

FORESTHILL PUBLIC UTILITY DISTRICT

AGENDA

Regular Business Meeting of the
FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS
Foresthill Elementary School, 24750 Main Street, Foresthill, CA 95631
www.foresthillpud.com

Wednesday	April 8, 2026	6:00 P.M.
-----------	---------------	-----------

Any person may access and comment during the meeting by doing the following:

Join Zoom Meeting: <https://us06web.zoom.us/j/82837681166> Meeting ID: 828 3768 1166

1. OPEN SESSION - CALL TO ORDER 6:00 PM

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

_____ President Chase Dowling
_____ Vice President Mark Bell
_____ Treasurer Ron Thompson
_____ Director Roger Pruett
_____ Director Dianne Foster

4. ADJUSTMENTS TO THE AGENDA WITHIN CATEGORIES

5. PUBLIC COMMENT:

- Members of the public may provide comments to the Board on items that are not on the agenda. We welcome and encourage your comments as the Board takes them into consideration in our deliberations.
- Speakers are limited to a maximum of three minutes.
- The Board may not respond to, discuss, or engage in any type of dialog regarding any public comment; however, the President may direct questions to staff for a later response or future consideration by the Board.
- Appropriate and respectful language and behavior is vital to the functioning of a public meeting. We ask the Board, staff, and members of the public to speak courteously and respectfully. Therefore, the Board prohibits disruptive behavior.

6. CONSENT AGENDA: All items listed under the Consent Agenda are routine in nature and may be approved by one motion

- 6.1. Approval of March 11, 2026, Regular Board Meeting minutes
- 6.2. Receive and file combined financial reports for February 2026

7. OPERATIONS ACTION ITEMS:

- 7.1. Approve Resolution 2026-02 – Declaring an election be held in Foresthill Public Utility District’s jurisdiction, requesting the Board of Supervisors to consolidate this election with any other election conducted on said date, and requesting election services by the County Clerk.

Recommended action: Approve Resolution 2026-02.

Public Comment:

- 7.2. Local Agency Formation Commission Special District Board Member ballot.

Recommended action: Cast ballot for one candidate and direct President to sign and submit.

Public Comment:

8. BOARD MEMBER ACTION ITEMS:

- 8.1. Submitted by Chase Dowling

8.1.1. Category: *Board member action item*

8.1.2. Title: *Consider Selection of Independent Legal Counsel for Review of General Manager 2024 Employment Agreement Process*

8.1.3. A three to five sentence description: *Pursuant to prior Board direction, the ad hoc committee has identified and evaluated qualified independent legal counsel to perform a process-based assessment of the negotiation and implementation of the General Manager’s 2024 employment agreement. The committee will present its recommendations for Board consideration, including proposed scope of work and cost.*

8.1.4. Requested outcome: *Approve selection of independent legal counsel, authorize execution of an agreement for services, and approve a not-to-exceed amount for the engagement.*

8.1.5. Supporting documentation: *Enclosed*

- 8.2. Submitted by: *Dianne Foster*

8.2.1. Category : *Not provided*

8.2.2. Title: *Not provided*

8.2.3. A three to five sentence description: *Hire an in-house Finance Manager – The FPUD has been without an in-house Finance Manager for three years this April. Board Policies 2300 and 2305 was written specifically to apply to a finance manager who is physically working in the office. The current remote finance company charges nearly \$100,000 more than an in-house contracted manager would cost per year. The Board must continue posting the position as long as it takes to hire a qualified person to fill the Finance Manager position.*

8.2.4. Requested outcome: *I am requesting the Board vote to continue posting an RFP for an in-house finance manager position at the CSDA, Indeed, Placer Job Network, Gold Country Media as well as other suggested areas.*

8.2.5. Supporting documentation: *Not provided*

9. BOARD MEMBER POLICY ACTION ITEMS:

- 9.1. Consider revised job description for the Treatment Plant/Distribution Operator III position.

Recommended action: Approve revised job description

Public comment:

10. DISCUSSION ITEMS: None

11. FUTURE AGENDA ITEMS - Future agenda items are to help the General Manager and Board President craft the next month's agenda. Unless otherwise voted upon, the future agenda will comprise of no more than one new board member action item and no more than one new policy action item. Now is the time to discuss which items the board would like to see first to help prioritize efficiency.

11.1. FUTURE BOARD MEMBER ACTION ITEMS

11.1.1. Submitted by: *Dianne Foster*

11.1.1.1. Category: *Future Board Member Action Items*

11.1.1.2. Title: *Not provided*

11.1.1.3. A three to five sentence description: *The Board Explore hiring another Attorney Firm* –*The time has come to consider hiring a different Attorney firm to represent the FPUD. The current firm has been the FPUD counsel for approximately 15 years. During this time, there have been some costly decisions made which was against the financial well-being of the FPUD and the ratepayers. The District would benefit in seeking another attorney firm with a new and fresh perspective on legal matters and advice.*

11.1.1.4. Requested outcome: *I am requesting that the Board vote to initiate an RFP to replace the current firm with a new Attorney firm.*

11.1.1.5. Supporting documentation: *Not provided.*

11.2. FUTURE POLICY ACTION ITEMS - None

11.3. FUTURE DISCUSSION ITEMS - None

12. GENERAL MANAGER'S REPORT

13. DIRECTORS' ITEMS/INFORMATION ONLY

14. CLOSED SESSION -

14.1. Conference with real property negotiators (Gov't Code Section 54956.8).
Property: Up to 2,000 acre feet of stored Sugar Pine Reservoir water; District Negotiators: Chase Dowling and Henry N. White; Negotiating Parties: Prospective water users in the American River Basin, Central Valley or elsewhere in the federal Central Valley Project or State Water Project service areas, including but not limited to; U.S. Bureau of Reclamation, City of Folsom, City of Sacramento, Carmichael Water District, San Juan Water District, Sacramento Suburban Water District, San Luis and Delta-Mendota Water Authority and member agencies (e.g. Westlands Water District), State Water Contractors and member agencies (e.g. Santa Clara Valley Water District); Under Negotiation: Price and terms of payment for the sale of surplus stored water from Sugar Pine Reservoir.

15. REPORT OUT OF CLOSED SESSION -

16. ADJOURNMENT

In accordance with Government Code Section 54954.2(a) this notice and agenda were posted in the district's front window at the Foresthill Public Utility District office, 24540 Main Street, Foresthill, CA 95631 on or before 4:30 PM., April 2, 2026.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the General Manager at (530)367-2511. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting.

Henry N. White, General Manager

FORESTHILL PUBLIC UTILITY DISTRICT

MINUTES

Item 6.1

Regular Business Meeting of the
FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS
Foresthill Elementary School, 24750 Main Street, Foresthill, CA 95631
www.foresthillpud.com

Wednesday	March 11, 2026	6:00 P.M.
-----------	----------------	-----------

Any person may access and comment during the meeting by doing the following:

Join Zoom Meeting: <https://us06web.zoom.us/j/82837681166> Meeting ID: 828 3768 1166

1. **OPEN SESSION - CALL TO ORDER 6:00 PM** *President Dowling called the meeting to order at 6:02 PM*
2. **PLEDGE OF ALLEGIANCE** *President Dowling led the Pledge of Allegiance.*
3. **ROLL CALL**

_____ President Chase Dowling	<i>Present</i>
_____ Vice President Mark Bell	<i>Present</i>
_____ Treasurer Ron Thompson	<i>Present</i>
_____ Director Roger Pruett	<i>Present</i>
_____ Director Dianne Foster	<i>Present</i>

Henry N. White, General Manager, was in attendance. District Counsel, Eric Robinson arrived at 6:55 PM.

4. **ADJUSTMENTS TO THE AGENDA WITHIN CATEGORIES-** *No adjustments were made.*

5. **PUBLIC COMMENT:**

- Members of the public may provide comments to the Board on items that are not on the agenda. We welcome and encourage your comments as the Board takes them into consideration in our deliberations.
- Speakers are limited to a maximum of three minutes.
- The Board may not respond to, discuss, or engage in any type of dialog regarding any public comment; however, the President may direct questions to staff for a later response or future consideration by the Board.
- Appropriate and respectful language and behavior is vital to the functioning of a public meeting. We ask the Board, staff, and members of the public to speak courteously and respectfully. Therefore, the Board prohibits disruptive behavior.

Public Comments: *Patty Wade provided her thoughts on hiring an outside attorney to research the General Manager's contract extension.*

6. **CONSENT AGENDA:** All items listed under the Consent Agenda are routine in nature and may be approved by one motion

1. Approval of February 11, 2026, Regular Board Meeting minutes
2. Receive and file combined financial reports for January 2026

Board Action: *President Dowling made a motion to approve the consent agenda. The motion was seconded by Vice President Bell and carried unanimously (5-0) after a roll call vote.*

President Dowling invited public comment; no comments were offered.

7. **OPERATIONS ACTION ITEMS:**

- 7.1. Approve proposal from Verdantas Engineering to provide professional services for the design of a potable water welded steel storage tank to replace existing bolted steel tanks in an amount not to exceed \$250,000

Recommended action: Approve proposal and authorize General Manager to execute appropriate agreements for the design of a welded steel storage tank

Public comment:

Board Action: *Vice President Bell made a motion to approve the Verdantas Engineering proposal and to authorize the General Manager to execute appropriate agreements to complete the design of a welded steel storage tank to replace the existing bolted steel tanks. The motion was seconded by Director Pruett.*

Public Comment: *Patty Wade provided her opinion regarding replacing the tanks and approving the proposal.*

Board Action: *After a roll call vote, the motion failed 2-3 with Treasurer Thompson, Director Foster and President Dowling voting no.*

8. **BOARD MEMBER ACTION ITEMS:**

1. Submitted by Dianne Foster
 - a. Category: Agenda item regarding interviewing applicants for Finance Manager
 - b. Title: Interview applicant for Finance Manager
 - c. A three to five sentence description: *One applicant for Finance Manager, Lori Stringer, is a local resident with a good resume. She deserves an interview by the Board. The interview process allows the Board to gain in-depth information of her qualifications. Meeting an applicant personally can reveal if the applicant is a good fit for the FPUD. To dismiss the interview process should not be an option.*
 - d. Requested outcome: *The Board approve scheduling an interview with Lori Stringer as an applicant for an in-house Finance Manager position which has been vacant for nearly three years.*
 - e. Supporting documentation: *L. Stringer Resume.*

Board Action: *Vice President Bell made a motion to reject all unselected candidate proposals for further review. The motion was seconded by President Dowling.*

President Dowling invited public comment; no comments were offered.

Board Action: *After a roll call vote, the motion carried 3-2 with Treasurer Thompson and Director Foster voting no.*

N.B. Lance, Soll & Lunghard LLP was selected to continue Finance Manager duties during February 11, 2026, regular meeting of the Board of Directors.

9. BOARD MEMBER POLICY ACTION ITEMS:

1. Consider revised job description for the Treatment Plant/Distribution Operator II position

Recommended action: Approve revised job description

Public comment:

Board Action: *President Dowling made a motion to accept the revised job description as presented. Director Foster seconded the motion.*

President Dowling invited public comment; no comments were offered.

Board Action: *The motion carried unanimously (5-0).*

2. Submitted by Dianne Foster
 - a. Category: Board Policy 5060
 - b. Title: Revision of Board Policy 5060
 - c. A three to five sentence description: *The policy requires updating. New addition is video recording meetings. Policy needs a specific timeline for posting minutes. Policy needs a timeline for posting video. Current postings lack transparency and lacks usefulness to the Directors for future use.*
 - d. Requested outcome: *The Board approve the revisions*
 - e. Supporting documentation: provided

Board Action: *Vice President Bell made a motion to revise Policy #5060.11 to the following language:*

"Copies of a meeting's draft minutes will be distributed to Directors no later than Wednesday of the following week. The draft minutes will also be included as part of the agenda packet for the subsequent meeting, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet, and will be posted on the District's web site."

The motion was seconded by President Dowling.

Public Comment: *Patty Wade commented on her interest in the number of views the video recordings had received.*

Board Action: *The motion carried 4-1 with Director Pruett voting no.*

Board Action: *Vice President Bell made a motion to revise Policy #5060.12 to the following language:*

"An audio or video recording of regular and special meetings of the Board of Directors shall be made, unless prevented by technical difficulties or equipment malfunction. If a recording is made, it shall be posted on the District's website or designated online platform by District staff no later than Wednesday of the next week."

The motion was seconded by President Dowling.

President Dowling invited public comment; no comments were offered.

Board Action: *The motion carried 3-2 with Treasurer Thompson and Director Foster voting no.*

Board Action: *President Dowling made a motion to revise Policy #5060.22 to the following language:*

"Summary Record of Public Comment - This policy requires that the minutes include a short summary of public comments made on matters on and not on the agenda, along with the names of the individuals who provided those comments. The purpose is to ensure the public record reflects that comments were received and what general issues were raised."

The motion was seconded by Director Foster.

President Dowling invited public comment; no comments were offered.

Board Action: *The motion carried unanimously (5-0).*

10. DISCUSSION ITEMS:

1. Submitted by Dianne Foster
 - a. Category: *Review the SCADA project*
 - b. Title: *Review the SCADA project for the quality of construction as well as review of the CSI Metrics 2024 contract.*
 - c. A three to five sentence description: *Going back to Oct. 2024, the board had not received or given the opportunity to review the CSI Metrics contract proposal to design and implement the Supervisory Control & Data Acquisition (SCADA) Project. Specifically there needs to be a better understanding of why new phases were added after the initial project was approved by the Board in Oct. 2024, and whether or not the parts to implement the project are new or used such as the PLC panel (Phase 3 & 4) which normally costs over \$50,000 and this cost is not reflected in the CSI Metrics itemized chart. The PLC panel monitors and controls water management and therefore should be new equipment.*
 - d. Requested outcome: *Provided to the Board the list of past bids for this project, along with providing the Board the CSI Metrics contract and examine the quality of the parts installed (new or old), and revisit why the phases 6 & 8 appeared when not in the original Oct. 2024 Board approved project.*
 - e. Supporting documentation:

Board Action: *None*

President Dowling invited public comment; no comments were offered.

