

**LOS TRANCOS COUNTY WATER DISTRICT
NOTICE OF PUBLIC MEETING
Thursday, May 5, 2011, 7:30pm**

**PV Town Center – Alder Room
765 Portola Road
Portola Valley, CA.**



AGENDA

0) Public Comment

Members of the public may address the Board on District relevant issues not listed on the agenda. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Each speaker is allowed a maximum of three (3) minutes.

- 1) **Approval of Minutes for March; final approval needed on Jan. & Feb. (10 mins)**
- 2) **Financial Report (Tate – 10 minutes)**
- 3) **Program Updates (30 minutes)**
 - ❖ **Saving Water (Ward)**
 - ❖ **Lands (Smernoff & Krenz)**
 - ❖ **Water Movement Control (Smernoff & Uridel)**
 - ❖ **Fire Safety/Emergency Prep (Krenz & Sherman)**
- 4) **Incentive/coupon book; update & sneak peak at mock-up of finished product (Sherman & Ward – 10 mins)**
- 5) **Mission Statement adoption. Resolution 203 (Ward – 5 minutes)**
- 6) **Don Horsley meeting update (Smernoff & Sherman – 10 minutes)**
- 7) **Information available to date on Grand Jury Member meeting (information unavailable at March meeting until findings were made public by LAFCO). (Smernoff & Uridel – 10 minutes)**
- 8) **Insurance Update; D&O/General Liability. Includes discussion of various legal agreements drawn up by Sandy Sloan's office for use by District when contracting work on private land. (Sherman & Ward :20 mins)**

BREAK

- 9) **FY Budgets/Program Objectives for 2011-2014 including discussion/ clarification of Recording Secretary/Finance Manager compensation (travel stipends, additional work, payment for missed meetings, etc). (Board:45 mins)**
- 10) **Recording Secretary/Finance Manager Contractor Agreement – modification to agreement to clarify open compensation issues (Exhibit B) and/or other modifications to roles/responsibilities following discussion. (Board – 20 minutes)**
- 11) **Ordinance 65**
- 12) **Correspondence & Communication**
 - Approvals to Finance Manager for invoicing via email?
 - Sandy Sloan scheduled meeting (revised for June '11 or later)
- 13) **Set date, time, and place of next meeting.**

March 8, 2011

DRAFT
Minutes of the Public Meeting of
The Board of Directors
Los Trancos County Water District
March 3, 2011

In attendance:

Charlie Krenz, David Smernoff, Tracy Sherman, Tom Uridel, Mike Ward, Keri Tate (Finance Manager), Cindy Rodas; (acting Recording Secretary)

Meeting was called to order: at 7:36 pm at the Portola Valley Town Hall Conference Room

0. Community Members: None

Public Comment on issues NOT on the Agenda: None

1. Approval of minutes, previous meetings:

January Minutes:

Page 3, Agenda Item 7A, second paragraph; correction in the sentence “Smernoff said it’s about integrity and fire safety, and asked about future broom pulling events”. The sentence is to include “fire escape route” before the word integrity to read; “Smernoff said it’s about fire escape route integrity and fire safety, and asked about future broom pulling events”. Sherman to go over these changes with Zimmerman.

February Minutes:

Page 2, Agenda Item 2, third paragraph; “Krenz stated that there was \$225,000.00 year to date in the budget, and that the district had spent only \$96,000.00 so far and that we were under-spending for other accounts, but that we would have monies owed for emergency water control”. The word owed should be replaced with spent.

Page 5, Agenda Item 5; strike out entire sentence “You do understand that recognition by LAFCO is not sanctioned..... it’s problematic.”

Strike out sentence; “Ward talked about encumbrances on our land: unless we can get conservation easements, there may be very little have very little value add, but it’s worth articulating.”

“Smernoff said we’ve done the survey, we have what people’skind of district. We can’t do (it, include) all with only volunteers”.

Stike out sentence; “Ward talked about his own property outside of Vista Verde, he is in a resource management district with 5-acre minimums to develop properties. It’s worth looking at.”

“Smernoff & Ward (should be Uridel not Ward) volunteered – part of continuity – have you followed up on the 3 questions?”

Page 6, Agenda Item 7; Strike out paragraph “Sherman said 87% of 2006 responses is different from back.... The flip side is to say 14% of respondents agreed to dissolution of the district. Ward said to take the ratio of 69 yes; 17 no responses, and 17 nos. Then add the yes and nos and divide by the yeses-so a little convoluted”. Sherman to go over these changes with Helene Zimmerman.

2. Financial Report

Tate said that we received significant direct public support this month. Tate gave an update on the LTCWD income statement for expenses 8 months through the fiscal year; Water Use Efficiency 7%, Emergency Preparedness 70%, Offset Program 113%, Lands 29%, Water Movement Control 6.9%, Contract Services 98%, Operations 58%, Other types of expenses 147%, Travel and Meetings 27%, overall at 47%. Account tracking shows nothing out of the ordinary.

Motion to approve: Sherman - all in favor.

3. Program Updates

Lands:

Smernoff, construction on gate and fence of property, all permits obtained from county. Everything encroaching onto the street has been removed, maintenance and clean up in ditches is complete.

A contractor has been retained to do fire safety on the property and near Portola Pastures near Arillaga Property.

Native Plant Signs are on order and one no parking sign on Lake Road.

Water Movement:

Uridel said that there is an encroachment permit issued for Ramona Road. They will begin mounting signs on either side of the road next Tuesday, March 8th at 9:00 am. Notifications will be made and posted at the 3 posting points and on Yahoo Groups to inform the public of the work.

Uridel said that he had been unsure whom to speak to regarding insurance coverage, Tate advised for Uridel to speak to Peter Brown from the Farallon Associates.

Peter Brown said that they were not covered; an additional \$158 would allow coverage for that day of work. Coverage for Tuesday would be OK, but he was not sure about future work, Brown had a question as to whether or not the work involved moving or working on

other people's property. LTCWD would be sponsoring work, but the coverage would not protect against a lawsuit, this may cost the agency a lot of money. In the meantime, LTCWD does have a protection of some sort but is not complete under the current policy Brown's belief is that there is no coverage. According to Brown, coverage does not extend beyond LTCWD lands, specific use is requested of what work would be done to perfect coverage. Board is to name a couple of people to meet with Brown to discuss insurance coverage.

In terms of policy renewal, LTCWD should notify Brown to clarify board activities for insurance coverage. General Liability was adequate because it only covers lands owned by LTCWD but both types of coverage are now needed. Krenz suggested insurance questions to be placed on list of questions to Sandy Sloan in April. Sandy has advised in the past to be sure that proper insurance is on hand.

Ward volunteered to contact Brown

Krenz advised that if a verbal is received by the homeowner, fire safety work should move forward to get everything started.

Uridel mentioned a list of culverts that do not comply with the county culvert criteria. Culvert problem within the district may need volunteers to correct.

Fire Safety/Emergency Prep:

Map prepared by Krenz showing work completed to date; aimed at protecting against a flame front moving towards the community. Escape routes are planned, a lot of work still needed for completion. Some areas are good others are not; progress has been made on Ramona Road. Ward praised map.

Lots of progress has been made within the last month above Deer Path Lane lots of brush cut with permission from Slaussen, but Dempsy and other neighbors felt exposed after brush was cut.

Contact to be made with homeowners Yee and Yi for water supply. The entire privacy screening is scotch broom.

Sherman wanted to address continuity of fuels along roadside. Approval secured on either side of the Martinez property and the Conrad property. Clearing work will commence within the next few weeks to start the process of keeping Ramona Road with a roadside defensible space for emergency egress all the way up to Vista Verde. Continued work path visualized as moving along Vista Verde (both directions).

Fallen SOD tree on upper Ramona Road (Nelson's property), LTCWD was contacted but Charlie thinks the Nelson's are in the process of having the dead tree removed. We will keep an eye on it as we get closer to the fire season.

Uridel spoke to Kathy Dempsey. Woodside Fire Protection District received a federal grant to do additional chipping work. Board is encouraged to take advantage of services provided by WFPD.

4. Incentive/coupon book; update & prototypes for review

Ward and Sherman presented a prototype of the LTCWD Incentive Coupon Book. Ward said that progress is being made, trying to remove barriers to encourage fast action for participation in the many programs we offer to the community. Ward mentioned idea to add a \$100 bonus to incentives already in the coupon book for a limited time only. An introduction letter discussing the coupon book has been developed by Sherman. Coupon book draft correction to be made where it mentions 25% over 1.6 gallon per flush through 8/31/11 on the toilet incentive, should be 20% not 25%.

Multipage booklet may be about \$650.00 each for printing (this is a guesstimate) to which must be added along with costs for stamps, envelopes, stuffing and mailing.

Suggestions for a template to be made so that changes can be made from time to time. Gifts and incentives will be related to safety or conservation. Booklet designs have not been finalized yet.

Uridel provided some feedback on the booklet; concerned about the prominence of the word "rebate", another word maybe better "incentives" is a better word; "Valuable Incentive Coupon Book" should be the title instead of rebate book. Ward and Sherman agreed to excise the word Rebate from all copy.

5. San Mateo County Civil Grand Jury Member Meeting Follow-up

Smernoff and Uridel attended meeting with the San Mateo County Civil Grand Jury. Smernoff felt that the meeting with the grand jury went well.

What went on in the meeting cannot be discussed, but the purpose of the meeting was for continuity and advice.

6. LTCWD Mission Statement/Vision re-wording

Ward said that the mission statement should be inspirational and be able to stand on its own. The mission statement should be in bold print and include the bullet points as seen on the draft.

Krenz and Smernoff like the tone expressed but believe the format or layout should be switched. The Mission Statement should be moved to the top and the explanation would be moved to the bottom, it should be a different order than what was proposed with the explanation in a smaller font. However a resolution would be appropriate with the explanation (Whereas'es) listed at the beginning so that the actual Mission Statement stands

alone. Bullet points could be tightened up and the words “This is our Mission Statement” should be added.

Ward mentioned that he likes the way the Mission Statement is now but is open to suggestions.

Sherman offered some additional feedback and mentioned that she felt that the Mission Statement was moving in the right direction but would like to play with the words a bit.

Mike Ward will compose a resolution along with the Mission Statement, Tom has resigned from this ad hoc committee.

7. Ideas on Board Training/Coaching

Ward proposed looking into the Policy Governance Model created by Dr. John Carver and provided reading material regarding the Policy. He mentioned that the board may be interested in investing time to looking into the policy to make improvements in the board. Board is willing to read the proposed model and look into further into applying some of its principles.

Sherman is willing to read the model and follow up at a future meeting.

8. Correspondence and Communication

Meeting with Sandy Sloan scheduled for April 7th, Sherman mentioned that she wanted to check in with Sandy prior to the meeting to make sure that Sandy would be well enough to attend after her surgery.

The Don Horsely meeting is scheduled for April 6, 2011

Upcoming CSDA workshops, Sherman asked if anyone was interested in attending. No response.

9. Set date, time, and place of next meeting

Sherman asked the board if it was necessary for the board to meet every month.

