

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: SEPTEMBER 6, 2012

**AGENDA ITEM  
F  
SEPTEMBER 12, 2012**

**GENERAL MANAGER'S REPORT**

**ITEM**

Standing report to your Honorable Board -- *Period covered by this report is August 3, 2012 through September 6, 2012.*

**DISTRICT BUSINESS**

**Administrative**

- Recent changes to the Brown Act; Deputy District Counsel reviewed recent changes to Brown Act and found the changes to focus on allowing local agency to not comply with web posting requirements if the requirement posed undue financial impact. Mr. Seitz suggests the District continue its practice of full compliance with posting requirements. See attached background materials.
- San Luis Obispo County Water Resources Advisory Committee met on September 5, 2012 to discuss the use of NCSD's \$2.3M grant allocation should the District be unable to move forward with a Supplemental Water Project in a timely manner. The WRAC agenda and materials pertaining to this item are attached.
- California Special District Association (CSDA) Election Results are attached.
- CSDA has provided a summary of Public Employee Pension Reform Act (AB 340) which passed the House and awaits Governors approval. The Summary is attached.
- The District's new 4-tiered water rate continues to have a measured impact on high water use water bills. One indication; payment arrangements (formal amortization of high bills, and 'split' bills) have increased markedly in July. Payments are being made and this has kept the turn-off rate (see connection report below) low.
- District consultant Spencer Waterman with WSC attended the recent California Urban Water Conservation Committee G1 Caucus Meeting, his meeting notes are attached.
- An organization of Mesa area residents calling itself the Mesa Community Alliance was formed in the past year with a focus on water resources issues. The group has recently written two letters, one to the District's Supplemental Water Alternatives Evaluation Committee Chair and one to SLO County WRAC (both attached). The Group is voicing concern with the process for evaluating Supplemental Water alternatives, however, while the Group now recognizes there is a significant water resources problem, they have yet to offer any solution. No member of the Group has spoke before the Board or SWAEC.

**Water/Wastewater News of Interest**

- Drought conditions in the Gulf Coast and mid-west have resulted in seawater creeping up the Mississippi River and threatening the water supply to significant population areas. A multi-million dollar effort is underway to abate the saltwater intrusion – see attached news report.
- National Weather Service is predicting development of El Nino conditions – see attached report
- Since going live early this year, the County-tailored water conservation site "slowaterwiselandscaping.com" has received 5,953 unique visits – see attached report.

**Connection Report**

Nipomo Community Services District  
 Water and Sewer Connections

**End of Month Report 2012**

	Dec-11	JAN-12	FEB-12	MAR-12	APR-12	MAY-12	JUN-12	JUL-12	AUG-12
Water Connections (Total)	4232	4232	4239	4239	4239	4240	4240	4244	4244
Sewer Connections (Total)	3022	3022	3035	3035	3035	3036	3036	3040	3040
Meters turned off (Non-payment)	23	28	22	18	28	13	39	16	20
Meters off (Vacant)	62	64	62	64	68	67	63	60	65
Sewer Connections off (Vacant)	20	24	22	22	27	28	25	23	25
New Water Connections	0	0	7	0	0	1	0	4	0
New Sewer Connection	0	0	13	0	0	1	0	4	0
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	460	460	460	460	460	460	460	461	461

**Meetings**

*Meetings attended:*

- August 9, Quarterly Safety Training
- August 9, coordination with Management Team
- August 10, SWAE Committee Nomination Committee
- August 10, Rural Water Company Management
- August 10, coordination with District Counsel
- August 14, interview with Ben Heighes of KJUL radio
- August 14, Board of Directors Special Meeting
- August 15, CSDA Webinar on Emergency Preparedness
- August 15, Achievement House on solid waste proposal
- August 16, Facilities tour with Utility Superintendent
- August 17, Chair of Supp Water Alt Eval Committee
- August 17, SLO CO Special District General Managers
- August 27, City of Santa Maria Utilities Director
- August 27, coordination with Board Officers
- August 28, Maria Vista Estates owners
- August 28, Special Counsel Maryann Goodkind
- August 29, construction update with District Engineer
- August 30, NMMA Technical Group
- August 31, presentation to Pismo Coast Realtors Asso. on water issues
- September 4, coordination with District Engineer
- September 5, coordination with Utility Superintendent
- September 5, Supp Water Alternatives Evaluation Committee

*Meetings Scheduled:*

- September 6, Regional Water Control Board hearing
- September 10, Water Resources Policy Committee
- September 12, Regular Board Meeting
- September 13, Management Coordination
- September 14, coordination with District Counsel

**Safety Program**

Minor, non-injury vehicle accident occurred in August. District vehicle contacted a bollard and sustained minor damage.

**RECOMMENDATION**

Staff seeks direction and input from your Honorable Board

**ATTACHMENTS**

- A. Brown Act information
- B. September 5, 2012 SLO CO WRAC Agenda and materials
- C. CSDA e-News
- D. CSDA summary of Public Employee Pension Reform Act (AB 340)
- E. Summary of CUWCC Caucus
- F. September 3, 2012 Mesa Alliance letter
- G. September 5, 2012, Mesa Alliance letter
- H. August 15, 2012 news on Mississippi saltwater
- I. September 6, 2012 NWS El Nino warning
- J. Summary of visits to [WWW.slowaterwiselandscaping.com](http://WWW.slowaterwiselandscaping.com) web site.

SEPTEMBER 12, 2012

ITEM F

ATTACHMENT A



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## **League of California Cities Congratulates Cities for Continuing Brown Act**

*(Updated from an earlier version with an incorrect headline. The League of California Cities is congratulating cities for continuing the Brown Act, not urging they do so.)*

At its meeting in Manhattan Beach last week, the board of directors of the League of California Cities adopted a resolution congratulating cities for their continued faithful compliance with the requirements of the Ralph M. Brown Act even though the Legislature has suspended several of its provisions for three years. The League board in its resolution also calls on the Legislature to comply with similar transparency requirements, including publishing all agendas and legislation no less than 72 hours before proposed action is taken. The board's action follows a review of the suspension by the League's Brown Act Committee, which comprises eight of the state's leading legal experts on the statute.

AB 1464, which was enacted on June 27, contains a schedule of mandates that are suspended during FY 2012-13. SB 1006, which was also enacted on June 27, extended the suspensions through FY 2014-15, for a total of three years. Suspended provisions of the Brown Act include:

- Preparation and posting at least 72 hours before a regular meeting of an agenda that contains a brief general description of each item of business to be transacted or discussed at the meeting. (*See Gov. Code § 54954.2(a).*)
- Inclusion on the agenda of a brief general description of all items to be discussed in closed session. (*See Gov. Code § 54954.2(a).*)
- Disclosure of each item to be discussed in closed session in an open meeting, prior to any closed session. (*See Gov. Code § 54957.7 (a).*)
- Report in open session prior to adjournment on the actions and votes taken in closed session regarding certain subject matters. (*See Gov. Code §§ 54957.1(a)(1)-(4), (6); 54957.7 (b).*)
- Provide copies to the public of certain closed session documents. (*See Gov. Code § 54957.1 (b)-(c).*)

The League has long been a strong advocate for open government and transparency. In 1953, collaborating with the California Newspaper Publishers Association, the League worked to pass the Brown Act, the state's local government open meeting law. At that time, many city charters already required open city meetings accessible to the public. The Brown Act simply extended that requirement to thousands of local agencies including many special districts, school districts and others that had not already adopted similar policies. The League's publication, *Open and Public IV* (Revised 2010), is seen as the definitive resource on the Brown Act throughout the state.

"The cities of California are committed to open and transparent government. It's our duty as elected officials to ensure that the people have access to the workings of their local government and business being conducted on their behalf. It's enshrined in the California State Constitution that the people's business be conducted in a way that is open," said League President and Mountain View Mayor Mike Kasperzak after the board vote.

League Executive Director Chris McKenzie said: "League leaders also call on the Legislature to adopt these same important transparency provisions to post agendas 72 hours in advance of a public meeting and also provide at least 72 hours between the time a bill is in print and when it is voted on. Transparency is the foundation for public confidence in every level of government — local, state and federal."

The Legislature's action this session is not unprecedented. These same Brown Act requirements were suspended in 1990, at which time most cities reported they would continue to comply with all requirements of the Brown Act regardless of the suspension.

For more information about the Brown Act and this resolution, please visit [www.cacities.org/opengovernment](http://www.cacities.org/opengovernment).

Cities to honor Brown Act *July 23, 2012, 05:00 AM By Heather Murtagh Daily Journal Staff*  
Suspending portions of California's open meeting law means cities could hold off on things like posting agendas prior to meetings or announcing decisions made in closed session but San Mateo County officials plan to continue offering that information to the public.

In a move to help close the budget gap, California legislators opted to suspend some requirements under the Brown Act. Under the law, counties, cities, school districts and other local agencies must post agendas for meetings and disclose decisions made in closed session. A state mandate allows for those agencies to be reimbursed for the work done. Cutting the funding for the mandate has some arguing the legal requirements also go away. But in San Mateo County, local officials plan to continue the transparent practices. In addition, most report not getting reimbursement for meeting the mandate for many years.

For example, San Mateo County is owed about \$623,551 from the state for meeting the open meeting law requirements, according to county Budget Director Jim Saco.

“When Governor Brown recently decided to stop reimbursing local government agencies for the costs of enforcing the Brown Act, he did not rescind the Brown Act itself – he just made it an ‘unfunded mandate,’” said county Supervisor Don Horsley. “It’s a shame that California’s budget is in such a shambles that this is how the governor is going to save an additional \$95 million, which he says will be reinstated should his proposed tax initiative be approved in November.”

Despite that, Horsley said the county will continue to provide public notices. Local cities — South San Francisco, San Bruno, Millbrae, Burlingame, San Mateo, Foster City, Belmont, San Carlos, Half Moon Bay and Redwood City — also confirmed that the practices of making such information available would not change.

For local officials the cut really doesn’t change anything since the last time a payment was received by most cities was in 2005 or 2006.

“Without question, we could use these resources for other important city objectives but informing the community should always be a vital function of government,” said Half Moon Bay City Manager Laura Snideman.

SEPTEMBER 12, 2012

ITEM F

ATTACHMENT B

**SAN LUIS OBISPO COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT  
WATER RESOURCES ADVISORY COMMITTEE**

**City/County Library Community Room**  
995 Palm Street  
San Luis Obispo

Wednesday, September 5, 2012  
**1:30 p.m.**

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1. **Determination of a Quorum and Introductions**
2. **Approval of July Special Meeting Minutes**
3. **Public Comment (15 Minutes)**
4. **Ongoing Updates:**
  - a. **Rain & Reservoir Report**
  - b. **Paso Robles Groundwater Basin Efforts Update**
5. **Recommend an IRWM Plan "B" Implementation Grant Funding Distribution**
6. **Review of Water Conservation Implementation Plan for the Los Osos Wastewater Project, with WRAC comments (Public Comment 20 Minutes)**
7. **Suggested Future Agenda Items**
8. **Public Comment (if needed)**

*--- Adjourn by 3:30 p.m. ---*

**Next Regular Meeting:**            **October 3, 1:30 p.m.**  
   **San Luis Obispo City/County Library**  
   **995 Palm Street, San Luis Obispo**

**Visit Water Resources on the Web at: [www.SLOCountyWater.org](http://www.SLOCountyWater.org)**

**Purpose of the Committee:**

To advise the County Board of Supervisors concerning all policy decisions relating to the water resources of the SLO County Flood Control & Water Conservation District. To recommend to the Board specific water resource programs. To recommend methods of financing water resource programs.