District Counsel Eric Robinson cautioned the Board that placing items of this nature on a public agenda without prior consultation with legal counsel may expose the District to significant civil liability.

11. FUTURE AGENDA ITEMS - Future agenda items are to help the General Manager and Board President craft the next month's agenda. Unless otherwise voted upon, the future agenda will comprise of no more than one new board member action item and no more than one new policy action item. Now is the time to discuss which items the board would like to see first to help prioritize efficiency.

11.1. FUTURE BOARD MEMBER ACTION ITEMS

11.1.1. Submitted by Chase Dowling

11.1.1.1. Category: *Board member action item*

11.1.1.2. Title: *Discuss and hire attorney found by ad hoc committee*

11.1.1.3. A three to five sentence description: *This action item is to bring forth the attorney that the ad hoc committee found and hire*

11.1.1.4. Requested outcome:

11.1.1.5. Supporting documentation:

Board Action: President Dowling made a motion to place this item on the April 2026 regular Board meeting agenda. The motion was seconded by Director Foster.

President Dowling invited public comment; no comments were offered.

Board Action: The motion carried unanimously (5-0).

11.2. FUTURE POLICY ACTION ITEMS - None

11.3. FUTURE DISCUSSION ITEMS - None

12. GENERAL MANAGER'S REPORT - Received

13. DIRECTORS' ITEMS/INFORMATION ONLY - Received

Board Action: President Dowling made a motion at 7:58 PM to continue the meeting past the two-hour limit required by Policy #5025. The motion was seconded by Vice President Bell and carried unanimously.

The Board went into closed session at 7:59 PM

14. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Paragraph (4) of subdivision (d) of Gov't Code Section 54956.9) One Potential Case (Placer County Grand Jury Information Request)

15. REPORT OUT OF CLOSED SESSION - At 8:38, District Counsel Eric Robinson reported that during closed session, the board made a decision to provide information to the Placer County Grand Jury.

16. ADJOURNMENT President Dowling adjourned the meeting at 8:38 PM

Submitted by:

Attest:

Chase Dowling, Board President

Henry N. White, Clerk and Ex-Officio Secretary

DRAFT

Foresthill Public Utility District
Statement of Net Position
As of February 28, 2026

Item 6.2

	Feb 28, 2026
ASSETS	
Current Assets	
Bank Accounts	
10110 Cash on Hand	250
10120 Wells Fargo Checking	579,011
10510 Local Agency Investment Fund	6,603,521
10512 Umpqua Savings account	7,027
Total Checking/Savings	7,189,809
Accounts Receivable	366,208
Other Current Assets	264,012
Total Current Assets	7,820,028
Fixed Assets	10,738,198
Other Assets	323,861
TOTAL ASSETS	\$ 18,882,088
LIABILITIES AND NET POSITION	
Liabilities	
Current Liabilities	204,157
Long-Term Liabilities	1,439,974
Total Liabilities	1,644,131
Net Position	17,237,957
TOTAL LIABILITIES AND NET POSITION	\$ 18,882,088

FORESTHILL PUBLIC UTILITY DISTRICT
Profit & Loss Budget vs. Actuals
July 2025 - February 2026

	Jul'25 - Feb'26	Budget	\$ over Budget
Income			
41100 Consumption Billed	443,988	432,000	11,988
41150 Base rate - Residential	1,350,178	1,332,000	18,178
41200 Base rate - Commercial	153,930	150,667	3,264
42300 Meter Installation	4,500	1,333	3,167
42330 Line Tap	1,650	-	1,650
49200 Interest - LAIF	139,702	49,200	90,502
49210 Interest - Taxes ¹	872	800	72
49251 Interest - Umpqua Bank	0	-	0
49300 Property Tax Revenues ¹	74,483	83,333	(8,851)
49310 Home Owner Prop Tax exemption	302	-	302
49520 Service Charges & Reconnect	69,984	13,333	56,651
49910 Miscellaneous Income	11	-	11
49930 Grant Income	82,641	30,000	52,641
Total Income	\$ 2,322,242	\$ 2,092,667	\$ 229,575
Expenses			
51000 Wages & Salaries	559,089	608,000	(48,911)
52000 Taxes & Benefits	353,002	300,000	53,002
53000 Materials & Supplies	99,383	86,667	12,716
54000 Equipment costs	14,169	34,667	(20,498)
55000 Contracted services	94,060	113,333	(19,273)
55001 Professional Fees	135,635	164,667	(29,031)
56000 Resource development	58,489	54,667	3,822
57000 Utilities	43,219	52,000	(8,781)
58000 Regulatory and General	127,768	128,667	(899)
61000 Capital Activities	263,028	284,667	(21,639)
62400 Depreciation Expense	278,626	-	278,626
Total Expenses	\$ 2,026,469	\$ 1,827,333	\$ 199,136
Net Income	\$ 295,773	\$ 265,334	\$ 30,439

¹Pending receipt of February property tax revenues from Placer County

FORESTHILL PUBLIC UTILITY DISTRICT
Profit & Loss Budget vs. Actuals
July 2025 - February 2026

	<u>Jul'25 - Feb'26</u>	<u>Budget</u>	<u>\$ over Budget</u>
Administration	390,362	350,667	39,695
Capital Expenditures	263,028	284,667	(21,639)
Customer Service	272,584	272,667	(83)
Distribution	320,141	344,000	(23,859)
Pumping	13,156	17,333	(4,177)
Regulatory Compliance	154,073	220,667	(66,594)
Source of Supply	18,135	18,000	135
Treatment	316,364	319,333	(2,969)
Depreciation	278,626	-	278,626
TOTAL	<u>\$ 2,026,469</u>	<u>\$ 1,827,333</u>	<u>\$ 199,136</u>

FORESTHILL PUBLIC UTILITY DISTRICT
Fund Balances
July 2026 - February, 2026

	<u>7/1/2025**</u>	<u>Received</u>	<u>Paid Out</u>	<u>Transfers</u>	<u>Balance</u>
General Fund - unspendable	11,109,706			(15,598)	11,094,108
General Fund - unrestricted	3,074,463	2,239,601	1,679,257	(248,973)	3,385,834
Operating reserves	1,139,985	-	-	-	1,139,985
Debt service reserves*	164,030	-	84,184	84,184	164,030
Capital reserves	854,000	82,641	263,028	180,387	854,000
Emergency reserves	600,000	-	-	-	600,000
Total Fund balances	<u>\$ 16,942,184</u>	<u>\$ 2,322,242</u>	<u>\$ 2,026,469</u>	<u>\$ 0</u>	<u>\$ 17,237,957</u>

* This budget includes Debt Service

**Adjusted at FYE25 per Board Resolution 2021-07

**Foresthill Public Utility District
Cash Disbursements Register**

February 2026

	Date	Num	Name	Memo	Amount
Feb 26	02/10/2026	00913592267 012126	Pacific Gas & Electric	Todd Valley well	-24.64
	02/02/2026	0176949761 0226	United Healthcare	Retiree medical insurance - Feb	-153.40
	02/25/2026	0176949761 0326	United Healthcare	Retiree medical insurance - March	-153.40
	02/02/2026	0177056071 0226	United Healthcare	Retiree medical insurance - Feb	-153.40
	02/25/2026	0177056071 0326	United Healthcare	Retiree medical insurance - March	-153.40
	02/27/2026	04351582251 020926	Pacific Gas & Electric	Sugar pine dam	-1,044.86
	02/18/2026	04722655893 012926	Pacific Gas & Electric	Streetlight	-11.18
	02/11/2026	14062003684R 0126	Bureau of Reclamation	Sugar Pine Fee - Jan 2026	-571.78
	02/02/2026	16TH-CXYK-4XYX	Amazon Business	supplies	-244.52
	02/20/2026	20469688	Sebastian	phone	-553.72
	02/02/2026	29351580658 011326	Pacific Gas & Electric	WTP Power	-1,666.99
	02/27/2026	29351580658 090926	Pacific Gas & Electric	WTP Power	-3,242.28
	02/02/2026	29768247297 011326	Pacific Gas & Electric	Pump power	-907.98
	02/27/2026	29768247297 020926	Pacific Gas & Electric	Pump power	-1,592.94
	02/02/2026	34609	Freedom Landscaping	Park Landscape Maintenance	-250.00
	02/09/2026	34638	Freedom Landscaping	Park Landscape Maintenance	-250.00
	02/03/2026	34647	CSI Metrics	SCADA system emergency work	-1,800.00
	02/03/2026	34648	Grant Hardware, Inc.	supplies	-221.08
	02/03/2026	34649	USA Blue Book	supplies	-110.56
	02/03/2026	34650	Vision Quest Information Solutions, Inc.	IT support	-1,832.35
	02/10/2026	34651	Columbia Bank	LORB - bond payment	-12,678.40
	02/10/2026	34652	Cranmer Engineering, Inc.	Water quality	-497.50
	02/10/2026	34653	Infosend	Customer invoices Jan 2026	-1,405.79
	02/10/2026	34654	Itron, Inc.	Temetra 1 yr subscription	-6,605.39
	02/10/2026	34655	Jeffrey Raye	license reimbursement	-60.00
	02/10/2026	34656	Sierra Mini Mart, Inc.	fuel	-542.93
	02/10/2026	34657	Webb Electrical Service, Inc.	electrical work	-2,423.75
	02/10/2026	34658	Worton's Foresthill Grocery	supplies	-18.96
	02/10/2026	34659	Western Hydrologics, LLP	Annual water rights reporting	-3,680.00
	02/17/2026	34660	Picovale, Inc.	Data/web service	-98.00
	02/17/2026	34661	Placer County , Personnel	EE Dental insurance	-680.11
	02/17/2026	34662	Wells Fargo Bank	Onboarding expenses, subscriptions, supplies, uniforms, employment listings	-2,582.69

02/17/2026	34663	Keenan & Associates	EE Health Insurance - Mar	-24,286.93
02/24/2026	34664	Freedom Landscaping	Park landscape maintenance	-250.00
02/24/2026	34665	Jeffrey Raye	boot reimbursement	-100.00
02/18/2026	36954	RFC Wireless	Radio upgrades for pickups to office and treatment plant	-10,335.40
02/02/2026	543695503001 0226	Humana Insurance Co	Retiree health insurance- February	-399.88
02/25/2026	543695503001 0326	Humana Insurance Co	Retiree health insurance- March	-399.88
02/09/2026	561959	Economy Pest Control	HQ Pest control	-79.00
02/23/2026	6135313840	Verizon Wireless	phone/maps	-52.48
02/10/2026	70596810112 012126	Pacific Gas & Electric	HQ Power	-256.24
02/04/2026	711833680	ADP	ADP PAYROLL FEES 2025 W2s	-137.40
02/06/2026	712542920	ADP	ADP PAYROLL FEES 021326	-168.14
02/20/2026	713708136	ADP	ADP PAYROLL FEES PR 021326	-172.85
02/05/2026	72838	LSL CPAs & Assoc.	Accounting assistance- January	-10,914.75
02/05/2026	739A02BF-0021	Streamline	DocAccess (monthly ADA compliance program)	-250.00
02/17/2026	78967965	Recology Auburn Placer	HQ Refuse	-40.38
02/17/2026	78978483	Recology Auburn Placer	WTP Refuse	-40.38
02/26/2026	824685901	Vision Service Plan - (CA)	EE Vision insurance	-121.27
02/02/2026	970895575001 0226	Humana Insurance Co	Retiree health insurance - February	-411.83
02/25/2026	970895575001 0326	Humana Insurance Co	Retiree health insurance- March	-411.83
02/03/2026	ACH 020326	Wells Fargo Bank	AUTHNET GATEWAY BILLING	-116.55
02/11/2026	ACH 021126	Wells Fargo Bank	CLIENT ANALYSIS SRVC CHRG	-252.61
02/17/2026	ACH 021726	American Messaging	PAGING	-12.35
02/19/2026	G00AYSM 0326	Mutual of Omaha	AD&D, Life ins	-562.98
02/18/2026	G55821-012526	Auburn Area Answering Service	Answering service	-139.55
02/06/2026	L0034241991	CDTFA	Water right fee	-4,427.84
02/12/2026	PR 021326	ADP	ADP Tax 021326	-11,623.93
02/12/2026	PR 021326	ADP	ADP WAGE PAY 021326	-24,258.16
02/13/2026	PR 021326	CalPERS	CALPERS 457b PR 021326	-500.00
02/13/2026	PR 021326	CalPERS	CALPERS Classic PR 021326	-3,168.58
02/13/2026	PR 021326	CalPERS	CALPERS PEPRA PR 021326	-2,293.89
02/26/2026	PR 022726	ADP	ADP Tax PR 022726	-11,710.97
02/26/2026	PR 022726	ADP	ADP WAGE PAY 022726	-23,624.92
02/27/2026	PR 022726	CalPERS	CALPERS PEPRA PR 022726	-2,393.33
02/27/2026	PR 022726	CalPERS	CALPERS Classic PR 022726	-3,168.58
02/27/2026	PR 022726	CalPERS	CALPERS 457b PR 022726	-500.00

TOTAL

- \$ 183,794.88

From: [Placer County Candidate Services](#)
To: [Hank White](#)
Cc: [Placer County Candidate Services](#)
Subject: November 3, 2026 Election Services
Date: Tuesday, March 10, 2026 3:26:55 PM
Attachments: [image001.png](#)
[2026 Foresthill PUD Sample Reso Packet.pdf](#)

Item 7.1

Dear Hank White:

This is a reminder that deadlines are fast approaching for your November 3, 2026 District Election.

Per California Elections Code Section 10509, the Placer County Office of Elections requires a resolution from your board requesting election services no later than July 1, 2026.

