Beth taught seventh and eighth grade science and health in urban public school for five years as a member of Teach for America. She is a member of our Natural Resources, Real Estate, Land Use and Litigation groups.

### **Land Use/CEQA/Coastal Act**

Beth has provided land use, CEQA, and Coastal Act compliance advice for numerous clients and projects, including mixed use, hospitality, residential, industrial, commercial, educational and religious, and utility infrastructure projects. These projects include Santa Barbara County's first wind project, a master plan for a university in West Los Angeles, the largest mixed-use project processed and approved by the City of Goleta (California), electric transmission and pipeline projects, the first Islamic Center in Santa Barbara County and the first Children's Museum in Santa Barbara. Beth also writes and speaks frequently on land use, CEQA, and Coastal Act issues.

### **Real Property and Land Use Litigation**

Beth has successfully defended or creatively resolved challenges of major projects, including a hydroelectric dam in southern California, a warehouse distribution center in the Inland Empire, a luxury residential project in Century City (two 47-story towers with 483 luxury condominiums), the largest mixed-use project processed and approved in the City of Goleta, a residential development in Alameda County, and a ski resort in Placer County.

### **Practices**

Climate Change  
Land Use  
Litigation  
NEPA/CEQA  
Real Estate

### **Industries**

Government & Public Policy  
Hospitality  
Real Estate

### **Previous Experience**

Associate, Latham & Watkins (Los Angeles)  
Clerk to the Honorable Ronald S.W. Lew, United States District Court for the Central District of California  
Clerk to the Honorable Justice Norman L. Epstein, California State Court of Appeal, Second Appellate Dist., Div. Four

### **Education**

J.D., 2002, UCLA School of Law  
M.Ed., 1999, Arizona State University  
B.A., 1993, Smith College

### **Admitted**

California  
U.S. Court of Appeals, Ninth Circuit  
U.S. District Court, Central District of California  
U.S. District Court, Northern District of California

### **Distinctions**

Executive Committee and Board Member, Equality California, 2014-present  
Chair, State Bar Environmental Executive Committee, 2011-2012  
Member, State Bar Environmental Executive Committee, 2008-present  
Top 40 Under 40, *Pacific Coast Business Times*, 2011



Beth also regularly litigates and successfully resolves various easement, public dedication, vested rights, and other land use and real estate matters.

#### **REPRESENTATIVE MATTERS**

Provided land use and CEQA compliance advice to the first wind project in Santa Barbara County.

Provided land use and CEQA compliance advice to a university in West Los Angeles for master plan project. The master plan project involved adding 2,000,000 new and replacement square feet of residential and non-residential facilities to the campus.

Represented client in purchase of a distressed San Francisco property out of bankruptcy for development of an approximately 81 unit multi-family building. Assisted with land use and CEQA due diligence.

Provided land use and CEQA compliance advice to mixed-use project with 266 apartments and 88,000 square feet of commercial, the largest mixed-use project processed and approved by the City of Goleta, California.

Provided due diligence and transactional advice to commercial entity regarding permitting for stores ranging in size from 4,000 to 17,000 square feet all over California.

Provided appellate defense in California Supreme Court and Court of Appeal of CEQA challenge to California Public Utilities' rulemaking related to liquefied natural gas (LNG) on behalf of major utility.

Provided land use, real estate, and CEQA advice to the first Children's Museum in the City of Santa Barbara. Assisted with advocacy before the local Oversight Board and the Department of Finance regarding various redevelopment related issues.

Defended CEQA challenge to 800,000 square foot warehouse/distribution center in Riverside, California.

Defended significant enforcement matter for a Santa Barbara vineyard.

Represented a major hotel developer in inverse condemnation and CEQA actions related to the Sacramento County Airport expansion.

Provided land use diligence advice regarding acquisition of a \$50,000,000 mixed-use development in San Francisco, California.

Represented the Santa Barbara Cattlemen's Association regarding various land use and environmental issues in administrative proceedings before the County of Santa Barbara, State Water Control Board, and Central Coast Regional Water Quality Control Board.

