

Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Open Session at 1:00 p.m. Tuesday, April 24, 2018, 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. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL: Brazier_____ Hamilton_____ Gasca_____ Mack_____ Stewart_____**
- 4. ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
- 5. 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 wishing to address the Board on 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. *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.*
- 6. ACKNOWLEDGEMENTS**
 - A.** District Recognition from Employer Support of the Guard and Reserve (ESGR) for Supporting Military Service
 - B.** Commendation Presentation
 - C.** Anniversary Awards
 - 1.** Chris Hand (10 Years)
 - 2.** Cynthia Steward (10 Years)
 - 3.** Gloria Dechert (15 Years)
- *7. APPROVAL OF MINUTES**
 - A.** March 27, 2018 - Regular Board Meeting
- *8. 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 Brazier)
 - B.** Representative Report (Appointed Representative)
 - 1.** SDCWA
 - A.** Summary of Board Meeting March 22, 2018
 - 2.** CSDA

(*) - Asterisk indicates a report is attached.

- 3. LAFCO
- 4. San Luis Rey Watershed Council
- 5. Santa Margarita River Watershed Watermaster Steering Committee
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
- D. Directors Comments
- E. Legal Counsel Comments
 - 1. Attorney Report: Bid Protests and Cost Recovery (501668-0002)

***9. COMMITTEE REPORTS (Approved Minutes have been attached for reference only.)**

- A. Budget and Finance Committee
 - 1. March 13, 2018 Minutes
- B. Communications Committee
 - 1. March 1, 2018 Minutes
- C. Engineering Services Committee
 - 1. March 7, 2018 Minutes

CONSENT CALENDAR

***10. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-07 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 8.11 – CONNECTION AND METER CHARGES, SECTION 8.11.030 – WATER CAPACITY CHARGE**

(Chapter 8.11, Section 8.11.030 had duplicate numbering in one sub-section. When correcting this subsection, the remainder of Section 8.11.030 was updated to contain the same numbering sequence found throughout most of the Administrative Code.)

***11. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-08 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 4.01 – PERSONNEL RULES AND REGULATIONS**

(Chapter 4.01, Section 4.01.110 required a minor correction and the language contained in Section 4.01.190 needed to have the expanded list of factors for which the District cannot discriminate in the process of recruitment added.)

***12. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-09 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 8.02 – DEFINITIONS AND CHAPTER 9.02 - DEFINITIONS**

(To avoid having to bring several chapters and sections of the Administrative Code to the Board for formal approval each time a title change occurs for this position, staff is recommending minor housekeeping changes to replace the definitions for both “District Engineer” and “Engineering Manager” to be defined as “Position directly responsible for overseeing the engineering department as designated by the General Manager.”)

***13. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-10 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 2.09 – COMMITTEES**

(The Engineering Services Committee has voted to recommend the Board approve amending the committee’s charter to include operations.)

BOARD ACTION ITEMS

***14. DISCUSSION AND POSSIBLE ACTION TO APPROVE A SEWER SERVICE AGREEMENT BETWEEN RAINBOW MUNICIPAL WATER DISTRICT AND BEAZER HOMES HOLDINGS, LLC. PALA MESA HIGHLANDS, TM 5187-1 (MAP 16124)**

(Pala Mesa Highlands, located along Old Highway 395, is a 124 lot development currently under construction. At the December 5, 2017 Board meeting, a time extension for their Sewer Fee Deferral Agreement was approved for preparation of a new Sewer Service Agreement (SSA)).

(*) - Asterisk indicates a report is attached.

- *15. DISCUSSION AND POSSIBLE ACTION TO APPROVE SEWER SERVICE AGREEMENT FOR THE PALOMAR NORTH EDUCATION CENTER**
(This Sewer Service Agreement includes conditions which must be met prior to providing sewer service to the Campus such as payment of construction costs and District engineering and inspection fees, dedication of easements for District facilities, completion of the connection to the Pala Mesa area (golf course) sewer, and reimbursement of sewer construction costs previously expended.)
- *16. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-11 AMENDING AND UPDATING ADMINISTRATIVE CODE TITLE 1 – GENERAL PROVISIONS**
(Currently there is no policy which directs the process for applying for or obtaining a variance from the Administrative Code. This item is to provide an opportunity for the Board to discuss updating Title 1 of the Administrative Code to include a chapter on variance procedures.)
- *17. SAN DIEGO COUNTY CONSOLIDATED REDEVELOPMENT OVERSIGHT BOARD CALL FOR BALLOTS**
(Rainbow Municipal Water District received a notice serving as a call for ballots pursuant to California Government Code 56332(f) with respect to electing two special district representatives – one regular and one alternate – among eligible nominees to serve on the San Diego County Consolidated Redevelopment Oversight Board.)
- 18. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

BOARD INFORMATION ITEMS

- 19. STRATEGIC PLAN OBJECTIVES UPDATES**
- 20. STAFFING ANALYSIS PRESENTATION**
- *21. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**
 - A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
 - B. Communications**
 - 1. Staff Training Reports
 - C. Operations Comments**
 - 1. Operations Report
 - D. Engineering Comments**
 - 1. Engineering Report
 - E. Customer Service and Meters Comments**
 - 1. Customer Service and Meters Report
 - F. Human Resource & Safety Comments**
 - 1. Human Resources Report
 - G. Finance Comments**
 - 1. Interim Financial Statement
 - 2. Treasurer Report
 - 3. Credit Card Breakdown
 - 4. Directors' Expense
 - 5. Check Register
 - 6. Water Sales Summary
 - 7. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
- 22. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING**

(*) - Asterisk indicates a report is attached.

23. ADJOURNMENT - To Tuesday, May 22, 2018 at 1:00 p.m.

ATTEST TO POSTING:



Hayden Hamilton
Secretary of the Board

4-13-18 @ 9:00 a.m.

Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.

**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
MARCH 27, 2018**

1. **CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on March 27, 2018 was called to order by President Brazier at 12:32 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Brazier presiding.

2. **ROLL CALL**

Present: Director Brazier, Director Hamilton, Director Mack (*arrived at 12:45 p.m.*), Director Stewart, Director Gasca.

Also Present: General Manager Kennedy, Legal Counsel Smith, Executive Assistant Washburn, Administrative Analyst Gray, Associate Engineer Powers, Finance Manager Martinez, Human Resources Manager Harp, Operations Manager Milner, Superintendent Walker, Interim Engineering Manager Gerdes, Purchasing and Inventory Control Specialist Daugherty, Accounting Specialist Rubio, Accounting Specialist Martinez, Temporary Human Resources Technician White.

No members of the public were present before for Open Session. Three members of the public were present for Open Session.

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

President Brazier expressed concern regarding the notifying the public on what matters will be discussed in Closed Session, especially when we ask for public comments. She asked if there was a legal requirement to allow for public comment on Closed Session items or should this be removed from future agendas since the public would not know the subject matter being discussed. Legal Counsel added some items are legally required to be listed on the agenda; however, this does not apply to every Closed Session matter.

Mr. Kennedy explained by having a recurring agenda item such as Item #4 it provides transparency as well as allows members of the public to comment on items pertaining to them prior to the Board discussing the matter in Closed Session. Director Hamilton suggested adding descriptions on Closed Session items going forward. President Brazier agreed having minimal descriptions would be best.

There were no changes to this agenda.

4. **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 1:13 p.m.

(*) - Asterisk indicates a report is attached.

5. CLOSED SESSION

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

6. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

This item was addressed under Item #8.

The meeting reconvened at 12:41 p.m.

Time Certain: 1:00 p.m.

7. PLEDGE OF ALLEGIANCE

8. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

President Brazier stated there was no reportable action.

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

President Brazier noted there were no changes to the agenda.

10. 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.

11. EMPLOYEE RECOGNITIONS

A. Justin Chandler (10 Years)

Mr. Kennedy introduced Justin Chandler as a member of the meters crew. He mentioned Mr. Chandler is tasked with making sure the meters are operating and reading properly. He thanked Mr. Chandler for his service as he presented him with a plaque and check in recognition of his tenure.

B. Kenny Diaz (10 Years)

Mr. Kennedy introduced Kenny Diaz as the Meters Crew Leader who has assisted with the Customer Service Department over the past couple of years, especially in transitioning the new staff and software programs. He thanked Mr. Diaz for his service as he presented him with a plaque and check in recognition of his tenure.

C. Bryan Rose (15 Years)

Mr. Kennedy introduced Bryan Rose as the Valve Maintenance Crew Leader who is responsible for making sure the valves turn as well as maintaining the equipment. He thanked Mr. Rose for his service as he presented him with a plaque and check in recognition of his tenure.

(*) - Asterisk indicates a report is attached.

***12. APPROVAL OF MINUTES**

A. February 27, 2018 - Regular Board Meeting

Motion:

Approve the minutes as written.

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

Director Gasca pointed out on Item #8 it should state “the air quality clean” as opposed to “area clean”.

Director Mack amended his original motion.

Motion:

Approve the minutes as revised.

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

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

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

***13. 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 (President Brazier)

President Brazier explained the unanticipated moment during this item at the February Board meeting.

B. Representative Report (Appointed Representative)

1. SDCWA

A. Summary of Board Meeting - February 22, 2018

Mr. Kennedy reported on the February meeting he attended where discussion took place regarding the amount of imported water needed with changes in region’s demand. He also noted SDCWA was preparing for the Fiscal Year 19-20 rate case to be filed.

2. CSDA

Mr. Kennedy noted the nomination for CSDA will be discussed later in the meeting.

(*) - Asterisk indicates a report is attached.

3. LAFCO

Mr. Kennedy reported the Special District Advisory Committee discussed local agency municipal service reviews. He noted the goal is to have LAFCO start preparing for action now. He also mentioned LAFCO was calling for ballots for their Consolidated Redevelopment Oversight Board noting Ed Sprague was one of the nominees.

4. San Luis Rey Watershed Council

Director Stewart reported the quarterly meeting will be held on April 18, 2018 at 1:00 p.m. He asked Director Gasca to attend this meeting in his absence. Mr. Kennedy noted he would be at this meeting as well.

Director Stewart noted the Council Board was continuing to meet to discuss what happens after the state grant that has been driving staffing and activity with the Council for several years ends in late February. He added discussions were going forward regarding the Council’s administrative code.

5. Santa Margarita River Watershed Watermaster Steering Committee

Director Hamilton reported the next meeting would be held in April.

C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)

Director Gasca reported on the recent Council of Water Utilities meeting where discussion took place regarding internship programs. He also reported on the Water Tax meeting he recently attended at Vallecitos Water District recently.

President Brazier requested that the Board Member conference requests and reports be included in future agenda packets.

D. Directors Comments

Director Stewart announced he renewed his AB1234 required ethics training.

Director Gasca commented on possibly changing any meetings during which public hearings related the rate changes will be conducted be held in the evening to allow for more public attendance. It was noted when the Board discusses holding a public hearing in the future, this will provide them with an opportunity to discuss the best time of day at which to hold the hearing.

E. Legal Counsel Comments

- 1. Attorney Report: Inverse Condemnation and Public Records Act Update (501668-0002)**

Legal Counsel briefed the Board on the information provided in his report regarding inverse condemnation and the Public Records Act.

(*) - Asterisk indicates a report is attached.

***14. COMMITTEE REPORTS (Approved Minutes have been attached for reference only.)**

- A. Budget and Finance Committee
 - 1. February 13, 2018 Minutes

Mr. Stitle reported the auditor will be providing the Board with their report later in today’s meeting. He also announced RMWD received the Distinguished Budget Presentation Award for the Fiscal Year beginning July 2017.

- B. Communications Committee
 - 1. February 1, 2018 Minutes

Director Hamilton reported most of the meeting was spent on taking the preview to the public tour of the District. He noted the committee also decided to consider producing an extended newsletter that will include more information on particular topics which involves the committee gathering ideas on what topics to include and validating cost and time involved in doing such. He announced RMWD will have a booth at the Avocado Festival on April 15, 2018 as well as the Vintage Car Show scheduled on May 27, 2018. He noted the RMWD will hold a Bring Your Kids to Work Day at the District offices on April 26, 2018.

Director Mack volunteered to help with the Avocado Festival.

- C. Engineering Services Committee
 - 1. January 3, 2018 Minutes
 - 2. February 7, 2018 Minutes

Mr. Powers reported the committee heard a presentation about zero liquid discharge desalting processes as well as discussed changing the committee charter to include operations, and the AMI and meter replacement updates.

CONSENT CALENDAR

***15. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-05 - AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST**

Legal Counsel explained consent calendars were innovated for items requiring Board approval where it is expected that based upon the written material submitted, the Board has enough information to make a decision without additional discussion. He added consent calendars are a means of expediting meetings as well as reserving time for those matters more involved requiring discussion. He pointed out if at any time a Board Member would like to discuss a consent calendar item, the item can be pulled from the consent calendar.

Mr. Kennedy pointed out RMWD expects to increase consent calendar use going forward.

President Brazier noted consent calendars are an efficiency tool and have appeared on RMWD Board meeting agendas in the past.

Motion:

To approve the Consent Calendar.

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

(*) - Asterisk indicates a report is attached.

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

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

BOARD ACTION ITEMS

***16. DISCUSSION AND POSSIBLE ACTION ACCEPTING THE AUDIT REPORT FOR FISCAL YEAR ENDING JUNE 30, 2017**

Mrs. Martinez stated this item would be to discuss the audited items for Fiscal Year 2017. She introduced Dave Forman from White Nelson Diehl Evans LLC.

Mr. Forman gave a presentation titled "Fiscal Year 2017 Audited Financial Statements" summarizing the information. He mentioned RMWD received a clean opinion on the audit.

Mr. Forman reviewed the highlighted items in the auditor report. He noted staff made changes to some of their past practices which he anticipates will make the next audit process much smoother. He mentioned GASB 75 would provide for additional requirements.

Discussion ensued regarding the matter of capacity fees as well as restricted and unrestricted assets.

Mr. Kennedy pointed out there will be discussions regarding possibly incorporating the information Willdan provided RMWD related to asset valuation into the next audit process.

Motion:

To accept the Audit Report for Fiscal Year ending June 30, 2107.

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

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

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

***17. FISCAL YEAR 2017-18 MID-YEAR BUDGET REVIEW AND BUDGET ADJUSTMENTS**

Mrs. Martinez mentioned this item was tabled at the February Board meeting. She explained the steps taken in comparing the mid-year and actual budget noting water sales were budgeted a little shy of 16,000 acre feet. She stated due to increased water sales, staff was recommending a 10% increase to water revenues. She pointed out there was a 10.7% increase on water purchases.

Mrs. Martinez talked about the potential Lilac Fire reimbursement as well as water and sewer capacity fees, computer software, professional services, unexpected emergency repairs, and labor. Mr. Kennedy pointed out the mid-year budget was conservative.

Discussion ensued regarding water demand trends.

(*) - Asterisk indicates a report is attached.

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Motion:

Approve Option 1 - Approve Amended Budget FY 2017-18 as provided in Exhibit A with a Projected Surplus Impact.

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

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

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

***18. DISCUSSION AND POSSIBLE ACTION TO APPROVE WATER SYSTEM CONSTRUCTION AGREEMENT FOR TOPA TOPA COURT, COUNTY OF SAN DIEGO TRACT NO. 5532-1**

Mr. Powers mentioned the development was in Division 5 and that the construction agreement would be for approximately 700 feet of water main, nine water services, and five fire hydrants. He explained the construction agreement was RMWD's agreement between the District and the developer to ensure all facilities are constructed to the District's standards and using the procedures and processes RWMD provides to them. He stated the construction will take approximately six months. He noted the steps taken as well as those to follow.

Director Gasca inquired as to the purpose of having nine services for eleven lots. Mr. Powers explained the water services for common areas will come later as part of a construction contract.

Motion:

To adopt Option 1 - Approve the Water System Construction Agreement for Topa Topa Court, TM 5532-1.

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

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

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

***19. DISCUSSION AND POSSIBLE ACTION TO APPROVE WATER AND SEWER CONSTRUCTION AGREEMENT FOR HORSE CREEK RIDGE, UNIT 6-R5, (PROMONTORY), RICHMOND AMERICAN HOMES**

Mr. Powers summarized the sale of Unit 6 being sold by DR Horton to Richmond American Homes.

Director Stewart asked whether the grading has been completed or undeveloped land. Mr. Gerdes answered it was all graded and pads were installed.

Discussion ensued regarding the temporary pump station located in Horse Creek Ridge as well as the development activity taking place east of Interstate 15.

Motion:

Approve Option 1 - Approve the Water and Sewer Construction Agreement for Horse Creek Ridge Unit 6-R5, Promontory.

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

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

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

20. DISCUSSION AND POSSIBLE ACTION TO ACCEPT WATER SYSTEM IMPROVEMENTS FOR THE MOOSA CREST PIPELINE EMERGENCY REPAIR AND END THE STATE OF EMERGENCY DECLARED IN RESOLUTION 17-10

Mr. Powers talked about what took place when the Board approved the emergency repair of Moosa Crest Pipeline. He noted most of the project was completed in October 2017; however, due to a design change during that time, there was construction still needing to be completed. He stated construction was now complete; therefore, as part of the RMWD Administrative Code, this matter was being brought to the Board to consider accepting the facilities as well as end the State of Emergency.

Director Stewart asked when the retention funds are released. Mr. Powers explained although the retention funds are released now, there was some security provided in warranty bonds. Mr. Kennedy explained although this projected was intended to be a permanent fix, there may be some other things that need to be done to prevent future emergencies should the creek shift.

It was confirmed this project is intended to be a permanent fix until there is a shift in the creek.

Discussion ensued.

Director Gasca asked if a resolution was required to end the state of emergency declared. Legal Counsel and Mr. Kennedy explained the way this was set up, a resolution to end Resolution 17-10 may not be necessary; however, should it be found a resolution was necessary to end the declaration of emergency, one will be brought back to the Board for consideration.

Motion:

To adopt Option 1 - Accept Water System Improvements for the Moosa Crest Pipeline Emergency Repair, authorize the filing of a Notice of Completion, release retention funds, and End the State of Emergency described in Resolution 17-10.

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

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

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

21. DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE TO ORDINANCE 17-07 TO ALLOW A PROPERTY LARGER THAN 0.5 ACRES TO QUALIFY FOR CAPACITY CLASS B

Mr. Kennedy recalled when the capacity fee study was conducted, a closer look was taken at meter sizes in capacity classes to figure out how best to meet customer needs based on their requests related to water use and property size. He mentioned the current Administrative Code states customers under half of an acre they can utilize a 3/4" meter and any customers over half of an acre cannot. He explained the proposal would be to take the current property owner who wants

(*) - Asterisk indicates a report is attached.

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to pay a lower capacity fee enter into a binding agreement that would attached to the title and recorded to the property that states if they every use more than allotted maximum of water units per month for a stipulated period of time, the property owner would have to come to the District and pay the capacity fees. He added the agreement would also include a clause that should over usage not decrease, RMWD would turn off the water until the capacity fees are paid. He noted these types of situations have come up on several occasions; therefore, he was seeking guidance and direction from the Board for addressing such going forward while protecting the District and its customers.

Director Mack inquired as to whether a new agreement would be retroactive to those customers knowing pushing more water through smaller meters than they should be. Mr. Kennedy stated this would be considered as part of the next steps going forward; however, the proposal was not attended to be retrograded at this point.

Director Stewart asked for the total capacity fees. It was noted the total combined charge \$6,241.00 plus the SDCWA charges. Discussion ensued.

Director Hamilton inquired as to how the District would check the average consumption on these variance requests. Mr. Kennedy explained usage reports would be generated. Discussion followed.

Director Gasca expressed concern with emergency situations including a fire triggering RMWD to shut off a customer's water supply. Mr. Kennedy explained an emergency would not be cause for taking such action.

President Brazier explained her concern was approving something when the District offers no remedy for violations. Mr. Powers noted before a downsizing request is issued, usage is verified as part of the approval process. Mr. Kennedy mentioned methods for providing remedies were under consideration.

Mr. Kennedy pointed out part of this item was to get direction from the Board as to how the Administrative Code, policy, or practices should be revised. President Brazier stated when revising these items, precedence should be set on how to address future variance requests including remedies for violations. Director Hamilton concurred that should something happen long after the current staff and board have changed, there be concrete policies and procedures in place to reference and follow.

Mr. Kennedy said for the sake of the customer in question, through this process the Board was not saying no but rather the District needs a better process in order to approve his request.

President Brazier inquired as to whether there was any way to attach to the variance process a requirement for remedy built into each variance. Mr. Kennedy noted each customer will have their own remedy spelled out in their particular agreement.

Director Hamilton asked about the accounting software system will allow this to be automatically flagged if it falls outside the variance. Mr. Kennedy confirmed it will.

Director Stewart suggested changing the language on Item #1 to Legal Counsel draft the agreement to be recorded against the property, and any costs associated with Legal Counsel preparing and recording the agreement will be paid by the applicant.

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Director Mack expressed concern other known matters not being addressed. Mr. Kennedy agreed these needed to be handled; however, the process for doing such were complicated due to restrictions involved. Discussion ensued.

Director Gasca asked about the timeframe in which this request needed a response. It was noted the Water Availability Letter could be signed at this time without causing delay to the customer's construction project and decision of the variance would be delayed until an updated variance policy is approved by the Board. Mr. Kennedy pointed out the variance matter would be taken to the Engineering Services Committee for their input as well.

No action taken.

***22. CONSIDER ADOPTION OF RESOLUTION NO. 18-08, TAKING A SUPPORT POSITION FOR THE "DRINKING WATER TAX OPPOSE-UNLESS-AMENDED COALITION" AND CONSIDER MAKING A FINANCIAL CONTRIBUTION TO THE EFFORT TO OPPOSE THE BILL**

Director Gasca referred to the handouts provided related to supporting there be no tax on drinking water which was a pretty serious matter. Mr. Kennedy explained why the drinking water tax was problematic due to negative impact.

Mr. Kennedy mentioned voluntary contributions from the Board to fund the efforts were being sought. President Brazier asked from what RMWD fund would the money be taken. Mr. Kennedy explained it would come from the Administration cost center which has funds available.

Motion:

To approve Option 1 - Approve Resolution No. 18-08 and a voluntary contribution of \$10,000 to support the ACWA effort to oppose the Water Tax.

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

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

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

***23. CONSIDER ADOPTION OF ORDINANCE 18-06 AMENDING ADMINISTRATIVE CODE SECTION 8.06 - INSTALLATIONS**

This item was tabled to the next meeting by consensus.

***24. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) CALL FOR NOMINATIONS SEAT A AND CONSIDERATION OF ADOPTING RESOLUTION NO. 18-07 CONCURRING IN THE NOMINATION OF JO MACKENZIE TO THE CSDA BOARD OF DIRECTORS**

Discussion ensued regarding the nomination process.

Mr. Kennedy pointed out Ms. MacKenzie was on LAFCO Board of Directors during considerations were made related to RMWD and FPU D consolidating. He added she serves on the Board for the San Diego Chapter of CSDA and how she was a good resource.

(*) - Asterisk indicates a report is attached.

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Motion:

To approve Resolution No. 18-07.

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

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

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

25. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

Mr. Kennedy pointed out should a majority of the RMWD Board wish to attend the CSDA Legislative Days on May 21-23, 2018, the RMWD Board meeting scheduled for May 22, 2018 would need to be rescheduled. He talked about ACWA's process for speaking with legislators at the conference including how topics will be distributed. Discussion ensued.

Directors Gasca and Stewart submitted attendance requests for CSDA Legislative Days.

Mr. Kennedy noted since a majority of the RMWD Board would be present for the May 22, 2018 Regular Board meeting, there was no need to reschedule the meeting.

Motion:

To approve Director Gasca's and Director Stewart's submitted requests for attending CSDA Legislative Days.

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

Vote: Motion passed (summary: Ayes = 3, Noes = 0, Abstain = 2).

Ayes: Director Brazier, Director Hamilton, Director Mack.

Abstain: Director Stewart, Director Gasca.

President Brazier reiterated her request to have the submitted conference request forms included in future agendas.

Director Stewart announced he would like to participate in the April 24, 2018 Board meeting via teleconference.

Director Stewart excused himself from the meeting at 4:13 p.m.

BOARD INFORMATION ITEMS

26. STRATEGIC PLAN OBJECTIVES UPDATE

Mr. Kennedy gave a presentation on the strategic plan reviewing the specifics of each focus areas. He encouraged the Board to look over the strategic plan and bring back any ideas they would like to consider including possibly holding workshops to reassess the plan itself to the next Board meeting.

(*) - Asterisk indicates a report is attached.

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

- A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
- B. Communications**
 - 1. Staff Training Reports
- C. Operations Comments**
 - 1. Operations Report
- D. Engineering Comments**
 - 1. Engineering Report
- E. Customer Service and Meters Comments**
 - 1. Customer Service and Meters Report
- F. Human Resource & Safety Comments**
 - 1. Human Resources Report
 - 2. Organizational Chart
- G. Finance Comments**
 - 1. Interim Financial Statement
 - 2. Treasurer Report
 - 3. Credit Card Breakdown
 - 4. Directors' Expense
 - 5. Check Register
 - 6. Water Sales Summary
 - 7. RMWD Sewer Equivalent Dwelling Units (EDU's) Status

Mr. Kennedy referenced the magazine in which RMWD was featured noting copies have been ordered for distribution to the Board and ratepayers.

Mr. Kennedy announced FPUD hired Jack Bebee to serve as their General Manager.

Director Gasca referenced the Engineering Report suggesting staff give a sense of urgency when creating staff reports for Board consideration. Discussion ensued.

Motion:

To receive and file information and financial items.

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

Vote: Motion carried by unanimous vote (summary: Ayes = 4).

Ayes: Director Brazier, Director Hamilton, Director Mack, Director Gasca.

Absent: Director Stewart.

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

It was noted the preliminary budget, strategic plan, contract with Kinsey & Kinsey, Administrative Code updates, deferred items from this meeting, construction agreements, and sewer flow monitoring agreement will be on the next agenda.

(*) - Asterisk indicates a report is attached.

DRAFT

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29. ADJOURNMENT - To Tuesday, April 24, 2018 at 1:00 p.m.

The meeting was adjourned with a motion made by Director Brazier to a regular meeting on April 24, 2018 at 1:00 p.m.

The meeting was adjourned at 4:58 p.m.

Helene Brazier, Board President

Dawn M. Washburn, Board Secretary



**SUMMARY OF FORMAL BOARD OF DIRECTORS' MEETING
MARCH 22, 2018**

- 9-1. Monthly Treasurer's Report on Investments and Cash Flow.
The Board noted and filed monthly Treasurer's Report.
- 9-2. Ordinance amending Chapter 4.04 of the Administrative Code.
The Board adopted Ordinance No. 2018-01, an ordinance of the board of directors of the San Diego County Water Authority amending Chapter 4.04 of the Administrative Code.
- 9-3. Resolution changing the April 2018 Board Meeting Dates.
The Board adopted Resolution No. 2018-03, a resolution of the Board of Directors of the San Diego County Water Authority moving the scheduled regular April 26, 2018, Board meeting date to April 12, 2018, and moving the scheduled April 12, 2018, special Board meeting to April 26, 2018.
- 9-4. Designations for Emergency Assistance and Relief.
The Board adopted Resolution No. 2018-04, a Resolution of the Board of Directors of the San Diego County Water Authority to designate officers and employees authorized to execute certain disaster relief or emergency assistance documents.
- 9-5. Bureau of Reclamation 2018 Bay-Delta Restoration Program: CALFED Water Use Efficiency Grants Application.
The Board adopted Resolution No. 2018-05, authorizing the General Manager to submit a grant application to the Department of Interior, Bureau of Reclamation, under the 2018 Bay-Delta Restoration Program's "CALFED Water Use Efficiency Grants", and commit the Water Authority to the financial and legal obligations associated with the receipt of grant funds, if selected.
- 9-6. Notice of Completion for the Carlsbad 6 Flow Control Facility project.
The Board authorized the General Manager to accept the Carlsbad 6 Flow Control Facility project as complete, record the Notice of Completion, and release funds held in retention to Kiewit Infrastructure West, Inc. following the expiration of the retention period.
- 9-7. Adopt positions on various state bills.
- A) The Board adopted a position of Support on AB 1944 (Garcia), relating to the San Luis Rey Valley Groundwater Basin.
- B) The Board adopted a position of Support if Amended on AB 2060 (Garcia), relating to advance payment grant awards for disadvantaged communities.
- C) The Board adopted a position of Support on AB 2283 (Holden), relating to income tax exemption for water conservation rebates.



- D) The Board adopted a position of Oppose Unless Amended on SB 998 (Dodd), relating to water system shutoffs.
 - E) The Board adopted a position of Support and Amend on SB 1367 (Atkins), relating to the San Diego River Conservancy program.
 - F) The Board adopted a position of Oppose Unless Amended on the Brown Administration's proposed budget trailer bill, dated February 1, 2018, related to safe and affordable drinking water.
- 9-8. Adopt a Resolution of Support for Proposition 68 – the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.
The Board adopted resolution 2018-06, endorsing Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.
- 9-9. Retirement of Director.
The Board adopted Resolution No. 2018-07, honoring Ken Olson upon his retirement from the Board of Directors.



TO: Rainbow Municipal Water District
FROM: Alfred Smith
DATE: April 24, 2018
RE: Attorney Report re: Bid Protests and Cost Recovery
501668-0002

I. INTRODUCTION

This attorney report provides an update on a recent Court of Appeal decision expanding the court's equitable authority to allow government contractors to recover bid preparation costs.

In *West Coast Air Conditioning Company v. California Department of Corrections and Rehabilitation* (Fourth Appellate District, Case Number D071106), the Fourth District Court of Appeal departed from prior precedent by allowing an aggrieved bidder to recover its bid costs when a public works project is wrongly awarded to another contractor that is not the lowest responsible bidder — even after the contractor is successful in obtaining a permanent injunction to nullify the contract.

II. BACKGROUND.

In *West Coast Air Conditioning*, the appellate court affirmed a \$250,000 award of bid preparation costs under a “promissory estoppel” theory. Promissory estoppel is a legal doctrine allowing a person who reasonably relies on a promise to his or her detriment to recover compensation for the resulting damages.

The case began when West Coast Air Conditioning Company, Inc. (“West Coast”) challenged the award of a public works contract by the California Department of Corrections and Rehabilitation (“CDCR”) to Hensel Phelps Construction Company (“Hensel”) -- after Hensel was found to be the lowest bidder with a bid of approximately \$88 million. West Coast was the next lowest bidder with a bid of about \$98 million. Both bids were below CDCR’s engineer’s estimate of \$103 million.

The trial court found that Hensel’s bid had material typographical errors. The court accordingly issued an injunction nullifying the award and ceasing work on the project. Because CDCR did not subsequently award the contract to West Coast, West Coast sued to recover its bid preparation costs.

III. COURT'S ANALYSIS

Under prior precedent set by *Kajima/Ray Wilson v. Los Angeles County Metropolitan Transportation Authority*, the California Supreme Court allowed a rightful low bidder to recover its bid preparation costs *only* if the bidder could not obtain an injunction rescinding the award (e.g., if the work was already completed).

In *West Coast*, however, the court allowed both an injunction *and* bid preparation costs. The court reasoned that the injunction was “ineffective” because CDCR did not award West Coast the bid after the injunction was issued, even though CDCR had no obligation to award the contract to West Coast.

The court did not take into account that a public agency has the right to reject all bids and, if the low bid is disqualified, may choose to re-advertise a contract rather than award to the next lowest bidder. The logic applied by the Court of Appeal allowed West Coast to receive a \$250,000 windfall even though it would not have received a contract.

This represents yet another opinion issued by the Court of Appeal on public policy principles which depart from prior judicial precedent. The Court of Appeal even went so far as to say it is applying “rough justice.” The Court’s opinion concludes:

“Allowing West Coast to recover its bid preparation costs under the circumstances of this case will further the important public policies underlying the competitive bidding laws of encouraging proper challenges to misawarded public contracts by the most interested parties, and deterring government misconduct and promoting rough justice between West Coast and CDCR.

Despite what appeared to be a relatively smooth transition from the illegal Hensel contract to a new contract with West Coast, and despite West Coast agreeing to offset from its bid the work already performed by Hensel under the illegal contract, Dudley testified that CDCR was never going to award West Coast the contract to build the subject project, which CDCR has not denied.

On this record, we thus conclude the court properly exercised its broad equitable authority when it awarded West Coast its bid preparation costs in the stipulated sum of \$250,000 under a promissory estoppel theory.”

IV. CONCLUSION.

It is difficult to see how this case serves the public interest, especially considering that the windfall resulted from what the court described as “material typographical errors” in Hensel’s bid (such as failing to list the license numbers of about 17

subcontractors, and submitting a revised bid after the deadline that included alterations to the percentage of work that would be performed by subcontractors). It is also unclear how far the appellate court thinks it can go in applying what it describes as promoting “rough justice.”

Another troubling aspect of this decision is that the appellate court went to great lengths to argue that the trial court could have ordered CDCR to award the contract to West Coast. Though mere *dicta*, the statements from the court could have dangerous implications. The court essentially implied that, had West Coast requested it, the court would have forced CDCR to expend an extra \$10 million in public money.

As a basic separation-of-powers principle, courts cannot make public agencies enter unwanted contracts. In deciding whether to re-advertise a contract or award it to a second-placed bidder, public agencies may take into account the project funding, the project budget, the estimated costs of the project, alternatives for phasing or reducing project scope, and other critical factors that may be considered before public money is spent. Simply requiring that the award go to the next-lowest bidder ignores these established principles and precedent, and ignores the discretion local government agencies have in the administration of local public projects.

Even though the ruling in *West Coast* conflicts with the *Kajima/Ray Wilson* precedent discussed above, public agencies will want to exercise caution in awarding bids, as this case may unfortunately result in increased litigation from second-placed bidders. CDCR has stated it may seek de-publication of the opinion and/or review from the California Supreme Court.

AES/AES

**MINUTES OF THE BUDGET AND FINANCE COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
MARCH 13, 2018**

1. **CALL TO ORDER:** The Budget & Finance Committee meeting of the Rainbow Municipal Water District was called to order on March 13, 2018 by Chairperson Stitle in the Board Room of the District Office at 3707 Old Highway 395, Fallbrook, CA 92028 at 1:02 p.m. Chairperson Stitle presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Stitle, Member Hensley, Alternate Martinez, Member Gasca.

Also Present: General Manager Kennedy, Executive Assistant Washburn, Accounting Specialist Rubio.

Absent: Member Ross, Member Moss, Alternate Nelson.

4. **SEATING OF ALTERNATES**

It was noted Mrs. Martinez would be participating as an alternate member.

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

There were no changes to the agenda.

6. **PUBLIC COMMENT RELATING TO ITEMS NOT ON THE AGENDA (Limit 3 Minutes)**

There were no comments.

COMMITTEE ACTION ITEMS

7. **COMMITTEE MEMBER COMMENTS**

There were no comments.

*8. **APPROVAL OF MINUTES**

A. February 13, 2018

Motion:

To approve the minutes.

Action: Approve, Moved by Member Gasca, Seconded by Member Hensley.

Vote: Motion carried by unanimous vote (summary: Ayes = 4).

Ayes: Member Stitle, Member Hensley, Alternate Martinez, Member Gasca.

9. AUDITOR PRESENTATION

Dave Forman, Partner with the accounting firm White, Nelson, Diehl, Evans, he expressed delight to be addressing the committee. He introduced Lindsey, a representative of their firm who recently received her CPA license, pointing out how vital she was in doing the day-to-day work on the RMWD audit. He mentioned challenges involved with the auditors getting familiar with the District staff and vice versa.

Mr. Forman mentioned the many letters issued due to matters that occurred during the audit process. He explained part of the firm's requirements is to have communication with the Board and/or Board Members twice during the audit; once at the start of the process and again at the conclusion. He said except for the Opinion Letter his firm provides, the entire audit belongs to the District. He stated his firm's job is to audit the numbers belonging to the District and the District's job is to operate under Generally Accepted Audited Principles (GAAP) by following GASB standards. He briefly reviewed the content of the letters to which he referred.

Discussion ensued regarding some suggestions made related to RMWD's internal processes.

Mr. Gasca made suggestions for making the audit report information easier to understand for those who are not experienced in them, especially the Board Members and ratepayers.

Mr. Forman addressed some matters of more serious concern carried over from previous audits. He talked about capacity fees, Treasurer Reports being provided to the Board, bank reconciliations, and investments. He noted by fixing these items, preparation for the next audit will be much cleaner.

Mr. Hensley inquired as to what changes staff was making based on the results of this audit process. Mrs. Martinez explained the steps being taken by her department to make changes based on the recommendations given.

Mr. Stitle asked if the vendor contracted to provide RMWD with investment work makes recommendations on investments prior to making the investments. Mrs. Martinez confirmed this does take place.

