



BOARD OF DIRECTORS

Case Van Wingerden
President
Kenneth Stendell
Vice President
Polly Holcombe
Shirley L. Johnson
Matthew Roberts

AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS OF CARPINTERIA VALLEY WATER DISTRICT

CARPINTERIA CITY HALL
5775 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

GENERAL MANAGER

Robert McDonald, P.E. MPA

Wednesday, September 14, 2022 at 5:30 p.m.

Join Zoom Meeting

<https://us06web.zoom.us/j/82238131457?pwd=aGRMVjdoNWIKN3RST2lad0Y5bVRKZz09>

Meeting ID: 822 3813 1457

Passcode: 089893

Or

Dial by Phone: 1-669-444-9171

If interested in participating in a matter before the Board, you are strongly encouraged to provide the Board with a public comment in one of the following ways:

1. **Comments** during a meeting may be made on any item on the agenda in person or via video conference subject to the Chairperson of the meeting.
2. **Submitting a Written Comment.** If you wish to submit a written comment, please email your comment to the Board Secretary at Public.Comment@cvwd.net by **5:00 P.M. on the day of the meeting**. Please limit your comments to 250 words. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.
3. If you wish to make either a general public comment or to comment on a specific agenda item in person, please: attend the Board Meeting at the location noted above and fill out a speaker slip prior to the hearing the item.

- I. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE, President Van Wingerden.**
- II. **ROLL CALL, Secretary McDonald.**
- III. ****Consider Adoption of Resolution 1122 proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Governor Newsom's order dated March 4, 2020, and authorizing remote teleconference meetings of the legislative bodies of the Carpinteria Valley Water District for the period of September 14, 2022, to October 14, 2022 (for action, General Manager McDonald).**
- IV. **PUBLIC FORUM (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda.).**

1301 Santa Ynez Avenue
Carpinteria, CA 93013
(805) 684-2816

**Indicates attachment of document to agenda packet.

V. APPROVAL ITEMS

A. **Minutes of the Regular Board meeting held on August 10, 2022

B. **Disbursement Report

VI. UNFINISHED BUSINESS – None

VII. **ADJOURN to Regular meeting of Carpinteria Groundwater Sustainability Agency (Time Certain 5:40 p.m.)

VIII. NEW BUSINESS -

- A. **Consider adoption of Resolution 1123 adopting the amended Conflict of Interest code (for action, General Manager McDonald).**
- B. **Consider Authorizing Term Sheet for a 2:1 exchange at \$1500/AF for 400 AF in 2022 with San Geronio Pass Water Agency (for action, General Manager McDonald)**
- C. **Consider Proposal from Optony for Solar Project Development assistance in an amount not to exceed \$20,300 (for action, General Manager McDonald)**
- D. **CAPP Funding Update (for information, General Manager McDonald)**
- E. **Consider Amendment Two of the Siemens Contract for metering, solar and lighting modifications (for action, General Manager McDonald)**
- F. **Water Wise Garden contest winner (for information, General Manager McDonald)**

IX. DIRECTOR REPORTS

- A. **Drought Committee – July 14, 2022 – Directors Holcombe & Johnson**
- B. **COMB Board Meeting – August 22, 2022 – Director Holcombe**

X. GENERAL MANAGER REPORTS (for information)

- A. **Operations & Maintenance Report**
- B. **Engineering Report**
- C. **Intent to Serve Letter Report**
- D. **Water Supply & Drought Planning**

XI. CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL/EXISTING LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(4)] NAME OF MATTER: Kimball-Griffith LP v.

Brenda Wren Burman et. al United States District Court Central District of California. civil action number 2.20-cv-10647 AB (AFMx)

XII. CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(4)] 1 Potential Cases: Cachuma Operations & Maintenance Board

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XIV. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION, [GOVERNMENT CODE SECTION 54956.9(D)(1)]: Name of Case: Central Coast Water Authority et al v. Santa Barbara County Flood Control & Water Conservation District et al. (Case No. 21CV02432)

XV. CONSIDER DATES AND ITEMS FOR AGENDA FOR:

CARPINTERIA VALLEY WATER DISTRICT BOARD MEETING OF SEPTEMBER 28, 2022, AT 5:30 P.M., CARPINTERIA CITY HALL, 5775 CARPINTERIA AVENUE, CARPINTERIA, CALIFORNIA.

XVI. ADJOURNMENT.

Robert McDonald, Secretary

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 5:30 p.m., September 11, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements. Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

1301 Santa Ynez Avenue
Carpinteria, CA 93013
(805) 684-2816

**Indicates attachment of document to agenda packet.

RESOLUTION NO. 1122

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARPINTERIA VALLEY WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM'S ORDER DATED MARCH 4, 2020 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF CARPINTERIA VALEY WATER DISTRICT FOR THE PERIOD SEPTEMBER 14, 2022 TO OCTOBER 14, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Carpinteria Valley Water District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Carpinteria Valley Water District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, the State of Emergency declared by Governor Newsom on March 4, 2020, due to COVID-19; and

WHEREAS, on September 5, 2021, the Santa Barbara County Health Officer issued Order 2021-10.4 requiring face coverings in all public indoor settings attributable to the rise in SARS-CoV-2 Delta Variant; and

WHEREAS, the Board of Directors does hereby find that the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency exists and ratify the proclamation of state of emergency by the Governor of the State of California and the Santa Barbara County Health Officer's Order 2021-10.4; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of Carpinteria Valley Water District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, on March 25, 2020 the Board was presented with the COVID19 Operational Continuity and Social Distancing Plan.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF Carpinteria Valley Water District DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District.
3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
4. Remote Teleconference Meetings. The General Manager and legislative bodies of Carpinteria Valley Water District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) October 14, 2022, or

such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Carpinteria Valley Water District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Carpinteria Valley Water District, this 14TH day of September, 2022, by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

Case Van Wingerden, President

Robert McDonald, Board Secretary

	MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS	
	CARPINTERIA VALLEY WATER DISTRICT	
	August 10, 2022	
	President Van Wingerden called the regular meeting of the Carpinteria Valley Water District Board of Directors held in the Carpinteria City Hall Chamber to order at 5:30 p.m., Wednesday, August 10, 2022, and led the Board in the Pledge of Allegiance.	
ROLL CALL	Directors Present; Holcombe, Roberts, Stendell, Johnson and Van Wingerden	
	Director Absent: none	
	Others Present: Bob McDonald	
	Cari Ann Potts Norma Rosales Lisa Silva Brian King Kevin Kostiuk Chris Malejan	Marla Daily Anthony Brown Mimi Brown Scott Van Der Kar Greg Griffin Rob Morrow
RESOLUTION 1121	<p>General Manager McDonald presented to consider and discuss adopting Resolution 1121 proclaiming a local emergency, re-ratifying the proclamation of a State of Emergency by Governor Newsom’s order dated March 4, 2020, and re-authorizing remote teleconference meetings of the legislative bodies of the Carpinteria Valley Water District for the period of August 10, 2022, to September 10, 2022.</p> <p>Following discussion, Director Holcombe moved, and Director Roberts seconded the motion to approve the adoption of Resolution 1121. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Roberts, Johnson, Holcombe, Van Wingerden and Stendell Nays: None Absent: None</p>	
PUBLIC FORUM	Anthony Brown addressed the Board. General Manager McDonald will provide a written response.	

MINUTES	<p>Following discussion, Director Holcombe moved, and Director Stendell seconded the motion to approve the minutes of the Board meeting held on July 13, 2022. The motion carried by a 5-0 vote. The minutes were approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, Stendell, Johnson and Roberts Abstain: None Nays: None Absent: None</p>
DISBURSEMENT REPORT	<p>Following discussion, Director Holcombe moved, and Director Roberts seconded the motion to approve the monthly bills for the period of June 16, 2022 through July 15, 2022. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, Stendell, Johnson and Roberts Abstain: None Nays: None Absent: None</p>
ADJOURN	<p>President Van Wingerden opened the regular Carpinteria Groundwater Sustainability Agency meeting at 5:40 p.m.</p>
RECONVENED TO REGULAR BOARD MEETING	<p>At 6:18 p.m. President Van Wingerden reconvened the Board meeting.</p>
AGENDA ITEM CHANGE	<p>Director Roberts moved, and Director Holcombe seconded the motion to move Agenda Item H. to be considered first for New Business. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, Stendell, Johnson and Roberts Abstain: None Nays: None Absent: None</p>
LANDSCAPE METER REQUIREMENT APPEAL	<p>General Manager McDonald presented to consider the appeal for Landscape meter requirement at 4994 Carpinteria Avenue.</p> <p>Background: The Santa Cruz Island Foundation at 4994 Carpinteria Avenue submitted plans to the City of Carpinteria for exterior improvements to the existing developed building and parking lot to complement recent interior building renovations that were</p>

	<p>performed under a separate permit for a total of 2,876 square feet.</p> <p>Rule 17 states for non-residential properties with landscapes over 1,000 square feet that a dedicated landscape meter is required. The applicant has been able to reduce the purposed landscape from 2,876 square feet to 1,155 square feet and is requesting an exemption from Rule 17. However, Rule 17 still requires a dedicated landscape meter for the current proposal.</p> <p>Staff recommends that the applicant reduce the total square footage of landscape by an additional 155 square feet or be required to purchase a dedicated landscape meter.</p> <p>Following discussion, Director Holcombe moved, and Director Stendell seconded the motion to approve Staff recommendation to uphold Rule 17. The motion carried by a 3-0-2 vote with Director Roberts and Johnson abstaining. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, and Stendell Abstain: Johnson and Roberts Nays: None Absent: None</p>
<p>WSC PROPOSAL FOR CAPP</p>	<p>General Manager McDonald presented to consider WSC Final Design Phase Proposal for CAPP with presentation by Rob Morrow, WSC Program Coordinator, not to exceed \$3,452,590.</p> <p>CAPP Phases: Final Design Phase – Tasks 1 to 6 – approximately 21 months beginning August 2022 for \$1,118,470 Construction Phase – Task 7 – approximately 18 months beginning February 2024 - \$2,334,120</p> <p>Following discussion, Director Roberts moved, and Director Stendell seconded the motion to engage WSC Final Design Proposal, not to exceed \$3,452,590. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, Stendell, Johnson and Roberts Abstain: None Nays: None Absent: None</p>

**FY 21/22 AUDIT
ARRANGEMENT LETTER**

General Manager McDonald & Assistant Manager Rosales presented to consider engaging Bartlett, Pringle & Wolf Audit Arrangement Letter for Fiscal Year 2021-22.

Following discussion, Director Holcombe moved, and Director Roberts seconded the motion to engage Bartlett, Pringle & Wolf Audit Arrangement Letter not to exceed \$33,000 with a request of due diligence with an additional contact of a Director from Rate & Budget Committee in addition to the Board President and General Manager. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;

Ayes: Holcombe, Van Wingerden, Stendell, Johnson and Roberts
Abstain: None
Nays: None
Absent: None

**3-YEAR FINANCIAL PLAN
PROPOSAL**

General Manager McDonald presented to consider a 3-year Financial Plan proposal, not to exceed \$58,540 with presentation by Kevin Kostiuk, Raftelis Manager.

Proposal includes a scope of services that relies on updating the existing Raftelis cost-of-service and rate model developed, which has been refined over the past two rate cycles.

Specifically, Raftelis will perform the following tasks:

- Update existing models with the most recent financial and customer billing data.
- Develop a long-range financial plan model to inform a possible three-year rate adoption schedule.
- Organize and present at a series of public meetings.
- Document the study:
 - Write an administrative report that explains the allocation of costs and development of fair and equitable rates.
 - Review the District’s notice to affected parcels and attend the Public Hearing for rate adoption.

Following discussion, Director Holcombe moved, and Director Stendell seconded the motion to approve the 3-Year Financial Plan Proposal pending the history of the Technology/Communication Charge. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;

Ayes: Holcombe, Van Wingerden, Stendell, Johnson and Roberts

	<p>Abstain: None Nayes: None Absent: None</p>
SANTA CLAUS LANE CONTRACT	<p>General Manager McDonald presented to consider awarding contract to Tierra Contractors in an amount not to exceed \$92,000 to relocate watermain on Phase 1 of the Santa Barbara County’s Santa Claus Lane Street improvement project with presentation by Brian King, CVWD District Engineer.</p> <p>Following discussion, Director Holcombe moved, and Director Johnson seconded the motion to approve awarding contract to Tierra Contractors, not to exceed \$92,000. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, Stendell, Johnson and Roberts Abstain: None Nayes: None Absent: None</p>
ASSESSMENT DISTRICT	<p>General Manager McDonald presented to discuss the concept of an Assessment District for Padaro Lane with respect to fire flow capacity.</p> <ul style="list-style-type: none"> - ~103 residential parcels affected - Fire flow requirements are > than flow capacity of existing pipeline (4 & 6-inch diameter) - Considering Assessment District to replace entire pipeline (+1 mile long) - Construction cost range between 2.5 and 3.5 million dollars <p>Item will be brought back at a future date for further discussion.</p>
SUPPLEMENTAL WATER	<p>General Manager McDonald presented to discuss the Uneven Exchange (2:1) for 300 AF of Supplemental Water at a cost of \$1500/AF from San Gorgonio Pass Water Agency.</p> <p>Recommendation: The Staff is seeking direction whether to pursue the opportunity. If the District engages with SGPWA to enter into agreement the Board will have to approve the final agreement.</p>
ACWA FALL CONFERENCE	<p>General Manager McDonald presented to discuss the upcoming ACWA Fall Conference.</p>
ADMINISTRATIVE COMMITTEE	<p>Directors Holcombe & Van Wingerden gave a verbal report on the Administrative Committee meeting that was held on July 26, 2022.</p>

RECYCLED WATER COMMITTEE	Directors Roberts & Stendell gave a verbal report on the Recycled Water Committee meeting that was held on August 8, 2022.
RATE & BUDGET COMMITTEE	Directors Roberts & Johnson gave a verbal report on the Rate & Budget Committee meeting that was held on August 9, 2022.
CACHUMA OPERATIONS & MAINTENANCE BOARD MEETING	Director Holcombe gave a verbal report on the COMB Board meeting that was held on July 25, 2022.
CENTRAL COAST WATER AUTHORITY BOARD MEETING	Director Johnson gave a verbal report on the CCWA Board meeting that was held on July 28, 2022.
CENTRAL COAST WATER AUTHORITY OPERATING COMMITTEE	Director Johnson & General Manager McDonald gave a verbal report on the CCWA Operating Committee meeting that was held on July 14, 2022.
ADJOURNED TO CLOSED SESSION	<p>President Van Wingerden adjourned the meeting at 9:00 p.m. to convene the Board into closed session for the following matters:</p> <p style="padding-left: 40px;">XI. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL/EXISTING LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(4)] NAME OF MATTER: Kimball-Griffith LP v. Brenda Wren Burman et. al United States District Court Central District of California. civil action number 2.20-cv-10647 AB (AFMx)</p> <p style="padding-left: 40px;">XII. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION, [GOVERNMENT CODE SECTION 54956.9(D)(1)]: Name of Case: Central Coast Water Authority et al v. Santa Barbara County Flood Control & Water Conservation District et al. (Case No. 21CV02432)</p>
BOARD RECONVENED IN OPEN SESSION	<p>At 9:09 p.m. President Van Wingerden reconvened the Board meeting with the following reportable actions:</p> <p>XI. No reportable action</p> <p>XII. No reportable action</p>

NEXT BOARD MEETING	The next Regular Board meeting is scheduled to be held on September 14, 2022, at 5:30 p.m., Carpinteria City Hall, 5775 Carpinteria Avenue, Carpinteria California and on Zoom.
ADJOURNMENT	President Van Wingerden adjourned the meeting at 9:10 p.m.
	Robert McDonald, Interim Secretary



Monthly Disbursement Report
Carpinteria Valley Water District

Payment Date: 07/16/22 - 08/15/22

Disbursement Report	
Operating Account	937,742.16
Rancho Monte Alegre (RMA)	0
Total	\$ 937,742.16

Operating Account - Check Report				
Vendor	Description	Payment Number	Payment Date	Payment
76 FLEET				2,513.01
	GAS CHARGES - JULY	APA000322	8/10/2022	2,513.01
ACWA/JPIA				23,129.27
	PROPERTY PROGRAM - 070122-063023	38506	7/20/2022	23,129.27
ACWA-JPIA				32,998.88
	HEALTH INSURANCE	38529	8/9/2022	32,998.88
AFLAC				1,559.12
	SUPPLEMENTAL INSURANCE	38502	7/18/2022	785.74
	SUPPLEMENTAL INSURANCE	38539	8/12/2022	773.38
ALAN GLINK				500.00
	WATER WISE LANDSCAPE REBATE 2022	38503	7/19/2022	500.00
ALL AROUND LANDSCAPE SUPPLY				599.53
	FA OPS SHOWER REPAIR	APA000269	7/20/2022	77.65
	MAINTENANCE OF METERS	APA000291	7/27/2022	98.15
	MAINTENANCE OF METERS	APA000291	7/27/2022	98.15
	PRESSURE REGULATOR FOR ICE MAKER	APA000291	7/27/2022	17.25
	MAINTENANCE OF MAINS	APA000308	8/3/2022	11.02
	PROJ P58 LAT 2 STUB OUT	APA000323	8/10/2022	28.49
	PROJ P58 REPAIR IRRIGATION AT POLO FIELD	APA000323	8/10/2022	76.69
	HQ FILTER AVAR REPAIRS	APA000323	8/10/2022	192.13
ANTHEM BLUE CROSS				92.00
	RETIREE - SUPPLEMENTAL INSURANCE - AUGUST	38511	7/20/2022	92.00
ANTHEM BLUE CROSS				340.67
	ANTHEM RETIREE PREMIUM - AUGUST	38504	7/19/2022	340.67
ASPECT ENGINEERING GROUP				4,031.14
	AUTOMATION ANALYST - JUNE	APA000270	7/20/2022	4,031.14
BIG GREEN CLEANING COMPANY / RICH & FAMOUS, INC.				2,479.80
	MONTHLY JANITORIAL SERVICES - JULY	APA000271	7/20/2022	1,113.00
	JANITORIAL SUPPLIES - JULY	APA000292	7/27/2022	147.42
	MONTHLY JANITORIAL SERVICES - AUGUST	APA000324	8/10/2022	1,113.00
	JANITORIAL SUPPLIES	APA000324	8/10/2022	106.38
BRENNTAG PACIFIC, INC				10,436.82
	BLEACH DELIVERY	APA000272	7/20/2022	4,167.44
	BLEACH DELIVERY	APA000293	7/27/2022	6,269.38
CACHUMA O & M BOARD				294,020.00
	1ST QRTR BDGT ASSESS FY 22/23	38507	7/20/2022	294,020.00
CANON FINANCIAL SERVICES, INC				823.13
	MONTHLY CONTRACT CHARGES COPIER - AUGUST	APA000294	7/27/2022	823.13

