



# San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

## **BOARD OF DIRECTORS MEETING AGENDA**

**Wednesday, April 10, 2019 – 1:30 p.m.**

**Location--1630 West Redlands Boulevard, Suite A, Redlands, California**

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District office and are available for public review during normal District business hours. New information relating to agenda topics listed, received, or generated by the District after the posting of this agenda, but before the meeting, will be made available upon request at the District office and in the Agenda Package on the Districts website. It is the intention of the San Bernardino Valley Water Conservation District to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance with respect to the agenda or other written materials forwarded to the members of the Board for consideration at the public meeting, or if as an attendee or a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Monge at (909) 793-2503 at least 48 hours prior to the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

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### **CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL**

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#### **1. PUBLIC PARTICIPATION**

*Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.*

#### **2. ADDITIONS/DELETIONS TO AGENDA**

*Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.*

#### **3. PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE –**

10 minutes

*Article 1, Section 75560 of the California Water Code requires that a Water Conservation District that proposes to levy a groundwater charge "...shall annually cause to be made an engineering investigation and report upon groundwater conditions of the District." District staff will present the annual Bunker Hill Engineering Investigation Report and review the Groundwater Replenishment Program annual budget. District staff is recommending to the District's Board of Directors that an increase take place for fiscal year 2019-2020 in the amount of \$13.19 for all groundwater production. The purpose of the groundwater charge is to fund the District's*

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#### **BOARD OF DIRECTORS**

Division 1:  
Richard Corneille

Division 2:  
David E. Raley

Division 3:  
Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

#### **GENERAL MANAGER**

Daniel B. Cozad

*continuing groundwater replenishment efforts. District staff will present any written comments received and the board will hear oral comments.*

- *Open Public Meeting*
- *Receive Public Comments or Testimony*
- *Close Public Meeting*

4. **CONSENT CALENDAR**

- A. Approval of Board Minutes, March 13, 2019 .....4
- B. Approval of Expenditure Report, March 2019..... 11

5. **COMMITTEE REPORTS /ACTION ITEMS**

**Committee Reports**

- A. 3<sup>RD</sup> QUARTER UNAUDITED FINANCIALS FOR 2018-2019 – 5 minutes (M#1633) .....21  
*Presenter: Daniel Cozad*  
**Recommendation:** The Finance & Administration Committee recommend the Board review and receive and file the 3<sup>rd</sup> Quarter Unaudited Financial Reports for 2018-2019.

**Action Items**

- B. UNAUDITED FINANCIAL REPORTS, MARCH 2019 - 5 minutes (M#1634) .....24  
*Presenter: Daniel Cozad*  
**Recommendation:** Review and approve the unaudited financials for March 2019.
- C. BROWNSTEIN AGREEMENT FOR BUREAU OF LAND MANAGEMENT SUPPORT – 10 minutes (M#1635) .....30  
*Presenter: Daniel Cozad*  
**Recommendation:** Review and consider ratification of the agreement with Brownstein for support for work with the Bureau of Land Management and Department of Interior.
- D. ACWA/JPIA REQUEST FOR CONCURRING NOMINATIONS – 5 minutes (M#1636) .....32  
*Presenter: Daniel Cozad*  
**Recommendation:** Review and provide direction to staff to prepare concurring nomination resolution for those who requested it.

6. **INFORMATION ITEMS:**

- A. Wash Plan Verbal Update – 5 Minutes
- B. General Manager’s Report and Monthly Recharge Report – 5 Minutes .....35
- C. Future Agenda Items & Staff Tasks

7. **MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS**

- A. Board Member Meeting Reports – 15 minutes

8. **UPCOMING MEETINGS:**

- A. April 11, 2019                      Advisory Commission on Water Policy, 6:30 p.m. at Valley Municipal
- B. April 15, 2019                      San Bernardino Valley Municipal Water District Board Workshop, 3:00 p.m. at Valley Municipal
- C. April 15, 2019                      Association of San Bernardino County Special Districts Dinner Meeting, 6:00 p.m. at El Pescador (Victorville)
- D. April 17, 2019                      Budget Workshop, 1:30 p.m. at Conservation District
- E. April 24, 2019                      Groundwater Public Hearing/Board of Directors Meeting, 1:30 p.m. at Conservation District
- F. May 7-10, 2019                      ACWA Spring Conference, Monterey, CA  
*(Board Approval Required)*
- G. May 15, 2019                      San Bernardino Valley Municipal Water District Board Workshop, 3:00 p.m. at Valley Municipal
- H. July 9, 2019                         Big Bear Watermaster Committee, 2:00 p.m. at Conservation District

9. **CLOSED SESSION**

- 1. The Board will meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, Endangered Habitats League et al. vs. U.S. Army Corps of Engineers, Central District Court Case no. Case No.: 2:16-cv-09178-MWF-E.
- 2. The Board may convene in Closed Session for Conference to discuss Real Property Negotiations pursuant to Government Code §54956.8; Owner: 7W Enterprises for property located at 1500 Crafton Ave in Redlands, APN 0168237109, 016837106 and 016838103 Negotiator: Daniel Cozad..
- 3. The Board will meet in closed session under authority of Government Code §54956.8 regarding the potential renewal of lease of various properties located within section 11 and 12 more specifically described in “Mineral Lease for Extraction of Sand and Gravel Materials” dated November 1, 2011. The discussion will concern the price and terms of a potential renewal of the lease. The District’s negotiators are Daniel Cozad and David Cosgrove. The party with whom the District will negotiate is Cemex Materials Pacific, LLC, and its negotiators are Sean Palmer and Christine Jones.
- 4. The Board will meet in closed session under authority of Government Code §54956.8 regarding the potential to initiate litigation related to illegal grading and trespass on APN No. 0302-131-14.

- 10. **ADJOURN MEETING.** The next regularly scheduled Budget Workshop will be on April 17, 2019 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF March 13, 2019  
1:30 p.m.

President Corneille called the meeting of the Board of Directors to order at 1:33 p.m. All present stood for the Pledge of Allegiance, led by President Corneille.

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President  
Melody McDonald, Vice President (Departure 3:13 p.m.)  
David E. Raley, Director (Departure 3:40 p.m.)  
John Longville, Director (Arrival 1:51 p.m.)  
Robert Stewart, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager  
Jeff Beehler, Land Resources Manager  
Athena Monge, Administrative Services Specialist  
Katelyn Scholte, Assistant Engineer

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District  
Paul Kielhold, San Bernardino Valley Municipal Water District  
Richard De La Rosa

1. PUBLIC PARTICIPATION

President Corneille announced that any persons present, who so desired, may make an oral presentation to the Board of Directors. Mr. Harrison thanked the Conservation District, particularly Mr. Cozad, for their efforts on the enactment of the Santa Ana Wash Plan Land Exchange Act (Senate Bill 47). President Corneille expressed his appreciation for Valley Municipal's support including lobbyist support.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the posted agenda.

3. CONSENT CALENDAR

**It was moved by Director Raley and seconded by Vice President McDonald to approve Item A: Special Board Meeting Minutes, February 6, 2019, Item B: Board Minutes, February 13, 2019, and Item C: Expenditure Report, February 2019. The motion carried 4-0 with all Directors present voting in the affirmative and Director Longville noted absent from the vote.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Absent  
Director Raley: Yes  
Director Stewart: Yes**

4. COMMITTEE REPORTS/ACTION ITEMS

A. UNAUDITED FINANCIAL REPORTS, FEBRUARY 2019

Mr. Cozad noted the inclusion of the Board memo on package page 22.

**It was moved by Director Raley and seconded by Director Stewart to approve the Unaudited Financial Reports for February 2019. The motion carried 4-0 with all Directors present voting in the affirmative and Director Longville noted absent from the vote.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Absent  
Director Raley: Yes  
Director Stewart: Yes**

B. GROUNDWATER LATE PAYER, NONRESPONDENTS AND INVESTIGATION LIST FOR GWA #51

Mr. Cozad presented on this item noting its inclusion on package page 29. He said that since the publication of the Board package, both Greenspot Mutual and Redlands Unified School District have paid. Mr. Cozad noted that most are regular late payers and that staff does not feel the need to investigate any at this time. This item was received and filed.

C. FINAL ENGINEERING INVESTIGATION AND DRAFT GROUNDWATER RESOLUTION

Ms. Scholte noted that there was only one minor change to the Engineering Investigation (EI) Report after receiving the data from Fontana Water Company to the change in storage. Mr. Cozad noted that no comments had been received related to the EI Report. President Corneille asked if any member of the public wished to see the PowerPoint presentation on the EI report; there were none. President Corneille asked for feedback on the draft groundwater resolution. Mr. Cosgrove noted a non-substantive change in Section 7 (D) related to the year that needs to be updated. President Corneille asked staff to check on why the Section 5 rates double. Mr. Cozad also noted that the budgeted numbers in Section 7 (F) are last year's numbers and will

be updated. The groundwater resolution will be brought back for approval at the April 24 Groundwater Public Hearing.

**It was moved by Vice President McDonald and seconded by Director Raley to approve the 2019 Engineering Investigation Report. The motion carried 4-0 with all Directors present voting in the affirmative and Director Longville noted absent from the vote.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Absent  
Director Raley: Yes  
Director Stewart: Yes**

#### D. STAFF PLANNING UPDATE

Mr. Cozad noted this item was included in the Board package beginning on package page 38. The salary review has not been completed by Koff & Associates and will likely be presented at the Budget Workshop scheduled for April 17. Mr. Cozad reviewed the proposed organizational chart on package page 41. He said the Active Recharge Transfer Projects ARTP acronym is used in the charts. Mr. Cozad said that, through the Partnership Agreement with Valley Municipal, the District would be undertaking several projects. He said that a Senior Engineer/Project Manager would likely be needed to manage the ARTP projects. Mr. Cozad suggested it be a staff person rather than consultant since this is an ongoing project. He indicated that the type of work the District does is unique and having a dedicated person to manage this agreement and projects with the potential to lead other overlapping projects would be useful. The potential salary for this position is estimated to be around \$146,000 and approximately \$40,000 in benefits. Mr. Cozad said that if the District contracted out for this work, it would be roughly \$240,000-\$270,000. He asked for the Board's feedback on hiring a staff person.

President Corneille concurred that for this large of a capital improvement program over multiple years that a staff person is preferential rather than a consultant. He said they would be able to grow with the organization and it would be useful to have the person who manages the projects be someone who knows District operations. Director Raley spoke in opposition to hiring a staff person. He indicated that the District should hire a consultant until it identifies the need for a full-time person. Mr. Cozad said that he is proposing this staff person be hired in the next fiscal year and be made responsible for reviewing the projects and developing a plan on implementing them. Currently, the District does not have enough staff to perform these tasks. Director Longville spoke in support of hiring a Senior Engineer/Project Manager. He stated that previously, the District had a full staff but that has not been the case since Mr. Cozad's arrival. Director Longville said that he had saved the District a substantial amount of money by utilizing interns and fully supports the hiring of a staff person versus a consultant or contract employee. Vice President McDonald concurred with Director Longville and President Corneille. Director Stewart asked what the project costs are. Mr. Cozad said that the Partnership Agreement is \$36 million. Director Stewart said that the cost to manage a contract of that magnitude as well as consultants can be costly, and he would recommend staff manage the consultants and projects.

**It was moved by Director Longville and seconded by Vice President McDonald to authorize the hiring of a Senior Engineer/Project**

**Manager. The motion carried 4-1 with President Corneille, Vice President McDonald, and Directors Longville and Stewart voting in the affirmative. Director Raley voted in opposition of the motion.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: No  
Director Stewart: Yes**

**E. CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS AND REQUEST FOR CONCURRING**

President Corneille introduced this item for discussion. He asked if any member of the Board would have any interest in being seated on the CSDA Board of Directors. There were none. The District received one request for support from Lindsay Woods of Hesperia Recreation & Park District.

**It was moved by Vice President McDonald and seconded by Director Stewart to direct staff to prepare a resolution in support of Lindsay Woods of Hesperia Recreation & Park District. The motion carried 5-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

**F. ACWA/JPIA REQUEST FOR CONCURRING NOMINATIONS**

Vice President McDonald introduced this item for discussion. She provided a handout to the Board for Bruce Rupp of Humboldt Bay Municipal Water District.

**It was moved by Vice President McDonald and seconded by Director Longville to direct staff to prepare a concurring nomination resolution for Bruce Rupp, Brent Hastey, Jerry Gladbach and Al Lopez for ACWA/JPIA. The motion carried 5-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

## 5. INFORMATION ITEMS

### A. WASH PLAN VERBAL UPDATE

Mr. Beehler provided a verbal update on the Wash Plan. The Bureau of Land Management (BLM) and California Department of Fish and Wildlife (CDFW) are working on the environmental documents for publication in the Federal Registrar. Staff is preparing for implementation and has staked the area for the San Bernardino Kangaroo Rat (SBKR) bridge which will go over Dike D. Staff has completed herbicide trials and has identified an herbicide which offers cost savings to the District. Staff has also done thinning and will be doing habitat assessments. Mr. Beehler said that staff has been placing sand over areas where they are trying to restore habitat for SBKR. He said that the CDFW Streambed Alteration Agreement is finished and the 2081 endangered species permit is forthcoming. Mr. Beehler indicated to CDFW that this year might be the best year for reseeded Woolly Star using District seeds that they would like to plant soon. President Corneille asked about the slender-horned Spineflower (Spineflower). Mr. Beehler said that they would be working on a model to identify where Spineflower can be located. The District will be engaging a botanist to assist with the model. This item was received and filed.

### B. EMERGENCY ACTIONS AND ACTIVE RECHARGE VERBAL REPORT

Mr. Cozad presented a PowerPoint presentation on field operations. He reviewed the aggressive recharge and historical recharge approach. The District recharged approximately 6,000 AF more water by using the aggressive recharge approach. Mr. Cozad said that in Mill Creek the District had spent \$15,000 to \$25,000 in repairs alone. He reviewed the recent storms via PowerPoint. Mr. Cozad suggested having an Operations Committee and field tour in early- to mid-April so that the Board can see the facilities filled with water.

### C. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad indicated that the written General Manager's Report was included in the Board package on pages 61 to 64. The Monthly Recharge Report was included on page 65. Staff obtained an exemption from the State Water Board for Dredge and Fill Regulations; this has taken a significant amount of staff time. The exemption received was for ongoing maintenance of facilities that are used for maximizing water recharge. President Corneille thanked Mr. Cozad for all of his hard work and dedication to getting the District its exemption. Director Longville asked for a summary of the agencies it benefited; such as local cities and counties. President Corneille suggested incorporating Director Longville's suggestion into the annual reports that will be made available to the local city councils and elected officials. This item was received and filed.

### D. FUTURE AGENDA ITEMS AND STAFF TASKS

There were none discussed.

6. MONTHLY BOARD MEMBER COMMITTEE ACTIVITY REPORTS, AND/OR COMMENTS BY BOARD MEMBERS

Vice President McDonald attended the Valley Municipal Board Workshop on March 12, Legislative & Policy Committee on March 6, and Valley Municipal Board of Directors Meeting on March 5. She attended the Water Use Efficiency Committee Workshop on February 20, Valley Municipal Board of Directors Meeting on February 19 and Strategic Analysis/Plan Committee Workshop on February 14. Vice President McDonald attended the Highland Area Chamber of Commerce (HACC) Luncheon on February 26 and Association of San Bernardino County Special Districts (ASBCSD) dinner on February 25.

Director Stewart attended Valley Municipal Board of Directors Meeting on March 5, Valley Municipal Board of Directors Meeting on February 19 and San Bernardino Area Chamber of Commerce (SBACC) Installation Dinner on February 28. He attended the Loma Linda Chamber of Commerce (LLCC) on February 14, Bear Valley Mutual Water Company meeting on February 19 and Bear Valley Extension Pipeline meeting on March 6.

Director Raley attended the Strategic Analysis/Plan Committee Workshop on February 14, Water Use Efficiency Committee Workshop on February 20 and Redlands Rise N Shine on March 1. He attended the Valley Municipal Board of Directors Meeting on March 5 and the Legislative & Policy Committee on March 6.

President Corneille attended a Groundwater Committee meeting via web on February 21, HACC Luncheon on February 26, and SBACC Installation Dinner on February 28. He attended Redlands Rise N Shine on March 1 and HACC Quarterly Breakfast on March 12.

Director Longville attended the George Brown Legacy Foundation Meeting on March 10, ASBCSD dinner on February 25 and Valley Municipal Board of Directors Meeting on March 5. He attended the Conservation Trust Board meeting on February 19, Congressman Pete Aguilar meeting on February 14 and Valley Municipal Board of Directors Meeting on March 5. Director Longville attended the State of the County on February 12 and Valley Municipal Board of Directors Meeting on February 5.

**It was moved by Director Raley and seconded by Director Longville to approve President Corneille's travel request to attend the ACWA Spring Conference. The motion carried 4-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Absent  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart:**

7. UPCOMING MEETINGS

President Corneille noted that Form 700s are due to the District Office by March 22.

8. CLOSED SESSION

**It was moved by Director Longville and seconded by President Corneille to adjourn to Closed Session. The motion carried 4-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Absent  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart:**

General Counsel announced that the meeting would adjourn to closed session under all of the posted agenda items.

At 3:51 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted that there was no reportable action.

9. ADJOURN MEETING

**It was moved by Director Longville and seconded by Director Stewart to adjourn. The motion carried 3-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Absent  
Director Longville: Yes  
Director Raley: Absent  
Director Stewart: Yes**

At 3:51 p.m., the meeting was adjourned to the Board of Directors Meeting and Groundwater Public Hearing scheduled for 1:30 p.m. April 10, 2019, at District Headquarters, 1630 W. Redlands Blvd., Redlands, Calif.

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Daniel B. Cozad  
General Manager

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
**March 2019**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>QB Intuit</b>	<b>03/06/2019</b>	<b>Intuit</b>	<b>1012 · Citizens Busine...</b>		<b>-385.70</b>
			6030 · Office Supplies	4-General Fund Ent.	308.55
			6030 · Office Supplies	1-Groundwater Ent.	19.29
			6030 · Office Supplies	2-Redlands Plaza/...	38.57
			6030 · Office Supplies	3-Land Resources	19.29
TOTAL					385.70
<b>PC 03.11.19</b>	<b>03/11/2019</b>	<b>Paychex</b>	<b>1012 · Citizens Busine...</b>		<b>-82.67</b>
			6042 · Payroll Processing	4-General Fund Ent.	82.67
TOTAL					82.67
<b>PC 03.13.19</b>	<b>03/13/2019</b>	<b>Paychex</b>	<b>1012 · Citizens Busine...</b>		<b>-74.89</b>
			6042 · Payroll Processing	4-General Fund Ent.	74.89
TOTAL					74.89
<b>PC 03.27.19</b>	<b>03/27/2019</b>	<b>Paychex</b>	<b>1012 · Citizens Busine...</b>		<b>-85.89</b>
			6042 · Payroll Processing	4-General Fund Ent.	85.89
TOTAL					85.89
<b>ACH0180</b>	<b>03/07/2019</b>	<b>Melody McDonald</b>	<b>1012 · Citizens Busine...</b>		<b>-103.82</b>
			6410 · Mileage	4-General Fund Ent.	103.82
TOTAL					103.82
<b>ACH0181</b>	<b>03/25/2019</b>	<b>Melody McDonald</b>	<b>1012 · Citizens Busine...</b>		<b>-97.44</b>
			6410 · Mileage	4-General Fund Ent.	97.44
TOTAL					97.44
<b>ACH0182</b>	<b>03/25/2019</b>	<b>Robert Stewart</b>	<b>1012 · Citizens Busine...</b>		<b>-9.28</b>
			6410 · Mileage	4-General Fund Ent.	9.28
TOTAL					9.28
<b>21652</b>	<b>03/06/2019</b>	<b>Aaron Pederson</b>	<b>1012 · Citizens Busine...</b>		<b>-35.00</b>
	02/23/2019		6018 · Janitorial Services	4-General Fund Ent.	35.00
TOTAL					35.00

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
**March 2019**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>21653</b>	<b>03/06/2019</b>	<b>ACWA/JPIA-Health</b>	<b>1012 · Citizens Busine...</b>		<b>-13,268.20</b>
	03/01/2019		6110 · Vision Insurance	4-General Fund Ent.	26.60
			6110 · Vision Insurance	1-Groundwater Ent.	84.25
			6110 · Vision Insurance	2-Redlands Plaza/...	8.45
			6110 · Vision Insurance	3-Land Resources	27.99
			6110 · Vision Insurance	5-Wash Plan	18.33
			6130 · Dental Insurance	4-General Fund Ent.	112.73
			6130 · Dental Insurance	1-Groundwater Ent.	357.07
			6130 · Dental Insurance	2-Redlands Plaza/...	35.80
			6130 · Dental Insurance	3-Land Resources	118.62
			6130 · Dental Insurance	5-Wash Plan	77.70
			6150 · Medical Insurance	4-General Fund Ent.	1,991.55
			6150 · Medical Insurance	1-Groundwater Ent.	6,308.22
			6150 · Medical Insurance	2-Redlands Plaza/...	632.43
			6150 · Medical Insurance	3-Land Resources	2,095.71
			6150 · Medical Insurance	5-Wash Plan	1,372.75
TOTAL					13,268.20
<b>21654</b>	<b>03/06/2019</b>	<b>American Power Security</b>	<b>1012 · Citizens Busine...</b>		<b>-620.00</b>
	03/02/2019		6026 · Redlands Plaza ...	2-Redlands Plaza/...	620.00
TOTAL					620.00
<b>21655</b>	<b>03/06/2019</b>	<b>Assoc. San Bernardino...</b>	<b>1012 · Citizens Busine...</b>		<b>-185.00</b>
	03/05/2019		6093 · Memberships	4-General Fund Ent.	150.00
			6425 · Meals	4-General Fund Ent.	35.00
TOTAL					185.00
<b>21656</b>	<b>03/06/2019</b>	<b>Cal Net Technology Gr...</b>	<b>1012 · Citizens Busine...</b>		<b>-3,000.00</b>
	02/15/2019		7220 · Computer Softw...	4-General Fund Ent.	600.00
			7220 · Computer Softw...	1-Groundwater Ent.	900.00
			7220 · Computer Softw...	3-Land Resources	1,200.00
			7220 · Computer Softw...	5-Wash Plan	300.00
TOTAL					3,000.00
<b>21657</b>	<b>03/06/2019</b>	<b>Capitol Enquiry</b>	<b>1012 · Citizens Busine...</b>		<b>-85.05</b>
	10/16/2018		6090 · Subscriptions/Pu...	4-General Fund Ent.	85.05
TOTAL					85.05
<b>21658</b>	<b>03/06/2019</b>	<b>Castro Landscaping Se...</b>	<b>1012 · Citizens Busine...</b>		<b>-250.00</b>
	02/28/2019		6026 · Redlands Plaza ...	2-Redlands Plaza/...	250.00
TOTAL					250.00

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
**March 2019**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>21659</b>	<b>03/06/2019</b>	<b>Citizens Business Bank</b>	<b>1012 · Citizens Busine...</b>		<b>-2,668.41</b>
	02/12/2019		5215 · Property Mainten...	1-Groundwater Ent.	172.39
			5215 · Property Mainten...	3-Land Resources	43.10
			6002 · Website Adminis...	4-General Fund Ent.	225.00
			6004 · Meeting Expenses	4-General Fund Ent.	30.22
			6004 · Meeting Expenses	3-Land Resources	30.22
			6015 · Mentone House ...	2-Redlands Plaza/...	708.46
			6030 · Office Supplies	4-General Fund Ent.	290.31
			6030 · Office Supplies	1-Groundwater Ent.	18.15
			6030 · Office Supplies	2-Redlands Plaza/...	36.29
			6030 · Office Supplies	3-Land Resources	18.15
			6039 · Postage and Ov...	4-General Fund Ent.	67.57
			6039 · Postage and Ov...	1-Groundwater Ent.	30.70
			6039 · Postage and Ov...	2-Redlands Plaza/...	12.29
			6039 · Postage and Ov...	3-Land Resources	12.29
			6051 · Uniforms	4-General Fund Ent.	11.62
			6051 · Uniforms	1-Groundwater Ent.	27.12
			6435 · Conf/Seminar R...	4-General Fund Ent.	100.00
			6515 · Air Fare	4-General Fund Ent.	287.53
			6515 · Air Fare	1-Groundwater Ent.	159.74
			6515 · Air Fare	3-Land Resources	191.69
			6520 · Travel, Other (re...	4-General Fund Ent.	27.46
			6520 · Travel, Other (re...	1-Groundwater Ent.	15.26
			6520 · Travel, Other (re...	3-Land Resources	18.31
			6525 · Meals	4-General Fund Ent.	38.04
			6525 · Meals	1-Groundwater Ent.	29.59
			6525 · Meals	3-Land Resources	16.91
			6535 · Conf/Seminar R...	4-General Fund Ent.	22.50
			6535 · Conf/Seminar R...	1-Groundwater Ent.	17.50
			6535 · Conf/Seminar R...	3-Land Resources	10.00
TOTAL					2,668.41
<b>21660</b>	<b>03/06/2019</b>	<b>City of Redlands -Muni...</b>	<b>1012 · Citizens Busine...</b>		<b>-53.20</b>
	03/05/2019		6015 · Mentone House ...	2-Redlands Plaza/...	53.20
TOTAL					53.20
<b>21661</b>	<b>03/06/2019</b>	<b>Corneille, Richard</b>	<b>1012 · Citizens Busine...</b>		<b>-26.68</b>
	03/01/2019		6410 · Mileage	4-General Fund Ent.	26.68
TOTAL					26.68
<b>21662</b>	<b>03/06/2019</b>	<b>Edison - 8812</b>	<b>1012 · Citizens Busine...</b>		<b>-135.69</b>
	03/02/2019		5420 · Electricity	4-General Fund Ent.	37.99
			5420 · Electricity	1-Groundwater Ent.	27.14
			5420 · Electricity	2-Redlands Plaza/...	70.56
TOTAL					135.69
<b>21663</b>	<b>03/06/2019</b>	<b>Edison - Redlands Plaza</b>	<b>1012 · Citizens Busine...</b>		<b>-267.92</b>
	03/02/2019		6026 · Redlands Plaza ...	2-Redlands Plaza/...	267.92
TOTAL					267.92