You may create your own resolution, or you may use the resolution we have enclosed. Just as we have done in years past, we have completed the resolution to the best of our ability, including:

- Names of Directors up for election.
- Length of term.
- Manner of election.
- Length and payment style of Candidate Statement.
- Tie vote procedures.

If you use the resolution provided, you are responsible for verifying the information we have inserted and for completing the remainder of the resolution. If you find any inconsistencies or errors in our facts, please contact our office. The resolution provided comes with an instruction sheet for your convenience.

If you do **not** request election services from Placer County, we will need a Notice of Vacancies from your district no later than July 1, 2026. A Notice of Vacancies is included in this mailing. If you use the resolution provided, the information in the Notice of Vacancies will automatically be included. If you choose to create your own resolution, the information in the Notice of Vacancies will need to be included in your resolution.

If your district boundary lines have changed since the time of your last election, you will need to provide a map to the Office of Elections delineating the new boundary lines no later than July 1, 2026. This map will be forwarded to the Placer County Mapping Division as required by law.

Ballot wording for any measures your district is considering to put to a vote must also be in our office no later than July 1, 2026. The statement must be 75 words or fewer. The sample resolution has room for this purpose and we encourage you to send this information with your governing board member resolution if possible.

In addition to the resolution, we are sending you a November 3, 2026 Quick Reference Calendar for Placer County. Please note that candidate filing for District Director positions opens July 13, 2026 and closes August 7, 2026. Nomination papers will be available at the Placer County Office of Elections during these dates.

We appreciate your cooperation in providing this data no later than the dates specified. We have enclosed a self-addressed envelope for your convenience. Adrienne Rose and Traci Hatling of Candidate Services will be your liaisons for candidate filing matters. If you have any questions regarding this information, please call 530-886-5650.

Sincerely,

Ryan Ronco
Placer County Clerk-Recorder-Registrar of Voters

Enc.: Sample Resolution, Instructions for Completing Resolution, Notice of Vacancies, Quick Reference Calendar

Adrienne Rose and Traci Hatling

Candidate Services team

(530) 886-5650 | candidates@placer.ca.gov



RESOLUTION NO. 2026-02

RESOLUTION OF THE BOARD OF DIRECTORS OF THE FORESTHILL PUBLIC UTILITY DISTRICT DECLARING AN ELECTION BE HELD IN ITS JURISDICTION; REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE THIS ELECTION WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE; AND REQUESTING ELECTION SERVICES BY THE COUNTY CLERK.

WHEREAS, this District Governing Body orders an election to be held in its jurisdiction on November 3, 2026; at which election the issue(s) to be presented to the voters shall be:

NOMINATION OF CANDIDATES FOR THE GOVERNING BODY

1. Said election shall be to fill a vacancy for the following Board Members whose terms expired:

<u>Incumbent's Name</u>	<u>Division Number (if applicable)</u>	<u>Regular/Short Term</u>
Ronald Thompson	N/A	Regular
Mark Bell	N/A	Regular
Roger Pruett	N/A	Regular

2. Said Directors for this District are elected at large.
3. Said District has determined the following election particulars:
 - The length of the Candidate Statement shall not exceed 200 words.
 - The cost of the Candidate Statement shall be paid by the Candidate.
4. Said District does not request a measure be decided at this election.
5. Said District has determined the following election particulars:
 - In the case of a tie vote, the election shall be determined by LOT.
 - The County Clerk is requested to provide election services and the District agrees that all applicable costs will be paid for by the District
6. The District hereby certifies that the District boundary has not changed since our last election.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Placer is hereby requested to:

1. Consolidate the election with any other applicable election conducted on the same day;
2. Authorize and direct the County Clerk, at Governing Body expense, to provide all necessary election services.

3. This Resolution shall be considered a Notice of Election and Specification of Election Order if applicable.

THE FOREGOING RESOLUTION WAS DULY PASSED AND ADOPTED by the Board of Directors of the Foresthill Public Utility District on April 8, 2026, by the following vote:

AYES: 0

NOES: 0

ABSENT: 0

Signed and approved by me after its passage this 8th day of April 2026:

Chase Dowling, President of the Board of Directors

ATTEST: _____
Henry N. White, Clerk and Ex-Officio Secretary of the Board

(Seal)

NOTICE OF VACANCIES

To: Placer County Clerk-Registrar, Office of Elections

From: **Foresthill Public Utility District**

Pursuant to Elections Code Section 10509, please be advised of the following:

1. The District has three Director seats facing election. The names of the incumbents are listed below:

<u>Incumbent's Name</u>	<u>Division Number (if applicable)</u>	<u>Regular/Short Term</u>
Ronald Thompson	N/A	Regular
Mark Bell	N/A	Regular
Roger Pruet	N/A	Regular

2. The regular terms will expire on the first Friday of December 2026
3. The length of the Candidate Statement shall not exceed 200 words. The cost of the Candidate Statement shall be paid by the Candidate. In the case of a tie vote, the election shall be determined by lot.
4. The district hereby certifies that there have been no District boundary changes since our last election, but the District understands that the Placer County Mapping Division will verify our District boundary lines prior to the election.
5. The County Clerk is requested to provide election services

Henry N. White, Clerk and Ex-Officio Secretary of the Board

(Seal)



Item 7.2

Electronic Transmittal

COMMISSIONERS

March 20, 2026

Joshua Alpine
Chair
(Special District)

Anthony DeMattei
(County)

Whitney Eklund
Vice Chair
(City)

Judy Friedman
(Special District)

Cindy Gustafson
(County)

Sean Lomen
(City)

Susan Rohan
(Public)

ALTERNATE COMMISSIONERS

Shanti Landon
(County)

Cherri Spriggs
(Public)

Scott Wilson
(Special District)

Stephanie
Youngblood
(City)

COUNSEL

Michael Walker
General Counsel

STAFF

Colette Santsche
Interim Executive
Officer

Amanda Ross
Acting Assistant
Executive Officer

Amy Engle
Commission
Clerk/Analyst

TO: Independent Special District Presiding Officers
c/o District Clerk

FROM: Colette Santsche, Interim Executive Officer

SUBJECT: Ballot Distribution and Voting Instructions: Special District Appointment to Placer LAFCO

Dear Presiding Officer,

On February 10, 2026, the Placer Local Agency Formation Commission (LAFCO) initiated a call for nominations to fill a vacancy for one of the regular Special District Representatives on the Commission. The presiding officer (Board Chair/President) of each independent special district were invited to submit nominations for qualified special district board members to fill this open seat.

At the close of the nomination period, LAFCO received a total of eleven (11) nominations for three (3) candidates, as summarized below:

Judy Friedman, Director, Tahoe City Public Utility District
Nominated by:

- North Tahoe Fire Protection District
- North Tahoe Public Utility District
- Northstar Community Service District
- Olympic Valley Public Service District
- Penryn Fire Protection District
- Placer Hills Fire Protection District
- Tahoe City Public Utility District
- Truckee Tahoe Airport District
- Tahoe-Truckee Sanitation Agency

Ross Hutchings, Director, Placer Mosquito and Vector Control District

Nominated by:

- Placer Mosquito and Vector Control District

Selection of Special District Representative

March 20, 2026

Jennifer Knisley, Director, Newcastle Rocklin Gold Hill Cemetery District

Nominated by:

- Newcastle Rocklin Gold Hill Cemetery District

All three candidates are listed on the attached ballot. Also included in your packet for review are the statements of qualifications received by LAFCO. Please note that submitting a statement was optional and we have included the two that were provided.

Voting Instructions

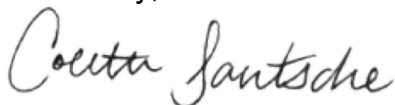
- **Ballot Completion:** Please complete the attached ballot, clearly indicating your selection.
- **Authorized Signature:** To be valid, ballots must be signed by the district's presiding officer, or the presiding officer's alternate as designated by the governing body.
- **Designation of Alternate:** If an alternate has been designated by the governing body, please include a copy of the official meeting minutes or minute order documenting this designation.
- **Quorum Requirement:** A minimum of 19 of the 37 independent special districts in Placer County must submit ballots for the election to be valid.
- **Election Outcome:** The candidate receiving the highest number of votes will be appointed as the Special District Representative to LAFCO.

Submission Deadline

Please return your completed ballot via email to lafco@placer.ca.gov no later than Monday, May 4, 2026, at 4:00 PM.

Thank you for your participation and commitment to ensuring that independent special districts remain effectively represented on the Commission. Should you have any questions, please contact our office at (530) 889-4097.

Sincerely,



Colette Santsche

Interim Executive Officer
Placer LAFCO



Ballot: Selection of Special District Representation on LAFCO

Please choose one candidate:

- Judy Friedman**, Tahoe City Public Utility District
- Ross Hutchings**, Placer Mosquito and Vector Control District
- Jennifer Knisley**, Newcastle Rocklin Gold Hill Cemetery District

Name of Special District: Foresthill Public Utility District

Name of Presiding Officer: Chase Dowling

Signature of Presiding Officer: _____

Date: April 8, 2026

**Must be received by LAFCO via email at LAFCO@placer.ca.gov no
later than May 4, 2026 by 4pm**

Judy Friedman
Director, Tahoe City Public Utility District
Candidate for Placer County LAFCO Special District Seat

I am running for re-election to the Special Districts seat on the LAFCO Board so I can continue representing yours and all the Special Districts in Placer County.

I have been a full-time resident of Tahoe City, located in the unincorporated area of Placer County, for over 50 years. I approach this position from the unique perspective of being an elected member of the of the Tahoe City Public Utility District Board of Directors, Clerk of the Board for the Tahoe City Cemetery District, and volunteer on the North Lake Tahoe Fire Protection District C.E.R.T. team.

There has been tremendous growth in Placer County. LAFCO is charged with identifying ways to organize, simplify, and streamline government and make sure that services are provided efficiently and economically. That requires thoughtful and creative solutions and well-informed decision makers. We need to work hard to balance quality of life while meeting growing service challenges.

I am committed to representing the Special District's interests on the LAFCO Board, especially where they may differ from the county and city issues. Many of the communities throughout Placer County rely on special districts to serve our unique needs. It is essential that our concerns and interests be heard and addressed as LAFCO becomes more active in Placer County.

I ask for your vote to continue serving as Special District Commissioner and appreciate the trust that comes with your support.

Statement of Qualifications Placer County LAFCO

Jenny Knisley
4135 Hunters Drive
Loomis, CA 95650
Phone: 916-719-1132 - Email: Jenny4Loomis@gmail.com

March 17, 2026

Dear LAFCO Commissioners:

I am pleased to submit my application for the position of Special District Representative on the Placer County LAFCO. With experience serving as the Alternate City LAFCO Commissioner for the Town of Loomis and ongoing professional development through CALAFCO trainings and conferences, I am prepared to contribute effectively as a knowledgeable and engaged member of the Commission.

During my service as the Alternate City LAFCO Commissioner for the Town of Loomis, I maintained consistent attendance at LAFCO meetings and remained fully engaged in the Commission's work to ensure continuity and preparedness when called upon to serve. Through this experience, along with continued professional development at CALAFCO conferences and trainings, I have developed a strong understanding of LAFCO's role, responsibilities, and impact, and I am prepared to contribute effectively as a voting member of the Commission.

My current role as Special District Representative for the Newcastle, Rocklin, and Gold Hill Cemetery District, along with my service on committees such as the South Placer Fire Oversight Committee, has strengthened my experience in governance, fiscal oversight, and regional collaboration. I understand the importance of balanced representation and bring a practical, solutions-oriented approach to board service.

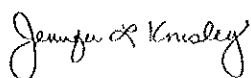
My broader public service background includes serving as Mayor and Council Member for the Town of Loomis, as well as Executive Director of the Loomis Basin Chamber of Commerce. In these roles, I worked closely with a wide range of special districts, local agencies, and community stakeholders—building partnerships, supporting economic development, and advocating for thoughtful growth and service delivery.

I am well-versed in the Commission's strategic priorities, work plan, and budget. My professional career—balancing entrepreneurship, civic leadership, and nearly three decades of service with Soroptimist International—reflects a deep and ongoing commitment to community service and regional well-being.

My qualifications include leadership in developing the Loomis Leadership Program, an Economic Development Certificate (CALED), Institute for Organization Management certification, and completion of Leadership Rocklin and the Western Association of Chamber Executives Academy, along with key contributions to the rebuilding of the Loomis Library and Learning Center.

I am committed to representing all special districts with integrity, diligence, and a clear focus on the long-term interests of Placer County. I bring a strong work ethic, attention to detail, and a collaborative leadership style that prioritizes informed decision-making and regional success.

Thank you for your consideration. I would be honored to continue serving the residents and special districts of Placer County in this capacity.



Sincerely,

Jenny Knisley

COLANTUONO
HIGHSMITH
WHATLEY, PC

Item 8.1

**PROPOSAL TO THE
FORESTHILL PUBLIC UTILITY DISTRICT
FOR
SPECIAL COUNSEL SERVICES**

March 29, 2026

SUBMITTED BY:

Gary B. Bell, Esq.
Mackenzie D. Anderson, Esq.
Colantuono, Highsmith & Whatley, P.C.
555 University Avenue, Suite 275
Sacramento, CA 95825

Telephone: (916) 400-0370

Email: GBell@chwlaw.us

QUALIFICATIONS & FIRM BACKGROUND

Firm Introduction

Colantuono, Highsmith & Whatley is a municipal law firm established in 2002 with offices in Sacramento, Grass Valley, Pasadena, Orange County, and Solana Beach. Our firm has significant experience representing special districts in every aspect of their legal needs. The firm's core values are to provide understandable, practical, helpful, and fairly-priced advice to local government clients. With 38 attorneys, our law firm brings significant breadth and depth of experience for the District's legal needs while having the small-firm flexibility to keep costs low. This combination uniquely positions our firm to provide high-quality General Counsel services to the District with close and consistent contact with the attorneys providing those services.

