

RESOLUTION NO. 2021-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RIO LINDA/ ELVERTA
COMMUNITY WATER DISTRICT AUTHORIZING AN INTERNAL LOAN
EXPRESSLY FOR THE PURPOSE OF REDUCING THE EXISTING CALPERS
UNFUNDED ACCRUED LIABILITY**

WHEREAS, the existing California Public Employees Retirement System (CalPERS) pension unfunded accrued liability (UAL) for Rio Linda Elverta Community Water District (District) exceeds \$1,100,000; and

WHEREAS, the District is currently charged seven percent (7%) interest amortized through the year 2044 on the UAL, which now results in considerable increases in annual UAL payments by the District to CalPERS; and

WHEREAS, under the current assumptions, the District will pay in excess of \$900,000 in interest over the term of the UAL amortization; and

WHEREAS, the District funding for long-term capital improvements includes improvements which are scheduled to begin construction in fifteen (15) years; and

WHEREAS, the District currently receives less than one percent (1%) interest on the account used to accumulate the long-term funding for capital improvement projects; and

WHEREAS, the District wishes to reduce the UAL, lower the annual UAL payments to CalPERS, and decrease the amount the District will pay in interest over the amortized period of the UAL.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Directors hereby authorizes an internal loan from the existing funding accrued in the capital improvement projects fund for the express purpose of making a five hundred thousand dollar (\$500,000) additional discretionary payment to CalPERS.
2. The funds accrued in the capital improvement projects fund used for the internal loan shall not include funds that are collected through the Surcharge 2 Rate.
3. The terms of the internal loan are detailed in Exhibit A to this Resolution, 2021-01.
4. The Board of Directors further authorizes the General Manager, in consultation with the engaged, Registered Municipal Advisor, to execute and submit all pertinent documents associated with the CalPERS additional discretionary payment. Such authorization includes, but is not limited to, designation of the amortization basis or bases for which CalPERS is to apply the additional discretionary payment.

APPROVED AND ADOPTED by the Board of Directors of the Rio Linda / Elverta Community Water District on this 25th day of January 2021 by the following vote: 5-0-0-0


AYES: Chris Gifford, Jason Green, Mary Harris, Robert Reisig, and John Ridilla

NAYS: None

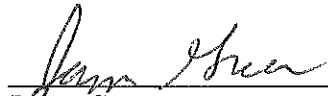
ABSENT: None

ABSTAIN: None

ATTEST:



Timothy R. Shaw
Secretary of the Board of Directors



Jason Green
President, Board of Directors

Exhibit A
Internal Loan Terms

Rev. 0, 1-25-2021

Source of Funds	Capital Improvement Projects Funding
Term of Loan	15-years
Interest rate and basis	0.37% (based on 2020 average treasury bills interest)
Frequency of Payments	Annual
First Scheduled payment	June 1, 2022

Note: The above stipulated terms may be revised through formal Board action at a properly posted public meeting if deemed necessary and appropriate by the District Board of Directors. If these terms require future modifications, the Board will consider revisions to Exhibit A of this Resolution No. 2021-01.

Resolution 2021-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RIO LINDA ELVERTA COMMUNITY WATER DISTRICT ADOPTING PROCEDURES FOR PROVIDING NOTICE AND RECEIVING WRITTEN PROTEST TO WATER PROPERTY-RELATED FEES AND CHARGES

WHEREAS, the California Constitution, Article XIII D, section 6 (Proposition 218) requires the Rio Linda Elverta Community Water District (“District”) to consider written protests to the imposition of any new, or increased to any existing water property-related fees and charges (hereinafter “Fees”); and

WHEREAS, Proposition 218 does not specifically set forth rules concerning the method by which written protests are to be submitted to the District in opposition to the imposition of any new Fees or increase to any existing Fees, or how the District is to tabulate the protests; and

WHEREAS, California Government Code section 53755 provides some directions on the method of tabulating written protests submitted in opposition to the imposition of any new Fee or any increase to Fees subject to Proposition 218; and

WHEREAS, the District desires to have a clear and open process for submitting and tabulating written protests for its property-related fees and charges.