Co-Chair 2011 Environmental Law Conference at Yosemite, 20th Anniversary Conference, 2010-2011

Co-Chair, State Bar Task Force on the Sustainable Practice of Law, 2008-09

Co-Chair, State Bar Access and Fairness Committee, 2005-06

State Team, Roger J. Traynor California Moot Court Competition, 2002

Editor-In-Chief, *Chicano Latino Law Review*, 2001-02

Women for Change 2000 Student Leadership Award

#### **Memberships**

Los Angeles County Bar Association, Environmental Law and Real Estate Sections

State Bar of California, Environmental Law, Real Property and Litigation Sections

Santa Barbara Bar Association and Santa Barbara Women Lawyers

#### **Community Involvement**

Executive Committee and Board Member of Equality California, 2014-present

Teach for America, Teacher and Mentor, 1995-2003

Science Night Coordinator, Monroe Elementary School

*Pro bono* representation of Children's Museum of Santa Barbara, Islamic Society of Santa Barbara, League of California Cities, the Children's Project Academy, and the Alliance for Children's Rights

Represented numerous large landowners in controversial easement litigation and settlement negotiations.

Provided due diligence and transactional advice on various residential and commercial properties throughout California, including multi-family residential properties, industrial properties, an eco-tourism project, and residential estates.

Defended CEQA litigation challenging project with 483 luxury condominiums in two, 47 story towers in Century City, California.

Represented a major hotel developer in enforcement action and vested rights determination, before the Coastal Commission for property in Laguna Beach, California.

Provided land use and CEQA compliance advice, helping prepare Revised Sections of an Environmental Impact Report for controversial mixed use project in West Los Angeles with 2,600 residential units and 325,000 square feet of office and retail space.

Provided land use and CEQA compliance advice to a major utility regarding a large transmission line project traversing two counties.

Defended NEPA, Endangered Species Act, Clean Water Act and Federal Power Act challenge to FERC's issuance of a 50-year permit renewal for hydroelectric dam for major utility in Ninth Circuit Court of Appeals.

#### **PUBLICATIONS & PRESENTATIONS**

"Football and the Future of CEQA for Popular Projects," *Brownstein Client Alert*, April 23, 2015

"Through the Looking Glass: Why Making "Reverse CEQA" the Law in California Would Significantly Expand CEQA's Scope While Undermining Its Purpose and Procedures," Author, *Public Law Journal*, Summer 2014

"California Environmental Quality Act: Backgrounds, Updates and Cautionary Tales," Speaker, 86th Annual Meeting of the State Bar of California, San Jose, CA, October 10-13, 2013

"CEQA's Substantive Mandate: When is it Defensible to Find Mitigation or Alternatives Infeasible?" Speaker, League of California Cities Spring Conference, Napa, CA, May 8-9, 2013

"CEQA 101 – Learn the Basics!" Presenter, State Bar Environmental Law Section Webinar, April 25, 2013

"Negotiations: Skills for Women Workshop," Panelist, University of California at Santa Barbara, March 23, 2013

"California Environmental Quality Act: Background, Updates and Cautionary Tales," The State Bar of California 85th Annual Meeting, October 13, 2012



"CEQA Baseline: Why It's Critical and How the Courts Have Been Changing the Definition." Speaker, ACEC-South Coast Local Affairs Committee Monthly Lunch Meeting, September 6, 2012

"CEQA and Land Use Development in California," Seminar Presenter, American Council of Engineering Companies, June 21, 2012

"Plastic Bag Ban Issues and a Model Ordinance for a Regional Approach," Speaker, Tri-Counties Local Government Attorneys Association, Monthly Luncheon Meeting, June 21, 2012

"Supreme Court Makes It Clear that Petitioners Must Exhaust Their Administrative Remedies Before They Can Sue under CEQA, Even When the Agency Relies on a CEQA Exemption," *Brownstein Client Alert*, June 18, 2012

"When Approved Projects Change -- What CEQA Analyses are Required When an Entitled Project is Changed?" Speaker, TriCounties Local Government Attorney's Association Meeting, November 17, 2011

"CEQA Update" and "CEQA Reform," Panel Presentations, Select Conference on Industry Litigation, La Quinta, CA, November 12-13, 2011