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
**March 2019**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>21664</b>	<b>03/06/2019</b>	<b>Frontier-4860</b>	<b>1012 · Citizens Busine...</b>		<b>-475.97</b>
	02/28/2019		5440 · Telephone	4-General Fund Ent.	231.69
			5440 · Telephone	1-Groundwater Ent.	99.29
			5470 · Internet Services	4-General Fund Ent.	72.50
			5470 · Internet Services	1-Groundwater Ent.	43.50
			5470 · Internet Services	2-Redlands Plaza/...	7.25
			5470 · Internet Services	3-Land Resources	21.74
TOTAL					475.97
<b>21665</b>	<b>03/06/2019</b>	<b>Frontier-7275</b>	<b>1012 · Citizens Busine...</b>		<b>-149.11</b>
	02/19/2019		5440 · Telephone	4-General Fund Ent.	51.88
			5440 · Telephone	1-Groundwater Ent.	22.24
			5470 · Internet Services	4-General Fund Ent.	37.50
			5470 · Internet Services	1-Groundwater Ent.	22.50
			5470 · Internet Services	2-Redlands Plaza/...	3.75
			5470 · Internet Services	3-Land Resources	11.24
TOTAL					149.11
<b>21666</b>	<b>03/06/2019</b>	<b>Image Source</b>	<b>1012 · Citizens Busine...</b>		<b>-259.16</b>
	02/13/2019		6033 · Office Equipmen...	4-General Fund Ent.	194.37
			6033 · Office Equipmen...	1-Groundwater Ent.	12.96
			6033 · Office Equipmen...	2-Redlands Plaza/...	38.87
			6033 · Office Equipmen...	3-Land Resources	12.96
TOTAL					259.16
<b>21667</b>	<b>03/06/2019</b>	<b>JUHL Electric</b>	<b>1012 · Citizens Busine...</b>		<b>-70.00</b>
	01/21/2019		6015 · Mentone House ...	2-Redlands Plaza/...	70.00
TOTAL					70.00
<b>21668</b>	<b>03/06/2019</b>	<b>Katelyn Scholte</b>	<b>1012 · Citizens Busine...</b>		<b>-34.22</b>
	03/04/2019		6510 · Mileage	4-General Fund Ent.	13.69
			6510 · Mileage	1-Groundwater Ent.	17.11
			6510 · Mileage	3-Land Resources	3.42
TOTAL					34.22
<b>21669</b>	<b>03/06/2019</b>	<b>Larry Jacinto Construc...</b>	<b>1012 · Citizens Busine...</b>		<b>-4,988.00</b>
	02/04/2019		5050 · Basin Cleaning	1-Groundwater Ent.	1,062.50
	03/16/2019		5050 · Basin Cleaning	1-Groundwater Ent.	3,925.50
TOTAL					4,988.00
<b>21670</b>	<b>03/06/2019</b>	<b>Lowe's Companies, Inc.</b>	<b>1012 · Citizens Busine...</b>		<b>-49.39</b>
	02/25/2019		5210 · Equipment Maint...	1-Groundwater Ent.	34.05
			5215 · Property Mainten...	1-Groundwater Ent.	12.27
			5215 · Property Mainten...	3-Land Resources	3.07
TOTAL					49.39

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
**March 2019**

04/03/19

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>21671</b>	<b>03/06/2019</b>	<b>Manuel Colunga</b>	<b>1012 · Citizens Busine...</b>		<b>-165.22</b>
	02/16/2019		6051 · Uniforms	4-General Fund Ent.	49.57
			6051 · Uniforms	1-Groundwater Ent.	115.65
TOTAL					165.22
<b>21672</b>	<b>03/06/2019</b>	<b>O'Reilly</b>	<b>1012 · Citizens Busine...</b>		<b>-13.61</b>
	02/22/2019		5310 · Vehicle Mainten...	1-Groundwater Ent.	13.61
TOTAL					13.61
<b>21673</b>	<b>03/06/2019</b>	<b>Redlands Chamber of ...</b>	<b>1012 · Citizens Busine...</b>		<b>-116.00</b>
	09/15/2018		6093 · Memberships	4-General Fund Ent.	116.00
TOTAL					116.00
<b>21674</b>	<b>03/06/2019</b>	<b>Redlands Ford</b>	<b>1012 · Citizens Busine...</b>		<b>-187.95</b>
	02/27/2019		5310 · Vehicle Mainten...	1-Groundwater Ent.	187.95
TOTAL					187.95
<b>21675</b>	<b>03/06/2019</b>	<b>San Bernardino Area C...</b>	<b>1012 · Citizens Busine...</b>		<b>-250.00</b>
	03/05/2019		6093 · Memberships	4-General Fund Ent.	250.00
TOTAL					250.00
<b>21676</b>	<b>03/06/2019</b>	<b>Schubert Landscaping,...</b>	<b>1012 · Citizens Busine...</b>		<b>-525.00</b>
	01/22/2019		6015 · Mentone House ...	2-Redlands Plaza/...	230.00
	02/20/2019		6015 · Mentone House ...	2-Redlands Plaza/...	295.00
TOTAL					525.00
<b>21677</b>	<b>03/06/2019</b>	<b>Smart &amp; Final</b>	<b>1012 · Citizens Busine...</b>		<b>-156.43</b>
	02/21/2019		6019 · Janitorial Supplies	4-General Fund Ent.	22.01
			6019 · Janitorial Supplies	1-Groundwater Ent.	14.68
			6030 · Office Supplies	4-General Fund Ent.	21.38
			6030 · Office Supplies	1-Groundwater Ent.	1.34
			6030 · Office Supplies	2-Redlands Plaza/...	2.67
			6030 · Office Supplies	3-Land Resources	1.34
			6004 · Meeting Expenses	4-General Fund Ent.	46.51
			6004 · Meeting Expenses	3-Land Resources	46.50
TOTAL					156.43
<b>21678</b>	<b>03/06/2019</b>	<b>The Gas Company</b>	<b>1012 · Citizens Busine...</b>		<b>-265.01</b>
	02/14/2019		5450 · Natural Gas	4-General Fund Ent.	159.01
			5450 · Natural Gas	1-Groundwater Ent.	106.00
TOTAL					265.01

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
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<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>21679</b>	<b>03/06/2019</b>	<b>Thomas Purvis</b>	<b>1012 · Citizens Busine...</b>		<b>-263.34</b>
	03/04/2019		6051 · Uniforms	4-General Fund Ent.	79.00
			6051 · Uniforms	1-Groundwater Ent.	184.34
TOTAL					263.34
<b>21680</b>	<b>03/06/2019</b>	<b>U.S. Bank Equipment F...</b>	<b>1012 · Citizens Busine...</b>		<b>-336.18</b>
	02/08/2019		6033 · Office Equipmen...	4-General Fund Ent.	252.13
			6033 · Office Equipmen...	1-Groundwater Ent.	16.81
			6033 · Office Equipmen...	2-Redlands Plaza/...	50.43
			6033 · Office Equipmen...	3-Land Resources	16.81
TOTAL					336.18
<b>21681</b>	<b>03/06/2019</b>	<b>Valero Marketing &amp; Sup...</b>	<b>1012 · Citizens Busine...</b>		<b>-608.42</b>
	02/28/2019		5320 · Fuel	1-Groundwater Ent.	608.42
TOTAL					608.42
<b>21682</b>	<b>03/06/2019</b>	<b>Watermaster Support S...</b>	<b>1012 · Citizens Busine...</b>		<b>-2,100.00</b>
	03/01/2019		5120 · Misc. Profession...	4-General Fund Ent.	630.00
			5120 · Misc. Profession...	1-Groundwater Ent.	441.00
			5120 · Misc. Profession...	3-Land Resources	1,029.00
TOTAL					2,100.00
<b>21683</b>	<b>03/19/2019</b>	<b>Burgeson's Heating &amp; ...</b>	<b>1012 · Citizens Busine...</b>		<b>-630.00</b>
	03/04/2019		6026 · Redlands Plaza ...	2-Redlands Plaza/...	630.00
TOTAL					630.00
<b>21684</b>	<b>03/19/2019</b>	<b>California Special Distri...</b>	<b>1012 · Citizens Busine...</b>		<b>-125.00</b>
	03/11/2019		6435 · Conf/Seminar R...	4-General Fund Ent.	125.00
TOTAL					125.00
<b>21685</b>	<b>03/19/2019</b>	<b>Day Lite Maintenance, I...</b>	<b>1012 · Citizens Busine...</b>		<b>-144.00</b>
	03/01/2019		6026 · Redlands Plaza ...	2-Redlands Plaza/...	144.00
TOTAL					144.00
<b>21686</b>	<b>03/19/2019</b>	<b>Dept of Forestry and Fi...</b>	<b>1012 · Citizens Busine...</b>		<b>-680.82</b>
	03/14/2019		5223 · Temp. Field Labor	1-Groundwater Ent.	680.82
TOTAL					680.82
<b>21687</b>	<b>03/19/2019</b>	<b>Edison - 7241</b>	<b>1012 · Citizens Busine...</b>		<b>-39.03</b>
	03/13/2019		5420 · Electricity	4-General Fund Ent.	10.92
			5420 · Electricity	1-Groundwater Ent.	7.81
			5420 · Electricity	2-Redlands Plaza/...	20.30
TOTAL					39.03

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
**March 2019**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>21688</b>	<b>03/19/2019</b>	<b>Edison -5552</b>	<b>1012 · Citizens Busine...</b>		<b>-262.61</b>
	03/12/2019		5420 · Electricity	4-General Fund Ent.	67.18
			5420 · Electricity	1-Groundwater Ent.	47.99
			5420 · Electricity	2-Redlands Plaza/...	124.77
			6020 · Vacancy Marketi...	2-Redlands Plaza/...	22.67
TOTAL					262.61
<b>21689</b>	<b>03/19/2019</b>	<b>ESRI, Inc.</b>	<b>1012 · Citizens Busine...</b>		<b>-2,900.00</b>
	03/13/2019		7220 · Computer Softw...	4-General Fund Ent.	580.00
			7220 · Computer Softw...	1-Groundwater Ent.	870.00
			7220 · Computer Softw...	3-Land Resources	1,160.00
			7220 · Computer Softw...	5-Wash Plan	290.00
TOTAL					2,900.00
<b>21690</b>	<b>03/19/2019</b>	<b>Home Depot Credit Ser...</b>	<b>1012 · Citizens Busine...</b>		<b>-76.76</b>
	02/28/2019		5210 · Equipment Maint...	1-Groundwater Ent.	55.40
			6015 · Mentone House ...	2-Redlands Plaza/...	21.36
TOTAL					76.76
<b>21691</b>	<b>03/19/2019</b>	<b>ICF Jones &amp; Stokes, Inc</b>	<b>1012 · Citizens Busine...</b>		<b>-4,630.00</b>
	03/08/2019		5122 · Wash Plan Profe...	5-Wash Plan	4,630.00
TOTAL					4,630.00
<b>21692</b>	<b>03/19/2019</b>	<b>Joseph E. Bonadiman ...</b>	<b>1012 · Citizens Busine...</b>		<b>-1,450.00</b>
	03/01/2019		5120 · Misc. Profession...	4-General Fund Ent.	435.00
			5120 · Misc. Profession...	1-Groundwater Ent.	304.50
			5120 · Misc. Profession...	3-Land Resources	710.50
TOTAL					1,450.00
<b>21693</b>	<b>03/19/2019</b>	<b>Koff &amp; Associates</b>	<b>1012 · Citizens Busine...</b>		<b>-5,421.00</b>
	03/03/2019		5120 · Misc. Profession...	4-General Fund Ent.	1,626.30
			5120 · Misc. Profession...	1-Groundwater Ent.	1,138.41
			5120 · Misc. Profession...	3-Land Resources	2,656.29
TOTAL					5,421.00
<b>21694</b>	<b>03/19/2019</b>	<b>Mikael Romich</b>	<b>1012 · Citizens Busine...</b>		<b>-3,755.90</b>
	03/05/2019		1700 · Work in Progress	1-Groundwater Ent.	315.00
			1700 · Work in Progress	1-Groundwater Ent.	568.40
			5120 · Misc. Profession...	3-Land Resources	2,872.50
TOTAL					3,755.90
<b>21695</b>	<b>03/19/2019</b>	<b>Netsteller</b>	<b>1012 · Citizens Busine...</b>		<b>-450.00</b>
	03/11/2019		5160 · IT Support	4-General Fund Ent.	180.00
			5160 · IT Support	1-Groundwater Ent.	225.00
			5160 · IT Support	3-Land Resources	45.00
TOTAL					450.00

**San Bernardino Valley Water Conservation District**  
**Expenditure Report**  
**March 2019**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
<b>21696</b>	<b>03/19/2019</b>	<b>Redlands Chamber of ...</b>	<b>1012 · Citizens Busine...</b>		<b>-175.00</b>
	03/18/2019		6093 · Memberships	4-General Fund Ent.	175.00
TOTAL					175.00
<b>21697</b>	<b>03/19/2019</b>	<b>Rutan &amp; Tucker</b>	<b>1012 · Citizens Busine...</b>		<b>-7,555.53</b>
	02/27/2019		5180 · Legal	4-General Fund Ent.	1,710.91
			5180 · Legal	1-Groundwater Ent.	1,710.91
			5180 · Legal	2-Redlands Plaza/...	399.21
			5180 · Legal	3-Land Resources	1,882.00
			5180 · Legal	3-Land Resources	1,690.00
			5175 · Legal - Wash Plan	5-Wash Plan	162.50
TOTAL					7,555.53
<b>21698</b>	<b>03/19/2019</b>	<b>Terminix</b>	<b>1012 · Citizens Busine...</b>		<b>-69.00</b>
	03/08/2019		6026 · Redlands Plaza ...	2-Redlands Plaza/...	69.00
TOTAL					69.00
<b>21699</b>	<b>03/19/2019</b>	<b>U.S. Bank Equipment F...</b>	<b>1012 · Citizens Busine...</b>		<b>-395.58</b>
	03/11/2019		6033 · Office Equipmen...	4-General Fund Ent.	296.68
			6033 · Office Equipmen...	1-Groundwater Ent.	19.78
			6033 · Office Equipmen...	2-Redlands Plaza/...	59.34
			6033 · Office Equipmen...	3-Land Resources	19.78
TOTAL					395.58
<b>21700</b>	<b>03/19/2019</b>	<b>WEX Bank-Shell GAS</b>	<b>1012 · Citizens Busine...</b>		<b>-591.00</b>
	03/19/2019		5320 · Fuel	1-Groundwater Ent.	591.00
TOTAL					591.00
<b>21701</b>	<b>03/19/2019</b>	<b>Wilbur's</b>	<b>1012 · Citizens Busine...</b>		<b>-39.21</b>
	03/01/2019		5210 · Equipment Maint...	1-Groundwater Ent.	39.21
TOTAL					39.21
<b>21702</b>	<b>03/25/2019</b>	<b>Athena Monge</b>	<b>1012 · Citizens Busine...</b>		<b>-21.77</b>
	03/25/2019		6510 · Mileage	4-General Fund Ent.	8.71
			6510 · Mileage	1-Groundwater Ent.	10.88
			6510 · Mileage	3-Land Resources	2.18
TOTAL					21.77
<b>100218N</b>	<b>03/12/2019</b>	<b>PERS</b>	<b>1012 · Citizens Busine...</b>		<b>-6,249.80</b>
			6170 · PERS Retirement	4-General Fund Ent.	1,003.72
			6170 · PERS Retirement	1-Groundwater Ent.	3,179.27
			6170 · PERS Retirement	2-Redlands Plaza/...	318.74
			6170 · PERS Retirement	3-Land Resources	931.22
			6170 · PERS Retirement	5-Wash Plan	816.85
TOTAL					6,249.80

**San Bernardino Valley Water Conservation District  
Expenditure Report  
March 2019**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
100219N	03/25/2019	PERS	1012 · Citizens Busine...		<b>-6,243.94</b>
			6170 · PERS Retirement	4-General Fund Ent.	1,002.78
			6170 · PERS Retirement	1-Groundwater Ent.	3,176.29
			6170 · PERS Retirement	2-Redlands Plaza/...	318.44
			6170 · PERS Retirement	3-Land Resources	930.35
			6170 · PERS Retirement	5-Wash Plan	816.08
TOTAL					<u>6,243.94</u>

San Bernardino Valley Water Conservation District

**Director Fees Expenditure Payroll Report**

March 2019

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Pay Date	Name	For Period	Director Fees	Taxes Withheld	Check Amt
3/13/2019	Corneille, R	Feb-19	\$ 1,350.00	\$ 179.13	\$ 1,170.87
3/27/2019	McDonald, M	Mar-19	\$ 1,800.00	\$ 175.70	\$ 1,624.30
3/27/2019	Stewart, R.	Feb-19	\$ 900.00	\$ 100.93	\$ 799.07



**San Bernardino Valley  
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1633

**To: Board of Directors**

**From: Finance & Administration Committee/General Manager, Daniel Cozad**

**Date: April 10, 2019**

**Subject: 3rd Quarter Unaudited Financials for 2018-2019**

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**RECOMMENDATION**

The Finance & Administration Committee recommends the Board review and receive and file the 3rd Quarter Unaudited Financial Reports for 2018-2019.

**BACKGROUND**

The Finance & Administration Committee met March 27, 2019, to review the 3rd Quarter Unaudited Financials. Due to the need to have this meeting before the end of March, 3<sup>rd</sup> Quarter Financials were presented to the Committee with preliminary 3<sup>rd</sup> quarter data. The Committee requested Staff update the budget worksheet with any additional income and expenses that were received after the Committee meeting through quarter-end. The presented 3<sup>rd</sup> Quarter Rolled Up Budget Worksheet has been updated as requested.

**FISCAL IMPACT**

There is no fiscal impact from reporting the financial status of the District.

**ATTACHMENTS OR MATERIALS**

2018-2019 3rd Quarter Rolled Up Budget Worksheet

**POTENTIAL MOTIONS**

1. Move to receive and file the Third Quarter Unaudited Financial Reports for 2018-2019 as presented.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.

3RD QUARTER GL ACCT: GL DESCRIPTION:		2018-2019 Budget	Expended/ Received to Date as of 3/31/19	Projected Annual Costs (7/1/18- 6/30/19)	Notes	GENERAL FUND			GROUNDWATER RECHARGE ENTERPRISE		REDLANDS PLAZA & LEASED PROPERTY- MENTONE HOUSE		LAND RESOURCE		WASH PLAN	
2018-2019 Budget						2018 BUDGET:	% BUDGET	BASIS:	2018 BUDGET:	% BUDGET	2018 BUDGET:	% BUDGET	2018 BUDGET:	% BUDGET	2018 BUDGET:	% BUDGET
<b>INCOME:</b>																
4012-15	INTEREST INCOME	85,000.00	142,790.52	196,087.12	Higher returns	85,000.00			0.00		0.00		0.00		0.00	
4021-23	GROUNDWATER	958,496.92	1,174,848.38	1,174,117.48		0.00			64,919.92		0.00		0.00		0.00	
4021	GROUNDWATER CHARGE-AG	23,926.20	54,730.90	54,000.00	Mostly complete	0.00			23,926.20	100.00%	0.00		0.00		0.00	
4023	GROUNDWATER CHARGE-NON AG	40,993.72	638,740.48	638,740.48	Some did not join GC	0.00			40,993.72	100.00%	0.00		0.00		0.00	
4024	GROUNDWATER COUNCIL REVENUE	893,577.00	481,377.00	481,377.00	Some did not join GC	0.00			893,577.00	100.00%	0.00		0.00		0.00	
4031-34	MINING	634,000.00	426,666.64	634,000.00		0.00			0.00		0.00		634,000.00		0.00	
4036,40,80	MISCELLANEOUS	80,000.00	34,701.75	45,000.00		7,500.00			30,000.00		0.00		42,500.00		0.00	
4036	AGGREGATE MAINTENANCE	40,000.00	31,671.75	40,000.00		0.00			0.00		0.00		40,000.00	100.00%	0.00	
4050	PROPERTY TAX	104,135.47	93,148.88	104,135.47		104,135.47	100.00%	+5%	0.00		0.00		0.00		0.00	
4055	SBVMWD LEASE AGREEMENT	385,696.19	395,205.47	395,205.47		192,848.10	50.00%	+1.4% CPI	192,848.10	50.00%	0.00		0.00	0.00%	0.00	
4062-66	RENTALS	228,598.18	164,680.63	215,000.00		0.00			0.00		228,598.18		0.00		0.00	
4080	EXCHANGE PLAN	30,000.00	0.00	30,000.00		0.00			30,000.00	100.00%	0.00		0.00		0.00	
4025	WASH PLAN REVENUE *Reserve CIP #5	100,000.00	175,888.32	200,000.00		0.00		Processing Complete	0.00		0.00		0.00		100,000.00 100.00%	
4086	PLUNGE CREEK IRWMP	150,000.00	2,091.86	15,000.00		0.00		Per Plunge Creek Budget/schedule	0.00		0.00		150,000.00	100.00%	0.00	
	<b>TOTAL INCOME:</b>	<b>2,848,149.76</b>	<b>2,610,022.45</b>	<b>3,138,366.72</b>		<b>389,483.57</b>			<b>1,203,568.02</b>		<b>228,598.18</b>		<b>826,500.00</b>		<b>200,000.00</b>	
<b>EXPENSES:</b>																
5000	MISCELLANEOUS	3,000.00	5,000.00	5,000.00		3,000.00	100.00%		0.00		0.00		0.00		0.00	
5100	PROFESSIONAL SERVICES	542,225.00	225,848.43	325,000.00		99,545.00			139,613.50		16,183.75		276,882.75		10,000.00	
5120	MISC. PROFESSIONAL SERVICES	130,000.00	98,595.77	120,000.00		39,000.00	30.00%	Includes GSC Support	27,300.00	21.00%	0.00	0.00%	63,700.00	49.00%	0.00	
5122	WASH PLAN PROFESSIONAL SERVICES	30,000.00	104,163.47	118,064.14		0.00		Per Wash Plan Budget	0.00		0.00		0.00		30,000.00 100.00%	
52-53	FIELD OPERATIONS	135,680.00	32,977.12	130,180.00		0.00			124,280.00	100.00%	0.00		0.00		0.00	
5400	UTILITIES	28,474.30	17,157.11	27,392.48		12,722.04			9,775.32		5,197.19		779.75		0.00	
6000	GENERAL ADMINISTRATION	299,396.24	137,230.30	294,935.96		106,903.80			51,908.84		89,743.07		41,840.53		9,000.00	
6100	BENEFITS:	347,240.26	234,498.40	335,000.26		55,766.79			222,020.83		22,258.82		73,759.62		48,314.74	
6160	PAYROLL TAXES - EMPLOYER	56,821.10	36,797.23	56,821.10		9,125.47	16.06%	Consolidated costs 2014	35,263.97	50.87%	3,535.41	5.10%	11,715.37	16.90%	7,673.92 11.07%	
6170	PERS RETIREMENT	146,798.16	126,697.62	146,798.16		23,575.78	16.06%	Noticed Increase	91,104.99	50.87%	9,133.78	5.10%	30,266.84	16.90%	19,825.68 11.07%	
6170.01	PERS EMPLOYEE CONTRIBUTION	-30,611.86	-39,777.42	-42,851.86	Increased Contributions	-4,916.26	16.06%		-15,572.25	50.87%	-1,561.20	5.10%	-5,173.40	16.90%	-3,388.73 11.07%	
	<b>SALARIES:</b>															
6200	SALARIES	826,099.77	590,897.76	750,000.00	PT Staff not hired	123,985.17			508,498.15		49,376.20		185,688.24		113,017.23	
	<b>INSURANCE:</b>															
6300	INSURANCE	38,800.00	34,302.50	38,871.00		1,940.00	5.00%		29,100.00	75.00%	5,820.00	15.00%	1,940.00	5.00%	0.00	
6400	DIRECTOR'S EXPENSES	205,342.00	75,124.23	180,342.00	Election cost unknown	205,342.00	100.00%		0.00		0.00		0.00		0.00	
6500	ADMINISTRATIVE/STAFF EXPENSES	13,345.00	10,583.40	13,349.81	Higher costs do to regs	5,915.25	40.00%		4,640.75	50.00%	0.00		2,789.00	10.00%	0.00	
8010	Capital Reserve GWE/Rate Stabilization	0.00	0.00	0.00		0.00	0.00%		0.00	100.00%	0.00		0.00		0.00	
	<b>TOTAL EXPENSES:</b>	<b>2,784,102.57</b>	<b>1,467,782.72</b>	<b>2,682,263.03</b>		<b>615,120.04</b>			<b>1,204,337.39</b>		<b>188,579.03</b>		<b>795,079.90</b>		<b>210,331.96</b>	
	Operating Revenue	2,848,149.76	2,610,022.45	3,138,366.72		389,483.57			1,203,568.02		228,598.18		826,500.00		200,000.00	
	<b>NET OPERATING REVENUE</b>	<b>64,047.19</b>				<b>-225,636.48</b>			<b>-769.38</b>		<b>40,019.15</b>		<b>31,420.10</b>		<b>-10,331.96</b>	
	OVERHEAD					229,345.76										
	NET GENERAL FUND ANNUAL					3,709.28										

3RD QUARTER		2018-2019 Budget	Expended/Received to Date as of 3/19/19	Projected Annual Costs (7/1/18-6/30/19)	Notes	GENERAL FUND			GROUNDWATER RECHARGE ENTERPRISE		REDLANDS PLAZA & LEASED PROPERTY-MENTONE HOUSE		LAND RESOURCE		WASH PLAN	
GL ACCT:	GL DESCRIPTION:					2018 BUDGET:	% BUDGET	BASIS:	2018 BUDGET:	% BUDGET	2018 BUDGET:	% BUDGET	2018 BUDGET:	% BUDGET	2018 BUDGET:	% BUDGET
<b>2018-2019 Budget</b>																
<b>Multiyear Capital projects</b>					<i>Cost-To-Date</i>											
7010	MATERIALS	12,000.00	0.00	12,000.00		0.00			6,000.00	50.00%	0.00		0.00		6,000.00	50.00%
7055	PLUNGE CREEK PROJECT CIP #2 LAND & BUILDINGS	462,228.00	0.00	462,228.00	0.00	0.00	In GL 5124 Until Completion		92,445.60	20.00%	0.00		369,782.40	80.00%	0.00	
7100	CAPITAL REPAIRS	540,000.00	35,469.16	552,440.00		0.00			355,000.00	60.00%	0.00	0.00%	185,000.00	40.00%	0.00	
7200	EQUIPMENT & VEHICLES	161,500.00	10,159.28	161,500.00		7,250.00	8.30%		149,250.00	91.70%	0.00		4,000.00		1,000.00	
7150	MILL CREEK DIVERSION PROJECT CIP #1	479,200.00	0.00	479,200.00	172,997.75	0.00	MultiYear Total comitment \$750K		479,200.00	100.00%	0.00		0.00	0.00%	0.00	
7438	ENGINEERING SERVICES-OTHER	125,000.00	0.00	125,000.00		0.00	CIP #7		37,500.00	30.00%	0.00		87,500.00	70.00%	0.00	
<b>CAPITAL EXPENSE</b>		<b>1,779,928.00</b>	<b>45,628.44</b>	<b>1,792,368.00</b>		<b>7,250.00</b>			<b>1,119,395.60</b>		<b>0.00</b>		<b>646,282.40</b>		<b>7,000.00</b>	
CAPTIAL REVENUE		314,500.00				0.00			114,500.00		0.00		200,000.00		0.00	
CAPITAL SUBTOTAL ANNUAL NET		-1,465,428.00				-7,250.00			-1,004,895.60		0.00		-446,282.40		-7,000.00	
<b>RESERVE CONTRIBUTION OR (-USE)</b>		<b>-1,401,380.81</b>		<b>TOTAL</b>		<b>-3,540.72</b>			<b>-1,005,664.98</b>	<b>io Capital Pr</b>	<b>40,019.15</b>		<b>-414,862.30</b>		<b>-17,331.96</b>	



**San Bernardino Valley  
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1634

**To: Board of Directors**  
**From: General Manager, Daniel Cozad**  
**Date: April 10, 2019**  
**Subject: Unaudited Financial Reports, March 2019**

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**RECOMMENDATION**

Review and approve the unaudited financials for March 2019.

