



THIS MEETING WILL BE CONDUCTED WITH IN PERSON ATTENDANCE PERMITTED. THE CDC STILL RECOMMENDS MASKING FOR ALL INDIVIDUALS BUT IS NOT MANDATORY. PARTICIPATION WILL ALSO BE AVAILABLE VIA VIDEO CONFERENCE OR TELECONFERENCE.

TO PARTICIPATE IN THE MEETING VIA VIDEO OR TELECONFERENCE, GO TO <https://rainbowmwd.zoom.us/j/82521741222> OR CALL 1-669-900-6833 or 1-346-248-7799 or 1- 253-215-8782 or 1-301-715-8592 or 1-312-626-6799 or 1-929-205-6099 (WEBINAR/MEETING ID: 825 2174 1222).

MEMBERS OF THE PUBLIC WISHING TO SUBMIT WRITTEN COMMENT TO THE BOARD UNDER PUBLIC COMMENT OR ON A SPECIFIC AGENDA ITEM MAY SUBMIT COMMENTS TO OUR BOARD SECRETARY BY EMAIL AT DWASHBURN@RAINBOWMWD.COM OR BY MAIL TO 3707 OLD HIGHWAY 395, FALLBROOK, CA 92028. ALL WRITTEN COMMENTS RECEIVED **AT LEAST ONE HOUR IN ADVANCE OF THE MEETING** WILL BE READ TO THE BOARD DURING THE APPROPRIATE PORTION OF THE MEETING. THESE PUBLIC COMMENT PROCEDURES SUPERSEDE THE DISTRICT'S STANDARD PUBLIC COMMENT POLICIES AND PROCEDURES TO THE CONTRARY.

RAINBOW MUNICIPAL WATER DISTRICT BOARD MEETING

Tuesday, July 26, 2022

Closed Session 11:00 a.m.

Open Session 1:00 p.m.

THE PURPOSE OF THE REGULAR BOARD MEETING IS TO DISCUSS THE ATTACHED AGENDA

District Office

3707 Old Highway 395

Fallbrook, CA 92028

Board Agenda Policies

Board of Directors Meeting Schedule Regular Board meetings are normally scheduled for the 4th Tuesday of the month with Open Session discussions starting time certain at 1:00 p.m.

Breaks It is the intent of the Board to take a ten-minute break every hour and one-half during the meeting.

Public Input on Specific Agenda Items and those items not on the Agenda, Except Public Hearings Any person of the public desiring to speak shall fill out a "Speaker's Slip", encouraging them to state their name, though not mandatory. Such person shall be allowed to speak during public comment time and has the option of speaking once on any agenda item when it is being discussed. Speaking time shall generally be limited to three minutes, unless a longer period is permitted by the Board President.

Public Items for the Board of Directors' agenda must be submitted in writing and received by the District office no later than 10 business days prior to a regular Board of Directors' Meeting.

Agenda Posting and Materials Agendas for all regular Board of Directors' meetings are posted at least seventy-two hours prior to the meeting on bulletin boards outside the entrance gate and the main entrance door of the District, 3707 Old Highway 395, Fallbrook, California 92028. The agendas and all background material may also be inspected at the District Office.

You may also visit us at www.rainbowmwd.com.

Time Certain Agenda items identified as "time certain" indicate the item will not be heard prior to the time indicated.

Board meetings will be audio and video recorded with copies available upon request. Requests for audio recordings will be fulfilled once draft minutes for such meeting have been prepared. There are no costs associated with obtaining copies of audio and video recordings; however, these recordings will only be retained according to the policies provided in the District's Administrative Code. Copies of public records are available as a service to the public; a charge of \$.10 per page up to 99 pages will be collected and \$.14 per page for 100 pages or more.

If you have special needs because of a disability which makes it difficult for you to participate in the meeting or you require assistance or auxiliary aids to participate in the meeting, please contact the District Secretary, (760) 728-1178, by at least noon on the Friday preceding the meeting. The District will attempt to make arrangements to accommodate your disability.

(*) - Asterisk indicates a report is attached.

Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Closed Session at 11:00 a.m. and Open Session at 1:00 p.m. Tuesday, July 26, 2022, at the District Office located at 3707 Old Highway 395, Fallbrook, CA 92028. At any time during the session, the Board of Directors Meeting may adjourn to Closed Session to consider litigation or to discuss with legal counsel matters within the attorney client privilege.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL: Gasca___ Hamilton___ Mack___ Moss___ Stewart___**
3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
4. **INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

CHAIR TO READ ALOUD - "If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.

*Those who have joined by dialing a number on their telephone, will need to press *6 to unmute themselves and then *9 to alert us that they would like to speak.*

A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."

5. **ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING CLOSED SESSION AGENDA ITEMS (Government Code § 54954.2).**

Under Oral Communications, any person in attendance wishing to address the Board regarding Closed Session agenda items should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. Any person attending the meeting remotely wishing to address the Board regarding Closed Session agenda items may email or mail in their comments to the Board Secretary one hour before the Closed Session scheduled start time to be read to the Board prior to their adjournment to Closed Session or may speak to the Board by calling (760) 728-1178, listening for "Thank you for calling Rainbow Municipal Water District", dialing Extension 429, and entering pin 8607 at the Closed Session scheduled start time. Once all public comment is heard, this call will be disconnected, and the Board will adjourn to Closed Session. To participate in the Open Session portion of the meeting, please follow the instructions provided at the top of Page 1 of this agenda. Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

6. **CLOSED SESSION**
 - A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))
 - * Three Items
 - B. Appointment, Employment; Evaluation of Performance – General Manager (Government Code §54957(B)(1))

(*) - Asterisk indicates a report is attached.

7. **REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

Time Certain: 1:00 p.m.

8. **REPEAT CALL TO ORDER**

9. **PLEDGE OF ALLEGIANCE**

10. **REPEAT ROLL CALL**

*11. **BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 22-22 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)**

(A majority of the RMWD Board of Directors invoked AB361 at their October 26, 2021 meeting and to comply with AB361, the Board must reconsider the circumstances of emergency at all subsequent meetings.)

12. **REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION**

13. **REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**

14. **REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

CHAIR TO READ ALOUD - *"If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.*

*Those who have joined by dialing a number on their telephone, will need to press *6 to unmute themselves and then *9 to alert us that they would like to speak.*

A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."

15. **ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS NOT ON THIS AGENDA (Government Code § 54954.2).**

Under Oral Communications, any person in attendance wishing to address the Board regarding matters not on this agenda should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. Any person attending remotely wishing to address the Board regarding matters not on this agenda should indicate their desire to speak or may email or mail their comments to the Board Secretary one hour before the Open Session scheduled start time. All written public comments received will be read to the Board during the appropriate portion of the meeting. No action will be taken on any oral communications item since such item does not appear on this Agenda, unless the Board of Directors makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting of the Agenda (Government Code §54954.2). Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

16. **EMPLOYEE RECOGNITIONS**

- A. Ramon Zuniga (30 Years)
- B. Clem Taylor (15 Years)
- C. Jerry Kraft (15 Years)
- D. Gerardo Cancino (15 Years)

(*) - Asterisk indicates a report is attached.

***17. APPROVAL OF MINUTES**

- A. June 28, 2022 - Regular Board Meeting

***18. BOARD OF DIRECTORS' COMMENTS/REPORTS**

Directors' comments are comments by Directors concerning District business, which may be of interest to the Board. This is placed on the agenda to enable individual Board members to convey information to the Board and to the public. There is to be no discussion or action taken by the Board of Directors unless the item is noticed as part of the meeting agenda.

- A. President's Report (Director Hamilton)
- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - A. Summary of Board Meeting June 23, 2022
 - 2. CSDA
 - 3. LAFCO
 - 4. Santa Margarita River Watershed Watermaster Steering Committee
 - 5. ACWA
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
 - 1. Board Seminar/Conference/Workshop Training Attendance Reports
- D. Directors Comments
- E. Legal Counsel Comments
 - 1. Attorney Report: Water Quality

19. COMMITTEE REPORTS

- A. Budget and Finance Committee
- B. Engineering and Operations Committee
- C. Communications and Customer Service Committee

Time Certain: 1:00 p.m. Public Hearing

***20. PUBLIC HEARING**

- A. **DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-21 TO AMEND THE 2020 WATER SHORTAGE CONTINGENCY PLAN (WSCP) AND TO APPROVE ORDINANCE 22-13 TO UPDATE THE DISTRICT'S DROUGHT ORDINANCE TO REFLECT CHANGES TO THE WSCP (DISTRICT WIDE)**

(Adoption of Resolution 22-21 will amend the District's Water Shortage Contingency Plan with modifications to actions taken during water level shortages. Approval of Drought Ordinance 22-13 will reflect the changes presented in the adopted Water Shortage Contingency Plan.)

BOARD ACTION ITEMS

- 21. **CONSIDER AWARD OF CONSTRUCTION CONTRACT IN THE AMOUNT OF \$839,850 WITH ORTIZ CORPORATION FOR THE RAINBOW WATER QUALITY IMPROVEMENT PROJECT - WATER MAIN AND SERVICE RELOCATION PROJECT IN DIVISION 5**

(The District's Rainbow Water Quality Improvement Project - Main and Service Relocation is occurring in response to the County's Rainbow Water Quality Improvement Project which does not involve the water quality in Rainbow Municipal Water District's distribution system, but rather surface water runoff from roads and is a stormwater project to control pollutants that may enter Rainbow Creek and its tributaries. The County and District have identified the need to relocate approximately 21 service laterals, 350 feet of 8-inch water main, 650 feet of 12-inch main and three (3) sections of 8-inch water main to remove existing utility conflicts with the County's proposed water quality improvements.)

(*) - Asterisk indicates a report is attached.

- *22. DISCUSSION AND POSSIBLE ACTION TO AWARD A PROFESSIONAL SERVICES AGREEMENT FOR THE SAN LUIS REY IMPORTED RETURN FLOW RECOVERY PROJECT (DISTRICT WIDE)**
(A strategic goal of the District is to diversify the water supply with locally-controlled reliable sources. The San Luis Rey Imported Return Flow Recovery Project is a multi-phased project that involves the investigation of identifying the feasibility of implementing a local water supply, determining the financial costs (e.g. construction and long-term maintenance) associated with a solution, and partnering with local stakeholders to gain support for the project.)
- *23. DISCUSSION AND POSSIBLE ACTION ON REQUEST TO QUITCLAIM AN EASEMENT ON APN 126-050-72-00 AND APN 126-050-73-00 NEAR VIA PUERTA DEL SOL (DIVISION 2)**
(Owners have requested that an easement be abandoned to allow for the construction of a building in the location of the existing easement. District staff have concluded that the easement could reasonably be quitclaimed back to the owner without negative consequences for the District.)
- *24. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 22-15 – AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST**
(As the positions change at the District, a review of the Administrative Code Section 1.02.020 - Conflict of Interest Code is conducted to determine whether those positions listed in the Conflict of Interest Code need to be updated accordingly.)
- 25. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

BOARD INFORMATION ITEMS

- *26. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
 - A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
 - B. Operations Comments**
 - 1. Operations Report
 - C. Engineering Comments**
 - 1. Engineering Report
 - 2. As-Needed Services Expenditures Summary
 - 3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
 - D. Human Resource & Safety Comments**
 - 1. Human Resources Report
 - 2. Organizational Chart
 - E. Finance Comments**
 - 1. Board Information Report
 - A.** Budget vs. Actuals
 - B.** Fund Balance & Developer Projections
 - C.** Treasury Report
 - D.** Five Year Water Purchases Demand Chart
 - E.** Water Sales Summary
 - F.** Check Register
 - G.** Directors' Expenses Report
 - H.** Credit Card Breakdown
 - I.** RMWD Properties

27. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

(*) - Asterisk indicates a report is attached.

28. **ADJOURNMENT - To Tuesday, August 30, 2022 at 1:00 p.m.**

ATTEST TO POSTING:

Pam Moss
Pam Moss
Secretary of the Board

7-18-22 @ 2:00 p.m.
Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.

BOARD OF DIRECTORS

July 26, 2022

SUBJECT

BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 22-22 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)

BACKGROUND

On September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”), which incorporated into California state law some aspects of the teleconferencing rules that have applied by Executive Order to local public agencies during the COVID-19 pandemic. Notably, because AB 361 included an urgency measure, the law was immediately effective as of the date of the Governor’s signature. AB 361 provides that it sunsets on January 1, 2024.

Benefits

Benefits of operating under AB 361 during the COVID-19 pandemic, as opposed to under the normal open meeting laws, include the following:

- Agendas need not be posted at all teleconference locations;
- Each teleconference location need not be identified in the notice and agenda of the meeting;
- Each teleconference location need not be accessible to the public; and
- A quorum of the members of the legislative body do not need to participate in the meeting from locations within the boundaries of the territory over which the public agency exercises jurisdiction.

Requirements

Following are requirements for invoking AB 361 the first time that a public agency does so:

1. There must be a “proclaimed state of emergency,” as there is currently, in that the Governor’s State of Emergency Declaration, issued on March 4, 2020, has not been lifted, and
2. One of the following three circumstances must exist:
 1. State or local officials have imposed or recommended measures to promote social distancing.
 2. The meeting is held to determine, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to health or safety of attendees.
 3. The majority of the legislative body has voted that, as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees.

If a public agency wishes to consider invoking AB 361 for subsequent meetings, the following is required:

1. The proclaimed state of emergency must remain active; or
2. State or local officials have imposed or recommended measures to promote social distancing; and
3. Not later than 30 days after teleconferencing for the first time under the AB 361 rules, *and every 30 days thereafter*, the Legislative body shall make the following findings by majority vote:
 - The legislative body has reconsidered the circumstances of emergency, and at least one of the following circumstances exist:
 1. The state of emergency continues to directly impact the ability of the members to meet safely in person; or
 2. State or local officials continue to impose or recommend measures to promote social distancing.

If a public agency invokes AB 361, the following notice and public participation requirements apply:

Notice Requirements

- Each notice of the meeting and agenda must identify the means by which members of the public may access the meeting and offer public comment by a call-in option or an internet-based service option (does not need to be both).

Public Participation Requirements

- Cannot require public comments to be submitted in advance of the meeting (although the agency may provide this as an option along with the call-in or internet-based service option).
- Public must be able to attend via call-in option or internet-based service option (does not need to be both).
- Public must be able to address the legislative body “directly” via call-in option or internet-based service option.
- The public agency must provide an opportunity for the public to address the Legislative body and “offer comment in real time.”
- If there is a disruption that prevents the public agency from broadcasting the meeting using the call-in option or internet based service option, or if there is a disruption within the public agency’s control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the body “shall take no further action on items appearing on the agenda until public access to the meeting via the call-in option or internet-based service option is restored.”
- Timing of Public Comment Period
 - If a legislative body does not provide a timed public comment period, but takes public comment separately on each agenda item, it shall allow a “reasonable amount of time per agenda item to allow public members the opportunity to provide public comment,” including time for members of the public to register to provide comment or otherwise be recognized for the purpose of providing public comment.

- If a legislative body provides a timed general public comment period that does not correspond to a specific agenda item, it shall not close the public comment period or the opportunity to register until the timed general public comment period has lapsed.
- If a legislative body provides a timed public comment period for each agenda time, it shall not close the public comment period or the opportunity to register until the timed public comment has elapsed.

DESCRIPTION

Continuing Legislative Findings

On October 26, 2021, the Board of Directors approved a Resolution authorizing virtual meetings in accordance with Assembly Bill 361. The Board of Directors approved a Resolution renewing the virtual meeting authorization pursuant to AB 361 on June 28, 2022. In order to continue virtual meetings, AB 361 requires that the Board adopt the legislative findings discussed above every 30 days, for as long as the Board wishes to continue virtual meetings.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a "project" as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

1. Adopt the attached Resolution No. 22-22 renewing virtual meetings in accordance with Assembly Bill 361.
2. Do not invoke AB 361 and provide staff with direction.

STAFF RECOMMENDATION

Staff supports direction.



Tom Kennedy, General Manager

July 26, 2022

RESOLUTION NO. 22-22

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
RENEWING REMOTE TELECONFERENCE MEETINGS
IN ACCORDANCE WITH ASSEMBLY BILL 361 (AB361)**

WHEREAS, COVID-19 (also known as the “Coronavirus Disease”) is a respiratory disease that has spread across the globe, with thousands of confirmed cases in California; and

WHEREAS, according to data from Johns Hopkins University, the COVID-19 pandemic has caused the death of more than 68,796 Californians as of October 1, 2021; and

WHEREAS, social distancing measures decrease the chance of spreading COVID-19; and

WHEREAS, the Rainbow Municipal Water District is committed to preserving and fostering public access, transparency, observation, and participation in meetings of the Board of Directors and Committee meetings; and

WHEREAS, all meetings of the Board of Directors and Standing Committees are open and public as required by the Ralph M. Brown Act, Government Code sections 54950 – 54963, so that any member of the public may attend, observe, and participate in a meaningful way; and

WHEREAS, Government Section 54953 (b) (3) of the Brown Act allows a local legislative body to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, as long as the following requirements are met:

1. Each teleconference location from which a member is participating is noticed on the agenda;
2. Each teleconference location is accessible to the public;
3. Members of the public must be able to address the body at each teleconference location;
4. At least one member of the legislative body must be physically present at the location specified in the meeting agenda; and

5. During teleconference meetings, at least a quorum of the members of the local body must participate from locations within the local body's territorial jurisdiction; and

WHEREAS, the Brown Act, as amended by AB 361 (2021), at Government Code section 54953(e) *et seq.*, allows for remote observation and participation in meetings by members of a legislative body and members of the public without compliance with the requirements of Government Code section 54953(b)(3), subject to certain conditions; and

WHEREAS, the initial required condition is a declaration of a state of emergency by the Governor pursuant to the California Emergency Services Act at Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state and within the boundaries of the Rainbow Municipal Water District, caused by conditions as described in Government Code section 8558; and

WHEREAS, the Governor's Proclamation of a State of Emergency includes area within the boundaries of the Rainbow Municipal Water District; and

WHEREAS, Government Code Section 54953(e)(3)(A-B) added by AB 361 provides an alternative to having public meetings in accordance with Government Code Section 54953(b)(3) when the Rainbow Municipal Water District has reconsidered the circumstances of the COVID-19 state of emergency and that the following circumstances exist:

1. The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of Board of Directors and the members of the Standing Committees to meet safely in person; and
2. The State of California and the County of San Diego continue to recommend measures to promote social distancing.

WHEREAS, Government Code Section 54953(e) *et seq.* further requires that state or local officials have imposed or recommended measures to promote social distancing or the legislative body finds that meeting in person would present an imminent risk to the health or safety of attendees; and

WHEREAS, such conditions now exist in the Rainbow Municipal Water District's territorial boundaries in that (i) State and Local officials recommend social distancing measures and (ii) emergency conditions evidenced by COVID-19 and its variants create ongoing COVID-19 cases, hospitalizations, and deaths, such that COVID-19 continues to pose an imminent risk to the public; and

WHEREAS, the Rainbow Municipal Water District affirms that it will allow for observation and participation by Board Members, Committee members and the public via Zoom in an effort to protect the constitutional and statutory rights of all attendees; and

WHEREAS, on October 26, 2021, the Board of Directors approved a Resolution authorizing virtual meetings in accordance with Assembly Bill 361; and

WHEREAS, the Board of Directors approved a Resolution renewing the virtual meeting authorization pursuant to AB 361 on June 28, 2022; and

WHEREAS, Government Code Section 54953 (e)(3) requires that the Rainbow Municipal Water District review the need and make findings for continuing the teleconferencing as authorized by AB 361 at least once every thirty days until the Governor terminates the state of emergency.

NOW, THEREFORE, THE RAINBOW MUNICIPAL WATER DISTRICT HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The Rainbow Municipal Water District finds that the state of emergency conditions related to COVID-19 as set forth in the Governor’s Proclamation of Emergency are on-going.

Section 3. The Rainbow Municipal Water District further finds that state and county officials recommend social distancing conditions to prevent imminent risk to in-person meeting attendees.

Section 4. The Rainbow Municipal Water District hereby recognizes and affirms the existence and conditions of a state of emergency as proclaimed by the Governor and by state and local officials; and the Rainbow Municipal Water District affirms, authorizes, and proclaims the existence of a local emergency throughout its territorial boundaries.

Section 5. The Rainbow Municipal Water District finds that the state of emergency as a result of COVID-19 continues to directly impact the ability of members of the Board, Committees and the public to meet safely in person, and that COVID-19 continues to pose an imminent health risk to the public.

Section 6. The Rainbow Municipal Water District hereby authorizes the Board of Directors and Committee members to conduct their meetings without compliance with Government Code section 54953(b)(3), and to instead comply with the remote meeting requirements as authorized by Government Code section 54953(e) *et seq.*

Section 7. The Board President and Board Secretary are authorized and directed to take all actions reasonably necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings remotely in accordance with Government Code section 54953(e) *et seq.*, and other applicable provisions of the Brown Act, for all Board of Directors and Standing Committee meetings.

Section 8. This Resolution shall renew the virtual meeting authorization adopted by the Board of Directors on June 28, 2022. This renewed virtual meeting authorization shall take effect immediately upon its adoption and shall be effective until either (i) thirty days after the adoption of this Resolution, or (ii) such time as the Rainbow Municipal Water District adopts a Subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors and Standing Committees may continue to meet remotely, without compliance with Government Code section 54953(b)(3), but otherwise as permitted by Government Code section 54953(e) *et seq.*

PASSED AND ADOPTED at a meeting of the Board of Directors of the Rainbow Municipal Water District held on the 26th day of July 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Hayden Hamilton, Board President

ATTEST:

Dawn M. Washburn, Board Secretary

**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
JUNE 28, 2022**

1. **CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on June 28, 2022, was called to order by President Hamilton at 11:32 a.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(All meetings are being held with in-person attendance following County and State COVID guidelines as well as virtually.)* President Hamilton presiding.

2. **ROLL CALL**

Present: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Also Present: General Manager Kennedy, Legal Counsel Smith, Executive Assistant Washburn, Information Technology Manager Khattab, Project Manager Tamimi.

Also Present Via Teleconference or Video Conference:

Legal Counsel Duran-Brown.

No members of the public were present in person, via teleconference or video conference before Closed Session.

3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**

Mr. Kennedy pointed out Resolution No. 22-20 related to Item #23 that was distributed as part of this meeting agenda requires a vote for submission to ACWA. He suggested this item be added as Item #23B.

Legal Counsel pointed out the information for this item came to the attention of the District after the agenda was posted and has a need for immediate action.

Motion:

Action: *To add Resolution No. 22-20 as Item #23B on the agenda.*

Approve, Moved by Director Gasca, Seconded by Director Stewart.

Vote: *Motion carried by unanimous vote (summary: Ayes = 5).*

Ayes: *Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.*

(*) - Asterisk indicates a report is attached.

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4. INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE

There were no members of the public in attendance; therefore, the instructions were not read aloud.

5. ORAL/Written COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING CLOSED SESSION AGENDA ITEMS (Government Code § 54954.2).

There were no comments.

The meeting adjourned to Closed Session at 11:35 a.m.

6. CLOSED SESSION

A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))

* Two Items

B. Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)

* TC Construction Company, Inc. v. Rainbow Municipal Water District, et al.

C. Consider Information Report on Cyber Security (Government Code §54957(a))

The meeting reconvened at 1:04 p.m.

President Hamilton called for a break at 1:04 p.m.

The meeting reconvened at 1:11 p.m.

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

This item was addressed under Item #12.

Time Certain: 1:00 p.m.

8. REPEAT CALL TO ORDER - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on June 28, 2022, was called to order by President Hamilton at 1:11 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(All meetings are being held with in-person attendance following County and State COVID guidelines as well as virtually.)* President Hamilton presiding.

9. PLEDGE OF ALLEGIANCE

(*) - Asterisk indicates a report is attached.

10. REPEAT ROLL CALL

Present: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Also Present: General Manager Kennedy, Legal Counsel Smith, Executive Assistant Washburn, Information Technology Manager Khattab, Human Resources Manager Harp, Finance Manager Largent.

Also Present Via Teleconference or Video Conference:

Legal Counsel Duran-Brown, Engineering and CIP Program Manager Williams, Operations Manager Gutierrez, Construction and Meters Supervisor, Lagunas, Project Manager Parra, Project Manager Tamimi, Associate Engineer Powers, Senior Accountant Rubio, Engineering Technician Rubio.

Four members of the public were present for Open Session in person, via teleconference or video conference.

***11. BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 22-15 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)**

Motion:

To adopt Resolution No. 22-15.

Action: Approve, Moved by Director Gasca, Seconded by Director Stewart.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Discussion returned from Item #23.

Mr. Kennedy stated Ms. Washburn looked into the matter regarding Resolution No. 22-15 per Director Gasca’s earlier inquiry and found the resolution number listed on the agenda for Item #11 was a typographical error and should have been Resolution No. 22-15. He noted Resolution No. 22-15 was attached to the agenda for this item and was the actual resolution number adopted by the Board which will be corrected in the meeting minutes accordingly.

Discussion went to Item #23A.

12. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Legal Counsel reported the Board met in Closed Session to discuss four items noting there was no reportable action.

(*) - Asterisk indicates a report is attached.

13. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)

Mr. Kennedy noted information was required that came to the District’s attention after the agenda had been posted that requires immediate action; therefore, the Board unanimously voted to approve an amendment to the agenda to add a resolution to the action item under Item #23 (Item #23B).

14. REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE

There were no members of the public in attendance; therefore, the instructions were not read aloud.

15. ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS NOT ON THIS AGENDA (Government Code § 54954.2).

There were no comments.

***16. APPROVAL OF MINUTES**

A. May 24, 2022 - Regular Board Meeting

Motion:

To approve the minutes.

Action: Approve, Moved by Director Moss, Seconded by Director Hamilton.

Vote: Motion passed (summary: Ayes = 4, Noes = 0, Abstain = 1).

Ayes: Director Hamilton, Director Mack, Director Moss, Director Stewart.

Abstain: Director Gasca.

***17. BOARD OF DIRECTORS’ COMMENTS/REPORTS**

Directors’ comments are comments by Directors concerning District business, which may be of interest to the Board. This is placed on the agenda to enable individual Board members to convey information to the Board and to the public. There is to be no discussion or action taken by the Board of Directors unless the item is noticed as part of the meeting agenda.

A. President’s Report (Director Hamilton)

President Hamilton pointed out there were credit incentive points with SDRMA for attending the CSDA annual conference. Ms. Harp explained RMWD did receive credits for attendance during previous fiscal years; however, should the District no longer participate in SDRMA’s program, these will no longer apply.

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President Hamilton encouraged Ms. Largent and Mr. Gutierrez to attend the “Do You Want to be a General Manager” workshop. Ms. Largent stated she has already attended this workshop and shared the materials with Mr. Gutierrez.

President Hamilton mentioned numerous signs along the roadways relative to the current water situation during his trip through Northern California.

President Hamilton reported he will not be in attendance for the Board meeting in July.

B. Representative Report (Appointed Representative)

1. SDCWA

A. Summary of Board Meeting May 26, 2022

Mr. Kennedy reported on the recent SDCWA Board meeting, noting there was a news conference relative to the drought with the general message that everyone needs to conserve. He also mentioned there were two main items focused on by the Administrative and Finance Committee focused on which he participates. He noted one of the items was changes in the variable and fixed charges and how the variable charges over 8% were for only two agencies: FPU and RMWD to which he was the only one to vote in opposition. He stated the other item was related to proposed budget adjustments to which there was not much shift; however, there was one line item to spend another \$1 million on the Regional Conveyance System. He mentioned he made a motion to approve the budget adjustments with this line item pulled so it could be voted on separately that was seconded. He stated after much discussion, he amended his motion that it include directing SDCWA staff to come back an update the member agencies on the Regional Conveyance System project which was approved although it was indicated that since SDCWA was in a lawsuit with Metropolitan Water District (MWD), this would need to be discussed in Closed Session which was deferred to SDCWA Legal Counsel for confirmation.

2. CSDA

Director Mack mentioned the CSDA Annual Conference will take place in August in Palm Springs.

3. LAFCO

Mr. Kennedy noted there will not be a meeting held in July.

4. Santa Margarita River Watershed Watermaster Steering Committee

President Hamilton noted the next meeting will be on July 19, 2022.

5. ACWA

Director Gasca mentioned there was a Region 9 meeting held in Temecula recently; however, he was unable to attend. He also noted Region 10 will be holding a workshop on August 2nd at Olivenhain Municipal Water District for those interested.

Director Gasca pointed out EMWD brought their third desalter on line on June 23rd. He expressed an interest in getting to understand the total cost of one of these facilities should RMWD attached to EMWD. Mr. Kennedy noted this was included in the MOU. Director Gasca said if there is an opportunity to add to RMWD’s water portfolio in this fashion, it should be done.

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- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
 - 1. Board Seminar/Conference/Workshop Training Attendance Reports

Director Gasca reported on the 2022 ACWA Spring Conference due to his absence at the May Board meeting noting discussions regarding RMWD be invited to rejoin ACWA/JPIA, moving forward on infrastructure, as well as his participation on the panel related to RMWD's RAWS program.

D. Directors Comments

There were no comments.

E. Legal Counsel Comments

- 1. Attorney Report: Water Rates

Legal Counsel summarized the information contained in the written report.

18. COMMITTEE REPORTS

A. Budget and Finance Committee

Mr. Nelson reported the committee met on June 14th at which the committee recommended the Board approve the staff recommendations for Items #21, and #24 on this meeting agenda. He also noted the committee reviewed the information item being presented under Item #27 and recommend the letter be accepted.

B. Communications and Customer Service Committee

President Hamilton reported the committee discussed communications related to re-announcing the availability of Flume devices, means for sub-metered ratepayers to receive direct communications from RMWD, exploring an opportunity for the RMWD headquarters becoming a field trip destination for local schools, communication strategies for backflow device removal, the need for more committee members, as well as received an update on RMWD's call volume.

C. Engineering and Operations Committee

Mr. Nelson reported this committee did not meet in the month of June. He mentioned the July committee meeting will include the groundwater consultancy solicitation and award process.

Time Certain: 1:00 p.m. Public Hearings

***19. PUBLIC HEARINGS**

A. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-14 FOR ID 1 STANDBY CHARGES

President Hamilton Opened the Public Hearing at 1:47 p.m.

There were no public comments or additional comments from staff members.

Director Gasca inquired as to what limit standby charges could be increased. Mr. Kennedy noted there was no limit, but it would have to go to a vote of the ratepayers for two-thirds majority vote.

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President Hamilton closed the public hearing at 1:50 p.m.

There were no additional comments from the Board.

Motion:

To adopt Ordinance No. 22-14.

Action: Approve, Moved by Director Stewart, Seconded by Director Moss.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

B. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-18 APPROVING THE AMENDED AND RESTATED RESOLUTION TO CONFIRM PARTICIPATION IN SCIP

President Hamilton opened the Public Hearing at 1:52 p.m.

There were no public comments.

Mr. Kennedy clarified SCIP is part of a stream-line process for smaller developers to pool the projects to issue bonds for community facilities district-type activities such as funding for infrastructure projects and capacity fees. He noted it was used last for the DR Horton project. He noted the law changes at times every so often and there are some rules that change; therefore, the Board has to reaffirm so that should a future developer wish to do this.

President Hamilton asked if this was a reaffirmation of something the Board approved previously. Mr. Kennedy confirmed this was true.

President Hamilton inquired as to whether there were any changes to what was approved previously and what was being requested for approval at this time. Mr. Tamimi stated by adding the CFD's, developers can finance a broader range of the county fees such as police, fire, library, etc. to provide more flexibility and opportunity. He confirmed RMWD was being proactive as opposed to responding to a specific developer's need or request.

There were no additional comments from the Board or staff members.

Motion:

To approve Resolution No. 22-18.

Action: Approve, Moved by Director Hamilton, Seconded by Director Gasca.

President Hamilton amended his original motion.

Motion:

To approve Option 1 - Make a determination that the action defined herein does not constitute a "project" as defined by CEQA, adopt Resolution Number 22-18, Amended and Restated Resolution of the Board of Directors of the Rainbow Municipal Water District

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Authorizing the District to Join the Statewide Community Infrastructure Program; Authorizing the California Statewide Communities Development Authority to Accept Applications from Property Owners, Conduct Special Assessment Proceedings and Levy Assessments and Special Taxes and to Form Assessment Districts and Community Facilities Districts Within the Territory of the Rainbow Municipal Water District; Embodying a Joint Community Facilities Agreement Setting Forth the Terms and Conditions of Community Facilities District Financings; Approving Form of Acquisition Agreement For Use When Applicable; and Authorizing Related Actions, and authorize the General Manager to proceed with all documentation and filings to authorize membership in SCIP.

Action: Approve, Moved by Director Hamilton, Seconded by Director Gasca.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

President Hamilton closed the public hearing at 1:58 p.m.

BOARD ACTION ITEMS

- 20. CONSENT TO THE OMISSION OF SIGNATURES FROM THE FINAL MAP FOR COUNTY OF SAN DIEGO TRACT NO. 5354-4, AND MAKE A FINDING THAT THE FINAL MAP WILL NOT UNREASONABLY INTERFERE WITH THE FREE AND COMPLETE EXERCISE OF THE DISTRICT'S EASEMENTS (DIVISION 4)**

Mr. Tamimi explained staff was asking the Board to consider this consenting to this omission of signature from the final map for one phase of the Citro development. He stated the existing map granted an easement to the District and established a large master of parcels within the development. He pointed out a new final map is under consideration which will split the larger master parcels into individual residential lots which will not interfere with the existing easement and how, with the Board's consent, the Mr. Kennedy would send a Signature Omission Letter to the County of San Diego stating that the final map does not interfere with the free and complete exercise of the public utility easement which is required for the County's approval of the final map.

Motion:

To approve Option 1 –Make a determination that the action defined herein does not constitute a “project” as defined by CEQA, consent to the omission of signatures from the Final Map for Tract No. 5354-4, make a finding that the same Final Map will not unreasonably interfere with the free and complete exercise of any easements held by Rainbow Municipal Water District within the boundaries of the map, and authorize the General Manager to send a letter acknowledging the finding to the County of San Diego.

Action: Approve, Moved by Director Gasca, Seconded by Director Stewart.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

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***21. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-14 APPROVING FISCAL YEAR 2022-2023 OPERATING & CAPITAL IMPROVEMENT BUDGET**

Mr. Williams gave a presentation titled “FY 21/22 CIP Project Updates” noting this same presentation was shared with the Budget and Finance Committee in June and will be shared with the Engineering and Operations Committee in July. He pointed out the numbers presented were good through April 2022.

Mr. Williams reviewed each of the completed projects.

Director Gasca recommended staff provide data related to the percent of total costs when these charts are prepared. Mr. Williams acknowledged the request.

Mr. Williams reviewed the projects currently in progress as he summarized each individual project’s current status and benefits.

Mr. William’s spoke on the facility maintenance project noting the tank maintenance and fall protection was a major infrastructure upgrade that is ongoing.

Mr. Williams concluded his presentation discussing the wholesale water efficiency projects.

President Hamilton inquired as to the status of the Oceanside agreement. Mr. Kennedy stated he will be meeting with members of their staff in the next couple of weeks.

Ms. Largent shared a presentation on the Fiscal year 2022-2023 Rainbow MWD Operating a& Capital improvement Plan (CIP) Budget noting the numbers being provided are final. She pointed out it was extremely helpful to go into this cycle with the 5-year Cost of Service Plan completed. She stated although sales this fiscal year are higher than anticipated, with inflation percentages on materials and service significantly higher than anticipated, the budget was balanced out. She noted upon Board approval, the rate updates will go out June 30, 2022 for the August 1, 2022 increase.

Ms. Largent noted the budget plan keeps the District on tract for the five-year step approach to get the water fund reserve levels to the Board-approved minimum levels. She also pointed out the original rate plan adopted by the Board has the approved rate increases with the SDCWA as the wholesale water provider as well as how the accumulative effect of pushing out the detachment makes the potential decreases larger once RMWD is purchasing from Eastern Municipal Water District.

Ms. Largent reviewed the water demand assumptions noting RMWD has budgeted 13,500 acre feet in sales noting potential restrictions with the drought could put the District at 12,745 acre feet. She pointed out having a funded rate stabilization reserve is necessary and part of the five-year plan.

Ms. Largent noted the items driving the year-over-year operating budget changes including staffing analysis changes, fuel prices, reestablishment of training and travel, and a needed wastewater cost of service study.

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Ms. Largent shared the summary of the water operating, wastewater, and general operating funds noting the formula operating net income will fund the capital plan and maintenance of minimum Board-approved reserve levels. She noted the \$500,000 loss in wastewater will need to be resolved with the Cost of Service Study and mid-year rate increase likely resulting from such. She mentioned the General Fund is funded by transfers from the water and wastewater funds which is reflected as an expense in those funds and then revenue in the General Fund for presentation purposes.

Ms. Largent explained the projections for FY2023 noting the operating funds are maintained at two months of operating expenses less the cost of water; however, this will be reviewed to ensure it is an adequate reserve level; however, this is where the Administrative Code has it set currently.

Ms. Largent pointed out the FY2023 combined water and wastewater capital budget is \$18.2 million without the wholesale water efficiency projects which are budgeted over a two-year period. She noted the engineering team has spent \$13.5 million on capital projects for FY2022 to date without May or June being posted which is an improvement from previous years.

Ms. Largent talked about the proposed five-year Water Capital plan noting this plan is primarily funded from the operating fund as well as capacity fees. She pointed out Years 1 and 2 include capacity fees from both the Citro and Bonsall Oaks, Years 3-5 are based on future projects including Ocean Breeze, Campus Park West, and the next phase of Bonsall Oaks.

Ms. Largent concluded her presentation noting Years 1 and 2 of the Wastewater Capital Plan mainly includes the Lift Station 1 project with everything else pushed out until determinations can be made with the Cost of Service Study.

Ms. Largent stated staff was asking the Board to consider approving Resolution No. 22-14 adopting the Fiscal Year 2022-2023 budget in its present form.

President Hamilton inquired as to contingencies and how interest rates over the next couple of years may impact developers and thereby affect RMWD's capacity fees. Ms. Largent stated staff was watching this very closely and being careful not to commit the District to projects depending on that funding. Mr. Kennedy added RMWD was continuing to pursue grant funding or low-interest loans.

Director Moss stated she does not agree developers will delay construction dramatically due to the shortage in housing throughout California. Discussion ensued.

Mr. Kennedy pointed out a Staffing Analysis prepared by Ms. Harp that was presented at the May Board meeting has been included in this meeting's agenda packet for reference purposes.

Motion:

To approve Option 1 – Approve Resolution No. 22-14 adopting the 2022-2023 Budget in its present form.

Action: Approve, Moved by Director Moss, Seconded by Director Gasca.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

(*) - Asterisk indicates a report is attached.

***22. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 22-16 — A RESOLUTION OF THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT ESTABLISHING CLASSIFICATIONS AND MONTHLY PAY RANGES FOR DISTRICT EMPLOYEES AND THE GENERAL MANAGER EFFECTIVE JULY 1, 2022 THROUGH JUNE 30, 2023**

Ms. Harp explained this item was to comply with the MOU’s the District has in place with the three bargaining units requiring an adjustment to the pay grade schedule for all positions in accordance with the twelve-month change in CPI most recently published. She stated the May 2022 CPI change was an 8.3% increase. She recalled as part of the MOU negotiations process, the base pay increases were simply divorced from the pay grade structure; therefore, the minimum and maximum pay grades will move 8.3%, the COLA’s are capped at 1.5% for staff.

Ms. Harp pointed out there were two draft resolutions being presented with Draft A reflecting only the 8.3% increase in accordance with the MOU and Draft B includes the same adjustments as Draft B as well as the addition of positions and title changes in order to implement the recommendations from the Staff Analysis that were included in the budget approved by the Board under Item #21. She pointed out these staffing changes include the addition of a series in Human Resources Specialist, a series in Administrative Analyst with Management Analyst being the most senior, and reclassify the Senior Account position, and reclassify the incumbent within the Senior Accountant position to Accounting Supervisor in the same pay grade in which they are currently.

Mr. Kennedy pointed out staff’s recommendation was to adopt Draft B of Resolution No. 22-16.

Director Stewart asked how long the pay ranges stand. Ms. Harp explained it varies based on employee progression through their range depending upon merit increases based on their performance evaluations. She noted the ranges are 40% wide. She pointed out because the grades are increasing by a greater amount than the COLA as well as the average merit increase, an employee who is currently in the fourth quartile of their paygrade could now be in their third quartile. She also noted any employee who are at the top of their pay grade and eligible for a lump sum merit award, would now be eligible for base pay increases until they actually catch up with the actual pay grade.

Director Stewart asked if an overall projection has been prepared to show how this will affect RMWD’s gross payroll in the coming year. Ms. Harp explained there will be a 1.5% COLA awarded and the average merit increase is between 3.5%-4%; therefore, those employees who were at the top of their range will now be eligible for base pay merit increases as opposed to receiving lump sum merit awards.

Mr. Kennedy pointed out even though the CPI has increase 8.3%, pay will only increase an average 3.5%-4% which will be great in the short term for the District and the pay scales remaining competitive within the marketplace will be beneficial in the long term.

Director Moss agreed it was important to remain competitive in the market. She noted Mr. Kennedy has worked hard to put a good team together; therefore, it would behoove the Board to ensure this is continued. Ms. Harp added it would also make RMWD staff less poachable by other local agencies.

Director Stewart stated if these types of structural positions in this industry are dealing with this CPI increase, it is much worse in the private sector.

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Director Gasca noted it was important to keep in mind the inflation created purchases less regardless of the pay increases; therefore, it may be necessary to increase employee pay in the near future to retain staff. He provided an example noting the budget approved at today's meeting showed an adjustment for a 30% increase in fuel costs to take care of the District and how employees would not be able to make this type of adjustment; therefore, the Board needs to remain cognoscente of these types of issues and realize at some point action may need to be taken to retain employees.

Motion:

To accept Option 2 – Approve Resolution No. 22-16 as presented in Draft B.

Action: Approve, Moved by Director Moss, Seconded by Director Stewart.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Director Gasca inquired about the resolution numbers being out of sequence and where Resolution No. 22-15 could be found on this agenda.

Discussion went to Item #23.

***23. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 20-17 — A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT CONSENTING TO ENTER THE JOINT PROTECTION PROGRAMS OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY**

Ms. Harp explained staff has secured an offer of coverage that has been approved by the ACWA Board of Directors that would save RMWD approximately \$234,000 in costs for Fiscal Year 2022-2023 in additional estimated \$130,000 in direct claim costs because there will no longer be a \$100,000 deductible for a total estimated savings of \$364,000.

Ms. Harp provided a brief history noting RMWD has been covered by SDRMA since 2005 when RMWD was asked to leave ACWA/JPIA. She stated when RMWD made this change, it did so with a \$100,000 deductible in liability insurance. She pointed out since 2005, both the Board and staff have worked to mitigate a great deal of RMWD's risk exposure by investing in Capital Improvement Projects. She noted RMWD has endured significant rate increases from SDRMA for the third consecutive year with 2020 being at 40% and how when the District received a 72% quote increase in 2021, the Board decided to lower the liability limits from \$10 million to \$5 million to mitigate the increase down to approximately 40%. She stated even though RMWD did give SDRMA a Notice of Intent to leave as a member agency in June 2021, SDRMA provided RMWD with a rate estimate for this year should RMWD be unable to secure other coverage and how this estimate was between \$581,000-\$613,000.

