

ERIC GARCETTI
MAYOR

August 16, 2013

Honorable Members of the City Council
c/o City Clerk
City Hall, Room 395

Honorable Members:

Subject to your confirmation, I have appointed Mr. William W. Funderburk, Jr. to the Board of Water and Power Commissioners for the term ending June 30, 2017. Mr. Funderburk will fill the vacancy created by Richard F. Moss, whom I removed effective August 28, 2013.

I certify that in my opinion Mr. Funderburk is qualified for the work that will devolve upon him, and that I make the appointment solely in the interest of the City.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Garcetti', written over a faint, larger version of the signature.

ERIC GARCETTI
Mayor

EG:dlg

Attachment

COMMISSION APPOINTMENT FORM

Name: William W. Funderburk, Jr.
Commission: Board of Water and Power Commissioners
End of Term: June 30, 2017

Appointee Information

1. **Race/ethnicity:** African American
2. **Gender:** Male
3. **Council district and neighborhood of residence:** 4 - Central
4. **Are you a registered voter?** Yes
5. **Prior commission experience:**
6. **Highest level of education completed:** J.D., Georgetown University Law Center
7. **Occupation/profession:** Attorney
8. **Experience(s) that qualifies person for appointment:** See attached resume
9. **Purpose of this appointment:** Replacement
10. **Current composition of the commission (excluding appointee):**

Commissioner	APC	CD	Ethnicity	Gender	Appointment Date	Term Ends
Holoman, Eric L.	South Valley	3	African American	M	12-Apr-10	30-Jun-15
Moss, Richard F.	West	11	Caucasian	M	14-Feb-11	30-Jun-17
Noonan, Christina	West	5	Latina	F	07-Jul-10	30-Jun-16
Parfrey, Jonathan	Central	9	Caucasian	M	12-Jan-09	30-Jun-13
Sayles, Thomas S	West	5	African American	M	11-May-09	30-Jun-14

WILLIAM W. FUNDERBURK, JR.

William W. Funderburk, Jr. handles government initiated and private party enforcement litigation and regulatory compliance. A nationally recognized authority on NPDES storm water compliance issues since 1990, Mr. Funderburk broadened his practice to include all aspects of environmental administrative compliance and litigation under Proposition 65, CERCLA, RCRA, Clean Air Act, Clean Water Act, TSCA and Endangered Species Act. His practice also extends to representing clients before most state, regional and local agencies in California including Boards of Supervisors, the State Assembly, the State Senate, the Governor's office, the California Energy Commission, the Franchise Tax Board, all air quality management districts, all regional water quality control boards and all agencies in the California Environmental Protection Agency. On the national level Mr. Funderburk has appeared before the U.S. Congress, various councils under the jurisdiction of the White House and government agencies ranging from the Departments of Energy, Interior, State and Defense to the U.S. Environmental Protection Agency.

ADMITTED TO THE BAR:

1991, Pennsylvania and District of Columbia

1995, California.

EDUCATION:

Georgetown University Law Center (J.D.)

Yale University (B.A. Engineering & Applied Science)

PUBLICATIONS:

"Highly Charged: Utilities Commission Decision Will Aid Alternative-Energy Generation", William W. Funderburk Jr. and David Niebauer (2003)

"Changing Tide" by Scott D. Pinsky and William W. Funderburk, Jr. (August 8, 1997 issue of the Daily Journal) "Commission Tries to Balance Needs of Power Users, Utilities", By David M. Niebauer and William W. Funderburk Jr. (The Daily Journal, November 13, 2002)

"Long Live Recycling" by William W. Funderburk, Jr. and Lisa J. Morelli. (June 16, 2000 issue of the Daily Journal)

"Defense Strategies in Proposition 65 Litigation", By William W. Funderburk, Jr. and Peter Muthig (Environmental Law Section of the State Bar of California, Vol. 9, No. 2 Spring 2000)

"Plaintiffs Injury Is Still the Focus To Evaluate Standing", By William Funderburk and Lisa Morelli (The Daily Journal, Feb 9, 2000)