**BACKGROUND**

Each month staff presents the unaudited financials for the District. The reports to be presented are as of March 31, 2019.

**DISCUSSION**

Revenue and expenses are about as expected. Interest Income is well above budget and Plunge Creek IRWMP income remains below budget due to continued delays in permitting. GL 6060 Outreach is well below budget but will be adjusted as soon as the District receives an invoice from ThunderWheel Communications for the work they have completed this fiscal year.

**FISCAL IMPACT**

There is no fiscal impact from reporting the financial status of the District.

**POTENTIAL MOTIONS**

1. Move approval of the Unaudited Financials for March 2019 as presented.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.

**ATTACHMENTS OR MATERIALS**

Graph Financials for March 2019  
Profit & Loss to Date vs. Annual Budget

1630 W. Redlands Blvd, Suite A  
Redlands, CA 92373  
Phone: 909.793.2503  
Fax: 909.793.0188  
www.sbvwd.org Email: info@sbvwd.org

**BOARD OF  
DIRECTORS**

Division 1:  
Richard Corneille  
Division 2:  
David E. Raley

Division 3:  
Robert Stewart

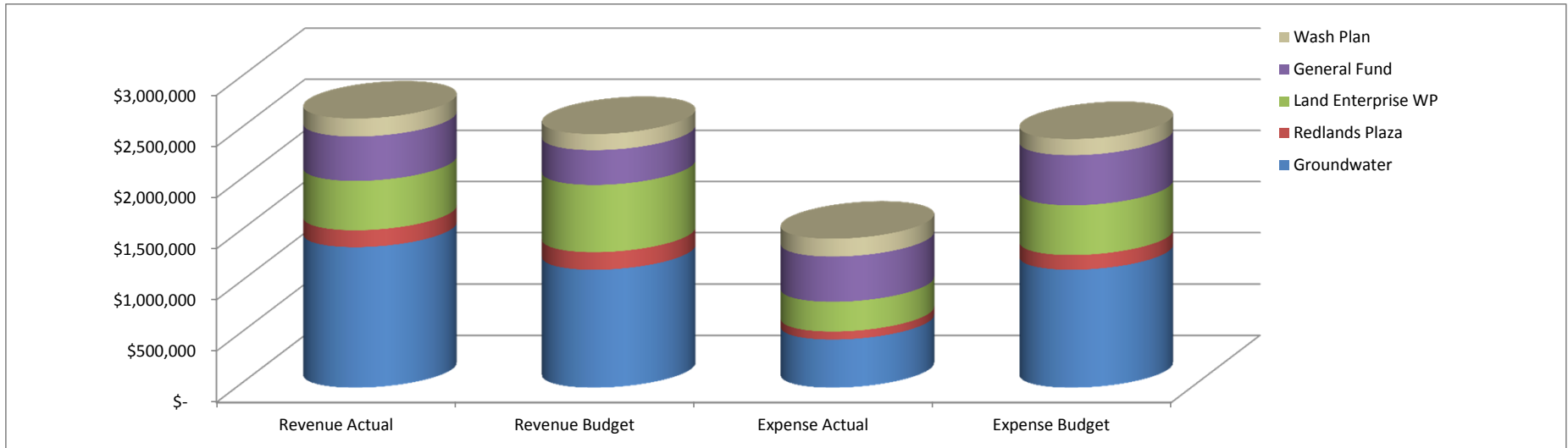
Division 4:  
John Longville

Division 5:  
Melody McDonald

**GENERAL  
MANAGER**

Daniel B. Cozad

## Enterprises to Date (March 2019)



Enterprise	Actual	Budget	% of Budget
Groundwater Revenue	\$ 1,372,451	\$ 1,151,345	119%
Groundwater Expense	\$ 469,510	\$ 818,274	57%
Revenue -Expense	\$ 902,941	\$ 333,071	
Redlands Plaza Revenue	\$ 164,681	\$ 171,449	96%
Redlands Plaza Expense	\$ 78,595	\$ 143,873	55%
Revenue -Expense	\$ 86,086	\$ 27,576	
Land Enterprise Revenue	\$ 482,610	\$ 657,375	73%
Land Enterprise Expense	\$ 290,669	\$ 486,136	60%
Revenue -Expense	\$ 191,941	\$ 171,239	
General Fund Revenue *	\$ 434,130	\$ 340,325	128%
General Fund Expense	\$ 441,242	\$ 489,858	90%
Revenue -Expense	\$ (7,113)	\$ (149,534)	
Wash Plan Revenue	\$ 175,888	\$ 157,433	112%
Wash Plan Expense	\$ 174,727	\$ 157,749	111%
Revenue-Expense	1,162	(316)	
<b>Total All Revenue - Expense</b>	<b>\$ 1,175,017</b>	<b>\$ 382,036</b>	

Cash Status	As of 7/1/2018	As of 3/31/19
LAIF	\$ 456,175.70	\$ 3,491,024.66
Cal Trust	\$ 3,048,113.21	\$ 3,108,229.02
Citizens Bank	\$ 862,874.97	\$ 1,475,571.04
UBS Financial Services	\$ 1,860,713.75	\$ 1,885,758.95
Cal Credit Union	\$ 3,302,520.81	\$ 252,847.37
Total Cash	\$ 9,530,398.44	\$ 10,213,431.04
Less Prepaid Royalty	\$ (5,000,000.00)	\$ (5,000,000.00)
<b>Cash Position</b>	<b>\$ 4,530,398.44</b>	<b>\$ 5,213,431.04</b>
	Increase (decrease) of	\$ 683,032.60
	Percent Increase	15.1%

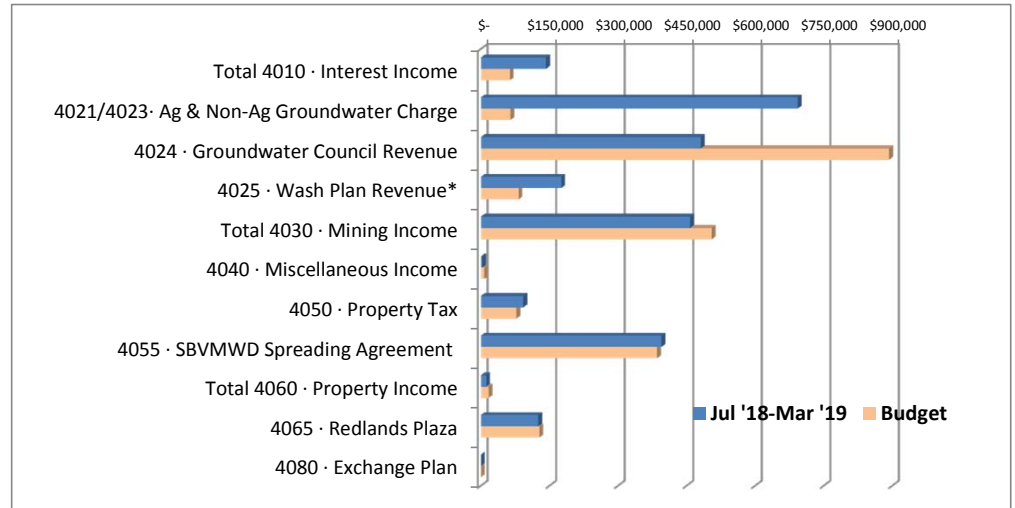
\* General Fund Revenue shown here does not include overhead

**SBVWCD - All Enterprises Budget and Actual**

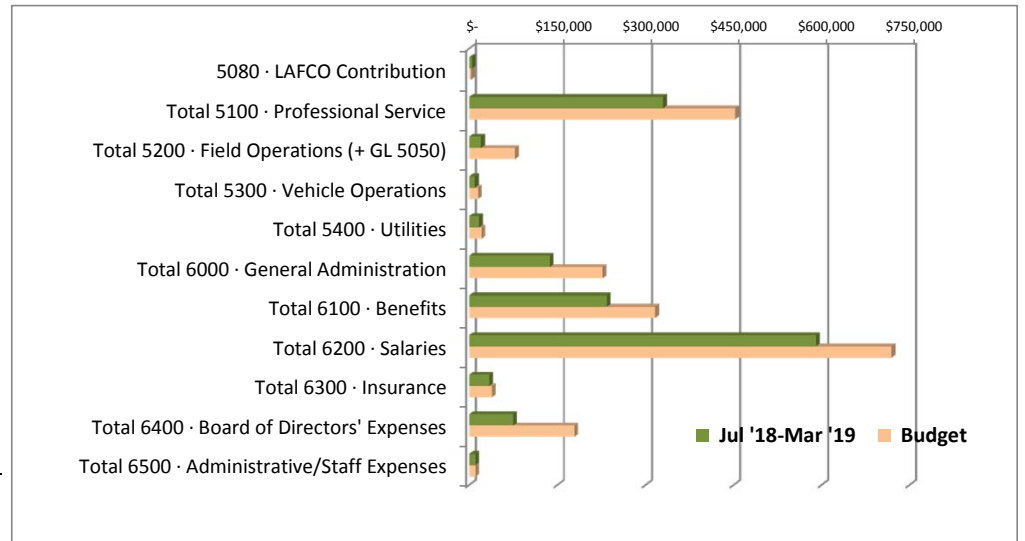
**March 2019**

<b>REVENUE</b>	<b>Jul '18-Mar '19</b>	<b>Budget</b>
Total 4010 · Interest Income	\$ 142,791	\$ 63,750
4021/4023· Ag & Non-Ag Groundwater Charge	\$ 693,471	\$ 64,920
4024 · Groundwater Council Revenue	\$ 481,377	\$ 893,577
4025 · Wash Plan Revenue*	\$ 175,888	\$ 82,433
Total 4030 · Mining Income	\$ 458,338	\$ 505,500
4040 · Miscellaneous Income	\$ 3,030	\$ 7,500
4050 · Property Tax	\$ 93,149	\$ 78,102
4055 · SBVMWD Spreading Agreement	\$ 395,205	\$ 385,696
Total 4060 · Property Income	\$ 11,800	\$ 17,100
4065 · Redlands Plaza	\$ 125,872	\$ 128,099
4080 · Exchange Plan	\$ -	\$ -
<b>Total Revenue</b>	<b>\$ 2,580,922</b>	<b>\$ 2,226,677</b>

\*District loans to the WP



<b>EXPENSES Operating and Capital</b>	<b>Jul '18-Mar '19</b>	<b>Budget</b>
5080 · LAFCO Contribution	\$ 5,000	\$ 3,000
Total 5100 · Professional Service	\$ 330,012	\$ 452,850
Total 5200 · Field Operations (+ GL 5050)	\$ 20,451	\$ 78,135
Total 5300 · Vehicle Operations	\$ 10,029	\$ 15,366
Total 5400 · Utilities	\$ 17,157	\$ 21,356
Total 6000 · General Administration	\$ 137,230	\$ 227,135
Total 6100 · Benefits	\$ 234,498	\$ 316,591
Total 6200 · Salaries	\$ 590,898	\$ 719,549
Total 6300 · Insurance	\$ 34,303	\$ 38,800
Total 6400 · Board of Directors' Expenses	\$ 75,124	\$ 179,006
Total 6500 · Administrative/Staff Expenses	\$ 10,583	\$ 10,852
<b>Total Expense</b>	<b>\$ 1,465,286</b>	<b>\$ 2,062,640</b>



San Bernardino Valley Water Conservation District  
Profit & Loss To Date vs. Annual Budget

	<u>Jul '18 - Mar 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>4010 - Interest Income</b>				
4012 - LAIF	32,684.37	4,500.00	28,184.37	726.32%
4013 - Caltrust Investment Income	60,115.81	32,500.00	27,615.81	184.97%
4014 - CalCredit Union Interest Income	4,283.22	26,000.00	-21,716.78	16.47%
4015 - UBS Interest Income	45,707.12	22,000.00	23,707.12	207.76%
<b>Total 4010 - Interest Income</b>	<u>142,790.52</u>	<u>85,000.00</u>	<u>57,790.52</u>	<u>167.99%</u>
<b>4020 - Groundwater Charge</b>				
4021 - Assessments - Ag	54,730.90	23,926.20	30,804.70	228.75%
4023 - Assessments - Non-Ag	638,740.48	40,993.72	597,746.76	1,558.14%
4024 - Groundwater Council Revenue	481,377.00	893,577.00	-412,200.00	53.87%
<b>Total 4020 - Groundwater Charge</b>	<u>1,174,848.38</u>	<u>958,496.92</u>	<u>216,351.46</u>	<u>122.57%</u>
<b>4025 - Wash Plan Revenue</b>	175,888.32	100,000.00	75,888.32	175.89%
<b>4030 - Mining Income</b>				
4031 - Plant Site - CEMEX	36,000.00	48,000.00	-12,000.00	75.0%
4032 - Cemex - Royalty / Lease	390,666.64	586,000.00	-195,333.36	66.67%
4036 - Aggregate Maintenance	31,671.75	40,000.00	-8,328.25	79.18%
<b>Total 4030 - Mining Income</b>	<u>458,338.39</u>	<u>674,000.00</u>	<u>-215,661.61</u>	<u>68.0%</u>
<b>4040 - Miscellaneous Income</b>				
4041 - Reimbursed Expenses	0.00			
4040 - Miscellaneous Income - Other	3,030.00	10,000.00	-6,970.00	30.3%
<b>Total 4040 - Miscellaneous Income</b>	<u>3,030.00</u>	<u>10,000.00</u>	<u>-6,970.00</u>	<u>30.3%</u>
<b>4050 - Property Tax</b>	93,148.88	104,135.47	-10,986.59	89.45%
<b>4055 - SBVMWD Spreading Agreement Reim</b>	395,205.47	385,696.20	9,509.27	102.47%
<b>4060 - Property Income</b>				
4062 - Mentone Property	11,800.00	22,800.00	-11,000.00	51.75%
<b>Total 4060 - Property Income</b>	<u>11,800.00</u>	<u>22,800.00</u>	<u>-11,000.00</u>	<u>51.75%</u>
<b>4065 - Redlands Plaza</b>	125,872.42	170,798.18	-44,925.76	73.7%
<b>4066 - Redlands Plaza CAM</b>	27,008.21	35,000.00	-7,991.79	77.17%
<b>4080 - Exchange Plan</b>	0.00	30,000.00	-30,000.00	0.0%
<b>4086 - Plunge Creek IRWMP</b>	2,091.86	150,000.00	-147,908.14	1.4%
<b>4998 - Rate Stabilization From Reserve</b>	0.00	22,223.00	-22,223.00	0.0%
<b>4999 - Trust Reimbursement-Wash Plan</b>	0.00	100,000.00	-100,000.00	0.0%
<b>Total Income</b>	<u>2,610,022.45</u>	<u>2,848,149.77</u>	<u>-238,127.32</u>	<u>91.64%</u>
<b>Gross Profit</b>	2,610,022.45	2,848,149.77	-238,127.32	91.64%
<b>Expense</b>				
<b>5040 - Regional Programs</b>				
5080 - LAFCO Contribution	5,000.00	3,000.00	2,000.00	166.67%
<b>Total 5040 - Regional Programs</b>	<u>5,000.00</u>	<u>3,000.00</u>	<u>2,000.00</u>	<u>166.67%</u>
<b>5050 - Basin Cleaning</b>	12,945.50	50,000.00	-37,054.50	25.89%
<b>5100 - Professional Service</b>				
5120 - Misc. Professional Services	98,595.77	130,000.00	-31,404.23	75.84%
5122 - Wash Plan Professional Services	104,163.47	30,000.00	74,163.47	347.21%
5124 - Plunge Creek Prof Services	60,450.92	150,000.00	-89,549.08	40.3%
5125 - Engineering Services	0.00	18,000.00	-18,000.00	0.0%
5130 - Aerial Photography & Surveying	0.00	1,000.00	-1,000.00	0.0%
5160 - IT Support	3,645.00	7,000.00	-3,355.00	52.07%
5170 - Audit	22,750.00	26,225.00	-3,475.00	86.75%
5175 - Legal - Wash Plan	195.00	10,000.00	-9,805.00	1.95%
5180 - Legal	40,211.74	175,000.00	-134,788.26	22.98%
<b>Total 5100 - Professional Service</b>	<u>330,011.90</u>	<u>547,225.00</u>	<u>-217,213.10</u>	<u>60.31%</u>
<b>5133 - Regional River HCP Contribution</b>	0.00	25,000.00	-25,000.00	0.0%
<b>5143 - SBVCT District Contribution</b>	0.00	0.00	0.00	0.0%
<b>5200 - Field Operations</b>				
5210 - Equipment Maintenance	1,718.39	6,180.00	-4,461.61	27.81%
5215 - Property Maintenance	5,787.49	42,000.00	-36,212.51	13.78%
5220 - Maintenance Materials/Shop/Fld	0.00	0.00	0.00	0.0%
5225 - Field Clean Up-Illegal dumping	0.00	6,000.00	-6,000.00	0.0%
<b>Total 5200 - Field Operations</b>	<u>7,505.88</u>	<u>54,180.00</u>	<u>-46,674.12</u>	<u>13.85%</u>
<b>5223 - Temp. Field Labor</b>	2,496.34	11,000.00	-8,503.66	22.69%
<b>5300 - Vehicle Operations</b>				
5310 - Vehicle Maintenance	2,405.59	8,000.00	-5,594.41	30.07%
5320 - Fuel	7,623.81	12,500.00	-4,876.19	60.99%
<b>Total 5300 - Vehicle Operations</b>	<u>10,029.40</u>	<u>20,500.00</u>	<u>-10,470.60</u>	<u>48.92%</u>

San Bernardino Valley Water Conservation District  
Profit & Loss To Date vs. Annual Budget

	<u>Jul '18 - Mar 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>5400 · Utilities</b>				
5410 · Alarm Service	903.00	1,500.00	-597.00	60.2%
5420 · Electricity	4,836.86	9,747.00	-4,910.14	49.62%
5430 · Mobile Phone	2,565.00	3,550.00	-985.00	72.25%
5440 · Telephone	4,188.24	8,000.00	-3,811.76	52.35%
5450 · Natural Gas	995.48	942.30	53.18	105.64%
5460 · Water / Trash / Sewer	1,496.23	2,160.00	-663.77	69.27%
5470 · Internet Services	2,172.30	2,575.00	-402.70	84.36%
<b>Total 5400 · Utilities</b>	<b>17,157.11</b>	<b>28,474.30</b>	<b>-11,317.19</b>	<b>60.26%</b>
<b>6000 · General Administration</b>				
6001 · General Administration - Other	828.44	4,500.00	-3,671.56	18.41%
6002 · Website Administration	2,192.94	3,300.00	-1,107.06	66.45%
6003 · Property Tax	0.00	235.10	-235.10	0.0%
6004 · Meeting Expenses	1,366.50	2,000.00	-633.50	68.33%
6006 · Permits	50.00	10,000.00	-9,950.00	0.5%
6007 · Inter District Costs	0.00	10,000.00	-10,000.00	0.0%
6009 · Licenses	1,267.74	1,217.88	49.86	104.09%
6010 · Surety Bond	3,025.00	1,900.00	1,125.00	159.21%
6012 · Office Maintenance	2,024.69	3,180.00	-1,155.31	63.67%
6013 · Office Lease Payment	45,000.00	60,000.00	-15,000.00	75.0%
6015 · Mentone House Maintenance	5,591.41	5,000.00	591.41	111.83%
6016 · Redlands Plaza Maintenance	9,194.05	40,000.00	-30,805.95	22.99%
6018 · Janitorial Services	5,842.00	9,108.89	-3,266.89	64.14%
6019 · Janitorial Supplies	250.13	500.00	-249.87	50.03%
6020 · Vacancy Marketing-Redlands Plaz	208.32	5,500.00	-5,291.68	3.79%
6026 · Redlands Plaza CAM expenses	21,586.55	29,355.00	-7,768.45	73.54%
6027 · Computer Software	0.00	600.00	-600.00	0.0%
6030 · Office Supplies	1,598.72	3,750.67	-2,151.95	42.63%
6033 · Office Equipment Rental	5,022.93	9,500.00	-4,477.07	52.87%
6036 · Printing	947.37	980.00	-32.63	96.67%
6039 · Postage and Overnight Delivery	443.47	1,200.00	-756.53	36.96%
6042 · Payroll Processing	1,890.97	2,523.50	-632.53	74.93%
6045 · Bank Service Charges	164.00	2,575.00	-2,411.00	6.37%
6051 · Uniforms	2,140.25	2,200.00	-59.75	97.28%
6060 · Outreach	2,419.54	60,000.00	-57,580.46	4.03%
6087 · Educational Reimbursement	2,500.00	5,000.00	-2,500.00	50.0%
6090 · Subscriptions/Publications	1,274.86	1,210.00	64.86	105.36%
6091 · Public Notices	1,467.75	3,200.00	-1,732.25	45.87%
6093 · Memberships	18,932.67	20,860.20	-1,927.53	90.76%
<b>Total 6000 · General Administration</b>	<b>137,230.30</b>	<b>299,396.24</b>	<b>-162,165.94</b>	<b>45.84%</b>
<b>6100 · Benefits</b>				
6110 · Vision Insurance	1,490.58	2,731.16	-1,240.58	54.58%
6120 · Workers' Comp. Insurance	5,908.29	14,867.37	-8,959.08	39.74%
6130 · Dental Insurance	6,317.28	11,659.41	-5,342.13	54.18%
6150 · Medical Insurance				
6150.01 · Medical Employee Contribution	-16,489.32	-27,635.26	11,145.94	59.67%
6150 · Medical Insurance - Other	113,554.14	209,888.74	-96,334.60	54.1%
<b>Total 6150 · Medical Insurance</b>	<b>97,064.82</b>	<b>182,253.48</b>	<b>-85,188.66</b>	<b>53.26%</b>
6160 · Payroll Taxes-Employer	36,797.23	67,314.14	-30,516.91	54.67%
6170 · PERS Retirement				
6170.01 · PERS Employee Contributions	-39,777.42	-30,611.84	-9,165.58	129.94%
6170 · PERS Retirement - Other	126,697.62	173,907.07	-47,209.45	72.85%
<b>Total 6170 · PERS Retirement</b>	<b>86,920.20</b>	<b>143,295.23</b>	<b>-56,375.03</b>	<b>60.66%</b>
<b>Total 6100 · Benefits</b>	<b>234,498.40</b>	<b>422,120.79</b>	<b>-187,622.39</b>	<b>55.55%</b>
<b>6200 · Salaries</b>				
6230 · Regular Salaries	590,897.76	980,564.97	-389,667.21	60.26%
<b>Total 6200 · Salaries</b>	<b>590,897.76</b>	<b>980,564.97</b>	<b>-389,667.21</b>	<b>60.26%</b>
<b>6300 · Insurance</b>				
6310 · Property/ Auto Insurance	2,431.50	7,000.00	-4,568.50	34.74%
6320 · General Liability Insurance	31,871.00	31,800.00	71.00	100.22%
<b>Total 6300 · Insurance</b>	<b>34,302.50</b>	<b>38,800.00</b>	<b>-4,497.50</b>	<b>88.41%</b>
<b>6400 · Board of Directors' Expenses</b>				
6401 · Directors' Fees				
6401.5 · Payroll Taxes-Directors	6,059.92			
6401 · Directors' Fees - Other	50,372.00	86,042.00	-35,670.00	58.54%
<b>Total 6401 · Directors' Fees</b>	<b>56,431.92</b>	<b>86,042.00</b>	<b>-29,610.08</b>	<b>65.59%</b>