Ms. Harp noted staff explored several alternatives for coverage, including issuing a Request for Proposal through which AP Keenan & Associates was secured and helpful in marketing RMWD to the broader insurance market to determine whether this was a feasible option to the District. She stated although AP Keenan & Associates received continuous rejections related to RMWD's

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property line wildfire risks, they did receive one offer of coverage from JPRIMA, but only for liability and worker's compensation.

Ms. Harp reported the best and only offer of coverage RMWD received for property, liability and worker's compensation was from ACWA/JPIA. She acknowledged various staff members who were involved with making this happen. She mentioned the comments and notations made by ACWA/JPIA regarding the professionalism of RMWD's documents, the speed in which the documents were provided, as well as the condition of the sites visited were instrumental in their recommendation to their Board to accept RMWD rejoining. She noted ACWA/JPIA were so impressed, they have said they want to use RMWD as an example of best practices to their other members.

Director Gasca added how at the ACWA/JPIA conference, the person who gave the report on the review of RMWD had stated several times how impressed they were with the conditions they saw at every site they inspected. He noted Director Drake also recited the history and said he was very happy to make a motion for RMWD to be accepted back by ACWA/JPIA.

Ms. Harp pointed out some of the key differences associated with the ACWA/JPIA proposal of coverage is that they bill RMWD retrospectively based on actual claim experiences for the entire pool as well as their assessment of the cost allocation for each district. She noted the quote received was for a deposit toward the premiums; therefore, the amounts could increase or decrease based on these elements.

Mr. Kennedy stated it may be worthwhile to discuss whether there is a benefit to remitting claims. Ms. Harp noted there is a retention allocation point that each agency can reference to make such determinations which is included in the resolution under consideration.

Director Gasca mentioned ACWA/JPIA also offers a program where agencies who have not remitted numerous claims are reimbursed.

Ms. Harp pointed out ACWA/JPIA's plan year is different than RMWD's; therefore, the quote provided was for their 2021-2022 year which ends in September 2022 at which time they will provide a new deposit premium quote beginning in October. She stated the estimated premium for the year would be \$248,000 for the ACWA/JPIA 2022-2023 plan year based on their estimate of an approximate 15% increase. She explained since the billing is retrospective and a budget adjustment is necessary, this can be done during RMWD's mid-year budget review.

Ms. Harp reported the property coverage proposal total premiums would be just over \$106,000 for the plan year, including adding coverage for two new lift stations and the water tanks that were not covered under the previous plan. She noted the worker's compensation coverage proposal was more competitive mostly due to ACWA/JPIA is honoring RMWD's existing experience modification rate of .84%. She pointed out the quotes did not include cyber or dishonesty coverage; therefore, those were provided separately.

Director Stewart asked if there were any deductibles associates with any of these. Ms. Harp explained the retrospective allocation point is the closest thing to a deductible as she provided a comparison between SDRMA, JDPRIMA, and ACWA/JPIA.

Ms. Harp reiterated the changes made by RMWD over the past fifteen years combined with upgrades of policy documents, operations, housekeeping practices, as well as the efficiency and knowledge of the staff really made a difference. Mr. Kennedy added the importance of improved Board governance was also instrumental.

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Director Mack mentioned another comment he heard regarding how impressed ACWA/JPIA was with RMWD and its employees.

Director Hamilton asked for clarification regarding Item #23B related to this same matter. Ms. Harp clarified ACWA/JPIA's program is a self-funded program through ACWA/JPIA and that in order to self-fund that program, they need to apply for Certificate of Self-Insurance for RMWD under their name which is the reason for Item #23B being added to this agenda for Board consideration.

Motion:

To approve Option 1 – Approve Resolution 22-17. This option will allow staff to take the actions necessary to secure coverage effective July 1, 2022, through the ACWA-JPIA.

Action: Approve, Moved by Director Stewart, Seconded by Director Gasca.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Discussion returned to Item #11.

Discussion returned from Item #11.

***23A. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-19 RESCINDING RESOLUTION OF NECESSITY, NO. 22-02, PERTAINING TO REAL PROPERTY LOCATED AT 5858 CAMINO DEL CIELO, BONSALL, CA 92003**

Mr. Kennedy explained this item was related to the acquisition of the Hutton Pump Station property which was no longer needed per earlier discussion.

Motion:

To approve Option 1 – Make a finding that the action before the Board does not constitute a “project” as defined by CEQA, adopt Resolution No. 22-19 by a two-thirds vote, rescinding the prior Resolution of Necessity No. 22-02, which authorized the acquisition by eminent domain of an interest in real property for public use and authorized and directed condemnation of portions of San Diego County Assessor’s Parcel Number 127-010-05.

Action: Approve, Moved by Director Moss, Seconded by Director Hamilton.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Discussion went to Item #23B.

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***23B. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 22-20 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RAINBOW MUNICIPAL WATER DISTRICT AUTHORIZING APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS STATE OF CALIFORNIA FOR A CERTIFICATE OF CONSENT TO SELF-INSURE WORKERS’ COMPENSATION BENEFITS**

(This item was added to the agenda per Item #3 with attachments provided under separate cover.)

Ms. Harp explained Resolution No. 22-20 will need to be sent to ACWA/JPIA authorizing them as RMWD’s representative to apply for the Certificate of Self-Insurance through the DIR if approved.

Motion:

To approve Option 1 – Approve Resolution No. 22-20.

Action: Approve, Moved by Director Gasca, Seconded by Director Moss.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Discussion went to Item #24.

***24. DISCUSSION AND POSSIBLE ACTION FOR A VARIANCE REQUEST FROM CUSTOMER (AVALOS) FOR THE DIFFERENCE IN ACCOUNT CLASS RATES FROM JUNE 2021 TO APRIL 2022 (Division 1)**

Ms. Largent explained this was a variance request from a Division 1 customer who contacted the District in April 2022 to request a change in their rate class which was granted. She pointed out Ms. Avalos had stated they had reached out to the District in June 2021 to inquiry to the reason their bill was so high, including but not limited to consumption and the billing statement. She said after receiving the attached Variance Request, the recorded incoming call was listed to determine what was discussed and found Mr. Avalos had called specifically regarding consumption amounts noting his concern they may have a leak on the property and not regarding the amount of the bill; therefore, staff offered to send out a representative to assist with a leak check as well as familiarize them with their meter which took place.

Ms. Largent mentioned Ms. Avalos is stating it should have been obvious they do not have a grove on the property and that RMWD should have told them at that time to change their rate class; therefore, she is requesting a credit in the amount of \$587.39 for the difference in customer classes.

Ms. Largent provided a brief history noting rate classes are set up at the start of service per the customer’s choice depending on the planned use and individual customer is comfortable for tolerable restrictions during a drought. She noted staff does not review rate class choices with every call and it was not the District’s responsibility to know when a particular customer changes use; therefore, staff was recommending the Board deny this request as it would set a precedence for all customers to request reduction of historical bills based on the customer’s current situation.

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Ms. Largent added the customer class choices were communicated throughout the year to this customer and are available on RMWD's website. She also pointed out this customer is part of the PSWAR and TSWAR change; therefore, they were recipients of many communications throughout the year related to rate class options and how if nothing was chosen within the year, it would automatically go to ag-domestic which was the situation in this case.

Director Gasca asked for verification the customer did not act when options were provided. Ms. Largent confirmed. Discussion ensued.

Motion:

To approve Option 2 – Deny the variance request.

Action: Approve, Moved by Director Moss, Seconded by Director Mack.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Discussion went to Option #25.

***25. DISCUSSION AND POSSIBLE ACTION REGARDING CSDA 2022 BOARD OF DIRECTORS ELECTIONS SEAT B**

Mr. Kennedy noted Don Bartz had submitted a request for support; however, Ken Endter is with FPUD who is more familiar to the RMWD Board.

Motion:

To direct the General Manager to cast RMWD's vote online for Ken Endter.

Action: Approve, Moved by Director Hamilton, Seconded by Director Stewart.

Vote: Motion carried by unanimous vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Discussion went to Item #26.

26. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

All five RMWD Board Members stated they would like to attend the ACWA Region 10 workshop being held at Olivenhain Municipal Water District.

Motion:

To approve for all five RMWD Board Members to attend the ACWA Region 10 workshop.

Action: Approve, Moved by Director Hamilton, Seconded by Director Gasca.

(*) - Asterisk indicates a report is attached.

DRAFT

DRAFT

DRAFT

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 5).

Ayes: Director Gasca, Director Hamilton, Director Mack, Director Moss, Director Stewart.

Director Mack stated he would also like to attend the 2022 ACWA Fall Conference in November in Indian Wells.

Director Gasca stated he would also like to attend the CSDA Annual Conference in August.

BOARD INFORMATION ITEMS

Discussion went to Item #27.

***27. STATEMENT OF AUDITING STANDARDS (SAS) 114 PLANNING LETTER**

Ms. Largent stated this was an information item reminding the Board that they hired this firm to conduct RMWD's audit as well as a supplemental letter stating they have been externally audited. She noted staff was required to bring this to the Board before the final audit starts.

Discussion went to Item #28.

***28. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**

- A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
- B. Operations Comments**
 - 1. Operations Report
- C. Engineering Comments**
 - 1. Engineering Report
 - 2. As-Needed Services Expenditures Summary
 - 3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
- D. Human Resource & Safety Comments**
 - 1. Human Resources Report
- E. Finance Comments**
 - 1. Board Information Report
 - A.** Budget vs. Actuals
 - B.** Fund Balance & Developer Projections
 - C.** Treasury Report
 - D.** Five Year Water Purchases Demand Chart
 - E.** Water Sales Summary
 - F.** Check Register
 - G.** Directors' Expenses Report
 - H.** Credit Card Breakdown
 - I.** RMWD Properties

The information and financial items were received and filed.

Discussion went to Item #29.

(*) - Asterisk indicates a report is attached.

DRAFT

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DRAFT

29. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

Directors Mack stated he will be absent for the July Board meeting.

Director Hamilton stated he may be absent for the July meeting as well.

Director Gasca stated he will be absent for the July Engineering and Operations Committee meeting.

There were no suggested items for the July agenda.

It was noted the August Board meeting had been moved to August 30, 2022 to accommodate for the CSDA Annual Conference.

Discussion went to Item #30.

30. ADJOURNMENT

The meeting was adjourned by President Hamilton to a regular meeting on July 26, 2022 at 1:00 p.m.

The meeting was adjourned at 3:41 p.m.

Hayden Hamilton, Board President

Dawn M. Washburn, Board Secretary

(*) - Asterisk indicates a report is attached.



SUMMARY OF FORMAL BOARD OF DIRECTORS' MEETING JUNE 23, 2022

1. Monthly Treasurer's Report on Investments and Cash Flow.
The Board noted and filed the Treasurer's report.
2. Contract Amendment for SageView Advisory Group, LLC, for investment consulting services for the Water Authority's deferred compensation plans.
The Board authorized the General Manager to amend the SageView Advisory Group, LLC, professional services contract to extend the agreement term for an additional sixteen (16) months, in the amount of \$51,418, for continued investment consulting services for deferred compensation plans, increasing the authorized contract amount from \$147,126 to \$198,544.
3. Financial Strategy Work Group Recommendations.
The Board approved the Member Agency Rate Workgroup (MARW) Recommendations: a) extend the Rate Redesign Timeline from CY 2024 to "no sooner than for CY 2025 rates"; b) approved \$200,000 for consultants to be utilized in MARW rate design efforts; and, allow Member Agencies consultants to listen in on Rate Workgroup meetings. However, each agency's GM or Finance Officer will be the main point of contact for one voice at the meeting.
4. Adopt the Water Authority's Rates and Charges for Calendar Year 2023.
The Board conducted the Public Hearing; adopted Ordinance No. 2022-03 setting rates and charges for the delivery and supply of water, use of facilities, and provision of services; adopted Resolution No. 2022-12 continuing the Standby Availability Charge; adopted Ordinance No. 2022-04 amending and restating the System Capacity and Water Treatment Capacity Charges imposed by the Water Authority pursuant to Section 5.9 of the County Water Authority Act; and found the actions exempt from CEQA pursuant to Public Resources Code § 21080(b)(8) and authorized the General Manager to file a notice of exemption.
5. Consideration of the Fiscal Years 2022 and 2023 Mid-Term Budget Update.
The Board adopted Resolution No. 2022-13 amending the bi-annual budget for fiscal years 2022 and 2023, with a report on RCS funds to be provided next month.
6. Purchase of Water Authority Business Insurance for Fiscal Year 2023.
The Board authorized the General Manager to purchase property insurance from Swiss Reinsurance Company, Ltd. in the amount of \$250,293, liability insurance from Allied World Assurance Company – CalMutuals JPRIMA in the amount of \$410,741, and workers' compensation insurance from Zenith Insurance Company – CalMutuals JPRIMA in the amount of \$420,148, for a total amount of \$1,081,182.
7. Carlsbad Desalination Plant Intake Modifications Project: Poseidon Interim Financing.
The Board approved the execution by Poseidon Resources (Channelside) LP (Poseidon) of an amendment to the existing note purchase agreement with Bank of America, N.A. to increase the amount of the existing loan by \$12,980,000 from \$45,000,000 to \$57,980,000 to support development of the final phase of the intake and discharge system modifications.



8. Professional services contracts with HDR Engineering, Inc. and V&A Consulting Engineers, Inc., for as-needed corrosion control services.
The Board authorized the General Manager to award a professional services contract to HDR Engineering, Inc., for a not-to-exceed amount of \$400,000, to provide as-needed corrosion control services for a period of two years with an option to renew for an additional two years; and, to award a professional services contract to V&A Consulting Engineers, Inc., for a not-to-exceed amount of \$150,000, to provide as needed corrosion control services for a period of two years with an option to renew for an additional two years.
9. Adopt positions on various state bills.
The Board adopted the following positions: support on AB 2247 (Bloom), relating to perfluoroalkyl and polyfluoroalkyl substances (PFAS) products: disclosure: publicly accessible reporting platform; support on AB 2638 (Bloom), relating to water bottle filling stations; oppose unless amended on AB 2895 (Arambula), relating to water: permits and licenses: temporary changes: water or water rights transfers; oppose on SB 1124 (Archuleta), relating to public health goal: primary drinking water standard: manganese; and support on SB 1188 (Laird), relating to Safe Drinking Water State Revolving Fund: financial assistance.
10. Resolution Supporting Water Conservation for the San Diego Region.
Staff adopted Resolution No. 2022-14 to reaffirm the Water Authority's shared responsibility and long-standing support for water conservation efforts to sustain our most precious natural resource, protect the human right to water, and support the State of California through a combination of local, regional, and state efforts.
11. Assembly Bill 361 Continued Determination Acknowledging the Governor of the State of California's Proclamation of a State of Emergency and of Remote Teleconference Meetings of the Legislative Bodies of San Diego County Water Authority due to the Emergency Pursuant to Brown Act Provisions.
The Board approved the Governor's proclaimed State of Emergency, and approve continued remote teleconference meetings of the legislative bodies of San Diego County Water Authority due to the emergency pursuant to Brown Act after reconsidering the circumstances and finding that state or local officials continue to impose or recommend measures to promote social distancing.
12. Approval of Minutes.
The Board approved the minutes of the Formal Board of Directors' meeting of May 26, 2022.
13. Reappointment of Director.
The Board acknowledged the reappointment of Jack Bebee, representing the Fallbrook Public Utility District. Term ending July 14, 2028.



TO: Rainbow Municipal Water District
FROM: Alfred Smith
DATE: July 26, 2022
RE: Attorney Report: Water Quality
501668-0002

I. INTRODUCTION.

This attorney report provides an update on my prior report last year on the Ninth Circuit’s troubling decision in *California River Watch v. City of Vacaville* (“*Vacaville*”). The *Vacaville* case held that distributing drinking water containing hexavalent chromium -- in full compliance with state drinking water standards -- may nonetheless give rise to liability under the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* (“RCRA”).

The *Vacaville* decision broadly expanded the scope of liability under RCRA. Even though the City of Vacaville merely distributed drinking water, and was not otherwise involved in the generation or storage of a “solid waste,” the Ninth Circuit nonetheless found that RCRA liability may apply for “contributing to the transportation of a solid waste, which may present an imminent and substantial endangerment to health or the environment.”

In a decision providing major relief to water providers throughout the country, on July 1, 2022, the Ninth Circuit took the extraordinary step of reversing its prior decision in *Vacaville*. The Ninth Circuit ruled that “transportation” under the citizen suit provision of RCRA requires “active participation” in the waste disposal process. In its initial opinion, a three-judge panel ruled in a 2-1 decision that a water utility could be liable for contributing to the transportation of a hazardous waste that a third party improperly discarded into the utility’s water treatment system, even where the water complied with all applicable drinking water standards.

The *Vacaville* initial ruling would have posed significant difficulties not only for water systems throughout the country, but also for any parties who play any role in delivering or withdrawing water, as it would have exposed such parties to RCRA citizen suit liability for contamination over which they had no control.

In reversing its initial opinion from last year, the Ninth Circuit chose to interpret the term “transportation” within the specific context of RCRA rather than giving the

term its ordinary, broader meaning. The court explained that this approach allowed the court to better interpret RCRA as “a harmonious whole,” and that reversing the prior holding was justified because it is “never too late to surrender former views to a better considered position.”

II. BACKGROUND.

A. RCRA Citizen Suits.

The *City of Vacaville* case involves application of RCRA’s citizen suit provision. RCRA sets up an extensive regulatory framework that gives the U.S. Environmental Protection Agency (“EPA”) the authority to control and regulate hazardous waste from “cradle-to-grave.” Specifically, Subtitle C of RCRA imposes detailed requirements on the hazardous waste disposal process, tracking hazardous waste from generation to transportation to disposal, and requiring permits for various categories of hazardous waste management facilities.

In addition to the Subtitle C regulatory program, RCRA’s citizen suit provision gives broad authority to any person to file a citizen suit against, among other parties, any past or present generators, transporters, and owners or operators of treatment, storage, or disposal facilities who have “*contributed or who [are] contributing to the past or present handling, storage, treatment, transportation, or disposal of any solid or hazardous waste which may present an imminent and substantial endangerment to health or the environment.*”

There is no statutory definition of “transport,” “transportation,” or “contributing to” in RCRA. However, under RCRA’s Subtitle C regulatory program, a “transporter” is part of the “cradle-to-grave” process as an entity or person who engages with the generator of the waste and undertakes to transport the waste to a licensed waste disposal facility.

B. Factual Background and Legal Arguments.

In *Vacaville*, plaintiff California River Watch argued that the City of Vacaville “contributed to” the “transportation” of a solid waste by supplying water contaminated with hexavalent chromium to its customers -- even though the City had no involvement with the disposal of the hexavalent chromium. California River Watch conceded that the alleged source of the hexavalent chromium was a former wood treatment plant located a mile or more from the City’s wells. Further, the City was in compliance with all drinking water standards.

California River Watch argued that the City’s RCRA citizen suit liability was based on its movement of hexavalent chromium by pumping it through the City’s water supply system, which, it contended, fits the ordinary meaning of the term “transportation.” The City countered that the term “transportation” under the Ninth

Circuit's RCRA case law, and in the context of RCRA's citizen suit provision, requires a "direct connection" to the waste disposal process, similar to the subtitle C regulatory program -- not just incidental movement of the waste that had been disposed of by an unrelated party through the City's water supply system.

III. The Ninth Circuit's Original Opinion.

In its initial 2-1 decision, a three-judge panel sided with California River Watch holding that a water utility could be liable for "contributing to ... the transportation" of hexavalent chromium that a third party improperly discarded into the utility's water treatment system. Absent a statutory definition of the term "transportation" in RCRA, the court turned to the term's ordinary meaning—as defined in the Oxford English Dictionary—to hold that "transportation" means the "action or process of transporting; conveyance (of things or persons) from one place to another." Based on this definition, the panel majority reasoned that "nothing in RCRA's text suggests that the 'transporter' of the solid waste must also play some role in 'discarding' the waste."

In reaching this conclusion, the panel majority distinguished what the City argued was clear, analogous Ninth Circuit precedent: *Hinds Investments, L.P. v. Angioli*, 654 F.3d 846, 851 (9th Cir. 2011). In *Hinds*, the court held in the context of RCRA citizen suit generator liability that, because RCRA does not define the term "contribution," a defendant must be "actively involved" in or have "some degree of control" over the waste disposal process to be liable under RCRA for "contributing to" the handling, storage, treatment, transportation, or disposal of hazardous waste.

The *City of Vacaville* panel majority accordingly found that the meaning for the term "contribution" in the generator context did not extend to the non-generator context at issue in the *Hinds* decision. Judge Tashima dissented on this basis, agreeing with the City that *Hinds* required that all types of RCRA citizen suit defendants—not just generators—"be actively involved in or have some degree of control over the waste disposal process" to be liable. Judge Tashima further highlighted the absurdity of the panel majority's decision in his dissent:

"If the City is transporting solid waste, then so too is the Vacaville homeowner watering plants with a garden hose or handing a glass of tap water to a friend. And so too is a motorist who picks up a few grains of soil while driving on a dirt road near the ... site ... If the City is transporting solid waste, then so too is every homeowner, farmer, rancher, municipal water authority, or agricultural irrigation district drawing groundwater or water from a contaminated aquifer."

The panel majority brushed aside the City's argument that this interpretation of the term "transportation" would lead to absurd results, finding that other legal concepts such as Article III standing place sufficient limitations on RCRA liability.

IV. The Ninth Circuit's Reversal.

In reversing its prior decision, the Ninth Circuit panel majority did not rely on *Hinds* or the absurdity highlighted in Judge Tashima's original dissent, but instead on its revised interpretation of the meaning of the term "transportation." In its new decision, the panel majority—comprised of the same two judges as the initial panel majority, with Judge Tashima writing separately to concur only in the judgment—reinterpreted the term "transportation" within the context of RCRA, informed by its Subtitle C definition, instead of simply giving the term its dictionary meaning.

The panel majority explained that the City's briefing had persuaded it that RCRA "repeatedly uses the term 'transportation' to describe movement *in direct connection with the waste disposal process.*" Consequently, if the court were to interpret the term "transportation" in the citizen suit provision to have a different, broader meaning—as it did in its prior decision—the court would give the term inconsistent meanings across different parts of the statute. Given this context, the panel majority held that it must look beyond the dictionary meaning of "transportation," and that "mere conveyance of hazardous waste cannot constitute 'transportation'" under RCRA's citizen suit provision.

The panel majority acknowledged that this new interpretation conflicted with its prior interpretation, but explained that there is "no reason why we should be consciously wrong today, because we were unconsciously wrong yesterday." By interpreting the term "transportation" within the context of RCRA and avoiding giving the term inconsistent meanings across the statute, the panel majority reasoned that it was taking "a better considered position" and interpreting RCRA as "a harmonious whole."

Meanwhile, Judge Tashima wrote a separate, concurring opinion that retained his original position. He concurred with the panel majority's judgment that the City could not be liable under RCRA, but based his reasoning on *Hinds* and absurdity rather than on the meaning of "transportation."

V. CONCLUSION.

The original decision in the *Vacaville* case generated significant statewide concern among public water suppliers. Under the Ninth Circuit's original decision, water districts throughout the country would have been exposed to RCRA citizen suit liability for contamination over which they had no control -- including water systems in compliance with drinking water standards and farmers, ranchers, and homeowners who move or withdraw water.

The Ninth Circuit's new panel decision, holding instead that "transportation" under RCRA's citizen suit provision requires active participation in the waste disposal process, heads off the costly compliance and litigation risk associated with the

original decision. Indeed, the Ninth's Circuit's new decision is consistent with the *amicus curiae* brief supported by the ACWA Legal Affairs Committee. When seeking support from ACWA, the City of Vacaville stated:

“Operators of water utilities often have little control over pollutants from third parties that may be found in their source water. While water utilities have long recognized the need to comply with regulations under state and federal Safe Drinking Water Acts for contaminants in public water supply systems, until now they did not have to worry about liability under the Resource Conservation and Recovery Act (“RCRA”). On September 29, 2021, a divided panel of the United States Court of Appeal for the Ninth Circuit issued a published opinion in *California River Watch v. City of Vacaville* finding that a drinking water utility may be subject to RCRA if its source water is contaminated by a third party’s RCRA waste disposal. The City of Vacaville contends the majority opinion was incorrect, and that the dissenting opinion correctly determined the City cannot be liable under RCRA because it ‘had no involvement whatsoever in the waste disposal process,’ as noted by the dissent.

The City seeks support in urging the Ninth Circuit to grant a rehearing in the case. The potential ramifications of this opinion, if it is allowed to stand, are serious for all water utilities. Any time a contaminant, including an emerging contaminant with no drinking water Maximum Contaminant Level, is present in a utility’s source water and not completely removed, environmental groups like River Watch may allege RCRA liability and attempt to have a federal judge determine that the concentration of the contaminant presents an imminent and substantial endangerment to human health. Safety of public water supply systems should be effectuated through Safe Drinking Water Act compliance, not by application of solid waste management laws.”

AES

BOARD OF DIRECTORS

July 26, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-21 TO AMEND THE 2020 WATER SHORTAGE CONTINGENCY PLAN (WSCP) AND TO APPROVE ORDINANCE 22-13 TO UPDATE THE DISTRICT'S DROUGHT ORDINANCE TO REFLECT CHANGES TO THE WSCP (DISTRICT WIDE)

BACKGROUND

On March 28, 2022, Governor Newsom signed an Executive Order directing the State Water Resources Control Board (State Water Board or Board) to consider adopting emergency regulations to increase water conservation. The Executive Order includes a request that the Board require urban water suppliers to implement Level 2 of their water shortage contingency plans, establish water shortage response actions for urban water suppliers that have not submitted water shortage contingency plans, taking into consideration model actions that the Department of Water Resources, and establish a ban on the irrigation of non-functional turf by entities in the commercial, industrial, and institutional sectors.

The District is currently implementing Level 1 water shortage scenario that was approved by the Board on October 26, 2021. The District has not moved to adopt a Level 2 water shortage scenario at this time; however, education outreach is being executed region-wide.

The District's Water Shortage Contingency Plan (WSCP) was last updated and adopted by the Board in May of 2021. Both the 2020 Urban Water Management Plan (UWMP) and WSCP were submitted to the Department of Water Resources shortly after Board's adoption. District staff had also prepared a draft updated drought ordinance at the same time as the 2020 UWMP/WSCP but held off on presenting it to the Board until the plans were accepted by DWR in case there were any significant changes to the WSCP. District staff received comments on the 2020 UWMP/WSCP in early 2022 and made the requested corrections. None of the comments were substantive. District staff during this process also noted two demand reduction actions that it identified as needing to be reclassified from one level to another. At this time District staff is looking to present amendments to the WSCP and to present an updated Drought Ordinance to reflect the changes in the WSCP.

DESCRIPTION

DWR completed its review of the 2020 UWMP/WSCP in early 2022. There was one minor comment on the UWMP that was corrected and the plan was deemed complete. However, District staff took a closer look at the water shortage levels presented in the 2020 WSCP. Table 5-1 of the plan presents Demand Reduction Actions. This table presents demand reduction actions associated with each water shortage level. The following amendments are being presented:

1. Under Level 2 Actions, the District currently has the following action: *"Limit residential and commercial landscape irrigation to no more than two (2) assigned days per week on a schedule established by the General Manager and posted by the District."* District staff is recommending amending the WSCP so that twice a week irrigation restriction falls under Level 3 and not Level 2. Likewise with limiting lawn watering and landscape irrigation using sprinklers to no more than ten

(10) minutes per watering station per assigned day. This is consistent with several other neighboring water districts.

2. Under Level 3 Actions, the District currently has the following action *“No new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, unless (1) a valid, unexpired building permit has already been issued for the project; (2) In the opinion of the District Board of Directors the project is necessary to protect the public’s health, safety, and welfare; or (3) The applicant provides substantial evidence of an enforceable binding commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.”* District staff is recommending amending the WSCP to move this Level 3 Action into Level 4.

The aforementioned recommended changes can be seen in Attachment 1 that presents the strike-out changes to Table 5-1 of the WSCP. Amendments to the WSCP was also advertised on June 21 and again on June 28, 2022 in the local Daily Transcript paper as part of the 14 Day Public Noticing. The changes presented in the WSCP will need to be adopted by resolution as presented in Attachment 2 (Resolution Number 22-21).

In addition to amendments to the WSCP, District staff must update its existing Drought Ordinance to reflect the most up to date WSCP. The current WSCP presents six water shortage scenarios in contrast to the District’s current ordinance that presents only four water shortage scenarios. The new six levels range from Level 1 – less than 10% shortage of available water supply to Level 6 – more than 50% shortage of available water supply. The District’s WSCP has identified 25 demand reductions measures to be implemented at varying stages of water shortage levels to offset a potential shortage in supply. The demand reduction actions range from limit of landscape irrigation on specific days to keeping decorative water features such as fountains drained and dry. It also includes compliance and enforcement measures. The updates to the Drought Ordinance reflects the water level shortages and demand reduction measures. The majority of the change is adding Water Shortage Level 5 and 6. The updated Draft Ordinance No. 22-13 (Attachment 3) would replace the existing Drought Ordinance 16-10. The proposed draft Drought Ordinance was reviewed by legal counsel.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area One and Five: Water Resources and Customer Service. The amended 2020 WSCP and updated Drought Ordinance provides guidance and enforcement for managing and mitigating a potential shortage of water supply.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

There is minimal fiscal impact associated with this item. The draft Drought Ordinance was prepared last fiscal year in anticipation of DWR’s approval of the UWMP/WSCP.

Option 1:


- Make a determination that the action defined herein does not constitute a “project” as defined by CEQA.
- Adopt Resolution No. 22-21
- Approve Ordinance No. 22-13

Option 2:

- Provide other direction to Staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering and CIP Program
Manager

07/26/2022

Table 5-1. Demand Reduction Actions (DWR Table 8-2)					
Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (AFY)	How much is this going to reduce the shortage gap? (%)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
				Building Standards Commission and the Department of Housing and Community Development.	
2 3 through 5	Landscape - Limit landscape irrigation to specific days	1,140 1,032	7.97 7.21	Limit residential and commercial landscape irrigation to no more than two (2) assigned days per week on a schedule established by the General Manager and posted by the District. ^a	Customer Outreach/Penalty
2 3 through 5	Landscape - Limit landscape irrigation to specific times	597	4.17	Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per assigned day. This provision does not apply to landscape irrigation systems using water efficient devices, including but not limited to weather-based controllers, drip/micro-irrigation systems and stream rotor sprinklers. ^a	Customer Outreach/Penalty
2 through 6	Offer Water Use Surveys	574	4.01	Offer District customers water use surveys to identify existing passive leaks or inefficiencies in plumbing or irrigation systems.	Incentive
3 4 through 6	Moratorium or Net Zero Demand Increase on New Connections	129 120	0.90 0.84	No new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, unless (1) a valid, unexpired building permit has already been issued for the project; (2) In the opinion of the District Board of Directors the project is necessary to protect the public's health, safety, and welfare; or (3) The applicant provides substantial evidence of an enforceable binding commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.	None
3 through 5	Landscape - Prohibit certain types of landscape irrigation	557	3.89	Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 5 (b) (1), on the same schedule set forth in section 5 (b) (1) by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation. ^a	Customer Outreach/Penalty



RESOLUTION NO. 22-21

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE RAINBOW MUNICIPAL WATER DISTRICT
ADOPTING AMENDMENTS TO THE 2020 WATER SHORTAGE CONTINGENCY PLAN**

WHEREAS, the Urban Water Management Planning Act (Water Code section 10620 – 10645) requires every urban water supplier as defined in the act to prepare and adopt a Water Shortage Contingency Plan as part of its urban water management plan (Water Code section 10632); and

WHEREAS, Rainbow Municipal Water District is an urban water supplier within the meaning of the act; and

WHEREAS, the District prepared its 2020 Water Shortage Contingency Plan, made the plan available for public inspection, and held a public hearing thereon following publication within the jurisdiction of the District of a notice of the time and place of the hearing pursuant to Section 6066 of the Government Code; and; and

WHEREAS, The District has advertised on June 21 and 28th, 2022 in the local paper “Daily Transcript” its intent to amend the 2020 Water Shortage Contingency Plan; and

WHEREAS, it is in the interest of the District to adopt a revised water shortage contingency plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED, by the Board of Directors of the Rainbow Municipal Water District as follows:

1. That the Amended Water Shortage Contingency Plan, a copy of which is on file with the District be approved and adopted as the plan required by the Urban Water Management Planning Act.
2. That the District shall implement its updated plan.
3. That District staff is authorized and directed to file with the Department of Water Resources of the State of California a copy of the District’s updated plan.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Rainbow Municipal Water District held on the 26th day of July 2022 by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Hayden Hamilton, Board President

ATTEST:

Dawn M. Washburn, Board Secretary

ORDINANCE NO. 22-13

**AN ORDINANCE OF RAINBOW MUNICIPAL WATER DISTRICT
ADOPTING A WATER SHORTAGE CONTINGENCY PLAN**

Be it ordained by the Board of Directors of Rainbow Municipal Water District as follows;

WHEREAS, article 10, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

WHEREAS, California Water Code sections 375 et seq. authorize water suppliers to adopt and enforce a comprehensive water conservation program; and

WHEREAS, adoption and enforcement of a comprehensive water conservation program will allow the Rainbow Municipal Water District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.; and

WHEREAS, San Diego County is a semi-arid region and local water resources are scarce. The region is dependent upon imported water supplies provided by the San Diego County Water Authority, which obtains a substantial portion of its supplies from the Metropolitan Water District of Southern California. Because the region is dependent upon imported water supplies, weather and other conditions in other portions of this State and of the Southwestern United States affect the availability of water for use in San Diego County; and

WHEREAS, the San Diego County Water Authority has adopted an Urban Water Management Plan that includes water conservation as a necessary and effective component of the Water Authority's programs to provide a reliable supply of water to meet the needs of the Water Authority's 24 member public agencies, including the Rainbow Municipal Water District. The Water Authority's Urban Water Management Plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This ordinance is consistent with the Water Authority's Urban Water Management Plan; and

WHEREAS, as anticipated by its Urban Water Management Plan, the San Diego County Water Authority, in cooperation and consultation with its member public agencies, has adopted a Water Shortage Contingency Plan, which establishes a progressive program for responding to water supply limitations resulting from drought conditions. This ordinance is intended to be consistent with and to implement the Water Authority’s Water Shortage Contingency Plan; and

WHEREAS, the Water Authority’s Drought Management Plan contains six stages containing regional actions to be taken to lessen or avoid supply shortages. This ordinance contains Water Shortage levels that correspond with the Water Shortage Contingency Plan drought response levels; and

WHEREAS, the Rainbow Municipal Water District, due to the geographic and climatic conditions within its territory and its dependence upon water imported and provided by the San Diego County Water Authority, may experience shortages due to drought conditions, regulatory restrictions enacted upon imported supplies and other factors. The Rainbow Municipal Water District has adopted an Urban Water Management Plan that includes water conservation as a necessary and effective component of its programs to provide a reliable supply of water to meet the needs of the public within its service territory. The Rainbow Municipal Water District Urban Water Management Plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This ordinance is consistent with the Urban Water Management Plan adopted by the Rainbow Municipal Water District; and

NOW, THEREFORE, the Board of Directors of Rainbow Municipal Water District does ordain as follows:

SECTION 1.0 DECLARATION OF NECESSITY AND INTENT

(a) This ordinance establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water, prevent unreasonable method of use of water within the Rainbow Municipal Water District (RMWD) in order to assure adequate supplies of water to meet the needs of the public, and further the public health, safety, and welfare, recognizing that water is a scarce natural resource that requires careful management not only in times of drought, but at all times.

(b) This ordinance establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes six levels of water shortage actions to be implemented in times of shortage, with increasing restrictions on water use in response to worsening drought conditions and decreasing available supplies.

(c) Level 1 condition Water Shortage measures include certain end user water use restrictions. There is no enforcement or penalties under a Level 1 Water Shortage condition. During Water Shortage condition Levels 2 through 6, all conservation measures and water-use restrictions are mandatory and become increasingly restrictive in order to attain escalating conservation goals.

(d) During a Water Shortage Level 2 condition or higher, water conservation measures and water use restrictions will be reinforced through local and regional public education and awareness measures. During Water Shortage Level 2 or higher the water conservation measures, and water use restrictions established by this ordinance are mandatory and violations are subject to criminal, civil, and administrative penalties and remedies specified in this ordinance and as provided in RMWD Administrative or Municipal Code.

SECTION 2.0 DEFINITIONS

(a) The following words and phrases whenever used in this chapter shall have the meaning defined in this section:

1. “Grower” refers to those engaged in the growing or raising, in conformity with recognized practices of husbandry, for the purpose of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural or floricultural products, and produced: (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market. “Grower” does not refer to customers who purchase water subject to the Metropolitan Interim Agricultural Water Program or the Water Authority Special Agricultural Rate programs.

2. “Water Authority” means the San Diego County Water Authority.

3. “WSCP” means Water Shortage Contingency Plan.

4. “Metropolitan” means the Metropolitan Water District of Southern California.

5. “Person” means any natural person, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, college, university, or any other user of water provided by the RMWD.

SECTION 3.0 APPLICATION

(a) The provisions of this ordinance apply to any person in the use of any water provided by the RMWD.

(b) This ordinance is intended solely to further the conservation of water. It is not intended to implement any provision of federal, State, or local statutes, ordinances, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on any stormwater ordinances and stormwater management plans.

(c) Nothing in this ordinance is intended to affect or limit the ability of the RMWD to declare and respond to an emergency, including an emergency that affects the ability of the RMWD to supply water.

(d) Notwithstanding any other section of this ordinance, the restrictions imposed upon the use of water herein do not apply to use of water from private wells or to recycled water.

(e) Nothing in this ordinance shall apply to use of water that is subject to a special supply program, such as the Water Authority's Permanent Special Agricultural Water Rate (PSAWR) program, except as may be specified in that program. For instance, the water reductions contained in this ordinance shall not be in addition to any mandatory reductions which may apply to a participant in the PSAWR, unless expressly stated in the PSAWR. Violations of the conditions of special supply programs are subject to the penalties established under the applicable program. A person using water subject to a special supply program and other water provided by the RMWD is subject to this ordinance in the use of the other water.

SECTION 4.0 WATER SHORTAGE LEVEL 1

(a) A Water Shortage Level 1 condition is also referred to as a "Permanent Mandatory Water Restrictions" condition. A Water Shortage Level 1 condition applies when the Water Authority notifies its member agencies that due to drought or other supply reductions, there is a reasonable probability there will be supply shortages and that a consumer demand reduction is required in order to ensure that sufficient supplies will be available to meet anticipated demands. A Water Shortage Level 1 condition will also apply if the State Water Resources Control Board adopts regulations that place restrictions on certain end user water use. The General Manager shall declare the existence of a Water Shortage Level 1 and take action to implement the Level 1 conservation practices identified in this ordinance.

(b) During a Level 1 condition, In accordance with the State Water Resources Control Board regulations, the following end-user practices are prohibited:

(1) The application of potable water to outdoor landscapes in a manner that causes excessive runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use. This reduction action shall not apply to commercial growers or nurseries.

(3) The application of potable water to driveways and sidewalks.

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall. This reduction action shall not apply to commercial growers or nurseries.

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.

(7) The irrigation with potable water of ornamental turf on public street medians.

(8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(9) The residential and commercial landscape irrigation that exceed more than three (3) assigned days per week on a schedule established by the General Manager and posted by the District. This reduction action shall not apply to commercial growers or nurseries.

(c) During a Water Shortage Level 2 condition or higher, all persons shall be required to implement the conservation practices established in a Water Shortage Level 1 condition.

SECTION 5.0 WATER SHORTAGE LEVEL 2

(a) A Water Shortage Level 2 condition is also referred to as a “Drought Watch” condition. A Water Shortage Level 2 condition may apply when the Water Authority notifies its member agencies that due to cutbacks caused by drought or other reduction in supplies, a consumer (also referred to as a Municipal or Industrial (M&I) water user) demand reduction is required in order to have sufficient supplies available to meet anticipated demands. The RMWD Board of Directors shall consider the Water Authority declaration of a “Drought Alert” condition, and may declare the existence of a Water shortage Level 2 condition and direct the General Manager to implement the mandatory Level 2 conservation measures identified in this ordinance. The RMWD Board of Directors may make a determination to enter or exit the Water Shortage Level 2 stage depending on a variety of factors, including but not limited to local water availability, RMWD’s ability to meet their allocation supply, and/or the financial impact of implementation on RMWD.

(b) All persons using RMWD water shall comply with Level 1 Permanent Mandatory Water Restrictions and shall also comply with the following additional conservation measures:

(1) Offer District customers water use surveys to identify existing passive leaks or inefficiencies in plumbing or irrigation systems.

SECTION 6.0 WATER SHORTAGE LEVEL 3

(a) A Water Shortage Level 3 condition is also referred to as a “Drought Alert” condition. A Level 3 condition applies when the Water Authority notifies its member agencies that due to increasing cutbacks caused by drought or other reduction of supplies, a consumer demand reduction is required in order to have sufficient supplies available to meet anticipated demands. The RMWD Board of Directors shall declare the existence of a Water Shortage Level 3 condition and implement the Level 3 conservation measures identified in this ordinance.

(b) All persons using RMWD water shall comply with Level 1 Permanent Mandatory Water Restrictions, Level 2 Drought Watch, and shall also comply with the following additional mandatory conservation measures:

(1) Limit residential and commercial landscape irrigation to no more than two (2) assignment days per week on a schedule established by the General Manager and posted by the RMWD. This section shall not apply to commercial growers or nurseries.

(2) Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per assigned day. This provision does not apply to landscape irrigation systems using water efficient devices, including but not limited to: weather-based controllers, drip/micro-irrigation systems and stream rotor sprinklers. This section shall not apply to commercial growers or nurseries.

(3) Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 6 (b) (1), on the same schedule set forth in section 6 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation. This section shall not apply to commercial growers or nurseries.

(4) Stop filling or re-filling swimming pools, spas, ornamental fountains, lakes ponds or other water features, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a Water Shortage level under this ordinance.

(5) Repair all leaks within seventy-two (72) hours of notification by the District unless other arrangements are made with the General Manager.

(c) The RMWD may establish a water allocation for any property served by the RMWD using a method that does not penalize persons for previous implementation of conservation methods or the installation of water saving devices. The decision to establish a water allocation and the method utilized to determine the amount of the allocation shall be at the sole discretion of RMWD.

SECTION 7.0 WATER SHORTAGE LEVEL 4

(a) A Water Shortage Level 4 condition is also referred to as a “Drought Critical” condition. A Level 4 condition applies when the Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 and notifies its member agencies that Level 4 requires a demand reduction in order for the RMWD to have maximum supplies available to meet anticipated demands. The RMWD Board of Directors shall declare a Drought Emergency in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using RMWD water shall comply with conservation measures required during Level 1 Permanent Mandatory Water Restrictions, Level 2 Drought Watch, Level 3 Drought Alert and shall also comply with the following additional mandatory conservation measures:

- (1) During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the District. This section shall not apply to commercial growers or nurseries.
- (2) All decorative water features that use potable water must be drained and kept dry.
- (3) Stop washing vehicles except at commercial carwashes that re-circulate water, or by high pressure/low volume wash systems.
- (4) The District may establish up to a 10% reduction in water allocation for any property served by the District. The District may establish a water allocation for any property served by the District using a method that does not penalize persons for previous implementation of conservation methods or the installation of water saving devices. The decision to establish a water allocation and the method utilized to determine the amount of the allocation shall be at the sole discretion of the District.
- (5) No new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, unless (1) a valid, unexpired building permit has already been issued for the project; (2) In the opinion of the District Board of Directors the project is necessary to protect the public’s health, safety, and welfare; or (3) The applicant provides substantial evidence of an enforceable binding commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District. This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted **for a period of one year or less, provided that such period shall in no event commence before the effective date of this ordinance.**

- (6) Upon the declaration of a Water Shortage Level 4 condition, RMWD will suspend consideration of annexations to its service area until such time that the Water Shortage Level 4 is decreased to a Water Shortage Level 3 condition or lower.