In our service as General Counsel and in our special counsel practice, we provide advice to public agencies on all facets of public agency law, including the Brown Act, conflicts of interest law, the Public Records Act, land use and planning, the California Environmental Quality Act (CEQA), public revenues and financing, labor and employment, redevelopment dissolution, housing, election law, and any related litigation. The firm prides itself on its extensive public law experience, its commitment to problem-solving, and a focus on ethical, creative, affirmative, and intelligent advice and representation, which our clients find both helpful and understandable.

CHW is a recognized leader in California municipal law. We represent local government agencies, including cities, special districts, and local agency formation commissions, nearly exclusively. Our attorneys are well versed in every aspect of transactional, advisory, and litigation practice for municipalities in California. We serve about 150 agencies statewide and we are experienced in representing cities in every aspect of municipal law. We can meet all the legal needs of the District, whether litigation or transactional/advisory, through high-quality, cost-effective, direct legal support.

Our core commitment is to provide advice our clients find helpful, understandable, and fairly priced. We are widely known for achieving positive outcomes and helping our general counsel clients accomplish their goals, and for defending their actions successfully in the courts of appeal or trial courts. We have grown from six professionals and one office in 2002, to now employing 38 attorneys and another twenty paralegals, legal secretaries, and administrative professionals.

The Firm serves as Special Counsel to many special districts and commissions. For a complete list of our special district and commission clients, please visit <https://chwlaw.us/clients/>.

The Firm serves as City Attorney or Town Attorney to: American Canyon, Auburn, Barstow, Grass Valley, Colfax, Encinitas, Etna, Fort Jones, La Palma, Lakeport, Martinez, Montague, Novato, Sierra Madre, Sonoma, Weed, Yreka, and the Town of Yountville.

DESCRIPTION AND SUMMARY OF QUALIFICATIONS

Gary B. Bell has represented local governments exclusively during his legal career, including advising or serving as General Counsel to several special districts, such as Garden Valley Fire Protection District, Pine Grove Community Services District, Peninsula Community Services District, and River Pines Public Utility District. In addition to serving as General Counsel for special districts, he is General Counsel for Joint Powers Authority clients — the El Dorado Regional Fire Authority and the Upper Valley Waste Management Agency — and he currently serves as City Attorney for the City of Novato, Town Attorney for the Town of Yountville, and City Attorney for the City of Auburn. Gary frequently advises on all aspects of public agency law.

Mackenzie D. Anderson has experience working as General Counsel to Indian Valley Community Services District, City Attorney of Lakeport, Assistant Legal Counsel to Napa LAFCo and currently serves as the Assistant City Attorney of Grass Valley, Assistant City Attorney of Auburn, as well as Assistant Town Attorney for the Town of Yountville.

Conflict of Interest / Ethics

Before proposing our services to any potential client, we perform a thorough search of our existing and past clients to determine if any other representations might prevent us from performing the services. We have concluded this search and do not believe any past or present representations prevent us from representing the District.

Approach

Colantuono, Highsmith & Whatley is unique for its approach in the delivery of legal services. Our philosophy is to anticipate and find solutions to our clients' problems, and to help our clients achieve their goals. We focus on preventative law directed at addressing legal problems before the parties find that they must resort to time-consuming and expensive litigation. Often, we find that a matter can be resolved with a creative,

legal negotiated solution that takes into account and meets the goals of our client and the other parties. If litigation is required, however, we are well equipped to vigorously represent our clients' interests in court. At the same time, we are alert for opportunities to settle litigation and thereby to reduce our clients' costs.

Role of Special Counsel and Interactions with the Board of Directors, the District Manager, and Staff

The Special Counsel's role is to advise decision-makers of the law, including the various options and associated risks, so they may carry out the policies and objectives of the District. The Special Counsel is not a policy maker or a manager but rather assists those in these positions with accurate, timely, and helpful advice. The Special Counsel's work includes written advice in memoranda and email communications, oral advice when appropriate during meetings, in-person and by telephone, defending the District in litigation and hearings, and initiating litigation on behalf of the District when directed to do so by the Board of Directors. We are committed to providing a high level of service for all work we undertake.

The Special Counsel provides unbiased, neutral advice to the Board of Directors regarding the District's operations. The Special Counsel's work includes written advice in memoranda and email communications, and oral advice when appropriate during meetings and by telephone. Based on our deep experience providing services to our municipal and special district clients, we are prepared to provide the same services to the District.

We will be available to the Board Chair, and the Board of Directors through the methods of communication identified above and by cell phone when an immediate response is needed. We will coordinate daily work through regular emails and phone calls as needed. Whatever approach the District requests, we commit to communicating early and often to avoid surprising or unexpected legal advice and to ensure the District receives timely and effective legal advice.

Tracking and Managing Legal Costs

The firm is very sensitive to the District's need to control costs. We are experienced in developing cost management strategies in cooperation with our public clients to ensure the most effective and efficient use of our services. It is our goal to provide high-quality legal services to the District while working with District staff to minimize our fees. We also regularly communicate about the estimated time to complete a project and frequently work with our clients to prioritize projects, so the District receives the advice it needs within the budget it expects. We review our billing mid-month to determine the

number of hours worked and the remaining hours on a project. In the event needed, we will communicate with the Board regarding the status of our billing to determine whether any adjustments may be needed to meet the District's expectations.

We regularly reduce costs to our clients by utilizing research and documents previously drafted, and only billing for the time spent in updating and tailoring a matter to the particular client's needs. We have a sophisticated document management system (iManage) which allows us to reuse work and to avoid billing the District for "reinvented wheels."

Proactively Advising the Board of Directors about Legal Developments or Issues of Concern

The firm publishes a quarterly newsletter regarding developments in the law of concern to public entities (including land use, CEQA developments, labor and employment, and public financing, to name a few topics) which is provided at no cost.

Finally, the firm is qualified to and routinely provides: ethics, Brown Act and AB 1234 training; commissioner and elected official orientation and best management training; election and campaign orientations for candidates and poll workers; employment-related training, including topics such as sexual harassment, discrimination and employment and hours practices; and the basics of land use and due process; and Prop 218 and its impact on rate making and other public financing and revenue raising efforts. The firm is also a certified provider of continuing education services by the California State Bar. Gary and Mackenzie are experienced public presenters of training for our clients and for continuing education services by the California State Bar.

Legal Team & Location

We propose to provide legal services to the District from both our Sacramento and Grass Valley offices. Both offices are staffed Monday through Friday from at least 9:00 a.m. until 5:30 p.m. each day. Four attorneys work out of the firm's Sacramento office, while nine attorneys and six full-time support staff (clerical and paralegal services) work out of the Grass Valley office. In addition to these dedicated personnel, the firm maintains contractual relationships with a number of experienced attorneys who provide specialty expertise and additional capacity to serve our clients in times of increased workflow.

We propose that Gary have primary responsibility for this work with support from Mackenzie. Gary and Mackenzie both work out of the Sacramento office.

An effective partnership is built on transparent communication with all parties that occurs early and often. We take all steps to avoid surprising or unexpected legal advice by communicating at the earliest opportunity regarding our analysis and the District's options for achieving its goals.

Related Work Experience and References

Our firm has deep experience with special districts of all types and specifically districts providing water service. We are fully prepared to provide services regarding the Brown Act issue we discussed.

Experience

As part of our everyday practice for public entities, we have drafted legislation on every imaginable topic of interest to a public entity, as well as supporting staff reports. We regularly review and draft simple and complex agreements including indemnity and defense agreements, agreements pertaining to real property (whether for acquisition or regulation, including easements, right of way access or abandonment), construction and subdivision agreements, professional services agreements, Memoranda of Understanding with bargaining units, and public works project bidding documents.

In sum, we are able to provide legal advice to the District's Board and staff via telephone, e-mail, and written memoranda on both routine and complex legal matters, both advisory and litigation, including but not limited to:

- Open and closed meeting requirements of the Ralph M. Brown Act,
- Parliamentary procedure,
- General municipal or administrative law regarding water rights and case law involving California water law
- Conflict of interest advice, including Political Reform Act (including AB 1234 training), Government Code section 1090, and common law conflict issues,
- Public Records Act;
- Joint Powers Act
- General liability, compliance with Government Claims Act, and risk management,

- California Environmental Quality Act and other environmental laws,
- Labor and employment,
- Building and Fire Codes
- Public financing matters (Proposition 218, etc.), and
- Insurance coverage requirements.

References

While our firm is well known in local government and public law circles, the following are especially familiar with our work on these issues:

Wes Norman, Fire Chief
Garden Valley Fire Protection District
4860 Marshall Road
Garden Valley, CA 95633
WNorman@gardenvalley.org
(530) 333-1240

Description & Size: The Garden Valley Fire Protection District is a combination volunteer/career fire district located in the foothills of the Sierra Nevada Mountains in El Dorado County, California. The district provides fire, rescue, and non-transport ALS medical response to a 60 square mile area with a population of 8,100 people. When adding mutual aid coverage, the Garden Valley Fire Protection District covers 400 square miles and a population of more than 25,000 people.

Budget: \$2,292,900

Relationship Term: 2016 to present

Lori Arnberg, General Manager
Pine Grove Community Services District
P.O. Box 367
19840 State Highway 88
Pine Grove, CA 95665
pgcomser@volcano.net
(209) 296-7188

Description & Size: Pine Grove Community Services District purchases treated water and distributes it to its approximate 1,141 residential and commercial users.

Budget: \$524,567

Relationship Term: 2018 to present

Candi Bingham, General Manager
River Pines Public Utility District
22900 Canyon Ave
River Pines, CA 95675
rppud@riverpinespubd.org
(209) 245-6723

Description & Size: River Pines Public Utility District supplies treated water and wastewater services to its approximate 574 domestic users. Water services include groundwater pumping, treatment of surface and groundwater, distribution, and billing.

Budget: \$438,210

Relationship Term: 2020 to present

Sean Rabé, City Manager
City of Auburn
1225 Lincoln Ave
Auburn, CA 95603
srabe@auburn.ca.gov
(530) 823-4211

Description & Size: The City of Auburn, California, is the capital of Placer County, with a population size of approximately 14,195. Auburn is geographically located Northeast of Sacramento and Southwest of Lake Tahoe along the I-80 corridor.

Budget: \$30,167,049

Relationship Term: 2005 to present

You have permission to contact these references. If you or other Board members would like to speak to others with whom Gary or Mackenzie have worked, let us know and we would be happy to provide names and contact information for that purpose.

Project Cost & Fee Schedule

While our rates range between \$235 and \$675 per hour for attorneys' time, and between \$155 and \$200 for the time of paralegals and legal assistants, as a courtesy to you, we can offer a discounted rate by providing Special Counsel services at our standard rates capped at \$350 per hour as discussed in more detail below. The special districts our firm represents, as well as many of our public agency clients with a relatively smaller demand for legal services, are billed only for services rendered on an as-needed basis. We bill on a monthly basis in increments of one-tenth of an hour. We find this arrangement works well for special districts because they often have an uneven demand for legal services. We believe this fee structure will work for the District and will potentially provide substantial savings.

We understand travel may be limited. In the event travel is needed, we would charge only one-half the discounted rate for travel to and from the District from our Sacramento office. In addition, we ask for mileage reimbursement at the IRS rate, but no other travel expenses will be charged.

Finally, we charge \$0.20 per page for in-house copies and \$1 per page of outgoing faxes (which have become quite rare given the utility of e-mail). All other costs we incur in representing you are charged at our actual cost, without markup. We find that out-of-pocket expenses for our clients in non-litigation matters, other than mileage, are very small.

Public agencies vary considerably in the way they use counsel and we pride ourselves on our ability to meet our clients' varied needs efficiently and at the lowest cost consistent with effective representation. In the end, we pledge that the financial arrangement between the District and the firm will be fair to both parties and we will never send a bill to you without first reviewing it with that commitment in mind.

Resumes

GARY B. BELL

(916) 898-0049

gbell@chwlaw.us

Gary is Co-Managing Shareholder of the firm and leads our Sacramento office. He currently serves as City Attorney for the City of Novato, Town Attorney for the Town of Yountville, City Attorney for the City of Auburn, and Assistant City Attorney for the City of Weed, as well as General Counsel for the Local Agency Formation Commission (LAFCO) of Napa County, the Upper Valley Waste Management Agency, the Olympic Valley Public Service District, the Garden Valley Fire Protection District, the Pine Grove Community Services District, the River Pines Public Utility District, the El Dorado Regional Fire Authority, and the First 5 Yuba Commission.



His practice covers all aspects of municipal law and public law, including land use, the California Environmental Quality Act (CEQA), public works contracting, contracts, municipal finance law and revenues, elections, labor and employment law, constitutional law, code enforcement, conflicts of interest, open meetings and records laws, franchise agreements and franchise fees, joint powers agreements and joint powers agencies (JPAs), solid waste, recycling, and organic waste (SB 1383), cannabis regulation and enforcement, post-redevelopment issues, municipal airports, and matters involving Local Agency Formation Commissions (LAFCOs).

Gary's current projects for clients include a design-build project to redevelop a former school site with residential and mixed uses; code enforcement and nuisance proceedings for a substandard building under the State Housing Law and municipal code; advice regarding closure of two landfills and post-closure regulatory compliance; drafting and negotiating a development agreement for five sites following approvals under AB 2011; defending approval of housing projects under AB 2011, SB 35, SB 330, and the Housing Accountability Act; and advice regarding development of housing under the Fair Employment and Housing Act (FEHA) and the Fair Housing Act (FHA), to name a few.

Before joining CHW, Gary served as City Attorney for the City of Firebaugh and advised municipal clients throughout California on a wide range of issues, including counties, cities, school districts, and special districts.

