



Yucaipa Valley Water District

12770 Second Street, Yucaipa, California 92399 Phone: (909) 797-5117

Notice and Agenda of a Regular Meeting of the Board of Directors

Tuesday, August 7, 2018 at 6:00 p.m.

- I. **CALL TO ORDER** - Pledge of Allegiance
- II. **ROLL CALL**
- III. **PUBLIC COMMENTS** - At this time, members of the public may address the Board of Directors on matters within its jurisdiction. To provide comments on specific agenda items, please complete a speaker's request form and provide the completed form to the Board Secretary prior to the board meeting.
- IV. **CONSENT CALENDAR** - All consent calendar matters are routine and will be acted upon in one motion. There will be no discussion of these items unless board members, administrative staff, or members of the public request specific items to be discussed and/or removed prior to the vote for approval.
 - A. Minutes of Meetings
 - 1. Regular Board Meeting - July 17, 2018
 - 2. Board Workshop - July 31, 2018
- V. **STAFF REPORT**
- VI. **DISCUSSION ITEMS**
 - A. Consideration to Sell Property as 11355 Pendleton Avenue (Assessor's Parcel Number 0321-411-09) to the City of Yucaipa [[Director Memorandum No. 18-109 - Page 18 of 97](#)]
RECOMMENDED ACTION: That the Board authorize the Board President execute the agreement with the City of Yucaipa.
 - B. Review of Public Disclosure Report Pursuant to Government Code Section 53065.5 for Fiscal Year Ending June 30, 2018 [[Director Memorandum No. 18-110 - Page 45 of 97](#)]
RECOMMENDED ACTION: That the Board receive and file the Public Disclosure Report for Fiscal Year 2017-18.
 - C. Receipt and Acknowledgement of the *Auditor's Communication with Those Charged with Governance* [[Director Memorandum No. 18-111 - Page 47 of 97](#)]
RECOMMENDED ACTION: That the Board receive the annual planning letter from Vavrinek, Trine, Day & Co., LLP

Any person who requires accommodation to participate in this meeting should contact the District office at (909) 797-5117, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

Materials that are provided to the Board of Directors after the meeting packet is compiled and distributed will be made available for public review during normal business hours at the District office located at 12770 Second Street, Yucaipa. Meeting materials are also available on the District's website at www.yvwd.dst.ca.us

- D. Ratification of the Acceptance of Overlying Water Rights in the Beaumont Basin for Tract No. 32702-1 (121 lots) and Tract No. 32702-2 (41 lots) Pursuant to Beaumont Basin Watermaster Resolution No. 2017-02 [[Director Memorandum No. 18-112 - Page 50 of 97](#)]
 RECOMMENDED ACTION: That the Board accepts the transfer of 59.89 acre-feet of overlying water rights in the Beaumont Basin from Oak Valley Partners to Yucaipa Valley Water District as overlying-appropriative water rights in the Beaumont Basin.
- E. Consideration of Resolution No. 2018-26 Requesting the Local Agency Formation Commission Take Proceedings for the Annexation of Territory (Assessor Parcel Numbers 407-200-009, 407-200-011, 407-210-001, 407-210-002, 407-210-003, and 407-210-004) [[Director Memorandum No. 18-113 - Page 74 of 97](#)]
 RECOMMENDED ACTION: That the Board approves Resolution No. 2018-26.
- F. Award of a Construction Contract with Borden Excavating for the Bundled 2018 Drinking Water Pipeline Replacement Project [[Director Memorandum No. 18-114 - Page 81 of 97](#)]
 RECOMMENDED ACTION: That the Board award a construction contract to Borden Excavating for a sum not to exceed \$1,079,000.

VII. BOARD REPORTS & DIRECTOR COMMENTS

VIII. ANNOUNCEMENTS

- A. August 14, 2018 at 4:00 p.m. - Board Workshop
- B. August 21, 2018 at 6:00 p.m. - Regular Board Meeting
- C. August 28, 2018 at 4:00 p.m. - Board Workshop
- D. September 4, 2018 at 6:00 p.m. - Regular Board Meeting
- E. September 11, 2018 at 4:00 p.m. - Board Workshop
- F. September 18, 2018 at 6:00 p.m. - Regular Board Meeting
- G. September 25, 2018 at 4:00 p.m. - Board Workshop
- H. October 2, 2018 at 6:00 p.m. - Regular Board Meeting
- I. October 9, 2018 at 4:00 p.m. - Board Workshop
- J. October 16, 2018 at 6:00 p.m. - Regular Board Meeting
- K. October 30, 2018 at 4:00 p.m. - Board Workshop
- L. November 6, 2018 at 6:00 p.m. - Regular Board Meeting
- M. November 13, 2018 at 4:00 p.m. - Board Workshop
- N. November 20, 2018 at 6:00 p.m. - Regular Board Meeting
- O. November 27, 2018 at 4:00 p.m. - Board Workshop
- P. December 4, 2018 at 6:00 p.m. - Regular Board Meeting
- Q. December 11, 2018 at 4:00 p.m. - Board Workshop
- R. December 18, 2018 at 6:00 p.m. - Regular Board Meeting
- S. ~~December 25, 2018 at 4:00 p.m. - Board Workshop~~ Canceled
- T. ~~January 1, 2019 at 6:00 p.m. - Regular Board Meeting~~ Canceled
- U. January 8, 2019 at 4:00 p.m. - Board Workshop
- V. January 15, 2019 at 6:00 p.m. - Regular Board Meeting
- W. January 29, 2019 at 4:00 p.m. - Board Workshop

IX. Closed Session

- A. Conference with Real Property Negotiator(s)
(Government Code 54956.8)
Property: Assessor's Parcel Numbers: 413-380-001 - 009, and 013
Agency Negotiator: Joseph Zoba, General Manager
Negotiating Parties: Johnson
Under Negotiation: Terms of Payment and Price
- B. Conference with Legal Counsel--Existing Litigation
(Government Code Section 54956.9(d))
YVWD vs Hillcrest Mobile Home Park
San Bernardino Superior Court Case No. CIVDS 1808441

X. ADJOURNMENT

Consent Calendar



Yucaipa Valley Water District

MINUTES OF A REGULAR BOARD MEETING

July 17, 2018 at 6:00 P.M.

Directors Present:

Jay Bogh, President
Bruce Granlund, Vice President
Lonni Granlund, Director
Chris Mann, Director

Staff Present:

Joseph Zoba, General Manager
Allison Edmisten, Chief Financial Officer
Kathryn Hallberg, Management Analyst
Kevin Lee, Interim Operations Manager
Thaxton Van Belle, Interim Operations Manager
Jennifer Ares, Water Resource Manager
Chelsie Fogus, Engineering Tech I
Sara Onate, Administrative Clerk IV
James Cansler, Public Works Supervisor
Dustin Hochreiter, Senior Engineering Technician
Frank Sclafani, Administrative Clerk I Intern
Jesse McCartney, Public Works Supervisor
Ron Elisalda, Senior Utility Service Worker

Directors Absent:

Tom Shalhoub, Director

Consulting Staff Present:

David Wysocki, Legal Counsel

Registered Guests and Others Present:

Linda Shelton, Customer
David Duron, Customer
Brent Anton, Retiree
Joe DeSalliers, Retiree
Charles Baily, Retiree
Bob Wall, Retiree
Vicky Elisalda, Retiree
Jack Nelson, Retiree
Mike Turner, Argent Management
Leonard Stephenson, San Gorgonio Pass Water Agency
James Odlum, Attorney with Mundel, Odlum & Haws

CALL TO ORDER

The regular meeting of the Board of Directors of the Yucaipa Valley Water District was called to order by Director Jay Bogh at 6:00 p.m. at the Administrative Office Building, 12770 Second Street, Yucaipa, California.

FLAG SALUTE

Director Jay Bogh led the pledge of allegiance.

ROLL CALL

The roll was called with Director Jay Bogh, Director Bruce Granlund, Director Lonni Granlund, and Director Chris Mann present. Director Tom Shalhoub was absent.

PUBLIC COMMENTS

Mr. James Odum from the legal firm Mundel, Odum & Haws discussed a legal issue with Hillcrest Mobile Home Park stating that the liens proposed to be placed on the property as Director Memorandum No. 18-098 should not be approved. Instead there should be an attempt to resolve the issue between the park owner and the District. The Board of Directors requested that this item be added as a closed session at the next board meeting.

CONSENT CALENDAR

The minutes for the regular board meeting were amended and Director Chris Mann moved to approve the consent calendar and Director Bruce Granlund seconded the motion.

- A. Minutes of Meetings
 - Regular Board Meeting – June 19, 2018
 - Board Workshop – July 10, 2018
- B. Payment of Bills
 - Approve/Ratify Invoices for Board Awarded Contracts
 - Ratify General Expenses for June 2018

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

STAFF REPORT

General Manager Joseph Zoba discussed the status of the Interim Lift Station at the Summerwind Project.

DISCUSSION ITEMS:

DM 18-097

PRESENTATION OF
THE UNAUDITED
FINANCIAL REPORT
FOR THE PERIOD
ENDING ON JUNE 30,
2018

Chief Financial Officer Allison Edmisten presented the Unaudited Financial Report for the period ending on June 30, 2018.

Director Lonni Granlund moved that the Board receive and file the unaudited financial report. Director Bruce Granlund seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-098

AUTHORIZATION TO
POST DELINQUENT
ACCOUNTS TO THE
PROPERTY TAX ROLLS
OF SAN BERNARDINO
COUNTY AND
RIVERSIDE COUNTY

Chief Financial Officer Allison Edmisten discussed the routine need to post the delinquent utility accounts to the property tax rolls in Riverside County and San Bernardino County.

Director Bruce Granlund moved that the Board adopt Resolution 2018-21 for San Bernardino County and Resolution No. 2018-22 for Riverside County authorizing the posting of delinquent charges to the property tax rolls. Director Lonni Granlund seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Abstain
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-099

PREPARATION OF A
GASB 75 COMPLIANCE
- ACTUARIAL REPORT

Chief Financial Officer Allison Edmisten discussed the GASB 75 Compliance Report.

Director Lonni Granlund moved that the Board authorize District staff to coordinate the preparation of the GASB 75 Compliance Report with Demsey, Filliger & Associates. Director Chris Mann seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-100

CONSIDERATION OF
RESOLUTION NO.
2018-24 SUPPORTING
THE APPLICATION FOR
SMALL-SCALE WATER
EFFICIENCY
PROJECTS FOR
FISCAL YEAR 2018
GRANT FROM THE
BUREAU OF
RECLAMATION

Implementation Manager Kathryn Hallberg discussed the application for a small-scale water efficiency grant from the U.S. Bureau of Reclamation.

Director Chris Mann moved that the Board adopt Resolution No. 2018-24. Director Lonni Granlund seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-101

CONSIDERATION OF
RESOLUTION NO.
2018-25 SUPPORTING
THE APPLICATION FOR
A TITLE XVI WATER
RECLAMATION AND
REUSE PROJECTS
FROM THE BUREAU OF
RECLAMATION

Implementation Manager Kathryn Hallberg discussed the application for a Title XVI grant from the U.S. Bureau of Reclamation.

Director Bruce Granlund moved that the Board adopt Resolution No. 2018-25. Director Chris Mann seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-102

CONSIDERATION TO
PURCHASE DISTRICT
FLEET VEHICLES

General Manager Joseph Zoba discussed the need to purchase District fleet vehicles to allow for a redistribution of the existing fleet.

Director Bruce Granlund moved that the Board authorize the General Manager to purchase District fleet the vehicles as presented. Director Lonni Granlund seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-103

CONSIDERATION OF
RESOLUTION NO.
2018-23 SETTING
FORTH POLICIES AND
PRACTICES RELATED
TO ACCESSORY
DWELLING UNITS AND
MULTIPLE UNIT
DEVELOPMENTS

General Manager Joseph Zoba discussed the need to approve a resolution to accommodate the process and procedure for the development of Accessory Dwelling Units.

Director Lonni Granlund moved that the Board adopt Resolution No. 2018-23. Director Bruce Granlund seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-104

DISCUSSION
REGARDING
COOPERATING WITH
THE CITY OF
CALIMESA FOR THE
CREATION OF A
COMMUNITY
FACILITIES DISTRICT
RELATED TO THE
SUMMERWIND
PROJECT

District staff recommended that this item be continued to a future board workshop.

DM 18-105

OVERVIEW OF A
PROPOSED
DEVELOPMENT
AGREEMENT FOR
TRACT NO. 32702 AND
32702-5 - LENNAR
HOMES

General Manager Joseph Zoba discussed the proposed development agreement with Lennar Homes for Tract Nos. 32702 and 32702-5.

Director Lonni Granlund moved that the Board approve the proposed development agreement. Director Bruce Granlund seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-106

CONSIDERATION OF
CONSOLIDATING
457(B) DEFERRED
COMPENSATION
PLANS WITH VOYA
FINANCIAL

Chief Financial Officer Allison Edmisten discussed the concept of consolidating the existing 457(b) deferred compensation plans into a single program with VOYA Financial.

Retirees of the Yucaipa Valley Water District and the Board of Directors provided comments and questions about this agenda item.

Following the discussion about this agenda item, it was decided to continue this item to the board workshop scheduled for July 31, 2018 so a representative from VOYA Financial would be able to provide additional information. The motion to continue this item was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-107

IMPLEMENTATION OF
A NEW CUSTOMER
UTILITY BILLING
PORTAL AND
PAYMENT PLATFORM

Chief Financial Officer Allison Edmisten discussed the implementation of a new customer utility billing portal and payment platform.

Director Lonni Granlund moved that the Board authorize the General Manager to execute a contract with Xpress Bill Pay. Director Bruce Granlund seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

DM 18-108

General Manager Joseph Zoba discussed a proposed schedule for the 2018 holiday season.

CONSIDERATION OF SCHEDULED BOARD ACTIVITIES AND BUSINESS HOURS DURING THE 2018 HOLIDAY SEASON

Director Chris Mann moved that the Board authorize the General Manager to close for regular business on Monday, December 24, 2018 and Monday, December 31, 2018. Director Bruce Lonni seconded the motion.

The motion was approved by the following vote:

Director Jay Bogh - Yes
Director Bruce Granlund - Yes
Director Lonni Granlund - Yes
Director Chris Mann - Yes
Director Tom Shalhoub - Absent

BOARD REPORTS AND DIRECTOR COMMENTS

- Director Chris Mann reported on the Yucaipa Sustainable Groundwater Management Agency meeting held on June 27, 2018.
- Director Chris Mann reported on the Association of San Bernardino County Special District meeting held on July 16, 2018.

ANNOUNCEMENTS

Director Jay Bogh called attention to the announcements listed on the agenda.

CLOSED SESSION

Director Jay Bogh, Director Lonni Granlund, Director Bruce Granlund and Director Chris Mann were present in closed session with Legal Counsel David Wysocki, Chief Financial Officer Allison Edmisten, and General Manager Joseph Zoba.

- A. Conference with Real Property Negotiator(s)
(Government Code 54956.8)
Property: Assessor's Parcel Numbers: 413-380-001 - 009, and 013
Agency Negotiator: Joseph Zoba, General Manager
Negotiating Parties: Johnson
Under Negotiation: Terms of Payment and Price

The Board Members reconvened out of closed session and legal Counsel David Wysocki reported that direction was provided to the General Manager.

ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Joseph B. Zoba, Secretary

(Seal)

MINUTES OF A BOARD WORKSHOP

July 31, 2018 at 4:00 P.M.

Directors Present:

Jay Bogh, President
Bruce Granlund, Vice President
Lonni Granlund, Director
Chris Mann, Director

Staff Present:

Jennifer Ares, Water Resource Manager
Allison Edmisten, Chief Financial Officer
Chelsie Fogus, Engineering Technician
Dustin Hochreiter, Senior Engineering Technician
Mike Kostelecky, Operations Manager
Peggy Little, Administrative Supervisor
Jesse McCartney, Public Works Supervisor
Matthew Porras, Implementation Manager
Michael Rivera, Public Works Supervisor
Frank Sclafani, Administrative Clerk I/Intern
Sean Trost, Utility Service Worker IV
John Wrobel, Public Works Manager
Kyle Westerlin, Senior Utility Service Worker
Joseph Zoba, General Manager

Directors Absent:

Tom Shalhoub, Director

Consulting Staff Present:

David Wysocki, Legal Counsel

Guests and Others Present:

David Duron, Customer
Joyce McIntyre, Customer
Linda Shelton, Customer
Brent Anton, Retiree
Pat Aspan, Retiree
Charlie Baily, Retiree
Bob Wall, Retiree
George Peterson, VOYA Financial

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- I. Call to Order - 4:00 p.m.
 - II. Public Comments
 - None
 - III. Staff Report
 - General Manager Joseph Zoba provided information about the Emerging Constituents Program Task Force administered by the Santa Ana Watershed Project Authority.
 - General Manager Joseph Zoba on the countrywide issues of PFOS and PFOA and that these. Assessment monitoring for perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) as well as other perfluoroalkyl and polyfluoroalkyl substances (PFAS) was conducted by the District throughout 2015 under the Unregulated Contaminant Monitoring Rule (UCMR3) requirements. The certified

laboratory results for wells and water treatment facilities did not detect these chemicals in our drinking water supply.

- General Manager Joseph Zoba reported on the geotechnical testing that is currently being performed for the Calimesa Lake and Spreading Basin project.

IV. Presentations

- A. Overview of Proposition 3 - The Water Supply and Water Quality Bond Act of 2018 [Workshop Memorandum No. 18-185] - General Manager Joseph Zoba provided an overview of the proposed Proposition 3.

V. Operational Updates

- A. Status Report for the Tracer Study Performed on the R-13.1 Clearwell at the Yucaipa Valley Regional Water Filtration Facility [Workshop Memorandum No. 18-186] - This item was continued to the next board workshop.
- B. Overview of the Current Microbial Community Analyses at the Wochholz Regional Water Recycling Facility [Workshop Memorandum No. 18-187] - General Manager Joseph Zoba provided an overview of the microbiological testing at the Wochholz Regional Water Recycling Facility.
- C. Status Report on the Rehabilitation of Belt Press No. 1 and No. 2 [Workshop Memorandum No. 18-188] - General Manager Joseph Zoba provided an overview of the belt press improvements at the Wochholz Regional Water Recycling Facility.
- D. Status Report of the Automated Meter Infrastructure (AMI) Installation and Activation Projections [Workshop Memorandum No. 18-189] - Implementation Manager Matthew Porras provided an update on the Automated Meter Infrastructure installations throughout the District.
- E. Status Report on the Replacement of Automatic Transfer Switches with Integrated Power Metering at the Wochholz Regional Water Recycling Facility [Workshop Memorandum No. 18-190] - General Manager Joseph Zoba provided an overview of the electrical improvements at the Wochholz Regional Water Recycling Facility.

VI. Capital Improvement Projects

- A. Status Report on the Installation of New Mesh Strainers at the Wochholz Regional Water Recycling Facility [Workshop Memorandum No. 18-191] - General Manager Joseph Zoba provided information about the new strainers and ultrafiltration membranes at the Wochholz Regional Water Recycling Facility.
- B. Review of Proposed Construction Contract for the Replacement of Drinking Water Pipelines on Douglas Street, Cornell Drive, Auburn Avenue, Citibank / Yucaipa Boulevard and Oak Glen Road [Workshop Memorandum No. 18-192] - Implementation Manager Matthew Porras provided an overview of the construction bids for the pipeline project.

VII. Administrative Items

- A. Consideration of Consolidating 457(b) Deferred Compensation Plans with Voya Financial [Workshop Memorandum No. 18-193] - Chief Financial Officer Allison Edmisten introduced George Peterson from VOYA Financial. Mr. Peterson provided an overview of the proposed consolidation and responded to questions from retirees and board members. There was a consensus by the Board of Directors to continue this item to a future board workshop.

- B. Overview of Property Purchase Offer from the City of Yucaipa for Land Located at 11335 Pendleton Road, Yucaipa [Workshop Memorandum No. 18-194] - Implementation Manager Matthew Porras provided an overview of the proposed property transfer with the City of Yucaipa.
 - C. Discussion Regarding Modifications to the Preparation of Monthly Utility Bills [Workshop Memorandum No. 18-195] - General Manager Joseph Zoba provided a brief overview of proposed utility billing changes.
 - D. Review of Public Disclosure Report Pursuant to Government Code Section 53065.5 for Fiscal Year Ending June 30, 2018 [Workshop Memorandum No. 18-196] - Chief Financial Officer Allison Edmisten provided an overview of the Public Disclosure Report.
 - E. Receipt and Acknowledgement of the *Auditor's Communication with Those Charged with Governance* [Workshop Memorandum No. 18-197] - Chief Financial Officer Allison Edmisten provided an overview of the *Auditor's Communication with Those Charged with Governance*.
 - F. Discussion Regarding Annexation of Territory to the Yucaipa Valley Water District [Workshop Memorandum No. 18-198] - General Manager Joseph Zoba provided information about a proposed annexation on Cherry Valley Boulevard.
- X. Adjournment - The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

Joseph B. Zoba, Secretary

Staff Report



Yucaipa Valley Water District

Discussion Items





Director Memorandum 18-109

Date: August 7, 2018

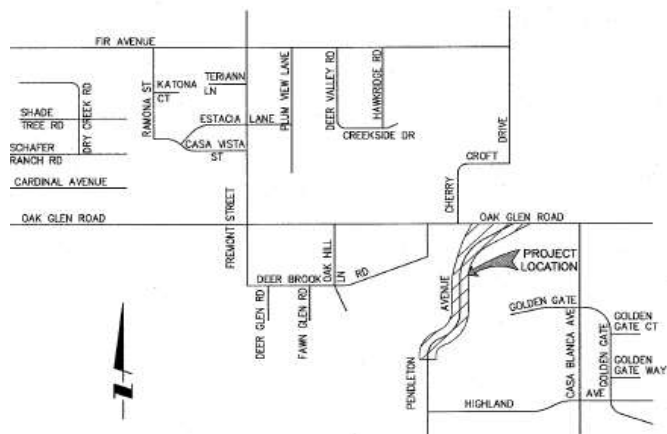
Prepared By: Matthew Porras, Implementation Manager

Subject: Consideration to Sell Property as 11355 Pendleton Avenue (Assessor's Parcel Number 0321-411-09) to the City of Yucaipa

Recommendation: That the Board authorize the Board President execute the agreement with the City of Yucaipa.