Next meeting time is scheduled on Thursday, April 7th

Meeting adjourned: 9:32 p.m.



Jan. 16, 2011

Minutes of the Public Meeting of
The Board of Directors
Los Trancos County Water District
January 6, 2011

In attendance:

Charlie Krenz, David Smernoff, Tracy Sherman, Tom Uridel, Mike Ward, Keri Tate (Finance Manager), and Helene Zimmerman (Recording Secretary).

Community Members:

Joanne Dolan

1. **Meeting was called to order:** at 7:36pm at the Sherman/Freedman home, 144 Carmel Way.

2. **Public Comment on Issues NOT on the Agenda:** None

3. **Election/affirmation of new president and thanking of old president**

Ward thanked Tom Uridel for all his work with the LTCWD, and talked about the changing leadership with the election of Tracy Sherman as president.

Motion to approve: Ward, Smernoff seconded, all in favor.

4. **Approval of Minutes:**

August minutes: Krenz talked about the minutes and said Mary took them. He said if there were any changes, he took comments and incorporated them. He would remove the "Draft" that is currently on the August minutes on the website.

September minutes: Krenz said they were OK.

October minutes:

Smernoff OK'd minutes. There are a few things outstanding.

Krenz offered to do upload the budget to the web site.

Motion to approve: Smernoff, seconded by Ward. All in favor.

General discussion:

Sherman asked if a copy of Autumn Stanley's letter could be obtained. She found the idea interesting; financing might be difficult.

Uridel said that we need to decide how general records are kept.

Ward said that each of the 4 programs heads keep their own records. It is the summary, actions and decisions that are in the public domain.

Uridel said that everything we do is in the public domain, and that if materials are requested, information is on everyone's individual computers.

Ward doesn't want to create a bureaucracy, and Smernoff said that websites have archival features. Uridel brought up "electronic records management," and Smernoff said that we have a way to do it, although it's not yet an agenda item.

Smernoff said that he gave a box of records and a 3 ring binder to Tate; Tate confirmed that she has a box of records too, as does Zimmerman.

Ward talked about waterproofing the red shed [as a storage area].

Sherman asked if there was any action items on this issue?

Uridel said he'd like to send someone to a records management seminar in case we got targeted for a review.

Sherman asked if Uridel should go, or Zimmerman.

Smernoff said he would see that Zimmerman got onto the course web distribution list, and Zimmerman should see if it's a good use of time, and what she would be in for.

Uridel said someone needs to evaluate if we should use electronic records management and then get someone to go. Zimmerman should call one of the trainers to see if it is appropriate for LTCWD.

November minutes:

Sherman asked if Smernoff had sent the letter to Horseley. He said not yet. Sherman said she'd now send it in her name, and that the response rate to the survey was 52% with 83% of the voters being in favor of continuation of the LTCWD. She'd like everyone to review the letter and comment. She'll include the items as previously suggested.

Ward suggested asking for a face to face meeting.

6) Financial Report

Tate said the report is for 2 months (as no meeting in December). We received additional public support; totaling \$113, 30.88. Most of the money was received in December. Smernoff said this was as expected and Ward said as targeted . A total of \$25,586.02 was spent during this period. .

Tate gave an update on the California Water Services offset program. A check for \$10,000 was sent to CWS in Nov. Since July 2010, the District has paid CWS \$24,000 together with a \$1,200 carryover. We're currently in the black with \$8,471 through December. The contract states that we'd remain 6 months ahead. While the bills consistent, they change a little each month. The current costs are ~\$3200 a month.

Ward said we havent been getting LTCWD balance information and checks distribution of funds accuracy once a year .

Uridel said there are 5 different prices on hook-ups, Ward said that the Saving Water incentive is a flat rate with the passage of Resolution 202. He added that there is \$8,000 in the kitty that Cal Water is holding but it should be \$15,000.

Motion to approve: Uridel, seconded by Krenz, all in favor.

7A. Program Updates, Fire Safety/Emergency Preparedness

Krenz said we received the OK to take out the baby Eucalyptus across from the Frog Pond. We're working on other approvals, but have the OK on Ramona (Slawson) to remove the brush build up. Will go 20 feet down the bank. We have an OK for Joaquin. It's a nice big project to get all done at once.

Sherman asked about communicating to the community and doing a map. Ward said it's a good verification of money spent. Smernoff said its about fire escape route integrity and fire safety, and asked about future broom pulling events.

Krenz said he had 2 -3 days of broom pulling planned: a day by the lake (native habitat), followed by 1 -2 days on Los Trancos Road. They would "flame treat" the young seedlings. Sherman asked if he had dates in mind. Krenz responded late January & early February. Smernoff thought that was good timing before the small brush grew too much.

Ward said were now in the 2nd year of the abatement program.

Smernoff said we're good to go, and Krenz said we're now doing maintenance. He asked for broom pull date preferences, and suggested Jan. 23 & 30, and February 6. He said they'd have to be more careful as there are now lots of native plants.

Sherman mentioned there was a lot of broom across from 80 Vista Verde on the downhill side. Krenz suspected it was private property. Uridel mentioned there was dried out brush at the side of the road by the Taggart's house (348 Ramona). Krenz mentioned bringing in an outside person to help, and Uridel talked about the need to identify who owned the land. There is an area before George Lee's and before Ramona that will take 2 -3 people about 3 hours to do. Permission is needed, as it's right off the road. Krenz said he was meeting with the contractor.

7 B. Water Movement Control

Smernoff/Uridel gave a summary of events: An email from Alan from the county was received, and he has talked to Sandy Sloan and Brian Wong (Dept. of Public Works). The context was about whether we had legal authority and a sphere of influence, as otherwise they couldn't work with us if we didn't have legal authority. He has also talked to Al Stillman and Joe Lo Coco and advised them not to worry about LAFCo. If we ask for an encroachment we should be treated the same as everyone else.

With Sandy, we're doing it element by element, while working with Joe Lo Coco. We're building relationships for a positive outcome. Stillman is concerned about taking on too much.

He had a good interaction about Ramona. He's getting permission from the homeowner to do a camera survey with Bagg Engineering. On the down hillside, there is water as there is no outlet. There is an 18" pipe that goes under the road, but it's coming apart, so water backs up onto the hillside. The camera will allow us to see (with GPS), where the problems are.

Ward asked if it didn't flood. Uridel said no, as the other side had been opened up, as it had been previously been plugged up. It was brought to Lo Coco's attention.

Smernoff mentioned leaks on the upper and lower parts of the road, while Uridel said that Kormanak and Swan feel that the land has shifted, and is destabilizing the slope. Uridel went on to say that there is a potential for water infiltration before it goes onto the road. The ground is open for absorption—just before a most vulnerable section to the road. **We need to ask Bagg if we can seal the basin so that water will not run under the road.**

Smernoff suggested getting bids and analysis to see what it would cost and ask the county to cost share. He said they continue to map the culverts and gather information for implementation.

Uridel said that Ward had a question about Bagg Engineering, and the time their geologists walked the district. They've walked Los Trancos Road and Vista Verde, but have yet to do Joaquin, Ciervos and Foxwood. He went on to say how important this initiative is and that it's a scientifically credible job. It will serve us well and takes us out of the political. Ward said it serves as checks and balances, as to how the work was done.

Krenz asked what was the function was for signing checks. Smernoff said it's OK to sign on a case-by-case basis. Ward said they have \$18,000 in the budget for an evacuation removal. Uridel said it's good to pay attention and Ward said it goes to proof of water control issues there are all kinds of things to see and better ways to do things.

Sherman said she had heard numbers bandied about - \$2 million – if the road fails, bringing in a retaining wall it isn't in the millions, maybe 10's of thousands. Smernoff said there is another 18" pipe coming in and feeding the drop box. There's more mapping to do be done. There are various county employees who are interested in culvert removal and improvement.

7C. Lands

Smernoff/Krenz: Nothing new to report. Krenz making progress with the neighbors.

Ward said that nothing had been built and Smernoff responded that if we can't get written approval we'll take it to Diana Shue to get an encroachment permit. He said progress had

been make on locating pipes, and that he had someone with a magnetometer find 2 pipes and they were sandbagged and sealed off.

7D. Saving Water

Ward said requests for equipment rebates are still coming in. He's working on the coupon book (with Sherman) for the spring and what public relations/advertising to use to spread the word. For all programs with financial incentives: fire safety, water movement and control and Saving Water, he'll have something for April/May. Uridel asked when it would be roughed out, and Ward said they would have a conceptual draft by the next meeting, & publish perhaps in April. Ward cited a Water Efficiency magazine article about other public water agencies promoting smart water controllers & how difficult it is to make it happen, even when it is clear that it saves money and promotes better or equal irrigation.

While Sherman asked if there is a way to incentivize more, Ward responded by asking if people really notice the incentives. Smernoff said everyone's water bills are higher, and there are water-saving tips. He also suggested commenting on the state/national focus.

Ward said the barriers to this are knowledge and cost. Uridel asked what Cal Water offers. Ward said that East Bay Mud offers incentives, as do others. Uridel said it's about wanting to become more public minded. He feels odd that we offer incentives whereas Cal Water does not. Ward said that if they sell us less water, the price must be raised. Sherman said that East Bay Mud and others raise rates as people become more conservation minded. Ward talked about helpful programs for low-income families and Uridel said Cal Water doesn't provide rebates for low flow toilets. Ward said they did until that program ran out of money. Uridel & Ward talked about trying to be a useful adjunct to Cal Water.

8. Update on contract between LTCWD and the California Water Services Company

Ward said progress has been made. He spoke with Tony Carrasco today and sent back the final revision. The PUC directed Cal Water to make sure all third party billings are fairly priced and that we're not being subsidized. Mr. Carrasco will give us a lower overhead rate of \$350/ month (vs \$500) to provide our accounting services (Saving Water incentive) to LTCWD customers. The Excel file that shows water usage by address by month reports will be provided at no charge. Ward said it seemed fair but expensive. The annual cost is \$4,200 = 14% of incentive dollars given out.

Changes in the contract: the agreement term has changed from 10 years to 3 years, with successive term going from 5 years to 3 years. Carrasco wanted to be able to change the per year cost if their cost changed, ie. If their union rates went up. With 60 days notice, we can terminate the contract.

Resolution 202 is part of this contract. It passed June 2010 and sunsets in June 2013. We should sign for now and pay the bill; the start date was changed to February 1; he proposed we consider writing checks ourselves to customers (as earlier proposed by Krenz and Tate) versus them (Cal Water). We need to decide this in May, in order to start in our next fiscal year. Uridel said we should. Checks can be written 1/4ly or once a year. Ward said Sandy has seen all versions of the contract except today's and agrees in principle. He suggests we sign (President Sherman) and have the contract run through June. If we want, we could terminate in May if we want to cancel.

Ward will make the changes, and give to Zimmerman to send to Sandy, who will sent it to Cal Water.

Tate said we do not have six months lead time at CWS, if we're going to send extra, will we get the money back? Ward said yes. She said she hadn't budgeted the project this way. She said the total is now \$32,000, and she had \$8,500 = 2 ½ months. Does the board want her to send out more money? Answer, yes. We should act as if we're keeping the contract. Uridel asked if checks had to be in \$10,000 increments-it used to be a lot more. Sherman said they hadn't billed us.