San Bernardino Valley Water Conservation District  
Profit & Loss To Date vs. Annual Budget

	<u>Jul '18 - Mar 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
6410 · Mileage	2,108.84	4,000.00	-1,891.16	52.72%
6415 · Air Fare	1,181.92	2,500.00	-1,318.08	47.28%
6420 · Other Travel	391.19	500.00	-108.81	78.24%
6425 · Meals	1,552.13	3,500.00	-1,947.87	44.35%
6430 · Lodging	3,052.23	3,800.00	-747.77	80.32%
6435 · Conf/Seminar Registrations	4,080.00	5,000.00	-920.00	81.6%
6440 · Election Fees / Re-Districting	6,326.00	100,000.00	-93,674.00	6.33%
<b>Total 6400 · Board of Directors' Expenses</b>	<b>75,124.23</b>	<b>205,342.00</b>	<b>-130,217.77</b>	<b>36.59%</b>
<b>6500 · Administrative/Staff Expenses</b>				
6510 · Mileage	936.83	1,800.00	-863.17	52.05%
6515 · Air Fare	2,004.81	2,000.00	4.81	100.24%
6520 · Travel, Other (rental car, taxi)	585.57	1,000.00	-414.43	58.56%
6525 · Meals	1,034.67	1,545.00	-510.33	66.97%
6530 · Lodging	2,828.52	3,000.00	-171.48	94.28%
6535 · Conf/Seminar Registrations	3,193.00	4,000.00	-807.00	79.83%
<b>Total 6500 · Administrative/Staff Expenses</b>	<b>10,583.40</b>	<b>13,345.00</b>	<b>-2,761.60</b>	<b>79.31%</b>
9999 · Contribution to Capital Maint.	0.00	314,500.00	-314,500.00	0.0%
<b>Total Expense</b>	<b>1,467,782.72</b>	<b>3,013,448.30</b>	<b>-1,545,665.58</b>	<b>48.71%</b>
<b>Net Ordinary Income</b>	<b>1,142,239.73</b>	<b>-165,298.53</b>	<b>1,307,538.26</b>	<b>-691.02%</b>
<b>Other Income/Expense</b>				
<b>Other Expense</b>				
<b>7000 · Construction</b>				
7010 · Materials	0.00	12,000.00	-12,000.00	0.0%
7055 · Plunge Creek Expansion	0.00	462,228.00	-462,228.00	0.0%
<b>Total 7000 · Construction</b>	<b>0.00</b>	<b>474,228.00</b>	<b>-474,228.00</b>	<b>0.0%</b>
<b>7100 · Land &amp; Buildings</b>				
7110 · Property Capital Repairs	23,029.16	60,000.00	-36,970.84	38.38%
7130 · Mentone Property (House)-CapRep	12,440.00			
7140 · Mentone Property (Shop)-CapRep	0.00	200,000.00	-200,000.00	0.0%
7150 · Mill Creek Diversion	0.00	479,200.00	-479,200.00	0.0%
7160 · Mendoza Property	0.00	165,000.00	-165,000.00	0.0%
<b>Total 7100 · Land &amp; Buildings</b>	<b>35,469.16</b>	<b>904,200.00</b>	<b>-868,730.84</b>	<b>3.92%</b>
<b>7200 · Equipment &amp; Vehicles</b>				
7210 · Computer Hardware-Capital Purch	0.00	5,000.00	-5,000.00	0.0%
7220 · Computer Software	10,159.28	10,000.00	159.28	101.59%
7230 · Field Equipment / Vehicles	0.00	145,000.00	-145,000.00	0.0%
7240 · Office Equipment	0.00	1,500.00	-1,500.00	0.0%
<b>Total 7200 · Equipment &amp; Vehicles</b>	<b>10,159.28</b>	<b>161,500.00</b>	<b>-151,340.72</b>	<b>6.29%</b>
<b>7400 · Professional Services Capital</b>				
7438 · Engineering Services-Other	0.00	125,000.00	-125,000.00	0.0%
<b>Total 7400 · Professional Services Capital</b>	<b>0.00</b>	<b>125,000.00</b>	<b>-125,000.00</b>	<b>0.0%</b>
<b>Total Other Expense</b>	<b>45,628.44</b>	<b>1,664,928.00</b>	<b>-1,619,299.56</b>	<b>2.74%</b>
<b>Net Other Income</b>	<b>-45,628.44</b>	<b>-1,664,928.00</b>	<b>1,619,299.56</b>	<b>2.74%</b>
<b>Net Income</b>	<b>1,096,611.29</b>	<b>-1,830,226.53</b>	<b>2,926,837.82</b>	<b>-59.92%</b>



**San Bernardino Valley  
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1635

**To: Board of Directors**

**From: General Manager, Daniel Cozad**

**Date: April 10, 2019**

**Subject: Brownstein Agreement for Bureau of Land Management Support**

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**RECOMMENDATION**

Review and consider ratification of the agreement with Brownstein for support for work with the Bureau of Land Management and Department of Interior.

**BACKGROUND**

Staff has provided updates on the Wash Plan EIR preparation and coordination with US Fish and Wildlife Service and the Bureau of Land Management (BLM). The BLM is required to exchange land with the District to support the Wash Plan. The BLM has not been timely in processing the Wash Plan EIR and is delaying its publication in the Federal Register. Additionally, with the Passage of S.47, it is imperative that the District have Expert Counsel in both the land exchange but also in the completion of the processing of the Wash Plan EIR.

**DISCUSSION**

Staff interviewed experts who were suggested by various interests which had federal experience. Based on their recommendations and discussion staff requested authority to begin work with the selected consultant under the general manager's authority. The selected firm Brownstein, Hyatt, Farber, and Schreck, required a contract in excess of the general manager's authority. Due to this, staff is bringing the agreement, which was reviewed by District Counsel, to the Board for ratification of staff's actions.

**ALTERNATIVES**

Potential Board Actions include:

- Ratify staff's action approving the agreement
- Overturn staff's action nullifying the agreement and stopping work on BLM EIR
- Table the issue and essentially stopping work on BLM EIR.

1630 W. Redlands Blvd, Suite A  
Redlands, CA 92373  
Phone: 909.793.2503  
Fax: 909.793.0188  
www.sbvwc.org Email: info@sbvwcd.org

**BOARD OF  
DIRECTORS**

Division 1:  
Richard Corneille

Division 2:  
David E. Raley

Division 3:  
Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

**GENERAL  
MANAGER**

Daniel B. Cozad

**FISCAL IMPACT**

Staff time for Wash Plan and Land Exchange is included in the approved budget. Overall budgeted revenue for Wash Plan related issues is limited. The cost of the agreement, \$15,000 per month is expected to be included in the issuance costs for the Wash Plan and will increase Wash Plan costs but are critical to improving the land exchange completion.

**POTENTIAL MOTIONS**

1. Move to ratify staff's action approving the agreement.
2. Move to overturn staff's action nullifying the agreement and stopping work on BLM EIR.
3. Table the issue and essentially stopping work on BLM EIR.

**ATTACHMENTS OR MATERIALS**

Agreement provided as a Handout

**APPROVALS**

Reviewed by District Counsel



**San Bernardino Valley  
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1636

**To: Board of Directors**  
**From: General Manager, Daniel Cozad**  
**Date: April 10, 2019**  
**Subject: ACWA/JPIA Concurring Nominations**

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**RECOMMENDATION**

Review, discuss and authorize staff to prepare resolutions in concurrence of ACWA/JPIA concurring nomination requests.

**BACKGROUND**

The District has received requests for concurring nominations for ACWA/JPIA Executive Committee from the following candidates:

- Fred R. Bockmiller, P.E., Mesa Water District

Formal requests with biographies received prior to publishing of Board package are included as attachments. Additional candidates requesting concurring nominations may be handed out at the Board meeting and/or presented by Directors.

**FISCAL IMPACT**

There is no fiscal impact.

**POTENTIAL MOTIONS**

1. Move to direct staff to prepare resolutions and submit for ACWA/JPIA Concurring Nominations Requests received.
2. Take no action

**ATTACHMENTS OR MATERIALS**

Requests for Concurring Nominations

1630 W. Redlands Blvd, Suite A  
Redlands, CA 92373  
Phone: 909.793.2503  
Fax: 909.793.0188  
www.sbvwd.org Email: info@sbvwd.org

**BOARD OF  
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Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

**GENERAL  
MANAGER**

Daniel B. Cozad



**MesaWater**  
DISTRICT®

*Dedicated to  
Satisfying our Community's  
Water Needs*

**BOARD OF DIRECTORS**

**Shawn Dewane**  
*President  
Division V*

**Marice H. DePasquale**  
*Vice President  
Division III*

**Jim Atkinson**  
*Director  
Division IV*

**Fred R. Bockmiller, P.E.**  
*Director  
Division I*

**James R. Fisler**  
*Director  
Division II*

**Paul E. Shoenberger, P.E.**  
*General Manager*

**Denise Garcia**  
*District Secretary*

**Marwan Khalifa, CPA, MBA**  
*District Treasurer*

**Atkinson, Andelson,  
Loya, Ruud & Romo**  
*Legal Counsel*

1965 Placentia Avenue  
Costa Mesa, CA 92627  
tel 949.631.1200  
fax 949.574.1036  
info@MesaWater.org  
**MesaWater.org**

March 14, 2019

Mr. Daniel Cozad  
General Manager  
San Bernardino Valley Water Conservation District  
1630 W. Redlands Blvd Ste A  
Redlands, CA 92373

MAR 28 2019

Dear Mr. Cozad,

On behalf of Mesa Water District, it is an honor to request that your agency support and vote for Fred R. Bockmiller, P.E., for election to the ACWA/JPIA Executive Committee.

Director Bockmiller has served on our Board for over two decades, making fair and informed decisions that have greatly benefited Mesa Water® and its constituents. Since 2006, he has been our representative on the ACWA/JPIA Board and, since 2008, he has served on ACWA/JPIA's Risk Management Committee. He also serves on the AWCA Energy Committee.

Due to his elected public service experience, community volunteer service, and his 30-year career at the University of California, Irvine, Director Bockmiller possesses the qualifications, knowledge, and understanding of the many issues facing ACWA/JPIA. Attached for your review is a Statement of Qualifications for Director Bockmiller's election to the ACWA/JPIA Executive Committee.

Five agencies adopted a concurring in nomination resolution in support of Director Bockmiller's candidacy for the ACWA/JPIA Executive Committee:

- East Orange County Water District;
- Municipal Water District of Orange County;
- Orange County Water District;
- Santa Margarita Water District; and,
- Yorba Linda Water District.

Our Board has the highest confidence in Director Bockmiller and his proven leadership abilities, which can help guide ACWA/JPIA to continued organizational success and excellence in serving to its member agencies. If you have any questions or requests for additional information, kindly contact our General Manager, Paul E. Shoenberger, P.E., by calling 949.631.1206 or emailing [PaulS@MesaWater.org](mailto:PaulS@MesaWater.org). Thank you for your consideration in voting for Director Bockmiller.

Sincerely,

Shawn Dewane  
Mesa Water Board President

c: Mesa Water Board of Directors  
Paul E. Shoenberger, P.E., Mesa Water General Manager

# Elect Fred R. Bockmiller, P.E. to ACWA/JPIA Executive Committee

## **Fred R. Bockmiller, P.E. Director, Mesa Water District**



**OBJECTIVE:** To further the goals of ACWA/JPIA in best serving its members, by applying my analytical and leadership skills, and my risk management experience, as a member of the ACWA/JPIA Executive Committee.

### **STATEMENT OF QUALIFICATIONS:**

- Mesa Water District Director, 1996-present
- Five-term Board President, Mesa Water District
- ACWA/JPIA Board, 2006-present
- ACWA/JPIA Risk Management Committee, 2008-present
- ACWA Energy Committee, 2002-present
- Chair of all various Mesa Water District Committees (Executive, Audit Ad Hoc, Finance, Human Resources, IT Ad Hoc, Engineering and Operations, Public Information)
- Engineering Manager, UC Irvine Facilities Management Department

**BIOGRAPHY:** A Newport-Mesa native, Fred Bockmiller represents Division 1 -- encompassing the West Side of Costa Mesa and portions of Newport Beach -- on the Mesa Water District Board of Directors. Having been Board President for five prior terms -- in 1999, 2000, 2004, 2011, and 2012 -- Director Bockmiller currently serves as Chairman of Mesa Water's Engineering and Operations Committee.

Director Bockmiller represents Mesa Water on the Board of the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority (JPIA). He also serves on the ACWA/JPIA Risk Management Committee and the ACWA Energy Committee.

Director Bockmiller has previously chaired every Mesa Water committee (Executive, Audit Ad Hoc, Finance, Human Resources, IT Ad Hoc, Engineering and Operations, and Public Information). Additionally, he has represented Mesa Water at the City/Districts Liaison Committee, Orange County Council of Governments, Orange County Water District, and the Costa Mesa Westside Revitalization Oversight Committee.

Throughout his elected service, Director Bockmiller has championed water quality and cost-efficient service reliability through a perpetual agency philosophy of long-term planning for the future of Mesa Water and continuous infrastructure maintenance, renewal, and improvement. He has been a relentless champion of high-quality, fact-based decision making.

Director Bockmiller is the Engineering Manager in the Facilities Management Department at UC Irvine (UCI), a leader in energy conservation and construction efforts for more than 20 years, including completion of more than \$3 billion in major capital construction projects, and extensive energy and water conservation retrofits, which tripled the developed building space, reduced energy consumption in laboratories by 50 percent, and decreased per capita water use by more than 30%. He also represents the department at the emergency operations center for the campus with a daytime population approaching 60,000 people on 1,500 acres.

Developing the next generation is an area of interest for Director Bockmiller. He is a regular guest lecturer in UCI's Department of Mechanical and Aerospace Engineering, a mentor in the Junior Mentor Program at Newport Harbor High School, and was a Board member for 17 years of the Youth Employment Service -- a local charity that provides youth with the tools to find jobs -- where he served as CFO and President.

# General Manager's Report

For March 9, 2019 to April 5, 2019  
Daniel B. Cozad



**San Bernardino Valley  
Water Conservation District**  
Helping Nature Store Our Water

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The following report covers the weeks between meetings and the efforts and activities during the reporting period.

- 1. Water Conservation – Plan Goal 1** – Spring storms are providing steady watershed flows in Mill Creek and Santa Ana River Watersheds. Flows in Santa Ana of about 100 CFS were being recharged with operations modified for likely high flow releases. State project water will be reduced in anticipation of the higher flow events. March provided important water and recharge in Mill Creek as well. Staff has taken all the water possible, for March alone we recharged 13,614 AF. Mill Creek recharge is 4,270 AF, Santa Ana recharge is 9,392 AF. Of the total for March 4,295 AF was from State Water Project imports. Totals for the water year are expected to be approximately 27,000 AF more than 19,700 in Santa Ana and 7,000 in Mill Creek. Of the total, over 10,000 is State Water Project imports.



- 2. Facility Maintenance and Cleanout – Plan Goal 1** – Ongoing maintenance has continued since the storms, and regular flows have allowed the Mill Creek soft plugs, and diversion canals and levees to continue in operation. The diversion has not been out of operation in March, but ponds 1, 2 and most of 3 are full of sand and rock. Staff and contractors are working on a sediment removal plan that will not reduce recharge.
- 3. Aggregate Management – Plan Goal 1** – Upland Rock continues to sell sand and rock and will be working to sell additional sand from District basin cleaning efforts. We have adjusted the royalty on sand and dirt to accommodate additional materials and the current limited market.
- 4. Personnel/Administration/Staff** – Staff, worked to get the Classification and Compensation Study by Koff and Associates. The Draft Report and recommendations will be presented at the April 17<sup>th</sup> Board Budget Workshop. Staff revised the budget based on the feedback from the Board and presented it to the Finance & Administration Committee.

5. **Finance/Budget/Audit** – Staff provided the revised budget to the Groundwater Council, with the District O&M costs and GW Enterprise budget. Staff continued compiling additional cost and revenue information in the continued development of the 2019-2020 Enterprise and District budget. The Finance & Administration Committee met on March 27 and provided feedback that will be incorporated into the March 17<sup>th</sup> Workshop. Staff has coordinated with PFM Investment Managers for the presentation of the investments for the SBV Conservation Trust and future Active Recharge Transfer Projects.
6. **Mill Creek Diversion Engineering** – *Plan Goals 1/4* – SBC Flood Control and Staff continue to work with USACOE Section 408 permit staff. All requests have been supplied to the USACOE. We have heard some comments are complete and when all sections have completed their comments, they will be transmitted to us. All other permits will be timed to coordinate with the 408 permit.
7. **Plunge Creek Restoration Conservation Project** – *Plan Goals 1/4* – Regional Water Quality Control Board 401 certification permit is complete. The USACOE 404 permit is nearly complete awaiting COE’s USFWS consultation which should be completed April. Staff retirements set this Biological Opinion back, but it is being actively worked.
8. **Enhanced Recharge Project** – *Plan Goal 1* – J.F. Shea Construction has completed the initial phase of the project and has completed the Parshall flume upgrades as well. The Enhanced Recharge Basins are scheduled for construction in 2020. Improvements at the Cuttle Weir are permitted in the River Habitat Conservation Plan and will follow its approval. The sedimentation basin was tested but continues to have issues with seepage, and additional repairs are planned. Engineering and planning are ongoing toward design.
9. **Groundwater Council** – *Plan Goal 1* – The Groundwater Council last met on February 11<sup>th</sup> and to review the 2019/20 Budget and EAM recommendations as reported at the last meeting. Staff will provide a report on the April 8<sup>th</sup> meeting during the board meeting.
10. **Wash Plan** – *Plan Goal 4* – The Wash Plan has a separate report listed on the agenda. USFWS and BLM are reviewing documents at the Washington DC level and completing tasks to meet the requirements for Federal Registrar Publication in February. As reported BLM is in the process of reassessing the project after the Wash Plan Exchange Act was signed. The staff briefed legislative staff in Calvert, Aguilar and Cook’s offices related to difficulties with the US BLM with productive results. Staff is seeking ratification of the Agreement for support from Brownstein in this months agenda.
11. **Santa Ana River Wash Plan Land Exchange Act** – *Plan Goal 4* – HR-497 was incorporated into S. 47 during the lame duck session, and on February 7<sup>th</sup> S. 47 was debated on the Senate floor, approved and move to the House. On February 26, the House passed S. 47, and it passed to the President on March 4<sup>th</sup>. The President signed the Bill, and this will be the last update on the act.
12. **Conservation Trust** – *Plan Goal 4* - The Conservation Trust Board of Directors last met on February 19, 2019. Staff continues to coordinate with the City of Highland and development interests adjoining the Wash Plan for Community Mitigation needs. Staff is working with Wash Plan participants who may need more mitigation than expected for

their projects to get their projects permitted. A Conservation Trust meeting is scheduled for May 29<sup>th</sup>.

- 13. Property/Redlands Plaza** – Staff, continues to manage Redlands Plaza and various issues related to tenants and maintenance. One unit is vacant with one current tenant interested in leasing the unit and another tenant considering larger space. Mentone house occupancy has been transferred to Steps 4 Life, and they are fully moved in. They would like to provide a brief tour when members of the Board may be available.
- 14. Mining** – Mining efforts by CEMEX contractors continue on the Plant Site quarry. District Counsel drafted revisions to the existing lease to revise it for the Wash Plan implementation. CEMEX has requested additional mining in existing areas that were once part of the Redlands Ag area they purchased. CEMEX and the District met productively and set a meeting for April 16th. Staff scheduled a field day with USFWS for potential Robertson’s mining area on April 11<sup>th</sup>.
- 15. Public Outreach and Legislative** – *Plan Goal 5* – Staff continued coordination and efforts for school education with IERCD, see attached. Significant effort was expended to support the requested changes to the State Dredge and Fill Regulation changes approved April 2<sup>nd</sup>. Significant effort was expended working with BLM and legislative staff. Staff is proposing assistance from Brownstein to continue this effort. Staff also worked to oppose AB-1486 unless requested changes were made. Staff coordinated with Wash plan Partners and CSDA. The Author revised the bill to provide a disposal trigger and exempted leases and open space as requested. The letter and revised bill are attached. The outreach team worked to provide a Drought and Taxes OpEd for the new Redlands Community news.
- 16. Community Recharge and Mitigation** – *Plan Goal 1 and 4* – The 2017 Community Strategic Plan (CSP) included this effort for planning and implementation. Based on staff efforts and in accordance with the resolution the District and SBVMWD are documenting the partnership to expand River HCP mitigation and Active Recharge Projects.
- 17. Active Recharge Partnership** – *Plan Goals 1, 2 and 4* – On January 22<sup>nd</sup> the Partnership Agreement for Active Recharge Projects and Habitat Conservation Easements was approved by the SBVMWD’s Board. The 120 day diligence period began and continues through May. Staff has met with County Flood and Public Works management to prepare for the efforts and has requested investment recommendations from PFM. A revised investment policy is included in this agenda.
- 18. Current Board Action Implementation** – Many priority efforts have separate sections of the General Manager’s Report, or independent Board requested reports. Staff and District Counsel worked closely on EHL/CBD v. USACOE settlement as well as other closed session property items.
- 19. Future Board Activities** – Expected short-term items for consideration or note
  - District and Enterprise Budget Workshop April 17
  - Classification and Compensation Report April 17
  - Groundwater Rate Public Hearing – April 24

## **20. District Successes**

- The significant effort resulted in additional clarifications and changes to the State Water Board Dredge and Fill regulation approved on April 2<sup>nd</sup>. A tour is scheduled for the Regional Board Executive Officer and staff April 4<sup>th</sup>.
- Legislative Changes in AB-1486 nullify the significant objections from the District.
- The District received a Refund Check for \$4,525.18 from ACWA JPIA for risk pool cost reductions due to low losses in liability, workers comp, and property coverage.
- District Counsel completed negotiation of purchase and sale agreement terms with Highland Supply Company.
- The meeting with BLM Field Director, USFWS and staff went well, and follow-up actions will be addressed in a meeting on 4/17.



# San Bernardino Valley Water Conservation District Water Conservation Programs Report: February 2019

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**To:** Daniel Cozad

**Contact Information:** Office: (909) 793-2503 Cell: (909) 747-5240  
[dcozad@sbvwcd.dst.ca.us](mailto:dcozad@sbvwcd.dst.ca.us)

**From:** Jasmine Orozco Clark, Education Coordinator

**Contact Information:** 25864-K, Business Center Drive, Redlands, CA, 92374  
909-283-7780  
[jclark@iercd.org](mailto:jclark@iercd.org)  
[www.iercd.org](http://www.iercd.org)

**Report Last Updated:** 2/28/2019

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On behalf of the IERCD Board of Directors, I want to thank you so much for your support of our District and your amazing partnership!

## San Bernardino Valley Water Conservation District General Program Overview

### Total Classroom Programs Contracted: 15

- Number of programs presented: 13
- Number of programs scheduled: 1
- Number of outstanding programs: 1

### Total Gardens Contracted: 2

- Number of gardens implemented: 0
- Number of gardens scheduled: 0
- Number of outstanding gardens: 0

## Schools/Cities

The following programs have been presented in each city:

- Mariposa Elementary, Redlands, 3 prog
- Smiley Elementary, Redlands, 5 prog
- Bryn Mawr Elementary, Redlands 4 prog
- Valley Preparatory Elementary, 1 prog

## Presentation Links

These links represent the most recent Prezis being presented on behalf of SBVWCD. Please send any feedback concerning elements that should be excluded or are missing from the presentations.

- **Kindergarten:**  
[https://prezi.com/\\_q8rilgz\\_7si/sbvwcd-k-only/](https://prezi.com/_q8rilgz_7si/sbvwcd-k-only/)
- **1<sup>st</sup> grade:**  
<https://prezi.com/kqjzbatubjz5/sbvwcd-1st/>
- **2<sup>nd</sup>-3<sup>rd</sup> grade:**  
[https://prezi.com/4uz\\_gitorz5x/sbvwcd-2nd-3rd/](https://prezi.com/4uz_gitorz5x/sbvwcd-2nd-3rd/)

- **4<sup>th</sup>-5<sup>th</sup> grade:**  
<https://prezi.com/1qo3dpcbpkjg/sbvxcd-4th-5th/>
- **Middle School**  
[https://prezi.com/3gowtqbx\\_xq/sbvxcd-6th-8th/](https://prezi.com/3gowtqbx_xq/sbvxcd-6th-8th/)
- **High School**  
<https://prezi.com/zfobrqx5tghe/sbvxcd-high-school/>



# San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

March 20, 2019

The Honorable Phil Ting  
California State Assembly  
State Capitol Building  
Sacramento, CA 95814

**RE: Assembly Bill 1486 (Ting) – Oppose Unless Amended**

Dear Assembly Member Ting:

The San Bernardino Valley Water Conservation District manages significant land for public benefit and is respectfully opposed to AB 2065, which would require special districts to offer their land for development before leasing their property. The San Bernardino Valley Water Conservation District recharges groundwater and manages habitat on its land under permits and agreements and funds such work with lease payments from other lands.