Vendor	Description	Payment Number	Payment Date	Payment
CARDMEMBER SERVICES (ELAN, FORMERLY SBBT)				7,503.87
	SOFTWARE MAINTENANCE	38528	8/2/2022	1,507.38
	UTILITY-TELEPHONE	38528	8/2/2022	1,034.55
	BOARD MEETINGS & SUPPLIES	38528	8/2/2022	1,156.62
	MINOR TOOLS & EQUIPMENT	38528	8/2/2022	272.89
	OFFICE MAINTENANCE	38528	8/2/2022	357.99
	MAINTENANCE OF WELLS	38528	8/2/2022	1,451.30
	MANAGER MEETING	38528	8/2/2022	133.70
	EMPLOYEE TRAVEL - TRAINING	38528	8/2/2022	1,204.17
	ADVERTISING	38528	8/2/2022	345.00
	BANK/FINANCE FEES	38528	8/2/2022	12.29
	EMPLOYEE ED	38528	8/2/2022	27.98
CARPINTERIA VALLEY LUMBER CO				32.84
	ICE MAKER REGULATOR INSTALLATION PARTS	APA000295	7/27/2022	28.72
	ICE MAKER WATER FILTER REPAIR PARTS	APA000295	7/27/2022	4.12
CHARLES B. HAMILTON				249.00
	RETIREE INSURANCE - AUGUST	APA000309	8/3/2022	249.00
COAST AUTO PARTS				51.67
	TEMP REPAIR OF YARD GENERATOR	APA000310	8/3/2022	18.94
	VEHICLE MAINTENANCE	APA000310	8/3/2022	32.73
COASTAL VIEW NEWS				782.00
	DROUGHT AD 070722	APA000273	7/20/2022	254.00
	DROUGHT AD 072122	APA000311	8/3/2022	254.00
	JOB ADVERTISEMENT - 072122, 072822	APA000311	8/3/2022	274.00
COLONIAL LIFE				768.58
	LIFE INSURANCE	38513	7/26/2022	768.58
DANIELLE ROSE				1,619.44
	ESRI USER CONFERENCE REIMBURSE 2022 - DR	38505	7/19/2022	1,619.44
DAVE HUNSAKER - DAVE'S ORGANIC GARDENING				697.50
	LANDSCAPE SERVICES - JUNE	APA000274	7/20/2022	697.50
DAVID A WEMYSS - PROVEN PRINT SERVICES				1,352.66
	2021 CCR PRINTING	APA000325	8/10/2022	1,352.66
DELL BUSINESS CREDIT				16.00
	COMPUTER PURCHASE FEE - JULY	38512	7/20/2022	16.00
DIG SAFE BOARD				488.42
	CA FEE FOR REG COSTS - 07/2022 - 6/2023	APA000326	8/10/2022	488.42
DLT SOLUTIONS, LLC				1,402.55
	ANNUAL SUBSCRIPTION RENEWAL - 081622-081523	APA000275	7/20/2022	1,402.55
DOCUPRODUCTS CORPORATION				323.18
	COPIER LEASE - 050322 - 080222	APA000312	8/3/2022	323.18
E.J. HARRISON & SONS, INC.				260.57
	TRASH & RECYCLE - JULY	APA000296	7/27/2022	260.57
ECHO COMMUNICATIONS				198.05
	ECHO COMM MONTHLY STMT - AUGUST	APA000327	8/10/2022	198.05
EDISON CO				37,931.91
	CARP RES - 25,793 KWH - JULY	38514	7/26/2022	6,099.11
	GOB CYN PUMP - 233 KWH - JULY	38514	7/26/2022	132.14
	RMA BOOSTER - 32,993 KWH - JULY	38514	7/26/2022	11,276.05
	SMILLIE WELL - 2,903 KWH - JULY	38514	7/26/2022	2,462.89
	EL CARRO WELL - 55,750 KWH - JULY	38514	7/26/2022	11,001.82
	SM TANK - KWH 212 - JULY	38514	7/26/2022	76.38
	OFFICE - 3,149 KWH - JULY	38514	7/26/2022	906.58
	SM PUMP - 5,340 KWH - JULY	38514	7/26/2022	1,502.94
	HQ WELL- 32,775 KWH - JULY	38514	7/26/2022	4,474.00
ELITE GENERAL ENGINEERING INC				2,565.60
	MAINTENANCE OF SERVICES	APA000276	7/20/2022	2,565.60

Vendor	Description	Payment Number	Payment Date	Payment
ENTERPRISE FM TRUST				7,637.68
	FLEET LEASE AND MAINT - AUGUST	APA000328	8/10/2022	7,637.68
FAMCON PIPE AND SUPPLY, INC				568.76
	INVENTORY	APA000297	7/27/2022	568.76
FLOWERS & ASSOCIATES, INC				15,180.50
	LIVR P58 - JUNE	38530	8/10/2022	15,180.50
FRONTIER COMMUNICATIONS				438.03
	ORTEGA - JULY	APA000313	8/3/2022	126.05
	OFFICE - JULY	APA000313	8/3/2022	311.98
FRUIT GROWERS LABORATORY, INC				4,124.00
	INORGANIC ANALYSIS - GENERAL MINERAL	APA000277	7/20/2022	1,236.00
	INORGANIC ANALYSIS - METALS, TOTAL-FE, MN	APA000277	7/20/2022	245.00
	BACTI ANALYSIS - COLIFORM - COLILERT-P/A	APA000298	7/27/2022	167.00
	BACTI ANALYSIS - COLIFORM - COLILERT-P/A	APA000298	7/27/2022	167.00
	BACTI ANALYSIS-BIO ACTIVITY/HETER/COLIFORM	APA000298	7/27/2022	104.00
	BACTI ANALYSIS - COLILERT - P/A & QUANTI TRAY	APA000298	7/27/2022	267.00
	INORGANIC ANALYSIS	APA000298	7/27/2022	245.00
	INORGANIC ANALYSIS - METALS, TOTAL-CU,PB	APA000314	8/3/2022	329.00
	INORGANIC ANALYSIS - METALS, TOTAL-CU,PB	APA000314	8/3/2022	371.00
	INORGANIC ANALYSIS - METALS, TOTAL-CU,PB	APA000314	8/3/2022	371.00
	INORGANIC ANALYSIS - METALS, TOTAL-CU,PB	APA000314	8/3/2022	455.00
	BACTI ANALYSIS - COLIFORM - COLILERT-P/A	APA000314	8/3/2022	167.00
FTI SERVICES, INC.				3,039.00
	MONTHLY MONITORING & ANTIVIRUS - JULY	APA000278	7/20/2022	592.50
	IT SUPPORT - JULY	APA000329	8/10/2022	2,446.50
GABRIEL JAIMES				282.25
	RETIREE INSURANCE - AUGUST	APA000315	8/3/2022	282.25
GAS COMPANY				51.03
	MONTHLY CHARGES - FRONT OFFICE - JUNE	APA000316	8/3/2022	26.63
	MONTHLY CHARGES - FRONT OFFICE - JULY	APA000330	8/10/2022	24.29
	MONTHLY CHARGES - BACK OFFICE - JULY	APA000330	8/10/2022	0.11
GROUNDWATER SOLUTIONS, INC.				10,125.00
	GSP DEVELOPMENT - JUNE	38508	7/20/2022	10,125.00
HAMNER, JEWELL & ASSOCIATES				7,527.00
	CAPP PROJECT - JANUARY	APA000317	8/3/2022	789.00
	CAPP PROJECT - MARCH	APA000317	8/3/2022	1,152.00
	CAPP PROJECT - MAY	APA000331	8/10/2022	5,226.00
	CAPP PROJECT - JUNE	APA000331	8/10/2022	360.00
HAYWARD LUMBER CO.				221.74
	SUPPLIES	APA000299	7/27/2022	221.74
HOSE-MAN, INC				25.53
	JACK HAMMER HOSE REPAIR	APA000300	7/27/2022	25.53
IMPULSE INTERNET SERVICES, LLC				287.18
	INTERNET PROVIDER - AUGUST	APA000279	7/20/2022	143.59
	INTERNET PROVIDER - SEPTEMBER	APA000332	8/10/2022	143.59
INDUCTIVE AUTOMATION				3,477.36
	IGNITION ANNUAL LICENSE	APA000280	7/20/2022	3,477.36
INFOSEND INC				9,733.68
	PROP 218 MAILING 042022	APA000318	8/3/2022	5,894.08
	EBILLS - MAY	APA000333	8/10/2022	315.20
	DISCONNECT/STATEMENTS - JUNE	APA000333	8/10/2022	331.17
	DISCONNECT/STATEMENTS - JUNE	APA000281	7/20/2022	297.55
	EBILLS - JUNE	APA000281	7/20/2022	322.60
	STATEMENTS - JULY	APA000281	7/20/2022	1,910.38
	PROGRAMMING FEE	APA000281	7/20/2022	350.00
	EBILLS - JULY	APA000333	8/10/2022	312.70

Vendor	Description	Payment Number	Payment Date	Payment
KOOLCO MECHANICAL INC				375.27
	ICE MAKER REPAIR	APA000282	7/20/2022	375.27
LINCOLN LIFE				12,348.16
	DEFERRED COMPENSATION	DFT0001156	7/22/2022	5,874.08
	ROTH IRA	DFT0001156	7/22/2022	300.00
	DEFERRED COMPENSATION	DFT0001165	8/9/2022	5,874.08
	ROTH IRA	DFT0001165	8/9/2022	300.00
LINDE GAS & EQUIPMENT INC.				40.51
	OXYGEN FOR GAS WELDER	APA000283	7/20/2022	40.51
O'CONNOR & SONS INC.				157.50
	DISTRICT OFFICE - PEST CONTROL - ANTS	APA000301	7/27/2022	78.75
	DISTRICT OFFICE - PEST CONTROL - RODENTS	APA000284	7/20/2022	78.75
OPENEDGE				11,560.16
	080222 GLOBAL PMTS CC PROC FEE-DESK	DFT0001172	8/2/2022	168.25
	080222 GLOBAL PMTS CC PROC FEE - ONLINE	DFT0001171	8/2/2022	11,391.91
P E R S				40,038.77
	PERS	DFT0001162	7/27/2022	13,043.66
	PERS	DFT0001163	7/27/2022	12,946.82
	PERS	DFT0001177	8/10/2022	14,048.29
PAYROLL TRANSFER				107,926.03
	072222 PAYROLL	DFT0001169	7/21/2022	52,949.20
	080522 PAYROLL	DFT0001170	8/4/2022	54,976.83
PUEBLO WATER RESOURCES, INC				4,192.50
	GSP - GSP DEVELOPMENT - JUNE	APA000285	7/20/2022	4,192.50
QUADIANT LEASING USA, INC.				1,036.81
	POSTAGE & LETTER - 081022-110922	APA000302	7/27/2022	1,036.81
ROSEBRO GARAGE LLC				148.27
	MAINTENANCE OF VEHICLES	APA000286	7/20/2022	148.27
SANTA BARBARA COUNTY - LAFCO				15,904.00
	DISTRIBUTION OF LAFCO BUDGET 22/23	38531	8/10/2022	15,904.00
SANTA MARIA COMMUNITY FOUNDATION				829.15
	GREEN BUSINESS - ANNUAL SUPPORT - 22/23	APA000287	7/20/2022	829.15
SAWASKE LANDSCAPE				280.00
	LYONS WELL - JULY	APA000334	8/10/2022	280.00
SIEMENS PUBLIC, INC.				134,669.33
	PERFORMANCE CONTRACT - 280-0006004-001	38509	7/20/2022	134,669.33
SIERRA AUTOMATED VALVE				1,210.72
	REPAIR PARTS FOR ACTUATOR HQ WELL	APA000303	7/27/2022	1,210.72
STAPLES BUSINESS ADVANTAGE				507.31
	OFFICE SUPPLIES	APA000304	7/27/2022	16.33
	APC BACKUPS - OFFICE SUPPLIES	APA000304	7/27/2022	465.38
	OFFICE SUPPLIES	APA000319	8/3/2022	25.60
STATE OF CALIFORNIA - EDD				8,275.25
	STATE WITHHOLDING	DFT0001157	7/22/2022	3,306.62
	STATE DISABILITY INSURANCE	DFT0001157	7/22/2022	860.82
	STATE WITHHOLDING	DFT0001166	8/8/2022	3,236.38
	STATE DISABILITY INSURANCE	DFT0001166	8/8/2022	871.43
STATE WATER RESOURCES CONTROL BOARD				60.00
	T2 CERTIFICATE RENEWAL - DR	38533	8/10/2022	60.00
STRADLING, YOCCA, CARLSON & RAUTH				197.50
	LEGAL SERVICES - JUNE	APA000335	8/10/2022	197.50
SUN COAST RENTALS INC				101.64
	FA OPS SHOWER REPAIRS	APA000288	7/20/2022	101.64
SURFSIDE PRINTS				5,894.59
	UNIFORMS	APA000320	8/3/2022	4,592.54
	UNIFORMS	APA000320	8/3/2022	1,302.05

Vendor	Description	Payment Number	Payment Date	Payment
T & T TRUCK & CRANE SERVICE				298.00
	LARGE TRASH BIN	APA000289	7/20/2022	298.00
TIERRA CONTRACTING, INC				52,317.45
	LIVR 102221-063022	38510	7/20/2022	52,317.45
TYLER TECHNOLOGIES, INC				158.37
	UTILITY BILLING NOTIFCATION – CALLS & SMS	APA000290	7/20/2022	66.70
	MONTHLY MAINT CHARGES - 090122-103122	APA000305	7/27/2022	91.67
UNDERGROUND SERVICE				125.50
	66 NEW TICKET - AUGUST	APA000336	8/10/2022	125.50
UNION BANK				41,213.49
	072522 BANK FEE	DFT0001168	7/25/2022	1,281.95
	FICA PR	DFT0001158	7/22/2022	10,072.74
	FEDERAL W/H	DFT0001158	7/22/2022	7,477.56
	MEDICARE W/H	DFT0001158	7/22/2022	2,355.74
	FICA PR	DFT0001167	8/8/2022	10,303.68
	FEDERAL W/H	DFT0001167	8/8/2022	7,312.08
	MEDICARE W/H	DFT0001167	8/8/2022	2,409.74
VERIZON WIRELESS				336.59
	CREW CELL PHONES - AUGUST	APA000337	8/10/2022	336.59
VULCAN MATERIALS COMPANY				814.07
	MAINTENANCE OF SERVICES	APA000306	7/27/2022	814.07
W. W. GRAINGER, INC.				2,287.73
	ICE MAKER REGULATOR	APA000307	7/27/2022	129.87
	SAFETY SUPPLIES	APA000321	8/3/2022	2,157.86
WAGE WORKS DISBURSEMENTS				122.00
	072522 WAGWORKS DISB	DFT0001173	7/25/2022	122.00
WAGWORKS INC				1,829.54
	HEALTH EQUITY 053122	38515	7/26/2022	173.58
	HEALTH EQUITY 060622	38515	7/26/2022	250.00
	HEALTH EQUITY 061322	38515	7/26/2022	175.63
	HEALTH EQUITY 062022	38515	7/26/2022	317.16
	HEALTH EQUITY 070522	38515	7/26/2022	49.82
	HEALTH EQUITY 071122	38515	7/26/2022	40.00
	HEALTH EQUITY 071822	38515	7/26/2022	535.00
	HEALTH EQUITY 072522	38515	7/26/2022	166.35
	MONTHLY ADMIN/COMPLIANCE FEE - JULY	38515	7/26/2022	122.00
Report Total: \$				937,742.16



AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS OF CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY

CARPINTERIA CITY HALL
5775 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

Wednesday, September 14, 2022 at 5:40 p.m. Pacific Time



Join Zoom Meeting

<https://us06web.zoom.us/j/82238131457?pwd=aGRMVjdoNWIKN3RST2lad0Y5bVRKZz09>

Meeting ID: 822 3813 1457

Passcode: 089893Or

Dial by Phone: 1-669-444-9171

1. CALL TO ORDER
2. ****Consider adopting of Resolution 014 proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Governor Newsom's order dated March 4, 2020, and authorizing remote teleconference meetings of the legislative bodies of the Carpinteria Groundwater Sustainability Agency for the period of September 14, 2022, to October 14, 2022 (for action, Executive Director McDonald).**
3. PUBLIC FORUM (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda).
4. APPROVAL ITEMS
 - A. ****Minutes for the Meeting of the Board held on August 10, 2022 (for action, Executive Director McDonald).**
 - B. ****Disbursement Report**
5. UNFINISHED BUSINESS – none
6. NEW BUSINESS
 - A. ****Consider Draft Appeal Policy for GSA Groundwater Fee (For information, Executive Director Bob McDonald).**

**Indicates attachment of document to agenda packet.

- B. **Consider Proposal for assistance on the Design, Creation, Facilitation and Communication needs of a Stakeholder Advisory Committee for the GSA and GSP process not to exceed \$45,955 (For action, Executive Director Bob McDonald).**
- C. **Consider Draft GSP Workshop Schedule (For information, Executive Director Bob McDonald).**
- D. Consider Revised Schedule for El Carro Park Monitoring Well (For information, Executive Director Bob McDonald).**

7. ADJOURNMENT.

Robert McDonald, Secretary

The above matters are the only items scheduled to be considered at this meeting.

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 5:00 p.m., September 11, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements. Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

**Indicates attachment of document to agenda packet.

RESOLUTION NUMBER 1123

**RESOLUTION OF THE BOARD OF DIRECTORS OF
CARPINTERIA VALLEY WATER DISTRICT
ADOPTION OF AMENDED CONFLICT OF INTEREST CODE SET
FORTH IN 2 CCR SECTION 18730**

WHEREAS, the Political Reform Act, which is codified in Government Code sections 81000, *et seq.* (the “Act”), prohibits public officials from using their official position to influence governmental decisions in which they have a financial interest; requires state and local government agencies to adopt and promulgate conflict of interest codes that identify all officials and employees within the agency who make governmental decisions; and provides that all persons in such designated positions must disclose their financial interests as specified in the agency’s conflict of interest code; and

WHEREAS, pursuant to Government Code section 83112, the Fair Political Practices Commission (the “FPPC”) has promulgated certain regulations, set forth in 2 California Code of Regulations (“CCR”) sections 18109, *et seq.* (the “Regulations”), to carry out the purposes and provisions of the Act; and

WHEREAS, the FPPC adopted 2 CCR Section 18730, which sets forth a model conflict of interest code (“Model Conflict of Interest Code”) that governmental agencies may incorporate by reference along with the designation of the agency’s officials and employees who manage public investments and a list of disclosure categories identifying the types of investments, business entities, sources of income and real property interests that such officials and employees must disclose; and

WHEREAS, on January 18, 1977, the Board of Directors (the “Board”) of the Carpinteria Valley Water District (the “District”) originally adopted its conflict of interest code (the “Conflict of Interest Code”) in accordance with the Act; and

WHEREAS, on January 15, 1992, pursuant to Resolution No. 587, the Board updated the District’s Conflict of Interest Code by adopting and incorporating by reference the Model Conflict of Interest Code, inclusive of any amendments thereto; and

WHEREAS, from time to time, the Board has subsequently reconfirmed its adoption of the Model Conflict of Interest Code, inclusive of any amendments thereto, as the District’s Conflict of Interest Code, and updated as necessary its lists of designated positions and disclosure categories; and

WHEREAS, the FPPC may amend the Model Conflict of Interest Code from time to time to conform to any amendments to the Act; and

WHEREAS, the FPPC recently updated the Model Conflict of Interest Code; and

WHEREAS, the District would like to reaffirm its adoption of the Model Conflict of Interest Code, inclusive of any amendments thereto, as the District's Conflict of Interest Code; and

WHEREAS, in addition to the Model Conflict of Interest Code, the District's Conflict of Interest Code includes an Exhibit "2" comprised of a document referred to as Appendix "A," which lists the District's officials who manage public investments and must disclose their economic interests, and a document referred to as Appendix "B," which lists the disclosure categories for each official; and

WHEREAS, it was determined that the District's Conflict of Interest Code must be updated in the following manner: (1) Appendix "A" must be amended to designate the appropriate filing officer for Form 700 Statements of Economic Interests, to reflect that the position of "Business Manager/Auditor" has been changed to "Assistant General Manager/Auditor," and to correct a typographical error; and (2) Appendix "B" shall be updated to clarify that sources of income also include gifts, loans and travel payments; and

WHEREAS, the Board hereby desires to adopt the amended Conflict of Interest Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

1. The foregoing recitals are true and correct.
2. The District is required to amend Appendix "A" to its Conflict of Interest Code to reflect a change in the job title of a designated employee from "Business Manager/Auditor" to "Assistant General Manager/Auditor," to identify the appropriate filing officer for Form 700 Statements of Economic Interests, and to correct a typographical error.
3. The District shall update Appendix "B" to its Conflict of Interest Code to clarify that sources of income also include gifts, loans and travel payments.
4. The Board hereby reaffirms that the terms of the Model Conflict of Interest Code, as set forth in 2 CCR Section 18730, and any amendments to it duly adopted by the Commission, are incorporated by reference as the Conflict of Interest Code for the Carpinteria Valley Water District, and along with Appendix "A," which designates positions requiring disclosure and designates the appropriate filing officer, and Appendix "B," which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the Carpinteria Valley Water District. All persons holding designated positions in Appendix "A" shall file Form 700 Statements of Economic Interests as provided therein.