Uridel asked where the agreements get held, with the attorney, Ward and Tate have resolutions and ordinances, as does Zimmerman. They're also on the web, but not easily found.

Zimmerman to check into adding a Contracts and Resolutions tab on the web site.

Motion to approve changes: Uridel, seconded Krenz, approved by all.

9. Discussion regarding LTCWD Mission Statement

Ward stated that when he was setting up the Policies and Procedures book he reviewed the mission statement. He suggested that we eliminate line #2. Line 4 needs to be revised and the order could be changed. #1 & #2 are in the water code; #3 & #4 are latent powers. He said that fire safety was the most popular program on the survey results. As we move forward, he would like the mission statement to accurately reflect what we do, and to be done before the LAFCo meeting.

Uridel stated that the mission statement was a very important aspect of preparing for our future; it needs to be credible, & what we say and how we say it is very important. He asked for time to review Ward's suggested changes.

Uridel said that the LTCWD has many critics who think we shouldn't be around, so we need to be as well prepared as possible. Smernoff said it was worth taking the time to review. We should get the statement down to 1 -2 sentences. It's not really a mission statement as it's broader and more strategic. What bullets should be added to the mission?

Ward suggested "serving our constituencies within the California Water code." He said there is not strong vision for LTCWD, we do have a 3-year plans for each program, and in our tri-annual report we've captured where we're going. He added that a mission statement is what is going to be done = strategic direction.

Uridel asked who added the "Water Conservation and Water Shed Management" title to the web site --, Krenz said he did.

Sherman asked if we need a mission statement if we have a vision. Ward said we do, as it's what LTCWD does. Sherman likes the use of "strategic." Ward said we're doing what no other public agencies will do for us, or doing it better. Uridel said extending the mission and ability to implement specific responsibilities, eg. Woodside Fire Dept. and the Dept. of Public Works. Further discussion was tabled till February.

10. Correspondence and Communication

#1: Tate said she had a new project: All special districts had to turn in compensation reports. It's divided into 4 groups, ours is due Jan 14. There are instructions on how to fill in the

report. She'll compile all the data. She wasn't sure if it was calendar year or fiscal year. The financial officer has to sign the form. It gets submitted electronically. It's to be done annually.

#2: The Woodside Fire Dept. has asked us for a donation. Do we want to make one? Sherman added that it is to help them upgrade their vehicles, they want to raise \$250,000 over the next year.

Uridel suggested taking it out of existing program budgets. Smernoff disagreed. Ward said if we run over, we can make a revision for next year. Tate said that if we don't put money into a category, then we lose the category. She can create a "donation" category.

Ward asked if this was an annual request. Yes. He suggested that it be taken out of fire safety or the general fund budget. Sherman said it should come from all of us. Smernoff asked if we could create another category. Tate said yes. It could be the Grants & Donations category. She'd set it up.

Uridel suggested sending a nice letter with the check and adding how we've enjoyed working with them, etc. Smernoff said it's good to do. Sherman said she'd write the letter to Denise Mann. Krenz would look at it, and then send to Keri. Uridel emphasized the importance of building ongoing partners and relationships.

Motion to approve: Ward, Sherman seconded, all in favor. To contribute \$1,000 to Woodside Fire Department from the general fund budget.

#3: Tate received a check for \$4:10 from anti trust litigation. Sherman said she received a check, too. Tate will deposit.

#4 Ward wants to make sure that everyone can open the variety of documents in the range of software that the board, finance manger and recording secretary use. Sherman suggested doing a practice run. Ward said he would.

5. Discussion/decision regarding the role and responsibilities of Recording Secretary position

Zimmerman was asked to comment on how she felt things were going. She responded that there was a lot of ambiguity as to what was/was not wanted in the minutes and changes that were asked for that were not based on what she had recorded & that until after the fact she wasn't told that the bulleted style was not something they wanted.

Smernoff said that there needed to be a clarification of expectations, and that proper direction had probably not been given and that Zimmerman should be given the opportunity to continue. Uridel agreed and asked what were the minimum expectations for this role, and that someone needed to get grounded to help explain what was needed. We need to find out what legally we're required to capture and to become expert in what we have to do. He asked what was the role of the recording secretary & that he didn't think anyone really knew beyond the role of taking public agency minutes. Education has to be on the board side too, on how best to capture and report.

Ward said the essence of the meeting should be captured, not verbatim. The pros and cons are important, it's a skill. He agreed with the education idea/webinar/program in catalog; offered

10 steps to better note taking. Said it can be learned, have to decide. Uridel suggested possibly taking a course, speaking to the Los Altos counterpart.

Zimmerman said she'd review the course offerings and speak to Jean Eveilsizer.

Smernoff/Uridel said they hoped it would work out.

11. Set Date, Time and Place of Next Meeting

Thursday, February 3, 2011 @ Corte Madera School.

Meeting adjourned at 10:25pm.



Legend: Follow up's needed
In put/clarification needed

February 7, 2011

DRAFT
Minutes of the Public Meeting of
The Board of Directors
Los Trancos County Water District
February 3,, 2011

In attendance:

Charlie Krenz, David Smernoff, Tracy Sherman, Tom Uridel, Mike Ward, Keri Tate (Finance Manager), and Helene Zimmerman (Recording Secretary).

0. Community Members: None

Meeting was called to order: at 7:32pm at the Corte Madera School

1. Public Comment on Issues NOT on the Agenda: None

2. Approval of Minute, previous meeting: Approval for January's minutes was tabled to March, as not all edits had been received.

Write up/Review Cycle:

As of the February minutes, the draft minutes will first go to the directors for review/revision before posting on the LTCWD web site. They will remain draft minutes until approved by the board.

Time frames for posting of minutes:

Zimmerman: 3 – 5 days for initial write up

Directors: 5 days to get back to Zimmerman with any necessary edits

2-3 days for minutes to be posted on the Web site.

Where program has 2 people involved, only 1 set of comments will be sent in for inclusion. They will collaborate off line.

Consensus on new approach to final set of minutes.

2. Financial Report

Tate reported that the district received \$503.38 of direct public support (tax income); that she cashed the \$4.10 check, and had received but not yet deposited 2 checks = 1 for about \$6,600, the other for \$541.

She stated that 3 accounts will be over budget:

- 1) As discussed at last months meeting, the offset program was paid for 6 months in advance, and has been sent \$10,000 which was not in the budget.
- 2) Contract services as Zimmerman is now receiving \$500.00 instead of \$400.00 a month.
- 3) Other types of expenses: charges not budgeted for so far include the California Special Member Districts dues \$644 and \$1,000 through Grants and donations to the Woodside Fire Department.

There was a general question about what account printing was under = #6503 under Operations.

Krenz stated that there was \$225,000 year to date in the budget, and that the district had spent only \$96,000 so far and that we were under-spending for other accounts, but that we would have monies spent for emergency water control.

Ward stated that we were not delivering what we said we would do. Smernoff said he put in a bill for \$2,300, and Krenz added that would soon have a bill for \$13,000 to submit.

Uridel discussed Grants and Donations as a sub account. He stated that the attorney said we don't have a policy on accepting donations. It was clarified that LTCWD was making not getting a donation. Smernoff said it is an expense on the income statement. Tate stated that the Woodside Fire Department sent a thank you note.

Motion to approve: Uridel, seconded by Smernoff, all in favor.

3A. Programs: Saving Water

Ward stated that things were currently slow, but that they'd be doing some new advertising regarding incentives. He went on to say that Cal Water has completed the contract, and is in the process of getting it approved. Sherman has the fully executed copy. 1 is to go to Ward, 1 for the files, and another is to be mailed to Sandy.

3B. Lands

Smernoff reported that Director Krenz had filed the encroachment permit for the end of Lake Road. The document has been signed by the District, Woodside Fire Protection District, the Town of Portola Valley and neighbor Shivani Nautiyal.

Ward asked to be refreshed on the fence design. Smernoff said it is a 24-foot wide gate, clad in wood to mark the end of the road with a split rail fence. There will be a turn-around space that accomplishes the emergency access goals.

The permit has not yet been received. Krenz said he filled out the form and signed it. He said he should hear back next week. He stated that there would be a hurdle if Diana Shu wishes the parking matter determines to go before the County Board of Supervisors.

Other activity: Smernoff talked about having ordered signs to go on the new native plants – they'd be laminated, and how they were educational. He went on to talk about Shelterbelt Builders and "green flaming" and that this was the correct terminology for killing broom seedlings with a propane torch.

3C. Water Movement

Sandy Sloan and Tom Uridel are working on getting a legal agreement. with Bjorn Conrad for the culvert survey on Ramona Road. They're very interested in getting the work done. Any follow on work will need a different set of evaluations and scope of work.

Smernoff went on to talk about the culvert replacement program: \$3,000 was the charge for the Rooter Rooter camera crew; \$1,000 for traffic control, and BAGG Engineering. He stated that it could get more expensive if unanticipated circumstances emerge.

Sherman asked if the document being prepared could be used as a template for other work. Smernoff said it could be similar. For any culvert replacements, a permit and legal agreements with property owners will have to be obtained.

Uridel went on to say that it would have to be changed slightly, as a road right of way is different. It would have to be put to Sandy Sloan, as where someone goes onto someone's land there needs to be an explicit agreement.

Ward asked for any other ideas for water movement control. Smernoff responded that the culvert replacement and Ramona Road work are the current priorities and no other elements are being worked on right now.

Uridel said that the Dept. of Public Works wants to get started as it's a long process – Los Trancos, Vista Verde focus on culverts on Ramona to get done in the current fiscal year.

Ward asked who would analyze the report. Uridel stated that BAGG would write the report, and Smernoff said they'd generate a camera image. We contract with BAGG, and they contract out.

Sherman asked about obtaining bids and analysis for sealing the basin. Smernoff said it needs to be done as an integrated fix for the whole project.

3D. Fire Safety

Krenz & Sherman has been busy these past 2 weeks: Work has been done at the properties of: Greenleaf, Rogoway, Garsh and Slossen (clearing brush on Ramona). Also, pulling dead Madrone at the Reeves and eucalyptus trimming by the Frog Pond.

Krenz talked about doing a Google earth orientation map for Ward's "here's what we've been doing" report for homeowners.

4. Incentive/Coupon Book/Spring PR Campaign

Ward stated there are many incentive programs. He and Sherman would like to do an educational exercise to get people's attention. The coupon book is one of many steps, the others being the web site and clip sheets.

Ward discussed what the barriers were and that the incentives should be time based with a possible free gift. All the incentives would also be described.

The coupon book would come out mid-May and timed to mid-July. (2 -3 months), and maybe offer an extra \$100 for a short period of time. He said this may help the "inertia of rest." If people respond, they get a token gift. People would get a free gift if they reacted – asking for information, help, us to call them, etc.

Smernoff stated that he was in favor of things that reminded and educated people. He liked incentives that relate to water, eg. A free garden hose; or other item(s) that are directly related to saving water. An emergency radio was also suggested – offer different tiers to earn a radio (as more expensive to purchase).