Mr. Forman reviewed the audit report and Opinion Letter with the committee members. Discussions ensued during the review of each section.

Mr. Forman stated once everything is finalized, RMWD will need to sign a letter representing to the auditors the District has disclosed all their records and have been honest during the audit process. He said once that letter is received by the auditors, they will issue final reports and letters to be brought to the RMWD Board. He stated if internal controls start in June or July, the auditors on-site visit will take place in August/September with anticipation of completing the audit by the end of the year.

10. PARCEL ASSESSMENT/FIXED REVENUE

Mr. Kennedy explained the steps and challenges involved with changing parcel assessments.

11. ABM/ABI PROJECT UPDATE

Mr. Kennedy updated the committee on the ABM/ABI project.

12. ACCOUNTING SYSTEM UPDATE

Mrs. Martinez and Mr. Kennedy gave an update on the accounting system, including the costs involved, benefits, savings, and implementation process.

13. REVIEW THE FOLLOWING:

- A. Income Statement
- B. Balance Sheet
- C. Cash Flow
- D. Treasurer's Report

Discussion ensued regarding the variance in water revenues.

Mrs. Martinez pointed out the labor was in line with what has been projected; however, a proposed shift reflecting the actual data produced from the EAM program will be brought to the Board for consideration. Discussion followed.

Mrs. Martinez confirmed the Treasurer's report would be provided monthly.

14. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT SCHEDULED BUDGET AND FINANCE COMMITTEE MEETING

It was noted the Request for Proposal for outsourcing payroll services, Request for Proposal for GASB 75, phone conference with investment advisor, and ABM need to be on the next committee agenda.

15. ADJOURNMENT

The meeting was adjourned with a motion made by Member Gasca and seconded by Member Hensley.

The meeting adjourned at 3:08 p.m.

Harry Stitle, Committee Chairperson

Dawn M. Washburn, Board Secretary

**MINUTES OF THE COMMUNICATIONS COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
MARCH 1, 2018**

1. **CALL TO ORDER** – The Communications Committee Meeting of the Rainbow Municipal Water District on March 1, 2018 was called to order by Chairperson Daily at 12:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. Chairperson Daily, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Daily, Member Hamilton, Alternate Gray.

Also Present: General Manager Kennedy, Executive Assistant Washburn, Operations Manager Milner, Water Operations Superintendent Walker, Utility Worker Lopez, Associate Engineer Powers, Water Quality Technician Perreira, Meter Services Crew Leader Diaz.

Absent: Member Kurnik, Member Kirby.

No members of the public were present.

4. **SEATING OF ALTERNATES**

Mr. Daily noted Mrs. Gray would be seated as an alternate for this meeting.

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

It was noted an Item #12A would be added to this agenda for discussing “Better Idea” suggestions received from ratepayers as part of the February 2018 newsletter article.

6. **PUBLIC COMMENT RELATING TO ITEMS NOT ON THE AGENDA**

There were no comments.

7. **FACILITIES TOUR**

The meeting adjourned to the facilities tour at 12:02 p.m.

The meeting reconvened at 3:38 p.m.

COMMITTEE ACTION ITEMS

***8. APPROVAL OF MINUTES**

A. February 1, 2018

Motion:

Approve the minutes as presented.

Action: Approve, Moved by Alternate Gray, Seconded by Member Hamilton.

Vote: Motion carried by unanimous vote (summary: Ayes = 3).

Ayes: Member Daily, Member Hamilton, Alternate Gray.

9. STRATEGIC PLAN OBJECTIVES

This item has been combined with Item #13 and to remain a recurring agenda item.

Mrs. Gray reported as part of the public relations items, she attended the first Business Advisory Committee meeting at the Bonsall High School, noting they are very excited about internships for their students and that RMWD may be able to provide some opportunities.

10. STORY BOARD PREVIEW

Mrs. Gray explained she built the story board with anticipated input from various departmental staff members. Mr. Kennedy pointed out there will be more emphasis on the customer's experience and how and what RMWD does to improve their lives. Discussion ensued.

Mr. Hamilton stated although the presentations could be done by one individual, it would be prudent to use this opportunity to introduce other staff members to the ratepayers.

Discussion continued regarding streamlining the presentations as well as making the tours a pleasant and informative experience.

11. EXTENDED NEWSLETTER MATRIX

Mrs. Gray explained unlike the monthly newsletter, the extended editions will cost more due to the vendor having to do pre-production work. Mr. Kennedy stated staff will need to get the complete costs associated with putting together the extended newsletters and bring that back to the committee for their input and feedback.

Discussion ensued regarding various ideas for the extended editions.

Mr. Hamilton recommended sharing information with the ratepayers regarding the EAM system including the benefits, advantages, features, as well as focusing on a certain facility on which to produce information in terms of money spent on the facility and the cost for replacement.

12. FARMING IN SAN DIEGO COUNTY PRESENTATION

Mr. Daily recommended this be kept in an archive for future reference. Discussion ensued regarding other materials that may be of value.

12A. "BETTER IDEA" SUBMITTALS

Discussion ensued regarding the best means of responding to the ideas submitted. It was noted all submittals should be acknowledged and any RMWD plans to pursue be given a more detailed response.

13. PUBLIC COMMUNICATIONS AND OUTREACH ITEMS

- A. Topics
- B. Strategic Plan Objectives
- C. Calendar

This item was addressed under Item #9 herein.

It was reconfirmed the Vintage Car Show is on the committee calendar for Sunday, May 27, 2018 as well as the District will be scheduling a Take Your Kids to Work Day at which the official tour will take place.

Mrs. Gray noted she will be participating in the "The Price of Water" school curriculum in March-April 2018.

Mr. Daily mentioned he will not be available to participate in the Avocado Festival this year.

14. REVIEW AND ANALYSIS OF RMWD RELATED MEDIA STORIES

Mr. Daily referenced the articles he provided to the committee members.

15. COMMITTEE MEMBER COMMENTS

Discussion ensued regarding ideas related to incorporating the support structure derived from administration, finance, customer service, safety, etc. into the tour presentations.

Mr. Hamilton recommended there be emphasis on the Excellence Coin program.

16. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT SCHEDULED COMMUNICATIONS COMMITTEE MEETING

It was noted the Avocado Festival, Vintage Car Show, status on polo shirts for community events, and a tour presentation be on the next agenda. It was suggested snipes calendar be added as a recurring agenda item.

17. ADJOURNMENT

The meeting was adjourned with a motion made by Member Daily.

The meeting adjourned at 5:05 p.m.

Mike Daily, Committee Chairperson

Dawn M. Washburn, Board Secretary

**MINUTES OF THE ENGINEERING SERVICES COMMITTEE MEETING
OF THE RAINBOW MUNICIPAL WATER DISTRICT
MARCH 7, 2018**

1. **CALL TO ORDER** – The Engineering Services Committee Meeting of the Rainbow Municipal Water District on March 7, 2018 was called to order by Chairperson Prince at 3:00 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. Chairperson Prince, presiding.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Present: Member Prince, Member Stitle, Member Taufer, Member Brazier, Member Ratican, Member Robertson, Member Marnett, Alternate Nelson.

Also Present: General Manager Kennedy, Interim Engineering Manager Gerdes, Associate Engineer Powers, Operations Manager Milner, Eng. Tech. Rubio, Director Stewart.

Absent: Alternate Kirby.

There were two members of the public present: Mr. Carey and Mr. Alspach (Arcadis).

4. **SEATING OF ALTERNATES**

There were no seating of alternates.

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

There were no changes to the agenda.

6. **PUBLIC COMMENT RELATING TO ITEMS NOT ON THE AGENDA**

There were no public comments.

COMMITTEE ACTION ITEMS

*7. **APPROVAL OF MINUTES**

A. January 3, 2018

Mr. Prince asked if the minutes were changed. Mr. Kennedy said there was a paragraph added to the HDR Condition Assessment Update agenda item regarding future savings discussion.

Mr. Taufer said he made a comment regarding the same presentation and it was not included in the minutes. Mr. Kennedy pointed out the discussion during the presentation was quite lengthy. He inquired if there was something else that needed to be added. Mr. Taufer said what triggered the issue was that there were “no objections”. Mr. Kennedy responded by addressing Mrs. Rubio asking if she heard objections, Mrs. Rubio responded no. Ms. Brazier added that she also listened to the recording and confirmed there were no objections. Mr. Taufer said he made a

comment regarding the report and it was not reflected in the minutes. Ms. Brazier responded the minutes do not include verbatim comments. Mr. Kennedy mentioned the minutes were to accurately reflect what was discussed with enough detail for the public to understand what was discussed, without having transcripts. Discussion ensued.

Mr. Prince suggested if a member feels there is a critical objection to note it in the minutes.

Mr. Kennedy suggested if a member feels they have an important comment to include in the minutes they should say during the recording "I want the minutes to reflect that I said this". He pointed out that the Board has given clear direction as to how to produce the minutes. Discussion ensued.

Mr. Taufer asked about the next steps for the HDR Condition Assessment program. Mr. Kennedy briefly went over the steps. Mr. Taufer said he thinks there were flaws with the program, but felt he was not given an opportunity to address them. Mr. Kennedy responded if there was something specific, to write them down, and submit them by email to him and Mr. Powers, prior to the next meeting. Discussion ensued.

Motion: Accept the minutes as approved.

Action: Approve, Moved by Member Stitle, Seconded by Member Brazier.

Vote: Motion passed (summary: Ayes = 6, Noes = 1, Abstain = 0).

Ayes: Member Prince, Member Stitle, Member Brazier, Member Ratican, Member Robertson, Member Marnett.

Noes: Member Taufer.

B. February 7, 2018

Motion: Accept the minutes as approved.

Action: Approve, Moved by Member Stitle, Seconded by Member Robertson.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 7).

Ayes: Member Prince, Member Stitle, Member Taufer, Member Brazier, Member Ratican, Member Robertson, Member Marnett.

8. PRESENTATION FROM BRENT ALSPACH REGARDING ZERO LIQUID DISCHARGE DESALTER OPTIONS

Mr. Kennedy introduced Mr. Alspach the author of the Membrane Infiltration Guidance Manual and nationwide leader. He said Mr. Alspach has identified different disposal methods for brine. Mr. Alspach said he was the Director of Applied Research for Arcadis and began his presentation by mentioning how drought and water stress were becoming prevalent around the globe. He pointed out the response to drought/water stress would be to increase the use of alternative supplies, which typically are challenging to treat and/or poorer quality. He listed the alternative supplies: Brackish groundwater, Saline surface water, Recycled wastewater and Seawater - all requiring desalination and concentrate management. He went over the concentrate management options as follows:

CONCENTRATE MANAGEMENT OPTIONS	
Strategy	Issues / Limitations
Surface Water Discharge	<ul style="list-style-type: none"> • Environmental permitting • Availability of suitable receiving bodies • Impact on downstream water supplies
Deep Well Injection	<ul style="list-style-type: none"> • Environmental permitting • Potential for inducing earthquakes
Evaporation Ponds	<ul style="list-style-type: none"> • Environmental permitting • Available area • Capital cost
Land Application	<ul style="list-style-type: none"> • Environmental permitting • Distribution • Requires salt-tolerant crops • Micro-pollutant toxicity • Increase in soil salinity
Zero Liquid Discharge (ZLD)	<ul style="list-style-type: none"> • Cost

Mr. Alspach defined zero liquid discharge as follows:

- Applied to desalination residuals from the treatment plant. Could also apply to conventional treatment residuals handling. ZLD literature could be vague. He clarified the ZLD he would be discussing in this presentation would be concentrating dissolved solids.
- Assumed 100% Recovery. Not near ZLD (NZLD). Solid slurry discharge transported offsite for beneficial use or disposal.
- Not a Boutique Process. Not limited to certain concentrate water quality characteristics. Applicable virtually anywhere.

Mr. Alspach pointed out the conventional ZLD concept has two steps - Advanced Concentration of a reverse osmosis (RO) brine and a Solids Generation. He listed the feasibility benefits: Application not limited by water quality, minimal environmental impact, few regulatory limitations and minimal practical restrictions. He stated the feasibility detriments were cost. Discussion ensued.

Mr. Alspach provided the following information on the brine concentrators:

- Utilize mechanical vapor compression (thermal) technology.
- Importance of pretreatment the process/additives and their purpose.
- Distillate (treated water) produced by the brine concentrators were low in solidity (Total Dissolve Solids (TDS) less than 10 mg/L.
- Brine TDS up to 250,000 mg/L. May achieve 300,000 mg/L with softening pretreatment.
- Specific energy requirements 60-90 kWh/kgal distillate. Higher specific energy requirements for higher degrees of concentration. Assumes the use of electric (grid) power (i.e. no waste heat).

Mr. Taufer asked if the mechanical vapor compression technology was new. Mr. Alspach responded no, but it concentrates the brine up to a degree that RO was not capable of doing.

Mr. Alspach provided the following disadvantages of Brine Concentrators:

- System complexity.
- Minimal institutional operations knowledge / experience.
- Responds slowly to flow changes – equalization storage required.
- Requires a source of steam for start-up, including after every maintenance event. Requires a dedicated boiler or other on-site steam generating process.
- Aesthetics.

Mr. Alspach provided the following information about the Crystallizers:

- Utilize mechanical vapor compression (thermal) technology.
- Pretreatment for scale control is not used.
- Distillate (treated water) TDS 30-50 mg/L.
- Centrifuges are used to dewater the solid slurry residuals.
- Specific energy requirements 180-250 kWh/kgal distillate. Higher specific energy requirements for more highly soluble species (e.g. higher concentration of nitrate salts). Assumes the use of electric (grid) power (i.e. no waste heat).

Mr. Alspach noted the disadvantages of the Crystallizers were similar to the brine concentrators.

Mr. Alspach said the desalination costs hinge on energy. He compared the specific energy desalination process of Seawater Desalination 10-15 kWh/kgal, Brine Concentrators 60-90 kWh/kgal, and Crystallizers 180-250 kWh/kgal. He also provided examples of their costs based on the USBR Desalination and Water Purification Research and Development Program. He pointed out ZLD being the highest cost and continued to present the comparisons and strategies.

Mr. Alspach stated in summary ZLD was an expensive option for concentrate management, but it offers several critical advantages that broadly enhance the viability of desalination. He listed the following ZLD advantages:

- Feasible deployment virtually independent of concentrate water quality.
- Lack of environmental and regulatory permitting constraints that inhibit many other concentrate management options.
- Overall costs (including primary RO plus ZLD) that are roughly comparable to seawater desalination.
- Virtual elimination of the problem of desalination concentrate, although at a high cost, but not prohibitively high.

Mr. Kennedy said the reason for this discussion/presentation was to determine what to do with the brine as the District works through the Bonsall Basin Desalter Project. Discussion ensued.

9. DISCUSSION AND POSSIBLE ACTION REGARDING CHANGING THE COMMITTEE CHARTER TO INCLUDE OPERATIONS

Mr. Kennedy asked the committee members to review the proposed revisions to the Admin Code to add Operations Services and return with comments or if acceptable to proceed with a vote.

Ms. Brazier suggested removing the word “Services”.

Mr. Robertson agreed with Ms. Brazier's modification, and suggested proceeding with the vote.

Mr. Stitle suggested allowing time to review and return next month.

Mr. Kennedy requested all comments be submitted by email to him and Mr. Powers as soon as possible.

10. RATE SETTING UPDATE

Mr. Kennedy said the rates were approved and six protest letters were received. He mentioned the Board voted to continue the yearly rate hearings.

Ms. Brazier asked if Mr. Roger's request had been addressed. Mr. Powers responded he has been communicating with Mr. Roger, and plans to provide information through the model. Discussion ensued.

Mr. Carey pointed out the high water main breaks during the Lilac fires and suggested labeling the high pressure fire hydrants. Mr. Kennedy said he would review the feasibility of his suggestion. Discussion ensued.

11. AMI/ABM PROJECT UPDATE

Mr. Kennedy said ITRON was falling behind and would not be ready until the Summer 2018. He mentioned due to SDG&E's security protocols in the shared network the products installed by AMI at the end of last year need to be replaced. He said the problem with ABM was that the schedule has been delayed to September 2018. He mentioned possibly breaking the work into two stages. Discussion ensued.

12. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT SCHEDULED ENGINEERING SERVICES COMMITTEE MEETING

The following agenda items were suggested:

- Engineering Committee and Operations Charter Revision
- HDR Report Comments
- Sewer Service Agreements (Palomar College and Pala Mesa Highlands)
- Presentation on the Pankey LS
- ABM Update
- Floodway/Floodplain Report

13. ADJOURNMENT

Motion: To Adjourn the meeting.

Action: Approve, Moved by Member Prince, Seconded by Member Stitle.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 7).

Ayes: Member Prince, Member Stitle, Member Taufer, Member Brazier, Member Ratican, Member Robertson, Member Marnett.

Timothy Prince, Committee Chairperson

Dawn M. Washburn, Board Secretary

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-07 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 8.11 – CONNECTION AND METER CHARGES, SECTION 8.11.030 – WATER CAPACITY CHARGE

BACKGROUND

In reviewing Administrative Code Chapter 8.11, it was realized Section 8.11.030 numbering was out of sequence; therefore, the Administrative Code must be updated.

DESCRIPTION

Chapter 8.11, Section 8.11.030 had duplicate numbering in one sub-section. When correcting this sub-section, the remainder of Section 8.11.030 was updated to contain the same numbering sequence found throughout most of the Administrative Code.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Chapter 8.11, Section 8.11.030.

Strategic Focus Area Five: Customer Service

BOARD OPTIONS/FISCAL IMPACTS

- 1) Approve Ordinance No. 18-07 amending and updating Administrative Code Chapter 8.11, Section 8.11.030.
- 2) Approve Ordinance No. 18-07 amending and updating Administrative Code Chapter 8.11, Section 8.11.030 with revisions.
- 3) Provide staff with further direction.
- 4) Do not approve Ordinance No. 18-07 amending and updating Administrative Code Chapter 8.11, Section 8.11.030.

There will be no known direct fiscal impact associated with any of the Board Options.

STAFF RECOMMENDATION

Approve Ordinance No. 18-07 amending and updating Administrative Code Chapter 8.11, Section 8.11.030.



Tom Kennedy, General Manager

April 24, 2018

Ordinance No. 18-07

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending the Administrative Code
Chapter 8.11 – Connection and Meter Charges, Section 8.11.030 – Water
Capacity Charge**

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:

Chapter 8.11: Connection and Meter Charges
Section 8.11.030: Water Capacity Charge

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 24th day of April 2018.

AYES:
NOES:
ABSTAIN:
ABSENT:

Helene Brazier, Board President

ATTEST:

Dawn Washburn, Board Secretary

Chapter 8.11
CONNECTION AND METER CHARGES

Sections

- 8.11.~~010~~~~104~~ Fees and Charges
- 8.11.020 Transfer of Meter
- 8.11.030 Water Capacity Charge
- 8.11.030.01 Application
- 8.11.030.02 Capacity Charge for Increasing Meter Size
- 8.11.030.03 Reduction in Meter Size
- 8.11.030.04 Exchange of Meter for Multiple Smaller Meters
- 8.11.030.05 Fire Service Meters
- 8.11.030.06 Meter Relocation
- 8.11.030.07 Transfer of Capacity Charges or Meters
- 8.11.030.~~08~~~~7~~ Reimbursement of Capacity Charges
- 8.11.030.~~09~~~~8~~ San Diego County Water Authority (SDCWA) Capacity Charges
- 8.11.030.109 Removal of Water Meter

Service will be commenced after submittal of an application and on payment to the District of the applicable fees, charges, and deposits as set forth in this Section.

**Section 8.11.010
Fees and Charges**

At the time an Applicant files an application for a service connection and as a condition of District's acceptance of said application, the Applicant shall pay to the District the amount in established, current published fee schedule. If said application is for a connection to District facilities constructed as provided under this policy or to other line extensions or facilities being acquired by the District under an agreement that requires the District to make an additional charge for said connection, then the Applicant shall also pay to the District such sum as the District is obligated to pay under the agreement for acquisition of said facilities.

**Section 8.11.020
Transfer of Meter**

No installation or meter charge will be billed upon the change of Ownership or property unless the service is changed. If, at any time, conditions require a larger size or different type of meter than already installed, the Customer shall pay the current meter and service installation charge for the new connection (less a credit to be determined by the District) and any additional capacity charges. If the meter being transferred does not conform to these Rules and Regulations, it shall be changed to conform at the time of transfer.

**Section 8.11.030
Water Capacity Charge**

8.11.030.01 Application

8.11.030.01.12 A water capacity charge shall be paid at the time of the District's approval of an application for a permanent water service. Customer must hire a contractor to install water service per District's standards. Any capacity charges shall be in addition to charges for the actual cost of labor and materials necessary to make the physical connection to the water system by the contractor.

8.11.030.01.2 The capacity charge shall be based on the potential water demands which the Applicant can derive from the District's system and shall be established and adjusted by the Board of Directors from time to time. Funds collected by the District from the capacity charge shall be utilized for capital of facilities used to supply water service within the District.

8.11.030.01.3 The application for water service shall be issued for a term of two years. If no connection is made it shall expire and all rights of application holder resulting from the issuance of such application shall terminate. Fees paid on the application that has expired will be refunded minus administrative costs to the applicant listed on the application.

8.11.030.01.4 If application desires to sell the property during the term of the application transfer to the future owner with the same parcel of land and use, the applicant must submit in writing to the District of the transfer. Otherwise, at the expiration of the application for water connection, the connection fees minus administrative costs, will be refunded to the applicant. The parcel and use described in the application must be the same and the new owner must complete a new application. The term of the application will remain the same.

8.11.030.02 Capacity Charge for Increasing Meter Size

If a property owner wishes to increase the size of a water meter serving his/her property and the District determines that such a larger sized meter is appropriate, the difference between the current capacity charge of the new meter and the current capacity charge of the existing meter to be replaced shall be the total capacity charge to be collected. In the event property owner replaces a smaller meter with a larger meter, they must abandon the existing smaller meter lateral. Additional administrative and inspection fees shall apply.

8.11.030.03 Reduction in Meter Size

Reduction of meter size is subject to District approval. Property owner must complete all required District forms. No capacity charge shall be imposed upon and no credit or refund shall be made to a property owner replacing an existing water meter with a meter of smaller size, whether or not any capacity charge was in effect for the larger meter when it was obtained. The difference in capacity between the larger and smaller meter is lost. If the reduction is approved, customer account must be current.

8.11.030.04 Exchange of Meter for Multiple Smaller Meters

Owners of parcels presently receiving water service through a District meter that subdivide their property and apply to exchange their original meter for smaller meters to new legal parcels will be given a credit toward the new capacity charges for the new meters. This credit is equal to the amount of capacity for the meter being replaced at the current capacity charge rate for that meter size. Meters must be downsized and installed concurrently in order to receive credit. Additional administrative inspection fee shall apply.

8.11.030.05 Fire Service Meters

No capacity charge shall be imposed upon a property owner for a water meter obtained and used solely for fire protection purposes. Should it be later determined that other water uses are being made from a fire service meter, the then appropriate capacity charge shall be immediately due and payable or service shall be immediately discontinued.

8.11.030.06 Meter Relocation

Meters shall not be relocated to other parcels of land within the District unless the parcels are abutting and owned by the same Owner. Owner must hire a private contractor with an A license to abandon the existing meter lateral and install a new meter lateral per District Standards. Owner must pay appropriate inspection fees to the District. Relocation of meters is subject to the approval of General Manager.

8.11.030.07 Transfer of Capacity Charges or Meters

Neither capacity charges nor meters shall be transferable to other parcels of land within the District unless the parcels are abutting and owned by the same Owner. Transfer of capacity charges or meters are subject to the approval of the General Manager.

8.11.030.08 Reimbursement of Capacity Charges

Once the water meter for which capacity charges have been paid has been installed in the District's water system and inspected and accepted by the District, no portion of the capacity charges paid for that meter shall be reimbursable.

8.11.030.09 San Diego County Water Authority (SDCWA) Capacity Charges

As required by Section 5.9 of the County Water Authority Act, the District as a member agency of the San Diego County Water Authority shall collect and remit to the Authority the capacity charges imposed by the Authority. The Ordinance of the Authority in effect at the time that a water meter is obtained from the District shall govern the amount of the charge, the persons liable therefore, and the procedures to be followed. The District shall not provide a water meter to a property owner until the property owner has paid to the District the applicable capacity charge of the Authority.

8.11.030.10 Removal of Water Meter

If the Owner of vacant property being serviced no longer requires service and wants a meter removed permanently, the Customer must provide a written request to the District. In addition, the Owner must enter into a Memorandum of Understanding with the District that outlines the terms of the removal of the water meter, including the forfeiture of capacity rights in the system. The District will seal the meter service and remove the meter. The Engineering Department will determine whether the meter lateral will or will not be removed. Per Section 8.11.030.7 no portion of the capacity charges paid for that meter shall be reimbursable. If the Owner requires a meter to serve the property in the future the owner must pay all appropriate fees and capacity fees associated with the purchase of a new water meter at the time of the request. Customer account must be current before removal of water meter.

**Chapter 8.11
CONNECTION AND METER CHARGES**

Sections

- 8.11.010 Fees and Charges**
- 8.11.020 Transfer of Meter**
- 8.11.030 Water Capacity Charge**
 - 8.11.030.01 Application**
 - 8.11.030.02 Capacity Charge for Increasing Meter Size**
 - 8.11.030.03 Reduction in Meter Size**
 - 8.11.030.04 Exchange of Meter for Multiple Smaller Meters**
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8.11.030.10 Removal of Water Meter

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BOARD OF DIRECTORS

April 24, 2018

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-08 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 4.01 – PERSONNEL RULES AND REGULATIONS

BACKGROUND

In reviewing Administrative Code Chapter 4.01, it was realized there was a minor typographical error in Section 4.01.110 requiring correction as well as the language contained in Section 4.01.190 needed to be updated.

DESCRIPTION

Chapter 4.01, Section 4.01.110 required a minor correction to the 11 years and over compensation list and the language contained in Section 4.01.190 need to have the expanded list of factors for which the District cannot discriminate in the process of recruitment added.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Chapter 4.01, Sections 4.01.110 and 4.01.190.

Strategic Focus Area Three: Workforce Development

BOARD OPTIONS/FISCAL IMPACTS

- 1) Approve Ordinance No. 18-08 amending and updating Administrative Code Chapter 4.01, Sections 4.01.110 and 4.01.190.
- 2) Approve Ordinance No. 18-08 amending and updating Administrative Code Chapter 4.01, Sections 4.01.110 and 4.01.190 with revisions.
- 3) Provide staff with further direction.
- 4) Do not approve Ordinance No. 18-08 amending and updating Administrative Code Chapter 4.01, Sections 4.01.110 and 4.01.190.

There will be no known direct fiscal impact associated with any of the Board Options.

STAFF RECOMMENDATION

Approve Ordinance No. 18-08 amending and updating Administrative Code Chapter 4.01, Sections 4.01.110 and 4.01.190.



Tom Kennedy, General Manager

April 24, 2018

Ordinance No. 18-08

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending the Administrative Code
Chapter 4.01 – Personnel Rules and Regulations**

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:

Chapter 4.01: Personnel Rules and Regulations

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 24th day of April 2018.

AYES:
NOES:
ABSTAIN:
ABSENT:

Helene Brazier, Board President

ATTEST:

Dawn Washburn, Board Secretary

To the extent there is an existing Memorandum of Understanding (MOU) or other written agreements with more specific terms regarding the topic herein, the terms of those agreements will prevail.

These rules and regulations replace and supersede all prior personnel rules, regulations, policies or practices.

Section 4.01.010 Goals and Objectives

The goals and objectives of the District are:

1. To provide a positive work environment that will promote a spirit of friendliness and cooperation among all employees.
2. To implement an employee handbook.
3. To provide and encourage training opportunities for District employees, so that job openings can be filled from within, where practicable.
4. To recognize excellence and individual merit in employees.
5. To ensure equal employment opportunities for all employees and maintain an adequate level of compensation for services rendered.

Section 4.01.020 Applicability

These Rules and Regulations apply to all employees of the District. These rules may be supplemented by other agreements or policies approved by the District (e.g.; Memorandum of Understanding, Employee Handbook, etc.) They apply at all times when such employees are on District premises; on Standby Duty; on Patrol Duty or off District premises, but engaged in any activity that is related to or may affect the District's business, reputation or public relations, including, but not limited to, the following:

1. Activities during working hours, including lunch and other breaks.
2. Participation in seminars as a student or speaker.
3. Travel on behalf of the District.
4. Community activities.
5. Engaged in off-duty activities under circumstances, which tend to harm the interest of the District.

Section 4.01.030 Equal Opportunity Policy

It is the policy of the District to:

1. Recruit, hire, and promote for all job classifications without regard to race, religion, color, sex, national origin, age, marital status, sexual orientation, disability or any other basis protected by applicable state and federal law.
2. Base decisions of employment and promotion upon an individual's qualifications for the position being filled.
3. Ensure that all other personnel actions such as compensation, benefits, transfers, layoffs, return-from-layoffs, District-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to race, religion, color, sex, national origin, age, marital status, disability or any other basis protected by applicable state and federal law.
4. Continue to sustain and further develop a system that promotes the maintenance and application of these standards.

Section 4.01.040 Employee Conduct

In order to enhance the safe and efficient operation of the District, employees are expected to behave in a responsible and professional manner. The District may utilize counseling and/or disciplinary measures in an attempt to improve or correct certain employee performance and behavioral issues if the District, in its sole discretion, believes counseling and/or disciplinary action is in the best interest of the District. However, District employees serve at the pleasure of the General Manager and therefore the General Manager does not have to have cause to terminate employment of a District employee. For Disciplinary Processes pertaining to violations of this Section, refer to the applicable Supplemental Memorandum of Understanding for non-exempt employees hired before July 1, 2017, and to the Employee Discipline section of the Employee Handbook for non-exempt employees hired after July 1, 2017 and all Exempt employees.

The following acts are illustrative, and not exhaustive, of acts, which are grounds for disciplinary action up to and including termination of employment with the District:

- a. Stealing or willfully destroying or damaging any property of the District, its customers, visitors or personnel.
- b. Disobedience or insubordination to superiors.
- c. Disorderly, immoral, indecent or criminal conduct.
- d. Violating the Personnel Rules and Regulations or Employee Handbook.
- e. Fighting, intimidating, coercing or threatening any District employees (being an aggressor or aggravator).
- f. Entering time on another employee's time records, or requesting another person to enter time on the employee's time records, except for administrative corrections made by District authorized personnel when the employee is not available to make the changes in person. All Administrative corrections must be acknowledged and confirmed with the employee's signature as soon as the employee becomes available to do so.

- g. Soliciting or accepting tips or gifts for District services without prior approval of the General Manager or their designee.
- h. Disclosing anything of a personal nature concerning a customer or employee unless the specific work duties require the giving or exchanging of such information.
- i. Violation of Federal, State, or local laws.
- j. Failure to exercise proper custodial responsibility of District keys or property.
- k. Unauthorized possession of firearms or other weapons on District property or while on duty.
- l. Willful or careless disregard of, or inattention to, working directions and instructions; refusal to comply with or violations of rules, safety or fire regulations, or sanitary rules and regulations.
- m. Excessive or unjustified absences or tardiness, or failure to inform the supervisor prior to the time the employee is due to report, by telephone or other means, if the employee is unable to report for work.
- n. Failure to notify supervisor if employee leaves the job or premises during working hours.
- o. Smoking in unauthorized areas.
- p. Selling tickets or chances on illegal pools or raffles or gambling on district premises.
- q. Unauthorized posting of notices or literature on District premises.
- r. Soliciting, collecting funds and/or circulating literature of any nature on District property during working hours without the approval of the General Manager.
- s. Performing personal work on District time.
- t. Excessive use of the District business phone for personal matters.
- u. Taking more than the specified time for meals or rest periods.
- v. Discourteous conduct, abusive treatment or inappropriate language directed toward any customer, visitor, guest, employee or superior.
- w. Altering, falsifying, or making a willful misstatement of facts on any District record or chart, job or work record, employment application or any other District record, chart or report.

Section 4.01.050 Personnel Records

The District shall keep centralized personnel files for each employee, which will include job-related and personal information about each employee deemed essential by Human Resources. These records contain information that is confidential and should be handled with discretion.

Section 4.01.060 Employment Verification

The District will only verify dates of employment, salary and job title for employees and prior employees.

Section 4.01.070 Promotion Policy

The District will review factors such as skills, performance, experience and seniority in awarding jobs on a promotional basis.

Section 4.01.080 Hours of Work

The District has adopted a 9/80 work schedule, where employees will be scheduled to work 80 hours in nine working days each pay period. The normal hours of work for field employees are Monday through Thursday, 6:30 a.m. to 4:00 p.m., and alternating Fridays from 6:30 a.m. to 3:00 p.m. For office employees, the normal work schedule will be Monday through Thursday from 7:00 a.m. to 5:00 p.m., and alternating Fridays from 8:00 a.m. to 5:00 p.m. However, it is the desire of the District to allow employees flexibility in scheduling their time, so long as the needs of the organization are first satisfactorily met. Department Managers are authorized to adjust the normal working hours in their work areas to meet their unique demands in order to better service the District, subject to the General Manger’s review and approval.

Section 4.01.090 Absence and Tardiness

The District will establish standards for employee absences and tardiness that comply with federal and state laws to promote efficient and effective daily operations.

Section 4.01.100 Employee Business Expenses

Employees, including Board Members, are encouraged to attend educational conferences and professional meetings when the purpose of such activities is to improve District operation.

Employees will attend conferences, meetings, seminars, etc., on an as needed basis to be determined by the General Manager. The General Manager must pre-approve the costs of the program, transportation, lodging and meals.

It is the policy of the District to provide reimbursement to employees for expenses occurred while conducting District business and attending authorized seminars and schools. Employees must submit receipts for all reimbursed expenses (hotel, food, parking fees, etc.) Expenses are **not** to include other persons except those who have a direct bearing on conducting District business. The following categories are excluded from reimbursement:

1. Personal Entertainment expenses
2. Clothing and personal hygiene items
3. Alcoholic beverages
4. Items remaining the personal property of the individual
5. Any expenses not related to District business

Expenses to the District for employees’ training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and hotel accommodations put forth by the General Manager and by:

1. Utilizing hotel(s) recommended by the event sponsor in order to obtain discount rates.
2. Hotel accommodations will be made for the night before the event and expire on the day the event ends.

3. Requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.

Expenses for meals, including non-alcoholic beverages and tips ordinarily associated with normal eating customs, shall be reimbursable. The reimbursable amount shall be limited to the typical cost of meals in the region during the course of travel and while attending the authorized activity. The IRS publishes locally calculated meal and incidental expense guidelines that shall provide a basis for analyzing the reasonableness of meal expense reimbursement requests located on the GSA website <http://www.gsa.gov/portal/category/100120>. Exceptions to these limitations shall be made in situations where participation in the authorized activity makes it necessary to eat at a specific place or to attend special meal functions.

Section 4.01.110 Layoff or Reduction of Work Force

The General Manager may layoff any employee because of lack of appropriate funds, curtailment, lack of work or reorganization. Simultaneously with the above action, any respective employee organizations will receive notice.

The decision of the General Manager to lay off employees is not subject to appeal and is not subject to the grievance procedure.

Employees to be laid off have the right to transfer/demote to a position previously held within the District for which the employee meets the minimum qualifications, is capable of performing the essential functions of the position and has District seniority over other employees.

In order to retreat to a previous position, an employee must request displacement action in writing to the General Manager within five (5) working days of receipt of the layoff notice.

If vacancies exist at the time of layoff(s), such vacant positions shall be offered to any qualified regular employee then scheduled for layoff. Regular employee placed into a lower classification shall be moved to the salary range of that position not to exceed the rate of pay prior to the transfer. Employees who elect continued employment with the District will not be eligible for severance pay.

Compensation

In the event that this policy has taken effect, laid off employees will be eligible for severance pay depending upon their years of service as follows:

Under 1 year	2 weeks' pay without health benefits
1 – 3 years	2 weeks' pay with 1 month health benefits
4 – 5 years	4 weeks' pay with 1 month health benefits
6 – 10 years	6 weeks' pay with 2 months' health benefits
11 and over	8 weeks' is pay with 2 months' health benefits

Such severance pay is contingent upon the employee executing a General Release of Claims.

Section 4.01.120 Hiring of Relatives

It is the policy of the District to hire the best qualified employees available for all jobs. As a general rule, the District may employ family members. Family members are defined as husband, wife, parent, child, brother, sister, grandparent, grandchildren, domestic partner, and children of domestic partner. This rule is subject to the following limitations:

1. Family members of the Board of Directors or the General Manager may not be hired as an employee of the District.
2. The General Manager may deny employment to a spouse or family member of any current employee based on the individualized assessment of the work situation. The General Manager's decision shall be based upon the best interests of the District and for business and professional reasons, to assure proper supervision, maintain morale, security and to avoid conflicts of interest.
3. If co-employees of the District marry, the District will assess the individual work situation. The General Manager will make reasonable efforts to assign job duties so as to minimize the problems of supervision, safety, security or morale.
4. Two members of the same family may not work in the same division.
5. An employee may not work under the direct supervision of a family member.