SECTION 8.0 WATER SHORTAGE LEVEL 5

- (a) A Water Shortage Level 5 condition is also referred to as a “Drought Crisis” condition.
- (b) All persons using RMWD water shall comply with conservation measures required during Level 1 Permanent Mandatory Water Restrictions, Level 2 Drought Watch, Level 3 Drought Alert, Level 4 Drought Critical conditions and shall also comply with the following additional mandatory conservation measures:
 - (1) Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager. This measure shall take precedence over what is listed under section 6 (b) (5).
 - (2) The District may establish up to a 20% reduction in water allocation for any property served by the District. The District may establish a water allocation for any property served by the District using a method that does not penalize persons for previous implementation of conservation methods or the installation of water saving devices. The decision to establish a water allocation and the method utilized to determine the amount of the allocation shall be at the sole discretion of the District. This measure shall take precedence over what is listed under section 7 (b) (4).

SECTION 9.0 WATER SHORTAGE LEVEL 6

- (a) A Water Shortage Level 6 condition is also referred to as a “Drought Emergency” condition.
- (b) All persons using RMWD water shall comply with conservation measures required during Level 1 Permanent Mandatory Water Restrictions Level 2 Drought Watch, Level 3 Drought Alert, Level 4 Drought Critical conditions, Level 5 Drought Crisis and shall also comply with the following additional mandatory conservation measures:
 - (1) Stop all landscape irrigation, except crops and landscape products of commercial growers and nurseries. If recycled water is available, it may be used to:
 - a. Maintain trees and shrubs on a limited schedule and by using a bucket, hand-held hose with a positive shutoff nozzle, or low-volume non-spray irrigation.
 - b. Maintain existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated.
 - c. Maintain existing landscaping for erosion control.
 - d. Maintain landscaping within active public facilities, including parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week.

- e. Provide watering of livestock.
- f. Supply public works projects and actively irrigated environmental mitigation projects.

This landscape irrigation measure shall take precedence over what is listed under Water Shortage Levels 1 through 4.

- (2) Repair all water leaks within twenty-four (24) hours of notification by the District unless other arrangements are made with the General Manager. This measure shall take precedence over what is listed under section 8 (b) (1).
- (3) The District may establish up to a 30% reduction in water allocation for any property served by the District. The District may establish a water allocation for any property served by the District using a method that does not penalize persons for previous implementation of conservation methods or the installation of water saving devices. The decision to establish a water allocation and the method utilized to determine the amount of the allocation shall be at the sole discretion of the District. This measure shall take precedence over what is listed under section 8 (b) (2).

SECTION 10.0 CORRELATION BETWEEN WATER AUTHORITY’S WSCP AND RMWD’S WATER SHORTAGE LEVELS

(a) The correlation between the Water Authority’s WSCP Water Shortage Response levels and the RMWD’s Water Shortage levels identified in this ordinance is described herein. Under the Water Authority’s Level 1, the RMWD would implement Water Shortage Level 1 actions. Under Water Authority’s Level 2, the RMWD would implement Water Shortage Level 1 and Level 2 actions. Under Water Authority’s Level 3, the RMWD would implement Water Shortage Levels 1 through 3 and so forth.

(b) The Water Shortage levels identified in this ordinance correspond with the Water Authority’s Water Shortage levels as identified in the following table:

RMWD Shortage Levels	Water Authority’s Shortage Levels	Use Restrictions	Conservation Target
1	1	Voluntary	Up to 10%
2	2	Mandatory	Up to 20%
3	3	Mandatory	Up to 30%
4	4	Mandatory	Up to 40%
5	5	Mandatory	Up to 50%
6	6	Mandatory	>50%

SECTION 11.0 PROCEDURES FOR DETERMINATION AND NOTIFICATION OF WATER SHORTAGE LEVEL

(a) The existence of a Water Shortage Level 1 condition may be declared by the General Manager upon a written determination of the existence of the facts and circumstances supporting the determination. A copy of the written determination shall be filed with the Clerk or Secretary of the RMWD and provided to the RMWD Board of Directors. The General Manager may publish a notice of the determination of existence of Water Shortage Level 1 condition in one or more newspapers, including a newspaper of general circulation within the RMWD. The RMWD may also post notice of the condition on their website.

(b) The existence of Water Shortage Level 2 or Level 3 conditions may be declared by resolution of the RMWD Board of Directors adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation measures applicable to Water Shortage Level 2 or Level 3 conditions shall take effect on the tenth (10) day after the date the response level is declared. Within five (5) days following the declaration of the response level, or as soon thereafter as reasonably practicable, the RMWD shall publish a copy of the resolution in a newspaper used for publication of official notices.

(c) The existence of a Water Shortage Level 4 condition and above may be declared in accordance with the procedures specified in California Water Code sections 351 and 352. The mandatory conservation measures applicable to Water Shortage Level 4 conditions and above shall take effect on the tenth (10) day after the date the response level is declared. Within five (5) days following the declaration of the response level, or as soon thereafter as reasonably practicable, the RMWD shall publish a copy of the resolution in a newspaper used for publication of official notices. If the RMWD establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the RMWD customarily mails the billing statement for fees or charges for on-going water service. Water allocation shall be effective on the fifth (5) day following the date of mailing or at such later date as specified in the notice.

(d) The RMWD Board of Directors may declare an end to a Water Shortage Level by the adoption of a resolution at any regular or special meeting held in accordance with State law.

SECTION 12.0 HARDSHIP VARIANCE

(a) If, due to unique circumstances, a specific requirement of this ordinance would result in undue hardship to a person using agency water or to property upon which agency water is used, that is disproportionate to the impacts to RMWD water users generally or to similar property or classes of water uses, then the person may apply for a variance to the requirements as provided in this section.

(b) The variance may be granted or conditionally granted, only upon a written finding of the existence of facts demonstrating an undue hardship to a person using agency water or to property upon which agency water is used, that is disproportionate to the impacts to RMWD water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.

1. Application. Application for a variance shall be a form prescribed by RMWD and shall be accompanied by a non-refundable processing fee in an amount set by resolution of the RMWD Board of Directors.

2. Supporting Documentation. The application shall be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

3. Required Findings for Variance. An application for a variance shall be denied unless the approving authority finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the RMWD, all of the following:

A. That the variance does not constitute a grant of special privilege inconsistent with the limitations upon other RMWD customers.

B. That because of special circumstances applicable to the property or its use, the strict application of this ordinance would have a disproportionate impact on the property or use that exceeds the impacts to customers generally.

C. That the authorizing of such variance will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the RMWD to effectuate the purpose of this chapter and will not be detrimental to the public interest.

D. That the condition or situation of the subject property or the intended use of the property for which the variance is sought is not common, recurrent or general in nature.

4. Approval Authority. The General Manager shall exercise approval authority and act upon any completed application no later than 30 days after submittal and may approve, conditionally approve, or deny the variance. The applicant requesting the variance shall be promptly notified in writing of any action taken. Unless specified otherwise at the time a variance is approved, the variance applies to the subject property during the term of the mandatory Water Shortage.

(c) Appeals to RMWD Board of Directors. An applicant may appeal a decision or condition of the General Manager on a variance application to the being mailed to the applicant. The appeal must be in the form of a written request for a hearing, and shall state the grounds for the appeal. At a public meeting, the RMWD Board of Directors

shall act as the approval authority and review the appeal de novo by following the regular variance procedure as per the District's Admin Code. The decision of the RMWD Board of Directors is final.

SECTION 13.0 VIOLATIONS AND PENALTIES

- (a) Any person, who uses, causes to be used, or permits the use of water in violation of this ordinance is guilty of an offense punishable as provided herein.
- (b) Prior to issuing administrative fines for violations, the District will first conduct public outreach and issue a warning to customers not in compliance. The District will provide the customer with a fact sheet about water shortage demand reduction actions to explain why the measures are in place.
- (c) Each day that a violation of this ordinance occurs is a separate offense.
- (d) Administrative fines may be levied for each violation of a provision of this ordinance as follows:
 - 1. One hundred dollars for a first violation.
 - 2. Two hundred dollars for a second violation of any provision of this ordinance within one year from occurrence of the first violation.
 - 3. Five hundred dollars for each additional violation of this ordinance within one year of the first violation.
- (d) Violation of a provision of this ordinance is subject to enforcement through installation of a flow-restricting device in the meter at the rate payers expense.
- (e) Each violation of this ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding \$1,000, or by both as provided in Water Code section 377.
- (f) Willful violations of the mandatory conservation measures and water use restrictions as set forth in Section 8.0 and applicable during a Level 6 Drought Emergency condition may be enforced by discontinuing service to the property at which the violation occurs as provided by Water Code section 356.
- (g) All remedies provided for herein shall be cumulative and not exclusive.

SECTION 14.0 EFFECTIVE DATE

This ordinance is effective immediately upon adoption or as otherwise established by State law for RMWD.

PASSED, APPROVED AND ADOPTED this 26th day of July 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Hayden Hamilton, Board President

ATTEST:

Dawn Washburn, Board Secretary

BOARD OF DIRECTORS

July 26, 2022

SUBJECT

CONSIDER AWARD OF CONSTRUCTION CONTRACT IN THE AMOUNT OF \$839,850 WITH ORTIZ CORPORATION FOR THE RAINBOW WATER QUALITY IMPROVEMENT PROJECT - WATER MAIN AND SERVICE RELOCATION PROJECT IN DIVISION 5

BACKGROUND

District staff has been working with the County of San Diego Department of Public Works (referred to herein as County) since 2019 to design the County-initiated and owned water quality project known as the Rainbow Water Quality Improvement Project, which is located in the community of Rainbow along Fifth St., Huffstatler St. and Rainbow Valley Boulevard. Staff would like the Board and the public to know that this project does not involve the water quality in Rainbow Municipal Water District's distribution system, but rather surface water runoff from roads and is a stormwater project to control pollutants that may enter Rainbow Creek and its tributaries. The County's project proposes to install 3,400 linear feet of green infrastructure in the form of subsurface wetland channels to remove nutrients found in road runoff and private property discharge. Additional improvements include new storm drain connections, driveway connections, and new sidewalk, curb and gutter. These improvements are driven by the Regional Water Quality Control Board's (RWQCB) water quality requirements to immediately address nitrogen and phosphorous total maximum daily loads (TMDL's) impacting Rainbow Creek.

The County's subsurface wetland channels will be installed in the roadway shoulders and will be approximately 4-5 feet deep filled with treatment material and vegetation. The County's improvements will result in utility conflicts with SDG&E, AT&T, and District facilities. Approximately four (4) water main and 21 lateral conflicts have been identified based on the County's Final Design and multiple site visits.

In June 2021, the County received Board of Supervisor's approval to advertise and award a construction contract for their job. To date, the County has not advertised the construction of their Project, however the County's construction must begin no later than Fall 2022 to avoid fines from the RWQCB for not fulfilling commitments associated with the Municipal Separate Sewer and Stormwater (MS4) Permit. All utility conflicts with SDG&E gas distribution have been designed and relocated and gas transmission has started construction. The SDG&E electric team is finalizing their design to relocate utility poles and overhead electrical lines and AT&T will relocate their facilities after the electric relocation is complete. District facilities will be relocated prior to the County's start of construction using a pre-qualified general contractor.

DESCRIPTION

The District's Rainbow Water Quality Improvement Project - Water Main and Service Relocation 600077 is occurring in response to the County's Rainbow Water Quality Improvement Project. The County in close coordination with the District has identified the need to relocate approximately 21 service laterals, 350 feet of 8-inch water main, 650 feet of 12-inch main and three (3) sections of 8-inch water main to remove existing utility conflicts with the County's proposed water quality improvements.

To date, District staff have finalized the Project plans and specifications and are working to relocate District facilities by Fall 2022. A solicitation for construction of the District's project was advertised in early June to District pre-qualified general contractors only. Two bids were received for the project:

- 1.) SCW Contracting in the amount of \$1,281,900.000
- 2.) Ortiz Corporation in the amount of \$839,850

Ortiz Corporation was determined to be the lowest and responsive bidder. District construction crews are unable to provide assistance on this work due to prior commitments on other District jobs.

The Board approved \$760,000 (80%) of the total project budget of \$950,000 for FY 21/22. At the February 22, 2022, Board Meeting, a mid-year budget reduction in the amount of \$610,00 was made to the FY21/22 Project budget under the assumption that all District construction activities would occur in FY 22/23, leaving a remaining balance of \$150,000 for FY 21/22.

Given the current status of the Project, a budget adjustment is not necessary for FY 21/22, as a construction contract will be awarded at the beginning of FY 22/23, which the Board approved a budget of \$920,000 at the June Board meeting.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area One: Water Resources. Modifications to the existing water mains are essential to ensuring safe and reliable conveyance of water to District ratepayers.

ENVIRONMENTAL

On June 9, 2021, the County Board of Supervisors adopted the Mitigated Negative Declaration (MND) for the Rainbow Water Quality Improvement Project, dated May 4, 2021, State Clearinghouse # 2021030346, which was found to be in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA guidelines. The County's CEQA document also included the District's utility improvements associated with the water quality improvements. The location of the documents and other materials constituting the record of the proceedings upon which the Board decision is based in this matter is the San Diego County Department of Public Works, 5500 Overland Avenue #310, San Diego, CA 92123 and also available at this link:

<https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80d28645>

There are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted MND, dated May 4, 2021. There is no substantial increase in the severity of previously identified significant effects and no new information of substantial importance has become available since the MND was adopted; therefore, no additional environmental review of findings are necessary for the Rainbow Water Quality Improvement Project - Water Main and Service Relocation

BOARD OPTIONS/FISCAL IMPACTS

Adequate funds are available and are included in the FY23 Budget for project number 600077.

Option 1:

(1) Acting as a responsible agency for the Rainbow Water Quality Improvement Project, consider the MND prepared and dated May 4, 2021 and certified by the County of San Diego as lead agency for the project on June 9, 2021 (State Clearinghouse # 20171201061); certify that the Board has independently reviewed and considered the information contained in the MND and reached its own conclusions regarding the environmental effects of the County's approvals related to the project as shown in the MND; adopt the mitigation and monitoring program of the County as applicable to

RMWD's activities as a responsible agency, finding that the mitigation monitoring program is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that the significant adverse impacts of the project have been reduced to below a level of significance, as outlined in the MWD, which findings and statement are adopted and incorporated herein by reference as applicable.

(2) Authorize the filing of a Notice of Determination with the San Diego County Clerk in accordance with Section 21152 of the California Public Resources Code.

(3) Approve the Construction Agreement with Ortiz Corporation in the amount of \$839,850.

(4) Authorize the General Manager to execute the construction contract.

Option 2:

(1) Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering and CIP Group Manager

07/26/22



BOARD ACTION

BOARD OF DIRECTORS

July 26, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO AWARD A PROFESSIONAL SERVICES AGREEMENT FOR THE SAN LUIS REY IMPORTED RETURN FLOW RECOVERY PROJECT (DISTRICT WIDE)

BACKGROUND

Currently, the District purchases 100 percent of its potable water supply (imported water) from San Diego County Water Authority (SDCWA). The vast majority of this supply is treated in Riverside County at the Skinner Water Treatment Plant owned by the Metropolitan Water District of Southern California (Metropolitan), and a small portion is treated at SDCWA's Twin Oaks Valley Water Treatment Plant in San Marcos.

A strategic goal of the District is to diversify the water supply with locally-controlled reliable sources. Towards this end, the District continues to investigate opportunities for groundwater development and other local water projects. Some of these investigations have identified opportunities with potential merit, however to date, no developments have come to fruition. Since groundwater in our area is considered to be a subterranean stream, water rights are managed as river diversions. The San Luis Rey River is fully appropriated in this area so no new diversion permits can be issued.

However, as an importer of water from outside the watershed, the District does have the legal right to recover imported water that returns to the groundwater system through the use of the water by its customers. The returned water enters the ground through irrigation and from septic systems. In order to access these rights the District must firmly establish the quantity of return flow.

Between 2013 and 2016, the District contracted with West Yost, a hydrogeology consultant, to determine possible return flow opportunities for the District. West Yost estimated that between years 2016 to 2046, water users within the Lower San Luis Rey Valley Groundwater Basin (LSLRVGB) will be recharging the basin at a rate of 7,200 to 7,600 acre-feet per year (AFY). The 2016 estimate was based on the water use of the District, Fallbrook Public Utilities District (FPUD), and Valley Center Municipal Water District (VCMWD) customers within the watershed contributing to the LSLRVGB. West Yost concluded that median annual pumping rates of 5,700 AFY could be supported without significant impacts to the hydrologic conditions that would exist in the absence of imported water. West Yost prepared preliminary project planning for a conceptual groundwater extraction and treatment project sized at 4,000 AFY (3.6 million gallons per day).

In May 2017, a technical memorandum was completed that compared a baseline groundwater extraction and desalination project against three (3) alternatives that supplemented the groundwater supply with indirect potable reuse (IPR). The memo concluded that the District should implement the baseline groundwater desalination project while preserving the IPR alternatives for possible implementation in the future. The District contracted Dudek to update the 2016 West Yost groundwater model, use the model to

verify production well yields in the Bonsall Basin, confirm imported return flow water rights and regulatory structure, collect groundwater quality data, perform exploratory borings for production well sites and facilitate property acquisition and private property contracts and agreements. Dudek developed a Feasibility Study, which was later paused due to unfavorable findings. Dudek's report indicated treatment of the imported water return flow for potable use would require a substantial capital investment to construct extraction wells, a brackish water desalter, and a brine disposal line or brine treatment plant with zero liquid discharge. The estimated 1,300 AFY supply from imported water return flows was determined not to be substantial enough to warrant moving forward with a project because a smaller scale project would result in a higher unit cost of water.

After ongoing coordination with local stakeholders including the San Luis Rey Indian Water Authority (SLRIWA), the District has decided to resume its investigation for a potential Return Flow Recovery Project in close coordination with local tribes. Using the findings from previous studies, opportunities in the Eastern portion of the Bonsall Basin may exist due to lower total dissolved solids (TDS) and options to avoid cost prohibitive demineralization procedures. The water produced from an Imported Water Recovery Project may be competitive with, or even less expensive than SDCWA-provided imported water which is expected to approach \$2,500/acre-foot in the next five years.

DESCRIPTION

On February 11, 2022, the District advertised a Request for Proposals (RFP) for Hydrogeologic and Engineering Services to re-visit the possibility of identifying and implementing an Imported Return Flow Project. The RFP was advertised in the Daily Journal and posted on the District's website. Proposals were due on March 25, 2022 at 3:00pm. The District received a total of two (2) proposals from:

- (1) Geosyntec
- (2) Hoch Consulting

District staff and Engineering and Operations (E&O) Committee members reviewed the proposals and scored each one based on (1) Approach to Work (25%), (2) Project Manager and Team Qualifications (35%) and Project Experience (40%). Hoch Consulting scored the highest of both Consultants and their original proposal fee was \$1,316,959.

The District invited both Consultants to an interview on May 4, 2022 to discuss why each Consultant felt they were the best fit for the project and provide added value to each proposal by showcasing team qualifications, expertise and experience. The interview panel included both District staff, a technical Consultant and an E&O Committee member. Interview panelists concurred after both interviews that Hoch Consulting was the best choice for this project based on the team's understanding of the scope of work, team's local expertise in the San Luis Rey watershed, work on similar types of projects, and willingness to negotiate fees.

After the Evaluation Committee selected the preferred consulting team, District staff entered negotiations with Hoch and successfully negotiated a 12% decrease to the proposed fee estimate. This process also incorporated measures (e.g. "stop-points" or "off-ramps") into the scope of services for the District to assess findings and make a determination in close coordination with the Board of Directors as to whether to proceed to the next task. This process will ensure that should early results be unfavorable additional funds would not be expended.

The original scope of work was broken into two phases with a stopping point incorporated between Phase I – Feasibility Study and Phase II – Plans, Specification and Estimate. After further discussion with the Evaluation Committee, the District proposed a restructured scope to incorporate two (2) additional stopping points into the scope of services after Task 1 – Feasibility Study, Task 2 – Stakeholder & Tribal Coordination, and Task 3 – Plans, Specifications and Estimate before proceeding to the last Task 4 – Construction Inspection & Reporting. This would allow the District greater flexibility and control of the

project during each Task and allow the District to put the project on hold or cancel the project if technical findings do not support a viable return flow recovery project or support from local stakeholders' changes.

While the Hoch team had concerns about the District recommended scope restructure and full fee reduction, Hoch Consulting restructured their proposal following Task A: Preliminary Evaluation and Project Planning, Task B: Project Coordination & Stakeholder Outreach, Task C: Plans, Specifications, and Estimate Development, which included construction monitoring, inspection and reporting. Hoch Consulting removed monitoring of well work and telemetry from the scope in order to reduce the fee and indicated they were agreeable to incorporating "stop points" between each Task.

Staff's recommendation was presented at the July 6, 2022 E&O Committee where the committee unanimously voted to support the recommendation to award a Professional Services Agreement to Hoch Consulting. Their total proposed cost estimate with a 12% negotiated reduction was \$1,158,183.

Staff is asking the Board to consider entering into a Professional Services Agreement with Hoch Consulting on a time and material basis for a not to exceed amount of \$600,000 to only complete Task A: Preliminary Evaluation and Project Planning at this time. District Board of Directors will be consulted on the findings of the feasibility study for the project and will be presented with recommendations on how to proceed before starting the next task. Tasks B: Project Coordination & Stakeholder Outreach and Task C: Plans, Specifications, and Estimate Development will only occur upon the Board approval and will include the remaining contract balance of \$558,183, bringing the total contract amount to \$1,158,183. A copy of the proposed Professional Services Agreement has been added for reference (Exhibit A).

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area One: Water Resources. The proposed studies would refine the feasibility of creating a local supply of potable water through investigating various return flow recovery project options. This would broaden the District's supply beyond strictly imported water.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a "project" as defined by CEQA for entering into a Professional Services Agreement for a feasibility study. Environmental review and CEQA documentation will be prepared as required under CEQA for Phase II upon the Board's approval.

BOARD OPTIONS/FISCAL IMPACTS

Funding for this phase of the project was included in the FY23 Budget and was also included in the Five-Year Water CIP Plan for project number 600003.

Option 1:

- (1) Determine that the action defined herein does not constitute a "project" as specified by CEQA
- (2) Approve the Professional Services Agreement with Hoch Consulting for a not to exceed amount of \$600,000.
- (3) Authorize the General Manager to execute the Professional Services Agreement.

Option 2:

- (1) Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering and CIP Program
Manager

July 26, 2022



RAINBOW MUNICIPAL WATER DISTRICT
3707 OLD HIGHWAY 395
FALLBROOK CA, 92028
(760) 728-1178

PROFESSIONAL SERVICES AGREEMENT

PROJECT: TITLE
Project No. 600003, Contract No. 22-XX

THIS AGREEMENT ("Agreement") is made and entered into this ___ day of Month, 2022 by and between the RAINBOW MUNICIPAL WATER DISTRICT, a municipal water district, hereinafter designated as "DISTRICT", and HOCH CONSULTING, a California corporation, hereinafter designated as "CONSULTANT"

RECITALS

- A. DISTRICT desires to obtain Professional Consulting Services from an independent contractor for the above-named Project.
B. CONSULTANT has submitted a proposal to provide professional services for DISTRICT in accordance with the terms set forth in this Agreement.
C. DISTRICT desires to contract with CONSULTANT as an independent contractor and CONSULTANT desires to provide services to DISTRICT as an independent contractor.
D. CONSULTANT has demonstrated its competence and professional qualifications necessary for the satisfactory performance of the services designated herein by virtue of its experience, training, education, and expertise.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

- 1. PROFESSIONAL SERVICES PROVIDED BY CONSULTANT.
1.1 The professional services to be performed by CONSULTANT shall consist of the following: Engineering services to ____. The scope of services is more particularly defined in Exhibit "A", attached and made a part hereof. Any additional engineering services will be requested in writing as set forth in Section 19.
1.2 In performing the services set forth in Exhibit "A", CONSULTANT shall work closely with DISTRICT'S General Manager or Authorized Representative and staff in performing services in accordance with this Agreement in order to receive clarification as to the result

that DISTRICT expects to be accomplished by CONSULTANT. The General Manager or Authorized Representative, shall be DISTRICT'S authorized representative in the interpretation and enforcement of all services performed in connection with this Agreement.

- 1.3 CONSULTANT represents that its employees have the qualifications and skills necessary to perform the services under this Agreement in a competent, professional manner, without the advice or direction of DISTRICT. This means CONSULTANT is able to fulfill the requirements of this Agreement. Failure to perform all services required under this Agreement constitutes a material breach of the Agreement.

2. TERM AND TIMING REQUIREMENTS.

- 2.1 This Agreement will become effective on the date stated above, and will continue in effect until the earlier of the completion of services provided for in this Agreement or until terminated as provided under Section 14 of this Agreement.
- 2.2 CONSULTANT'S performance of services under this Agreement shall be in accordance with the schedule outlined below unless otherwise modified in writing as set forth in Section 19. Failure by CONSULTANT to strictly adhere to these timing requirements may result in termination of this Agreement by DISTRICT.

Task	Due Date
Notice to Proceed	Month, Day, Year
Progress Report	Month, Day, Year
Final Submittal	Month, Day, Year

- 2.3 CONSULTANT shall submit all requests for extensions of time for performance in writing to the General Manager or Authorized Representative no later than two (2) business days after the commencement of the cause of any unforeseeable delay beyond CONSULTANT'S control and in all cases prior the date on which performance is due if possible. The General Manager or Authorized Representative shall review all such requests and may grant reasonable time extensions for unforeseeable delays which are beyond CONSULTANT'S control.
- 2.4 For all time periods not specifically set forth herein, CONSULTANT shall respond in the most expedient and appropriate manner under the circumstances, by telephone, fax, hand delivery, e-mail or mail.

3. STUDY CRITERIA AND STANDARDS.

- 3.1 All services shall be performed in accordance with applicable DISTRICT, county, state and federal Codes and criteria. In the performance of its professional services,

CONSULTANT shall use the degree of care and skill ordinarily exercised by CONSULTANTS performing the same or similar work under similar conditions.

4. INDEPENDENT CONTRACTOR.

4.1 CONSULTANT'S relationship to DISTRICT shall be that of an independent contractor in performing all services hereunder. DISTRICT will not exercise any control or direction over the methods by which CONSULTANT shall perform its services and functions. DISTRICT'S sole interest and responsibility is to ensure that the services covered in this Agreement are performed in a competent, satisfactory and legal manner. The parties agree that no services, act, commission or omission of CONSULTANT or its employee(s) pursuant to this Agreement shall be construed to make CONSULTANT or its employee(s) the agent, employee or servant of DISTRICT. CONSULTANT and its employee(s) are not entitled to receive from DISTRICT vacation pay, sick leave, retirement benefits, Social Security, workers' compensation, disability benefits, unemployment benefits or any other employee benefit of any kind.

4.2 CONSULTANT shall be solely responsible for paying all federal and state employment and income taxes, for carrying workers' compensation insurance and for otherwise complying with all other employment requirements with respect to CONSULTANT or its employee(s). CONSULTANT agrees to indemnify, defend and hold DISTRICT harmless from any and all liability, damages or losses (including attorney's fees, costs, penalties and fines) DISTRICT suffers as a result of CONSULTANT'S failure comply with the foregoing.

4.3 CONSULTANT shall be solely responsible for the performance of any of its employees, agents, or subcontractors under this Agreement. CONSULTANT represents and warrants that CONSULTANT customarily engages in the independently established trade and business of the same nature as the work to be performed under this Agreement.

4.4 CONSULTANT shall have no authority, express or implied, to act on behalf of as an agent, or to bind DISTRICT to any obligation whatsoever, unless specifically authorized in writing by the General Manager or Authorized Representative. If CONSULTANT'S services relate to an existing or future DISTRICT construction contract, CONSULTANT shall not communicate directly with, nor in any way direct the actions of, any bidder for that construction contract without the prior written authorization by the General Manager or Authorized Representative.

5. WORKERS' COMPENSATION INSURANCE.

5.1 By CONSULTANT'S signature hereunder, CONSULTANT certifies that CONSULTANT is aware of the provisions of Section 3700 of the California Labor Code requiring every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and CONSULTANT will comply with such provisions before commencing the performance of the services of this Agreement.

6. INDEMNIFICATION, HOLD HARMLESS AND DEFENSE.

6.1 All officers, agents, employees and subcontractors, and their agents, who are employed by CONSULTANT to perform services under this Agreement, shall be deemed officers,

agents and employees of CONSULTANT. To the extent and in any manner permitted by law, CONSULTANT shall defend, indemnify, and hold DISTRICT, its directors, officers, employees, authorized volunteers and agents, and each of them free and harmless from any claims, demands, liability from loss, damage, or injury to property or persons, including wrongful death, that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of CONSULTANT, including CONSULTANT'S officers, employees and agents, in connection with the services required by this Agreement, including without limitation, the payment of reasonable attorneys' fees and costs. In no event shall the cost to defend charged to the CONSULTANT exceed the CONSULTANT'S proportionate percentage of fault, as determined by a court of law. The foregoing indemnity, hold harmless and defense obligation of CONSULTANT shall apply except to the extent the loss, damage or injury is caused by the sole negligence or willful misconduct of an indemnified party.

- 6.2 To the extent and in any matter permitted by law, CONSULTANT shall defend, indemnify and hold DISTRICT, its directors, officers, employees, authorized volunteers and agents, and each of them free and harmless from and against any and all actions, proceedings, damages, costs, expenses, penalties or liabilities, in law or equity, of every kind or nature whatsoever, arising out of, related to or incident to a breach of any governmental law or regulations, compliance with which is the responsibility of CONSULTANT, except any violation of law due to the DISTRICT'S negligence or willful misconduct.
- 6.3 CONSULTANT shall defend, at CONSULTANT'S own cost, expense and risk, any and all such aforesaid claims, suits, actions or other legal proceedings of every kind that may be brought or instituted against DISTRICT or DISTRICT'S directors, officers, employees, authorized volunteers and agents, and each of them. DISTRICT shall be consulted regarding and approve of the selection of defense counsel.
- 6.4 CONSULTANT shall pay and satisfy any judgment, award or decree that may be rendered against DISTRICT or its directors, officers, employees, authorized volunteers and agents, and each of them, in any and all such aforesaid claims, suits, action or other legal proceeding. CONSULTANT shall not agree without DISTRICT'S prior written consent, to any settlement which would require DISTRICT to pay any money or perform some affirmative act, including in the case of intellectual property infringement any payment of money or performance of some affirmative act to continue using CONSULTANT Products.
- 6.5 CONSULTANT'S indemnification, hold harmless and defense obligation shall survive the termination or expiration of this Agreement.

7. LAWS, REGULATIONS AND PERMITS.

- 7.1 CONSULTANT shall give all notices required by law and comply with all laws, ordinances, rules and regulations pertaining to the conduct of the services required by this Agreement. CONSULTANT shall be liable for, and bear all costs resulting from, any violations of the law in connection with services furnished by CONSULTANT, except any violation of the law due to the DISTRICT'S negligence or willful misconduct.
- 7.2 CONSULTANT shall comply with all of the following requirements with respect to any services as a Building/Construction Inspector, Field Soils and Material Tester, or Land Surveyor, as those trades are defined by the California Department of Industrial Relations ("DIR").

- a) CONSULTANT agrees to comply with and require its subcontractors to comply with the requirements of California Labor Code sections 1720 *et seq.* and 1770 *et seq.*, and California Code of Regulations, title 8, section 16000 *et seq.* (collectively, “Prevailing Wage Laws”) and any additional applicable California Labor Code provisions related to such work including, without limitation, payroll recordkeeping requirements. CONSULTANT and its subcontractors shall pay not less than the prevailing rate of per diem wages as determined by the Director of the DIR for all services described in this Section 7.2 of the Agreement and as required by law. The general prevailing wage determinations can be found on the DIR website at: [www://dir.ca.gov/dslr](http://www.dir.ca.gov/dslr). Copies of the prevailing rate of per diem wages may be accessed at the DISTRICT’S administrative office and shall be made available upon request. CONSULTANT shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the services described in this Section 7.2 of the Agreement available to interested parties upon request, and shall post and maintain copies at CONSULTANT’S principal place of business and at all sites where services are performed. Penalties for violation of Prevailing Wage Laws may be assessed in accordance with such laws. For example, CONSULTANT shall forfeit, as a penalty to the DISTRICT, Two Hundred Dollars (\$200) for each calendar day, or portion thereof, for each workman paid less than stipulated prevailing rates for services performed under this Agreement by CONSULTANT, or any subcontractor under CONSULTANT, in violation of Prevailing Wage Laws.
- b) CONSULTANT and each of its subcontractors shall keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by CONSULTANT or subcontractor in connection with the services performed pursuant to this Agreement. Each payroll shall be certified, available for inspection, and copies thereof furnished as prescribed in California Labor Code sections 1771.4(a)(3)(A) and 1776, including any required redactions. CONSULTANT shall keep the DISTRICT informed as to the location of the records and shall be responsible for the compliance with these requirements by all subcontractors. CONSULTANT shall inform the DISTRICT of the location of the payroll records, including the street address, city and county and shall, within five (5) working days, provide a notice of a change of location and address. Penalties for noncompliance include a forfeiture of One Hundred Dollars (\$100) per calendar day, or portion thereof, for each worker until strict compliance is effectuated, which may be deducted from any moneys due to CONSULTANT.
- c) Eight (8) hours of work shall constitute a legal day’s work. CONSULTANT and any subcontractors shall forfeit, as a penalty to the DISTRICT, Twenty-Five Dollars (\$25) for each worker employed in the execution of services pursuant to this Agreement by CONSULTANT or any subcontractor under him for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one (1) calendar day and forty (40) hours in any calendar week in violation of the provisions of the California Labor Code, in particular, sections 1810 to 1815, thereof, inclusive, except services performed by employees of CONSULTANT and its subcontractors in excess of eight (8) hours per day at not less than the rates published by the California Department of Industrial Relations.

- d) CONSULTANT'S attention is directed to the provisions of California Labor Code sections 1777.5, 1777.6 and 1777.7 concerning employment of apprentices by CONSULTANT or any of its subcontractors. If applicable to the services performed under the Agreement, CONSULTANT shall comply with such apprenticeship requirements and submit apprentice information to the DISTRICT. Information relative to apprenticeship standards, wage schedules and other requirements may be obtained from the DIR or the Division of Apprenticeship Standards. Knowing violations of section 1777.5 will result in forfeiture not to exceed One Hundred Dollars (\$100) or Three Hundred Dollars (\$300), depending on the circumstances, for each calendar day of non-compliance pursuant to section 1777.7.
- e) CONSULTANT shall require any subcontractors performing services described in this Section 7.2 of the Agreement to comply with all the above.
- f) CONSULTANT must be, and must require, all subcontractors performing services described in this Section 7.2 to be, registered with and have paid the annual fee to the DIR prior to execution of this Agreement pursuant to Labor Code Section 1725.5. No contractor or subcontractor may be listed on a bid proposal for a public works project, or perform services described in this Section 7.2, unless registered with the DIR pursuant to Labor Code Section 1725.5. No contractor or subcontractor may be awarded a contract for public work on a public works project, or perform services described in this Section 7.2, unless registered with the DIR pursuant to Labor Code Section 1725.5. The performance of services described in this Section 7.2 is subject to compliance monitoring and enforcement by the DIR

8. **SAFETY.**

In carrying out CONSULTANT'S services, CONSULTANT shall at all times, exercise all necessary precautions for the safety of employees appropriate to the nature of the services and the conditions under which the services are to be performed, and be in compliance with all federal, state and local statutory and regulatory requirements including State of California, Division of Industrial Safety (Cal/OSHA) regulations, and the U.S. Department of Transportation Omnibus Transportation Employee Testing Act (as applicable). Safety precautions as applicable shall include instructions in accident prevention for all employees such as safe walkways, scaffolds, fall protection, ladders, bridges, gang planks, confined space procedures, trenching & shoring, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries.

9. **INSURANCE.**

9.1 **INSURANCE COVERAGE AND LIMITS.**

CONSULTANT shall provide and maintain at all times during the performance of this Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the services hereunder by CONSULTANT, its agents, representatives, employees or subcontractors. Claims made policies shall not satisfy these insurance requirements unless CONSULTANT notifies DISTRICT and obtains DISTRICT'S prior written consent to the use of such claims made policies.

Coverage – CONSULTANT shall maintain coverage at least as broad as the following:

- a) Coverage for Professional Liability appropriate to CONSULTANT'S profession covering CONSULTANT'S wrongful acts, negligent actions, errors or omissions. The retroactive date (if any) is to be no later than the effective date of this Agreement.
- b) Insurance Services Office Commercial General Liability Coverage (Occurrence Form CG 0001).
- c) Insurance Services Office Automobile Liability Coverage (Form CA 0001), covering Symbol 1 (any auto).
- d) Workers' Compensation insurance as required by the State of California and Employers Liability insurance.

Limits - CONSULTANT shall maintain limits no less than the following:

- a) Professional Errors and Omissions Liability - One million dollars (\$1,000,000) per claim and two million dollars (\$2,000,000) annual aggregate.

Professional Errors and Omissions Liability is required if CONSULTANT provides or engages in any type of professional services including, but not limited to engineers, architects and construction management.

- b) General Liability - One million dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit or products-completed operations aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2503, or ISO CG 2504, or insurer's equivalent endorsement provided to DISTRICT) or the general aggregate limit and products-completed operations aggregate limit shall be twice the required occurrence limit.
- c) Automobile Liability - One million dollars (\$1,000,000) for bodily injury and property damage each accident limit.
- d) Workers' Compensation insurance with statutory limits as required by California law and Employer's Liability insurance with a limit of no less than One Million Dollars (\$1,000,000) per accident for bodily injury or disease.

9.2 REQUIRED PROVISIONS. The insurance policies are to contain, or be endorsed to contain the following provisions:

- a) DISTRICT, its directors, officers, or employees are to be covered as insureds on the CGL and auto policies with respect to liability arising out of automobiles owned, leased, hired, or borrowed by on or behalf of CONSULTANT; and with respect to liability arising out of services or operations performed by or on behalf of CONSULTANT including materials, parts, or equipment furnished in connection with such services

or operations. General liability coverage can be provided in the form of an endorsement to CONSULTANT'S insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 20 37 forms if later revisions used). The coverage shall contain no special limitations on the scope of protection afforded to DISTRICT, its directors, officers, employees, or authorized volunteers. The Project Name shall also be included.

- b) For any claims related to the services provided hereunder, CONSULTANT'S insurance shall be primary insurance as respects DISTRICT, its directors, officers, employees, and authorized volunteers. Any insurance, self-insurance, or other coverage maintained by DISTRICT, its directors, officers, or employees shall not contribute to it.
- c) Each insurance policy specified above are to state or be endorsed to state that coverage shall not be canceled except after thirty (30) days prior written notice (ten (10) days for non-payment of premium) by U.S. mail has been provided to DISTRICT.
- d) In the event any change is made in the insurance carrier, scope of coverage or retroactive date of professional liability coverage required under this Agreement (if applicable), CONSULTANT shall notify DISTRICT prior to any changes.

9.3 PROFESSIONAL WARRANTY. CONSULTANT represents and warrants that: (a) the Professional Services will be performed in a professional and workmanlike manner with a degree of care, skill and competence that is consistent with generally accepted industry standards reasonably expected of similar types of engagements, and (b) the Deliverables will substantially conform to the description and specifications set forth in Exhibit "A" for the specified period after delivery or if none stated, a period of XX days after the date of delivery ("Warranty Period"). To the extent any Professional Services or Deliverables do not substantially conform to the foregoing warranties, CONSULTANT shall promptly re-perform the Professional Services and/or resubmit the Deliverables. If after receiving notice of non-conformity CONSULTANT determines that the Professional Services cannot be performed or the Deliverables cannot reasonably be delivered pursuant to the specifications, within the Warranty Period, DISTRICT may elect to remedy or receive such Professional Services or Deliverable through another contractor and CONSULTANT shall reimburse DISTRICT within 30 days of request by DISTRICT. This warranty will apply only if: (a) no modification, alteration or addition has been made to the Deliverable(s) other than with CONSULTANT'S written consent; and (b) receives written notification of the breach during the applicable Warranty Period.

CONSULTANT warrants that any drawings and specifications, reports or other documents submitted by Contractor to Agency shall be complete and unambiguous and in compliance with all applicable codes, ordinances, statutes, regulations, and laws.

9.4 WAIVER OF SUBROGATION. CONSULTANT hereby agrees to waive rights of subrogation which any insurer of CONSULTANT may acquire from CONSULTANT by

virtue of the payment of any loss. CONSULTANT agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of DISTRICT for all services performed by CONSULTANT, its employees, agents and subcontractors.

9.5 DEDUCTIBLES AND SELF-INSURED RETENTIONS. Any deductible or self-insured retention must be declared to and approved by DISTRICT. At the option of DISTRICT, the insurer shall either reduce or eliminate such deductibles or self-insured retention.

9.6 ACCEPTABILITY OF INSURERS. Insurance is to be placed with insurers having a current A.M. Best rating of no less than A:VII or equivalent or as otherwise acceptable to DISTRICT.

9.7 EVIDENCES OF INSURANCE. Prior to execution of this Agreement, CONSULTANT shall furnish DISTRICT with original certificates and amendatory endorsements, or copies of the applicable insurance language, effecting coverage required by this Agreement. All certificates and endorsements are to be received and approved by DISTRICT before services commence. However, failure to obtain the required documents prior the services beginning shall not waive CONSULTANT'S obligation to provide them.

CONSULTANT shall, upon demand of DISTRICT at any time, deliver to DISTRICT complete, certified copies or all required insurance policies, including endorsements, required by this Agreement.

9.8 SUBCONTRACTORS. In the event that CONSULTANT employs subcontractors as part of the services covered by this Agreement, it shall be the CONSULTANT'S responsibility to require and verify that each subcontractor meets the minimum insurance requirements specified in this Agreement.

10. NO CONFLICT OF INTEREST.

If CONSULTANT is providing services related to a DISTRICT project, CONSULTANT shall not be financially interested in any other contract necessary for the undertaking of the project. For the limited purposes of interpreting this section, CONSULTANT shall be deemed a "district officer or employee", and this section shall be interpreted in accordance with California Government Code Section 1090. In the event that CONSULTANT becomes financially interested in any other contract necessary for the undertaking of the project, this Agreement shall be null and void and DISTRICT shall be relieved of any responsibility whatsoever to provide compensation under the terms and conditions of any such contract for those services performed by CONSULTANT.

11. OWNERSHIP OF DOCUMENTS.

All documents, drawings, reports, and specifications, including details, computations, code, scripts, workflows, and other documents, prepared or provided by CONSULTANT under this Agreement shall be the property of DISTRICT. DISTRICT agrees to hold CONSULTANT free and harmless from any claim arising from any use, other than the purpose intended, of the documents and all preliminary sketches, schematics, preliminary plans, architectural perspective renderings, working drawings, including details, computations, and other documents, prepared or provided by CONSULTANT. CONSULTANT may retain a copy of

all material produced under this Agreement for the purpose of documenting their participation in this Project.