Gary graduated with highest honors from UC Santa Cruz with a B.A. in psychology. He received his J.D. from the UC Davis School of Law, where he was staff editor of the UC Davis Business Law Journal and a research assistant in constitutional law. While at Davis, Gary worked as a law clerk in the Governor's Office of Legal Affairs and as a legal extern at the Placer County Superior Court.

Before law school, Gary served as a Senate Fellow for the California State Senate in Sacramento, where he staffed the Senate Local Government Committee and worked on legislation of interest to California's local governments.

Practice Areas:

- Public Law
- Elections Law
- Contracts
- Public Works Contracting
- Joint Powers Agencies
- Labor and Employment Law
- Municipal Finance Law
- Conflicts of Interest
- Constitutional Law
- Code Enforcement
- Land Use, Planning, and CEQA
- Open Meetings and Records Law
- Redevelopment Dissolution
- Special Districts

Presentations:

- **California Special Districts Association (CSDA) Webinar: Contracting for Public Works, Services, Equipment, and Supplies (March 2026)**
- **Santa Bernardino Local Agency Formation Commission, AB 1234 Compliance Training (March 2026)**
- **California Special Districts Association (CSDA) AB 1234 Compliance Training (February 2026)**

- **California Special Districts Association (CSDA) AB 1234 Training (October 2025)**
- **California Special Districts Association (CSDA) 2025 Annual Conference: How to Navigate the Planning & Building Permitting Processes of Cities and Counties**
- **California Special Districts Association (CSDA), 2025 Special District Leadership Academy (SDLA): Working with Oversight Organizations: Civil Grand Juries and LAFCOs**
- **California Special Districts Association (CSDA) AB 1234 Training (February 2025)**
- **California Special Districts Association (CSDA) AB 1234 Training (October 2024)**
- **California Special Districts Association (CSDA) 2024 Annual Conference – In the Room Where it Happens – Securing LAFCo Representation**
- **California Special Districts Association (CSDA) Webinar: Demystifying LAFCOs: Boundaries, Latent Powers, Consolidations, Municipal Service Reviews, and More (August 2024)**
- **California Special Districts Association (CSDA) AB 1234 Training (February 2024)**
- **Pincus Professional Education 2024 Webinar: Exhaustion of Administrative Remedies**
- **California Association of Local Agency Formation Commissions (CALAFCO) 2023 Annual Conference – What’s New with New or Extended Services Outside Jurisdictional Boundaries?**
- **California Special Districts Association (CSDA) AB 1234 Training (February and October 2023)**
- **California Special Districts Association (CSDA) 2023 Annual Conference – Contracting Do’s and Don’ts – Public Works, Services, Materials, Supplies and Equipment**
- **California Association of Local Agency Formation Commissions (CALAFCO) Webinar: A Guide to the LAFCo Process for Incorporations (2023)**
- **California Special Districts Association (CSDA) Webinar: How and Why Involvement in LAFCo Matters (2023)**
- **California Special Districts Association (CSDA) 2022 Annual Conference: Special Districts and LAFCo – Past Successes and Future Challenges**
- **California Special Districts Association (CSDA) 2022 Annual Conference: Special Taxes by Majority Voter Approval: How, When, and Why**

- **League of California Cities** (Cal Cities) 2022 Annual Conference: Practical Tips for Reviewing Public Works Contracts (City Attorneys Programming)
- **California Special Districts Association** (CSDA) AB 1234 Training (2022)
- **California Special Districts Association** (CSDA) Harassment Prevention Training (2022)
- **California Special Districts Association** (CSDA) 2021 Annual Conference: Taxes, Assessments, and Fees: Recent Developments and Considerations for Your District
- **California Special Districts Association** (CSDA), 2021 Special District Leadership Academy (SDLA): Outside Oversight: The Powers and Functions of Civil Grand Juries and LAFCo
- **Napa-Solano International Code Council** (2019)
- **California Special Districts Association** (CSDA) 2019 Annual Conference: Special District LAFCo Involvement
- **CALAFCO Staff Workshop** (2019)
- **California Special Districts Association** (CSDA) Webinar (2019): Special District LAFCo Involvement
- **California Special Districts Association** (CSDA) AB 1234 Training (2018)

Publications:

- **California Special Districts Association** (CSDA) Blog (November 2025): *2026 New Laws Series, Part 6: Positioning Special Districts for Success Under New Permitting and Planning Laws*
- **California Special Districts Association** (CSDA) eNews (May 2021): *Special Taxes Now Easier to Pass*
- **Western City Magazine** (Oct. 2019): *Wayfair Decision Means More Sales and Use Tax Revenues for Cities*
- **California Special Districts Magazine** (2019): *LAFCOs and Involuntary Dissolutions and Consolidations*
- **Western City Magazine** (June 2018): *U.S. Supreme Court Revisits Sales and Use Taxes in the ECommerce Age*
- **The California Municipal Law Handbook** (Cal CEB), Editor for Chapter 3 (Elections) and Chapter 6 (Franchises) (2016, 2017, & 2018)

Recognitions/Committees:

- **Northern California Super Lawyer** (2024, 2025, 2026)
- **Daily Journal Corporation: Top 40 Under 40** (2020)
- **League of California Cities Legal Advocacy Committee (LAC) & LAC Executive Committee**, Member (2020-2022)
- **Gordon D. Schaber Mock Trial Competition**, Juror (2019-Present)
- **Carr Moot Court Competition at UC Davis Law**, Judge (2025)
- **CALAFCO Legislative Advisory Committee**, Member (2018-Present)
- **CALAFCO Legislative Committee**, Member (2016 & 2017)

MACKENZIE D. ANDERSON

(916) 989-0042

MAnderson@chwlaw.us

Mackenzie is an Associate in Colantuono, Highsmith & Whatley's municipal advisory practice group and resident in our Sacramento office. She provides a wide range of support for our municipal clients in such topics as public records, conflicts of interest, and land use. She is General Counsel to Indian Valley Community Services District, City Attorney for the City of Lakeport, Assistant City Attorney for the City of Grass Valley, and City of Novato, Assistant Town Attorney for the Town of Yountville, and Deputy City Attorney for the City of Etna. She is also General Counsel to the Assistant General Counsel for the Local Agency Formation Commissions (LAFCOs) of Napa County and Yuba County. She supports our general and special counsel clients in public law matters including open meetings, public records, conflicts of interest, land use and CEQA, public works construction, taxation, marijuana regulation, LAFCO issues and other topics.



Mackenzie's current projects for clients include reviewing housing projects subject to AB 2011, SB 35, SB 330, the Housing Accountability Act, and Density Bonus Law; drafting ballot and other elections related materials; and drafting ordinances regulating camping on public property and permitting of tobacco and cannabis retailers.

While in law school, Mackenzie worked for federal and local agencies, including the Equal Employment Opportunity Commission and the Santa Clara District Attorney's Office. She graduated from U.C. Berkeley Law with Pro Bono Honors. Before law school, she graduated from Philadelphia's Temple University summa cum laude with a BA in English and a minor in Political Science. During that time, she interned with the Stanislaus Family Justice Center, Philadelphia District Attorney's Office, and Philadelphia Mayor's Office, gaining exposure to a variety of local government and public service issues.

Education:

- J.D., Law, 2022, University of California Berkeley School of Law, Berkeley, CA
- B.A., English, 2017, Temple University, Philadelphia, PA

Bar Number: State Bar Number 346794

Admission Date: November 19, 2022

Length of Employment with Firm: since 2022

Years of Public Law Experience: since 2022

Practice Areas:

- Municipal Advisory
- California Public Records Act
- Conflict of Interest Laws
- California Environmental Quality Act
- Land Use
- Code Enforcement
- LAFCO Law

Significant Appellate Representation
(as of February 2026)

U.S. Supreme Court

Thomas et al. v. County of Humboldt Case No. 24-1180 (successfully opposed certiorari in code enforcement case seeking to extend the 7th Amendment jury right to state and local administrative hearings)

Ninth Circuit

1210 Cacique Street, LLC v. City of Santa Barbara (to be argued March/April 2026) Case no. 24-7728 (defense of trial court victory in takings challenge to mobile home rent control and senior housing ordinances)

Berkeley Homeless Union v. City of Berkeley (pending) Case No. 25-7341 (consulting counsel on appeal from preliminary injunction in challenge to closure of homeless encampment)

Borges v. County of Mendocino (Mem. Disp. Mar. 6, 2023) 2023 WL 2363692, Case No. 22-15673, cert. denied (successful defense of appeal from summary judgment for County in § 1983 challenge to denial of cannabis cultivation permit)

County of Sacramento v. Everest National Insurance Company (Mem. Disp. Feb. 13, 2023) 2023 WL 1960675, Case No. 22-15250 (EPLI coverage for public agency employer's vicarious liability for management's retaliation in violation of FEHA)

Flatten v. County of Mendocino (Mem. Disp. July 12, 2023) 2023 WL 4490353, Case No. 22-15741, cert. denied (successful defense of judgment of dismissal of § 1983 claim alleging conspiracy of County law enforcement officials to enforce cannabis cultivation regulations)

Hardesty v. Sacramento Metropolitan Air Quality Management District (9th Cir. 2020) 824 Fed.Appx. 474 (successful appeal from judgment imposing \$105m in consequential and punitive damages against County officials for alleged civil rights violations in enforcement of mining ordinances)

Thomas v. County of Humboldt (2024) 124 F.4th 1179 (§ 1983 claim alleging disparate enforcement of cannabis cultivation regulations)

California Supreme Court

Alameda County Deputy Sheriff's Association v. Alameda County Employees' Retirement Association (2020) 9 Cal.5th 1032 (PEPRA reduction in retirement benefits did not violate contracts clause) (counsel for amicus)

City of Alhambra v. County of Los Angeles (2012) 5 Cal.4th 707 (calculation of property tax administration fees counties charge other local governments)

American Civil Liberties Union Foundation of Southern California v. Superior Court (City of Los Angeles) (2017) 3 Cal.5th 1032 (automated license plate reader data exempt from disclosure under Public Records Act unless anonymized) (counsel for amicus)

In re A.R. (2021) 11 Cal.5th 234 (constructive filing protects appeal from termination of parental rights for trial counsel's failure to timely appeal) (counsel for amicus California Academy of Appellate Lawyers)

Ardon v. City of Los Angeles (2016) 62 Cal.4th 1176 (inadvertent release of attorney-client privileged documents on public records request did not waive privilege)

Ardon v. City of Los Angeles (2011) 52 Cal.4th 241 (class action challenge to local taxes, assessments and fees permitted by California Government Claims Act but may be barred by claiming ordinance)

Bighorn-Desert View Water Agency v. Verjil (2006) 39 Cal.4th 205 (Prop. 218 applies to metered water rates; initiative to reduce water rates prohibited to extent it would require voter approval of subsequent rate increases) (counsel for amici)

Bonander v. Town of Tiburon (2009) 46 Cal.4th 646 (general validation procedure for public agency action does not apply to actions to contest assessments under Municipal Improvement Act of 1915) (counsel for amici)

California Cannabis Coalition v. City of Upland (2017) 3 Cal.5th 924 (Prop. 218 requirement that general taxes appear on ballots with Council or Board seats does not apply to initiative tax proposal) (counsel for amici)

Citizens for Fair REU Rates v. City of Redding (2018) 6 Cal.5th 1 (PILOT transfer from electric utility to City's general fund did not violate Prop. 26 because wholesale revenues were sufficient to fund the PILOT)

City and County of San Francisco v. UC Regents (2019) 7 Cal.5th 536 (cities and counties may compel state agencies to collect taxes on third parties) (counsel for local government amici)

City of Hayward v. Board of Trustees of the California State University, Case No. S203939 (2015) (vacated and remanded after decision of lead case) (duty of CSU to seek funding to make feasible mitigation of impacts of expansion of CSU East Bay on fire services of City) (author of amicus support for review)

City of Oroville v. Superior Court (California Joint Powers Risk Management Authority) (2019) 7 Cal.5th 1091 (no inverse condemnation liability for sewer flooding caused by plaintiff's failure to install back water valve required by Uniform Plumbing Code)

City of Pasadena v. Superior Court (Mercury Casualty Co.) (2014) 228 Cal.App.4th 1228 (unsuccessful petition for review) (inverse condemnation liability for fallen tree)

City of San Buenaventura v. United Water Conservation District (2017) 3 Cal.5th 1191 (groundwater augmentation charge subject to Proposition 26, not 218)

Coziahr v. Otay Water District (review and depublication denied) Case No. S286596 (counsel for amicus in support of review and request for depublication of decision invalidating tiered water rates under Prop. 218)

Davis v. Fresno Unified School District (2023) 14 Cal.5th 671 (counsel for local government amici in reverse validation challenge to lease-leaseback financing of school construction found not subject to validation because proceeds did not fund debt)

George v. Superior Court (Edelson) (review denied) Case No. S267240 (constitutional privacy claim in discovery dispute)

Greene v. Marin County Flood Control & Water Conservation District (2010) 49 Cal.4th 277 (property owner ballots on property related fees under Prop. 218 not subject to ballot secrecy)

Haas v. County of San Bernardino (2002) 27 Cal.4th 1017 (County counsel's unilateral selection of temporary administrative hearing officers on an ad hoc basis violates due process) (counsel for amici)

Hamilton & High, LLC v. City of Palos Alto (review denied) Case No. S279718 (application of AB 1600 / Mitigation Fee act to parking in lieu fees; remedies for failure to make 5-year findings)

Hamilton v. Yates (review denied) Case No. S252914 (requisites of collateral order doctrine as to appealability) (principal author for amicus California Academy of Appellate Lawyers' support for review)

Hill RHF Partners v. City of Los Angeles (2021) 12 Cal.5th 458 (no duty to raise issues in assessment protest hearing under Prop. 218 before suit)

Honchariw v. County of Stanislaus Case No. S264101 (unsuccessful request to depublish Court of Appeal decision undermining short statute of limitations for Subdivision Map Act disputes)