Section 4.01.130 Service Awards

It is the policy of the District to acknowledge employee service contributions through a public program of recognition of significant contributions by employees to the District.

Regular employees will be considered for recognition in the areas of Continuous Service Awards and Cost Saving Suggestions.

A. Continuous Service Award

An award will recognize each five years of continuous service to the District. Human Resources will advise the General Manager's office of an employee who will be eligible for an award. The employee will be invited to the next regular Board meeting for presentation of the award(s).

Continuous Service Awards by years of service:

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| a. | 5 years | \$100 |
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| c. | 15 years | \$200 |
| d. | 20 years | \$250 |
| e. | 25 years | \$300 + Special Award |
| f. | 30 years | \$500 + Special Award |

Awards will be in the form of a commemorative plaque.

The Special Award for longevity at 25 and 30 years will be the presentation of an engraved watch or equivalent valued gift to the employee achieving 25 and 30 years of continuous service. The cost of the gift will not exceed \$150 exclusive of the cost of engraving (if required). Human Resources will arrange for the purchase and engraving of the gift prior to the scheduled date of the presentation.

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The Suggestion Program will allow employees to present their ideas for improved methods of accomplishing district related tasks. Employees, excluding management and supervisors, will be eligible for consideration of cost saving suggestions. Each suggestion implemented will be recognized by an award of 10% of the first year of implementation savings generated by the suggestion. The minimum award will be \$100 and the maximum award will be \$1,000.

1. Suggestions may include:
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 - b. Better procedures or methods
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The District will recognize and implement all legally required leaves of absence, as prescribed by law. Employees are entitled to use any accrued general leave to cover the unpaid leaves.

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The District shall promote a drug and alcohol free workplace, good health, well being and occupational safety for its employees.

All employees are required to read and comply with the District's Injury and Illness Prevention Program. Employees are required to report all injuries or accidents occurring on the job to their supervisor immediately.

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With the approval of the General Manager, the District may pay the cost for any eligible employee to enroll in the tuition program outside of regular working hours, according to the terms of the applicable Memorandum of Understanding.

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In order to ensure that personal matters do not interfere with employees' work and the work of others, the District has adopted the following policy on personal matters:

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 - a. Home address
 - b. Telephone number
 - c. Person and/or number to notify in case of emergency
 - d. Name
 - e. Change affecting income tax withholding
 - f. Change in beneficiary for insurance plans

4. Personal Phone Calls. Personal phone calls should be limited to emergency situations. If an employee must make a personal call while on duty, he/she should do so during his/her break period.

Section 4.01.180 Improper Use of District Tools, Equipment or Facilities

District labor, equipment, materials and supplies may not be used by any employee for private purposes, or for the personal benefit of other employees or other persons, unless specifically authorized by the General Manager. Employees violating this policy, or direct other employees or other persons to take actions in violation of this policy, are subject to disciplinary action up to and including termination and/or criminal prosecution.

Section 4.01.190 Recruitment Standards

1. It is the philosophy of the District to hire and promote the most qualified candidates for available positions. The District is committed to ensuring that all decisions regarding recruitment, hiring, promotion, assignments, training and other terms and conditions of employment will be made without discrimination or any other factor, which cannot be lawfully used as a basis for employment decision. These factors include, but are not limited to, race, religious creed (which includes religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status, height and weight, holding or presenting a driver's license issued under section 12801.9 of the Vehicle Code, or any other factor made unlawful by federal, state or local laws, ordinances, or regulations. ~~religion, disability, sex, sexual orientation, gender identity, marital status, medical conditions or any other bases prohibited by law.~~
2. Applications for employment with the District will be accepted when there is an open and posted job vacancy. Resumes will not be accepted in lieu of a District application. Applications for employment are only accepted up to the closing date and must specify the position for which the applicant is applying for. The application submitted must be fully completed and signed by the applicant. Electronic signatures will be accepted through the District's electronic applicant tracking system.
3. Current employees who have not been employed at least one full year generally are not eligible to apply for open positions. The District will first consider any qualified regular employees before considering external job applicants.
4. Successful candidates for employment are required to pass a physical examination and background check prior to commencing employment. The examination will include a drug screening test which employees must pass. A physician designated by the District will conduct the examination at District expense.
5. Reasonable accommodations, in accordance with the Americans with Disabilities Act (ADA) as applied in California, will be made for known physical or mental limitations of an otherwise qualified individual unless an undue hardship, direct

threat to the health and safety of others, or other job related considerations exists. For jobs that require driving on District business, employees must maintain a valid California Driver's License and qualify for coverage under the District's Automobile Liability Insurance Carrier.

6. The District may utilize newspapers, educational institutions, professional institutions, professional and vocational societies and publications, District web site and other such organizations and individuals as Human Resources may deem expedient for job announcement publications.

Section 4.01.200 Employee Harassment

The District has developed and implemented a policy against harassment and training programs designed to prevent workplace harassment.

Section 4.01.210 Disciplinary Action

The Board of Directors ("Board") shall appoint, by a majority vote, the following officers:

- a. Secretary;
- b. Treasurer;
- c. Attorney;
- d. General Manager; and
- e. Auditor.

The Board may consolidate the offices of secretary and treasurer. Each of these officers serve at the pleasure of the Board. The Board may also employ such additional assistants and employees as it deems necessary to efficiently maintain and operate the District. (Authority: Cal. Water Code §§ 71340, 71341, and 71342.)

Subject to Board approval, the General Manager has full power and authority to employ and discharge all other District employees. Except for the officers appointed by the Board, District employees serve at the pleasure of the General Manager. (Authority: Cal. Water Code § 71362.)

Generally, because District employees are at-will, the General Manager may terminate District employees, except those officers appointed by the Board of Directors, without cause. However, when appropriate and in the best interests of the District, the District shall counsel, warn, and/or discipline District employees to insure that actions, which would interfere with operations or an employee's job, are not continued, and allow employees the opportunity to improve their performance or conduct that resulted in the counseling, warning, and/or disciplinary action. Disciplinary procedures pertaining to employees hired by the District on or after July 1, 2017, are set forth in the Employee Handbook. Disciplinary procedures pertaining to non-exempt employees hired before July 1, 2017, are set forth in the Supplemental Memorandums of Understandings pertaining to those employees.

Section 4.01.220 District Vehicles

General Conditions

No one may operate any district vehicles while under the influence of drugs or alcohol. District vehicles are to be used for authorized business only, are not for personal or private use and must be operated by employees of the District. Employees using District vehicles must have a valid California Driver's License and qualify for coverage under the District's Automobile Liability Insurance Carrier. Employees are also responsible for the safe and legal operation of the vehicles. Arrangements for use of District vehicles during or outside of normal business hours may be made only upon prior approval of the General Manager or their designee.

Vehicles left unattended shall be locked and the keys removed and all equipment or tools stored on the vehicles shall be properly secured and locked.

Seat belts shall be worn at all times.

Vehicles shall at all times be operated in accordance with the California Vehicle Code including observance of all speed limits and granting of right of way.

Traffic citations received in a District vehicle are the employee's responsibility to pay. Any traffic violation must be reported to the employee's supervisor.

Assigned District Vehicles

Certain employees are provided with 24-hour use of a District vehicle for transportation between the employee's residence and the District office or regular or emergency work site. From time-to-time, the General Manager or their designee shall determine which employees should be assigned District vehicles to provide for improved emergency response and to facilitate attendance to after-hour meetings and functions related to the District. Assignment of the vehicle is not for the specific benefit of the employee, but for the improved operational efficiency and effectiveness of the District. Employees shall not use District vehicles for personal purposes other than commuting to and from work and for incidental personal use such as a stop between work and home. Employees shall not transport non-employees unless the transport is associated with District business or emergency services.

Traffic Accidents

All employees who drive District vehicles or employees being compensated for mileage for their private vehicles and are involved in a traffic accident of any type are governed by these rules:

1. **Reports.** Regardless of the amount of damage incurred, a complete written report of the incident must be submitted by the driver to their supervisor as soon as possible. All forms in the Vehicle Accident Reporting Kit provided in District vehicles must be completed and submitted to the employee's supervisor.

2. Injuries. In case of personal injury to other persons, employees are encouraged to render first aid only if they have been properly trained in first aid. If not trained, the employee should radio the District office, if possible, or seek the assistance of any persons in the vicinity who may be trained or able to contact emergency relief by dialing 911 at the nearest available telephone.
3. Liability. Employees shall not make any statements which may be taken as an admission of negligence or fault relative to the incident and under no circumstances assume any liability or authorize any repairs to the other vehicles.

Driver's License Regulations

All drivers must carry a valid California Driver's License on their person, issued for the class of vehicle the employee is required to drive. If any employee has their driver's license suspended or revoked by the State, and is assigned to drive a District vehicle, they shall immediately notify their supervisor. Failure to do so may result in suspension or disciplinary action up to and including termination.

Vehicle Allowance

Designated management employees receive a vehicle allowance in lieu of a District assigned vehicle and will use their personal vehicles to conduct District business. The employees who receive an allowance shall provide proof of auto insurance naming the District as additional insured. All operating expenses of the personal vehicle shall be borne by the employee to a maximum of 75 miles per trip. Any travel after the 75 miles, the employees may receive a mileage reimbursement at the rate specified by the IRS provided such mileage reimbursement does not exceed the cost for coach class air fare plus normal costs for ground transportation.

Personal Vehicles

District vehicles are available for use by employees engaged in District business. Personal vehicles shall only be used for District business when District vehicles are not available for use. If an employee uses their personal vehicle for District business, it must be authorized by a Manager or their designee. If an employee uses a personal vehicle to conduct District business, they shall be reimbursed at the current IRS rate per mile, plus tolls, parking, etc. For travel to out-of-town functions, the mileage reimbursement shall not exceed the cost for coach class air fare plus normal costs for ground transportation. The employee is responsible for fuel and maintenance and must be covered by auto insurance in at least the minimum amounts required by the State of California.

Section 4.01.230 Compensation

The District will make a sincere effort to pay its employees fairly and to be sure that their pay is in line with the amount of work and degree of responsibility required in their jobs.

Upon hire the entrance rate shall normally be the minimum rate of the classification for the position involved.

In certain cases where an applicant for a position may have qualifications above and beyond the minimum qualification requirements for the position, or in cases where recruiting efforts have failed to fill a position at the minimum rate, the General Manager may authorize entrance at a rate above the minimum rate.

After one year of employment, merit increases or lump sum merit awards may be given based on the employee's performance evaluation, according to the terms of the applicable Memorandum of Understanding.

If an employee transfers or is reassigned to a classification with a lower pay range, their salary will be moved to the salary range of the position not to exceed the rate of pay prior to the transfer.

Section 4.01.240 Performance Evaluations

Superintendents and Managers will conduct performance evaluations for all employees, excluding temporary employees.

Performance evaluations will be conducted within 14 days of their due date.

Performance evaluations shall be in writing and shall provide recognition for effective performance and also identify areas that need required improvements.

Section 4.01.250 Outside Employment

Outside employment is permissible as long as employee can still perform their required duties satisfactorily and the outside employment does not create a conflict of interest.

Section 4.01.260 Employee Computer Program

The District may assist employees with the purchase of computer equipment related to their position or career goals by offering an interest-free loan program.

Employees who have completed one full year of employment are eligible to apply for participation in this program.

Those employees who participate in the program agree to hold the District, its directors, officers and employees free and harmless for any and all damages or injuries resulting from the use of items purchased through the program.

Section 4.01.270 Employee-Employer Relations

See Addendum A.

To the extent there is an existing Memorandum of Understanding (MOU) or other written agreements with more specific terms regarding the topic herein, the terms of those agreements will prevail.

These rules and regulations replace and supersede all prior personnel rules, regulations, policies or practices.

Section 4.01.010 Goals and Objectives

The goals and objectives of the District are:

1. To provide a positive work environment that will promote a spirit of friendliness and cooperation among all employees.
2. To implement an employee handbook.
3. To provide and encourage training opportunities for District employees, so that job openings can be filled from within, where practicable.
4. To recognize excellence and individual merit in employees.
5. To ensure equal employment opportunities for all employees and maintain an adequate level of compensation for services rendered.

Section 4.01.020 Applicability

These Rules and Regulations apply to all employees of the District. These rules may be supplemented by other agreements or policies approved by the District (e.g.; Memorandum of Understanding, Employee Handbook, etc.) They apply at all times when such employees are on District premises; on Standby Duty; on Patrol Duty or off District premises, but engaged in any activity that is related to or may affect the District's business, reputation or public relations, including, but not limited to, the following:

1. Activities during working hours, including lunch and other breaks.
2. Participation in seminars as a student or speaker.
3. Travel on behalf of the District.
4. Community activities.
5. Engaged in off-duty activities under circumstances, which tend to harm the interest of the District.

Section 4.01.030 Equal Opportunity Policy

It is the policy of the District to:

1. Recruit, hire, and promote for all job classifications without regard to race, religion, color, sex, national origin, age, marital status, sexual orientation, disability or any other basis protected by applicable state and federal law.
2. Base decisions of employment and promotion upon an individual's qualifications for the position being filled.
3. Ensure that all other personnel actions such as compensation, benefits, transfers, layoffs, return-from-layoffs, District-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to race, religion, color, sex, national origin, age, marital status, disability or any other basis protected by applicable state and federal law.
4. Continue to sustain and further develop a system that promotes the maintenance and application of these standards.

Section 4.01.040 Employee Conduct

In order to enhance the safe and efficient operation of the District, employees are expected to behave in a responsible and professional manner. The District may utilize counseling and/or disciplinary measures in an attempt to improve or correct certain employee performance and behavioral issues if the District, in its sole discretion, believes counseling and/or disciplinary action is in the best interest of the District. However, District employees serve at the pleasure of the General Manager and therefore the General Manager does not have to have cause to terminate employment of a District employee. For Disciplinary Processes pertaining to violations of this Section, refer to the applicable Supplemental Memorandum of Understanding for non-exempt employees hired before July 1, 2017, and to the Employee Discipline section of the Employee Handbook for non-exempt employees hired after July 1, 2017 and all Exempt employees.

The following acts are illustrative, and not exhaustive, of acts, which are grounds for disciplinary action up to and including termination of employment with the District:

- a. Stealing or willfully destroying or damaging any property of the District, its customers, visitors or personnel.
- b. Disobedience or insubordination to superiors.
- c. Disorderly, immoral, indecent or criminal conduct.
- d. Violating the Personnel Rules and Regulations or Employee Handbook.
- e. Fighting, intimidating, coercing or threatening any District employees (being an aggressor or aggravator).
- f. Entering time on another employee's time records, or requesting another person to enter time on the employee's time records, except for administrative corrections made by District authorized personnel when the employee is not available to make the changes in person. All Administrative corrections must be acknowledged and confirmed with the employee's signature as soon as the employee becomes available to do so.

- g. Soliciting or accepting tips or gifts for District services without prior approval of the General Manager or their designee.
- h. Disclosing anything of a personal nature concerning a customer or employee unless the specific work duties require the giving or exchanging of such information.
- i. Violation of Federal, State, or local laws.
- j. Failure to exercise proper custodial responsibility of District keys or property.
- k. Unauthorized possession of firearms or other weapons on District property or while on duty.
- l. Willful or careless disregard of, or inattention to, working directions and instructions; refusal to comply with or violations of rules, safety or fire regulations, or sanitary rules and regulations.
- m. Excessive or unjustified absences or tardiness, or failure to inform the supervisor prior to the time the employee is due to report, by telephone or other means, if the employee is unable to report for work.
- n. Failure to notify supervisor if employee leaves the job or premises during working hours.
- o. Smoking in unauthorized areas.
- p. Selling tickets or chances on illegal pools or raffles or gambling on district premises.
- q. Unauthorized posting of notices or literature on District premises.
- r. Soliciting, collecting funds and/or circulating literature of any nature on District property during working hours without the approval of the General Manager.
- s. Performing personal work on District time.
- t. Excessive use of the District business phone for personal matters.
- u. Taking more than the specified time for meals or rest periods.
- v. Discourteous conduct, abusive treatment or inappropriate language directed toward any customer, visitor, guest, employee or superior.
- w. Altering, falsifying, or making a willful misstatement of facts on any District record or chart, job or work record, employment application or any other District record, chart or report.

Section 4.01.050 Personnel Records

The District shall keep centralized personnel files for each employee, which will include job-related and personal information about each employee deemed essential by Human Resources. These records contain information that is confidential and should be handled with discretion.

Section 4.01.060 Employment Verification

The District will only verify dates of employment, salary and job title for employees and prior employees.

Section 4.01.070 Promotion Policy

The District will review factors such as skills, performance, experience and seniority in awarding jobs on a promotional basis.

Section 4.01.080 Hours of Work

The District has adopted a 9/80 work schedule, where employees will be scheduled to work 80 hours in nine working days each pay period. The normal hours of work for field employees are Monday through Thursday, 6:30 a.m. to 4:00 p.m., and alternating Fridays from 6:30 a.m. to 3:00 p.m. For office employees, the normal work schedule will be Monday through Thursday from 7:00 a.m. to 5:00 p.m., and alternating Fridays from 8:00 a.m. to 5:00 p.m. However, it is the desire of the District to allow employees flexibility in scheduling their time, so long as the needs of the organization are first satisfactorily met. Department Managers are authorized to adjust the normal working hours in their work areas to meet their unique demands in order to better service the District, subject to the General Manger’s review and approval.

Section 4.01.090 Absence and Tardiness

The District will establish standards for employee absences and tardiness that comply with federal and state laws to promote efficient and effective daily operations.

Section 4.01.100 Employee Business Expenses

Employees, including Board Members, are encouraged to attend educational conferences and professional meetings when the purpose of such activities is to improve District operation.

Employees will attend conferences, meetings, seminars, etc., on an as needed basis to be determined by the General Manager. The General Manager must pre-approve the costs of the program, transportation, lodging and meals.

It is the policy of the District to provide reimbursement to employees for expenses occurred while conducting District business and attending authorized seminars and schools. Employees must submit receipts for all reimbursed expenses (hotel, food, parking fees, etc.) Expenses are **not** to include other persons except those who have a direct bearing on conducting District business. The following categories are excluded from reimbursement:

1. Personal Entertainment expenses
2. Clothing and personal hygiene items
3. Alcoholic beverages
4. Items remaining the personal property of the individual
5. Any expenses not related to District business

Expenses to the District for employees’ training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and hotel accommodations put forth by the General Manager and by:

1. Utilizing hotel(s) recommended by the event sponsor in order to obtain discount rates.
2. Hotel accommodations will be made for the night before the event and expire on the day the event ends.

3. Requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.

Expenses for meals, including non-alcoholic beverages and tips ordinarily associated with normal eating customs, shall be reimbursable. The reimbursable amount shall be limited to the typical cost of meals in the region during the course of travel and while attending the authorized activity. The IRS publishes locally calculated meal and incidental expense guidelines that shall provide a basis for analyzing the reasonableness of meal expense reimbursement requests located on the GSA website <http://www.gsa.gov/portal/category/100120>. Exceptions to these limitations shall be made in situations where participation in the authorized activity makes it necessary to eat at a specific place or to attend special meal functions.

Section 4.01.110 Layoff or Reduction of Work Force

The General Manager may layoff any employee because of lack of appropriate funds, curtailment, lack of work or reorganization. Simultaneously with the above action, any respective employee organizations will receive notice.

The decision of the General Manager to lay off employees is not subject to appeal and is not subject to the grievance procedure.

Employees to be laid off have the right to transfer/demote to a position previously held within the District for which the employee meets the minimum qualifications, is capable of performing the essential functions of the position and has District seniority over other employees.

In order to retreat to a previous position, an employee must request displacement action in writing to the General Manager within five (5) working days of receipt of the layoff notice.

If vacancies exist at the time of layoff(s), such vacant positions shall be offered to any qualified regular employee then scheduled for layoff. Regular employee placed into a lower classification shall be moved to the salary range of that position not to exceed the rate of pay prior to the transfer. Employees who elect continued employment with the District will not be eligible for severance pay.

Compensation

In the event that this policy has taken effect, laid off employees will be eligible for severance pay depending upon their years of service as follows:

Under 1 year	2 weeks' pay without health benefits
1 – 3 years	2 weeks' pay with 1 month health benefits
4 – 5 years	4 weeks' pay with 1 month health benefits
6 – 10 years	6 weeks' pay with 2 months' health benefits
11 and over	8 weeks' pay with 2 months' health benefits

Such severance pay is contingent upon the employee executing a General Release of Claims.

Section 4.01.120 Hiring of Relatives

It is the policy of the District to hire the best qualified employees available for all jobs. As a general rule, the District may employ family members. Family members are defined as husband, wife, parent, child, brother, sister, grandparent, grandchildren, domestic partner, and children of domestic partner. This rule is subject to the following limitations:

1. Family members of the Board of Directors or the General Manager may not be hired as an employee of the District.
2. The General Manager may deny employment to a spouse or family member of any current employee based on the individualized assessment of the work situation. The General Manager's decision shall be based upon the best interests of the District and for business and professional reasons, to assure proper supervision, maintain morale, security and to avoid conflicts of interest.
3. If co-employees of the District marry, the District will assess the individual work situation. The General Manager will make reasonable efforts to assign job duties so as to minimize the problems of supervision, safety, security or morale.
4. Two members of the same family may not work in the same division.
5. An employee may not work under the direct supervision of a family member.

Section 4.01.130 Service Awards

It is the policy of the District to acknowledge employee service contributions through a public program of recognition of significant contributions by employees to the District.

Regular employees will be considered for recognition in the areas of Continuous Service Awards and Cost Saving Suggestions.

A. Continuous Service Award

An award will recognize each five years of continuous service to the District. Human Resources will advise the General Manager's office of an employee who will be eligible for an award. The employee will be invited to the next regular Board meeting for presentation of the award(s).

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1. Suggestions may include:
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2. Personal Business. Conducting personal business during working time or in working areas generally should be limited to breaks and lunch period.
3. Personal Data. It is extremely important that the District maintain accurate records of all employees. Hence, should any of the following personal information change, please advise Human Resources as soon as possible:
 - a. Home address
 - b. Telephone number
 - c. Person and/or number to notify in case of emergency
 - d. Name
 - e. Change affecting income tax withholding
 - f. Change in beneficiary for insurance plans

4. Personal Phone Calls. Personal phone calls should be limited to emergency situations. If an employee must make a personal call while on duty, he/she should do so during his/her break period.

Section 4.01.180 Improper Use of District Tools, Equipment or Facilities

District labor, equipment, materials and supplies may not be used by any employee for private purposes, or for the personal benefit of other employees or other persons, unless specifically authorized by the General Manager. Employees violating this policy, or direct other employees or other persons to take actions in violation of this policy, are subject to disciplinary action up to and including termination and/or criminal prosecution.

Section 4.01.190 Recruitment Standards

1. It is the philosophy of the District to hire and promote the most qualified candidates for available positions. The District is committed to ensuring that all decisions regarding recruitment, hiring, promotion, assignments, training and other terms and conditions of employment will be made without discrimination or any other factor, which cannot be lawfully used as a basis for employment decision. These factors include, but are not limited to, race, religious creed (which includes religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status, height and weight, holding or presenting a driver's license issued under section 12801.9 of the Vehicle Code, or any other factor made unlawful by federal, state or local laws, ordinances, or regulations.
2. Applications for employment with the District will be accepted when there is an open and posted job vacancy. Resumes will not be accepted in lieu of a District application. Applications for employment are only accepted up to the closing date and must specify the position for which the applicant is applying for. The application submitted must be fully completed and signed by the applicant. Electronic signatures will be accepted through the District's electronic applicant tracking system.
3. Current employees who have not been employed at least one full year generally are not eligible to apply for open positions. The District will first consider any qualified regular employees before considering external job applicants.
4. Successful candidates for employment are required to pass a physical examination and background check prior to commencing employment. The examination will include a drug screening test which employees must pass. A physician designated by the District will conduct the examination at District expense.
5. Reasonable accommodations, in accordance with the Americans with Disabilities Act (ADA) as applied in California, will be made for known physical or mental limitations of an otherwise qualified individual unless an undue hardship, direct threat to the health and safety of others, or other job related considerations exists.

For jobs that require driving on District business, employees must maintain a valid California Driver's License and qualify for coverage under the District's Automobile Liability Insurance Carrier.

6. The District may utilize newspapers, educational institutions, professional institutions, professional and vocational societies and publications, District web site and other such organizations and individuals as Human Resources may deem expedient for job announcement publications.

Section 4.01.200 Employee Harassment

The District has developed and implemented a policy against harassment and training programs designed to prevent workplace harassment.

Section 4.01.210 Disciplinary Action

The Board of Directors ("Board") shall appoint, by a majority vote, the following officers:

- a. Secretary;
- b. Treasurer;
- c. Attorney;
- d. General Manager; and
- e. Auditor.

The Board may consolidate the offices of secretary and treasurer. Each of these officers serve at the pleasure of the Board. The Board may also employ such additional assistants and employees as it deems necessary to efficiently maintain and operate the District. (Authority: Cal. Water Code §§ 71340, 71341, and 71342.)

Subject to Board approval, the General Manager has full power and authority to employ and discharge all other District employees. Except for the officers appointed by the Board, District employees serve at the pleasure of the General Manager. (Authority: Cal. Water Code § 71362.)

Generally, because District employees are at-will, the General Manager may terminate District employees, except those officers appointed by the Board of Directors, without cause. However, when appropriate and in the best interests of the District, the District shall counsel, warn, and/or discipline District employees to insure that actions, which would interfere with operations or an employee's job, are not continued, and allow employees the opportunity to improve their performance or conduct that resulted in the counseling, warning, and/or disciplinary action. Disciplinary procedures pertaining to employees hired by the District on or after July 1, 2017, are set forth in the Employee Handbook. Disciplinary procedures pertaining to non-exempt employees hired before July 1, 2017, are set forth in the Supplemental Memorandums of Understandings pertaining to those employees.

Section 4.01.220 District Vehicles

General Conditions

No one may operate any district vehicles while under the influence of drugs or alcohol. District vehicles are to be used for authorized business only, are not for personal or private use and must be operated by employees of the District. Employees using District vehicles must have a valid California Driver's License and qualify for coverage under the District's Automobile Liability Insurance Carrier. Employees are also responsible for the safe and legal operation of the vehicles. Arrangements for use of District vehicles during or outside of normal business hours may be made only upon prior approval of the General Manager or their designee.

Vehicles left unattended shall be locked and the keys removed and all equipment or tools stored on the vehicles shall be properly secured and locked.

Seat belts shall be worn at all times.

Vehicles shall at all times be operated in accordance with the California Vehicle Code including observance of all speed limits and granting of right of way.

Traffic citations received in a District vehicle are the employee's responsibility to pay. Any traffic violation must be reported to the employee's supervisor.

Assigned District Vehicles

Certain employees are provided with 24-hour use of a District vehicle for transportation between the employee's residence and the District office or regular or emergency work site. From time-to-time, the General Manager or their designee shall determine which employees should be assigned District vehicles to provide for improved emergency response and to facilitate attendance to after-hour meetings and functions related to the District. Assignment of the vehicle is not for the specific benefit of the employee, but for the improved operational efficiency and effectiveness of the District. Employees shall not use District vehicles for personal purposes other than commuting to and from work and for incidental personal use such as a stop between work and home. Employees shall not transport non-employees unless the transport is associated with District business or emergency services.

Traffic Accidents

All employees who drive District vehicles or employees being compensated for mileage for their private vehicles and are involved in a traffic accident of any type are governed by these rules:

1. **Reports.** Regardless of the amount of damage incurred, a complete written report of the incident must be submitted by the driver to their supervisor as soon as possible. All forms in the Vehicle Accident Reporting Kit provided in District vehicles must be completed and submitted to the employee's supervisor.

2. Injuries. In case of personal injury to other persons, employees are encouraged to render first aid only if they have been properly trained in first aid. If not trained, the employee should radio the District office, if possible, or seek the assistance of any persons in the vicinity who may be trained or able to contact emergency relief by dialing 911 at the nearest available telephone.
3. Liability. Employees shall not make any statements which may be taken as an admission of negligence or fault relative to the incident and under no circumstances assume any liability or authorize any repairs to the other vehicles.

Driver's License Regulations

All drivers must carry a valid California Driver's License on their person, issued for the class of vehicle the employee is required to drive. If any employee has their driver's license suspended or revoked by the State, and is assigned to drive a District vehicle, they shall immediately notify their supervisor. Failure to do so may result in suspension or disciplinary action up to and including termination.

Vehicle Allowance

Designated management employees receive a vehicle allowance in lieu of a District assigned vehicle and will use their personal vehicles to conduct District business. The employees who receive an allowance shall provide proof of auto insurance naming the District as additional insured. All operating expenses of the personal vehicle shall be borne by the employee to a maximum of 75 miles per trip. Any travel after the 75 miles, the employees may receive a mileage reimbursement at the rate specified by the IRS provided such mileage reimbursement does not exceed the cost for coach class air fare plus normal costs for ground transportation.

Personal Vehicles

District vehicles are available for use by employees engaged in District business. Personal vehicles shall only be used for District business when District vehicles are not available for use. If an employee uses their personal vehicle for District business, it must be authorized by a Manager or their designee. If an employee uses a personal vehicle to conduct District business, they shall be reimbursed at the current IRS rate per mile, plus tolls, parking, etc. For travel to out-of-town functions, the mileage reimbursement shall not exceed the cost for coach class air fare plus normal costs for ground transportation. The employee is responsible for fuel and maintenance and must be covered by auto insurance in at least the minimum amounts required by the State of California.

Section 4.01.230 Compensation

The District will make a sincere effort to pay its employees fairly and to be sure that their pay is in line with the amount of work and degree of responsibility required in their jobs.

Upon hire the entrance rate shall normally be the minimum rate of the classification for the position involved.

In certain cases where an applicant for a position may have qualifications above and beyond the minimum qualification requirements for the position, or in cases where recruiting efforts have failed to fill a position at the minimum rate, the General Manager may authorize entrance at a rate above the minimum rate.

After one year of employment, merit increases or lump sum merit awards may be given based on the employee's performance evaluation, according to the terms of the applicable Memorandum of Understanding.

If an employee transfers or is reassigned to a classification with a lower pay range, their salary will be moved to the salary range of the position not to exceed the rate of pay prior to the transfer.

Section 4.01.240 Performance Evaluations

Superintendents and Managers will conduct performance evaluations for all employees, excluding temporary employees.

Performance evaluations will be conducted within 14 days of their due date.

Performance evaluations shall be in writing and shall provide recognition for effective performance and also identify areas that need required improvements.

Section 4.01.250 Outside Employment

Outside employment is permissible as long as employee can still perform their required duties satisfactorily and the outside employment does not create a conflict of interest.

Section 4.01.260 Employee Computer Program

The District may assist employees with the purchase of computer equipment related to their position or career goals by offering an interest-free loan program.

Employees who have completed one full year of employment are eligible to apply for participation in this program.

Those employees who participate in the program agree to hold the District, its directors, officers and employees free and harmless for any and all damages or injuries resulting from the use of items purchased through the program.

Section 4.01.270 Employee-Employer Relations

See Addendum A.

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-09 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 8.02 – DEFINITIONS AND CHAPTER 9.02 - DEFINITIONS

BACKGROUND

With the recent resignation of RMWD’s Engineering Manager, a review of the job description for this position has been conducted which resulted in revisions to the job responsibilities and a position title change. In reviewing the current Administrative Code, it was found the specific title of District Engineer and Engineering Manager were utilized intermittently throughout several chapters and sections; thereby, requiring these two chapters to be brought back to the Board for consideration and formal approval.

DESCRIPTION

To avoid having to bring several chapters and sections of the Administrative Code to the Board for formal approval each time a title change occurs for this position, staff is recommending minor housekeeping changes to replace the definitions for both “District Engineer” and “Engineering Manager” to be defined as “Position directly responsible for overseeing the engineering department as designated by the General Manager.” The proposed changes will allow for the position title to change when deemed appropriate while eliminating the need to amend and update the Administrative Code each time.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Chapters 8.02 and 9.02.

Strategic Focus Area Three: Workforce Development

BOARD OPTIONS/FISCAL IMPACTS

- 1) Approve Ordinance No. 18-09 amending and updating Administrative Code Chapters 8.02 and 9.02.
- 2) Approve Ordinance No. 18-09 amending and updating Administrative Code Chapters 8.02 and 9.02 with revisions.
- 3) Provide staff with further direction.
- 4) Do not approve Ordinance No. 18-09 amending and updating Administrative Code Chapters 8.02 and 9.02.

There will be no known direct fiscal impact associated with any of the Board Options.

STAFF RECOMMENDATION

Approve Ordinance No. 18-09 amending and updating Administrative Code Chapters 8.02 and 9.02.



Tom Kennedy, General Manager

April 24, 2018

Ordinance No. 18-09

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending the Administrative Code
Chapter 8.02 – Definitions and Chapter 9.02 - Definitions**

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:

Chapter 8.02:	Definitions
Chapter 9.02:	Definitions

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 24th day of April 2018.

AYES:
NOES:
ABSTAIN:
ABSENT:

Helene Brazier, Board President

ATTEST:

Dawn Washburn, Board Secretary

8.02.~~510500~~ Property Owner or Owner
8.02.~~520540~~ Public Health Agency
8.02.~~530520~~ Reclaimed Water
8.02.~~540530~~ Recreational and Ornamental Lakes and Ponds
8.02.~~550540~~ Reduced Pressure Principle Device (RP)
8.02.~~560550~~ Reduced Pressure Principle-Detector Backflow Assembly (RPDA)
8.02.~~570560~~ Remote Meters
8.02.~~580570~~ Rules and Regulations
8.02.~~590580~~ Schedules, Tariffs or Lists
8.02.~~600590~~ Sealed Meter
8.02.~~610600~~ Secondary Water Main
8.02.~~620640~~ Security Deposit
8.02.~~630620~~ Surcharge
8.02.~~640630~~ System Hazard
8.02.~~650640~~ Temporary Customer
8.02.~~660650~~ Termination of Service
8.02.~~670660~~ Title 17
8.02.~~680670~~ Transmission
8.02.~~690680~~ Units of Measurement
8.02.~~700690~~ Used Water
8.02.~~710700~~ Water Capacity Fee
8.02.~~720740~~ Water Distribution System
8.02.~~730720~~ Water Source
8.02.~~740730~~ Water Supervisor
8.02.~~750740~~ Water System

The definitions in this sub-section shall be used to interpret this Section, unless otherwise apparent from the context.

Section 8.02.010
Abut District Line

Abut District Line: Parcels abut a District line where they are crossed by a District line, or where a line runs along the boundary of a parcel in an easement or other right of way.

Section 8.02.020
Active Park and School Ground Areas

Active Park and School Ground Areas: Areas designated by public agencies and private schools for specific sporting and recreational activities and areas traditionally used for active play or recreation where turf is an integral part of the activity.

Section 8.02.030
Agricultural Purposes

Agricultural Purposes: The growing or raising, in conformity with recognized practices of farming, for the purposes of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural, or floricultural products. Such products shall be for human consumption, for the market, or for the feeding of fowl or livestock. Products are to be grown or raised on a parcel of land having an area of not less than one acre utilized exclusively for such purposes.

Section 8.02.040
Air-Gap

Air-Gap: A means of backflow prevention utilizing the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of said vessel.

Section 8.02.050
Applicant

Applicant: Any person, firm, corporation, association or agency that applies for water service from the District.

Section 8.02.060
Approved

Approved: Accepted by the District as meeting an applicable specification stated or cited in this chapter or as suitable for the proposed use except as otherwise provided in this Article 8.

Section 8.02.070

Auxiliary Water Supply

Auxiliary Water Supply: Any water supply available to a Customer, other than the District's system. These auxiliary source of supply may include water from other purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or used waters or industrial fluids. These supplies constitute a water source over which the District does not have control. There is a risk that they may be polluted, contaminated, or objectionable.

Section 8.02.080

Backflow

Backflow: The undesirable reversal of water flow or mixtures of water and other liquids, gases or other substances into the Districts distribution pipes of water from any source or sources other than its intended source.

Section 8.02.090

Backflow Preventer

Backflow Preventer: A device or means designed to prevent backflow or backsiphonage.

Section 8.02.100

Backpressure

Backpressure: Any elevation of pressure in the downstream piping system (by pump, elevation of piping, or steam and/or air pressure) above the supply pressure at the point of consideration, which would cause, or tend to cause, a reversal of the normal direction of flow.

Section 8.02.110

Backsiphonage

Backsiphonage: The flow of water (or other liquids, mixtures or substances) into the District system from any source other than its intended source, caused by the sudden reduction of pressure in the District system.