The idea was to get people to take the initiative. There is a danger if everyone decides to do something, we'd be overwhelmed; but that's very unlikely.

The Rogoways would be visited tomorrow by Ward to assess their irrigation needs.

Project description: A 5 x 7 coupon book with tear off pieces; each incentive would be described. Ward said he has contacted a printer; perforations are difficult; give an envelope – self-addressed and stamped – have the outside say “save the earth,” “save money and save the planet”, & the logo. Another idea for a coupon would be to have Enea assess individual’s property risk, and we could have a service to review irrigation improvement.

Each incentive would be on its own page. On it, the program would be described, along with the requirements and constraints of the coupon.

Each page would also have a picture on it. There should be about 18 – 20 incentives.

Denise Enea’s property risk review would fit into the defensible space program.

Ward & Sherman would like to see a water movement program incentive. Ward asked Smernoff what other ideas he might have on Water Movement Control. Smernoff responded that he would be working on culverts only this year. Uridel enjoined everyone to be very careful, as we would be hard pressed to do everything.

Smernoff said he would do a draft of the language. Uridel said the process of rebuilding the drainage system was on going, and was up to the will of the board.

Smernoff urged the minimal use of the word “rebate.” Ward suggested “incentive” be used. Uridel urged the careful use of the word “rebates,” also. It’s part of the budgetary process and reauthorizations: we should assume they are ongoing unless effective end dates are put in place. Ward & Sherman suggested end dates of July or August 31, 2011.

Ward said he and Sherman were targeting mid-May for sending out the coupon book. A draft letter and prototype would be ready in March. Each program would have a coupon. Steve Friedman was going to be asked to help with the design and graphics.

Approximate cost: \$2,500; \$1,600 for the printing and mailing, and \$200- \$300 less if we use a single return card, instead of each incentive card being a perforated card.

Smernoff asked if the money was coming out of Operations. He looked at the budget and saw that in sub-account #65020, only \$26.97 was budgeted. Tate said that was based on last year’s usage.

Ward said that he had a printing bill for the survey response coming in.

Ward stated that he and Sherman thought that the Board should be exempt from participating in the incentives. Smernoff agreed because of the conflict of interest.

Krenz said he’d like the book to come out earlier so as to have longer to respond. Ward asked where the RSVP’s go. Sherman said to the LTCWD mail box, and that she would pick up from Keri and distribute to program heads.

It was suggested to put everyone’s individual names on “their” respective coupons. Smernoff added that each program should take responsibility for their own follow-ups.

Ward said that as a lead generator, this was a “push system”. He and Sherman would have a mock up for the March meeting, and if everyone was OK with it, it would take 2 weeks to make. He and Sherman will try to harmonize, polish the [coupon]book. He and Sherman need to talk to Steve. He appreciates the desire to move as quickly as possible.

5. San Mateo County Civil Grand Jury: request for information from jury member

Uridel stated that he had been contacted by a jury member. Ward said that while it looks like we're being attacked, we're really not, and he appreciates the follow up. The questions are related to the responses to the Grand Jury that we would do. He appreciates examples of the government working well.

Uridel said that Deihleen Claffey had called 3 times. Uridel said that he told her he had to take the request to the board. She wanted to talk to Uridel. He said he found her easy to talk to; that he had a good understanding of the situation – an irresistible force - LAFCo said we should disband, but the people don't want that to happen. We're funding an enterprise that

We're making an effort to work with the community who are increasingly supportive of us post sale of water delivery.

Sherman called for 1 - 2 people to be designated to meet with Claffey.

Smernoff stated that as he wrote the original letter and reviewed the LAFCo letter; he has reviewed his materials and is willing to take on the responsibility of the lands part—to meet with her.

Re property transfer: Smernoff went on to talk about the property transfer, and how no one was interested – they were disinterested – this was well over 1 year ago since the meeting at which it was addressed.

Re Rezoning: our legal counsel said zoning provides us with no additional advantage. This has been discussed with our legal counsel, Sandy Sloan.

Smernoff said we've done the survey, we have what people's responses are which may mean redistricting into a different kind of district. We can't do it all with only volunteers.

Sherman asked was our current zoning was = Residential.

Smernoff talked about commercial development..... and evaluating to rezone as open space. While cumbersome, it not very constraining.

Krenz said that the most important things were our programs; that we ought to get our talking points in order for the grand jury, respectfully deliver those points, and then get back to work on our programs.

Smernoff said that LAFCo has not yet completed the written report from the meeting.

Smernoff & Uridel volunteered – part of continuity—have you followed up on the 3 questions? Smernoff said it's an informal meeting and he doesn't think 3 people can go because of the Brown Act. , 3 is for a public meeting.

Sherman asked Uridel if he could promote the survey in a positive light?

Uridel said Yes, I'm insulted you'd say that. Sherman said she wasn't trying to insult him, but that is was an honest question as Uridel had not been particularly positive about the survey at previous Board meetings.

Decision: Smernoff & Uridel to go.

Ward asked what the next steps were? Smernoff said to schedule the meeting and take notes with agencies - easements, zoning and survey.

6. Don Horsley Communications

Sherman asked if the Board wanted a face-to-face?

Smernoff said we should introduce ourselves to our new County Supervisor. His support for our next MSR is important. We should put there that we'd like to meet. Uridel added that we should get our narrative out there – we have a different narrative- reflective of reality. We should encourage him to meet with us.

Sherman said to do so after the meeting with the Grand Jury, and asked what to send him: the back page of the survey; brief program descriptions & + names and contact information.

Uridel suggested taking the Dept. of Public Works document. **Smernoff will look for it.**

Ward stated that of the people who answered, 85% of said “we want to keep the water district,” or another way to state the figures is only 17% of respondents were in favor of dissolving the district. Non respondents could be interpreted as a “yes vote on their other answers.”.

Smernoff said he'd put the documents together with Sherman in February, and they would get them sent out.

7. LTCWD Mission Statement/Vision re-wording

Ward and Uridel met, discussed and feel that said the [original] mission looked like a statement of work, not a mission statement. Ward agrees with Uridel that is should be something that will persuade people that we have a reason for being. He's batting ideas around. Eg. Want us to exist within the water code; doing what other agencies can't. He wants to capture these kinds of ideas.

Uridel wants the new mission to be an admonition of why we're here –to be persuasive. We need time to do it and will before the next official meeting.

Sherman said it would be good to have.

Ward said the original contains what is now a gross misstatement, as [we] no longer give rebates on the cost of water. As an interim/temporary step, he suggested removing “set water rates.” He wants more time to make temporary adjustments – [we're] not just giving dollars away.

Uridel agrees to removing the “setting water rates” in motion.

A new draft/comprehensive mission statement will be given to the board for approval. Uridel said that the website was being monitored, it's important to have us properly represented.

.The board agreed not to not make any mention of figures in the mission statement.

Sherman: Is it a mission or strategic vision? Ward wants to do the minimum/something now, to tweak it.

Motion: Ward moves to modify the Mission Statement as proposed in the Draft Mission Statement already, and eliminating any reference to percentages to continue supporting the continuation of the water district with the provision that a more representative Mission Statement be developed, viewed and adopted by the board by the April meeting.

2nd by Krenz. All in favor.

8. Recording Secretary CSDA workshop update

Zimmerman informed the board of the workshop she'd be attending on April 9 in Sacramento. She described some of the items on the workshop list, including electronic record keeping and taking minutes.

Uridel stated that we needed a travel policy. It should include what the maximum per diem should be along with travel expenses, hotel, lost wages, etc. He stated that we need to come up with an agency policy to show outsiders that we are working transparently.

As a first attempt, we could go to Los Altos and see if they have a travel policy we can share. **Ask Jean Evilsizer.**

Smernoff said we need to be clean. It's not just this case – maybe broader. What are the general policies in a variety of areas – more work – more clarity – deal on a case by case basis.

It was suggested that Zimmerman ask CSDA for travel and admin policy templates.

Sherman was reminded about having Sandy Sloan come to visit. Sherman reiterated issues to discuss with Sandy during the Board meeting; 1) Brown Act; 2) Broad policies on travel, donations, bids for work, etc; Feedback on Grand Jury meeting. Sherman asked if Board wished to meet with Sandy in March or April. She said she'd contact her for her availability, and get back to everyone.

9. Correspondence and Communication

Tate advised the board that:

1. Received an Xmas card from BAGG Engineering – forgot to mention it at the January meeting.
2. Jorgenson, Siegel (Sandy), have raised their rates from \$225 to \$250 an hour.
3. **Received a survey from California Special districts to fill out. She gave it to Uridel.**
4. 3 letters were received from people who want to do our audit. Thinks it's either because of the compensation report of having joined the CSDA. This years cost is about \$4,750.00. approximately. Ward said new people get need to get used to the Districts financials.. Firms were in Cypress, S. Calif, Marietta, CA, and Sacramento.

Uhlenberg would make recommendation should we decide to pursue someone else – get someone local.

Ward asked if we were happy with our current auditor? Tate said last year was great. Smernoff said if it isn't broke, don't fix it. Ward suggested trying them again. We should keep the letters offering services but look at others who are local.

Sherman suggested seeing what the going rate is. Ward said the audit person is one of the principals. Uridel said we have 2 responsibilities 1) to get a competent organization, 2) to get a fair price for services. Let's get the price for 1 -2 others.

Ward said it's in the range; a fair amount; let's get a bid. Uridel checked – is there pressure periodically to rebid? **Ward will investigate the policies and procedures. Will report at the March meeting.**

Juliette Fernandez –Conflict of Interest file; just updated. Sandy Sloan said it's perfunctory – that we should file with our current Conflict of Interest Resolution.

Sherman said we'll ask Sandy for the March meeting – to hear Uridel and Smernoff report, and after the financial report. We'll talk about the Brown Act. Ward said Sandy Sloan can watch us and give pointers. We'll ask her to come at 7:30pm – the Treasurer's Report; feedback from the Grand Jury meeting and apply it to the Brown Act discussion. She'll see us at work.

* * *

Ward said his daughter-in-law had her last day at Microsoft, and he bought updated copies of Office 2010 for both the Mac and PC. He paid \$60 versus \$398 on Amazon for Office for the PC, and \$60 for Office for the Mac, as opposed to \$179.00. This is to be an office expense.

* * *

Zimmerman is to ask Mary McDonald if she's available to cover in March.

* * *

Zimmerman to see if Portola Valley town center is available to us.

Ward talked about the use of public places [for meetings]. Said it's in response to LAFCo, because of our big prior turnout, we should have the meeting in a large space. He re-read all the minutes from last year. A norm is 2-3 people from the community. The maximum was 6. He doesn't think that Martha's comment was on the right track. He thinks the argument is overcomeable. What do you think?

Uridel said in her conversations that amongst the public that agencies should meet in public spaces, especially if there is a political charge on issues. Meeting in people's homes might discourage some people from attending and speaking up, or be offensive to the person hosting the meeting.

Ward says he saw some validity. Uridel said it's an issue of perception – to try to change perception. Krenz suggested holding some meeting in homes, others in public spaces.