12. CONFIDENTIAL INFORMATION.

Any written, printed, graphic, or electronically or magnetically recorded information furnished by DISTRICT for CONSULTANT'S use are the sole property of DISTRICT. CONSULTANT and its employee(s) shall keep this information in the strictest confidence and will not disclose it by any means to any person except with DISTRICT'S prior written approval, and only to the extent necessary to perform the services under this Agreement. This prohibition also applies to CONSULTANT'S employees, agents, and subcontractors. On termination or expiration of this Agreement, CONSULTANT shall promptly return any such confidential information in its possession to DISTRICT.

13. COMPENSATION.

13.1 For services performed by CONSULTANT in accordance with this Agreement, DISTRICT shall pay CONSULTANT in accordance with the schedule of billing rates set forth in Exhibit "A", attached hereto and incorporated herein by reference. This is a Time-and-Materials contract. Overtime work must be authorized by the DISTRICT. No hourly rate changes shall be made during the term of this Agreement. **CONSULTANT'S compensation for all services performed in accordance with this Agreement shall not exceed the total contract price of \$_____.** No services shall be performed by CONSULTANT in excess of the total contract price without prior written approval of the General Manager or Authorized Representative. CONSULTANT shall obtain approval from the General Manager or Authorized Representative prior to performing any services that result in incidental expenses to the DISTRICT.

13.2 CONSULTANT shall maintain accounting records including the following information:

- a) Names and titles of employees or agents, types of services performed, and times and dates of all services performed in connection with Agreement that is billed on an hourly basis.
- b) All incidental expenses including reproductions, computer printing, postage, mileage billed at current Internal Revenue Service ("IRS") Rate, and subsistence.

13.3 CONSULTANT'S accounting records shall be made available to DISTRICT Accounting Manager, for verification of billings, within a reasonable time of the Accounting Manager's request for inspection.

13.4 CONSULTANT shall submit monthly invoices to DISTRICT. DISTRICT will make partial payments to CONSULTANT not to exceed the total contract price within thirty (30) days of receipt of invoice, subject to the approval of the General Manager or Authorized Representative. ***Each application for partial payment shall be accompanied with a Progress Report summarizing the status of the services performed.***

13.5 DISTRICT reserves the right to withhold payments for services to cover potential or nonconforming services. Additionally, the DISTRICT may elect not to make a particular payment if any of the following exists:

- a) CONSULTANT with or without knowledge, made any misrepresentation of substantial and material nature with respect to any information furnished to DISTRICT.
- b) CONSULTANT took an action without receiving DISTRICT'S prior approval as required under this Agreement.
- c) CONSULTANT is in default of a term or condition of this Agreement.

13.6 CONSULTANT shall ensure that any report generated under this Agreement shall comply with Government Code Section 7550.

14. TERMINATION OF AGREEMENT.

14.1 TERMINATION FOR CAUSE. If DISTRICT ("demanding party") has a good faith belief that CONSULTANT is not complying with the terms of this Agreement or is deemed non-responsive or non-responsible, DISTRICT will give written notice of the default (with reasonable specificity) to CONSULTANT and demand the default to be cured within ten (10) calendar days of the notice. Responsive is defined as conforming with material requirements and responsible is defined as possessing the attributes of trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the contract.

If CONSULTANT fails to cure the default within ten (10) calendar days of the notice, or if more than ten (10) calendar days are reasonably required to cure the default, and CONSULTANT fails to give adequate assurance and due performance within ten (10) calendar days of the notice, DISTRICT may terminate this Agreement upon written notice to CONSULTANT. In the event of a material breach of any representation or term of this Agreement by CONSULTANT that is not curable or results in a threat to health or safety, DISTRICT may immediately terminate this Agreement by providing written notice and without a cure period.

Upon termination, DISTRICT will pay CONSULTANT for any services completed up to and including the date of termination of this Agreement, in accordance with the compensation Section 13. DISTRICT will be required to compensate CONSULTANT only for services performed in accordance with the Agreement up to and including the date of termination. DISTRICT shall not pay for lost profits or overhead/extended overhead fees and at its sole discretion may deduct fees for any non-conforming or non-complying work.

14.2 TERMINATION FOR CONVENIENCE. DISTRICT will have the express right to terminate this Agreement at any time without cause by giving seven (7) calendar days advanced written notice to CONSULTANT. This Agreement shall be automatically terminated without further action of any party upon expiration of the seven (7) day period.

Promptly upon receipt of any termination notice from the DISTRICT, CONSULTANT shall cease all further work and services, except as otherwise expressly directed by the DISTRICT in the written termination notice. In the event the DISTRICT exercises its termination right, CONSULTANT shall be paid only for work and services performed and approved by the DISTRICT to the date this Agreement terminates. The DISTRICT will have the express right to withhold any payment otherwise due CONSULTANT to correct

any labor or materials determined to be defective by the DISTRICT at the time of termination.

All plans, maps, drawings, reports, designs, or other writings of any type or nature prepared by CONSULTANT as a result of this Agreement shall become and remain the sole property of the DISTRICT. All such writings shall be provided to the DISTRICT not later than seven (7) consecutive days after termination of this Contract for any reason. All labor, supplies, work and materials provided by CONSULTANT in conjunction with this Agreement will become and remain the sole property of the DISTRICT.

15. ASSIGNMENT AND DELEGATION.

15.1 This Agreement and any portion thereof shall not be assigned or transferred, nor shall any of CONSULTANT'S duties be delegated or subcontracted, without the express written consent of DISTRICT. Any attempt to assign or delegate this Agreement without the express written consent of DISTRICT shall be void and of no force or effect. Consent by DISTRICT to one assignment shall not be deemed to be consent to any subsequent assignment.

15.2 This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

16. AUDIT DISCLOSURE.

Pursuant to Government Code section 8546.7, if the Agreement is over ten thousand dollars (\$10,000), it is subject to examination and audit of the State Auditor, at the request of DISTRICT or as part of any audit of DISTRICT, for a period of three (3) years after final payment under the Agreement. CONSULTANT shall cooperate with any such examination or audit at no cost to DISTRICT.

17. ENTIRE AGREEMENT.

This Agreement, and the attached Exhibit "A", comprise the entire integrated understanding between DISTRICT and CONSULTANT concerning the services to be performed pursuant to this Agreement and supersedes all prior negotiations, representations, or agreements whether express or implied, oral or written. The express terms hereof control and supersede any course of performance and/or usage of the trade inconsistent with any of the terms herein. In the event of any conflict between the provisions of the Agreement and the Exhibit(s), the terms of the Agreement shall prevail.

18. INTERPRETATION OF THE AGREEMENT.

18.1 The interpretation, validity, and enforcement (including, without limitation, provisions concerning limitations of actions) of the Agreement shall be governed by and construed under the laws of the State of California, notwithstanding any conflict-of-laws doctrines of such state or other jurisdiction to the contrary and without the aid of any canon, custom or rule requiring construction against the draftsman. The Agreement does not limit any other rights or remedies available to DISTRICT.

18.2 CONSULTANT shall be responsible for complying with all applicable local, state, and federal laws whether or not said laws are expressly stated or referred to herein.

18.3 Should any provision herein be found or deemed to be invalid, the Agreement shall be construed as not containing such provision, and all other provisions which are otherwise lawful shall remain in full force and effect, and to this end the provisions of this Agreement are severable.

18.4 Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein, and the Agreement shall be read and enforced as though they were included herein. If through mistake of otherwise any such provision is not inserted, or is not correctly inserted, then upon application of either party, the Agreement shall forthwith be physically amended to make such insertion.

19. AGREEMENT MODIFICATION.

This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by the parties hereto.

20. DISPUTE RESOLUTION.

Upon the written demand of either party, any dispute, claim, or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation, or validity thereof, shall be first submitted to mediation, the cost of which shall be borne equally by the parties, if not resolved pursuant to the Government Claims Act, Government Code section 900 *et seq.* if applicable, and prior to the commencement of any legal action or other proceeding. Any mediation shall take place in the State of California, County of San Diego, and shall be concluded within sixty (60) days of the written demand, unless such time is extended by mutual written consent of the parties. Nothing herein waives or excuses compliance with the California Government Claims Act.

In the event mediation has not been successfully concluded within the time allowed, any dispute, claim or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation, or validity thereof, including the determination of the scope or applicability of this agreement to arbitrate, shall be determined by arbitration in the State of California, County of San Diego, before one arbitrator. The arbitration shall be administered by JAMS pursuant to its Comprehensive Arbitration Rules and Procedures if the amount in controversy is equal or greater than Two Hundred Fifty Thousand Dollars (\$250,000), or pursuant to its Streamlined Arbitration Rules and Procedures if the amount in controversy is less than Two Hundred Fifty Thousand Dollars (\$250,000). The use of arbitration shall allow full discovery by all parties associated with the dispute or claim. Judgment on the award may be entered in any court having jurisdiction. This clause shall not preclude the parties from seeking provisional remedies in aid of arbitration from a court of competent jurisdiction. The arbitrator may, in the award, allocate all or a part of the costs of the arbitration, including the fees of the arbitrator and the reasonable attorneys' fees of the prevailing party. If either party petitions to confirm, correct or vacate the award as provided by Chapter 4, of Title 9 of the California Code of Civil Procedure (commencing with Section 1285), the prevailing party shall be entitled as part of his or its costs to reasonable attorneys' fees to be fixed by the Court.

21. JURISDICTION, FORUM AND VENUE.

Except as otherwise required by Section 20 of this Agreement concerning dispute resolution, the proper jurisdiction, forum and venue for any claims, causes of action or other

proceedings concerning this Agreement shall be in the state and federal courts located in the State of California, northern district of the County of San Diego. DISTRICT and CONSULTANT agree not to bring any action or proceeding arising out of or relating to this Agreement in any other jurisdiction, forum or venue. DISTRICT and CONSULTANT hereby submit to personal jurisdiction in the State of California for the enforcement of this Agreement and hereby waive any and all personal rights under the law of any state to object to jurisdiction within the State of California for the purposes of any legal action or proceeding to enforce this Agreement whether on grounds of inconvenient forum or otherwise.

22. MAILING ADDRESSES.

Notices given pursuant to this Agreement shall be deemed communicated as of the earlier of the day of receipt or the fifth (5th) calendar day after deposit in the United States mail, postage prepaid, and addressed to the following:

DISTRICT: **Rainbow Municipal Water District**
General Manager
3707 Old Hwy 395
Fallbrook, CA 92028
Phone: (760) 728-1178

CONSULTANT: **Hoch Consulting**
804 Pier View Way, Suite 100
Oceanside, CA 92054

Notices delivered personally will be deemed communicated as of actual receipt.

23. SIGNATURES.

Each party represents that the individual executing this Agreement on its behalf has the right, power, legal capacity and authority to enter into and to execute this Agreement on behalf of such party.

24. COUNTERPARTS.

This Agreement may be executed in counterparts, each of which shall constitute an original, but all of which together shall constitute one and the same agreement, and the signature of any party to any counterpart shall be deemed to be a signature to, and may be appended to, any other counterpart.

25. ATTORNEY'S FEES.

In the event of a dispute arising under terms of this Agreement, it is agreed that the prevailing party may be awarded reasonable attorneys' fees and actual costs.

IN WITNESS WHEREOF the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Agreement to be executed.

CONSULTANT _____

RAINBOW MUNICIPAL WATER DISTRICT _____

By _____
CONSULTANT

By _____
TOM KENNEDY, GENERAL MANAGER

PRINT NAME

Date: _____

Date: _____

Attest: **Executive Secretary**

Federal Employer ID #

Approved as to Form:
Alfred Smith, General Counsel

NOTARY ACKNOWLEDGEMENT OF CONSULTANT MUST ACCOMPANY THIS DOCUMENT

EXHIBIT “A”

SCOPE OF SERVICES Hydrogeologic and Engineering Services

The Consultant shall provide professional hydrogeologic and engineering services to investigate a viable return flow recovery project as described below:

TASK A – PRELIMINARY EVALUATION & PROJECT PLANNING

2.A.1: Feasibility Study

The Consultant will review studies, reports, data, and other information regarding the SLRVGB, the District, and the proposed Project. We propose to use historical and existing information to develop a Feasibility Study; however, we will also identify any potential critical knowledge gaps and make recommendations for additional investigations if warranted. At a minimum, the feasibility study will cover the following information:

1. Project Goals, Alternative Concepts, Evaluation Criteria, and Key Issues - Establish project goals, alternative concepts, key issues, and alternative evaluation criteria. Identify any changes to the approach outlined in this scope of work.
2. Regulations – Provide regulatory background to establish the need for the Project.
 - a. Evaluate options to discharge water from a long-term pump test. Consider on-site beneficial uses by private parties to avoid the need for a discharge permit. Evaluate permitting requirements and the potential to use the District’s existing State permit.
 - b. Certainty of Supply - Evaluate a range of legal, administrative, and institutional structures for their ability to provide high levels of certainty and sustainability to a potential supply of groundwater from the San Luis Rey Valley Basin for use by the District. Review options including but not limited to SGMA, CEQA/NEPA, agreements, permits, and other approaches. Recommend a preferred approach.

**It is assumed that water quality analysis with relation to regulations that were performed as part of the previous feasibility study are applicable and will not need to be reviewed again.*

3. Existing Conditions –
 - a. Water Quality – The Consultant will review water quality in the Bonsall and Pala Basins and identify existing wells in or near the Bonsall Basin that would provide valuable water level or quality data. From the existing data, the Consultant will develop a monitoring plan to gather additional data needed for the alternatives analysis that will identify new constituents recommended for monitoring (e.g. PFAS) due to regulatory changes or treatment considerations.
 - b. Return Flow Estimates – The Consultant will develop a range of return flows that will be used to evaluate the economics of a potential imported water recovery project. The range will expand on the West Yost report and recent history of water use in the Districts, within the SLR Valley watershed and estimated return flows from residential and commercial irrigation and flow from septic systems, which were not

meaningful in the previous study. Additionally, the Consultant will provide the following tasks in support of the return flow and hydrogeologic efforts:

- i. *Update, Refine, and Recalibrate Groundwater Model.* The Consultant's proposed scope of work for this subtask was based on a review of the model description included in the West Yost 2016 Groundwater Supply Study Report as well as a review of MODFLOW model files provided by Rainbow Municipal Water District associated with the District's 2017 RFP. This subtask includes the following tasks.
- ii. *Complete and Rerun the 2016 MODFLOW 2005 Model.* The Groundwater Supply Study was originally completed using the FEMFLOW3D computer code. The model was subsequently converted to MODFLOW 2005 using the Groundwater Vistas. However, transfer of the imported water return flow was not completed. The Consultant will obtain both the FEMFLOW3D model files and MODFLOW 2005 model files and rerun the MODFLOW 2005 model with the imported water return flow to verify the water balance and model-simulated streamflow reported in the 2016 Groundwater Supply Study Report.
- iii. *Update Groundwater Model.* The 2016 West Yost model was calibrated for the period from 1947 through 1977. The Consultant will update the model by extending the model calibration period from 1977 through present. It will be necessary to update an in-house database with the latest geohydrologic and well related information. Geohydrologic data necessary for updating the groundwater model include:
 1. Groundwater pumping well locations and associated information, including construction details, lithologic logs, and any relevant pumping test data,
 2. Imported water use,
 3. Groundwater pumping,
 4. Streamflow,
 5. Groundwater elevations,
 6. Precipitation records, and
 7. Land use coverages.

iv. *Refine Groundwater Model*
Refine Model Temporal Discretization

The existing West Yost model simulates the time period from 1947 through 1977 with a variable temporal discretization (i.e., stress period) of one to eight years. That means the model cannot simulate average streamflow and groundwater levels at smaller time intervals. Effects on streamflow, groundwater levels, and evapotranspiration from wet and dry hydrologic cycles or seasonal fluctuations were not able to be evaluated. Therefore, the Consultant will refine the temporal discretization with a monthly stress period.

Refine Model Vertical Discretization

The existing West Yost model is 2-dimensional, composed of a single layer which limits the ability of the model to simulate vertical gradients or represent units with differing hydraulic properties. The Consultant will refine the numerical model to 3 layers based on the lithologic logs from wells in the basin to better simulate the physical system with refined vertical discretization. The top model layer will represent younger alluvium and alluvial fan deposits, the bottom layer will represent older alluvium, and the middle layer will allow the model to simulate confining strata, where present. This configuration allows for more accurate representation of groundwater pumping and streamflow interaction and is consistent with the representation of the alluvial groundwater systems in the Upper San Luis Rey Groundwater Model (Geoscience, 2021) and the Mission Basin Model Update and Evaluation of Indirect Potable Reuse for the Pure Water Oceanside Project (Geoscience, 2018).

Improve Deep Percolation from Precipitation Estimates

Deep percolation from precipitation (or precipitation recharge) of 2,000 acre-ft/yr was assumed by the existing West Yost model. This volume was based on estimates using the chloride mass balance method and an empirical equation relating the average annual deep percolation to annual precipitation, then adjusted during model calibration. This recharge, which is approximately 1% of the precipitation, is considered to be a very low deep percolation from precipitation. Typically, precipitation recharge ranges from 3% to 8% of precipitation. The Consultant will improve this estimate of recharge using the relationship of deep percolation and precipitation established through the construction and calibration of the surface water model for the Upper San Luis Rey Watershed (Geoscience, 2021). This watershed model was developed using the HSPF computer code. HSPF is a successor to the Fortran version of the Stanford Watershed Model. The codes became widely available after 1974 through work for and with support of the EPA and USGS. It is a comprehensive and physically based watershed model that can simulate all water cycle components and water quality with a time step of less than a day. The simulated components include rain, vegetation interception, evaporation of rain, evapotranspiration from plants, infiltration of applied water into the upper soil zone, infiltration to groundwater, interflow of water through the upper soil layer to a stream channel, stream channel losses to groundwater, and stream channel gains from groundwater.

Refine Underflow Inflow from Upgradient Areas

Underflow from upgradient areas is simulated in the existing model within a limited area surrounding the San Luis Rey River (with a width of approximately 800 ft). Upgradient inflow is also assumed to be constant through time, with a magnitude of 486 afy. Utilizing this approach, the existing model underestimates

upgradient inflow spatially by excluding underflow traveling in the broader alluvial system surrounding the stream (an additional width of approximately 6,400 ft). The approach also fails to account for temporal variability in underflow inflow during wet and dry hydrologic cycles. The Consultant will refine the approach for calculate underflow from upgradient areas utilizing the Upper San Luis Rey Groundwater Model (USLRGM; Geoscience, 2021). Upgradient inflow will be updated with fluxes from the USLRGM on a monthly timestep, incorporating inflow from the alluvial groundwater basin and temporal variability in inflows. Based on a preliminary assessment of the underflows from the USLRGM in this area, the existing model significantly under-represents underflow inflow from upgradient.

Refine Return Flow Estimates

The existing West Yost model does not include return flow from residential and commercial irrigation or septic systems. In addition, the Consultant will reevaluate the return flow estimates from agricultural use. Results from the refined estimates of return flow from imported water will be included in the groundwater model.

- v. *Recalibrate Groundwater Model.* Once the Consultant updates and refines the groundwater model, the Consultant will recalibrate it. The existing model was only calibrated to average annual stream flow measured at a USGS gaging station (#11041000 San Luis Rey near Bonsall) from 1947 to 1977. No quantitative statistics of model calibration for groundwater levels were presented. Our model re-calibration will be performed using the “history matching” technique. In this method, historical groundwater levels and streamflow data will be compared with model generated groundwater levels and streamflow. Results of the model calibration will be explained in terms of calibration statistics, plots of observed versus model-generated water levels and transient hydrographs of observed versus model-generated heads for specific wells. The calibration statistics will be used to determine the accuracy of the updated model and the uncertainty of predictive results. The flow model recalibration will be conducted based on the guidelines documented in “Standard Guide for Comparing Ground-Water Flow Model Simulations to Site-Specific Information (ASTM, 1993), “Standard Guide for Calibrating a Ground-Water Flow Model Application” (ASTM, 1996) and “Guidelines for Evaluating Ground-Water Flow Models” (USGS, 2004).
4. Environmental – The Consultant will determine all necessary permits, including environmental permits needed to implement an Imported Water Recovery Project. Identify environmental opportunities and constraints and necessary analysis needed to ensure compliance with California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA).

5. Project Alternatives – The Consultant will determine recovery wells, sources of power, raw water pipelines, a treatment plant, product water pipelines, associated facilities, land requirements, a construction cost and annual operation and maintenance cost estimate. Consider land ownerships and the location of District facilities. Prepare project maps and preliminary project layouts and site plans. Evaluate access, land ownerships, temporary or permanent easements, and necessary agreements.

The scope of services includes use of the GIS Suitability Analysis tool to evaluate the geohydrology of the project area for the purpose of identifying areas or zones favorable for a recovery wellfield. Hydrogeologic data and aquifer characteristics collected through previous tasks, including the model update, refinement, and recalibration, will be used to guide potential site selection. Additional information that may need to be collected to assess the suitability of potential locations include, but are not necessarily limited to:

- Well performance characteristics,
- Groundwater quality information (depth-specific, if available),
- Point sources of groundwater contamination,
- Non-point sources of groundwater contamination,
- Location of existing infrastructure, and
- Location of available property for construction.

The final product of this evaluation will be a site suitability analysis tool (SSAT) capable of evaluating optimal locations for exploratory borings, a new test and/or monitoring well for aquifer pump tests to help confirm hydrogeologic aquifer parameters (i.e., yield), and recovery wells. The tool produces an interactive GIS layer that can be opened in ESRI products or Google Earth. With minor adjustments, the District could utilize the tool to determine suitable sites for additional wells or recharge basins in the future. At a minimum this tool will help prioritize site suitability based on the following factors:

- Data availability
- Parcel size
- Land use
- Hydraulic conductivity
- Return flow capture
- Distances from water lines
- Constructability

All site selection criteria will be shown in relation to existing land use, production wells, utilities, and transmission pipelines. Each recommended site will be ranked according to favorability utilizing a decision matrix. Several criteria will be assessed, including but not limited to:

- **Geohydrologic:** production potential, anticipated water quality, and water level interference
- **Environmental:** proximity to point-source sites of groundwater contamination and surface water bodies

- **Logistical:** available access and area for drilling, appropriate setbacks from electrical and sanitary facilities, and disturbance to nearby businesses and/or residents
- **Engineering:** proximity to existing water transmission system and adequacy of that system
- **Cost:** project cost, including property acquisition, etc.
- **Water Quality:** limited to the water quality parameters that drive decisions.

Each of the criteria will be weighted and evaluated in a quantitative manner according to importance. The criteria and corresponding weighting values will be prepared based on Geoscience recommendations in consideration of the District's goals. This tool will also incorporate any potential fatal flaws identified by the Consultant and District.

The Consultant will present results of the SSAT in a virtual workshop with the District. This workshop will serve to demonstrate the tool, show how it can be utilized by the District, and provide a way for the District to ask questions and convey comments on the preliminary results of the tool. After the workshop, any comments will be incorporated into the tool and the SSAT will be finalized. The Consultant will evaluate the available information and recommend **two (2)** favorable locations for recovery wells. These sites will then be used to develop predictive model scenarios to evaluate potential recovery pumping impacts under the following subtask.

Based on the water quality at the recovery well sites, our team will evaluate the need for pre-treatment, demineralization, filtration, disinfection, and other treatment processes to produce a potable water supply meeting State and Federal requirements (including for iron and manganese removal) and will provide analysis of dynamic future conditions for consideration.

If the project requires demineralization, the Consultant will evaluate brine recovery and discharge options and costs. At least one (1) project alternative will include brine recovery and discharge options.

6. **Cost Estimates and Feasibility Analysis** – The Consultant will review the projects covered in the West Yost Report and discuss them with the District for possible adjustments. The Consultant will update the construction cost estimates and develop capital and annual operation and maintenance costs. Based on SDCWA water rate projections from the District, the Consultant will use our lifecycle cost estimate to update the project technical feasibility analysis and calculate the all-in project unit cost of water per acre-foot.

2.A.2: Feasibility Study Presentation

The Consultant will prepare a presentation covering all information listed in Task 2.A.1– Feasibility Study. The Consultant will present the analysis and findings of the Feasibility Study to the District, including project concepts and approach. The Consultant will document items needing further clarification and address all feedback provided by the District. If no fatal flaws are identified, and with District direction, the Consultant will be given Notice to Proceed (NTP) with Task B.

TASK B – PROJECT COORDINATION & STAKEHOLDER OUTREACH

2.B.1 Tribal Coordination

The Consultant will support the District in coordination with the SLRIWA and Pala Band. The Consultant will provide experienced outreach staff to support in the facilitation of up to six (6) meetings, including preparation of exhibits, attendance, and meeting notes.

2.B.2 Inventory of Existing Groundwater Pumpers and Permit Holders

After reviewing and compiling existing inventories of groundwater pumpers and permit holders, the Consultant will conduct research and update the inventory including the volume pumped, if available. The Consultant will contact the pumpers on behalf of the District for various purposes including to arrange taking samples from their wells. In contacting pumpers, the Consultant will review the potential use of the well for monitoring and pump testing. The scope includes efforts to purge the well as necessary, follow steps to obtain a representative sample using appropriate containers, and sending samples to a laboratory for analysis following procedures to avoid contamination. The scope of services assumes 10 samples.

Review existing wells and identify those that would be relevant in evaluating the geology and production of a proposed return flow recovery well field. Identify and recommend sites to complete exploratory borings and pump testing to confirm the proposed well field and maximum yield. With District approval and assistance, contact well and property owners to obtain permission to complete pump tests on existing wells, new borings, and a long-term pump test.

The Consultant will draft a letter agreement describing the work to be done, schedule, responsibilities of the District and private party or public agency, cost sharing, if any, and sharing of results and support the District's General Counsel in developing formal agreements and conducting negotiations.

TASK C – PS&E DEVELOPMENT

2.C.1 Monitoring Network Instrumentation

The Consultant will develop monitoring protocols and a monitoring network focused on monitoring the long-term pump test and proposed Imported Water Recovery Project (Project). The Consultant will use current monitoring systems, data collected from previous tasks, and GIS Site Suitability Analysis Tool to help identify wells for the network. The purpose of the network is to determine impacts from the long-term pump test and a possible Imported Water Recovery Project, but also to set a baseline for the evaluation of projects and impacts.

The Consultant will provide recommendations for addressing potential data gaps by expanding the network as appropriate, developing an ongoing monitoring program for tracking water level and water quality throughout the long-term pump test and/or Project operations. After the monitoring network has been established, the Consultant will design the instrumentation for water level and quality

monitoring and install the equipment. The scope of services assumes eight (8) monitoring wells.

This instrumentation will provide real-time graphical data presentation of water level and water quality in each well, which could help minimize data loss and field costs by allowing long-term pump test monitoring to easily be conducted from any computer or smart phone. This system also allows the user to program threshold alarms. For example, if the pump fails during the long-term pump test and water level rises to a certain threshold, user will be alerted and be able to minimize downtime and data gaps. This service uses either cellular or satellite telemetry to upload data to a cloud-based website that can be accessed any time with a specific login. These devices would either be purchased or rented by the District and are not included in our scope.

2.C.2 Plans, Specifications and Estimate (PS&E)

The Consultant will prepare plans, specifications, and construction cost estimates for bidding the construction of one (1) pump test wells. The Consultant will coordinate with the Division of Drinking Water so that the well design would be acceptable to them as a production well in the future. It is anticipated that the District will provide front-end contract documents for our team to edit, that the District will conduct the bid process and will pay for the well construction outside of this consultant contract, and that all environmental review, reporting and permitting will be performed by an As-Needed Environmental Consultant contracted by the District. The Consultant will prepare surveying data, plat map, and legal description to support the District's acquisition of well sites in easement or fee acquisition. The contract documents will specify that the contractor will obtain all permits required for borings and pump tests including but not limited to the County of San Diego and environmental agencies and that the contractor shall manage and dispose of all residuals in accordance with local, State and Federal regulations, and agreements with property owners. Wells will be designed considering future use for production and/or monitoring wells.

Furthermore, the Consultant will prepare a document with detailed technical plans and specifications for the construction of the and test well to be included with contractual front-end documents. Additionally, a detailed cost estimate and bid schedule will be prepared to be included with the bid package, with specific line items showing units and unit quantities for the work. Items included in the technical specifications will include (but are not necessarily limited to) the following:

- Well locations, depths, dimensions, and materials,
- Expected geohydrologic conditions,
- Permits and regulatory requirements (contractor responsibility),
- Compliance with discharge requirements, as necessary,
- Job conditions (e.g., noise suppression, drilling waste, runoff management, power, lighting, water, security, sanitation, parking, traffic control, and work damage),
- Mobilization, demobilization, clearing, grubbing, and site cleanup,
- Recommended drilling methods and potential drilling problems,
- Equipment, materials, and records to be furnished by the contractor,
- Records to be kept by the contractor,

- Well drilling and construction procedures, including:
 - Drilling, installation, and cementing of the conductor casing,
 - Borehole drilling,
 - Geophysical borehole logging (i.e. short- and long-normal resistivity logs, guard or lateral logs, spontaneous-potential log, gamma ray, and sonic),
 - Alignment, plumbness, borehole integrity, and drilling speed,
 - Isolated aquifer zone testing (test well only),
 - Well casing and screen installation,
 - Filter pack material selection and approved placement method, and
 - Annular cement seal installation.
- Well development procedures, including:
 - Initial airlift development between packers,
 - Development by wireline swabbing and bailing (if necessary),
 - Development by pumping,
 - Aquifer pumping and recovery tests, and spinner (flowmeter) survey, and
 - Collection of groundwater samples.
- Downhole video camera and gyroscopic alignment surveys,
- Well disinfection, and
- Wellhead completion.
- Electrical infrastructure
- Civil site plan and yard piping.

Deliverables

The Consultant will submit an electronic copy (i.e., PDF) of the 100% DRAFT version of the technical plans and specifications to the District for review and comment. One round of comments to the draft will be incorporated and our team will submit an electronic copy in native and PDF formats.

The Consultant will also prepare a planning-level estimate of drilling contractor costs (i.e., Engineer's Estimate) for the proposed drilling, construction, development, and testing of the new production well.

The scope of services assumes that no treatment will be required for the pump test discharge. Should water quality dictate treatment will be required for the pump test, our team can prepare a scope and budget for designing that treatment.

2.C.3 Bid Phase Support

The Consultant will be available to provide support to the District during bidding, including answering questions during the bid process, attending the pre-bid meeting, preparing project addenda, and reviewing the bids and recommending a lowest responsive and responsible bidder to the District.

2.C.4 Construction Inspection, Testing and Reporting

The Consultant will provide complete construction management during well construction and confirm that the construction meets the requirements of the plans and specifications. The Consultant will coordinate with the contracted driller and provide construction administration and full-time inspection of the mobilization, drilling activities, well construction, pump development and tests, etc. Construction

management activities will include review of contractor submittals, review of contractor invoices to ensure accuracy and completeness, review of and response to contractor Requests for Information (RFIs) and change order requests for legitimacy, preparation of a “punch list”, and filing of essential paperwork, correspondence, field notes, etc. Daily email and/or phone updates will be provided along with submittal of relevant photographs and daily field logs.

**It is assumed that we will be able to find an existing suitable well for use as a monitoring well during the testing period- design, construction management, and well development for a monitoring well is excluded.*

The scope of services assumes a twelve-month test, the Consultant will implement specific inspection, development, and testing scope:

Task 2.C.4.a Assistance with Application for Domestic Water Supply Permit Amendment (as needed) The Consultant will assist the District with the State of California Domestic Water Supply Permit Amendment application process by preparing the Preliminary Well Data Sheet for the new well. The Consultant will submit an electronic copy of the completed data sheet to the District.

Task 2.C.4.b Preliminary and Final Drinking Water Source Assessment Program (DWSAP) Documents (as needed) The Consultant will prepare preliminary DWSAP documents to identify potential sources of contamination that could be detrimental to the water quality of the new well. Preparation of the permit documents requires identification of all potential contamination areas (PCAs) within two-, five- and ten-year protection zones for the new well using actual aquifer and well pumping information gathered from existing wells in the area. The protection zones will be delineated using the United States Environmental Protection Agency’s Wellhead Protection Area (WHPA) model and will be shown in relation to PCAs and overlain on a USGS topographical map. A figure showing protection zones and PCAs for the proposed new well will be attached to the DWSAP documents.

The Consultant will submit an electronic copy of all final DWSAP documents for the new well and will forward the documents to the California Division of Drinking Water (DDW) as required.

Task 2.C.4.c NPDES Permit Compliance It is assumed that the work shall be performed under the District’s existing National Pollutant Discharge Elimination System (NPDES) permit and that the contractor will be held responsible for NPDES compliance during construction. However, the Consultant will provide on-site supervision to ensure that contractor activities are meeting NPDES and Best Management Practices (BMP) requirements. This will include coordination with the contractor regarding monitoring requirements, inspection during monitoring and sampling of discharges during construction, tabulation of field monitored data, and reporting to the selected water quality analytical laboratory.

Task 2.C.4.d Pre-Construction Meeting and Pre-Mobilization Coordination with Contractor The Consultant will attend one (1) pre-construction meeting with the selected drilling contractor and District personnel to review key issues within the contract documents and technical

specifications. In addition, questions will be addressed regarding hydrogeologic and logistical matters. Items to be discussed at the meeting will include (but not be limited to) required submittals and inspections, permitting, discharge issues, work schedule, invoicing, and communication protocols. Additionally, at the time of the pre-construction meeting, the prospective contractor will have the opportunity to visit each well site to satisfy themselves regarding conditions that may affect equipment set up. The Consultant will also coordinate contractor activities prior to mobilization. This will include verifying that the contractor has provided all submittals required by the technical specifications and that equipment delivered to the site meets the requirements of the specifications.

Task 2.C.4.e Onsite Supervision during Conductor Borehole Drilling and Casing Installation (test well only) Full-time on-site field supervision will be provided during drilling and logging of the conductor borehole and during installation of the conductor casing (test well only) and sanitary cement seals to ensure that all materials are furnished and installed in accordance with the technical specifications and regulatory requirements.

Task 2.C.4.f Pilot Borehole Drilling and Geophysical Logging Field inspection will be provided on a full-time basis during pilot borehole drilling. Formation samples will be collected at 10 ft intervals (or more frequently depending on the stratigraphy encountered). Samples will be identified as to material type and production potential by visually logging them in the field using the Unified Soil Classification System (USCS). Upon completion of the pilot borehole drilling, the Consultant will provide full-time onsite inspection of the geophysical borehole logging (i.e., short- and long-normal resistivity, guard or lateral, spontaneous-potential, gamma-ray, and sonic logs; dual-induction logs may need to be performed within monitoring borehole as an alternative). For cost estimating purposes, it is assumed that the pilot borehole will be approximately 100 ft in depth for each the monitoring well and the test well.

Task 2.C.4.g Evaluation of Geophysical Borehole Logs and Selection of Interval for Isolated Aquifer Zone Testing (test well only) Permeable and non-permeable formation material will be identified from the geophysical borehole logs and from the samples collected during drilling. Based on this information, as well as information collected during the drilling process, recommendations will be made for the selection of a zone (i.e., depth intervals) for isolated aquifer zone testing (test well only). The purpose of isolated aquifer zone testing is to determine both yield and water quality from the potential completion interval(s) before determining the final well design.

Task 2.C.4.h Supervision of Isolated Aquifer Zone Testing and Water Quality Sampling (assumes one zone; test well only). Once depth intervals for aquifer zone have been identified for selective zone testing, construction of the zone by the contractor will begin. The Consultant will provide part-time supervision during construction and testing of each zone. Zone testing will be performed at discharge rates exceeding 200 gallons per minute (gpm) to ensure that representative sampling of the aquifer is taking place and that the aquifer is being sufficiently stressed to provide the best available field data. Whenever possible, turbidity measurements taken from

the discharge water should be less than 10 nephelometric turbidity units (NTUs) for at least two hours before collecting water quality samples from any given zone.

After the zone has been appropriately developed, water samples will be collected by the Consultant and delivered to a certified laboratory for water quality testing for selected analysis established in the Feasibility Study.

Field measurements will also be collected during the zone test to determine field parameters such as pH, temperature, and electrical conductivity. Additionally, the discharge rate, and static and pumping water levels, will be measured frequently during pumping of each zone such that each zone's productivity can be determined (including pressure head and specific capacity). One sample will be collected from the zone.

The zone selection and recommended water quality analytical suite will be presented to the District for final approval prior to implementation in the field. It is recommended that the groundwater quality samples collected from the zone testing be analyzed on a 24-hour turn-around time (i.e. rush), as the results of these analyses are integral for determining the screen interval(s) for the final well design.

Task 2.C.4.i Mechanical Grain Size Analysis (test well only). Using the visual and geophysical logs collected from the pilot borehole, up to four (4) formation samples will be selected for mechanical grain size (i.e., sieve) analysis to assess permeability, sand migration potential, and uniformity coefficients. These analyses will be used as a basis for preparing the custom filter pack and well screen design for the well (test well only).

Task 2.C.4.j Design of Casing, Screen, and Filter Pack. Although the anticipated lengths and dimensions of the well casing and screen (and the materials used to manufacture them) will be identified during the preliminary design phase, these details will ultimately be determined based on the results of the borehole lithology, geophysical logs, zone testing, the desired production rate, or monitoring interval.

Use of a properly designed and installed filter pack will control sand production from the wells when pumping. Selection of filter pack material will be determined from mechanical grading analysis and will be designed based on industry standards regarding pack-to-aquifer ratios. The size of the screen openings will be designed to allow a minimal but acceptable amount of filter pack material to move through the screen. This controlled movement of filter pack material will permit the proper development of the filter pack and near-well zone.

Based on results from the mechanical grain size analyses, the Consultant will design the filter pack with a pack to aquifer ratio of between 4 and 20, as well as using Terzaghi's criteria for the movement of fines through the filter pack, and for the permeability of the aquifer and filter pack. Based on geophysical logs, mechanical grain size analysis, and isolated aquifer zone testing, targeted aquifers will be identified. The final well design will include

recommended depth intervals and diameters for the well casing and screens, recommended borehole diameter(s), and the proper screen opening size to complement the filter pack designs. Recommended depths for the well appurtenances and deep annular seals will also be provided as necessary.

Task 2.C.4.k Borehole Enlargement (Reaming). During reaming (enlargement) of the pilot borehole to the final design diameter and depth, part-time field supervision will be provided by our team to ensure that the work is performed correctly, and that drilling fluid properties are maintained within the parameters defined by the technical specifications.

Task 2.C.4.l Installation of Casing, Screen, Filter Pack, and Annular Seal. Following preparation of the final well design and meeting with the District, full-time inspection will be provided during installation of the casing, screen, filter pack, and annular seal to ensure that all materials are furnished and placed in accordance with the recommended design and technical specifications. Prior to installation, the Consultant will inspect the filter pack material and the well casing and screen for compliance with the specified well design.

Task 2.C.4.m Initial Well Development by Airlifting and Swabbing. Initial well development by airlifting and swabbing is an extremely important component of the well completion and development process. The Consultant will provide full-time supervision during the airlift development process and will closely monitor discharge water turbidity and sand content to track the development progress of the well. The Consultant will also provide full-time supervision of the injection of chemical dispersant.

Task 2.C.4.n Final Well Development. The Consultant will monitor final development by pumping and surging on a part-time basis. Tests for sand content and specific capacity will be performed frequently to measure the advancement of the development process and to ensure that the well is fully developed before beginning the aquifer pumping tests.

For the monitoring well, the Consultant will monitor final development by pumping and surging on a full-time basis to measure the advancement of the development process and to ensure that each completion is fully developed before the collection of ground water quality samples. Development will continue until water pumped from the well has a turbidity of less than 5 nephelometric turbidity units (NTUs) and field water quality parameters have stabilized. It is anticipated that the monitoring well will require approximately 8 hours of final development by pumping to produce clear water that is free of suspended sediment and considered representative of groundwater.

The Consultant will collect groundwater samples immediately following development of each monitoring well completion. These samples will be collected in laboratory-prepared containers and submitted under chain-of-custody protocol, to a State of California certified laboratory for analysis. Since these ground water quality analyses will provide baseline water quality signatures for the aquifer(s), it is anticipated that at a minimum, a full Title 22 water quality suite will be required. For cost estimating purposes, it is

assumed that cost of analysis will be borne by the selected contractor; therefore, analysis fees are not included in this proposal. The Consultant will coordinate with the selected laboratory, acquire bottles, and deliver the samples.

Task 2.C.4.o Supervision during Step and Constant Rate Pumping Tests (test well only). Once the well development process is considered complete, aquifer pumping tests will be performed to determine well and aquifer characteristics. Transducer will be installed in nearby monitoring wells to help perform a drawdown analysis for the aquifer testing.

- Step Drawdown Pumping Test (8 hours): time drawdown measurements will be made to determine specific capacity and well efficiency relationships which are necessary to calculate the optimal production rate and pump setting. Typically, three to four rates are selected for pumping – beginning with the lowest rate and progressing to the highest.
- Constant Rate Pumping and Recovery Test (24 hours): time drawdown and recovery measurements will be made to estimate aquifer parameters. If possible, nearby wells will also be monitored to obtain interference groundwater levels during the test.

Toward the end of the constant rate test, our team will collect groundwater quality samples and deliver them to a certified laboratory for analysis of water quality constituents required by the State of California's Title 22 Rule. For cost estimating purposes, it is assumed that cost of analysis will be borne by the selected contractor; therefore, analysis fees are not included in this proposal. The Consultant will also provide full-time supervision of flowmeter (spinner) survey, typically conducted during the latter portion of the constant rate testing and following water sample collection. The groundwater sample will be collected by the Consultant and delivered to the laboratory for water quality analysis.

Task 2.C.4.p Supervision of Alignment and Video Survey, and Well Disinfection (test well only). Following removal of the test pumping equipment and bailing of the bottom of the well, our team will provide full-time supervision of final downhole video survey to document the post-construction condition of the well. The Consultant will also provide supervision of plumbness and alignment surveys, the purpose of which is to measure well verticality and alignment.

Task 2.C.4.q Final Well Head Completion

The Consultant will provide part-time supervision of the final wellhead completion to ensure that the well casing and appurtenances are finished as described by the technical specifications and/or well design. The post- construction condition of the well site will also be inspected to ensure that all equipment, materials, and trash have been removed and that the site has been restored as closely as possible to its original condition.

Task 2.C.4.r Well Completion Summary Report

At the conclusion of well construction activities, the Consultant will prepare a letter report that summarizes the details of drilling, construction, development, and testing. The report will, at a minimum, include the following:

- Chronology of activities,
- Lithologic logs based on the drill cuttings,
- Geophysical logs,
- An as-built diagram of each well,
- Baseline groundwater quality data,
- California DWR well completion report, and
- Other pertinent data and analytical results.

The Consultant will submit one (1) letter report for both the test and monitoring wells in 100% FINAL format.

Deliverables

- Well completion summary report.

Task 2.C.4.s Recommended Pump Setting and Design Discharge Rate

Data from the pumping tests will be analyzed and recommended operational parameters will be provided to the District in letter format--including design pumping rate, short- and long term drawdown characteristics, well efficiency, and recommended pump setting. The Consultant will attend a virtual meeting with District personnel to discuss the pump design recommendations.