The City of Yucaipa is planning a project that will adjust the alignment and elevation of the roadway on Pendleton Road, south of Oak Glen Road and north of Highland Avenue. The project will also improve the surrounding area and will assist in flood control.

The District owns property that will be impacted by this project. The City of Yucaipa has prepared an offer to purchase the property of approximately 10,000 square feet for a price of \$25,000 as described in the attachment. The District has an interest in maintaining a monitoring well and limited access.



The attached updated agreement outlines the scope of the exchange between The City of Yucaipa and the District. The City of Yucaipa has executed the agreement.

District Staff recommends the Board of Directors authorize the Board President to execute the attached agreement and property offer.

Financial Consideration

The payment of \$25,000 from the City of Yucaipa for the sale of the property will result in revenue to the District. This was not included in the 2018-19 approved budget.

**11355 PENDELTON AVENUE
AGREEMENT BY AND BETWEEN
THE CITY OF YUCAIPA AND THE YUCAIPA VALLEY WATER DISTRICT
July 9, 2018**

The City of Yucaipa, a Municipal Corporation, hereinafter referred to as "City", and Yucaipa Valley Water District, a Special District, hereinafter referred to as "District", hereby mutually agree as follows:

A. Purpose of Agreement. The City is planning a Project that includes street improvements to Pendleton Avenue and flood control improvements in the nearby area. The City has offered to purchase property owned by the District which contains a ground water monitoring well. The District is interested in maintaining the ability to monitor groundwater levels in this area. The project requires the relocation of the existing well to a new position within APN 0321-411-09, a parcel due north owned by the City.



B. Scope of Agreement. The Scope of the Agreement includes:

1. The District will execute the property offer as presented by the City attached herein.
2. The District will fully abandon the existing monitoring well as before the start of Project construction to ensure the groundwater is not contaminated.
3. The City will grant the attached easement in favor of the District for the installation, operation, and maintenance of a new monitoring well before the start of Project construction within the APN 0321-411-09.
4. The District will install the new monitoring well within APN 0321-411-09.

IN WITNESS WHEREOF, the City of Yucaipa and the Yucaipa Valley Water District have executed this Agreement the day and year first written below.

The City and District hereby agree to the full performance of the covenants and conditions contained herein.

City of Yucaipa

Raymond A. Casey

Raymond A. Casey, City Manager

7/10/18

Date

Yucaipa Valley Water District

Jay Bogh, Board of Directors, President

Date

Recording Requested by:
YUCAIPA VALLEY WATER DISTRICT

WHEN RECORDED MAIL TO:

YUCAIPA VALLEY WATER DISTRICT
12770 2ND STREET
YUCAIPA, CA 92399

Exempt from recording fee pursuant to
Government Code Section 6603

APN: 0321-411-09

CITY OF YUCAIPA
34272 YUCAIPA BOULEVARD
YUCAIPA, CA 92399

YUCAIPA VALLEY WATER DISTRICT

GRANT OF EASEMENT

CITY OF YUCAIPA, a municipal corporation, owner of record of the herein described parcel of land, hereinafter called GRANTOR, hereby grants and conveys to THE YUCAIPA VALLEY WATER DISTRICT, its heirs, successors, and assigns, hereinafter called GRANTEE, an easement and right-of-way to construct, reconstruct, alter, replace, use, operate, inspect and repair a monitoring well (including well appurtenances, support structures, and monitoring equipment) within that certain real property in the County of San Bernardino, State of California, described as follows:

SEE ATTACHED EXHIBITS "A" & "B" AND MADE A PART HEREOF

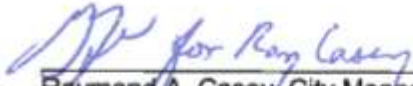
Together with the right of ingress and egress, across, along, over, under, through and within APN 0321-411-09 to access the above referenced monitoring well.

GRANTEE covenants to maintain the area around the monitoring well in good repair so that no unreasonable damage will result to the adjacent land of the GRANTOR, his heirs, successors, and assigns, from its use. GRANTEE reserves the right to clear all brush, plants, shrubs, trees, trash and other obstructions from the area around the monitoring well. GRANTOR, his heirs, successors, and assigns, covenants that he will not erect, place, or allow to be erected, placed, or maintained, within 50' of the monitoring well, any structure, without first securing permission of the GRANTEE. GRANTOR, agrees that GRANTEE, it heirs, successors and assigns, and its agents, or employees may trim or remove any plants, shrubs, or trees that encroach on the area around the monitoring well.

Any use hereinabove permitted to be made of the surface of said land by GRANTOR, its heirs, successors, and assigns, shall be exercised so as to not impair, endanger, or interfere with the present or prospective exercise of any of the rights herein granted.

The terms and covenants of this easement and right-of-way shall bind and inure to the benefit of the heirs, successors, executors, administrators and assigns of GRANTOR and the heirs, successors, and assigns of GRANTEE.

IN WITNESS WHEREOF, this instrument is executed on this, the 17th of July 2018.



Raymond A. Casey, City Manager
City of Yucaipa

All-Capacity Notary Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
CO. OF SAN BERNARDINO } ss.

On July 9, 2018 before me, **JENNIFER SHANKLAND, CITY CLERK**, personally appeared **GREG FRANKLIN, ASSISTANT CITY MANAGER**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instruments.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



JENNIFER SHANKLAND
CITY CLERK



EXHIBIT A
LEGAL DESCRIPTION

Real property in the City of Yucaipa, County of San Bernardino, State of California, described as follows:

LOT 4 BLOCK D OF YUCAIPA WATER & LUMBER COMPANY SUBDIVISION, IN THE CITY OF YUCAIPA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE(S) 27, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 4, SAID POINT BEARS A ¾" IRON PIPE TAGGED "L.S." 2345;

THENCE NORTH 00° 17' 00" WEST ALONG THE LINE OF SAID LOT 4, 137.85 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 0° 17' 00" WEST 100.00 FEET;

THENCE AT RIGHT ANGLES SOUTH 89° 43' 00" WEST 100.00 FEET;

THENCE AT RIGHT ANGLES SOUTH 00° 17' 00" EAST 65.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A";

THENCE CONTINUING SOUTH 00° 17' 00" EAST 35.00 FEET;

THENCE AT RIGHT ANGLES NORTH 99° 43' 00" EAST 100.00 FEET TO THE POINT OF BEGINNING.

APN: 0321-411-09-0-000

EXHIBIT B
PLAT





December 20, 2016

Yucaipa Valley Water District
 Joseph Zoba, General Manager
 12770 2nd Street
 Yucaipa, California 92399

Reference: Offer to purchase in fee your real property identified as 11355 Pendleton Avenue, Yucaipa, California and San Bernardino County Assessor's Parcel Number 0321-411-10

Dear Joe:

The City of Yucaipa ("City") seeks to acquire your property located at 11355 Pendleton Avenue in the City of Yucaipa and also identified as San Bernardino County Assessor's Parcel Number 0321-411-10 (referred to below as the "Property") to construct the proposed Oak Glen Creek Open Space Acquisition Project ("Project").

The proposed project in and along Pendleton Avenue is part of the City Yucaipa's Low Water Crossing Replacement Project. Construction in the manner proposed necessitates the acquisition of private property for the realignment of Pendleton Avenue consistent with existing and proposed flood control basin improvements in the vicinity.

I apologize for the formality of this letter, but the law requires that it contain certain information. I am happy to meet with you to discuss the City's offer and to answer any questions you may have regarding this offer.

1. **OFFER TO PURCHASE.** Subject to, and upon the terms and conditions set forth below, the City hereby offers to purchase the Property for a public use:

- An approximate 10,000 square foot parcel described more particularly on Exhibit "A" to this letter and depicted on Exhibit "B" to this letter.

Exhibits "A" and "B" are incorporated herein by this reference.

It is the policy of the City to acquire property that is in private ownership only when it is necessary to do so, and through voluntary purchase, if possible. In accordance with the applicable law, the City has obtained, and has reviewed and approved, an appraisal of the fair market cash value of the Property.

2. **PURCHASE PRICE.** The City offers to purchase the Property for \$25,000.00. This amount represents at least the full amount that the City believes to be just compensation for the acquisition of the Property as of September 12, 2016. It is not less than the approved

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appraisal of the Property on the date of value of September 12, 2016 and does not include any increase or decrease in value of the Property caused by the Project for which the City seeks to acquire the Property.

This amount does not reflect any relocation assistance, benefits or payments, if any, that you may be entitled to receive. However, there are no structures located on the Property, and accordingly, the proposed acquisition of the Property will not result in the displacement of any person, personal property or business. Since no businesses were found operating on the Property, the acquisition of the Property will not result in loss of business goodwill. Enclosed with this letter as Exhibit "C" is a brochure summarizing the Eminent Domain process and the legal requirements for establishing loss of business goodwill as set forth in Code of Civil Procedure section 1263.510.

Pursuant to Code of Civil Procedure section 1263.615, a public entity is required to advise a property owner if it plans to commence use of the property it seeks to purchase within two years, and if not, to offer the property owner an opportunity to lease back the property at market value. The City does not offer a leaseback agreement for the Property pursuant to Code of Civil Procedure section 1263.615 because the City's public use of the Property is scheduled to begin as soon as the City acquires the necessary property interests needed for the Project, or within two years, whichever is sooner.

3. **BASIS FOR OFFER.** The appraisal of the Property took into consideration the highest and best use of the Property, the location, the condition and size of any improvements existing on the land, zoning, the September 12, 2016 date of value, and other factors that affect fair market value. Fair market value is defined as "the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available." (Code of Civil Procedure § 1263.320).

Description of the Property

The subject parcel is an interior lot located approximately 280 feet east of Pendleton Avenue and approximately 400 feet south of Oak Glen Road, in the vicinity of Oak Glen Creek, east of Casa Blanca Avenue and northwest of Golden Gate Drive. The Property has no frontage on Pendleton Avenue; it does have legal access for ingress and egress from Lot 4, Block D owned by the City of Yucaipa. The subject has a street address of 11355 Pendleton Avenue, Yucaipa, California. Pendleton Avenue is a secondary arterial of the City.

The Property is within zoning district Institutional (IN).

Highest and Best Use

The appraiser opined that based on the physically possible, legally permissible, and financially feasible uses of the Property and based upon the general plan designation and zoning, the highest and best use of the Property is to hold for speculation: potential residential development.

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Summary of Valuation Analysis

Since the Property was valued as vacant land, only the Sales Comparison Approach is considered relevant with respect to estimating the Fee Simple value of the Property. The Cost Approach and Income Approach are not considered applicable in the valuation of vacant land. The sales transactions that were considered in the Sales Comparison Approach reflected properties with many qualities similar to the Property. Given the nature of the Property, and current market practice, exclusive consideration is given to the Sales Comparison Approach.

Under the Sales Comparison Approach, the appraiser relied on land sales transactions of properties with similar highest and best uses, zoning, utility and other factors of comparability. Specifically, the appraiser relied on five comparable land sales between April 2014 and March 2016. Two of the comparable sales are located in Banning; three are in Mentone. The comparable sales ranged in size from 10,850 s.f. to 12,632 s.f. They sold between \$2.23 per square foot to \$3.04 per square foot.

Fair Market Land Value of Property

After making the relevant applicable adjustments, including adjustments for size, location, and market conditions, the appraiser opined that the fair market land value of the Property was \$2.50 per square foot. Thus, the fair market value of the Property is \$25,000, calculated as follows:

$$10,000 \text{ S.F.} \times \$2.50 \text{ per square foot} = \$25,000$$

The appraiser's valuation analysis and the market data relied on by the appraiser are attached hereto collectively as Exhibit "D" to this letter.

4. **CONDITIONS OF OFFER.** This offer is subject to and conditioned upon the following:

(a) the City's approval, in its sole and absolute discretion, of the results of such soils geological, toxic waste, hazardous substance, and/or any other kind of tests and analyses, as the City, or its representative, may perform prior to the opening of escrow, or, in the City's sole and absolute discretion, after the opening of escrow;

(b) the willingness to issue, and subsequent issuance as of the close of escrow, by a title insurance company of the City's choice, of a CLTA title insurance policy for the amount of the purchase price showing fee title to the Property vested in the City, subject only to such conditions, covenants, restrictions, and utility easements of record as are approved by the City in its sole and absolute discretion; and

(c) the timely acceptance of this offer in accordance with paragraph 6, below.

5. **RIGHT OF ENTRY.** By accepting this offer, you hereby grant to the City and its representatives, a right of entry at reasonable times for the purpose of conducting investigations and tests. Such investigation shall be at the City's expense.

6. **ACCEPTANCE AND POSSESSION.** If the above offer is acceptable, within thirty (30) days of the date of this offer, please date and sign the enclosed copy of this letter in the space provided and return it to me in the self-addressed reply envelope. Following receipt of your acceptance, the City will prepare a purchase and sale agreement and related documents and forward them for your review and execution.

7. **OFFER TO PAY REASONABLE COSTS OF AN INDEPENDENT APPRAISAL PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 1263.025.** Pursuant to Code of Civil Procedure section 1263.025, the City hereby offers to pay your reasonable costs, up to \$5,000.00, for an independent appraisal of the Property. By law, an appraiser licensed by the Office of Real Estate Appraisers must prepare the independent appraisal. Although you are not required to obtain an appraisal at this time or at all, if you believe such an appraisal will assist you in evaluating this offer, it is in your interest to obtain the independent appraisal as expeditiously as possible. Please let us know by January 31, 2017 whether you wish to have the City issue this money to you for this purpose. If you choose to have the City issue a check to your attention towards the reasonable costs of an independent appraisal of the Property please forward to the City an invoice from your appraiser identifying the property that is the subject of the appraisal and the fee charged for the appraisal. Alternatively, you can submit a declaration providing the relevant information under penalty of perjury in the form attached as Exhibit E hereto.

8. **ADMISSIBILITY OF OFFER.** If for any reason you should reject this offer, please be advised that this letter and the offer made herein are tendered under the provisions of Evidence Code section 1152, and shall not be admissible to prove the City's liability and may not be used as an admission of value in litigation or other proceeding involving the Property.

9. **EXPIRATION OF OFFER.** This offer will expire at 5:00 p.m. on January 31, 2017 unless your written acceptance is received at this office prior to that date and time.

If you have any questions or would like to discuss this offer, please do not hesitate to contact Mike Seal at (909) 797-2489. In the meantime, I will call you to schedule a meeting to discuss the City's offer and the Project.

Sincerely,

City of Yucaipa

Fermin Preciado, P.E.
City Engineer

Enclosures

We hereby accept the above offer of the City of Yucaipa to purchase the Property identified as 11355 Pendleton Avenue, Yucaipa and San Bernardino County Assessor's Parcel Number 0321-411-10.

YUCAIPA VALLEY WATER DISTRICT

Dated: _____

By: _____
Authorized Representative

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File No: 616674348

EXHIBIT "A"

All that certain real property situated in the County of San Bernardino, State of California, described as follows:

PARCEL 1:

That portion of Lot 4, Block D, Yucaipa Water & Lumber Company Subdivision NO. 1, in the City of Yucaipa, County of San Bernardino, State of California, as shown by Map on file in Book 17, Page 27 of Maps, in the Office of the County Recorder of said County, described as follows:

**Commencing at the southeast corner of said Lot 4, said point being a ¾" iron pipe tagged "L.S. 2345;
Thence North 00° 17' 00" West along the east line of said Lot 4, 137.85 feet to the True Point of Beginning;
Thence continuing North 0° 17' 00" West, 100.00 feet;
Thence at right angles, South 89° 43' 00" West, 100.00 feet;
Thence at right angles South 00° 17' 00" East, 65.00 feet to a point hereinafter referred to as Point "A";
Thence continuing South 00° 17' 00" East, 35.00 feet;
Thence at right angles, North 89° 43' 00" East, 100.00 feet to the Point of Beginning.**

Assessor's Parcel No: 0321-411-10

PARCEL 2:

An easement for water lines, utility purposes, and ingress and egress over, under and across that portion of Lot 4, Block D, Yucaipa Water & Lumber Company Subdivision NO. 1, in the City of Yucaipa, County of San Bernardino, State of California, as shown by Map on file in Book 17, Page 27 of Maps, in the Office of the County Recorder of said County, said easement being 20 feet in width, the centerline of said easement being described as follows:

**Beginning at the aforesaid Point "A";
Thence South 89° 43' 00" West, 259.75 feet to a point on the easterly right of way line of Pendleton Avenue, as shown by Map of Yucaipa Water & Lumber Company Subdivision NO. 1**

CLTA Preliminary Report Form - Modified (11-17-06)

Page 3

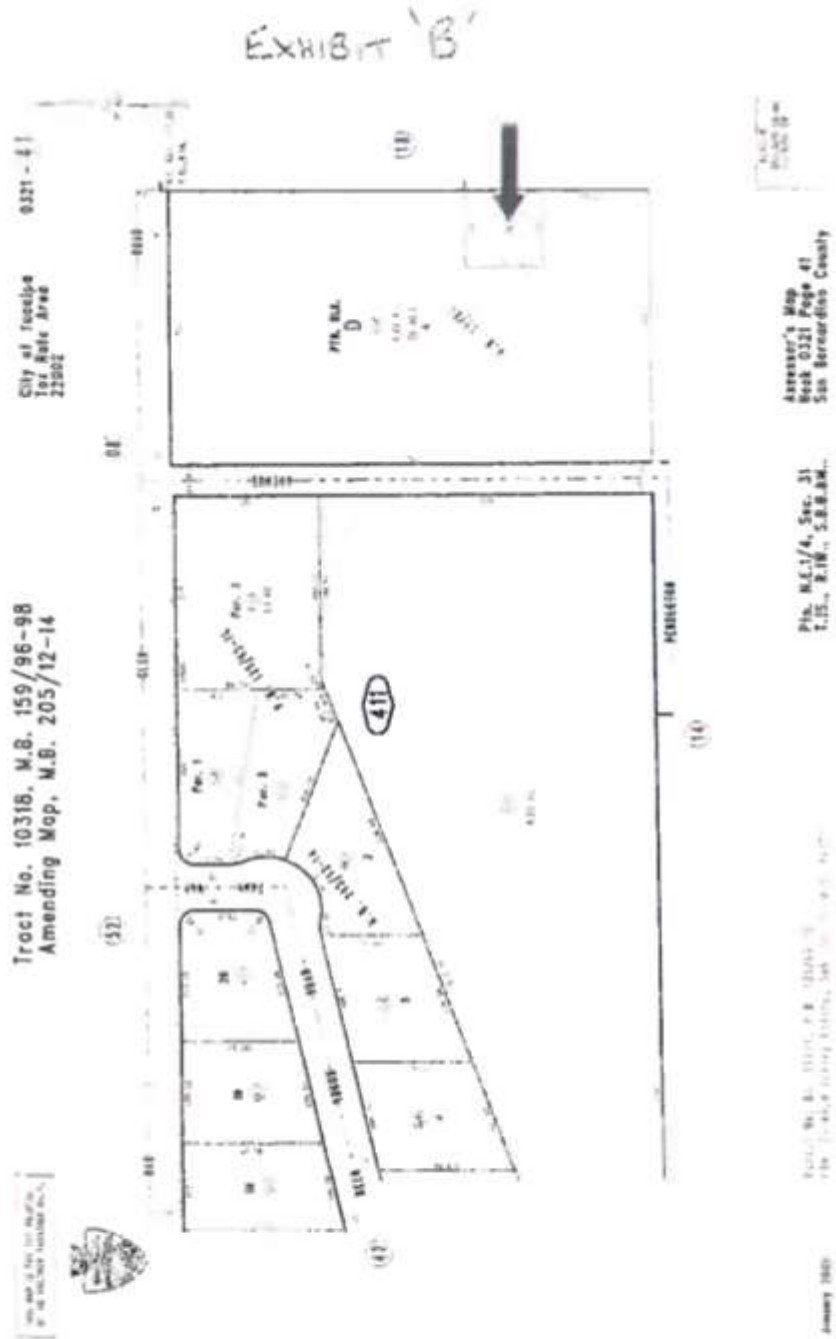


Exhibit "C"

EMINENT DOMAIN INFORMATIONAL PAMPHLET

INTRODUCTION

California Government Code Section 7267.2 requires a public entity to provide property owners with an information pamphlet detailing the eminent domain process and their rights under the Eminent Domain Law at the time it offers to purchase the owners' real property or portions of their property. This informational pamphlet provides a general overview of the eminent domain process and answers questions commonly asked by property owners regarding their rights. This is an informational pamphlet only and is not intended to give a complete statement of all state or federal laws and regulations regarding eminent domain or to provide property owners with any form of legal advice.

OVERVIEW OF EMINENT DOMAIN PROCESS

What is eminent domain?

Eminent domain is the acquisition of private property by a public entity for a public use. Public entities, such as the state and the federal government, counties, cities, and school districts, may exercise the power of eminent domain to acquire real property for a public use if they meet all legal requirements, including the payment of just compensation to the owners or into the court for the benefit of the owners. (CALIFORNIA CONSTITUTION, art. I, sec. 19). Public uses include, but are not limited to roads, parks, public facilities, public utilities, police stations, fire stations, libraries, and schools.

A public entity may acquire any interest in real property such as a fee interest, permanent easement, slope easement, or temporary construction easement. A public entity may acquire only the property interests that are needed for the public use. If a public entity acquires a portion of a parcel and this results in damage to the remainder parcel, the owner is entitled to be compensated for the loss of value, if any, to the remainder parcel. If the appraiser determines that the remainder parcel is an uneconomic remnant because it will be left in a size, shape or condition to be of little or no value to the owner, the public entity will offer to purchase the entire parcel.

The law requires that public entities make every reasonable effort to acquire real property expeditiously by negotiated purchase. As discussed more fully below, there are several steps that a public entity must take prior to acquiring real property by eminent domain. These legal prerequisites are meant to protect property owners and ensure that they have an opportunity to participate in the acquisition process. These preacquisition steps include the appraisal process, offers and negotiations.

Appraisal Process

The public entity is required to obtain a fair market value appraisal of the real property before it can acquire it by eminent domain.