*Excerpts from WRAC By-Laws dated August 28, 2012*

SAN LUIS OBISPO COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT  
WATER RESOURCES ADVISORY COMMITTEE

Special Meeting Minutes

July 9, 2012

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An audio recording of the meeting and materials submitted during public comment are available online at [www.SLOCountyWater.org](http://www.SLOCountyWater.org).

Approximately 1:30 p.m., Chairperson Winn calls the special meeting to order.

- 1) Determination of a Quorum and Introductions - Quorum established. Chairperson Winn provides a brief description of the State Government Code's requirements relative to public comment periods during special meetings of Brown Act committees.
- 2) Approval of March Meeting Minutes - The June 6, 2012 WRAC meeting minutes were reviewed by the Committee. Member Greening requested two revisions: (1) fix the spelling of Linde Owen's name, and (2) correct the language on page 2 regarding Monterey County approving hydraulic fracturing. Member Barrett notes that Nicholas Kristof's name was also misspelled. The minutes were approved as amended upon a first by Member Hyman, seconded by Member Greening and a unanimous vote with 1 abstention by reason of absence.
- 3) Process for Developing a Proposition 84 Round 1 Integrated Regional Water Management (IRWM) Implementation Grant "Plan B" - Chairperson Winn describes the Nipomo Community Services District (NCS D) Prop 218 assessment vote that did not pass in Nipomo. \$2.3-Million (IRWM grant funding) was originally allocated to the Nipomo Supplemental Water Project, which, pending NCS D identifying alternate funding, may require the Region to identify other regional water supply projects in its stead. Courtney Howard, County Public Works Department, describes the two possible courses of action to proceed with utilizing the grant funding. "Plan A" includes proceeding with a scaled-down version of the Nipomo project, if feasible. "Plan B" includes asking agencies to submit current water supply projects for consideration and evaluation by the ad hoc IRWM subcommittee. Alternate Member Wade notes that he would prefer the subcommittee consider all projects submitted and funding needed concurrent with considering whether to allocate \$7-Million of the \$10.4-Million to the Los Osos Wastewater Project, which was the project's request in the original grant application. The subcommittee would evaluate the projects and make a recommendation on what project to submit to Department of Water Resources (DWR) at the September 5<sup>th</sup> WRAC meeting. Chairperson Winn encourages WRAC members to submit projects regardless of how Nipomo proceeds, as the projects submitted would also be considered for the upcoming (separate) IRWM Round 2 implementation grant opportunity. Brief discussion ensues regarding some of the possible projects. Member Greening asks for the definition of a Disadvantaged Community (DAC). Discussion ensues on which communities may qualify as a DAC. Member Brown moves to approve the presented process for selecting a "Plan B" Project, seconded and approved by a unanimous vote with no abstentions.

Ms. Howard reports that the IRWM Planning Grant draft awards will be announced by the end of July. In addition, the draft Memorandum of Understanding (MOU) will be sent out over the next few weeks.

4) Agricultural Cluster Ordinance –

a. Planning Department Presentation – James Caruso, County Planning and Building Department, introduces himself as the new Project Manager for developing the Agricultural Cluster Ordinance, and introduces Airlin Singewald as the primary author of the Ordinance’s Environmental Impact Report (EIR). He presents some of the existing ordinance provisions, including major and minor cluster provisions, followed by an explanation of the proposed ordinance changes. Some of the changes include removing the density bonus, requiring on-site water and septic systems, and requiring a hydrogeologic analysis of water availability and the proposed development’s potential effect on the water resources. Alternate Member D. Chipping questions the requirement for an individual on-site septic system and well, and asks why the sites cannot group systems together. Discussion ensues regarding water resource impacts mitigation and estimating net water demand. Member Toomey notes his concern with hydrogeologists’ varying findings. Member Allen asks about areas with a certified Level of Severity (LOS) III for water resources, the possibility of development in those areas, and the required water offsets. Discussion ensues regarding the need for the changes to the Agricultural Cluster Ordinance. Member Greening asks whether there are requirements to leave a certain amount of a 2.5 acre parcel in a cluster in a native state, with Mr. Caruso responding. Mr. Caruso states that due to the challenges of offsetting water use, site design would likely be water efficient; although he notes that water use is not enforced. Supervisor Elect Debbie Arnold states that the Agricultural Cluster Ordinance was originally intended to address antiquated subdivisions and preserve agriculture. Discussion ensues regarding the history and purpose of the existing agricultural ordinances.

b. Consideration of Subcommittee Report on the Draft Agricultural Cluster Ordinance – Member Luft (Subcommittee Chair) delivers the report on the Agricultural Cluster Ordinance and EIR. She states that the subcommittee found the proposed ordinance to be a step forward in protecting water resources. She presented the subcommittee’s recommendations. Member Waage voices concern with moving agricultural clusters closer to cities (two road miles from urban reserve lines (URL), rather than five miles), and asks if the EIR considered the impacts that clusters might have on urban water resources. Mr. Caruso states that there may be a need for a project-by-project review, including consideration of the impacts on urban areas (e.g. roadway impacts). Mr. Caruso also mentions that the ordinance is supposed to be a self-mitigating ordinance, which should not impact water supply availability. Chairperson Winn highlights two points not addressed in the ordinance. First, he notes that Agricultural Policy 11 (APG11) states that development cannot affect existing or future agricultural water resources. Second, he notes that it is challenging but critical to identify and understand a site’s water resources, particularly in the case of sources from a basin, riparian underflows or from underlying fractured rock. Discussion ensues regarding the subcommittee’s recommendations. Member Waage voices his opposition to reducing allowable distance from URLs. A straw poll is taken regarding the URL distance: five members are in favor of setting the distance at five miles and nine are in favor of setting it at two miles (1 abstention). Member Garfinkel moves to approve the subcommittee’s recommendations and provide the

report to the Planning Commission and Board of Supervisors as published, seconded by Member Allen. The motion passes with 15 votes in favor and 1 opposed.

- 5) Agricultural At-Large Alternate Member Appointment Recommendation – Member Allen delivers a report on the subcommittee’s recommendation that Patrick Williams be nominated as the new Agriculture At-Large Alternate Member. Member Hyman moves that the WRAC accept the subcommittee’s recommendation for appointment, seconded by Member Greening. The motion passes with a unanimous vote and no abstentions.
- 6) Suggested Future Agenda Items – Brief discussion.

Meeting adjourned approximately 3:30 p.m.

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WATER RESOURCES ADVISORY COMMITTEE 2012

Organization	Representative		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Cambria CSD	Bob Gresens	M		X				X	X	No Meeting				
	Jerry Gruber	A												
Heritage Ranch CSD	John D'Ornellas	M		X						No Meeting				
	Debbie Fransen	A												
Los Osos CSD	Leonard Moothart	M	X	X	X		X			No Meeting				
	Dan Gilmore	A	X											
	Maria Kelly	O												
Nipomo CSD	Michael Winn	M	X	X	X	X	X	X	X	No Meeting				
	Ed Eby	A	X	X	X	X	X	X	X					
Oceano CSD	Mary Lucey	M	X	X	X	X	X	X	X	No Meeting				
	Rick Searcy	A												
	Tom Geaslen	O	X	X										
	Lori Angello						X	X	X					
Templeton CSD	Jeff Hodge	M	X		X				X	No Meeting				
	Judith Diehl	A												
San Simeon CSD	Charles Grace	M								No Meeting				
	Renee Lundy	A		X		X		X	X					
San Miguel CSD	Mike Ellison	M								No Meeting				
	Dale Hamblin	A												
	Rene Salas	O		X										
City of Arroyo Grande	Tim Brown	M	X		X	X	X		X	No Meeting				
	Jim Guthrie	A												
City of Atascadero	Russ Thompson	M	X				X	X	X	No Meeting				
	David Athey	A												
City of Grover Beach	Phyllis A. Molnar	M	X	X		X	X	X	X	No Meeting				
	Bill Nicolls	A												
City of Morro Bay	Noah Smulker	M			X			X		No Meeting				
	Dylan Wade	A		X				X	X					
City of Paso Robles	Christopher Atakel	M								No Meeting				
	Keith Larson	A	X	X	X	X	X	X	X					
City of Pismo Beach	Ed Waage	M	X	X	X	X	X	X	X	No Meeting				
	Kris Vardas	A												
	Dwayne Chisam	O	X	X		X	X		X					
City of San Luis Obispo	John Ashbaugh	M	X	X	X	X	X	X		No Meeting				
	Andrew Carter	A												
	Wade Horton		X			X		X						
	Carrie Mattingly	O					X							
	Jennifer Metz													
District 1	Steve Sinton	M	X	X	X	X	X	X	*	No Meeting				
District 2	Bill Garfinkel	M	X	X	X	X	X	X	X					
District 3	Marilee Hyman	M	X	X	X	X	X	X	X					
District 4	James Toomey	M	X	X	X	X	X	X	X					
District 5	Della Barrett	M	X	X	X	X	X	X	X					
California Men's Colony	Tisdal Thomas	M					X			No Meeting				
	Jason Meeks	A				X	X		X					
	Pres Meyers	O				X								
	Larry Barkley					X	X							
Camp SLO	John Reid	M	X	X	X	X	X	X	X	No Meeting				
	Nicole Balliet	A												
Cuesta College	Edralin Madull	M								No Meeting				
	Terry Reece	A												
Atascadero Mutual	John Nell	M		X						No Meeting				
	Jaime Hendrickson	A			X	X	X							
Golden State Water	Mark Zimmer	M			X		X		*	No Meeting				
	Patrick Vowell	A	X	X	X	*		X						
	Ken Petersen	O				X								
Agriculture At-Large	Ray Allen	M	X	X		X	X	X	X	No Meeting				
	Vacant	A												
	Lowell Zelinski	M	X	X		X	X	X						
	Steve Lohr	A	X			X								
	Mike Broadhurst	A (past)	X	X										
County Farm Bureau	Jackie Crabb	M	X	X	X	X	X	X		No Meeting				
	Joy Filzhugh	A												
Development At-Large	Greg Nester	M				X	X		X	No Meeting				
	Tim Walters	A	X	X	X	X	X	X	X					
Environmental At-Large	Sue Luft	M	X	X	X	X	X	X	X	No Meeting				
	Christine Mulholland	A	X	X	X	X	X	*	*					
	Eric Greening	M	X	X	X	X	X	X	X					
	David Chipping	A	X	X	X	X	X	X	X					
	Annie Gillespie	M	X	X	*	X		X						
Coastal San Luis RCD	Stephanie Wald	A			X		X	X	X	No Meeting				
	Linda Chipping	M	X	X	X	X	X	X	X					
	Kathie Matsuyama	A												
Upper Salinas RCD	Michael Broadhurst	M					X	X	X	No Meeting				
	Tom Mora	A				X	X							
	Laura Edwards	O	X	X	X		X							
	Shayna Bailey		X	X	X									
Public Works	Paavo Ogren					X	X		X	No Meeting				
	Dean Benedix													
	Courtney Howard		X	X	X	X	X	X	X					
	Carolyn Berg		X	X	X		X	X	X					
	Ray Dienzo					X	X							
	Wendy Hall						X							
Planning and Building	Angelina McKee						X			No Meeting				
	James Caruso		X	X	X	X		X	X					
	John McKenzie		X											
Public Health Services	John Nall		X	X		X				No Meeting				
	Leslie Terry		X	X	X	X		X						
	Megan Lillich													
Agricultural Commissioner	Rich Lichtenfels									No Meeting				
	Lynda Auchinachie		X	X	X	X	X	X	X					