Task 2.C.4.t Long-Term Pump Testing

The Consultant recommends operating the test well for a period of one (1) year. During the testing period, the groundwater monitoring network will be used to collect data to assess:

- Impacts to water levels and water quality in nearby wells,
- Changes in water levels (piezometric levels) in the aquifer, and
- Changes in groundwater storage in the aquifer.

The monitoring network will include one (1) test well, and up to eight (8) selected existing monitoring wells. No new monitoring wells are proposed. The proposed monitoring network will be provided in the Long-Term Pumping Test Plan (LTPTP), which will include a map showing the monitoring wells, proposed instrumentation and monitoring frequency, Sampling and Analysis Plan (SAP) for continual tracking of water quality changes, and proposed analyses and reporting of data. Collection of long-term water level and water quality data in each monitoring well will use level transducers and conductivity sensors. The level transducers will consist of In-situ Aquatroll 200 devices or equivalent. An In-situ Barotroll will be installed in one of monitoring wells (TBD), which will be used to normalize for atmospheric barometric variation. The Consultant will evaluate seasonal and other temporal variations in source water quality by measuring water level and water quality data. The baseline groundwater quality will have been sampled after the short-term (24 hour) pumping test. A groundwater sample will also be collected from the eight (8)

monitoring wells for baseline water quality. Additional samples will be collected on a quarterly basis for a 12-month period. The quarterly sampling will include the test well and the eight (8) selected monitoring wells. Including the baseline samples, a total of 45 samples will be collected during the long-term testing phase. The water quality samples will be analyzed for the water quality parameters described above. The estimate of costs assumes that the samples will be collected by the Consultant and delivered for laboratory analysis. All laboratory work can be completed on a normal turn around basis. The Consultant will also conduct the quarterly download of water level data.

Deliverables

Meetings: Four (4) quarterly monitoring reports, including water level, water quality, and pumping data for the previous quarter. Four (4) quarterly progress meetings.

2.C.5 Imported Water Recovery Project - Pump Test and Impact Analysis Report

The Consultant will prepare an Imported Water Recovery Project – Pump Test and Impact Analysis Report to analyze the results of the pump tests and long-term monitoring including impacts to water levels throughout the monitoring area including existing wells, recommendations for mitigating impacts, if any, and summarize the raw water quality for the purpose of planning treatment processes. At a minimum the report will include:

- A description of the pump installation process,
- A description of activities during well long-term pump test,
- Water levels in both test pump and monitoring wells,
- Water quality of test well and monitoring wells,
- Pump test results,
- Potential aquifer parameters, and
- Any other pertinent data, recommendations, and conclusions.

The draft report will summarize all activities in the phase of work, data collected, results, and recommendation. A final report will be prepared utilizing feedback from the District and project stakeholders.

Data from the pump test and impact analysis report will be used to update the feasibility study. Based on the water quality at the recovery well sites, our team will make recommendations for pre-treatment, demineralization, filtration, disinfection, and other treatment processes to produce a potable water supply meeting State and Federal requirements while considering how quality could change in the future. If the project requires demineralization, we will evaluate brine recovery and discharge options and costs. The Consultant's scope of work includes a review of the need for iron and manganese removal. The report will detail the optimal permanent recovery solution, including recovery wells, sources of power, raw water pipelines, a treatment plant, product water pipelines, associated facilities, land requirements, a construction cost and annual operation and maintenance cost estimate.

FEE SCHEDULE:

This is a Time and Material Agreement **not to exceed \$600,000** for Task A – Preliminary Evaluation & Project Planning. District Board of Directors review and approval is required before proceeding to the next task. The Consultant fee schedule is attached.

BOARD OF DIRECTORS

July 26, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION ON REQUEST TO QUITCLAIM AN EASEMENT ON APN 126-050-72-00 AND APN 126-050-73-00 NEAR VIA PUERTA DEL SOL (DIVISION 2)

BACKGROUND

Raymond and Camille Newton own 7.83 acres on Via Puerta del Sol in Bonsall, CA. The District has a 20-foot wide easement crossing both parcels that make up the 7.83 acres, APN 126-050-72-00 and APN 126-050-73-00. The easement was designated as “proposed 20’ Private Utility Easement Reserved for Water and Fire Protection Purposes” on Parcel Map No. 15943, recorded January 5, 1990. According to the owners, the easement is located in the most desirable building site on the property. The owners have requested that this easement be abandoned to allow for the construction of a building in the location of the existing easement.

DESCRIPTION

In addition to searching the District’s digital records, including GIS data as well as record drawings, for evidence of facilities within the easement in question, the District’s Senior Inspector conducted a field inspection to verify that the District does not have any facilities within the easement. Also, based on the surrounding facilities and topography, District staff has come to the conclusion that the District would not require the easement for future facilities. If a waterline extension were to ever be necessary in this area to serve water to the surrounding parcels, it would be most convenient to the District to locate the waterline extension in Via Puerta del Sol. Thus, District staff has concluded that the easement could reasonably be quitclaimed back to the owner without negative consequences for the District. The quitclaim deed is provided as Attachment 1. The Board of Directors has the authority to quitclaim this easement back to the owners of the parcels.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Two: Asset Management. The District maintains its easements and infrastructure. The quitclaim of an easement with no infrastructure or plans for future infrastructure eliminates unnecessary maintenance of the easement and redirects resources to be used for other assets.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

Quitclaiming an individual unused easement will result in minor savings associated with the costs of maintaining existing easements.

Option 1:

- Make a determination that the action defined herein does not constitute a “project” as defined by CEQA.
- Authorize the General Manager to execute the Quitclaim Deeds associated with the easement which is no longer required by the District.

Option 2:

- Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering and CIP Program Manager

07/26/2022

**REQUESTED BY AND WHEN
RECORDED MAIL TO:**

Rainbow Municipal Water District
3707 Old Highway 395
Fallbrook, California 92028

EASEMENT QUITCLAIM DEED

Exempt from Recording Fees per Gov't Code Section 27383
and from Documentary Deed Transfer Tax under
Rev. & Tax Code Section 11922

Assessor's Parcel No. 126-050-72 & 73

For valuable consideration Rainbow Municipal Water District, a Municipal Corporation organized under the Municipal Water District Act of 1911 as amended, as Grantor, hereby remits, releases and forever quitclaims to Raymond J. and Camille R. Newton, Trustees of the Raymond J. and Camille R Newton 2002 Trust Dated July 30, 2002, the following described real property, being more particularly described and depicted in **Exhibits "A" and "B"** attached hereto and made a part hereof.

Rainbow Municipal Water District

Date: _____

By: _____
District General Manager

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

State of California)
County of San Diego)
)

On _____, before me, _____, Notary Public
personally appeared _____ who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon
behalf of which the person(s) acted, executed this instrument.

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

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

June 12, 2022
Job No. 2021-91
20' Strip to be Quit-Claimed

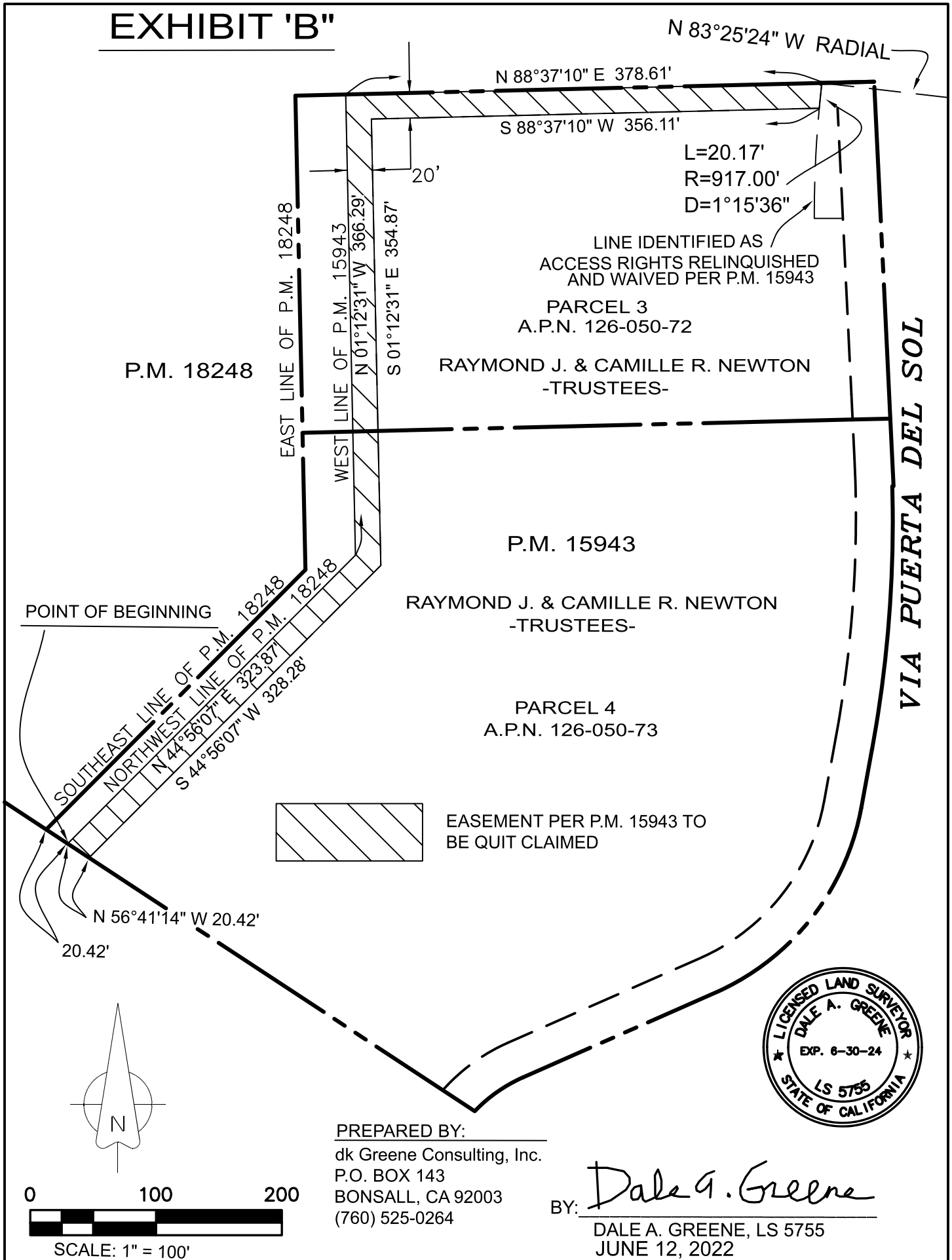
EXHIBIT "A"

Those portions of Parcels 3 and 4 of Parcel Map No. 15943, in the County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, January 5, 1990, delineated and designated as "Proposed 20' Private Utility Easement Reserved for Water and Fire Protection Purposes" on said Parcel Map No. 15943, being more specifically described as follows:

Beginning at the Westerly most corner of said Parcel 4, Parcel Map No. 15943; thence North 44° 56' 07" East, a distance of 323.87 feet to an angle point therein; thence North 1° 12' 31" West, along the Westerly line of said Parcel 4 and Parcel 3, a distance of 366.29 feet to the Northwest corner of said Parcel 3; thence North 88° 37' 10" East, along the North line of said Parcel 3, a distance of 378.61 feet, to that line identified as "Access Rights Relinquished and Waived" on said Parcel Map No. 15943, being a point on a curve concave Easterly and having a radius of 917.00 feet, a radial line to which bears North 83° 25' 24" West; thence Southerly along said curve, a distance of 20.17 feet, through a central angle of 1° 15' 36"; thence South 88° 37' 10" West, a distance of 356.11 feet; thence South 1° 12' 31" East, a distance of 354.87 feet; thence South 44° 56' 07" West, a distance of 328.28 feet to the Southwest line of said Parcel 4, Parcel Map No. 15943; thence North 56° 41' 14" West, a distance of 20.42 feet to the **Point of Beginning**.

Dale A. Greene, L.S. 5755
June 12, 2022

EXHIBIT 'B'



BOARD OF DIRECTORS

July 26, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 22-15 - AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST

BACKGROUND

As the positions change at the District, a review of the Administrative Code Section 1.02.020 - Conflict of Interest Code is conducted to determine whether those positions listed in the Conflict of Interest Code need to be updated accordingly.

At their June 28, 2022 meeting, the Board adopted Resolution No. 22-16 approving the inclusion of a new job classification for an Analyst series (Administrative Analyst I, II and Management Analyst) as well as Accounting Supervisor.

DESCRIPTION

The proposed changes to Administrative Code Section 1.02.020 include the added position of Administrative Analyst I, II, and Management Analyst, as well as Accounting Supervisor to the list of designated positions.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Three: Workforce Development

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

- 1) Approve Ordinance No. 22-15 amending and updating Administrative Code Section 1.02.020.
- 2) Approve Ordinance No. 22-15 amending and updating Administrative Code Section 1.02.020 with revisions.
- 3) Do not approve Ordinance No. 22-15 amending and updating Administrative Code Section 1.02.020 and provide staff with direction.

Any fiscal impacts were discussed at the June 28, 2022 Board meeting.

STAFF RECOMMENDATION

Staff recommends adopting Option 1.



Tom Kennedy, General Manager

July 26, 2022

Ordinance No. 22-15

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending and Updating Administrative Code
Section 1.02.020**

WHEREAS, the Rainbow Municipal Water District has, from time to time, adopted various rules and regulations for the operation of the District; and

WHEREAS, certain of those rules and regulations require updating to reflect best practices, as well as changes in applicable laws; and

WHEREAS, the Board of Directors has determined that changes in the rules or regulations of the District shall occur solely by amendment to the Administrative Code;

NOW, THEREFORE,

BE IT ORDAINED by the Board of Directors of Rainbow Municipal Water District as follows:

1. The following rules and regulations of the District, collected are hereby adopted and shall be incorporated into the Administrative Code, consisting of:

Section 1.02.020: Conflict of Interest

2. The General Manager is hereby directed to update the Administrative Code to reflect the approval of these rules and regulations, and to assign or reassign the numbering of the Administrative Code as necessary to codify these rules and regulations as amended.

3. This ordinance shall take effect immediately upon its adoption on this 26th day of July 2022.

AYES:
NOES:
ABSTAIN:
ABSENT:

Hayden Hamilton, Board President

ATTEST:

Dawn Washburn, Board Secretary

Section 1.02.020
Conflict of Interest

1.02.020.01 The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in any agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

1.02.020.02 Therefore, the terms of 2 California Code of **Regulations Section 18730** and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating positions, and establishing disclosure requirements, shall constitute the conflict of interest code of the Rainbow Municipal Water District.

1.02.020.03 Individuals holding designated and non-designated positions shall file their Statements of Economic Interest with Rainbow Municipal Water District, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Board Members and General Manager, the Board Secretary shall make and retain copies and forward the originals of these statements to the County Board of Supervisors. Statements for all other designated employees shall be retained by Rainbow Municipal Water District.

Any public officials who manage public investments shall be considered non-designated positions under Government Code section 87200 and shall make the disclosures required by law. Originals of all Statements of Economic Interest filed by non-designated positions will be maintained at the District office.

M:\Administration\Confidential\Administrative Code Current Policies\Amendments and Updates Not Approved\Conflict of Interest 1.02.020 20220726 Redline.docxM:\Administration\Confidential\Administrative Code Current Policies\Title 1\Conflict of Interest 1.02.020.docx Approved 8-3-05 by Ordinance No. 05-07\Amended and Updated 7-21-06 by Resolution No. 06-10\Approved 11-17-06 by Ordinance No. 06-09\Amended and Updated 8-26-08 by Resolution No. 08-10\Approved 10-28-08 by Ordinance No. 08-11\Amended and Updated 06-26-12 by Ordinance No. 12-02\Amended and Updated 4-23-13 by Ordinance No. 13-04\Amended and Updated 4-22-14 by Ordinance No. 14-02\Amended and Updated 8-26-14 by Ordinance No. 14-06\Amended and Updated 2-24-15 by Ordinance No. 15-04\Amended and Updated 1-26-16 by Ordinance No. 16-02\Amended and Updated 3-22-16 by Ordinance No. 16-04\Amended and Updated 1-23-18 by Ordinance No. 18-02\Amended and Updated 3-27-18 by Ordinance No. 18-05\Amended and Updated 5-22-18 by Ordinance No. 18-12\Amended and Updated 8-28-18 by Ordinance No. 18-19\Amended and Updated 12-4-18 by Ordinance No. 18-27\Amended and Updated 6-25-19 by Ordinance No. 19-06\Amended and Updated 9-24-19 by Ordinance No. 19-12\Amended and Updated 1-28-20 by Ordinance No. 20-01\Amended and Updated 6-23-20 by Ordinance No. 20-06\Amended and Updated 12-8-20 by Ordinance No. 20-12\Amended and Updated 10-26-21 by Ordinance No. 21-07\Amended and Updated 2-22-22 by Ordinance No. 22-06\ **DRAFT**

Appendix A
Rainbow Municipal Water District Conflict of Interest Code

Preamble

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Rainbow Municipal Water District's General Counsel. (Gov. Code § 83114; 2 CCR § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to them by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, Rainbow Municipal Water District may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Rainbow Municipal Water District may bring against the requesting party under Government Code section 91003.5.

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M:\Administration\Confidential\Administrative Code Current Policies\Title 1\Conflict of Interest 1.02.020.docx
*Approved 8-3-05 by Ordinance No. 05-07\Amended and Updated 7-21-06 by Resolution No. 06-10\Approved 11-17-06 by Ordinance No. 06-09\Amended and Updated 8-26-08 by Resolution No. 08-10\Approved 10-28-08 by Ordinance No. 08-11\Amended and Updated 06-26-12 by Ordinance No. 12-02\Amended and Updated 4-23-13 by Ordinance No. 13-04\Amended and Updated 4-22-14 by Ordinance No. 14-02\Amended and Updated 8-26-14 by Ordinance No. 14-06\Amended and Updated 2-24-15 by Ordinance No. 15-04\Amended and Updated 1-26-16 by Ordinance No. 16-02\Amended and Updated 3-22-16 by Ordinance No. 16-04\Amended and Updated 1-23-18 by Ordinance No. 18-02\Amended and Updated 3-27-18 by Ordinance No. 18-05\Amended and Updated 5-22-18 by Ordinance No. 18-12\Amended and Updated 8-28-18 by Ordinance No. 18-19\Amended and Updated 12-4-18 by Ordinance No. 18-27\Amended and Updated 6-25-19 by Ordinance No. 19-06\Amended and Updated 9-24-19 by Ordinance No. 19-12\Amended and Updated 1-28-20 by Ordinance No. 20-01\Amended and Updated 6-23-20 by Ordinance No. 20-06\Amended and Updated 12-8-20 by Ordinance No. 20-12\Amended and Updated 10-26-21 by Ordinance No. 21-07\Amended and Updated 2-22-22 by Ordinance No. 22-06***DRAFT**

Part I - Designated Positions

<u>Designated Employees</u>	<u>Categories Disclosed</u>
Members of the Board of Directors	All
General Manager	All
General Counsel	All
Engineering and Capital Improvement Program Manager	All
Operations Manager	All
Human Resources Manager	All
Information Technology Manager	All
Construction/Maintenance Supervisor	All
Water Operations Supervisor	All
Wastewater Superintendent	All
Associate Engineer	All
Senior Accountant	All
<u>Accounting Supervisor</u>	<u>All</u>
Purchasing & Inventory Control Specialist I/II	All
Risk Management Officer	All
Senior Engineering Inspector	All

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Cross Connection Control and Backflow Technician	All
Information Technology and Applications Analyst and Senior Information Technology and Applications Analyst	All
Information Systems Specialist I/II/III	All
Project Manager	All
<u>Administrative Analyst I/II/Management Analyst</u>	<u>All</u>
Meter Services Supervisor	All
Customer Service and Communications Supervisor	All
Grant Specialist	All
Construction and Meters Supervisor	All
¹ Consultants	2

Part II – Non-Designated Positions

Finance Manager	Pursuant to Applicable Laws
Standing District Committee Members	2
Auditor	2

¹ With respect to consultants, the General Manager may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection by Rainbow Municipal Water District in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

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Part III - Disclosure Categories

Category 1.

A designated employee or person in this category shall report all interests in real property, and investments in, and income from, business entities of the type to operate or provide any of the following:

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow
- Construction supplies, service or equipment
- Engineering and surveying services
- Land development services

Category 2.

A designated employee in this category shall disclose all business positions in, investments in, and income from any business of the type to provide personnel, services, supplies, material, machinery, or equipment to Rainbow Municipal Water District and is associated with the job assignment or position of the designated employee or person.

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Appendix B

Statement of Duties of Employees of and Consultants to Rainbow Municipal Water District

Members of the Board of Directors

The Board of Directors acts as the Rainbow Municipal Water District's governing body. Members of the Board of Directors formulate general policy and programs of Rainbow Municipal Water District, and each member of the Board of Directors is therefore designated.

General Manager

General Manager oversees the day-to-day operations of Rainbow Municipal Water District and participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and is therefore designated.

General Counsel

General Counsel, currently hired on a contract basis, advises Rainbow Municipal Water District on its day-to-day activities, including its relationships with the independent contractors who serve in a staff capacity to Rainbow Municipal Water District, and compliance with applicable laws and regulations. General Counsel participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and is therefore designated.

Finance Manager

An employee of the Rainbow Municipal Water District, the Finance Manager is Rainbow Municipal Water District's Chief Financial Officer and helps manage the finances of Rainbow Municipal Water District. The Finance Manager makes reports from time to time on the financial results of operations of Rainbow Municipal Water District and recommends fiscal policies to the Board of Directors. The Finance Manager "manages public investments" within the meaning of applicable regulations and is therefore not designated.

Engineering and Capital Improvement Program Manager

The Engineering and Capital Improvement Program Manager provides oversight of engineering services to Rainbow Municipal Water District, including implementation of capital replacement projects and participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of engineering and is therefore designated.

Operations Manager

The Operations Manager oversees the operation and maintenance of the water and wastewater lines and structures, participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of operations and maintenance and is therefore designated.

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Human Resources Manager

The Human Resources Manager plans, directs and oversees the following programs and activities: human resources; risk management and safety; labor relations; workers' compensation, property and liability insurance and is therefore designated.

Information Technology Manager

The Information Technology Manager manages Rainbow Municipal Water District's information technology staff, services and systems, user support, specific applications support, hardware and software installation, troubleshooting and maintaining computer systems, telephony, and mobile services. This position also supervises the purchasing, inventorying, maintenance and the disposing of computing and communication devices, hardware and software and is therefore designated.

Construction/Maintenance Supervisor

The Construction/Maintenance Supervisor has supervisory responsibilities to direct and oversee the Construction Division. This position coordinates and manages the installation, maintenance and repair of water mains, service lines, fire hydrants and other related appurtenances used in the District water distribution, treatment and storage facilities and is therefore designated.

Water Operations Supervisor

The Water Operations Supervisor has supervisory responsibilities to direct and oversee the Water Operations Division. This position will coordinate and manage the installation, maintenance, repair and operation of District water distribution, treatment, pumping and storage facilities and is therefore designated.

Wastewater Superintendent

The Wastewater Superintendent has managerial responsibility to direct and oversee the Wastewater Division. This position coordinates and manages the repair, maintenance and operation of the wastewater pumping and collection system as well as may assist with installation, maintenance and repair of water distribution facilities and is therefore designated.

Associate Engineer

The Associate Engineer performs a variety of routine and semi-routine professional level civil engineering work in the research, design and construction of water and sewer capital improvement and construction projects as well as reviews development plans and is therefore designated.

Senior Accountant

The Senior Accountant performs highly complex and professional accounting and financial analysis to provide accurate and timely financial statements and reports to management, the Board, other government agencies, and the public and serves as a subject matter expert and is therefore designated.

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Accounting Supervisor

The Accounting Supervisor is the first-level supervisor for designated staff within the Finance Department; performs highly complex and professional accounting and financial analysis to provide accurate and timely financial statements and reports to management, the Board, other government agencies, and serves as a subject matter expert and is therefore designated.

Purchasing & Inventory Control Specialist I/II

The Purchasing & Inventory Control Specialist I/II has responsibility for all functions associated with the warehouse including purchasing, receiving and inventory control and administration of the office cleaning contract as well as maintaining inventory of parts and supplies and is therefore designated.

Risk Management Officer

The Risk Management Officer has responsibility for the planning and administration of the District programs and services related to safety, security, emergency preparedness, environmental compliance functions, and processing claims and is therefore designated.

Senior Engineering Inspector

The Senior Engineering Inspector performs highly specialized and complex public works construction inspection work. This position acts as the District's representative on the construction site for the expressed intent of enforcement of District construction standards and regulations and is therefore designated.

Cross-Connection Control and Backflow Technician

The Cross-Connection Control and Backflow Technician performs a variety of work in connection with implementing and enforcing the cross-connection control programs including the Backflow Prevention Program, inspects, tests, and repairs backflow devices, and creates and submits results, records, and related documentation and is therefore designated.

Information Technology and Applications Analyst /Senior IT and Applications Analyst

The Senior Information Technology and Applications Analyst/Senior Information and Applications Analyst position monitors, maintains, troubleshoots, and diagnoses hardware, software, database and network problems and identifies courses of action and is therefore designated.

Information Systems Specialist I/II/III

The Information Systems Specialist I/II/III provides technical assistance to end users of computer hardware, software, printers, and mobile devices and assists in configuring and administering Rainbow Municipal Water District's electronic records management system and is therefore designated.

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Project Manager

The Project Manager manages Capital Improvement Projects (CIP) and development projects related to the design and construction of water and wastewater distribution and collection systems. Manages projects from start to finish, from project planning to final inspection. Coordinates with District staff, contractors, and other agencies to deliver projects and is therefore designated.

Administrative Analyst I/II/Management Analyst

The Administrative Analyst I/II/Management Analyst series classification provides complex technical and analytical work within the assigned department. Coordinates with District staff, contractors, customers, developers, and other agencies to deliver projects and is therefore designated.

Meter Services Supervisor

The Meters Services Supervisor supervises and participates in work related to water services, oversees the cross-connection control and backflow testing programs, tests water services including pressure regulators, water meters, meter boxes, backflow devices and associated appurtenances, and responds to escalated customer service inquiries regarding customer water use and water service issues and is therefore designated.

Customer Service and Communications Supervisor

The Customer Service and Communications Supervisor oversees activities and staff in the Customer Service Department, handles complex and escalated customer service issues, administrative and professional activities in support of public relations, community outreach, and educational programs and is therefore designated.

Grant Specialist

The Grant Specialist researches, develops, writes, and submits grant applications and proposals for the core purpose of acquiring grant funding from a variety of organizations and sources as well as manages funding agreements, completes required reporting and reimbursement invoicing to ensure funding requirements are met and is therefore designated.

Construction and Meters Supervisor

The Construction and Meters Supervisor directs and oversees the Construction and Meters Divisions. This position participates in work related to water services, oversees the cross-connection control and backflow testing programs, as well as coordinates and manages the installation, maintenance and repair of water mains, service lines, fire hydrants, and other related appurtenances used in the District water distribution, treatment and storage facilities and is therefore designated.

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Auditor

Rainbow Municipal Water District has contracted with one or more accounting firms to handle financial audits of Rainbow Municipal Water District's finances and investments. These firms implement decisions of the Rainbow Municipal Water District's Board of Directors. Because these auditors' duties are restricted in the manner described herein, they do not participate in the formulation and implementation of the policies and programs of Rainbow Municipal Water District, and also do not "manage public investments" within the meaning of applicable regulations; therefore, the Auditor(s) shall be considered non-designated positions and will file Statements of Economic Interest forms with the District only for public review and information purposes.

Standing District Committee Members

A member or alternate committee member of a Rainbow Municipal Water District standing committee serves at the pleasure of the Board. These committees are advisory to the Board with regard to matters within their respective areas of responsibility. A committee has jurisdiction to consider and make a recommendation to other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board. Therefore, standing district committee members shall be considered non-designated positions and will file Statements of Economic Interest forms with the District only for public review and information purposes.

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Section 1.02.020
Conflict of Interest

1.02.020.01 The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in any agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

1.02.020.02 Therefore, the terms of 2 California Code of **Regulations Section 18730** and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating positions, and establishing disclosure requirements, shall constitute the conflict of interest code of the Rainbow Municipal Water District.

1.02.020.03 Individuals holding designated and non-designated positions shall file their Statements of Economic Interest with Rainbow Municipal Water District, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the Board Members and General Manager, the Board Secretary shall make and retain copies and forward the originals of these statements to the County Board of Supervisors. Statements for all other designated employees shall be retained by Rainbow Municipal Water District.

Any public officials who manage public investments shall be considered non-designated positions under Government Code section 87200 and shall make the disclosures required by law. Originals of all Statements of Economic Interest filed by non-designated positions will be maintained at the District office.

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Appendix A
Rainbow Municipal Water District Conflict of Interest Code

Preamble

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Rainbow Municipal Water District's General Counsel. (Gov. Code § 83114; 2 CCR § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to them by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, Rainbow Municipal Water District may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Rainbow Municipal Water District may bring against the requesting party under Government Code section 91003.5.

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Part I - Designated Positions

<u>Designated Employees</u>	<u>Categories Disclosed</u>
Members of the Board of Directors	All
General Manager	All
General Counsel	All
Engineering and Capital Improvement Program Manager	All
Operations Manager	All
Human Resources Manager	All
Information Technology Manager	All
Construction/Maintenance Supervisor	All
Water Operations Supervisor	All
Wastewater Superintendent	All
Associate Engineer	All
Senior Accountant	All
Accounting Supervisor	All
Purchasing & Inventory Control Specialist I/II	All
Risk Management Officer	All
Senior Engineering Inspector	All

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Cross Connection Control and Backflow Technician	All
Information Technology and Applications Analyst and Senior Information Technology and Applications Analyst	All
Information Systems Specialist I/II/III	All
Project Manager	All
Administrative Analyst I/II/Management Analyst	All
Meter Services Supervisor	All
Customer Service and Communications Supervisor	All
Grant Specialist	All
Construction and Meters Supervisor	All
¹ Consultants	2

Part II – Non-Designated Positions

Finance Manager	Pursuant to Applicable Laws
Standing District Committee Members	2
Auditor	2

¹ With respect to consultants, the General Manager may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection by Rainbow Municipal Water District in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

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Part III - Disclosure Categories

Category 1.

A designated employee or person in this category shall report all interests in real property, and investments in, and income from, business entities of the type to operate or provide any of the following:

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow
- Construction supplies, service or equipment
- Engineering and surveying services
- Land development services

Category 2.

A designated employee in this category shall disclose all business positions in, investments in, and income from any business of the type to provide personnel, services, supplies, material, machinery, or equipment to Rainbow Municipal Water District and is associated with the job assignment or position of the designated employee or person.

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Appendix B
Statement of Duties of Employees of
and Consultants to Rainbow Municipal Water District

Members of the Board of Directors

The Board of Directors acts as the Rainbow Municipal Water District's governing body. Members of the Board of Directors formulate general policy and programs of Rainbow Municipal Water District, and each member of the Board of Directors is therefore designated.

General Manager

General Manager oversees the day-to-day operations of Rainbow Municipal Water District and participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and is therefore designated.

General Counsel

General Counsel, currently hired on a contract basis, advises Rainbow Municipal Water District on its day-to-day activities, including its relationships with the independent contractors who serve in a staff capacity to Rainbow Municipal Water District, and compliance with applicable laws and regulations. General Counsel participates in the formulation and implementation of the policies and programs of Rainbow Municipal Water District and is therefore designated.

Finance Manager

An employee of the Rainbow Municipal Water District, the Finance Manager is Rainbow Municipal Water District's Chief Financial Officer and helps manage the finances of Rainbow Municipal Water District. The Finance Manager makes reports from time to time on the financial results of operations of Rainbow Municipal Water District and recommends fiscal policies to the Board of Directors. The Finance Manager "manages public investments" within the meaning of applicable regulations and is therefore not designated.

Engineering and Capital Improvement Program Manager

The Engineering and Capital Improvement Program Manager provides oversight of engineering services to Rainbow Municipal Water District, including implementation of capital replacement projects and participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of engineering and is therefore designated.

Operations Manager

The Operations Manager oversees the operation and maintenance of the water and wastewater lines and structures, participates in the formulation of Rainbow Municipal Water District's general policies and programs in the area of operations and maintenance and is therefore designated.

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Human Resources Manager

The Human Resources Manager plans, directs and oversees the following programs and activities: human resources; risk management and safety; labor relations; workers' compensation, property and liability insurance and is therefore designated.

Information Technology Manager

The Information Technology Manager manages Rainbow Municipal Water District's information technology staff, services and systems, user support, specific applications support, hardware and software installation, troubleshooting and maintaining computer systems, telephony, and mobile services. This position also supervises the purchasing, inventorying, maintenance and the disposing of computing and communication devices, hardware and software and is therefore designated.

Construction/Maintenance Supervisor

The Construction/Maintenance Supervisor has supervisory responsibilities to direct and oversee the Construction Division. This position coordinates and manages the installation, maintenance and repair of water mains, service lines, fire hydrants and other related appurtenances used in the District water distribution, treatment and storage facilities and is therefore designated.

Water Operations Supervisor

The Water Operations Supervisor has supervisory responsibilities to direct and oversee the Water Operations Division. This position will coordinate and manage the installation, maintenance, repair and operation of District water distribution, treatment, pumping and storage facilities and is therefore designated.

Wastewater Superintendent

The Wastewater Superintendent has managerial responsibility to direct and oversee the Wastewater Division. This position coordinates and manages the repair, maintenance and operation of the wastewater pumping and collection system as well as may assist with installation, maintenance and repair of water distribution facilities and is therefore designated.

Associate Engineer

The Associate Engineer performs a variety of routine and semi-routine professional level civil engineering work in the research, design and construction of water and sewer capital improvement and construction projects as well as reviews development plans and is therefore designated.

Senior Accountant

The Senior Accountant performs highly complex and professional accounting and financial analysis to provide accurate and timely financial statements and reports to management, the Board, other government agencies, and the public and serves as a subject matter expert and is therefore designated.

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Accounting Supervisor

The Accounting Supervisor is the first-level supervisor for designated staff within the Finance Department; performs highly complex and professional accounting and financial analysis to provide accurate and timely financial statements and reports to management, the Board, other government agencies, and serves as a subject matter expert and is therefore designated.

Purchasing & Inventory Control Specialist I/II

The Purchasing & Inventory Control Specialist I/II has responsibility for all functions associated with the warehouse including purchasing, receiving and inventory control and administration of the office cleaning contract as well as maintaining inventory of parts and supplies and is therefore designated.

Risk Management Officer

The Risk Management Officer has responsibility for the planning and administration of the District programs and services related to safety, security, emergency preparedness, environmental compliance functions, and processing claims and is therefore designated.

Senior Engineering Inspector

The Senior Engineering Inspector performs highly specialized and complex public works construction inspection work. This position acts as the District's representative on the construction site for the expressed intent of enforcement of District construction standards and regulations and is therefore designated.

Cross-Connection Control and Backflow Technician

The Cross-Connection Control and Backflow Technician performs a variety of work in connection with implementing and enforcing the cross-connection control programs including the Backflow Prevention Program, inspects, tests, and repairs backflow devices, and creates and submits results, records, and related documentation and is therefore designated.

Information Technology and Applications Analyst /Senior IT and Applications Analyst

The Senior Information Technology and Applications Analyst/Senior Information and Applications Analyst position monitors, maintains, troubleshoots, and diagnoses hardware, software, database and network problems and identifies courses of action and is therefore designated.

Information Systems Specialist I/II/III

The Information Systems Specialist I/II/III provides technical assistance to end users of computer hardware, software, printers, and mobile devices and assists in configuring and administering Rainbow Municipal Water District's electronic records management system and is therefore designated.

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Project Manager

The Project Manager manages Capital Improvement Projects (CIP) and development projects related to the design and construction of water and wastewater distribution and collection systems. Manages projects from start to finish, from project planning to final inspection. Coordinates with District staff, contractors, and other agencies to deliver projects and is therefore designated.

Administrative Analyst I/II/Management Analyst

The Administrative Analyst I/II/Management Analyst series classification provides complex technical and analytical work within the assigned department. Coordinates with District staff, contractors, customers, developers, and other agencies to deliver projects and is therefore designated.

Meter Services Supervisor

The Meters Services Supervisor supervises and participates in work related to water services, oversees the cross-connection control and backflow testing programs, tests water services including pressure regulators, water meters, meter boxes, backflow devices and associated appurtenances, and responds to escalated customer service inquiries regarding customer water use and water service issues and is therefore designated.

Customer Service and Communications Supervisor

The Customer Service and Communications Supervisor oversees activities and staff in the Customer Service Department, handles complex and escalated customer service issues, administrative and professional activities in support of public relations, community outreach, and educational programs and is therefore designated.

Grant Specialist

The Grant Specialist researches, develops, writes, and submits grant applications and proposals for the core purpose of acquiring grant funding from a variety of organizations and sources as well as manages funding agreements, completes required reporting and reimbursement invoicing to ensure funding requirements are met and is therefore designated.

Construction and Meters Supervisor

The Construction and Meters Supervisor directs and oversees the Construction and Meters Divisions. This position participates in work related to water services, oversees the cross-connection control and backflow testing programs, as well as coordinates and manages the installation, maintenance and repair of water mains, service lines, fire hydrants, and other related appurtenances used in the District water distribution, treatment and storage facilities and is therefore designated.

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Auditor

Rainbow Municipal Water District has contracted with one or more accounting firms to handle financial audits of Rainbow Municipal Water District's finances and investments. These firms implement decisions of the Rainbow Municipal Water District's Board of Directors. Because these auditors' duties are restricted in the manner described herein, they do not participate in the formulation and implementation of the policies and programs of Rainbow Municipal Water District, and also do not "manage public investments" within the meaning of applicable regulations; therefore, the Auditor(s) shall be considered non-designated positions and will file Statements of Economic Interest forms with the District only for public review and information purposes.

Standing District Committee Members

A member or alternate committee member of a Rainbow Municipal Water District standing committee serves at the pleasure of the Board. These committees are advisory to the Board with regard to matters within their respective areas of responsibility. A committee has jurisdiction to consider and make a recommendation to other committees and to the Board regarding any item of business within the responsibility of the committee. Committee recommendations shall be communicated to the Board. A committee may consider other matters referred to it by the Board. Therefore, standing district committee members shall be considered non-designated positions and will file Statements of Economic Interest forms with the District only for public review and information purposes.

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MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

VARIABLE					
DATE	2022	MEETING	LOCATION	ATTENDEES	POST
August	11	SDCWA Special Board Meeting	SDCWA	GM	N/A
August	18	CSDA – San Diego Chapter	TBD	Mack	N/A
August	*	LAFCO Special Meeting	County Admin Center, Room 302 – 9:30am	(As Advised by GM)	N/A
August	*	Santa Margarita River Watershed Watermaster Steering Committee	Rancho California Water District	Hamilton	N/A

* To Be Announced

MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

RECURRING					
DATE	2022	MEETING	LOCATION	ATTENDEES	POST
August	1	LAFCO	County Admin. Center Room 302 9:00 am	As Advised by GM	N/A
August	3	Engineering & Operations Committee Meeting	RMWD Board Room 3:30 p.m.	Appointed Director, General Manager	7/28
August	4	Communications & Customer Service Committee Mtg.	RMWD Board Room 3:30 p.m.	Appointed Director, General Manager	7/28
August	9	Budget & Finance Committee Mtg.	RMWD Board Room 1:00 p.m.	Appointed Director, General Manager	8/3
August	16	Council of Water Utilities	TBD 8-9:15 a.m.	All Directors, General Manager	N/A
August	16	SDCWA GM's Meeting	SDCWA, San Diego 9:00 a.m.	General Manager	N/A
August	19	NC Managers	Golden Egg 7:45 a.m.	General Manager	N/A
August	24	North County Work Group (NCWG)	Rincon Del Diablo, Escondido 8:00 a.m.	General Manager	N/A
August	25	SDCWA Full Board Meeting	SDCWA Board Room, 3-5 p.m.	General Manager	N/A
August	30	RMWD General Board	RMWD Board Room (Start Time to Be Determined)	All Directors	8/23

BOARD OF DIRECTORS

July 26, 2022

SUBJECT

Operations Report for June 2022

DESCRIPTION

Activities for Operations & Maintenance Division

CONSTRUCTION & MAINTENANCE DEPARTMENT:

March	Repairs	Installations	Leaks
Mainline	2		2
Service	4		4
Hydrants			
Valves		3	
Meters			
Blow-Offs			
Air Vacs	4		3
Annual Totals	69	24	49

- **239** utility locates were completed in the month of March - **Annual Total 1502**
- Repaired Service Leaks at 468 Rice Canyon Rd, 1865 Rice Canyon Rd., 1050 Rice Canyon Rd. and 2141 Rainbow Valley Blvd.
- Repaired mainline leaks at Grove View APN1220307100 and 3602 Linda Vista Terrace
- Modifications to Pala Mesa South (80% complete)
- Repaired Air Vacs on Pala Mesa Dr., Brook Hollow, and Vista Valley.
- Assisted the meter department with Large meter updates.

WATER OPERATIONS AND VALVE MAINTENANCE DEPARTMENT:

Water Operations:

- Assessed 0 Water Quality Complaint in May. **Annual total 11.**
- Performed 0 fire flow tests. **Annual total 2.**
- Performed routine maintenance/rebuilding of 14 pressure stations (CLA VALs). **Annual total 51.**
- Collected all tank/reservoirs nitrification samples.
- Installed a mixer at Gomez Tank
- Installed CL-10 analyzer at Lookout Mountain Tank

- Completed quarterly THM/HAA5 samples

Valve Maintenance:

Monthly Totals	Valves (Distribution)	Appurtenance Valves	Annual Totals
Exercised	58	48	667
Inoperable	11	2	38
Repaired			
Replaced	0	2	29
Installed	0		0

Valve Maintenance completed and/or oversaw the following:

- Assisted with 9 shutdowns- **Annual Total 73.**
- Raised 0 fire hydrants (installed breakaway spools).
- Replaced 1 air/vacs, 0 wharf heads, 1 Fire hydrants, and 0 gate valve.
- Painted 85 appurtenances- **Annual Total (552).**

METERS DEPARTMENT:

Water Service Upgrade Project

WSUP is **100%** complete, minus a few RTUs and large meters.

Backflows:

- Five Hundred Sixty-Nine (**569**) backflows were tested in the month of June.
- Three Thousand Three Hundred Ninety-Nine (**3399**) backflows have been tested so far this year (2022).

Customer Service Requests:

- 199 Service Request were resolved in June. **Annual total 1243**
- 280 Check Bills were completed in the month of June. **Annual total 1881**
- Year to date service requests and check bills: 3124

WASTEWATER:

Monthly, Semi-Annual, and Annual Reports: California Integrated Water Quality System (CIWQS): Confirmation # 2627951 Reported: “No-Spill Report” for Month: June 2022.

APCD – San Diego County EIF (ID # 200305004 IW Data submittal June 8,2022.

Lift Stations:

June 2022 - Staff performed annual generator oil and filter preventative maintenance to eight wastewater generators a San Diego APCD Rule 69.4.1 requirement.

Collection System: FPUD Vactor mutual agreement

June 7 ,2022 - RMWD staff picked up FPUD’s vactor for cleaning wet wells.

June 8,2022 - RMWD staff picked up FPUD’s vactor for cleaning Fallbrook Oaks wet well and sewer siphon.

June 14 and 15 ,2022 - RMWD staff picked up FPUD's vactor for scheduled basin sewer cleaning Pankey sewer easement dirty sewer lines.