Section 8.02.120

Blow-Off

Blow-Off: A District facility which is used to drain water mains for purposes of repair and maintenance.

Section 8.02.130

Board of Directors

Board or Board of Directors: The governing board of the District, consisting of five (5) elected representatives.

**Section 8.02.140
Certified Backflow Tester**

Certified Backflow Tester: A person who has proven his / her ability to test backflow prevention assemblies to the satisfaction of the District and the San Diego County Department of Environmental Health.

**Section 8.02.150
Conservation Offset**

Conservation Offset: The implementation of proven conservation techniques which, when installed, will result in a reduction equal to demand of the proposed use. Calculation of demand and saving shall be performed or verified by the Engineering Manager based upon non-drought conditions.

**Section 8.02.160
Construction Meter**

Construction Meter: A meter attached to a fire hydrant or other appurtenance and used for construction purposes in incremental periods of six months or less.

**Section 8.02.170
Construction Purposes**

Construction Purposes: A temporary service that is facilitated through a fire hydrant or a blow-off for construction purposes; such as construction of a dwelling, or grading of land or other purpose where water is not needed permanently. Construction meters may not be used for agricultural purposes.

**Section 8.02.180
Contamination**

Contamination the impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates a potential hazard to public health.

**Section 8.02.190
Control**

Control: The right and power over the sanitary quality of water.

**Section 8.02.200
Cross-Connection**

Cross-Connection: Any physical connection, or arrangement of piping or fixtures, between two otherwise separate piping systems, one of which contains potable water and the other of which contains nonpotable water, industrial fluids, or fluids of questionable safety, through which, or because of which, backflow may occur into the District's system.

Section 8.02.210
Cross-Connection Control by Containment

Cross-Connection Control by Containment: The installation of an approved backflow prevention device in any Customer system at the water service connection.

Section 8.02.220
Customer

Customer: The person in whose name water service is furnished, as evidenced by the signature on the application or request for water service. In the absence of a signed application, the receipt and payment of bills regularly issued in that person's name shall suffice, regardless of the identity of the actual user of the service. The water bill shall be the responsibility of the person in whose name the meter service is held. In the event the water service is in the name of a renter or lessee, the ultimate responsibility for the bill shall be in the legal Owner or Owners of the property, as shown on the County Assessor's Tax Roll. The District requires a signed application by both Tenant and Owner when property is a rental.

Section 8.02.230
Customer System

Customer System: The Customer systems consist of all water components beyond the metered water service connections owned by the Customer.

Section 8.02.240
Degree of Hazard

Degree of Hazard: The term derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the District system.

Section 8.02.250
Distribution Main

Distribution Main: A pipeline with the primary intent to distribute water to Customers through laterals installed on the pipeline.

Section 8.02.260
Distribution System

Distribution System: The distribution system shall include the water delivery system from the source to the Customer systems.

Section 8.02.270
District

District: The Rainbow Municipal Water District.

Section 8.02.280
District Engineer

District Engineer: Position directly responsible for overseeing the engineering department as designated by the General Manager.

Section 8.02.~~290~~280
Domestic and Municipal Purposes

Domestic and Municipal Purposes: The use of water for residential, public, commercial, industrial, and recreational purposes served by the District, but not including water used for agricultural purposes.

Section 8.02.300~~290~~

Engineering Manager

Engineering Manager: Position directly responsible for overseeing the engineering department as designated by the General Manager.~~A duly qualified, registered, professional engineer authorized to act on behalf of the District.~~

Section 8.02.310~~300~~
Fire Protection

Fire Protection: Actions or facilities for prevention or suppression of fires as directed by the fire Marshal or Fire Prevention officer with jurisdiction over the local area involved.

Section 8.02.320~~310~~
General Manager

General Manager: The General Manager of the District or designee authorized by the Board or the General Manager to act in his/her behalf.

Section 8.02.330~~320~~
Greywater

Greywater: Household wastewater other than toilet water, i.e., water from the laundry, shower, tub, bathroom and kitchen sinks.

Section 8.02.340~~330~~
Health Hazard

Health Hazard: Any condition, device or practice in the District system, or its operation, which in the judgment of the District may create a danger to the health and well-being of any water Customer.

Section 8.02.350340
Industrial Fluids System

Industrial Fluids System: Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into the District system.

Section 8.02.360350
Industrial Waste

Industrial Waste: Any liquid or solid waste substance, other than domestic sewage, from any producing, manufacturing, or processing operation of any nature.

Section 8.02.370360
Industrial Waste Treatment Plant or Facility

Industrial Waste Treatment Plant or Facility: Any works or devices for the treatment of industrial waste prior to its discharge into the District sewer facilities.

Section 8.02.380370
Meter

Meter: Any device registering the flow or the amount of water passing through a service connection.

Section 8.02.390380
Micro Irrigation Systems/Equipment

Micro Irrigation Systems/Equipment: Low pressure, low volume methods of water application. These devices include drip emitters, T-tape, micro sprayers, minisprinklers, twirlers, and spaghetti tubing. Pop-up sprinklers are not considered low volume, low pressure irrigation systems/equipment.

Section 8.02.400390
Nonpotable Water

Nonpotable Water: Water which does not meet state and federal standards for safe drinking water and is not safe for human consumption.

Section 8.02.410400
Payment Date

Payment Date: The date on which payment is received in the District offices or approved payment location, from a Customer in funds which can be deposited into a normal bank. The postmark date of a payment mailed to the District is not considered the payment date. Payments received after the close of business at the offices of the District will be considered to have been received on the next business day.

Section 8.02.420410
Persons

Persons: Any individual, firm, association, organization, business trust or company.

Section 8.02.430420
Plan Check & Inspection

Plan Check & Inspection Deposit: Monies provided to the District by the Applicant at the time of submission of improvement plans for the District's approval. The amount of deposit shall be determined by the General Manager and shall cover all costs related to the project.

Section 8.02.440430
Plumbing Hazard

Plumbing Hazard: Any cross connection in a Customer plumbing system that has not been properly protected by an air-gap separation or backflow prevention.

Section 8.02.450440
Pollution

Pollution: The presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water.

Section 8.02.460450
Pollution Hazard

Pollution Hazard: An actual or potential threat to the physical properties of the District system, including water quality, which would constitute a nuisance or be aesthetically objectionable or could cause damage to the District system.

Section 8.02.470460
Potable Water

Potable Water: Water which meets state and federal safe drinking water standards.

Section 8.02.480470
Potable Water Service Connection

Potable Water Service Connection: The terminal end of a service connection from the District water system (that is where the District relinquishes control over the water at its point of delivery to the Customer system), being the downstream end of the meter. Service connections shall also include water service connections from a fire hydrant and all other temporary or emergency water service connections.

Section 8.02.490480
Premises

Premises: The integral property or area, including the improvements to which water service is (or will be) provided. Premises shall be limited to a single parcel.

Section 8.02.500490
Presentation or Date of Presentation

Presentation or "Date of Presentation": The date on which bills for water service to any Customer are deposited in the United States mail, postage prepaid, to his/her address as it appears upon the records of the District or delivered personally to a Customer.

Section 8.02.510500
Property Owner or Owner

Property Owner or Owner: The holder of legal title to property receiving water service, contract purchaser, or lessee under a lease with any unexpired term of more than one (1) year, to be held jointly with the lessee and the holder of the title.

Section 8.02.520510
Public Health Agency

Public Health Agency: The State of California Water Resources Control Board.

Section 8.02.530520
Reclaimed Water

Reclaimed Water: Water which, as a result of treatment of wastewater, is suitable for a direct beneficial use or controlled use that would not otherwise occur. Reclaimed water shall comply with Title 22 of the California Code of Regulations as well as regulations from the County of San Diego Department of Environmental Health.

Section 8.02.540530
Recreational and Ornamental Lakes and Ponds

Recreational and Ornamental Lakes and Ponds: Bodies of water which are not swimming pools, water storage reservoirs for potable water or irrigation purposes, or pools which maintain rare plant or animal species.

Section 8.02.550540
Reduced Pressure Principle Device (RP)

Reduced Pressure Principle Device (RP): A backflow prevention device consisting of an assembly of two independently operating approved check valves with an automatically operating differential relief valve between the two check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves. The entire assembly shall meet the design and performance specifications and approval of a recognized and approved testing agency for backflow prevention assemblies. The device shall operate to maintain the pressure in the zone between the two check valves at a level less than

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the pressure of the inlet device. At cessation of normal flow the pressure between the two check valves shall be less than the pressure at the inlet of the device. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these devices must be readily accessible for inline maintenance and testing and be installed in a location where no part of the device will be submerged.

Section 8.02.560550
Reduced Pressure Principle-Detector Backflow Assembly (RPDA)

Reduced Pressure Principle-Detector Backflow Assembly (RPDA): A specially designed assembly composed of a line-size approved reduced pressure principle backflow prevention assembly with a bypass containing a specific water meter and an approved reduced pressure principle backflow prevention assembly. The meter shall register for only very low rates of flow up to 3 GPM and shall show a registration for all rates of flow.

Section 8.02.570560
Remote Meters

Remote Meters: Service connections which may be provided to parcels which do not abut a District water main.

Section 8.02.580570
Rules and Regulations

Rules and Regulations: The entire body of effective rates, tolls, rentals, charges, ordinances, rules and regulations, collectively of the District.

Section 8.02.590580
Schedules, Tariffs or Lists

Schedules, Tariffs or Lists: Water rates, service connection charges, capacity fees or other charges for water service, materials, equipment and labor furnished by the District, as approved by the Board of Directors.

Section 8.02.600590
Sealed Meter

Sealed Meter: Any meter in which the District has closed and sealed the service connection valve on the District side of the meter.

Section 8.02.610600
Secondary Water Main

Secondary Water Main: Extensions of primary distribution mains constructed and dedicated to the District by a developer or property Owner.

Section 8.02.620610
Security Deposit

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Security Deposit: Monies required to be deposited with the District for the purpose of guaranteeing payment of utility bills rendered for water or sewer service.

Section 8.02.~~630620~~
Surcharge

Surcharge: A charge imposed by the District for the provision of a special service not normally provided by the District, such as situations involving unusual quantity or quality requirements.

Section 8.02.~~640630~~
System Hazard

System Hazard: An actual or potential threat of severe damage to the physical properties of the water system or of pollution or contamination which would have an adverse effect on the quality of the potable water in the District system.

Section 8.02.~~650640~~
Temporary Customer

Temporary Customer: Any Customer for whom a temporary service connection has been approved by the District.

Section 8.02.~~660650~~
Termination of Service

Termination of Service: Discontinuance of water service either by the District or as requested by the Customer.

Section 8.02.~~670660~~
Title 17

Title 17: California Code of Regulations, Title 17, Public Health Regulations relating to cross-connection.

Section 8.02.~~680670~~
Transmission

Transmission Main: A pipeline with the primary intent to transport water from the source to distribution mains. The installation of service laterals is restricted on transmission mains.

Section 8.02.~~690680~~
Units of Measurement

Units of Measurement: A unit of 100 cubic feet, equivalent to 748 gallons, is the volume by which water is metered and billed by the District.

Section 8.02.~~700690~~
Used Water

Used Water: Any water supplied by the District from the District system to a Customer after it has passed through the metered water service connection and is no longer under the control of the District.

Section 8.02.710700
Water Capacity Fee

Water Capacity Fee: A charge imposed by the District for obtaining water service or service capacity.

Section 8.02.720710
Water Distribution System

Water Distribution System: Individually or collectively any water facilities financed, constructed and dedicated to the District by an Applicant, Owner or Customer or which are the result of local initiative and financing in tracts and subdivisions, as well as non-commercial or industrial developments, which have been accepted by the District.

Section 8.02.730720
Water Source

Water Source: The water source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.

Section 8.02.740730
Water Supervisor

Water Supervisor: In industrial or commercial application, a water supervisor will be designated by the District. An individual designated as water supervisor will be responsible for keeping abreast of cross-connection regulations and maintenance of commercial and industrial water systems to prevent cross-connection or other sanitary effects from occurring on these types of water systems.

Section 8.02.750740
Water System

Water System: The water system consists of the source and the distribution system under the control of the District, including the water meter, which is owned by the District.

**Chapter 8.02
DEFINITIONS**

Sections	
8.02.010	Abut District Line
8.02.020	Active Park and School Ground Areas
8.02.030	Agricultural Purposes
8.02.040	Air-Gap
8.02.050	Applicant
8.02.060	Approved
8.02.070	Auxiliary Water Supply
8.02.080	Backflow
8.02.090	Backflow Preventer
8.02.100	Backpressure
8.02.110	Backsiphonage
8.02.120	Blow-Off
8.02.130	Board of Directors
8.02.140	Certified Backflow Tester
8.02.150	Conservation Offset
8.02.160	Construction Meter
8.02.170	Construction Purposes
8.02.180	Contamination
8.02.190	Control
8.02.200	Cross-Connection
8.02.210	Cross-Connection Control by Containment
8.02.220	Customer
8.02.230	Customer System
8.02.240	Degree of Hazard
8.02.250	Distribution Main
8.02.260	Distribution System
8.02.270	District
8.02.280	District Engineer
8.02.290	Domestic and Municipal Purposes
8.02.300	Engineering Manager
8.02.310	Fire Protection
8.02.320	General Manager
8.02.330	Greywater
8.02.340	Health Hazard
8.02.350	Industrial Fluids System
8.02.360	Industrial Waste
8.02.370	Industrial Waste Treatment Plant or Facility
8.02.380	Meter
8.02.390	Micro Irrigation Systems/Equipment
8.02.400	Nonpotable Water
8.02.410	Payment Date
8.02.420	Persons
8.02.430	Plan Check & Inspection
8.02.440	Plumbing Hazard
8.02.450	Pollution
8.02.460	Pollution Hazard
8.02.470	Potable Water
8.02.480	Potable Water Service Connection
8.02.490	Premises
8.02.500	Presentation or Date of Presentation

8.02.510	Property Owner or Owner
8.02.520	Public Health Agency
8.02.530	Reclaimed Water
8.02.540	Recreational and Ornamental Lakes and Ponds
8.02.550	Reduced Pressure Principle Device (RP)
8.02.560	Reduced Pressure Principle-Detector Backflow Assembly (RPDA)
8.02.570	Remote Meters
8.02.580	Rules and Regulations
8.02.590	Schedules, Tariffs or Lists
8.02.600	Sealed Meter
8.02.610	Secondary Water Main
8.02.620	Security Deposit
8.02.630	Surcharge
8.02.640	System Hazard
8.02.650	Temporary Customer
8.02.660	Termination of Service
8.02.670	Title 17
8.02.680	Transmission
8.02.690	Units of Measurement
8.02.700	Used Water
8.02.710	Water Capacity Fee
8.02.720	Water Distribution System
8.02.730	Water Source
8.02.740	Water Supervisor
8.02.750	Water System

The definitions in this sub-section shall be used to interpret this Section, unless otherwise apparent from the context.

Section 8.02.010
Abut District Line

Abut District Line: Parcels abut a District line where they are crossed by a District line, or where a line runs along the boundary of a parcel in an easement or other right of way.

Section 8.02.020
Active Park and School Ground Areas

Active Park and School Ground Areas: Areas designated by public agencies and private schools for specific sporting and recreational activities and areas traditionally used for active play or recreation where turf is an integral part of the activity.

Section 8.02.030
Agricultural Purposes

Agricultural Purposes: The growing or raising, in conformity with recognized practices of farming, for the purposes of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural, or floricultural products. Such products shall be for human consumption, for the market, or for the feeding of fowl or livestock. Products are to be grown or raised on a parcel of land having an area of not less than one acre utilized exclusively for such purposes.

Section 8.02.040
Air-Gap

Air-Gap: A means of backflow prevention utilizing the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of said vessel.

Section 8.02.050
Applicant

Applicant: Any person, firm, corporation, association or agency that applies for water service from the District.

Section 8.02.060
Approved

Approved: Accepted by the District as meeting an applicable specification stated or cited in this chapter or as suitable for the proposed use except as otherwise provided in this Article 8.

Section 8.02.070

Auxiliary Water Supply

Auxiliary Water Supply: Any water supply available to a Customer, other than the District's system. These auxiliary source of supply may include water from other purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or used waters or industrial fluids. These supplies constitute a water source over which the District does not have control. There is a risk that they may be polluted, contaminated, or objectionable.

Section 8.02.080

Backflow

Backflow: The undesirable reversal of water flow or mixtures of water and other liquids, gases or other substances into the Districts distribution pipes of water from any source or sources other than its intended source.

Section 8.02.090

Backflow Preventer

Backflow Preventer: A device or means designed to prevent backflow or backsiphonage.

Section 8.02.100

Backpressure

Backpressure: Any elevation of pressure in the downstream piping system (by pump, elevation of piping, or steam and/or air pressure) above the supply pressure at the point of consideration, which would cause, or tend to cause, a reversal of the normal direction of flow.

Section 8.02.110

Backsiphonage

Backsiphonage: The flow of water (or other liquids, mixtures or substances) into the District system from any source other than its intended source, caused by the sudden reduction of pressure in the District system.

Section 8.02.120

Blow-Off

Blow-Off: A District facility which is used to drain water mains for purposes of repair and maintenance.

Section 8.02.130

Board of Directors

Board or Board of Directors: The governing board of the District, consisting of five (5) elected representatives.

Section 8.02.140
Certified Backflow Tester

Certified Backflow Tester: A person who has proven his / her ability to test backflow prevention assemblies to the satisfaction of the District and the San Diego County Department of Environmental Health.

Section 8.02.150
Conservation Offset

Conservation Offset: The implementation of proven conservation techniques which, when installed, will result in a reduction equal to demand of the proposed use. Calculation of demand and saving shall be performed or verified by the Engineering Manager based upon non-drought conditions.

Section 8.02.160
Construction Meter

Construction Meter: A meter attached to a fire hydrant or other appurtenance and used for construction purposes in incremental periods of six months or less.

Section 8.02.170
Construction Purposes

Construction Purposes: A temporary service that is facilitated through a fire hydrant or a blow-off for construction purposes; such as construction of a dwelling, or grading of land or other purpose where water is not needed permanently. Construction meters may not be used for agricultural purposes.

Section 8.02.180
Contamination

Contamination the impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates a potential hazard to public health.

Section 8.02.190
Control

Control: The right and power over the sanitary quality of water.

Section 8.02.200
Cross-Connection

Cross-Connection: Any physical connection, or arrangement of piping or fixtures, between two otherwise separate piping systems, one of which contains potable water and the other of which contains nonpotable water, industrial fluids, or fluids of questionable safety, through which, or because of which, backflow may occur into the District's system.

Section 8.02.210
Cross-Connection Control by Containment

Cross-Connection Control by Containment: The installation of an approved backflow prevention device in any Customer system at the water service connection.

Section 8.02.220
Customer

Customer: The person in whose name water service is furnished, as evidenced by the signature on the application or request for water service. In the absence of a signed application, the receipt and payment of bills regularly issued in that person's name shall suffice, regardless of the identity of the actual user of the service. The water bill shall be the responsibility of the person in whose name the meter service is held. In the event the water service is in the name of a renter or lessee, the ultimate responsibility for the bill shall be in the legal Owner or Owners of the property, as shown on the County Assessor's Tax Roll. The District requires a signed application by both Tenant and Owner when property is a rental.

Section 8.02.230
Customer System

Customer System: The Customer systems consist of all water components beyond the metered water service connections owned by the Customer.

Section 8.02.240
Degree of Hazard

Degree of Hazard: The term derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the District system.

Section 8.02.250
Distribution Main

Distribution Main: A pipeline with the primary intent to distribute water to Customers through laterals installed on the pipeline.

Section 8.02.260
Distribution System

Distribution System: The distribution system shall include the water delivery system from the source to the Customer systems.

Section 8.02.270
District

District: The Rainbow Municipal Water District.

Section 8.02.280
District Engineer

District Engineer: Position directly responsible for overseeing the engineering department as designated by the General Manager.

Section 8.02.290
Domestic and Municipal Purposes

Domestic and Municipal Purposes: The use of water for residential, public, commercial, industrial, and recreational purposes served by the District, but not including water used for agricultural purposes.

Section 8.02.300

Engineering Manager

Engineering Manager: Position directly responsible for overseeing the engineering department as designated by the General Manager.

Section 8.02.310
Fire Protection

Fire Protection: Actions or facilities for prevention or suppression of fires as directed by the fire Marshal or Fire Prevention officer with jurisdiction over the local area involved.

Section 8.02.320
General Manager

General Manager: The General Manager of the District or designee authorized by the Board or the General Manager to act in his/her behalf.

Section 8.02.330
Greywater

Greywater: Household wastewater other than toilet water, i.e., water from the laundry, shower, tub, bathroom and kitchen sinks.

Section 8.02.340
Health Hazard

Health Hazard: Any condition, device or practice in the District system, or its operation, which in the judgment of the District may create a danger to the health and well-being of any water Customer.

Section 8.02.350
Industrial Fluids System

Industrial Fluids System: Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into the District system.

Section 8.02.360
Industrial Waste

Industrial Waste: Any liquid or solid waste substance, other than domestic sewage, from any producing, manufacturing, or processing operation of any nature.

Section 8.02.370
Industrial Waste Treatment Plant or Facility

Industrial Waste Treatment Plant or Facility: Any works or devices for the treatment of industrial waste prior to its discharge into the District sewer facilities.

Section 8.02.380
Meter

Meter: Any device registering the flow or the amount of water passing through a service connection.

Section 8.02.390
Micro Irrigation Systems/Equipment

Micro Irrigation Systems/Equipment: Low pressure, low volume methods of water application. These devices include drip emitters, T-tape, micro sprayers, minisprinklers, twirlers, and spaghetti tubing. Pop-up sprinklers are not considered low volume, low pressure irrigation systems/equipment.

Section 8.02.400
Nonpotable Water

Nonpotable Water: Water which does not meet state and federal standards for safe drinking water and is not safe for human consumption.

Section 8.02.410
Payment Date

Payment Date: The date on which payment is received in the District offices or approved payment location, from a Customer in funds which can be deposited into a normal bank. The postmark date of a payment mailed to the District is not considered the payment date. Payments received after the close of business at the offices of the District will be considered to have been received on the next business day.

Section 8.02.420
Persons

Persons: Any individual, firm, association, organization, business trust or company.

Section 8.02.430
Plan Check & Inspection

Plan Check & Inspection Deposit: Monies provided to the District by the Applicant at the time of submission of improvement plans for the District's approval. The amount of deposit shall be determined by the General Manager and shall cover all costs related to the project.

Section 8.02.440
Plumbing Hazard

Plumbing Hazard: Any cross connection in a Customer plumbing system that has not been properly protected by an air-gap separation or backflow prevention.

Section 8.02.450
Pollution

Pollution: The presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water.

Section 8.02.460
Pollution Hazard

Pollution Hazard: An actual or potential threat to the physical properties of the District system, including water quality, which would constitute a nuisance or be aesthetically objectionable or could cause damage to the District system.

Section 8.02.470
Potable Water

Potable Water: Water which meets state and federal safe drinking water standards.

Section 8.02.480
Potable Water Service Connection

Potable Water Service Connection: The terminal end of a service connection from the District water system (that is where the District relinquishes control over the water at its point of delivery to the Customer system), being the downstream end of the meter. Service connections shall also include water service connections from a fire hydrant and all other temporary or emergency water service connections.

Section 8.02.490
Premises

Premises: The integral property or area, including the improvements to which water service is (or will be) provided. Premises shall be limited to a single parcel.

Section 8.02.500
Presentation or Date of Presentation

Presentation or "Date of Presentation": The date on which bills for water service to any Customer are deposited in the United States mail, postage prepaid, to his/her address as it appears upon the records of the District or delivered personally to a Customer.

Section 8.02.510
Property Owner or Owner

Property Owner or Owner: The holder of legal title to property receiving water service, contract purchaser, or lessee under a lease with any unexpired term of more than one (1) year, to be held jointly with the lessee and the holder of the title.

Section 8.02.520
Public Health Agency

Public Health Agency: The State of California Water Resources Control Board.

Section 8.02.530
Reclaimed Water

Reclaimed Water: Water which, as a result of treatment of wastewater, is suitable for a direct beneficial use or controlled use that would not otherwise occur. Reclaimed water shall comply with Title 22 of the California Code of Regulations as well as regulations from the County of San Diego Department of Environmental Health.

Section 8.02.540
Recreational and Ornamental Lakes and Ponds

Recreational and Ornamental Lakes and Ponds: Bodies of water which are not swimming pools, water storage reservoirs for potable water or irrigation purposes, or pools which maintain rare plant or animal species.

Section 8.02.550
Reduced Pressure Principle Device (RP)

Reduced Pressure Principle Device (RP): A backflow prevention device consisting of an assembly of two independently operating approved check valves with an automatically operating differential relief valve between the two check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves. The entire assembly shall meet the design and performance specifications and approval of a recognized and approved testing agency for backflow prevention assemblies. The device shall operate to maintain the pressure in the zone between the two check valves at a level less than

the pressure of the inlet device. At cessation of normal flow the pressure between the two check valves shall be less than the pressure at the inlet of the device. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these devices must be readily accessible for inline maintenance and testing and be installed in a location where no part of the device will be submerged.

Section 8.02.560
Reduced Pressure Principle-Detector Backflow Assembly (RPDA)

Reduced Pressure Principle-Detector Backflow Assembly (RPDA): A specially designed assembly composed of a line-size approved reduced pressure principle backflow prevention assembly with a bypass containing a specific water meter and an approved reduced pressure principle backflow prevention assembly. The meter shall register for only very low rates of flow up to 3 GPM and shall show a registration for all rates of flow.

Section 8.02.570
Remote Meters

Remote Meters: Service connections which may be provided to parcels which do not abut a District water main.

Section 8.02.580
Rules and Regulations

Rules and Regulations: The entire body of effective rates, tolls, rentals, charges, ordinances, rules and regulations, collectively of the District.

Section 8.02.590
Schedules, Tariffs or Lists

Schedules, Tariffs or Lists: Water rates, service connection charges, capacity fees or other charges for water service, materials, equipment and labor furnished by the District, as approved by the Board of Directors.

Section 8.02.600
Sealed Meter

Sealed Meter: Any meter in which the District has closed and sealed the service connection valve on the District side of the meter.

Section 8.02.610
Secondary Water Main

Secondary Water Main: Extensions of primary distribution mains constructed and dedicated to the District by a developer or property Owner.

**Section 8.02.620
Security Deposit**

Security Deposit: Monies required to be deposited with the District for the purpose of guaranteeing payment of utility bills rendered for water or sewer service.

**Section 8.02.630
Surcharge**

Surcharge: A charge imposed by the District for the provision of a special service not normally provided by the District, such as situations involving unusual quantity or quality requirements.

**Section 8.02.640
System Hazard**

System Hazard: An actual or potential threat of severe damage to the physical properties of the water system or of pollution or contamination which would have an adverse effect on the quality of the potable water in the District system.

**Section 8.02.650
Temporary Customer**

Temporary Customer: Any Customer for whom a temporary service connection has been approved by the District.

**Section 8.02.660
Termination of Service**

Termination of Service: Discontinuance of water service either by the District or as requested by the Customer.

**Section 8.02.670
Title 17**

Title 17: California Code of Regulations, Title 17, Public Health Regulations relating to cross-connection.

**Section 8.02.680
Transmission**

Transmission Main: A pipeline with the primary intent to transport water from the source to distribution mains. The installation of service laterals is restricted on transmission mains.

**Section 8.02.690
Units of Measurement**

Units of Measurement: A unit of 100 cubic feet, equivalent to 748 gallons, is the volume by which water is metered and billed by the District.

**Section 8.02.700
Used Water**

Used Water: Any water supplied by the District from the District system to a Customer after it has passed through the metered water service connection and is no longer under the control of the District.

**Section 8.02.710
Water Capacity Fee**

Water Capacity Fee: A charge imposed by the District for obtaining water service or service capacity.

**Section 8.02.720
Water Distribution System**

Water Distribution System: Individually or collectively any water facilities financed, constructed and dedicated to the District by an Applicant, Owner or Customer or which are the result of local initiative and financing in tracts and subdivisions, as well as non-commercial or industrial developments, which have been accepted by the District.

**Section 8.02.730
Water Source**

Water Source: The water source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.

**Section 8.02.740
Water Supervisor**

Water Supervisor: In industrial or commercial application, a water supervisor will be designated by the District. An individual designated as water supervisor will be responsible for keeping abreast of cross-connection regulations and maintenance of commercial and industrial water systems to prevent cross-connection or other sanitary effects from occurring on these types of water systems.

**Section 8.02.750
Water System**

Water System: The water system consists of the source and the distribution system under the control of the District, including the water meter, which is owned by the District.

Chapter 9.02
DEFINITIONS

Sections

9.02.010	Applicant
9.02.020	Board of Directors
9.02.030	BOD
9.02.040	Connection Fee
9.02.050	Customer
9.02.060	District
<u>9.02.070</u>	<u>District Engineer</u>
9.02. 080070	Domestic Sewage
9.02. 090080	Equivalent Dwelling Unit or EDU
9.02. 100090	Engineering Manager
9.02. 110100	Granny Unit/Casita/Guest House
9.02. 120110	Improvement District
9.02. 130120	Industrial Waste
9.02. 140130	Industrial Waste Treatment Facility
9.02. 150140	Lateral Connection
9.02. 160150	Lateral Sewer
9.02. 170160	Main Sewer
9.02. 180170	Manager
9.02. 190180	Non-reclaimable Sewage
9.02. 200190	Permit
9.02. 210200	Pre-Treatment
9.02. 220210	Property Owner or Owner
9.02. 230220	Reclaimable Sewage
9.02. 240230	SS
9.02. 250240	Security Deposit
9.02. 260250	Sewer Capacity Fee
9.02. 270260	Sewerage Facilities
9.02. 280270	Sewer Service Charge
9.02. 290280	Surcharge
9.02. 300290	Trunk Sewers

Section 9.02.010
Applicant

Applicant: Any person, firm, corporation, association or agency that desires to obtain service from the District by means of its sewerage facilities.

Section 9.02.020
Board of Directors

Board of Directors: The governing body of the Rainbow Municipal Water District.

Section 9.02.030
BOD

BOD: Denotes the unit of measurement of biochemical oxygen demand and means quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at twenty degrees Celsius expressed in milligrams per liter.

Section 9.02.040
Connection Fee

Connection Fee: That fee paid to the District for capacity in the District's collection, treatment and disposal facilities. It may be referred to as "capacity fee" or "impact fee".

Section 9.02.050
Customer

Customer: Any person, firm, corporation, association or agency that uses service from the District by means of its sewerage facilities.

Section 9.02.060
District

District: The Rainbow Municipal Water District.

Section 9.02.070
District Engineer

***District Engineer:* Position directly responsible for overseeing the engineering department as designated by the General Manager.**

Section 9.02.~~080~~070
Domestic Sewage

Domestic Sewage: Water-borne wastes derived from the ordinary living processes which are of such volume and character as to permit satisfactory disposal by the District's facilities, except any such liquid or substances as are hereinafter precluded from being delivered or deposited in any facilities of the District.

Section 9.02.090080
Equivalent Dwelling Unit or EDU

Equivalent Dwelling Unit or EDU: An increment of wastewater flow attributable to the average single-family residence in the District. One EDU is equal to a house discharging no more than 180 gpd of dry weather sewage having concentrations of no more than 200 milligrams per liter (mg/l) biochemical oxygen demand and 200 mg/l suspended solids.

Section 9.02.100090
Engineering Manager

Engineering Manager: Position directly responsible for overseeing the engineering department as designated by the General Manager. ~~A duly qualified, registered, professional engineer authorized to act on behalf of the District.~~

Section 9.02.110100
Granny Unit/Casita/Guest House

Granny Unit/Casita/Guest House: A separate building located on a residential parcel consisting of no more than one bedroom and one bathroom. The bedroom will be included in the determination of EDU's for the parcel in question. Kitchens are allowed in Granny Units/Casitas/Guest Houses.

Section 9.02.120110
Improvement District

Improvement District: Any of the improvement Districts of the District heretofore or hereafter formed.

Section 9.02.130120
Industrial Waste

Industrial Waste: Any liquid or solid waste substance other than domestic sewage, from any producing, manufacturing or processing operation of any nature.

Section 9.02.140130
Industrial Waste Treatment Facility

Industrial Waste Treatment Facility: Any works or devices for the treatment of industrial waste prior to its discharge into the District's sewerage facilities.

Section 9.02.150140
Lateral Connection

Lateral Connection: The connection of the District's main sewer to the building or improvements of the applicant, owner or customer.

Section 9.02.160150
Lateral Sewer

Lateral Sewer: The line from the connection of the District's main sewer to the building or improvements of the applicant, owner or customer.

Section 9.02.170160
Main Sewer

Main Sewer: The sewer collector line of the District to which lateral sewer lines may be connected.

Section 9.02.180170
Manager

Manager: The General Manager of the District or the person authorized to act on his behalf.

Section 9.02.190180
Non-reclaimable Sewage

Non-reclaimable Sewage: Any liquid or solid waste substance other than reclaimable sewage emanating from within the District, including but not limited to industrial waste. It shall not include: any substance which cannot be treated or disposed of by the existing facilities of the District by reason of the design thereof, applicable waste discharge or other requirements; actual or possible increased operation and maintenance costs, or possible damage to District facilities.

Section 9.02.200190
Permit

Permit: A permit for sewer connection.

Section 9.02.210200
Pre-Treatment

Pre-treatment: Treatment which the District may require prior to permitting discharge of sewage into the District's sewerage facilities to insure compliance with these rules and regulations and applicable federal or State statutes, regulations, contracts. or all of the foregoing, individually or collectively, or if determined by the District to be necessary to protect the facilities of the District from any possible present or future damage.

Section 9.02.220210
Property Owner or Owner

Property Owner or Owner: The holder of legal title.

Section 9.02.230220
Reclaimable Sewage

Reclaimable sewage: Wastewater which can be treated and reclaimed by the District's facilities so as to be usable for some beneficial purpose. Nothing in this Administrative Code is intended to limit or be inconsistent with Division 104, Part 12, Chapter 5, Article 1 of the California Health & Safety Code relating to residential water softening or conditioning appliances.

Section 9.02.240230
SS

SS: Suspended Solids.

Section 9.02.250240
Security Deposit

Security Deposit: Monies required to be deposited with the District for the purpose of guaranteeing payment of District charges.

Section 9.02.260250
Sewer Capacity Fee

Sewer Capacity Fee: A charge imposed by the District for obtaining sewer service from the District by means of its sewerage facilities. Also see "Connection Fee."

Section 9.02.270260
Sewerage Facilities

Sewerage Facilities: Any facilities owned or used by the District in the collection, transportation, treatment, disposal and reclamation of sewage and industrial wastes.

Section 9.02.280270
Sewer Service Charge

Sewer Service Charge: A monthly charge established by the District from time to time for sewer service.

Section 9.02.290280
Surcharge

Surcharge: A charge imposed by the District for the provision of a special service not normally provided by the District, such as situations involving unusual quantity or quality requirements.

Section 9.02.300290
Trunk Sewers

Trunk Sewers: The main interceptor sewer line of the District to which there are no connections other than main line sewers to a manhole.

**Chapter 9.02
DEFINITIONS**

Sections	
9.02.010	Applicant
9.02.020	Board of Directors
9.02.030	BOD
9.02.040	Connection Fee
9.02.050	Customer
9.02.060	District
9.02.070	District Engineer
9.02.080	Domestic Sewage
9.02.090	Equivalent Dwelling Unit or EDU
9.02.100	Engineering Manager
9.02.110	Granny Unit/Casita/Guest House
9.02.120	Improvement District
9.02.130	Industrial Waste
9.02.140	Industrial Waste Treatment Facility
9.02.150	Lateral Connection
9.02.160	Lateral Sewer
9.02.170	Main Sewer
9.02.180	Manager
9.02.190	Non-reclaimable Sewage
9.02.200	Permit
9.02.210	Pre-Treatment
9.02.220	Property Owner or Owner
9.02.230	Reclaimable Sewage
9.02.240	SS
9.02.250	Security Deposit
9.02.260	Sewer Capacity Fee
9.02.270	Sewerage Facilities
9.02.280	Sewer Service Charge
9.02.290	Surcharge
9.02.300	Trunk Sewers

Section 9.02.010
Applicant

Applicant: Any person, firm, corporation, association or agency that desires to obtain service from the District by means of its sewerage facilities.

Section 9.02.020
Board of Directors

Board of Directors: The governing body of the Rainbow Municipal Water District.

Section 9.02.030
BOD

BOD: Denotes the unit of measurement of biochemical oxygen demand and means quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at twenty degrees Celsius expressed in milligrams per liter.

Section 9.02.040
Connection Fee

Connection Fee: That fee paid to the District for capacity in the District's collection, treatment and disposal facilities. It may be referred to as "capacity fee" or "impact fee".