M = Member; A = Alternate; NM = New Member; NA = New Alternate; O = Other Representatives (e.g. Staff, Council, Board, etc.)  
 although text indicates that this individual is no longer serving in this role; \* = Notified of absence or conflict

\* = To be confirmed at a future BOS meeting  
 \*\* = Membership confirmed by the BOS after 4/3/2012  
 \*\*\* = Special Meeting



## Rainfall Update

Region	Precipitation Station	Average Annual Rainfall	2010-11 Water Year Total Rainfall	2011-12 Water Year												Cumulative Total	% of Total Average
				Jul 11	Aug 11	Sep 11 <sup>c</sup>	Oct 11	Nov 11	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	Jun 12 <sup>a</sup>		
Cambria	Santa Rosa at Main Street (ALERT #717)	22.0	31.4 (143%)	0	0	1.89	2.52	0.28	3.27	0.63	2.87	2.40	0	0	13.86	63%	
	Salinas River at Paso Robles (CDEC ID: PAS)	14.1	19.7 (140%)	0	0	0.76	1.80	0.08	2.16	0.16	2.60 <sup>b</sup>	2.04	0.16	0	9.76 <sup>b</sup>	69% <sup>b</sup>	
Atascadero	Atascadero (ALERT #711)	17.0	19.8 <sup>b</sup> (116%)	0	0	0.87	1.34	0.08	2.40	0.16	1.77	1.93	0.04	0	8.59	51%	
Santa Margarita	Santa Margarita (ALERT #723)	24.0	26.5 <sup>b</sup> (110%)	0	0	1.34	1.93	0.08	2.40	0.08	1.02	3.39 <sup>b</sup>	0	0	10.24 <sup>b</sup>	43% <sup>b</sup>	
	SLO Reservoir (ALERT #749)	24.0	31.9 (133%)	0	0	0.04	0.47 <sup>d</sup>	0.24	3.74	0.63	3.27	3.86	0	0	12.64 <sup>d</sup>	53% <sup>d</sup>	
San Luis Obispo	So. CA Gas Company (ALERT #3102)	24.0	32.4 (135%)	0	0	0.04	1.50	0.16	4.17	0.43	2.91 <sup>c</sup>	3.07	0	0	15.00	63%	
	Lopez Recreation Area (ALERT #707)	23.0	25.5 <sup>b</sup> (111%)	0	0	0.06	1.51	0.24	3.43	0.70	3.47	2.16	0	0	14.04	61%	
Nipomo	Nipomo (CIMIS #202)	14.8	25.4 (172%)	0.02 <sup>b</sup>	0.02 <sup>b</sup>	0.04 <sup>b</sup>	0.90 <sup>b</sup>	0.23	1.64	0.49	2.34	2.24 <sup>b</sup>	0 <sup>b</sup>	0	9.50 <sup>b</sup>	64% <sup>b</sup>	

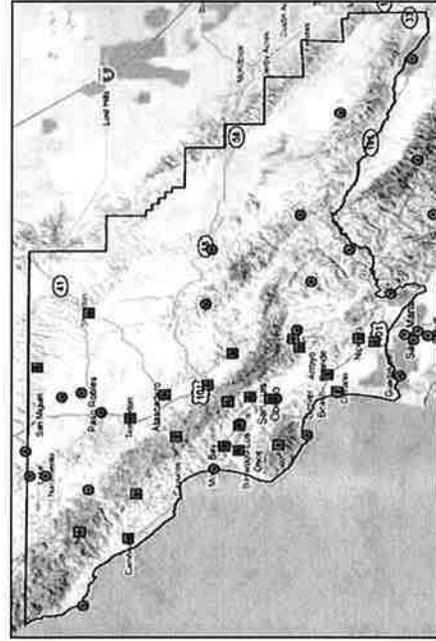
Notes:  
 A - Report generated at 9:00 a.m. on 7/01/2012  
 B - Value estimated using best available data; the equipment at this site appeared to malfunction during this monthly year.  
 C - Number revised to correct an error.  
 D - Due to an equipment malfunction, not all rain was recorded at the SLO Reservoir site. Data for "So. CA Gas Company" is provided as an alternate.  
 This table contains provisional data from automated gauges and has not been verified.  
 All units reported in inches.

## Reservoir Update

Reservoir	Date	Water Elevation (ft)	Spillway Elevation (ft)	Storage (acre-feet)	Capacity (%)
Nacimiento Reservoir	June 30, 2012	767.1	787.75 - 800.0	214,960	57%
	June 30, 2011	796.1	(vigilance fully inflow)	355,855	94%
Lopez Reservoir	June 30, 2012	513.8	522.7	41,704	84%
	June 30, 2011	519.7		46,776	95%
Salinas Reservoir (Santa Margarita Lake)	June 30, 2012	1291.7	1300.7	17,858	75%
	June 30, 2011	1300.1		23,334	98%
Whale Rock Reservoir	June 30, 2012	198.4	216.0	30,938	76%
	June 30, 2011	202.2		32,917	81%
Twitchell Reservoir	June 30, 2012	543.8	651.5	5,450	3%
	June 30, 2011	606.0		73,381	37%

Note: Twitchell Reservoir was designed for protection from flood and drought. Excess rain runoff is stored in the reservoir protecting the valley from flood, then water is released as quickly as possible while still allowing it to recharge the groundwater basin.

## Select Real-Time Rain Gauges in SLO County



Notes:  
 Sites maintained by County staff are identified with red squares.  
 Sites maintained by other agencies are identified with black circles.  
 For more information, please contact Sybas Cranor, (805)781-5252.

## Rainfall Update

Region	Precipitation Station	Average Annual Rainfall	2011-12 Water Year Total Rainfall	2012-13 Water Year												Cumulative % of Total Average		
				Jul 12	Aug 12 <sup>a</sup>	Sep 12	Oct 12	Nov 12	Dec 12	Jan 13	Feb 13	Mar 13	Apr 13	May 13	Jun 13			
Cambria	Santa Rosa at Main Street (ALERT #717)	22.0	13.9 (63%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%
	Salinas River at Paso Robles (CDEC ID: PAS)	14.1	9.8 <sup>b</sup> (69%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%
Atascadero	Atascadero (ALERT #711)	17.0	8.6 (51%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%
	Santa Margarita (ALERT #723)	24.0	10.2 <sup>b</sup> (43%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%
San Luis Obispo	SLO Reservoir (ALERT #749)	24.0	12.6 <sup>c</sup> (53%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%
	So. CA Gas Company (ALERT #3102)	24.0	15.0 (63%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%
Lopez	Lopez Recreation Area (ALERT #707)	23.0	14.0 (61%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%
	Nipomo (CIMIS #202)	14.8	9.5 <sup>b</sup> (64%)	0	0	-	-	-	-	-	-	-	-	-	-	-	0	0%

A - Report generated at 9:00 a.m. on 8/21/2012

B - Value estimated using best available data; the equipment at this site appeared to malfunction during this month/year.

C - Due to an equipment malfunction, not all rain was recorded at the SLO Reservoir site. Data for "So. CA Gas Company" is provided as an alternate.

Notes:

This table contains provisional data from automated gauges and has not been verified.

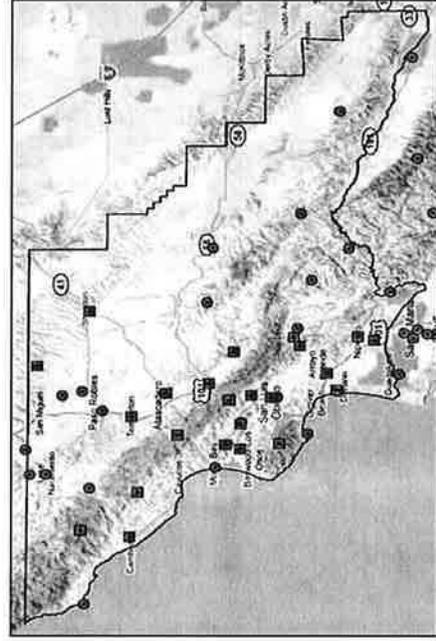
All units reported in inches.

## Reservoir Update

Reservoir	Date	Water Elevation (ft)	Spillway Elevation (ft)	Storage (acre-feet)	Capacity (%)
Nacimiento Reservoir	August 21, 2012	755.0	787.75 - 800.0 (w/gates fully inflated)	171,950	46%
	August 21, 2011	787.3		308,995	82%
Lopez Reservoir	August 21, 2012	511.7	522.7	39,973	81%
	August 21, 2011	518.4		45,620	92%
Salinas Reservoir (Santa Margarita Lake)	August 20, 2012	1289.2	1300.7	16,358	69%
	August 20, 2011	1297.4		21,452	90%
Whale Rock Reservoir	August 21, 2012	196.9	216.0	30,078	74%
	August 21, 2011	201.6		32,500	80%
Twitchell Reservoir	August 21, 2012	541.8	651.5	4,486	2%
	August 21, 2011	592.4		50,096	25%

Notes: Twitchell Reservoir was designed for protection from flood and drought. Excess rain runoff is stored in the reservoir protecting the valley from flood, then water is released as quickly as possible while still allowing it to recharge the groundwater basin.

## Select Real-Time Rain Gauges in SLO County



Notes:  
 Sites maintained by County staff are identified with red squares.  
 Sites maintained by other agencies are identified with black circles.  
 For more information, please contact Syllas Cranor, (805)781-5252.

**TO: Water Resources Advisory Committee**

**FROM: Courtney Howard, SLO County Water Resources Engineer**

**DATE: September 5, 2012**

**SUBJECT: Agenda Item #5: Recommend an IRWM Plan "B" Implementation Grant Funding Distribution**

### **Recommendation**

Consider the WRAC Subcommittee Plan "B" recommendations, and related modifications, and develop a WRAC Plan "B" recommendation.

### **Discussion**

In August 2011, the Department of Water Resources (DWR) awarded the San Luis Obispo County Region a \$10.4M Proposition 84 Round 1 IRWM Implementation Grant. The IRWM Plan's top three projects that were awarded funding included the Los Osos Wastewater Project, Flood Control Zone 1/1A Waterway Management Project, and Nipomo Supplemental Water Supply Project.