"California Coastal Act: Introduction to its Key Provisions and Insight into some of its Greatest Controversies," Panel Presentation, California State Bar Executive Committee's Environmental Law Conference at Yosemite, Fish Camp, CA, October 21, 2011

"New Developments in CEQA Remedies. *Association of Irrigated Residents v. CARB and Landvalue 77 v. Cal. St. Univ.*: What should a court do after finding that CEQA was violated?" Speaker, Law Seminars International, Santa Monica, CA, October 14, 2011

"The California Environmental Quality Act," Speaker, The 84th Annual Meeting of the State Bar of California, Long Beach, CA, September 17, 2011

"Options After the Downturn: What CEQA Analyses are Required when an Entitled Project is Changed," Speaker, California Statewide APA Conference, Santa Barbara, CA, September 11-14, 2011

"CEQA," Panelist, Select Conference on Industry Litigation, Napa, CA, May 21, 2011

"Introduction to the Environmental Quality Act," Speaker, State Bar of California, Webinar, January 18, 2011

"Greening Your Practice: An Introduction to the State Bar's EcoPledge," Speaker, State Bar of California, Monterey, CA, September 24, 2010

"California Environmental Quality Act," Speaker, Law Seminars International Workshop, August 20, 2010

"How Varying California Greenhouse Gas Rules May Hurt The Economy,"  
Law360, July 28, 2010

"Another Hot Year: Analyzing Greenhouse Gas Impacts Under CEQA," co-  
author, State Bar Environmental Executive Committee, Environmental Law  
News, March 2010

"Global Climate Change Litigation," co-author, Book Chapter, Environmental  
Litigation, A.B.A., 2009

"Addressing Climate Change Through Land Use and Transportation Planning:  
California's SB 375 and SB 732 – A Legislative Trend?," co-author, Bloomberg  
Law Reports, March 2009

"Reporter for Crocker Symposium: Global Warming, Risk, Sustainability &  
Development," co-author, Winter/Spring 2009

"Climate Change: Potential Impact of Polar Bear Listing," co-author, Energy  
Law 360, June 11, 2008

"Are There Irreconcilable Differences? – The Heated Debate Over How to  
Analyze Global Climate Change Under CEQA," Panel Presentation, California  
State Bar Executive Committee's Environmental Law Conference at Yosemite,  
Fish Camp, CA, October 2009

"Senate Bill 375: Will This New Global Climate Legislation Cool Down or Heat  
Up Future Development?," Panel Presentation, Benjamin S. Crocker  
Symposium on Real Estate Law and Business, Los Angeles, CA, May 5, 2009

"SB 375: Addressing Climate Change Through Land Use and Transportation  
Planning," Speaker, Los Angeles Economic Development Corporation Land  
Use Committee, Los Angeles, CA, January 6, 2009

"How to Make Your Law Practice Green," Panel Presentation, State Bar of  
California 81st Annual Meeting, Monterey, CA, September 27, 2008

"Climate Change Litigation – Updates and Insights on the Law and Evidentiary  
Challenges," Panel Presentation, 23rd Annual Environmental Law Super  
Symposium, A Climate for Change – Environmental Law on the Rise Again, Los  
Angeles, CA, April 4, 2008

"Climate Change and Due Diligence," Panel Presentation, CLE International  
Climate Change Law, Los Angeles, CA, February 28, 2008





## Stephanie Osler Hastings

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Stephanie Hastings has played a leading role in several of California's most complex and precedent-setting water matters. Her specialty is helping clients acquire, develop, monetize and protect water supply assets and infrastructure, in both surface water and groundwater contexts. From developing long-term sustainable water supply portfolios for water providers, to securing water supplies and delivery services for new development, to adjudicating groundwater rights, to ensuring compliance with environmental regulations, Stephanie's practice spans every aspect of California and national water law.