Notice Informing Owners of Public Entity's Decision to Appraise Their Real Property

When a public entity identifies real property or portions of that property that it may need for a proposed project, it sends to the property owners a notice informing the owners that it intends to appraise their property. This notice informs the owners that the public entity has decided to appraise their real property and notifies them that an appraiser will contact them. An appraiser licensed by the Office of Real Estate Appraisers will contact the owners and request permission to inspect their property. The appraiser will also invite the owners to accompany the appraiser on the inspection and to provide to the appraiser any information that the owners consider relevant to the value of the real property. Permitting the inspection and accompanying the appraiser on the site inspection will allow the appraiser to fully assess the value of the real property. If the owners do not allow the appraiser to inspect the real property, the appraiser will inspect the subject property from the public right of way.

Appraisal of Fair Market Value of Real Property

After the appraiser inspects the real property, the appraiser prepares an appraisal of the fair market value of the property.

What is fair market value?

The Eminent Domain Law defines fair market value as the highest price on the date of value that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for selling the property, and a buyer, ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available. (Code of Civil Procedure Section 1263.320). The appraisal will take into consideration the highest and best use of the real property. The appraisal can take several weeks to several months to be completed, depending on the appraiser's workload.

After the appraisal is completed, staff will review the appraisal to see if it complies with the requirements of the Eminent Domain Law. Staff will then recommend that the governing body of the public entity approve the appraisal and set just compensation. Just compensation must be at least the fair market value of the real property as set forth in the appraisal.

Offer

When will the property owners receive an offer to purchase the property?

The public entity will provide the owner with a written offer to purchase the real property or real property interests after it sets just compensation. The public entity generally sends the written offer within thirty (30) days from the date the public entity sets just compensation. The public entity cannot offer to purchase the real property for less than the fair market value of the property as determined by the appraisal. (Government Code Section 7267.2).

What must the public entity include in the written offer to purchase the property?

Government Code Section 7267.2 requires that the offer include a written statement of, and summary of the basis for, the amount the public entity established as just compensation. The offer must also include the following:

- * The date of value, highest and best use, and applicable zoning of the real property;
- * The principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the determination of value; and
- * Where appropriate, the just compensation for the real property acquired and for damages to the remainder shall be separately stated and shall include the calculations and narrative explanation supporting the compensation, including any offsetting benefits.

If the real property is owner-occupied residential property and contains no more than four residential units, the owners are entitled to review a copy of the appraisal.

Negotiations

The public entity will negotiate with the property owners for the sale of the real property after it sends the offer letter.

Can the property owners obtain their own appraisal of their real property?

As of January 1, 2007, the public entity is required to offer to pay the owners' reasonable costs, up to \$5,000.00, for an independent appraisal of their real property. The law requires that an appraiser licensed by the Office of Real Estate Appraisers prepare the independent appraisal. The public entity will inform the owners of their rights to be reimbursed for these appraisal costs at the time it sends the offer letter.

Are the property owners required to accept the public entity's offer to purchase the property?

No. The property owners are encouraged to contact the public entity to negotiate the sale of the real property. The owners can negotiate the amount they believe to be the fair market value of the real property and the terms and conditions of the offer.

Are there any advantages to selling the real property to a public entity?

Yes. The property owner will receive at least the fair market value of the real property and will not be responsible for real estate commissions, title fees, title insurance, escrow fees, closing costs, and other fees and costs. Some acquisitions by public entities in lieu of condemnation may result in tax benefits to the property owners. The owners should discuss any such tax benefits, if any, with their tax advisors.

Negotiated Acquisition

If a negotiated agreement for the sale of the real property is reached, the public entity will prepare a purchase and sale agreement. The conveyance of the real property is handled through an escrow.

Resolution of Necessity

If the public entity and the property owners do not reach an agreement for the sale of the real property, the public entity can hold a hearing to determine whether it will acquire the property by eminent domain.

Notice of Hearing on Resolution of Necessity

If the public entity has determined that it is necessary to consider the acquisition of the real property by eminent domain, it will send a written notice to the property owners informing them of the date, time and location of the public entity's hearing at which it will consider the adoption of a resolution of necessity. (Code of Civil Procedure Section 1245.235). The notice informs the property owners of their right to be heard at this hearing and of their right to present evidence and to preserve their objections to the public entity's right to take the real property.

The Eminent Domain Law requires that a public entity make the following findings pursuant to Code of Civil Procedure Section 1245.230 to adopt a resolution of necessity authorizing the public entity to acquire the real property by eminent domain:

- That the public interest and necessity require the project;
- That the project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- That the subject property is necessary for the project; and
- That either the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record, or the offer has not been made because the owner cannot be located with reasonable diligence. (Code of Civil Procedure Section 1240.030).

A public entity may adopt a resolution of necessity only after the governing body has given each person whose real property is to be acquired by eminent domain and whose name and address appears on the last equalized assessment roll notice a reasonable opportunity to appear and be heard on the above matters.

The governing body of the public entity will consider all written and oral evidence before it at the hearing, including any objections to the adoption of the resolution of necessity. The public entity can adopt a resolution of necessity authorizing the acquisition of the real property by eminent domain if at least two-thirds of the all of the members of the governing body vote to adopt the resolution. If the governing body consists of five members, the adoption of a resolution of necessity requires at least four out of five affirmative votes.

Eminent Domain Proceeding

The resolution of necessity is the document that authorizes the public entity's attorneys to commence an eminent domain proceeding. Accordingly, if the governing body of the public entity adopts a resolution of necessity, its attorneys will prepare a complaint in eminent domain and related pleadings to acquire the real property by eminent domain. Generally, the complaint in eminent domain will name as defendants any parties that have a recorded interest in the parcel, including the record owners, tenants, easement holders whose interests may be impacted by the acquisition of the property or beneficiaries under deeds of trust.

The public entity will serve the property owners and other named defendants with a copy of the summons, complaint and related documents filed with the court. The defendants served with the summons and complaint have thirty (30) days from the date that they are served with the summons and complaint to file an answer or responsive pleading with the court. (Code of Civil Procedure Section 412.20). Property owners should consider retaining an attorney with experience in eminent domain proceedings to represent them. The parties can continue to negotiate after the eminent domain proceeding is filed.

Orders for Prejudgment Possession and Deposit of Probable Compensation

Can the public entity take possession of the real property before trial?

A public entity may request an order from the court for early possession of the real property or real property interests. This is called an order for prejudgment possession.

To obtain an order for prejudgment possession, the public entity must show that it is entitled to acquire the real property by eminent domain and that it has deposited with the court for deposit into the county treasury or directly with the State Treasury the amount of probable compensation for the property. The public entity must submit a summary of the basis for the appraisal when it applies to deposit the amount of probable compensation with the court.

Property owners have the right to oppose a public entity's motion for an order for prejudgment possession. The public entity's motion for an order for prejudgment possession notifies property owners that they have the right to oppose the motion and that they must serve the public entity and file with the court the opposition to the motion within thirty (30) days from the date on which the property owner was served with the motion. If the property owners' opposition asserts a hardship, it has to be supported by a declaration signed under penalty of perjury stating facts supporting the hardship. The public entity can file a reply to the opposition not less than fifteen (15) days before the hearing. At the hearing, if the motion is opposed, the court may enter an order for possession of the real property after considering the relevant facts and any opposition if it finds each of the following:

- The public entity is entitled to take the property by eminent domain;
- The public entity has deposited the amount of probable compensation pursuant to Code of Civil Procedure Section 1255.010 *et seq.*;

- There is an overriding need for the public entity to possess the property prior to the issuance of final judgment in the case and the public entity will suffer a substantial hardship if the application for possession is denied or limited; and
- The hardship that the public entity will suffer if possession is denied or limited outweighs any hardship on the defendant or occupant that would be caused by the granting of the order for possession. (Code of Civil Procedure Section 1255.410).

Withdrawal of Deposit of Probable Compensation

Property owners can apply to withdraw the funds on deposit with the court. Property owners must serve a copy of their application to withdraw the funds on the public entity. The court cannot order the disbursement of the funds on deposit until 20 days after the date on which the application for withdrawal was served on the public entity. The public entity may file an objection to the withdrawal if, for example, other parties to the proceeding are known or believed to have an interest in the just compensation. Property owners waive any challenges to the public entity's right to take if they withdraw the funds on deposit with the court. Property owners do not, however, waive their claims for greater compensation for the real property if they withdraw the funds on deposit.

Trial

In eminent domain proceedings, the judge decides legal issues, such as the right to take and the issue of entitlement to certain damages. Property owners are entitled to have the jury determine the amount of just compensation. The majority of eminent domain proceedings are resolved by the respective public entity and property owner prior to trial.

VACATING THE PROPERTY

When will property owners and tenants be required to move from the real property?

If you reach a negotiated settlement with the public entity, the public entity will attempt to determine a mutually agreeable date for you to move. If the real property is condemned, the public entity cannot require that you move without a court order. If your real property is lawfully occupied, the public entity must serve you with a motion for an order for prejudgment possession ninety (90) days before the court hearing. Orders for prejudgment possession are discussed more fully above. If the order for prejudgment possession is granted, the public entity must serve you with the order thirty (30) days before it intends to take possession of your property. If your real property is unoccupied, the public entity must serve you with a motion for an order for possession sixty (60) days before the court hearing. If the order is granted, the public entity must serve you with the order ten (10) days before it intends to take possession of your property.

RELOCATION ASSISTANCE

Property owners and occupants of real property (tenants) that are displaced as the result of a public project may be entitled to relocation assistance and benefits under the Uniform

Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 *et seq.*), if applicable, or under Title 1, Division 7, Chapter 1 of the Government Code of the State of California (Section 7260 *et seq.*) and the Relocation Assistance and Real Property Acquisition Guidelines (Chapter 6 of Title 25 of the California Code of Regulations). Relocation benefits may include moving expenses, re-establishment costs, rent differential payments, or interest differential payments. A relocation consultant, hired by the public entity, will meet with the property owners and or tenants to determine their eligibility and potential benefits.

LOSS OF BUSINESS GOODWILL

Goodwill is the benefit that accrues to a business as a result of its location, reputation, skill and other factors that contribute to a business maintaining and acquiring patrons. Public entities are required to compensate owners of a business conducted on the real property, or on the remainder parcel, if the business owners prove all of the following:

- The loss is caused by the taking of the real property or the injury to the remainder;
- The loss cannot reasonably be prevented by taking steps and adopting procedures that a reasonably prudent person would take and adopt in preserving the goodwill;
- Compensation for the loss will not be including in payments under Section 7262 of the Government Code; and
- Compensation for the loss will not duplicated in the compensation otherwise awarded to the owner.

Business owners must raise their claim for loss of business goodwill in their answer to the public entity's complaint. The public entity will engage a business valuation expert to determine the value of the goodwill of the business in the eminent domain proceeding.

CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1263.510

(a) The owner of a business conducted on the property taken, or on the remainder if the property is part of a larger parcel, shall be compensated for loss of goodwill if the owner proves all of the following:

- (1) The loss is caused by the taking of the property or the injury to the remainder.
- (2) The loss cannot reasonably be prevented by a relocation of the business or by taking steps and adopting procedures that a reasonably prudent person would take and adopt in preserving the goodwill.
- (3) Compensation for the loss will not be included in payments under Section 7262 of the Government Code.
- (4) Compensation for the loss will not be duplicated in the compensation otherwise awarded to the owner.

(b) Within the meaning of this article, "goodwill" consists of the benefits that accrue to a business as a result of its location, reputation for dependability, skill or quality, and any other circumstances resulting in probable retention of old or acquisition of new patronage.

(c) If the public entity and the owner enter into a leaseback agreement pursuant to Section 1263.615, the following shall apply:

- (1) No additional goodwill shall accrue during the lease.
- (2) The entering of a leaseback agreement shall not be a factor in determining goodwill. Any liability for goodwill shall be established and paid at the time of acquisition of the property by eminent domain or subsequent to notice that the property may be taken by eminent domain.

Low Water Crossing Replacement Project**EXECUTIVE SUMMARY**

Identification of Properties:	The parcel of the proposed full acquisition is identified as 11355 Pendleton Avenue, Yucaipa, CA.
Assessor Parcel No.:	0321-411-10-0-000
Thomas Map No:	SB 650C-1
Date of Value:	September 12, 2016
Property Rights Appraised:	Fee simple interest
Land Area:	Approximately 0.2296 acre or 10,000 square feet.
Improvements:	Raw land
Zoning:	Institutional Zoning District (IN) Municipal Plan and General Plan, City of Yucaipa Planning Department.
Flood Zone:	The site is located in Community Panel Number 060739-06071C6745H. The panel date is 08/28,2008. The site is located in Zone A. Flood Zone A is within the 100-year Floodplain and requires flood insurance.
Earthquake:	According to the California Division of Mines and Geology, the subject City of Yucaipa is located within an Alquist/Prilo Special Earthquake Zone.
Utilities:	Electricity, water, gas, telephone, and sewer are available on Oak Glen Road but not at the subject property.

EXHIBIT "D" (page 1 of 5)

Low Water Crossing Replacement Project

**Highest & Best Use
of Parcel:**

As Vacant:

**hold for speculative nature that has
residential potential in conjunction with
adjacent properties.**

OPINION OF VALUE CONCLUSION - FEE SIMPLE LAND VALUE		
FAIR MARKET VALUE / APN 0321-411-10	\$	25,000

EXHIBIT "D" (page 2 of 5)

Low Water Crossing Replacement Project

COMPARABLE SALES MAP

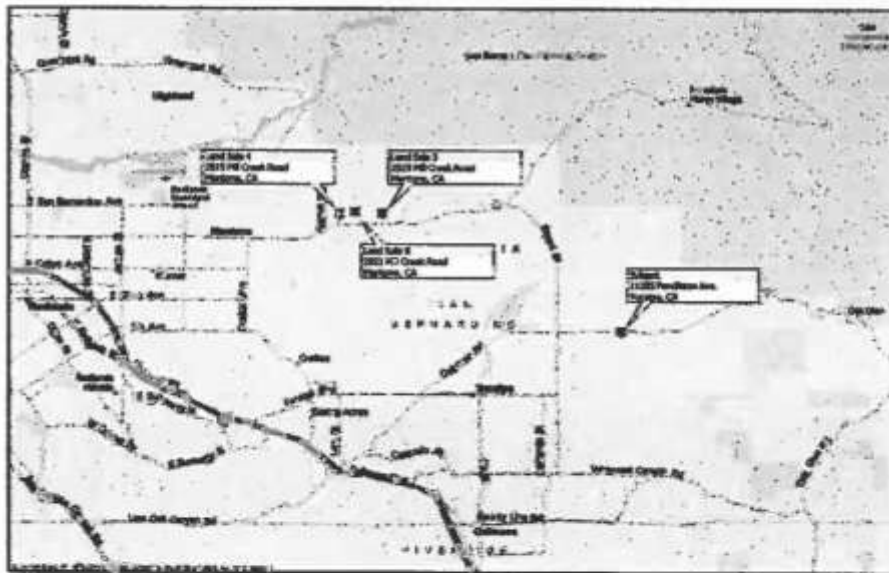
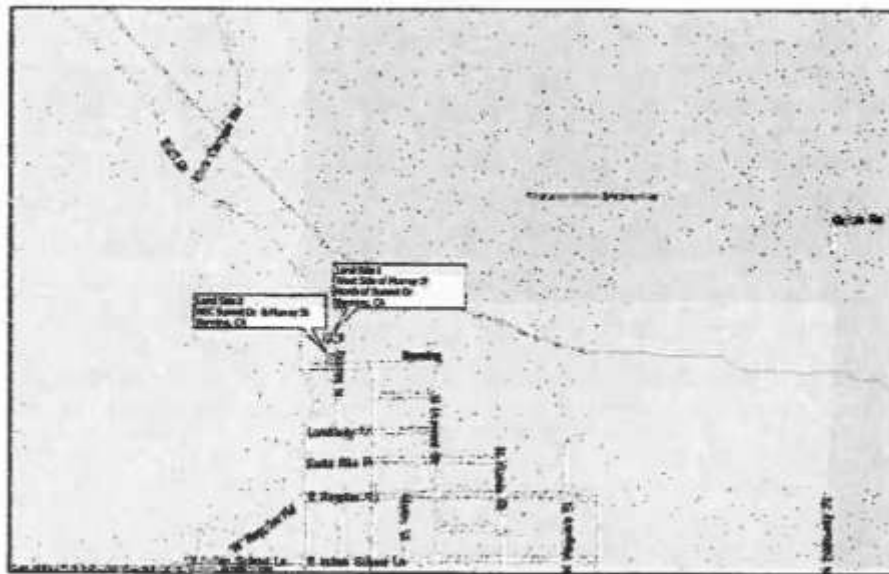


EXHIBIT "D" (page 3 of 5)

Low Water Crossing Replacement Project

SUMMARY OF EFFECTIVELY VACANT LAND SALES

ITEM	STREET ADDRESS		SALE DATE	ZONE	CASH EQV. PRICE	
	CITY	STATE	ZIP		DOCUMENT NO.	SQUARE FEET
	ASSESSOR'S PARCEL NUMBER		BUYER	ACRES		
			SELLER			
Low Density Residential						
1	West Side of Murry St. North of Summit Dr. Palo Alto, CA 94302		March 14, 2016 20020 John Murry	LDR 12,832 0.28	\$ \$	32,500 2.57
	534-021-018		Kenn & Barbara Hays			
2	NWC Murry St. & Summit Dr. Palo Alto, CA 94302		March 14, 2016 20021 John Murry	LDR 12,832 0.29	\$ \$	32,500 2.57
	534-021-018		Kenn & Barbara Hays			
3	2820 Mill Creek Road Menlo Park, CA 94028		June 17, 2014 217100 James & Marjorie Sheridan	RS 11,200 0.26	\$ \$	25,000 2.23
	0302-152-15		Elizabeth P. Lingo Trust			
4	2815 Mill Creek Road Menlo Park, CA 94028		May 20, 2014 142685 James & Marjorie Sheridan	RS 10,850 0.25	\$ \$	33,000 3.04
	0302-152-08		Reza M. Mardana Trust			
5	2821 Mill Creek Road Menlo Park, CA 94028		April 21, 2014 140961 Jaime Sebastian	RS 10,850 0.25	\$ \$	27,500 2.53
	0302-152-11		Reza M. Mardana Trust			

EXHIBIT "D" (page 4 of 5)

SUBJECT		One	Two	Three	Four	Five	
Sale Price	N/A	\$11,000	\$10,000	\$25,000	\$75,000	\$17,000	
Site Size (sf)	10,000	12,000	10,500	11,200	10,800	10,800	
Acres	0.23	0.28	0.24	0.26	0.25	0.25	
\$/sf	N/A	\$0.92	\$0.95	\$2.23	\$6.94	\$1.57	
Rights Conveyed	Fee Simple	0%	0%	0%	0%	0%	
Adjusted \$/sf	N/A	\$0.92	\$0.95	\$2.23	\$6.94	\$1.57	
Financing Terms	Conventional	0%	0%	0%	0%	0%	
Condition of Sale	Conventional	0%	0%	0%	0%	0%	
Adjusted \$/sf	N/A	\$0.92	\$0.95	\$2.23	\$6.94	\$1.57	
Date	September-16	2.5%	2.5%	11.0%	11.0%	11.0%	
Adjusted \$/sf	N/A	\$0.94	\$0.94	\$2.48	\$7.41	\$1.61	
General Location	Upper income	10%	10%	0%	0%	0%	
Specific Location	Pendleton Road	-5%	-5%	-5%	-5%	-5%	
Site Improvements	None	0%	0%	0%	0%	0%	
Site Shape	Rectangular	0%	0%	0%	0%	0%	
Topography	Essentially Level	0%	0%	0%	0%	0%	
Utility Status	None	-5%	-5%	-5%	-5%	-5%	
Zone-Density	Institutional	-3%	-3%	-3%	-3%	-3%	
Access	Interior	0%	-5%	0%	0%	0%	
Flood Hazard	A-Zone	+10%	+10%	+10%	+10%	+10%	
Site Size (sf)	10,000	10%	10%	8%	5.0%	8%	
Subtotal of Adjustments		Residential	-4%	-8%	-18%	-19%	-15.00%
FINAL INDICATORS		Adjusted \$/sf	\$2.90	\$2.40	\$2.05	\$2.76	\$2.76

EXHIBIT "D" (page 5 of 5)



Date: August 7, 2018

Prepared By: Allison M. Edmisten, Chief Financial Officer

Subject: Review of Public Disclosure Report Pursuant to Government Code Section 53065.5 for Fiscal Year Ending June 30, 2018

Recommendation: That the Board receive and file the Public Disclosure Report for Fiscal Year 2017-18.

Government Code Section 53065.5 requires all special districts to disclose reimbursements paid by the District within the immediately preceding fiscal year of one hundred dollars (\$100) or more for each individual charge for services or products received. The individual charge includes, but is not limited to, tuition reimbursement, certificate or license reimbursement, or meals, lodging, and transportation, or registration fee reimbursed to any employee or member of the governing body.

The disclosure requirement is fulfilled by including the reimbursement information in a document published or printed at least annually and made available for public inspection.

Attached is the report of these reimbursements for the fiscal year ending on June 30, 2018.

