



Quarterly *ENews*

Orange County Chapter of the California Special Districts Association

April 2017

Proposed Bylaws Revisions

At its March meeting, the Executive Committee unanimously approved submission of several bylaws amendments, proposed by the Municipal Water District of Orange County, for a vote by membership. Additional modifications – reconsideration of nonprofit status and the process for voting on bylaws amendments – may be discussed at the April Executive Committee meeting. The currently proposed amendments are:

1. Addition of Section IV to Article I

This new section specifies that the Independent Special Districts of Orange County is an unincorporated non-profit association. The Executive Committee discussed the possibility of incorporation, but unanimously decided that, given its activities and limited revenue, incorporation was not warranted.

2. Addition of Section V to Article I

This new section specifies that association members may assume responsibilities for certain administrative duties, but that they will not be compensated or assume any obligations. An example of such duties would be that of secretary or treasurer or the provision of staff assistance.

3. Addition of Section VI to Article II

This new section specifies that member agencies will not be liable for the obligations, debts or liabilities of the association unless they have expressly assumed such liability in writing. Further, no member will have the authority to enter any obligation, debt or liability on behalf of the association unless first approved in by the Board of Directors.

4. Addition of Section IV to Article III

This new section specifies that ISDOC shall, to the maximum extent permitted by the California Corporations Code, indemnify each of its members, directors, officers and staff if that agency or person is acting on behalf of the association. Although not as great as the protection available to incorporated associations, California does provide

some liability protection for unincorporated associations. The issue of liability was considered in the discussion of whether the association should incorporate or remain an unincorporated association. The Executive Committee feels that given the nature of its activities, liability exposure is minimal and does not warrant incorporation.

A ballot will be mailed and emailed to each member district in mid-April. Each regular member in good standing is entitled to one vote. The ballot must be signed by the presiding officer of the special district or an alternate designated by official action of the district. Ballots may be mailed before or returned at the June 29th membership meeting.

The Public Records Act (CPRA) and Private Communications

The California Supreme Court recently ruled that written communications, including emails and text, prepared by a public employee or official conducting agency business is considered “prepared by” the agency within the meaning of the California Public Records Act (CPRA), even if it is prepared and/or transmitted using an employee or official’s personal device or account. The Court noted that documents and communications that meet the CPRA’s definition of a “public record” do not lose their status merely because they are located in a private account or on a private device.

Writing for a unanimous court, Justice Carol Corrigan relied on a broad interpretation of the California Public Records Act (CPRA) along with the mandate provided by the Proposition 59 amendment to the California Constitution in 2004, providing that statutes be broadly construed if they further the people’s right of access. The court recognized that “In today’s environment, not all employment-related activity occurs during a conventional workday or in an employer-maintained workplace.”

South Coast Water District



South Coast Water District is located in the California Rivera. Its service area has miles of majestic coastline, clear blue ocean waters with protected marine habitat, and beaches that span the coast from South Laguna Beach to Dana Point. Each year, more than 3 million visitors enjoy the warm beaches, world-class fishing, a breathtaking harbor, and migrating whales. The District is a playground to the most serious connoisseurs of luxury pursuits including five-star hotels, fine dining and shopping, golfing, surfing, sailing, and more.



The local economy relies on a pristine environment. Therefore, projects such as our \$72 million rehabilitation of a two-mile, 60-year-old tunnel and 24-inch sewer main beneath the bluff in South Laguna Beach are critical. The sewer pipe carries one million gallons of wastewater per day to a local treatment facility. An engineering marvel, the tunnel needs repairs. Without rehabilitation, the line poses an environmental risk to the coastline. If it ruptured, it could spill up to 800,000 gallons of raw sewage onto our beaches. This project starts this month and will take five years to accomplish.

Lack of water and the need to conserve is another concern. Residents and businesses have done a fantastic job saving water during the drought. The City of Dana Point alone has reduced water consumption by over 40% from June 2015 through January 2017 as compared to 2013. However, conservation will not be enough to ensure an adequate water supply. The District has heavily invested in water recycling since the 1980's. Recently, the District extended its recycled water system to the Dana Point Harbor area, which enabled the conversion of two HOA's, a city park, portions of Dana Point Harbor, street landscaping, and soon a large hotel to recycled water irrigation. Also, a golf course and three additional HOAs have been converted this fiscal year. All three of the area's five-star resorts utilize recycled water for landscaping and continue to expand its use. Using high quality, low-salt

recycled water, District landscape irrigation customers conserved almost 46 million gallons of much needed drinking water in 2016.