Stephanie brings a wealth of experience to the acquisition, maintenance, protection and management of water resources and water rights, in both surface and groundwater contexts. She regularly advises clients on surface water regulatory matters, including securing California State Water Resources Control Board approval of changes to water rights, as well as the exercise of senior priority water rights unregulated by the state. She has extensive groundwater experience, including development of new groundwater supplies in adjudicated and non-adjudicated basins, local groundwater management, groundwater storage and complex groundwater litigation. Stephanie is actively engaged in implementation of California's Sustainable Groundwater Management Act of 2014, including representation of groundwater sustainability agencies, development of groundwater sustainability plans, and protection of water users' water rights and reliable access to groundwater supplies.

Stephanie's clients include public and private corporations, government enterprises, investment funds and individuals. She represents the interests of all water users—wholesale and retail water providers, landowners, home builders, ski resorts and golf courses, banks, traditional and renewable energy developers, high tech industries, vineyards and agriculture—in both transactional and litigation matters.

Her projects include development, adjudication and protection of surface and groundwater rights, acquisition of water service, water supply management, water transfers, water conservation, wastewater and recycled water, flood protection, stormwater management, and regulatory and environmental compliance for water supply operations.

A longtime leader in the water community, Stephanie is a director of Aquaya, a nonprofit organization dedicated to advancing public health by improving drinking water worldwide. For six years, she held a statewide leadership role in the field of water resources as director of the California Groundwater Resources Association.

### Practices

Energy & Natural Resources  
Endangered Species  
Indian Law  
Land Use  
Water  
Litigation

### Industries

Water

### Education

J.D., 1996, UC Hastings College of the Law  
B.A., 1992, University of Vermont  
Cum Laude, 1988, St. Paul's School

### Admitted

California  
U.S. District Court, Central District of California  
U.S. Court of Appeals, Ninth Circuit

### Distinctions

Co-Chair, Natural Resources Department, 2009-12  
Top Women in Business, *Pacific Coast Business Times*, 2012  
*Chambers USA*, America's Leading Business Lawyers, Environmental Law, 2009-2010  
Top 40 Under 40, *Pacific Coast Business Times*, 2009  
Water Practice Group Leader, 2005-09

### Community Involvement

Director, The Aquaya Institute, 2011-present

### Memberships

California Groundwater Resources Association (Director, 2004-2009)  
The Association of Women in Water, Energy, Environment  
Association of California Water Agencies



### **Environmental & Endangered Species Compliance**

Stephanie advises her clients in a number of related environmental and regulatory contexts as necessary to support water use and water supply businesses and operations. This includes assisting clients in their acquisition of permits and other approvals from state and federal regulatory agencies and CEQA and NEPA compliance. She has specialized expertise in state and federal Endangered Species Act compliance for aquatic species, including:

- watercourse diversions and streambed alterations;
- incidental take authorization; and
- habitat conservation planning.

### **Litigation**

Stephanie represents the interests of all water users in a variety of water supply, water right and environmental litigation matters, in both administrative and judicial venues, at trial and on appeal. In the surface water context, she has prosecuted numerous matters before the California State Water Resources Control Board and represented water users in litigation involving the Kern and Colorado Rivers. Her experience also includes representation of major stakeholders in many of California's adjudicated groundwater basins, including the Beaumont, Central, Goleta, Main San Gabriel, Mojave, Santa Maria, San Fernando, Six and West Coast Basins. Her published appellate decisions include:

- Water Replenishment Dist. v. City of Cerritos (2012) 202 Cal.App.4th 1063
- Hillside Memorial Park and Mortuary v. Golden State Water Co. (2011) 199 Cal.App.4th 658 (review denied).
- City of Barstow v. Mojave Water Agency (2000) 23 Cal.4th 1224
- Metropolitan Water Dist. of Southern California v. Imperial Irr. Dist. (2000) 80 Cal.App.4th

### **Land & Resort Development**

Stephanie regularly helps land developers (home builders and commercial developers such as golf and ski resorts) comply with Senate Bill 610/221 (California's water supply planning statutes), as a component of the developer's compliance with the California Environmental Quality Act. Notable projects include:

- Water and environmental compliance counsel for development of a ski resort.
- Water and environmental compliance counsel for a national land developer/home builder in support of a large, mixed use development, including acquisition of water, wastewater and recycled water service to the project.
- Water and environmental compliance counsel for a national land developer/home builder with respect to the water supply components of a 5,000 home residential and commercial development.