10. Set date, time and place of next meeting.

Thursday, March 3
Place TBD

10:05 adjourned.

6:03 PM

05/02/11

Accrual Basis

Los Trancos County Water District
Balance Sheet
As of April 30, 2011

	<u>Apr 30, 11</u>
ASSETS	
Current Assets	
Checking/Savings	
Bank of California - Checking	11,716.23
LAIF Mutual fund	311,523.71
Total Checking/Savings	<u>323,239.94</u>
Total Current Assets	<u>323,239.94</u>
TOTAL ASSETS	<u>323,239.94</u>
LIABILITIES & EQUITY	
Equity	
30000 · Opening Balance Equity	175,649.69
32000 · Unrestricted Net Assets	32,546.28
Net Income	115,043.97
Total Equity	<u>323,239.94</u>
TOTAL LIABILITIES & EQUITY	<u>323,239.94</u>

Los Trancos County Water District
Income Statement: Actual vs Budget by Account
March through April 2011

	Mar - Apr 11	Budget	Jul '10 - Apr 11	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
43400 · Direct Public Support					
43405 · Property Tax Revenue	91,941.00	68,722.46	259,625.48	237,791.80	259,837.80
Total 43400 · Direct Public Support	91,941.00	68,722.46	259,625.48	237,791.80	259,837.80
45000 · Investments					
45030 · Interest-Savings, Short-term CD	296.73	500.00	1,027.84	2,000.00	2,000.00
Total 45000 · Investments	296.73	500.00	1,027.84	2,000.00	2,000.00
46400 · Other Types of Income					
46430 · Miscellaneous Revenue	65.70		69.80		
Total 46400 · Other Types of Income	65.70		69.80		
Total Income	92,303.43	69,222.46	260,723.12	239,791.80	261,837.80
Expense					
61100 · Water Use Efficiency					
60904 · WUE Rebate - Exterior	138.12	3,958.32	615.11	19,791.68	23,750.00
61102 · WUE Rebate - Interior	1,400.00	830.00	2,300.00	4,150.00	4,980.00
Total 61100 · Water Use Efficiency	1,538.12	4,788.32	2,915.11	23,941.68	28,730.00
61200 · Emergency Preparedness					
61205 · Fire Safety Escape Routes	8,100.00	5,833.32	18,603.87	29,166.68	35,000.00
61207 · Fire Safety Community Buffer	0.00	2,500.00	21,055.77	12,500.00	15,000.00
61208 · Fire Safety Residential Program	2,016.38	8,833.32	18,678.88	44,166.68	53,000.00
Total 61200 · Emergency Preparedness	10,116.38	17,166.64	58,338.52	85,833.36	103,000.00
61900 · Offset Program					
61901 · Offset	0.00		33,520.00	29,400.00	29,400.00
61905 · Offset admin fee	0.00		2,160.00	600.00	600.00
Total 61900 · Offset Program	0.00		35,680.00	30,000.00	30,000.00
62800 · Lands					
62801 · Restrtn Supls, Plants Irrrgtn	3,000.00	500.00	4,739.88	2,500.00	3,000.00
62802 · Fuel load reduction/SOD treatme	2,000.00	333.32	2,000.00	1,666.68	2,000.00
62803 · Maintenance	3,264.39	1,333.32	5,852.67	6,666.68	8,000.00
62804 · Environmental review, document	0.00	333.32	0.00	1,666.68	2,000.00
62840 · Capital Projects	0.00	1,333.32	375.00	6,666.68	8,000.00
62850 · Contingency	0.00	166.66	0.00	833.34	1,000.00
62890 · Utilities - Water	50.00	166.66	203.00	833.34	1,000.00
Total 62800 · Lands	8,314.39	4,166.60	13,170.55	20,833.40	25,000.00

Los Trancos County Water District
Income Statement: Actual vs Budget by Account
March through April 2011

	Mar - Apr 11	Budget	Jul '10 - Apr 11	YTD Budget	Annual Budget
62900 · Water Movement Control					
62901 · Mapping, Drafting, Engineering	0.00	8,333.33	6,557.58	41,666.68	50,000.00
62903 · Water testing	0.00	3,666.66	0.00	18,333.34	22,000.00
62904 · Ramona Road Study	500.00	6,666.66	500.00	33,333.34	40,000.00
62905 · Residential Incentive Program	0.00	5,000.00	0.00	25,000.00	30,000.00
Total 62900 · Water Movement Control	500.00	23,666.65	7,057.58	118,333.36	142,000.00
64800 · Contract Services					
64801 · Recording Secretary	700.00	866.66	4,060.00	4,333.34	5,200.00
64805 · Bookkeeping	1,000.00	1,050.00	5,200.00	5,250.00	6,300.00
64810 · Accounting Fees	0.00		4,725.00	4,500.00	4,500.00
64840 · Legal Fees	1,100.00	666.66	3,373.75	3,333.34	4,000.00
Total 64800 · Contract Services	2,800.00	2,583.32	17,358.75	17,416.68	20,000.00
65000 · Operations					
65020 · Postage, Mailing Service	2.73	4.49	46.73	22.49	26.97
65030 · Printing and Copying	1,898.42	383.34	1,898.42	1,916.66	2,300.00
65040 · Supplies	11.67	150.00	515.55	750.00	900.00
65050 · Telephone, Telecommunications	0.00	42.34	48.00	211.66	254.00
65060 · Technology	0.00		743.45		
Total 65000 · Operations	1,912.82	580.17	3,252.15	2,900.81	3,480.97
65100 · Other Types of Expenses					
65105 · Insurance, Liability	154.88		3,091.82	2,936.26	2,936.26
65120 · Insurance - D and O	850.00		2,045.00	1,195.00	1,195.00
65150 · Memberships and Dues	0.00		644.00		
65155 · Grants and Donations	0.00		1,000.00		
65160 · Other Costs	2.00	16.66	123.00	83.34	100.00
65170 · Staff Development	0.00		350.00		
65180 · LAFCO	0.00		136.00	130.00	130.00
Total 65100 · Other Types of Expenses	1,006.88	16.66	7,389.82	4,344.60	4,361.26
68300 · Travel and Meetings					
68310 · Conference, Convention, Meeting	5.78		313.63		
68320 · Travel	55.50	416.66	203.04	2,083.34	2,500.00
Total 68300 · Travel and Meetings	61.28	416.66	516.67	2,083.34	2,500.00
Total Expense	26,249.87	53,385.02	145,679.15	305,687.23	359,072.23
Net Ordinary Income	66,053.56	15,837.44	115,043.97	-65,895.43	-97,234.43
Net Income	66,053.56	15,837.44	115,043.97	-65,895.43	-97,234.43

Los Trancos County Water District
Income Statement: Actual vs Budget by Account
March through April 2011

	Mar - Apr 11	Budget	Jul '10 - Apr 11	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
43400 · Direct Public Support	91,941.00	68,722.46	259,625.48	237,791.80	259,837.80
45000 · Investments	296.73	500.00	1,027.84	2,000.00	2,000.00
46400 · Other Types of Income	65.70		69.80		
Total Income	92,303.43	69,222.46	260,723.12	239,791.80	261,837.80
Expense					
61100 · Water Use Efficiency	1,538.12	4,788.32	2,915.11	23,941.68	28,730.00
61200 · Emergency Preparedness	10,116.38	17,166.64	58,338.52	85,833.36	103,000.00
61900 · Offset Program	0.00		35,680.00	30,000.00	30,000.00
62800 · Lands	8,314.39	4,166.60	13,170.55	20,833.40	25,000.00
62900 · Water Movement Control	500.00	23,666.65	7,057.58	118,333.36	142,000.00
64800 · Contract Services	2,800.00	2,583.32	17,358.75	17,416.68	20,000.00
65000 · Operations	1,912.82	580.17	3,252.15	2,900.81	3,480.97
65100 · Other Types of Expenses	1,006.88	16.66	7,389.82	4,344.60	4,361.26
68300 · Travel and Meetings	61.28	416.66	516.67	2,083.34	2,500.00
Total Expense	26,249.87	53,385.02	145,679.15	305,687.23	359,072.23
Net Ordinary Income	66,053.56	15,837.44	115,043.97	-65,895.43	-97,234.43
Net Income	66,053.56	15,837.44	115,043.97	-65,895.43	-97,234.43

May 5, 2011

MEMORANDUM



TO: Board of Directors
FROM: David Smernoff - Tom Uridel
RE: Water Movement Control Program-Update

Recent or Current Activities:

1. General:

- a. Continued positive dialog with San Mateo County Department of Public Works regarding both Ramona Road and Conforming Culverts Initiative.
- b. Completed initial identification of opportunities for entryway culvert and downslope protection improvements within the Los Trancos/Vista Verde subarea.
- c. Retained contractor to complete hand-annotated drainage map of the Los Trancos Woods/Vista Verde subarea.
- d. Retained civil engineering firm of Kier and Wright to provide ongoing general and specialized consultation.
- e. Provided copy of Phase I Report to LAFCo Executive Director.

2. Ramona Road:

- a. Conducted numerous on site evaluations with soils, civil engineering and other consultants.
- b. Finalized Ramona Road Video Survey and Drainage Observations Report, sent to Board, County officials and licensing property owners.
- c. Contracted Kier and Wright firm to complete topo. survey of the potential Ramona Road failure area; and to develop engineering options for the other recommendations specified in the Video Survey Report.
- d. Seeking License Agreement with property owners to conduct necessary additional water movement investigations.
- e. Prepared to act on recommendations for near-term repairs within budget and with County approval.

3. Water Quality Testing:

- a. Reviewed and approved BAGG proposal for quarterly sampling of 3 locations on both Los Trancos and Corte Madera Creek.
- b. Conducted field tour to identify precise sampling locations (upper, mid and lower sites for each creek).
- c. Scheduled first sampling for 5/9/11.

David Smernoff, Board Member
112 Foxwood Road
Portola Valley, CA 94028

DavidS@Acterra.org
650-851-9202 H
650-851-9293 F

4. Residential Incentive Program:

- a. Drafted *Conforming Culverts Initiative (CCI)*, and forwarded to LTCWD Board and San Mateo County Dept. of Public Works (SMCDPW) for review and comment.
- b. Received positive SMCDPW feedback on CCI and encouragement to proceed with both FY11 demonstration projects and FY12 full-blown Initiative.
- c. Retained West Coast Excavating to perform 4 demonstration culvert improvement projects.
- d. Identified 3 potential contractors for FY12 CCI projects.
- e. Seeking License agreements with CCI demonstration homeowners.
- f. Drafted *Downslope Protection Initiative (DPI)* , and forwarded to LTCWD Board and SMCDPWfor review and comment.
- g. Identified two possible FY11, multi-party, DPI demonstration projects.
- h. Identified several possible FY12 DPI projects.
- i. Identified three potential DPI contractors.