Howard Jarvis Taxpayers Ass'n v. City of La Habra (2001) 25 Cal.4th 809 (continued imposition and collection of a utility user's tax without voter approval was an ongoing or continuous violation of Proposition 62, with statute of limitations beginning anew with each collection) (counsel for amici)

In re Transient Occupancy Cases (2016) 2 Cal.5th 151 (bed taxes do not apply to full priced charged by on-line resellers of hotel rooms) (counsel for local government amici)

Jacks v. City of Santa Barbara (2017) 3 Cal.5th 248 (supplemental franchise not a tax even though passed through to utility customers if reasonably related to value of right of way made available)

Jameson v. Desta (2018) 5 Cal.5th 594 (right of indigent civil litigants to subsidized reporter's transcript) (amicus)

Kurwa v. Kislinger (2017) 4 Cal.5th 109 (application of final judgment rule to appeal from case in which some claims were voluntarily dismissed and subject to tolling agreement) (counsel for amicus California Academy of Appellate Lawyers)

Legislature of the State of California v. Weber (Hiltachk) (2024) 16 Cal.5th 237 (amicus counsel for 11 local government associations in successful petition for original jurisdiction, pre-election review removing Taxpayer Protection and Government Accountability Act from 2024 ballot)

Leider v. Lewis (2017) 2 Cal.5th 1121 (no taxpayer standing to enforce criminal laws in challenge to confinement of elephants in LA Zoo) (counsel for local government amici)

Malott v. Summerland Sanitary District (2020) 55 Cal.App.5th 1102, Supreme Court Case No. S265367 (unsuccessful request to depublish decision allowing post hoc expert evidence in Prop. 218 challenge to sewer rates) (counsel for local government amici)

Marina Coast Water District v. California Public Utilities Commission (review denied) Case Nos. S251935, S253585 (review denied) (unusual original writs of review of PUC decision certifying EIR for desalination project)

McClain v. Sav-On Drugs (2019) 6 Cal.5th 951 (no consumer remedy for erroneous collection of sales tax) (counsel for amicus)

McWilliams v. City of Long Beach (2013) 56 Cal.4th 613 (Government Claims Act preempts local tax and fee claiming ordinances and allows class claims)

People ex rel. Lockyer v. R.J. Reynolds Tobacco Co. (2005) 37 Cal.4th 707 (tobacco company's distribution of free cigarettes violated statute regulating non-sale distribution of cigarettes) (counsel for amici)

Plantier v. Ramona Municipal Water District (2019) 7 Cal.5th 372 (exhaustion of administrative remedies not required in Prop. 218 challenge to sewer rate classification) (counsel for amici)

Richmond v. Shasta Community Services Dist. (2004) 32 Cal.4th 409 (increased capacity charge and fee for fire suppression imposed on applicants for new service connections was not an "assessment" subject to Proposition 218)

Roberts v. Coachella Valley Water District (review denied) Case Nos. S264391, 268243 (standing to challenge a water rate of which plaintiff bears only economic burden; whether expenditure of rate proceeds may be challenged under Props. 218 and 26; validity of State Water Project taxes)

San Diego Unified Port District v. California Coastal Commission (review denied) Case No. S252474 (2019) (scope of Coastal Commission review of master port plan under statute, separations of powers and charter city home rule power)

Sierra Watch v. Placer County (2021) 69 Cal.App.5th 1, Case No. S271999 (unsuccessful request for depublication of Brown Act case)

Stone v. Alameda Health System (2024) 15 Cal.5th 1040 (wage orders presumed inapplicable to public entity employers) (counsel for amici)

Tesoro Refining & Marketing Company v. City of Carson (pending) Case No. S289952 (defense of judgment following demurrer in challenge to excise tax on petroleum operations for failure to exhaust local administrative remedy; opportunity to overturn *Sipple*)

Weiss v. Department of Transportation (2020) 9 Cal.5th 840 (CCP 1260.040 motion limited to eminent domain, not available in inverse condemnation)

Wilde v. City of Dunsmuir (2020) 9 Cal.5th 1105 (water rates not subject to referendum) (argued for amici)

Court of Appeal for the First Appellate District

Alameda County Taxpayers' Association, Inc. v. County of Alameda (2024) 99 Cal.App.5th 226 (successful defense of challenge to initiative special tax for children's services)

Alameda County Taxpayers' Association, Inc. v. County of Alameda (2025) 108 Cal.App.5th 524 (successful defense of general transactions and use tax against arguments it violated Rev. & Tax Code and was a special tax)

Barajas v. City of Petaluma (unpublished) Case No. A165258 (appeal from challenge to failure to make adequate findings under AB 1600 as to development impact fees) (counsel for amicus curiae League of California Cities and California State Association of Counties)

Berkeley's Peoples Alliance v. City of Berkeley (2025) 114 Cal.App.5th 984 (City Council's power to relocate meeting to another room following disruption; Justice Grogan wrote separate statement on denial depublication adopting our arguments) (counsel for local government amici)

Brooktrails Township CSD v. Board of Supervisors (2013) 218 Cal.App.4th 195 (successfully requested publication on behalf of League of California Cities)

Brown v. City of San Rafael Case No. A156261 (appellate defense of judgment on demurrer to challenge to pension benefits based on statute of limitations) (plaintiff abandoned appeal after respondents' brief filed)

Building Industry Association v. City of San Ramon (2016) 4 Cal.5th 62 (citywide Mello-Roos district to fund supplemental municipal services to development complied with statute) (counsel for amicus League of California Cities)

BVK Gaming, Inc. v. Long (pending) Case No. A172627 (contract dispute over sale of card club license)

City of Scotts Valley v. County of Santa Cruz (2011) 200 Cal.App.4th 97 (calculation of no- and low-property tax city subvention) (counsel for amici)

City of Vallejo v. NCORP4, Inc. (2017) 15 Cal.App.5th 1078 (City properly limited marijuana dispensary licenses to those who complied with its earlier tax)

Coalition for Pacificans for an Updated Plan v. City of Pacifica ((2025) 117 Cal.App.5th 647 (amicus support for City's appeal from attorney fee award under Housing Accountability Act)

Costeaux French Bakery, Inc. v. County of Sonoma (unpublished) Case No. A166727 (successful defense of appeal from denial of catalyst attorney fees in moot challenge to restaurant permitting fees collected during COVID shutdowns)

Essick v. County of Sonoma (2022) 80 Cal.App.5th 562 (successful defense of victory in reverse Public Records Act case involving report of investigation of misconduct by elected Sheriff)

Gluck v. City and County of San Francisco (2025) 111 Cal.App.5th 769 (combined storm and sanitary sewer fees not subject to Prop. 218's election requirement, remanded for evaluation of apportionment) (counsel for amici)

Green Valley Landowners Association v. City of Vallejo (2015) 241 Cal.App.4th 425 (effort to enjoin sale of part of City water utility subject to successful demurrer without leave to amend as seeking to enforce an implied contract and to compel subsidized water rates in violation of Prop. 218)

Kahan v. City of Richmond (2019) 35 Cal.App.5th 721 (collection of delinquent trash fees on tax roll does not violate Prop. 218)

Luke v. County of Sonoma (2019) 43 Cal.App.5th 301 (successful appellate defense of judgment on demurrer dismissing challenge to pension benefits awarded in 2002 claiming failure to satisfy statutory notice requirements)

McNiven v. Dreyfus (unpublished) Case No. A169867 (successful defense of dismissal of neighbor's challenge to building permits for historic hillside home)

Mission Peak Conservancy v. State Water Resources Control Board (2021) 72 Cal.App.5th 873 (SWRCB registration of small domestic water use is ministerial act exempt from CEQA)

Mission Peak Conservancy v. County of Alameda (unpublished) Case No. A165954 (successful defense of judgment defeating CEQA challenge to ministerial permits for improvement of ranch residence in Livermore Hills)

Pacific Bell Telephone v. County of Napa (2025) 112 Cal.App.5th 952 (California Constitution does not require uniform property tax rates for utility and other property)

Paland v. Brooktrails Township CSD Bd. of Directors (2009) 179 Cal.App.4th 1358 (monthly minimum water service fee for account inactivated for non-payment not subject to assessment provisions of Prop. 218) (counsel for amici)

Raddavero v. The Carvery, Inc. (settled on appeal) Case No. A166688 (appeals from multi-million-dollar treble damages award for trademark infringement and from denial of new trial motion)

Ruegg & Ellsworth v. City of Berkeley (2021) 63 Cal.App.5th 277 (SB 35 applies to mixed-use developments; standard of review of decisions excluding projects from the benefit of that pro-housing statute) (counsel for amici)

Schram v. County of Sonoma (unpublished) Case No. A167081 (defense of dismissal on demurrer of untimely challenge to erroneous sewer fees collected on tax roll)

Senior and Disability Action v. Weber (2021) 62 Cal.App.5th 357 (amicus brief for California Academy of Appellate Lawyers re appealability before final judgment of order granting or denying writ)

Silva v. Humboldt County (2021) 62 Cal.App.5th 928 (successful defense of trial court victory on scope of business license tax on cannabis cultivation)

Valley Baptist Church v. City of San Rafael (2021) 61 Cal.App.5th 401 (religious exemption from property taxes inapplicable to special parcel tax)

Walker v. Marin Municipal Water District (unpublished), Case No. A152048, S255268 (review denied) (exhaustion of remedies not required in Prop. 218 challenge to water rates; counsel for amici, counsel for District on remand)

Court of Appeal for the Second Appellate District

AB Cellular LA, LLC v. City of Los Angeles (2007) 150 Cal.App.4th 747 (City's decision to implement federal law to expand cell tax to cover all airtime was a tax "increase" requiring voter approval under Proposition 218 but earlier instructions to carriers enforceable to require payment of tax)

Arcadia Redevelopment Agency v. Ikemoto (1991) 16 Cal.App.4th 444 (agency challenge to application of property tax administration fees to tax increment) (counsel for amici)

Birke v. Oakwood Worldwide (2009) 169 Cal.App.4th 1540 (pervasive outdoor secondhand smoke may form the basis for private nuisance claim) (counsel for amicus California Chapter of the American Lung Association) (filed amicus brief and argued)

Broad Beach GHAD v. All Persons Interested (2022) 81 Cal.App.5th 1068 (invalidating assessment for beach restoration project under Prop. 218; upholding denial of CCP § 1021.5 fees)

California Apartment Association v. City of Pasadena (2025) 117 Cal.App.5th 187 (consulting counsel in successful defense of rent control initiative against charter revision and preemption attack)

City of Glendale v. Superior Court (Glendale Coalition for Better Government) (unpublished) Case Nos. B270135, B283819 (2016) (obtained alternate writ to reverse order allowing discovery in water rates case limited to administrative record)

City of Pasadena v. Medical Cannabis Caregivers (2018) 21 Cal.App.5th 1086 (affirmance of preliminary injunctions against unpermitted marijuana dispensaries and related judgment upholding zoning ordinance)

City of San Buenaventura v. United Water Conservation District (2022) 79 Cal.App.5th 110 (successful defense of victory in remand trial of Prop. 26 challenge to groundwater augmentation charges)

City of Torrance v. PBF Energy Western Region, LLC (settled on appeal) Case No. B323159 (defense of trial victory enforcing UUT against refinery which underpaid tax due to SCE's failure to collect as litigated in *Torrance v. Southern California Edison*).

City of Torrance v. Southern California Edison (2021) 61 Cal.App.5th 1071 (UUT applies to greenhouse gas credits)

Colyear v. Rolling Hills Community Association (2024) 100 Cal.App.5th 110 (representation of amicus in dispute regarding application of CC&Rs to regulate landscaping affecting views)

Friends and Families for Move Culver City v. City of Culver City (unpublished) Case No. B342390 (successful defense of victory in CEQA dispute re categorical exemption for removal of pilot bike and bus lane) (appellate consultant)

Glendale Coalition for Better Government v. City of Glendale (unpublished) Case Nos. B281994, B281991 (largely upholding Prop. 26 challenge to transfer from electric utility to general fund)

Glendale Coalition for Better Government v. City of Glendale (unpublished) Case No. B282410 (largely upholding tiered water rates against Prop. 218 challenge)

Goleta Ag Preservation v. Goleta Water District (unpublished), Case No. B277227 (successful defense of Proposition 218 challenge to tiered water rates and notice to customers not property taxpayers)

Hill RHF Partners v. City of Los Angeles (unpublished) Case No. B295181 (successful defense of Prop. 218 challenge to PBID assessment on remand from Supreme Court)

Jacks v. City of Santa Barbara (unpublished) Case No. B299297 (successful appellate defense of victory in remand trial in Prop. 218 challenge to electric franchise fee)

Malibu West Swimming Club v. Broad Beach Geologic Hazard Abatement District (pending) No. B351680 [appeal from preliminary injunction against tax sale to enforcement assessment which violates the pay-first-litigate-later rule and the duty to exhaust administrative remedies]

Newhall County Water District v. Castaic Lake Water Agency (2016) 243 Cal.App.4th 1430 (successful challenge to wholesale water rates based on use of groundwater not managed by wholesaler)

Re-Open Rambla, Inc. v. Board of Supervisors (City of Malibu) (1995) 39 Cal.App.4th 1499 (county's title to closed road vested in city upon incorporation despite city's effort to avoid accepting the street)

Ruskey v. Goleta Water District (unpublished), Case No. B275856 (successful appellate defense of successful demurrer for lack of standing in Prop. 218 challenge to water rates)

Saavedra v. City of Glendale (unpublished) (Case No. B310212) (successful defense of victory on remand of challenge to general fund transfer from power utility)

Schmeer v. County of Los Angeles (2013) 213 Cal.App.4th 1310 (plastic bag ban ordinance provision for \$0.10 fee on paper bags was not a tax under Prop. 26 because proceeds did not fund government) (counsel for local government amici)