## **REPRESENTATIVE MATTERS**

Ongoing provision of legal services for City of San Juan Capistrano for all water resources matters, including representation of City in evaluation and implementation of reorganization of water and wastewater utility, representation of City in litigation involving the City's water rights and operations of its groundwater recovery project, and representation of City with regard to regional water resources matters and membership within the San Juan Basin Authority, a joint powers authority.

On behalf of a joint powers authority, successfully negotiated, drafted and implemented drought water transfer and exchange to supplemented imported water deliveries.

Special water rights counsel to numerous public water providers with respect to the maintenance and protection of water rights, development of local groundwater management ordinances, and other groundwater management strategies.

Assistant General Counsel to the Central Coast Water Authority, a joint powers authority comprised of eight member agencies. CCWA is a wholesale water provider to 13 water districts and private companies in Santa Barbara County, and another 11 water purchasers in San Luis Obispo County.

Water counsel for a national land developer/home building in support of a large, mixed use development in San Benito County, including acquisition of water, wastewater and recycled water service to the project.

Counsel to a senior water right holder on the Santa Ynez River. Representation includes maintenance and protection of the client's water rights, compliance with CEQA for the construction of an off-river reservoir, and compliance with state and federal regulation of endangered species.

Water litigation counsel for a national land developer/home builder in defense of a local agency's approval of a large residential and commercial development in southern California.

Successfully defended a landowner's surface water diversions, including negotiation of a settlement with the California Department of Fish and Wildlife and the National Marine Fisheries Service regarding alleging violations of the state and federal Endangered Species Acts.

Water rights counsel to a large mutual water company, including maintenance and protection of its rights in an adjudicated groundwater basin.

On behalf of an association of groundwater producers in the West Coast Basin in Los Angeles, obtained reversal in full of a trial court decision denying the client's motion to amend the judgment which governs the adjudicated West Coast Basin.

Water rights counsel to a secured lender in bankruptcy proceeding to protect rights and interests in surface and groundwater rights and access to a long-term reliable water supply for irrigation of a golf course.

Litigation counsel for an association of groundwater producers' efforts to amend an existing adjudication to promote conjunctive use of the West Coast and Central groundwater basins, improve local self-sufficiency and increase overall water supply reliability for the millions of people living and working in the greater Los Angeles area.

Water rights counsel for the acquisition and development of two major ski resorts.

Water counsel for a national land developer/home builder with respect to the water supply components of a proposed 5,000 home residential and commercial development in Riverside County. The project raised numerous water supply and water quality issues, including the production of groundwater from adjudicated and non-adjudicated basins, groundwater storage, conjunctive use, the delivery and use of imported State Water Project supplies, water re-use, flood protection and stormwater management.

Due diligence regarding water rights and water supply issues for acquisition of Napa County vineyard.

Water rights counsel for a resort and golf courses operating on Indian allotted lands in state and federal litigation involving the golf courses' use of groundwater and exercise of Indian reserved water rights.

Representation of the cities of Burbank and Glendale with respect to the Upper Los Angeles River Area Adjudication, including successful implementation of an agreement to optimize management of the San Fernando Basin.

Counsel to one of California's largest wholesale water suppliers with respect to its compliance with the federal and state Endangered Species Acts for water supply and flood control operations in four major watersheds draining to the San Francisco Bay. The project includes the development of a 50-year, multi-species habitat conservation plan (HCP) and associated implementation agreement and environmental compliance (CEQA and NEPA) documents; acquisition of incidental take permits from the NMFS, USFWS and the CDFG for approximately 25 covered terrestrial and aquatic species; and implementation of a complex, multi-agency settlement of a water rights complaint alleging violations of the public trust and CDFG Section 5937, including acquisition of the State Water Resources Control Board's approval of the settlement.

Co-trial counsel for one of California's largest shareholder-owned public water suppliers in complex litigation to adjudicate and control the water resources in the Santa Maria groundwater basin. The case involved more than 1,000 parties who rely on local water resources and two federally-owned reservoirs. After eight years of litigation, the case was resolved through a settlement stipulation among the vast majority of the parties, thereby providing legal certainty with



respect to the use and management of the resource. Litigation continues among a small minority of the remaining parties.