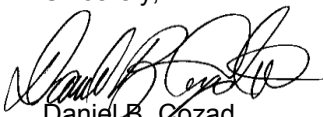
AB 1486 requires special districts and other local agencies to offer the right of first refusal to affordable housing developers, schools, and parks before selling, leasing, or otherwise conveying their land. The new requirements in the bill would be very problematic for many public agencies that must lease or otherwise protect lands they own, such as buffer land, habitat management, or the long-term lease of land for mining to generate the funding needed to manage public access and care for the land. Under AB 1486, attempting to lease land in support of a special district’s governmental function would trigger the requirements for the disposal of surplus land. As written, this would require special districts to offer up property which in many cases incompatible for use as housing, schools, or parks. AB 1486 also conflicts with the statutes in many districts organic acts which provide for the management of groundwater, recharge and quality protection and in some cases holding an interim use for future governmental use.

The Water Conservation District provides assistance to government projects and residential development in the provision of conservation easements or leases to support critical habitat of endangered species, water recharge lease agreements and mining leases to develop future recharge facilities. Each of these would be thwarted or derailed by the requirements of your bill.

We respectfully request AB 1486 be amended to limit the scope of the bill to the sale, including the transfer of title for surplus land and not include property for lease or other transactions. We also request that the bill is amended to ensure it does not derail critical habitat planning such as Habitat Conservation Plans, Natural Communities Conservation Plans and the resources management plans that fund them. There should be an exemption for facilities that “Maximize groundwater recharge.” Our opposition is not a challenge to the need for affordable housing, but a validation of the need for local flexibility when it comes to proper governmental land use management.

For these reasons, San Bernardino Valley Water Conservation District respectfully opposes AB 1486 unless amended.

Sincerely,



Daniel B. Cozad  
General Manager

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**BOARD OF  
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Daniel B. Cozad

CC: Allison Lim, Office of Assembly Member Phil Ting emailed at [Assemblymember.Ting@assembly.ca.gov](mailto:Assemblymember.Ting@assembly.ca.gov)  
Assembly Member James Ramos emailed at [Assemblymember.Ramos@assembly.ca.gov](mailto:Assemblymember.Ramos@assembly.ca.gov)  
Senator Mike Morell emailed at [Senator.Morrell@senate.ca.gov](mailto:Senator.Morrell@senate.ca.gov)  
Rylan Gervase, Legislative Representative, CSDA [rylang@csda.net](mailto:rylang@csda.net)

AMENDED IN ASSEMBLY MARCH 28, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1486**

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**Introduced by Assembly Member Ting**

February 22, 2019

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An act to amend Sections 11011, 11011.1, 50569, 54220, 54221, 54222, 54222.3, 54223, 54225, 54226, 54227, 54230.5, ~~and 54233~~ 54233, 65400, 65583.2, and 65585 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1486, as amended, Ting. Local agencies: surplus land.

(1) Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines “local agency” for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. Existing law defines “surplus land” for these purposes as land owned by any local agency that is determined to be no longer necessary for the agency’s use, except property being held by the agency for the purpose of exchange. *Existing law defines “exempt surplus land” to mean land that is less than 5,000 square feet in area, less than the applicable minimum legal residential building lot size, or has no record access and is less than 10,000 square feet in area, and that is not contiguous to land owned by a state or local agency and used for park, recreational, open-space, or affordable housing.*

This bill would expand the definition of “local agency” to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and

any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land. *The bill would specify that the term “district” includes all districts within the state, and that this change is declaratory of existing law.* The bill would revise the definition of “surplus land” to mean land owned by any local agency that is not necessary for the agency’s governmental operations, except property being held by the agency expressly for the purpose of exchange for another property necessary for its governmental operations and would provide that land is presumed to be surplus land when a local agency initiates an action to dispose of it. *The bill would provide that “surplus land” for these purposes includes land held in the Community Redevelopment Property Trust Fund and land that has been designated in the long-range property management plan, either for sale or for retention, for future development, as specified. The bill would also broaden the definition of “exempt surplus land” to include specified types of lands or conveyances.*

The bill would also define the term “dispose of” for these purposes as the sale, lease, transfer, or other conveyance of any interest in real property owned by a local agency. The bill would recast various provisions referring to the sale or lease of surplus land to instead refer to the disposal of surplus land. The bill would also delete certain obsolete references and make related conforming changes.

(2) Existing law requires a local agency disposing of surplus land to send, prior to disposing of that property, a written offer to sell or lease the property to specified entities. Existing law requires that a local agency, upon a written request, send a written offer to sell or lease surplus land to a housing sponsor, as defined, for the purpose of developing low- and moderate-income housing. Existing law also requires the local agency to send a written offer to sell or lease surplus land for the purpose of developing property located within an infill opportunity zone, designated as provided, to, among others, a community redevelopment agency.

This bill would instead require the local agency disposing of surplus land to send, prior to disposing of that property or participating in any formal or informal negotiations to dispose of that property, a written notice of availability. The bill would make various related conforming changes. With regards to a housing sponsor, the bill would require that the written notice of availability be sent if the housing sponsor has notified the applicable regional council of governments or, in the case

of a local agency without a council of governments, the Department of Housing and Community Development of its interest in the land, rather than upon written request. With regards to surplus land to be used for the purpose of developing property located within an infill opportunity zone, as described above, the bill would instead require that the written notice of availability be sent to a successor agency to a former redevelopment agency.

(3) After the disposing agency has received a notice from an entity desiring to purchase or lease the land, existing law requires the disposing agency to enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms.

This bill would limit negotiations to sales price and lease terms, including the amount and timing of any payments.

(4) *Existing law requires a local agency to give priority to the development of affordable housing for lower income elderly or disabled persons or households, and other lower income households when disposing of surplus land.*

*This bill would remove that priority.*

~~(4)~~

(5) If the local agency receives offers from more than one entity that agrees to meet specified requirements related to the provision of affordable housing on the surplus land, existing law requires the local agency to give priority to the entity that proposes to provide the greatest number of units that meet those requirements. Notwithstanding that requirement, existing law requires the local agency to give first priority to an entity in specified circumstances.

This bill would define “priority” for these purposes as meaning that the local agency negotiates in good faith exclusively with the entity pursuant to specified requirements. In the event that more than one entity proposes the same number of units that meet the above-described affordable housing requirements, this bill would require that priority be given to the entity that proposes the deepest average level of affordability for the affordable units. *The bill would authorize a local agency to negotiate concurrently with all entities that provide notice of interest to purchase or lease land for the purpose of developing affordable housing.*

~~(5)~~

(6) Under existing law, failure by a local agency to comply with these requirements for the disposal of surplus land does not invalidate

the transfer or conveyance of real property to a purchaser or encumbrancer of value.

~~This bill, in the event of failure to comply, would provide that certain requirements, described below, relating to the use of units developed on the parcel for affordable housing purposes would apply.~~

*The bill would invalidate that transfer or conveyance unless the local agency makes an alternative site available that can accommodate an equal or greater number of housing units as the original site whose transfer or conveyance was effected.*

~~(6)~~

(7) If a local agency does not agree to price and terms with an entity to which notice and an opportunity to purchase or lease are given and disposes of the surplus land to an entity that uses the property for the development of 10 or more residential units, existing law requires the purchasing entity or a successor in interest to provide not less than 15% of the total number of units developed on the parcels at an affordable housing cost or affordable rent to lower income households.

This bill would revise this requirement to apply if the local agency does not agree to price and terms with an entity to which notice of availability of land was given, or if no entity to which a notice of availability was given responds to that notice, and 10 or more residential units are developed on the property.

*The bill would permit residential uses on all land that a local agency disposes of as surplus, if 100% of the residential units are sold or rented at an affordable housing cost, as defined.*

(8) *Existing law requires each state agency to make a review of all proprietary state lands over which it has jurisdiction, except as specified, on or before December 31 of each year to determine what, if any, land is in excess of its foreseeable needs and report thereon in writing to the Department of General Services. Existing law requires the department to annually report to the Legislature the land declared excess and to request authorization to dispose of the land by sale or otherwise, as specified. Existing law requires the department to comply with specified requirements and procedures when disposing of surplus land that the department has received authorization to dispose of by the Legislature, including that the department may dispose of the land upon any terms and conditions that the department determines is in the best interest of the state.*

*This bill would, instead, require each state agency to review state lands over which it has jurisdiction to determine if any land is in excess*

*of its foreseeable needs for governmental operations. The bill would require the department to dispose of at least 10% of the land that the department has determined is not needed by any other state agency, as specified. The bill would require surplus land disposed of by the department be permitted for a residential use if 100% of the residential units are sold or rented at an affordable housing cost, as defined. The bill would delete the authority of the department to dispose of surplus land upon any terms and conditions that the department determines are in the best interest of the state.*

*This bill would require, by September 30, 2021, the Department of Housing and Community Development to create and maintain a searchable and downloadable public inventory of all publicly owned or controlled lands and their present uses.*

*(9) Existing law authorizes the Director of General Services to dispose of surplus state real property if that property is not needed by another state agency and the Legislature has authorized disposal of the property. Existing law also specifies the manner in which the department is to dispose of surplus state real property first to a local agency and then to nonprofit affordable housing sponsors.*

*This bill would revise the manner in which the department is to dispose of surplus state real property. The bill would require the department to provide notice of surplus property to specified entities including, among others, public entities and housing sponsors for the purpose of constructing low- and moderate income housing. The bill would require the department enter good faith negotiations with any entity that provides written notice of their desire to purchase the property. The bill would require that an entity that proposes to construct affordable housing on the surplus property provide at least 25% of the total number of units developed at affordable housing cost. The bill would provide that if the department does not receive a written notice from any entity to purchase the property or negotiations are unsuccessful, and 10 or more residential units are constructed on the property, at least 15% of the total number of residential units developed on the parcels be sold or rented at affordable housing cost.*

*(10) The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development that includes, among other specified*

information, the number of net new units of housing that have been issued a completed entitlement, a building permit, or a certificate of occupancy thus far in the housing element cycle, as provided.

*This bill would require a city or county to include as a part of that report a listing of sites owned or leased by the city or county that have been sold, leased, or otherwise disposed of in the prior year, and sites with leases that expired in the prior year.*

*The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable for residential development to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need determined pursuant to specified law.*

*This bill would require the housing element to provide a description of nonvacant sites owned by the agency preparing the housing element, and provide whether there are any plans to dispose of the property.*

*(11) Existing law requires the Department of Housing and Community Development to notify a city or county and authorize notice to the Attorney General when a city or county has taken an action that violates the Housing Accountability Act, specified provisions relating to local housing elements, and the Density Bonus Law.*

*This bill would also require the Department of Housing and Community Development to notify the city or county and authorizes notice to the Attorney General when the city or county has taken an action that violates these provisions relating to surplus property.*

*(7)*

*(12) Existing law makes various findings and declarations as to the need for affordable housing and the use of surplus government land for that purpose.*

*This bill would revise these findings.*

*This bill would express the intent of the Legislature to enact legislation that addresses the need for affordable housing by utilizing surplus land within the state, as specified.*

*(8)*

*(13) By adding to the duties of local officials with respect to the disposal of surplus land, and expanding the scope of local agencies subject to the bill's requirements, this bill would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 11011 of the Government Code is  
2     amended to read:

3     11011. (a) On or before December 31 of each year, each state  
4     agency shall make a review of all proprietary state lands, other  
5     than tax-deeded land, land held for highway purposes, lands under  
6     the jurisdiction of the State Lands Commission, land that has  
7     escheated to the state or that has been distributed to the state by  
8     court decree in estates of deceased persons, and lands under the  
9     jurisdiction of the State Coastal Conservancy, over which it has  
10    jurisdiction to determine what, if any, land is in excess of its  
11    foreseeable needs *for governmental operations* and report thereon  
12    in writing to the Department of General Services. These lands shall  
13    include, but not be limited to, the following:

14    (1) Land not currently being utilized, or currently being  
15    underutilized, by the state agency for any existing or ongoing state  
16    program.

17    (2) Land for which the state agency has not identified any  
18    specific utilization relative to future programmatic needs.

19    (3) Land not identified by the state agency within its master  
20    plans for facility development.

21    (b) Jurisdiction of all land reported as excess shall be transferred  
22    to the Department of General Services, when requested by the  
23    director of that department, for sale or disposition under this section  
24    or as may be otherwise authorized by law.

25    (c) The Department of General Services shall report to the  
26    Legislature annually, the land declared excess and request  
27    authorization to dispose of the land by sale or otherwise.

1 (d) The Department of General Services shall review and  
2 consider reports submitted to the Director of General Services  
3 pursuant to Section 66907.12 of this code and Section 31104.3 of  
4 the Public Resources Code prior to recommending or taking any  
5 action on surplus land, and shall also circulate the reports to all  
6 agencies that are required to report excess land pursuant to this  
7 section. In recommending or determining the disposition of surplus  
8 lands, the Director of General Services may give priority to  
9 proposals by the state that involve the exchange of surplus lands  
10 for lands listed in those reports.

11 (e) Except as otherwise provided by any other law, whenever  
12 any land is reported as excess pursuant to this section, the  
13 Department of General Services shall determine whether or not  
14 the use of the land is needed by any other state agency. If the  
15 Department of General Services determines that any land is needed  
16 by any other state agency it may transfer the jurisdiction of this  
17 land to the other state agency upon the terms and conditions as it  
18 may deem to be for the best interests of the state.

19 (f) When authority is granted for the sale or other disposition  
20 of lands declared excess, and the Department of General Services  
21 has determined that the use of the land is not needed by any other  
22 state agency, the Department of General Services shall sell the  
23 land or otherwise dispose of the same pursuant to the authorization,  
24 ~~upon any terms and conditions and subject to any reservations and~~  
25 ~~exceptions as the Department of General Services may deem to~~  
26 ~~be for the best interests of the state.~~ *to Section 11011.1.* The  
27 Department of General Services shall report to the Legislature  
28 annually, with respect to each parcel of land authorized to be sold  
29 under this section, giving the following information:

30 (1) A description or other identification of the property.

31 (2) The date of authorization.

32 (3) With regard to each parcel sold after the next preceding  
33 report, the date of sale and price received, or the value of the land  
34 received in exchange.

35 (4) The present status of the property, if not sold or otherwise  
36 disposed of at the time of the report.

37 (g) (1) Except as otherwise specified by law, the net proceeds  
38 received from any real property disposition, including the sale,  
39 lease, exchange, or other means, that is received pursuant to this  
40 section shall be paid into the Deficit Recovery Bond Retirement

1 Sinking Fund Subaccount, established pursuant to subdivision (f)  
 2 of Section 20 of Article XVI of the California Constitution, until  
 3 the time that the bonds issued pursuant to the Economic Recovery  
 4 Bond Act (Title 18 (commencing with Section 99050)), approved  
 5 by the voters at the March 2, 2004, statewide primary election, are  
 6 retired. Thereafter, the net proceeds received pursuant to this  
 7 section shall be deposited in the Special Fund for Economic  
 8 Uncertainties.

9 ~~For~~

10 (2) ~~For purposes of this section, subdivision,~~ net proceeds ~~shall~~  
 11 ~~be defined as means~~ proceeds less any outstanding loans from the  
 12 General Fund, or outstanding reimbursements due to the Property  
 13 Acquisition Law Money Account for costs incurred prior to June  
 14 30, 2005, related to the management of the state's real property  
 15 assets, including, but not limited to, surplus property identification,  
 16 legal research, feasibility statistics, activities associated with land  
 17 use, and due diligence.

18 (h) The Director of Finance may approve loans from the General  
 19 Fund to the Property Acquisition Law Money Account, which is  
 20 hereby created in the State Treasury, for the purposes of supporting  
 21 the management of the state's real property assets.

22 (i) Any rentals or other revenues received by the department  
 23 from real properties, the jurisdiction of which has been transferred  
 24 to the Department of General Services under this section, shall be  
 25 deposited in the Property Acquisition Law Money Account and  
 26 shall be available for expenditure by the Department of General  
 27 Services upon appropriation by the Legislature.

28 (j) Nothing contained in this section shall be construed to  
 29 prohibit the sale, letting, or other disposition of any state lands  
 30 pursuant to any law now or hereafter enacted authorizing the sale,  
 31 letting, or disposition.

32 (k) (1) The disposition of a parcel of surplus state real property,  
 33 pursuant to Section 11011.1, made on an "as is" basis shall be  
 34 exempt from Chapter 3 (commencing with Section 21100) to  
 35 Chapter 6 (commencing with Section 21165), inclusive, of Division  
 36 13 of the Public Resources Code. Upon title to the parcel vesting  
 37 in the purchaser or transferee of the property, the purchaser or  
 38 transferee shall be subject to any local governmental land use  
 39 entitlement approval requirements and to Chapter 3 (commencing  
 40 with Section 21100) to Chapter 6 (commencing with Section

1 21165), inclusive, of Division 13 of the Public Resources Code.  
2 *Code, except as provided in Section 11011.1.*

3 (2) If the disposition of a parcel of surplus state real property,  
4 pursuant to Section 11011.1, is not made on an “as is” basis and  
5 close of escrow is contingent on the satisfaction of a local  
6 governmental land use entitlement approval requirement or  
7 compliance by the local government with Chapter 3 (commencing  
8 with Section 21100) to Chapter 6 (commencing with Section  
9 21165), inclusive, of Division 13 of the Public Resources Code,  
10 the execution of the purchase and sale agreement or of the exchange  
11 agreement by all parties to the agreement shall be exempt from  
12 Chapter 3 (commencing with Section 21100) to Chapter 6  
13 (commencing with Section 21165), inclusive, of Division 13 of  
14 the Public Resources Code.

15 (3) For the purposes of this subdivision, “disposition” means  
16 the sale, exchange, sale combined with an exchange, or transfer  
17 of a parcel of surplus state property.

18 (l) *For land that the Department of General Services has*  
19 *determined is not needed by any other state agency pursuant to*  
20 *subdivision (e), the department shall request authorization to*  
21 *dispose of no less than 10 percent of the land on an annual basis*  
22 *pursuant to Section 11011.1.*

23 (m) *Notwithstanding local zoning designations, surplus land*  
24 *that the department has disposed of shall be permitted for a*  
25 *residential use if 100 percent of the residential units, except for*  
26 *the units occupied by onsite management staff, are sold or rented*  
27 *at an affordable housing cost, as defined in Section 50052.5 of the*  
28 *Health and Safety Code, or affordable rent, as defined in Section*  
29 *50053 of the Health and Safety Code, to lower income households,*  
30 *as defined in Section 50079.5 of the Health and Safety Code.*

31 (n) *The department shall make every effort to conclude the*  
32 *pending disposition of surplus land that it has received*  
33 *authorization to dispose of within 24 months of the date the sale,*  
34 *exchange, or transfer of land was approved by the department.*

35 SEC. 2. *Section 11011.1 of the Government Code is amended*  
36 *to read:*

37 11011.1. (a) Notwithstanding any other provision of law,  
38 except Article 8.5 (commencing with Section 54235) of Chapter  
39 5 of Part 1 of Division 2 of Title 5, the disposal of surplus state  
40 real property by the Department of General Services shall be

1 subject to the requirements of this section. For purposes of this  
2 section, “surplus state real property” means real property declared  
3 surplus by the Legislature and directed to be disposed of by the  
4 Department of General Services, including any real property  
5 previously declared surplus by the Legislature but not yet disposed  
6 of by the Department of General Services prior to the enactment  
7 of this section.

8 (b) (1) The department may dispose of surplus state real  
9 property by sale, lease, exchange, a sale combined with an  
10 exchange, or other manner of disposition of property, as authorized  
11 by the Legislature, ~~upon any terms and conditions and subject to~~  
12 ~~any reservations and exceptions the department deems to be in the~~  
13 ~~best interests of the state~~ *subject to this section.*

14 (2) ~~(A)~~ The Legislature finds and declares that the provision  
15 of decent housing for all Californians is a state goal of the highest  
16 priority. The disposal of surplus state real property is a direct and  
17 substantial public purpose of statewide concern and will serve an  
18 important public purpose, including mitigating the environmental  
19 effects of state activities. Therefore, it is the intent of the  
20 Legislature that priority be given, as specified in this section, to  
21 the disposal of surplus state real property to housing for persons  
22 and families of low or moderate income, where land is suitable  
23 for housing and there is a need for housing in the community.

24 ~~(B)~~ ~~Surplus state real property that has been determined by the~~  
25 ~~department not to be needed by any state agency shall be offered~~  
26 ~~to any local agency, as defined in subdivision (a) of Section 54221,~~  
27 ~~and then to nonprofit affordable housing sponsors, prior to being~~  
28 ~~offered for sale to private entities or individuals. As used in this~~  
29 ~~subdivision, “nonprofit affordable housing sponsor” means any~~  
30 ~~of the following:~~

31 ~~(i) A nonprofit corporation incorporated pursuant to Division~~  
32 ~~2 (commencing with Section 5000) of Title 1 of the Corporations~~  
33 ~~Code.~~

34 ~~(ii) A cooperative housing corporation which is a stock~~  
35 ~~cooperative, as defined by Section 11003.2 of the Business and~~  
36 ~~Professions Code.~~

37 ~~(iii) A limited-dividend housing corporation.~~

38 (C) The department, subject to this section, shall maintain a list  
39 of surplus state real property in a conspicuous place on its Internet  
40 Web site. The department shall provide local agencies and, upon

1 request, members of the public, with electronic notification of  
2 updates to the list of properties.

3 (D) To be considered as a potential priority buyer of the surplus  
4 state real property, a local agency or nonprofit affordable housing  
5 sponsor shall notify the department of its interest in the surplus  
6 state real property within 90 days of the department posting on its  
7 Internet Web site the notice of the availability of the surplus state  
8 real property. The local agency or nonprofit affordable housing  
9 sponsor shall demonstrate, to the satisfaction of the department,  
10 that the surplus state real property, or portion of that surplus state  
11 real property, is to be used by the local agency or nonprofit  
12 affordable housing sponsor for open space, public parks, affordable  
13 housing projects, or development of local government-owned  
14 facilities. When more than one local agency expresses an interest  
15 in the surplus state real property, priority shall be given to the local  
16 agency that intends to use the surplus state real property for  
17 affordable housing. If no agreement or transfer of title occurs, the  
18 priority shall next be given to the local agency that intends to use  
19 the surplus state real property for open space, public parks, or  
20 development of local government-owned facilities. The sales  
21 agreement shall be executed by the local agency or nonprofit  
22 affordable housing sponsor within 60 days after the director  
23 determines the local agency or nonprofit affordable housing  
24 sponsor is to receive the surplus state real property. The sale of  
25 the surplus state real property to a local agency or nonprofit  
26 affordable housing sponsor pursuant to this section shall be  
27 completed, and title transferred, within 60 days of the date the  
28 department executes the sales agreement, or, if required by law,  
29 no later than 60 days after the State Public Works Board has  
30 authorized the sale. If the sale of a surplus state real property to a  
31 local agency or nonprofit affordable housing sponsor is not  
32 completed within the timeframe specified in this subparagraph,  
33 then the department shall proceed with the process for disposal to  
34 other private entities or individuals. If no local agency or nonprofit  
35 affordable housing sponsor informs the department of its interest  
36 in acquiring the property within 90 days of the department posting  
37 on its Internet Web site the notice of the availability of the surplus  
38 state real property, the department shall notify the chairpersons of  
39 the fiscal committees of the Legislature within 30 days of the  
40 expiration of the initial 90-day timeframe.

1 ~~(e) (1) If more than one local agency desires the surplus state~~  
2 ~~real property for use as an open space, a public park, or the~~  
3 ~~development of a local government-owned facility, the department~~  
4 ~~shall transfer the surplus state real property to the local agency~~  
5 ~~offering the highest price above fair market value. If more than~~  
6 ~~one local agency desires the surplus state real property for use as~~  
7 ~~an affordable housing project, the department shall transfer the~~  
8 ~~surplus state real property to the local agency offering the greatest~~  
9 ~~number of affordable housing units. If more than one nonprofit~~  
10 ~~affordable housing sponsor desires the surplus state real property~~  
11 ~~for use as an affordable housing project, the department shall~~  
12 ~~transfer the surplus state real property to the nonprofit affordable~~  
13 ~~housing sponsor offering the greatest number of affordable housing~~  
14 ~~units.~~

15 ~~(2) If no local agency or nonprofit affordable housing sponsor~~  
16 ~~is interested, or an agreement, as provided above, is not reached,~~  
17 ~~then the disposal of the surplus state real property to private entities~~  
18 ~~or individuals shall be pursuant to a public bidding process~~  
19 ~~designed to obtain the highest most certain return for the state from~~  
20 ~~a responsible bidder, and any transaction based on such a bidding~~  
21 ~~process shall be deemed to be the fair market value for the purposes~~  
22 ~~of the reporting requirements pursuant to subdivision (d).~~

23 ~~(3) Notwithstanding any other provision of law, the department~~  
24 ~~may sell surplus state real property, or a portion of surplus state~~  
25 ~~real property, to a local agency, or to a nonprofit affordable housing~~  
26 ~~sponsor if no local agency is interested in the surplus state real~~  
27 ~~property, for affordable housing projects at a sales price less than~~  
28 ~~fair market value if the department determines that such a discount~~  
29 ~~will enable the provision of housing for persons and families of~~  
30 ~~low or moderate income. Nothing shall preclude a local agency~~  
31 ~~that purchases the surplus state real property for affordable housing~~  
32 ~~from reconveying the surplus state real property to a nonprofit~~  
33 ~~affordable housing sponsor for development of affordable housing.~~  
34 ~~Transfer of title to the surplus state real property or lease of the~~  
35 ~~surplus state real property for affordable housing shall be~~  
36 ~~conditioned upon continued use of the surplus state real property~~  
37 ~~as housing for persons and families of low and moderate income~~  
38 ~~for at least 40 years and the department shall record a regulatory~~  
39 ~~agreement that imposes affordability covenants, conditions, and~~  
40 ~~restrictions on the surplus state real property. The regulatory~~

1 agreement shall be a first priority lien on the surplus state real  
2 property and last for a period of at least 40 years, and if another  
3 state agency is lending funds for a project, a combined regulatory  
4 agreement shall be utilized. Notwithstanding any other provision  
5 of law, the regulatory agreement shall not be subordinated to any  
6 other lien or encumbrance except for any federal loan program the  
7 statutes or regulations of which require a first priority lien for that  
8 federal loan.