"Retrospective Application of the Superfund Recycling Equity Act: A Brave New World for the Recycling Industry" by William W. Funderburk, Jr. and Lisa Morelli. (August 2000 issue of the California Environmental Law Reporter)

"California's Revised Industrial Storm Water Permit: A Practical Review of the Regulations and Their Enforcement" by William W. Funderburk, Jr. (Lead Article, June 1998 issue of the California Environmental Law Reporter)

"Expensive Favor?" by William W. Funderburk, Jr. and Ruben A. Castellon. (June 18, 1998 issue of the Daily Journal)

"Citizen Steel" by William W. Funderburk, Jr. and Ruben A. Castellon. (April 29, 1998 issue of the Daily Journal)

"Discharge Account" by William W. Funderburk, Jr. and Marisa Moret. (May 9, 1997 issue of the Daily Journal)

"Montrose Chemical Corp. v. Superior Court" by Richard A. Dongell and William W. Funderburk, Jr. (Case Commentary, January 1994 issue of the California Environmental Law Reporter)

"Catellus Development Corp. v. United States" by Lisa J. Morelli and William W. Funderburk, Jr. (Case Commentary, October 1993 issue of the California Environmental Law Reporter)

"California's Storm Water Regulation: A Practical Review of the Regulations and Their Enforcement" by William W. Funderburk, Jr. and Jonathan L. Blinderman (Lead Article, November 1993 issue of the California Environmental Law Reporter)

POLITICAL ACTIVITIES:

Finance, Carter for President (1980, Democratic Convention)

Press Aide, Mondale for President (1984)

APPOINTED BY:

California Insurance Commissioner, Environmental Liability Insurance Task Force (1992-1994)

US Environmental Protection Agency, National Phase II Storm Water Advisory Board (1992-1993)

Los Angeles County District Attorney and Los Angeles City Attorney, Environmental Crimes Sentencing Task Force (1993-1995)

California Office of Planning and Research, Environmental Justice Legal Task Force (2002-2003)

Los Angeles County Board of Supervisors, Natural History Museum (Board of Trustees and Board of Governors, 2004-2006)

Los Angeles County Bar Association, Environmental Section (Executive Committee, 2006-2008)

MEMBER:

District of Columbia Bar

State Bar of California (Environmental Section)

Thompson Publishing National Stormwater Advisory Board (1994-present)

Board of Directors (1996-2001, counsel on merger with National Environmental Education Trust Fund), The EnvironMentors Project

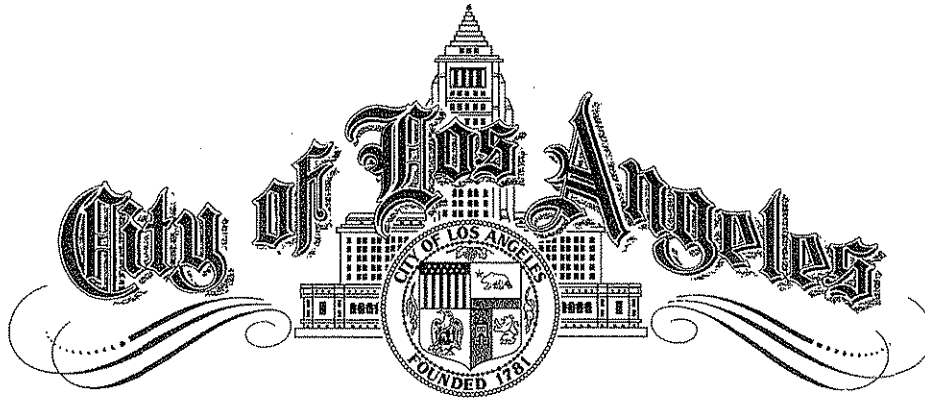
Board of Directors, Wildlife On Wheels (Chairman, 1999-2003)

California Minority Counsel Program (Member, 2003-present; Steering Committee, 2004-2007)

Los Angeles County Bar Association (Executive Committee for Environment Section, 2006-2008; Member, Section on Environment, 2006-present)

Board of Directors, Roy W. Roberts II Watts/Willowbrook Boys & Girls Club (2011- present)

Board, Greater Wilshire Neighborhood Council (2012-present, also serve on Land Use Committee)



ERIC GARCETTI
MAYOR

August 16, 2013

Mr. William W. Funderburk, Jr.