Sipple v. City of Hayward (2014) 225 Cal.App.4th 349 (standing and claiming defenses to quasi-class refund claim for allegedly overpaid telephone taxes) (petition for review denied)

Court of Appeal for the Third Appellate District

15700 So. McKinley Avenue Industrial Park Association v City of Lathrop (settled on appeal) Case No. C100515 (defense of victory in property owner's association suit to enforce common area maintenance fee on City utility property)

Agua Caliente Band of Cahuilla Indians v. Parkwest Bicycle Casino (pending) Case No. 105247 (counsel for gaming licensees defending appeal from trial court victory in dispute re scope of gaming allowed in card rooms)

Auburn Police Officers Association v. City of Auburn (unpublished), Case No. C067972 (2013) (stipulated reversal regarding availability under Meyers-Milias-Brown Act of writ review of City Council's denial of grievance from exercise of escape clause from salary increases pursuant to MOU)

City of Auburn v. Sierra Patient & Caregiver Exchange, Inc. (unpublished), Case No. C069622 (2013) (upholding preliminary injunction against medical marijuana dispensary opened in violation of zoning and business license ordinances)

City of Bellflower, et al. v. Cohen, et al. (2016) 245 Cal.App.4th 438 (self-help provisions of post-redevelopment legislation violate Prop. 22's protection for local government revenues)

City of Chula Vista, et al. v. Drager (Sandoval) (2020) 49 Cal.App.5th 539 (challenge to County's calculation of post-RDA RPTTF revenues)

City of Fountain Valley v. Cohen, et al. (unpublished) Case No. C081661 (representation of taxing agency in Successor Agency's unsuccessful appeal of post-RDA dispute with Department of Finance over recognized obligations)

City of Grass Valley v. Cohen, et al. (2017) 17 Cal.App.5th 567 (contract with County Transportation Commission to fund freeway interchange likely a recognized obligation of former RDA)

City of Grass Valley v. Coulter (unpublished) Case No. C102046 (successful defense of fee claim by subject of workplace violence restraining order)

City of Grass Valley v. Munds (settled on appeal) Case No. C102330 (defense of order awarding City its attorneys fees in code enforcement receivership)

City of Grass Valley v. Superior Court, Case No. C091945 (unsuccessful petition for writ review of denial of summary judgment and CCP 1260.040 motion in inverse case arising from sinkhole associated with city storm drain)

City of Gridley v. Superior Court (McMillan) (2024) 104 Cal.App.5th 1201 (successful writ petition for summary judgment in takings challenge to electric rates)

City of Lakewood v. Bosler, et al., (unpublished) Case No. C078788 (2018) (appeal of post-RDA dispute with Department of Finance over recognized obligations)

City of Paramount v. Cohen, et al. (settled on appeal) Case No. C0788968 (2017) (appeal of post-RDA dispute with Department of Finance over recognized obligations)

City of Sacramento v. Wyatt (2021) 60 Cal.App.5th 373 (voter approval of general fund transfer from water, sewer, and trash enterprise funds as special tax satisfies Prop. 218)

Community Environmental Advocates v. City of Grass Valley (unpublished) Case No. C094613 (successful defense of trial court victory in CEQA challenge to mixed use development, remand of one issue)

Coulter v. Superior Court (unpublished), Case No. C100678 defense of appellate writ seeking review conviction for violation of restraining order)

County of Nevada v. Superior Court (unpublished), Case Nos. C076851, C082927 (interlocutory writ review of trial court writ of mandamus overturning use permit conditions for ridge-top residence)

County of Tehama v. Superior Court (Garst) (pending), Case No. C103356 (appeal from judgment invalidating SGMA regulatory fees under Prop. 26)

Cultiva La Salud v. State of California (2023) 89 Cal.App.5th 868 (amicus support for appellate victory upholding successful public health challenge to statute preempting local soda taxes)

Davies v. Martinez (unpublished), Case No. C078986 (2018) (appeal dismissed as to our defense of summary judgment for attorney in breach of fiduciary duty claim by incarcerated former client suing in pro per)

Erickson v. County of Nevada (unpublished) Case No. C082927, *review and cert. denied* (successful appellate defense of trial victory in inverse condemnation challenge to setback requirement under ridgeline protection ordinance)

Howard Jarvis Taxpayers Ass'n v. City of Roseville (2002) 97 Cal.App.4th 637 (in-lieu franchise fee charged to water and sewer utilities for benefit of general fund violated Prop. 218) (counsel for amici on request for rehearing)

Howard Jarvis Taxpayers Association v. County of Yuba (unpublished) Case No. C090473 (successful defense of local sales tax challenged as a special tax due to ballot label)

Inyo County LAFCO v. Southern Mono Healthcare District (unpublished) Case No. C085138 (successful defense of trial court victory in dispute involving LAFCO power to regulate out-of-boundary service by healthcare district)

Lauckhart v. County of Yolo (unpublished) Case No. C092354 (successful defense of CSA fee for water services under Prop. 218)

Main Street Taxpayers Association v. Town of Mammoth Lakes (unpublished) Case Nos. C100379, C100449 (successful defense of trial court victory in challenge to bed tax and tourism business improvement district assessment)

Main Street Taxpayers Association v. Town of Mammoth Lakes (unpublished) Case No. C091546 (successful defense of trial court victory in challenge to tourism business improvement district assessment)

McClure v. City of Lincoln (settled) Case No. C096238 (appellate defense of victory on demurrer applying statute of limitations to challenge to oak tree mitigation fee under Mitigation Fee Act)

Miner's Camp, LLC v. Foresthill Public Utility District (unpublished) Case No. C088828 (exhaustion of administrative remedies, statutes of limitation, propriety of attorney fees in Prop. 218 challenge to water rates) (counsel for amici)

Placer County Water Authority v. Smurro (unpublished) Case No. C100543 (successful appellate defense of quiet title judgment to enforce easement to allow relocation and reconstruction of canal)

Ryan v. City of Roseville (unpublished) Case No. C090903 (successful appellate defense of dismissal on demurrer in landowners' challenge to City real estate transactions)

Tracy Rural Fire District v. San Joaquin LAFCO (2022) 84 Cal.App.5th 91 (invalidating LAFCO policy requiring detachments from fire district upon annexation to City of Tracy)

Wolstoncroft v. County of Yolo (2021) 68 Cal.App.5th 327 (fee to fund new water supply for CSA valid property-related fee, not an assessment, and protests ballots mailed, but not timely received, property excluded)

Court of Appeal for the Fourth Appellate District, Division 1 (San Diego)

Alliance San Diego v. Yes! For a Better San Diego (2023) 94 Cal.App.5th 419 (initiative special tax may be approved by simple majority)

Alliance San Diego v. California Taxpayers Action Network (2025) 114 Cal.App.5th 1121 (successful defense of victory in remand trial in challenge to initiative special tax)

Beck v. City of Canyon Lake (unpublished) Case No. D083322 (appeal from writ invalidating general utility users tax on water and sewer under Prop. 218)

California Taxpayers Action Network v. City of San Diego (unpublished) Case No. D072987 (2018) (successful defense of dismissal on demurrer of challenge to business improvement district assessment)

Castañares v. City of Chula Vista (2024) 98 Cal.App.5th 295 (defense of petition for writ review of trial court victory in Public Records Act dispute re video footage from police drones)

Garvin v. San Diego Unified Port District (dismissed) Case No. D078578 (objector's appeal from settlement of class action challenge to airport parking fee dismissed for failure to intervene in trial court)

Howard Jarvis Taxpayers Ass'n v. City of San Diego (1999) 72 Cal.App.4th 230 (BID assessment on businesses collected as surcharge on business license tax neither levy on real property nor special tax within meaning of Proposition 218) (counsel for amici)

Jentz v. City of Chula Vista (unpublished) Case No. D055401 (2010) (consistency of specific plan with slow-growth initiative)

Patz v. City of San Diego (2025) 113 Cal.App.5th 225 (City's appeal from loss in class challenge to tiered water rates), reviewing pending

Plantier v. Ramona Municipal Water District (2017) 12 Cal.App.5th 856 (rev. granted) (exhaustion of administrative remedies defense to Prop. 218 challenge to sewer rates) (counsel for local government amici)

Reid v. City of San Diego (San Diego Tourism Marketing District) (2018) 24 Cal.App.5th 343 (tourism marketing assessment subject to 30-day statute of limitations, equal protection does not require registered voter election on assessment)

San Diegans for Open Government v. City of San Diego (San Diego Tourism Marketing District) (unpublished) Case No. D072181 (successful appeal from award of catalyst attorney fees in unsuccessful challenge to tourism assessment)

San Diegans for Open Government v. City of San Diego (San Diego Tourism Marketing District) (unpublished) Case Nos. D064817 (2013), D065171 (2014), D068022 (2015), D069965 (2016) (writ review of denial of demurrer to Prop. 26 challenge to renewal of tourism marketing district, discovery issues including discovery of extra-record evidence for use on the merits)

San Diegans for Open Government v. City of San Diego (57 Municipal Assessment Districts) (unpublished), Case No. D065929 (2015) (successful defense of trial court dismissal of challenge to MADs for lack of standing; successful defense of petition for review)

Stronghold Engineering, Inc. v. City of Monterey (unpublished), Case No. D082763 (successful defense of denial of 1094.5 writ to overturn penalties on contractor for violating statutes governing listing of subcontractors on bids)

Webb v. City of Riverside (2018) 23 Cal.App.5th 244 (challenge to general fund transfer from electric utility barred by 120-day statute of limitations; change of use of rate proceeds was not an "increase" triggering Prop. 26)

Court of Appeal for the Fourth Appellate District, Division 2 (Riverside)

Albrecht v. Coachella Valley Water District (2021) 68 Cal.App.5th 692 (successful defense of trial court victory in challenge to property taxes on possessory interests on tribal land)

Beutz v. County of Riverside (2010) 184 Cal.App.4th 1516 (Landscaping and Lighting assessment engineer's report insufficient to satisfy Prop. 218)

Chino Basin Municipal Water District v. City of Ontario (unpublished) Case No. E079052 (appeal from post-judgment order in water rights adjudication allowing pools formed under judgment to bind their members to contracts)

City of Barstow v. Fortune (settled), Case No. E035595 (implementation of decree adjudicating Mojave River)

Coachella Valley Water District v. Superior Court (Roberts) (2021) 61 Cal.App.5th 755 (obtained appellate writ petition overturning denial of demurrer in challenge to State Water Project tax)

Crystaplex Plastics, Ltd. v. Redevelopment Agency (2000) 77 Cal.App.4th 990 (supplier may recover against agency for amount of check where subcontractor received and negotiated check without knowledge, consent, or endorsement of supplier even though Agency made check to both subcontractor and supplier)

Howard Jarvis Taxpayers Association v. Powell (2024) 105 Cal.App.5th 955 (successful appeal from denial of SLAPP motion and attorney fees award)

Howard Jarvis Taxpayers Association v. Coachella Valley Water District (2025) 116 Cal.App.5th 520, *petn. for review pending* (Prop. 26 challenge to replenishment assessment charges)

Howard Jarvis Taxpayers Association v. Coachella Valley Water District (unpublished) Case No. E078411 (successful appellate defense of victory in Prop. 218 dispute regarding interfund loan), related appeal from cost award settled in Case No. E079795

Inland Oversight Committee v. City of Ontario (2015) 240 Cal.App.4th 1140 (sustaining dismissal of Prop. 26 challenge to Tourism Marketing District Assessment for lack of standing and due to untimely appeal) (counsel for amici)

Jones v. City of Loma Linda (unpublished) (Case No. E076772) (successful defense of termination of fire captain in separation-of-functions due process challenge)

Mission Springs Water District v. Verjil (2013) 218 Cal.App.4th 892 (suit to bar initiative repeal of water rates from ballot subject to SLAPP, but SLAPP motion properly denied because evidence showed initiative would violate District's statutory duty to fund adequate water supply) (counsel for amici)

Riversiders Against Increased Taxes v. City of Riverside (2024) 104 Cal.App.5th 250 [2024 WL 3858115] (general tax placed on election contested City Council seats labeled "special" under City Charter general election for purposes of Prop. 218) (successful trial counsel and publication requestor)

Roberts v. Coachella Valley Water District (2025) 108 Cal.App.5th 485 (Prop. 26 challenge to rates for canal water service which distinguish ag from M&I)

San Bernardino Public Employees Association v. City of Barstow (settled), Case No. E032858 (City refusal to implement bargained for pension enhancement due to bargaining conduct of self-interested City negotiator)

Trask v. Riverside City Clerk (unpublished), Case No. E065817 (defense of election challenge to proposed charter amendment; remanded for dismissal as moot)

Court of Appeal for the Fourth Appellate District, Division 3 (Santa Ana)

Citizens Ass'n of Sunset Beach v. City of Huntington Beach (2012) 209 Cal.App.4th 1182 (Prop. 218 does not apply to extension of City taxes into annexation area)

City of El Cajon v. San Diego County LAFCO (unpublished), Case No. G041793 (2010) (DCA upheld challenge to denial of island annexation)

City of San Juan Capistrano v. Capistrano Taxpayers Association (2015) 235 Cal.App.4th 1493 (inclining block conservation rates failed under Prop. 218, but recovery of recycled water program costs from all customers permissible)

City of Redlands v. Rogers (2025) 112 Cal.App.5th 667 (Vehicle Code § 9400.8 held to invalidate solid waste fees for recovery of impacts on city streets)

Doe v. Johnson et al. (unpublished) Case No. G063220 (appeal from grant of SLAPP motion in tort case arising from wrongful use of confidential juvenile dependency report in employment litigation)

Pacific Western Bank v. City of Monterey (unpublished) Case No. G064672 (successful appellate defense of victory on demurrer in action interpleading construction security bond)

Wetlands Restoration v. City of Seal Beach, et al. (unpublished), Case No. G010231 (1991) (defense of City's housing element)