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of the Rio Linda/Elverta Community Water District that the following procedures are hereby adopted for submitting written protest against any new Fee or increase to any existing fees:

1. **Definitions.** Unless the context clearly indicates another meaning was intended, the following definitions shall apply:

a. “Parcel” means a specific segment of land assigned an Assessor’s Parcel Number or other unique identifier by the Sacramento County Assessor’s Office or Records Office, the owner or occupant of which is subject to the proposed property-related fee or charge that is the subject of the hearing.

b. “Record Owner” means the owner of a Parcel whose name and address appears on the County Assessor’s last equalized secured property tax assessment roll, or in the case of any public entity, the State of California, or the United States, means the representative of that public entity at the address of that entity known to the District.

c. “Tenant” means either: (1) a utility customer to whom the District sends a water bill for the Parcel in question as reflected in the billing records of the District at the time the notice of a public hearing with respect to a water rate increase has been given; or (2) any person who provides evidence, satisfactory to the District, or designee, that he or she is a tenant of the Parcel in question. Such evidence may include, but shall not be limited to: a driver’s license indicating that that person’s address is the same as that of the Parcel in question, any other water bill showing that that person resides at the Parcel in question, or a copy of a lease agreement relating to the Parcel in question that is signed by that person. The District’s General Manager’s determination as to the sufficiency of any such evidence shall constitute a final action of the District and shall not be subject to any appeal.

2. Notice of Public Hearing. Pursuant to California Constitution, Article XIID, section 6 of Proposition 218, the District is required to hold and conduct a public hearing whenever it proposes to impose a new or increase any existing property-related fee for water service (“Fee”).

a. The District shall provide notice by mail of the public hearing for the proposed imposition of any Fee required under the California Constitution article XIID, section 6 to the Record Owner or Tenant of each identified parcel upon which the Fee is proposed for imposition.

b. Notices shall be mailed at least 45 days prior to the date of the public hearing on the proposed imposition of any new or increase to any existing property-related fee or charge.

c. For purposes of this Resolution and these procedures, the terms “notice by mail” shall have the meaning contained in Government Code section 53750, subdivision (i), as such section may be amended from time to time.

d. Only one notice is required to be sent to each Record Owner, irrespective of how many Parcels they own, for those Parcels subject to the same property-related fee that is the subject of the public hearing notice.

3. Submission of Written Protests. Any Owner of Record or Tenant may submit a written protest to the proposed imposition of any new or any increase to any existing Fee only for the Parcel(s) they own or occupy. Any written protest shall be submitted by mail to RLECWD P.O. Box 400, Rio Linda, CA 95673, in person or drop box at 730 L Street Rio Linda, CA, or in person prior to the close of the Public Hearing at which the District will consider the adoption of the proposed new or increase to the existing Fee.

a. All written protests shall be submitted and must be received by the District prior to the close of the public hearing.

b. Any written protest received by the District after the close of the public hearing, even if postmarked prior to that time, shall not be accepted as a written protest or considered by the District in determining whether a majority protest exists.

4. Form of Written Protest. Any protest to any new or increase to an existing Fee submitted to the District by a Record of Owner or Tenant shall:

a. be in writing and identify the affected property by assessor’s parcel number or street address;

b. provide the name and signature of the Record Owner or Tenant submitting the protest; and

c. state the new or increased Fees for which the written protest is being submitted. By way of example, a Record Owner or Tenant could write “Water Rate Protest.”

5. Multiple Protest Will Not be Counted for One Property. Each Record Owner or Tenant may submit a written protest for a Parcel they own or occupy, but only one protest will be counted per Parcel in accordance with California Government Code section 53755, subdivision (b), as such section may be amended from time to time. Any one written protest submitted in accordance with these rules will be sufficient to count as a protest for that Parcel.

6. Withdrawal of Written Protest. Any person who submits a written protest to a new or increase to any existing Fee proposed to be imposed by the District may withdraw the written protest by submitting a written request that the protest be withdrawn. Any such request may be made in person at the public

hearing or submitted to the General Manager, and shall be made prior to the close of the public hearing. The withdrawal of a protest shall:

- a. contain sufficient information to identify the affected parcel by parcel number or street address;
- b. include the name of the Record Owner or Tenant who submitted both the protest and the request that it be withdrawn. Only the person who submits a written protest may withdraw it.

7. Public Hearing is Not an Election. The public hearing and protest required under Article XIID, section 6, subdivision (a), of the California Constitution (Proposition 218) for water property-related fees and charges is not an election.