The grant award was less than the original request of \$11.5M and staff coordinated meetings of the project proponents to discuss how to account for the reduction. Considering the financial needs of Zone 1/1A and Nipomo Supplemental Water Project, the grants were generally deemed to be more critical for the feasibility of those projects. Although the cost impacts on the Los Osos Wastewater Project are nevertheless more significant, its feasibility has improved as a result of other grants and low interest State and Federal loans. Consequently, the final Plan "A" distribution intended to balance regional needs and improve the overall feasibility of the projects.

At this time, however, there is some uncertainty regarding whether the Nipomo Supplemental Water Project will proceed due to the recent Proposition 218 property assessment vote that did not pass. The Nipomo Community Services District (NCSD) intended to secure funding for the project through formation of an assessment district.

On July 9, 2012 the WRAC supported the process to develop a Plan "B" implementation grant funding distribution. Since the NCSD project provided water supply benefits, DWR expressed the need for Plan "B" to have similar benefits. As a result, District Staff notified all WRAC member agencies of the Plan "B" opportunities and received the following submittals.

<b>Table 1. Summary of Plan “B” Project Submittals</b>	
<b>Sponsoring Agency</b>	<b>Project Submitted</b>
City of Paso Robles	Nacimiento Water Treatment Plant Construction
Los Osos Community Services District (CSD)	8th St. Upper Aquifer Well and Nitrate Removal Facility
City of Pismo Beach	Pismo Beach Recycled Water Project
County of San Luis Obispo (CSA 16: Shandon)	State Water Project Connection
County of San Luis Obispo (CSA 23: Santa Margarita)	State Water Project Connection
Flood Control Zone 3 Agencies (City of Arroyo Grande, City of Grover Beach, City of Pismo Beach, CSA 12, Oceano Community Services District)	Lopez Pipeline Pump Station
City of San Luis Obispo	Recycled Water Distribution System Expansion
City of San Luis Obispo	Recycled Water Master Plan Update

On August 9<sup>th</sup>, the WRAC Subcommittee met to evaluate the submittals. That evaluation was based on consistency with the 2007 IRWM Plan’s project review process which occurs in two steps:

1. Evaluate and rank each project on its ability to meet the IRWM objectives
2. Determine immediate, short, and long term priorities based upon the ranked project list.

This is further described in the Subcommittee’s report, along with the Subcommittee’s initial recommendation (see attached).

Table 2 illustrates the Subcommittee’s initial recommendation. It also illustrates staff’s recommended adjustments. Because the Subcommittee’s initial recommendation was developed based on the IRWM ranking criteria and guidelines, the recommended adjustments were developed solely based on policy direction and community details that represent factors beyond the Subcommittee’s initial technical review. Each of the adjustments is described below. Staff met with the Subcommittee on August 30<sup>th</sup>, who concurred with the adjustments.

A discussion of these adjustments follows after Table 2.

**TABLE 2. Modified "Plan B" Implementation Grant Funding (Prop 84 Round 1) Recommendation**

Project	Plan "A"			Plan "B"			Comparison to Original Grant Application
	Grant Funding Request (2010)	Grant Distribution (8/16/2011)	WRAC Subcommittee Initial Recommendation (8/9/2012)	Public Works Department Recommended Adjustments	Adjusted Recommendations		
Los Osos Community Wastewater Project	\$ 7,000,000	\$ 5,845,444	\$5,845,444	\$452,000	\$6,297,444	<\$702,556>	
Flood Control Zone 1/1A Waterway Management	\$2,200,000	\$2,200,000	\$2,200,000	\$0	\$2,200,000	\$0	
Nipomo Supplemental Water Project	\$2,300,000	\$2,300,000	\$0	\$0	\$0	<\$2,300,000>	
"Plan B" Replacement Water Supply Project(s)							
City of Paso Robles Nacimiento Water Treatment Plant	\$0	\$0	\$1,260,000	\$0	\$1,260,000	\$1,260,000	
8 <sup>th</sup> Street Upper Aquifer Well/Nitrate Removal Facility (Los Osos)	\$0	\$0	\$467,500	<\$467,500>	\$0		
CSA 23 (Santa Margarita) State Water Project Tie-In	\$0	\$0	\$278,500	<\$278,500>	\$0		
CSA 16 (Shandon) State Water Project Connection	\$0	\$0	\$294,000	\$294,000	\$588,000	\$588,000	
IRWM Implementation Grant Administration	\$55,556	\$55,556	\$55,556	\$0	\$55,556	\$0	
<b>TOTAL</b>	<b>\$11,555,556</b>	<b>\$10,401,000</b>	<b>\$10,401,000</b>	<b>\$0</b>	<b>\$10,401,000</b>	<b>&lt;\$1,154,556&gt;</b>	

### Discussion of Adjustments:

- No adjustments to the recommended funding for Paso's Nacimiento Water Treatment Plant Construction. Staff recognizes the importance of the need for the City to complete its water treatment facilities so that it can implement Nacimiento water deliveries into its system, which is also important for regional benefits associated with improving the overall management of the Paso Robles Groundwater Basin.
- Adjust recommendation to fund the CSA 16 (Shandon) State Water Project Connection, and reduce the CSA 23 (Santa Margarita) funding. On July 24, 2012, the Board of Supervisors provided policy direction that while both connections were important water projects, each was a priority under a different funding source. Shandon's connection was deemed by the Board of Supervisors to be a higher priority under Proposition 84 funding (IRWM), while Santa Margarita's connection was deemed as priority under the Proposition 50 (Water Security) funding. Consequently, this adjustment is based on priorities for the projects discussed directly with the Board of Supervisors while considering the different grant opportunities for each.
- Reduce funding for Los Osos CSD's 8<sup>th</sup> Street Upper Aquifer Well and Nitrate Removal Facility and increase the "backfill" of funding for the Los Osos Wastewater Project. Two issues support this adjustment. The first addresses equity issues within Los Osos. The second reflects the lack of clear readiness to proceed on the 8<sup>th</sup> Street facility. This adjustment also brings the Los Osos Wastewater Project closer to its original 2010 grant funding request. The equity issue addresses the fact that the waterwater project, and those within the prohibition zone, are incurring significant costs for some community-wide benefits, including water resources benefits. As a result, the adjustment provides better financial equities within Los Osos by offsetting some costs that would otherwise be paid only by the prohibition zone even though community-wide benefits are being developed. In addition, the 8<sup>th</sup> Street facility proposed by Los Osos CSD still has significant work to become ready to proceed. Consequently, the adjustment will still provide the funds to Los Osos.

The County Public Works Director met with the Los Osos CSD President and General Manager and discussed the adjustment. The Los Osos CSD representatives generally concurred with this adjustment, understanding that improvements for the 8<sup>th</sup> Street facility would be important to consider when setting future regional priorities and future implementation grant requests.

Ultimately, the decision on whether the recommended water supply project(s) can be used to replace the Nipomo Supplemental Water Project in "Plan B" is subject to DWR consideration and approval to ensure that the level of benefits identified under DWR's original grant application scoring are maintained.

Attachments: Subcommittee Report (dated 8/9/2012)

WRAC AD HOC IRWM REGIONAL SUBCOMMITTEE REPORT  
for the September 5, 2012 WRAC Meeting

**Round 1 Implementation Grant Funding “Plan B” Water Supply Project Recommendation**

Purpose. On July 9, 2012 the WRAC supported the process to develop a Proposition 84 Round 1 Integrated Regional Water Management (IRWM) Implementation Grant “Plan B” – a replacement water supply project for the previously awarded project – if Nipomo Community Services District suspends their current efforts on the Nipomo Supplemental Water Project. The process included District Staff conducting a water supply-specific project solicitation, followed by the ad hoc IRWM Subcommittee reviewing, evaluating, and prioritizing the project submittals, and making a recommendation for “Plan B” to the WRAC.

Ad hoc Subcommittee. At the February 1, 2012 WRAC meeting, members approved formation of three IRWM ad hoc sub-regional subcommittees and appointed three individuals to each. Members Wade, Broadhurst, and Gillespie represent the North Coast sub-region. Members Luft, Zelinski, and Larson represent the North County sub-region. Members Winn, Chipping, and Molnar represent the South County sub-region. The IRWM subcommittee is charged with providing input to the IRWM Plan update, which includes input to project solicitation/evaluation cycles.

The Subcommittee met on August 9<sup>th</sup> regarding this effort. Attendees included Alternate Member K. Larson, Members S. Luft, M. Broadhurst, A. Gillespie, M. Winn, P. Molnar, and District Staff, C. Howard and C. Berg. This final report was developed via email correspondence amongst the members.

“Plan B” Water Supply Project Evaluation per 2007 IRWM Plan Process. Potential replacement water supply projects must be consistent with the 2007 IRWM Plan in order to be eligible for grant funding. Consistency means the project was included on the 2007 IRWM Plan list or was included on an updated project list that is developed utilizing the process identified in the 2007 IRWM Plan.

The project ranking and integration process for updating the list occurs in two steps, as outlined in Sections E and F of the 2007 IRWM Plan: 1) evaluate and rank each project on its ability to meet the IRWM objectives and 2) evaluate the ranked project list against grant eligibility criteria (e.g. readiness to proceed, type of benefit, etc.) in order to prioritize projects for inclusion in the grant application.

Eight projects were submitted under the water supply project solicitation using this process. An initial screening was conducted to ensure that projects submitted were water supply implementation projects. The City of San Luis Obispo submitted their Recycled Water Master Plan update project which will be considered for the Plan update (considered planning not implementation). The individual Subcommittee members reviewed the remaining seven submittals utilizing the 2007 Plan process. The Subcommittee developed their combined project ranking during their meeting on August 9, 2012, which is included as **Attachment A**. The Subcommittee then evaluated the ranked project list against grant eligibility criteria in order to prioritize projects for inclusion in the grant as “Plan B”.

Subcommittee Recommendation:

The final step in the process involved comparing the funding needed to the funding available for the high ranking, ready-to-proceed projects in order to develop a recommendation for grant funding allocations. If the Region must move forward with a "Plan B" to replace the Nipomo Supplemental Water Project in the Round 1 Implementation Grant Funding suite of projects, the Subcommittee recommends that the following suite of projects be included in its stead.

<b>Round 1 Implementation Grant Funding Subcommittee's "Plan B" Distribution Recommendation</b>		
<b>Project Title</b>	<b>Grant Funding</b>	<b>Match Funding</b>
City of Paso Robles Nacimiento Water Treatment Plant	\$1,260,000	\$10,740,000
8 <sup>th</sup> St. Upper Aquifer Well/ Nitrate Removal Facility (Los Osos)	\$467,500	\$467,500
CSA 23 (Santa Margarita) State Water Project Tie-In	\$278,500	\$278,500
CSA 16 (Shandon) State Water Project Connection	\$294,000	\$294,000
<b>TOTAL Recommended Plan B Funding Distribution</b>	<b>\$2,300,000</b>	<b>\$11,780,000</b>

The Subcommittee's recommendation is based upon the Los Osos Wastewater Treatment Project being able to move forward under its current reduced grant funding allocation. This grant funding recommendation is also contingent upon confirmation that these projects are ready-to-proceed and that match funding is available. If a listed project is removed from the replacement project suite, the Subcommittee recommends that the remaining grant funding be distributed to the Los Osos Wastewater Treatment Project.