WATER MOVEMENT CONTROL PROJECT: BUDGET REQUESTS, MAY 2011

	Code	Budget	FY '10-11		Projected Expenses (K)			Notes '11-12	
			YTD (\$)	Projected additional	Projected Total	FY '11-12	FY '12-13		FY '13-14
62900: WMCP									
Mapping, Drafting, Engineering	62901	50,000	6,558	13,500	16,558	50	30	30	K&R mapping, engineering support
Water Testing	62903	22,000	0	8,000	8,000	15	0	0	
Ramona Road Study (repairs)	62904	40,000	500	10,000	10,500	40	40	40	Initiate repairs as recommended
Residential Incentive Program	62905	30,000	0	30,000	30,000	60	60	60	Culverts, downslope protection, outfalls
Contingency		0	0	0	0	10	10	10	
Total		142,000	7,058	48,000	65,058	175	140	140	

FY '10-11 projections

62901 = Culvert cleaning/repair, mapping,

62904 = Kier and Wright survey @ Ramona slide

62905 = 4 culverts, 2 downslope



Water Movement Control Program (WMCP):

Down-Slope Protection Initiative (DPI)

Initiative Goal:

To meaningfully improve slope stability and safety within the Los Trancos Woods/Vista Verde (LTW/VV) area by reducing down-slope saturation resulting from residential and roadway runoff onto adjacent down-slope parcels.

Initiative Methodology:

Incenting owners of down-slope, drainage interactive parcels to work cooperatively and collaboratively with each other and the LTCWD, to timely accomplish the drainage improvements needed to meaningfully reduce slope saturation and improve slope stability in their respective sub-areas. (See “Initiative Design,” below).

Initiative Basis:

During June, 2010, a District-commissioned study and preliminary mapping of the overall LTW/VV drainage system were completed, and documenting report issued. Among other things, the report noted:

- slope-stability concerns associated with heavy drainage flows onto and through topographically and geologically complex down-slope parcels;
- the essential water movement control role played by the surface drainage system installed within area road rights of way; and,
- the need for timely development/implementation of effective saturation reduction/stability enhancement strategies.

The DPI is a District strategic step towards achieving the above-stated Initiative goal. Subject to the availability of funding, the District envisions the DPI as “ongoing” until satisfactory overall improvement levels are achieved.

Initiative Design:

1. **Effective Date:** July 1, 2011
2. **Project Period:** July 1, 2011 through June 30, 2012
3. **Available Assistance:**

District assistance to accomplish one or more of the following down-slope protection improvements:

- Design and installation of down-slope, roadside drainage berms or channels, and additional drainage infrastructure needed to safely and efficiently redirect surface flows away from slopes and into available roadside systems deemed necessary by District.
- Design and installation of multi-parcel, down-slope drainage systems needed to more safely and efficiently direct mutually affective surface flows. And,
- Design and installation of other multi-parcel, down-slope drainage improvement(s) deemed necessary to meaningfully reduce slope saturation levels.

4. Eligible Applicants:

Any 2 or more property owners within the Los Trancos/Vista Verde Woods DPI target area with drainage improvement needs in one or more of the three priority areas identified in paragraph 3., above.

5. District Obligations:

Provision of Technical Assistance for:

- Application preparation.
- Objective review of proposed improvements.
- Design.
- Permit preparation, filing and negotiation

Provision of Financial Assistance for:

- Cost of District-authorized technical assistance (see above listing).
- Cost of District-authorized improvement work, **not to exceed \$????.**

Timely Review of Applications and Communication of Review Results.

6. Participant Obligations:

All Applicants:

- Submission of a jointly completed, signed and dated “Application for DPI Assistance.”
- Submission of a jointly signed and dated version of the “Community Drainage Awareness and Cooperation Pledge” provided with the DPI application.

Approved Applicants:

- Execution of a **“Licensing Agreement”** authorizing the District-selected consultants to carry out authorized improvement design and installation work; describing agreed to allocation of financial and other project responsibilities; and providing for necessary mutual liability protections.
- Execution of necessary **“Encroachment”** and other San Mateo County-required permit applications; and payment of permit fees, if any.
- Cooperation with District representatives necessary to ensure timely District performance of its technical assistance, financial and other Initiative obligations.

7. Application Instructions:

- Download **“Application for DPI Assistance”** and **“Community Drainage Awareness and Cooperation Pledge”** at LTCWD website, or request hardcopy versions of each from LTCWD Recording Secretary (see contact info, below).
- Complete, sign and date application and pledge documents.
- Submit electronic or hardcopy versions of completed documents to LTCWD Recording Secretary (see contact info, below).
- Expect LTCWD feedback on your application within 5 working days of its submission.

Contact Information for LTCWD Recording Secretary:

Ms. Helene Zimmerman: Telephone: 851-2689; E-mail: helene.zimmerman@ltcwd.org; and Mailing Address: 162 Los Trancos Circle, Portola Valley 94028

8. Questions or Comments Regarding the DPI or this Guidance to:

Tom Uridel

or

David Smernoff

1111 Los Trancos Rd.

112 Foxwood

851-7091

851-9202

tom.uridel@ltcwd.org

david.smernoff@ltcwd.org



(Draft Document – For Discussion Only)

Water Movement Control Program (WMCP):

Conforming Culverts Initiative (CCI)

Initiative Goal:

Prior to onset of the next rainy season, significantly improve overall functioning of Los Trancos Woods/Vista Verde (LTW/VV) roadside storm drainage system by incenting homeowners to timely accomplish one or more of the following:

- repair or replacement of residential entryway culverts to ensure their full conformance with applicable San Mateo County standards;
- installation of necessary fully conforming new culverts; and
- necessary re-engineering of private property-located outlets for roadside drainage channels.

Initiative Background:

During June, 2010, a District-commissioned study and preliminary mapping of the overall LTW/VV drainage system were completed, and documenting report issued. Among other things, the report noted:

- the central and essential water movement control role played by the surface drainage system installed within area road rights of way;
- the movement control interference created by blocked, undersized or otherwise improvable residential entryway culverts installed within those road rights of way;
- the movement control interference created by roadside drainage channels out-letting into un-engineered channels on private property; and,
- the flooding, land-sliding, increased road-maintenance and other potential negative consequences resulting from such movement control interference.

During its current fiscal year, the District conducted a follow-up study to identify specific opportunities for improvement to residential entryway culverts and drainage channels within the target area; and to formulate prioritized plans for addressing those opportunities.” **The Conforming**

Culverts Initiative (CCI)” is the District’s priority first step in what is intended to be a multi-faceted, ongoing process to help materially improve the water movement control capabilities and functioning of the target area’s roadside storm drainage system, and that system’s fuller and more appropriate utilization by area residents.

Initiative Design:

1. **Effective Date:** July 1, 2011

2. **Project Period:** July 1, 2011 through June 30, 2012

3. **Available Assistance:**

District assistance to accomplish one or more of the following road right of way-related water movement control objectives:

- repair or replacement residential entryway culverts deemed “improvable” by district drainage consultants;
- installation of new residential entryway culverts deemed “necessary” by District drainage consultants; and
- engineered improvement of private property-located drainage channel outlets deemed “necessary” by District drainage consultants.

4. **District Obligations:**

Provision of Technical Assistance for:

- Evaluation by qualified District consultants of requested improvements.
- Design of necessary improvements by qualified District consultants.
- Preparation and filing of necessary County encroachment and other permit applications; negotiation of permit approvals; and satisfaction of permit conditions.

Provision of Financial Assistance for:

- Full cost of all District-authorized technical assistance (see above listing).
- Full cost of all District-authorized improvement work.

5. **Participant Obligations:**

All Applicants:

- Submission of a signed and dated “Application for CCI Assistance.”
- Submission of a signed and dated version of the “Community Drainage Awareness and Cooperation Pledge” provided with the “Application for CCI Assistance.”

Approved Applicants:

- Execution of a “Licensing Agreement” authorizing the District, through its qualified consultants, to carry out authorized improvement design and installation work, and providing for necessary mutual liability protections.
- Execution of necessary “Encroachment” and other San Mateo County-required permit applications; and payment of permit fees, if any.
- Cooperation with District representatives necessary to ensure timely District performance of its technical assistance, financial and other Initiative obligations.

6. Eligible Applicants:

Any property owner within the Los Trancos/Vista Verde Woods CCI target area with residential drainage improvement needs in one or more of the three priority areas identified in paragraph 1., above.

7. Application Instructions:

- Download “Application for CCI Assistance” and “Community Drainage Awareness and Cooperation Pledge” at LTCWD website, or request hardcopy versions of each from LTCWD Recording Secretary (see contact info, below).
- Complete, sign and date application and pledge documents.
- Submit electronic or hardcopy versions of completed documents to LTCWD Recording Secretary (see contact info, below).
- Expect LTCWD feedback on your application within 5 working days of its submission.

Contact Information for LTCWD Recording Secretary:

Ms. Helene Zimmerman: Telephone: 851-2689; E-mail: helene.zimmerman@ltcwd.org; and Mailing Address: 162 Los Trancos Circle, Portola Valley 94028

8. Questions or Comments Regarding the CCI or this Guidance to:

Tom Uridel

or

David Smernoff

1111 Los Trancos Rd.

112 Foxwood

851-7091

851-9202

tom.uridel@ltcwd.org

david.smernoff@ltcwd.org



April 11, 2011

Mr. Joseph Lo Coco, PE
Deputy Director for Road Services
San Mateo County Department of Public Works
752 Chestnut Street
Redwood City, CA 94063

Re: Water Movement Control

Dear Mr. Lo Coco:

Enclosed are two (2) items of possible interest: BAGG Engineers' 4/08/11, "**Summary Report**" of its video survey and drainage observations near #281 Ramona Road; and a **draft** description of the District's proposed "**Conforming Culverts Initiative.**"

As regards the BAGG report, please note the recommended follow-up actions outlined on page 5. We propose to take responsibility for each. In all instances, necessary evaluation and design work would be carried out by the District's geotechnic and civil engineering consultants, and all results promptly shared with the Department. Your views on the report's proposed follow-up actions, and their performance by the District, would be much appreciated.

The District's proposed "**Conforming Culverts Initiative (CCI)**" would be directed towards motivating district residents to ensure that entryway culverts are fully compliant with County standards; and that outflows from roadside channels necessarily out-letting onto private properties are safely conveyed onto, across and off of those properties. The enclosed initiative draft attempts to summarily describe both what would be available and the terms and conditions of its availability. Your views on the proposed initiative would be much appreciated, as would your thoughts on possible waiving of encroachment permit fees were the initiative to move forward. The proposed CCI start date is July 1, 2011, with a proposed initial project period of 7/1/11 – 6/30/12.

In anticipation of the CCI, we would like to create appropriate demonstration sites by replacing three (3) very improvable existing culverts, and significantly improving at least one (1) private property-located outlet channel. All proposed demonstration sites would be chosen from the listing of improvable sites resulting from a 100% survey of culverts and drainage outlets within the Los Trancos Woods/Vista Verde target area. Unless otherwise advised, we will ask our demonstration construction contractor to contact your Road Construction Supervisor for further discussion and guidance.