5. The Board hereby delegates authority to the General Manager, or his designee, and the District's legal counsel, to submit to the County of Santa Barbara Clerk of the Board of Supervisors the requisite 2022 Local Agency Biennial Notice indicating the appropriate filing officer and amending the job title for a designated employee. Exhibit "1" (the Model Conflict of Interest Code as set forth in 2 CCR Section 18730 and as recently amended by the FPPC) and a redline version of Exhibit "2" (with Appendix "A," which lists the District's designated employees and the filing officer, and Appendix "B," which lists the disclosure categories for each designated employee) are attached hereto as Attachment "1." A clean version of Exhibits "1" and "2" are attached hereto as Attachment "2." Attachments "1" and "2" are incorporated herein by reference.

6. The Board hereby delegates authority to the General Manager or his designee, and to the District's legal counsel to take any other action necessary to effectuate the purpose of this Resolution.

PASSED AND ADOPTED by the Board of the District on this 14th day of September, 2022, at a regularly-scheduled meeting of the Board by the following roll call votes.

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Case Van Wingerden, Board President

ATTEST:

Robert McDonald, Secretary

ATTACHMENT “1”

REDLINE VERSION OF AMENDED CONFLICT OF INTEREST CODE

EXHIBIT “1”

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's statement of economic interests those economic interests the employee has which are of the kind described in the disclosure categories to which the employee is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's

disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation the person did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which the employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$520.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$520 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from

any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which the employee knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of the official's immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made.

The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employees' participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of the official's immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes the employee's community property interest in the income of the employee's spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

36. Amendment of subsections (b)(8.1)-(8.1)(A) filed 12-23-2020; operative 1-1-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 52).

37. Amendment of subsections (b)(3)(C), (b)(5)(C), (b)(5.5), (b)(5.5)(A)(2), (b)(7)(D), (b)(8)(A), (b)(8.1)(A), (b)(8.2)(A), (b)(8.2)(C)-(D), (b)(8.3)(A), (b)(9), (b)(9.3), (b)(9.5), (b)(10) and (b)(11) and footnote 5 filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 20).

EXHIBIT “2”

APPENDIX A
CARPINTERIA VALLEY WATER DISTRICT

Designated Positions

Disclosure Categories

Persons occupying the following positions are designated employees and must disclose financial interests in those categories described in Appendix B which are listed opposite their respective designated positions:

1.	<u>Director</u>	<u>1, 2, 3, 4</u>
2.	<u>General Manager</u>	<u>1, 2, 3, 4</u>
3.	<u>General Counsel</u>	<u>1, 2, 3, 4</u>
4.	<u>Business Assistant General Manager/Auditor</u>	<u>1, 2, 3, 4</u>
5.	<u>Consultant</u>	<u>*</u>

Designated employees may file their Form 700 Statement of Economic Interests online using eDisclosure, which will submit the Statements to the County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction. (See Gov. Code, § 81008.) The General Manager or their designee can provide access to eDisclosure to each designated employee who requires it.

Designated employees who file using paper Form 700 Statements of Economic Interests shall file with the District. Upon receipt of the Statement filed by the designated employee, a copy shall be retained with the District and the original shall be forwarded to the County Clerk, Recorder and Assessor.

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX “B”

CARPINTERIA VALLEY WATER DISTRICT (CVWD)

CONFLICT OF INTEREST CODE

CATEGORIES OF DISCLOSURE

CATEGORY 1

Interests in real property which is located in whole or in part within the jurisdiction of the CVWD, including any leasehold, benefit or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is \$2,000 or more.

CATEGORY 2

Business positions or investments in or income, including gifts, loans and travel payments, from persons or business entities engaged in the appraisal, acquisition, or disposal of, real property within the jurisdiction of the CVWD.

CATEGORY 3

Business positions or investments in and income from any source or sources of income, including gifts, loans and travel payments, if:

- a) The business entities or the source or sources of income are of the type which, within the previous two years, have provided or contracted to provide, or in the future with reasonable foreseeability might provide or contract to provide, including as a subcontractor in any contract with CVWD, services, supplies, materials, machinery or equipment to or for the use of CVWD; and
- b) Within the previous two years, the designated employee has made, participated in making, or in any way has attempted to use his or her official position to influence, the governmental decision to obtain or procure services, supplies, materials, machinery, or equipment of the same or a similar type as those so provided or contracted to be provided CVWD or if the duties of the designated employee’s position make it reasonably foreseeable that he or she might engage in such activity.

CATEGORY 4

Business positions or investments in business entities and income from any source or sources of income, including gifts, loans and travel payments, if:

- a) The business entities or sources of income have filed a claim, or have a claim pending against the CVWD, and
- b) The designated employee’s duties involve the handling or processing of such claim.

ATTACHMENT “2”

CLEAN VERSION OF AMENDED CONFLICT OF INTEREST CODE

EXHIBIT “1”

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's statement of economic interests those economic interests the employee has which are of the kind described in the disclosure categories to which the employee is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's

disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation the person did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which the employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$520.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$520 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from

any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which the employee knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of the official's immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made.

The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employees' participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of the official's immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes the employee's community property interest in the income of the employee's spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

36. Amendment of subsections (b)(8.1)-(8.1)(A) filed 12-23-2020; operative 1-1-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 52).

37. Amendment of subsections (b)(3)(C), (b)(5)(C), (b)(5.5), (b)(5.5)(A)(2), (b)(7)(D), (b)(8)(A), (b)(8.1)(A), (b)(8.2)(A), (b)(8.2)(C)-(D), (b)(8.3)(A), (b)(9), (b)(9.3), (b)(9.5), (b)(10) and (b)(11) and footnote 5 filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 20).

EXHIBIT “2”

APPENDIX A
CARPINTERIA VALLEY WATER DISTRICT

Designated Positions

Disclosure Categories

Persons occupying the following positions are designated employees and must disclose financial interests in those categories described in Appendix B which are listed opposite their respective designated positions:

1. <u>Director</u>	<u>1, 2, 3, 4</u>
2. <u>General Manager</u>	<u>1, 2, 3, 4</u>
3. <u>General Counsel</u>	<u>1, 2, 3, 4</u>
4. <u>Assistant General Manager/Auditor</u>	<u>1, 2, 3, 4</u>
5. <u>Consultant</u>	<u>*</u>

Designated employees may file their Form 700 Statements of Economic Interests online using eDisclosure, which will submit the Statements to the County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction. (See Gov. Code, § 81008.) The General Manager or their designee can provide access to eDisclosure to each designated employee who requires it.

Designated employees who file using paper Form 700 Statements of Economic Interests shall file with the District. Upon receipt of the Statement filed by the designated employee, a copy shall be retained with the District and the original shall be forwarded to the County Clerk, Recorder and Assessor.

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX “B”

CARPINTERIA VALLEY WATER DISTRICT (CVWD)

CONFLICT OF INTEREST CODE

CATEGORIES OF DISCLOSURE

CATEGORY 1

Interests in real property which is located in whole or in part within the jurisdiction of the CVWD, including any leasehold, benefit or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is \$2,000 or more.

CATEGORY 2

Business positions or investments in or income, including gifts, loans and travel payments, from persons or business entities engaged in the appraisal, acquisition, or disposal of, real property within the jurisdiction of the CVWD.

CATEGORY 3

Business positions or investments in and income from any source or sources of income, including gifts, loans and travel payments, if:

- a) The business entities or the source or sources of income are of the type which, within the previous two years, have provided or contracted to provide, or in the future with reasonable foreseeability might provide or contract to provide, including as a subcontractor in any contract with CVWD, services, supplies, materials, machinery or equipment to or for the use of CVWD; and
- b) Within the previous two years, the designated employee has made, participated in making, or in any way has attempted to use his or her official position to influence, the governmental decision to obtain or procure services, supplies, materials, machinery, or equipment of the same or a similar type as those so provided or contracted to be provided CVWD or if the duties of the designated employee’s position make it reasonably foreseeable that he or she might engage in such activity.

CATEGORY 4

Business positions or investments in business entities and income from any source or sources of income, including gifts, loans and travel payments, if:

- a) The business entities or sources of income have filed a claim, or have a claim pending against the CVWD, and
- b) The designated employee’s duties involve the handling or processing of such claim.

**TERM SHEET FOR WATER EXCHANGE
BETWEEN
SAN GORGONIO PASS WATER AGENCY
AND
CENTRAL COAST WATER AUTHORITY**

1. Background:

San Gorgonio Pass Water Agency (“SGPWA”) and the Central Coast Water Authority (“CCWA”) each have water supply contracts, directly or indirectly, with the California Department of Water Resources (“DWR”) for water from the State Water Project (“SWP”). Allocations of SWP are extremely low this year and CCWA could benefit from additional water supplies in 2022. Article 55 of the SWP contracts allow for the conveyance of non-SWP water under certain conditions and subject to DWR operations, SGPWA may have up to 400 acre-feet of water available. SGPWA is willing to release water to CCWA in exchange for water that would be returned in future years, plus a one-time payment.

2. Term:

- a. Subject to DWR operations, SGPWA will release the water to CCWA within the calendar year 2022. CCWA will work with DWR to have the water delivered to the CCWA within 2022. CCWA will return water to SGPWA prior to December 31, 2032.

3. Approvals:

- a. Upon execution of this Term Sheet, SGPWA and CCWA shall (1) initiate discussions with DWR, (2) initiate preparation of CEQA documents for environmental review, and (3) prepare a definitive agreement intended to be finalized and executed by their respective Boards, along with any required CEQA compliance.
- b. CCWA will assist SGPWA with preparing a request to DWR for approval of the exchange.
- c. CCWA shall be responsible for coordinating approvals from DWR for the delivery of the water to CCWA for subsequent delivery to one or more of CCWA’s participants. SGPWA shall be responsible for coordinating with DWR the return water from CCWA.

- d. SGPWA and CCWA will cooperate with each other in processing and obtaining DWR approvals associated with the exchange.
- e. SGPWA and CCWA shall cooperate with each other and DWR in determining and completing any environmental reviews associated with the exchange. To the extent required, SGPWA and CCWA shall share equally the costs for a consultant, if needed, to prepare environmental documents for the exchange; SGPWA shall act as Lead Agency.
- f. CCWA shall be responsible for obtaining the Santa Barbara County Flood Control and Water Conservation District's ("SBCFCWCD") execution of any associated DWR approval agreements.
- g. SGPWA and CCWA shall each be responsible for their own review and processing of required agreements, environmental documents, and other transaction costs.

4. Determination of Transfer Water:

- a. Quantity of Transfer Water: The water to be supplied by SGPWA ("Transfer Water") is made available in accordance with agreements SGPWA has with DWR. Subject to the DWR operations SGPWA may have up to 400 acre-feet of Transfer Water available in 2022 for release into the California Aqueduct for use by CCWA.
- b. Confirmation of Transfer Water: SGPWA will coordinate with DWR to confirm the amount of Transfer Water made available for delivery to CCWA. It is the intent that SGPWA and CCWA finalize the quantity of water and SGPWA shall notify DWR of the amount and preliminary delivery schedule.

5. Conveyance of Transfer Water to CCWA:

- a. Point of Delivery: Both CCWA and SGPWA have access to water supplies and conveyance capacity in the California Aqueduct and San Luis Reservoir. For accounting and operational purposes, it is assumed that the Transfer Water will be made available to CCWA in San Luis Reservoir.
- b. Delivery Schedules: SGPWA, in coordination with CCWA shall submit monthly water delivery schedules to DWR for delivery of the Transfer Water to CCWA.

6. Payments for Transfer Water:

- a. CCWA shall be responsible for the DWR Variable charges for conveying the Transfer Water from the Point of Delivery to CCWA's service area. CCWA shall be responsible for its own internal and/or transaction costs.
- b. CCWA Obligation for Transfer Water: CCWA shall pay \$1500 per acre-foot for each acre-foot of Transfer Water made available by SGPWA

7. Return Water:

- a. CCWA shall return 2 acre-feet for each acre-foot of water made available by SGPWA in 2022 (“Return Water”) unless reduced by agreement as articulated below.
- b. Return Water will be made available to SGPWA in San Luis Reservoir before December 31, 2032.
- c. Return Water can be from any viable source of water that CCWA has available to it.
- d. Subject to 6.g and 6.h below, Return Water will be returned to SGPWA a minimum of one-tenth the Return Water obligation (i.e., 80 acre- feet) per year for the term of the agreement.
- e. Return Water can be returned higher than the annual minimum if agreed upon by both parties.
- f. Return Water will not be returned at a time when SGPWA has limited space to store water in San Luis Reservoir.
- g. Return Water may be suspended during very high allocation years if requested by SGPWA.
- h. CCWA’s obligation to return Return Water may be suspended during DWR declared critically dry years if requested by CCWA.
- i. Annually, by February 1 each calendar year, SGPWA and CCWA will meet and confer to discuss Return Water options. Options will include Return Water timing and volumes. Return Water options may also include securing water on the open market (e.g., other SWP Contractor’s Table A, DWR’s Dry Year Water Purchase Program, etc.) in lieu of Return Water from CCWA.
- j. It is acknowledged that the intent of CCWA and SGPWA is to work together to return outstanding Return Water as quickly as practicable.
- k. SGPWA shall be responsible for the DWR Variable Charges for conveying the Return Water from San Luis Reservoir to the SGPWA service area.
- l. CCWA and SGPWA may agree to reduce the balance of Return Water through a future water exchange or financial arrangement that is acceptable to both parties.
- m. If any Return Water remains by the end of December 31, 2032, then this agreement will be extended by an additional 2 years unless both parties agree to allow this agreement to expire or if new terms have been executed.

8. Misc. Provisions:

- a.** To the extent a third party initiates a claim to challenge the exchange or any aspect of the transaction, SGPWA and CCWA shall share equally in the costs associated with defending the claim, unless either party decides not to defend the claim.
- b.** This Term Sheet is not intended to be binding on either SGPWA or CCWA. Neither party shall be bound until the required environmental review has been completed, a mutually acceptable agreement has been developed and executed, and all required approvals (i.e., DWR, SBCFCWCD, etc.) have been obtained and are in effect.

Terms acknowledged and agreed to by:

SGPWA Water Agency:

Central Coast Water Authority

Lance Eckhart, General Manager

Ray Stokes, Executive Director

REVISED SCOPE OF SERVICES

Date: July 22, 2022
To: Erin Maker, Environmental Coordinator,
City of Carpinteria Public Works
ErinM@CarpinteriaCA.gov
Subject: Task 3 Scope & Budget Revisions



Revised Scope of Services for:

RFP Management and Support Related to Solar and Storage Development

Presented to:

City of Carpinteria

Presented by: Jonathan Whelan, Director of Operations, Optony Inc.
Jonathan.Whelan@OptonyUSA.com



This proposal includes an update and division of the budgets by each participating agency for the continuation of the project.

Scope of Work

Task 1. RFP Advisement

Optony staff will assist in reviewing an existing draft RFP which may already exist; defining any necessary additional RFP requirements; and in managing improvements for the RFP plan based on the latest industry trends and best practices.

Task 1 Goal: Editing of RFP and suggestions for a procurement plan to address stakeholder goals and optimize industry participation.

Task 2. Procurement Management

Optony will take the lead in writing the final solicitation—and evaluation criteria, issuing the RFP, gathering vendor responses, evaluating vendor responses, and coordinating short list interviews.

Task 2 Goal: Reduce administrative burden on staff by delivering a project management suite of services for a solar and/or energy storage procurement including industry standard scoring rubric evaluation of proposals.

Task 3. Contracting and Presentations Assistance

Optony will support the continuation of procurement including gathering and evaluating vendor responses as well as contract review, contract negotiations, and preparation of staff report outline, presentation talking points and slides for meetings with Council/Board decision makers.

Task 3 Goal: Act as buyer's agent for the City/agencies to safeguard their economic interests during final contracting, and reduce administrative burden on staff by delivering solicitation assistance and summary materials for presentations.

Task 4. Engineering Review and Construction Quality Management

We will provide independent engineering review during design and provide comments to developer at 50%, 90% and 100% plan set completion. During construction we will assist the City/agency to resolve construction issues. On completion of and at commercial operation commissioning Optony we inspect all final construction.

Task 4 Goal: Minimize construction schedule risks and ensure maximum construction quality for City/agency.

Note: Exact scope of Task 4 is dependent on the completion of Task 3 and sites selected for development.