**Attachment A**

**WRAC Ad Hoc IRWM Subcommittee – Round 1 “Plan B” Water Supply Implementation Project Evaluation Results**

Project Title	STEP 1:		STEP 2:	
	Subcommittee Scoring - Points Based Upon Objectives Met by Project		Subcommittee Ranking - Based Upon Readiness to Proceed (see Note 1)	Upon
City of Paso Robles Lake Nacimiento Water Treatment Plant Construction	36		High	
Pismo Beach Recycled Water Project	34.4		Low	
8th St. Upper Aquifer Well and Nitrate Removal Facility (Los Osos)	29.4		Medium	
CSA 16 (Shandon) State Water Project Connection	22.8		Medium	
CSA 23 (Santa Margarita) State Water Project Tie-In	22.8		Medium	
Lopez Pipeline Pump Station	22.8		Low	
Recycled Water Distribution System Expansion (San Luis Obispo)	12.9		Medium	

*Note 1: "High" if project has identified and secured funding sources, all necessary permits, and has substantially completed design; "Medium" if project has started working through securing funding sources and/or some funding sources have been identified or overall funding sources look is likely to be secured; and if project has started the permitting process and/or some permits have been received or overall permitting is likely to occur; and design is underway; "Low" if project has not started identifying funding sources or funding may be challenging or has not started identifying and/or coordinating necessary permits or is in preliminary design stage.*

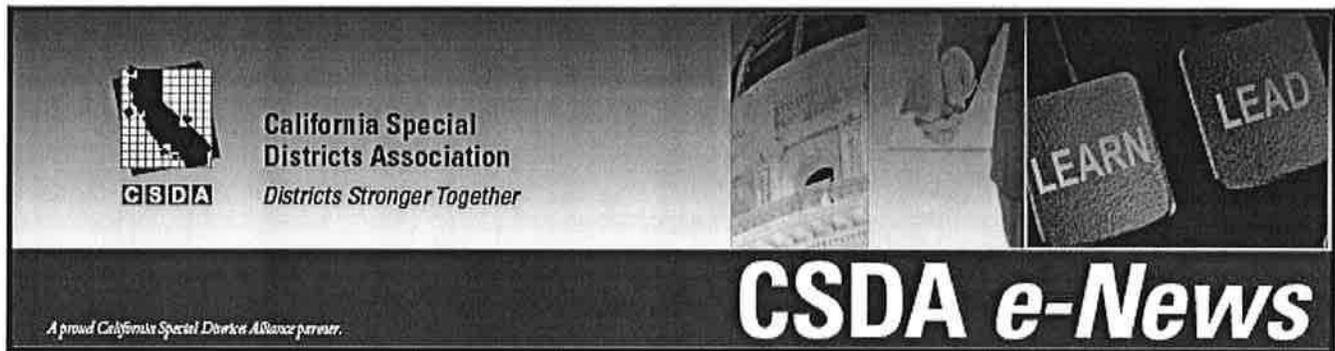
*Note 2: The IRWM Subcommittee recommended funding the 8th St., CSA 16, and CSA 23 projects at 50% of their total project cost.*

*Note 3: The IRWM Subcommittee recommends this suite of projects be funded as shown, pending confirmation that these projects are ready-to-proceed and confirm that match funding is available.*

SEPTEMBER 12, 2012

ITEM F

ATTACHMENT C



## CSDA Board of Directors, Election Results

The deadline for nominations for the CSDA Board of Directors, Seat A elections was August 3, 2012. Seat A will serve for the 2013 – 2015 term beginning January 1, 2013. Also open for election was Region 6, Seat C for the remainder of the 2012 – 2014 term due to an unexpected vacancy. CSDA would like to thank all of the interested candidates and congratulate the following directors who were elected to serve:

Region 1 (Seat A): *No nominations submitted; collecting nominations for Board appointment*

Region 2 (Seat A): Noelle Mattock, El Dorado Hills Community Services District\*

Region 3 (Seat A): Vincent Ferrante, Moss Landing Harbor District

Region 4 (Seat A): Steve Esselman, North of the River Municipal Water District

Region 5 (Seat A): Elaine Freeman, Rancho Simi Recreation and Park District

Region 6 (Seat A): Jo MacKenzie, Vista Irrigation District\*

(Seat C): Elaine Sullivan, Leucadia Wastewater District

\*Incumbent

To view the current Board of Directors, please click [here](#). If you have any questions about the election process, please contact Charlotte Lowe, Executive Assistant, CSDA at 877.924.2732 or [charlottel@csda.net](mailto:charlottel@csda.net).

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## Board of Directors



CSDA is governed by a 18-member Board of Directors elected by mail ballots. The Board consists of three directors from each of the six regions throughout California. The Board meets bimonthly in Sacramento to guide the Association's legislative and member benefit programs.

### Executive Committee

**President** - [Dewey Ausmus](#) , North County Cemetery District

**Vice President** - Stanley Caldwell, Mt. View Sanitary District

**Secretary** - Pete Kampa, Tuolumne Utilities District

**Treasurer** - Ginger Root, Country Club Sanitary District

**Past President** - [Jo MacKenzie](#) , Vista Irrigation District

### Region 1/North

#### **Mark Bryant**

Garberville Sanitary District

#### **Norman Shopay**

McKinleyville Community Services District

#### **Phil Schoefer**

Western Shasta Resource Conservation District

### Region 2/North Central

#### **Noelle Mattock**

El Dorado Hills Community Services District

#### **Ginger Root**

Country Club Sanitary District

#### **Pete Kampa**

Tuolumne Utilities District

### Region 3/Bay Coastal

#### **Sherry Sterrett**

Pleasant Hill Recreation and Park District

#### **Stanley Caldwell**

Mt. View Sanitary District

### Region 4/Central Valley

#### **Adrienne (Ann) Mathews**

Kern County Water Agency

#### **Tim Ruiz**

East Niles Community Services District

#### **Steve Perez**

Rosamond Community Services District

### Region 5/South Central

#### **Jack Curtis**

Ventura River County Water District

#### **Kathy Tiegs**

Cucamonga Valley Water District

#### **Jim Acosta**

Saticoy Sanitary District

### Region 6/South

#### **Jo MacKenzie**

Vista Irrigation District

#### **William Nelson**

Orange County Cemetery District

#### **Dewey Ausmus**

North County Cemetery District

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SAN DIEGO SEPTEMBER 24-27, 2012



SEPTEMBER 12, 2012

ITEM F

ATTACHMENT D



## **CSDA SUMMARY OF PEPRA (ASSEMBLY BILL 340)**

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The California Public Employees' Pension Reform Act of 2012 (PEPRA) enacts the following public employee pension reforms (page numbers in parentheses denote pages in the text of Assembly Bill 340):

### **1. EFFECTIVE DATE AND ENTITIES INCLUDED**

(pg. 20) Government Code section 7522.02:

- a. Establishes PEPRA which will apply to all public employers and public pension plans on and after January 1, 2013.
- b. Excludes the University of California and charter cities and counties that do not participate in the California Public Employees' Retirement System (CalPERS) from the PEPRA requirements.
- c. Allows employers who offer alternate plans established prior to January 1, 2013 that have lower benefit formulas and that result in a lower normal cost to continue offering those plans to new employees.
- d. Allows employers who offer a retirement benefit plan established prior to January 1, 2013 that consists solely of a DC plan to continue offering that plan to new employees.
- e. Excludes members of the Judges Retirement Systems I and II (JRS I and JRS II) from the PEPRA retirement formula and the compensation cap.
- f. Allows employers who offer a retirement benefit plan that was approved by the voters prior to January 1, 2013 that have lower benefit formulas and that result in a lower normal cost to continue offering those plans to new employees.
- g. Allows employers to provide contributions to a DC plan for compensation in excess of the cap provided that the plan and the contribution comply with federal law. Employees who receive an employer contribution to a DC plan will not have a vested right to the employer contribution.

### **2. DEFINITION OF "NEW MEMBER"**

(pg. 22-23) Government Code section 7522.04:

- a. Defines "new member" with regard to eligibility for the hybrid plan as:
  - i. An individual who has never been a member of any public retirement system prior to January 1, 2013.
  - ii. An individual who moved between retirement systems with more than a 6 month break in service, as specified.
  - iii. An individual who moved between public employers within a retirement system after more than a 6 month break in service, as specified.

### **3. OVERALL PENSIONABLE CONTRIBUTION AND FEDERAL LIMITS (NEW EMPLOYEES)**

(pg. 34) Government Code section 7522.42:

- a. Limits the maximum salary taken into account for any retirement plan to the federal limit established under 401(a)(17) of the Internal Revenue Code (IRC) and prohibit an employer from seeking a federal exemption from the limit.
- b. Prohibits an employer from making contributions to any public retirement plan on any amounts of compensation that exceed the 401(a)(17) limit.

(pg. 34-35) Government Code section 7522.43:

- a. Prohibits a public employer from offering a benefit replacement plan for any member or survivor who is subject to the federal limit on benefits established by section 415(b) of the IRC for an employee first hired on and after January 1, 2013, or to any group of employees that was not offered a benefits replacement plan prior to that date.
- b. Authorizes a public retirement system to continue administering a 415(b) benefit replacement plan for employees first hired prior to January 1, 2013.
  - i. No benefit replacement can be offered to a group that was not previously offered the option, even if they were hired prior to January 1, 2013.

#### **4. DEFINED BENEFIT PENSIONABLE COMPENSATION CAP (NEW EMPLOYEES)**

(pg. 24) Government Code section 7522.10:

- a. Establishes a cap on the amount of compensation that can be used to calculate a retirement benefit for all new members, as specified, of a public retirement system equal to the Social Security wage index limit (\$110,100) for employees who participate in Social Security, or 120% of that limit (\$132,120) if they do not participate in Social Security.
- b. Requires the retirement systems to adjust the compensation cap annually, as specified, based on changes in the Consumer Price Index (CPI) for all Urban Consumers.
- c. Specifies that the Legislature reserves the right to modify the annual CPI adjustments to the compensation cap prospectively.
- d. Prohibits an employer from offering a defined benefit (DB) plan, or combination of DB plans, on compensation in excess of the compensation cap.

#### **5. NON-SAFETY RETIREMENT AGES AND FORMULAS (NEW EMPLOYEES)**

(pg. 25-26) Government Code section 7522.20:

- a. Specifies that the retirement formula for the DB plan will be 2% at age 62 for all new non-safety employees, excluding teachers. The formula is adjusted to encourage members to retire at later ages. The earliest an employee would be eligible to retire is age 52, with at least 5 years of service, with a 1% factor and the maximum retirement factor of 2.5% is provided at age 67.
  - i. The formula uses age at retirement taken back to the preceding quarter year multiplied by the number of years of service.