June 16,2022 - RMWD staff picked up FPUD's vactor for general cleaning High frequency.

June 21,2022 - RMWD staff picked up FPUD's vactor for basin schedule sewer cleaning Gird Road – TSS was contracted to assist with traffic control.

June 22,2022 - RMWD staff picked up FPUD's vactor for cleaning scheduled basin sewer cleaning Gird Road – TSS traffic control continued.

June 23,2022 - RMWD staff picked up FPUD's vactor for scheduled basin sewer cleaning Via Monserate and Ramona Dr – TSS traffic control continued.

June 28,2022 - RMWD staff picked up FPUD's vactor for cleaning Rancho Viejo dirty wet well causing alarms at 40' deep.

June 29,2022 - RMWD staff picked up FPUD's vactor for cleaning the sewer siphon on Old River Road wet well, dirty causing alarms.

June 30,2022 - RMWD staff picked up FPUD's vactor for high frequency cleaning.

June 2022 - Haaker portable sewer trailer rental - general line cleaning operations.


Customer Service:

June 22, 2022 – Burcin, Joe at service address 4018 Via Milagra customer had a sewer lateral concern.

Projects: CIP - Thoroughbred sewer lift station.

Mutual Aid: Month of June 2022

FPUD
TSS - Traffic Safety Solutions
Global Power services
Coast equipment Rentals



Robert Gutierrez 7/26/2022
Operations Manager



BOARD INFORMATION

BOARD OF DIRECTORS

July 26, 2022

SUBJECT

Engineering Report for June 2022

DESCRIPTION

CAPITAL PROJECTS:

Emergency Generators at Huntley-Gomez & Magee Pump Stations (Syska Hennessy Group): The Huntley-Gomez generator was delivered to the District in March and the Magee generator is expected to be delivered in mid-July. District staff contacted multiple consultants to request a proposal for design services in accordance with Section 5.02.110 of the Administrative Code. The District selected Syska Hennessy Group to develop plans and specifications for the installation of both generators and design is currently in progress.

Gird Road Upsize (Omnis): This project is for the installation of an 18-inch pipeline along Gird Road. This project will be constructed inhouse. District staff continues to work with Bonsall Unified School District to discuss use of their property for a project staging area. Staff has been negotiating the compensation as part of the lease agreement. A draft lease agreement has been prepared and is being circulated for review. Design plans for the project have been finalized, materials ordered, and permit applications submitted to the County.

Hutton and Turner Pump Stations (Hoch Consulting): District staff continues to meet and work with Hoch Consulting on a weekly basis. Hoch is looking at meter data to assess demand for the Hutton Zone to help with calibrating the hydraulic model. District staff has identified the source of power for the Turner pump station site and met with the property owner's representative to discuss the potential easement acquisition on behalf of SDGE in June. District staff successfully acquired the new Hutton Pump Station site easement from Ocean Breeze Ranch, LLC. Geotech sampling is being coordinated with one of the District's As Needed Consultants (Leighton).

Live Oak Park Road Bridge Replacement – Water Improvements (Hazard Construction): District staff have been coordinating with the County of San Diego (County) and their contractor, Hazard Construction on their Live Oak Park Road Bridge Replacement Project. The District executed a construction contract with Hazard Construction to relocate an 8-inch and 16-inch water main in early May. A pre-construction meeting was held on May 16, 2022, and a Notice to Proceed was issued shortly thereafter. Hazard Construction will perform the District's water improvements in two phases in conjunction with the County's bridge project. The first phase, which includes demolition of the 16-inch line is expected to begin in mid-July. District staff is currently coordinating the Hazard Construction on material submittals and has conducted one (1) monthly construction progress meeting.

LS-1 Replacement Project -Thoroughbred and Schoolhouse Lift Stations (JW Fowler Co.): The project started construction in mid-January 2022 and is focused on the Lift Station site off Thoroughbred Lane. The contractor has completed excavation for the emergency storage facility and excavation on the wet wells and diversion structure. The contractor has completed placement of concrete for the floor slab and walls and is proceeding to form the roof slab. Pipeline installation is expected to begin in mid-July based on pipe availability and will start with the 18-inch pipeline in the River Village Shopping Center easement. District staff and legal counsel

continue to work with property owners to acquire three easements needed for this project. The County approved the design to hang the sewer line off the Camino Del Rey Bridge and Moosa Creek Bridge. District staff executed Change Order 1 Value Engineering proposal 50/50 split with the contractor to utilize Jack and Bore in lieu of microtunneling. District will save a total of \$260,945 credit (\$89,142 near Arco and \$171,803 at Ostrich Farm Creek). Change Order #2 was executed and included a valued engineering proposal 50/50 split with the contractor to modify the Primus liner material sourcing. The District will save \$44,154.00. Change Order #3 is in process and includes various change conditions and also a credit for the deletion of the odor control equipment. The cost of change order #3 is \$766,573.86.

Manual Transfer Switches (Harris & Associates): District staff contacted multiple consultants to request a proposal for design services in accordance with Section 5.02.110 of the Administrative Code. The District selected Harris & Associates to perform design services for the project. A design kick-off meeting was held on June 9, 2022 and design is currently in progress with the first design submittal expected in July 2022.

Programmatic Environmental Impact Report (Helix Env.): The Draft PEIR was released for 45 Day Public Commenting. The Notice of Availability was mailed out to stakeholders, advertised in the Daily Journal, and filed with the County. The report was uploaded to the District's website and State Clearinghouse. Public comments are due by July 8, 2022. District staff intends to present the PEIR to the Board in August 2022 for approval and certification. The District received one comment letter from California Department of Fish and Wildlife Service on June 30th.

Rainbow Valley Blvd. Cathodic Protection (Farwest CCC): The project proposes to install cathodic protection on a water main starting at Rainbow Heights Pump Station to Rainbow Hills Pump Station along 8th Street, Rainbow Valley Road, and Frontage Road. The anode wells have been completed at both the Rainbow Hills Pump Station and Rainbow Heights Pump Station as well as the insulating flange kits at the Rainbow Hills Pump Station.. The County issued the permit in late June and the contractor will begin installation of the test station on July 5th and is expected to be completed by the end of July.

Rainbow Water Quality Improvement Project – Water Main & Service Laterals (Omnis): The County of San Diego is proposing a water quality improvement project in the community of Rainbow, which impacts approximately 21 service laterals, 350 feet of 8-inch water main, 650 feet of 12-inch main and three (3) sections of 8-inch water main. The District's Rainbow Water Quality Improvement Project – Water Main & Service Laterals Project was advertised for construction in June. The solicitation was only open to the District's pre-qualified contractors to expedite the procurement process. Two bids were received, and the lowest responsive and responsible bidder was Ortiz Corporation with a total bid amount of \$839,850. A request to authorize award of a construction contract to Ortiz Corporation will occur at the July 2022 Board meeting.

Rice Canyon Tank 18-Inch Transmission Line (Dexter Wilson Eng.): Cass Arrieta Construction has installed all new pipe associated with the 18-inch Transmission Line. No cultural resource, biological resource or stormwater compliance issues have been documented or reported for the month of June. Fourteen (14) progress meetings have been held with District staff, Tri-Pointe Homes, Cass Arrieta, and the project's environmental team to discuss construction updates, construction administration, potential constraints, and sensitive resources. Cass Arrieta Construction has encountered procurement delays on the gate valves and EFI shelters for the proposed pressure reducing stations, which may impact the construction completion date. Construction is still expected to be completed in October 2022, however this is subject to change based on the material delivery date.

San Luis Rey Return Flow Recovery Project (DLM Engineering): The District publicly advertised a Request for Proposal for hydrogeologic and engineering services from February to the end of March. Two (2) proposals were received, and an Evaluation Committee met in April to discuss individual scoring evaluations. Consultant interviews were conducted in May and contract negotiations are now complete. District staff has successfully reduced the Consultant's fee proposal by 12% bringing the revised total to \$1,158,183 and modified the proposed scope of services to incorporate multiple "stop points" into the contract. A request to authorize award of a professional services agreement to Hoch Consulting will occur at the July 2022 Board meeting.

Sumac Communications Tower PV & Back-Up Battery System (Hoch Consulting): District staff advertised the RFSQ in March and April 2022 and did not receive any Statement of Qualification packages. District staff and Hoch Consulting, the District's As-Needed Design Consultant contacted over ten (10) solar companies to inform them of the opportunity and still had little interest in the project. After further discussion, District staff have decided to forego the pre-qualification process and only issue a Request for Proposal (RFP) with detailed information on the project. District staff contacted twenty-five (25) different solar companies and offered an optional pre-proposal site visit in July to interested parties. The RFP is now being advertised on the District's website, Daily Journal and E-Bid Board with a proposal due date of August 4, 2022 at 2:00pm.

Wilt Road Pipeline Project (Omnis): Comments on the 60% design were incorporated by the design engineer. District staff is reviewing the latest design submittal. Additional meetings will be scheduled in July to further discuss the project and design plan comments with the Design Engineer.

MAJOR DEVELOPER PROJECTS:

Bonsall Oaks (formally Polo Club): 164 SFR / 205.8 EDUs – A fourth amendment to the unrecorded joint agreement to improve major subdivision Tract No. 4736-1 was made and entered on May 24, 2022, between the Developer, County of San Diego, and the District. District staff has completed plan reviews for Phase 1A and Phase 1A-1 of the construction. The Developer paid 50% of the sewer connection fees as required per the executed Sewer Agreement, which is effective for five years from the date of execution (9/16/26). The contractor pulled off-site and is waiting for materials. The Developer continues to submit plan reviews for future phases of the project.

Campus Park West (JPSD, LLC): Residential and Commercial development. District staff received pre-plan information and first plan check submittal on September 8, 2021. Staff provided comments to the Developer on October 7, 2021. An initial review of improvement plans was completed by District staff in February 2022. The second plan submittal was received on April 28, 2022, and the review was completed in May.

Citro (Tri Pointe) (formally Meadowood by Pardee Homes): Approximately 844 Units, 926.6 Sewer EDUs - On Pala Road/Horse Ranch Creek Road. The Board has entered into an Out of Agency Service Agreement and an Annexation Agreement with the Developer. The annexation of the development was recorded in July 2021. District staff has completed plan reviews for improvements in Horse Ranch Creek Road, Planning Area 1, Planning Area 3, Planning Area 4, Planning Area 5A, Planning Area 5B, and the Final Map. Plan Reviews continue for Planning Area 5C and the 4th Final Map. The District has entered Joint Agreements with the Developer and the County for a portion of the Development. The contractor has constructed several of the improvements. The contractor is on site excavating and installing both water and sewer main. A second crew is on site testing the water and sewer for the models (phase 1). The Developer has purchased 127 meters to date.

Fairview-Lilac Del Cielo (Bonsall LLC): 73 Units / 77.8 Sewer EDUs – The Developer paid 50% of the sewer connection fees and the agreement is effective for five (5) years from the date of execution (12/31/24). The SCIP was executed on May 12, 2021, which allows the Developer to be reimbursed from bond proceeds for water and sewer capacity fees. All water meters have been purchased for this Developer, a total of 75. The water main has been tested and accepted. The Developer is working on meter installs and sewer connections.

Horse Creek Ridge (D.R. Horton): 627 SFR/MF, 430 Water Meters / 723.9 Sewer EDUs – On Highway 76 and Horse Ranch Creek Road. Currently inspecting meter installs, meter releases and sewer connections. All the water meters have been purchased – 430. Staff is working with the Developer on final inspections and project closeout. Staff continues to review various CFD reimbursement packages submitted by the Developer.

Horse Creek Ridge Unit 6R5 Promontory (Richmond American Homes): 116 Units, 113 Water Meters (plus irrigation meters and 3 SF meters previously purchased by DRH) / 169.5 Sewer EDUs - On Highway 76 and

Horse Ranch Creek Road. D.R. Horton, master Developer of HCR sold Unit 6-R5, 124 lots, Promontory Subdivision to Richmond American Homes. Currently the sewer EDUs are covered under an agreement with D.R. Horton. All water meters have been purchased for this Development, a total of 116. The District's Senior Inspector is inspecting meter installs, meter releases and sewer connections.

Malabar Ranch (Davidson Communities): 31 SFR / 29 EDUs - On Via Monserate / La Canada. There are 17 out of 31 homes built. Developer needs to complete the waterline relocation and punch list items, including the provision of as-built plans.

Ocean Breeze Ranch: The District completed review of the revised water and sewer system analysis reports, conditions of approval, and improvement plans in December 2020. District staff also reviewed an exhibit showing a Utility Conflict and provided comments in January 2021. Staff responded to requests regarding expected costs for the Developer to move forward.

Pala Mesa Highlands (Beazer Homes): 124 SFR / 160.2 Sewer EDUs – On Old Highway 395. One of the required Pressure Reducing Stations has not yet been installed. Currently inspecting meter installs, meter releases and sewer connections. All water meters have been purchased for this Development, a total of 129. The contractor is waiting on the delivery of plug valves to complete construction of the Pressure Reducing Station.

Rancho Alegre (Garrett Grp/Redhawk Communities): Developer paid deposit for Sewer Analysis.

San Luis Rey Racetrack Improvement Plan: Developer paid deposit for Sewer and Water Analysis.

The Preserve at Riverbend (Cameron Development Grp.): The proposed development plan includes 1,309 mixed density residential units, mixed use commercial, a fire station, parks, agricultural spaces, and open space, development is going through preliminary planning with the District, County, LAFCO and the Pala Tribe.

West Lilac Farms: 28 Lots – Via Ararat/Aqueduct Road. District staff are working with the developer regarding preliminary planning efforts.

MINOR DEVELOPER PROJECTS:

Cal-A-Vie (Spa Havens) Water Main Extension on Spa Havens Way: Plans have received final approval and the Grant of Easement for the waterline improvements has been recorded.

Carefield Senior Living: District staff have completed one plan check.

Doud Waterline Extension: District staff has completed three plan checks and required easements have been recorded. District staff is working with developer on approving plans and completing pre-construction requirements.

Melanie Lane Waterline Extension (Monserate Place, LLC): District staff have completed one plan check.

Monserate Winery: The Sewer Service Agreement was approved at the March 2022 Board Meeting. The District is verifying the completion of construction and coordinating the project closeout.

Pala Mesa Market Development Plan: District staff have completed one plan check.

View Point Road Waterline Extension: Developer paid deposit for plan check on June 23, 2022.

Walker Farm Road Waterline Extension: District staff have completed two plan checks.

Whitman Waterline Extension: District staff are waiting on plan submittal.

OTHER:

ITEMS	NO#	ITEMS	NO#
Water Availability Letters	1	Water Meters Purchased	3
Sewer Availability Letters	0	Sewer EDUs Purchased	0
Water Commitment Letters	0	Jobs Closed:	
Sewer Commitment Letters	0		



Chad Williams 7/26/22
Engineering & CIP Program Manager

**AS-NEEDED CONTRACT EXPENDITURES REPORT
MAY-JUNE 2022**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT
Title: As-Needed Land Surveying Services, PSA 18-16 Firm: Johnson-Frank & Assoc. Expires: 8/29/22 CO-01 \$0 NCE BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 50,000.00	
	CIP	2021-04	Closed	5/3/2021	Prepare Plat Map - Thoroughbred Lift Station		\$ 22,403.50
	CIP	2022-05	Open	5/10/2022	Legal Descriptions/Plat Maps/Easements - Thoroughbred Lift Station		\$ 6,600.00
					Unspecified		\$ 5,702.10
						TOTALS:	\$ 50,000.00
Title: As-Needed Land Surveying Services, PSA 18-14 Firm: KDM Meridian, Inc. Expires: 8/29/22 CO-01 \$50K BoD 5/26/20, CO-02 \$50K BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 150,000.00	
	CIP	2021-14	Closed	1/29/2021	Survey & staking of easements - Rancho Amigos. (Additional \$815 was approved by staff.)		\$ 7,530.00
	CIP	2021-15	Closed	5/27/2021	Survey & staking of easement - Turner Pump Station. (Staff evaluating if more work may be needed.)		\$ 5,665.00
	NON-CIP	2021-16	Closed	7/22/2021	Prepare documentation to file a quit claim for Rainbow easement at Fire Station 4.		\$ 1,500.00
	NON-CIP	2021-17	Closed	7/29/2021	Bonsall Park prepare documentation for new easement and quit claim documentation for existing easement.		\$ 7,240.00
					Unspecified		\$ 60,887.00
						TOTALS:	\$ 150,000.00
Title: As-Needed Land Surveying Services, PSA #18-15 Firm: Right-of-Way Eng. Expires: 8/29/22 CO-01 \$50K BoD 5/26/20, CO-02 \$50K BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 150,000.00	
	CIP	2021-10	Closed	1/11/2021	Topographic Survey - Rainbow Heights Road		\$ 8,820.00
	CIP	2021-11	Closed	1/19/2021	Easement Survey - Skycrest Drive.		\$ 7,710.00
	CIP	2021-12	Closed	2/4/2021	Easement Survey, Legal Desc./Plat Map - Camino Del Cielo. (Additional \$518 was approved by staff.)		\$ 5,490.00
	CIP	2021-13	Closed	2/23/2021	Easement Survey/County ROW Marking, Topo Map - Camino Del Cielo.	\$ 103,700.70	\$ 2,320.00
	CIP	2021-14	Closed	2/23/2021	Easement Survey - Skycrest Drive.		\$ 4,720.00
	CIP	2022-15	Closed	1/25/2022	Old Mission Road (LS-1) - Legal Description & Plat Map		\$ 2,940.00
	CIP	2022-16	Closed	2/1/2022	River Village-Daniels Market (LS-1) - Staking Easements Centerlines/Limits (Additional \$840 was approved by staff.)		\$ 1,470.00
	CIP	2022-17	Open	4/5/2022	Hutton/Turner - Locate Existing Easements & Stake Limits.		\$ 6,940.00
	CIP	2022-18	Open	4/28/2022	Hutton Site - Legal Description, Easements, Plats.		\$ 6,790.00
					Unspecified		\$ 32,569.30
						TOTALS:	\$ 150,000.00
Title: As-Needed Civil Engineering Services, PSA #19-16 Firm: Dudek Expires: 6/25/22 CO-01 (\$100K) BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 50,000.00	
					Unspecified		\$ 38,212.50
						TOTALS:	\$ 50,000.00
Title: As-Needed Civil Engineering Services, PSA #19-17 Firm: Omnis Consulting, Inc. Expires: 7/1/22 CO-01 \$150K BoD 6/23/20.							
CONTRACT AMOUNT:						\$ 300,000.00	
	NON-CIP	2019-01	Closed	7/16/2019	PS&E Pavement Repair - Dentre De Lomas.		\$ 8,890.00
	CIP	2019-02	Closed	8/1/2019	Olive Hill Estates Transmission Water Main.		\$ 73,700.00
	CIP	2019-03	Closed	10/14/2019	Vista Valley Retaining Wall Design.		\$ 23,495.00
	CIP	2019-04	Closed	12/3/2019	Sarah Ann to Gird Road Force Main Replacement.		\$ 22,790.00
	CIP	2020-05	Closed	3/24/2020	Gird Road Water Main Upsize.		\$ 21,120.00
	CIP	2020-06	Closed	8/5/2020	Caltrans Encroachment Permit Renewal.		\$ 6,410.00
	NON-CIP	2020-07	Open	10/14/2020	Standard Drawing - CAD Updates.		\$ 4,400.00
	NON-CIP	2020-08	Closed	10/29/2020	PEIR Pipe Alignment Analysis.		\$ 19,920.00
	CIP	2021-09	Closed	4/19/2021	Sarah Ann Waterline Replacement.		\$ 6,800.00
	CIP	2021-10	Closed	4/19/2021	Rainbow Water Quality Improvement Relocation Design. Amended for additional design services.		\$ 13,900.00
	CIP	2021-11	Open	6/9/2021	Wilt Road Water Pipeline Design.		\$ 45,905.00
	CIP	2021-10A	Closed	10/26/2021	Rainbow Water Quality Improvement Relocation Design. Amended for additional design services.		\$ 6,290.00
	CIP	2021-12	Closed	12/15/2021	Additional Services for Wilt Road Water Pipeline Design.		\$ 23,090.00
	NON-CIP	2021-13	Closed	2/3/2022	Rice Canyon Road - Prepare Street Improvement Plans		\$ 8,630.00
	CIP	2022-14	Open	6/21/2022	Gird Road Water Main Upsize. Amended for additional design services.		\$ 5,865.00
					Unspecified		\$ 8,795.00
						TOTALS:	\$ 300,000.00
Title: As-Needed Civil Engineering Services, PSA #19-18 Firm: HydroScience Eng., Inc. Expires: 6/25/22 CO-01 \$40K BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 110,000.00	
	CIP	2019-01	Closed	12/18/2019	Live Oak Park Road Bridge Crossing.		\$ 42,020.00
	CIP	2022-02	Open	2/2/2022	Additional Services for Live Oak Park Road Bridge Crossing. Bid Support/Engineering Services during Construction.		\$ 24,290.00
					Unspecified		\$ 43,690.00
						TOTALS:	\$ 110,000.00

**AS-NEEDED CONTRACT EXPENDITURES REPORT
JUNE 2022**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT
Title: As-Needed Real Estate Appraisal Services, PSA #19-19 Firm: Anderson & Brabant, Inc. Expires: 6/25/22 CO-01 \$20K BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 40,000.00	
	CIP	2021-03	Closed	4/28/2021	Hutton Pump Station Site Appraisal. (Staff authorized additional work.)		\$ 7,500.00
	CIP	2021-04	Closed	8/11/2021	Thoroughbred Lift Station Appraisal. (Four Reports)		\$ 17,500.00
	CIP	2022-05	Closed	2/1/2022	S. Mission Road (LS-1) - Fair Market Appraisal		\$ 3,500.00
					Unspecified		\$ 500.00
						TOTALS:	\$ 40,000.00 \$ 40,000.00
Title: As-Needed Real Estate Appraisal Services, PSA #19-20 Firm: ARENS Group, Inc. Expires: 6/11/22 CO-01 \$20 BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 40,000.00	
					Unspecified		\$ 28,200.00
						TOTALS:	\$ 40,000.00
Title: As-Needed Geotechnical Services, PSA #19-39 Firm: Leighton Consulting, Inc. Expires: 11/13/22.							
CONTRACT AMOUNT:						\$ 100,000.00	
	CIP	2021-02	Closed	4/15/2021	Turner Pump Station geotechnical exploration.		\$ 14,300.00
	CIP	2021-03	Open	5/15/2021	Hutton Pump Station geotechnical exploration.		\$ 8,450.00
					Unspecified		\$ 68,620.00
						TOTALS:	\$ 100,000.00 \$ 100,000.00
Title: As-Needed Geotechnical Services, PSA #19-40 Firm Ninyo & Moore G.E.S Expires: 11/1/22.							
CONTRACT AMOUNT:						\$ 100,000.00	
	NON-CIP	2021-03	Closed	5/6/2021	Dentro De Lomas - Geotech observation & material testing. Proj. #1		\$ 6,097.00
	CIP	2022-04	Open	2/9/2022	Rice Canyon Road Improvements geotech observation & material testing.		\$ 3,422.00
					Unspecified		\$ 73,728.00
						TOTALS:	\$ 100,000.00 \$ 100,000.00
Title: As-Needed Geotechnical Services, PSA #19-41 Firm: ATLAS (SCST, LLC) Expires 11/20/22.							
CONTRACT AMOUNT:						\$ 100,000.00	
					Unspecified		\$ 63,381.00
						TOTALS:	\$ 100,000.00 \$ 100,000.00
Title: As-Needed Construction Management & Insp. Services, PSA #20-01 Firm: Harris & Associates Expires: 1/28/23 CO-01 \$20K BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 170,000.00	
	CIP	2022-05	Open	1/6/2022	Continued District Wide Inspection Services.		\$ 20,000.00
					Unspecified		\$ 12,730.00
						TOTALS:	\$ 170,000.00 \$ 170,000.00
Title: As-Needed Construction Management & Insp. Services, PSA #20-02 Firm: ReillyConstruction Mnmt. Expires: 1/28/23 CO-01 (\$100K) BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 50,000.00	
					Unspecified		\$ 50,000.00
						TOTALS:	\$ 50,000.00 \$ 50,000.00
Title: As-Needed Environmental Services, PSA #20-03 Firm: Helix Environmental Expires: 2/25/23 CO-01 \$110 BoD 6/22/21, CO-02 \$115K BoD 12/7/21.							
CONTRACT AMOUNT:						\$ 325,000.00	
	CIP	2021-07	Closed	3/25/2021	Rainbow Heights Pipe Installation - Bird Survey.		\$ 5,000.00
	CIP	2021-08	Open	5/21/2021	RMWD HQ - Biological Survey & Buffer Mapping.		\$ 11,684.00
	CIP	2021-09	Open	11/16/2021	CIP General Environmental Support Services		\$ 25,000.00
	CIP	2021-10	Open	11/30/2021	Hutton & Turner Pump Stations - Cultural, Biological, Noise Reports. CEQA - IS/MND.		\$ 46,603.00
	CIP	2021-11	Open	12/8/2021	Rice Canyon Pipeline - Cultural & Tribe Monitoring		\$ 111,400.00
	CIP	2022-12	Open	1/10/2022	LS-1 Environmental Compliance		\$ 48,798.00
					Unspecified		\$ (6,801.00)
						TOTALS:	\$ 325,000.00 \$ 325,000.00

**AS-NEEDED CONTRACT EXPENDITURES REPORT
JUNE 2022**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT
Title: As-Needed Environmental Services, PSA #20-04 Firm: Rincon Consultants Expires: 2/25/23 CO-01 \$(15K) BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 85,000.00	
	NON-CIP	22-02	Open	3/3/2022	Nesting Bird Survey at Gopher, Morro and Canonta tanks, prior to tree/vegetation clearing.		\$ 4,185.25
					Unspecified		\$ 77,574.75
TOTALS:						\$ 85,000.00	\$ 85,000.00
Title: As-Needed Environmental Services, PSA #20-05 Firm: Michael Baker International Expires: 3/24/23 CO-01 (15K) BoD 6/22/21.							
CONTRACT AMOUNT:						\$ 85,000.00	
					Unspecified		\$ 85,000.00
TOTALS:						\$ 85,000.00	\$ 85,000.00



**SEWER EQUIVALENT DWELLING UNITS (EDUs) STATUS REPORT
JUNE 2022**

STATUS SUMMARY	EDUs
Total Treatment Capacity Purchased from Oceanside	8,333
Less 5% Contractual Allowance	417
EDUs Set Aside by Board for Emergencies	60
EDUs Connected	5,617 *
EDUs Unconnected/Committed	883
Total EDUs Available for Purchase:	1,356

DEVELOPMENTS WITH UNCONNECTED/COMMITTED EDUs	EDUs	CAPACITY FEES PAID/CREDIT
Bonsall Oaks (Polo Club) - 164 (SF & Other)	206	\$ 2,907,119
Citro (fka Meadowood) - 844 (SF/MF)	568	\$ 10,500,000
Passarelle (HRC Commercial)	97	\$ -
Other Development w/5 or less EDUs - (SF & Other)	13	\$ 164,833
TOTAL UNCONNECTED:	883	\$ 13,571,952

Notes:

*There is a delay between connections and new account activations.

1. Bonsall Oaks paid initial 50% of Sewer Capacity Fees. Remaining 50% due prior to issuance of building permits.
2. CITRO Annexation Agreement 4/30/20 - Sewer Capacity \$10.5M to be paid by the CFD in mid-2022. Total EDUs committed 926.6. Total EDUs processed to date 628.4 and 358.6 connected.
3. Passarelle last remaining EDUs.

BOARD OF DIRECTORS

JULY 26, 2022

SUBJECT

HUMAN RESOURCES REPORT FOR June/July 2022

DESCRIPTION

Personnel changes, human resources activities, and safety report for June/July 2022

STAFF UPDATES:

- Promotion: Dennis Mendez to Utility Worker 2: Construction
- Promotion: Carlos Ramos to Senior Meter Services Technician: Meters

RECRUITMENT:

- New job description is in-progress for newly approved position: Engineering Analyst.

JULY ANNIVERSARIES:

6/18/1992	RAMON ZUNINA	30 years
7/2/2007	GERARDO CANCINO	15 years
7/9/2007	KIRK KRAFT	15 years
7/10/2019	BRYAN ORTIZ	2 years
7/16/2007	CLEMMON TAYLOR	15 years
7/22/2019	CHAD WILLIAMS	7 years
7/26/2021	AMANDA PARRA	1 year

COIN AWARDS:

Coin Recognition	Employee	Department	Coin Nomination
Innovation	Freddy Espino	IT	Freddy developed a much-needed electronic record filing system for the District. This process involved identifying many fields, attributes, and configuring the Infor Document Management (IDM) software so that any document uploaded into EAM would automatically upload to IDM as well. Without the use of a contractor, and with Freddy's own persistence, he innovatively developed an electronic filing system that will not only assist with the District's record retention policies, but also lessen any long-term potential risk to the District in terms of loss of permanent or important records.

Integrity Honorable Mention	Ed Bradley David Hill	IT Meters	Ed received a call from the answering service that the Sheriff's Department had reported an open sewer manhole. David Hill was on water standby and offered to assist. After reporting to the site, they discovered it was actually a storm drain with the steel grate removed. After checking the storm drain with flashlights to make sure no one was in there, they looked on the other side of both lanes of HWY 76 to ensure no one was inside. They proceeded to replace the steel grate, as the open hole presented a hazard to anyone walking in the area.
Innovation	Amelia Kim	Finance	Amelia set up a SharePoint site for grant tracking that utilizes functions of SharePoint that had not been utilized by the district on this level. This format allows ideas to be compiled in a central location for ease of review and eliminates the frustration of communicating in email chains. This will save time and creates a more interactive communication space. The foundational setup of this site is a huge upgrade from the excel sheet she inherited. Her innovation demonstrated with the grant tracking SharePoint site is beyond fabulous!
Innovation	Wayne Nault Bryan Ortiz	Construction	This nomination for Wayne and Bryan is for the locking mechanism at Gomez. Over the years with Gomez being a remote location, it has made it an easy place for people to dump trash. Wayne and Bryan designed and fabricated gates and a tamper resistant locking mechanism that make it very difficult to cut our locks off. Since the installation of the locking mechanism and gates, there has been no trash dumped at the site. This innovative lock is already saving the District money on materials, disposal fees and manpower. Awesome job Bryan and Wayne

RISK MANAGEMENT:

Incidents

There were no lost time or modified duty incidents.

Safety Training

Vector Solutions online training: 29 completions for the June training period 2022.

Future planning to increase safety awareness throughout the district to include:

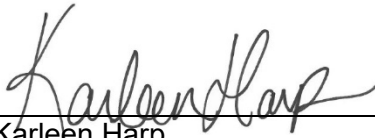
- OSHA 30- Training for Supervisors and Crew Leaders to increase awareness of Cal/OSHA requirements.
- Fire Safety Training for Field Staff
- Traffic Control & Flagger Training
- ACWA Incident Reporting
- Confined Space Competent Person Training- 8 HR training with Pacific Safety Center.

Claims in Progress/Completed

Driscoll Claim- This claim was submitted for reimbursement due to debris from the RMWD system getting into the claimant's booster pump and breaking the impeller.

Tailgate/ Office Safety Trainings

- Fire Prevention (Office Staff)
- Electrical Safety



Karleen Harp
Human Resources Manager

7/26/2022



RESIDENTS AND CUSTOMERS
OF RAINBOW MUNICIPAL WATER DISTRICT

ELECTED BOARD OF DIRECTORS



GENERAL MANAGER
TOM KENNEDY



EXECUTIVE ASSISTANT
DAWN WASHBURN

DEPARTMENT MANAGERS



HUMAN RESOURCES
MANAGER
KARLEEN HARP



INFORMATION
TECHNOLOGY MANAGER
AHMED KHATTAB



OPERATIONS MANAGER
ROBERT GUTIERREZ



FINANCE MANAGER
TRACY LARGENT, CPA



ENGINEERING & CIP
MANAGER
CHAD WILLIAMS

RISK MANAGEMENT
OFFICER

HUMAN RESOURCES
SPECIALIST

INFORMATION SYSTEMS
SPECIALIST

TECHNICAL SERVICES
TEAM LEAD

ELECTRONIC /
ELECTRICAL TECHNICIAN

WASTER OPERATIONS
DIVISION

CONSTRUCTION &
MAINTENANCE DIVISION

METER SERVICES
DIVISION

WASTEWATER DIVISION

FLEET SERVICES

GRANT SPECIALIST

PURCHASING & INVENTORY
CONTROL SPECIALIST

ACCOUNTING SUPERVISOR
BILLING SPECIALIST
ACCOUNTING SPECIALIST
DISTRICT SERVICES
REPRESENTATIVE

CUSTOMER SERVICE &
COMMUNICATIONS
SUPERVISOR
CUSTOMER SERVICE
REPRESENTATIVES (3)

ASSOCIATE ENGINEER

PROJECT MANAGERS (2)

SENIOR ENGINEERING
INSPECTOR

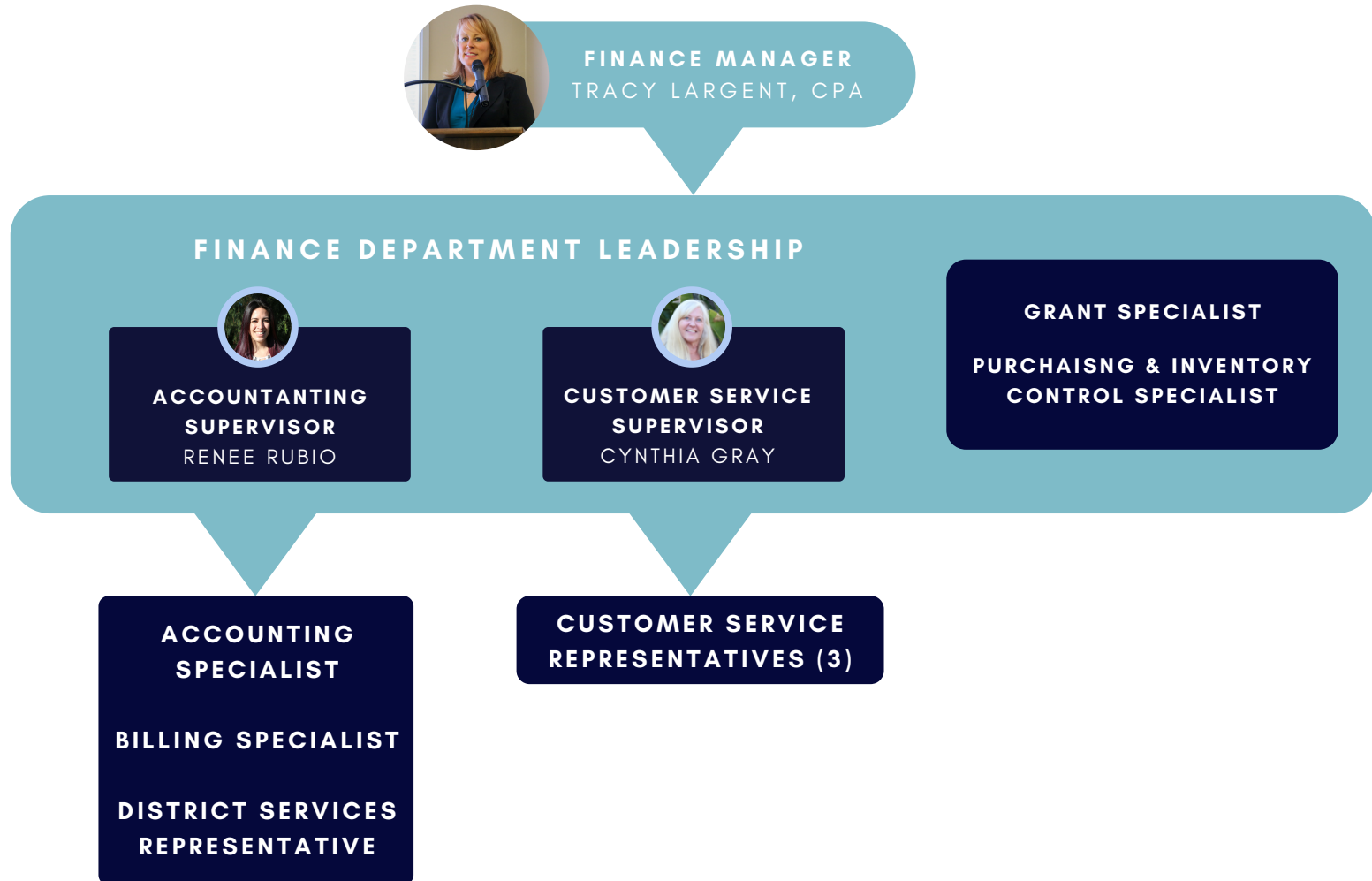
ENGINEERING
TECHNICIAN

Mission

To provide our customers with reliable, high-quality water and water reclamation service in a fiscally sustainable manner.

Core Values

Responsibility | Teamwork | Innovation | Integrity | Professionalism



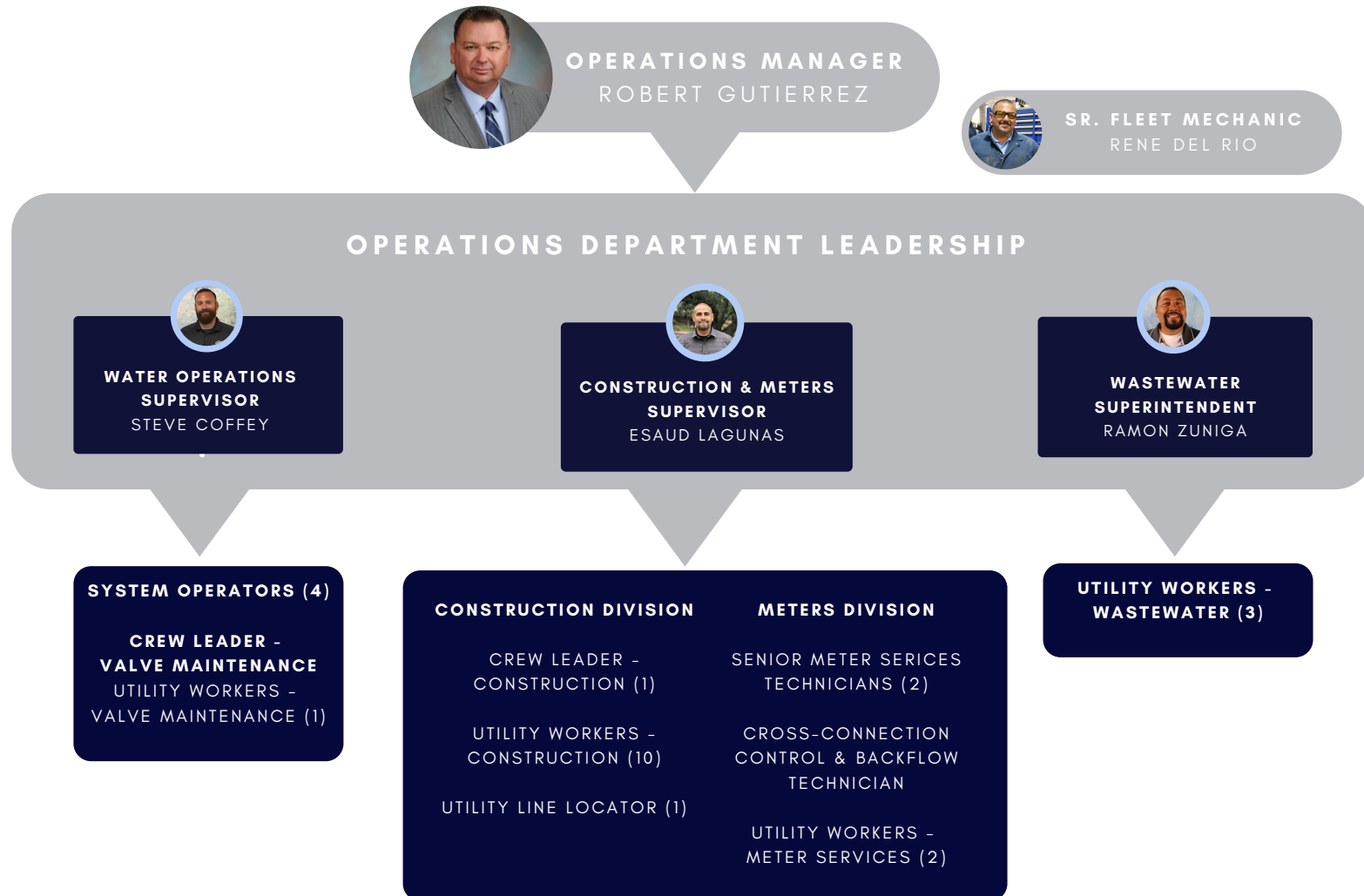
ORGANIZATIONAL CHART - OPERATIONS

Mission

To provide our customers with reliable, high-quality water and water reclamation service in a fiscally sustainable manner.

Core Values

Responsibility | Teamwork | Innovation | Integrity | Professionalism



BOARD OF DIRECTORS

July 26, 2022

SUBJECT

FINANCE REPORT FOR JULY 2022

DESCRIPTION

Summary:

Water Sales:

Budgeted 13,500 AF

Actual May FYTD 21/22 13,418 AF

Actual May FYTD 20/21 14,507 AF

Actual May FYTD 19/20 11,876 AF

Actual May FYTD 18/19 12,845 AF

May FYTD 2021/2022 Budget vs Actual:

For FY 2021/22 (FY22), the board followed the recommendation of staff and committee to budget future sales lower and more in line with the most recent years' trends at 13,500 AF, with operating expenses being budgeted within this lower operating revenue level as well. FY 21 sales were 16,246 AF, adjusted for sales made per day within the FY.

Fund Balance Projections:

Operating Fund Balances have been adjusted to comply with the Board Cash Reserve Policy 5.03.220. The Rate Stabilization Fund is being funded over a five-year period to be fully funded to the board approved level by FY26.

The New Water Sources Reserve Fund, established by the RMWD Board, sets aside funds to study and acquire alternate water sources for the purpose of reducing the District's reliance on imported water. The reserve is funded by the Water Service portion of the Standby Charge collected by the San Diego County Tax Collector from all parcels within the district. It reflects 38.1% of the revenue received from property tax revenues.

Capital Fund Balances have been updated to reflect the proposed mid-year budget adjustments for Water and Wastewater. The Water Capital Fund reflects a higher available balance than was presented during the FY22 budget planning process due to the operational costs that were charged to the WSUP project.

The Wholesale Water Efficiency project budgets are being presented under separate cover to the board for budget approval but are included here in their planning phase.

Treasury Report:

Interest Revenue for May 2022 was \$6,750.70 compared to \$3,078 for the prior month. Loss from assets sales was \$0 compared to loss of \$0 for the prior month. Investment valuation was up by \$13,488 from the prior month.

Water Purchases & Water Sales:

The Five-Year Water Purchases Demand Chart (Attachment D) reports purchases; this data is available in real time. Purchases for the fiscal year ending June 30, 2021 are above the 5-year average (grey line). FY22 Purchases for the first six months are below FY 21 but above the budgeted purchases that would support 13,500 AF in sales.

The Water Sales Summary Report (Attachment E) represents water that was billed to customers, so the data is time delayed in comparison to the Five-Year Water Purchases Demand Chart. Water Loss from meter inaccuracy and breaks is also not included in the Five-Year Demand Chart since this data is from purchases. These two reports will not correlate unless they are both presented for the same date; we provide the purchases report in real time to provide the board with the most current demand information available.