Proposed Fees

Task	Agency	Fee		Task Total	Billed to Date	Remaining Budget
Task 1	City	\$4,200		\$4,200	\$4,200	\$0
Task 2	City	\$19,950		\$19,950	\$19,950	\$0
Task 3	City	Procurement Management	Contracting & Presentations Assistance	\$44,900	\$0	\$44,900
		\$2,650	\$9,650			
	Sanitary District	\$2,650	\$9,650			
	Water District	\$2,650	\$17,650			
* Task 4	City (3 sites)	\$27,285		\$88,950	\$0	\$88,950
	Sanitary District (1 site)	\$13,095				
	Water District (6 sites)	\$48,570				

Original Contract Amount \$150,000
 Proposed Budget Extension \$8,000

TOTAL REVISED FEE \$158,000

Project Schedule

Task	Original Target Start	Revised Target Start	Target Completion	Status
Task 1. RFP Advisement	May 2021			Complete
Task 2. Procurement Management	June 2021		March 2022	Complete
Task 3. Contracting and Presentation Assistance	Aug 2021	Jul 2022	Dec 2022	Upcoming
* Task 4. Engineering Review and Construction Quality Management	Oct 2021	Jan 2023	Aug 2023	Upcoming

* Dates and budget for Task 4 are tentative and dependent on the completion of Task 3 and sites selected for development



Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

BOARD OF DIRECTORS

Case Van Wingerden
President
Kenneth Stendell
Vice President
Polly Holcombe
Shirley L. Johnson
Matthew Roberts

To: CVWD Board of Directors

From: Bob McDonald, General Manager

Date: September 9, 2022

GENERAL MANAGER

Robert McDonald, P.E. MPA

For Consideration: Update on CAPP funding, updated

Background

On June 27th, 2018 The Board approved a series of proposals from a CAPP preliminary design team to complete preliminary design, CEQA, Discharge & Title 22 permitting, outreach and funding analysis. Design Team firms and approved budget are shown below along with subsequent scopes to keep the project moving.

CAPP Project Spending					
Vendor		Approved Contract (\$)	(\$ Expended)	Remaining Balance	% Comp
Woodard & Curran	Prelim Design	\$ 1,431,700.00	\$ 1,431,700.00	\$ -	100%
Pueblo	Prelim Design	\$ 117,271.00	\$ 103,198.48	\$ 14,072.52	88%
Katz and Associates	Outreach	\$ 142,060.00	\$ 137,377.60	\$ 4,682.40	96%
Dudek	HMGP Grant App	\$ 30,000.00	\$ 30,000.00	\$ -	100%
Raftelis	Funding ansils	\$ 9,000.00	\$ 9,000.00	\$ -	100%
MNS	Title XVI Grant App	\$ 45,580.00	\$ 45,580.00	\$ -	100%
Montgomery	Seawater intrusion & Capp	\$ 27,552.00	\$ 27,552.00	\$ -	100%
Mcubed	Economic benefits	\$ 28,000.00	\$ 28,000.00	\$ -	100%
W&C	Title XIV	\$ 31,751.00	\$ 31,751.00	\$ -	100%
W&C	Easement Support	\$ 19,852.00	\$ 7,940.80	\$ 14,911.20	40%
Hamner Jewell	Land Acquisition services	\$ 40,000.00	\$ 10,998.00	\$ 29,002.00	27%
Misc	Printing, Mailing mtgs etc		\$ 40,638.00		
		\$ 1,922,766.00	\$ 1,903,735.88	\$ 62,668.12	97%

The CEQA document (EIR) work was completed and the Preliminary Design Report (PDR) was completed by Woodard and Curran in 2019. Since then, the team has been focused on two elements of work, permitting and funding. Permitting is in progress and is expected to be completed in the final design phase. The RWQCB discharge permit will need to be completed after the project is constructed. On the funding front focus has been on acquiring the Clean Water State Revolving Fund (CWSRF) low interest loan and USBR Title XVI grant funding opportunities. Additionally, a funding application for the final design is being pursued

through the Integrated Regional Water Management (IRWM) Grant program, approximately \$1.1 Million.

Analysis

Grant funds currently being sought for funding CAPP include Title 16, a federal funding program for Reuse projects. The 2022 funding program opened for applications early in the year and closed on March 15, 2022. The District submitted its application using feedback from USBR staff on its previous application as guidance. This program can fund up to 25% of eligible costs. For the CAPP that is equal to approximately \$9 M. The Title 16 funding program is an important part of the CAPP funding strategy. **On August 18, 2022 the USBR announces that it would be funding the CAPP project for the full eligible amount of \$9,659,990! See Attachment 1 of the award table.**

It has been a goal of the District to acquire 50% of total project cost from grant funding from sources including State and Federal funding programs. To that end, the District assembled a Clean Water State Revolving Fund (CWSRF) loan application and submitted it in December of 2019 and updated budget information in 2021 to the State Water Resources Control Board (SWRCB). Initially the CAPP was approved for only partial funding under the SRF Loan program but in 2021 the SWRCB announced that it would fund all projects on its fundable list at 100% with low interest loans. This means that the total estimated costs including design through construction, now estimated to be \$40 M plus will be covered by the CWSRF loan if needed. THE CWSRF Funding process has a few more steps but funding is secured. **In this year's draft CWSRF Intend Use Plan (IUP) we got a great surprise in that we were allocated a \$10,805,200 in loan forgiveness through the Recycled Water Funding Program! This is the way that the state is issuing grant proceeds on recycle water projects.** The IUP is still draft and will likely be finalized on October 3, 2022. Staff doesn't anticipate changes to the funding recommendations.

The District will be asked by the SWRCB to enter into a funding agreement by year end in order to appropriate the money for the project. This contract will commit the District to complete the CAPP or pay back any money received from funding programs. CWSRF Low interest loan funding is important because it will allow the District to continue through with final design of the project. The final design phase will be on the order of \$5M and should begin by the end of this year. Completing the final design will give much better visibility to the potential construction costs as well as give the District a better chance when competing for upcoming grant program dollars.

Finally as mentioned above another grant opportunity being pursued is the Integrated Regional Water Management Grant Round 2. CVWD application was for \$1.1M to fund a portion of the design. We should hear from that program as to whether we are funded by the end of the year.

As of now the accumulated value of Grants secured for CAPP is

SGMA Planning Grant	USBR Title XVI	Recycle Water Funding Program	Total	%
\$700,000	\$9,659,990	\$10,805,200	=\$21,165,190	~50%

This level of grant funding is consistent with the original goal, however staff will continue to pursue other funding programs to maximize grants and minimize capital cost for the project.

Recommendation:

This is for information and discussion only.

Attachment One

Clean Water SRF Intended Use Plan

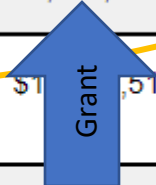
Submit FFY 2022 Capitalization Grant applications to U.S. EPA	July 15, 2022
Draft IUP and Draft Supplemental IUPs posted for public comment	August 24, 2022
Board Workshop	September 7, 2022
Deadline for Public Comments on Draft IUP and Draft Supplemental IUPs	September 23, 2022
State Water Board considers IUP and Supplemental IUPs at regularly scheduled meeting	October 3, 2022
Receive FFY 2022 Capitalization Grant agreements from U.S. EPA	October 2022

California Clean Water SRF Funded Projects under the Proposed IUP

Agency	Project Name	Total Priority Score	Proposed Funding Source Program	Total Project Financing Need	Estimated FFY 2022 Capitalization Grant Projects ³	Estimated CWSRF Loan Funds SFY 2022/23	Estimated Principal Forgiveness ³	Estimated Water Recycling Funding Program (WRFP) Grant	Estimated WRFP Loan	Estimated Total DFA Financing	NPDES/WDR Permit No.	Proposed Equivalency & FFATA Projects ⁴	Green Project Reserve (GPR) FFY 2022
Daly City, City of	Vista Grande Drainage Basin Improvement Project	N/A	CWSRF	\$62,889,860	\$62,889,860	\$0	\$0	\$0	\$0	\$62,889,860	CAS612008		\$0
Palo Alto, City of	Regional Water Quality Control Plant Discharge Infrastructure Improvements	N/A	CWSRF	\$11,760,000	\$11,760,000	\$0	\$0	\$0	\$0	\$11,760,000	CA0037834		\$0
Palo Alto, City of	Advanced Water Purification System (AWPS) 1 MGD Project	N/A	CWSRF	\$22,353,000	\$22,353,000	\$0	\$0	\$0	\$0	\$22,353,000	CA0037834		\$0
Sunnyvale, City of	Secondary Treatment and Dewatering Facilities	N/A	CWSRF	\$302,100,000	\$4,964,260	\$297,135,740	\$0	\$0	\$0	\$302,100,000	CA0037621	Yes	\$0
Carpinteria Valley Water District	Carpinteria Advanced Purification Project	N/A	CWSRF / WRFP	\$39,856,250	\$0	\$29,051,050	\$0	\$10,805,200	\$0	\$39,856,250	CA0047364		\$29,051,050
El Paso de Robles, City of	Paso Robles Recycled Water Distribution System	N/A	CWSRF / WRFP	\$35,360,000	\$0	\$25,140,000	\$0	\$10,220,000	\$0	\$35,360,000	CA0047953		\$25,140,000
Santa Barbara, City of	El Estero wastewater Treatment Plant Electrical Distribution Renewal Project	N/A	CWSRF	\$30,188,647	\$0	\$30,188,647	\$0	\$0	\$0	\$30,188,647	CA0048143		\$0
Santa Barbara, City of	Braemar Lift Station Rehabilitation Project	N/A	CWSRF	\$7,430,411	\$0	\$7,430,411	\$0	\$0	\$0	\$7,430,411	CA0048143		\$0
County Sanitation District No. 2 of Los Angeles	Carson JWPCP - Effluent Outfall Tunnel Project	N/A	CWSRF	\$800,000,000	\$0	\$127,230,000	\$0	\$0	\$0	\$127,230,000	CA0053813		\$0

USBR Title XVI Water Smart Grant Program FY 2023 Projects

Recipient	State	Title	Reclamation Funding
Big Bear Area Regional Wastewater Agency	CA	Replenish Big Bear Project	\$8,267,112
Carpinteria Valley Water District	CA	Carpinteria Advanced Purification Project	\$9,659,990
Coachella Valley Water District	CA	Water Reclamation Plant 10 (WRP 10) Non-Potable Water System	\$10,517,517
Eastern Municipal Water District	CA	Purified Water Replenishment Project	\$10,000,000
Irvine Ranch Water District	CA	Syphon Reservoir Improvement Project	\$12,245,625
Jurupa Community Services District	CA	Joint IEUA-JCSD Recycled Water Intertie Project	\$12,275,000
Las-Virgenes-Triunfo Joint Powers Authority	CA	Pure Water Project Las Virgenes-Triunfo	\$10,199,637
Monterey One Water	CA	Expand Pure Water Monterey Groundwater Replenishment Project	\$10,316,822
City of Morro Bay	CA	Water Reclamation Facility Project	\$9,310,095
City of Oceanside	CA	Pure Water Oceanside Program	\$9,941,533



Amendment No. 2 to Carpinteria Valley Water District Performance Contracting Agreement

THIS AMENDMENT No. 2 ("Amendment") is made this _____ day of April, 2022, by and between Siemens Industry, Inc. ("SIEMENS"), and the party identified below as CLIENT, and effective upon execution, amends and modifies the Performance Contracting Agreement between Carpinteria Valley Water District and Siemens Industry, Inc., Building Technologies Division dated June 28, 2017 [SIEMENS Job No. _____] between SIEMENS and CLIENT, and all prior amendments thereto, if any (collectively the "Agreement").

PROJECT:
Carpinteria Valley Water District Performance Contract

CLIENT: Carpinteria Valley Water District
1301 Santa Ynez Ave
Carpinteria, CA 93013

DESIGNATED REPRESENTATIVE:
Robert McDonald,
Phone: 805-684-2816, Fax:

SIEMENS: Siemens Industry, Inc.
1000 Deerfield Parkway
Buffalo Grove IL 60089

Local office at:
6141 Katella Blvd
Cypress, CA 90630

DESIGNATED REPRESENTATIVE:
Steve Reese, Implementation Manager
Phone: 510-862-9187, Fax:

1. The Agreement and any amendments thereto are incorporated by reference herein and made a part hereof.
2. The Parties agree to modify the Agreement as follows:
 - A. Exhibit A, Article 1, Section 1.2.1, Table 1.1 is replaced with the following:

Table 1.1 – Water Meter Breakdown

Qty	Size	Type	Description
3,407	5/8" x 3/4"	Badger E-Series E-35 Meter	Fixed Base Water Meter
427	1"	Badger E-Series E -55 Meter	Fixed Base Water Meter
241	1.5"	Badger E-Series Meter	Fixed Base Water Meter
370	2"	Badger E-Series Meter	Fixed Base Water Meter
3834	N/A	Polymer Lids for Meter Box	Polymer Lid for Meter Box for 3/4" and 1" meters

- B. Exhibit A, Article 1, Section 1.2.3, Exclusions/Clarifications, add the following:
 - o After final engineering, installed system capacity for the District Office carport system is 191.7 kW DC.
- C. Exhibit A, Article 1, Section 1.2.3.B Engineering for Photovoltaic (PV) System on Carpinteria Reservoir is deleted.
- D. Exhibit B, Article 1, Section 1.1 is revised as follows:
Price: As full consideration of the Work as described in Exhibit A, Article 1: Scope of Work, the CLIENT shall pay to SIEMENS \$ 6,450,218.02 (plus taxes, if applicable).
- E. Exhibit B, Article 1, Section 1.3, Table B.1 is replaced with the following:

Table B.1 – FIM Work Payment Schedule

Project Phase	Payments (\$)	Payments (%)	Schedule
Project Development/Mobilization	\$1,617,164.09	25%	Contract Execution

Project Installation	\$4,528,059.44	70%	Monthly Progress Payments
Project Retention	\$304,994.49	5%	Project Completion
PROJECT TOTAL:	\$6,450,218.02	100%	

F. Exhibit B, Article 2, Table B.2 is replaced with the following:

Table B.2 – Performance Assurance Program Payment Schedule

Date	Annual Payments (\$)	Notes
Annual Period 1	\$0	M&V for the Project
Annual Period 2	\$0	M&V for the Project
Annual Period 3	\$0	M&V for the Project
June 1, 2022	\$27,345.79	M&V for the Project
June 1, 2023	\$27,934.65	M&V for the Project
June 1, 2024	\$28,536.57	M&V for the Project
June 1, 2025	\$29,151.82	M&V for the Project
June 1, 2026	\$29,780.72	M&V for the Project
June 1, 2027	\$30,423.56	M&V for the Project
June 1, 2028	\$31,080.67	M&V for the Project
June 1, 2029	\$31,752.38	M&V for the Project
June 1, 2030	\$32,439.04	M&V for the Project
June 1, 2031	\$33,140.98	M&V for the Project
June 1, 2032	\$33,858.55	M&V for the Project

G. Exhibit B, Article 3, Table B.3 is replaced with the following:

Table B.3 – Maintenance Services Program Payment Schedule

Date	Annual Payments (\$)	Notes
Annual Period 1	\$ 0 *	O&M for Solar Project
Annual Period 2	\$ 0 *	O&M for Solar Project
Annual Period 3	\$ 0 *	O&M for Solar Project
June 1, 2022	\$ 9,020	O&M for Solar Project
June 1, 2023	\$ 9,201	O&M for Solar Project
June 1, 2024	\$ 9,385	O&M for Solar Project
June 1, 2025	\$ 9,572	O&M for Solar Project
June 1, 2026	\$ 9,764	O&M for Solar Project
June 1, 2027	\$ 9,959	O&M for Solar Project
June 1, 2028	\$ 10,158	O&M for Solar Project
June 1, 2029	\$ 12,891	O&M for Solar Project
June 1, 2030	\$ 13,149	O&M for Solar Project
June 1, 2031	\$ 13,412	O&M for Solar Project
June 1, 2032	\$ 13,680	O&M for Solar Project

*Annual maintenance has been provided at no cost to CLIENT.

H. Exhibit C, Article 1, Table 1.1 is replaced with the following:

Table 1.1 – Meter Accuracy Guarantee, Expected Billable Usage Increase Volume and Solar Electric Savings kWh

Performance Guarantee Period	Guaranteed Water Meter Accuracy	Baseline Billable Usage Increase Volume[1] (HCF)	Solar Electric Energy Saved (kWh)	Lighting Upgrade Energy Saved (kWh)
Construction Period	98.5%	0	0	6,477
Annual Period 1	98.5%	99,530	278,708	6,477
Annual Period 2	98.5%	108,483	277,315	6,477
Annual Period 3	98.5%	117,436	275,928	6,477
Annual Period 4	98.5%	126,390	274,549	6,477
Annual Period 5	98.5%	135,343	273,176	6,477
Annual Period 6	98.5%	144,296	271,810	6,477

Annual Period 7	98.5%	153,249	270,451	6,477
Annual Period 8	98.5%	162,203	269,099	6,477
Annual Period 9	98.5%	171,156	267,753	6,477
Annual Period 10	98.5%	180,109	266,414	6,477
Annual Period 11	98.5%	189,062	265,082	6,477
Annual Period 12	98.5%	198,015	263,757	6,477
Annual Period 13	98.5%	206,969	262,438	6,477
Annual Period 14	98.5%	215,922	261,126	6,477
TOTAL		2,208,164	3,777,607	97,155

I. Exhibit C, Article 1, Section 1.6, Table 1.2 is replaced with the following:

Table 1.2 – Total Baseline Billable Usage Increase Revenue, Operational Savings and Solar Energy Savings

Performance Guarantee Period	Baseline Billable Usage Increase Revenue \$	Operational Savings \$	Solar Energy/Utility Savings (\$)	Lighting Upgrade Savings (\$)	Total Savings \$
Construction Period	\$0	\$0	\$0	\$0	\$0
Annual Period 1	\$320,511.71	\$53,904.00	\$19,398.10	\$975.65	\$394,789.46
Annual Period 2	\$361,299.65	\$55,521.12	\$20,169.66	\$1,019.55	\$438,009.99
Annual Period 3	\$404,638.12	\$57,186.75	\$20,971.91	\$1,065.43	\$483,862.22
Annual Period 4	\$450,658.95	\$58,902.36	\$21,806.07	\$1,113.38	\$532,480.75
Annual Period 5	\$499,500.22	\$60,669.43	\$22,673.41	\$1,163.48	\$584,006.54
Annual Period 6	\$551,306.52	\$62,489.51	\$23,575.24	\$1,215.84	\$638,587.10
Annual Period 7	\$606,229.21	\$64,364.19	\$24,512.95	\$1,270.55	\$696,376.90
Annual Period 8	\$664,426.78	\$66,295.12	\$25,487.95	\$1,327.72	\$757,537.58
Annual Period 9	\$720,687.28	\$68,283.97	\$26,501.73	\$1,387.47	\$816,860.46
Annual Period 10	\$785,476.17	\$70,332.49	\$27,555.84	\$1,449.91	\$884,814.41
Annual Period 11	\$854,034.51	\$72,442.47	\$28,651.87	\$1,515.15	\$956,644.00
Annual Period 12	\$926,551.15	\$74,615.74	\$29,791.50	\$1,583.34	\$1,032,541.73
Annual Period 13	\$1,003,223.73	\$76,854.21	\$30,976.46	\$1,654.59	\$1,112,708.99
Annual Period 14	\$1,084,259.01	\$79,159.84	\$32,208.55	\$1,729.04	\$1,197,356.44
TOTALS	\$9,232,803.01	\$921,021.22	\$354,281.25	\$18,471.11	\$10,526,576.58

J. Exhibit C, Article 2, Section 2.3, Table 2.1 is replaced with the following two tables:

Table 2.1a – Baseline Billable Usage Increase and Operational Savings for First Annual Period by Option