#### **6. SAFETY RETIREMENT AGES AND FORMULAS (NEW EMPLOYEES)**

(pg. 27-28) Government Code section 7522.25:

- a. Specifies three retirement formulas for the DB plan that will apply to new safety employees, as specified. The three formulas are: 2% at age 57; 2.5% at age 57; and, 2.7% at age 57.
  - i. Minimum retirement age for safety members is 50 with at least 5 years of service.

#### **7. FINAL COMPENSATION PERIOD (NEW EMPLOYEES)**

(pg. 32-33) Government Code section 7522.32:

- a. Requires that final compensation be defined for all new employees as the highest average annual compensation over a consecutive three-year period.

## **8. FINAL COMPENSATION ELEMENTS (NEW EMPLOYEES)**

(pg. 33-34) Government Code section 7522.34:

- a. Prohibits the following types of compensation from being used to calculate a retirement benefit: compensation paid to enhance a retirement benefit; compensation previously provided "in-kind" and converted to cash in the final comp period; one-time or ad hoc payments; terminal pay; pay for unused leave or time off; pay for work outside of normal hours; uniform, housing or vehicle allowances; pay for overtime, except planned overtime, extended duty workweek, or pay defined in the federal labor codes; employer contributions to DC plans; and, bonuses.
  - i. Or any other form of compensation that a public retirement board determines as not pensionable compensation.

(pg. 56-57) Government Code section 31461:

- a. Prohibits certain cash payments from being counted as compensation earnable for retirement purposes in '37 Act counties.

(pg. 57-58) Government Code section 31542:

- a. Provides '37 Act retirement boards with more independence to perform audits and assess penalties relating to pension spiking.

## **9. EQUAL HEALTH BENEFIT VESTING (CURRENT EMPLOYEES)**

(pg. 34) Government Code section 7522.40:

- a. Prohibits a public employer from providing a better health benefit vesting schedule for excluded and exempt employees than for represented employees in the same retirement classes.

## **10. ELIMINATION OF RETROACTIVE BENEFIT INCREASES (CURRENT EMPLOYEES)**

(pg. 35) Government Code section 7522.44:

- a. Prohibits a retroactive enhancement to a benefit formula, either due to a change to an existing formula, or due to a change to the retirement classification for a specific job.
  - i. An increase in a retiree's annual cost-of-living adjustment is not considered to be an enhancement of a retirement benefit as long as it is within existing statutory limits.

## **11. ELIMINATION OF AIRTIME (CURRENT EMPLOYEES)**

(pg. 36) Government Code section 7522.46:

- a. Prohibits the purchase of non-qualified time ("airtime") on and after January 1, 2013. Any application to purchase airtime received by a retirement system prior to January 1, 2013 is grandfathered.

## **12. ELIMINATION OF PENSION HOLIDAYS (CURRENT EMPLOYEES)**

(pg. 36) Government Code section 7522.52:

- a. Prohibits all employers from suspending employer and/or employee contributions necessary to fund annual pension normal costs.
  - i. Unless the following criteria are met:
    - o The retirement plan is funded by more than 120% based on the calculation by the retirement system actuary in accordance with the Governmental Accounting Standards Board requirements.

- The retirement system actuary determines that continued collection of excess earnings could result in the disqualification of the plan's tax-exempt status under the federal Internal Revenue Code.
- The board determines the receipt of any additional contributions would conflict with its fiduciary responsibility laid out in the California Constitution.

### **13. RETIREE RESTRICTIONS (CURRENT EMPLOYEES)**

(pg. 37-38) Government Code section 7522.56:

- a. Prohibits post-retirement employment from exceeding 960 hours in a consecutive 12 month period. If a retiree receives unemployment benefits, he or she is prohibited from working for 12 months as a retiree for a public employer.
- b. Prohibits a person who retires on or after January 1, 2013, from returning to work as a retired annuitant for a period of 180 days after retirement unless the action is approved in an open meeting, as specified by the governing body of the employer, or by California Department of Human Resources (CalHR) authority if state retiree, as specified. However, in no case could a person who receives a retirement incentive return to work as a retired annuitant for a period of 180 days after retirement.
- c. Establishes the following exceptions to 180 day rule:
  - The retiree is participating in the Faculty Early Retirement Program pursuant to a collective bargaining agreement with the California State University.
  - The retiree is a public safety officer or firefighter.
  - The retiree is a trustee, administrator, or fiscal advisor appointed to address academic or financial weaknesses in a school or community college district, pursuant to specified requirements.
  - The retiree is a subordinate judicial officer whose position, upon retirement, is converted to a judgeship and he or she returns to work in the converted position.
  - The retiree is a person taking office as a judge, as specified.

### **14. PERS POST-RETIREMENT SERVICE AND EARNINGS LIMITS (NEW EMPLOYEES)**

(pg. 39) Government Code section 7522.57:

- a. Prohibits a public retiree who is first appointed on or after January 1, 2013 from serving full-time on a salaried state board or commission without suspending their retirement allowance or choosing to serve as a non-salaried member of the board or commission, as specified. Retiree health care benefits for these individuals would be protected so that the person is eligible to receive any prior employer provided retiree healthcare coverage upon re-retirement after leaving the board or commission. Appointees to the Parole Board are exempt from this prohibition.

(pg. 40) Government Code section 7522.66:

- a. Allows public safety members who qualify for Industrial Disability Retirement (IDR) and are under age 50 to receive an actuarially reduced retirement benefit. This pilot project will sunset in 2018 unless extended by subsequent legislation.

(pg. 45) Government Code section 9355.4:

- a. Prohibits newly elected statewide officers and legislative officers from participating in the Legislators' Retirement System. They would continue to be optional members in CalPERS.

## **15. FELONS FORFEIT PENSION BENEFITS (NEW EMPLOYEES)**

(pg. 40-41) Government Code section 7522.72:

- a. Requires public officials and employees to forfeit pension and related benefits if they are convicted of a felony in carrying out official duties, in seeking an elected office or appointment, or in connection with obtaining salary or pension benefits.
  - i. Also requires forfeiture of pension and related benefits if a public employee who is in contact with children as a condition of the individual's official duties is convicted of a felony that involves children.

## **16. LOCAL ELECTED OFFICIAL COMPENSATION LIMITATION (NEW EMPLOYEES)**

(pg. 36) Government Code section 7522.48:

- a. Specifies that local elected members first elected on or after January 1, 2013 may not receive a retirement benefit for the elected service based on compensation earned in any other public employment. The retirement benefit for the elected service shall only be based on compensation earned for that service.
  - i. The calculation can take an individual's entire period of elected service into account, instead of final compensation, if the individual's period of elective service is less than 3 years.

## **17. COST SHARING (CURRENT EMPLOYEES)**

(pg. 47-49) Government Code section 20516:

- a. Allows more flexibility for bargaining increased cost sharing between employers and existing employees in CalPERS and retirement systems established pursuant to the County Employees' Retirement Law of 1937 ('37 Act). Using impasse procedures to impose cost sharing arrangements achieved through this new flexibility would be prohibited if the proposed contribution exceeds statutorily required contributions for current employees or half of the normal cost of benefits for employees first hired on or after January 1, 2013.
- b. Also provides additional flexibility to CalPERS contracting agencies to achieve cost sharing goals with current employees, as specified.

(pg. 31) Government Code section 7522.30:

- a. Requires contributions from employees to the DB plan equal to one-half of normal cost of the DB.
  - i. Employee contributions may be more than half of the normal cost if the rate increase has been agreed upon through the collective bargaining process.

(pg. 49) Government Code section 20516.5:

- a. CalPERS contracting agencies and school employers must achieve specific cost sharing goals by January 1, 2018.

(pg. 59) Government Code section 31631.5:

- a. Requires '37 Act county employers and districts to achieve specific cost sharing goals by January 1, 2018.

## **18. RECIPROCITY LIABILITY**

(pg. 51-52) Government Code section 20791:

- a. Requires CalPERS to develop a system for monitoring excessive increases to salaries that create significant liabilities for former employers due to reciprocity, and for requiring the employers that caused the significant liability to be responsible for it.

## **19. SEVERABILITY**

(pg. 60) Section 34 of PEPRA:

- a. Specifies that if any provision of the bill is held invalid, the rest may still be given effect.

SEPTEMBER 12, 2012

ITEM F

ATTACHMENT E

## Michael LeBrun

---

**From:** Spencer Waterman [swaterman@wsc-inc.com]  
**Sent:** Friday, August 17, 2012 11:52 AM  
**To:** Michael LeBrun  
**Cc:** Peter Sevcik  
**Subject:** CUWCC G1 Caucus Meeting Update

Hi Michael,

FYI, I attended the CUWCC G1 Caucus Webinar on the 16<sup>th</sup>. Below are some Agenda items and relevant information to the District. I will send the meeting materials for your use once I receive them.

### Approaches to Retaining Membership in the Council

- The take home point from this agenda item was the incredible amount of members that expressed frustration with regard to CUWCC's lack of service to its members, including the utter failure to execute its most touted reason for membership—the BMP reporting database.
- Some ways in which CUWCC will improve are through hiring a consultant to finish the BMP database, providing news updates and status updates when the CUWCC website is updated, and generally being more transparent about actions the CUWCC is taking and tasks it is working on.
- There was also a widespread concern for the lack of attention paid to SBx7-7 (SB7, 20 X 2020). CUWCC will be focusing on working with DWR to more closely align CUWCC's policies with DWR's SB7 policies.
  - o WSC has been in contact with both CUWCC and DWR about this issue. The issue is that after July 1, 2016 State funding will be conditioned on SB7 compliance, rather than AB1420 DMM/BMP compliance. In the 2015 UWMPs, urban water suppliers will need to describe their DMMs/BMPs but don't necessarily need to be in compliance so long as they carry out a cost/benefit analysis of each BMP. A water supplier would not have to implement BMPs even if the benefit outweighs the cost, so long as there is a description of why the BMP is not implemented despite the cost/benefit analysis. Therefore, DWR grant eligibility will be based on gpcc compliance. The CUWCC and DWR methods to calculate gpcc differ currently.

### BMP 1.2 Water Loss Control

- A portion of this BMP includes the requirement to do a component analysis once every four years as a means to analyze apparent and real losses and their causes by quantity and type. A "component analysis" is not well defined in the CUWCC MOU and this is causing problems for members.
- It was suggested that AWWA or CUWCC should host training workshops to provide training for the AWWA Water Audit software in concordance with the component analysis.
- NCSO is required to do a component analysis by July 1, 2013. WSC will track this issue as it develops and make sure the component analysis is completed in a timely manner to ensure BMP compliance.

### State Issues

- The Water Recycling Act of 2012 was held by its author until next year because of some revisions that need to be made. The bill made it all the way through the Senate Natural Resources and Water Committee. The bill would amend and consolidate various scattered codes that regulate the use of recycled water into one source; establish a statewide goal to recycle 1.5 MAF/year by 2020 and 2.5 MAF/year by 2030; eliminate regulation of recycled water as waste and make it a regulated as a water supply; and establish a Water Recycling Permit Fund that would draw funding from permit applications as well as from certain civil penalty fees.