9 (4) ~~Notwithstanding any other provision of law, the Director of  
10 General Services may transfer surplus state real property to a local  
11 agency for less than fair market value if the local agency uses the  
12 surplus state real property for parks or open-space purposes. The  
13 deed or other instrument of transfer shall provide that the surplus  
14 state real property would revert to the state if the use changed to  
15 a use other than parks or open-space purposes during the period  
16 of 25 years after the transfer date. For the purpose of this paragraph,  
17 "open-space purposes" means the use of land for public recreation,  
18 enjoyment of scenic beauty, or conservation or use of natural  
19 resources.~~

20 (3) *The department shall send, before disposing of surplus  
21 property or participating in negotiations to dispose of surplus  
22 property, a written notice of availability of the property to all of  
23 the following entities:*

24 (A) *A written notice of availability for the purpose of developing  
25 low- and moderate-income housing, as defined in Section 50079  
26 of the Health and Safety Code, to both of the following:*

27 (i) *Any local public entity within whose jurisdiction the surplus  
28 land is located.*

29 (ii) *A housing sponsor, as defined by Section 50074 of the Health  
30 and Safety Code, that has notified the department of its interest in  
31 surplus land for the purpose of developing low- and  
32 moderate-income housing.*

33 (B) *A written notice of availability for open-space purposes to  
34 all of the following:*

35 (i) *Any park or recreation department of any city within which  
36 the land may be situated.*

37 (ii) *Any park or recreation department of the county within  
38 which the land is situated.*

39 (iii) *Any regional park authority having jurisdiction within the  
40 area in which the land is situated.*

1 (iv) *The Natural Resources Agency or any agency that may*  
2 *succeed to its powers.*

3 (C) *A written notice of availability of land suitable for school*  
4 *facilities construction or use by a school district for open-space*  
5 *purposes to any school district in whose jurisdiction the land is*  
6 *located.*

7 (D) *A written notice of availability for the purpose of developing*  
8 *property located within an infill opportunity zone designated*  
9 *pursuant to Section 65088.4 or within an area covered by a transit*  
10 *village plan adopted pursuant to the Transit Village Development*  
11 *Planning Act of 1994 (Article 8.5 (commencing with Section 65460)*  
12 *of Chapter 3 of Division 1 of Title 7) to any county, city, city and*  
13 *county, successor agency to a former redevelopment agency, public*  
14 *transportation agency, or housing authority within whose*  
15 *jurisdiction the surplus land is located.*

16 (4) *The entity or association desiring to purchase or lease the*  
17 *surplus land for any of the purposes authorized by this section*  
18 *shall notify the department in writing of its interest in purchasing*  
19 *or leasing the land within 60 days after receipt of the notice of*  
20 *availability of the land pursuant to paragraph (3).*

21 (5) *The department shall send all notices of availability by*  
22 *first-class mail and, if possible, by electronic mail, and shall*  
23 *include in that notice the location and a description of the property.*

24 (6) *An entity proposing to use the surplus land for developing*  
25 *low- and moderate-income housing shall agree to make available*  
26 *not less than 25 percent of the total number of units developed on*  
27 *the parcels at an affordable housing cost, as defined in Section*  
28 *50052.5 of the Health and Safety Code, or affordable rent, as*  
29 *defined in Section 50053 of the Health and Safety Code, to lower*  
30 *income households, as defined in Section 50079.5 of the Health*  
31 *and Safety Code. Rental units shall remain affordable to, and*  
32 *occupied by, lower income households for a period of at least 55*  
33 *years. The initial occupants of all ownership units shall be lower*  
34 *income households, and the units shall be subject to an equity*  
35 *sharing agreement consistent with paragraph (2) of subdivision*  
36 *(c) of Section 65915. These requirements shall be contained in a*  
37 *covenant or restriction recorded against the surplus land at the*  
38 *time of sale, which shall run with the land and shall be enforceable,*  
39 *against any owner who violates a covenant or restriction and each*

1 successor in interest who continues the violation, by any of the  
2 following:

3 (A) The department.

4 (B) A resident of a unit subject to this subdivision.

5 (C) A resident association with members who reside in units  
6 subject to this subdivision.

7 (D) A former resident of a unit subject to this section who last  
8 resided in that unit.

9 (E) An applicant seeking to enforce the covenants or restrictions  
10 for a particular unit that is subject to this subdivision, if the  
11 applicant conforms to all of the following:

12 (i) Is of low or moderate income, as defined in Section 50093  
13 of the Health and Safety Code.

14 (ii) Is able and willing to occupy that particular unit.

15 (iii) Was denied occupancy of that particular unit due to an  
16 alleged breach of a covenant or restriction implementing this  
17 subdivision.

18 (F) A person on an affordable housing waiting list who is of  
19 low or moderate income, as defined in Section 50093 of the Health  
20 and Safety Code, and who is able and willing to occupy a unit  
21 subject to this subdivision.

22 (7) After the department has received notice from the entity  
23 desiring to purchase or lease the land on terms that comply with  
24 this subdivision, the department and the entity shall enter into  
25 good faith negotiations to determine a mutually satisfactory sales  
26 price and terms or lease terms. If the price or terms cannot be  
27 agreed upon after a good faith negotiation period of not less than  
28 90 days, the land may be disposed of without further regard to this  
29 subdivision, except that paragraph (10) shall apply.

30 (8) Nothing in this subdivision shall preclude a local agency,  
31 housing authority, or redevelopment agency that purchases land  
32 from a disposing agency pursuant to this article from reconveying  
33 the land to a nonprofit or for-profit housing developer for  
34 development of low- and moderate-income housing as authorized  
35 under other provisions of law.

36 (9) (A) In the event that the department receives a notice of  
37 interest to purchase or lease of that land from more than one of  
38 the entities to which notice of available surplus land was given  
39 pursuant to this subdivision, the department shall give first priority  
40 to the entity that agrees to use the site for housing that meets the

1 requirements of paragraph (6). If the department receives offers  
2 from more than one entity that agrees to meet the requirements of  
3 paragraph (6), then the department shall give priority to the entity  
4 that proposes to provide the greatest number of units that meet  
5 the requirements of paragraph (6). In the event that more than one  
6 entity proposes the same number of units that meet the  
7 requirements of paragraph (6), priority shall be given to the entity  
8 that proposes the deepest average level of affordability for the  
9 affordable units. The department may negotiate concurrently with  
10 all entities that provide notice of interest to purchase or lease land  
11 for the purpose of developing affordable housing that meets the  
12 requirements of paragraph (6).

13 (B) Notwithstanding subparagraph (A), the department shall  
14 give first priority to an entity that agrees to use the site for park  
15 or recreational purposes if the land being offered is already being  
16 used and will continue to be used for park or recreational purposes,  
17 or if the land is designated for park and recreational use in the  
18 local general plan and will be developed for that purpose.

19 (C) For purposes of this paragraph, "priority" means that the  
20 department shall negotiate in good faith exclusively with the entity  
21 in accordance with paragraph (7).

22 (10) If the department does not agree to price and terms with  
23 an entity to which notice of availability of land was given pursuant  
24 to this subdivision, or if no entity to which a notice of availability  
25 was given responds to that notice, and 10 or more residential units  
26 are developed on the property, not less than 15 percent of the total  
27 number of residential units developed on the parcels shall be sold  
28 or rented at an affordable housing cost, as defined in Section  
29 50052.5 of the Health and Safety Code, or affordable rent, as  
30 defined in Section 50053 of the Health and Safety Code, to lower  
31 income households, as defined in Section 50079.5 of the Health  
32 and Safety Code. Rental units shall remain affordable to, and  
33 occupied by, lower income households for a period of at least 55  
34 years. The initial occupants of all ownership units shall be lower  
35 income households, and the units shall be subject to an equity  
36 sharing agreement consistent with the provisions of paragraph  
37 (2) of subdivision (c) of Section 65915. The department shall  
38 include these requirements in a covenant or restriction recorded  
39 against the surplus land before land use entitlement of the project,  
40 and the covenant or restriction shall run with the land and shall

1 *be enforceable, against any owner who violates a covenant or*  
 2 *restriction and each successor in interest who continues the*  
 3 *violation, by any of the entities described in subparagraphs (A) to*  
 4 *(F), inclusive, of paragraph (4).*

5 ~~(d)~~

6 (c) Thirty days prior to executing a transaction for a sale, lease,  
 7 exchange, a sale combined with an exchange, or other manner of  
 8 disposition of the surplus state real property for less than fair  
 9 market value or for affordable housing, or as authorized by the  
 10 Legislature, the Director of General Services shall report to the  
 11 chairpersons of the fiscal committees of the Legislature all of the  
 12 following:

13 (1) The financial terms of the transaction.

14 (2) A comparison of fair market value for the surplus state real  
 15 property and the terms listed in paragraph (1).

16 (3) The basis for agreeing to terms and conditions other than  
 17 fair market value.

18 ~~(e)~~

19 (d) As to surplus state real property sold or exchanged pursuant  
 20 to this section, the director shall except and reserve to the state all  
 21 mineral deposits, as described in Section 6407 of the Public  
 22 Resources Code, together with the right to prospect for, mine, and  
 23 remove the deposits. If, however, the director determines that there  
 24 is little or no potential for mineral deposits, the reservation may  
 25 be without surface right of entry above a depth of 500 feet, or the  
 26 rights to prospect for, mine, and remove the deposits shall be  
 27 limited to those areas of the surplus state real property conveyed  
 28 that the director determines to be reasonably necessary for the  
 29 removal of the deposits.

30 ~~(f)~~

31 (e) The failure to comply with this section, except for  
 32 subdivision (d), shall not invalidate the transfer or conveyance of  
 33 surplus state real property to a purchaser for value.

34 ~~(g)~~

35 (f) For purposes of this section, fair market value is established  
 36 by an appraisal and economic evaluation conducted by the  
 37 department or approved by the department.

38 *SEC. 3. Section 50569 of the Government Code is amended to*  
 39 *read:*

1 50569. (a) On or before December 31 of each year, each local  
 2 agency as defined in Section 54951 shall make an inventory of all  
 3 lands held, ~~owned~~ *owned*, or controlled by it or any of its  
 4 departments, ~~agencies~~ *agencies*, or authorities to determine what  
 5 land, including air rights, if any, is in excess of its foreseeable  
 6 ~~needs~~. *needs for its governmental operations*. A description of  
 7 each parcel *owned or controlled and its present uses* found to be  
 8 ~~so~~ in excess of needs shall be made a matter of public ~~record~~.  
 9 *record and reported to the Department of Housing and Community*  
 10 *Development no later than April 1 of each year, beginning 2021*.  
 11 Any citizen, limited dividend corporation, housing corporation or  
 12 nonprofit corporation, shall upon request be provided with a list  
 13 of said parcels without charge.

14 (b) *The Department of Housing and Community Development*  
 15 *shall create and maintain a searchable and downloadable public*  
 16 *inventory of all publicly owned or controlled lands and their*  
 17 *present uses in the state on its internet website, which shall be*  
 18 *updated on an annual basis. The inventory shall be available no*  
 19 *later than September 30, 2021.*

20 (c) *For purposes of this section, "local agency" means a county,*  
 21 *city, whether general law or chartered, city and county, town,*  
 22 *district, including school, sewer, water, utility, and local and*  
 23 *regional park districts of any kind or class, joint powers authority,*  
 24 *successor agency to a former redevelopment agency, housing*  
 25 *authority, or other political subdivision of this state and any*  
 26 *instrumentality thereof that is empowered to acquire and hold real*  
 27 *property.*

28 **SECTION 4.**

29 **SEC. 4.** Section 54220 of the Government Code is amended  
 30 to read:

31 54220. (a) The Legislature reaffirms its declaration that  
 32 housing is of vital statewide importance to the health, safety, and  
 33 welfare of the residents of this state and that provision of a decent  
 34 home and a suitable living environment for every Californian is a  
 35 priority of the highest order. The Legislature further declares that  
 36 a shortage of sites available for housing for persons and families  
 37 of low and moderate income is a barrier to addressing urgent  
 38 statewide housing needs and that surplus government land, prior  
 39 to disposition, should be made available for that purpose.

1 (b) The Legislature reaffirms its belief that there is an  
2 identifiable deficiency in the amount of land available for  
3 recreational purposes and that surplus land, prior to disposition,  
4 should be made available for park and recreation purposes or for  
5 open-space purposes. This article shall not apply to surplus  
6 residential property as defined in Section 54236.

7 (c) The Legislature reaffirms its declaration of the importance  
8 of appropriate planning and development near transit stations, to  
9 encourage the clustering of housing and commercial development  
10 around such stations. Studies of transit ridership in California  
11 indicate that a higher percentage of persons who live or work  
12 within walking distance of major transit stations utilize the transit  
13 system more than those living elsewhere, and that lower income  
14 households are more likely to use transit when living near a major  
15 transit station than higher income households. The sale or lease of  
16 surplus land at less than fair market value to facilitate the creation  
17 of affordable housing near transit is consistent with goals and  
18 objectives to achieve optimal transportation use. The Legislature  
19 also notes that the Federal Transit Administration gives priority  
20 for funding of rail transit proposals to areas that are implementing  
21 higher-density, mixed-use, and affordable development near major  
22 transit stations.

23 ~~SEC. 2.~~

24 SEC. 5. Section 54221 of the Government Code is amended  
25 to read:

26 54221. As used in this article, the following definitions shall  
27 apply:

28 (a) (1) "Local agency" means every city, whether organized  
29 under general law or by charter, county, city and county, district,  
30 including school, sewer, water, utility, and local and regional park  
31 districts of any kind or class, joint powers authority, successor  
32 agency to a former redevelopment agency, housing authority, or  
33 other political subdivision of this state and any instrumentality  
34 thereof that is empowered to acquire and hold real property.

35 (2) *The Legislature finds and declares that the term "district"*  
36 *as used in paragraph (7) includes all districts within the state,*  
37 *including, but not limited to, all special districts, sewer, water,*  
38 *utility, and local and regional park districts, and any other political*  
39 *subdivision of this state that is a district, and therefore the changes*  
40 *in paragraph (1) made by the act adding this paragraph that*

1 *specify that the provisions of this article apply to all districts,*  
 2 *including school, sewer, water, utility, and local and regional park*  
 3 *districts of any kind or class, are declaratory of, and not a change*  
 4 *in, existing law.*

5 (b) “Surplus land” means land owned by any local agency,  
 6 agency that is not necessary for the agency’s governmental  
 7 operations, ~~except property being held by the agency expressly~~  
 8 ~~for the purpose of exchange for another property necessary for its~~  
 9 ~~governmental operations.~~ Land shall be presumed to be “surplus  
 10 land” when a local agency initiates an action to dispose of it.  
 11 “Surplus land” includes land held in the Community  
 12 Redevelopment Property Trust Fund pursuant to Section 34191.4  
 13 of the Health and Safety Code and land that has been designated  
 14 in the long-range property management plan pursuant to Section  
 15 34191.5 of the Health and Safety Code, either for sale or for  
 16 retention, for future development and that was not subject to an  
 17 exclusive negotiating agreement or legally binding agreement to  
 18 dispose of the land. Exclusive negotiating agreements or other  
 19 agreements or contracts for land held in the Community  
 20 Redevelopment Property Trust Fund shall be subject to this article.

21  
 22 (c) “Governmental operations” means land that is being used  
 23 for the express purpose of agency work or operations, including  
 24 utility sites, watershed property, land being used for conservation  
 25 purposes, and buffer sites near sensitive governmental uses,  
 26 including, but not limited to, waste water treatment plants.

27 (e)

28 (d) “Open-space purposes” means the use of land for public  
 29 recreation, enjoyment of scenic beauty, or conservation or use of  
 30 natural resources.

31 (d)

32 (e) “Persons and families of low or moderate income” ~~means~~  
 33 ~~the same as provided under~~ *has the same meaning as provided in*  
 34 Section 50093 of the Health and Safety Code.

35 (e)

36 (f) (1) Except as provided in paragraph (2), “exempt surplus  
 37 land” means ~~either~~ *any* of the following:

38 (A) Surplus land that is transferred pursuant to Section 25539.4.

39 (B) Surplus land that is (i) less than 5,000 square feet in area,

40 (ii) less than the minimum legal residential building lot size for

1 the jurisdiction in which the parcel is located, or 5,000 square feet  
2 in area, whichever is less, or (iii) has no record access and is less  
3 than 10,000 square feet in area; and is not contiguous to land owned  
4 by a state or local agency that is used for ~~park, recreational,~~  
5 ~~open-space~~, *open-space* or low- and moderate-income housing  
6 purposes. If the surplus land is not sold to an owner of contiguous  
7 land, it is not considered exempt surplus land and is subject to this  
8 article.

9 *(C) Surplus land held by the local agency for the express*  
10 *purpose of exchange for another property necessary for its*  
11 *governmental operations.*

12 *(D) Surplus land held by the local agency for the express*  
13 *purpose of transfer to another local agency for its governmental*  
14 *operations.*

15 *(E) A lease of land expressly designated for a local agency's*  
16 *future governmental operations that is leased on an interim basis*  
17 *prior to development.*

18 *(F) An easement for utility, conservation, or governmental*  
19 *purposes.*

20 *(G) A lease of land with an existing structure and lease*  
21 *furthering an express governmental operation of the local agency,*  
22 *including, but not limited to, a concession lease on recreational*  
23 *property.*

24 *(H) A financing lease in furtherance of governmental operations,*  
25 *including, but not limited to, a lease and lease-back transaction.*

26 *(I) A lease of undeveloped land, provided that construction of*  
27 *any permanent structure is not permitted under the lease.*

28 *(J) A short-term lease of one year or less that may be renewed*  
29 *or extended on an annual basis for temporary or seasonal*  
30 *activities.*

31 *(K) A lease of more than one year, but less than 10 years, that*  
32 *is not eligible for renewal or extension.*

33 *(L) The renewal of an existing lease of one or more years for*  
34 *the same purpose, provided the lease was in effect as of January*  
35 *1, 2018.*

36 *(M) Leases of existing agency-owned facilities for short-term*  
37 *use, such as park facilities, community rooms, and other uses*  
38 *where a facility is being rented on a temporary, short-term basis*  
39 *of days or months.*

1 (N) Surplus land that is put out to open, competitive bid by a  
 2 local agency, provided all entities identified in subdivision (a) of  
 3 Section 54222 will be invited to participate in the competitive bid  
 4 process, for either of the following purposes:

5 (i) A housing development, which may have ancillary  
 6 commercial ground floor uses, that restricts 100 percent of the  
 7 residential units to persons and families of low or moderate  
 8 income, with at least 75 percent of the residential units restricted  
 9 to lower income households, as defined in Section 50079.5 of the  
 10 Health and Safety Code, with an affordable sales price or an  
 11 affordable rent, as defined in Sections 50052.5 or 50053 of the  
 12 Health and Safety Code, for a minimum of 55 years, and in no  
 13 event shall the maximum affordable sales price or rent level be  
 14 higher than 20 percent below the median market rents or sales  
 15 prices for the neighborhood in which the site is located.

16 (ii) A mixed-use development that is more than one acre in area,  
 17 that includes not less than 300 housing units, and that restricts at  
 18 least 25 percent of the residential units to lower income  
 19 households, as defined in Section 50079.5 of the Health and Safety  
 20 Code, with an affordable sales price or an affordable rent, as  
 21 defined in Sections 50052.5 and 50053 of the Health and Safety  
 22 Code, for a minimum of 55 years.

23 (O) Surplus land that is subject to legal restrictions that would  
 24 make housing prohibited or incompatible on the site due to state  
 25 or federal statutes, voter-approved measures, or other legal  
 26 restrictions that are not imposed by the local agency. Existing  
 27 zoning alone is not a legal restriction that would make housing  
 28 prohibited or incompatible. Nothing in this article limits a local  
 29 agency's jurisdiction or discretion regarding land use, zoning, or  
 30 entitlement decisions in connection with surplus land.

31 (2) Notwithstanding paragraph (1), the following properties are  
 32 not considered exempt surplus land and are subject to this article:  
 33 a written notice of the availability of surplus land for open-space  
 34 purposes shall be sent to the entities described in subdivision (b)  
 35 of Section 54222 prior to disposing of the surplus land if the land  
 36 is any of the following:

37 (A) ~~Lands within the~~ Within a coastal zone.

38 (B) ~~Lands within 1,000 yards of~~ Adjacent to a historical unit of  
 39 the State Parks System.

1 ~~(C) Lands within 1,000 yards of any property that has been~~  
 2 ~~listed~~ Listed on, or determined by the State Office of Historic  
 3 Preservation to be eligible for, the National Register of Historic  
 4 Places.

5 ~~(D) Lands within~~ Within the Lake Tahoe region as defined in  
 6 Section 66905.5.

7 ~~(f)~~

8 (g) "Dispose of" shall mean sell, lease, transfer, or otherwise  
 9 convey any interest in real property owned by a local agency.

10 ~~SEC. 3.~~

11 *SEC. 6.* Section 54222 of the Government Code is amended  
 12 to read:

13 54222. Any local agency disposing of surplus land shall send,  
 14 prior to disposing of that property or participating in ~~any formal~~  
 15 ~~or informal~~ negotiations to dispose of that property, a written notice  
 16 of availability of the property to all of the following entities:

17 (a) A written notice of availability for the purpose of developing  
 18 low- and moderate-income housing shall be sent to any local public  
 19 entity, as defined in Section 50079 of the Health and Safety Code,  
 20 within whose jurisdiction the surplus land is located. Housing  
 21 sponsors, as defined by Section 50074 of the Health and Safety  
 22 Code, that have notified the applicable regional council of  
 23 governments or, in the case of a local agency without a council of  
 24 governments, the Department of Housing and Community  
 25 Development, of their interest in surplus land shall be sent a written  
 26 notice of availability of surplus land for the purpose of developing  
 27 low- and moderate-income housing. All notices shall be sent by  
 28 first-class mail and, if possible, by electronic mail, and shall include  
 29 the location and a description of the property. ~~With respect to any~~  
 30 ~~offer to purchase or lease pursuant to this subdivision, priority~~  
 31 ~~shall be given to development of the land to provide affordable~~  
 32 ~~housing for lower income elderly or disabled persons or~~  
 33 ~~households, and other lower income households.~~

34 (b) A written notice of availability for ~~park and recreational~~  
 35 ~~purposes or open-space purposes~~ shall be sent:

36 (1) To any park or recreation department of any city within  
 37 which the land may be situated.

38 (2) To any park or recreation department of the county within  
 39 which the land is situated.

1 (3) To any regional park authority having jurisdiction within  
2 the area in which the land is situated.

3 (4) To the State Resources Agency or any agency that may  
4 succeed to its powers.

5 (c) A written notice of availability of land suitable for school  
6 facilities construction or use by a school district for open-space  
7 purposes shall be sent to any school district in whose jurisdiction  
8 the land is located.

9 (d) A written notice of availability for the purpose of developing  
10 property located within an infill opportunity zone designated  
11 pursuant to Section 65088.4 or within an area covered by a transit  
12 village plan adopted pursuant to the Transit Village Development  
13 Planning Act of 1994 (Article 8.5 (commencing with Section  
14 65460) of Chapter 3 of Division 1 of Title 7) shall be sent to any  
15 county, city, city and county, successor agency to a former  
16 redevelopment agency, public transportation agency, or housing  
17 authority within whose jurisdiction the surplus land is located.

18 (e) The entity or association desiring to purchase or lease the  
19 surplus land for any of the purposes authorized by this section  
20 shall notify in writing the disposing agency of its interest in  
21 purchasing or leasing the land within 60 days after receipt of the  
22 agency's notice of availability of the land.

23 *SEC. 7. Section 54222.3 of the Government Code is amended*  
24 *to read:*

25 54222.3. ~~Section 54222~~ *This article* shall not apply to the  
26 disposal of exempt surplus land as defined in Section 54221 by an  
27 agency of the state or any local agency.

28 ~~SEC. 4.~~

29 *SEC. 8.* Section 54223 of the Government Code is amended  
30 to read:

31 54223. After the disposing agency has received notice from  
32 the entity desiring to purchase or lease the land on terms that  
33 comply with this article, the disposing agency and the entity shall  
34 enter into good faith negotiations to determine a mutually  
35 satisfactory sales price *and terms* or lease terms. If the price or  
36 terms cannot be agreed upon after a good faith negotiation period  
37 of not less than 90 days, the land may be disposed of without  
38 further regard to this article, except that Section 54233 shall apply.  
39 Negotiations shall be limited to sales price and lease terms,  
40 including the amount and timing of any payments.

1 ~~SEC. 5.~~

2 *SEC. 9.* Section 54225 of the Government Code is amended  
3 to read:

4 54225. (a) Any public agency disposing of surplus land to an  
5 entity described in Section 54222 for park or recreation purposes,  
6 for open-space purposes, for school purposes, or for low- and  
7 moderate-income housing purposes may provide for a payment  
8 period of up to 20 years in any contract of sale or sale by trust deed  
9 for the land. The payment period for surplus land disposed of for  
10 housing for persons and families of low and moderate income may  
11 exceed 20 years, but the payment period shall not exceed the term  
12 that the land is required to be used for low- or moderate-income  
13 housing.