FIM	Energy/Utility Savings \$						Operational Savings \$	Total Baseline Savings \$
	Measurement and Verification Options							
	A Retrofit Isolation: Key Parameter Measurement	B Retrofit Isolation: All Parameter Measurement	C Whole Facility	D Calibrated Simulation	E Stipulated	Total Energy/Utility Savings	E Stipulated	
Water Meters					\$320,511.71	\$320,511.71	\$53,904.00	\$374,415.71
Lighting Upgrade					\$975.65	\$975.65		\$975.65
Solar PV					\$19,398.10	\$19,398.10		\$19,398.10
TOTALS					\$340,885.46	\$340,885.46	\$53,904.00	\$394,789.46

Table 2.1b – Baseline Billable Usage Increase and Operational Savings Beginning Fourth Annual Period by Option

FIM	Energy/Utility Savings \$						Operational Savings \$	Total Baseline Savings \$
	Measurement and Verification Options							
	A Retrofit Isolation: Key Parameter Measurement	B Retrofit Isolation: All Parameter Measurement	C Whole Facility	D Calibrated Simulation	E Stipulated	Total Energy/Utility Savings	E Stipulated	
Water Meters	\$450,658.95					\$450,658.95	\$58,902.36	\$509,561.31
Lighting Upgrade					\$1,113.38	\$1,113.38		\$1,113.38
Solar PV		\$21,806.07				\$21,806.07		\$21,806.07
TOTALS	\$450,658.95	\$21,806.07			\$1,113.38	\$473,578.40	\$58,902.36	\$532,480.76

K. Exhibit C, Article 4, Section 4.3.1, Measurement or Reference Tables are replaced with the following:

Year	POAIT (kWh/m ²)
1	1,999.0
2	1,999.0
3	1,999.0
4	1,999.0
5	1,999.0
6	1,999.0
7	1,999.0
8	1,999.0
9	1,999.0
10	1,999.0
11	1,999.0
12	1,999.0
13	1,999.0
14	1,999.0

Month	Monthly plane of Array Insolation for a typical Meteorological Year* (kWh/m ²)
January	102.9
February	106.7
March	167.1
April	187.8
May	226.1
June	206.4
July	234.2
August	227.0
September	182.2
October	147.3
November	112.7
December	98.4
Total	1,999.0

L. Exhibit C, Appendix 1, Non-Agricultural Accounts, Page 27 of 83, the following line is removed:

Service Address	Account #	Serial #	Meter Size	Rate Code
1977 PAQUITA DR	11-115523-07	59281081	1	3/4

M. Exhibit C, Appendix 1, Non-Agricultural Accounts, Page 27 of 83, the following line is removed:

Service Address	Meter Size	Rate Code	Annual Total
1977 PAQUITA	3/4	D	242

N. Exhibit C, Appendix 8, Replace with the attach revised Appendix 8.

O. Exhibit C, Appendix 9, Replace with the following:

2016 CALCULATED (SPC) LIGHTING EQUIPMENT SURVEY TABLE

Measure/Site #1 (For multiple sites, scroll down to enter up to 5 different sites)

* Fixture Codes and associated kW/Fixture can be automatically entered by doubling clicking fixtures in the wattages table

Project Name: _____ Project Sponsor: Siemens - EMS
 Project Site Name: _____

LT

For Administrator Use Only	
Project #	_____
Administrator Receipt Date:	_____

GENERAL INFORMATION			Existing Lighting Equipment						Proposed Lighting Equipment						SAVINGS					
Line Item	Area Description/ Location	Usage Group	Exist. Fixt. Count	* Exist. Fixture Code	* Exist. kW / Fixt.	Exist. Oper. Hours	Exist. kW / Space	Exist. kWh	Prop. Fixt. Count	* Prop. Fixture Code	* Prop. kW / Fixt.	Prop. Oper. Hours	Prop. kW / Space	Prop. kWh	Prop. Control Type	Prop. Occ. Sens. Count	Occ. Sens. Type	kW Saved	Efficiency kWh Saved	Controls kWh Saved
1	dist office	entrance	20	F42ILL-R	0.052	2340	1.040	2,433.60	20	T8 LED 4/2	0.044	2340	0.888	2,077.92	None			0.152	355.88	NA
2	1	office	4	F43ILL-R	0.078	1755	0.312	547.56	4	T8 LED 4/3	0.067	1755	0.270	473.15	None			0.042	74.41	NA
3	2	office	4	F43ILL-R	0.078	1755	0.312	547.56	4	T8 LED 4/3	0.067	1755	0.270	473.15	None			0.042	74.41	NA
4	3	office	4	F43ILL-R	0.078	1755	0.312	547.56	4	T8 LED 4/3	0.067	1755	0.270	473.15	None			0.042	74.41	NA
5	4	office	4	F43ILL-R	0.078	1755	0.312	547.56	4	T8 LED 4/3	0.067	1755	0.270	473.15	None			0.042	74.41	NA
6		server	2	F42ILL-R	0.052	1500	0.104	156.00	2	T8 LED 4/2	0.044	1500	0.089	133.20	None			0.015	22.80	NA
7		open	3	CFT9/1	0.011	2600	0.033	85.80	3	ELED2/2	0.009	2600	0.027	70.20	None			0.008	15.60	NA
8		chamber	4	MH50/1	0.072	1500	0.288	432.00	4	T8 LED 4/2	0.044	1500	0.178	268.40	None			0.110	165.60	NA
9		chamber	13	I50/1	0.050	1500	0.650	975.00	13	LED FLOOD 14/1	0.014	1500	0.182	273.00	None			0.468	702.00	NA
10		pantry	1	LED DNC		2600			1	DNC		2600			None					NA
11		chamber	1	CFT9/1	0.011	1500	0.011	16.50	1	ELED2/2	0.009	1500	0.009	13.50	None			0.002	3.00	NA
12		Mens rr	1	F42EL	0.080	2340	0.080	140.40	1	T8 LED 4/2	0.044	2340	0.044	103.90	None			0.018	36.50	NA
13		Mens rr	2	CFT9/2		2340			2	DNC		2340			None					NA
14		Aux Pump	1	F42EL	0.080	2340	0.080	140.40	1	T8 LED 4/2	0.044	2340	0.044	103.90	None			0.016	36.50	NA
15		sink	1	F42EL	0.080	1755	0.080	105.30	1	T8 LED 4/2	0.044	1755	0.044	77.92	None			0.018	27.38	NA
16		Womens RR	1	CFT9/2		1755			1	DNC		1755			None					NA
17		Womens RR	1	I65/1	0.065	1755	0.065	114.08	1	LED SCB 9/1	0.009	1755	0.009	15.80	None			0.056	98.28	NA
18		ext courtyard	6	LED DNC		4380			6	DNC		4380			None					NA
19		mechanical	2	CFT9/2		2340			2	DNC		2340			None					NA
20		exterior	8	LED DNC		2340			8	DNC		2340			None					NA
21		exterior	15	I50/1	0.050	2340	0.750	1,755.00	15	DNC		2340			None			0.750	1,755.00	NA
22		pump	8	F42ILL-R	0.052	2600	0.416	1,081.60	8	T8 LED 4/2	0.044	2600	0.355	923.52	None			0.081	158.08	NA
23		shop	16	F42ILL-R	0.052	1500	0.832	1,248.00	16	T8 LED 4/2	0.044	1500	0.710	1,065.60	None			0.122	182.40	NA
24		shelter	2	F42ILL-R	0.052	1500	0.104	156.00	2	T8 LED 4/2	0.044	1500	0.089	133.20	None			0.015	22.80	NA
25		yard	4	LED DNC		1500			4	DNC		1500			None					NA
26		shop	18	F42ILL-R	0.052	1500	0.936	1,404.00	18	T8 LED 4/2	0.044	1500	0.799	1,198.80	None			0.137	205.20	NA
27		warehouse	15	F42ILL-R	0.052	1755	0.780	1,368.90	15	T8 LED 4/2	0.044	1755	0.666	1,168.83	None			0.114	200.07	NA
28		hall	3	F42ILL-R	0.052	2340	0.156	365.04	3	T8 LED 4/2	0.044	2340	0.133	311.69	None			0.023	53.35	NA
29		office	2	F42ILL-R	0.052	1755	0.104	182.52	2	T8 LED 4/2	0.044	1755	0.089	155.84	None			0.015	26.88	NA
30		Mens rr	2	F42ILL-R	0.052	2340	0.104	243.36	2	T8 LED 4/2	0.044	2340	0.089	207.79	None			0.015	35.57	NA
31		conference	4	F44ILL-R	0.102	1500	0.408	612.00	4	T8 LED 4/4	0.089	1500	0.356	533.40	None			0.052	78.60	NA
32		janitor	1	I65/1	0.065	2340	0.065	152.10	1	LED SCB 9/1	0.009	2340	0.009	21.06	None			0.056	131.04	NA
33		controls	4	F42ILL-R	0.052	1000	0.208	208.00	4	T8 LED 4/2	0.044	1000	0.178	177.80	None			0.030	30.40	NA
34		open ofc	3	F42ILL-R	0.052	2600	0.156	405.60	3	T8 LED 4/2	0.044	2600	0.133	346.32	None			0.023	59.28	NA
35		greg stafford	2	F42ILL-R	0.052	2340	0.104	243.36	2	T8 LED 4/2	0.044	2340	0.089	207.79	None			0.015	35.57	NA
36		Womens RR	2	LED DNC		1755			2	DNC		1755			None					NA
37		short hall	2	F42ILL-R	0.052	1500	0.104	156.00	2	T8 LED 4/2	0.044	1500	0.089	133.20	None			0.015	22.80	NA
38		office	2	F42ILL-R	0.052	1755	0.104	182.52	2	T8 LED 4/2	0.044	1755	0.089	155.84	None			0.015	26.88	NA
				188.0			9.0		188.0		6.5							2.48	4,784.50	

WHEREFORE, this Amendment amends and modifies the Agreement. In all other respects, the terms and conditions of the Agreement remain in full force and effect. The Parties have caused this Amendment to be signed by their duly authorized representatives on the date first above written, and this Amendment may be executed in counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

CLIENT: Carpinteria Valley Water District

SIEMENS: Siemens Industry, Inc.

Signature: _____
Printed Name: _____
Title: _____

Signature: _____
Printed Name: _____
Title: _____

Signature: _____
Printed Name: _____
Title: _____

Memo

To: Bob McDonald, General Manager

From: Rhonda Gutierrez, Engineering Technician

cc: Brian King, District Engineer

Date: 08/30/2022

Re: 2022 WaterWise Garden Recognition Contest. Winners

The 2022 WaterWise Garden Recognition Contest was very competitive with five (5) submissions from residents. It was challenging trying to decide as all the gardens were beautiful and water efficient. Ultimately, Anthony and Lucy Lombardi were selected as the CVWD WaterWise Garden Recognition Contest winners for 2022.

In April 2021, the Lombardi's had their front lawn removed to install a garden that features low water use plants and a mini orchard. An avocado tree, in place prior to the lawn removal, is the focal point and inspiration for the subtle avocado shape design of the garden. Repurposed old deck boards Stearns Wharf placed in the gravel pathway define the "pit" plant bed area of the avocado shape. Along with the avocado tree, the plant beds include lavenders, sages, salvias, ice plant, apricot and low chill/low freeze apple trees. Mulch is spread throughout to help the soil retain moisture and reduce the need to water often.

The Lombardi's were motivated to replace the lawn by their desire to water less and provide a habitat for wildlife and plants to flourish. The hand-watered garden has become an "urban wilderness" for the Lombardi's and their children to connect with and explore nature as it attracts bee, birds, butterflies, and ladybugs. The garden has also attracted neighbors walking by and stopping to talk about the garden and how much they enjoy it.







Item VIII. F.

AGENDA

DROUGHT MANAGEMENT & WATER CONSERVATION COMMITTEE

At

**CARPINTERIA VALLEY WATER DISTRICT
1301 SANTA YNEZ AVENUE
CARPINTERIA, CALIFORNIA**

July 14, 2022 at 12:00 p.m.

Join Zoom Meeting

<https://us06web.zoom.us/j/86088203603?pwd=MXdGOXIyRIFHL0pJWGtueThYUVBaQT09>

Meeting ID: 860 8820 3603

Passcode: 418163

Or

Dial by Phone: 1-669-444-9171

BOARD OF DIRECTORS

*Case Van Wingerden
President
Kenneth Stendell
Vice President
Polly Holcombe
Shirley L. Johnson
Matthew Roberts*

GENERAL MANAGER

Robert McDonald, P.E. MPA



If interested in participating in a matter before the Committee, you are strongly encouraged to provide the Board with public comment in one of the following ways:

1. Submitting a Written Comment. If you wish to submit a written comment, please email your comment to the Board Secretary at Public.Comment@cvwd.net by **11:00 A.M. on the day of the meeting**. Please limit your comments to 250 words. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.
2. Providing Verbal Comment Telephonically. If you wish to make either a general public comment or to comment on a specific agenda item as it is being heard please send an email to the Board Secretary at Public.Comment@cvwd.net by **11:00 A.M. on the day of the meeting** and include the following information in your email: (a) meeting date, (b) agenda item number, (c) subject or title of the item, (d) your full name, (e) your call back number including area code. During public comment on the agenda item specified in your email, District staff will make every effort to contact you via your provided telephone number so that you can provide public comment to the Committee electronically.

Please note the President has the discretion to limit the speaker's time for any meeting or agenda matter.

I. CALL TO ORDER

II. PUBLIC FORUM (Any person may address the Drought Management & Water Conservation Committee on any matter within its jurisdiction which is not on the agenda)

III. OLD BUSINESS – none

IV. NEW BUSINESS.

A. Consider Drought Outreach Strategy

B. Consider Revision of the 2020 Urban Water Management Plan

C. Consider Multi Family Master meter accounts use of Eye on Water

V. ADJOURNMENT.

Robert McDonald, Board Secretary

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 12:00 p.m., July 11, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

**Indicates attachment of document to agenda packet.



**REGULAR MEETING
OF THE
CACHUMA OPERATION AND MAINTENANCE BOARD**

**Monday, August 22, 2022
1:00 P.M.**

BY TELECONFERENCE

NOTICE: Pursuant to California Government Code sections 54953(b)(1), (b)(2), (e)(1) and (e)(3) (AB 361), members of the Cachuma Operation & Maintenance Board (COMB) Board of Directors, staff, and members of the public will participate in this meeting electronically by video and/or teleconference, as described below.

HOW TO OBSERVE THE MEETING

Members of the public may observe the meeting as set forth below.

Join via video conference:

<https://us02web.zoom.us/j/86724509035?pwd=1ne87y3PF-fm7kG10xvt9CqahF8J3J.1>

Passcode: 526917

Join via teleconference:

US: +1 669 900 6833 Conference ID: 867 2450 9035 Passcode: 526957

HOW TO MAKE A PUBLIC COMMENT

Any member of the public may address the Board on any subject within the jurisdiction of the Board of Directors. The total time for this item will be limited by the President of the Board. The Board is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any Public Comment item.

By Video: Those observing the meeting by video may make comments during designated public comment periods using the “raise hand” feature. Commenters will be required to unmute their respective microphone when providing comments.

By Telephone: Those observing the meeting by telephone may make comments during the designated public comment periods by pressing *9 on the key pad to indicate such interest. Commenters will be prompted to press *6 to unmute their respective telephone when called upon to speak.

AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, if you need special assistance to review agenda materials or participate in this meeting, please contact the Cachuma Operation and Maintenance Board office at (805) 687-4011 at least 48 hours prior to the meeting to enable the Board to make reasonable arrangements.

**REGULAR MEETING
OF THE
CACHUMA OPERATION AND MAINTENANCE BOARD**

Monday, August 22, 2022

1:00 PM

AGENDA

NOTICE: This Meeting shall be conducted through remote access as authorized and in accordance with Government Code section 54953 and the California Governor’s Executive Order N-08-21, N-15-21 and as amended by AB 361.

1. CALL TO ORDER, ROLL CALL

2. PUBLIC COMMENT *(Public may address the Board on any subject matter within the Board’s jurisdiction. See “Notice to the Public” below.)*

3. CONSENT AGENDA *(All items on the Consent Agenda are considered to be routine and will be approved or rejected in a single motion. Any item placed on the Consent Agenda may be removed and placed on the Regular Agenda for discussion and possible action upon the request of any Board Member.)*

Action: Recommend Approval of Consent Agenda by motion and roll call vote of the Board:

- a. Minutes of July 25, 2022 Regular Board Meeting
- b. Investment of Funds
 - Financial Reports
 - Investment Reports
- c. Review of Paid Claims

4. RESOLUTION NO. 765 – CONFIRMATION OF LOCAL EMERGENCY - ACKNOWLEDGEMENT OF GOVERNOR NEWSOM’S DECLARED STATE OF EMERGENCY (HEALTH AND SAFETY)

Action: Recommend adoption by motion and roll call vote of the Board

5. FINANCIAL REVIEW – 4th QUARTER FISCAL YEAR 2021-22

Action: Receive and file information on the 4th Quarter Fiscal Year 2021-22 Financial Review

6. GENERAL MANAGER REPORT

Receive information from the General Manager on topics pertaining to COMB, including but not limited to the following:

- Administration

7. ENGINEER’S REPORT

Receive information from the COMB Engineer, including but not limited to the following:

- Climate Conditions and Water Quality
- Lake Elevation Projection
- Watershed Management
- Infrastructure Improvement Projects

8. OPERATIONS DIVISION REPORT

Receive information regarding the Operations Division, including but not limited to the following:

- Lake Cachuma Operations
- Operation and Maintenance Activities

9. FISHERIES DIVISION REPORT

Receive information from the Fisheries Division Manager, including, but not limited to the following:

- LSYR Steelhead Monitoring Elements
- Tributary Project Updates
- Surcharge Water Accounting
- Reporting/Outreach/Training

10. PROGRESS REPORT ON LAKE CACHUMA OAK TREE PROGRAM

Receive information regarding the Lake Cachuma Oak Tree Program including but not limited to the following:

- Maintenance and Monitoring

11. MONTHLY CACHUMA PROJECT REPORTS

Receive information regarding the Cachuma Project, including but not limited to the following:

- a. Cachuma Water Reports
- b. Cachuma Reservoir Current Conditions
- c. Lake Cachuma Quagga Survey

12. DIRECTORS' REQUESTS FOR AGENDA ITEMS FOR FUTURE MEETING

13. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL LITIGATION

- a. [Government Code Section 54956.9(d)(1)]
Name of matter: *Kimball-Griffith L.P. v. Brenda Wren Burman, et al.*, Case No. 2:20-cv-10647
– Request for Declaratory and Injunctive Relief
- b. [Government Code Section 54956.9(d)(1)] Potential Litigation: Conference with Legal Counsel
- c. [Government Code Section 54956.9(d)(1)] Potential Litigation: Conference with Legal Counsel

14. RECONVENE INTO OPEN SESSION

[Government Code Section 54957.7]

Disclosure of actions taken in closed session, as applicable

[Government Code Section 54957.1]

- 13a. Name of matter: *Kimball-Griffith L.P. v. Brenda Wren Burman, et al.*, Case No. 2:20-cv-10647
– Request for Declaratory and Injunctive Relief
- 13b. Potential Litigation: Conference with Legal Counsel
- 13c. Potential Litigation: Conference with Legal Counsel

15. MEETING SCHEDULE

- **September 26, 2022 at 1:00 PM**
- **Board Packages available on COMB website www.cachuma-board.org**

16. COMB ADJOURNMENT

NOTICE TO PUBLIC

Posting of Agenda: This agenda was posted at COMB's offices, located at 3301 Laurel Canyon Road, Santa Barbara, California, 93105 and on COMB's website, in accordance with Government Code Section 54954.2. The agenda contains a brief general description of each item to be considered by the Governing Board. The Board reserves the right to modify the order in which agenda items are heard. Copies of staff reports or other written documents relating to each item of business are on file at the COMB offices and are available for public inspection during normal business hours. A person with a question concerning any of the agenda items may call COMB's General Manager at (805) 687-4011.