If you have any questions, or would like any more detail, please let me know.

I hope your summer is going well!

**Spencer Waterman**

[swaterman@wsc-inc.com](mailto:swaterman@wsc-inc.com)

Office: (805) 457 8833 ext. 102

SEPTEMBER 12, 2012

ITEM F

ATTACHMENT F

MESA COMMUNITY ALLIANCE

A Public Benefit Corporation

Mr. Michael Nunley, PE, Chair  
NCSD SWAEC Evaluation Committee  
September 3, 2012



Subject: NCSD September 5, 2012 Special Meeting Notice & Agenda  
Item #2 Review Committee Purpose, Objectives and Process

Dear Mr. Nunley,

The Mesa Community Alliance (MCA) is writing to object to the instructions provided to your committee in the subject document. Specifically we object to your committee being asked to evaluate the first supplemental water alternative: AECOM-designed 3,000 AFY Santa Maria pipeline

I am asking that your committee delay consideration of this alternative and the second alternative (AECOM-revised TBD AFY Santa Maria pipeline) until you receive written notice from the appropriate agencies at the county and state levels that these alternatives could legally be considered as supplemental water alternatives.

MCA fails to understand how NCSD can continue to plan to build a pipeline to transport water from Santa Maria after the customers of the four participating water purveyors successfully voted it down. NCSD's only pipeline action should be to appear before the Santa Clara Court to seek removal of Section VI-A from the Stipulation.

To summarize the history of this project, NCSD has repeatedly used the Stipulation's Section VI-A to justify its support of the pipeline. *See STIPULATION (06/30/05) pp. 21-27.* This portion of the Stipulation was primarily formulated by a group of attorneys representing the four water purveyors that participated in the recent NCSD assessment district ballot. The Stipulation mandates that all parties that signed the Stipulation must support the pipeline and cannot assist anyone who opposes it, (pg. 22) Kindly note that the Court did not write Section VI and that this section has an 'out' clause that enables any Stipulating Party to appear before the Santa Clara Court to have Paragraph VI declared null and void (pp. 22-23.)

NCSD spent well over \$400,000 to promote this pipeline project. With approval from the SLO Board of Supervisors, NCSD formed an assessment district comprised of the customers of NCSD, Woodlands Mutual, Golden State and Rural Water companies. If approved, these customers, and future customers who owned land within these jurisdictions, would pay for this pipeline through property taxes and pay for its maintenance and the water it carried through their water bills. In accordance with CA Statutes and Regulations, ballots were mailed to all affected property owners. These property owners overwhelmingly voted against this option -- 31% YES to 69% NO

MESA COMMUNITY ALLIANCE  
A Public Benefit Corporation

The results of the balloting are summarized below:

	<b>NCSD*</b>	<b>GSW</b>	<b>RWC</b>	<b>WMWC**</b>	<b>Total</b>	<b>Vote Ratio</b>
Assessments In Favor	\$3,390,185	\$230,503	\$138,071	\$3,159,802	\$6,918,562	48% YES
Assessments Opposed	4,986,176	960,242	1,060,507	486,498	7,493,424	52% NO
Total in dollars	<b>8,376,362</b>	<b>1,190,746</b>	<b>1,198,579</b>	<b>3,646,300</b>	<b>14,411,986</b>	
Ballots In Favor	735	170	72	521	1,498	31% YES
Ballots Opposed	1,934	628	607	167	3,336	69% NO
Total Ballots	<b>2,669</b>	<b>798</b>	<b>679</b>	<b>688</b>	<b>4,834</b>	

\* NCSD customers' dollar value of ballots and number of ballots returned differ substantially from the ballots cast by other water purveyors. NCSD chose to "give" their customers a \$6 million discount that substantially skewed the dollar value results in favor of the undeveloped properties.

\*\* Woodlands developers' ballots accounted for \$2.82M or 77% of the YES votes for WMWC. 9% of the residents voted YES and 13% voted NO

MCA also asks that your committee evaluate all options to be considered with the same life-cycle period and include the cost of the water along with capital and operating costs. We suggest you review the guidelines of the American Society of Civil Engineers, American Water Works Association and Association for the Advancement of Cost Engineering.

Please distribute and discuss this letter at your meeting on September 5<sup>th</sup>. As fellow unpaid citizens working to improve Mesa communities, MCA supports your committee's efforts and looks forward to your contributions to improve the reliability of the Mesa aquifer.

In a separate letter we will provide an outline of MCA's preferred supplemental water choices.

Sincerely yours,



Liam Bennett, President and Chairman of the Board  
Mesa Community Alliance  
A Public Benefit Corporation

✓ Cc: Michael LeBrun, NCSD General Manager

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ATTACHMENT G

MESA COMMUNITY ALLIANCE  
A Public Benefit Corporation

September 5, 2012

To: Courtney Howard, SLO County Water Resources Engineer

**Subject: WRAC "Plan B" Conclusions**

The Mesa Community Alliance wishes to suggest an alternative to the conclusions reached by the WRAC Subcommittee on the "Plan B" recommendations for Prop 84 IRWM Implementation Grant Award.

The water underlying the Nipomo Mesa is part of the larger Santa Maria Valley (SMV) groundwater basin, which has been the subject of a legal dispute since the late 1990's. In 2005, the Court issued a Stipulation that found no overdraft in the SMV basin but accepted a physical solution to bring supplemental water to the Mesa. Recently, DWR awarded a Prop 84 grant to the Nipomo Mesa after a careful review of the need. MCA believes that need is real and that the County should actively pursue a cost-effective and equitable supplemental water source. The NCSD-proposed pipeline to bring water from Santa Maria was neither cost-effective nor equitable and the number of ballots submitted by property owners overwhelmingly rejected the tax assessment 69% (against) to 31% (for). This vote was a rejection of NCSD's pipeline concept and total project cost, not the need for supplemental water.

Although MCA understands that WRAC's concept of "Plan B" is to reuse rather than lose the DWR grant, we believe it was not done in the spirit of the DWR award. Specifically, the award was to assist in fixing a known problem in the Nipomo Mesa area of the Santa Maria groundwater basin. None of the "recommendations" of the WRAC subcommittee provide any benefit to that basin.

Our suggestion is that a new WRAC subcommittee be formed consisting of only members who draw water from that basin (i.e. District 4, District 3, NCSD, OCSD, Pismo, AG, etc.). That group can develop a list of projects that could replace the pipeline project in a way that would still meet the DWR evaluation criteria and benefit the water basin for which the grant was intended.

We understand that the WRAC makes recommendations to the board of supervisors and is a strong voice in that regard. However, we feel the supervisors and DWR need to hear another view from the Mesa community, so we will make these same arguments to the supervisors and DWR in an attempt to preserve the funding targeted for a beneficial water project in the South county area.

Thank you for your consideration.

Liam Bennett, President  
Mesa Community Alliance (MCA)

N.B. MCA is a public benefit corporation consisting of unpaid community volunteers from downtown Nipomo, Blacklake, Trilogy, and Cypress Ridge. We strive to be a voice of Nipomo Mesa residents on quality-of-life issues, such as our current and future water supply.

SEPTEMBER 12, 2012

ITEM F

ATTACHMENT H

# Saltwater wedge reaches Chalmette; Plaquemines buys N.O. water

Published: Wednesday, August 15, 2012, 6:14 PM Updated: Wednesday, August 15, 2012, 6:56 PM

By Richard Rainey, The Times-Picayune

Saltwater creeping up the Mississippi River reached Chalmette Wednesday, forcing Plaquemines Parish President Billy Nungesser to declare a state of emergency and sign a deal with New Orleans to send millions of gallons of drinking water to its downriver neighbor. Slowing currents amid one of the most widespread droughts in recent memory has allowed water from the Gulf of Mexico to breach Plaquemines' water plants and come within six river miles of New Orleans' own water supply points.

## STOPPING THE SALTWATER

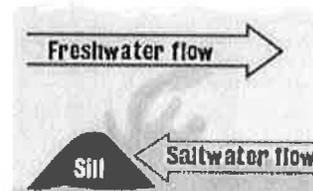
An underwater sill barrier is being constructed to block upriver flow of saltwater in the Mississippi River that is threatening area water supplies.



Source: Army Corps of Engineers

### HOW THE SILL WORKS

Because saltwater is heavier than fresh water, the sill is placed at the bottom of the river to stop the saltwater from traveling farther upriver.



THE TIMES-PICAYUNE

"It could take out the water supply for all of us if we're not careful," New Orleans Deputy Mayor Cedric Grant told the Sewerage & Water Board's other members Wednesday, moments before they approved the Plaquemines deal.

To combat the saltwater, a contractor with the Army Corps of Engineers will construct a \$5.8 million underwater dam meant to block the denser Gulf water from moving farther upriver. Great Lakes Dredge & Dock Co. of Oak Ridge, Ill. will build the 1,700-foot-long sediment pile, known as a sill, at Alliance in Plaquemines, where similar sills were built in 1988 and 1999.

On Monday, corps New Orleans District commander Col. Edward Fleming said the project will take about six weeks, but that the leading edge of the saltwater should retreat behind the sill within the next two weeks. Three miles of the Mississippi were closed Wednesday to allow Great Lakes to install a pipeline needed to build the sill.

Nungesser issued a drinking water advisory as saltwater contaminated water supplies at Dalcour, Belle Chasse, Pointe a la Hache and Port Sulphur. Plaquemines recorded sodium levels in some places as high as 200 milligrams per liter, or 10 times the recommended concentration for potable water.

While the Environmental Protection Agency doesn't consider sodium or chloride to be health risks, high salt levels in drinking water can threaten people on low-sodium diets or undergoing dialysis. Parish officials advised patients with salt-sensitive diagnoses to consult their physicians.

The S&WB agreed to sell Plaquemines as much as a million gallons of potable water a day, pumped through a new 750-foot long, 8-inch-wide pipe connecting the two parishes' water supplies along Woodland Highway in Belle Chasse. Boh

Bros. Construction Co. managed to build the line in less than two days. S&WB General Superintendent Joe Becker said crews were flushing the new line to clear it of any potential contaminants before turning on the water Wednesday evening or Thursday morning.

Nonetheless, Plaquemines Homeland Security Director Guy Laigast predicted the New Orleans water will only offer relief in the northern parts of the of the parish.

Nungesser requested help from the S&WB on Aug. 7. While the board didn't ratify the agreement until Wednesday, S&WB Executive Director Marcia St. Martin said the emergency situation allowed S&WB staff to act before seeking permission from the full board.

St. Martin said New Orleans has a glut of freshwater and that the Plaquemines deal will not affect the S&WB's capacity. She also sought to allay fears that the wedge had reached the city's water plants.

"Water quality in New Orleans is not impacted by saltwater intrusion," she said.

St. Martin noted that, as an added precaution, the S&WB purchased about 50 acres in St. Charles Parish in the 1950s with plans to build a new water plant farther from the Gulf.