Section 9.02.050
Customer

Customer: Any person, firm, corporation, association or agency that uses service from the District by means of its sewerage facilities.

Section 9.02.060
District

District: The Rainbow Municipal Water District.

Section 9.02.070
District Engineer

District Engineer: Position directly responsible for overseeing the engineering department as designated by the General Manager.

Section 9.02.080
Domestic Sewage

Domestic Sewage: Water-borne wastes derived from the ordinary living processes which are of such volume and character as to permit satisfactory disposal by the District's facilities, except any such liquid or substances as are hereinafter precluded from being delivered or deposited in any facilities of the District.

Section 9.02.090
Equivalent Dwelling Unit or EDU

Equivalent Dwelling Unit or EDU: An increment of wastewater flow attributable to the average single-family residence in the District. One EDU is equal to a house discharging no more than 180 gpd of dry weather sewage having concentrations of no more than 200 milligrams per liter (mg/l) biochemical oxygen demand and 200 mg/l suspended solids.

Section 9.02.100
Engineering Manager

Engineering Manager: Position directly responsible for overseeing the engineering department as designated by the General Manager.

Section 9.02.110
Granny Unit/Casita/Guest House

Granny Unit/Casita/Guest House: A separate building located on a residential parcel consisting of no more than one bedroom and one bathroom. The bedroom will be included in the determination of EDU's for the parcel in question. Kitchens are allowed in Granny Units/Casitas/Guest Houses.

Section 9.02.120
Improvement District

Improvement District: Any of the improvement Districts of the District heretofore or hereafter formed.

Section 9.02.130
Industrial Waste

Industrial Waste: Any liquid or solid waste substance other than domestic sewage, from any producing, manufacturing or processing operation of any nature.

Section 9.02.140
Industrial Waste Treatment Facility

Industrial Waste Treatment Facility: Any works or devices for the treatment of industrial waste prior to its discharge into the District's sewerage facilities.

Section 9.02.150
Lateral Connection

Lateral Connection: The connection of the District's main sewer to the building or improvements of the applicant, owner or customer.

Section 9.02.160
Lateral Sewer

Lateral Sewer: The line from the connection of the District's main sewer to the building or improvements of the applicant, owner or customer.

Section 9.02.170
Main Sewer

Main Sewer: The sewer collector line of the District to which lateral sewer lines may be connected.

Section 9.02.180
Manager

Manager: The General Manager of the District or the person authorized to act on his behalf.

Section 9.02.190
Non-reclaimable Sewage

Non-reclaimable Sewage: Any liquid or solid waste substance other than reclaimable sewage emanating from within the District, including but not limited to industrial waste. It shall not include: any substance which cannot be treated or disposed of by the existing facilities of the District by reason of the design thereof, applicable waste discharge or other requirements; actual or possible increased operation and maintenance costs, or possible damage to District facilities.

Section 9.02.200
Permit

Permit: A permit for sewer connection.

Section 9.02.210
Pre-Treatment

Pre-treatment: Treatment which the District may require prior to permitting discharge of sewage into the District's sewerage facilities to insure compliance with these rules and regulations and applicable federal or State statutes, regulations, contracts. or all of the foregoing, individually or collectively, or if determined by the District to be necessary to protect the facilities of the District from any possible present or future damage.

Section 9.02.220
Property Owner or Owner

Property Owner or Owner: The holder of legal title.

Section 9.02.230
Reclaimable Sewage

Reclaimable sewage: Wastewater which can be treated and reclaimed by the District's facilities so as to be usable for some beneficial purpose. Nothing in this Administrative Code is intended to limit or be inconsistent with Division 104, Part 12, Chapter 5, Article 1 of the California Health & Safety Code relating to residential water softening or conditioning appliances.

Section 9.02.240
SS

SS: Suspended Solids.

Section 9.02.250
Security Deposit

Security Deposit: Monies required to be deposited with the District for the purpose of guaranteeing payment of District charges.

Section 9.02.260
Sewer Capacity Fee

Sewer Capacity Fee: A charge imposed by the District for obtaining sewer service from the District by means of its sewerage facilities. Also see "Connection Fee."

Section 9.02.270
Sewerage Facilities

Sewerage Facilities: Any facilities owned or used by the District in the collection, transportation, treatment, disposal and reclamation of sewage and industrial wastes.

Section 9.02.280
Sewer Service Charge

Sewer Service Charge: A monthly charge established by the District from time to time for sewer service.

Section 9.02.290
Surcharge

Surcharge: A charge imposed by the District for the provision of a special service not normally provided by the District, such as situations involving unusual quantity or quality requirements.

Section 9.02.300
Trunk Sewers

Trunk Sewers: The main interceptor sewer line of the District to which there are no connections other than main line sewers to a manhole.

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-10 - AMENDING AND UPDATING ADMINISTRATIVE CODE CHAPTER 2.09 – COMMITTEES

BACKGROUND

Over the past several months, the Engineering Services Committee has been discussing amending the committee's charter found in Administrative Code Chapter 2.09 to include operations. At their April 4, 2018 committee meeting, the members voted to recommend the Board approve this amendment.

DESCRIPTION

Administrative Code Chapter 2.09 has been amended to include operations which includes working in concert with the General Manager, District Engineer, and Operations Manager. Should this amendment be approved, the committee will also be responsible for reviewing matters of operations, preventative maintenance practices, standard operating procedures, technical services, equipment, and other operations-related matters.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Chapters 2.09.

Strategic Focus Area Two: Asset Management
Strategic Focus Area Six: Communications

BOARD OPTIONS/FISCAL IMPACTS

- 1) Approve Ordinance No. 18-10 amending and updating Administrative Code Chapter 2.09.
- 2) Approve Ordinance No. 18-10 amending and updating Administrative Code Chapter 2.09 with revisions.
- 3) Provide staff with further direction.
- 4) Do not approve Ordinance No. 18-10 amending and updating Administrative Code Chapter 2.09.

There will be no known direct fiscal impact associated with any of the Board Options.

STAFF RECOMMENDATION

Approve Ordinance No. 18-10 amending and updating Administrative Code Chapter 2.09.



Tom Kennedy, General Manager

April 24, 2018

Ordinance No. 18-10

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending the Administrative Code
Chapter 2.09 – Committees**

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:

Chapter 2.09: Committees

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 24th day of April 2018.

AYES:
NOES:
ABSTAIN:
ABSENT:

Helene Brazier, Board President

ATTEST:

Dawn Washburn, Board Secretary

Chapter 2.09 COMMITTEES

Section 2.09 Committees

The Board shall organize committees that are advisory to the Board with regard to matters within their respective areas of responsibility.

Each committee shall have at least four and no more than seven regular members appointed by a simple majority vote of the Board. Each committee may also have up to two alternate committee members appointed by a simple majority of the Board. Committees may be comprised of Directors, staff, and legal ratepayers of the District. Each committee shall designate their own chairperson. In order to promote attendance by Directors at Committee meetings without inadvertently creating a violation of the Ralph M. Brown Act, no more than one member of the Board of Directors may sit as a member on a Committee. Directors that are not members of a committee may attend as observers, but are allowed to participate at the Committee's request.

Members of the committees serve at the pleasure of the Board. Each committee may elect a vice-chairperson. Members of committees, including the chairperson and vice-chairperson shall serve until their successors are appointed. The chairperson of a committee is its presiding officer and shall be responsible for communicating the recommendation of the committee to the Board. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The chairperson and vice-chairperson are not deprived of any of the rights and privileges of a committee member by reason of being the presiding officer.

The initial committee chairpersons and vice-chairpersons will hold their position until January, 2009 at which time the committee members will hold elections to fill both positions. Thereafter the chairperson and vice-chairperson will hold their positions for one calendar year. Committee members will serve a term of four years and may be reappointed at the will of the Board.

Committee meetings shall be held in accordance with the provisions of the Ralph M. Brown Act. Notice of meetings of committees shall be posted 72 hours in advance pursuant to law and shall be considered regular meetings of the committee.

The committee shall record summary minutes of each lawfully noticed committee meeting. The minutes of each committee meeting and any recommendation of a committee shall include a summary of the information presented. District staff will prepare minutes of each meeting. Draft minutes shall be provided to the District Board and Committee Chairs as soon as practical following the committee meeting, and an approved copy shall be provided to the Directors in their monthly agenda packages.

A majority of the members of each committee shall constitute a quorum for the transaction of business.

Only regular members of the committee are entitled to make, second or vote on any motion or other action of the committee. Alternate members present at a meeting, but not seated as a regular member by the committee Chairperson, may participate in discussions but may not participate in motions or voting. Each committee member shall be entitled to one vote on all matters considered by the committee. A simple majority vote of the members of the Committee shall designate approval of a motion.

All committee member absences will be considered by the majority of the committee members to determine whether or not the absence is without cause. Sickness, jury duty, vacation and/or bereavement will be considered excused absences. When three meetings in a row or a total of six meetings in one calendar year are missed the remaining committee members will consider removal of the individual from the committee. The removal must be voted upon and approved by the majority of the committee members with the exception of the committee member in question.

If the roll call of regular members reveals that a quorum of regular members cannot be established, the Chairperson may appoint one or more alternate members who are present to be a temporary regular member in order to establish a quorum. Once a quorum is established, any remaining alternate member who has not been appointed as a temporary regular member shall remain as an alternate member. Once alternates have been seated as a regular committee member, they may immediately participate in any action taken and voted upon by the committee. All alternates must conform to the same rules as regular committee members. The Chairperson shall state for the record which alternate members have been seated as temporary regular members.

Committee Members and alternates shall comply with the obligations and responsibilities of office including the obligation to comply with the disclosure requirements of the Political Reform Act (Form 700). The reporting categories made applicable to the Directors by Rainbow Municipal Water District's local conflict of code shall apply to the members of the committee members.

All committee communications must go through the designated committee chairperson.

A committee has jurisdiction to consider and make a recommendation to staff, 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.

The Board may refer a recommendation back to the committee for reevaluation whenever the Board deems additional evaluation is required.

2.09.010- Budget and Finance Committee

The Committee shall work in concert with the General Manager, Treasurer, and Finance Manager of the District.

The Committee shall be responsible for the review of District finances including: rates, fees, charges and other sources of revenue; budget; audit; investments; insurance; and other financial matters.

2.09.020 Engineering and OperationsServices Committee

The Committee shall work in concert with the General Manager, ~~and~~ District Engineer, and Operations Manager.

The Committee shall be responsible to review matters of design, construction, replacement, and repair of the District facilities and property, including: the Capital Improvement Program; contractor selection process; contractor management programs; and other engineering-related matters.

The committee shall also be responsible to review matters of operations, preventative maintenance practices, standard operating procedures, technical services, equipment, and other operations-related matters.

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2.09.030 Communications Committee

The Committee shall work in concert with the General Manager.

The Committee shall be responsible for matters of internal and external communications including: positive public image; positive staff relationships; community outreach; media relations; water conservation programs; intergovernmental relations; and other public relations programs.

Chapter 2.09 COMMITTEES

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The Committee shall work in concert with the General Manager, District Engineer, and Operations Manager.

The Committee shall be responsible to review matters of design, construction, replacement, and repair of the District facilities and property, including: the Capital Improvement Program; contractor selection process; contractor management programs; and other engineering-related matters.

The committee shall also be responsible to review matters of operations, preventative maintenance practices, standard operating procedures, technical services, equipment, and other operations-related matters.

2.09.030 Communications Committee

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The Committee shall work in concert with the General Manager.

The Committee shall be responsible for matters of internal and external communications including: positive public image; positive staff relationships; community outreach; media relations; water conservation programs; intergovernmental relations; and other public relations programs.

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE A SEWER SERVICE AGREEMENT BETWEEN RAINBOW MUNICIPAL WATER DISTRICT AND BEAZER HOMES HOLDINGS, LLC. PALA MESA HIGHLANDS, TM 5187-1 (Map 16124)

BACKGROUND

Pala Mesa Highlands, located along Old Highway 395, is a 124 lot development currently under construction. The Developer, Beazer Homes, and District entered into a number of Agreements regarding sewer connection fees, paid capacity fees (sewer service charges), and EDU allocations dating back to April 14, 1999. On December 14, 2015, the District and Beazer Homes entered into an Agreement to Acknowledge and Defer Sewer Connection Fee Charges. The credit for paid sewer service charges of \$965,007, then representing 55 EDU's of capacity, was identified in the Agreement which was to expire December 14, 2017.

DESCRIPTION

The Developer requested a time extension of the Agreement prior to its expiration; however, in 2016/17 the application procedure was revised in the Administrative Code for small (5 parcels or less) and large (subdivisions) developments. Subdivisions greater than 5 parcels/lots now require payment of fees and/or an agreement (Sewer Service Agreement) prior to a commitment of service. The time necessary to complete an agreement and present it to the Board for consideration meant going past the expiration date of December 14, 2017.

At the December 5, 2017 Board meeting, a time extension of six months for the Agreement was approved, within which time a new Sewer Service Agreement (SSA) would be prepared, reviewed and brought to the Board for approval.

A Sewer Service Agreement has been prepared and reviewed by District staff and Beazer Homes and is presented for Board review and consideration for approval.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Four: Fiscal Responsibility. A Sewer Service Agreement ensures the developer pays an appropriate amount to buy into the existing District facilities that will be used by future home owners and contributes an equitable share of the capital costs required to increase capacity in the sewer system. Strategic Focus Area Five: Customer Service. Utilizing the sewer service agreement with the developer is important in serving both our current and future customers. These agreements ensure that the future customers in the development have access to reliable sewer service. Also, agreements protect the services currently provided to existing customers by ensuring developers contribute the necessary infrastructure to mitigate their additional demands.

BOARD OPTIONS/FISCAL IMPACTS

If the Sewer Service Agreement is approved, the District will honor the \$965,007 in sewer connection fees previously paid. In addition, the SSA sets forth terms and conditions for the connections of the development EDUs and payment of connection/capacity fees at current established rates. The SSA has a five (5) year term with one additional five (5) year extension possible. The total additional connection fee amount is approximately \$1,285,247, based on current fees and planned home sizes.

- 1) Approve the Sewer Service Agreement between the District and Beazer Homes Holdings, LLC.
- 2) Provide other direction to the staff.

STAFF RECOMMENDATION

Staff Recommends Option 1



Ken Gerdes, P.E.
Interim District Engineer

4/24/2018



RAINBOW MUNICIPAL WATER DISTRICT
3707 OLD HIGHWAY 395, FALLBROOK, CALIFORNIA 92028
TELEPHONE (760) 728-1178 FAX (760) 728-2575

**SEWER SERVICE AGREEMENT
BY AND BETWEEN RAINBOW MUNICIPAL WATER DISTRICT AND BEAZER
HOMES HOLDINGS, LLC**

**PALA MESA HIGHLANDS, TM 5187-1/Map 16124
RMWD PROJECT NO. 700-700012
CONTRACT NO. 18-04**

This Sewer Service Agreement (“SSA”) is made and entered into this _____ day of _____, 2018 (“Commencement Date”) by and between Rainbow Municipal Water District (“District”), a municipal water district organized under the Municipal Water District Law of 1911, and Beazer Homes Holdings, LLC, a Delaware limited liability company, successor by conversion to Beazer Homes Holdings Corp., a Delaware corporation (“Developer” or “Beazer”). Each of District and Developer are interchangeably referred to as a “Party” to the Agreement herein, and are collectively referred to as the “Parties.”

RECITALS

- A. Developer, successor-in-interest to Pala Mesa LLC, is the legal owner of real property located in Fallbrook, San Diego County, State of California, which real property lies within the jurisdictional service area of the District, identified as Assessor’s Parcel Numbers 125-050-70 and 71 (“Pala Mesa Highlands”), and more particularly described as San Diego County TM 5187-1 (Map 16124), which is incorporated into this SSA by reference. Said Map 16124, Pala Mesa Highlands, consists of 124 lots/parcels.
- B. On April 14, 1999, the District and Pala Mesa LLC entered into an Agreement Consenting to Sewer Connection Fee Charges and the Reimbursement of Charges in Excess of Actual Project Costs in connection with the Pala Mesa development (“Agreement”), made a part of this SSA and incorporated herein by reference. By the Agreement, Pala Mesa LLC agreed to pay the District \$1,331,200 for a Sewer Availability Letter for 200 Equivalent Dwelling Units (“EDUs”) and to join the District’s Sewer Allocation Plan, which required that Pala Mesa LLC use the EDUs during an allocation plan year or the EDUs would be forfeited.
- C. On August 27, 2003, the District and Developer, as the assignee of Pala Mesa LLC’s rights concerning the original real property and as the legal owner of said real property, entered into an Amendment to Agreement (“First Amended Agreement”), made a part of this SSA and incorporated herein by reference. By the First Amended Agreement, the District acknowledged the allocation of 200 EDUs to Developer, although the rights to those EDUs had expired and had been forfeited under the original Agreement. In exchange, Developer agreed to pay the full amount of then-current sewer connection fees for each EDU used

prior to connection. Developer further agreed to irrevocably tender to District 55 EDUs subject to reimbursement by the District. In addition, the rights to EDUs and to reimbursement were to expire on January 1, 2008, and all related sewer connection fees would be forfeited at that time.

- D. On December 19, 2013, Developer submitted to the District a Sewer Permit Application (“Application”), made a part of this SSA and incorporated herein by reference. The Application sought to confirm that Developer had previously paid to the District \$965,007 for a total of 55 EDUs of sewer capacity which expired on January 1, 2008 (per the First Amended Agreement), and were not renewed or otherwise extended. However, Developer had continued to pay unconnected fees to ensure that sewer service was immediately available to Pala Mesa Highlands. The Application was issued for a term of two years, expiring on December 19, 2015.
- E. On December 14, 2015, the District and Developer entered in an Agreement to Acknowledge and Defer Sewer Connection Fee Charges (“Deferral Agreement”), made a part of this SSA and incorporated herein by reference. By the Deferral Agreement, the District honored the \$965,007 in sewer service charges previously paid for 55 EDUs of sewer capacity that had otherwise expired, and credited Developer with same. The credit was to expire two (2) years from the Commencement Date and would not be credited if sewer connection fees were not brought current within those two (2) years. In addition, the District deferred Developer payment of outstanding sewer connection fees necessary to bring current all fees for Pala Mesa Highlands, as required by then-current District Administrative Code Sections 9.04.060.3 and 9.05.170.3, up to and until building permits for Pala Mesa Highlands are issued by the County of San Diego, or until the Deferral Agreement expired, whichever came first. The Deferral Agreement expiration date was December 15, 2017.
- F. The District Board of Directors approved a six month extension of the Deferral Agreement at the December 5, 2017 Board meeting. Section 9.05 of the Administrative Code was amended and approved by Ordinance No. 17-10 on August 22, 2017. The conditions of approval for a Service Commitment Letter were revised such that the then-current Sewer Permit Application form was inadequate for large projects or subdivisions requiring more than five EDUs. The extension provided time to prepare a Sewer Service Agreement, which is used in lieu of a Sewer Permit Application.
- G. District Administrative Code sections 9.05.080.4 and 9.05.080.5 address terms and conditions of the sewer commitment which must be satisfied for service. Those terms include payment of 50% of the total connection fees to ensure that sewer capacity is available, the length of the service commitment is for a 5-year term which may be renewed for one, 5-year extension, and that all sewer connection fees for Pala Mesa Highlands be brought current by payment of the difference between the fees originally paid and the now-current fee rates.
- H. District acknowledges that standard industry practice provides for payment of all outstanding sewer charges for a development prior to issuance of building permits. However, the District’s Administrative Code and rules and regulations require payment of connection (capacity) fees (or percentage thereof) prior to commitment of service. All fees are payable prior to District’s signoff of Utility Clearance for Building Permits.

- I. District further acknowledges that it currently has sufficient sewer capacity to serve Pala Mesa Highlands.

NOW, THEREFORE, in consideration of these recitals and the mutual covenants contained herein, the District and Developer agree as follows:

AGREEMENT

1. **Warranties.** The foregoing recitals are true and correct. The undersigned, for themselves and the Party on whose behalf they execute this Agreement, warrant and represent that they have full power and authority to bind said Party to the obligations and benefits set forth in this Agreement.
2. **Credit of Sewer Capacity Fees.** District hereby acknowledges \$965,007 previously paid for sewer capacity in connection with Pala Mesa Highlands and credits Developer with same. In accordance with District Administrative Code sections 9.05.080.4.3 and 9.05.080.4.4, this service commitment and Agreement will expire and amounts previously paid will not be credited if sewer connection fees are not brought current by the expiration date. The fees paid in exchange for the amount of EDUs and sewer capacity allocated to Developer are non-refundable, per the District's policy, pursuant to District Administrative Code section 9.05.080.4.4.
3. **Capacity Fees.** In accordance with District Administrative Code section 9.05.080.4.2, Developer shall pay to the District a fee in the amount of 50% of the connection fees required to serve the entire project in order to ensure sewer capacity is available. The amount due upon approval of this SSA shall be 50% of the total connection fees due at current rates minus the \$965,007 previously paid and credited to Developer. The remaining connection fees shall be paid prior to issuance of building permits.
4. **Term.** **As provided by District Administrative Code section 9.05.080.4.3, this (service commitment) Agreement shall become effective on the date of mutual execution by the Parties, and shall terminate five years from that date. The service commitment may be renewed for one additional five-year term upon application and payment to the District of a fee equal to the difference between fees previously paid and the current fee rates in effect at the time of renewal.**
5. **Developer's Obligations.**
 - a) Developer agrees to defend, indemnify and hold District harmless from any and all claims, demands, actions, damages, attorneys' fees, costs, expenses, compensation, causes of action and rights, in law or in equity, in the nature of an administrative procedure or otherwise (known, unknown, contingent, accrued, inchoate, or otherwise) that Developer may have against the District, related to, arising from and/or pertaining in any way to this Agreement, including without limitation, the payments made to the District for sewer service fees for Pala Mesa Highlands.
 - b) Developer further agrees to pay the District the full amount of sewer fees required by the District to serve Pala Mesa Highlands, at the rates then in existence, at the time building permits are issued by the County of San Diego

and prior to connecting to the sewer system, unless the District seeks payment after this Agreement expires but before permits are issued, as provided herein.

6. Subject to Approval. This Agreement is subject to the approval of the District Board of Directors, and District shall not be bound to any terms of this Agreement absent such approval.
7. Non-Assignment. This Agreement shall not be assigned or transferred, nor shall any of the Developer's rights hereunder be delegated or subcontracted. Any attempt to assign or delegate this Agreement shall render this Agreement void and of no force or effect.
8. Notice. All notices, demands, payments, requests, consents, or other communications which this Agreement either contemplates, authorizes, requires, or permits any Party to give to the other Party, shall be in writing and shall be personally delivered, sent by registered or certified mail, postage pre-paid, return receipt requested, or by email, addressed to the respective parties as follows:

To District: Rainbow Municipal Water District
 Attn: General Manager
 3707 Old Highway 395
 P.O. Box 2500
 Fallbrook, California 92088
 Tel.: (760) 728-1178
 Fax: (760) 728-2575
 Email: mpowers@rainbowmwd.com

With a Copy to: Alfred Smith, II, General Counsel
 Nossaman LLP
 777 South Figueroa Street
 34th Floor
 Los Angeles, California 90017
 Tel.: (213) 612-7831
 Fax.: (213) 612-7801
 Email: asmith@nossaman.com

To Developer: Beazer Homes Holdings, LLC
 310 Commerce, Suite 150
 Irvine, CA 92062
 Attn: Kimberly N. Molina, Authorized Signatory – West Region
 Tel.: (714) 782-4271
 Fax.:
 Email: kim.molina@beazer.com

With a Copy to: Beazer Homes
 1000 Abernathy Road, Suite 260
 Atlanta, GA 30004
 Attn: Andrew Devin

Tel.: (770) 829-3770
Fax.: (770) 481-7579
Email: Andrew.devin@beazer.com

Any party may change its address and contact information by notice to the others as provided herein. Any such change shall be incorporated into this Agreement as if fully set forth herein. Notices shall be deemed effective when delivered if personally served or if sent by mail. If served or sent by email or facsimile, notices shall be deemed effective on the same business day that the notices are sent, or if received after 5:00 p.m., then the notice shall be deemed effective on the next business day.

9. Defense Costs on Third Party Challenge. In the event of a third-party challenge to the project, or the implementation and/or administration of the project, the Developer shall pay defense costs as a cost of the project, and may make calls on Letters of Credit or other security therefor. Notwithstanding the above, litigation regarding rate setting by the District is not a cost of the project.
10. Agreement Controlling. With respect to the District's allocation of EDUs to Developer, as described within this Agreement, in the event of any conflict or ambiguity between this Agreement, Developer's Application, or any other document attached hereto or incorporated by reference herein, this Agreement shall control as between the Parties.
11. Governing Law/Venue. The interpretation, validity and enforcement of this Agreement shall be governed by and construed under the laws of the State of California. The appropriate venue for any action brought to enforce or declare its terms shall be brought in the appropriate state or federal court in or nearest to the North County Judicial District for the County of San Diego.
12. Severability. Should any provisions herein be found or deemed invalid or in contravention of California law, such provision shall be deemed not a part of this Agreement. All other provisions of this Agreement shall remain valid and enforceable, and shall remain in full force and effect.
13. Modification. This Agreement may only be modified by written agreement signed by the Parties.
14. No Third-Party Beneficiary. This Agreement shall inure to the benefit of and be binding upon the Parties. This Agreement is not intended to and shall not be for the benefit of third parties who are not expressly included herein.
15. Attorneys' Fees and Costs. In the event any legal action or proceeding to interpret or enforce the terms of, or obligations arising from, this Agreement – including mediation or arbitration – or to recover damages for breach of this Agreement, the Party prevailing in any such action or proceeding shall be entitled to recover from the non-prevailing Party all reasonable attorneys' fees, costs, and expenses incurred by the prevailing Party.
16. Further Assurances. The Parties hereby covenant and agree that the Parties will execute such other and further documents and instruments as are or may become necessary or convenient to effectuate and carry out the terms of this Agreement.

17. Headings. The headings contained in this Agreement have been inserted for convenience only and in no way define or limit the scope or interpretation of this Agreement.
18. Entire Agreement. This Agreement, together with all attachments hereto, constitutes the entire agreement between the Parties with respect to the subject matter hereof, and all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are superseded.
19. Attachments. All attachments referred to herein are hereby incorporated by reference into this Agreement as though fully set forth in the body of this Agreement.
20. Waiver. No covenant, term or condition, or the breach thereof, shall be deemed waived except by written consent of the Party against whom the waiver is claimed. Any waiver of the breach of any covenant, term, or condition shall not be deemed to be a waiver of any preceding or succeeding breach of the same or any other covenant, term, or condition. Acceptance by District of any performance by Developer after such time that the performance is due shall not be deemed a waiver of any preceding breach by Developer other than the failure of performance expressly accepted, regardless of the District's knowledge of such preceding breach at the time of acceptance. No delay or omission by either Party in exercising any relief or power accruing upon non-compliance or failure of performance by the other Party shall impair or be construed as a waiver thereof, unless an intention to waive is expressly set forth in a writing signed by the waiving Party.
21. Warranties. District and Developer covenant and represent that each respective Party has the full authority to execute, deliver, and perform this Agreement, and that each Party has fully complied with all requirements imposed by law as necessary for the Party to create a lawful and binding Agreement for the term of this Agreement. Each individual signing this Agreement for the District represents and warrants that he or she has the full power and authority, and legal right, to execute this Agreement on behalf of the District, and that the District has taken all necessary actions to authorize the individual signing on behalf of the District's behalf to do. Each individual signing this Agreement on behalf of Developer represents and warrants that he or she has the full power and authority, and the legal right, to execute this Agreement on behalf of Developer, and that Developer has taken all necessary actions to authorize the individual signing on Developer's behalf to do so.
22. Force Majeure. If either Party, except as otherwise herein specifically provided, shall be delayed or prevented from performing any act required hereunder, by reason of strikes, lock-outs, labor problems, inability to procure materials, fire, unusual weather conditions, failure of power or other utilities, applicable governmental laws or regulations (other than those reasonably foreseeable in connection with the uses contemplated by this Agreement), riots, insurrection, war or other reason of a like nature, not the fault of the Party so delayed, then performance of such act shall be excused for the period necessary to accommodate such delay.
23. Understanding. Each Party hereto acknowledges that the Party has reviewed this Agreement and has had an opportunity to consult legal counsel, and that the normal rule of construction that ambiguities are resolved against the drafting Party shall not be employed in the interpretation of this Agreement or any subsequent amendments hereto.

24. Counterparts. This Agreement may be executed in counterparts, which, taken together, shall be construed as a single, complete Agreement.

IN WITNESS WHEREOF, the Parties, for themselves, do hereby agree to the full performance of the covenants herein and have caused this Agreement to be executed on the date first set forth above.

RAINBOW MUNICIPAL WATER
DISTRICT

DEVELOPER: BEAZER HOMES
HOLDINGS, LLC

Name: Tom Kennedy
Title: General Manager

Name: Kimberly N. Molina
Title: Sr. Director of Planning
Authorized Signatory-West Region

APPROVED AS TO FORM
DISTRICT'S GENERAL COUNSEL

APPROVED AS TO FORM
DEVELOPER'S COUNSEL

Name: Alfred E. Smith, II of Nossaman LLP
Title: General Counsel

Name: Andrew Devin
Title: Assistant General Counsel

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE SEWER SERVICE AGREEMENT FOR THE PALOMAR NORTH EDUCATION CENTER

BACKGROUND

Palomar College acquired property north of State Route 76 between Interstate 15 and Horse Ranch Creek Road in the mid 2000's for the purpose of constructing its North Education Center. The campus will ultimately provide education services to over 8,000 part-time students and faculty. The campus is scheduled to open in June 2018.

Palomar acquired 100 Equivalent Dwelling Units (EDUS) of sewer capacity from Passerelle, Inc. in 2007 and the District agreed to recognize that assignment of EDUs to Palomar in a 2012 agreement (Passerelle Agreement). In 2015, the District, Passerelle and D.R. Horton entered into two amended agreements (Passerelle and D.R. Horton Agreement) which identify D.R. Horton as successor-in-interest to certain portions of the Passerelle property, as well as certain Passerelle rights and obligations. The agreements also concern the construction, installation and financing/reimbursement obligations for sewer facilities serving the benefiting properties, including the Palomar site.

DESCRIPTION

Palomar College has substantially completed the sewer main through its campus which will connect to and convey flow from the Pala Mesa sewer to the recently completed sewer main in Horse Ranch Creek Road. The connection has not been made yet due to on-site campus construction and the pending completion of the new lift station.

This Sewer Service Agreement includes conditions which must be met prior to providing sewer service to the Campus such as payment of construction costs and District engineering and inspection fees, dedication of easements for District facilities, and completion of the connection to the Pala Mesa area (golf course) sewer. The Agreement also identifies the possible future use of two flow monitoring manholes which can be used to measure flow and sample wastewater constituents which may be regulated in the future.

The Agreement also cites past agreements for reimbursement of costs associated with construction of a sewer stub into the Palomar property. D.R. Horton constructed the sewer stub when the main sewer in Horse Ranch Creek Road was installed. The costs attributed to Palomar will be reimbursed to D.R. Horton by the College through the District, per this and previous agreements.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Five: Customer Service. Establishing a sewer service agreement with Palomar College is important in serving the community. The agreement ensures that the College has access to reliable sewer service. Also, agreements like this protect the services currently provided to existing customers by ensuring developers contribute the necessary infrastructure to handle their added demands.

BOARD OPTIONS/FISCAL IMPACTS

Once the College is open, the District will realize revenue from water sales and sewer collection.

- 1) Approve the Sewer Service Agreement which allows discharge of 100 EDUs to the District sewer system once the Horse Creek Lift Station is completed, accepted and operational. The Agreement also includes reimbursement from Palomar for the sewer stub constructed for the campus by D.R. Horton.
- 2) Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Ken Gerdes, P.E.
Interim District Engineer

4/24/18



RAINBOW MUNICIPAL WATER DISTRICT
3707 OLD HIGHWAY 395, FALLBROOK, CALIFORNIA 92028
TEL (760) 728-1178 • FAX (760) 728-2575

**SEWER SERVICE AGREEMENT
BY AND BETWEEN RAINBOW MUNICIPAL WATER DISTRICT
AND PALOMAR COMMUNITY COLLEGE DISTRICT**

**NORTH EDUCATION CENTER SEWER EXTENSION
RMWD PROJECT NO. 200-200026
CONTRACT NO. 18-05**

This sewer service agreement (“Agreement”) is made on this ____ day of _____, 2018, by and between Rainbow Municipal Water District (“District”), a municipal water district organized under the Municipal Water District Law of 1911, and Palomar Community College District (“Palomar”). Each of District and Palomar are interchangeably referred to as “Party” to the Agreement herein, and are collectively referred to as “Parties”.

RECITALS

A. District is a municipal water district organized pursuant to California Water Code Section 71000 *et seq.* District provides water and sewer service to properties within its service area.

B. Palomar is the owner of the real property located in the County of San Diego, and within the District service area, as more particularly described and depicted as County of San Diego TM 5338-1, Assessor Parcel Number 108-120-55 (the “Palomar College Site”).

C. Palomar acquired 100 Phase I Equivalent Dwelling Units (“EDUs”) from 15-76 Partnership, and Pala Village Investments, Inc. pursuant to an “Assignment of Sewer EDUs” dated June 15, 2007 (the “Palomar EDUs”). The Parties are informed that Passerelle, LLC (“Passerelle”) is a successor in interest to both 15-76 Partnership and Pala Village Investment, Inc.

D. District and Passerelle entered into an Amended and Restated Sewer Service Agreement dated December 6, 2012, (the “Passerelle Agreement”). The Passerelle Agreement concerns the construction and installation of sewer facilities serving the Palomar College Site. The Passerelle Agreement states the District agrees to recognize the assignment of 100 EDUs to Palomar.

E. District, Passerelle, and D.R. Horton entered into an Amended and Restated Memorandum of Agreement and a First Amendment to Amended and Restated Sewer Service Agreement both dated October 26, 2015, (the “Passerelle and D.R. Horton Agreement”). Said Agreements identify D.R. Horton as successor-in-interest in a certain portion of the Passerelle property, as well as certain of Passerelle rights and obligations, and also sets forth agreements as to construction, installation, and financing of sewer facilities serving the Palomar College site and surrounding benefiting properties.

AGREEMENT

NOW, THEREFORE, for valuable and sufficient consideration, the Parties hereby enter into the following Agreement:

ARTICLE 1 IMPROVEMENTS

1.1 Sewer Line Construction by Palomar. Palomar shall construct a sewer main (“Sewer Line”) extending east from the existing Pala Mesa Sewer main to connect to the sewer main constructed by D.R. Horton within Horse Ranch Creek Road. Palomar has completed, and District has approved, plans for said Sewer Line. The plans are entitled “Palomar North Education Center Water and Sewer Improvement Plans”, consisting of three (3) sheets, prepared by Masson & Associates, 200 E. Washington Ave., Escondido, CA 92025 (the “Plans”). The Plans were approved by the District on November 11, 2017. All construction required by this Agreement shall be completed pursuant to the Water and Sewer System Construction Agreement (“Construction Agreement”) dated December 27, 2017, by and between the District, Palomar and Palomar’s contractor, Elite Earthworks & Grading, dba GK Backlund.

1.2 Costs of Improvements. Palomar shall be responsible for all costs of design and construction of the Sewer Line to District standards and specifications. The costs of the Sewer Line shall include, but are not limited to, the costs for the design, construction, engineering, legal review, permitting, financing, materials, insurance costs, and reimbursement to the District of its costs for review and design, inspection, and acceptance of the Sewer Line.

1.3 Construction Timeline. Construction of the Improvements, including, but not limited to the Sewer Line, shall commence according to the following schedule.

(a) Construction began on December 5, 2017 and was substantially complete on January 4, 2018, pending connection to Pala Mesa Sewer.

(b) Final completion includes connection to the Pala Mesa Sewer which is dependent on completion, testing and approval of the D.R. Horton Sewer Lift Station. The Completion Date for the Lift Station will be determined by written notice which will be provided to Palomar by the District. The final testing and approval of the Station is estimated to be late June, early July 2018.

(c) Palomar agrees to complete construction no later than three (3) weeks after completion of the Sewer Lift Station improvements stated in the Passerelle and D.R. Horton Agreement, (the “D.R. Horton Completion Date”). In no instance shall Palomar be allowed to discharge sewage into the new Sewer Line until the Lift Station is completed, tested, approved and accepted in writing by District.

(d) The Parties agree that should Palomar fail to complete construction within three (3) weeks of the Sewer Lift Station Completion Date, or fail to complete construction during the timeframe stated in the Construction Agreement, the District shall have the right to commence and/or prosecute to completion construction of the sewer line on Palomar’s property, meeting District’s reasonable requirements (consistent with any agreement reached pursuant to paragraph

1.1, if any) with all costs to be borne by Palomar, and to be paid by Palomar within thirty (30) days of receipt of the District's invoice for all such costs.