Written materials: In accordance with Government Code Section 54957.5, written materials relating to an item on this agenda which are distributed to the Governing Board less than 72 hours (for a regular meeting) or 24 hours (for a special meeting) will be made available for public inspection at the COMB offices during normal business hours. The written materials may also be posted on COMB's website subject to staff's ability to post the documents before the scheduled meeting.

Public Comment: Any member of the public may address the Board on any subject within the jurisdiction of the Board. The total time for this item will be limited by the President of the Board. The Board is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any Public Comment item.

Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to review agenda materials or participate in this meeting, please contact the Cachuma Operation and Maintenance Board office at (805) 687-4011 at least 48 hours prior to the meeting to enable the Board to make reasonable arrangements.

Note: If you challenge in court any of the Board's decisions related to the listed agenda items you may be limited to raising only those issues you or someone else raised at any public hearing described in this notice or in written correspondence to the Governing Board prior to the public hearing.

August 2022 Monthly Operations Report

Project No.	Job / Facility	Status	Monitoring Frequency	Information Received From
1	HQ Well	HQ Well is online this month pumping ~1150gpm. The Recoating project was completed on 8/19	Daily	O & M Treatment
2	El Carro Well	El Carro Well is online this month pumping ~800gpm	Daily	O & M Water Treatment
3	Smillie Well	Smillie Well is off line this month due to a faulty flow meter and pumping water levels. The new meter has been installed, startup and commissioning will take place 8/24	Daily	O & M Water Treatment
4	Well Status	HQ Well 1150 GPM Online	Daily	O&M Water Treatment
		El Carro Well 800 GPM Online		
		Smillie Well 250 GPM Offline		
5	Gobernador Aeration System	The aeration mixer is online operating normally.	Daily	O & M Water Treatment
6	Water Quality	District Water Filtration facilities are operating within normal parameters and producing high quality water. All routine sampling was completed and all results met the CDPH & EPA guidelines.	Daily	O&M Water Treatment
7	SCADA Upgrades	The first solar powered pressure regulator station monitoring station is on hold pending approval by City of Carpinteria for the installation of hardware panels in the City Right of Way.	Daily	O & M Water Treatment
8	Production Meter Testing	We hope to have our production meters for HQ Well & El Carro well tested for accuracy in the next 2 months.	Daily	O&M Water Treatment
10	Pumping & Production	We continue to see the pumping levels in the aquifer declining slowly due to increased pumping by private wells which affects the pumping capacity of our wells. Staff replaced the faulty 14" meter at Lateral 30 pump station and the faulty 6" production meter at Smillie Well. These meters will be online	Daily	O & M Water Treatment
11	Hydrant Maintenance & Repair	Staff replaced a hydrant hit by a motor vehicle.	Daily	O&M Water Distribution
12	Valve Exercise & Replacement	Nothing to report this month.	Daily	O&M Water Distribution
13	Mainline Leak Repairs	Staff repaired leak this month.	Daily	O & M Water Distribution
14	Mainline Replacement	Staff repaired one mainline leak this month.	Daily	O&M Water Distribution
15	Service Reairs	District Staff repaired / replaced (4) leaking water services and 1 leaking Angle Meter Stops this period.	Daily	O&M Water Distribution
16	Meter Replacement / Testing	Staff replaced 2 large meters.	Daily	O&M Water Distribution
17	Fleet	1) As of 8/19 The new Crew Truck has not arrived at the after market upfitter, apparently it is still stuck at the dealer pending inspection. Estimated completion and delivery is now late September to Mid October. 2) We are awaiting the quotes and specs to move forward with ordering (2) new trucks this year. Full electric trucks were not available to us for this ordering window so we have opted for two Hybrid trucks. We anticipate being able to order the vehicles in the next two weeks.	Daily	O&M
18	Facilities Upgrades and Repairs	District staff has been working on repairs to the Operations Building shower and plumbing leaks. Staff discovered that a leak that caused damage to the adjacent office wall was caused by a rotted out P-Trap in the shower which allowed water to come up in the wall space and deteriorated grout line in the shower walls which damaged the drywall. Staff has removed and replaced the rotten pipe and is working to restore the shower which had to be completely gutted to repair all the sources of water damage. Fixtures and tile are being sourced and we hope to have the shower and sink area back in service by the end of September.	Daily	O&M
19	Customer Projects	Nothing to report this period.	Daily	O&M Water Distribution
20	Landscape	Nothing to report at this time.	Daily	O & M

Engineering Monthly Report

Proj. No.	Name	Status	% Done this month	% Done	Completion Date
1	Website Updates	<p>Meeting updates, residential customer assistance programs and quarterly article posted to CVWD.net.</p> <p>CarpGSA.org website landing page redesigned to incorporate latest news and upcoming events sections. Meeting agenda page redesigned allow for links to agendas, board packets, minutes and additional documentation and or videos.</p>	-	-	Ongoing
2	Water Conservation	<p>Community Outreach:</p> <ul style="list-style-type: none"> • Continued messaging via print and social media focused on Stage 2 drought condition water use restrictions, promoting rebates and ways to save water such as checking for leaks, adding mulch, moving on from the lawn and EyeOnWater online portal. • Continued timely notification of possible leaks identified by Beacon Continuous Flow/Leak Alert system to customers via phone call, email or letter. EyeOnWater sign-ups are slow and steady; thirty-nine (39) for July and 41 for August; totaling 189 accounts out of 4,563 accounts. • Drought Emergency banners posted on fences at Carpinteria Community Pool and District yard. • Lawn signs with drought messaging are being developed for distribution to customers. • Every Drop Counts Bucket Challenge initiated. Buckets available for pick up by CVWD customers. <p>Rebates</p> <ul style="list-style-type: none"> • SB County Water Agency submitted grant application for funding turf conversion rebates on behalf of RWEF group. • Increase in interest for CVWD's current landscape rebate. Currently four (4) residential and one (1) HOA projects have been pre-approved. 		-	Ongoing

Engineering Monthly Report

3	LIVR	Started first phase of Laterals Isolation Valve Replacement (LIVR), Completed Lateral 1R, Lateral 1L, Lateral 2R, Lateral 3L and Lateral 4L. Next phase will be in the Fall November for Laterals Laterals 5, 6 and 7 and the Shutdown of Conduit with the installation of temporary highline.			Ongoing
4	Santa Claus Lane Improvement	Installed section of main at the East end in pre for the new round about. Working with Flowers for the completion of the plans for the remaining project.			Ongoing
5	Pollo Villas	Working with Developer for the completion of Water Plans. Doing a reevaluation of the system to make sure the new system is meeting Current Fire District Fire Flow requirement for Hydrants			Ongoing
6	Lagunitas Business Park 6380 Via Real	Developer nearing possible start of construction in the Fall. Working on easements and Main Extension Agreement as for the District requirements for District signoff as to begin.			

**Engineering Monthly Report
Intent to Serve Letters
August 2022**

Letters Issued

Address	Description	Date Letter Issued
7176 Gobernador Canyon Rd	New employee dwelling and cannabis operation (parcel has water service)	08/03/2022
5637 Calle Pacific	New pool to replace old pool, shade cover, patio flatwork (parcel has water service)	08/24/2022
6659 Arozena Lane	New pool (parcel has water service)	08/24/2022
3950 Via real – Sandpiper	Phase 1 & 2 for solar project (parcel has water service)	
1960 Cate Mesa Rd – Cate School	Two temporary COVID-19 isolation trailers for students (parcel has water service)	08/29/2022
1937 Monte Alegre Dr	New house, modified orchard, and pool (parcel has water service)	08/31/2022

Intake of Letters and in Review

Address	Description	Date received
3908 Foothill Rd	New pool, pavilion, landscaping, house remodel	08/22/2022

**CARPINTERIA VALLEY WATER DISTRICT
WATER SUPPLY REPORT
(ALL VALUES IN ACRE-FEET / AF)**

MONTH ENDING: 7/31/2022

	MONTHLY USE			
	CACHUMA	GW	SWP	ID#1 EXCHANGE
AUG	0	205	292	58
SEP	0	245	187	47
OCT	0	291	99	27
NOV	0	269	53	0
DEC	0	129	100	0
JAN	0	205	0	0
FEB	0	204	99	0
MAR	0	90	297	0
APR	0	56	290	0
MAY	34	133	232	0
JUN	177	45	227	0
JUL	207	257	0	0

12-MONTH TOTALS	418	2,129	1,876	132
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12-MONTH RUNNING METERED SALES	4,286
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12-MONTH RUNNING READ-CYCLE LOSSES	174
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AVAILABLE SURFACE WATER SUPPLY

CACHUMA PROJECT

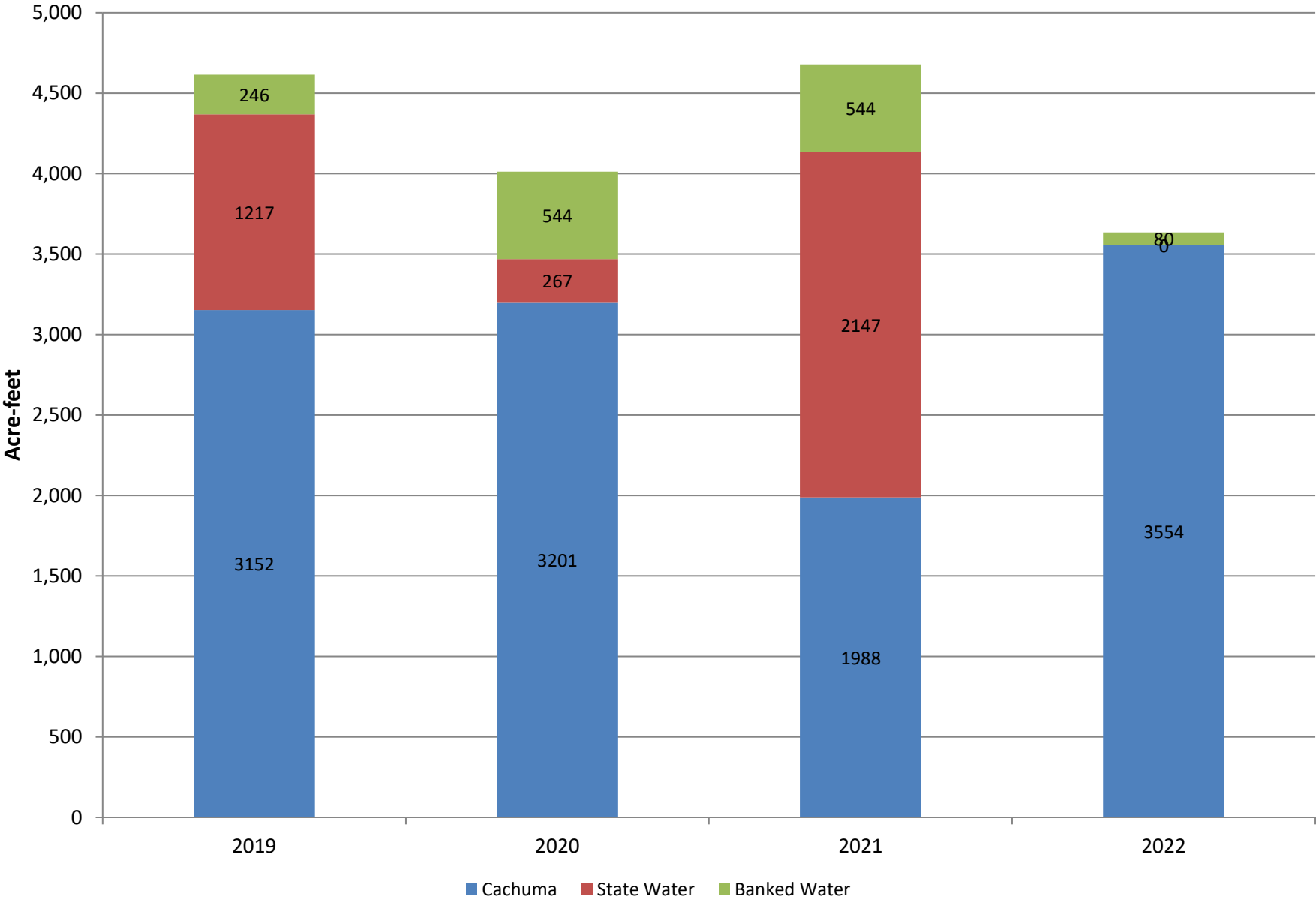
CARRYOVER BALANCE	1,558
CURRENT WATER YEAR BALANCE	1,996
CACHUMA SUBTOTAL	3,554

STATE WATER PROJECT

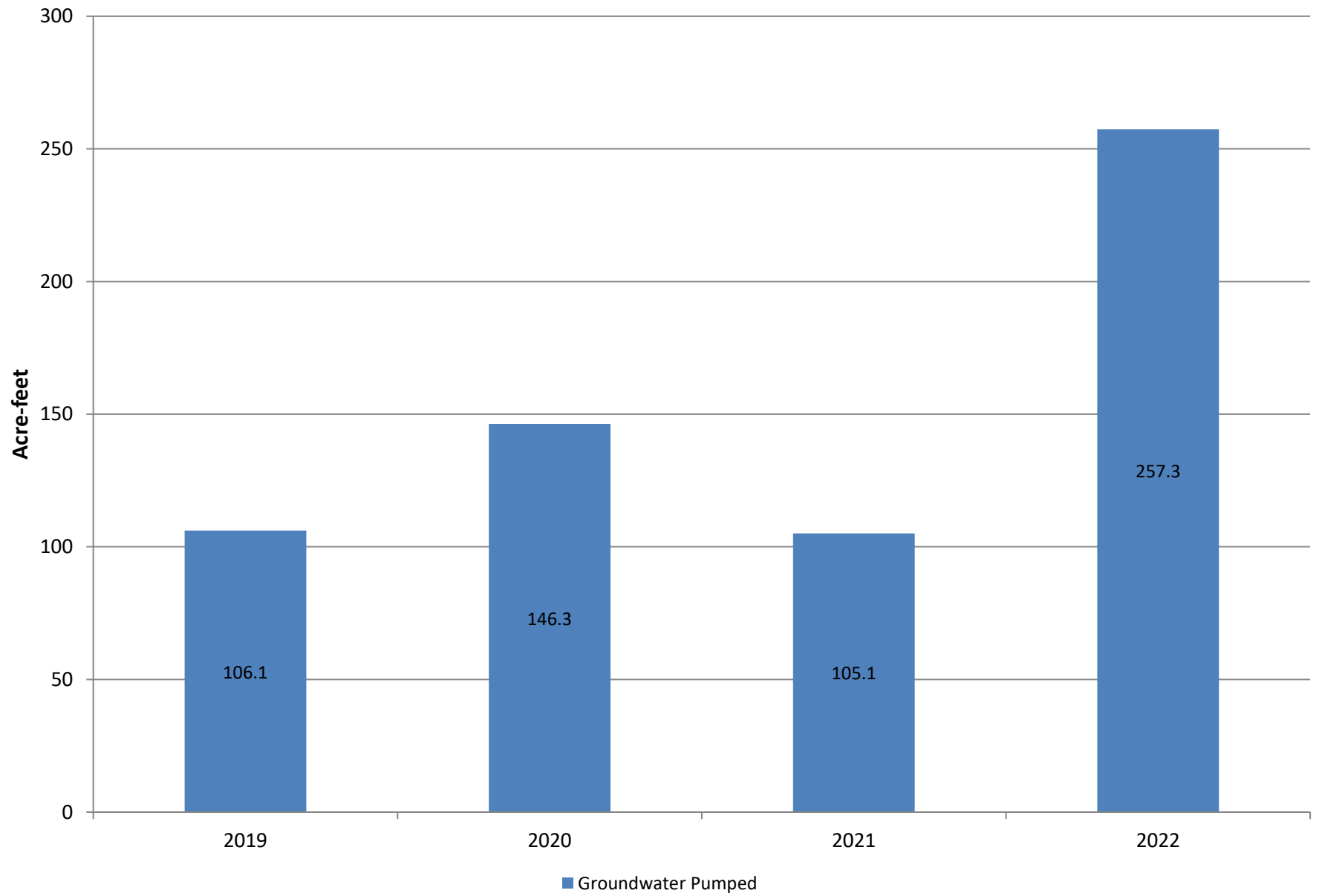
CARRYOVER BALANCE	0
CURRENT WATER YEAR BALANCE	0
BANKED WATER (IRWD)	80
STATE WATER SUBTOTAL	80

TOTAL AVAILABLE SURFACE WATER SUPPLY	3,634
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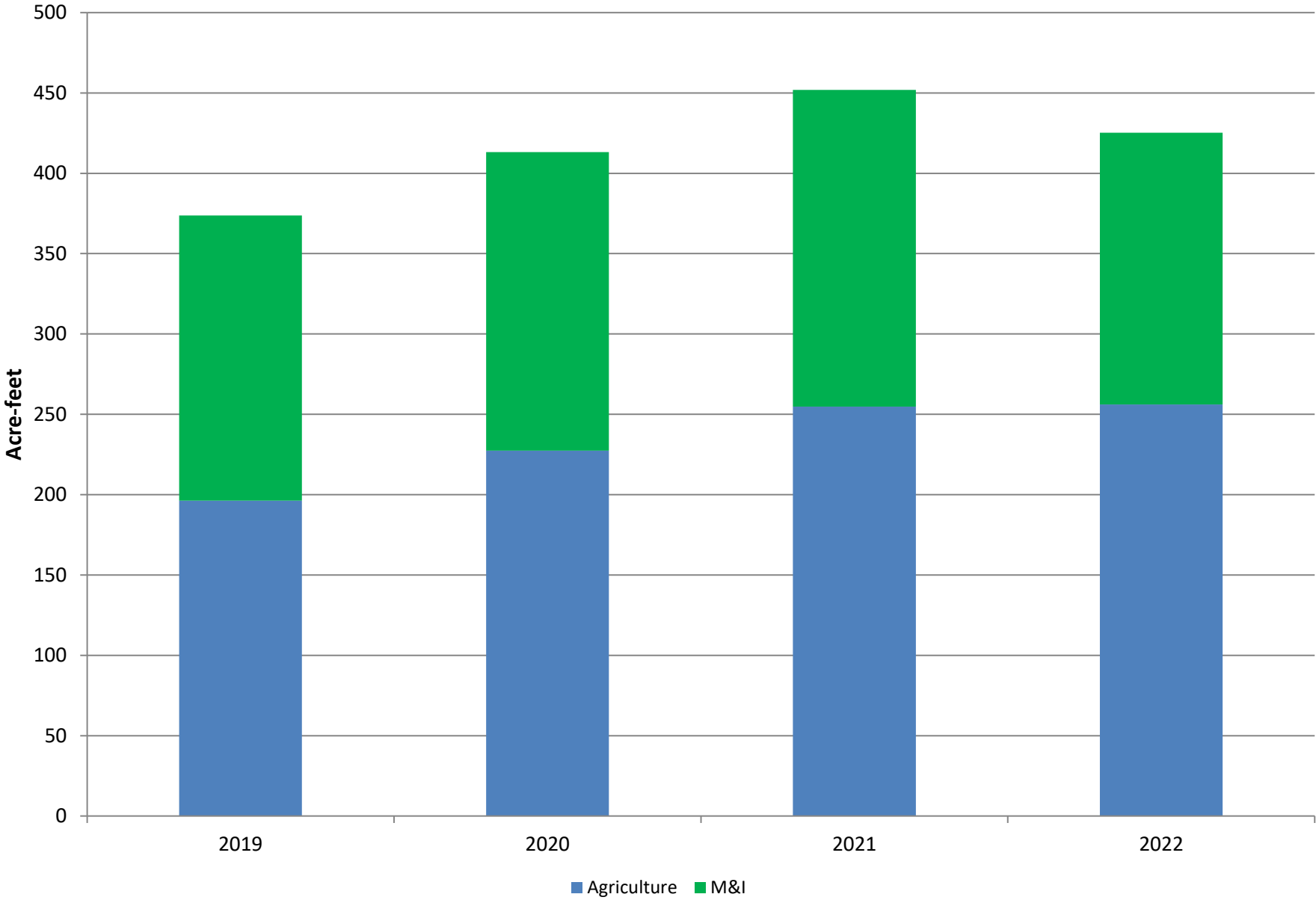
Available Surface Supply - JUL