Court of Appeal for the Fifth Appellate District

City of Clovis et al. v. County of Fresno (2014) 222 Cal.App.4th 1469 (interest rate applicable to repayment of PTAF following *Alhambra v. Los Angeles County*) (argued for amicus League of California Cities)

Davis v. Mariposa County Board of Supervisors (2019) 38 Cal.App.5th 1048 (successful defense of Prop. 218 challenge to fire suppression benefit assessment due to appellant's failure to timely appeal)

Foster Poultry Farms, Inc. v. City of Livingston, Case No. F059871 (appeal dismissed by City following recall of Council majority) (procedures for increase in water rates under Proposition 218) (co-author of amicus brief)

Howard Jarvis Taxpayers Ass'n v. City of Fresno (2005) 127 Cal.App.4th 914 (transfer from utility enterprise to general fund pursuant to voter-approved charter provision as payment in lieu of property taxes violated Proposition 218's restrictions on use of property related fees)

Neilson v. City of California City (2005) 133 Cal.App.4th 1296 (flat-rate parcel tax not an unconstitutional general tax, but rather a special tax dedicated to specific purposes; equal protection does not entitle absentee landowners to vote) (counsel for amici)

Vagim v. City of Fresno Case Nos. F068541, F068569, F069963 (multiple writs re initiative to lower water rates)

Court of Appeal for the Sixth Appellate District

Award Homes v. County of San Benito (2021) 72 Cal.App.5th 290 (development impact fee payable on annexation protected from developer's challenge by validation statute of limitations)

Bay View Community DE, LLC v. Marina Coast Water District (stipulated reversal) Case No. H050456 (defense of trial court victory regarding tiered water rates, title to mobile home park water distribution system, and penalties and interest ordinances)

BMC Promise Way, LLC v. County of San Benito (2021) 72 Cal.App.5th 279 (development impact fee payable on annexation protected from developer's challenge by validation statute of limitations)

Citizens for Responsible Open Space v. San Mateo County LAFCO (2008) 159 Cal.App.4th 717 (rejecting procedural challenges to annexation to open space district) (ghostwriter of amicus brief for CALAFCO)

City of Half Moon Bay v. Granada Community Services District (unpublished) Case No. H049896 (successful appeal from summary judgment granting declaratory relief as to regional sewer joint powers agreement)

City of Monterey v. Superior Court (Stronghold Engineering, Inc.) Case No. H052951 (unsuccessful petition for writ review of order following *Palma* notice vacating award of summary judgment for claim-splitting in construction delay dispute)

City of Palo Alto v. Green (unpublished) Case No. H049436 (successful motion for stipulated reversal to settle appeal and cross-appeal from partial victory in Prop. 26 challenge to general fund transfers from gas and electric utilities)

City of Santa Clara v. DE II, LLC (settled on appeal) Case No. H053297 (appeal from award of *Klopping* damages for pre-condemnation delay)

County of San Benito v. Scagliotti (unpublished) Case No. H045887 (recoupment of costs to defend former Supervisor in conflict-of-interest case finding him to have engaged in knowing misconduct)

Eiskamp v. Pajaro Valley Water Management Agency (2012) 203 Cal.Ap.4th 97 (challenge to groundwater charge barred by res judicata effect of earlier settlement) (successfully opposed review and depublication)

Griffith v. Pajaro Valley Water Management Agency (2013) 220 Cal.App.4th 856 (successful defense of Proposition 218 challenge to groundwater augmentation charges)

Hobbs v. City of Pacific Grove (2022) 85 Cal.App.5th 311 (successful appellate defense of trial court victory in challenge to regulation of short-term rentals)

Holloway v. Showcase Realty Agents, Inc. (2018) 22 Cal.App.5th 758 (taxpayer had standing to assert Government Code § 1090 claim against Water District and former director; overruled by subsequent case law)

Holloway v. Vierra, Case Nos. H044505, H044800 (unpublished) (defense of taxpayer's Political Reform Act claims against former Water District director; appeal of attorney fee award)

Monterey Peninsula Taxpayers Assn v. Monterey Peninsula Water Management District (unpublished), Case No. H042484 (appeal from successful defense of District's refusal to place referendum on ballot to repeal water supply charge)

Monterey Peninsula Taxpayers Assn v. Monterey Peninsula Water Management District (unpublished), Case No. H051128 (appeal from order invalidating water supply charge under ordinance's sunset provision)

Rose v. County of San Benito (2022) 77 Cal.App.5th 688 (successful appeal reversing writ enforcing implied contract for life-time retiree medical benefits)

Silicon Valley taxpayers Association v. City of Campbell (pending) Case No. H054023 (defense of trial court victory in challenge to sales tax arguing violation of 2% cap)

Stronghold Engineering, Inc. v. City of Monterey (2023) 96 Cal.App.5th 1203 (application of Government Claims Act to declaratory relief on claim for construction delay penalties)



Kyle Rayde

Senior
Associate

kyler.rayden@bbklaw.com

T: (916) 551-2846 | C: (805) 290-0053

bbklaw.com



Resume: Business Licensing and franchising; CA Public Records Act; Open Government Ethics; Lane Use, planning & zoning; Local Agency Formation Commission (LAFCO); Municipal Law; Water.

Located in Sacramento

Monti Reynolds – Specialty is Real Estate –



11601 Blocker Drive, Ste. 105

Auburn, CA 95603

530.885.8500 (Office)

530.653.8418 (Direct)

btaylor@rtwlawllp.com

www.rtwlawllp.com

Richey Law Group

915 Highland Pointe Dr.

Roseville, CA 95678

Michael S. Wilcox

Gavrilov & Brooks

2315 Capitol Ave.

Sacramento, CA 95816



Item 9.1

Memorandum

To: Board of Directors
From: Henry N. White
Date: April 1, 2026
Subject: Revised job description for Treatment Plant/Distribution Operator III

Recommendation: Consider the attached revised job description and recommendation from staff.

Background: The Board directed staff to update job descriptions contained in the Board Policy Manual during the November 12, 2025 board meeting. Staff has attached the existing job description and a revised edition.

Recommended Action: Review existing job description, revised job description and consider approval.

FORESTHILL PUBLIC UTILITY DISTRICT POLICY HANDBOOK

POLICY TITLE: Job Description – Treatment Plant / Distribution Operator III

POLICY NUMBER: 2335

Definition/Summary

Under general supervision, positions in the Utility Operator III classification perform the full range of public water system maintenance, installation, operation and repair assignments with minimal supervision.

Essential Functions

- Performs a variety of field maintenance assignments on public water system facilities
- Performs vegetation management by mowing/cutting weeds, trees and brush as assigned
- Operates automatic and manually controlled equipment, motors, and pumps used in the treatment and disinfection of water and distribution systems
- Takes samples at established times, performing standardized quality control tests, and adjust chemical feeders and other plant equipment
- With minimal supervision, fully operates and maintains the water treatment plant and distribution system
- Provides customer service including resolving customer complaints
- Safely use hand and power tools to execute assignments
- Provides on-call services as assigned
- Work in a manner that observes proper work safety standards
- Understand and carry out written and verbal instructions
- Establish and maintain cooperative working relationships with co-workers, outside agencies, and the public
- Regular attendance and adherence to prescribed work schedule to conduct job responsibilities
- Working knowledge of Microsoft Office
- Performs other duties as assigned

Typical Physical Activities

- Operates vehicles to travel to and from work assignments
- Must be able to carry, push, pull, reach, and lift equipment and parts weighing up to 100 pounds.
- Stoops, kneels, crouches, crawls, and climbs during maintenance and repair work
- Works in an environment with exposure to dust, dirt, chemicals and significant temperature changes between cold and heat
- Communicate clearly both orally and in writing
- Regularly uses common office/plant equipment such as telephones and computers
- Stands and walks for extended time periods and in uneven terrain

- Hearing and vision within normal ranges with or without correction
- Routinely works in and around confined spaces

Environmental Factors

- Exposure to the sun: Considerable work time spent outside and exposed to the sun
- Work above floor level: Routinely work on ladders or other surfaces above the ground
- Temperature: Considerable work time in hard manual labor in cold and hot temperatures
- Humidity: Work in areas with unusually high humidity
- Wetness: More than 10% of the work time getting part or all of the body and/or clothing wet
- Noise: Often assigned to work around unusually loud sounds
- Slippery surfaces: Routinely assigned to work on unusually slippery surfaces
- Oil: Some parts of the body in contact with oil or grease
- Dust: Works in or around areas with potentially significant levels of dust
- Irregular or extended work hours: Occasionally required to change working hours or work overtime
- On-call duties: The position is required to work on-call duties as assigned

Minimum Requirements

- Education: High school diploma is required
- Experience: Three years of responsible work experience in performing distribution system and water treatment plant operations
- Driver’s license: Possession of a valid California Class C driver’s license with a record free of multiple or serious traffic violations. Must obtain a Class A driver’s license within one year of appointment
- General certifications: Must possess and maintain a minimum of a California Department of Public Health water treatment plant operator certificate and distribution operator certificate, Grade 2

The specific statements shown in each section of this job description are not intended to be all-inclusive. They represent typical elements and criteria necessary to successfully perform the essential functions of the position.

I have reviewed this Job Description with my Supervisor and agree with its contents.

Employee Signature Date

Supervisor Signature Date

Foresthill Public Utility District

Revision Date: April 1, 2026

Job Specification: Treatment Plant/Distribution Operator III

Summary Description: Under general supervision, performs advanced and specialized operation, maintenance, and repair of water treatment and distribution facilities. Serves as a technical resource and subject matter expert and may lead complex operational tasks or projects.

Distinguishing Characteristics: This is an advanced journey-level classification distinguished from Operator II by the performance of complex system operations, troubleshooting, and technical problem-solving. Incumbents may provide training and technical guidance to lower-level Operators but do not have formal supervisory authority.

Supervision Received: Receives general supervision from a higher-level Operator, Lead Operator, or supervisor. May provide functional and technical guidance to Operators I and II.

Examples of Duties:

In addition to duties performed at lower levels:

- Operate and optimize treatment plant and distribution system processes under varying conditions.
- Diagnose and correct complex mechanical, electrical, hydraulic, and process-related issues.
- Perform advanced maintenance and repairs on pumps, motors, valves, tanks, and control systems.
- Serve as a technical resource during system outages and emergency response events.
- Assist with system testing, startup, shutdown, and commissioning activities.
- Review operational data and recommend adjustments to improve efficiency and reliability.
- Train and mentor Operator I and II staff.
- Assist with development and refinement of standard operating procedures (SOPs).
- Coordinate work with contractors and inspectors as assigned.

Required Knowledge:

In addition to Operator II knowledge:

- Water treatment principles and processes.
- Distribution system hydraulics and operation.
- Applicable State and Federal drinking water regulations.
- Independent meter reading duties
- Advanced SCADA system operation.
- Emergency response procedures.

Ability to:

- Independently operate treatment and distribution facilities.
- Troubleshoot complex mechanical, electrical, and process-related issues.
- Make operational decisions consistent with safety and regulatory requirements.
- Train and provide work direction to entry-level staff.
- Maintain accurate operational records and reports.

Working Conditions:

Same as Operator I, with increased responsibility for emergency response and independent fieldwork.

Experience and Education:

- Any combination of education and experience that would likely provide the required knowledge and abilities.
- Typically three to five years of progressively responsible experience in water treatment and distribution operations, including experience equivalent to Operator II.

Licenses and Certifications

- Possession and maintenance of a valid California driver's license.
- Water Treatment Plant Operator Certificate Grade II (minimum)
- Water Distribution Operator Certificate Grade II (minimum)

Class specifications are intended to describe the general nature and level of work performed. They are not intended to be an exhaustive list of all duties, responsibilities, or requirements of the position.



Item 12

Memorandum

To: Board of Directors
From: Henry N. White
Date: April 1, 2026
Subject: General Manager's Report

Topics of General Interest:

1. **Safety Meeting Update** - As part of Foresthill's ongoing commitment to employee safety and well-being, staff participate in regular safety meetings throughout the year. On March 23, 2026, the team reviewed First Aid and Blood Borne Pathogens. These proactive sessions support a strong safety culture and help ensure that all employees are prepared for seasonal workplace challenges.
2. **SCADA Update** - Water treatment operations are fully supported by the SCADA project with 95% of the work complete. Work will continue to develop remote monitoring at Sugar Pine Reservoir.
3. **Vehicle #7 back in service** - Transmission repairs were completed on vehicle #7 and the unit is back in service.
4. **Finance Manager Report -February 2026 (Lance, Soll & Lunghard, LLP) LSL**
 1. Bookkeeping
 - Recorded daily transactions and maintained ledgers.
 - Reconciled bank accounts and customer credit card payments.
 - Managed property tax payments, savings account interest, and LAIF monthly entries.
 - Reconciled accounts receivable and delinquent accounts with monthly reports.
 - Allocated debt payments between FPUD and Tax Assessment District 708.

- Recorded monthly revenue through Starnik and reconciled reports to the general ledger.
 - Processed prepaid insurance expenses, depreciation, and monthly expense allocations.
 - Reconciled quarterly reports, including payroll tax reports, customer deposits, and performed enhanced quarter close analytics.
2. Accounts Payable Processing
- Processed invoices on February 3rd, 10th, 17th, and 24th.
3. Payroll Processing
- Reviewed timecards for accuracy and recorded payroll from ADP in QuickBooks.
 - Tracked employee benefits, including comp time and mileage, for future payout.
 - Distributed paystubs via email and allocated payroll costs by budget categories.
 - Recorded and paid CalPERS contributions; reconciled health insurance contributions.
 - New employee set up in ADP and CalPERS.
4. Financial Reporting
- Prepared key financial statements: balance sheet, income statement, and cash flow statement, providing an overview of February's financial performance.
 - Our intent is to implement FPUD's new fund balance policy (May 2025) on subsequent monthly financial reporting, pending management review and adjustment authorization.