Yucaipa Valley Water District
Government Code 53065-5, Public Disclosure Reports - Reimbursements By YVWD
July 1, 2017 - June 30, 2018

EMPLOYEE NAME	TITLE	CHECK NO.	CHECK DATE	AMOUNT	DESCRIPTION
Chelsie Fogus	Engineering Technician I	29462	07/21/17	\$ 151.34	ESRI Conference meal & mileage reimbursement
Matthew Porras	Management Analyst	29469	07/21/17	\$ 335.30	ESRI Conference meal & mileage reimbursement
Kathryn Hallberg	Management Analyst	29470	07/21/17	\$ 230.74	ESRI Conference meal & mileage reimbursement
Ronald Elisalda	Utility Service Worker IV	29608	08/14/17	\$ 359.75	Reimbursement for CIT class
Dale Fundak	Integrated Operator III	29607	08/14/17	\$ 117.55	Reimbursement for WTPO class
Kyle Westerlin	Utility Service Worker III	29719	08/28/17	\$ 205.00	Reimbursement for CSM4 test
Matthew Flordelis	Senior Utility Services Worker	30017	10/02/17	\$ 400.75	Tri-State Seminar meal & travel exp
Matthew Porras	Management Analyst	30020	10/02/17	\$ 126.91	CMMS training meal & travel exp
John Wrobel	Public Works Manager - Operations	30053	10/13/17	\$ 299.24	Tri-State Seminar meal & travel exp
Christopher Beard	Utility Service Worker II	30070	10/16/17	\$ 332.00	Reimbursement for CSM1 Exam & CWEA dues
Mike Kostelecky	Operations Manager	30175	11/01/17	\$ 155.00	Reimbursement for D5 exam
Courtland Gear	Utility Service Worker II	30177	11/01/17	\$ 113.55	Reimbursement for WD class
Sara Onate	Administrative Clerk IV	30338	11/09/17	\$ 389.65	Purchase pizza for employees (District pizza day)
Erin Anton	Administrative Clerk IV	30339	11/09/17	\$ 297.91	Food purchased for District BBQ
Luis Crespo	Utility Service Worker I	30437	11/20/17	\$ 180.00	Reimbursement for CWEA dues
Erin Anton	Administrative Clerk IV	30543	12/04/17	\$ 384.19	Reimbursement for misc items purchased for Special Districts Dinner & District Christmas Luncheon
Steven Molina	Public Works Supervisor	30607	12/18/17	\$ 149.00	Reimbursement for RC backflow test certificate
Aaron Blose	Utility Service Worker II	30713	01/02/18	\$ 118.55	Reimbursement for WDS class
Sean Ferris	Integrated Operator II	30743	01/08/18	\$ 100.00	Reimbursement for T3 exam
Eric Grubert	Utility Service Worker I	30745	01/08/18	\$ 418.00	Reimbursement for CSM1 & Class A license
James Rowell	Integrated Operator IV	30806	01/16/18	\$ 290.00	Reimbursement for CWEA dues & WWTP03 renewal
Jacob Duncan	Utility Service Worker III	30807	01/16/18	\$ 155.00	Reimbursement for D5 exam
Steven Eldridge	Utility Service Worker III	30808	01/16/18	\$ 175.00	Reimbursement for CSM2 exam
Gilbert Santacruz	Integrated Operator II	30853	01/16/18	\$ 125.00	Reimbursement for WWTP02 cert
Jeremy Costello	Public Works Supervisor	30879	01/22/18	\$ 361.00	Reimbursement for SBC Backflow
Gilbert Santacruz	Integrated Operator II	30881	01/22/18	\$ 180.00	Reimbursement for WWTP02 exam
Steven Molina	Public Works Supervisor	30882	01/22/18	\$ 361.00	Reimbursement for SBC Backflow
Matthew Porras	Management Analyst	30935	01/22/18	\$ 114.55	Reimbursement for Wells Class
Luis Crespo	Utility Service Worker I	31011	02/05/18	\$ 165.00	Reimbursement for CSM1 exam
Ashley Gibson	Water Resource Project Supervisor	31072	02/05/18	\$ 131.84	ESRI Conference meal & mileage reimbursement
Aaron Blose	Utility Service Worker III	31424	03/26/18	\$ 173.11	Reimbursement for OWTP1 class
Steven Molina	Public Works Supervisor	31426	03/26/18	\$ 180.00	Reimbursement for AWWA Backflow & Testing
Allison Edmisten	Chief Financial Officer	31511	04/02/18	\$ 147.04	Mileage reimbursement
Aaron Blose	Utility Service Worker III	31514	04/09/18	\$ 115.00	Reimbursement for QSP renewal
Michael Rivera	Public Works Supervisor	31640	04/16/18	\$ 111.09	Reimbursement for 457 DC loan paid off (overpaid)
Courtland Gear	Utility Service Worker II	31634	04/16/18	\$ 162.53	Reimbursement for O & M Wastewater Collection Class
Mathew Hendrickson	Integrated Operator II	31708	05/07/18	\$ 100.00	Reimbursement for D3 test
Geoffrey Risaliti	Utility Service III	31709	05/07/18	\$ 130.00	Reimbursement for D4 test
Jacob Duncan	Utility Service Worker III	31832	05/14/18	\$ 180.00	Reimbursement for CSM2 exam
Aaron Blose	Utility Service Worker III	31833	05/14/18	\$ 119.55	Reimbursement for WWTP0 exam
Steven Molina	Public Works Supervisor	31864	05/14/18	\$ 135.00	Reimbursement for AWWA CC test
Peggy Little	Administrative Supervisor	31863	05/14/18	\$ 176.96	Reimbursement for misc expenses (retirement luncheon & BBQ)
Courtland Gear	Utility Service Worker III	31868	05/21/18	\$ 115.55	Reimbursement for OEM WW class
Gilbert Santacruz	Utility Service Worker II	31905	05/21/18	\$ 119.55	Reimbursement for WWTP Vol 2
Ronald Elisalda	Utility Service Worker IV	31914	05/29/18	\$ 210.00	Reimbursement for CSM4 exam
James Rowell	Integrated Senior Plant Operator	32003	06/08/18	\$ 440.00	Reimbursement for WWTP05 exam
Aaron Blose	Integrated Operator-in-Training	32132	06/28/18	\$ 140.00	Reimbursement for O&M WW class
Dhaval Kothari	Integrated Operator-in-Training	32133	06/28/18	\$ 350.00	Reimbursement for WWTP03 exam
Ashley Gibson	Water Resource Project Supervisor	32201	06/28/18	\$ 548.11	Reimbursement for meal & travel during the GSA Summit



Date: August 7, 2018

Prepared By: Allison M. Edmisten, Chief Financial Officer

Subject: Receipt and Acknowledgement of the *Auditor's Communication with Those Charged with Governance*

Recommendation: That the Board receive the annual planning letter from Vavrinek, Trine, Day & Co., LLP

The certified public accounting firm of Vavrinek, Trine, Day & Co., LLP (VTD) is currently performing the fiscal year audit for the period ending June 30, 2018. Correspondence dated June 18, 2018 from VTD is attached regarding the *Auditor's Communication with Those Charged with Governance*. The correspondence outlines the scope, timing, and information about communicating directly with the auditors any known matter(s) that have a material bearing on the financial statements.

If you are aware of any matters that may have an impact on the financial statements, please contact Phil White, Partner with VTD. He is also able to answer any questions.

Phillip White, CPA, Partner
Vavrinek, Trine, Day, & Co., LLP
Certified Public Accountants
10681 Foothill Blvd, Suite 300
Rancho Cucamonga, CA 91730
Office: (909) 466-4410
Fax: (909) 466-4431
Email: pwhite@vtdcpa.com

For additional information, the District staff attached AU Section 380¹ from the American Institute of CPAs to provide background information and guidance about the purpose of the attached correspondence from VTD.

¹ <https://www.aicpa.org/Research/Standards/AuditAttest/DownloadableDocuments/AU-00380.pdf>



VAVRINEK, TRINE, DAY & CO., LLP
 Certified Public Accountants

VALUE THE *difference*

June 18, 2018

To the Board of Directors
 Yucaipa Valley Water District

We are engaged to audit the financial statements of the Yucaipa Valley Water District (District) for the year ended June 30, 2018. Professional standards require that we provide you with the following information related to our audit. We would also appreciate the opportunity to meet with you to discuss this information further since a two-way dialogue can provide valuable information for the audit process.

Our Responsibilities under U.S. Generally Accepted Auditing Standards and Government Auditing Standards

As stated in our engagement letter dated June 18, 2018, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

As part of our audit, we will consider the internal control of the District. Such considerations are solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will also perform tests of the District's compliance with certain provisions of laws, regulations, contracts, and grants. However, providing an opinion on compliance with those provisions is not an objective of our audit.

Generally accepted accounting principles provide for certain required supplementary information (RSI) to supplement the basic financial statements. Our responsibility with respect to the Management's Discussion and Analysis, Schedule of the District's Proportionate Share of Net Pension Liability, and Schedule of Contributions, which supplement the basic financial statements, is to apply certain limited procedures in accordance with generally accepted auditing standards. However, the RSI will not be audited and, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance, we will not express an opinion or provide any assurance on the RSI.

We have not been engaged to report on the Transmittal Letter, which accompanies the financial statements but is not RSI. Our responsibility with respect to this other information in documents containing the audited financial statements and auditor's report does not extend beyond the financial information identified in the report. We have no responsibility for determining whether this other information is properly stated. This other information will not be audited and we will not express an opinion or provide any assurance on it.

Planned Scope, Timing of the Audit, and Other

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We will generally communicate our significant findings at the conclusion of the audit. However, some matters could be communicated sooner, particularly if significant difficulties are encountered during the audit where assistance is needed to overcome the difficulties or if the difficulties may lead to a modified opinion. We will also communicate any internal control related matters that are required to be communicated under professional standards.

If any member of the Board is aware of matters that have a material bearing on the financial statements taken as a whole (such as those described above in items 1-4), please contact me at (909) 466-4410 or by email at pwhite@vtdcpa.com by September 1, 2018.

We expect to begin our audit on approximately July 9, 2018 and issue our report in October 2018. Phil White is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

This information is intended solely for the use of the Board of Directors and management of the Yucaipa Valley Water District and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,



Phil White, Partner
Vavrinek, Trine, Day & Co., LLP



Date: August 7, 2018

Prepared By: Joseph Zoba, General Manager

Subject: Ratification of the Acceptance of Overlying Water Rights in the Beaumont Basin for Tract No. 32702-1 (121 lots) and Tract No. 32702-2 (41 lots) Pursuant to Beaumont Basin Watermaster Resolution No. 2017-02

Recommendation: That the Board accepts the transfer of 59.89 acre-feet of overlying water rights in the Beaumont Basin from Oak Valley Partners to Yucaipa Valley Water District as overlying-appropriative water rights in the Beaumont Basin.

On August 30, 2017, the Beaumont Basin Watermaster adopted Resolution No. 2017-02 Approving the Transfer of Overlying Water Rights to Specific Parcels - Oak Valley Partners. This resolution approved the transfer of all overlying water rights from Oak Valley Partners to parcels within the service area of the Yucaipa Valley Water District.

The attached correspondence dated July 27, 2018 will transfer 59.89 acre-feet of the Oak Valley overlying water rights to Tract No. 32702-1 (121 lots) and Tract No. 32702-2 (41 lots). This transfer of overlying water rights is anticipated to be sufficient for 162 residential, dual-plumbed dwelling units.

The transfer of overlying water rights to appropriative water rights allows the Yucaipa Valley Water District to utilize this groundwater resource within our service area conditioned upon the guarantee of sufficient water supplies for the proposed development.



Yucaipa Valley Water District

12770 Second Street • P. O. Box 730 • Yucaipa, California 92399-0730
(909) 797-5117 • Fax: (909) 797-6381 • www.yvwd.dst.ca.us

July 27, 2018

Mr. Dan Jagers, Secretary
Beaumont Basin Watermaster
c/o Beaumont Cherry Valley Water District
560 Magnolia Avenue
Beaumont, California 92223

Thierry Montoya
Alvarado Smith
1 MacArthur Place, Suite 200
Santa Ana, California 92707

Hannibal Blandon
ALDA Engineering
5928 Vineyard Avenue
Alta Loma, California 91701

Subject: Transfer of 59.89 Acre Feet of Overlying Water Rights in the Beaumont Basin for Tract Nos. 32702-1 (121 lots) and 32702-2 (41 lots) Pursuant to Beaumont Basin Watermaster Resolution No. 2017-02

Gentlemen:

The Yucaipa Valley Water District has accepted the transfer of Overlying Water Rights from Oak Valley Partners for Tract Nos. 32702-1 and 32702-2 (162 lots) pursuant to Beaumont Basin Watermaster Resolution No. 2017-02 adopted on August 30, 2017.

The attached correspondence dated July 5, 2018, confirms the transfer of 59.89 acre-feet of overlying water rights from Oak Valley Partners and the acceptance of said overlying-appropriative water rights by Yucaipa Valley Water District.

Sincerely,

Joseph B. Zoba
General Manager

Copies to:

- John Ohanian, Oak Valley Partners
- Mike Turner, Argent Management

Directors and Officers

CHRISTOPHER MANN
Division 1

BRUCE GRANLUND
Division 2

JAY BOGH
Division 3

LONNI GRANLUND
Division 4

THOMAS SHALHOUB
Division 5

JOSEPH B. ZOBA
General Manager
and Secretary

July 5, 2018

Joe Zoba
General Manager
Yucaipa Valley Water District
12770 Second Street
Yucaipa, CA 92399

RE: Summerwind Trails - Transfer of Overlying Water Rights for Water Service - Tracts 32702-1 & 32702-2, 162 Single Family Residential Lots

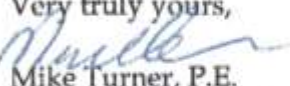
Dear Mr. Zoba:

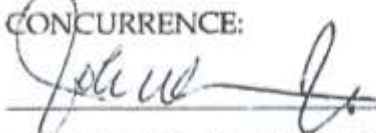
This letter is written on behalf of San Gorgonio Land, LLC, the owner and developer of the residential portion of the Summerwind Ranch Project in Calimesa. Argent Management, LLC is the managing arm for San Gorgonio Land, LLC.

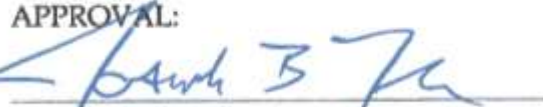
We are hereby requesting to transfer 59.89 acre-feet of the Summerwind Ranch Beaumont Basin Overlyer Water Rights to Tracts 32702-1 (121 lots) and 32702-2 (41 lots) to provide potable water requirements for 246 residential single family lots. These three Tracts encompass approximately 31.4 acres and are included within APN's 413-290-035 and 413-290-036 per the attached Exhibit 1.

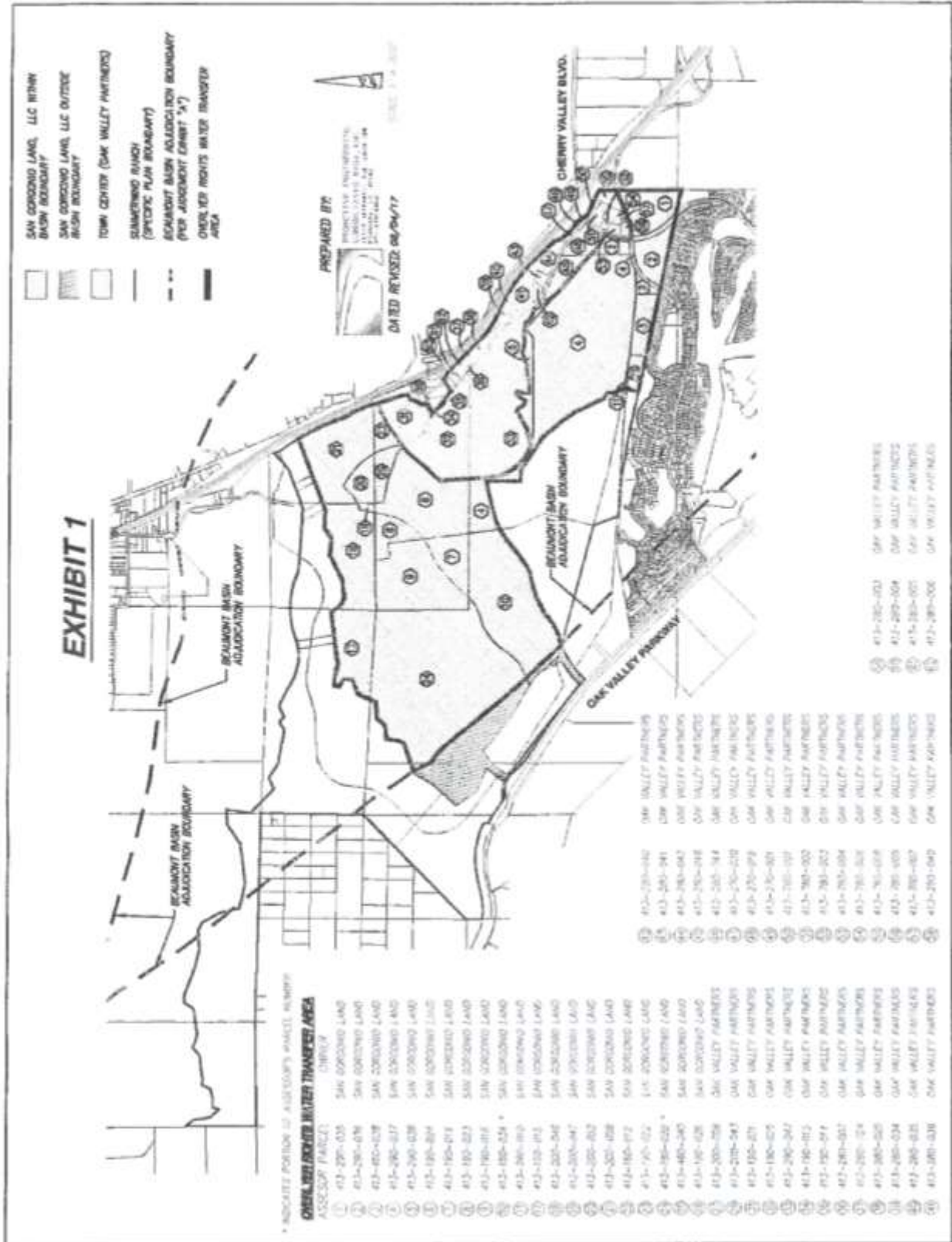
The merchant builder for these two Tracts is D.R. Horton Los Angeles Holding Company, Inc., a California Corporation, and MPH Homebuilders 2000 L.P., a California limited partnership. Upon this transfer, we understand that D.R. Horton and MPH Homebuilders 2000 L.P. will be exempt from paying the District's Supplemental Water Facility Capacity Charge pursuant to the District's Resolution No. 2017-23, Section 2.D.

If acceptable to you, please indicate so with your approval signature below.

Very truly yours,

Mike Turner, P.E.
Corporate VP, Land Development
Argent Management, LLC

CONCURRENCE:

John Ohanian - Oak Valley Partners

APPROVAL:

Joe Zoba - General Manager, YVWD



BEAUMONT BASIN WATERMASTER MEMORANDUM NO. 17-22

Date: August 30, 2017

From: Joseph Zoba, Treasurer

Subject: Consideration of Resolution No. 2017-02 Approving the Transfer of Overlying Water Rights to Specific Parcels - Oak Valley Partners

Recommendation: That the Watermaster Committee approves Resolution No. 2017-02.

On July 5, 2017, the Secretary of the Beaumont Basin Watermaster received a request to transfer overlying water rights from representatives of Oak Valley Partners. This request, together with supporting documentation, was considered at the Watermaster meeting held on August 2, 2017, and continued for further analysis by the Watermaster Committee until this special meeting.

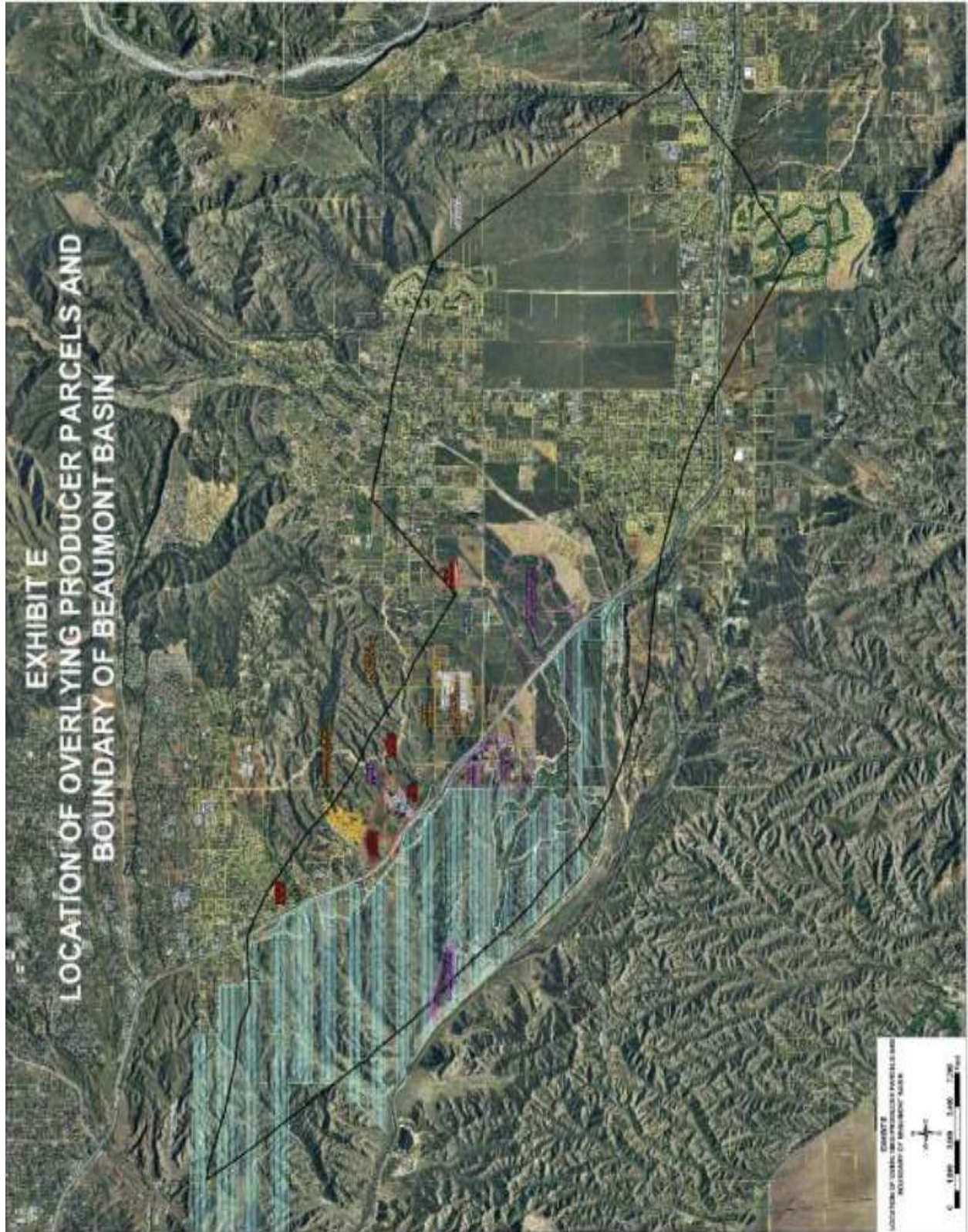
While the Watermaster Committee members discussed the consistency of this request with prior actions taken by the Watermaster, such as Resolution Nos. 2006-05, 06, 07, and 08, other questions remained. To address the questions asked by the Watermaster Committee, the following attachments are provided for review and discussion at the Special Meeting:

- Judgment Pursuant to Stipulation Adjudicating Groundwater Rights in the Beaumont Basin, Exhibit E dated February 4, 2004 (Memorandum Page 4 of 20);
- Revised correspondence regarding the *Transfer of Overlying Water Rights from Oak Valley Partners to Summerwind Ranch Project* provided by Oak Valley Partners dated August 4, 2017 (Memorandum Page 5 of 20);
- Development Parcels Map, Figure 1 provided by Thomas Harder & Company in association with Alda, Inc. from Oak Valley Partners dated August 25, 2017 (Memorandum Page 13 of 20);
- Oak Valley Partners Parcels Map, Figure 2 provided by Thomas Harder & Company in association with Alda, Inc. from Oak Valley Partners dated August 25, 2017 (Memorandum Page 14 of 20);
- Memorandum from Alvarado Smith regarding the *Production Rights Under Redetermined Safe Yield of Basin*, dated August 24, 2017 (Memorandum Page 15 of 20); and
- Resolution No. 2017-02 A Resolution of the Beaumont Basin Watermaster Approving the Transfer of Overlying Water Rights to Specific Parcels (Memorandum Page 17 of 20).