Successfully obtained the State of California's approval of the largest agriculture to urban water transfer in the history of the United States, from Imperial Irrigation District to San Diego County Water Authority for up to 200,000 acre-feet per year for 75 years. The matter involved the negotiation of a series of complex agreements between state and federal agencies for the settlement of disputes related to California's allocation of Colorado River water.

### **PUBLICATIONS & PRESENTATIONS**

Panelist, Water Industry Trends: Sustainable Groundwater Management Act of 2014, Association of California Water Agencies (ACWA) Spring Conference, Sacramento, CA, May 7, 2015

Speaker, Sustainable Groundwater Management Act of 2014, California Association of Environmental Professionals State Conference, Santa Barbara, CA, March 23, 2015

Speaker, The New Sustainable Groundwater Act, California Building Industry Association (CBIA), San Diego, CA, November 15-16, 2014

Speaker, Legal Issues Associated with Groundwater Storage, Association of California Water Agencies, Los Angeles, December 4, 2013

Speaker, Panel Discussion Roundtable, Water in the West: Groundwater and Land Use Planning, Stanford University, Stanford, CA, September 12-13, 2013

Speaker, Risk Management: Navigating the Waters When Listed Species are Present, California Water Law & Policy Conference, San Francisco, April 22, 2013

Speaker, California Water Law Symposium - Beyond the Water Wars: "Water Courts: Are They Right for California," Davis, California, January, 2013

Speaker, 17th Annual Conference on Western Water Law, CLE International: "Securing Water Supplies for Renewable Energy Development: Quenching the Thirst of the New Energy Economy," Seattle, Washington, September 24, 2010

Speaker, "California's Water Supply: A Report from the Front Lines," Santa Barbara, California, 2009

Speaker, California Water Law Symposium, "Climate Change and Groundwater Storage," San Francisco, California, 2008

Speaker, Napa Wine Law Forum 2007, Napa, California, 2007

Conference Chair and Moderator, Groundwater Resources Association, Groundwater Law, San Francisco, California, 2007

Contributor to the *Judicial Council's Deskbook on the Management of Complex Civil Litigation*, 2007

Conference Coordinator and Moderator, "Assessment, Use and Management of Groundwater in Areas of Limited Supply," San Diego, California, 2006

Speaker, Complex Groundwater Litigation, Tahoe, California, 2006

Conference Coordinator and Speaker, "Basin Yield and Overdraft," Pasadena, California, 2005

Conference Co-Chair and Speaker, "Water Supply & Reliability," San Francisco, California, 2005





## Dylan K. Johnson

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Dylan is an Associate in Brownstein Hyatt Farber Schreck's Santa Barbara office and a member of the Natural Resources Department representing clients with regard to environmental compliance, enforcement actions, and litigation.

Dylan's deep familiarity with the land use entitlement process and compliance with the California Environmental Quality Act (CEQA), the Clean Water Act (CWA), and the Clean Air Act (CAA) are foundational to his practice representing pre-approval entitlement and post-approval litigation. He also delivers strategic advice on compliance with the Endangered Species Act (ESA), the California Coastal Act, and various other state and local environmental regulations. Dylan has represented clients in litigation regarding the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), CWA, CAA, and CEQA.

Prior to joining Brownstein, Dylan served as a Deputy City Attorney and an extern for the U.S. E.P.A., giving him valuable public-side experience and an unique insight into the governmental processes that are important to most environmental compliance issues.

### Practices

Natural Resources  
Water

### Education

J.D. *cum laude*, Notre Dame Law School  
B.A., Indiana University

### Admitted

California

### Associations

State Bar Environmental Law and  
Real Property Law sections



## Gary M. Kvistad

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Gary's practice focuses on the representation of public and private clients relating to water, recycled water, wastewater, associated environmental issues, and public agency law in the western United States. In the water arena, Gary represents clients with respect to: groundwater and surface water rights; recycled water planning, distribution and use; stormwater permitting; wastewater collection, treatment, and disposal; groundwater storage; water exchanges; and water transfers. He has extensive experience in negotiating a wide variety of water related agreements, cooperative arrangements, disputes and settlements. Gary also serves as general and special counsel to numerous public and private clients.