Thank you for taking the time to consider the contents of this letter and its enclosures. Our current rainy season with its nearly 42" of local rainfall to date, has again highlighted the many

water movement-related vulnerabilities of our geologically and topographically complex District. It has also again highlighted the ongoing dedication and commitment of your staff. We sincerely hope that our modest and continuing effort will gradually improve the overall functioning of our crucial storm drainage system, and decrease the maintenance and other road-related burdens experienced by your excellent staff.

Please feel free to contact us if you and/or others have questions regarding either the contents of this letter or its enclosures.

Sincerely,

Thomas V. Uridel
Managing Co-Director
Water Movement Control Program
tom.uridel@lrcwd.org
(650) 851-7091

David T. Smernoff
Managing Co-Director
Water Movement Control Program
david.smernoff@lrcwd.org
(650) 851-9202

Enclosures (2)

Cc: Ms. Ann Stillman, P.E. (With Enclosures)
All LTCWD Board Members (Without Enclosures)

Resolution # 203

Address Los Trancos County Water District
 162 Los Trancos Circle
 Portola Valley, California 94028

<p style="text-align: center;">Los Trancos County Water District Mission Statement</p>

WHEREAS; LTCWD sold its plant & equipment, and the responsibility to deliver water to its customers to Calwater in 2005 -- in return for a sum of money & guaranteed access to water at a price equal to Bear Gulch customers, and;

WHEREAS; LTCWD retains its property tax revenue stream from its constituents, and has an elected Board of Directors;

BE IT RESOLVED; that the ongoing mission of LTCWD is to serve its constituents at their pleasure, as follows:

LTCWD Mission Statement

The Los Trancos County Water District exists to locally manage tax dollars on behalf of its constituents, within the approved powers under the California Water Code to:

- *Provide services that other agencies and entities do not, or are not able to provide*
- *Focus on conservation, land preservation, watershed safety and water flow*

We do this in a spirit of cooperation with said agencies, seeking to supplement and enhance their efforts with exemplary effectiveness that can only be achieved at the local level with elected volunteers

Tracy Sherman
President

Helene Atkin
Recording Secretary

Passed _____ and Adopted by the

Los Trancos County Water District of Portola Valley, San Mateo County on May 6th, 2011

Individual Statement of Thomas V. Uridel
Member, Board of Directors
Los Trancos County Water District (LTCWD)
163 Los Trancos Circle, Portola Valley CA 94028
(Submitted 4/18/11)

- LTCWD originally chartered in 1954 to serve the following purposes:
 1. Delivery of safe drinking water; and
 2. Safe removal of waste water, including storm runoff.

- Chartering necessitated by:
 1. Uncertain availability and possible contamination of drinking water taken from Los Trancos Creek, pumped uphill to a small reservoir and gravity fed to approximately 65 households.
 2. The unwillingness of existing water providers to undertake the expensive installation and maintenance of a water delivery system into a very topographically and geologically complex area with few households.
 3. Storm water runoff problems largely generated by expanding year-round population, annual rainfall levels of 40" – 50", and the absence of an adequate publicly installed/maintained surface drainage systems.
 4. Resident concerns regarding possible contamination resulting from growing population, relatively small lot sizes and exclusive reliance on septic systems.

- The number of District households increased to a maximum of approximately 270, including the so-called Vista Verde subdivision in the early 1960's, and other subsequent residential development.

- The approximately 130 new Vista Verde residences were/are:
 1. constructed above Los Trancos Woods (LTW);
 2. generally much larger than the latter's typical cabin-like structures; and,
 3. ongoing generators of significantly greater amounts of surface runoff either into and through the inadequately engineered and greatly overtaxed LTW surface drainage system, or a poorly engineered Vista Verde-only system.

- For nearly 40 years the entirety of the LTCWD's available public and ratepayer funding was needed to simply sustain its water delivery obligation within an ever more expensive water marketplace, and with a user base that provided no bargaining leverage within that marketplace.

4/18/11 Uridel Statement – Page 2

- During that same period, the surface runoff problems increased exponentially, with regular residential flooding, catastrophic landslides and the water-born distribution of septic and road surface contaminants becoming commonplace.
- During 2004, the LTCWD Board concluded that continuation of its chartered drinking water responsibility was not financially feasible, and initiated a search for a willing buyer of both that water delivery infrastructure and obligation. That search was successfully concluded through the 2005 sale of the assets and obligation to the California Water Service Company, Inc.
- Following the 2005 sale, the District undertook a somewhat lengthy, complex and contentious process to determine whether it should be dissolved or continued, and if continued, what public purpose(s) should be served.
- As part of that process, the District commissioned:
 1. a soils engineering study to fully and fairly evaluate the current need for implementation of its second chartered responsibility: the safe removal of storm runoff and other wastewater; and,
 2. a fire safety study to determine the need, if any, to supplement existing public and private fire protection efforts within the District.
- The study results overwhelming supported the need for significant supplemental public efforts in both areas, and were used to initiate program development activities.
- During 2010, a scientifically designed and administered survey of District residents was carried out which determined:
 1. overwhelming support for District continuation/dissolution; and,
 2. knowledge of and support for the public purposes the District proposed to serve if continued.
- Current District programs include:
 1. *Water Movement Control* in conjunction with the San Mateo County Dept. of Public Works and runoff-affected District households, and through the use of fully qualified contractors.

4/18/11 Uridel Statement – Page 3

2. *Fire Safety and Emergency Preparedness* in conjunction with the Woodside Fire Protection District, existing Community Emergency Response Programs (CERPs), Town of Portola Valley, City of Palo Alto and affected individual District households, and through the use of fully qualified contractors.
 3. *Maintenance of District Lands* to ensure their ongoing safety, attractive appearance and accessibility, and through the use of fully qualified contractors. And,
 4. *Water Conservation* in conjunction with the California Water Services Company to provide state of the art information regarding available water use efficiency devices, and to incent District households to timely install those devices.
- All special public districts within San Mateo County are authorized and overseen by the County's *Local Agency Formation Commission (LAFCo)*. However, **LAFCo is not authorized to dissolve districts that it may conclude no longer serve valid public purposes**. Dissolution may occur only through a majority vote of a district's residents or by special legislative action.
 - LAFCo's recommended District dissolution was made as part of a routinely required *Municipal Services Review (MSR)*; prior to conduct of the studies regarding the need for either a *Water Movement Control Program* or *Fire Safety/Emergency Preparedness Program*; and without consideration of the possible need for either.
 - The *Civil Grand Jury* review was a follow-up to the earlier LAFCo MSR, and like the latter, its **recommended actions do not have enforcement effects**. As was the case with LAFCo, the Grand Jury review did not consider either the LTCWD's *Water Movement Control* or *Fire Safety/Emergency Preparedness Programs*.
 - The LTCWD is now due for another LAFCo Municipal Services Review. At that time, the District intends to make its very best case in favor of a LAFCo finding that each of our current programs serves a valid public purpose, and that, as a consequence, our agency should continue to receive its modest annual rebate of a small percentage of the property tax paid by District property owners.

I hope the above-described facts will help ensure timely resolution of our liability protection needs. It seems to me, that both our claims history and highly responsible

4/18/11 Uridel Statement – Page 4

execution of both prior and current program activities, argue forcefully in favor of such a resolution. District residents appear to overwhelmingly favor local control of our revenues rather than their transfer to other agencies with the hope that our needs will be adequately identified and serviced.

Thank you for the opportunity to provide this personal statement, and please feel free to contact me with any questions or concerns.

Respectfully,

Thomas V. Uridel
Member, Board of Directors
Los Trancos County Water District

LICENSE AND INDEMNITY AGREEMENT

This License and Indemnity Agreement ("Agreement") is entered into by and between the Los Trancos County Water District ("LTCWD") and _____ ("Owner"), effective as of the latest date of execution by any party hereto.

RECITALS

A. Owner owns that property ("Property") commonly known as _____.

B. Owner desires to participate in the LTCWD Fire Safety Program, which pays for the cost of fire safety work on the Owner's Property.

NOW, THEREFORE, the parties agree as follows:

1. Grant of License. Owner hereby grants a revocable license to LTCWD, including any contractor hired by LTCWD, to enter the Property solely for the purpose of performing fire safety work, which consists primarily of _____, on the Owner's Property.

2. LTCWD Obligations. LTCWD shall hire and pay for a contractor to perform fire safety work on the Owner's Property.

3. Indemnity and Hold Harmless. In exchange for the benefits provided by the LTCWD Fire Safety Program, Owner hereby indemnifies, defends, and holds LTCWD, its contractors, employees, agents, attorneys, guarantors, successors and assigns harmless from and against any and all claims, liabilities, penalties, forfeitures, losses or expenses (including, without limitation, attorneys' fees and costs and court costs) or death of or injury to any person or damage to any property whatsoever, arising out of or caused in whole or in part, directly or indirectly, by the fire safety work performed on Owner's Property through the LTCWD Fire Safety Program.

DISTRICT:

Date: _____, 2011

By: _____

Name:

Title: President of the Board

OWNER:

Date: _____, 2011

By: _____

INDEMNITY AND HOLD HARMLESS AGREEMENT

The undersigned _____ (“Owner”) is undertaking work with a licensed contractor of their choice on their property located at _____ (“Property”) through the Los Trancos County Water District (“LTCWD”) Fire Safety Program. In exchange for the benefits provided by the LTCWD Fire Safety Program, including, but not limited to, reimbursement of the cost of the fire safety work, Owner hereby indemnifies, defends, and holds the LTCWD, its employees, agents, attorneys, guarantors, successors and assigns harmless from and against any and all claims, liabilities, penalties, forfeitures, losses or expenses (including, without limitation, attorneys' fees and costs and court costs) or death of or injury to any person or damage to any property whatsoever, arising out of or caused in whole or in part, directly or indirectly, the fire safety work performed on Owner’s Property through the LTCWD Fire Safety Program.

Date: _____

Owner

**DRAFT CONSULTING AGREEMENT
RECORDING SECRETARY**

This Consulting Agreement Recording Secretary (“Agreement”) is made this ____ day of _____, 2011, by and between the Los Trancos County Water District (“District”) and _____ (“Consultant”).

RECITAL

The following recital is a substantive part of this Agreement:

A. The District wishes to contract for certain recording secretarial services. Consultant is qualified by virtue of experience, training, education, and expertise to accomplish these services.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **TERM OF AGREEMENT.** This Agreement shall cover services rendered from _____, 2011 until terminated as set forth below.

2. **SERVICES AND COMPENSATION.** The services (“Services”) to be performed by Consultant are set out in Exhibit A attached hereto. Consultant’s compensation for Services is set out in Exhibit B attached hereto.

2.1 **Payment.** Payment shall be made by District within thirty (30) days of District’s receipt of an invoice. Invoices shall be submitted for Services on a monthly basis and shall include descriptions of the work performed.

2.2 **Records.** Consultant shall keep accurate records of work performed and expenses. These records shall be made available to District upon request and shall be kept for at least three (3) years after performance of the Services.

3. **TERMINATION.** District and Consultant shall each have the right to terminate this Agreement, without cause, by giving no less than fifteen (15) days written notice to the other party. Upon termination, all rights of the parties shall terminate, except as to payment for Consultant’s Services performed prior to such termination on a prorate basis.