The proposed Resolution No. 2017-02 authorizes the Watermaster Engineer to implement and update the transfer of overlying water rights based on the current and future calculations of safe yield assigned by OVP as appropriative rights to Yucaipa Valley Water District as shown in the following table. The transfer of overlying water rights and conversion to appropriative rights will be identified in annual reports of the Watermaster in manner similar to the transfer of water in storage between appropriators/parties.

Table 3-6
Overlying Parties Production Rights Allocation Based on Revised Safe Yield

Overlying Party to the 2003 Judgment	Initial Overlying Water Right through 2013	New Overlying Water Right Starting in 2014	5-Year (2012-16) Average Production (ac-ft)	5-Year (2012-16) Running Avg % of Water Right
Sharondale Mesa Owners Association	203.0	154.9	121.7	78.6%
California Oak Valley Golf and Resort LLC	853.0	735.8	572.7	77.8%
Tukwet Canyon Golf Club	2,203.0	1,704.0	1,033.6	60.7%
Rancho Callimesa Mobile Home Park	150.0	116.2	41.9	36.0%
Plantation on the Lake LLC	581.0	450.0	104.6	23.2%
Darmon, Boris and Miriam	2.5	1.9	1.4	73.8%
Gutierrez, Hector, et al.	10.0	7.7	0.4	4.5%
Aldama, Nicolas and Amalia	7.0	5.4	0.9	16.0%
McAmis, Ronald L.	5.0	3.9	0.6	14.5%
Beckman, Walter M.	75.0	58.1	0.6	1.3%
Nikodinov, Nick	20.0	15.5	2.7	17.7%
Albor Properties III, LP	303.0	232.4	2.4	1.0%
Stearns, Leonard M. and Dorothy D.	203.0	154.9	0.7	0.5%
Sunny-Cal Egg and Poultry Company	1,433.5	1,115.0	4.3	0.4%
Merlin Properties	553.0	426.0	1.6	0.4%
Oak Valley Partners, LP	1,803.0	1,386.9	2.5	0.2%
Roman Catholic Bishop of San Bernardino	154.0	119.3	0.0	0.0%
	6,650.0	6,700.0	1,692.8	26.3%



OAK VALLEY PARTNERS, L.P.
P.O. Box 645 or 10410 Roberts Road
Calimesa, CA 92320
Telephone: (714) 785-2381

July 5, 2017
(Revised: August 4, 2017)

Secretary
Beaumont Basin Watermaster
560 Magnolia Avenue
Beaumont, CA 92223

Re: Transfer of Overlying Water Rights from Oak Valley Partners to
Summerwind Ranch Project

Dear Secretary:

Discussions have been ongoing between Oak Valley Partners ("OVP") and San Geronio Land, LLC ("SGL") regarding the transfer of 1,806 acre-feet/year of overlying water rights from OVP to be utilized for the development of the Summerwind Ranch ("SWR") project in Calimesa by SGL and OVP. We are hereby requesting that the Beaumont Basin Watermaster ("Watermaster") approve this transfer of these overlying water rights for the benefit of the Assessor Parcel Numbers (APN's) that comprise the SWR project that lie within the Beaumont Basin boundary.

OVP has certain water rights which were assigned to its property as described within the Beaumont Basin Adjudication ("Adjudication") that was filed on February 4, 2004 with the Superior Court of the State of California for the County of Riverside. Within this Adjudication, OVP was granted overlying water rights of 1,806 acre-feet/year over a total of 5,331.65 acres consisting of several assessor parcels that are identified within Exhibits D and E of the Adjudication. Section 3(G) of the Adjudication clearly defines OVP's Overlying Water Rights and states that these rights can be passed on to OVP's successors and assigns.

The old 2004 parcel numbers listed on Exhibit D of the Adjudication that are pertinent to the SWR Specific Plan area include the following parcel numbers:

- 413-040-002
- 413-160-003 thru 007

Letter to
Watermaster
July 5, 2017
(Revised August 4, 2017)

Page 2

- 413-170-020, 021, 023, 027 thru 031, 033, and 035
- 413-180-011 and 019
- 413-190-001 and 011
- 413-200-002, 010, 014, 015, 020, 023, 024, 026 thru 030, and 034 thru 037
- 413-290-003 and 007
- 413-460-038

We request that the OVP Overlyer Rights be assigned to the APN's listed in exhibit 1 of this letter for the benefit of the SWR Specific Plan.

A copy of this letter and the attachments have been discussed and provided to SGL. We respectfully request that the Watermaster place this item on the agenda for consideration of approval at the next scheduled meeting.

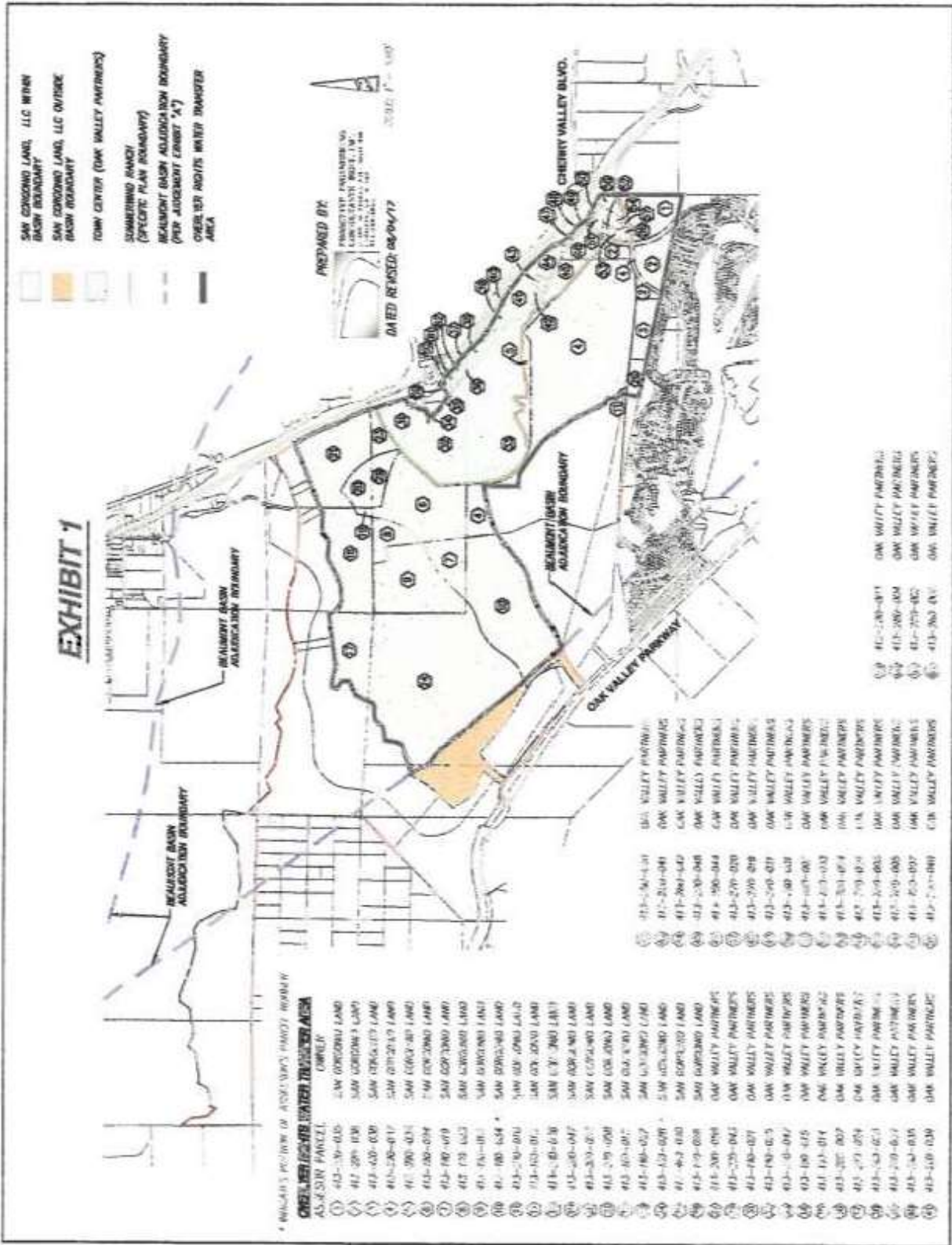
If I can be of any further assistance or can provide any further information, please contact me at your convenience at (714)785-2381.

Very truly yours,



John Ohanian
Oak Valley Partners, L.P.

(See Attached Exhibit 1)



RESOLUTION NO. 2017-02**A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER APPROVING THE TRANSFER OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS**

WHEREAS, the Stipulated Judgment establishing the Beaumont Basin Watermaster (Riverside Superior Court Case No. 389197) ("Adjudication") was filed with the Superior Court of California, County of Riverside on February 4, 2004; and

WHEREAS, Oak Valley Partners, L.P. ("OVP") has certain water rights which were assigned to its property as described in the Adjudication. Within this Adjudication, OVP was designated as having overlying water rights of 1,806 acre-feet/year based on the designated safe yield at that time over a total of 5,331.65 acres consisting of several assessor parcels that are identified within Exhibits D and E of the Adjudication ("OVP Adjudication Parcels"). Section 3(G) of the Adjudication clearly defines OVP's Overlying Water Rights and states that these rights can be passed on to OVP's successors and assigns for development of their projects. OVP desires to have its designated overlying water rights assigned to the applicable Assessor Parcel Numbers that make up the proposed Summerwind Ranch Specific Plan ("Project") that lie within the Beaumont Basin boundary as depicted on Exhibit 1; and

WHEREAS, the referenced OVP 2004 parcel numbers listed on Exhibit D of the Adjudication that are contained within the Project property, totaling an Adjudication-designated 2421.42 acres, include the following parcel numbers:

- 413-040-002;
- 413-160-003 through 007;
- 413-170-020, 021, 023, 027 through 031, 033, and 035;
- 413-180-017 and 019;
- 413-190-001 and 011;
- 413-200-002, 010, 014, 015, 020, 023, 024, 026 through 030, and 034 through 037;
- 413-290-003 and 007;
- 413-460-038; and

WHEREAS, OVP desires that the Beaumont Basin Watermaster ("Watermaster") approve the transfer of all of OVP's overlying water rights that are defined within the Adjudication for the development of the Project by OVP and its successors to the Project parcels. OVP intends to secure commitments from the Yucaipa Valley Water District ("District") to provide water service to the development phases of the Project, and requests that when those commitments are made and water service is provided to the designated Project parcels that the overlying water rights for those Project parcels be transferred to the Yucaipa Valley Water District. An example of a request letter to the District from San Gorgonio Land, LLC and/or OVP to transfer an incremental portion of overlying rights for providing water service to the Project is attached as Exhibit 2.

NOW, THEREFORE, BE IT RESOLVED BY THE BEAUMONT BASIN WATERMASTER as follows:

1. Transfer of Overlying Water Rights. The Watermaster hereby approves the transfer of all of OVP's overlying water rights, in the amounts as amended from time to time so as to be consistent with the then-current Watermaster approved Beaumont Basin Safe Yield, to the Project parcels listed on Exhibit 1 attached hereto to provide for the development phases of the Project by OVP and its successors/assigns. San Gorgonio Land, LLC is the successor in interest to OVP for the residential portion of the Project.
2. Once OVP and/or its successor(s) secures commitments from the Yucaipa Valley Water District to provide water service to the development phases of the Project, and when water service is provided to the designated Project parcels, then the overlying water rights for those Project parcels shall be transferred to the Yucaipa Valley Water District.
3. Use of Wells. The existing and future wells on the Project parcels may be used to extract water for use on the Project parcels and/or the remaining OVP parcels, consistent with current and future Watermaster rules, regulations and policies.
4. Further Documentation or Action. The Chief of Watermaster Services or Watermaster Engineer is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonable required to carry out the purposes and intent of this resolution.
5. Effective Date. The effective date of this resolution is August 30, 2017.

PASSED AND ADOPTED this 30th day of August 2017.

BEAUMONT BASIN WATERMASTER

By:

Art Vella, Chairman of the
Beaumont Basin Watermaster

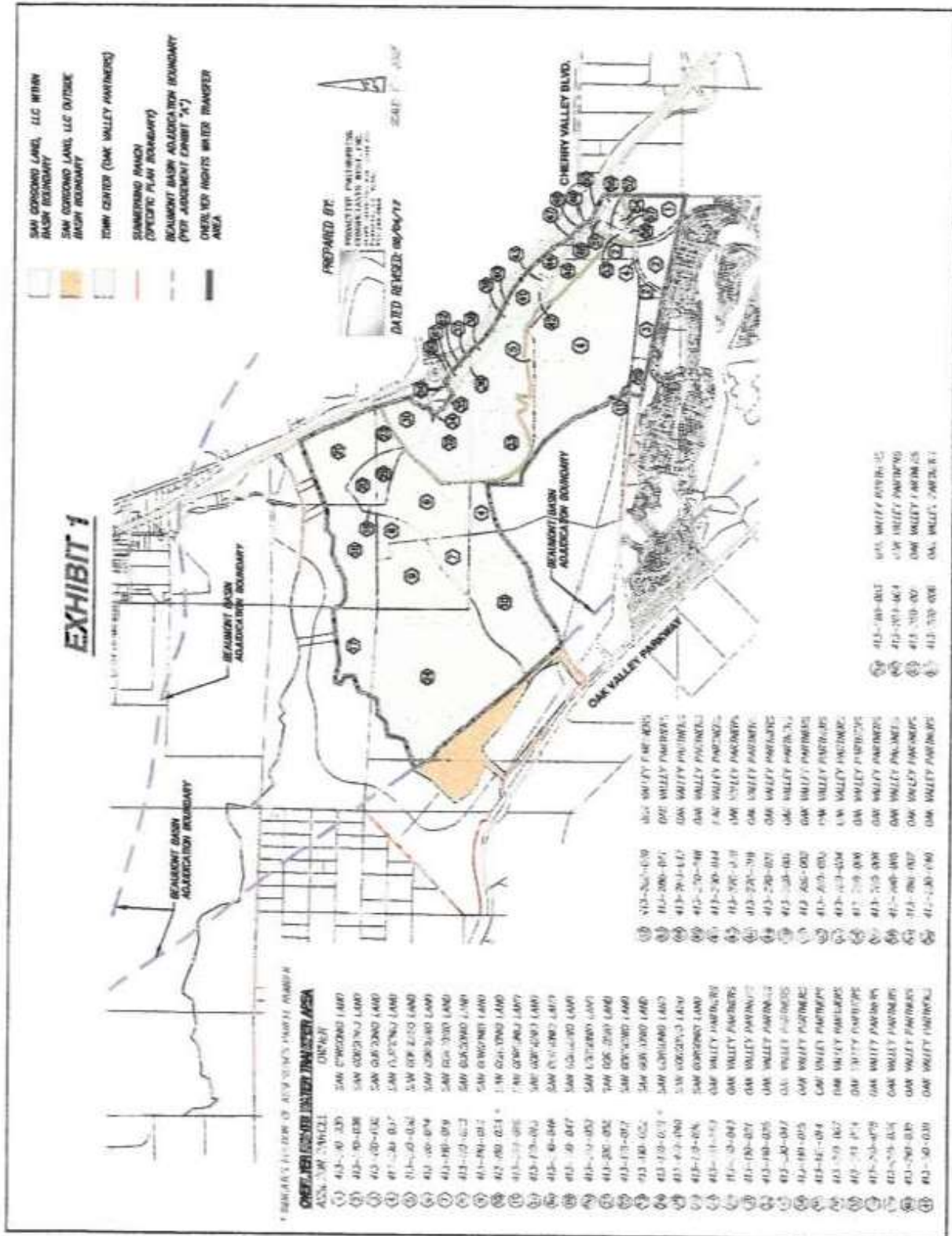




EXHIBIT 2 (EXAMPLE LETTER)

_____, 2017

Joe Zoba
General Manager
Yucaipa Valley Water District
12770 Second Street
Yucaipa, CA 92399

RE: Summerwind Ranch - Transfer of Overlying Water Rights for Water Service - Tract 32702-1, 121 Single Family Residential Lots

Dear Mr. Zoba:

This letter is written on behalf of San Gorgonio Land, LLC, which is the owner and developer of the residential portion of the Summerwind Ranch Project in Calimesa. Argent Management, LLC is the managing arm for San Gorgonio Land, LLC.

We are hereby requesting to transfer ____ acre-feet of the Summerwind Ranch Beaumont Basin Overlyer Water Rights to Tract 32702-2, to provide potable water requirements for 121 residential single family lots. This Tract 32702 encompasses ____ acres and is included within APN 413-290-035 per the attached Exhibit 1.

The merchant builder for this Tract 32702-1 is _____. Upon this transfer, we understand that the merchant builder will be exempt from paying the District's Facility Capacity Fee for these lots.

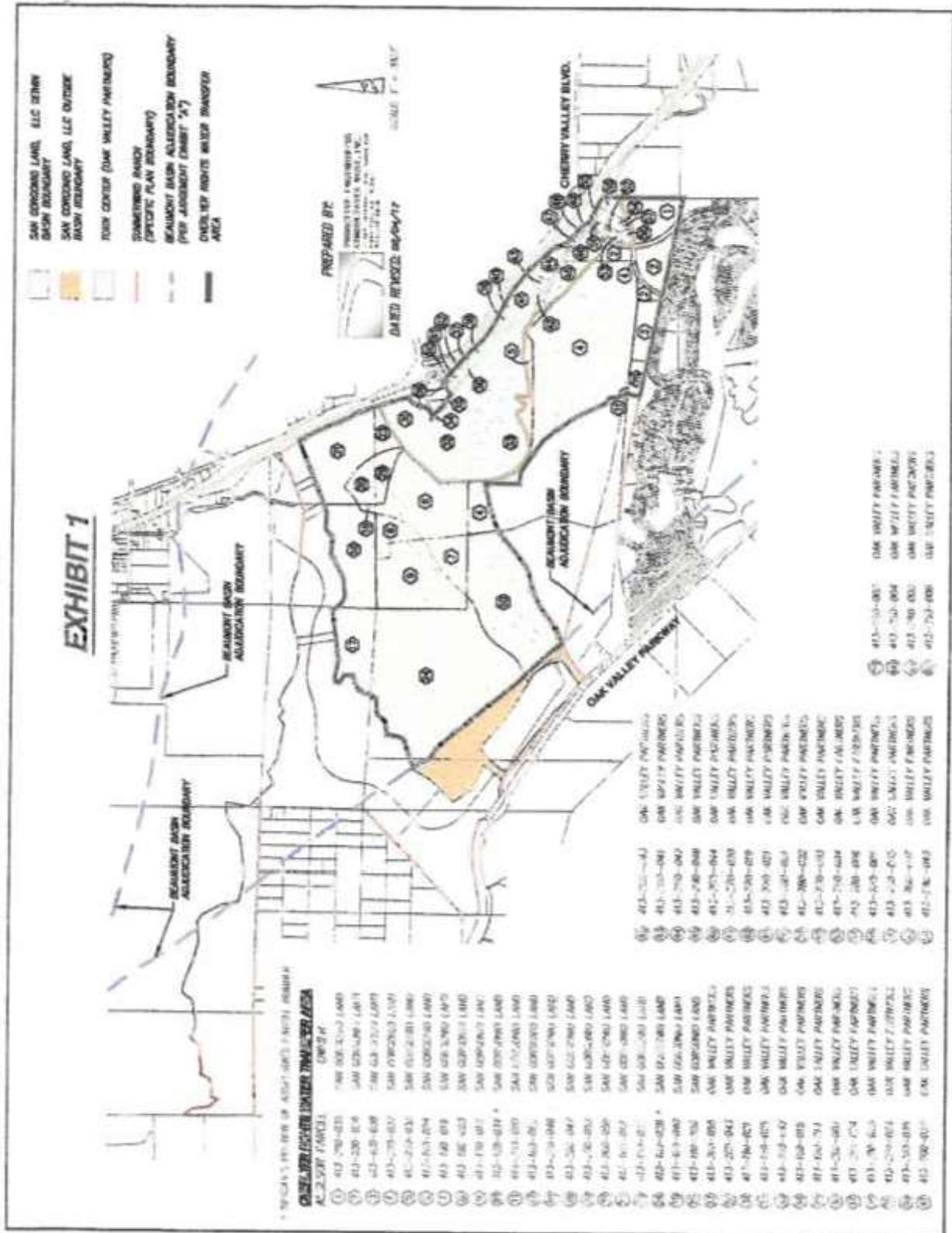
If acceptable to you, please indicate so with your approval signature below.