Dear Mr. Funderburk:

I am pleased to inform you that I hereby appoint you to the Board of Water and Power Commissioners for the term ending June 30, 2017. In order to complete the process as quickly as possible, there are several steps that must be taken, many of which require visiting City Hall. If you require parking during these procedures, please call Justin Gonzalez in my Office at (213) 364-0506 to make arrangements for you.

To begin the appointment process, please review, sign and return the enclosed Ethics Pledge, Remuneration Form, Undated Separation Forms, Background Check Release and Information Sheet **within one week** of receiving this letter. These documents are necessary to ensuring the most efficient, open and accountable City government possible. Further, Mayor's Office policy requires you to be fingerprinted as part of the background check that is done on all potential Commissioners. To do so, please bring this letter to the Background Unit of Employment Services Division, Personnel Department Building, 700 East Temple Street, Room 235, Los Angeles, California 90012. The division phone number is (213) 473-9343. Fingerprints must be taken **within three working days** from the **receipt** of this letter.

Under separate cover you will be receiving a packet from the City Ethics Commission containing information about the City's conflict of interest laws and a copy of the State Form 700/Statement of Economic Interests. You are required to complete and return this form **within 21 days** of your nomination to the City Ethics Commission, 200 North Spring Street, City Hall, 24th Floor, Los Angeles, California 90012. Any inquiries regarding this form should be directed to Shannon Prior at the Ethics Commission at (213) 978-1960.

Mr. William W. Funderburk, Jr.
August 16, 2013
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As part of the City Council confirmation process, you will need to meet with Tom LaBonge, your Councilmember, and Councilmember Felipe Fuentes, the Chair of the Energy and Environment Committee, to answer any questions they may have. You will be hearing from a City Council committee clerk who will let you know when your appointment will be considered by the Energy and Environment Committee. Some time thereafter, you will be notified by the committee clerk when your appointment will be presented to the full City Council for confirmation. Once you are confirmed, you will be required to take the oath of office in the City Clerk's Office in Room 395 of City Hall. Julie Ciardullo with the Mayor's staff will assist you during the confirmation process if you have questions.

Commissioners must be residents of the City of Los Angeles. If you move at any point during your term, have any changes in your telephone numbers, or in the future plan to resign (resignation must be put in writing), please contact my office immediately.

Congratulations and thank you for agreeing to serve the people of Los Angeles.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Garcetti". The signature is stylized and written in a cursive-like font.

ERIC GARCETTI
Mayor

EG:dlg

Attachment I
Mr. William W. Funderburk, Jr.
August 16, 2013

Nominee Check List

I. Within three days:

- Get fingerprinted to complete a background check.**
No appointment is necessary. Bring the Mayor's letter to:
Background Unit of Employment Services Division, Personnel
Department Building, 700 East Temple Street, Room 235, Los Angeles,
California 90012. Phone: (213) 473-9343.

II. Within seven days:

Mail, fax or email the following forms to: Julie Ciardullo, Office of the Mayor,
Office of External Affairs, City Hall, 200 N. Spring Street, Los Angeles, CA 90012
or fax: 213-978-0720 or email: julie.ciardullo@lacity.org.

- Ethics Pledge**
- Remuneration Form**
- Undated Separation Forms**
- Background Check Release**
- Information Sheet/Voluntary Statistics**

III. Within 21 days:

File the following forms with the City Ethics Commission. *If you are required to file, you will receive these forms in the mail from that office.*

- Statement of Economic Interest ("Form 700")**
IMPORTANT: The City Council will not consider your nomination until
your completed form is reviewed by the Ethics Commission.
- Residence Verification Form**

IV. As soon as possible, the Mayor's Office will schedule a meeting with you and:

- Your City Councilmember Tom LaBonge** (contact at 213-473-7004).
- Councilmember Felipe Fuentes, Chair of the Council Committee considering your nomination** (contact at 213-473-7007).

Staff in the Mayor's Office of External Affairs will assist you with these arrangements.