Gary's water practice routinely includes representation of clients with respect to environmental issues involving the National Environmental Quality Act (NEPA), the California Environmental Protection Act (CEQA), the Clean Water Act (CWA), Endangered Species Act (ESA), as well as other federal and state environmental laws and regulations. He has represented clients with respect to groundwater contamination involving such contaminants as MTBE, VOC and PCE. He is experienced in CERCLA cost recovery actions such as contamination emanating from landfills, administrative proceedings relating to water rights and public trust resources and endangered species under the Endangered Species Act.

In connection with his water practice, Gary also represents public agency clients on matters concerning public contracting, construction contracting, contract compliance and risk management with respect to infrastructure projects. He also advises public clients on conflicts of interest, public records disclosures, open meeting laws, and litigation planning and management. He regularly represents public agencies with respect to disputes, joint powers authorities, business transactions and the development of strategic planning to maximize opportunities while minimizing risks. Gary is skilled in negotiating and preparing a wide variety of agreements routinely encountered by public agencies and private clients doing business with public agencies.

### REPRESENTATIVE MATTERS

**Acquisition of Water Rights and Property.** Represented a public utility district in federal district court to acquire property and water rights for use by the district for its recycled water operations. The district required additional property and water rights for use in conjunction with land application of recycled water from its wastewater operations and for recreational and agricultural purposes.

### Practices

Water  
Infrastructure Development  
Public Agency  
Endangered Species  
Environmental & Remediation  
Real Estate & Construction

### Education

J.D., 1984, University of Denver  
College of Law  
B.A., 1975, Architecture,  
Washington State University  
B.A., 1975, Construction  
Management, Washington State  
University

### Admitted

California  
Nevada  
Colorado  
U.S. District Court, Central  
District of California  
U.S. District Court, Eastern  
District of California  
U.S. District Court, Nevada

### Memberships

State Bar of California  
Colorado Bar Association  
Nevada Bar Association  
Association of California Water  
Agencies  
Groundwater Resources  
Association  
Nevada Water Resources  
Association  
California Association of  
Sanitation Agencies  
American Ground Water Trust  
Desert Research Institute  
Research Foundation



**Defense of Groundwater Rights.** Represented a town with substantial groundwater rights in Nevada's Carson River Valley with regard to water rights litigation commenced by the Pyramid Lake Paiute Tribe of Indians. Litigation included challenges to State Engineer rulings on water right change applications for new development and impacts to the Carson River surface water rights. Cases were filed in both federal district and state district courts and involved issues of jurisdiction and venue in addition to substantive water law. Appeals were filed by the Tribe in the Ninth Circuit Court of Appeals and the Nevada Supreme Court.

**Water Right Permit Hearings and Related ESA Issues.** Represented the District before the California State Water Resources Control Board regarding renewal of water right permits for a United States Bureau of Reclamation (USBR) owned reservoir and before the National Marine Fisheries Service with respect to Endangered Species Act compliance for listed steelhead. Representation included coordination with USBR, who holds the water right permits, and other project members holding water right entitlements in the reservoir for environmental compliance with CEQA, development of a biological assessment and biological opinion, and protection of downstream water rights interests.

**Construction of the Central Coast Aqueduct.** Provided legal services to the Central Coast Water Authority for all phases of planning, permitting, environmental compliance, right-of-way acquisition, construction and operation related to a \$600 million drinking water delivery system. The project included 150 miles of pipeline, multiple pumping stations and a water treatment plant. Resolved construction disputes by negotiation and successfully defended the Authority in related litigation.

**Defense of a Public Utility District in a CERCLA Action.** Represented a public utility district in federal district court in a CERCLA action commenced by the Forest Service against multiple parties regarding ground and groundwater contamination stemming from the contribution of waste, location of a district wastewater pipeline, and improper operation and closure of a landfill. The case was successfully resolved in the district's favor by entering into a consent decree and settlement agreement, neither of which required payment by the district. The district's legal costs were fully paid as a result of our identifying and obtaining insurance coverage.