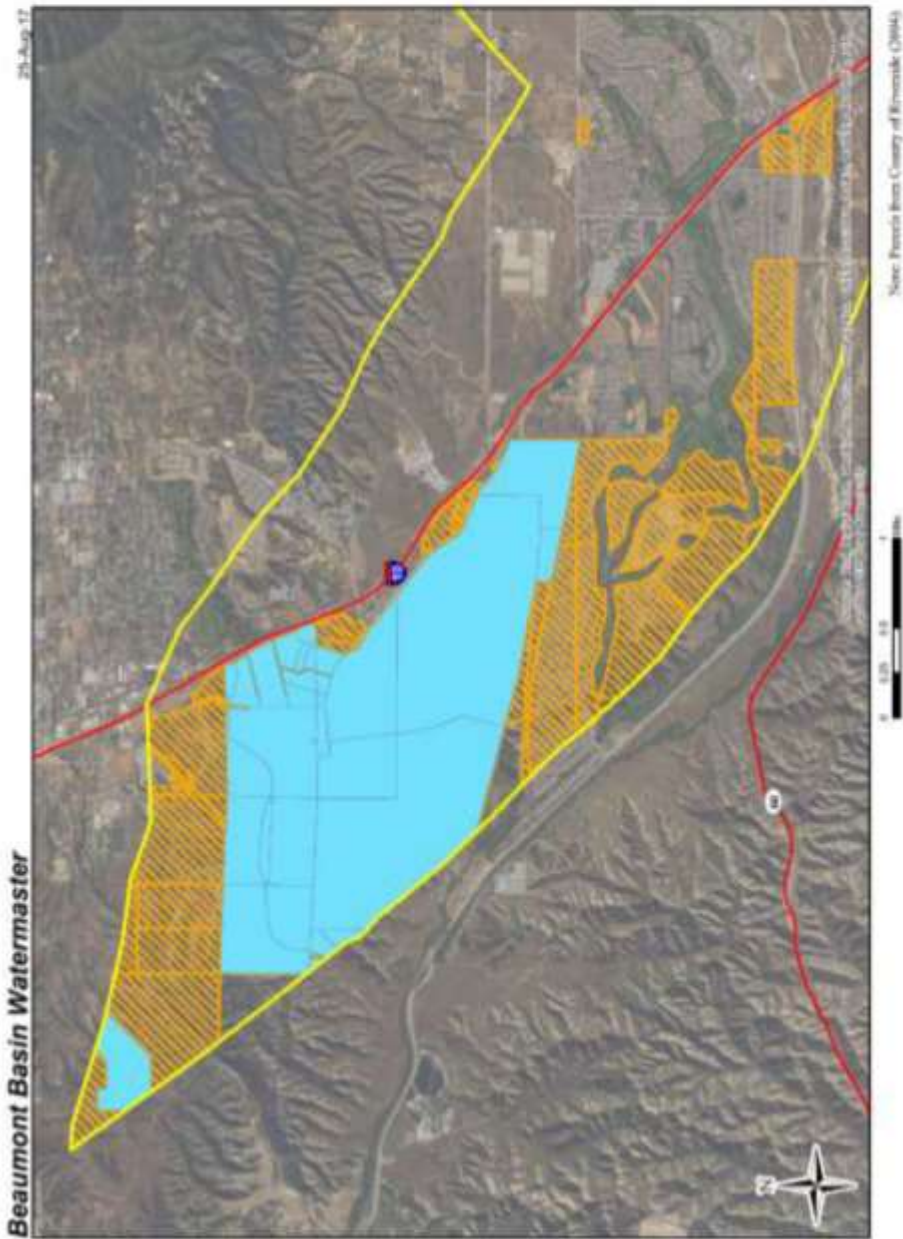
Very truly yours,

Signer's Name
Signer's Title
Argent Management, LLC

APPROVAL:

Joe Zoba - General Manager
Yucaipa Valley Water District.

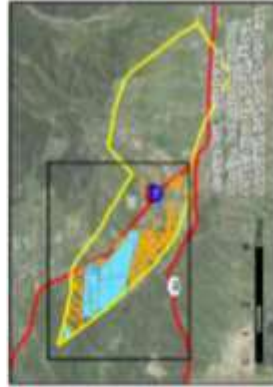




Map Features

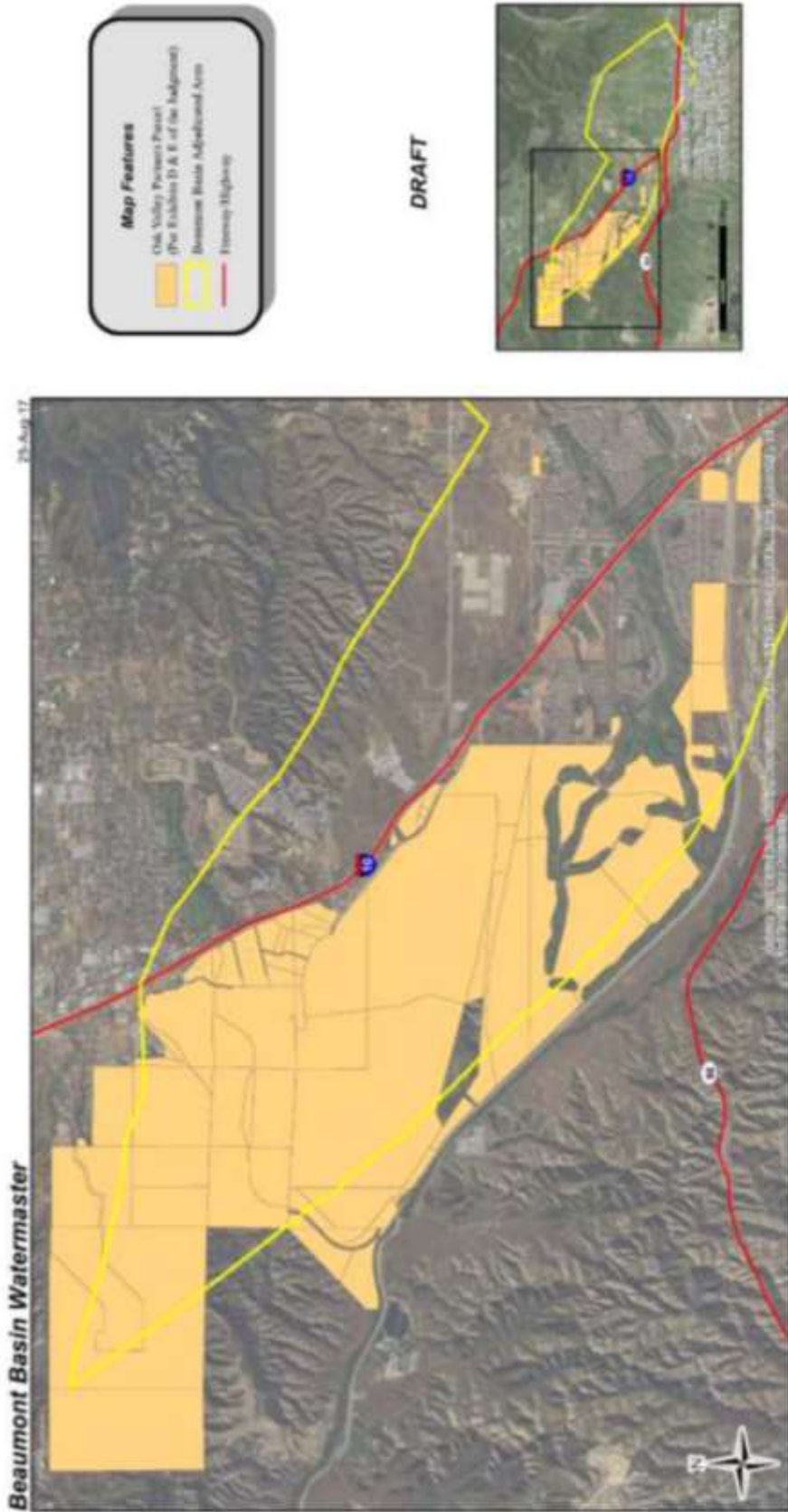
- Planned Development Parcel
Within the Adjusted Area
(Per Resolution 2017-623)
- Oak Valley Parcels Parcel
Within the Adjusted Area
(Per Exhibit D & E of the Judgment)
- Beaumont Basin Adjusted Area
- Freeway/Highway

DRAFT



Development Parcels

Figure 1



Oak Valley Partners Parcels
Figure 2



MEMORANDUM

TO: [Beaumont Basin Watermaster](#)

FROM: [AlvaradoSmith, APC](#)

DATE: August 24, 2017

RE: Production Rights Under Redetermined Safe Yield of Basin

BACKGROUND

Pursuant to the Stipulated Judgment creating Watermaster and providing for a Physical Solution for the threats to the Basin, the Safe Yield of the Basin was recently redetermined to be 6700 acre-feet per year as opposed to the original 8650 acre-feet per year as specified in the 2004 Stipulated Judgment. Quantified amounts of water associated with parcels overlying the Basin and appropriated from the Basin were designated to particular owners as identified in Exhibits B, C and D to the Stipulated Judgment.

ISSUE

With the redetermined Safe Yield of the Basin now at 6700 acre-feet per year, the question has arisen whether the production amounts associated with particular overlying owners and appropriators are to be pro-rata reduced in relation to the redetermined Safe Yield even if prior Watermaster resolutions approving the transfer of rights specified a particular amount of water that was subject to the transfer?

SHORT ANSWER

Yes. All designated water production amounts related to the Safe Yield of the Basin are pro-rata reduced to 77.5% of the original designation based upon the relationship of the redetermined Safe Yield (6700 acre feet) to the original Safe Yield (8650 acre feet).

DISCUSSION

All signatories and named parties in the Stipulated Judgment, together with their successors and assigns, are mutually obligated and bound by the terms and conditions of the Stipulated Judgment. The Stipulated Judgment enjoins parties from producing water from the Basin in excess of their share of the Safe Yield (albeit averaged over 5 years). *Stipulated Judgment*, Sec. II, A. and B. Within the powers of Watermaster is the right and directive to redetermine the Safe Yield of the Basin at least every ten years. *Stipulated Judgment*, Sec. Section VI, 5. Y. The adherence to the determined Safe Yield of the Basin is integral to the prescribed Physical Solution addressed in the Stipulated Judgment. Indeed, Watermaster is empowered to bring an action to enjoin any Production not in accordance with the terms of the Stipulated Judgment (See, *Stipulated Judgment*, Sec. V, 3.), and may extract from an Overlying Party or an

August 24, 2017
Page 2

Appropriative Party sufficient funds to replace the Overproduction of water from the Basin (See, *Stipulated Judgment*, Sec. V, 4.)

The quantities of water originally designated in the Stipulated Judgment for Overlying Parties and Appropriative Parties have always been subject to an adjustment so as to be consistent with a redetermined Safe Yield of the Basin, which Watermaster was mandated to perform at least once every ten years. Concurrently, Watermaster is not empowered to unilaterally adjust the production rights identified in the Stipulated Judgment – that is not one of the enumerated or even inferential powers of Watermaster. Where Watermaster has identified specific water amounts in prior resolutions approving the transfer of water rights, those specific water amounts have always been subject to pro-rata adjustment consistent with the ratio between a redetermined Safe Yield and the original Safe Yield specified in the Stipulated Judgment.

RESOLUTION NO. 2017-02**A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER APPROVING THE TRANSFER OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS**

WHEREAS, the Stipulated Judgment establishing the Beaumont Basin Watermaster (Riverside Superior Court Case No. 389197) ("Adjudication") was filed with the Superior Court of California, County of Riverside on February 4, 2004; and

WHEREAS, Oak Valley Partners, L.P. ("OVP") was designated as holding Overlying Water Rights within the Adjudication, with an overall water amount of 1806 acre-feet/year spread over 5,331.65 acres under the then-specified Safe Yield of the basin as described in the Adjudication. As specified in the Adjudication, OVP's property consists of numerous assessor parcels that are identified within Exhibit D of the Adjudication ("OVP Adjudication Parcels"). Section III, 3(G) of the Adjudication outlines OVP's intended development of its property and specifies the process that OVP may utilize to arrange the transfer of its Overlying Water Rights to particular development parcels eventually to be serviced by one or more retail water service providers upon annexation; and

WHEREAS, OVP now desires to have its designated Overlying Water Rights acknowledged in the Adjudication assigned to the requisite Assessor Parcel Numbers within the Summerwind Ranch Specific Plan ("Project") that correlate to certain of the OVP Adjudication Parcels; and

WHEREAS, the OVP Adjudication Parcels listed on Exhibit D of the Adjudication that correlate to the Project parcels and which total 2409.02 acres include the following parcel numbers from Exhibit D:

- 413-040-002;
- 413-160-003 through 007;
- 413-170-020, 021, 023, 027 through 031, 033, and 035;
- 413-180-017 and 019;
- 413-190-001 and 011;
- 413-200-002, 010, 014, 015, 020, 023, 024, 026 through 030, and 034 through 037;
- 413-290-003 and 007;
- 413-460-038; and

WHEREAS, the Assessor Parcel Numbers for the Project parcels that correlate to the above-designated OVP Adjudication Parcels as contained in Exhibit D to the Adjudication are listed and specified in Exhibit 1 attached hereto; and

WHEREAS, OVP desires that Watermaster approve the transfer of all of OVP's Overlying Water Rights designated within the Adjudication to the Project parcels identified in Exhibit 1 attached hereto for the development of the Project by OVP and its successors and/or assigns; and

WHEREAS, OVP further intends to secure commitments from the Yucaipa Valley Water District to provide water service to development phases of the Project, and requests that when those commitments are made and water service is provided to the designated Project parcels that the Overlying Water Rights for those Project parcels be transferred to the Yucaipa Valley Water District ("YVWD") consistent with the Adjudication.

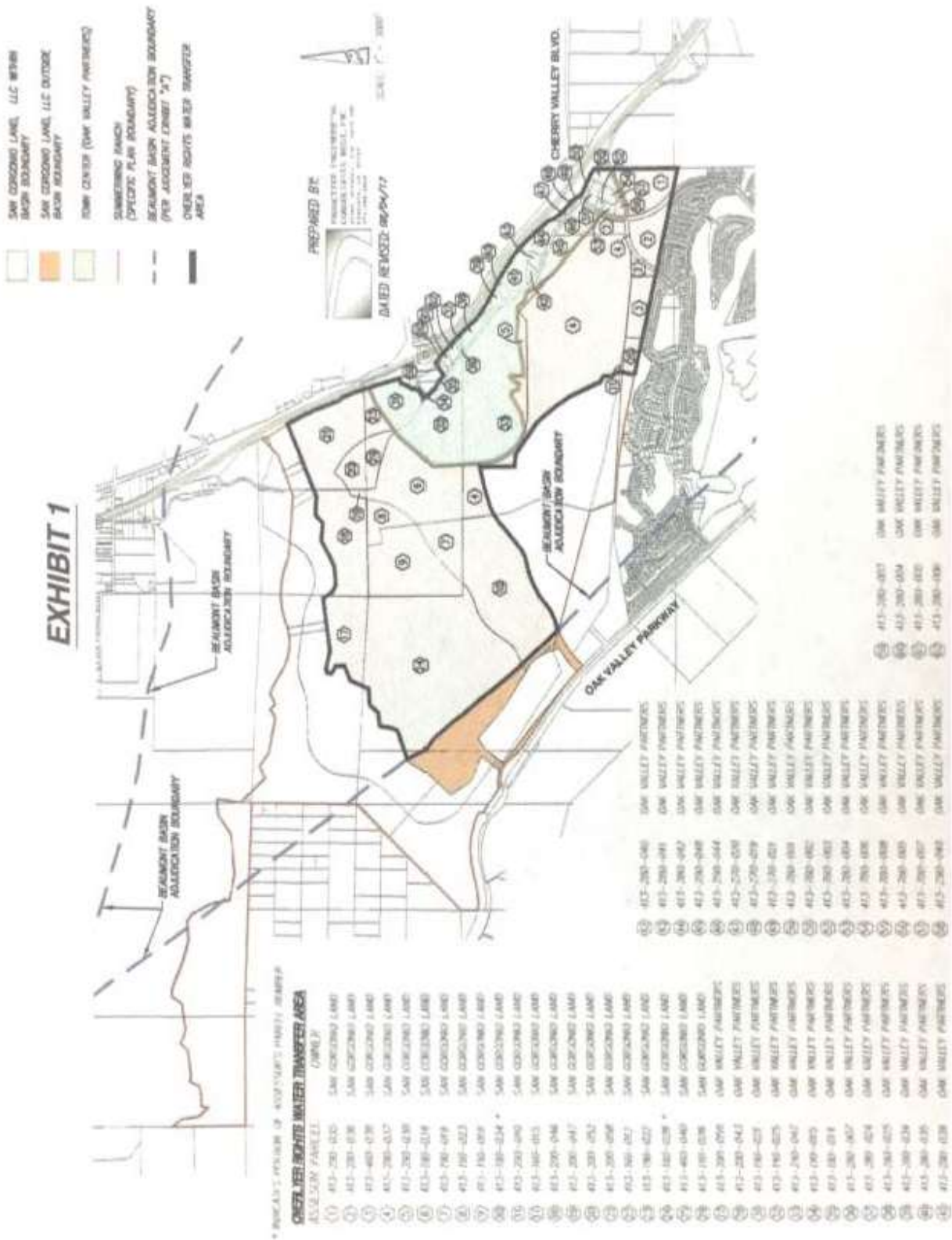
NOW, THEREFORE, BE IT RESOLVED BY THE BEAUMONT BASIN WATERMASTER as follows:

1. Transfer of Overlying Water Rights. Watermaster hereby approves the transfer of all of OVP's Overlying Water Rights to the Project parcels listed on Exhibit 1 attached hereto to provide for the development phases of the Project by OVP and its successors/assigns. OVP shall immediately inform Watermaster of any successor or assign who takes ownership of one or more Project parcels listed on Exhibit 1 to which Overlying Water Rights have been transferred. As of this time, the amount of water associated with the OVP Overlying Water Rights is consistent with the relationship between the redetermined safe yield (6700 acre-feet) and the original Safe Yield (8650 acre-feet), or in other words 77.5% of the original amount identified to OVP in Exhibit B to the Adjudication.
2. Transfer of Rights on Confirmed Water Service by YVWD. Once OVP and/or its successor(s) or assigns secures commitments from the Yucaipa Valley Water District to provide water service to the development phases of the Project, and when water service is provided to the designated Project parcels, then the overlying water rights for those Project parcels shall be transferred to YVWD. YVWD shall report to Watermaster when it has provided retail water service to various properties making up portions of the Project and Watermaster shall account for the same consistent with Section VI, 5. W. of the Adjudication.
3. Use of Wells. The existing and future wells on the Project parcels may be used to extract water for use on the Project parcels and/or any remaining OVP parcels, consistent with the Adjudication and current and future Watermaster rules, regulations and policies.
4. Further Documentation or Action. The Chief of Watermaster Services or Watermaster Engineer is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonably required to carry out the purposes and intent of this resolution.
5. Effective Date. The effective date of this resolution is August 30, 2017.

PASSED AND ADOPTED by the Beaumont Basin Watermaster this 30th day of August 2017.

BEAUMONT BASIN WATERMASTER

By: _____
Art Vella, Chairman of the
Beaumont Basin Watermaster





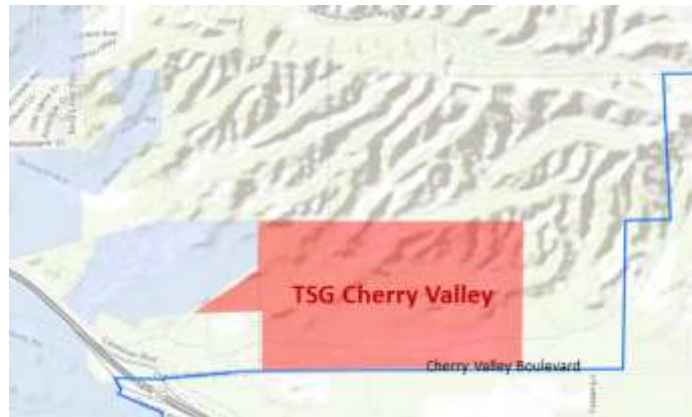
Date: August 7, 2018

Prepared By: Joseph Zoba, General Manager

Subject: Consideration of Resolution No. 2018-26 Requesting the Local Agency Formation Commission Take Proceedings for the Annexation of Territory (Assessor Parcel Numbers 407-200-009, 407-200-011, 407-210-001, 407-210-002, 407-210-003, and 407-210-004)

Recommendation: That the Board approves Resolution No. 2018-26.

On May 16, 2018, the District received a request to proceed with the annexation of 242.63 acres of territory into the District's boundary for drinking water, recycled water, and sewer service. The area is currently within the District's sphere of influence, but outside of the service area boundary.

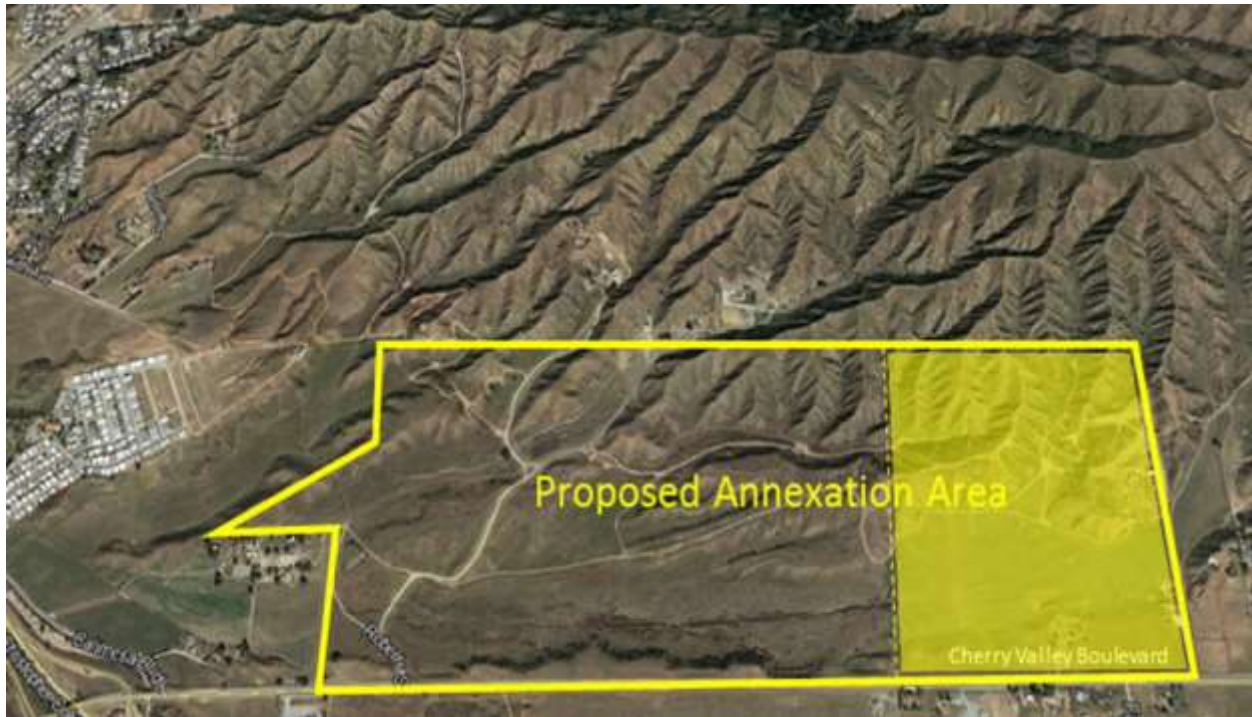


On June 5, 2018, the Board of Directors approved Resolution No. 2018-18 for the annexation of this property [Director Memorandum No. 18-086].