Monthly Call Volume:

The call volume for June included 969 calls to customer service compared to 1,250 for the same month one year prior. The average talk time was 3 minutes and 15 seconds. The average time in queue was 4 minutes and 6 seconds. The max time in queue was 30 minutes compared to 49 minutes for the same month one year prior.

Attachments:

- A. Budget vs Actuals (MAY FYTD22)
- B. Fund Balance & Developer Projections (FY22)
- C. Treasury Report (MAY FY22)
- D. Five-Year Water Purchases Demand Chart (through 06/30/2022)
- E. Water Sales Summary (MAY FY22)
- F. Check Register (MAY FY22)
- G. Directors' Expense Report (MAY FY22)
- H. Credit Card Breakdown (MAY FY22)
- I. RMWD Properties


Tracy Largent, CPA
Finance Manager

July 26, 2022

Statement of Revenues & Expenses Budget vs. Actual

Operating Funds (Water, Wastewater, & General Funds)

May 31, 2022



Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
Operating :						
41110-Water Sales-SF, MF, CM, IS	9,155,034	8,822,635	332,400	4%	9,624,692	
41112-Sewer Charges-Established Acct	2,710,046	3,441,767	-731,721	-21%	3,754,655	
42120-Monthly O & M Charges	9,015,474	9,487,039	-471,565	-5%	10,349,497	
42121-Monthly O&M Charges - CWA	4,946,132	4,806,002	140,130	3%	5,242,912	
43101-Operating Inc Turn On/Off Fees	1,175	4,583	-3,408	-74%	5,000	
43106-Operating Inc-Sewer Letter Fee	1,150	917	233	25%	1,000	
41120-Water Sales-Ag-Dom Non Cert	3,267,656	988,298	2,279,358	231%	1,078,144	
41160-Water Sales-Ag. Non Discount	4,720,129	3,631,700	1,088,429	30%	3,961,854	
41170-Water Sales-Construction	444,662	72,692	371,970	512%	79,300	
41180-Water Sales - Tsawr Com	2,807,782	3,474,339	-666,558	-19%	3,790,189	
41190-Water Sales-Sawr Ag/Dom	3,322,826	4,770,422	-1,447,596	-30%	5,204,097	
42130-Readiness-To-Serve Rev Id#1	280,048	270,536	9,512	4%	295,130	
42140-Pumping Charges	566,279	557,619	8,660	2%	608,312	
-Water Sales	41,238,393	40,328,549	909,844	2%	43,994,781	
43102-Operating Inc Penalty/Int Chgs	227,233	458,333	-231,101	-50%	500,000	
43104-Operating Inc. R.P. Charges	246,092	225,193	20,899	9%	245,665	
43108-Operating Inc Plan Check Rev.	1,860	96,250	-94,390	-98%	105,000	
43110-Operating Inc Inspections	1,088	18,333	-17,245	-94%	20,000	
43111-Operating Inc Install Fees Hyd	4,600	1,833	2,767	151%	2,000	
43114-Operating Inc-Miscellaneous	6,969	6,417	552	9%	7,000	
43116-New Meter Sales/Install Parts	29,625	36,667	-7,042	-19%	40,000	
43117-Notice Delivery Revenue	-213	4,583	-4,796	-105%	5,000	
-Other Operating Revenue	517,254	847,610	-330,356	-39%	924,665	
42200-Overhead Trs From Water Sewer	6,510,640	7,161,704	-651,064	-9%	7,812,768	
-Transfers from Water & Waste Water	6,510,640	7,161,704	-651,064	-9%	7,812,768	
REVENUE-Operating Revenue	48,266,287	48,337,863	-71,576	0%	52,732,214	

Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
50001-Water Purchases	19,212,766	17,341,462	1,871,304	11%	18,917,958	Seasonal
50003-Water In Storage	-121,868	-	-121,868		-	
50005-Ready To Serve Charge	403,200	427,906	-24,705	-6%	466,806	FC estimate for budget
50006-Infrastructure Access Charge	688,020	688,457	-437	0%	751,044	FC estimate for budget
50008-Ag Credit-Sawr	-618,459	-1,104,463	486,005	-44%	-1,204,869	
50010-Customer Service Charge	977,916	977,130	786	0%	1,065,960	
50011-Capacity Reservation Charge	421,557	423,022	-1,464	0%	461,478	FC estimate for budget
50012-Emergency Storage Charge	1,415,645	1,416,905	-1,259	0%	1,545,714	FC estimate for budget
50013-Supply Reliability Charge	898,408	899,971	-1,563	0%	981,786	FC estimate for budget
-Cost of Purchased Water Sold	23,277,187	21,070,387	2,206,799	10%	22,985,877	←
56101-Regular Salaries	4,587,220	4,808,801	-221,581	-5%	5,245,965	
56103-Overtime Paid Comptime Earn.	424,554	364,833	59,721	16%	398,000	
56202-Director's Compensation	15,000	12,833	2,167	17%	14,000	
56518-Duty Pay	51,018	56,771	-5,753	-10%	61,932	
56520-Deferred Comp-Employer Contrib	126,383	123,296	3,087	3%	134,505	
-Salary & Labor Expenses	5,204,175	5,366,535	-162,360	-3%	5,854,402	←
56501-Employer's Share FICA SSI	288,769	280,439	8,330	3%	305,934	
56502-Employer's Share Medicare	73,230	70,422	2,808	4%	76,824	
56515-Worker's Compensation Ins	241,517	145,755	95,762	66%	159,006	
56516-State Unemployment Ins E.T.T.	13,709	11,225	2,484	22%	12,245	
-Taxes	617,226	507,841	109,384	22%	554,009	
56503-Medical Insurance	874,560	835,695	38,865	5%	911,667	
56504-Dental Insurance	75,529	74,662	867	1%	81,450	
56505-Vision Insurance	11,028	10,454	574	5%	11,405	
56506-Life S/T L/T Disability Ins	50,197	48,961	1,235	3%	53,412	
56507-Retirement-CalPERS	465,733	482,064	-16,331	-3%	525,888	
56511-Employee Uniform Allowance	25,362	22,250	3,111	14%	24,273	
56512-Employee Training/Tuition Reim	28,766	19,800	8,966	45%	21,600	
56513-Employee Relations	13,899	14,914	-1,015	-7%	16,270	
56524-Other Post Employment Benefits	15,555	-			-	
56530-Gasb 68 Pension	644,806	394,167	250,639	64%	430,000	Entire Year Paid in July
-Fringe Benefits	2,205,434	1,902,968	302,466	16%	2,075,965	
52176-Overhead Transfer To Gen Fund	6,510,640	7,161,704	-651,064	-9%	7,812,768	
-Transfers	6,510,640.00	7,161,704	-651,064	-9%	7,812,768	

ATTACHMENT A

Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
60000-Equipment	30,047	59,125	-29,078	-49%	64,500	
60100-Computers	96,510	92,125	4,385	5%	100,500	
63100-Equipment Maintenance	76,938	146,392	-69,453	-47%	159,700	
63102-Equipment Maintenance Contract	11,358	29,081	-17,723	-61%	31,725	
63200-Equipment Rental	98,955	88,917	10,038	11%	97,000	
63400-Kitchen Supplies	13,263	12,833	430	3%	14,000	
63401-Building Maintenance	143,943	118,892	25,051	21%	129,700	
63404-Backflow Expenses	76,069	131,083	-55,014	-42%	143,000	
63421-Fuel And Oil	174,366	137,500	36,866	27%	150,000	
63422-Repair Supplies Auto	87,521	64,167	23,355	36%	70,000	
65000-Property/Liability Insurance	487,114	435,417	51,697	12%	475,000	Entire Year Paid in July
65100-District Paid Insurance Claims	77,684	155,833	-78,150	-50%	170,000	
65200-Miscellaneous Expense	1	-	1	0%	0	
69000-Postage	33,089	42,625	-9,536	-22%	46,500	
70000-Professional Services	658,233	978,267	-320,034	-33%	1,067,200	
70100-Annual Audit Services	21,780	32,083	-10,303	-32%	35,000	
70300-Legal Services	374,883	472,083	-97,200	-21%	515,000	
70400-Bank Service Charges	54,618	55,000	-382	-1%	60,000	
72000-Supplies & Services	2,567,904	1,358,775	1,209,129	89%	1,482,300	
72001-Right Of Way Expenses	128,770	183,333	-54,563	-30%	200,000	
72010-Tank Maintenance	684,538	920,333	-235,796	-26%	1,004,000	
72150-Regulatory Permits	74,224	61,050	13,174	22%	66,600	
72200-Books & Resources	0	2,383	-2,383	-100%	2,600	
72400-Dues & Subscriptions	531,161	529,744	1,417	0%	577,903	
72500-Safety Supplies	53,433	55,458	-2,025	-4%	60,500	
72600-Sewer Line Cleaning	150,406	36,667	113,740	310%	40,000	Using contractors - previously done in-house
72700-Printing & Reproductions	2,676	6,646	-3,970	-60%	7,250	
72702-Public Notices & Advertising	807	1,604	-798	-50%	1,750	
72900-Stationary & Office Supplies	3,791	4,583	-793	-17%	5,000	
73000-Small Tools & Equipment	45,451	57,567	-12,116	-21%	62,800	
74000-Communicatons & Phone Bills	10,863	11,917	-1,054	-9%	13,000	
74100-Phone Bill	92,843	82,500	10,343	13%	90,000	
75300-Travel, Conferences & Training	38,785	78,623	-39,838	-51%	85,770	
75400-Workforce Development	5,592	44,275	-38,683	-87%	48,300	

Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
75500-Recruitment	14,683	14,667	16	0%	16,000	
77000-Sewage Treat.-Oceanside Plant	1,813,705	1,138,691	675,014	59%	1,242,209	A portion of this gets capitalized at year end.
78000-Utilities - Electricity	785,018	538,542	246,476	46%	587,500	Electrical rates increased beyond what was projected
78300-Hazardous Waster Material Disposal	3,239	9,167	-5,928	-65%	10,000	
78700-Utilities - Propane	6,121	13,750	-7,629	-55%	15,000	
78900-Trash Pick-Up	15,587	9,167	6,420	70%	10,000	
-Other Operating Expenses	9,545,966	8,210,865	1,335,101	16%	8,957,307	
EXPENSE-Operating Expense	47,360,627	44,220,300	3,140,327	7%	48,240,328	
Operating Revenue (Expenses)	905,660	4,117,563	-3,211,903	-78%	4,491,887	
Non Operating :						
49301-Property Tax Rev. - Ad Valorem	696,290	462,917	233,374	50%	505,000	
-Property Tax Revenue	696,290	462,917	233,374	50%	505,000	
49200-Interest Revenues	135,969	-	135,969.09			
49203 - Change in Investment Valuation	-730,301	-	-730,301			
-Investment Income	-594,332	-	-594,332			
49050-Revenue Billing Adjustments	-996,027	-	-996,027		-	Grant Funds - State Arrearages Program
49102-Non Oper Inc - NSF Check Fees	0	2,750	-2,750	-100%	3,000	
49107-Recycling Revenue	24,636	7,333	17,303	236%	8,000	
49108-Non Oper Inc-Rents And Leases	3,366	-	3,366			
49109-Miscellaneous Revenue	1,022,836	160,417	862,420	538%	175,000	
49110 - Gain/Loss from Sale of Assets	-36,677	-	-36,677			
49114-Misc Revenue - Eng. Services	8,350	4,583	3,767	82%	5,000	
49201-Grant Revenue	989,082	-	989,082			
57050-Expense Billing Adjustments	-	-	-		-	
57525-Loan Costs	-	-	-			
-Other Nonoperating Revenue/Expense	1,015,566	175,083	840,483	480%	191,000	
-Non Operating Revenue (Expenses)	1,117,524	638,000	479,524	75%	696,000	
Debt Service		2,176,925	-2,176,925	-100%	2,374,827	
Current Year Net Revenue Less Expense*	\$ 2,023,184				\$ 2,813,060	

*Does not Include: Depreciation Expense

Operating & Debt Service Fund Balances

Fund Balances:	Water Operating	Wastewater Operating	General Operating	Rate Stabilization	New Water Sources	Debt Service	TOTAL
	FY 22/23	FY 22/23	FY 22/23	FY 22/23	FY 22/23	FY 22/23	FY 21/22
Beginning Available Balance	\$2,733,343	\$799,694	\$1,415,445	\$1,622,352	\$1,539,015	\$829,804	\$8,939,653
Budgeted Operating Surplus (Loss)	4,172,601	(513,738)			200,000		3,858,864
Budgeted Transfer to Water Capital*	(3,500,000)				(600,000)		(4,100,000)
Transfer to/from Rate Stabilization	(800,000)			800,000			
Transfers In/(Out)							0
Projected Ending Available Balance	\$2,605,944	\$285,956	\$1,415,445	\$2,422,352	\$1,139,015	\$829,804	\$8,698,517

*Transfer from Operating to Capital is based on Cost of Service Study. The transfer amount in any FY on this sheet is from PY proceeds and is determined after year end close, audit, and completion of Reserve Policy Calculations

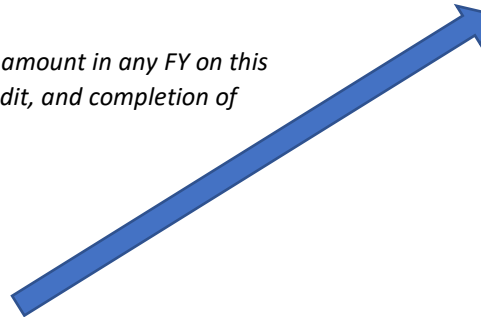
Water Capital - Fund 60 Projected Balance

	<i>Adjusted Budget</i> FY 21/22	Year 1 <i>Proposed Budget</i> FY 22/23	Year 2 <i>Proposed Budget</i> FY 23/24	Year 3 <i>Proposed Budget</i> FY 24/25	Year 4 <i>Proposed Budget</i> FY 25/26	Year 5 <i>Proposed Budget</i> FY 25/27
Fund Balances:						
Beginning Available Balance	\$8,555,327	\$7,488,906	\$5,379,016	\$5,555,797	\$8,573,788	\$7,198,337
Budgeted Transfer from Operating Reserves*	2,416,115	3,500,000	3,000,000	3,000,000	3,000,000	3,000,000
New Water Sources Funds		600,000	600,000	0	0	0
Forecasted Capacity Fees	2,756,301	1,162,750	356,781	3,342,991	3,384,549	1,974,197
Total Available Funding	13,727,743	12,751,656	9,335,797	11,898,788	14,958,337	12,172,534
Less Capital Project Budgets-Water	(6,238,837)	(7,372,640)	(3,780,000)	(3,325,000)	(7,760,000)	(5,750,000)
Projected Ending Available Balance	\$7,488,906	\$5,379,016	\$5,555,797	\$8,573,788	\$7,198,337	\$6,422,534

*Transfer from Operating to Capital is based on Cost of Service Study. The transfer amount in any FY on this sheet is from PY operating/rate revenue and is determined after year end close, audit, and completion of Reserve Policy Calculations.

Target Balance

Minimum (1 year of 5-year average CIP) \$ 5,597,528
 Ideal Target (2 year of 5-year average CIP) \$ 11,195,056



Attachment B

Water Capital Project Budgets:		Year-to-Date	Year 1	Year 2	Year 3	Year 4	Year 5	
		Expended 4/30/2022	Adjusted Budget	Planned Budget	Planned Budget	Planned Budget	Planned Budget	Planned Budget
#	Project	FY 21/22	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
300007	Programatic EIR for Existing Easements**	\$ 142,452	\$ 202,765	\$ 75,000	\$ -	\$ -	\$ -	\$ -
300008	New District Headquarters	42,602	75,000	50,000	500,000	500,000	500,000	500,000
600001	Rainbow Heights PS (#1) Upgrades/Recon*	1,460,277	1,573,672					
600003	San Luis Rey Imported Return Flow Recovery	13,122	200,000	600,000	600,000			
600007	Pressure Reducing Stations	81,009	150,000	150,000	150,000	500,000	150,000	150,000
600009	Isolation Valve Installation Program	6,725	500,000	500,000				
600019	Water System Monitoring Program	165,184	184,375	185,000	25,000			
600026	Camino Del Rey Waterline Reloaction	142	25,000	25,000	25,000	25,000		
600030	Corrosion Prevention Program Development and Implementation****	335,008	638,000	600,000	600,000	600,000	600,000	
600034	Rice Canyon Tank Transmission PL to I-15/SR76 Corridor***	1,675,174	2,700,000	2,900,000				
600035	Morro Mixing	41,110	123,000					
600037	Live Oak Park Road Bridge Replacement	43,209	50,000	600,000				
600040	Vallecitos PS Relocation	124	-			500,000	1,400,000	200,000
600043	Eagles Perch Water Pipeline Improvements (PUP)		-			300,000	1,300,000	
600047	Communitity Power Resiliency Generator Grant (Generator at Sumac)	12,794	50,000		1,050,000			
600048	Northside Zone Supply Redundancy	-	-				150,000	
600050	Lookout Mountain Electrical Upgrade	-	-				1,000,000	1,000,000
600051	North Feeder and Rainbow Hills Water Line Replacements	-	-			150,000	1,850,000	
600058	Electrical Panel Switches	6,332	80,000		130,000			
600065	Rainbow Glen Water Main Replacement	9,322						
600067	Pala Mesa Fairways 383 A and C	-	-			250,000		
600068	Sarah Ann Drive Line 400 A	-	30,000	-			35,000	1,500,000
600069	Wilt Road (1331)	-	-				150,000	350,000
600070	Katie Lendre Drive Line (PUP)	-	-					250,000
600071	Del Rio Estates Line Ext 503	-	-					250,000
600072	East Heights Line 147L	-	-					150,000
600073	East Heights Line 147A	-	-					250,000
600074	Via Zara - PUP	-	-				125,000	250,000
600075	Roy Line Ext	-	-					250,000
600077	Rainbow Water Quality Improvement	20,959	150,000	920,000				
600080	Los Alisos South 243	-	-					150,000
600081	Heli-Hydrant on Tank	194,627	230,000					
	Moosa Line & Valves				200,000			
N/A	Department Level Capital Expenses	-	386,400	767,640	500,000	500,000	500,000	500,000
Total		\$ 4,251,320	\$ 7,348,212	\$ 7,372,640	\$ 3,780,000	\$ 3,325,000	\$ 7,760,000	\$ 5,750,000

Wholesale Water Efficiency Capital - Fund 62 Projected Balance

Funded by Western Alliance Loan

	<i>Adjusted Budget</i>	Year 1 <i>Approved Budget</i>	Year 2 <i>Approved Budget</i>	Year 3 <i>Approved Budget</i>		
	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 25/26
Fund Balances:						
Beginning Available Balance		(\$759,000)	\$4,144,000	\$0	\$0	\$0
Wholesale Water Efficiency Project Funding		9,700,000				
Total Available Funding	0	8,941,000	4,144,000	0	0	0
Less Capital Project Budgets-Wholesale Water Efficiency	(759,000)	(4,797,000)	(4,144,000)	0	0	0
Projected Ending Available Balance	(\$759,000)	\$4,144,000	\$0	\$0	\$0	\$0

Wholesale Water Efficiency Fund 62 Capital Project Budgets:

Funded by Western Alliance Loan

Project #	Project Name	Year-to-Date	Approved	Year 1	Year 2	Year 3	Year 4	Year 5
		Expended 4/30/2022 FY 21/22	Budget FY 21/22	Approved Budget FY 22/23	Approved Budget FY 23/24	Approved Budget FY 24/25	Approved Budget FY 25/26	Approved Budget FY 25/26
600008	Weese WTP Permanent Emergency Interconnect Pump Station	\$ 860	\$ 25,000	\$ 825,000	\$ -	\$ -	\$ -	
600013	Hutton & Turner Pump Stations (SDCWA Shutdowns)	159,677	500,000	2,375,000	2,475,000			
600084	Morro Pump Station		50,000	250,000	1,225,000			
600078	Wilt Road Feeder (18 inch Water Line)	35,265	134,000	750,000	444,000			
600079	Gird Road 1,600' upsize from 12" to 18" or larger	-	50,000	597,000				
Total		\$230,223	\$759,000	\$4,797,000	\$4,144,000	\$0	\$0	\$0
		-	-	-	-	-	-	-
Financing		\$230,223	\$759,000	\$4,797,000	\$4,144,000	\$0	\$0	\$0
Projected Ending Available Balance			\$8,941,000	\$4,144,000	\$0			

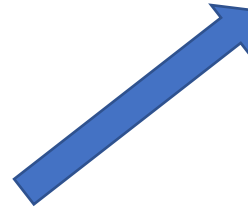
Wastewater - Fund 52 & 53 Projected Fund Balance

	<i>Adjusted Budget</i>	<i>Year 1 Proposed Budget</i>	<i>Year 2 Proposed Budget</i>	<i>Year 3 Proposed Budget</i>	<i>Year 4 Proposed Budget</i>	<i>Year 5 Proposed Budget</i>
	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 25/26
Fund Balances:						
Beginning Available Balance*	\$6,430,455	(\$242,768)	(\$611,842)	(\$69,464)	\$1,752,466	\$2,849,565
Restricted CFD Funds (Citro)		10,500,000				
Interfund Loan**						
Transfer from Operating Reserves			500,000	500,000	500,000	500,000
Forecasted Sewer Connections	508,536	42,378	42,378	1,471,929	4,047,099	3,383,177
Total Available Funding	6,938,991	10,299,611	(69,464)	1,902,466	6,299,565	6,732,742
Less: Capital Project Budgets-Wastewater	(7,181,759)	(10,911,452)	0	(150,000)	(3,450,000)	(4,375,000)
Projected Ending Available Balance	(\$242,768)	(\$611,842)	(\$69,464)	\$1,752,466	\$2,849,565	\$2,357,742

Target Balance

Minimum (1 year of 5-year average CIP)
 Ideal Target (2 year of 5-year average CIP)

\$ 4,338,642
 \$ 8,677,284



Wastewater Capital Project Budgets:

Project #	Project Name	Year-to-Date Expended 4/30/2022	Adjusted Budget FY 21/22	Year 1 Planned Budget FY 22/23	Year 2 Planned Budget FY 23/24	Year 3 Planned Budget FY 24/25	Year 4 Planned Budget FY 25/26	Year 5 Planned Budget FY 26/27
530001	Thoroughbred Lane Lift Station and Pipeline Repair (LS1 Replacement)	\$ 3,167,176	\$ 6,500,000	\$ 10,791,452	\$ -	\$ -	\$ -	\$ -
530006	Sewer System Rehabilitation Program	-	30,000					
530017	N River Road Land Outfall Rehabilitation (Operations Project)	454,593	536,759					
530018	Fallbrook Oaks Forcemain and Manhole Replacement	-	-				\$150,000	1,650,000
530019	CIPP 500' of line 8" VCP line near Pala Mesa/Palomar		50,000					100,000
530020	Rancho Viejo LS Wet Well Expansion	-	-				500,000	1,000,000
530023	Replace Rancho Monserate LS Emergency Generator	-	-					125,000
XXXXX	HQ B-Plant Dry Well		-				250,000	1,000,000
XXXXX	HQ B-Plant Generator Replacement		-			50,000	250,000	500,000
XXXXX	Pala Mesa Sewer CIPP Lining		-			50,000	650,000	
XXXXX	Oakcliff Sewer CIPP Lining		-			50,000	650,000	
XXXXX	Old River Road between LS#1 & LS#2		-				1,000,000	
N/A	Department Level Capital Expenses	-	65,000	120,000				
Total		\$ 3,621,769	\$ 7,181,759	\$ 10,911,452	\$ -	\$ 150,000	\$ 3,450,000	\$ 4,375,000

Rainbow MWD Developer Projections - Water

Installations

Developer/Development Name	Purchased	Meters							Total Sales	Timing
		FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+			
DR Horton/ Horse Ridge Creek	430							0	Completed/not yet board accepted	
Richmond American Homes/ Horse Ridge Creek	113							0	Completed/not yet board accepted	
Four Star/ Fairview (FKA Lilac Del Cielo)	51	24						24	Recent Activity	
Cal West/ Golf Green Estates /SL Rey	97							0	Completed/not yet board accepted	
Beazer/ Pala Mesa Highlands	129							0	Completed/not yet board accepted	
Bonsall Oaks /Polo Club			60		105		79	244		
West Lilac					28			28		
Ocean Breeze (Vessels)						198	198	396		
Rancho Viejo Phase 3						47		47		
Campus Park West					283			283		
Tripoint(FKA Parde)/ Citro (FKA Meadowwood)	17	211	347	127				685	In Progress	
Single Service Laterals		16	5	8	5			34	See Notes**	
TOTAL WATER METERS	837.0	251	412	135	421	245	277	1,741		

Revenue Projections

Meter Size (in)	Revenue Per Meter (Existing)	Meters							Total Sales
		FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+		
5/8	6,241	75	60		264	148	218	765	
3/4	10,401	158	343	128	147	79	59	914	
1	16,642	15	7	7	10	11		50	
1 1/2	27,043		1					1	
2	62,406	1						1	
3	124,812	1	1					2	
4	208,020	1				7		8	
Total		251	412	135	421	245	277	1,741	
Total Revenue without Citro		\$2,756,301	\$534,637	\$126,895	\$3,342,991	\$3,384,549	\$1,974,197	\$17,116,212	
Citro Balance Due after Credits			\$628,113	\$229,886				\$857,999	
Total Cash Revenue from Developer		\$2,756,301	\$1,162,750	\$356,781	\$3,342,991	\$3,384,549	\$1,974,197	\$17,974,211	

Notes:

*Actual amount will vary depending on final agreements.

**Average from last 10 years.

73%
857,999

Rainbow MWD Developer Projections - Sewer

Installations

Development Name	Purchased (EDUs)								Timing	
		FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+	Total		
DR Horton/ Horse Ridge Creek	723.9								0	Completed/not yet board
Richmond American Homes/ Horse Ridge Creek	169.5								0	Completed/not yet board
Four Star/ Fairview (FKA Lilac Del Cielo)	52.6	25.2							25	Recent
Cal West/ Golf Green Estates /SL Rey	120.3								0	Completed/not yet board
Beazer/ Pala Mesa Highlands	159.9								0	Completed/not yet board
Bonsall Oaks /Polo Club					96.2				96	Recent
West Lilac									0	Recent
Ocean Breeze (Vessels)						239.5	239.5		0	Recent
Rancho Viejo Phase 3						47			0	Recent
Monserate Winery		7.8							8	
Campus Park West					5				5	
Tripoint(FKA Parde)/ Citro (FKA Meadowwood)*	252.0	126.6	422						549	
Misc. SFR		3	3	3	3				12	
TOTAL EDUs	1,478.20	163	425	3	104	287	240	1,221		

Revenue Projections

	Purchased (EDUs)								Total
		FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+		
Existing Fee	\$ 14,126	163	425	3	104	287	240	1,221	
Meadowwood									
Total		163	425	3	104	287	240	1,221	
Total Revenue		\$508,536	\$42,378	\$42,378	\$1,471,929	\$4,047,099	\$3,383,177	\$9,495,497	

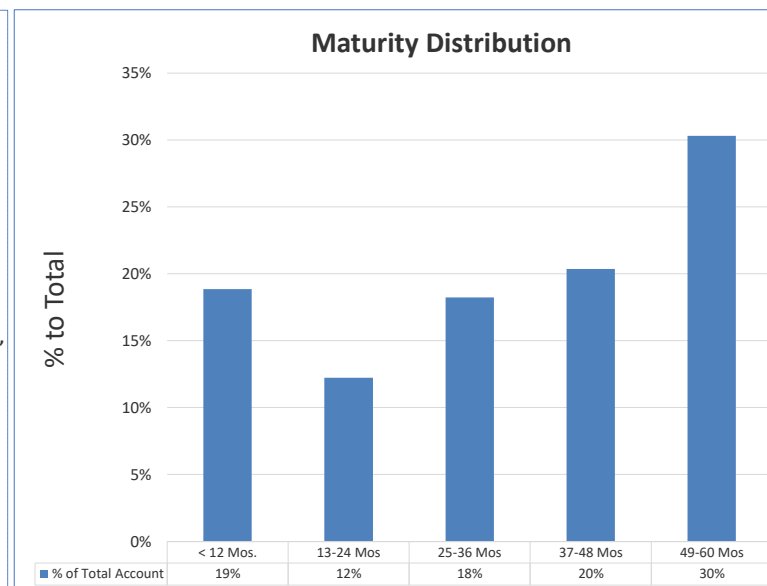
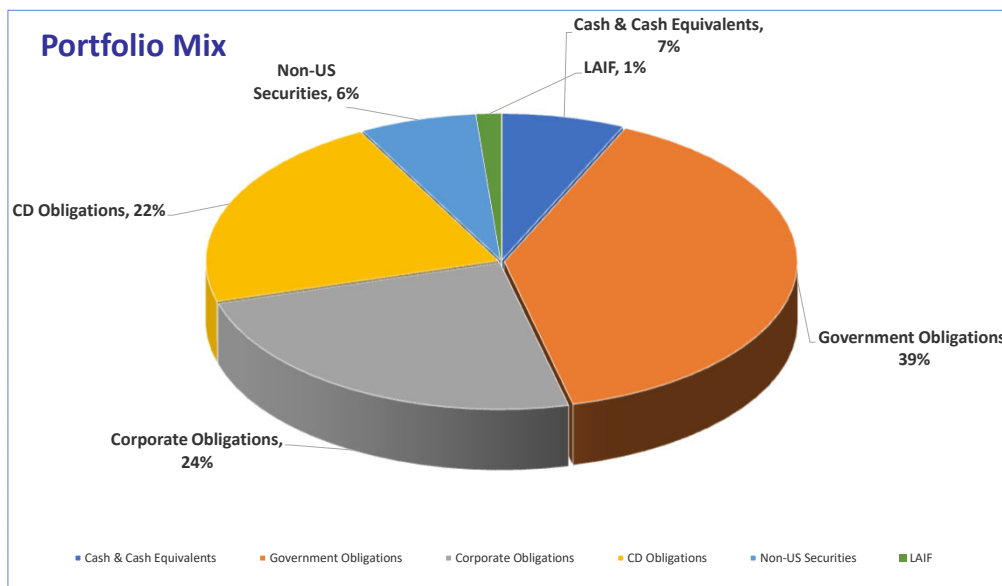
Notes:

*Actual amount will vary depending on final agreements. \$10,500,000 will be paid from CFD.

RAINBOW MUNICIPAL WATER DISTRICT
 TREASURER'S MONTHLY REPORT OF INVESTMENTS
 PORTFOLIO SUMMARY
 5/31/2022



TYPE	ISSUER	CUSIP	Bond Rating	Date of Maturity	Par Value	Cost Basis	Market Value*	Interest Rate	Yield to Maturity	Semi-Annual Interest	Days to Maturity	Object
Money Market Funds	First American Government Trust	31846V567				\$ 65,359	\$ 65,359				0	11508
		CSCDA 2017-01				\$ 50,000	\$ 50,000				0	10301
Money Market Funds	Zions Bank	7326251D				\$ 629,385	\$ 629,385	2.090%			0	10310
Money Market Funds	Zions Bank	7326250				\$ 6	\$ 6	2.060%			0	10311
Money Market Funds	Zions Bank	7326251E				\$ 41	\$ 41	2.090%			0	10309
Total Cash & Cash Equivalents					\$ -	\$ 744,792	\$ 744,792					
Non-Callable	FEDERAL FARM CR BKS	3133EHRU9	Aaa	07/19/22	\$ 200,000	\$ 200,938	\$ 200,260	1.900%	1.800%	\$ 1,909	49	11508
Non-Callable	FEDERAL FARM CR BKS	3130ARMQ1		10/28/24	\$ 500,000	\$ 542,565	\$ 539,579	2.700%	2.700%	\$ 7,325	881	11508
Non-Callable	FEDERAL FARM CR BKS	3133EDJY9		12/21/23	\$ 450,000	\$ 456,678	\$ 452,651	2.950%	2.950%	\$ 6,736	569	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130AP7B5		09/30/26	\$ 800,000	\$ 800,000	\$ 747,280	0.500%	0.500%	\$ 2,000	1583	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130APAM7		10/14/26	\$ 1,000,000	\$ 995,000	\$ 920,730	0.900%	0.900%	\$ 4,478	1597	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130AQF40		12/20/24	\$ 500,000	\$ 499,710	\$ 479,280	1.000%	1.000%	\$ 2,499	934	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130ARQ61		10/21/24	\$ 500,000	\$ 502,195	\$ 498,650	2.200%	2.200%	\$ 5,524	874	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130ARJH5		04/22/27	\$ 500,000	\$ 500,000	\$ 498,670	3.150%	3.150%	\$ 7,875	1787	11508
Total Government Obligations					\$ 4,450,000	\$ 4,497,086	\$ 4,337,099					
Callable 9/10/25	AMERICAN HOND FIN CORP MTN	02665WDN8		09/10/25	\$ 500,000	\$ 506,050	\$ 462,370	1.000%	1.300%	\$ 2,500	1198	11508
Stepped 1/26/26	BANK OF AMERICA	06048WK82		01/26/26	\$ 500,000	\$ 498,500	\$ 434,365	0.610%	0.610%	\$ 1,525	1336	11508
Callable 9/30/23	CITIGROUP INC	17298CKE7	A3	09/30/23	\$ 1,000,000	\$ 1,000,000	\$ 890,920	1.000%	1.000%	\$ 5,000	487	11508
Callable 05/28/26	JPMORGAN CHASE & CO	48128G3N8		05/28/26	\$ 1,000,000	\$ 1,000,000	\$ 880,310	1.200%	1.200%	\$ 6,000	1458	11508
Total Corporate Issues					\$ 3,000,000	\$ 3,004,550	\$ 2,667,965					
FDIC Ins. CD	BMW BANK NORTH AMER	05580AMB7		03/29/23	\$ 240,000	\$ 240,000	\$ 242,124	2.860%	2.900%	\$ 3,432	302	11508
FDIC Ins. CD	FLAGSTAR BK FSB TROY MICH	33847E2K2		06/13/22	\$ 245,000	\$ 246,749	\$ 245,118	2.440%	2.200%	\$ 3,010	13	11508
FDIC Ins. CD	GOLDMAN SACHS BK USA NY	38148PKT3		06/14/22	\$ 245,000	\$ 245,000	\$ 245,118	2.340%	2.350%	\$ 2,867	14	11508
FDIC Ins. CD	JPMORGAN CHASE BK NA COLUMBU	48128UHS1		07/31/25	\$ 249,000	\$ 249,000	\$ 230,163	0.550%	0.550%	\$ 685	1157	11508
FDIC Ins. CD	MERRICK BK SOUTH JORDAN UTAH	59013KBV7		07/31/24	\$ 249,000	\$ 249,000	\$ 245,419	2.200%	2.200%	\$ 2,739	792	11508
FDIC Ins. CD	MORGAN STANLEY	61747MF63		01/11/23	\$ 246,000	\$ 246,000	\$ 247,702	2.630%	2.650%	\$ 3,235	225	11508
CD	MORGAN STANLEY PVT BK PURCHA	61760AL49		06/24/24	\$ 245,000	\$ 245,000	\$ 241,982	2.290%	2.250%	\$ 2,805	755	11508
FDIC Ins. CD	STATE BK INDIA CHICAGO ILL	856283N69		06/26/25	\$ 248,000	\$ 252,166	\$ 230,935	0.950%	0.940%	\$ 1,198	1122	11508
CD	SYNCHRONY BANK	87165HE89		10/08/26	\$ 248,000	\$ 248,000	\$ 226,089	0.950%	0.950%	\$ 1,178	1591	11508
CD	UNION BK SALT LAKE CITY UT - CD	90348JT59		09/22/26	\$ 249,000	\$ 249,000	\$ 226,645	0.950%	0.950%	\$ 1,183	1575	11508
Total CD Obligations					\$ 2,464,000	\$ 2,469,916	\$ 2,381,295					
Medium Term Note	Credit Suisse Ag New York	22550L2G5		8/7/2026	\$ 800,000	\$ 801,916	\$ 711,536	1.250%	1.250%	\$ 5,012	1529	11508
Total Non-US Securities					\$ 800,000	\$ 801,916	\$ 711,536					
Subtotal Long Term												
Pooled Investment					\$ 10,714,000	\$ 11,518,259	\$ 10,842,687					
Portfolio Totals	Local Agency Investment Fund (LAIF)**	0.989866715				\$ 147,859	\$ 147,859				0	10103
						\$ 11,666,119	\$ 10,990,546					



This monthly report accurately reflects all District pooled investments. It is in conformity with the Investment Administrative code section 5.03.080. The District has sufficient cash flow to meet six months of obligations. This is in effect is in compliance with the current Investment Policy.

Tracy Largent

7/12/2022

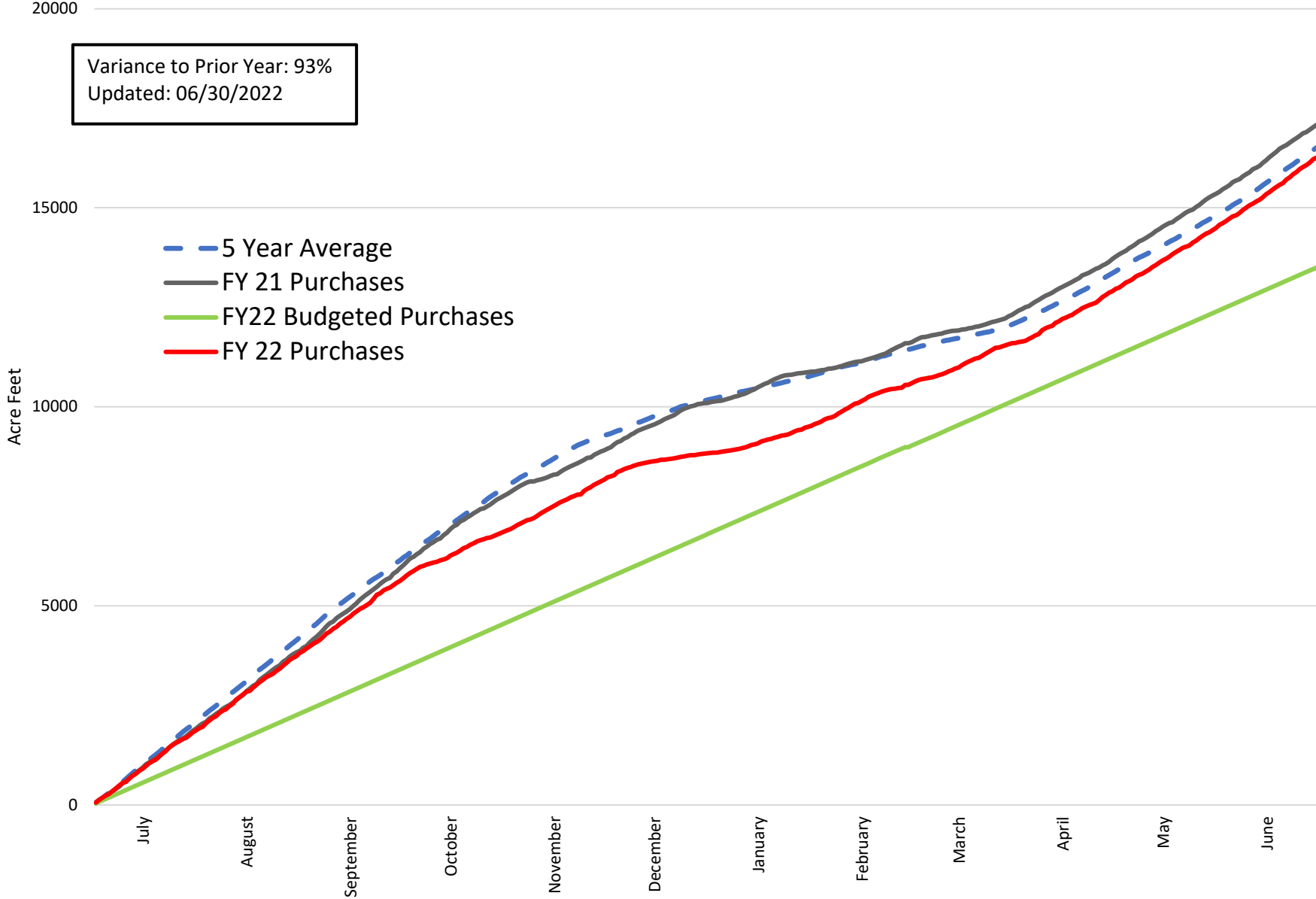
Tracy Largent, Treasurer

*Source of Market Value - US Bank monthly statements

**Source of LAIF FMV - CA State Treasurer Pooled Money Investment Account @ <https://www.treasurer.ca.gov/pmia-laif/reports/valuation.asp>

System Demands Comparison Chart

Variance to Prior Year: 93%
Updated: 06/30/2022



Comparative Water Sales YTD from Prior Years

FISCAL YEAR 2021-2022

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
549	AD	49,878	120,877	132,208	105,801	71,840	86,788	38,982	51,802	64,159	84,271	91,076		2,061
402	AG	126,020	156,517	188,678	141,035	94,403	113,507	37,037	60,738	86,971	113,642	116,997		2,836
271	CM	43,597	45,074	58,754	34,843	22,862	24,113	9,971	15,923	20,977	30,355	35,561		785
24	CN	9,809	7,353	8,900	4,999	8,247	7,795	9,526	6,874	8,636	10,292	7,407		206
21	IS	4,094	3,585	3,722	2,400	1,528	1,795	1,247	1,605	1,502	2,118	2,078		59
114	MF	14,171	12,501	14,634	11,363	10,797	11,216	10,215	8,410	10,807	12,185	11,054		292
	PC	105,195	87,728	98,194	76,152	51,934	66,232	14,314	38,479	44,840	61,700	64,338		1,628
	PD	104,423	101,695	108,445	85,321	56,327	69,973	16,562	44,821	50,216	71,313	78,419		1,808
319	SC	54,638	-	-	-	-	-	-	-	-	-	-		125
1012	SD	86,465	-	-	-	-	-	-	-	-	-	-		198
5851	SF	186,785	176,948	193,467	155,723	117,189	137,144	77,534	81,001	103,271	130,736	129,125		3,418
8563	Total	785,075	712,278	807,002	617,637	435,127	518,563	215,388	309,653	391,379	516,612	536,055	-	13,418

FISCAL YEAR 2020-2021

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
549	AD	34,763	39,406	46,230	42,502	34,921	21,626	24,948	14,076	14,146	17,159	25,141		723
402	AG	109,886	131,840	137,233	129,675	105,410	64,136	68,514	39,558	46,221	51,415	88,199		2,232
271	CM	43,615	49,777	48,946	49,458	35,129	19,261	20,216	10,734	14,250	19,251	31,178		785
24	CN	6,330	12,547	10,164	14,057	8,403	5,244	9,069	7,677	4,613	6,070	10,043		216
21	IS	2,513	2,972	3,359	3,231	1,698	1,013	1,365	568	1,119	1,204	5,788		57
114	MF	14,151	14,484	14,090	14,996	12,993	9,384	12,462	8,972	8,359	10,592	12,286		305
	PC	-	-	-	-	-	-	-	1,234	14,315	17,961	48,237		188
	PD	-	-	-	-	-	-	83	3,574	24,420	30,477	61,382		275
319	SC	137,945	133,502	160,919	156,961	123,278	85,624	74,455	110,420	39,051	46,578	70,676		2,616
1012	SD	186,337	204,966	223,721	229,964	179,016	112,667	115,867	55,255	54,422	67,372	97,741		3,506
5851	SF	169,793	186,711	189,918	189,511	157,332	112,083	128,779	84,894	94,401	107,576	149,402		3,605
8563	Total	705,333	776,205	834,580	830,355	658,180	431,038	455,758	336,962	315,317	375,655	600,073	-	14,507