(e) The Parties agree that time is of the essence with respect to construction of the Sewer Line and Improvements and that the construction timeline set forth herein is a material term of this Agreement. As stated in the Construction Agreement completion of construction shall be six (6) months from the time material is first delivered to the jobsite.

1.4 Property Interests Necessary for Improvements. Palomar at its sole expense shall acquire all necessary easements, permits, regulatory approvals, and property reasonably required to complete the Improvements. All property interests and rights required to be acquired shall be at the sole expense of Palomar, unless otherwise agreed to in writing by the Parties. District shall cooperate with Palomar as necessary for Palomar to obtain such easements, permits, regulatory approvals, or property.

1.5 Easement. Palomar shall grant District a forty-five (45) foot wide easement on the Palomar College Site extending equal directions from the center of the Sewer Line and appurtenant improvements using the District's Easement Deed form. Palomar shall also grant an easement for access to the sewer manhole connecting the Pala Mesa sewer main to the Palomar sewer main, located near the westerly property line at Interstate 15. The District shall have authority to record the Easement Deeds, and the District's authority shall not be subject to conditions. The District shall not be required to perform any obligation set forth herein, or to provide any sewer or other service to the Palomar College Site, unless and until the Easement Deeds are recorded.

1.6 Dedication to District. Palomar shall dedicate the Sewer Line and manholes and property interests necessary for the operation of the Sewer Line to the District immediately upon its completion and acceptance by District.

1.7 Written Updates. Every three (3) months during the Term of this Agreement as defined in Section 6.2 herein, Palomar shall provide District with a written update regarding the status of the Sewer Line construction and development of the Palomar College Site, including the status of the issuance of any permits, easements, property interests and rights, and any other approvals necessary for the Sewer Line construction or development of the Palomar College Site and estimated dates of completion.

1.8 Compliance with Laws; Prevailing Wage. The parties agree to comply with all applicable laws in the construction of Improvements, including but not limited to Prevailing Wage Law (Labor Code, §§ 1720-1780) to the extent applicable.

1.9 Connection Charge Credit. In consideration for Palomar constructing the Improvements and in recognition of the benefits to be derived by District, District shall provide Palomar a credit for the full amount of any Rehabilitation Charges and Connection Fees for 100 EDUs (collectively, "Connection Charge") to be assessed by the District against Palomar to connect the Palomar College Site to the District's sewer system subject to the terms provided herein.

1.10 Fee Credit. Upon satisfactory completion of all Improvements required under this Agreement, Palomar's total Fee Credit will equal the Connection Charges for 100 Palomar

EDUs. If Palomar does not satisfactorily complete any Improvements, Palomar shall not be entitled to any Fee Credit.

**ARTICLE 2
PALOMAR EDUS**

2.1 Agreement Limited to Existing EDUs. This Agreement is limited to the 100 Phase I Palomar EDUs previously assigned by Passerelle with District consent in the Passerelle Agreement.

2.2 District Recognition of Palomar EDUs. Notwithstanding the fact that the assignment of the Palomar EDUs by Passerelle did not conform to the requirements described in the Passerelle Agreement, District agrees to recognize the assignment to Palomar.

2.3 Connection to District Sewer. At least thirty (30) calendar days prior to connection of each on-site sewer generating facility (building and use), Palomar shall provide written notice to District of the proposed connection date, the number of lavatories/toilets/showers and the estimated number of students/faculty to be connected. Palomar shall not be obligated to pay to District any other fee or charge for connection of the Palomar EDUs other than inspection charges during construction so long as all Improvements and the D. R. Horton (Horse Creek) Lift Station, as necessary to serve the campus EDUs, have been completed, dedicated and accepted by District.

2.4 Reservation of Capacity. District shall not provide capacity to any third party's property in District's sewer system such that District would be precluded from providing capacity to the Palomar College Site for the 100 Palomar EDUs.

2.5 Non-Transferrable. Parties agree that the rights and obligations under this Agreement, including rights to Palomar EDUs, are non-transferrable and shall not be assigned or transferred. An assignment under this section is not valid, and need not be recognized by District.

**ARTICLE 3
SEWER GENERATION/CAPACITY INCREASE**

3.1 Use of Water Meter Data to Determine EDUs. Based on the District's current 2018 charges and fees, monthly unit sewer charges are based on the domestic water meter usage/reads. In Palomar's case, the Commercial w/Irrigation customer class is used for monthly sewer rates and are charged based on the water meter usage. These charges are based on a percentage of domestic water use return-to-flow. That percentage ratio basis and the District's 2016 Master Plan sewage generation rate of 180 gpd/EDU are used to determine the EDU threshold before additional purchased capacity is required (above the 100 Palomar EDUs).

3.2 Determination of Additional Capacity Fees Using Water Meter Reads. The District will review the water meter data/reads periodically to determine if the sewer capacity is approaching the allocated Palomar EDUs. The total annual units of water used will be converted to sewer EDUs to determine the number of EDUs connected to the sewer system. District shall notify Palomar of the count and capacity fees will be required once the total EDUs exceed 100.

Additional EDUs will be paid for at the then current approved District capacity fees and charges, and in accordance with the then current approved District rules and regulations.

3.3 Use of Sewer Flow Manholes and Meters. Sewer flow metering manholes were constructed as part of the Improvements. The District-owned manholes may be used by the District in its sole discretion to collect samples, monitor waste streams for strength of sewage, biochemical oxygen demand (BOD), etc., and for flow measuring. Depending on circumstances, in the future, charges and fees for such items as strength of sewage, BOD, waste stream characteristics, etc. may be assessed in the District's sole discretion. In addition, monthly use charges based on unit costs and actual flow meter data instead of water meter data may be applied, with notice, in the District's sole discretion.

ARTICLE 4 ADDITIONAL COSTS

4.1 Additional Costs. Palomar shall be responsible for reimbursing the District approximately \$105,000 for the estimated costs of design and construction of D.R. Horton's 12" PVC sewer crossing and manhole across Horse Ranch Creek Road into the Palomar North Education Center site, per revised plan sheet 4A (Hunsaker SH 4A), approved April 7, 2014 attached hereto as **Attachment 1** (original plans entitled Rainbow Municipal Water District, Horse Creek Ridge, Recycled Water and Sewer Improvement Plans, approved March 6, 2014, prepared by Hunsaker & Associates), and cost estimates as reviewed and approved by the Parties by emails between March 24 - 30, 2017 attached hereto as **Attachment 2**. The amount to be paid by Palomar to the District shall be the actual cost to design and construct the Sewer Crossing/Manhole. Additional costs shall be paid to the District before the commencement of the Sewer Line described in Article 1.1.

ARTICLE 5 DEFENSE AND INDEMNIFICATION

5.1 Indemnification. To the fullest extent permitted by law, Palomar, its successors, agents and assigns, shall indemnify, hold harmless and defend District, its directors, officers, employees and agents (collectively referred to herein as "Indemnified Parties"), and each of them, from and against any and all claims, demands, causes of action, damages, penalties, judgments, awards, decrees, costs, expenses, attorneys' fees, court costs, losses or liabilities, of every kind or nature, including but not limited to personal injury, wrongful death, and property damage arising out of, related to or in connection with this Agreement, and regardless of any negligence of the Indemnified Parties except for the gross negligence or willful misconduct of the Indemnified Parties.

5.2 Defense. Palomar shall defend, at its own cost, expense and risk, any all suits, actions or proceedings of every kind that may be brought against the Indemnified Parties within the scope of Palomar's obligation under this Agreement. District shall approve the selection of legal counsel to defend the Indemnified Parties. Palomar shall not agree to any settlement which would require the Indemnified Parties to pay money or perform some affirmative act without District's prior written consent. District may, in its sole discretion, defend any and all such

aforesaid suits, actions or other proceedings and Palomar shall be responsible to reimburse District for all costs of defense incurred including attorneys' fees and reasonable costs.

5.3 No Limitation. Palomar's indemnification, defense and hold harmless obligation shall not be limited in any way by any limitation on the amount of type of damages, compensation or benefits payable by or for Palomar under workers compensation acts, disability benefit acts, other employee acts or the insurance required by this Agreement. Palomar's indemnification, defense and hold harmless obligation shall also not be restricted to insurance proceeds, if any, received by the Indemnified Parties, or any of them.

5.4 Notification. Each party shall use reasonable efforts to notify the other party in writing of any such claim or loss within five (5) days of receipt of any such claim. Failure to give notice within said time period shall not, however, relieve Palomar of its defense, hold harmless and indemnification obligations under this section.

5.5 Survival. The indemnity, hold harmless and defense obligations under this Section will survive the termination of this Agreement.

**ARTICLE 6
GENERAL PROVISIONS**

6.1 Notice. Notice to either party shall be personally delivered or sent by certified mail, postage prepaid, return receipt requested, addressed to the party to be notified at the address specified herein, or at such other address as such party may from time to time designate in writing. Notice shall be deemed delivered on the date of personal delivery or three (3) business days after deposit in the U.S. Mail.

Rainbow Municipal Water District
Attn: _____
Address: _____

Palomar Community College District
Attn: _____
Address: _____

6.2 Term. This Agreement shall expire, without any further act of the parties upon the earlier of: (1) the date by which all Palomar's EDUs are connected to the Palomar College Site or (2) two (2) years from the Effective Date. Upon expiration of this Agreement, all unconnected Palomar EDUs shall revert back to District and District shall have no further obligations to Palomar under this Agreement.

6.3 Non-Waiver. The failure of District or Palomar to seek redress for violation of, or to insist upon, the strict performance of any term or condition of this Agreement shall not be deemed a waiver by the Party of such term or condition, or prevent a subsequent similar act from again constituting a violation of such term or condition.

6.4 Severability. If any term, condition or provision of this Agreement is held by a court of competent jurisdiction to be unenforceable, invalid, or void, the remaining provisions will

nevertheless continue in full force and effect and shall not be affected, impaired or invalidated in any way.

6.5 Attorney's Fees/Dispute Resolution. Before any Party to this Agreement may bring suit in any court concerning an issue relating to this Agreement, such Party must first seek in good faith to resolve the issue through mediation or other form of non-binding alternative dispute resolution mutually acceptable to the Parties. Either Party may initiate informal dispute resolution by written demand on the other. No lawsuit or other remedy may be pursued until at least one informal meeting session has occurred or until the passage of thirty (30) calendar days from the date of mailing of the demand for dispute resolution, whichever occurs first. In the event that any action is brought by either Party to construe this Agreement or enforce any of its terms, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and costs incurred, whether or not the matter proceeds to judgment.

6.6 Entire Agreement/Amendment. This Agreement constitutes the entire agreement between the Parties and supersedes any prior or contemporaneous understanding or agreement with respect to the services contemplated, and may be amended only by a written amendment executed by both Parties to the Agreement.

6.7 Governing Law/Venue. The terms and conditions of this Agreement shall be governed by the laws of the State of California. Any action or proceeding arising out of or related to this Agreement shall be brought exclusively in the North County Judicial District, County of San Diego, State of California.

6.8 Binding Agreement. This Agreement shall be binding on Palomar and on Palomar's assigns and successors in interest.

6.9 Recitals. The recitals of this Agreement are material terms hereof.

6.10 Counterparts. This Agreement may be executed in counterparts, all of which taken together will be considered one original document.

6.11 Attachments. All Attachments referred to herein are incorporated by reference.

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

IN WITNESS WHEREOF, the Parties, for themselves, do hereby agree to the full performance of the covenants herein and have caused this Agreement to be executed on the date first set forth above.

RAINBOW MUNICIPAL WATER DISTRICT

PALOMAR COMMUNITY COLLEGE DISTRICT

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

ATTACHMENT 1

Hunsaker SH 4A

ATTACHMENT 2

Emails documenting Sewer Crossing/Manhole Agreement

SUMMARY

Luker, Daniel

From: Kurt Hubbell <kurt@redpinc.com>
Sent: Friday, March 24, 2017 10:23 AM
To: Luker, Daniel; Sherry Kirkpatrick; John Philipps; robdamaro@masson-assoc.com; dastl@palomar.edu; Weber, Mike; Mike Harrison; Ryan Dabe; Michael Josephson; Steve Rowland; Dave Olson; Ray Martin
Cc: Kurt Hubbell
Subject: STATUS ** Revised ** Horse Creek Ridge - 12" PVC Sewer at Gold Palomino
Attachments: Hunsaker costs for north sewer stub option.pdf; 170321 - AAA Paving Palomar Sewer Stub quote.xlsx; 170322 - Leighton N. swr stub opt. compaction & testing estimate.pdf; 170322 - Leighton N. swr stub opt. compaction & testing estimate.pdf; Cass N.swr stub opt. proposal.pdf

Hi Team,

Below is a summary of where we stand on the design status and costs for the north sewer stub option. Proposals and cost estimates are attached for your review.

Please take a moment now to review and confirm Palomar and the District approve the costs. Thank you!!!

1. Redlines - This morning Ray said he anticipates providing redlines to the District (and the rest of us) for review no later than Monday 3/27/17.

2. Costs - Attached are proposals, estimates, and emails from Hunsaker, Cass, AAA Paving, Leighton, and RMWD for the north sewer stub option at prevailing wage.

[Redacted]
[Redacted]
[Redacted] → \$10, 401.60 for just the paving work, no concrete needed
[Redacted]
[Redacted]

[Redacted]
[Redacted] **\$104,326.60**

Sincerely,

Kurt Hubbell
REDP, Inc.
2214 Faraday Avenue Suite 109
Carlsbad, CA 92008
(760) 846-1906
Kurt@REDPinc.com



EXHIBIT "A"

Scope of Work

<u>H&A Line No.</u>	<u>DESCRIPTION:</u>	<u>AMOUNT</u>
HW3080	1. Sewer Stub to Palomar – Prepare one redline field to the RMWD backbone plans to add 100' of 12" sewer crossing HRC Road to serve Palomar College as requested by client. Scope includes coordination with Palomar College engineer to obtain alignment, redline of plan and profile on RMWD backbone set, submittal and processing with RMWD, and update to the approved plan sheet. Participate in phone conference calls with project team to discuss options, based on initial feedback from the contractor revealing cost to protect existing water valves was excessive. A second design is included to resolve issue with the existing blow off. Scope does not include drafting change on the original drawings, assumed to be completed during as-built preparation.	\$ 5,325



Kurt Hubbell <kurt@redpinc.com>

**** Revised ** Horse Creek Ridge - 12" PVC Sewer at Gold Palomino**

1 message

Mike Harrison <mhamison@cassconstruction.com>
To: srowland@drhorton.com, kurt@redpinc.com

Thu, Mar 16, 2017 at 3:44 PM

Steve & Kurt,

As discussed yesterday afternoon, here is the revised proposal for the 12" PVC Sewer at Horse Ranch Creek Road - Station 60+20 (redline plan revision received 3/13/17).

Scope:

- 1 LS : Pothole/verify existing utilities
- 1 LS : Sawcut existing concrete curb/sidewalk, demo and remove
- 1 LS : Sawcut existing pavement and remove asphalt and base
- 1 LS : Trench shoring (shields and plates)
- 100 LF : 12" PVC (C-900, DR-18)
- 1 EA : 12" End Cap
- 1 EA : Manhole (5' x 3') over existing 16" PVC
- 90 LF : Base pave trench (overlay by others)
- 1 EA : Adjust Manhole to finished grade (once)
- 1 LS : R&R 4" Blow Off – remove end portion and reconstruct after sewer install

Price: \$81,100.00

Project notes:

- Prevailing Wage proposal.
- Pricing is subject to the final design provided by the Civil Engineer.
- Fence R&R by others.
- Replacement of concrete curb, sidewalk and pedestrian ramp by others.
- Conflict with existing utilities not shown on the plans will be at additional costs.
- Excess trench spoil will be spread evenly on Palomar's site.
- Groundwater conditions are not included.

Asphalt grind and overlay by others – existing pavement has cracks.
Page 147 of 226

3/24/2017

REDP inc Mail - ** Revised ** Horse Creek Ridge - 12" PVC Sewer at Gold Palomino

Survey, inspection, compaction tests, concrete testing, permits and bonds by others.

Note: If you want us to proceed with the work, we will need a separate contract due to the Prevailing Wage requirements and a DIR number.

Based on the new alignment, there may be a conflict with the existing 16" CMLC in Horse Ranch Creek Road at Station 60+20. The waterline has an offset at that location, see redline plan profile. RMWD to confirm if there are concrete thrust blocks on the 45 degree angle points.

Mike Harrison

Cass Construction, Inc.

AAA Paving Company

Estimate

General Engineering Contractors
Excavating-Paving
3330 N. Locust, Rialto, CA 92377-3705
(909)829-4041 Fax:(909)829-9321
Lic.No.314624 Bonded-Insured
DIR # 1000005343
mikef@aaapavingco.com

Project
Quote: 17-03-33MF
Name: 12" PVC Sewer at Gold Palominc

To: Dr Horton
Prevailing Wage

Location: Horse Creek Ranch Road / Gold Palomino, Fallbrook, CA.

Date: March 21, 2017 **PHONE:** 951-272-9000
Attention: Steve **EMAIL:** srowland@drhorton.com

Gentlemen: AAA Paving Co. (herein called seller) quotes you the following estimate for furnishing the material and performing the work hereinafter specified, subject to conditions and terms hereinafter set forth. This proposal and notes must be accepted as part of the contract, and so specified, if a special contract form is used.

Description	Quantity	Unit Price	Total
Paving			
1 .10' AC Grind and Cap with tack coat.	1,260 SF	\$7.66	\$9,651.60
2 Traffic Control	1 LS	\$750.00	\$750.00
	TOTAL-----		\$10,401.60
Concrete			
1 Replace 8" Curb & Gutter	70 LF	\$90.00	\$6,300.00
2 Replace Access Ramp includes Sidewalk and Truncated Dome.	1 EA	\$5,597.62	\$5,597.62
	TOTAL-----		\$11,897.62

NOT NEEDED

PROVISIONS:

- 1 Work to be measured and invoiced upon completion at unit prices listed above.
- 2 Developer and/or owner to provide adequate supply of water from within 1/4 mile of jobsite at no cost to AAA Paving Co.
- 3 Proposal is based on being able to complete job in 1 move-in(s). Additional move-ins at \$ 2,500.00
- 4 Asphalt is to be installed in one course.
- 5 Cleaning of asphalt in preparation for capping to be done by ordinary power blower method only.
- 6 Only items of work specifically listed above are included in this proposal.
- 7 This proposal and notes must be accepted as a part of the contract and so specified, if a special contract form is used.
- 8 Price firm through June 2017
- 9 Project scheduling will depend on material availability.
- 10 SWPP or any related items to be sole responsibility of owner.
- 11 This proposal expires 30 days from issue date.
- 12 **Material increases at time of construction will be at cost to developer.**

EXCLUSIONS:

- 1 Seal coat.
- 2 Adjustment of utilities.
- 3 Striping and/or bumpers.
- 4 Aeration of wet soils or subgrade.
- 5 Engineering, testing, inspection, permits and cost of same.
- 6 Bonds and costs of same.
- 7 Saw cutting.

MF

Notice: The foregoing estimate does not constitute an offer, unless the formal proposal appearing on the reverse side hereof is signed by a duly authorized representative for seller. The estimate is approximate only, and invoice will be rendered on the basis of actual measurement of work done. If rough grading is done by others, it shall be furnished to us within one-tenth foot, plus or minus, of finished grade elevation.



Kurt Hubbell <kurt@redpinc.com>

RE: ** Revised ** Horse Creek Ridge - 12" PVC Sewer at Gold Palomino

1 message

David Olson <dolson@leightongroup.com>

Wed, Mar 22, 2017 at 4:44 PM

To: Kurt Hubbell <kurt@redpinc.com>

Cc: David Olson <dolson@leightongroup.com>, Mike Jensen <mjensen@leightongroup.com>

Kurt,

Given our current understanding, the estimate cost for the PW work on the sewer at Gold Palomino Way is on the order of \$7,500, which is based on PW rate of \$122/hr for a tech (i.e., soils compaction or concrete sampling: 48 hrs), up to two concrete pours, up to 10 concrete cylinders, and some minor admin/PM time.

William (Dave) Olson, PE

Associate Engineer

3934 Murphy Canyon Road, Suite B-205

San Diego, California 92123

(858) 300-8491

Leighton

Solutions You Can Build On

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From: Kurt Hubbell [mailto:kurt@redpinc.com]**Sent:** Tuesday, March 21, 2017 9:27 AM**To:** Philipps, John; Steve Rowland; Ray Martin; Sherry Kirkpatrick; David Olson**Cc:** Rob D'Amaro; dluker@balfourbeattyus.com; Astl, Dennis D.; mweber@balfourbeattyus.com; Mike Harrison; Ryan Dabe; Michael Josephson; Kurt Hubbell**Subject:** Re: ** Revised ** Horse Creek Ridge - 12" PVC Sewer at Gold Palomino

ALL - Pls read entire email.

John/ Sherry - Pls confirm: The north option sewer stub design is what you want to go with?

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-11 AMENDING AND UPDATING ADMINISTRATIVE CODE TITLE 1 – GENERAL PROVISIONS

BACKGROUND

Currently there is no policy which directs the process for applying for or obtaining a variance from the Administrative Code. The current practice is to request a letter containing a formal request for variance from the party requesting a variance from the Administrative Code. Upon receipt of the letter, the variance request is presented to the Board as an item on the Agenda for discussion and possible action. While discussing one such variance request at the Board Meeting on March 27, 2018 the board directed staff to draft a policy to establish a procedure for handling variance requests and incorporate a review of variance requests by the Committees.

DESCRIPTION

This item is to provide an opportunity for the Board to discuss updating Title 1 of the Administrative Code to include a chapter on variance procedures. This policy is intended to provide flexibility in application of regulations necessary to achieve the purposes of the Administration Code in the event that strict adherence to the Code results in practical difficulties or unnecessary physical hardships. Variance procedures are not intended to resolve matters in which cost of strict compliance with a regulation is the sole reason for seeking a variance.

This policy outlines the application requirements which include a fee to cover costs of administration, and the procedure for bringing an application for variance through review on the staff level, review by a Committee, and final decision by the Board of Directors.

This policy gives a practical structure for staff to follow when handling requests for variance from the Administrative Code and allows for Committees to review variance requests that fall into their areas of expertise and make recommendations for the Board. The policy not only streamlines the process for resolving requests, but it also allows for the collection of a fee to cover the District's administrative costs for processing the request. In addition, this policy creates an established procedure for property owners and customers to follow if they feel their situation falls outside of those covered by the existing Administrative Code.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Title 1 – General Provisions

Strategic Focus Areas: Customer Service, Communication – This policy provides a clear procedure for customers requesting a variance from the Administrative Code and should streamline the process to give customers a more timely resolution.

BOARD OPTIONS/FISCAL IMPACTS

1. Approve Ordinance No. 18-11 amending Administrative Code Title 1 as attached.
2. Approve Ordinance No. 18-11 with revisions.
3. Provide direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Michael Powers
Associate Engineer

4/24/2018

Ordinance No. 18-11

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending the Administrative Code
Title 1 – General Provisions, Chapter 1.05 – Variance Procedures**

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:

Title 1:	General Provisions
Chapter 1.05:	Variance Procedures

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 24th day of April 2018.

AYES:
NOES:
ABSTAIN:
ABSENT:

Helene Brazier, Board President

ATTEST:

Dawn Washburn, Board Secretary

Title 1
GENERAL PROVISIONS

Chapters:

- 1.01 Administrative Code
- 1.02 Board Policies
- 1.03 Media Relations Policy
- 1.04 Emergency Authority
- 1.05 Variance Procedures

Chapter 1.05
VARIANCE PROCEDURES

Sections:

1.05.010 Purpose

1.05.020 Application

1.05.030 Process

1.05.030.01 Initiation

1.05.030.02 Review for Completeness

1.05.030.03 Committee Review and Recommendations

1.05.030.04 Board Review and Final Decision

Section 1.05.010

Purpose

The purpose of this policy is to provide flexibility in application of regulations necessary to achieve the purposes of this Administrative Code by establishing procedures for the approval, conditional approval, or disapproval of variance applications. Variances are intended to resolve practical difficulties or unnecessary physical hardships that may result from strict adherence to the policies contained in this Administrative Code.

The cost to the applicant of strict compliance with any provision of this Administrative Code shall not be the sole reason for granting a variance.

Section 1.05.020

Application

An application for variance may be submitted by a property owner or primary account holder. The application shall fully set forth the grounds for and facts necessary to support the required findings for granting a variance. Each application shall be submitted along with the Application Fee.

Section 1.05.030
Process

1.05.030.01 Initiation

The variance procedure will be initiated by the submittal of an application including Application Fee. The Application Fee will be established by the Board of Directors by Ordinance and shall not exceed the cost of processing the variance.

1.05.030.02 Review for Completeness

Staff will review submitted applications and related documents for completeness. Should the application be found to be incomplete, a request will be made to the applicant for additional information. Upon determination the application is complete, it will be brought to the appropriate committee for review and recommendations at the next regularly scheduled committee meeting for which the agenda is not already published and shall be within fifty (50) days of the date of the application.

1.05.030.03 Committee Review and Recommendations

Variance requests will be referred to the appropriate committee based on matters within the committee's respective areas of responsibility as stated in Administrative Code Chapter 2.09 by placing an item on the applicable committee's meeting agenda within the stipulated timeframe.

The responsible committee may request staff obtain additional information from the applicant prior to making a final recommendation to the Board of Directors or make a recommendation for approval, conditional approval, or denial of said application to the Board of Directors which shall have final decision-making authority over such applications.

1.05.030.04 Board Review and Final Decision

Upon recommendation from the responsible committee, an item for the variance application will be placed on the next Board of Directors' meeting agenda for a final decision.

If approved, variances will be recorded to property title when applicable.

Title 1
GENERAL PROVISIONS

Chapters:

- 1.01 Administrative Code**
- 1.02 Board Policies**
- 1.03 Media Relations Policy**
- 1.04 Emergency Authority**
- 1.05 Variance Procedures**

**Chapter 1.05
VARIANCE PROCEDURES**

Sections:

- 1.05.010 Purpose**
- 1.05.020 Application**
- 1.05.030 Process**
- 1.05.030.01 Initiation**
- 1.05.030.02 Review for Completeness**
- 1.05.030.03 Committee Review and Recommendations**
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The responsible committee may request staff obtain additional information from the applicant prior to making a final recommendation to the Board of Directors or make a recommendation for approval, conditional approval, or denial of said application to the Board of Directors which shall have final decision-making authority over such applications.

1.05.030.04 Board Review and Final Decision

Upon recommendation from the responsible committee, an item for the variance application will be placed on the next Board of Directors' meeting agenda for a final decision.

If approved, variances will be recorded to property title when applicable.

BOARD OF DIRECTORS

April 24, 2017

SUBJECT

SAN DIEGO COUNTY CONSOLIDATED REDEVELOPMENT OVERSIGHT BOARD CALL FOR BALLOTS

DESCRIPTION

Rainbow Municipal Water District received a notice serving as a call for ballots pursuant to California Government Code 56332(f) with respect to electing two special district representatives – one regular and one alternate – among eligible nominees to serve on the San Diego County Consolidated Redevelopment Oversight Board. All independent special districts in San Diego County are eligible to cast one vote through their presiding officers or their alternates as designated by the governing bodies.

The Special Districts Advisory Committee has formed a Nominating Committee to review all five nominees' qualification and to make recommendation therein. On April 4, 2018, Rainbow Municipal Water District received the Nominating Committee's recommended appointments; Edmund K. Sprague as recommended appointment and Hal Martin for recommended alternate.

Ballots must be returned to San Diego LAFCO no later than Monday, April 30, 2018. Should LAFCO receive a quorum of 30 ballots by the Monday, April 30th deadline the nominee with the most votes will be appointed as the regular representative on the Consolidated Redevelopment Oversight Board. The nominee with the second most votes will be the alternate.

Should LAFCO not receive a quorum of 30 ballots by Monday, April 30th, an automatic 60-day extension is triggered under State law to Friday, June 29, 2018. Should a quorum of 30 still not be achieved by this extended deadline the Governor is authorized under State law to make the appointment starting July 1st.

POLICY


N/A

BOARD OPTIONS/FISCAL IMPACTS

There are no fiscal impacts of this agenda item although being more directly involved in LAFCO's elections could have positive fiscal impacts during any future LAFCO interactions.

STAFF RECOMMENDATION

Staff supports Board direction.


Tom Kennedy
General Manger

04/24/2018



Chair

Jo MacKenzie, Director
Vista Irrigation District

BALLOT FORM

Vice Chair

Ed Sprague, Director
Olivenhain Municipal Water

March 19, 2018

TO: Independent Special Districts of San Diego County

Members

Catherine Blakespear, Mayor
City of Encinitas

FROM: Tameron R. Lockett, Executive Assistant *TR*
San Diego Local Agency Formation Commission

Bill Horn, Supervisor
County of San Diego

SUBJECT: San Diego County Consolidated Redevelopment Oversight
Board Call for Ballots – Certified Mail

Dianne Jacob, Supervisor
County of San Diego

Andrew Vanderlaan
Public Member

This notice serves as a call for ballots pursuant to California Government Code 56332(f) with respect to electing two special district representatives – one regular and one alternate – among eligible nominees to serve on the San Diego County Consolidated Redevelopment Oversight Board. All independent special districts in San Diego County are eligible to cast one vote through their presiding officers or their alternates as designed by the governing bodies.

Bill Wells, Mayor
City of El Cajon

Lorie Zapf, Councilmember
City of San Diego

Alternate Members

Lorie Bragg, Councilmember
City of Imperial Beach

The Special Districts Advisory Committee has formed a Nominating Committee to review all five nominees' qualifications and to make recommendation therein. LAFCO will separately transmit the recommendations of the Nominating Committee to all independent special districts by Tuesday, April 3, 2018.

Chris Cate, Councilmember
City of San Diego

Greg Cox, Supervisor
County of San Diego

Judy Hanson, Director
Leucadia Wastewater District

Ballots must be returned to San Diego LAFCO no later than **Monday, April 30, 2018**. Should LAFCO receive a quorum of **30** ballots by the Monday, April 30th deadline the nominee with the most votes will be appointed as the regular representative on the Consolidated Redevelopment Oversight Board. The nominee with the second most votes will be the alternate. (Attachment A)

Harry Mathis
Public Member

Executive Officer

Keene Simonds

Counsel

Michael G. Colantuono

Should LAFCO not receive a quorum of **30** ballots by the Monday, April 30th deadline an automatic 60 day extension is triggered under State law to Friday, June 29, 2018. Should a quorum of **30** still not be achieved by this extended deadline the Governor is authorized under State law to make the appointment starting July 1st.

State law specifies only the presiding officer or their alternates as designated by the governing board must take action on the ballot. Accordingly, if time constraints prevent the item getting placed on an agenda for full board discussion and action, the presiding officer or alternate should complete and return the ballot to LAFCO in order to make the election deadline. **A ballot received without a signature will not be counted.** The ballot can be emailed to Tamaron.luckett@sdcounty.ca.gov.

Should you have any questions, please contact me at (858) 614-7755. Thank you.

Attachment:
Ballot Form

2018 SPECIAL DISTRICTS REGULAR AND ALTERNATE MEMBER
ELECTION BALLOT and VOTE CERTIFICATION
FOR THE REDEVELOPMENT OVERSIGHT BOARD

VOTE FOR ONLY ONE NOMINEE

- | | |
|---|-----|
| Hal Martin (Vallectios Water District) | [] |
| Julie Nygaard (Tri-City Healthcare District) | [] |
| Bill Pommering (Padre Dam Municipal Water District) | [] |
| Patrick Sanchez (Vista Irrigation District) | [] |
| Edmund K. Sprague (Olivenhain Municipal Water District) | [] |

I hereby certify that I cast the votes of the _____
(Name of District)

for the Consolidated Redevelopment Oversight Board Election as:

- [] the presiding officer, or
[] the duly-appointed alternate board member.

(Signature)

(Print name)

(Title)

(Date)

Return Ballot and Vote Certification Form to:
San Diego LAFCO
Tameron Lockett
9335 Hazard Way, Suite 200
San Diego, CA 92123
(858) 614-7755 (office) · (858) 614-7766 (FAX)
Email: tameron.lockett@sdcounty.ca.gov
Page 168 of 226

Chairwoman

Jo MacKenzie, Director
Vista Irrigation District

March 26, 2018

Vice Chairman

Ed Sprague, Director
Olivenhain Municipal
Water District

TO: Independent Special Districts in San Diego County

FROM: Tameron Lockett, Executive Assistant
Special District Advisory Committee, Nominating Committee

Members

Catherine Blakespear, Mayor
City of Encinitas

SUBJECT: Nominating Committee Report and Recommendations | San
Diego County Consolidated Redevelopment Oversight Board
Appointments

Bill Horn, Supervisor
County of San Diego

Dianne Jacob, Supervisor
County of San Diego

Special districts appointments to the San Diego County Consolidated Redevelopment Oversight Board (RDA) nominations were previously solicited for: one regular and one alternate with terms expiring in July 2022. LAFCO received five nominations for the RDA Board. The nominees received are as follows:

Bill Wells, Mayor
City of El Cajon

Andrew Vanderlaan
Public Member

- Hal Martin – Vallectios Water District
- Julie Nygaard – Tri-City Healthcare District
- Bill Pommering – Padre Dam Municipal Water District
- Patrick Sanchez – Vista Irrigation District
- Edmund K. Sprague – Olivenhain Municipal Water District

Lorie Zapf, Councilmember
City of San Diego

Alternate Members

Lorie Bragg, Mayor Pro Tem
City of Imperial Beach

As required by the Selection Committee Rules, a Nominating Committee was appointed to review the nominations and prepare a list of recommended candidates. The Nominating Committee met on March 26, 2018; William Haynor (Whispering Palms Community Services District), Erin Lump (Rincon del Diablo Municipal Water District), and Mark Robak (Otoy Water District). In evaluating the nominations, the Committee considered special district experience, interest, and knowledge of logical issues as part of the RDA Board. The Nominating Committee's recommendation for each category follows:

Chris Cate, Councilmember
City of San Diego

Greg Cox, Supervisor
County of San Diego

Judy Hanson, Director
Leucadia Wastewater District

Harry Mathis
Public Member

- The Nominating Committee recommended **Edmund K. Sprague** (Olivenhain Municipal Water District) as the regular member.

Executive Officer

Keene Simonds

- The Nominating Committee recommended **Hal Martin** (Vallectios Water District) as the alternate member.

Counsel

Michael G. Colantuono

Should you have any questions, please contact me at (858) 614-7755.



Tameron Lockett
Executive Assistant **Page 170 of 226**

cc: Special District Advisory Committee

Attachment D

**NOMINATION OF THE SPECIAL DISTRICT REPRESENTATIVE
TO THE REDEVELOPMENT OVERSIGHT BOARD**

The VALLECITOS WATER DISTRICT is
(Name of Independent Special District)
pleased to nominate HAL MARTIN as a candidate for
(Name of Candidate)
appointment as the SPECIAL DISTRICT REPRESENTATIVE

As presiding officer or his/her delegated alternate as provided by the governing board, I hereby certify that:

- The nominee is a member of a legislative body of an independent special district with territory within the boundary of the particular RDA Oversight Board to which the individual seeks appointment.


(Signature)

GLENN PRUIM
(Print Name)

2/12/18
(Date)

GENERAL MANAGER
(Print Title)

PLEASE ATTACH RESUME OR CANDIDATE STATEMENT FOR NOMINEE

- Limit two pages
- Must be submitted with Nomination Form

RECEIVED
FEB 14 2018
SAN DIEGO LAFCO

HAL MARTIN
 Phone: (760) 310-4517
 Hmartin7@cox.net

FEB 14 2018

SAN DIEGO LAFCO

QUALIFICATIONS SUMMARY

Business Owner and City Government official with proven sales, leadership and people skills

- Twenty two consecutive years of elected City Government service
- Dedicated San Marcos resident and business owner for over 36 years
- Forty years of proven, successful sales experience
- Excellent written, verbal communication and problem solving skills
- Driven self starter with proven leadership results
- Expert ability to develop relationships with local legislative offices and leaders
- Outgoing people person, volunteer recruiter and experienced event management skills
- Quick learner, easily adapts to new challenges and techniques

PROFESSIONAL EXPERIENCE

DIRECTOR

2012-Present

Vallecitos Water District - San Marcos, CA

- Elected to four year term
- Served as President 2014
- Reelected in 2016
- Serve on two state-wide committees for ACWA
- District 10 Representative

CITY COUNCILMEMBER

1996-2012

City of San Marcos - San Marcos, CA

- Elected to four 4-year terms (8 yrs) as City Councilman (8 yrs) as Vice-Mayor
- Appointed (SANDAG) representative for (6 yrs) for City of San Marcos by my peers
- Appointed to League of California Cities (12 yrs), served on statewide environmental board 1996-1998
- Served as alternate on North County Transit District
- Served as North County Dispatch Joint Powers Authority
- Served on San Diego County Association of Governments (SANDAG) transportation subcommittee, borders committee and regional prosperity committee
- Appointed by (SANDAG) to serve on Joint Agency Negotiation Team on Consolidation, Joint Airport Advisory Committee and Source Point Board.