8. Protests are Public Records. To ensure transparency and accountability in the protest tabulation, written protests shall constitute a disclosable public record from and after the time the public hearing is closed.

9. Oral Comments. Oral comments made at a public hearing for the consideration of the adoption of any new or increase to any Fee shall not qualify as a formal written protest unless accompanied by a valid written protest in conformance with this Resolution and these procedures. However, the District's Board welcomes input from the community during the public hearing on any proposed new or increase to any existing property-related fee or change.

BE IT FURTHER RESOLVED that the following procedures are hereby adopted for tabulating written protests against the proposed imposition of any new Fee or increase to any exiting Fee:

1. Validity of Protest. The General Manager, or his or her designee, shall determine the validity of all protests. The General Manager, or his or her designee (s), shall not accept as valid any protest if the General Manager determines that any of the following conditions exist:

- a. The written protest does not identify a Parcel served by the District or a Parcel subject to the proposed property-related fee.
- b. The written protest is not submitted by a Record Owner or Tenant of the Parcel.
- c. The protest does not state it is being submitted in opposition to the proposed Fee(s).
- d. The protest was not received by the General Manager before the close of the public hearing on the proposed Fee(s), regardless of any postmark on the envelope on which the protest may have been mailed, or other delivery method utilized.
- e. A request to withdraw a written protest is received prior to the close of the public hearing on the proposed Fee(s).

2. Final Action. The General Manager's decision regarding the validity of a written protest shall constitute a final action of the District and shall not be subject to any internal appeal.

3. Cursory Review. The General Manager may begin cursory review at any time a written protest is received; however, the review shall not be completed until the close of the public hearing and consideration of any written request to withdraw a written protest. At the conclusion of the public hearing, the General Manager shall complete the cursory review of all protests received, including those received during the public hearing and shall report the results of the review to the Board of Directors upon completion. If cursory review of the protest received demonstrates that the number received is manifestly less than one-half of the parcels served by the District with respect to the water service, then the General Manager may advise the Board of the absence of a majority protest without tabulating the protests or determining the validity of the protest received.

4. Final Tabulation. If it appears, following a cursory review of the protests received, that the number of protests received may be more than one-half of the parcels served, then the General Manager shall proceed to tabulate the protests. If at the conclusion of the public hearing the General Manager determines that additional time will be needed to tabulate the protests, the General Manager shall advise the Board of Directors to continue the tabulation to allow for completion at a later, specified date and time. If so, the District's Legal Counsel shall declare the time and place of tabulation, which shall be conducted in a place where interested members of the public may observe the tabulation, and the Legal Counsel shall declare the time at which the meeting shall be resumed to receive and act on the tabulation report.

5. Majority Protest. A majority protest will exist for each proposed Fee if a majority (50% plus one) of the Record Owners or Tenants of the identified parcels subject to the Fee that is the subject of the protest hearing submit timely, valid written protests against the proposed imposition. All written protests must be timely submitted, not withdrawn, and comply with the requirements set forth in this Resolution and these procedures. If a majority protest is received, then the proposed new or increase to any existing Fee shall not be approved. If there is not a majority protest for the proposed new or increase to any existing Fee, then the Board of Directors shall consider adoption of the proposed new or increase to any existing Fee.

BE IT FURTHER RESOLVED AND ORDERED that this activity is not subject to the California Environmental Quality Act because it will not result in a direct or reasonably foreseeable indirect physical change in the environment pursuant to CEQA Guidelines section 15060(c)(2).

APPROVED AND ADOPTED by the Board of Directors of the Rio Linda / Elverta Community Water District on this 19th day of July 2021. By the following vote: 5-0-0-0

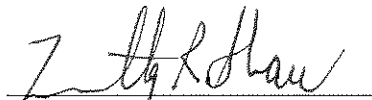
AYES: Chris Gifford, Jason Green, Mary Harris, Robert Reisig, and John Ridilla

NAYS: None


ABSENT: None

ABSTAIN: None

ATTEST:



Timothy R. Shaw
Secretary of the Board of Directors



Jason Green
President, Board of Directors

RESOLUTION 2021-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RIO LINDA ELVERTA COMMUNITY WATER DISTRICT ADOPTING A SCHEDULE OF RATES FOR BIMONTHLY WATER SERVICE CHARGES COMMENCING WITH FISCAL YEAR 2021-2022