To provide a reliable, drought-proof water supply for residents and future generations, the District is pursuing local sources of water by planning for the Doheny Ocean Desalination Project and participating in the San Juan Watershed Project. Currently, 90 percent of District water is imported from the Colorado River or Northern California. South Coast Water District's goal is to diversify its water portfolio for three important reasons. First, it wants to be ready for the "Big One" or any other natural disaster that would cut off water supplies up north. Second, it wants to create a high quality, drought-proof, and locally controlled water supply. Lastly, it must insulate the District from significant price hikes of imported water due to water vulnerabilities in the Bay Delta, Colorado River shortages, or extreme water conservation.



Clean, reliable water is a fundamental and essential public service. The District Board of Directors recognizes the compelling need to invest in its community's water infrastructure to ensure a safe, cost efficient, and reliable water system now and for future generations. To learn more about South Coast Water District visit scwd.org.



Proposition 1 Grant Applications

The California Coastal Conservancy has released its March 2017 Proposition 1 Grant Solicitation package for multi-benefit ecosystem and watershed protection and restoration projects. This is the third round of Proposition 1 grants for Fiscal Year 2016-17.

According to the solicitation package, public agencies, special districts, joint powers authorizes, cities and counties, nonprofit organizations, Indian Tribes, public utilities and mutual water companies are eligible to apply. Eligible projects must advance at least one of the purposes of Chapter 6 of Proposition 1, but according to the Conservancy four types of projects are being prioritized: water sustainability improvement, anadromous fish habitat enhancement, wetland restoration and urban greening projects.

Before submitting a proposal, applicants are encouraged to consult with Conservancy staff during the project solicitation period to discuss projects and proposal-related questions. Pre-proposal consultation will be available to any potential applicant, but is not required and does not include a full review of proposals before they are submitted.

Additionally, the Conservancy will hold an information webinar on April 4 at 11 a.m. Applicants interested in attending should email grants@scc.ca.gov.

Grant applications are due May 31, 2017. Awards decisions are anticipated by Fall-Winter 2017. For more information, see:

scc.ca.gov/grants/proposition-1-grants

CivicSpark Fellows

CivicSpark is an initiative between the Governor's Office of Planning and Research (OPR) and the Local Government Commission designed to build the capacity for local governments to address climate change and water management needs. During the program's two years of existence, CivicSpark fellows have provided over 130,000 hours of support in implementing 80 sustainable projects to support climate and water priorities.

CivicSpark offers two thematic tracks: Climate (50 fellows) and Water (20 fellows).

- **The Climate Action Fellowship** places Fellows individually or in teams with partner organizations in eight regions across the state. Fellows serve with local leaders responding to statewide climate priorities such as greenhouse gas inventories,

alternative transportation, renewable energy, and adaptation. Fellows are supported by a local Regional Coordinator who provides partners with program-level engagement and coordinates fellow professional development activities.

- **The Water Action Fellowship** places Fellows in teams of 2 within local project partner offices throughout the state. Fellows serve with local leaders responding to statewide priorities in water management, through specific local or regional projects. Project priorities include stormwater resource planning, sustainable groundwater management, integrated watershed management, and water use efficiency.

CivicSpark fellows provide support to public agencies through 4 core activities:

- **Gap Assessments:** Fellow interviews staff and reviews key documents to determine current climate change or integrated water management needs, and to finalize the project scope.
- **Service Projects:** Based on the gap assessment results, the fellow conducts a specific research, planning, or implementation project.
- **Volunteer Engagement:** Fellows support volunteer engagement in conjunction with their service project by establishing new volunteer programs or enhancing a pre-existing program relevant to climate change or sustainable water management.
- **Knowledge Sharing:** Fellows sustain progress at the end of the service year by providing training to staff and/or sharing results with key stakeholders.

All CivicSpark fellows are AmeriCorps members selected through a highly competitive national application process. Fellows have at minimum a college degree in a relevant field, and typically have workplace and community service experience.

The priority application deadline is April 15, 2017. Applications will be accepted on a rolling basis after that. For more information see:

civicspark.lgc.org/join-civicspark/project/

GrantFinder

GrantFinder is a real-time, online, searchable database of federal, state, foundation and corporate grant available to local governments and their community partners. The Orange County Council of Governments (OCCOG), of which ISDOC is a member, has contracted with this service. Watch for more information about how to access it.