14 (b) *Notwithstanding local zoning designations, any surplus land*  
15 *disposed of by a public agency shall be permitted for residential*  
16 *use if 100 percent of the units, except for units occupied by onsite*  
17 *management staff, are sold or rented at an affordable housing*  
18 *cost, as defined in Section 50052.5 of the Health and Safety Code,*  
19 *or affordable rent, as defined in Section 50053 of the an Health*  
20 *and Safety Code, to lower income households, as defined in Section*  
21 *50079.5 of the Health and Safety Code. This subdivision shall not*  
22 *apply to exempt surplus land.*

23 ~~SEC. 6.~~

24 *SEC. 10.* Section 54226 of the Government Code is amended  
25 to read:

26 54226. This article shall not be interpreted to limit the power  
27 of any local agency to dispose of surplus land at fair market value  
28 or at less than fair market value, and any disposal at or less than  
29 fair market value consistent with this article shall not be construed  
30 as inconsistent with an agency's purpose. No provision of this  
31 article shall be applied when it conflicts with any other provision  
32 of statutory law.

33 ~~SEC. 7.~~

34 *SEC. 11.* Section 54227 of the Government Code is amended  
35 to read:

36 54227. (a) In the event that any local agency disposing of  
37 surplus land receives ~~offers for the~~ *a notice of interest to purchase*  
38 *or lease of that land from more than one of the entities to which*  
39 *notice and an opportunity to purchase or lease shall be of available*  
40 *surplus land was given pursuant to this article, the local agency*

1 shall give first priority to the entity that agrees to use the site for  
 2 housing that meets the requirements of Section 54222.5. If the  
 3 local agency receives offers from more than one entity that agrees  
 4 to meet the requirements of Section 54222.5, then the local agency  
 5 shall give priority to the entity that proposes to provide the greatest  
 6 number of units that meet the requirements of Section 54222.5. In  
 7 the event that more than one entity proposes the same number of  
 8 units that meet the requirements of Section 54222.5, priority shall  
 9 be given to the entity that proposes the deepest average level of  
 10 affordability for the affordable units. *A local agency may negotiate*  
 11 *concurrently with all entities that provide notice of interest to*  
 12 *purchase or lease land for the purpose of developing affordable*  
 13 *housing that meets the requirements of Section 54222.5.*

14 (b) Notwithstanding subdivision (a), first priority shall be given  
 15 to an entity that agrees to use the site for park or recreational  
 16 purposes if the land being offered is already being used and will  
 17 continue to be used for park or recreational purposes, or if the land  
 18 is designated for park and recreational use in the local general plan  
 19 and will be developed for that purpose.

20 (c) For purposes of this section, “priority” means that the local  
 21 agency shall negotiate in good faith exclusively with the entity in  
 22 accordance with Section 54223.

23 ~~SEC. 8.~~

24 *SEC. 12.* Section 54230.5 of the Government Code is amended  
 25 to read:

26 54230.5. The failure by a local agency to comply with this  
 27 article shall ~~not~~ invalidate the transfer or conveyance of real  
 28 property to a purchaser or encumbrancer for ~~value; however,~~  
 29 ~~Section 54233 shall still apply.~~ *value, unless the local agency*  
 30 *makes an alternative site available subject to Section 54227 that*  
 31 *can accommodate an equal or greater number of housing units as*  
 32 *the original site whose transfer or conveyance was effected.*

33 ~~SEC. 9.~~

34 *SEC. 13.* Section 54233 of the Government Code is amended  
 35 to read:

36 54233. If the local agency does not agree to price and terms  
 37 with an entity to which notice of availability of land was given  
 38 pursuant to this article, or if no entity to which a notice of  
 39 availability was given pursuant to this article responds to that  
 40 notice, and 10 or more residential units are developed on the

1 property, not less than 15 percent of the total number of *residential*  
2 units developed on the parcels shall be sold or rented at affordable  
3 housing cost, as defined in Section 50052.5 of the Health and  
4 Safety Code, or affordable rent, as defined in Section 50053 of the  
5 Health and Safety Code, to lower income households, as defined  
6 in Section 50079.5 of the Health and Safety Code. Rental units  
7 shall remain affordable to, and occupied by, lower income  
8 households for a period of at least 55 years. The initial occupants  
9 of all ownership units shall be lower income households, and the  
10 units shall be subject to an equity sharing agreement consistent  
11 with the provisions of paragraph (2) of subdivision (c) of Section  
12 65915. These requirements shall be contained in a covenant or  
13 restriction recorded against the surplus land prior to land use  
14 entitlement of the project, and the covenant or restriction shall run  
15 with the land and shall be enforceable, against any owner who  
16 violates a covenant or restriction and each successor in interest  
17 who continues the violation, by any of the entities described in  
18 subdivisions (a) to (f), inclusive, of Section 54222.5.

19 *SEC. 14. Section 65400 of the Government Code is amended*  
20 *to read:*

21 65400. (a) After the legislative body has adopted all or part  
22 of a general plan, the planning agency shall do both of the  
23 following:

24 (1) Investigate and make recommendations to the legislative  
25 body regarding reasonable and practical means for implementing  
26 the general plan or element of the general plan, so that it will serve  
27 as an effective guide for orderly growth and development,  
28 preservation and conservation of open-space land and natural  
29 resources, and the efficient expenditure of public funds relating to  
30 the subjects addressed in the general plan.

31 (2) Provide by April 1 of each year an annual report to the  
32 legislative body, the Office of Planning and Research, and the  
33 Department of Housing and Community Development that includes  
34 all of the following:

35 (A) The status of the plan and progress in its implementation.

36 (B) The progress in meeting its share of regional housing needs  
37 determined pursuant to Section 65584 and local efforts to remove  
38 governmental constraints to the maintenance, improvement, and  
39 development of housing pursuant to paragraph (3) of subdivision  
40 (c) of Section 65583.

1 The housing element portion of the annual report, as required  
2 by this paragraph, shall be prepared through the use of standards,  
3 forms, and definitions adopted by the Department of Housing and  
4 Community Development. The department may review, adopt,  
5 amend, and repeal the standards, forms, or definitions, to  
6 implement this article. Any standards, forms, or definitions adopted  
7 to implement this article shall not be subject to Chapter 3.5  
8 (commencing with Section 11340) of Part 1 of Division 3 of Title  
9 2. Before and after adoption of the forms, the housing element  
10 portion of the annual report shall include a section that describes  
11 the actions taken by the local government towards completion of  
12 the programs and status of the local government's compliance with  
13 the deadlines in its housing element. That report shall be considered  
14 at an annual public meeting before the legislative body where  
15 members of the public shall be allowed to provide oral testimony  
16 and written comments.

17 The report may include the number of units that have been  
18 substantially rehabilitated, converted from nonaffordable to  
19 affordable by acquisition, and preserved consistent with the  
20 standards set forth in paragraph (2) of subdivision (c) of Section  
21 65583.1. The report shall document how the units meet the  
22 standards set forth in that subdivision.

23 (C) The number of housing development applications received  
24 in the prior year.

25 (D) The number of units included in all development  
26 applications in the prior year.

27 (E) The number of units approved and disapproved in the prior  
28 year.

29 (F) The degree to which its approved general plan complies  
30 with the guidelines developed and adopted pursuant to Section  
31 65040.2 and the date of the last revision to the general plan.

32 (G) A listing of sites rezoned to accommodate that portion of  
33 the city's or county's share of the regional housing need for each  
34 income level that could not be accommodated on sites identified  
35 in the inventory required by paragraph (1) of subdivision (c) of  
36 Section 65583 and Section 65584.09. The listing of sites shall also  
37 include any additional sites that may have been required to be  
38 identified by Section 65863.

39 (H) *A listing of sites owned or leased by the city or county that*  
40 *have been sold, leased, or otherwise disposed of in the prior year;*

1 *and a listing of sites with leases that expired in the prior year. The*  
2 *list shall include the entity to whom each site was transferred and*  
3 *the intended use for the site.*

4 (H)

5 (I) The number of net new units of housing, including both  
6 rental housing and for-sale housing, that have been issued a  
7 completed entitlement, a building permit, or a certificate of  
8 occupancy, thus far in the housing element cycle, and the income  
9 category, by area median income category, that each unit of  
10 housing satisfies. That production report shall, for each income  
11 category described in this subparagraph, distinguish between the  
12 number of rental housing units and the number of for-sale units  
13 that satisfy each income category. The production report shall  
14 include, for each entitlement, building permit, or certificate of  
15 occupancy, a unique site identifier which must include the  
16 assessor's parcel number, but may include street address, or other  
17 identifiers.

18 (I)

19 (J) The number of applications submitted pursuant to subdivision  
20 (a) of section 65913.4, the location and the total number of  
21 developments approved pursuant to subdivision (b) of section  
22 65913.4, the total number of building permits issued pursuant to  
23 subdivision (b) of section 65913.4, the total number of units  
24 including both rental housing and for-sale housing by area median  
25 income category constructed using the process provided for in  
26 subdivision (b) of section 65913.4.

27 (J)

28 (K) The Department of Housing and Community Development  
29 shall post a report submitted pursuant to this paragraph on its  
30 ~~Internet Web site~~ *internet website* within a reasonable time of  
31 receiving the report.

32 (b) If a court finds, upon a motion to that effect, that a city,  
33 county, or city and county failed to submit, within 60 days of the  
34 deadline established in this section, the housing element portion  
35 of the report required pursuant to subparagraph (B) of paragraph  
36 (2) of subdivision (a) that substantially complies with the  
37 requirements of this section, the court shall issue an order or  
38 judgment compelling compliance with this section within 60 days.  
39 If the city, county, or city and county fails to comply with the  
40 court's order within 60 days, the plaintiff or petitioner may move

1 for sanctions, and the court may, upon that motion, grant  
 2 appropriate sanctions. The court shall retain jurisdiction to ensure  
 3 that its order or judgment is carried out. If the court determines  
 4 that its order or judgment is not carried out within 60 days, the  
 5 court may issue further orders as provided by law to ensure that  
 6 the purposes and policies of this section are fulfilled. This  
 7 subdivision applies to proceedings initiated on or after the first  
 8 day of October following the adoption of forms and definitions by  
 9 the Department of Housing and Community Development pursuant  
 10 to paragraph (2) of subdivision (a), but no sooner than six months  
 11 following that adoption.

12 *SEC. 15. Section 65583.2 of the Government Code, as amended*  
 13 *by Section 3 of Chapter 958 of the Statutes of 2018, is amended*  
 14 *to read:*

15 65583.2. (a) A city's or county's inventory of land suitable  
 16 for residential development pursuant to paragraph (3) of  
 17 subdivision (a) of Section 65583 shall be used to identify sites  
 18 throughout the community, consistent with paragraph (9) of  
 19 subdivision (c) of Section 65583, that can be developed for housing  
 20 within the planning period and that are sufficient to provide for  
 21 the jurisdiction's share of the regional housing need for all income  
 22 levels pursuant to Section 65584. As used in this section, "land  
 23 suitable for residential development" includes all of the sites that  
 24 meet the standards set forth in subdivisions (c) and (g):

25 (1) Vacant sites zoned for residential use.

26 (2) Vacant sites zoned for nonresidential use that allows  
 27 residential development.

28 (3) Residentially zoned sites that are capable of being developed  
 29 at a higher density, including the airspace above sites owned or  
 30 leased ~~by a city, county, or city and county.~~ *by any local agency*  
 31 *as defined by Section 54221.*

32 (4) Sites zoned for nonresidential use that can be redeveloped  
 33 for residential use, and for which the housing element includes a  
 34 program to rezone the site, as necessary, rezoned for, to permit  
 35 residential use, including sites owned or leased ~~by a city, county,~~  
 36 ~~or city and county.~~ *by any local agency as defined by Section*  
 37 *54221.*

38 (b) The inventory of land shall include all of the following:

39 (1) A listing of properties by assessor parcel number.

1 (2) The size of each property listed pursuant to paragraph (1),  
2 and the general plan designation and zoning of each property.

3 (3) For nonvacant sites, a description of the existing use of each  
4 property. *If a site subject to this paragraph is owned by the city*  
5 *or county preparing the housing element, the description shall*  
6 *also include whether there are any plans to dispose of the property*  
7 *during the planning period and how the agency will comply with*  
8 *Article 8 (commencing with Section 54220) of Chapter 5 of Part*  
9 *1 of Division 2 of Title 5.*

10 (4) A general description of any environmental constraints to  
11 the development of housing within the jurisdiction, the  
12 documentation for which has been made available to the  
13 jurisdiction. This information need not be identified on a  
14 site-specific basis.

15 (5) (A) A description of existing or planned water, sewer, and  
16 other dry utilities supply, including the availability and access to  
17 distribution facilities.

18 (B) Parcels included in the inventory must have sufficient water,  
19 sewer, and dry utilities supply available and accessible to support  
20 housing development or be included in an existing general plan  
21 program or other mandatory program or plan, including a program  
22 or plan of a public or private entity providing water or sewer  
23 service, to secure sufficient water, sewer, and dry utilities supply  
24 to support housing development. This paragraph does not impose  
25 any additional duty on the city or county to construct, finance, or  
26 otherwise provide water, sewer, or dry utilities to parcels included  
27 in the inventory.

28 (6) Sites identified as available for housing for above  
29 moderate-income households in areas not served by public sewer  
30 systems. This information need not be identified on a site-specific  
31 basis.

32 (7) A map that shows the location of the sites included in the  
33 inventory, such as the land use map from the jurisdiction's general  
34 plan, for reference purposes only.

35 (c) Based on the information provided in subdivision (b), a city  
36 or county shall determine whether each site in the inventory can  
37 accommodate the development of some portion of its share of the  
38 regional housing need by income level during the planning period,  
39 as determined pursuant to Section 65584. The inventory shall  
40 specify for each site the number of units that can realistically be

1 accommodated on that site and whether the site is adequate to  
2 accommodate lower-income housing, moderate-income housing,  
3 or above moderate-income housing. A nonvacant site identified  
4 pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing  
5 element and a vacant site that has been included in two or more  
6 consecutive planning periods that was not approved to develop a  
7 portion of the locality's housing need shall not be deemed adequate  
8 to accommodate a portion of the housing need for lower income  
9 households that must be accommodated in the current housing  
10 element planning period unless the site is zoned at residential  
11 densities consistent with paragraph (3) of this subdivision and the  
12 site is subject to a program in the housing element requiring  
13 rezoning within three years of the beginning of the planning period  
14 to allow residential use by right for housing developments in which  
15 at least 20 percent of the units are affordable to lower income  
16 households. A city that is an unincorporated area in a  
17 nonmetropolitan county pursuant to clause (ii) of subparagraph  
18 (B) of paragraph (3) shall not be subject to the requirements of  
19 this subdivision to allow residential use by right. *The* analysis shall  
20 determine whether the inventory can provide for a variety of types  
21 of housing, including multifamily rental housing, factory-built  
22 housing, mobilehomes, housing for agricultural employees,  
23 supportive housing, single-room occupancy units, emergency  
24 shelters, and transitional housing. The city or county shall  
25 determine the number of housing units that can be accommodated  
26 on each site as follows:

27 (1) If local law or regulations require the development of a site  
28 at a minimum density, the department shall accept the planning  
29 agency's calculation of the total housing unit capacity on that site  
30 based on the established minimum density. If the city or county  
31 does not adopt a law or regulation requiring the development of a  
32 site at a minimum density, then it shall demonstrate how the  
33 number of units determined for that site pursuant to this subdivision  
34 will be accommodated.

35 (2) The number of units calculated pursuant to paragraph (1)  
36 shall be adjusted as necessary, based on the land use controls and  
37 site improvements requirement identified in paragraph (5) of  
38 subdivision (a) of Section 65583, the realistic development capacity  
39 for the site, typical densities of existing or approved residential  
40 developments at a similar affordability level in that jurisdiction,

1 and on the current or planned availability and accessibility of  
2 sufficient water, sewer, and dry utilities.

3 (A) A site smaller than half an acre shall not be deemed adequate  
4 to accommodate lower income housing need unless the locality  
5 can demonstrate that sites of equivalent size were successfully  
6 developed during the prior planning period for an equivalent  
7 number of lower income housing units as projected for the site or  
8 unless the locality provides other evidence to the department that  
9 the site is adequate to accommodate lower income housing.

10 (B) A site larger than 10 acres shall not be deemed adequate to  
11 accommodate lower income housing need unless the locality can  
12 demonstrate that sites of equivalent size were successfully  
13 developed during the prior planning period for an equivalent  
14 number of lower income housing units as projected for the site or  
15 unless the locality provides other evidence to the department that  
16 the site can be developed as lower income housing. For purposes  
17 of this subparagraph, "site" means that portion of a parcel or parcels  
18 designated to accommodate lower income housing needs pursuant  
19 to this subdivision.

20 (C) A site may be presumed to be realistic for development to  
21 accommodate lower income housing need if, at the time of the  
22 adoption of the housing element, a development affordable to  
23 lower income households has been proposed and approved for  
24 development on the site.

25 (3) For the number of units calculated to accommodate its share  
26 of the regional housing need for lower income households pursuant  
27 to paragraph (2), a city or county shall do either of the following:

28 (A) Provide an analysis demonstrating how the adopted densities  
29 accommodate this need. The analysis shall include, but is not  
30 limited to, factors such as market demand, financial feasibility, or  
31 information based on development project experience within a  
32 zone or zones that provide housing for lower income households.

33 (B) The following densities shall be deemed appropriate to  
34 accommodate housing for lower income households:

35 (i) For an incorporated city within a nonmetropolitan county  
36 and for a nonmetropolitan county that has a micropolitan area:  
37 sites allowing at least 15 units per acre.

38 (ii) For an unincorporated area in a nonmetropolitan county not  
39 included in clause (i): sites allowing at least 10 units per acre.

1 (iii) For a suburban jurisdiction: sites allowing at least 20 units  
2 per acre.

3 (iv) For a jurisdiction in a metropolitan county: sites allowing  
4 at least 30 units per acre.

5 (d) For purposes of this section, a metropolitan county,  
6 nonmetropolitan county, and nonmetropolitan county with a  
7 micropolitan area shall be as determined by the United States  
8 Census Bureau. A nonmetropolitan county with a micropolitan  
9 area includes the following counties: Del Norte, Humboldt, Lake,  
10 Mendocino, Nevada, Tehama, and Tuolumne and other counties  
11 as may be determined by the United States Census Bureau to be  
12 nonmetropolitan counties with micropolitan areas in the future.

13 (e) (1) Except as provided in paragraph (2), a jurisdiction shall  
14 be considered suburban if the jurisdiction does not meet the  
15 requirements of clauses (i) and (ii) of subparagraph (B) of  
16 paragraph (3) of subdivision (c) and is located in a Metropolitan  
17 Statistical Area (MSA) of less than 2,000,000 in population, unless  
18 that jurisdiction's population is greater than 100,000, in which  
19 case it shall be considered metropolitan. A county, not including  
20 the City and County of San Francisco, shall be considered suburban  
21 unless the county is in an MSA of 2,000,000 or greater in  
22 population in which case the county shall be considered  
23 metropolitan.

24 (2) (A) (i) Notwithstanding paragraph (1), if a county that is  
25 in the San Francisco-Oakland-Fremont California MSA has a  
26 population of less than 400,000, that county shall be considered  
27 suburban. If this county includes an incorporated city that has a  
28 population of less than 100,000, this city shall also be considered  
29 suburban. This paragraph shall apply to a housing element revision  
30 cycle, as described in subparagraph (A) of paragraph (3) of  
31 subdivision (e) of Section 65588, that is in effect from July 1,  
32 2014, to December 31, 2028, inclusive.

33 (ii) A county subject to this subparagraph shall utilize the sum  
34 existing in the county's housing trust fund as of June 30, 2013, for  
35 the development and preservation of housing affordable to low- and  
36 very low income households.

37 (B) A jurisdiction that is classified as suburban pursuant to this  
38 paragraph shall report to the Assembly Committee on Housing  
39 and Community Development, the Senate Committee on  
40 Transportation and Housing, and the Department of Housing and

1 Community Development regarding its progress in developing  
2 low- and very low income housing consistent with the requirements  
3 of Section 65400. The report shall be provided three times: once,  
4 on or before December 31, 2019, which report shall address the  
5 initial four years of the housing element cycle, a second time, on  
6 or before December 31, 2023, which report shall address the  
7 subsequent four years of the housing element cycle, and a third  
8 time, on or before December 31, 2027, which report shall address  
9 the subsequent four years of the housing element cycle and the  
10 cycle as a whole. The reports shall be provided consistent with the  
11 requirements of Section 9795.

12 (f) A jurisdiction shall be considered metropolitan if the  
13 jurisdiction does not meet the requirements for “suburban area”  
14 above and is located in an MSA of 2,000,000 or greater in  
15 population, unless that jurisdiction’s population is less than 25,000  
16 in which case it shall be considered suburban.

17 (g) (1) For sites described in paragraph (3) of subdivision (b),  
18 the city or county shall specify the additional development potential  
19 for each site within the planning period and shall provide an  
20 explanation of the methodology used to determine the development  
21 potential. The methodology shall consider factors including the  
22 extent to which existing uses may constitute an impediment to  
23 additional residential development, the city’s or county’s past  
24 experience with converting existing uses to higher density  
25 residential development, the current market demand for the existing  
26 use, an analysis of any existing leases or other contracts that would  
27 perpetuate the existing use or prevent redevelopment of the site  
28 for additional residential development, development trends, market  
29 conditions, and regulatory or other incentives or standards to  
30 encourage additional residential development on these sites.

31 (2) In addition to the analysis required in paragraph (1), when  
32 a city or county is relying on nonvacant sites described in paragraph  
33 (3) of subdivision (b) to accommodate 50 percent or more of its  
34 housing need for lower income households, the methodology used  
35 to determine additional development potential shall demonstrate  
36 that the existing use identified pursuant to paragraph (3) of  
37 subdivision (b) does not constitute an impediment to additional  
38 residential development during the period covered by the housing  
39 element. An existing use shall be presumed to impede additional  
40 residential development, absent findings based on substantial

1 evidence that the use is likely to be discontinued during the  
2 planning period.

3 (3) Notwithstanding any other law, and in addition to the  
4 requirements in paragraphs (1) and (2), sites that currently have  
5 residential uses, or within the past five years have had residential  
6 uses that have been vacated or demolished, that are or were subject  
7 to a recorded covenant, ordinance, or law that restricts rents to  
8 levels affordable to persons and families of low or very low  
9 income, subject to any other form of rent or price control through  
10 a public entity's valid exercise of its police power, or occupied by  
11 low or very low income households, shall be subject to a policy  
12 requiring the replacement of all those units affordable to the same  
13 or lower income level as a condition of any development on the  
14 site. Replacement requirements shall be consistent with those set  
15 forth in paragraph (3) of subdivision (c) of Section 65915.

16 (h) The program required by subparagraph (A) of paragraph (1)  
17 of subdivision (c) of Section 65583 shall accommodate 100 percent  
18 of the need for housing for very low and low-income households  
19 allocated pursuant to Section 65584 for which site capacity has  
20 not been identified in the inventory of sites pursuant to paragraph  
21 (3) of subdivision (a) on sites that shall be zoned to permit  
22 owner-occupied and rental multifamily residential use by right for  
23 developments in which at least 20 percent of the units are  
24 affordable to lower income households during the planning period.  
25 These sites shall be zoned with minimum density and development  
26 standards that permit at least 16 units per site at a density of at  
27 least 16 units per acre in jurisdictions described in clause (i) of  
28 subparagraph (B) of paragraph (3) of subdivision (c), shall be at  
29 least 20 units per acre in jurisdictions described in clauses (iii) and  
30 (iv) of subparagraph (B) of paragraph (3) of subdivision (c) and  
31 shall meet the standards set forth in subparagraph (B) of paragraph  
32 (5) of subdivision (b). At least 50 percent of the very low and  
33 low-income housing need shall be accommodated on sites  
34 designated for residential use and for which nonresidential uses  
35 or mixed uses are not permitted, except that a city or county may  
36 accommodate all of the very low and low-income housing need  
37 on sites designated for mixed uses if those sites allow 100 percent  
38 residential use and require that residential use occupy 50 percent  
39 of the total floor area of a mixed-use project.

1 (i) For purposes of this section and Section 65583, the phrase  
2 “use by right” shall mean that the local government’s review of  
3 the owner-occupied or multifamily residential use may not require  
4 a conditional use permit, planned unit development permit, or other  
5 discretionary local government review or approval that would  
6 constitute a “project” for purposes of Division 13 (commencing  
7 with Section 21000) of the Public Resources Code. Any subdivision  
8 of the sites shall be subject to all laws, including, but not limited  
9 to, the local government ordinance implementing the Subdivision  
10 Map Act. A local ordinance may provide that “use by right” does  
11 not exempt the use from design review. However, that design  
12 review shall not constitute a “project” for purposes of Division 13  
13 (commencing with Section 21000) of the Public Resources Code.  
14 Use by right for all rental multifamily residential housing shall be  
15 provided in accordance with subdivision (f) of Section 65589.5.

16 (j) Notwithstanding any other provision of this section, within  
17 one-half mile of a Sonoma-Marín Area Rail Transit station, housing  
18 density requirements in place on June 30, 2014, shall apply.

19 (k) For purposes of subdivisions (a) and (b), the department  
20 shall provide guidance to local governments to properly survey,  
21 detail, and account for sites listed pursuant to Section 65585.

22 (l) This section shall remain in effect only until December 31,  
23 2028, and as of that date is repealed.