Whereas, the Rio Linda Elverta Community Water District (the “District”) is organized and operates pursuant to the County Water District Law, Division 12 of the California Water Code, commencing with Section 30000 thereof; and

Whereas, the District provides water service throughout its service area, and is authorized under the County Water District Law, including without limitation Water Code section 31025, to fix and collect charges for the provision of water service pursuant; and

Whereas, the rate structure for the District’s water service charges is comprised of three components: (1) a bimonthly fixed service charge, which is established on the basis of the size of the service line(s) serving the parcel of property; (2) a Commodity Charge, which is determined on the basis of the amount of water served to a parcel of property in hundreds of cubic feet (“CCF”); and (3) Surcharges with expressly specific use to service debt incurred from compliance with State of California mandates to fund facilities improvements (Surcharge #1) and hexavalent chromium mitigation (Surcharge #2); and

Whereas, in addition the District imposes and proposes to continue to impose a fixed fire meter service charge on private fire services as well as inactive service charges; and

Whereas, the District proposes to adopt a schedule of charges to be imposed when the water meter associated with water service to a parcel of property becomes temporarily inoperable or otherwise incapable of rendering an accurate measure of the water volume consumed; and

Whereas, proposed rate adjustments to water service charges (the “Charges”) have been presented to the District Board of Directors. The Charges are designed to proportionately allocate the cost of providing water service among the District’s customer classes, all of which are more fully set forth in the schedule of Water Service Charges attached as Exhibit “A”; and

Whereas, the District’s rates for Charges are calculated to recover the costs of the District in providing water services and to proportionately allocate those costs among the water customers; and

Whereas, the revenue derived from the Charges will not exceed the funds required to provide water services and shall be used exclusively for providing water service; and

Whereas, the Charges will not exceed the proportional cost of the services attributable to each parcel upon which they are imposed; and

Whereas, the Charges will not be imposed on a parcel unless the water services are actually used by, or immediately available to, the parcel of property; and

Whereas, pursuant to California Constitution Article XIII D, Section 6, the District provided written notice (“the Notice”) by mail of: (1) the proposed adjustments to the rates for the Charges to the parcel of property upon which the Charges are proposed for imposition and any account holder of record directly liable for the payment of the Charges; (2) the amount of the Charges proposed to be imposed on each parcel; (3) the basis upon which the Charges were calculated; (4) the reason for the proposed adjustments

to the Charges; and (5) the date, time, and location of a public hearing (the "Hearing") on the proposed Charges; and

Whereas, the District provided such Notice not less than forty-five days prior to the Hearing on the proposed Charges; and

Whereas, the Hearing was held on this day, August 16, 2021; and

Whereas, at the Hearing, the Board of Directors heard all oral testimony and considered all written materials, and written protests concerning the establishment and imposition of the proposed rate adjustments for the Charges, and at the close of the Hearing, the District did not receive written protests against the establishment and imposition of the proposed rate adjustments for the Charges from a majority of the affected property owners and tenants directly liable for the payment of the Charges; and

Whereas, the Board of Directors has determined to adopt the rates for the Charges set forth in Exhibit "A" hereto; and

Whereas, the Charges established by this Resolution and set forth in Exhibit "A" are for the purpose of: (A) meeting the operational expenses, including employment costs; (B) compliance with the water use efficiency mandates prescribed in Division 6 of the California Water Code (codification of SB 606 and AB 1668); (C) meeting the financial reserve needs and requirements; and (D) obtaining funds for capital projects necessary to maintain service within the existing service areas as set forth in this Resolution, and, therefore, the establishment of such Charges is not subject to the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Rio Linda Elverta Community Water District as follows:

1. The matters set forth in the recitals to this Resolution are true and correct statements and by this reference are incorporated herein and made findings and determinations of the Board of Directors.
2. The Board of Directors hereby adopts the Charges in the amounts and at the rates set forth in Exhibit "A" hereto. The Charges in Exhibit "A" shall be effective for all services provided on and after September 15, 2021. The General Manager, or his designee, is hereby authorized and directed to collect the Charge for services provided on or after September 15, 2021, according to the rates set forth in Exhibit "A" and to increase the rates subsequent to annual confirmation by action of the Board of Directors on July 1st thereafter, commencing July 1, 2022, and continuing through July 1, 2025, as set forth in Exhibit "A" hereto. The General Manager is further authorized and directed to take all actions necessary to effectuate and collect the rates for Charges and other authorizations set forth herein.
3. All ordinances, resolutions or administrative actions by the Board of Directors, or parts thereof that are inconsistent with any provision of this Resolution are hereby suspended only by this Resolution to the extent of such inconsistency.
4. If any section, subsection, clause, sentence, or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board of Directors hereby declares it would have passed this Resolution and each section, sentence, clause, or phrase thereof, irrespective of the fact that all or more sections, subsections, sentences, or phrases are held invalid.
5. This Resolution shall take effect immediately upon its adoption.

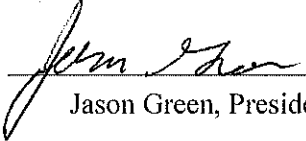
ADOPTED, SIGNED, AND APPROVED this 16th day of August, 2021. 4-1-0-0

Ayes: Chris Gifford, Jason Green, Robert Reisig, and John Ridilla

Noes: Mary Harris

Abstain: None

Absent: None



Jason Green, President
Board of Directors

Attested



Timothy R. Shaw

Secretary to the Board of Directors

Exhibit A Water Rates

**TABLE 1: Proposed Bimonthly Water Rates – Normal Water Year
 Rate Study / Cost of Service Study
 Rio Linda Elverta Community Water District**

Meter Size	Current FY 2021	Proposed on or after				
		September 15, 2021	July 1, 2022	July 1, 2023	July 1, 2024	July 1, 2025
5/8"	\$59.86	\$35.01	\$35.72	\$36.64	\$38.23	\$39.88
3/4"	\$59.86	\$35.01	\$35.72	\$36.64	\$38.23	\$39.88
1"	\$99.77	\$55.25	\$56.38	\$57.83	\$60.34	\$62.94
1.5"	\$199.53	\$105.87	\$108.03	\$110.79	\$115.60	\$120.59
2"	\$319.25	\$166.61	\$170.01	\$174.35	\$181.92	\$189.77
3"	\$698.37	\$358.95	\$366.28	\$375.63	\$391.94	\$408.84
4"	\$1,257.06	\$642.41	\$655.52	\$672.24	\$701.43	\$731.68
Inactive	\$59.86	\$35.01	\$35.72	\$36.64	\$38.23	\$39.88

Single Family Residential Inoperable Meter Fees (fixed bimonthly fee, no additional volume charges; cold weather period is November to April; warm weather period is May to October)

5/8" - Cold Weather	\$68.61	\$69.91	\$71.80	\$74.95	\$78.18
5/8" - Warm Weather	\$120.93	\$123.19	\$126.52	\$132.07	\$137.94
3/4" - Cold Weather	\$68.61	\$69.91	\$71.80	\$74.95	\$78.18
3/4" - Warm Weather	\$120.93	\$123.19	\$126.52	\$132.07	\$137.94
1" - Cold Weather	\$88.85	\$90.57	\$92.99	\$97.06	\$101.24
1" - Warm Weather	\$141.17	\$143.85	\$147.71	\$154.18	\$161.00

Commercial, institutional, and industrial (CII) and irrigation inoperable meter rates may be based on past average consumption

Volume Rates \$/ccf

Current Rate per ccf
 (over 6 ccf) \$0.81

Single Family Residential

Tier 1: 0-17 ccf	\$1.72	\$1.75	\$1.80	\$1.88	\$1.96
Tier 2: 17+ ccf	\$2.18	\$2.22	\$2.28	\$2.38	\$2.49
CII (all use)	\$1.94	\$1.98	\$2.03	\$2.12	\$2.22
Irrigation (all use)	\$2.22	\$2.27	\$2.33	\$2.43	\$2.54

Standby Fire Protection (Fixed Bimonthly Charge)

1.5"	\$4.12	\$4.12	\$4.31	\$4.50	\$4.70	\$4.91
4"	\$40.00	\$54.38	\$56.83	\$59.39	\$62.06	\$64.85
6"	\$60.00	\$157.96	\$165.07	\$172.50	\$180.26	\$188.37
8"	\$80.00	\$157.96	\$165.07	\$172.50	\$180.26	\$188.37