On July 31, 2018, the District received a request to proceed with the annexation of an additional 120 acres into the District's boundary for drinking water, recycled water, and sewer service. The area is currently within the District's sphere of influence, but outside of the service area boundary.

Resolution No. 2018-18 has been prepared for your review and consideration. If approved, the two resolutions will be combined into one annexation application.



TSG Cherry Valley, LP
2 Park Plaza, Suite 700
Irvine, California 92614

Mr. Joseph Zoba
Yucaipa Valley Water District
P.O. Box 730
Yucaipa, CA 92399

RE: Annexation into Yucaipa Valley Water District
TSG Cherry Valley, LP

Dear Mr. Zoba:

This letter is being provided to Yucaipa Valley Water District (the "District") based upon our recent discussions regarding the possible annexation of properties within the District's sphere of influence into the District's boundaries. TSG Cherry Valley, LP ("TSG") owns certain real properties within the District's sphere of influence, totaling approximately 120 acres, including Assessor's Parcel Nos. 407-210-001-1, 407-210-001-3, 407-200-009-0, 407-210-004-6, 407-210-002-4 and 407-200-012-2.

TSG is amendable to annexing into the District's boundaries, and is hereby authorizing the District to include the TSG properties in the proposed annexation into the District. Attached is a map showing the location of the TSG properties and the current District boundary and sphere of influence for your reference.

We look forward to working with you on the proposed annexation. Should you need any additional information, please feel free to contact Brian Rupp at (949) 231-5068 or via email at brupp@shopoff.com.

Sincerely,



TSG Cherry Valley, LP
By: Brian Rupp, Senior Vice President-
Development of General Partner

RESOLUTION NO. 2018-26

**A RESOLUTION OF THE YUCAIPA VALLEY WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TAKE
PROCEEDINGS FOR THE ANNEXATION OF TERRITORY**

(Assessor Parcel Numbers 407-200-009, 407-200-011, 407-210-001,
407-210-002, 407-210-003, and 407-210-004)

BE IT RESOLVED, by the Board of Directors of the Yucaipa Valley Water that:

WHEREAS, the Board of Directors of the Yucaipa Valley Water District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of property to the Yucaipa Valley Water District; and,

WHEREAS, the territory proposed for a sphere of influence modification and annexation is set forth in Exhibit "A" attached hereto and identified by Assessor Parcel Number above, and by this reference incorporated herein; and,

WHEREAS, the proposed annexation is not expected to require a modification to the sphere of influence assigned by the Local Agency Formation Commission for the Yucaipa Valley Water District; and,

WHEREAS, it is desired that the proposed annexation be subject to the following terms and conditions:

1. The annexation will require the Yucaipa Valley Water District to provide drinking water, recycled water, and sewer collection service to the property pursuant to the rules and regulations of the Yucaipa Valley Water District.
2. All standards conditions and cost associated with the filing, proceedings, and preparation of material for the Local Agency Formation Commission shall be the sole responsibility of the property owner.

NOW, THEREFORE, BE IT RESOLVED, that this resolution of Application is hereby approved and adopted by the Board of Directors of the Yucaipa Valley Water District, and the Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the annexation as illustrated in Exhibit "A".

BE IT FURTHER RESOLVED, that the Secretary of the Yucaipa Valley Water District is hereby authorized and directed to transmit to the Executive Officer of the Local Agency Formation Commission a certified copy of this Resolution.



PASSED, APPROVED and ADOPTED this 7th day of August 2018.

YUCAIPA VALLEY WATER DISTRICT

Jay Bogh, President Board of Directors

ATTEST:

Joseph B. Zoba, General Manager



STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
AND SAN BERNARDINO

I, Joseph B. Zoba, Secretary of the Board of Directors of the Yucaipa Valley Water District, California, do hereby certify that the foregoing resolution being Resolution No. 2018-26 was duly passed, approved and adopted by said Board, approved and signed by the President, and attested by the Secretary at the Regular Meeting held on the 7th day of August 2018, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Joseph B. Zoba, Secretary of the Yucaipa Valley
Water District and of the Board of Directors

(Seal)





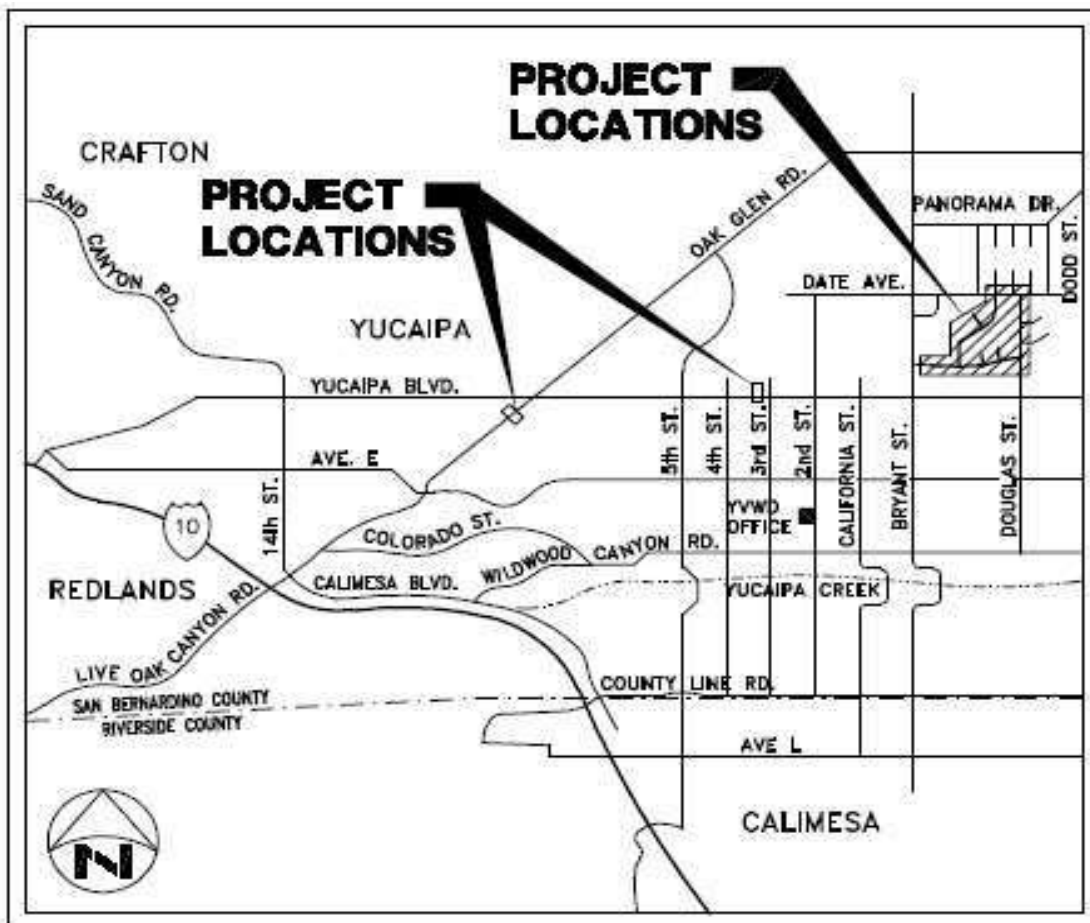
Date: August 7, 2018

Prepared By: Matthew Porras, Implementation Manager

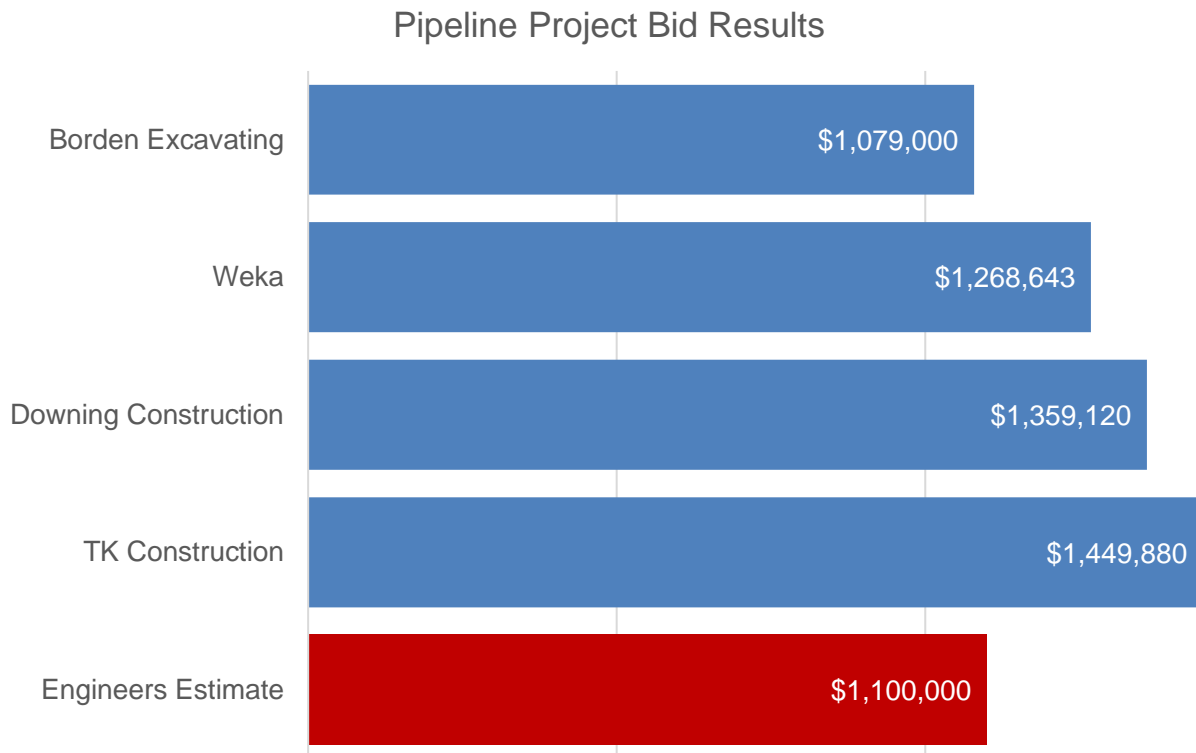
Subject: Award of a Construction Contract with Borden Excavating for the Bundled 2018 Drinking Water Pipeline Replacement Project

Recommendation: That the Board award a construction contract to Borden Excavating for a sum not to exceed \$1,079,000.

On, June 5, 2018 [DM 18-080], the Board of Directors authorized District staff to solicit bids for the construction of Drinking Water Pipelines on Douglas Street, Cornell Drive, Auburn Avenue, Citibank/Yucaipa Blvd and Oak Glen Road. The project includes the construction of 411 linear feet of 6-inch ductile iron pipe in the Citibank/Yucaipa Blvd area and 3,409 linear feet of 8-inch ductile iron pipe on Auburn Avenue, Cornell Drive, Douglas Street and Oak Glen Road.



On July 25, 2018 the District received 4 bids for the Drinking Water pipeline replacement project as discussed at the regular Board Workshop on July 31, 2018.



Based on the bid results as listed above, District staff recommends awarding the contract to Borden Excavating, Inc. The bid submittals have been reviewed by Krieger & Stewart with a recommendation of award in the attached letter.

Financial Considerations:

The engineers estimate for this project was listed at \$1,100,000. The recommended bid is below this estimate. This project was included in the 2018-19 approved Capital Improvement Projects Budget.



July 27, 2018

818-95.5 F/C

Matthew Porras, Management Analyst
 Yucaipa Valley Water District
 12770 Second Street
 Yucaipa, CA 92399

Subject: 2018 Replacement Pipelines (Douglas Street, Cornell Drive, Auburn Avenue,
 Citibank, and Oak Glen Road)
 Bid Results and Award Recommendation

Dear Mr. Porras:

On July 25, 2018, the Yucaipa Valley Water District (District) received four bids for subject project; the results and engineer's estimate are as follows (a breakdown by bid item is shown in the attached Bid Results table):

<u>Contractor</u>	<u>Bid Amount</u>
Borden Excavating, Inc.	\$1,079,000.00
Weka, Inc.	\$1,268,643.00
Downing Construction, Inc.	\$1,359,120.00
Kirtley Construction, Inc. dba: TK Construction	\$1,449,880.00
Engineer's Estimate	\$1,100,000.00

The low bidder is Borden Excavating, Inc. in the amount of \$1,079,000.00. The bid documents submitted by Borden Excavating, Inc. are in order.

Since construction of the 2018 Replacement Pipelines (Douglas Street, Cornell Drive, Auburn Avenue, Citibank, and Oak Glen Road) is necessary to replace existing pipes that have exceeded their useful life and to improve fire flow to the service area, and since Borden Excavating, Inc. is an experienced, capable contractor with a current Class A Contractor's License (No. 741879), we recommend award of subject work to Borden Excavating, Inc. in the amount of \$1,079,000.00.

If you have any questions, please call.

Sincerely,

KRIEGER & STEWART

A handwritten signature in blue ink that reads 'Patrick M. Watson'.

Patrick M. Watson

PMW/lge
 818-95-RECAWARD

Attachment: Bid Results

YUCAIPA VALLEY WATER DISTRICT
2018 REPLACEMENT PIPELINES
(DOUGLAS STREET, CORNELL DRIVE, AUBURN AVENUE,
CITIBANK, AND OAK GLEN ROAD)

BID SUMMARY SHEET
 BID OPENING: JULY 25, 2018 AT 11:00 AM

ITEM NO.	DESCRIPTION	QTY	UNIT	BORDEN EXCAVATING, INC.		WEKA, INC.		DOWNING CONSTRUCTION, INC.		KIRTLEY CONSTRUCTION, INC. dba. TK CONSTRUCTION	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
101	Contract bonds, insurance and permits not to exceed 5% of bid amount.	1	L.S.	\$14,020.00	\$14,020.00	\$36,118.00	\$36,118.00	\$40,000.00	\$40,000.00	\$28,000.00	\$28,000.00
102	\$5,000 allowance for City permits and inspection.	1	L.S.	Set Amount	\$5,000.00	Set Amount	\$5,000.00	Set Amount	\$5,000.00	Set Amount	\$5,000.00
103	Mobilization of equipment, materials, and labor (not to exceed 3% of bid amount).	1	L.S.	\$5,000.00	\$5,000.00	\$36,000.00	\$36,000.00	\$40,000.00	\$40,000.00	\$37,000.00	\$37,000.00
104	State required line item for Sections 6706 and 6707, excavation safety measures.	1	L.S.	\$1,500.00	\$1,500.00	\$11,100.00	\$11,100.00	\$8,389.00	\$8,389.00	\$2,500.00	\$2,500.00
105	Furnish traffic control, including traffic control plans for approval, furnishing all signs, delineators, arrowboards, and flagmen in accordance with permits.	1	L.S.	\$2,500.00	\$2,500.00	\$20,000.00	\$20,000.00	\$17,300.00	\$17,300.00	\$41,000.00	\$41,000.00
106	Furnish and install 8" cement mortar lined potable ductile iron pipe, Class 350, polyethylene encased, including export of native material, import of backfill material, compaction, and testing (Stations 10+15± to 18+75.95, 20+00.00 to 31+83.05, 47+85.00 to 54+03.36, 70+00.00 to 72+96.00, 80+00.00 to 81+90.00, and 90+00.0± to 90+78.50).	3,230	L.F.	\$85.00	\$274,550.00	\$144.00	\$465,120.00	\$161.00	\$520,060.00	\$114.00	\$368,220.00
107	Furnish and install 8" cement mortar lined potable ductile iron extension pipe, Class 350, polyethylene encased, including export of native material, import of backfill material, compaction and testing (Teja Court (65± LF) and Cornell Drive (74± LF)) (Not including connections - see Bid Item 118).	140	L.F.	\$60.00	\$11,200.00	\$235.00	\$32,900.00	\$250.00	\$35,000.00	\$132.00	\$18,480.00

YUCAIPA VALLEY WATER DISTRICT
2018 REPLACEMENT PIPELINES
(DOUGLAS STREET, CORNELL DRIVE, AUBURN AVENUE,
CITIBANK, AND OAK GLEN ROAD)

BID SUMMARY SHEET
BID OPENING: JULY 25, 2018 AT 11:00 AM

ITEM NO.	DESCRIPTION	QTY	UNIT	BORDEN EXCAVATING, INC.		WEKA, INC.		DOWNING CONSTRUCTION, INC.		KIRTLEY CONSTRUCTION, INC. dba: TK CONSTRUCTION	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
108	Furnish and install 6" cement mortar lined potable ductile iron pipe, Class 350, polyethylene encased, including export of native material, import of backfill material, compaction, and testing (Stations 90+78.50 to 94+8.00)	330	L.F.	\$135.00	\$44,550.00	\$150.00	\$49,500.00	\$174.00	\$57,420.00	\$76.00	\$25,080.00
109	Install 8" pipe at flowline depth between 1.1' and 2.0' deeper than shown on plans (the incremental cost difference over Bid Item No. 106).	300	L.F.	\$1.00	\$300.00	\$10.00	\$3,000.00	\$11.00	\$3,300.00	\$60.00	\$18,000.00
110	Install 8" pipe at flowline depth between 2.1' and 3.0' deeper than shown on plans (the incremental cost difference over Bid Item No. 106).	100	L.F.	\$1.00	\$100.00	\$7.00	\$700.00	\$19.00	\$1,900.00	\$90.00	\$9,000.00
111	Furnish and install 8" diameter gate valve per YVWD Standard Drawing W-20.	21	EA	\$2,500.00	\$52,500.00	\$2,100.00	\$44,100.00	\$1,660.00	\$34,860.00	\$1,800.00	\$37,800.00
112	Relocate existing gas service when directed by Owner including all coordination with the Gas Company and associated fees (only where in actual conflict with mainline pipeline in actual pipe zone).	3	EA	\$100.00	\$300.00	\$3,500.00	\$10,500.00	\$675.00	\$2,025.00	\$1,500.00	\$4,500.00
113	Relocate existing sewer lateral as required for construction per APWA Standard 223-2, including all coordination with YVWD.	3	EA	\$100.00	\$300.00	\$3,200.00	\$9,600.00	\$2,650.00	\$7,950.00	\$3,400.00	\$10,200.00
114	Furnish and install residential fire hydrant per YVWD Standard Drawing W-18.	10	EA	\$9,500.00	\$95,000.00	\$9,000.00	\$90,000.00	\$7,480.00	\$74,800.00	\$11,600.00	\$116,000.00
115	Furnish and install commercial fire hydrant per YVWD Standard Drawing W-18.	2	EA	\$9,500.00	\$19,000.00	\$10,000.00	\$20,000.00	\$8,190.00	\$16,380.00	\$12,500.00	\$24,600.00
116	Furnish and install 1" air valve per YVWD Standard Drawing W-15.	1	EA	\$4,200.00	\$4,200.00	\$4,200.00	\$4,200.00	\$2,860.00	\$2,860.00	\$6,600.00	\$6,600.00
117	Furnish and install 4" blowoff per YVWD Standard Drawing W-19.	3	EA	\$8,000.00	\$24,000.00	\$5,500.00	\$16,500.00	\$3,950.00	\$11,850.00	\$9,000.00	\$27,000.00
118	Disinfect and flush 8" and 6" potable water pipelines (per AWWA Standard).	1	L.S.	\$14,000.00	\$14,000.00	\$5,550.00	\$5,550.00	\$4,800.00	\$4,800.00	\$16,300.00	\$16,300.00

YUCAIPA VALLEY WATER DISTRICT
 2018 REPLACEMENT PIPELINES
 (DOUGLAS STREET, CORNELL DRIVE, AUBURN AVENUE,
 CITIBANK, AND OAK GLEN ROAD)

BID SUMMARY SHEET
 BID OPENING: JULY 25, 2018 AT 11:00 AM

ITEM NO.	DESCRIPTION	QTY	UNIT	BORDEN EXCAVATING, INC.		WEKA, INC.		DOWNING CONSTRUCTION, INC.		KIRTLY CONSTRUCTION, INC. dba: TX CONSTRUCTION	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
119	Furnish and install connection to existing system per Details, Sheets 7, 8, and 9 (Douglas Street (2), Teja Court, Cornell Drive, Auburn Avenue, Yucaipa Boulevard, and Oak Glen Road).	7	EA	\$7,500.00	\$52,500.00	\$8,500.00	\$69,500.00	\$8,940.00	\$48,580.00	\$8,900.00	\$62,300.00
120	Furnish and install 1" water service per YVWD Standard Drawing W-5.	65	EA	\$2,280.00	\$143,200.00	\$1,623.00	\$106,495.00	\$1,825.00	\$119,625.00	\$2,400.00	\$156,000.00
121	Furnish and install 1-1/2" water service per YVWD Standard Drawing W-7.	1	EA	\$4,200.00	\$4,200.00	\$6,000.00	\$6,000.00	\$4,380.00	\$4,380.00	\$7,500.00	\$7,500.00
122	Furnish and install 4" ductile iron fire service piping for Citibank.	1	L.S.	\$7,700.00	\$7,700.00	\$4,000.00	\$4,000.00	\$10,000.00	\$10,000.00	\$28,000.00	\$28,000.00
123	Furnish and install 4" piping, 4" gate valve, and service manifold from Citibank parking lot to services on Cedar Lane.	1	L.S.	\$20,000.00	\$20,000.00	\$11,000.00	\$11,000.00	\$12,400.00	\$12,400.00	\$10,000.00	\$10,000.00
124	Sawcut, remove, and dispose of existing AC paving and base as required for trenching.	4,700	L.F.	\$2.00	\$9,400.00	\$1.00	\$4,700.00	\$1.73	\$8,131.00	\$8.00	\$37,600.00
125	Furnish and install AC Pavement over mainline and branch trenches per City of Yucaipa Standard Drawing 106B-3.	4,590	L.F.	\$27.00	\$123,930.00	\$14.00	\$64,260.00	\$22.00	\$100,980.00	\$26.00	\$119,340.00
126	Furnish and install AC Pavement over mainline trenches per City of Yucaipa Standard Drawing 106-3 (Yucaipa Boulevard and Oak Glen Road Closures). Second trench cut required prior to base paving.	110	L.F.	\$125.00	\$13,750.00	\$30.00	\$3,300.00	\$33.00	\$3,630.00	\$46.00	\$5,060.00
127	Furnish and install 0.125" AC pavement cap over mainline and branch trenches per City of Yucaipa Standard Drawing 106B-3 (including header grind).	50,000	S.F.	\$1.22	\$61,000.00	\$1.36	\$68,000.00	\$1.58	\$79,000.00	\$2.05	\$102,500.00
128	Remove cracked paving or floaters adjacent to street pavement repair as directed by District or City and pave per City of Yucaipa Standard Drawing 106B-2.	1,000	S.F.	\$1.50	\$1,500.00	\$6.00	\$6,000.00	\$9.35	\$9,350.00	\$15.00	\$15,000.00