4. **INDEMNIFICATION.** Consultant agrees to indemnify, defend, and hold harmless District and its elective or appointive boards, officers, agents, and employees from claims, liabilities, expenses, or damages of any nature, including attorneys’ fees,

for injury or death of any person, or damage to property, arising out of, or in connection with, the performance of the Agreement by Consultant.

5. INSURANCE REQUIREMENTS. Consultant shall maintain automobile insurance against claims and liabilities for personal injury, death, or property damage, providing protection as required in California Insurance Code §11580.1b.

6. INDEPENDENT CONTRACTOR. Consultant, in the performance of Services under this Agreement, shall act as and be an independent contractor and not an agent or employee of District. Consultant shall receive no premium or enhanced pay for work normally understood as overtime, nor shall Consultant receive holiday pay, sick leave, administrative leave, or pay for any other time not actually worked. The intent of the parties is that Consultant shall not be eligible for benefits and shall receive no compensation from District except as expressly set forth in this Agreement. Consultant shall be responsible for payments of all taxes due as a result of its compensation under this Agreement.

7. COMPLIANCE WITH LAW. Consultant shall comply with all applicable laws, ordinances, codes, and regulations of federal, state, and local governments.

8. OWNERSHIP OF WORK PRODUCT. All documents or other information developed or received by Consultant shall be the property of District. Consultant shall provide District with the originals (or copies, if no originals exist) of these items upon demand or upon termination of this Agreement.

9. CONFLICT OF INTEREST AND REPORTING. Consultant shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.

10. NOTICES. All notices shall be in writing and delivered by U.S. mail, postage prepaid, via first class mail to the addresses listed below.

Consultant:

District: Board President
Los Trancos County Water District
162 Los Trancos Circle
Portola Valley, CA 94028

Notice shall be deemed communicated on the earlier of actual receipt or forty-eight (48) hours after deposit in the U.S. mail.

11. NO ASSIGNMENT. The parties agree that the expertise and experience of Consultant are material considerations for this Agreement. Consultant shall not assign, transfer, or subcontract any interest in this Agreement, nor the performance of any of Consultant's obligations hereunder, without the prior written consent of District.

12. MODIFICATION. This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written. This Agreement may be modified only by subsequent mutual written agreement executed by District and Consultant.

13. CALIFORNIA LAW. This Agreement shall be construed in accordance with the laws of the State of California.

14. WAIVER. The waiver by either party of any breach or violation of any provision of this Agreement by the other party shall not be deemed to be a waiver or a continuing waiver of any subsequent breach or violation of the same or any other provision of this Agreement.

15. SEVERABILITY. Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable.

16. SUCCESSORS. This Agreement is binding on heirs, successors, representatives, and assigns.

17. ATTORNEYS' FEES. In any legal action or proceeding brought for enforcement of this Agreement, the successful party shall be entitled to recover reasonable attorneys' fees and other costs incurred in addition to any other relief to which the successful party may be entitled.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year shown below.

ATTEST:

LOS TRANCOS COUNTY
WATER DISTRICT:

District Counsel

By: _____
President

CONSULTANT:

Consultant

EXHIBIT A
SCOPE OF SERVICES
RECORDING SECRETARY

Minute Keeping

- Record minutes at all regular and special Board meetings
- Post draft meeting minutes on the website
- Make corrections as needed for final approval at the next Board meeting

Other Recording Secretary Duties

- Co-sign with the President all Board Resolutions and Ordinances
- Respond to County government offices requests for information
- Process required government forms, and make the appropriate filings.
- Bi-annually, notify the community of elections and request for candidates

Record Keeping

- Maintain paper records of minutes and all Resolutions and Ordinances
- Maintain files on major events

Meeting Place, Notification

- Assure that space is available and ready for each month's official meeting
- Post notices of all meetings in the district in 3 public places and on the community email bulletin board

Web site maintenance www.ltcwd.org

- Post information that will be presented in the meeting in the monthly Packet
- Post the draft minutes
- Update the minutes following approval
- Add any materials presented at the meeting to the Packet
- Assist program managers with their sections on the website
- Remove obsolesces material as appropriate

Qualifications and Limitations

- Broad understanding of public agencies functioning
- Able to gather and consolidate the essence of discussions and translate into concise, meaningful minutes

DRAFT EXHIBIT B
COMPENSATION
RECORDING SECRETARY

- Compensation for performance of above described services in months where a regular meeting is scheduled: \$500.00 (Five Hundred)
- In the case where Recording Secretary is unable to cover a meeting; s/he shall be responsible for providing a qualified replacement at own expense, assure that the duties are processed on schedule, and shall be paid the above amount.

~~or~~

- In the case where Recording Secretary is unable to cover a meeting; s/he will notify President one month in advance. President will secure a qualified replacement. Recording Secretary compensation shall be for other services provided that month at a reduced rate. Secretary shall be paid hourly for services performed at the hourly set forth below. |
- Compensation for the provision of other recording secretary-related services requested by Board and agreed to by Consultant: \$50 (Fifty) per hour
- Compensation for use of personal vehicle: 50 cents per vehicle mile based on submission of written claim.
- Compensation for other incidental expenses: At reasonable cost based on submission of written claim and supporting documentation.



INDEPENDENT CONTRACTOR AGREEMENT

This Independent Contractor Agreement ("Agreement") is entered into as of the first day of 2010, between Los Trancos County Water District ("LTCWD") and ("Independent Contractor").

1. Engagement. Subject to the terms and conditions of this Agreement, LTCWD hereby engages the Independent Contractor to perform the services set forth in Exhibit A, and the Independent Contractor hereby accepts such engagement.

2. Duties, Term, and Compensation. The Independent Contractor's duties, term of engagement, compensation and provisions for payment shall be as set forth in Exhibit B. Upon written agreement by both parties, Exhibit B may be amended from time to time, or supplemented with subsequent estimates for services to be rendered by the Independent Contractor and agreed to by LTCWD, Exhibit B and any amendments or supplements thereto are hereby incorporated by this reference.

3. Expenses. During the term of this Agreement, the Independent Contractor shall bill and LTCWD shall reimburse Independent Contractor for all reasonable out-of-pocket expenses which are incurred in connection with the performance of the duties hereunder.

4. Independent Contractor. This Agreement shall not render the Independent Contractor an employee, partner, or joint venturer with LTCWD for any purpose. The Independent Contractor is and will remain an independent contractor in relationship to LTCWD. LTCWD shall not be responsible for withholding taxes with respect to the Contractor's compensation hereunder. The Independent Contractor shall have no claim against LTCWD hereunder or otherwise for vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability benefits, unemployment insurance benefits, or employee benefits of any kind.

Los Trancos County Water District

Independent Contractor

T. Michael Ward, President

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5. Successors and Assigns. All of the provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, if any, successors, and assigns.

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LOS TRANCOS COUNTY WATER DISTRICT
EXHIBIT A
RECORDING SECRETARY
ROLES AND RESPONSIBILITIES

2/20/09

KEEPING OF MINUTES

On the first Thursday of the month, the Los Trancos County Water District ("District") holds a Board meeting where the Secretary is the official keeper of the minutes. Attendance is required to accomplish this. If personal scheduling conflicts, the Secretary will supply a suitable substitute, who is not a Board member. The Secretary's meeting minute notes, in draft form, are to be sent to the Board by the following Sunday and posted on the website. See below. At the following monthly meeting these notes are to be corrected based input from the Board.

OTHER RECORDING DUTIES

The Secretary is a co-signer with the President on Board Resolutions and Ordinances From time to time during the year, various offices in the County Government will request information from the District. These requests are to be processed as needed with individual Board members and employees and the appropriate filings made. An example is: Form 700 on which each Board member discloses any conflicts of interest and forms related to elections. Bi-annually, the Secretary will notify the community of elections and request for candidates.

RECORD KEEPING

Paper records of minutes will be maintained.
All Resolutions and Ordinances will be maintained in paper form.
Files on major events will be maintained (e.g. LAFCo, Civil Grand Jury)

MEETING PLACE, NOTIFICATION

The Secretary will assure that space is available for each month's official meeting. Currently, the standard meeting place is Corte Madera School, room 1001. Occasionally, the meeting place will be moved to another location within the District. The Secretary will assure that the host is appraised, and the facility is ready. Post 3 Public Notices of regular meetings in the district at least 72 hours in advance in designated spaces.

WEB SITE MAINTENANCE WWW.LTCWD.ORG

Each month the draft minutes are to be posted on the District's web site. When the minutes from the previous month are finalized, they are posted and replace their draft versions. The various programs of the District have chapters and pages on the website. Committee chairs will submit electronic or paper copies of collateral to be posted on the web. From time to time, material on the web will become obsolete, and need to be removed. Materials shown at the Official meeting are to be kept on the Website with that month's packet of information.

QUALIFICATIONS AND LIMITATIONS

Requisite Computer Skills. The secretary will be provided a laptop PC with appropriate software by the District, to use for recordkeeping, minutes and District communications. Broad understanding of public agencies functioning. Ability to gather and consolidate the essence of discussions and translate into concise, meaningful minutes. Preference will be given to residents of the District.

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INDEPENDENT CONTRACTOR AGREEMENT

Exhibit B

Duties: Job incumbent shall be the Secretary of LTCWD and perform the specific tasks described in Exhibit A.

Term: The job shall commence on 2010, and continue at the pleasure of both parties. Either party may terminate this Agreement without cause with one month's notice.

Compensation: The monthly compensation for this position is \$200 per month. Additional tasks or training may be assigned, and if agreed to; at a rate of \$25 per hour.

J. Michael Ward, President LTCWD, Independent Contractor

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PROPOSED

ORDINANCE NO. 65

AN ORDINANCE FIXING TIME AND PLACE FOR THE REGULAR MEETINGS OF THE BOARD OF DIRECTORS OF THE LOS TRANCOS COUNTY WATER DISTRICT

BE IT ORDAINED, by the Board of Directors of the Los Trancos County Water District, San Mateo County, California, as follows:

Section 1. REGULAR MEETINGS: The regular meetings of the Board of Directors of the Los Trancos County Water District shall hereafter be held bimonthly beginning each January on the first Thursday of every other calendar month at the hour of seven thirty (7:30) P.M.

Section 2. MEETING PLACE. All regular meetings of the Board of Directors shall be held at the Town of Portola Valley/Town Center in said District, unless they shall adjourn to or fix another place of meeting in a notice to be given thereof, or unless prevented by flood, fire or other disaster.

Section 3. All previous ordinances and parts of ordinances inconsistent herewith are hereby superseded, including, but not limited to, Sections 1 and 3 of Ordinance No. 3. adopted January 13, 1955.

Section 4. This ordinance shall be posted in three (3) public places in the District boundaries.

Tracy Sherman, President

ATTEST:

Secretary

I hereby certify that the foregoing is a true and correct copy of an ordinance which was duly passed and adopted at a meeting of the Board of Directors of the Los Trancos County Water District, San Mateo County, California, duly held on the _____ day of _____, 2011.

AYES, Directors:

NOES, Directors:

ABSENT, Directors:

Secretary