24 *SEC. 16. Section 65583.2 of the Government Code, as amended*  
25 *by Section 4 of Chapter 958 of the Statutes of 2018, is amended*  
26 *to read:*

27 65583.2. (a) A city’s or county’s inventory of land suitable  
28 for residential development pursuant to paragraph (3) of  
29 subdivision (a) of Section 65583 shall be used to identify sites  
30 throughout the community, consistent with paragraph (9) of  
31 subdivision (c) of Section 65583, that can be developed for housing  
32 within the planning period and that are sufficient to provide for  
33 the jurisdiction’s share of the regional housing need for all income  
34 levels pursuant to Section 65584. As used in this section, “land  
35 suitable for residential development” includes all of the sites that  
36 meet the standards set forth in subdivisions (c) and (g):

37 (1) Vacant sites zoned for residential use.

38 (2) Vacant sites zoned for nonresidential use that allows  
39 residential development.

1 (3) Residentially zoned sites that are capable of being developed  
2 at a higher density, *and* sites owned or leased ~~by a city, county, or~~  
3 ~~city and county~~ *by any local agency as defined by Section 54221.*

4 (4) Sites zoned for nonresidential use that can be redeveloped  
5 for residential use, and for which the housing element includes a  
6 program to rezone the sites, as necessary, to permit residential use,  
7 including sites owned or leased ~~by a city, county, or city and~~  
8 ~~county~~ *by any local agency as defined by Section 54221.*

9 (b) The inventory of land shall include all of the following:

10 (1) A listing of properties by assessor parcel number.

11 (2) The size of each property listed pursuant to paragraph (1),  
12 and the general plan designation and zoning of each property.

13 (3) For nonvacant sites, a description of the existing use of each  
14 property. *If a site subject to this paragraph is owned by the city*  
15 *or county preparing the housing element, the description shall*  
16 *also include whether there are any plans to dispose of the property*  
17 *during the planning period and how the agency will comply with*  
18 *Article 8 (commencing with Section 54220) of Chapter 5 of Part*  
19 *1 of Division 2 of Title 5.*

20 (4) A general description of any environmental constraints to  
21 the development of housing within the jurisdiction, the  
22 documentation for which has been made available to the  
23 jurisdiction. This information need not be identified on a  
24 site-specific basis.

25 (5) (A) A description of existing or planned water, sewer, and  
26 other dry utilities supply, including the availability and access to  
27 distribution facilities.

28 (B) Parcels included in the inventory must have sufficient water,  
29 sewer, and dry utilities supply available and accessible to support  
30 housing development or be included in an existing general plan  
31 program or other mandatory program or plan, including a program  
32 or plan of a public or private entity providing water or sewer  
33 service, to secure sufficient water, sewer, and dry utilities supply  
34 to support housing development. This paragraph does not impose  
35 any additional duty on the city or county to construct, finance, or  
36 otherwise provide water, sewer, or dry utilities to parcels included  
37 in the inventory.

38 (6) Sites identified as available for housing for above  
39 moderate-income households in areas not served by public sewer

1 systems. This information need not be identified on a site-specific  
2 basis.

3 (7) A map that shows the location of the sites included in the  
4 inventory, such as the land use map from the jurisdiction's general  
5 plan for reference purposes only.

6 (c) Based on the information provided in subdivision (b), a city  
7 or county shall determine whether each site in the inventory can  
8 accommodate the development of some portion of its share of the  
9 regional housing need by income level during the planning period,  
10 as determined pursuant to Section 65584. The inventory shall  
11 specify for each site the number of units that can realistically be  
12 accommodated on that site and whether the site is adequate to  
13 accommodate lower-income housing, moderate-income housing,  
14 or above moderate-income housing. A nonvacant site identified  
15 pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing  
16 element and a vacant site that has been included in two or more  
17 consecutive planning periods that was not approved to develop a  
18 portion of the locality's housing need shall not be deemed adequate  
19 to accommodate a portion of the housing need for lower income  
20 households that must be accommodated in the current housing  
21 element planning period unless the site is zoned at residential  
22 densities consistent with paragraph (3) of this subdivision and the  
23 site is subject to a program in the housing element requiring  
24 rezoning within three years of the beginning of the planning period  
25 to allow residential use by right for housing developments in which  
26 at least 20 percent of the units are affordable to lower income  
27 households. A city that is an unincorporated area in a  
28 nonmetropolitan county pursuant to clause (ii) of subparagraph  
29 (B) of paragraph (3) shall not be subject to the requirements of  
30 this subdivision to allow residential use by right. The analysis shall  
31 determine whether the inventory can provide for a variety of types  
32 of housing, including multifamily rental housing, factory-built  
33 housing, mobilehomes, housing for agricultural employees,  
34 supportive housing, single-room occupancy units, emergency  
35 shelters, and transitional housing. The city or county shall  
36 determine the number of housing units that can be accommodated  
37 on each site as follows:

38 (1) If local law or regulations require the development of a site  
39 at a minimum density, the department shall accept the planning  
40 agency's calculation of the total housing unit capacity on that site

1 based on the established minimum density. If the city or county  
2 does not adopt a law or regulation requiring the development of a  
3 site at a minimum density, then it shall demonstrate how the  
4 number of units determined for that site pursuant to this subdivision  
5 will be accommodated.

6 (2) The number of units calculated pursuant to paragraph (1)  
7 shall be adjusted as necessary, based on the land use controls and  
8 site improvements requirement identified in paragraph (5) of  
9 subdivision (a) of Section 65583, the realistic development capacity  
10 for the site, typical densities of existing or approved residential  
11 developments at a similar affordability level in that jurisdiction,  
12 and on the current or planned availability and accessibility of  
13 sufficient water, sewer, and dry utilities.

14 (A) A site smaller than half an acre shall not be deemed adequate  
15 to accommodate lower income housing need unless the locality  
16 can demonstrate that sites of equivalent size were successfully  
17 developed during the prior planning period for an equivalent  
18 number of lower income housing units as projected for the site or  
19 unless the locality provides other evidence to the department that  
20 the site is adequate to accommodate lower income housing.

21 (B) A site larger than 10 acres shall not be deemed adequate to  
22 accommodate lower income housing need unless the locality can  
23 demonstrate that sites of equivalent size were successfully  
24 developed during the prior planning period for an equivalent  
25 number of lower income housing units as projected for the site or  
26 unless the locality provides other evidence to the department that  
27 the site can be developed as lower income housing. For purposes  
28 of this subparagraph, "site" means that portion of a parcel or parcels  
29 designated to accommodate lower income housing needs pursuant  
30 to this subdivision.

31 (C) A site may be presumed to be realistic for development to  
32 accommodate lower income housing need if, at the time of the  
33 adoption of the housing element, a development affordable to  
34 lower income households has been proposed and approved for  
35 development on the site.

36 (3) For the number of units calculated to accommodate its share  
37 of the regional housing need for lower income households pursuant  
38 to paragraph (2), a city or county shall do either of the following:

39 (A) Provide an analysis demonstrating how the adopted densities  
40 accommodate this need. The analysis shall include, but is not

1 limited to, factors such as market demand, financial feasibility, or  
2 information based on development project experience within a  
3 zone or zones that provide housing for lower income households.

4 (B) The following densities shall be deemed appropriate to  
5 accommodate housing for lower income households:

6 (i) For an incorporated city within a nonmetropolitan county  
7 and for a nonmetropolitan county that has a micropolitan area:  
8 sites allowing at least 15 units per acre.

9 (ii) For an unincorporated area in a nonmetropolitan county not  
10 included in clause (i): sites allowing at least 10 units per acre.

11 (iii) For a suburban jurisdiction: sites allowing at least 20 units  
12 per acre.

13 (iv) For a jurisdiction in a metropolitan county: sites allowing  
14 at least 30 units per acre.

15 (d) For purposes of this section, a metropolitan county,  
16 nonmetropolitan county, and nonmetropolitan county with a  
17 micropolitan area shall be as determined by the United States  
18 Census Bureau. A nonmetropolitan county with a micropolitan  
19 area includes the following counties: Del Norte, Humboldt, Lake,  
20 Mendocino, Nevada, Tehama, and Tuolumne and other counties  
21 as may be determined by the United States Census Bureau to be  
22 nonmetropolitan counties with micropolitan areas in the future.

23 (e) A jurisdiction shall be considered suburban if the jurisdiction  
24 does not meet the requirements of clauses (i) and (ii) of  
25 subparagraph (B) of paragraph (3) of subdivision (c) and is located  
26 in a Metropolitan Statistical Area (MSA) of less than 2,000,000  
27 in population, unless that jurisdiction's population is greater than  
28 100,000, in which case it shall be considered metropolitan. A  
29 county, not including the City and County of San Francisco, shall  
30 be considered suburban unless the county is in an MSA of  
31 2,000,000 or greater in population in which case the county shall  
32 be considered metropolitan.

33 (f) A jurisdiction shall be considered metropolitan if the  
34 jurisdiction does not meet the requirements for "suburban area"  
35 above and is located in an MSA of 2,000,000 or greater in  
36 population, unless that jurisdiction's population is less than 25,000  
37 in which case it shall be considered suburban.

38 (g) (1) For sites described in paragraph (3) of subdivision (b),  
39 the city or county shall specify the additional development potential  
40 for each site within the planning period and shall provide an

1 explanation of the methodology used to determine the development  
2 potential. The methodology shall consider factors including the  
3 extent to which existing uses may constitute an impediment to  
4 additional residential development, the city's or county's past  
5 experience with converting existing uses to higher density  
6 residential development, the current market demand for the existing  
7 use, an analysis of any existing leases or other contracts that would  
8 perpetuate the existing use or prevent redevelopment of the site  
9 for additional residential development, development trends, market  
10 conditions, and regulatory or other incentives or standards to  
11 encourage additional residential development on these sites.

12 (2) In addition to the analysis required in paragraph (1), when  
13 a city or county is relying on nonvacant sites described in paragraph  
14 (3) of subdivision (b) to accommodate 50 percent or more of its  
15 housing need for lower income households, the methodology used  
16 to determine additional development potential shall demonstrate  
17 that the existing use identified pursuant to paragraph (3) of  
18 subdivision (b) does not constitute an impediment to additional  
19 residential development during the period covered by the housing  
20 element. An existing use shall be presumed to impede additional  
21 residential development, absent findings based on substantial  
22 evidence that the use is likely to be discontinued during the  
23 planning period.

24 (3) Notwithstanding any other law, and in addition to the  
25 requirements in paragraphs (1) and (2), sites that currently have  
26 residential uses, or within the past five years have had residential  
27 uses that have been vacated or demolished, that are or were subject  
28 to a recorded covenant, ordinance, or law that restricts rents to  
29 levels affordable to persons and families of low or very low  
30 income, subject to any other form of rent or price control through  
31 a public entity's valid exercise of its police power, or occupied by  
32 low or very low income households, shall be subject to a policy  
33 requiring the replacement of all those units affordable to the same  
34 or lower income level as a condition of any development on the  
35 site. Replacement requirements shall be consistent with those set  
36 forth in paragraph (3) of subdivision (c) of Section 65915.

37 (h) The program required by subparagraph (A) of paragraph (1)  
38 of subdivision (c) of Section 65583 shall accommodate 100 percent  
39 of the need for housing for very low and low-income households  
40 allocated pursuant to Section 65584 for which site capacity has

1 not been identified in the inventory of sites pursuant to paragraph  
2 (3) of subdivision (a) on sites that shall be zoned to permit  
3 owner-occupied and rental multifamily residential use by right for  
4 developments in which at least 20 percent of the units are  
5 affordable to lower income households during the planning period.  
6 These sites shall be zoned with minimum density and development  
7 standards that permit at least 16 units per site at a density of at  
8 least 16 units per acre in jurisdictions described in clause (i) of  
9 subparagraph (B) of paragraph (3) of subdivision (c), shall be at  
10 least 20 units per acre in jurisdictions described in clauses (iii) and  
11 (iv) of subparagraph (B) of paragraph (3) of subdivision (c), and  
12 shall meet the standards set forth in subparagraph (B) of paragraph  
13 (5) of subdivision (b). At least 50 percent of the very low and  
14 low-income housing need shall be accommodated on sites  
15 designated for residential use and for which nonresidential uses  
16 or mixed uses are not permitted, except that a city or county may  
17 accommodate all of the very low and low-income housing need  
18 on sites designated for mixed uses if those sites allow 100 percent  
19 residential use and require that residential use occupy 50 percent  
20 of the total floor area of a mixed uses project.

21 (i) For purposes of this section and Section 65583, the phrase  
22 “use by right” shall mean that the local government’s review of  
23 the owner-occupied or multifamily residential use may not require  
24 a conditional use permit, planned unit development permit, or other  
25 discretionary local government review or approval that would  
26 constitute a “project” for purposes of Division 13 (commencing  
27 with Section 21000) of the Public Resources Code. Any subdivision  
28 of the sites shall be subject to all laws, including, but not limited  
29 to, the local government ordinance implementing the Subdivision  
30 Map Act. A local ordinance may provide that “use by right” does  
31 not exempt the use from design review. However, that design  
32 review shall not constitute a “project” for purposes of Division 13  
33 (commencing with Section 21000) of the Public Resources Code.  
34 Use by right for all rental multifamily residential housing shall be  
35 provided in accordance with subdivision (f) of Section 65589.5.

36 (j) For purposes of subdivisions (a) and (b), the department shall  
37 provide guidance to local governments to properly survey, detail,  
38 and account for sites listed pursuant to Section 65585.

39 (k) This section shall become operative on December 31, 2028.

1     *SEC. 17. Section 65585 of the Government Code is amended*  
2     *to read:*

3     65585. (a) In the preparation of its housing element, each city  
4     and county shall consider the guidelines adopted by the department  
5     pursuant to Section 50459 of the Health and Safety Code. Those  
6     guidelines shall be advisory to each city or county in the  
7     preparation of its housing element.

8     (b) (1) At least 90 days prior to adoption of its housing element,  
9     or at least 60 days prior to the adoption of an amendment to this  
10    element, the planning agency shall submit a draft element or draft  
11    amendment to the department.

12    (2) The planning agency staff shall collect and compile the  
13    public comments regarding the housing element received by the  
14    city, county, or city and county, and provide these comments to  
15    each member of the legislative body before it adopts the housing  
16    element.

17    (3) The department shall review the draft and report its written  
18    findings to the planning agency within 90 days of its receipt of the  
19    draft in the case of an adoption or within 60 days of its receipt in  
20    the case of a draft amendment.

21    (c) In the preparation of its findings, the department may consult  
22    with any public agency, group, or person. The department shall  
23    receive and consider any written comments from any public  
24    agency, group, or person regarding the draft or adopted element  
25    or amendment under review.

26    (d) In its written findings, the department shall determine  
27    whether the draft element or draft amendment substantially  
28    complies with this article.

29    (e) Prior to the adoption of its draft element or draft amendment,  
30    the legislative body shall consider the findings made by the  
31    department. If the department's findings are not available within  
32    the time limits set by this section, the legislative body may act  
33    without them.

34    (f) If the department finds that the draft element or draft  
35    amendment does not substantially comply with this article, the  
36    legislative body shall take one of the following actions:

37    (1) Change the draft element or draft amendment to substantially  
38    comply with this article.

39    (2) Adopt the draft element or draft amendment without changes.  
40    The legislative body shall include in its resolution of adoption

1 written findings which explain the reasons the legislative body  
2 believes that the draft element or draft amendment substantially  
3 complies with this article despite the findings of the department.

4 (g) Promptly following the adoption of its element or  
5 amendment, the planning agency shall submit a copy to the  
6 department.

7 (h) The department shall, within 90 days, review adopted  
8 housing elements or amendments and report its findings to the  
9 planning agency.

10 (i) (1) (A) The department shall review any action or failure  
11 to act by the city, county, or city and county that it determines is  
12 inconsistent with an adopted housing element or Section 65583,  
13 including any failure to implement any program actions included  
14 in the housing element pursuant to Section 65583. The department  
15 shall issue written findings to the city, county, or city and county  
16 as to whether the action or failure to act substantially complies  
17 with this article, and provide a reasonable time no longer than 30  
18 days for the city, county, or city and county to respond to the  
19 findings before taking any other action authorized by this section,  
20 including the action authorized by subparagraph (B).

21 (B) If the department finds that the action or failure to act by  
22 the city, county, or city and county does not substantially comply  
23 with this article, and if it has issued findings pursuant to this section  
24 that an amendment to the housing element substantially complies  
25 with this article, the department may revoke its findings until it  
26 determines that the city, county, or city and county has come into  
27 compliance with this article.

28 (2) The department may consult with any local government,  
29 public agency, group, or person, and shall receive and consider  
30 any written comments from any public agency, group, or person,  
31 regarding the action or failure to act by the city, county, or city  
32 and county described in paragraph (1), in determining whether the  
33 housing element substantially complies with this article.

34 (j) The department shall notify the city, county, or city and  
35 county and may notify the Office of the Attorney General that the  
36 city, county, or city and county is in violation of state law if the  
37 department finds that the housing element or an amendment to this  
38 element, or any action or failure to act described in subdivision  
39 (i), does not substantially comply with this article or that any local  
40 government has taken an action in violation of the following:

1 (1) Housing Accountability Act (Section 65589.5 of the  
2 Government Code).

3 (2) Section 65863 of the Government Code.

4 (3) Chapter 4.3 (commencing with Section 65915) of Division  
5 1 of Title 7 of the Government Code.

6 (4) Section 65008 of the Government Code.

7 (5) *Article 8 (commencing with Section 54220) of Chapter 5 of*  
8 *Part 1 of Division 2 of Title 5 of the Government Code.*

9 ~~SEC. 10. It is the intent of the Legislature to enact legislation,~~  
10 ~~in addition to Sections 1 to 9, inclusive, of this act, that does the~~  
11 ~~following:~~

12 ~~(a) Strengthens the provisions of Article 8 (commencing with~~  
13 ~~Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of~~  
14 ~~the Government Code, relating to local surplus land, by directing~~  
15 ~~local agencies to create a full inventory of publicly owned sites~~  
16 ~~within their jurisdiction and report the information to the~~  
17 ~~Department of Housing and Community Development.~~

18 ~~(b) Requires state agencies to prioritize disposition of surplus~~  
19 ~~land for development of affordable housing by doing all of the~~  
20 ~~following:~~

21 ~~(1) Specifying a minimum percentage of surplus property to be~~  
22 ~~disposed annually.~~

23 ~~(2) Expediting disposition timelines.~~

24 ~~(3) Directing the Department of General Services to review its~~  
25 ~~spatial guidelines for public facilities to allow onsite affordable~~  
26 ~~housing without compromising the quality of onsite public services.~~

27 ~~(b)~~

28 ~~Requires the Department of Housing and Community~~  
29 ~~Development to develop a statewide public lands database and~~  
30 ~~empowers the department with referral power to the Attorney~~  
31 ~~General's office to enforce compliance with laws governing the~~  
32 ~~disposition of public land for affordable housing.~~

33 ~~(e)~~

34 ~~Incentivizes development of affordable housing on state and~~  
35 ~~local public lands by doing both of the following:~~

36 ~~(1) Allowing affordable housing projects on surplus land to be~~  
37 ~~more competitive for state funding programs.~~

38 ~~(2) Allowing public agencies that dispose of surplus land to be~~  
39 ~~more competitive for discretionary transportation funds.~~

40 ~~(d)~~

1 ~~Utilizes Article 10.6 (commencing with Section 65580) of~~  
 2 ~~Chapter 3 of Division 1 of Title 7 of the Government Code, relating~~  
 3 ~~to housing elements, to prioritize disposition of surplus land by~~  
 4 ~~doing all of the following:~~

5 ~~(1) Establishing a presumption in Article 10.6 (commencing~~  
 6 ~~with Section 65580) of Chapter 3 of Division 1 of Title 7 of the~~  
 7 ~~Government Code, that allows residential uses on all developable~~  
 8 ~~public land where it is not improper or unsafe, notwithstanding~~  
 9 ~~local zoning, for housing in which 100 percent of the units qualify~~  
 10 ~~as affordable housing to lower-income households.~~

11 ~~(2) Requiring housing elements to include a discussion of the~~  
 12 ~~jurisdiction's policies and plans to encourage the development of~~  
 13 ~~affordable housing on surplus land, including identification of any~~  
 14 ~~public land expected to be sold or leased.~~

15 ~~(3) Requiring jurisdictions to report annually, through housing~~  
 16 ~~element progress reports, on how they disposed of surplus sites.~~

17 ~~(e)~~

18 ~~Expands the trained labor pool available for housing~~  
 19 ~~construction by supporting trained apprentices and prevailing~~  
 20 ~~wages on affordable housing projects built on surplus land, with~~  
 21 ~~exceptions for emergency temporary housing and housing built~~  
 22 ~~by volunteers.~~

23 ~~SEC. 11.~~

24 *SEC. 18.* If the Commission on State Mandates determines that  
 25 this act contains costs mandated by the state, reimbursement to  
 26 local agencies and school districts for those costs shall be made  
 27 pursuant to Part 7 (commencing with Section 17500) of Division  
 28 4 of Title 2 of the Government Code.

O

# San Bernardino Valley Water Conservation District

## Monthly Recharge Report

From: 3/1/2019  
To: 3/31/2019



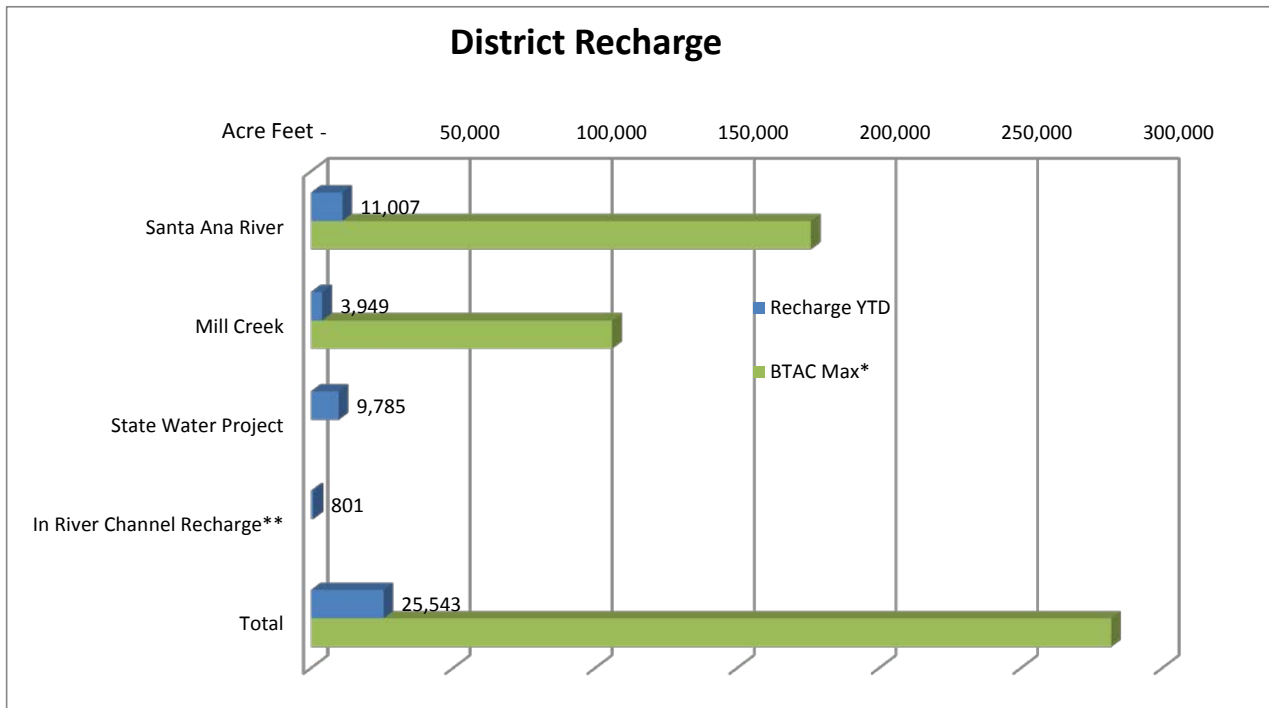
	March				
	Avg Daily Recharge	Monthly Recharge	Recharge YTD	BTAC Max*	% Max
Santa Ana River	233.9	7,250	11,007	176,000	6%
Mill Creek	66.7	2,069	3,949	106,000	4%
State Water Project	138.6	4,295	9,785	NA	NA
In River Channel Recharge**	6.1	188	801	NA	NA
<b>Total</b>	<b>445</b>	<b>13,802</b>	<b>25,543</b>	<b>282,000</b>	<b>9%</b>

Values in Acre Feet

\*BTAC Revised Max in December 2018

\*\*Monitoring began in Mid-April 2011

\*\*\* All Values Based on Water Year Oct-Sep 2018





# 2019 Board Calendar - San Bernardino Valley Water Conservation District

JANUARY						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Jan. 9 Board Meeting  
 Jan. 23 2<sup>nd</sup> Qtr. Finance & Admin Mtg.

JULY						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Jul. 10 Board Meeting  
 Jul. 24 4<sup>th</sup> Qtr. Finance & Admin Mtg.

FEBRUARY						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

Feb. 6 Special Board Mtg.  
 Feb. 13 Board Meeting

AUGUST						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Aug. 14 Board Meeting

MARCH						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Mar. 13 Board Meeting  
 Engineering Investigation Report Presentation  
 Mar. 27 3<sup>rd</sup> Qtr. Finance & Admin Mtg.

SEPTEMBER						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Sept. 11 Board Meeting

APRIL						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Apr. 10 Board Meeting  
 Public Meeting/Groundwater Charge  
 Apr. 17 Budget Workshop  
 Apr. 24 Board Meeting  
 Public Hearing/Groundwater Charge

OCTOBER						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Oct. 9 Board Meeting

MAY						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

May 22 Board Meeting

NOVEMBER						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Nov. 13 Board Meeting  
 Nov. 20 1<sup>st</sup> Qtr. Finance & Admin Mtg.

JUNE						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Jun. 12 Board Meeting

DECEMBER						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Dec. 11 Board Meeting  
 (@ 9:30 a.m.)  
 Holiday Luncheon