Legislation Update



- **AB 18 – in Senate committee:** Would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,105,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program.
- **AB 166 – in Assembly committee:** Would require the State Water Resources Control Board to conduct a study on the feasibility of a rebate program that would provide a household that is served by a water system that does not meet primary drinking water standards with a rebate for the purchase of a household water filtration system.
- **AB 196 – in Assembly committee:** Would authorize the use of the Greenhouse Gas Reduction Fund for electric pump efficiency, water and wastewater systems, pump and pump motor efficiency improvements, and drinking water transmission and distribution systems' water loss if the investment furthers the regulatory purposes of the act and is consistent with law.
- **AB 554 – in Assembly appropriations committee:** Would establish a goal to desalinate 300,000 acre-feet of drinking water per year by the year 2025 and 500,000 acre-feet of drinking water per year by the year 2030.
- **AB 1050 – in Assembly committee:** The California Endangered Species Act requires the Fish and Game Commission to establish lists of endangered species threatened species, and prohibits the taking of an endangered or threatened species, except as specified. This bill would require the commission to remove the Delta smelt from the endangered species list.
- **AB 1442 – in Assembly committee:** Would state the intent of the Legislature to enact legislation to redirect the high-speed rail bond act funds to water projects.
- **SB 5 – in Senate appropriation committee:** Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.
- **SB 80 – in Senate committee:** would require the lead agency on a project subject to CEQA to post notices regarding environmental impact reports and negative declarations on the agency's Internet Web site and to offer to provide those notices by email.

- **SB 231 – in Senate committee:** would add and define the term "sewer" for Proposition 218 requirements.
- **SCA 3 – in Senate committee:** Would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund public library facilities, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, if the proposition meets specified requirements.

State Legislative Calendar

April 6-17	Spring Recess
April 28	Last day for policy committees to report out fiscal bills introduced by their house
May 12	Last day for policy committees to report out non-fiscal bills introduced by their house
May 26	Last day for fiscal committees to report out bills introduced by their house
June 2	Last day for bills to be passed out of their house of origin
June 15	Budget must be passed
July 14	Last day for policy committees to report out fiscal bills
July 21:	Last day for policy committees to report out non-fiscal bills
Sept 1:	Last day for fiscal committees to report out bills

CalRecycle: 2017-18 Tire-Derived Product Grant Program

CalRecycle administers a program to provide opportunities for the diversion of tires from landfill disposal, prevent illegal tire dumping, and promote markets for recycled-content products. The Tire-Derived Product (TDP) Grant Program is a reimbursement grant designed to use TDPs for re-purposing projects such as pathways, landscaping, mats, playground surfacing, curb stops, and ramps. Up to \$150,000 in tire-derived rubber products is available per project. \$1 Million has been allocated for the entire program for 2017-18.

Only one application per qualifying entity will be accepted and only for projects within California. A minimum of 2,500 California-generated waste tires must be used per application. Multiple products/projects may be combined to achieve this minimum. Project(s) must not have previously received CalRecycle grant funds. Grant applications are due April 12, 2017. For more information, see:

<http://www.calrecycle.ca.gov/Tires/Grants/Product/FY201718/default.htm>



Call for Nominations: 2018-20 CSDA Board of Directors

In February, nomination information and forms were mailed to every CSDA voting member agency. The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the board with staggered three-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing, located within the geographic network they seek to represent. A copy of a resolution or minute action from the candidate's district board supporting their candidacy must accompany the nomination form and candidate information sheet.

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. Commitment and expectations of Board members include:

- Attend all Board meetings, held every other month at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento. (CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).
- Attend CSDA's two annual events: Special Districts Legislative Days (held in the spring) and the CSDA Annual Conference (held in the fall).
- Complete all four modules of CSDA's Special District Leadership Academy within two years.

The deadline for receiving nominations is May 19, 2017. Nominations and supporting documentation may be mailed, faxed, or emailed. CSDA will mail ballots on June 2. The ballots must be received by CSDA no later than 5:00 p.m. August 4, 2017. The successful candidates will be notified no later than August 8. All selected Board Members will be introduced at the Annual Conference in Monterey, CA in September 2017.

ISDOC agencies are in the Southern Network. Arlene Schafer, from the Costa Mesa Sanitary District will be running to retain her seat on the CSDA Board. Arlene currently serves as Secretary to the CSDA Board.