YUCAIPA VALLEY WATER DISTRICT
2018 REPLACEMENT PIPELINES
(DOUGLAS STREET, CORNELL DRIVE, AUBURN AVENUE,
CITIBANK, AND OAK GLEN ROAD)

BID SUMMARY SHEET
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ITEM NO.	DESCRIPTION	QTY	UNIT	BORDEN EXCAVATING, INC.		WEKA, INC.		DOWNING CONSTRUCTION, INC.		KIRTLEY CONSTRUCTION, INC. dba: TK CONSTRUCTION	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
129	Abandon existing 6" and 4" pipelines (approximate length 3,000 LF) by filling the pipe with Controlled Low Strength Material, and remove valve cans, fire hydrants, and blowoffs.	1	L.S.	\$8,500.00	\$8,500.00	\$10,000.00	\$10,000.00	\$9,890.00	\$9,890.00	\$23,000.00	\$23,000.00
130	Remove and replace existing concrete improvements (curb, gutter, sidewalk, driveway, spandrel, etc.).	1	L.S.	\$15,000.00	\$15,000.00	\$14,500.00	\$14,500.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
131	All other items of work not included in the above bid items required for a complete and functional project in compliance with the Contract Documents.	1	L.S.	\$500.00	\$500.00	\$2,000.00	\$2,000.00	\$5,500.00	\$5,500.00	\$15,000.00	\$15,000.00
132	Owner-directed field orders preauthorized by District.	1	L.S.	Set Amount	\$50,000.00	Set Amount	\$50,000.00	Set Amount	\$50,000.00	Set Amount	\$50,000.00
				Subtotal		\$1,268,643.00		\$1,264,120.00		\$1,449,890.00	
				Last Minute Adjustment		\$0.00		(\$5,000.00)		\$0.00	
				Total		\$1,268,643.00		\$1,259,120.00		\$1,449,890.00	

Board Reports



Yucaipa Valley Water District

Director Comments



Yucaipa Valley Water District



FACTS ABOUT THE YUCAIPA VALLEY WATER DISTRICT

Service Area Size: 40 square miles (sphere of influence is 68 square miles)

Elevation Change: 3,140 foot elevation change (from 2,044 to 5,184 feet)

Number of Employees: 5 elected board members
62 full time employees

Operating Budget: Water Division - \$13,397,500
Sewer Division - \$11,820,000
Recycled Water Division - \$537,250
Total Annual Budget - \$25,754,750

Number of Services: 12,434 water connections serving 17,179 units
13,559 sewer connections serving 20,519 units
64 recycled water connections

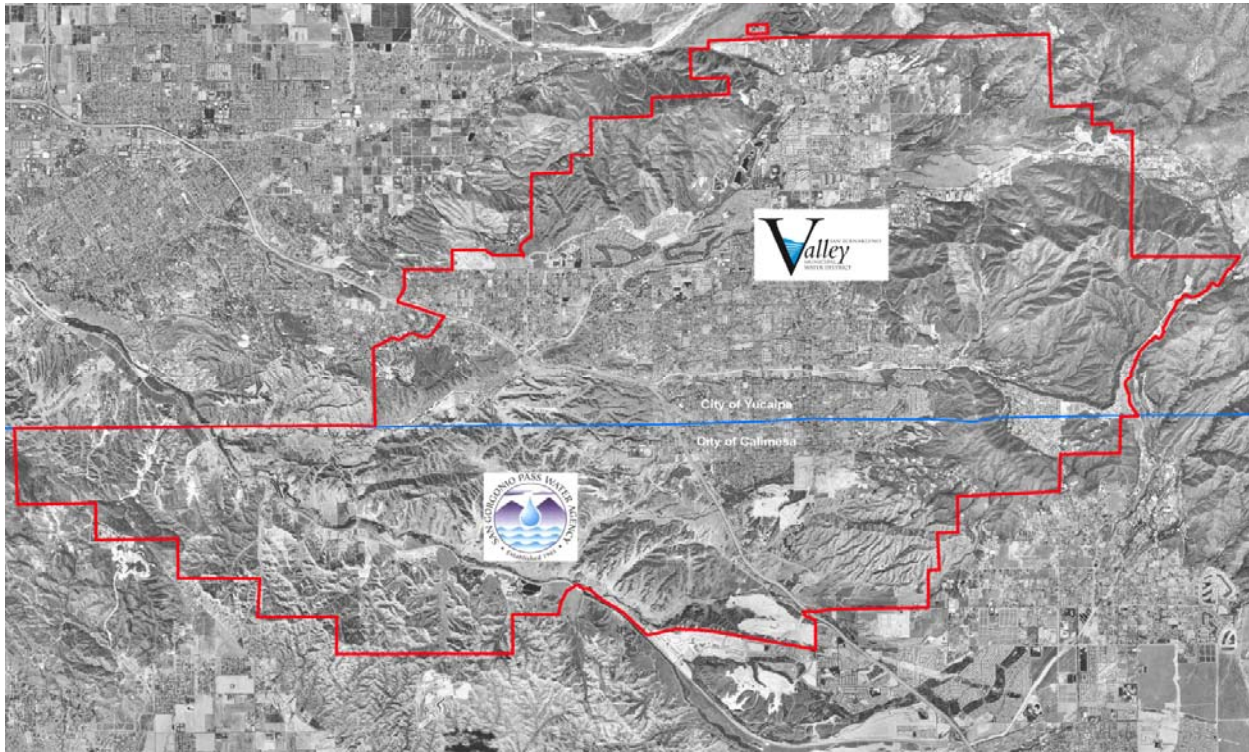
Water System: 215 miles of drinking water pipelines
27 reservoirs - 34 million gallons of storage capacity
18 pressure zones
12,000 ac-ft annual water demand (3.9 billion gallons)
Two water filtration facilities:
- 1 mgd at Oak Glen Surface Water Filtration Facility
- 12 mgd at Yucaipa Valley Regional Water Filtration Facility

Sewer System: 8.0 million gallon treatment capacity - current flow at 4.0 mgd
205 miles of sewer mainlines
5 sewer lift stations
4,500 ac-ft annual recycled water prod. (1.46 billion gallons)

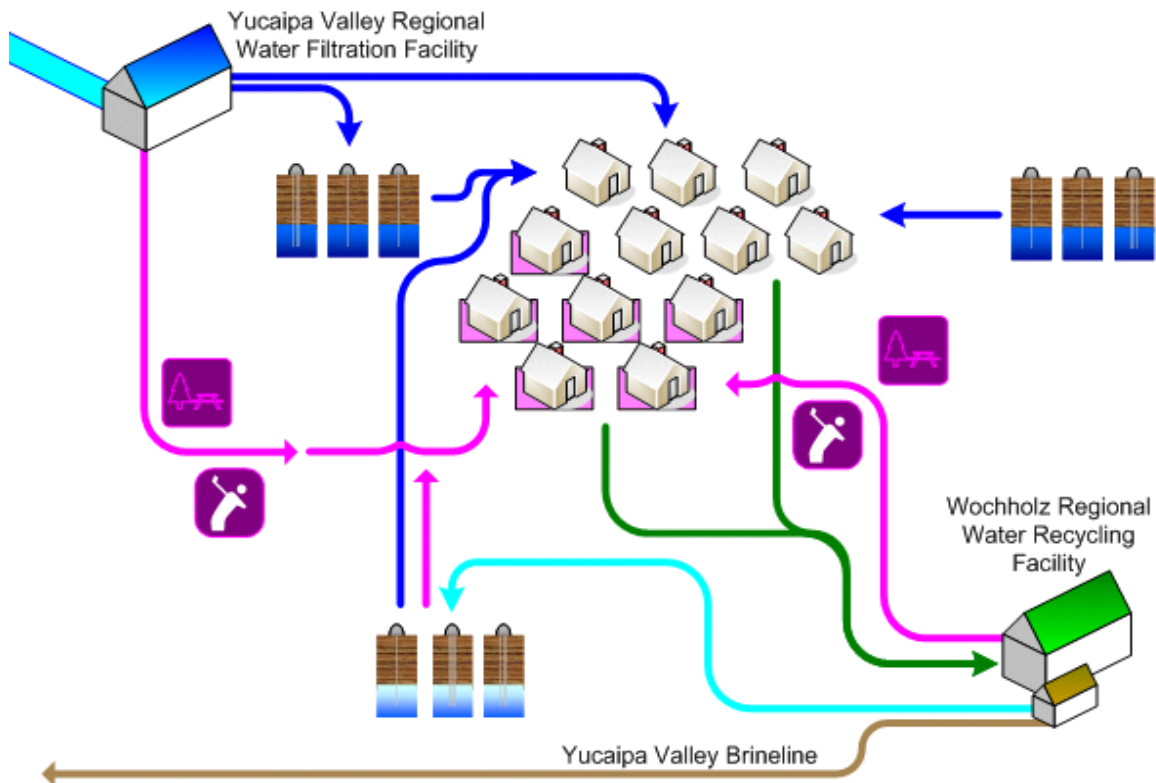
Recycled Water: 22 miles of recycled water pipelines
5 reservoirs - 12 million gallons of storage
1,200 ac-ft annual recycled demand (0.4 billion gallons)

Brine Disposal: 2.2 million gallon desalination facility at sewer treatment plant
1.108 million gallons of Inland Empire Brine Line capacity
0.295 million gallons of treatment capacity in Orange County

State Water Contractors: San Bernardino Valley Municipal Water District
San Geronimo Pass Water Agency



Sustainability Plan: A Strategic Plan for a Sustainable Future: The Integration and Preservation of Resources, adopted on August 20, 2008.





THE MEASUREMENT OF WATER PURITY

One part per hundred is generally represented by the percent (%).
This is equivalent to about fifteen minutes out of one day.

One part per thousand denotes one part per 1000 parts.
This is equivalent to about one and a half minutes out of one day.

One part per million (ppm) denotes one part per 1,000,000 parts.
This is equivalent to about 32 seconds out of a year.

One part per billion (ppb) denotes one part per 1,000,000,000 parts.
This is equivalent to about three seconds out of a century.

One part per trillion (ppt) denotes one part per 1,000,000,000,000 parts.
This is equivalent to about three seconds out of every hundred thousand years.

One part per quadrillion (ppq) denotes one part per 1,000,000,000,000,000 parts.
This is equivalent to about two and a half minutes out of the age of the Earth (4.5 billion years).





GLOSSARY OF COMMONLY USED TERMS

Every profession has specialized terms which generally evolve to facilitate communication between individuals. The routine use of these terms tends to exclude those who are unfamiliar with the particular specialized language of the group. Sometimes jargon can create communication cause difficulties where professionals in related fields use different terms for the same phenomena.

Below are commonly used water terms and abbreviations with commonly used definitions. If there is any discrepancy in definitions, the District's Regulations Governing Water Service is the final and binding definition.

Acre Foot of Water - The volume of water (325,850 gallons, or 43,560 cubic feet) that would cover an area of one acre to a depth of 1 foot.

Activated Sludge Process – A secondary biological sewer treatment process where bacteria reproduce at a high rate with the introduction of excess air or oxygen, and consume dissolved nutrients in the wastewater.

Annual Water Quality Report - The document is prepared annually and provides information on water quality, constituents in the water, compliance with drinking water standards and educational material on tap water. It is also referred to as a Consumer Confidence Report (CCR).

Aquifer - The natural underground area with layers of porous, water-bearing materials (sand, gravel) capable of yielding a supply of water; see Groundwater basin.

Backflow - The reversal of water's normal direction of flow. When water passes through a water meter into a home or business it should not reverse flow back into the water mainline.

Best Management Practices (BMPs) - Methods or techniques found to be the most effective and practical means in achieving an objective. Often used in the context of water conservation.

Biochemical Oxygen Demand (BOD) – The amount of oxygen used when organic matter undergoes decomposition by microorganisms. Testing for BOD is done to assess the amount of organic matter in water.

Biosolids – Biosolids are nutrient rich organic and highly treated solid materials produced by the sewer treatment process. This high-quality product can be used as a soil amendment on farm land or further processed as an earth-like product for commercial and home gardens to improve and maintain fertile soil and stimulate plant growth.

Catch Basin – A chamber usually built at the curb line of a street, which conveys surface water for discharge into a storm sewer.

Capital Improvement Program (CIP) – Projects for repair, rehabilitation, and replacement of assets. Also includes treatment improvements, additional capacity, and projects for the support facilities.

Collector Sewer – The first element of a wastewater collection system used to collect and carry wastewater from one or more building sewer laterals to a main sewer.

Coliform Bacteria – A group of bacteria found in the intestines of humans and other animals, but also occasionally found elsewhere and is generally used as an indicator of sewage pollution.

Combined Sewer Overflow – The portion of flow from a combined sewer system, which discharges into a water body from an outfall located upstream of a wastewater treatment plant, usually during wet weather conditions.

Combined Sewer System– Generally older sewer systems designed to convey both sewage and storm water into one pipe to a wastewater treatment plant.

Conjunctive Use - The coordinated management of surface water and groundwater supplies to maximize the yield of the overall water resource. Active conjunctive use uses artificial recharge, where surface water is intentionally percolated or injected into aquifers for later use. Passive conjunctive use is to simply rely on surface water in wet years and use groundwater in dry years.

Consumer Confidence Report (CCR) - see Annual Water Quality Report.

Cross-Connection - The actual or potential connection between a potable water supply and a non-potable source, where it is possible for a contaminant to enter the drinking water supply.

Disinfection By-Products (DBPs) - The category of compounds formed when disinfectants in water systems react with natural organic matter present in the source water supplies. Different disinfectants produce different types or amounts of disinfection byproducts. Disinfection byproducts for which regulations have been established have been identified in drinking water, including trihalomethanes, haloacetic acids, bromate, and chlorite

Drought - a period of below average rainfall causing water supply shortages.

Dry Weather Flow – Flow in a sanitary sewer during periods of dry weather in which the sanitary sewer is under minimum influence of inflow and infiltration.

Fire Flow - The ability to have a sufficient quantity of water available to the distribution system to be delivered through fire hydrants or private fire sprinkler systems.

Gallons per Capita per Day (GPCD) - A measurement of the average number of gallons of water use by the number of people served each day in a water system. The calculation is made by dividing the total gallons of water used each day by the total number of people using the water system.

Groundwater Basin - An underground body of water or aquifer defined by physical boundaries.

Groundwater Recharge - The process of placing water in an aquifer. Can be a naturally occurring process or artificially enhanced.

Hard Water - Water having a high concentration of minerals, typically calcium and magnesium ions.

Hydrologic Cycle - The process of evaporation of water into the air and its return to earth in the form of precipitation (rain or snow). This process also includes transpiration from plants, percolation into the ground, groundwater movement, and runoff into rivers, streams and the ocean; see Water cycle.

Infiltration – Water other than sewage that enters a sewer system and/or building laterals from the ground through defective pipes, pipe joints, connections, or manholes. Infiltration does not include inflow. See *Inflow*.

Inflow - Water other than sewage that enters a sewer system and building sewer from sources such as roof vents, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm drains and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include infiltration. See *Infiltration*.

Inflow / Infiltration (I/I) – The total quantity of water from both inflow and infiltration.

Mains, Distribution - A network of pipelines that delivers water (drinking water or recycled water) from transmission mains to residential and commercial properties, usually pipe diameters of 4" to 16".

Mains, Transmission - A system of pipelines that deliver water (drinking water or recycled water) from a source of supply the distribution mains, usually pipe diameters of greater than 16".

Meter - A device capable of measuring, in either gallons or cubic feet, a quantity of water delivered by the District to a service connection.

Overdraft - The pumping of water from a groundwater basin or aquifer in excess of the supply flowing into the basin. This pumping results in a depletion of the groundwater in the basin which has a net effect of lowering the levels of water in the aquifer.

Peak Flow – The maximum flow that occurs over a specific length of time (e.g., daily, hourly, instantaneously).

Pipeline - Connected piping that carries water, oil or other liquids. See Mains, Distribution and Mains, Transmission.

Point of Responsibility, Metered Service - The connection point at the outlet side of a water meter where a landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.

Potable Water - Water that is used for human consumption and regulated by the California Department of Public Health.

Pressure Reducing Valve - A device used to reduce the pressure in a domestic water system when the water pressure exceeds desirable levels.

Pump Station - A drinking water or recycled water facility where pumps are used to push water up to a higher elevation or different location.

Reservoir - A water storage facility where water is stored to be used at a later time for peak demands or emergencies such as fire suppression. Drinking water and recycled water systems will typically use concrete or steel reservoirs. The State Water Project system considers lakes, such as Shasta Lake and Folsom Lake to be water storage reservoirs.

Runoff - Water that travels downward over the earth's surface due to the force of gravity. It includes water running in streams as well as over land.

Sanitary Sewer System - Sewer collection system designed to carry sewage, consisting of domestic, commercial, and industrial wastewater. This type of system is not designed nor intended to carry water from rainfall, snowmelt, or groundwater sources. See *Combined Sewer System*.

Sanitary Sewer Overflow – Overflow from a sanitary sewer system caused when total wastewater flow exceeds the capacity of the system. See *Combined Sewer Overflow*.

Santa Ana River Interceptor (SARI) Line – A regional brine line designed to convey 30 million gallons per day of non-reclaimable wastewater from the upper Santa Ana River basin to the sewer treatment plant operated by Orange County Sanitation District.

Secondary Treatment – Biological sewer treatment, particularly the activated-sludge process, where bacteria and other microorganisms consume dissolved nutrients in wastewater.

Supervisory Control and Data Acquisition (SCADA) - A computerized system which provides the ability to remotely monitor and control water system facilities such as reservoirs, pumps and other elements of water delivery.

Service Connection - The water piping system connecting a customer's system with a District water main beginning at the outlet side of the point of responsibility, including all plumbing and equipment located on a parcel required for the District's provision of water service to that parcel.

Sludge – Untreated solid material created by the treatment of sewage.

Smart Irrigation Controller - A device that automatically adjusts the time and frequency which water is applied to landscaping based on real-time weather such as rainfall, wind, temperature and humidity.

Special District - A political subdivision of a state established to provide a public services, such as water supply or sanitation, within a specific geographic area.

Surface Water - Water found in lakes, streams, rivers, oceans or reservoirs behind dams.

Total Suspended Solids (TSS) – The amount of solids floating and in suspension in water or sewage.

Transpiration - The process by which water vapor is released into the atmosphere by living plants.

Trickling Filter – A biological secondary treatment process in which bacteria and other microorganisms, growing as slime on the surface of rocks or plastic media, consume nutrients in primary treated sewage as it trickles over them.

Underground Service Alert (USA) - A free service that notifies utilities such as water, telephone, cable and sewer companies of pending excavations within the area (dial 8-1-1 at least 2 working days before you dig).

Urban Runoff - Water from city streets and domestic properties that typically carries pollutants into the storm drains, rivers, lakes, and oceans.

Valve - A device that regulates, directs or controls the flow of water by opening, closing or partially obstructing various passageways.

Wastewater – Any water that enters the sanitary sewer.

Water Banking - The practice of actively storing or exchanging in-lieu surface water supplies in available groundwater basin storage space for later extraction and use by the storing party or for sale or exchange to a third party. Water may be banked as an independent operation or as part of a conjunctive use program.

Water cycle - The continuous movement water from the earth's surface to the atmosphere and back again; see Hydrologic cycle.

Water Pressure - Pressure created by the weight and elevation of water and/or generated by pumps that deliver water to the tap.

Water Service Line - The pipeline that delivers potable water to a residence or business from the District's water system. Typically the water service line is a 1" to 1½" diameter pipe for residential properties.

Watershed - A region or land area that contributes to the drainage or catchment area above a specific point on a stream or river.

Water Table - The upper surface of the zone of saturation of groundwater in an unconfined aquifer.

Water Transfer - A transaction, in which a holder of a water right or entitlement voluntarily sells/exchanges to a willing buyer the right to use all or a portion of the water under that water right or entitlement.

Water Well - A hole drilled into the ground to tap an underground water aquifer.

Wetlands - Lands which are fully saturated or under water at least part of the year, like seasonal vernal pools or swamps.

Wet Weather Flow – Dry weather flow combined with stormwater introduced into a combined sewer system, and dry weather flow combined with infiltration/inflow into a separate sewer system.





COMMONLY USED ABBREVIATIONS

AQMD	Air Quality Management District
BOD	Biochemical Oxygen Demand
CARB	California Air Resources Board
CCTV	Closed Circuit Television
CWA	Clean Water Act
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
FOG	Fats, Oils, and Grease
GPD	Gallons per day
MGD	Million gallons per day
O & M	Operations and Maintenance
OSHA	Occupational Safety and Health Administration
POTW	Publicly Owned Treatment Works
PPM	Parts per million
RWQCB	Regional Water Quality Control Board
SARI	Santa Ana River Inceptor
SAWPA	Santa Ana Watershed Project Authority
SBVMWD	San Bernardino Valley Municipal Water District
SCADA	Supervisory Control and Data Acquisition system
SSMP	Sanitary Sewer Management Plan
SSO	Sanitary Sewer Overflow
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
WDR	Waste Discharge Requirements
YVWD	Yucaipa Valley Water District