**District Reorganization.** A district encountered a dispute with a Local Agency Formation Commission (LAFCO) regarding jurisdiction over annexations and the district's provision of additional latent services. The District and LAFCO agreed to resolve their dispute through the introduction of legislation rather than resorting to litigation. Services included drafting special state legislation, working with legislative consultants and lobbying services.

**Public Infrastructure Project.** Development of a process and framework to select a zero emissions technology for subsequent preparation of a RFQ/RFP to implement an environmentally friendly system to move shipping containers from the ports' docks to railroad distribution yards. Advised the ports concerning

selection of procurement frameworks, public contracting, public relations, public records and confidential information.

**Reorganization of a Major California City Utilities Department.** Advised a major city on reorganization of its water, wastewater and solid waste utilities, including evaluation of dependent and independent special district, privatization and public-private partnership options and financing. Legal services were provided in conjunction with financial consultants to advise the city on developing an option to meet its short and long term financial goals and commitments.

#### **PUBLICATIONS & PRESENTATIONS**

"Brownstein Client Alert: New Public Contract Code Provisions Limit Public Works Project Retention Amounts," *Brownstein Client Alert*, November 16, 2011





## **Jena R. Shoaf**

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Jena brings her natural resources experience to clients at the junction of water and public law. She works with both public and private sector clients in the water industry and utilizes her public law experience when working with water districts.

Jena's water district clients include one with the largest managed ground water resources in California's Central Coast. With the recent passage of the Sustainable Groundwater Management Act, Jena helps clients comply with the landmark Act while also drafting and implementing sustainable groundwater management plans.

For her public agency clients, Jena draws on her experience as a research assistant for the Harrison Institute for Public Law in Washington, D.C. She reviews contacts, ordinances and code enforcements and attends public meetings for municipalities. Her current experience includes assisting the city attorney for the City of Carpinteria.

Prior to joining the firm, Jena worked as a law clerk for Earthjustice in Oakland, California. She also spent a year as a clinical student focusing on coastal climate change and land use issues at the state and local level and was a law clerk for Coronel & Perez Abogados in Guayaquil, Ecuador. Fluent in both Spanish and Portuguese, Jena worked as a paralegal and translator for an international arbitration group at Arnold & Porter, LLP prior to attending law school.

### **PUBLICATIONS & PRESENTATIONS**

"Land Use Planning and Sea Level Rise-Are We Doing Anything About It Yet?"  
Speaker, California Land Use Law & Policy Conference, Sacramento, CA, March 9, 2015

"Groundwater Regulation on the Rise as Counties Gear Up to Meet Sustainable Management Requirements," *Brownstein Client Alert*, February 2, 2015

"A Bit of Regulatory Chill? Assessing the Effect of Bilateral Investment Treaties on the Enactment of Environmental Regulations," *ProQuest/UMI*, June, 2013

"Coastal Management in the Face of Rising Seas: Legal Strategies for Connecticut," *Sea Grant Law and Policy Journal*, June 2012

"A Model Sea-Level Rise Overlay Zone for Maryland Local Governments,"  
*Georgetown Climate Center and Maryland Department of Natural Resources*,  
September 30, 2012

### **Practices**

Natural Resources  
Water

### **Education**

J.D., 2013, Georgetown  
University Law Center  
M.P.P., 2013, Georgetown  
Public Policy Institute  
B.A., 2007, University of  
California at Berkeley

### **Admitted**

California

### **Distinctions**

Global Law Scholar,  
Georgetown University Law  
School  
Senior Articles Editor, *The  
Georgetown Journal of Gender  
and the Law*

### **Community Involvement**

California Groundwater  
Resource Association Central  
Coast Board, Scholarship  
Coordinator  
Georgetown Pro Bono Fellows  
Program  
Central American Refugee  
Committee (CRECE)  
Planning for College Success  
California Public Interest  
Research Group (CalPIRG)  
Northwest Youth Corp -  
Conservation Corps

### **Languages**

Spanish  
Portuguese