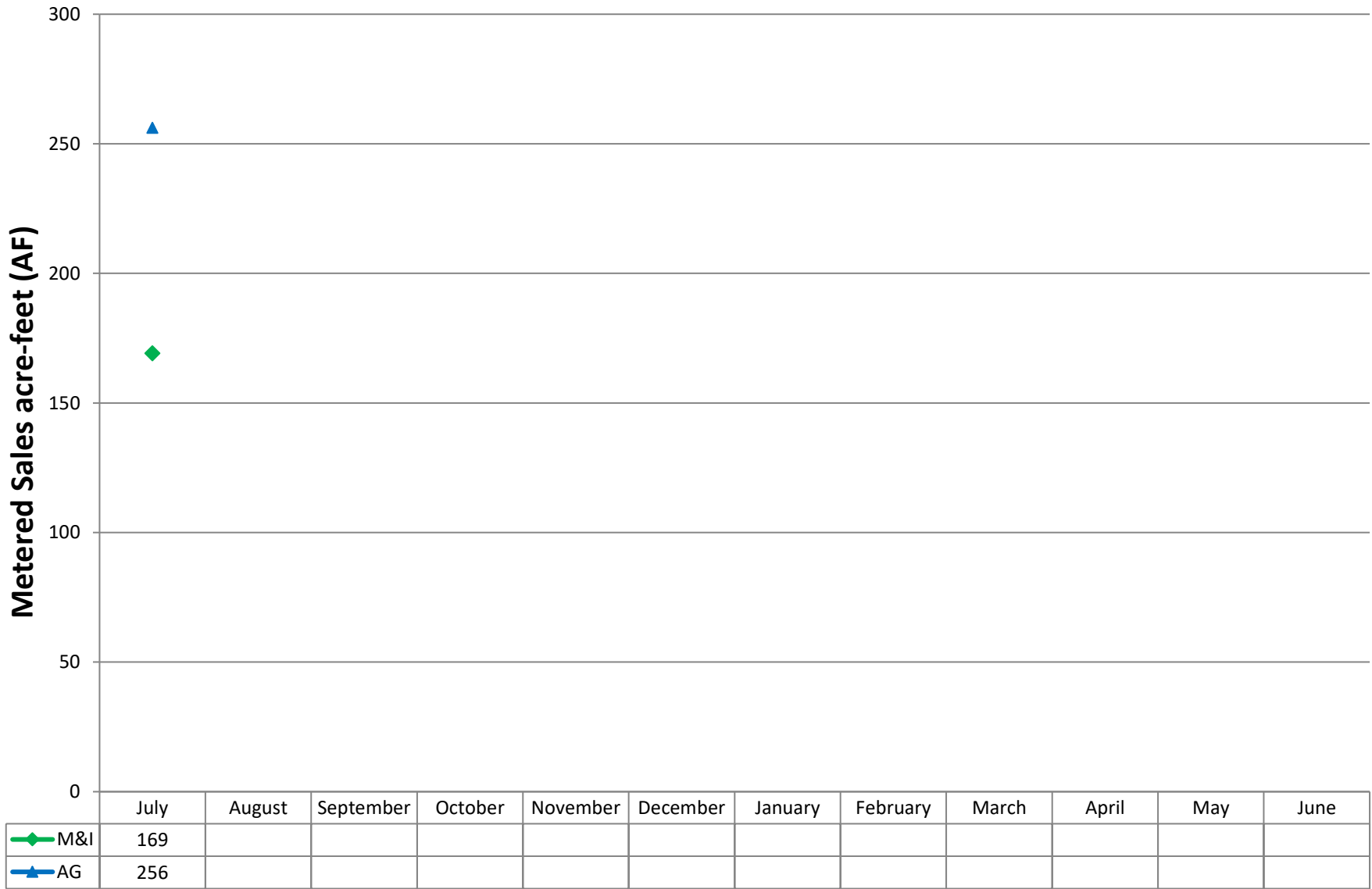
Groundwater Production - JUL



CVWD Metered Sales JUL

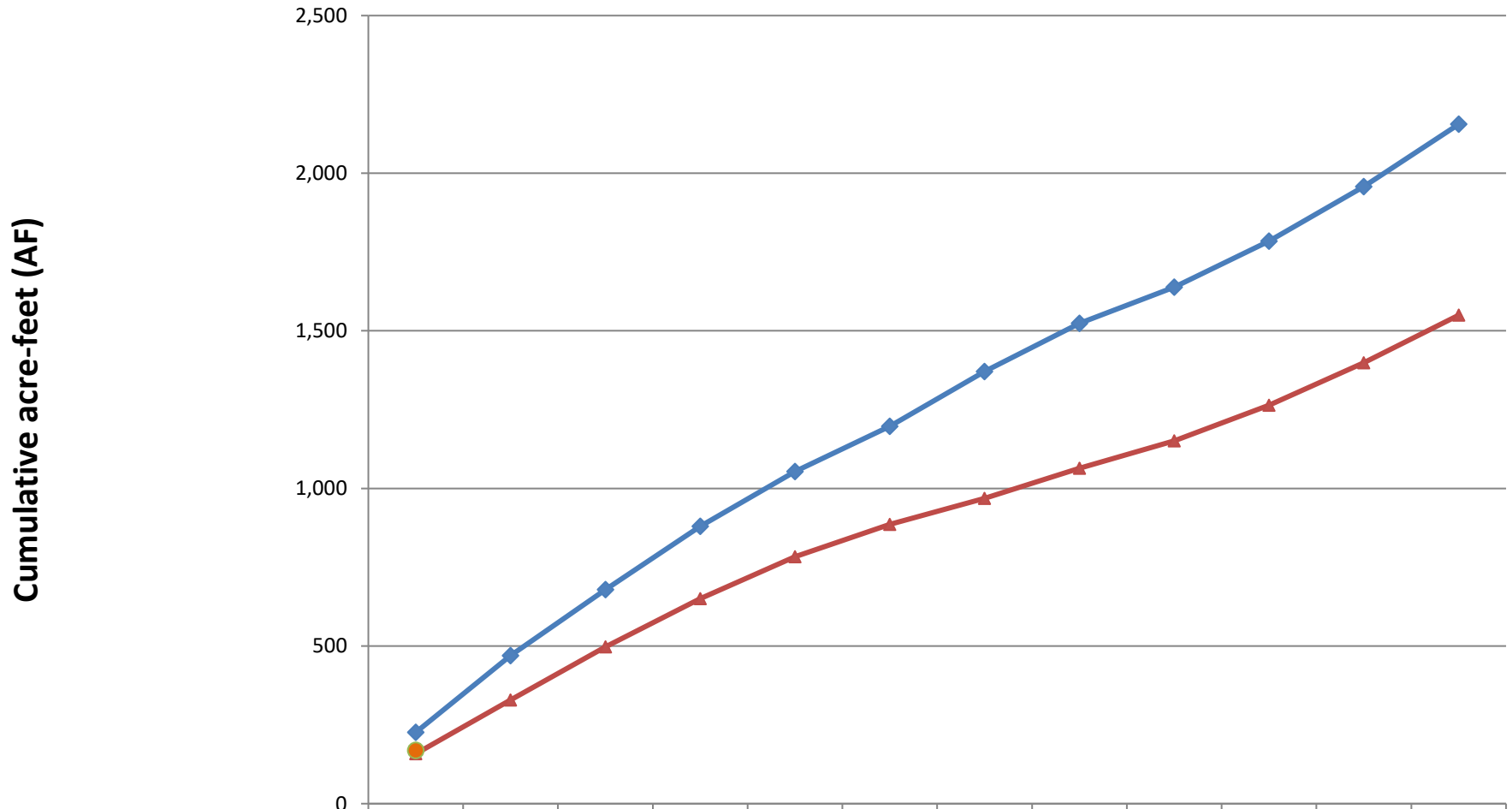


CVWD Monthly Metered Sales for this Fiscal Year



◆ M&I ▲ AG

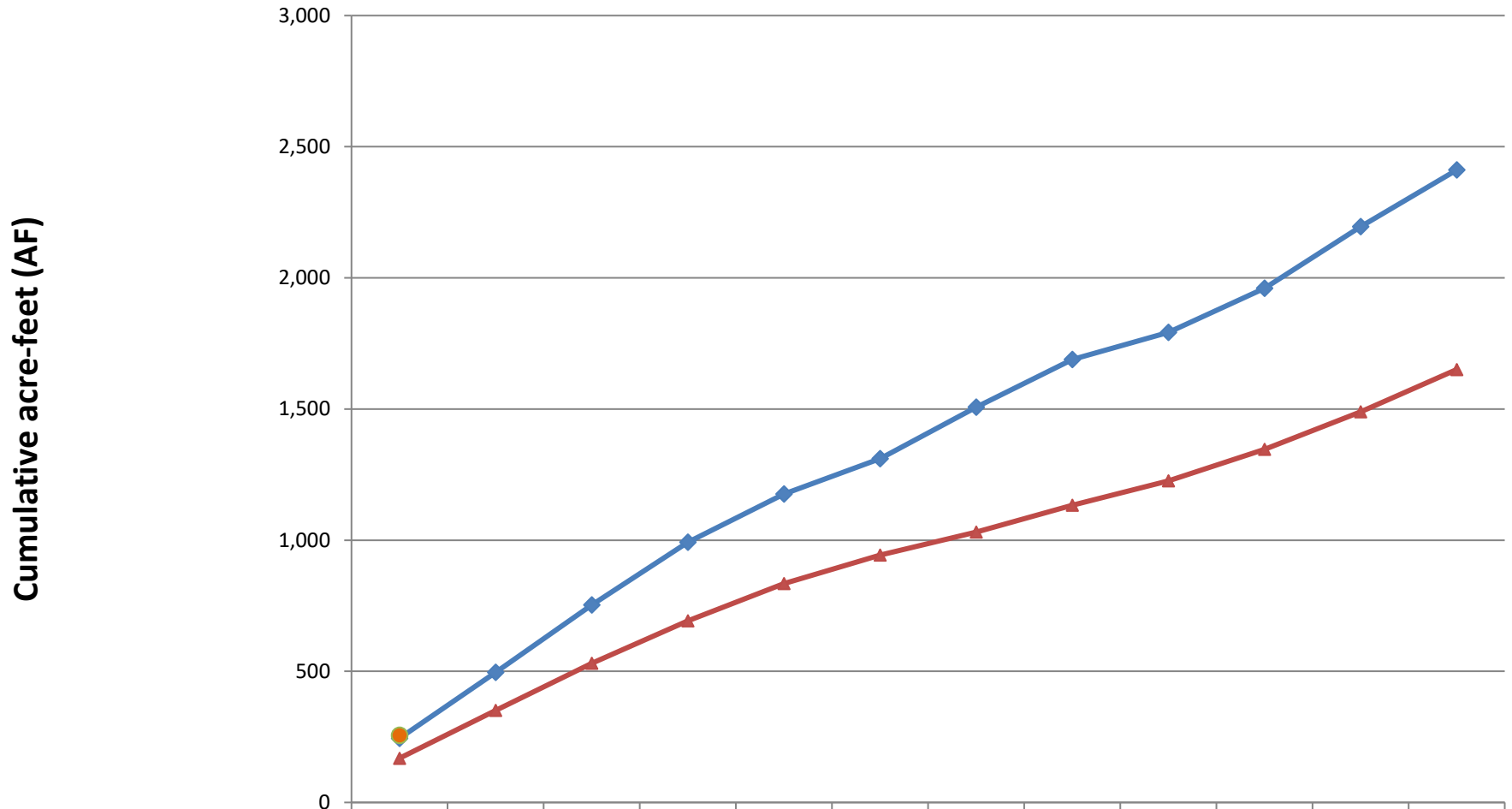
Fiscal Year M&I Sales Projections vs. Actuals



	July	August	September	October	November	December	January	February	March	April	May	June
◆ Maximum Expected Use	226.29	469.57	679.18	880.16	1053.47	1196.92	1370.43	1523.81	1638.35	1784.52	1957.82	2155.22
▲ FY 2023 Cumulative M&I Target	158.2	329.1	497.9	650.2	783.3	885.9	968.1	1063.7	1150.7	1263.9	1398.3	1549.5
● FY 2023 Actual	169											

◆ Maximum Expected Use
 ▲ FY 2023 Cumulative M&I Target
 ● FY 2023 Actual

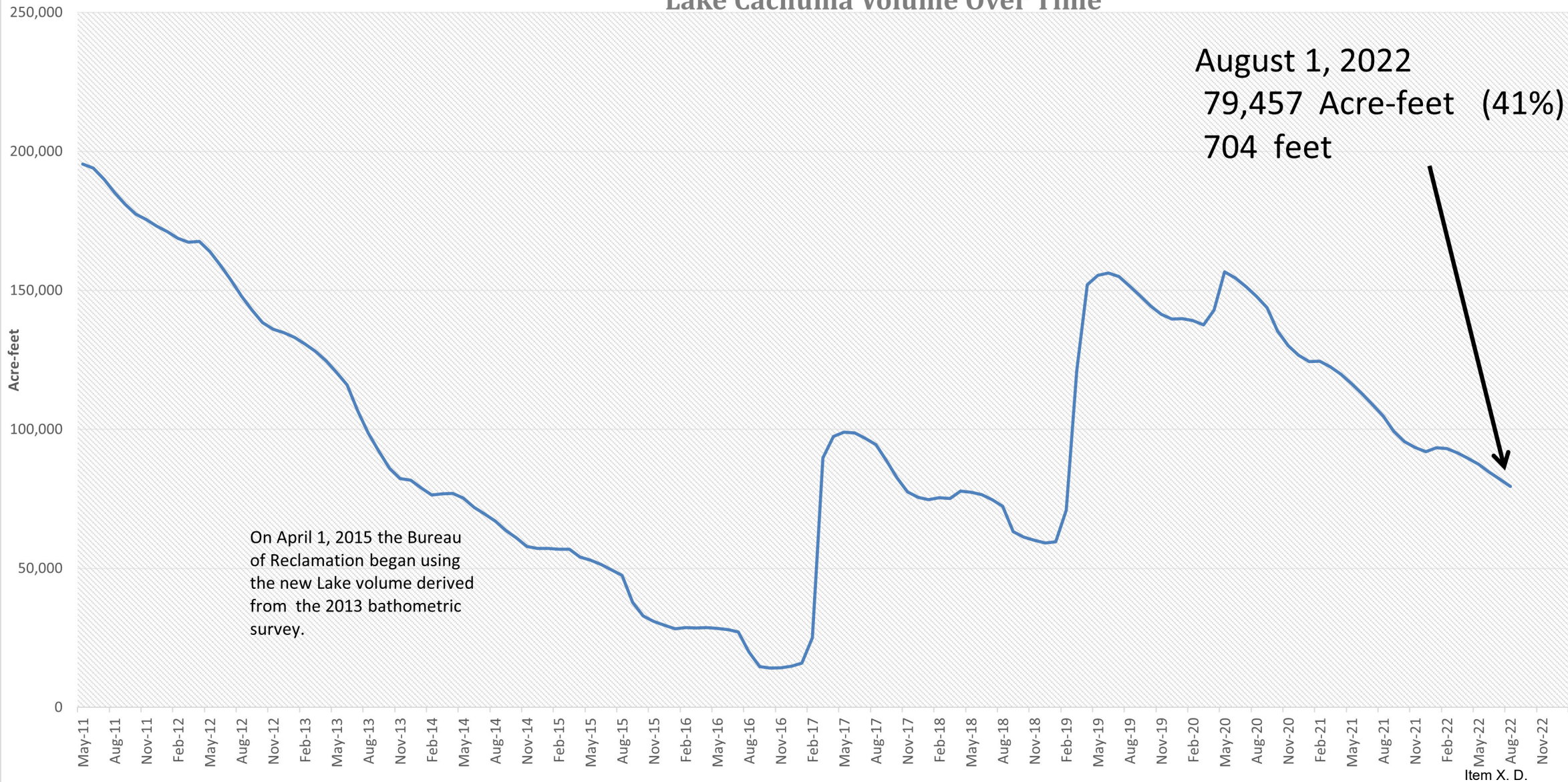
Fiscal Year AG Sales Projections vs Actuals



	July	August	September	October	November	December	January	February	March	April	May	June
◆ Maximum Expected Use	244.7	496.22	753.12	991.92	1175.62	1311.02	1507.32	1688.92	1792.22	1960.82	2194.92	2411.22
▲ FY 2023 Cumulative Ag Target	168.6	350.5	530.3	692.6	834.4	943.6	1031.2	1133.0	1225.7	1346.3	1489.5	1650.5
● FY 2023 Actual	256											

◆ Maximum Expected Use
 ▲ FY 2023 Cumulative Ag Target
 ● FY 2023 Actual

Lake Cachuma Volume Over Time



Water savings attributed to CVWD conservation efforts

All data in HCF unless otherwise noted

Customer Class	Water Use		Water savings (for current month)		Cumulative water savings since 2013
	Jul-13	Jul-22	HCF	%	
Commercial	17,787	12,952	4,835	27%	430,669
Industrial	3,189	2,642	547	17%	59,261
Public Auth.	8,954	8,956	-2	0%	111,589
Single-meter Residential	43,963	34,407	9,556	22%	572,754
Master-meter Residential	20,531	21,533	-1,002	-5%	254,508
Landscape	4,020	4,927	-907	-23%	8,486
M&I TOTAL (HCF)	98,444	85,417	13,027	13%	1,437,267
M&I TOTAL (AF)	226	196	30	13%	3,300
Agriculture (HCF)	106,611	111,572	-4,961	-5%	839,177
Agriculture (AF)	245	256	-11	-5%	1,926
District Total (HCF)	205,055	196,989	8,066	4%	2,276,444
DISTRICT TOTAL (AF)	471	452	19	4%	5,226