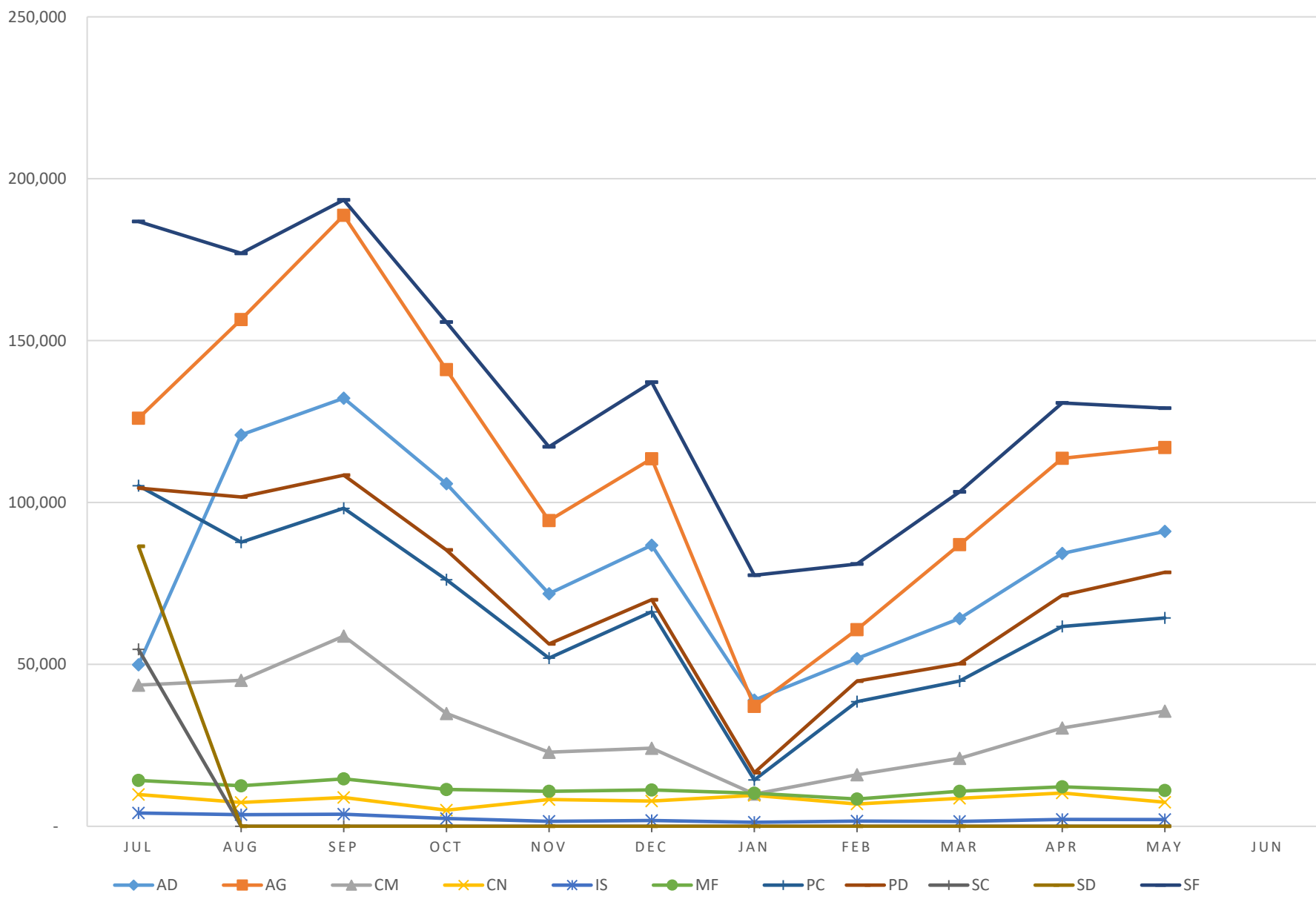
FISCAL YEAR 2019-2020

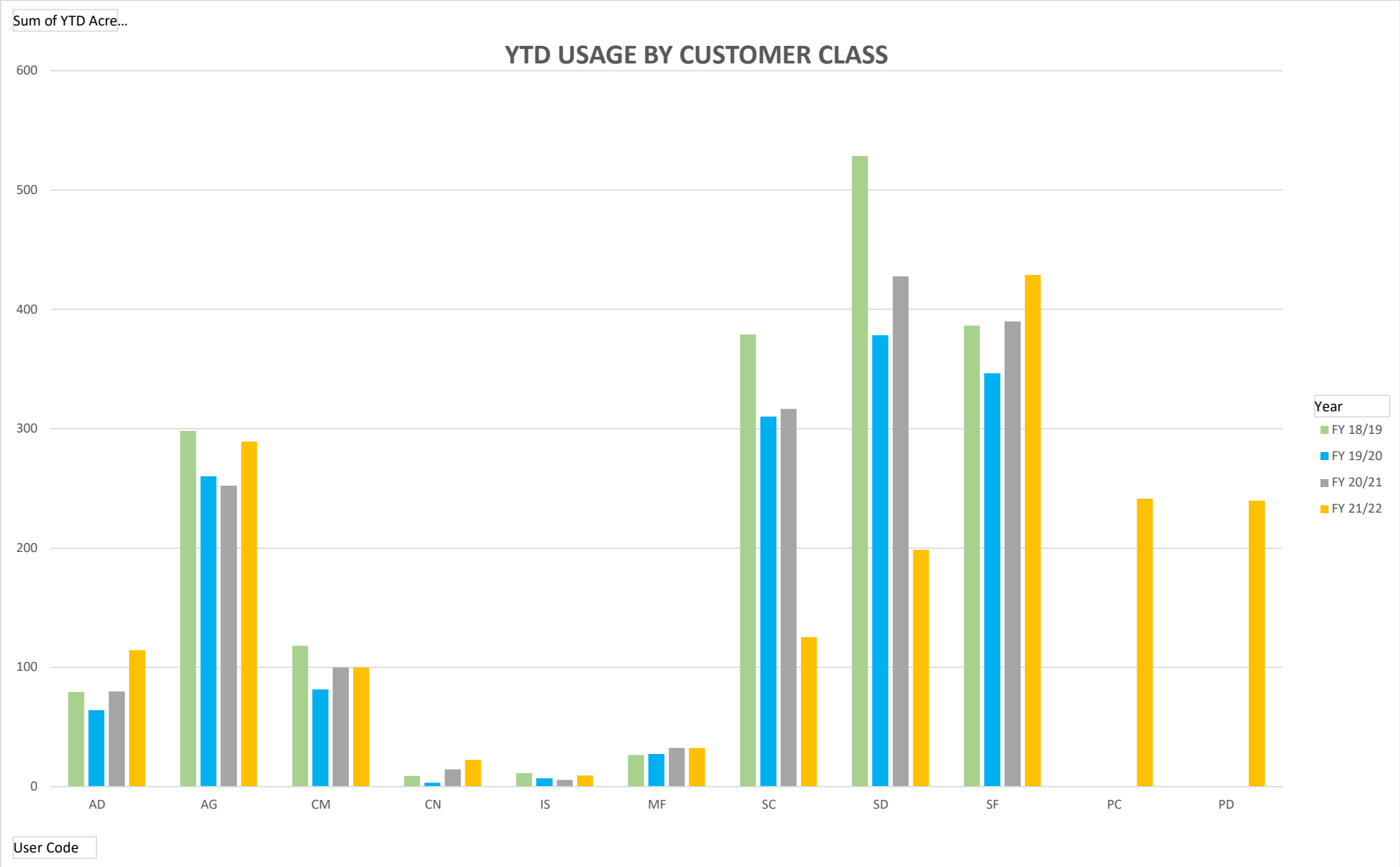
Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
553	AD	28,018	36,530	36,506	32,640	37,164	15,379	6,577	13,028	16,047	9,234	16,352		568
400	AG	113,285	139,802	139,715	135,633	132,703	48,601	25,028	47,900	52,506	30,084	57,514		2,118
267	CM	35,561	46,750	44,883	40,374	29,303	16,496	13,155	9,711	25,311	13,393	16,062		668
19	CN	1,484	1,549	1,183	1,041	1,286	314	490	1,126	5,662	448	402		34
21	IS	3,060	1,799	1,946	2,046	2,048	927	643	1,018	1,351	768	672		37
114	MF	11,910	11,187	11,539	11,065	12,605	8,386	7,568	9,074	8,716	9,124	8,443		252
323	SC	135,069	157,307	156,337	136,485	152,308	47,287	10,146	50,668	60,342	16,027	51,289		2,234
1021	SD	164,817	213,262	218,596	179,714	207,689	77,699	21,552	65,024	75,717	26,767	71,299		3,035
5536	SF	150,907	188,769	182,811	153,331	174,251	89,028	52,276	70,585	74,004	58,386	81,397		2,929
8254	Total	644,111	796,955	793,516	692,329	749,357	304,117	137,435	268,134	319,656	164,231	303,430	-	11,876

FISCAL YEAR 2018-2019

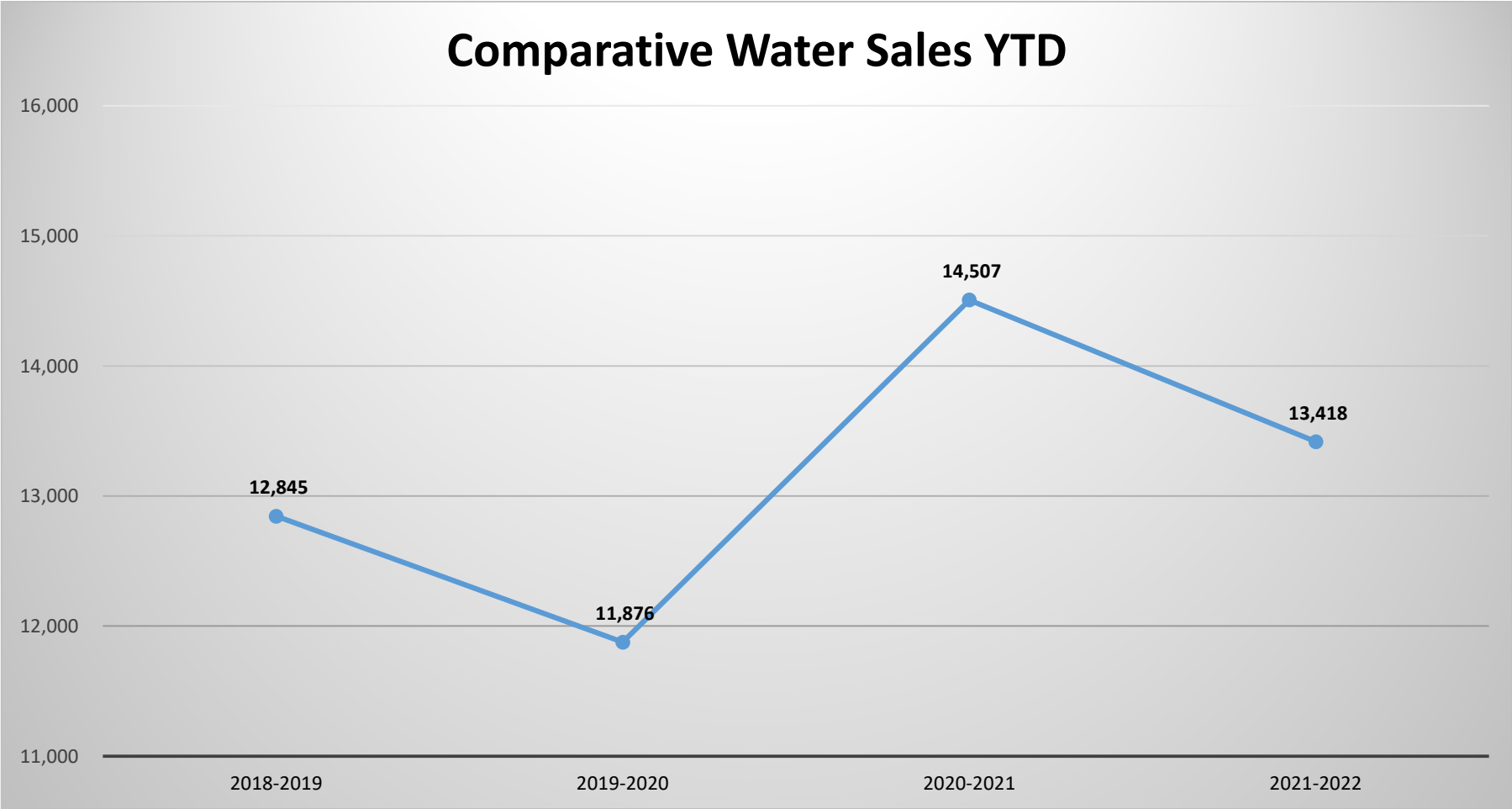
Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
562	AD	34,648	47,312	45,104	28,007	29,134	20,794	9,982	6,874	4,335	10,153	21,429		592
402	AG	129,946	149,080	154,084	110,908	93,077	70,762	33,893	21,947	18,274	46,890	83,296		2,094
264	CM	51,483	67,254	66,114	36,283	24,307	15,501	10,455	6,708	8,425	11,076	21,698		733
23	CN	3,982	27,189	4,915	2,545	3,115	2,815	2,831	829	547	636	993		116
21	IS	4,964	3,824	3,852	3,447	2,161	1,736	884	864	470	413	2,430		57
112	MF	11,653	12,856	13,798	11,513	11,816	10,461	8,551	7,929	6,940	8,289	10,710		263
323	SC	165,088	203,887	203,899	134,052	132,762	83,121	22,699	9,624	3,104	38,669	107,046		2,534
1024	SD	230,264	264,247	273,401	189,659	170,318	118,228	41,039	22,400	12,611	51,941	132,236		3,458
5468	SF	168,323	192,173	207,384	146,492	144,114	114,763	63,252	50,903	35,144	64,480	118,606		2,997
8199	Total	800,351	967,822	972,551	662,906	610,804	438,181	193,586	128,078	89,850	232,547	498,444	-	12,845

USAGE BY CUSTOMER CLASS FY 21-22





Comparative Water Sales YTD from Prior Years





Check Register May 2022

Description	Bank Transaction Code	Issue Date	Amount
A PERFECT SHADE	ACH	05/27/2022	540.00
ACWA-JPIA	ACH	05/13/2022	86,741.50
ADP - ADVICE OF DEBIT #605514132	EFT	05/13/2022	1,314.29
AIRGAS USA, LLC	ACH	05/27/2022	2,718.24
ANTHONY HATCH	CHECK	05/27/2022	4,638.73
ARAMARK UNIFORM SERVICES	CHECK	05/13/2022	933.81
ARAMARK UNIFORM SERVICES	CHECK	05/27/2022	1,075.07
ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	ACH	05/13/2022	1,014.50
ASPIRE FINANCIAL SERVICES, LLC	CHECK	05/27/2022	300.00
ASTRA INDUSTRIAL SERV.INC	ACH	05/27/2022	756.45
AT&T	CHECK	05/27/2022	170.97
AT&T	CHECK	05/27/2022	540.01
AT&T LONG DISTANCE	CHECK	05/27/2022	32.67
AZUGA, INC.	CHECK	05/27/2022	1,183.95
BABCOCK LABORATORIES, INC	ACH	05/27/2022	951.53
BASSETT COMMUNICATIONS, INC	CHECK	05/27/2022	2,537.97
BLACKROCK FINANCIAL SERVICES	CHECK	05/13/2022	1,154.20
BONSALL PEST CONTROL	CHECK	05/27/2022	210.00
BOOT WORLD, INC	ACH	05/13/2022	200.00
BP BATTERY INC.	ACH	05/13/2022	455.50
BP BATTERY INC.	ACH	05/27/2022	227.88
BRAND ASSASSINS	ACH	05/27/2022	1,431.04
BRAX COMPANY, INC	CHECK	05/13/2022	2,552.39
BRAX COMPANY, INC	CHECK	05/27/2022	7,443.15
CDW GOVERNMENT, INC.	CHECK	05/27/2022	3,043.06

Description	Bank Transaction Code	Issue Date	Amount
CHRIS BEUCLER	CHECK	05/27/2022	2,175.32
CHRIS BROWN	ACH	05/13/2022	15,000.00
COLONIAL LIFE & ACCIDENT INS.	CHECK	05/13/2022	121.42
COLONIAL LIFE & ACCIDENT INS.	CHECK	05/27/2022	60.71
CONSOLIDATED ELECTRIC	CHECK	05/27/2022	16.42
COUNTY OF SAN DIEGO DEPT OF PUBLIC WORKS	CHECK	05/27/2022	186.00
COUNTY OF SAN DIEGO, RCS	CHECK	05/13/2022	1,001.91
CRAIG SHOBE	CHECK	05/27/2022	455.00
CSDA, SAN DIEGO CHAPTER	CHECK	05/27/2022	90.00
CUSTOM TRUCK BODY & EQUIPMENT, INC.	ACH	05/13/2022	15,272.51
CUSTOM TRUCK BODY & EQUIPMENT, INC.	ACH	05/27/2022	40,979.17
DEXTER WILSON ENGINEERING	CHECK	05/27/2022	1,935.00
Dezurik/Apco/Hilton	CHECK	05/27/2022	206.88
DIAMOND ENVIRONMENTAL SERVICES	CHECK	05/13/2022	492.53
DIAMOND ENVIRONMENTAL SERVICES	CHECK	05/27/2022	698.53
DLM ENGINEERING, INC.	CHECK	05/27/2022	4,300.00
ELECTRICAL SALES, INC.	CHECK	05/27/2022	2,156.51
ESRI	CHECK	05/27/2022	11,000.00
FALLBROOK AUTO PARTS	CHECK	05/13/2022	1,106.38
FALLBROOK AUTO PARTS	CHECK	05/27/2022	1,116.19
FALLBROOK EQUIPMENT RENTAL	ACH	05/13/2022	1,110.00
FALLBROOK EQUIPMENT RENTAL	ACH	05/27/2022	1,367.26
FALLBROOK IRRIGATION SUPPLIES	CHECK	05/27/2022	189.53
FALLBROOK LOCAL LOCKSMITH	CHECK	05/27/2022	225.82
FALLBROOK PUBLIC UTILITY DIST	CHECK	05/27/2022	7,316.49
FALLBROOK WASTE AND RECYCLING	CHECK	05/13/2022	469.47
FEDEX	CHECK	05/13/2022	1,039.79
FEDEX	CHECK	05/27/2022	206.55
FEDEX (FREIGHT)	CHECK	05/27/2022	991.62
FERGUSON WATERWORKS #1083	CHECK	05/27/2022	91,107.12
FLUME TECH	CHECK	05/13/2022	933.38
FLYERS ENERGY LLC	ACH	05/13/2022	9,034.10
FLYERS ENERGY LLC	ACH	05/27/2022	7,748.33
FREEDOM AUTOMATION, INC.	CHECK	05/27/2022	9,675.00

Description	Bank Transaction Code	Issue Date	Amount
GIL FRANCO, TIRE HAULER	CHECK	05/27/2022	331.00
HAAKER EQUIPMENT CO.	ACH	05/27/2022	5,071.50
HACH	CHECK	05/27/2022	8,828.40
HARRIS & ASSOCIATES, INC.	ACH	05/27/2022	2,765.00
HASA INC.	CHECK	05/13/2022	5,037.52
HELIX ENVIRONMENTAL PLANNING INC	CHECK	05/27/2022	18,122.50
HERCULES INDUSTRIES, INC	CHECK	05/27/2022	566.68
HILL BROTHERS CHEMICAL CO.	CHECK	05/27/2022	2,330.42
HOME DEPOT CC - ALL (MAY 2022 STATEMENT)	EFT	05/31/2022	3,454.08
HR RESULTS	CHECK	05/13/2022	1,785.00
ICONIX WATERWORKS (US) INC	ACH	05/13/2022	111,677.77
INFOSEND, INC.	CHECK	05/27/2022	5,296.42
JOHNSON-FRANK & ASSOCIATES, INC.	CHECK	05/27/2022	740.00
KEVIN MILLER	ACH	05/27/2022	363.00
KNOCKOUT PEST CONTROL& TERMITE, INC.	CHECK	05/13/2022	200.00
KNOCKOUT PEST CONTROL& TERMITE, INC.	CHECK	05/27/2022	300.00
KYOCERA DOCUMENT SOLUTIONS AMERICA, INC.	CHECK	05/27/2022	12.00
LINCOLN NATIONAL LIFE INSURANCE COMPANY	CHECK	05/13/2022	4,726.79
LINE-X OF ESCONDIDO	CHECK	05/13/2022	7,359.39
MFCP INC.	CHECK	05/27/2022	61.89
MICHAEL MACK	CHECK	05/27/2022	124.63
MIGUEL GASCA	CHECK	05/13/2022	790.36
MOBILE MINI, INC	CHECK	05/13/2022	1,180.92
MOBILE MINI, INC	CHECK	05/27/2022	954.50
MOBILE MODULAR	CHECK	05/27/2022	2,864.10
MODULAR BUILDING CONCEPTS, INC	CHECK	05/13/2022	1,536.51
NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTA	CHECK	05/27/2022	2,395.00
NOBEL SYSTEMS	ACH	05/27/2022	104,500.00
NUTRIEN AG SOLUTIONS, INC	CHECK	05/27/2022	348.82
OMNIS CONSULTING INC.	CHECK	05/27/2022	31,327.00
ONESOURCE DISTRIBUTORS, LLC	CHECK	05/13/2022	253.21
OPR COMMUNICATIONS, INC.	CHECK	05/27/2022	7,500.00
O'REILLY AUTO PARTS	CHECK	05/27/2022	5.92
PACIFIC PIPELINE SUPPLY	CHECK	05/13/2022	7,199.24

Description	Bank Transaction Code	Issue Date	Amount
PACIFIC PIPELINE SUPPLY	CHECK	05/27/2022	1,196.81
PARADISE CHEVROLET CADILLAC	ACH	05/27/2022	100.00
PARKHOUSE TIRE, INC.	ACH	05/27/2022	2,870.86
PERRAULT CORPORATION	CHECK	05/27/2022	1,829.83
PETERS PAVING & GRADING, INC	ACH	05/13/2022	13,750.00
PETERS PAVING & GRADING, INC	ACH	05/27/2022	2,450.00
PITNEY BOWES INC.	CHECK	05/13/2022	12,286.04
PRECISION MOBILE DETAILING	ACH	05/13/2022	809.90
PRECISION MOBILE DETAILING	ACH	05/27/2022	876.90
PRINCIPAL LIFE INSURANCE COMPANY	ACH	05/27/2022	7,692.50
RAIN FOR RENT RIVERSIDE	CHECK	05/27/2022	615.93
RENE BUSH	ACH	05/27/2022	363.00
RHO MONSERATE C.C.H.A.	CHECK	05/27/2022	555.93
RIGHT-OF-WAY ENGINEERING SERV	CHECK	05/27/2022	6,185.20
RINCON CONSULTANTS, INC.	CHECK	05/27/2022	3,394.85
ROAD SOUP LLC	CHECK	05/13/2022	3,190.88
ROLLIN C BUSH	CHECK	05/27/2022	5,503.26
RT LAWRENCE CORPORATION	ACH	05/27/2022	615.55
SAN DIEGO FRICTION PRODUCTS, INC.	CHECK	05/13/2022	125.59
SAN DIEGO GAS & ELECTRIC	CHECK	05/13/2022	41,468.50
SAN DIEGO GAS & ELECTRIC	CHECK	05/27/2022	69,323.88
SDCWA WATER PURCHASE- MARCH 2022	WIRE	05/10/2022	1,453,254.56
SHRED-IT USA LLC	CHECK	05/13/2022	187.12
SOUTHWEST ANSWERING SERVICE, INC.	CHECK	05/27/2022	925.48
SPECIALTY MOWING SERVICES, INC.	ACH	05/13/2022	4,325.00
SPECIALTY MOWING SERVICES, INC.	ACH	05/27/2022	38,382.90
STEVEN MARK DISHON	CHECK	05/27/2022	2,795.00
STREAMLINE	CHECK	05/13/2022	300.00
T S INDUSTRIAL SUPPLY	CHECK	05/27/2022	1,507.11
TCN, INC	CHECK	05/13/2022	41.75
TEMECULA TROPHY CO.	CHECK	05/27/2022	51.06
THE WELD SHOP, INC	ACH	05/13/2022	2,181.94
TNG SECURITY INC. DBA CALIFORNIA COMMERCIAL SECURITY	CHECK	05/13/2022	368.04
TRAFFIC SAFETY SOLUTIONS, LLC	ACH	05/27/2022	5,385.00

Description	Bank Transaction Code	Issue Date	Amount
UNDERGROUND SERVICE ALERT	ACH	05/13/2022	348.09
UNION BANK CC - DELRIO (APRIL STATEMENT)	EFT	05/17/2022	352.43
UNION BANK CC - DEMARY (APRIL STATEMENT)	EFT	05/12/2022	287.65
UNION BANK CC - KENNEDY (APRIL STATEMENT)	EFT	05/12/2022	869.84
UNION BANK CC - KENNEDY (APRIL STATEMENT) AUTOPAY	EFT	05/17/2022	161.91
UNION BANK CC - LAGUNAS (APRIL STATEMENT)	EFT	05/12/2022	25.63
UNION BANK CC - LAGUNAS (APRIL STATEMENT) AUTOPAY	EFT	05/17/2022	25.63
UNION BANK CC - RAMIREZ (APRIL STATEMENT)	EFT	05/12/2022	164.65
UNION BANK CC - RUBIO (APRIL STATEMENT)	EFT	05/12/2022	95.00
UNION BANK CC - WILLIAMS (APRIL STATEMENT)	EFT	05/27/2022	3,180.24
UNITED BUILDING MAINTENANCE CENTER LLC	CHECK	05/27/2022	3,800.00
UNITED RENTALS NORTHWEST, INC	CHECK	05/27/2022	3,296.07
US BANK	ACH	05/13/2022	291.67
V&A CONSULTING ENGINEERS, INC.	CHECK	05/27/2022	5,000.00
VALLEY CONSTRUCTION MANAGEMENT	CHECK	05/27/2022	60,443.00
VERIZON WIRELESS	CHECK	05/27/2022	5,966.65
Water Arrearages Program	CHECK	05/13/2022	13,299.17
WATERLINE TECHNOLOGIES INC.	CHECK	05/13/2022	2,483.85
WATERLINE TECHNOLOGIES INC.	CHECK	05/27/2022	3,652.73
WESTERN LANDSCAPE MAINTENANCE PLUS, INC.	ACH	05/27/2022	532.51
WEX - ADMINISTRATION FEES	EFT	05/25/2022	85.00
WHITE CAP CONSTRUCTION SUPPLY	CHECK	05/27/2022	489.95
WINZER CORP	CHECK	05/13/2022	1,630.38
		TOTAL:	2,483,353.84

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
07/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS		\$ 150.00	\$ 150.00	\$ 150.00		
	Monthly Totals	\$ -	\$ 150.00	\$ 150.00	\$ 150.00	\$ -	\$ -
08/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS		\$ 150.00	\$ 450.00	\$ 450.00		\$ 150.00
	Monthly Totals	\$ -	\$ 150.00	\$ 491.44	\$ 450.00	\$ -	\$ 150.00

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
09/30/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 750.00	\$ 450.00		\$ 300.00
	TRAVEL EXPENSES			\$ 770.40	\$ 1,125.86		
	MILEAGE AND EXPENSES						
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 150.00	\$ 150.00	\$ 1,520.40	\$ 1,575.86	\$ -	\$ 300.00
10/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 300.00	\$ 150.00		\$ 300.00
	TRAVEL EXPENSES						
	MILEAGE AND EXPENSES						
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 150.00	\$ 150.00	\$ 300.00	\$ 150.00	\$ -	\$ 300.00

Director's Expenses FY 2021-2022

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
11/30/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.)	\$ 725.00		\$ 725.00	\$ 725.00		
	TRAINING	\$ 40.00					
	COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 600.00	\$ 300.00	\$ 300.00	
	TRAVEL EXPENSES			\$ 602.50	\$ 327.12	\$ 25.02	
	MILEAGE EXPENSE			\$ 202.72	\$ 57.12		
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 915.00	\$ 150.00	\$ 2,130.22	\$ 1,409.24	\$ 325.02	\$ -
12/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.)						
	TRAINING						
	COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 450.00	\$ 450.00		
	TRAVEL EXPENSES			\$ 685.20	\$ 322.29	\$ 36.64	
	MILEAGE EXPENSE			\$ 53.76	\$ 57.12		
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 150.00	\$ 150.00	\$ 1,188.96	\$ 829.41	\$ 36.64	\$ -
REPORT TOTAL FOR 2021:		\$ 1,365.00	\$ 900.00	\$ 5,781.02	\$ 4,564.51	\$ 361.66	\$ 750.00

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
01/31/22	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS Monthly Totals	\$ 150.00	\$ 300.00	\$ 800.00	\$ 650.00	\$ 450.00	\$ -
2/29/2022	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS Monthly Totals	\$ 150.00	\$ 150.00	\$ 150.00	\$ 175.00 \$ 450.00	\$ 300.00	\$ -

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
03/31/22	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS Monthly Totals	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ -
04/30/22	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS Monthly Totals	\$ 649.00	\$ 150.00	\$ 150.00	\$ 750.00 \$ 721.47 \$ 52.65	\$ 300.00	\$ -

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
05/31/22	WATER AGENCIES ASSOC OF S.D. CSDA-SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING	\$ 775.00		\$ 850.00		\$ 775.00	
	COUNCIL OF WATER UTILITIES					\$ 25.00	
	DIRECTORS' PER DIEMS	\$ 600.00	\$ 150.00	\$ 900.00	\$ 150.00	\$ 750.00	
	TRAVEL EXPENSES	\$ 2,288.77		\$ 1,446.03		\$ 1,329.54	
	MILEAGE EXPENSE	\$ 62.83		\$ 52.30		\$ 26.33	
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 3,726.60	\$ 150.00	\$ 3,248.33	\$ 150.00	\$ 2,905.87	\$ -
	REPORT TOTAL FOR 2022:	\$ 7,248.82	\$ 1,050.00	\$ 4,648.33	\$ 3,849.12	\$ 4,255.87	\$ -



AMERICAN EXPRESS

MAY 2022

GL Finance Code	GL Transaction Amount	Description
GL 03 42 56513	76.11	1-800-FLOWERS.COM
GL 03 41 63401	90.30	CULLIGAN
GL 03 51 75300	26.99	FM MEAL
GL 02 61 72000	63.23	APCD PROCESSING FEE
GL 02 61 72150	496.00	APCD #04441-2001-RI-2022
GL 02 61 72150	496.00	APCD #04442-2001-RI-2022
GL 02 61 72150	496.00	APCD #04443-2001-RI-2022
GL 02 61 72150	1,399.00	APCD #10216-1997-RI-2022
GL 03 51 75300	30.00	ALASKA AIRLINES
GL 03 51 75300	30.00	ALASKA AIRLINES
GL 03 44 60100	0.41	AMAZON WEB SERVICES
GL 01 99 12121	72.17	CG ACCIDENTAL CHARGE
GL 01 99 12121	62.47	CG ACCIDENTAL CHARGE
GL 03 41 72900	246.30	AMAZON #111-8028029-3440265
GL 03 43 72200	423.96	AMAZON #113-2408602-9335438/PO# 12252
GL 03 44 60100	547.05	AMAZON #114-2776617-9589814
GL 03 44 60100	93.63	AMAZON #111-9708537-7722629
GL 03 43 72200	140.72	AMAZON #113-2408602-9335438/PO# 12252
GL 03 44 60100	541.95	AMAZON #111-0030447-6181001
GL 03 44 60100	93.63	AMAZON #114-8677597-0695447
GL 03 41 63400	39.98	AMAZON #113-1385021-8561861
GL 03 41 63400	303.78	AMAZON #113-1385021-8561861
GL 03 44 60100	38.78	AMAZON #114-4038880-1621016
GL 03 43 72500	314.76	AMAZON #113-5226801-9278667/PO# 12308
GL 03 43 72500	73.30	AMAZON #113-4555296-3229059/PO# 12304
GL 03 43 72500	768.17	AMAZON #113-0003634-1525850/PO# 12304
GL 03 44 60100	237.04	AMAZON #114-3522871-3021826

GL Finance Code	GL Transaction Amount	Description
GL 03 44 60100	395.35	AMAZON #114-1210804-5496258
GL 01 34 73000	1,189.56	AMAZON #113-1844119-4692256/PO# 12313
GL 03 44 60100	127.15	AMAZON #111-8596439-5399426
GL 03 44 60100	1,241.55	AMAZON #111-8511629-3306635
GL 03 44 60100	20.98	AMAZON #113-9390674-2981020
GL 03 44 60100	45.17	AMAZON #113-1274837-8428231
GL 03 41 72000	26.94	AMAZON #113-8508785-8375452
GL 03 44 60100	259.31	AMAZON #113-6845577-7140264
GL 03 44 60100	722.80	APPLE STORE
GL 03 43 72000	2.99	APPLE.COM
GL 03 44 72400	79.99	APPLE.COM
GL 03 44 72400	149.99	APPLE.COM
GL 03 44 60100	2,913.17	APPLE STORE
GL 01 32 72000	1,021.93	ASSURED AUTOMATION
GL 03 44 72400	110.00	ATLASSIAN
GL 03 44 60100	40.00	AUTHORIZE.NET
GL 03 42 75500	200.00	BROWN & CALDWELL
GL 03 20 75300	600.00	CSDA
GL 03 44 72000	99.99	PARALLELS
GL 03 41 63400	792.14	COFFEE AMBASSADOR
GL 03 44 72400	192.50	CORELOGIC
GL 03 44 72400	192.50	CORELOGIC
GL 01 35 75300	202.95	COSMOPOLITAN
GL 03 44 60100	49.44	DIRECT TV
GL 03 51 75300	31.10	FM MEAL
GL 01 35 75300	195.00	NEPTUNE EVENT
GL 03 44 72400	2,030.00	GRAMMARLY
GL 03 43 72000 800013	35.07	COVID TEST
GL 03 43 72000	145.41	JJ KELLER & ASSOCIATES #9106780648
GL 03 41 74100	1,151.67	JIVE
GL 03 51 75300	254.70	FM HOTEL STAY
GL 03 44 60100	95.13	LAPTOP SCREEN
GL 03 44 60100	184.83	MICROSOFT
GL 03 51 75300	48.42	FM TRANSPORTATION

GL Finance Code	GL Transaction Amount	Description
GL 03 41 70300	3,479.00	NOSSAMAN #533875
GL 03 91 70300	3,408.00	NOSSAMAN #533875
GL 53 99 70300 530001	1,171.50	NOSSAMAN #533875
GL 60 99 70300 600013	674.50	NOSSAMAN #533875
GL 60 99 70300 600034	177.50	NOSSAMAN #533875
GL 60 99 70300 600037	1,207.00	NOSSAMAN #533875
GL 60 99 70300 600008	1,171.50	NOSSAMAN #533875
GL 60 99 70300 600047	816.50	NOSSAMAN #533875
GL 03 91 70300 700014	319.50	NOSSAMAN #533875
GL 03 41 70300	8,343.59	NOSSAMAN #533876
GL 03 91 70300	455.00	NOSSAMAN #533876
GL 53 99 70300 530001	1,852.50	NOSSAMAN #533876
GL 60 99 70300 600013	1,267.50	NOSSAMAN #533876
GL 60 99 70300 600047	4,712.50	NOSSAMAN #533876
GL 60 99 70300 600037	2,470.00	NOSSAMAN #533876
GL 03 91 70300 700027	682.50	NOSSAMAN #533876
GL 03 41 70300 300020	31.25	NOSSAMAN #533877
GL 03 41 70300 300024	8,990.00	NOSSAMAN #533878
GL 03 41 70300 300022	370.50	NOSSAMAN #533879
GL 03 91 70300 700027	2,295.00	NOSSAMAN #533880
GL 03 41 70300 300027	407.70	NOSSAMAN #533881
GL 53 99 70300 530001	1,440.00	NOSSAMAN #533882
GL 53 99 70300 530001	1,741.00	NOSSAMAN #533883
GL 60 99 70300 600013	1,615.00	NOSSAMAN #533884
GL 53 99 70300 530001	5,697.50	NOSSAMAN #533885
GL 53 99 70300 530001	3,749.06	NOSSAMAN #533886
GL 03 91 70300 300007	5,047.00	NOSSAMAN #533887
GL 03 41 70300	3,763.00	NOSSAMAN #532796
GL 03 91 70300	1,242.50	NOSSAMAN #532796
GL 53 99 70300 530001	4,437.50	NOSSAMAN #532796
GL 60 99 70300 600013	2,201.00	NOSSAMAN #532796
GL 60 99 70300 600028	781.00	NOSSAMAN #532796
GL 03 41 70300	2,827.35	NOSSAMAN #532804
GL 03 91 70300	1,852.50	NOSSAMAN #532804

GL Finance Code	GL Transaction Amount	Description
GL 03 41 70300 300007	1,495.00	NOSSAMAN #532804
GL 53 99 70300 530001	7,377.50	NOSSAMAN #532804
GL 03 91 70300	4,500.00	NOSSAMAN #532797
GL 03 41 70300 300024	18,442.50	NOSSAMAN #532798
GL 03 41 70300 300027	1,661.00	NOSSAMAN #532799
GL 53 99 70300 530001	4,535.50	NOSSAMAN #532800
GL 60 99 70300 600013	1,045.00	NOSSAMAN #532801
GL 53 99 70300 530001	475.00	NOSSAMAN #532802
GL 03 41 70300 300007	8,075.00	NOSSAMAN #532803
GL 03 43 72000	43.03	PANERA BREAK
GL 03 41 75300	17.65	PREPASS
GL 03 44 60100	10.00	RING
GL 03 51 75300	12.52	FM MEAL
GL 03 51 75300	58.94	FM MEAL
GL 03 51 75300	15.51	FM MEAL
GL 03 51 75300	68.73	FM MEAL
GL 03 20 75300	504.74	SHERATON HOTEL
GL 03 51 75300	757.11	FM HOTEL STAY
GL 03 20 75300	1,046.70	SHERATON HOTEL
GL 03 20 75300	1,149.48	SHERATON HOTEL
GL 01 35 75300	302.96	SOUTHWEST AIRLINES
GL 03 20 75300	414.96	SOUTHWEST AIRLINES
GL 03 51 75300	105.00	FM VEHICLE PARKING
GL 03 41 72900	18.89	STAPLES
GL 03 41 63400	46.25	FRUIT GUYS #5597526
GL 03 41 63400	92.50	FRUIT GUYS #5597139
GL 03 41 63400	46.25	FRUIT GUYS #5596773
GL 03 41 63400	92.50	FRUIT GUYS #5596345
GL 01 32 72000	1,382.50	TS INDUSTRY
GL 03 51 75300	70.08	FM MEAL
GL 03 20 75300	175.43	BM MEALS
GL 03 51 75300	29.68	FM MEAL
GL 03 20 75300	91.34	BM MEALS
GL 03 51 75300	41.16	FM MEAL

GL Finance Code	GL Transaction Amount	Description
GL 03 20 75300	72.26	BM MEALS
GL 03 44 60100	325.23	WASABI
GL 01 34 72000	136.00	WATERWISE PRO
GL 03 42 75500	200.00	WATERWISE PRO
GL 03 36 72000	431.63	WHIP AROUND
GL 03 43 72500	(1,938.13)	GRAINGER #9744918062/PO# 10768
GL 03 41 63401	(270.54)	GRAINGER #9043847798/PO# 11719
GL 03 43 72500	(92.89)	GRAINGER #9183649145/PO# 12034
GL 01 31 73000	(227.78)	GRAINGER #9266797399/PO# 12141
GL 01 34 72000	117.53	GRAINGER #9282108712/PO# 12239
GL 01 34 72000	804.15	GRAINGER #9282128413/PO# 12239
GL 01 34 72000	(117.53)	GRAINGER #9291646835/PO# 12239
GL 01 31 72000	60.83	GRAINGER #9295467956/PO# 12253
GL 01 31 72000	265.99	GRAINGER #9295493010/PO# 12253
GL 01 31 72000	252.75	GRAINGER #9295493028/PO# 12253
GL 01 31 72000	1,719.34	GRAINGER #9295794433/PO# 12253
GL 01 31 72000	14.78	GRAINGER #9297851108/PO# 12253
GL 01 34 72000	289.37	GRAINGER #9315509571/PO# 12314
GL 01 35 73000	739.82	GRAINGER #9316463570/PO# 12311
GL 01 34 72000	48.38	GRAINGER #9318918589/PO# 12314
GL 03 51 75300	35.74	FM MEAL
GL 03 20 75300	71.48	BM MEALS
GL 03 41 75300	82.45	MANAGERS LUNCH
GL 01 35 72000	40.25	ZOHO
GL 03 44 72400	299.87	ZOOM
	160,308.30	American Express (May Statement)

Rainbow Municipal Water District
Property spreadsheet

APN	Description of Use	Acreage
1023000800	North Reservoir	4.8
1023001100	U-1 Pump Station	0.14
1023005000	Rainbow Creek Crossing near North Reservoir	0.89
1023005300	Connection 9	0.01
1024300900	Pump Station across PS1 (not in use)	0.12
1025702000	U-1 Tanks	1.08
1026305400	Pump Station #1	0.33
1026602000	Booster Pump Station #4	0.03
1027001600	Pump Station #3	0.67
1071702800	Connection 7	1.60
1071702900	Pala Mesa Tank	10.35
1080206900	Northside Reservoir	9.23
1082210600	Beck Reservoir	27.25
1082210900	Near Beck Reservoir	4.82
1082211000	Near Beck Reservoir	6.23
1082211800	Near Beck Reservoir - Excess Property (not in use)	4.68
1084210600	Rice Canyon Tank	1.00
1084410300	Canonita Tank	2.41
1091410700	Gomez Creek Tank	1.00
1092310900	Rainbow Heights Tank	0.35
1092330300	Rainbow Heights Tank	0.99
1092341000	Rainbow Heights Concrete Tank - used for SCADA	1.74
1093101800	Vallecitos Tank	0.55
1093822800	Magee Tank	1.03
1093912400	Magee Pump Station	0.3
1100721000	Huntley Road Pump Station	0.52
1102203700	Huntley Chlorination Station (not in use)	0.2
1212011000	Morro Tank	0.31
1212011100	Morro Tank	4.85
1212011200	Morro Reservoir	13.01
1213300900	Morro Reservoir	6.79
1250703200	Sumac Reservoir (Not in Use)	1.72
1250902600	Headquarters	7.38
1250903400	Headquarters	4.43
1250903500	Headquarters	3.40
1250903800	Headquarters	17.03
1251002100	Rancho Viejo Lift Station #5	0.05
1252311800	Hutton Tank	1.39
1252312600	Hutton Tank	0.89
1260803100	Via de los Cepillos Easement	0.47
1261708700	Lift Station #2	0.08
1261708900	Lift Station #2	0.12
1263004200	Lift Station #1	0.01
1270710500	Bonsall Reservoir (Not in Use)	6.19
1270710600	Connection 6	0.28
1271512300	Turner Tank	15.12
1721404300	Gopher Canyon Tank	1.84
	<i>Total</i>	167.68