Future California Special Districts Events

April 11
Supervisory Skills for the Public Sector
Vista Irrigation District

April 23-26
Special District Leadership Academy
Embassy Suites, San Luis Obispo

May 16-17
CSDA Legislative Days
Grand Events Center, Sacramento

June 25-27
General Manager Leadership Academy
Hyatt Regency, Newport beach

July 9-12
Special District Leadership Academy
Embassy Suites, Napa

Upcoming Webinars

- Leveraging Your State and Federal Relationships – 4/6
- Public Engagement and Budgeting – 4/19
- How to Find, Apply, and Secure Grant Funding – 5/11
- Governments Engaging Youth – 5/23
- Anatomy of a CalPERS Audit: What to Know Now – 5/25
- Required Harassment Prevention for Staff/Board – 7/6
- Ask the Experts - Energy Project Financing – 7/9

CSDA also has 44 on-demand webinars available to members on its website.

Little Hoover Commission Update

During the Little Hoover Commission's review of its draft report on special districts, Commissioner Scott Barnett suggested that special districts should be required to hold an election every 10 years to reauthorize their existence. Other commissioners suggested that special districts were exploding and that the formation of local oversight boards similar to those currently overseeing the dissolution of redevelopment agencies might be appropriate. Prior to this meeting, the Commission was expected to adopt a less dramatic report in March.

The report was tabled and the Commission is considering holding an additional hearing on this matter in the fall. CSDA has prepared a written response to Commission questions, which is available on the CSDA website.



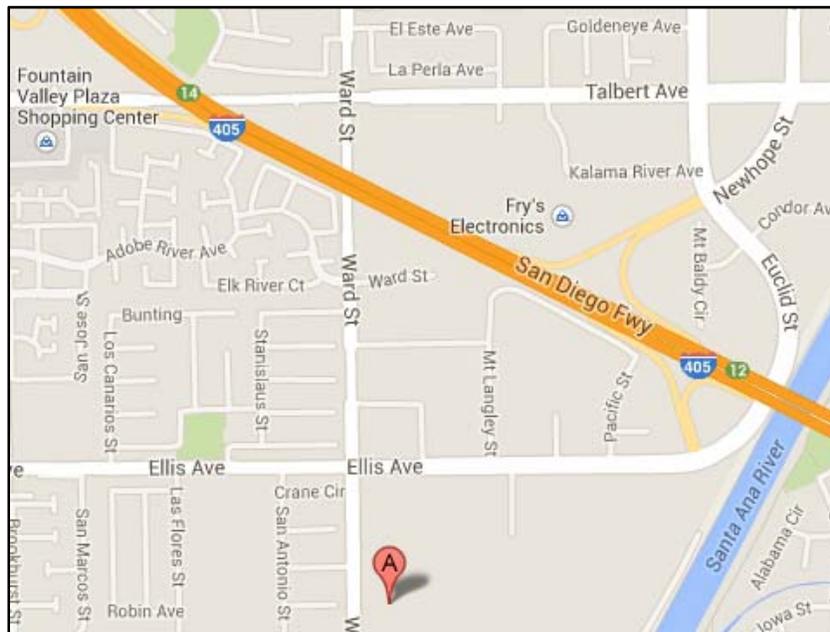
Send us your District News and Press Releases!

Please send your district news releases to ISDOC Secretary Leslie Keane (l.keane@orccd.com) and keep us informed of all the exciting things your special district is doing. We welcome your contributions to our newsletter!

Mark your calendars with our upcoming meeting dates:

Executive Committee: April 4 ♦ May 2 ♦ June 6, 2017, at 7:30 a.m.
General Membership: June 29 ♦ October 26, 2017, at 11:30 a.m.

We meet at the MWDOC/OCWD Offices 18700 Ward Street, Fountain Valley, CA



ISDOC Executive Committee

President: Jim Fisler (Mesa WD) ~ First Vice President: Sandra Jacobs (SMWD)
Second Vice President: Mark Monin (ETWD) ~ Third Vice President: Mary Aileen Matheis (IRWD)
Treasurer: Joan Finnegan (MWDOC) ~ Secretary/Newsletter Editor: Leslie Keane (OCCD)
Immediate Past President: Mike Scheafer (CMSD) ~ Staff: Heather Baez/Laura Loewen (MWDOC)

Representatives to Regional Organizations:

LAFCO: John Withers (IRWD), Charley Wilson (SMWD), Jim Fisler (Mesa WD)
OCCOG: Phil Anthony (OCWD), Joan Finnegan (MWDOC), Mike Scheafer (CMSD)
OC Operational Area: Kelly Hubbard (MWDOC), Doug Davert (OCWD), Chris Montana (SBSD)