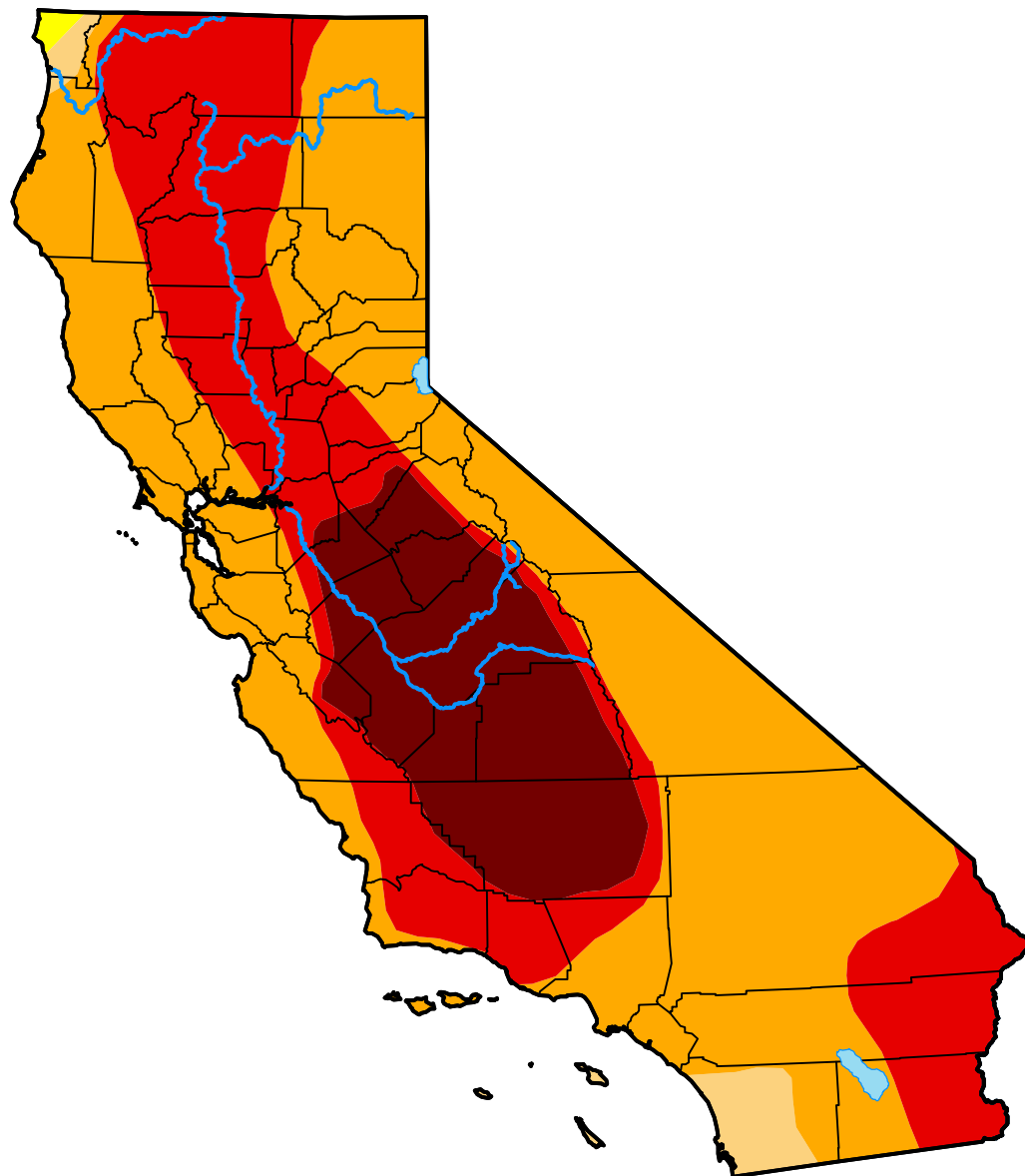
Check 2,276,444

Gallons per capita per day	113	92
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Totals Match

U.S. Drought Monitor California

August 9, 2022
(Released Thursday, Aug. 11, 2022)
Valid 8 a.m. EDT



Intensity:

-  None
-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Richard Tinker
CPC/NOAA/NWS/NCEP



droughtmonitor.unl.edu

Item X.D.

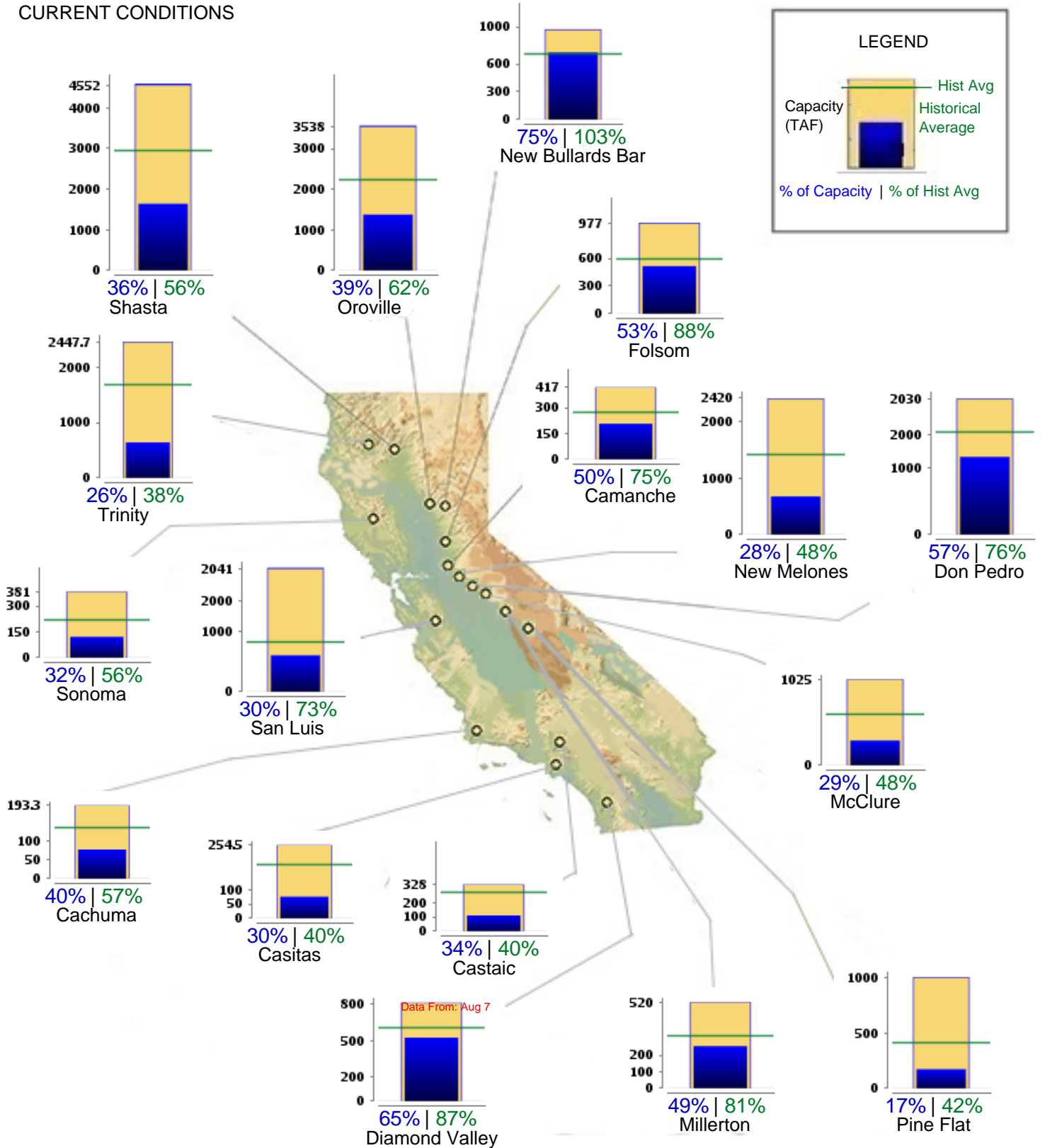


CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - August 14, 2022

CURRENT CONDITIONS





Santa Barbara County - Flood Control District

130 East Victoria Street, Santa Barbara CA 93101 - 805.568.3440 - www.countyofsb.org/pwd

Rainfall and Reservoir Summary

Updated 8am: 8/15/2022

Water Year: 2022

Storm Number: NA

Notes: Daily rainfall amounts are recorded as of 8am for the previous 24 hours. Rainfall units are expressed in inches. All data on this page are from automated sensors, are preliminary, and subject to verification.

*Each Water Year (WY) runs from Sept 1 through Aug 31 and is designated by the calendar year in which it ends
[County Real-Time Rainfall and Reservoir Website link: > http://www.countyofsb.org/hydrology](http://www.countyofsb.org/hydrology)

Rainfall	ID	24 hrs	Storm 0day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.00	0.00	0.00	9.11	55%	55%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	12.69	65%	64%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.00	10.03	59%	58%	
Cuyama (Fire Stn)	436	0.00	0.00	0.00	4.51	60%	59%	
Figueroa Mtn. (USFS Stn)	421	0.00	0.00	0.00	13.17	62%	61%	12.5
Gibraltar Dam (City Facility)	230	0.00	0.00	0.00	17.70	68%	67%	12.5
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	0.00	11.88	65%	64%	
Lompoc (City Hall)	439	0.00	0.00	0.00	9.94	69%	68%	12.5
Los Alamos (Fire Stn)	204	0.00	0.00	0.00	9.30	61%	61%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.00	26.77	80%	79%	
Santa Barbara (County Bldg)	234	0.00	0.00	0.00	13.38	73%	73%	
Santa Maria (City Pub.Works)	380	0.00	0.00	0.00	7.95	60%	60%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.00	10.13	65%	64%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.00	7.47	50%	49%	

County-wide percentage of "Normal-to-Date" rainfall : **64%**

County-wide percentage of "Normal Water-Year" rainfall : **63%**

County-wide percentage of "Normal Water-Year" rainfall calculated assuming no more rain through Aug. 31, 2022 (End of WY2022).

AI (Antecedent Index / Soil Wetness)

6.0 and below = Wet (min. = 2.5)
 6.1 - 9.0 = Moderate
 9.1 and above = Dry (max. = 12.5)

Reservoirs

Reservoir Elevations referenced to NGVD-29.

**Cachuma is full and subject to spilling at elevation 750 ft. However, the lake is surcharged to 753 ft. for fish release water. (Cachuma water storage is based on Dec 2013 capacity revision)

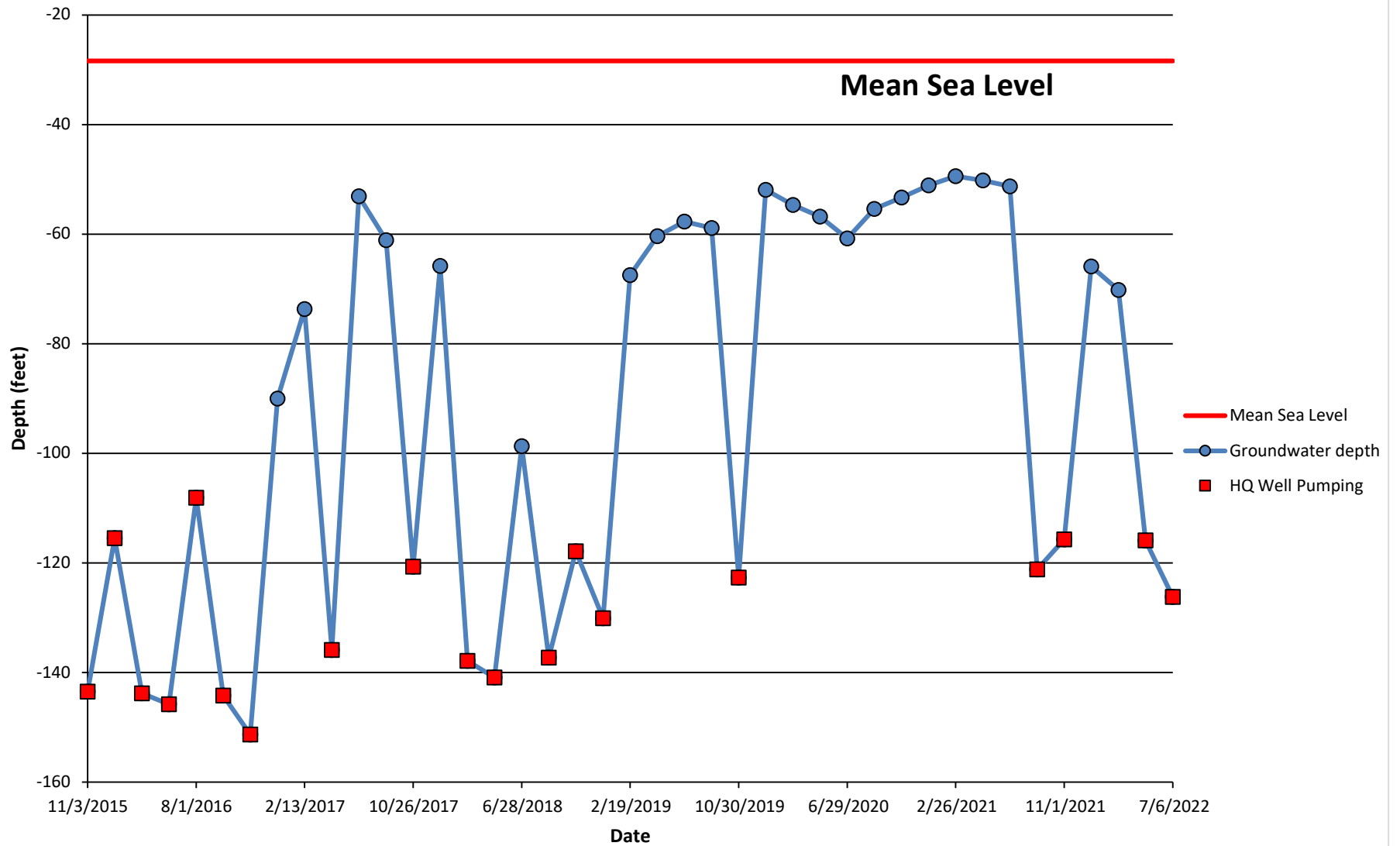
Click on Site for Real-Time Readings	Spillway Elev. (ft)	Current Elev. (ft)	Max. Storage (ac-ft)	Current Storage (ac-ft)	Current Capacity (%)	Storage Change Mo.(ac-ft)	Storage Change Year*(ac-ft)
Gibraltar Reservoir	1,400.00	1,383.38	4,693	1,561	33.3%	-216	1,287
Cachuma Reservoir	753.**	703.47	192,978	76,847	39.8%	-1,624	-22,423
Jameson Reservoir	2,224.00	2,206.18	4,848	2,892	59.7%	-51	-193
Twitchell Reservoir	651.50	NA	194,971	NA		NA	NA

[Previous Rainfall and Reservoir Summaries](#)

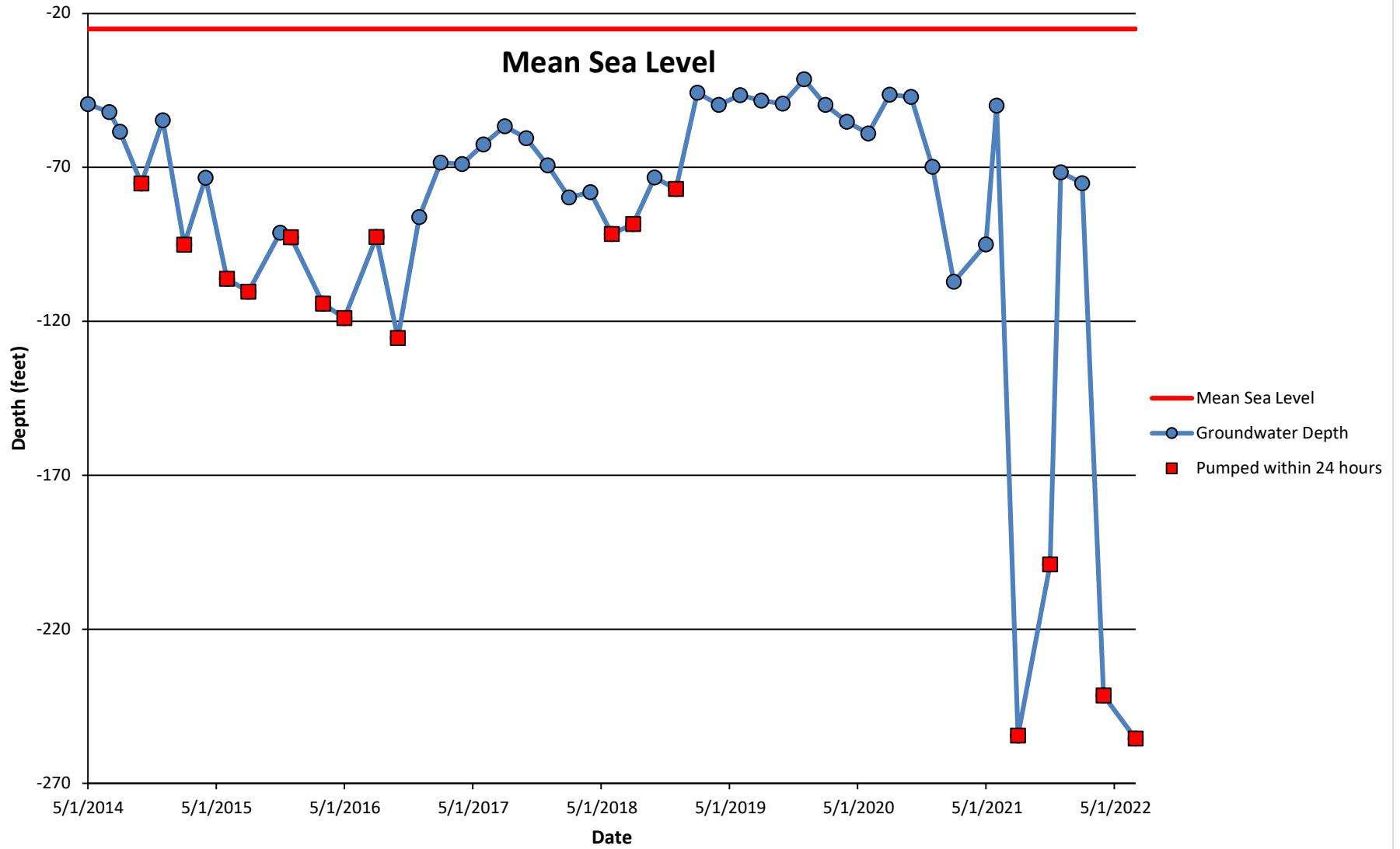
Santa Ynez Well

Groundwater Depth Below Land Surface Datum

Land Surface Altitude - 28.38 Feet Above Mean Sea Level



HQ Well
Groundwater Depth Below Land Surface Datum
Land Surface Altitude - 28.96 Feet Above Mean Sea Level



Smillie Well
Groundwater Depth Below Land Surface Datum
Land Surface Altitude - 136.24 Feet Above Mean Sea Level