PLANNING COMMISSION MEMBER – San Marcos, CA

1993-1996

City of San Marcos - San Marcos, CA

- Appointed to planning commission in 1993 by City Council
- Attended meetings, reviewed documents, met with applicants and staff
- Made policy decisions and recommendations along with entire board to the City Council

BUSINESS OWNER

1992-Present

Focus On U Wedding Photography – San Marcos, CA

- Full service portrait studio dedicated to serving family, individual, wedding, glamour, school, sports all types of portrait photography. Currently weddings are my focus.

BUSINESS OWNER

1990-1996

Hair Depot & Tan - San Marcos, CA

- Owner of a full service salon
- Increased business sales and employees annually (Four hairstylists grew to ten in the first four years).
- Hired and trained employees, accounts receivables, marketing, customer service and all aspects of running a small business
- Business sold in 1996

Nail Station - San Marcos, CA

1991-1994

- Full Service nail salon added to Hair Depot & Tan due to customer requests
- Increased business sales and employees annually
- Grew from one nail technician to five in three years
- Business sold in 1994

DIVISION SALES MANAGER

1984-1989

Interstate Brands Bakery - North County San Diego, CA

- Supervised seven routes covering all of North San Diego County generating \$140-150K month in sales
- Managed seven route salesmen, ordered product, inventoried and supervised the North County Thrift Store

ROUTE SALES MANAGER

1981-1984

Interstate Brands Bakery - North County San Diego, CA

- Delivered and serviced product to national and local accounts including delivery, merchandising, accounting, customer service.
- Responsible for \$20K in monthly sales
- Promoted to Division Sales Manager

FLEET AND LEASING SALES MANAGER

1978-1981

Quality Chevrolet - Escondido, CA

- Promoted from Sales Manager within two years
- Executed all lease contracts and fleet deals for sixteen salesman and dealership and ensured excellent customer satisfaction for retention
- Responsible to meet or exceed all monthly sales quotas

AUTO SALES PERSON

1976-1981

Quality Chevrolet – Escondido, CA

- Sold new and used vehicles, frequently one of the top performers
- Greeted potential clients, developed customer loyalty to brand and dealership
- Superior customer service skills for client retention and increased sales
- Received national award for Chevrolet "Legion of Leaders" for sales in 1978

PROFESSIONAL PHOTOGRAPHER

1967-1976

Advertising Agencies - New York, NY

- Worked as a freelance and special assignment photographer for numerous advertising agencies, shoots included commercial, real estate, construction, portrait, weddings etc...

STATION SUPERVISOR

1972-1976

Sinclair Oil Company - New York, NY

- Promoted to service station supervisor in 1972, oversaw the operations of five service centers in the Metropolitan New York area.

STATION MANAGER

1967-1972

Sinclair Oil Company - New York, NY

- Promoted from service station manager after six months
- Managed and supervised fifteen employees in all aspects of a service station operation including hiring, training, scheduling, customer service, product knowledge
- Supervised the transfer of private ownership to company ownership. Continuing business while the company was obtaining a new franchise. Managed operations during the interim period.

SERVICE ATTENDANT

1967

Sinclair Oil Company - New York, NY

- Part-time service attendant while attending high school
- Maintain and service customer vehicles
- Promoted to full-time shift manager within one year
- Managed and supervised four employees within all aspects of small business operation

EDUCATION

Nassau Community College – Nassau County, New York
General Studies / Photography – 1968-1970

C.W. Post College – Roslyn, New York
Photography – 1968-1970

COMMUNITY VOLUNTEER WORK

Boys & Girls Club of San Marcos – San Marcos, CA 1993-Present

- Joined Board of Directors 1993
- Board Member 1993-2004
- Chairman of the Board 1995-1996, 1996-1997
- Building Construction Chair 1995-1996
- Auction 2001 Co-Chair
- Auction Committee Member 1991-2003
- Golf Tournament Committee Member 1993-2006
- Just Say Yes To Kids Campaign Committee Member 1993-2004
- Board Development Committee Member 1993-2004
- Marketing Committee Member 1993-2004
- Advisory Board Member 2004-Present
- Auction 2011 Honorary Co-Chair

San Marcos Chamber of Commerce – San Marcos, CA

- Joined Chamber 1990
- Chamber member 1990-1997
- Active Member of 1993 "Stop the Swap" Campaign
- Member of City of San Marcos "Sign Task Force" representing small business
- Ambassador Committee Member 1992-1995
- Awarded "Business Person of the Year" 1995

**NOMINATION OF THE SPECIAL DISTRICT REPRESENTATIVE
AT THE REDEVELOPMENT OVERSIGHT BOARD**

The Tri-City Healthcare District is pleased to nominate Julie Nygaard as a candidate for appointment as the SPECIAL DISTRICT REPRESENTATIVE.

As presiding officer or his/her delegated alternate as provided by the governing board, I hereby certify that:

- **The nominee is a member of a legislative body of an independent special district with territory within the boundary of the particular RDA Oversight Board to which the individual seeks appointment.**



**James J. Dagostino
Board Chair**

Date: 1/25/2018

RECEIVED

JAN 31 2018

SAN DIEGO LAFCO

I would like to serve on the Redevelopment distribution committee. I have had broad experience with Redevelopment. As a council member for Carlsbad for almost 15 years, I served on our Redevelopment agency. I also represented Carlsbad on our local LAFCO serving as Chair for several years. I clearly understand the process and the value of Redevelopment funds. I think my experience would be valuable to the committee. I am including a resume from my service on the Carlsbad City Council as well as a brief description of my six years experience on the Tri City Health Care District Board of Trustees. I am available and would be honored to serve.

RECEIVED

JAN 31 2018

SAN DIEGO LAFCO



City Council Member:
✓1990 ✓1994 ✓1998 ✓2007

Mayor Pro Tem:
✓1994-1996

Julianne Nygaard
Former Carlsbad
City Council Member

Carlsbad Unified School District
Board of Trustees:
✓1981-1990

Regional Government Participation

- ☞ NCTD Board Member (currently representing Carlsbad)
- ☞ NCTD Past Chair
- ☞ NCTD Past Chair to LOSSAN Rail Corridor Agency
- ☞ NCTD Representative to High Speed Rail Corridor Agency
- ☞ Southern California Intercity Rail Group Past Chair
- ☞ Local Agency Formation Commission (LAFCO) Past Chair
- ☞ SANDAG Housing Element Committee Past Member
- ☞ San Diego County Social Services Advisory Board Past Member and Chair
- ☞ San Diego County School Boards Association Past Member and Chair
- ☞ League of California Cities Executive Committee Past Member
- ☞ League of California Cities Revenue and Taxation Policy Committee Past Member
- ☞ North County Homeless Task Force Past Member
- ☞ Tri City Hospital/Carlsbad Community Health Care Advisory Council
- ☞ Tri City Hospital Financing Committee
- ☞ Alcohol and Drug Abuse Prevention Task Force (ADAPT) Past Member
- ☞ California School Boards Association Delegate Past Assembly Member
- ☞ Former Chairperson of the Carlsbad Agricultural Conversion Mitigation Fee Ad Hoc Citizens Advisory Committee
- ☞ Citizens Advisory Committee for Regional Airport Authority
- ☞ Mayor Jerry Sanders Ad Hoc Airport Regional Policy Committee

Carlsbad Community Involvement

- ☞ League of Women Voters Member
- ☞ Carlsbad Republican Women's Club Member
- ☞ Carlsbad Junior Women's Club Past Member
- ☞ Buena Vista Lagoon Foundation Member
- ☞ Agua Hedionda Lagoon Foundation Incorporator
- ☞ Carlsbad Child Care Commission Past Member
- ☞ Carlsbad Open Space Task Force Past Member
- ☞ Carlsbad Unified School District/City Council Coordinating Committee Member
- ☞ Carlsbad Community Television Foundation Past Member
- ☞ New Village Arts Board Member

Accomplishments and Awards

- ☞ 1999 State Assembly "Woman of the Year" – Nominated by Assemblywoman Pat Bates
- ☞ 2000 "Woman of the Year" – Women's Transportation Seminar San Diego Chapter
- ☞ 2001 "Community Partner Health Hero" – Community Health Care Center & Council for Community Clinics
- ☞ 2009 "Community Leadership Award" – Chamber of Commerce

Educational Background

- ☞ Bachelor of Arts, Education - Arizona State University
- ☞ Palomar College
- ☞ Vista High School

Professional and Personal

- ☞ Former Elementary School Teacher
- ☞ Married to Paul Nygaard
- ☞ Three adult children – Alex, Ben and Vanessa and three grandchildren (triplets)

Tri City Hospital Health Care District

Elected to the board of Trustees 2012

Reelected in 2016

Served as Secretary and Treasurer two times each

Served on several Committees:

**Audit and Compliance Committee
Chair 2014-2015**

**Finance Committee
Current Chair 2016 to present**

**Community Healthcare Advisory Committee
Current Chair**

**Delegate to the Association of California Health
Care Districts
Board member 2013-2017
Chair 2016-2017**

Attachment D

**NOMINATION OF THE SPECIAL DISTRICT REPRESENTATIVE
TO THE REDEVELOPMENT OVERSIGHT BOARD**

The Padre Dam Municipal Water District
(Name of Independent Special District)

pleased to nominate Bill Pommering as a candidate for
(Name of Candidate)

appointment as the SPECIAL DISTRICT REPRESENTATIVE

As presiding officer or his/her delegated alternate as provided by the governing board, I hereby certify that:

- The nominee is a member of a legislative body of an independent special district with territory within the boundary of the particular RDA Oversight Board to which the individual seeks appointment.

Amy Pederson
(Signature)

Amy Pederson
(Print Name)

2/15/18
(Date)

Board Secretary
(Print Title)

PLEASE ATTACH RESUME OR CANDIDATE STATEMENT FOR NOMINEE

- Limit two pages
- Must be submitted with Nomination Form

RECEIVED

FEB 15 2018

SAN DIEGO LAFCO

William E. Pommering
Candidate Statement

William ("Bill") E. Pommering was appointed to the Padre Dam Municipal Water District Board of Directors in May 2009 to complete the term of a Director who had moved out of the district. He was chosen from a candidate field of over twelve applicants. He ran for the seat in November Of 2010 and was elected to fill the seat in a contested election. He was re-elected to his second four-year term in November 2014.

As a member of the Padre Dam Board, he is responsible for overseeing water, wastewater, recycled water, and park and recreation services to approximately 100,000 residents within Padre Dam's seventy-three square mile service area; the continued growth and success of Santee Lakes Recreation Preserve, a best practice model for the management of urban parks and recreation; the management of \$250 million in capital assets and a \$63 million annual operating budget, demanding fiscal responsibility and accountability on behalf of this community.

Pommering is currently serving in his fourth term as Board President. His fellow Board members have also selected him to hold the offices of Vice President and Board Treasurer in previous years. His background includes senior management of various private companies for over three decades where he had extensive fiscal and budgetary experience in excess of \$100 million. He had worked primarily in the insurance field in positions ranging from sales to senior management for companies such as Republic, Metropolitan and the Borg-Warner Insurance Companies.

Pommering currently served for over five years as Padre Dam's representative on the Santee Community Development Commission Successor Oversight Committee and continues to serve on, the East County Economic Development Council, the Santee Chamber Governmental Affairs Committee; and the District's Park (Santee Lakes Recreation Preserve) Committee, Finance and Administrative Services Committee, Facilities Development and Operations Committee, Customer Appeals Committee, Security Committee and as the Liaison to Tribal Governments. He also served as the District's representative on the Board of Directors of the Association of California Water Agencies Joint Powers Insurance Authority and the Santee Chamber of Commerce Board of Directors.

He is active in the community in such organizations as Rotary, the Santee Lakes Foundation and works as well with other charitable and civic groups throughout the year. He is married to Patricia Fortin and they have raised their family and lived in Santee for over forty years.

RECEIVED

FEB 15 2018

SAN DIEGO LAFCO

Attachment D

NOMINATION OF THE SPECIAL DISTRICT REPRESENTATIVE
TO THE REDEVELOPMENT OVERSIGHT BOARD

The Vista Irrigation District is pleased to nominate Patrick Sanchez as a candidate for appointment as the SPECIAL DISTRICT REPRESENTATIVE.

As presiding officer or his/her delegated alternate as provided by the governing board, I hereby certify that:

- The nominee is a member of the legislative body of an independent special district with territory within the boundary of the particular RDA Oversight Board to which the individual seeks appointment.



Paul E. Dorey
President, Board of Directors

Date: February 7, 2018

PLEASE ATTACHE RESUME OR CANDIDATE STATEMENT FOR NOMINEE
-Limit two pages
-Must be submitted with Nomination Form

RECEIVED

FEB 12 2018

SAN DIEGO LAFCO

Patrick Sanchez

*Vista Irrigation District
Board of Directors*



NOMINEE:

**Special District Representative
to the San Diego County
Consolidated Redevelopment Oversight Board**

Interests and Qualifications:

- I have worked closely with Regional Planning Agencies, including the San Diego Association of Governments, the Southern California Association of Governments, and the Orange County Council of Governments on various projects.
- I have worked diligently with all outside service extensions to consolidate service levels for cities and counties.
- I possess a clear understanding of my special district's interaction with other agencies to meet current and future community needs.
- I provided leadership with regard to improving agency oversight and transparency.
- With respect to Redevelopment Funding Consolidation, I have experience helping streamline government services.
- I serve as member of the Board of Directors of the Vista Irrigation District; our Board strives to develop partnerships and consortiums with other agencies to efficiently deliver services to our customers.
- My professional experience has provided me with in-depth knowledge of capital projects, recycled water systems, aging infrastructure and water and park bond act projects.
- I have worked closely with other governmental agencies to insure coordination of joint projects; I acted as agency liaison for the Orange County National Pollution Discharge Elimination System program, and prepared and administered extensive landscape and water conservation programs for parks, medians, and street tree projects.
- I have worked collegially with staff and other members of boards on developing community outreach, public policy, and public information programs.
- I have 34½ years of experience working for municipal and county agencies as a Director of Community and Public Services and Director of Parks and Recreation for various public agencies, including the cities of Santa Fe Springs, Oceanside, Tustin, Glendora and Yucaipa and the County of San Mateo.



1391 Engineer Street • Vista • California 92081-8840
Phone: (760) 597-3100 • Fax: (760) 598-8757
www.vidwater.org

Board of Directors

Paul E. Dorey, *President*
Jo MacKenzie
Marty Miller
Patrick H. Sanchez
Richard L. Vásquez

February 9, 2018

RECEIVED

FEB 12 2018

Administrative Staff

Eldon L. Boone
General Manager / Treasurer
Brett L. Hodgkiss
Assistant General Manager
Lisa R. Soto
Board Secretary
Joel D. Kuperberg
General Counsel

Tammy Lockett
San Diego LAFCO
9335 Hazard Way, Suite 200
San Diego, CA 92123

SAN DIEGO LAFCO

Re: Nomination of Patrick Sanchez as Special District Representative to the Redevelopment Oversight Board

Via Certified Mail 7008 1140 0004 8680 8416

Dear Ms. Lockett:

At its Regular meeting on February 7, 2018, the Vista Irrigation District Board of Directors nominated Patrick Sanchez as Special District Representative to the Redevelopment Oversight Board. Enclosed are the completed nomination form and candidate statement. If you have any questions, please feel free to contact me at (760) 597-3158.

Sincerely,

Lisa R. Soto
Secretary of the Board of Directors

Attachment

Attachment D

NOMINATION OF THE SPECIAL DISTRICT REPRESENTATIVE
TO THE REDEVELOPMENT OVERSIGHT BOARD

The Olivenhain Municipal Water District is
(Name of Independent Special District)

pleased to nominate Edmund K. Sprague as a candidate for
(Name of Candidate)

appointment as the SPECIAL DISTRICT REPRESENTATIVE

As presiding officer or his/her delegated alternate as provided by the governing board, I hereby certify that:

- The nominee is a member of a legislative body of an independent special district with territory within the boundary of the particular RDA Oversight Board to which the individual seeks appointment.

Lawrence A. Watt
(Signature)

Lawrence A. Watt
(Print Name)

2/13/2018
(Date)

President, Board of Directors
(Print Title)

PLEASE ATTACH RESUME OR CANDIDATE STATEMENT FOR NOMINEE

- Limit two pages
- Must be submitted with Nomination Form

RECEIVED

FEB 14 2018

SAN DIEGO LAFCO

Board of Directors
Lawrence A. Watt, President
Christy Guerin, Vice President
Edmund K. Sprague, Treasurer
Gerald E. Varty, Secretary
Robert F. Topolovac, Director



General Manager
Kimberly A. Thorner, Esq.
General Counsel
Alfred Smith, Esq.

RECEIVED

February 14, 2018

FEB 14 2018

To: All Independent Special Districts in San Diego County

SAN DIEGO LAFCO

Via: San Diego LAFCO

At its February 7, 2018 regular meeting, Olivenhain Municipal Water District's board unanimously nominated Mr. Edmund (Ed) K. Sprague for the Consolidated Redevelopment Oversight Board Special District Representative.

As a lifetime resident of northern San Diego County, Mr. Sprague has dedicated his entire career to championing the needs of the public as well as serving his local community. He earned a bachelors and a masters degree in public administration from San Diego State University while serving as a firefighter. Mr. Sprague has over 30 years of public service starting as a cadet firefighter for the City of Escondido in 1986. He ascended through the fire service ranks all the way up to Fire Battalion Chief for the Carlsbad Fire Department. He then transitioned into the role of Deputy Fire Chief for the North County Fire Protection District where he retired in 2015.

After his successful firefighter career, Mr. Sprague has been able to dedicate considerably more time to his passion of teaching and leading others as a Fire Technology Assistant Professor at Palomar College.

Mr. Sprague's support and commitment to special districts is perhaps most evident from the ten years that he has been actively involved with Olivenhain Municipal Water District (OMWD). His regular attendance at Board Meetings and participation at various events led to being appointed to the Board in 2008 and was re-elected in 2012 and 2016 to represent Division 5. He served as president of the Board from 2009-2012, again from 2014-2016, and currently holds the position of Treasurer. He also actively participates in the Finance, Ad Hoc Outreach, Ad Hoc Public Policy, and Ad Hoc Facilities Committees.

In 2010, Mr. Sprague earned the Recognition in Special District Governance certification from the Special District Leadership Foundation and served on the Board of Directors of the Special District Risk Management Authority in 2011. In addition, he also served on the California Special District Association's Education Committee.

Mr. Sprague's extensive experience in the fields of water, wastewater, parks and recreation, fire protection, and serving as the Vice Chair of San Diego Local Agency Formation Commission would bring a unique perspective to the Redevelopment Oversight Board.

Mr. Sprague will ensure that the important voice of special districts is advocated for and well represented on the Consolidated Redevelopment Oversight Board. We encourage you to vote for Ed Sprague as the Special District Representative to the Redevelopment Oversight Board.

Sincerely,

Board of Directors
Olivenhain Municipal Water District



1966 Olivenhain Road • Encinitas, CA 92024 • Phone 760-753-6466 • www.olivenhain.com



MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

VARIABLE					
DATE	2018	MEETING	LOCATION	ATTENDEES	POST
May	10	SDCWA Special Board Meeting	SDCWA	GM	N/A
May	17	CSDA – San Diego Chapter	(Location to be Announced) 6:00 p.m.	Mack	N/A
May	*	LAFCO Special Meeting	County Admin Center, Room 302 – 9:30am	(As Advised by GM)	N/A
May	*	Santa Margarita River Watershed Watermaster Steering Committee	Rancho California Water District	Hamilton	N/A

* To Be Announced

MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

RECURRING					
DATE	2018	MEETING	LOCATION	ATTENDEES	POST
May	2	Engineering Committee Meeting	RMWD Board Room 3:00 p.m.	Appointed Director, General Manager	4/26
May	3	Communications Committee Mtg.	RMWD Board Room 3:30 p.m.	Appointed Director, General Manager	4/26
May	7	LAFCO	County Admin. Center Room 302 9:00 am	As Advised by GM	N/A
May	8	Budget & Finance Committee Mtg.	RMWD Board Room 1:00 p.m.	Appointed Director, General Manager	4/26
May	15	SDCWA GM's Meeting	SDCWA, San Diego 9:30 a.m.	General Manager	N/A
May	15	Council of Water Utilities	Hotel Karlan 14455 Penasquitos Drive San Diego 7:15 a.m. Poway	All Directors, General Manager	N/A
May	18	NC Managers	Golden Egg 7:45 a.m.	General Manager	N/A
May	22	RMWD General Board	RMWD Board Room (Start Time to Be Determined)	All Directors	5/17
May	23	North County Water Group	Rincon Del Diablo, Escondido 7:30 a.m.	All Directors on a Rotating Schedule, General Manager	N/A
May	23	San Luis Rey Watershed Council	Pala Administration Building 1:00 p.m.	Stewart	N/A
May	24	SDCWA Full Board Meeting	SDCWA Board Room, 3-5 p.m.	General Manager	N/A



STAFF TRAINING REPORT

ATTENDEES NAME(S):	
TITLE OF TRAINING/CONFERENCE/WORKSHOP/CLASS:	
DATE(S) ATTENDED:	
AGENCY HOSTING TRAINING/CONFERENCE/WORKSHOP/CLASS:	
LOCATION:	
BRIEF DESCRIPTION:	



STAFF TRAINING REPORT

ATTENDEES NAME(S):	
TITLE OF TRAINING/CONFERENCE/WORKSHOP/CLASS:	
DATE(S) ATTENDED:	
AGENCY HOSTING TRAINING/CONFERENCE/WORKSHOP/CLASS:	
LOCATION:	
BRIEF DESCRIPTION:	

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

Operations Report for March 2018

DESCRIPTION

Activities for Operations & Maintenance Division

CONSTRUCTION & MAINTENANCE DEPARTMENT:

The Construction crews repaired five (5) leaks, three (3) main line repairs, one (1) service and one (1) appurtenance. The crew performed four (4) planned/emergency shutdowns. They also completed replacement of 180' of 8" CMLC pipe on Wrightwood and installed approximately 80' of 8" CMLC to replace a highline and rehab a pressure station on Old Highway 395. The department prepped for replacement one (1) 8" and one (1) 6" gate valve. In addition, the crew repaired a 6" plug valve that was off track to a hydrant as well as installed and/or repaired three (3) appurtenances. The Construction & Maintenance crew maintained District easements as well as completed the work at the District Yard.

WATER OPERATIONS & VALVE MAINTENANCE DEPARTMENT:

The Valve Maintenance Crew exercised a total of one hundred seventeen (117) valves, below their average goal of 303 per month, which was due to focusing their efforts towards supporting other departments. The crew also completed two hundred fifty (250) DigAlert tickets/mark-outs for the District, while assisting with shutdowns, leak repairs, and providing backfill support as needed.

Water Operations completed and/or oversaw the following:

- Completed thirteen (13) monthly tank inspections and three (3) reservoir cover inspections
- Assisted with and/or performed five (5) water quality complaints
- Evaluated pressure stations for maintenance and rehabilitation
- Completed maintenance/cleaning and/or repairs to three (3) pressure stations
- Rebuilt 4" pressure valve at Camino Del Rey Station
- Assisted Construction with shutdowns and leak repairs
- Continued efforts in locating easements in Lilac Fire Area
- Replaced three (3) fire hydrants
- Replaced one (1) air vac
- Replaced one (1) wharfhead

WASTEWATER DEPARTMENT:

Monthly, Semi Annual and Annual Reports:

California Integrated Water Quality System (CIWQS): Confirmation #2512589 Reported "No Spill Report" for month of March 2018.

'NON-District Affiliated' - March 1, 2018 California Integrated Water Quality System (CIWQS): Event #845273 Reportable Sanitary Sewer Overflow (SSO) under Order #2006-0003 State Water Resources Control Board - Address: 1966 Katie Court Fallbrook (Private 3" abs sewer lateral release Category 1).

Lift Stations Pumps / Preventative Maintenance:

March 17, 2018: School House Lift Station (high level alarm) - Crew unplugged & placed back in service.

March 26, 2018: Old River Road Lift Station: Removed and replaced 50' of electrical cord for Pump #1 due to excess of hydrogen sulfide build-up and low megging during lift station inspections.

March 28, 2018: Oakcrest Estates Quarterly Sampling Order #93-69 - Water Quality Specialist sample. (BOD, TDS, TSS, pH, N03, Chloride, Sulfate, Iron, Manganese, Boron, Fluoride).

March 30, 2018: Stallion Flow Meter Quarterly Sample - City of Oceanside requirement (BOD, TDS, TSS and pH).

Flow Meter Demo - Hach Company:

Continuing demo trial per Engineering - March 2018 (Monitor sewer flow) / Capturing upstream flows from Pala Mesa / Set up confined space entry and set-up of flow meter.

Megging:

March 1, 2018: Old River Road Lift Station - Electrical megging on Pump #s 1, 2 & 3

March 1, 2018: - Thoroughbred Lift Station - Electrical megging on Pump #s 1, 2 & 3

March 1, 2018: Fallbrook Oak's Lift Station - Electrical megging on Pump #s 1 & 2

March 1, 2018: Rancho Monserate Lift Station - Electrical megging on Pump #s 1 & 2

March 1, 2018: Rancho Viejo Lift Station - Electrical megging on Pump #s 1 & 2

March 1, 2018: B-Plant Lift Station: Electrical megging on Pump #s 1 & 2

Sewer Line Cleaning:

March 15, 2018 – March 21, 2018 = 1,253'

March 22, 2018 – March 28, 2018 = 3,156'

Total footage cleaned for March = 4,409'

High Frequency:

March 8, 2018 – March 14, 2018 = 1,410' (siphon)

March 15, 2018 – March 21, 2018 = 1,253'

March 22, 2018 – March 28, 2018 = 571'

Total High Frequency footage cleaned: 3,234'

Manhole Inspections:

March 1, 2018 - March 7, 2018 = (3) manholes inspected

March 8, 2018 - March 14, 2018 = (8) manholes inspected (siphon)

March 15, 2018 - March 21, 2018 = (6) manholes inspected

March 22, 2018 - March 28, 2018 = (11) manholes

Total manholes inspected for month: 28

Manhole Road Repairs:

March 27, 2018, 3360 Gird Road: Manhole road hazard (Public called in): Set up and removed existing 24" manhole and repaired to grade; Placed hot asphalt and secured new frame and cover around heavy travel roadway.

CCTV/CONTRACTOR:

None scheduled/completed for March 2018

*Scheduled for April 2018 = 26,481'

TECHNICAL SERVICES DEPARTMENT:

Fleet/Garage:

The District's mechanic completed a total of eleven (11) District vehicles with regular *scheduled* preventative maintenance and/or repairs. All repairs and maintenance were logged into the Mitchel Program. One (1) newly budgeted vehicle was completely equipped/prepared for staff.

The following maintenance and/or repairs were considered *unscheduled*:

- Vehicles with emergency repairs (3)
- Small equipment (6)
- Off-road equipment / trailer repairs & maintenance (0)
- Off-road equipment / trailer emergency repairs (1)
- Large vehicles maintenance / repairs (1)
- Large equipment emergency repairs (1)
- Safety recalls (0)
- BIT Inspections (0)
- Gasboy fuel cube installation (0)
- Gasboy fuel trouble-shooting (1)
- Scheduled crane inspections (0)
- Shop compressor maintenance (1)
- New vehicle specification quote (1)
- Emergency equipment monthly inspections (7)

Water Quality:

- Completed twenty-two (22) routine bacteriological samples
- Completed fifteen (15) nitrification samples at tanks
- 1st Quarter disinfection by-products collected
- Special Bac-T's were collected for Golf Green Estates development
- Bac-T samples were collected for the repair on Wrightwood
- Bac-T's were collected at Pankey PRV Station
- 2017 Consumer Confidence Report (CCR) Preparation – Ongoing
- Bacteriological Sample Site Plan Prepared – Ongoing
- National Pollution Discharge Elimination System (NPDES) Report – Samples taken
- 471 Backflow devices tested (TVB)

All samples collected met and/or exceeded state and federal requirements.

Electrical/SCADA:

Status update provided below on District-wide projects supported by Electrical/SCADA Staff:

- Sumac SCADA/radio project - Tower and radio complete
- Hutton Tank SCADA/radio – Ongoing: New radio and SCADA panel installed and operational
- Turner Tank SCADA/radio- Ongoing: New radio and SCADA panel installed and operational
- Morro flow meter - Ongoing
- New Engineering Office trailer (2C) provided with electrical power – Completed
- New Engineering Office trailer communications wiring – waiting for new network switch
- North Reservoir cover pump control repair – Complete
- Checked status of solar batteries at remote sites – Complete
- Met with SDG&E on proposed pump station project on West Lilac

EMPLOYEE RECOGNITION – OPERATIONS & MAINTENANCE DIVISION

District's Monthly "Excellence Program" Coin Award Winners

Professionalism:

- Justin Demary
- Kyle Schilling
- Carlos Ramos
- Thomas Sjuneson
- Scott Terrell

Other Certifications Obtained

2-Day CLA-VAL 101 Course Completion:

- Victor Veenstra

2-Day Supervisors Transition and Readiness Training (S.T.A.R.T.):

- Ed Bradley
- Mark Cline



Darren S. Milner
Operations Manager

4/24/18

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

Engineering Report for March 2018

DESCRIPTION

CAPITAL PROJECTS:

Bonsall Basin Imported Return Flow: Consultant is working on updating the model and confirming water rights.

Condition Assessment of Water Facilities: The Consultant has submitted a final draft of the technical memorandum.

Gird to Monserate Hill: Final plans, specs and environmental documents reviewed by staff. Pursuing alternative design with lower construction cost.

Horse Creek Lift Station: The Lift Station is scheduled to be completed by the end of June 2018.

Highway 76 East Segment: Caltrans will be submitting as-built drawings.

Lift Station 1 Replacement: New design underway with equalization basin at Thoroughbred Lift Station site and Schoolhouse Lift Station.

Moosa Crest Waterline (Emergency) Project: Notice of Completion recorded on 4/3/18. Waiting on unconditional releases from the contractor.

Rainbow Height's Pump Station Rehabilitation: Metropolitan Water District denied working in their easement. Staff submitted alternatives/redesign for smaller station. Advertise for bids in Summer 2018.

Wastewater Outfall Replacement: Project on hold until further evaluation from local water alternatives. Project may take the form of rehabilitation with equalization basin.

Weese Filtration Plant Interconnect: IEC is working on completing the design by May 2018.

DEVELOPER PROJECTS:

Golf Green Estates (Development Solutions): 94 SFR / 102.46 EDUs - Planned across from Bonsall Elementary School on Old River Road. Contractor completed installing all the below ground water and sewer main. CCTV needs to be completed for sewer. Models completed and 21 water meters purchased to date.

Horse Creek Ridge (D.R. Horton): 751 WMs / 754 EDUs - Off of Highway 76 and Horse Ranch Creek Road. Models completed and 286 water meters purchased to date.

Malabar Ranch (Davidson Communities): 31 SFR / 29 EDUs - Off of Via Monserate/La Canada. There are 17 out of 31 homes built. Contractor completing waterline relocation and punch list items.

Nessy Burger: Nessy Burger's is constructing a permanent building.

Pala Mesa Highlands (Beazer Homes): 124 SFR / 124 EDUs - On Old Highway 395. Contractor has been installing 8" and 12" water and sewer mains. Sewer service agreement being prepared. Models expected by Summer 2018.

Palomar College: 1 WM / 100 EDUs - Staff working on sewer service agreement. Sewerline construction completed to connection point. Connection to existing sewer is scheduled after the Horse Creek Lift Station is completed and operational. Waterline construction completed. Palomar has purchased a 4" meter.

Topa Topa Place (Frulla Inc.): Waterline relocation. Staff processing construction agreement. Preconstruction meeting held on February 28, 2018. Staff reviewing submittals.

OTHER:

ITEMS	NO#	ITEMS	NO#
Water Availability Letters	1	Water Meters Purchased	23
Sewer Availability Letters	0	Sewer EDUs Purchased	0
Water Commitment Letters	0	Developer Shutdowns	0
Sewer Commitment Letters	0	Jobs Closed: Knottwood Way	0



Michael Powers
Associate Engineer, P.E.

4/24/18

BOARD OF DIRECTORS

April 10, 2018

SUBJECT

February: Customer Service & Meter Services

DESCRIPTION

METER SERVICES:

Meter Services completed 806 service orders. Here is a summary of the most pertinent service orders shown by category.

SERVICE ORDERS	COMPLETED
Check Reads	435
Transfers	45
Locked	14
Unlocked	16
Pressure Calls	10
Leaks	35
Drought	0


CUSTOMER SERVICE:

SERVICE ORDERS	COMPLETED
Lockbox Payments (mailed-in)	3,879
Online Payments	1301
Recurring Online Payments	1096
Locked for Non-Payment	14
48 Hour Notices	71



Vanessa Martinez
Finance Manager

04/10/2018



Kenny Diaz
Meter Services Crew Leader

04/10/2018

BOARD OF DIRECTORS

April 24, 2018

SUBJECT

HUMAN RESOURCES REPORT FOR MARCH/APRIL 2018

DESCRIPTION

Personnel changes, human resources activities, and safety report for March/April 2018

PERSONNEL CHANGES:

- One Construction Crew Leader returned from leave of absence on April 2, 2018
- The Right of Way and Facilities Coordinator, Kimberly Brown started with the District on April 2, 2018

STAFFING:

Right of Way and Facilities Coordinator

Kimberly Brown started with the District on April 2, 2018. Ms. Brown is a Professional Geologist (PG) and offers five years of previous experience with Santa Ynez River Water Conservation District. Most recently Ms. Brown was a Project Manager for Southern California Edison on Catalina Island, running projects related to improving the water, gas, and power infrastructure on the island.

District Engineer

The application window closed on March 28, 2018 with 958 page views and 28 total applications. Eleven applicants were invited to participate in the selection process with a phone interview, and 5 were invited for panel interviews on April 10th and 11th. Two finalists were selected for the final selection round, which is still in progress.

Environmental Health and Safety Officer

This position was posted for recruitment on March 6, 2018 and closed on March 28, 2018. The position received 1,372 page views and 70 applications. The Human Resources Manager conducted 15 phone interviews, and the top six candidates were scheduled for panel interviews on April 16th.

TRAINING:

Special District Risk Management Association – Safety Specialist Certificate

The Human Resources Manager attended the SDRMA Spring Training Day in Sacramento on March 20, 2018 and completed the Safety Specialist Certificate program. Obtaining the certificate will qualify the District for incentive points towards our liability and worker's compensation insurance plans, which would reduce premiums for the next fiscal year by \$3,000 - \$6,000. Registration for the program was free, and the cost of travel was less than \$800.

EMPLOYEE RECOGNITION:

Excellence Coin Awards

The following coin was issued in March:

Innovation

Gina de La Cerda - In her first six months of employment, Gina has turned the billing process around, making it more efficient. She rearranged and organized the billing area and introduced new audit controls to prevent errors, ensure that we capture all water consumption, and reduce water loss to increase revenue. She takes pride in her work and she understands that the quality of her work represents the District. Gina has proven to be dedicated and hardworking employee who cares about the success of the District.

Professionalism

Carlos Ramos, Justin Demary, Kyle Schilling, Scott Terrell, Thomas Sjuneson – After a leak on Dentro de Lomas caused severe damage to a customer's yard, Carlos, Kyle, and Scott T., Justin D and Thomas were dispatched to backfill and regrade the property to repair the obvious issues caused by the leak. This job included a lot of manual hand work and running multiple loads. Once completed, the customer called to say what a great job the crew did in restoring his property. He was very appreciative of the quality of work they did, and appreciative of the District for repairing the damage so quickly. Their work avoided a claim against the District, and instead left us with a satisfied customer.

NEOGOV:

Insight Module

We currently have 2,316 active email subscriptions for notifications of job openings.

Onboard Module

All new employees are completing the new hire onboarding process through the Neogov portal. Activity checklists, forms, and general information are all in the system and it is updated as needed.

Perform Module

The first DREAM team meeting to present the system to employees and get their input took place on February 20, 2018. Employees provided useful feedback on the self-evaluation form and other changes that will be presented to them at the next meeting.

LILAC FIRE UPDATE:

The District has applied for and been approved for two FEMA grants. The List of Projects submitted with the applications totaled \$220,124. If the application and all expenses qualify, the District could receive reimbursement of \$165,093, plus 10% for administrative costs. The District is having ongoing correspondence with California Office of Emergency Services to document associated project costs.