The new influx of freshwater will serve Plaquemines' West Bank customers. Jefferson Parish has two lines hooked to Plaquemines at Peters Road and Belle Chasse Highway capable of sending 3 million gallons a day total, but no request had been made for the extra capacity, Jefferson Public Works Director Kazem Alikhani said Wednesday.

Plaquemines agreed to pay the S&WB \$2.89 for every 1,000 gallons, or \$29,000 a day. That sum, coupled with St. Martin's comments that New Orleans had more than enough potable water, led several board members to revive the long-standing notion of selling city water.

"We want to work with our neighboring parishes...because we're all in this together," said City Councilwoman Stacy Head, an S&WB member. "But if we're providing a high-quality product that's at a significantly lower price than you can get elsewhere, I do think it would be a good discussion to have as to whether or not there should be some profit for our own ratepayers to have the benefit of."

The board's staff estimated it could sell 70 million gallons of excess water a day, an amount that could jump significantly if the S&WB can make major repairs to its aging network.

"I think you can see there's a huge amount of revenue potential there, but we can't get there...until we can stop the leaks and have a more efficient system," said board president pro tem Raymond Manning.

Selling water was one of the first big ideas former Mayor Ray Nagin floated after he took office in 2002. It met a slow demise. The S&WB had filed for a trademark on the bottle's label in 2002, but canceled it in 2010.

The real issue wasn't the water, St. Martin said, but the packaging. A deal with Dixie Brewing Co. put the water in a plastic container resembling a longneck beer bottle.

"There was an indication along the tourist and convention business that that was an attractive bottle," St. Martin said. "But for parents, it was not how they wanted to introduce it to children and encourage them to drink water."

SEPTEMBER 12, 2012

ITEM F

ATTACHMENT I



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# EL NIÑO/SOUTHERN OSCILLATION (ENSO) DIAGNOSTIC DISCUSSION

issued by  
CLIMATE PREDICTION CENTER/NCEP  
and the International Research Institute for Climate and Society  
6 September 2012



## ENSO Alert System Status: El Niño Watch

**Synopsis: El Niño conditions are likely to develop during September 2012.**

ENSO-neutral conditions continued during August 2012 despite above-average sea surface temperatures (SST) across the eastern Pacific Ocean ([Fig. 1](#)). Reflecting this warmth, most of the weekly Niño index values remained near +0.5°C ([Fig. 2](#)). The oceanic heat content (average temperature in the upper 300m of the ocean) anomalies also remained elevated during the month ([Fig. 3](#)), consistent with a large region of above-average temperatures at depth across the equatorial Pacific ([Fig. 4](#)). Possible signs of El Niño development in the atmosphere included upper-level easterly wind anomalies and a slightly negative Southern Oscillation Index. Despite these indicators, key aspects of the tropical atmosphere did not support the development of El Niño conditions during the month. In particular, low-level trade winds were near average along the equator, and the pattern of tropical convection from Indonesia to the central equatorial Pacific was inconsistent with El Niño with the typical regions of both enhanced and suppressed convection shifted too far west ([Fig. 5](#)). Because of the lack of clear atmospheric anomaly patterns, ENSO-neutral conditions persisted during August. However, there are ongoing signs of a possibly imminent transition towards El Niño in the atmosphere as well as the ocean.

Most of the dynamical models, along with roughly one-half of the statistical models, now predict the onset of El Niño beginning in August-October 2012, persisting through the remainder of the year ([Fig. 6](#)). The consensus of dynamical models indicates a borderline moderate strength event (Niño 3.4 index near +1.0°C), while the statistical model consensus indicates a borderline weak El Niño (+0.4° to +0.5°C). Supported by the model forecasts and the continued warmth across the Pacific Ocean, the official forecast calls for the development of most likely a weak El Niño during September 2012, persisting through December-February 2012-13 (see [CPC/IRI consensus forecast](#)).

This discussion is a consolidated effort of the National Oceanic and Atmospheric Administration (NOAA), NOAA's National Weather Service, and their funded institutions. Oceanic and atmospheric conditions are updated weekly on the Climate Prediction Center web site ([El Niño/La Niña Current Conditions and Expert Discussions](#)). Forecasts for the evolution of El Niño/La Niña are updated monthly in the [Forecast Forum](#) section of CPC's Climate Diagnostics Bulletin. The next ENSO Diagnostics Discussion is scheduled for 4 October 2012. To receive an e-mail notification when the monthly ENSO Diagnostic Discussions are released, please send an e-mail message to: [ncep.list.enso-update@noaa.gov](mailto:ncep.list.enso-update@noaa.gov).

Climate Prediction Center  
National Centers for Environmental Prediction  
NOAA/National Weather Service  
Camp Springs, MD 20746-4304

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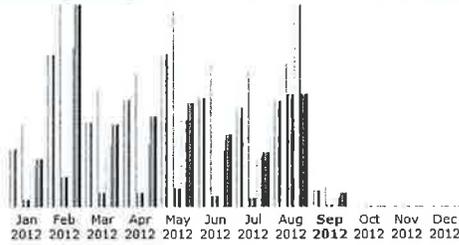
ATTACHMENT J

Summary

Reported period	Month Aug 2012				
First visit	01 Aug 2012 - 05:14				
Last visit	31 Aug 2012 - 22:29				
Viewed traffic *	710	Number of visits 962 (1.35 visits/visitor)	Pages 116,253 (120.84 Pages/Visit)	Hits 207,453 (215.64 Hits/Visit)	Bandwidth 2.33 GB (2540.6 KB/Visit)
Not viewed traffic *			54,757	58,994	217.95 MB

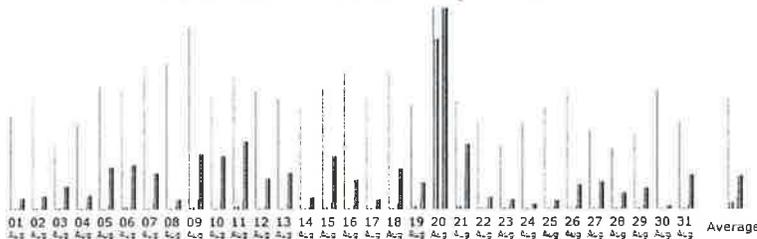
\* Not viewed traffic includes traffic generated by robots, worms, or replies with special HTTP status codes.

Monthly history



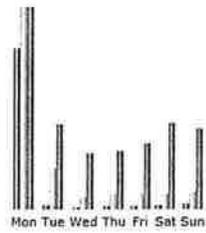
Month	Unique visitors	Number of visits	Pages	Hits	Bandwidth
Jan 2012	392	556	7,183	42,410	1000.32 MB
Feb 2012	1,018	1,357	30,672	163,534	4.17 GB
Mar 2012	572	792	14,645	64,258	1.71 GB
Apr 2012	723	894	14,232	65,278	1.86 GB
May 2012	1,030	1,321	19,175	89,047	2.14 GB
Jun 2012	732	959	11,266	58,066	1.50 GB
Jul 2012	667	906	8,608	53,438	1.12 GB
Aug 2012	710	962	116,253	207,453	2.33 GB
Sep 2012	109	130	1,907	9,748	296.05 MB
Oct 2012	0	0	0	0	0
Nov 2012	0	0	0	0	0
Dec 2012	0	0	0	0	0
Total	5,953	7,877	229,941	753,232	16.09 GB

Days of month



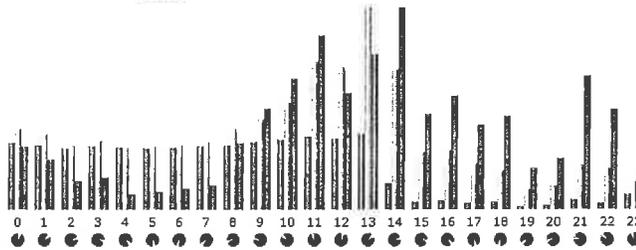
Day	Number of visits	Pages	Hits	Bandwidth
01 Aug 2012	26	155	984	25.50 MB
02 Aug 2012	31	236	1,419	29.56 MB
03 Aug 2012	18	440	1,815	53.73 MB
04 Aug 2012	24	197	1,058	33.15 MB
05 Aug 2012	34	637	2,949	96.97 MB
06 Aug 2012	33	727	4,184	102.44 MB
07 Aug 2012	40	622	3,360	84.98 MB
08 Aug 2012	41	200	1,928	22.84 MB
09 Aug 2012	51	819	6,124	127.28 MB
10 Aug 2012	32	556	5,596	123.19 MB
11 Aug 2012	37	1,490	5,047	157.02 MB
12 Aug 2012	33	551	2,211	71.29 MB
13 Aug 2012	31	556	3,266	82.60 MB
14 Aug 2012	29	169	1,088	26.30 MB
15 Aug 2012	34	726	3,388	121.73 MB
16 Aug 2012	38	592	2,089	68.66 MB
17 Aug 2012	32	404	1,386	22.09 MB
18 Aug 2012	39	559	2,843	94.50 MB
19 Aug 2012	29	1,768	3,543	59.65 MB
20 Aug 2012	56	100,811	119,028	464.01 MB
21 Aug 2012	30	1,572	20,547	151.53 MB
22 Aug 2012	24	233	1,444	26.37 MB
23 Aug 2012	18	217	1,460	21.14 MB
24 Aug 2012	24	80	578	11.72 MB
25 Aug 2012	28	98	690	19.27 MB
26 Aug 2012	33	362	1,895	55.64 MB
27 Aug 2012	22	389	1,689	63.47 MB
28 Aug 2012	17	292	1,100	36.27 MB
29 Aug 2012	21	289	2,016	48.70 MB
30 Aug 2012	33	49	319	7.43 MB
31 Aug 2012	24	457	2,409	77.56 MB
Average	31	3,750	6,692	76.99 MB
Total	962	116,253	207,453	2.33 GB

Days of week



Day	Hits	Size (MB)
Mon	25,620	32,041 178.13 MB
Tue	663	6,523 74.77 MB
Wed	320	1,952 49.03 MB
Thu	382	2,282 50.81 MB
Fri	387	2,356 57.66 MB
Sat	586	2,409 75.98 MB
Sun	829	2,649 70.94 MB

Hours



Hours	Hits	Size (MB)	Hours	Hits	Size (MB)
00	7,609	9,217 77.35 MB	12	8,116	16,362 143.22 MB
01	7,298	8,591 61.22 MB	13	8,583	23,012 190.57 MB
02	6,992	7,324 35.17 MB	14	3,025	16,092 247.08 MB
03	7,201	7,813 39.06 MB	15	833	6,586 116.93 MB
04	7,044	7,105 18.83 MB	16	958	6,846 138.76 MB
05	6,988	7,193 21.88 MB	17	755	5,357 103.09 MB
06	7,110	7,399 25.67 MB	18	810	4,385 114.34 MB
07	7,182	7,679 29.98 MB	19	314	2,297 49.99 MB
08	7,355	9,252 81.01 MB	20	403	2,681 62.92 MB
09	7,660	10,290 124.76 MB	21	1,079	5,099 163.41 MB
10	7,965	12,202 161.25 MB	22	744	4,648 122.26 MB
11	8,425	16,932 213.99 MB	23	1,784	3,091 44.04 MB