Backflow Prevention (Fixed Bimonthly Charge)

Per device	\$8.33	\$9.00	\$9.27	\$9.55	\$9.84	\$10.14
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Exhibit A (continued)
Water Rates

TABLE 2: Current and Proposed Water Rates – Drought Conditions
Rate Study / Cost of Study
Rio Linda Elverta Community Water District

	Current FY2021	September 15, 2021	Proposed on or after			
			July 1, 2022	July 1, 2023	July 1, 2024	July 1, 2025
Stage 2 Drought: 30% Conservation			Volume Rates \$/ccf			
Current Rate per ccf (over 6 ccf)	\$0.92					
Single Family Residential						
Tier 1: 0-17 ccf		\$2.34	\$2.39	\$2.45	\$2.56	\$2.67
Tier 2: 17+ ccf		\$3.00	\$3.06	\$3.14	\$3.28	\$3.43
CII (all use)		\$2.77	\$2.83	\$2.90	\$3.04	\$3.17
Irrigation (all use)		\$3.18	\$3.24	\$3.32	\$3.47	\$3.63
Stage 3 Drought: 40% Conservation						
Current Rate per ccf (over 6 ccf)	\$1.08					
Single Family Residential						
Tier 1: 0-17 ccf		\$2.69	\$2.74	\$2.81	\$2.94	\$3.07
Tier 2: 17+ ccf		\$3.46	\$3.53	\$3.62	\$3.78	\$3.95
CII (all use)		\$3.23	\$3.30	\$3.39	\$3.54	\$3.70
Irrigation (all use)		\$3.70	\$3.78	\$3.88	\$4.05	\$4.24
Stage 4 Drought: 50% Conservation						
Current Rate per ccf (over 6 ccf)	\$1.29					
Single Family Residential						
Tier 1: 0-17 ccf		\$3.18	\$3.24	\$3.32	\$3.47	\$3.62
Tier 2: 17+ ccf		\$4.10	\$4.18	\$4.29	\$4.48	\$4.68
CII (all use)		\$3.88	\$3.96	\$4.07	\$4.25	\$4.44
Irrigation (all use)		\$4.44	\$4.53	\$4.65	\$4.86	\$5.08

RESOLUTION No. 2021-04
A RESOLUTION ESTABLISHING FISCAL YEAR 2021-22 OPERATING AND
CAPITAL IMPROVEMENT BUDGET FOR THE RIO LINDA /ELVERTA
COMMUNITY WATER DISTRICT

WHEREAS, the Rio Linda / Elverta Community Water District (“District”) has identified the District’s operating costs as well as the costs of capital improvements to the infrastructure of the District, for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022; and

WHEREAS, the District has prepared a budget setting forth the dollar amounts proposed for operating the District: \$2,383,921.00 and for capital improvements: \$796,200.00; and

WHEREAS, the Board of Directors reviewed and adopted the Proposed Budget for the District operations and capital improvements at a regular meeting held on June 21, 2021; and

WHEREAS, a noticed public hearing was held September 20, 2021 for the purpose of receiving public comment on the proposed Fiscal Year 2021-22 Operating and Capital Improvement Budget.

NOW THEREFORE, BE IT RESOLVED by the Rio Linda / Elverta Community Water District Board of Directors that the attached 2021-22 Fiscal Year Operating and Capital Improvement Budget is hereby approved and appropriated for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022.

APPROVED AND ADOPTED by the Board of Directors of the Rio Linda / Elverta Community Water District on this 20th day of September 2021. By the following vote: 4-0-1-0

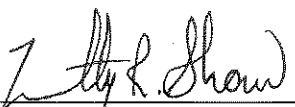
AYES: Mary Harris, Chris Gifford, Jason Green, and Robert Reisig

NAYS: No

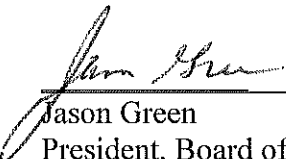
ABSENT: John Ridilla

ABSTAIN: No

ATTEST:



Timothy R. Shaw
Secretary of the Board of Directors



Jason Green
President, Board of Directors