SAFETY:

Incidents

It has been 168 days since our last injury, which was a lost time incident.

Safety Training

Target Solutions online training: 12 completions for March 2018

Tailgate Trainings

Jackhammer Lift Assist – 23 employees

Ergonomics – 26 employees

Truck Explosion / PVC Primer – 27 employees



Karleen Harp, COSM
Human Resources Manager

04/24/2018

Interim Financials
Period: February 2018



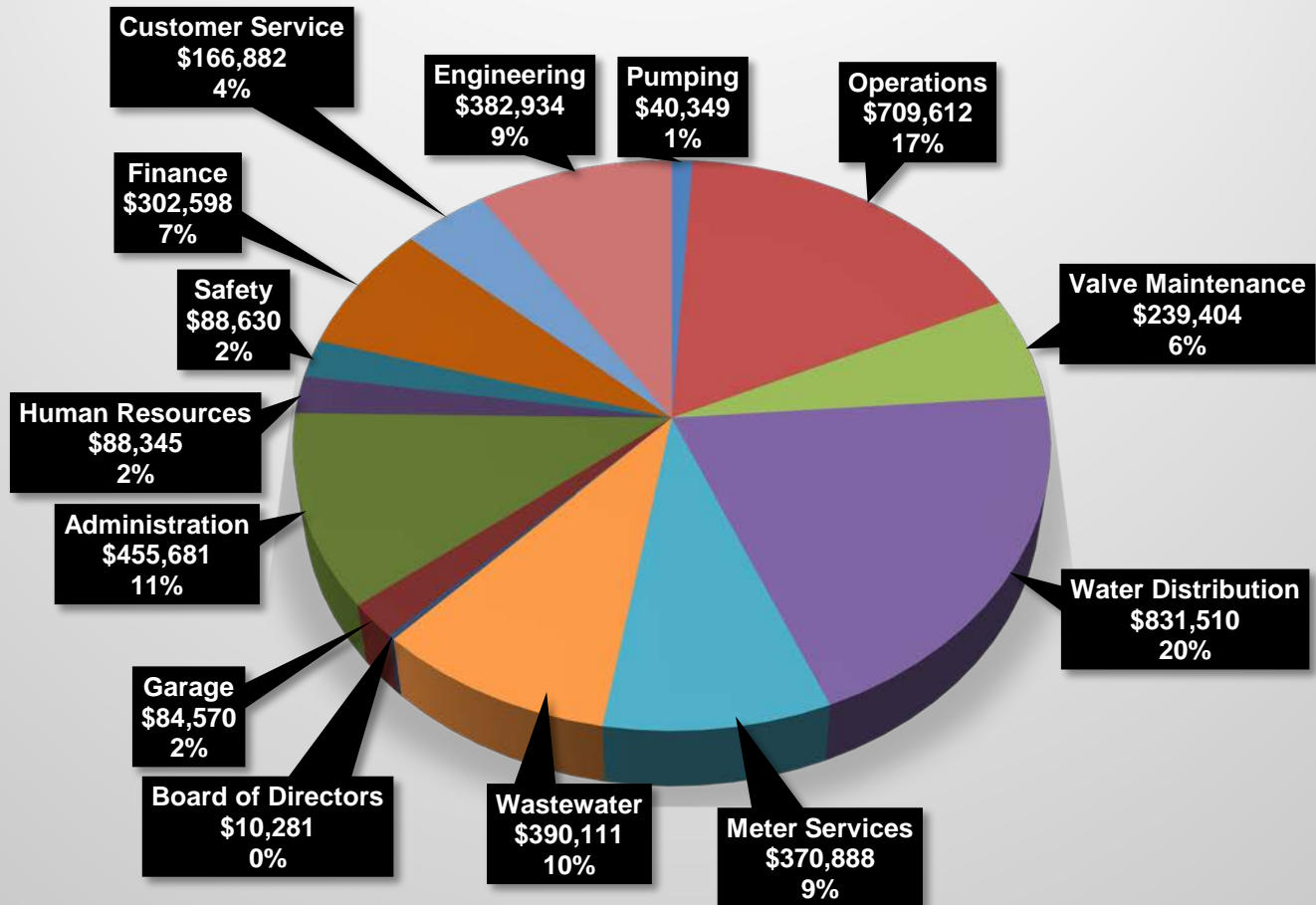
		Budget Amount	Period Amount	YTD Amount	YTD Variance	% Available
Fund 01: Water						
Operating Revenues:						
Water Revenues		\$38,224,699	\$2,484,467	\$29,353,441	\$8,871,258	23%
Other Revenues		\$536,500	\$9,569	\$309,818	\$226,682	42%
Total Revenues:		\$38,761,199	\$2,494,036	\$29,663,259	\$9,097,940	23%
Operating Expenses:						
Cost of Water Sold		\$26,397,085	\$1,906,002	\$20,417,007	\$5,980,078	23%
Labor		\$0	\$1,271	\$36,120	(\$36,120)	0%
Overhead Transfer to General		\$3,843,297	\$0	\$0	\$3,843,297	100%
Debt Service		\$1,120,142	\$0	\$0	\$1,120,142	100%
Department Expenses						
Pumping	31 Labor	\$99,434	\$6,887	\$40,349	\$59,085	59%
	Expenses	\$590,500	\$36,917	\$326,873	\$263,627	45%
Operations	32 Labor	\$1,180,319	\$78,969	\$709,612	\$470,707	40%
	Expenses	\$983,343	\$154,535	\$641,030	\$342,313	35%
Valve Maintenance	33 Labor	\$479,381	\$21,702	\$239,404	\$239,977	50%
	Expenses	\$102,500	\$12,238	\$53,018	\$49,482	48%
Water Distribution	34 Labor	\$1,480,763	\$102,479	\$831,510	\$649,253	44%
	Expenses	\$536,300	\$44,182	\$306,913	\$229,387	43%
Meter Services	35 Labor	\$687,123	\$44,204	\$370,888	\$316,235	46%
	Expenses	\$409,000	\$36,821	\$219,151	\$189,849	46%
	Capital	\$145,000	\$66,120	\$288,970	(\$143,970)	0%
Total Operating Expenses:		\$38,054,187	\$2,512,329	\$24,480,845	\$13,573,342	36%
Water Fund Totals:		\$707,012	(\$18,293)	\$5,182,414	\$4,475,402	
Fund 02: Wastewater						
Operating Revenues:						
Wastewater Revenues		\$2,395,500	\$200,460	\$1,768,112	\$627,388	26%
Other Revenues		\$40,000	\$1,340	\$34,536	\$5,464	14%
Total Revenues:		\$2,435,500	\$201,800	\$1,802,649	\$632,851	26%
Operating Expenses:						
Overhead Transfer to General		\$901,514	\$0	\$0	\$901,514	100%
Department Expenses						
Wastewater	61 Labor	\$707,197	\$47,256	\$390,111	\$317,086	45%
	Expenses	\$1,418,000	\$16,813	\$122,139	\$1,295,861	91%
	Capital	\$25,000	\$0	\$10,340	\$14,660	59%
Total Operating Expenses:		\$3,051,711	\$64,069	\$522,591	\$2,529,120	83%
Wastewater Fund Totals:		(\$616,211)	\$137,731	\$1,280,058	\$1,896,269	

Interim Financials
Period: February 2018

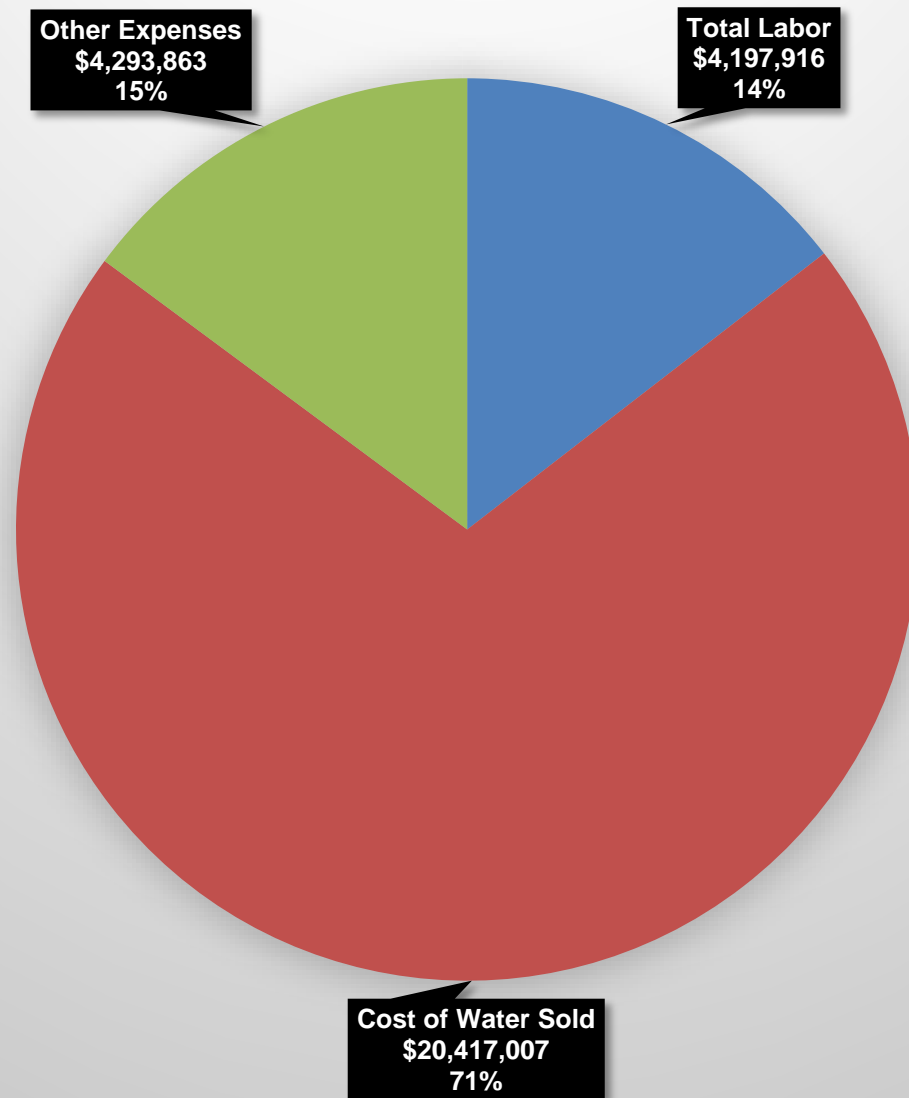


		Budget Amount	Period Amount	YTD Amount	YTD Variance	% Available
Fund 03: General						
Operating Revenues:						
	Overhead Transfers	\$4,744,811	\$0	\$0	\$4,744,811	100%
	Other Revenues	\$433,470	\$61,022	\$384,548	\$48,922	11%
	Total Revenues:	\$5,178,281	\$61,022	\$384,548	\$4,793,733	93%
Operating Expenses:						
	Other Expenses	\$0	\$0	\$171,084	(\$171,084)	0%
Department Expenses						
	Board of Directors					
	20 Labor	\$19,613	\$1,938	\$10,281	\$9,332	48%
	Expenses	\$20,300	\$1,021	\$9,732	\$10,568	52%
	Garage					
	36 Labor	\$147,989	\$11,930	\$84,570	\$63,419	43%
	Expenses	\$244,500	\$8,922	\$126,725	\$117,775	48%
	Capital	\$309,500	\$14,837	\$193,592	\$115,908	37%
	Administration					
	41 Labor	\$698,344	\$49,152	\$455,681	\$242,663	35%
	Expenses	\$1,271,978	\$122,563	\$1,086,820	\$185,158	15%
	Capital	\$100,000	\$0	\$95,184	\$4,816	5%
	Human Resources					
	42 Labor	\$171,149	\$12,082	\$88,345	\$82,804	48%
	Expenses	\$169,150	\$5,176	\$64,006	\$105,144	62%
	Safety					
	43 Labor	\$144,288	\$17,101	\$88,630	\$55,658	39%
	Expenses	\$76,350	\$5,913	\$40,574	\$35,776	47%
	Finance					
	51 Labor	\$522,628	\$31,181	\$302,598	\$220,030	42%
	Expenses	\$131,500	\$9,686	\$97,302	\$34,198	26%
	Customer Service					
	52 Labor	\$288,513	\$25,269	\$166,882	\$121,631	42%
	Expenses	\$239,500	\$18,933	\$166,071	\$73,429	31%
	Engineering					
	91 Labor	\$756,216	\$43,244	\$382,934	\$373,282	49%
	Expenses	\$325,529	\$66,058	\$274,340	\$51,189	16%
	Total Operating Expenses:	\$5,637,047	\$445,006	\$3,905,350	\$1,731,697	31%
	General Fund Totals:	(\$458,766)	(\$383,984)	(\$3,520,802)	(\$3,062,036)	
	Net Income	(\$367,965)	(\$264,545)	\$2,941,670	\$3,309,635	

YTD Labor Costs (February 2018)



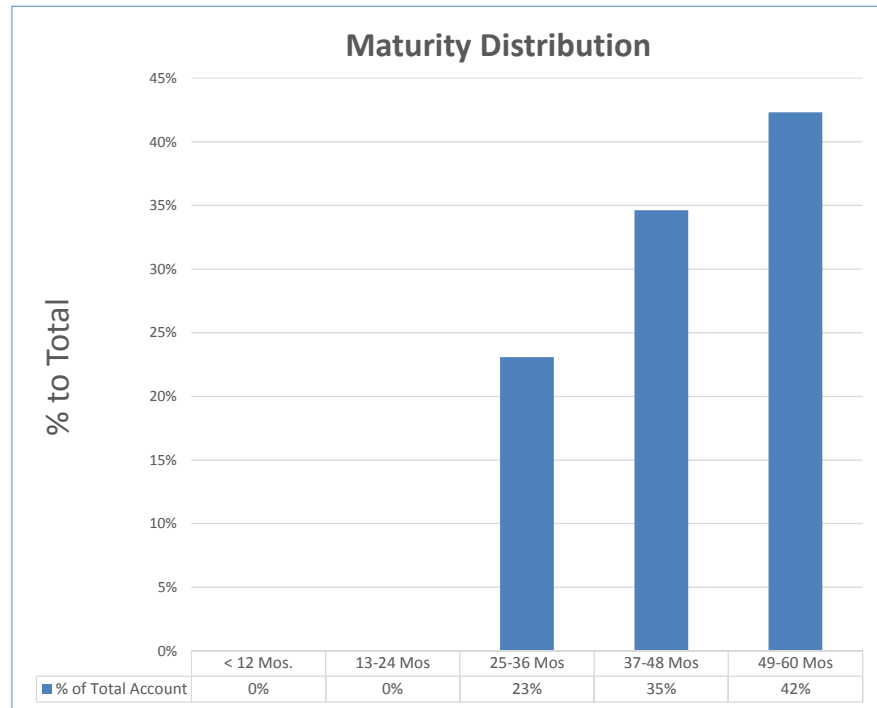
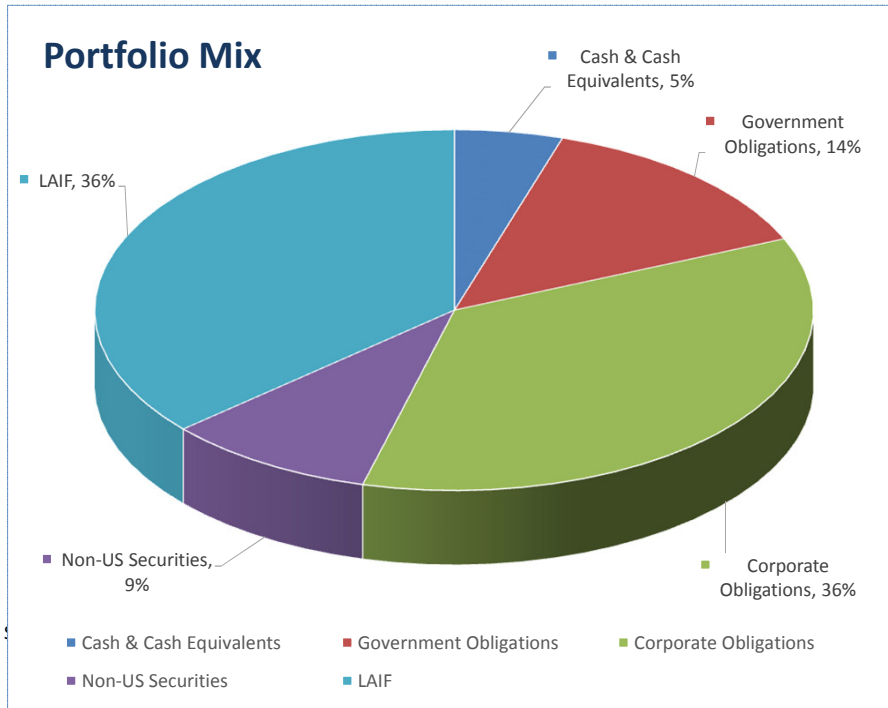
YTD Expense Allocation (February 2018)



RAINBOW MUNICIPAL WATER DISTRICT
TREASURER'S MONTHLY REPORT OF INVESTMENTS
PORTFOLIO SUMMARY
2/28/2018



TYPE	ISSUER	CUSIP	Bond Rating	Date of Maturity	Cost Basis	Market Value	Interest Rate	Yield to Maturity	Next Interest Payment Date	Semi-Annual Interest	Days to Maturity
Money Market Funds	JP MORGAN MONEY MARKET	48125C068S	N/A		\$ 1,070,950	\$ 1,070,950					
Total Cash & Cash Equivalents					\$ 1,070,950	\$ 1,070,950					
Callable Note	FEDERAL NATL MTG ASSN	3135GOT45	Aaa	04/05/22	\$ 1,002,910	\$ 970,670	1.875%	1.810%	04/05/18	\$ 9,402	1497
Callable Note	FEDERAL HOME LN MTG CORP	3134G3F96	Aaa	08/28/20	\$ 1,032,851	\$ 995,492	1.660%	1.320%	08/28/18	\$ 8,573	912
Callable Note	FEDERAL FARM CR BKS	3133EHUR9	Aaa	07/19/22	\$ 200,938	\$ 193,396	1.900%	1.800%	07/19/18	\$ 1,909	1602
Callable Note	FEDERAL HOME LN MTG CORP	3134GBS94	Aaa	10/26/22	\$ 651,918	\$ 632,879	2.100%	1.800%	04/26/18	\$ 6,845	1701
Callable Note	FEDERAL NATL MTG ASSN	3135GOT94	Aaa	01/19/23	\$ 515,226	\$ 511,805	2.375%	2.410%	07/19/18	\$ 6,118	1786
Total Government Obligations					\$ 3,403,842	\$ 3,304,242					
Callable Note	BB&T CORP	05531FAV5	A2	05/10/21	\$ 491,789	\$ 466,162	2.050%	2.050%	05/10/18	\$ 5,041	1167
Callable Note	CATERPILLAR FINL CORP	14912HSR2	A2	09/15/21	\$ 1,000,000	\$ 940,000	1.600%	1.600%	03/15/18	\$ 8,000	1295
Callable Note	ORACLE CORP	68389XBKO	A1	09/15/21	\$ 1,011,470	\$ 966,610	1.910%	1.900%	03/15/18	\$ 9,660	1295
Callable Note	TOYOTA MOTOR CREDIT CORP	89236TDP7	Aa3	01/11/22	\$ 499,271	\$ 482,871	2.600%	2.600%	07/09/18	\$ 6,491	1413
Callable Note	WELLS FARGO	95000U2B8	A2	07/22/22	\$ 989,232	\$ 951,364	2.625%	2.410%	07/22/18	\$ 12,984	1605
FDIC Ins. CD	MORGAN STANLEY	61747MF63	N/A	01/11/23	\$ 246,000	\$ 244,947	2.650%	2.650%	07/11/18	\$ 3,260	1778
FDIC Ins. CD	AMERICAN EXPRESS CENTRN	02587DB64	Aaa	09/23/20	\$ 250,000	\$ 247,975	2.310%	2.300%	03/23/18	\$ 2,888	938
Callable Note	BARCLAYS BK DEL	06740KJK4	Aaa	09/16/20	\$ 245,000	\$ 243,875	2.210%	2.200%	03/16/18	\$ 2,707	931
FDIC Ins. CD	GOLDMAN SACHS BK USA NY	38148PKT3	N/A	06/14/22	\$ 245,000	\$ 242,048	2.350%	2.350%	06/14/18	\$ 2,879	1567
FDIC Ins. CD	CAPITAL ONE BK USA NATL	140420Y95	Aaa	03/08/22	\$ 250,000	\$ 247,118	2.300%	2.300%	03/08/18	\$ 2,875	1469
FDIC Ins. CD	CAPITAL ONE NATL ASSN VA	14042RKL4	N/A	11/22/22	\$ 250,000	\$ 246,450	2.400%	2.400%	05/22/18	\$ 3,000	1728
FDIC Ins. CD	SALLIE MAE BK SLT LAKE CITY	79540ZW8	Aaa	03/22/22	\$ 250,000	\$ 247,508	2.340%	2.340%	03/22/18	\$ 2,925	1483
FDIC Ins. CD	SYNCHRONY BK RETAIL	87165EMKO	N/A	05/26/22	\$ 240,000	\$ 237,703	2.400%	2.400%	05/26/18	\$ 2,880	1548
FDIC Ins. CD	STATE BK INDIA NEW YORK NY	856284U3	Aaa	03/14/22	\$ 250,000	\$ 246,605	2.250%	2.250%	03/14/18	\$ 2,813	1475
FDIC Ins. CD	DISCOVER BANK	254672F29	N/A	08/10/21	\$ 248,000	\$ 239,580	1.500%	1.500%	08/10/18	\$ 1,860	1259
FDIC Ins. CD	WELLS FARGO BANK NATL ASSN	949763AF3	N/A	08/17/21	\$ 98,000	\$ 94,430	1.550%	1.550%	08/17/18	\$ 760	1266
FDIC Ins. CD	WELLS FARGO BANK NATL ASSN	949763AF3	N/A	08/17/21	\$ 150,000	\$ 144,536	1.550%	1.550%	08/17/18	\$ 1,163	1266
FDIC Ins. CD	AMERICAN EXPRESS FED SVGS BK	02587CED8	Aaa	07/29/20	\$ 248,000	\$ 246,128	2.360%	2.340%	07/29/18	\$ 2,926	882
Total Corporate Obligations					\$ 6,961,761	\$ 6,735,908					
Callable Note	AUSTRALIA & NEW ZEALA BKG	05253JAM3	Aa2	06/01/21	\$ 517,228	\$ 487,845	2.300%	1.550%	12/01/17	\$ 5,948	1189
Callable Note	NATIONAL AUSTRALIA BK NY	63254AAR9	Aa2	07/12/21	\$ 508,870	\$ 480,700	1.875%	1.880%	07/12/18	\$ 4,771	1230
Callable Note	BANK OF MONTREAL	06367TJX90	Aa3	08/27/21	\$ 1,011,840	\$ 961,300	1.900%	1.900%	08/27/18	\$ 9,612	1276
Total Non-US Securities					\$ 2,037,938	\$ 1,929,845					
Subtotal Long Term Pooled Investment					\$ 13,474,491	\$ 13,040,945					
Local Agency Investment Fund (LAIF)					\$ 7,584,576	\$ 7,584,576	1.172%				
Portfolio Totals					<u>\$ 21,059,067</u>	<u>\$ 20,625,521</u>					



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.

Vanessa Martinez, Treasurer

4/10/2018

Accounts Payable

February American Express



Check Number	Check Date		Amount
245 - ABCANA INDUSTRIES Line Item Account			
3071801	03/07/2018		
		Inv 1019977 HYPOCHLORITE SOLUTION 12.5% 8PG III	1,046.49
		Inv 1020298 HYPOCHLORITE SOLUTION 12.5% 8PG III	597.99
3071801 Total:			1,644.48
245 - ABCANA INDUSTRIES Total:			1,644.48
315 - ACWA/JPIA Line Item Account			
3071802	03/07/2018		
		Inv 100526732173 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18	160.00
		Inv 100528509319 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528512394 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528516488 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528517661 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528518640 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528519683 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528520911 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528522115 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18	160.00
		Inv 100528523107 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528523588 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528524021 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528524696 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528525181 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528525701 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528536473 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528569068 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528569645 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
		Inv 100528570355 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100528570950 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100529145551 PROFESSIONAL DEVELOPMENT PROGRAM 3/7/18-	80.00
		Inv 100529146700 PROFESSIONAL DEVELOPMENT PROGRAM 3/8/18-	80.00
3071802 Total:			1,920.00
315 - ACWA/JPIA Total:			1,920.00
280 - AMAZON.COM Line Item Account			
3071803	03/07/2018		
		Inv 0569118-7107421 MINI LABELS	29.15
		Inv 1071817-5935420 Retractable badge reel holders- set of 4	37.36
		Inv 5045718-1167457 ENVELOPES, LAMINATING POUCHES, TAPE ROLL	58.01
		Inv 5352945-7028238 HDMI to VGA , 2 Pack, Moread Gold-Plated	641.52

Inv 9768063-6440209	Kantech ioProx cards	149.00
3071803	Total:	915.04
280 - AMAZON.COM	Total:	915.04
7120 - BOARD OF EQUALIZATION	Line Item Account	
3071804	03/07/2018	
Inv 151575	2017 SALES AND USE TAX	308.52
Inv 151575-	2017 SALES AND USE TAX - CONVENIENCE FEE	7.10
3071804	Total:	315.62
7120 - BOARD OF EQUALIZATION	Total:	315.62
4970 - BRADY SAND & MATERIAL, INC.	Line Item Account	
3071805	03/07/2018	
Inv 201801-21	COLD MIX, THE YARD FT BILL 75437, 75438	2,993.59
3071805	Total:	2,993.59
4970 - BRADY SAND & MATERIAL, INC.	Total:	2,993.59
603218 - BROWN & CALDWELL, BC WATER	Line Item Account	
3071806	03/07/2018	
Inv 240400	JOB POSTING SUBSCRIPTION	200.00
3071806	Total:	200.00
603218 - BROWN & CALDWELL, BC WATER	Total:	200.00
2885 - CORELOGIC INFORMATION	Line Item Account	
3071807	03/07/2018	
Inv 81867403	SALE DOC IMAGE	10.00
Inv 81868100	REALQUEST.COM MAP SEARCH, GEOGRAPHIC MAP	192.50
3071807	Total:	202.50
2885 - CORELOGIC INFORMATION	Total:	202.50
1670 - CSDA, SAN DIEGO CHAPTER	Line Item Account	
3071808	03/07/2018	
Inv 3164532	30-DAY ONLINE JOB POSTING PACKAGE SUBSCR	155.00
Inv 42244	ETHICS AB1234 COMPLIANCE TRAINING-BRAZIE	-25.00
3071808	Total:	130.00
1670 - CSDA, SAN DIEGO CHAPTER	Total:	130.00
2027 - CULLIGAN OF ESCONDIDO	Line Item Account	

3071809	03/07/2018		
		Inv 013118 WATER SOFTNER, SERVICE PERIOD02/01-02-2	72.78
3071809 Total:			72.78
2027 - CULLIGAN OF ESCONDIDO Total:			72.78
603458 - EPSON AMERICA, INC. Line Item Account			
3071810	03/07/2018		
		Inv US05238177 REPLACEMENT PROJECTOR LAMP/BULB	85.12
3071810 Total:			85.12
603458 - EPSON AMERICA, INC. Total:			85.12
3325 - GRAINGER, W.W. INC. Line Item Account			
3071811	03/07/2018		
		Inv 9663995638 PVC PIPE WRAP TAPE 10MIL 36PK	135.00
		Inv 9663995646 SOAP STONE	70.29
		Inv 9666147716 WHITE MARKING PAINT	282.72
		Inv 9676336739 SAFETY YELLOW SPRAY PAINT	217.23
3071811 Total:			705.24
3325 - GRAINGER, W.W. INC. Total:			705.24
603431 - LINKEDIN CORPORATION Line Item Account			
3071812	03/07/2018		
		Inv 2911427336 JOB POSTING - RIGHT-OF-WAY AND FACILITIE	39.20
		Inv 2940094686 JOB POSTING - DISTRICT ENGINEER	27.48
		Inv 2947017356 JOB POSTING - DISTRICT ENGINEER	108.08
3071812 Total:			174.76
603431 - LINKEDIN CORPORATION Total:			174.76
603404 - NATUREBOX Line Item Account			
3071813	03/07/2018		
		Inv 00149870 EMPLOYEE SNACKS, NATUREBOX UNLIMITED	750.00
3071813 Total:			750.00
603404 - NATUREBOX Total:			750.00
5425 - OFFICE DEPOT Line Item Account			
3071814	03/07/2018		
		Inv 990633745001 FILE FOLDERS, LETTER, 1/3 CUT, GREEN, IT	241.39
		Inv 990633805001 STAMP NO. 40 REPLACEMENT INK PAD - BLACK	13.12
		Inv 990633806001 MONTHLY DESK CALENDAR, 22" X 17", ITEM #	11.54
		Inv 992037352001 FELT STAMP PAD, SIZE 1, BLACK, ITEM #856	5.48
		Inv 992037405001 HP LASERJET 410A STANDARD - YIELD YELLOW	1,043.76

Inv 999117706001	RESTOCK: PENS, PAPER, LABELS,FOLDERS, D	597.43
Inv 999117940002	PEN, INJOY	30.69
Inv 999117940003	PEN, INJOY	46.03
3071814 Total:		1,989.44
5425 - OFFICE DEPOT Total:		1,989.44
5910 - PACIFIC PIPELINE SUPPLY Line Item Account		
3071815	03/07/2018	
Inv 319578	6" #38 DRESSER COUPLING	551.96
3071815 Total:		551.96
5910 - PACIFIC PIPELINE SUPPLY Total:		551.96
6790 - PACIFIC SAFETY CENTER Line Item Account		
3071816	03/07/2018	
Inv 112129	FORKLIFT TRAINING - OPERATOR	115.00
3071816 Total:		115.00
6790 - PACIFIC SAFETY CENTER Total:		115.00
603426 - SALIZCO INC Line Item Account		
3071817	03/07/2018	
Inv 34959	GENERATOR-100KW. RENTAL-TEMP POWER BOX,	4,827.08
3071817 Total:		4,827.08
603426 - SALIZCO INC Total:		4,827.08
603406 - THE FRUIT GUYS Line Item Account		
3071818	03/07/2018	
Inv 5195742	EMPLOYEE SNACKS, HARVEST-SMALL	76.50
Inv 5198792	EMPLOYEE SNACKS, HARVEST-SMALL	38.25
Inv 5201776	EMPLOYEE SNACKS, HARVEST-SMALL	76.50
Inv 5203728	EMPLOYEE SNACKS, HARVEST-SMALL	38.25
Inv 5207358	EMPLOYEE SNACKS, HARVEST-SMALL	76.50
3071818 Total:		306.00
603406 - THE FRUIT GUYS Total:		306.00
603449 - TRANSITTALENT.COM Line Item Account		
3071819	03/07/2018	
Inv 021918	JOP POSTING: DISTRICT ENGINEER	175.00
3071819 Total:		175.00

603449 - TRANSITALENT.COM Total:		175.00
7770 - U.S. POSTAL SERVICE Line Item Account		
3071820	03/07/2018	
Inv 1828087708	48-HOUR NOTICE PREPAY BALANCERECHARGE	300.00
Inv 1856249083	48-HOUR NOTICE PREPAY BALANCERECHARGE	300.00
3071820 Total:		600.00
7770 - U.S. POSTAL SERVICE Total:		600.00
8155 - WESTERN WATER WORKS SUPPLY Line Item Account		
3071821	03/07/2018	
Inv 478290-00	12"x20" 1/8 THICK BUTT STRAP	2,105.65
Inv 478684-00	8" X 4" DUCTILE REDUCER 150#	83.28
Inv 479548-00	8" X 4" DUCTILE REDUCER #300	1,038.71
3071821 Total:		3,227.64
8155 - WESTERN WATER WORKS SUPPLY Total:		3,227.64
603437 - ZIPRECRUITER Line Item Account		
3071822	03/07/2018	
Inv 2885466	MONTHLY SUBSCRIPTION, 3 JOBS,STARTER PL	249.00
3071822 Total:		249.00
603437 - ZIPRECRUITER Total:		249.00
603451 - ZOHOCORP Line Item Account		
3071823	03/07/2018	
Inv 63398492	MONTHLY SUBSCRIPTION FEE	25.00
3071823 Total:		25.00
603451 - ZOHOCORP Total:		25.00
Total:		22,175.25

**Director's Expenses
FY 2017-2018**

Disbursement Date	Description	Miguel Gasca	Helene Brazier	Claude Hamilton	Michael Mack	William Stewart	Retiree
07/31/17	CAL PERS - HEALTH INS.						\$ 354.80
	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING	\$ 600.00			\$ 600.00	\$ 600.00	
	COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 300.00	\$ 300.00	\$ 700.00	\$ 300.00	
	TRAVEL EXPENSES	\$ 1,119.19			\$ 940.78	\$ 754.99	
	MILEAGE EXPENSE			\$ 23.54		\$ 577.82	
	REIMBURSEMENT FROM DIRECTORS						\$ (354.80)
	Monthly Totals	<u>\$ 1,869.19</u>	<u>\$ 300.00</u>	<u>\$ 323.54</u>	<u>\$ 2,240.78</u>	<u>\$ 2,232.81</u>	<u>\$ -</u>
08/31/17	CAL PERS - HEALTH INS.						\$ 354.80
	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING		\$ 30.00		\$ 30.00		
	COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 25.00					
	TRAVEL EXPENSES	\$ 150.00	\$ 150.00	\$ 150.00	\$ 300.00	\$ 300.00	
	MILEAGE EXPENSE						
	REIMBURSEMENT FROM DIRECTORS						\$ (354.80)
	Monthly Totals	<u>\$ 175.00</u>	<u>\$ 180.00</u>	<u>\$ 150.00</u>	<u>\$ 330.00</u>	<u>\$ 300.00</u>	<u>\$ -</u>

**Director's Expenses
FY 2017-2018**

Disbursement Date	Description	Miguel Gasca	Helene Brazier	Claude Hamilton	Michael Mack	William Stewart	Retiree
09/30/17	CAL PERS - HEALTH INS.						\$ 354.80
	WATER AGENCIES ASSOC OF S.D.						
	CSDA,SAN DIEGO CHAPTER						
	CONFERENCES (CSDA, ACWA, etc.)				\$ 580.00		
	TRAINING	\$ 45.00					
	COUNCIL OF WATER UTILITIES						
	DIRECTORS' PER DIEMS	\$ 300.00	\$ 300.00	\$ 300.00	\$ 450.00	\$ 450.00	
	TRAVEL EXPENSES				\$ 1,303.92		
	MILEAGE AND EXPENSES	\$ 21.40					
	REIMBURSEMENT FROM DIRECTORS						\$ (354.80)
	Monthly Totals	\$ 366.40	\$ 300.00	\$ 300.00	\$ 2,333.92	\$ 450.00	\$ -
10/31/17	CAL PERS - HEALTH INS.						\$ 354.80
	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	\$ 150.00	\$ 450.00	\$ 450.00	
	TRAVEL EXPENSES						
	MILEAGE AND EXPENSES						
	REIMBURSEMENT FROM DIRECTORS						\$ (354.80)
	Monthly Totals	\$ 150.00	\$ 150.00	\$ 150.00	\$ 450.00	\$ 450.00	\$ -

**Director's Expenses
FY 2017-2018**

Disbursement Date	Description	Miguel Gasca	Helene Brazier	Claude Hamilton	Michael Mack	William Stewart	Retiree
11/30/17	CAL PERS - HEALTH INS.						\$ 354.80
	WATER AGENCIES ASSOC OF S.D.						
	CSDA,SAN DIEGO CHAPTER	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00		
	CONFERENCES (CSDA, ACWA, etc.)	\$ 699.00			\$ 699.00	\$ 699.00	
	TRAINING						
	COUNCIL OF WATER UTILITIES						
	DIRECTORS' PER DIEMS	\$ 300.00			\$ 300.00	\$ 600.00	
	TRAVEL EXPENSES	\$ 374.90			\$ 394.90	\$ 406.35	
	MILEAGE EXPENSE	\$ 79.18			\$ 137.39	\$ 80.36	
	REIMBURSEMENT FROM DIRECTORS						\$ (354.80)
	Monthly Totals	<u>\$ 1,483.08</u>	<u>\$ 30.00</u>	<u>\$ 30.00</u>	<u>\$ 1,561.29</u>	<u>\$ 1,785.71</u>	<u>\$ -</u>
12/31/17	CAL PERS - HEALTH INS.						\$ 354.80
	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	\$ 150.00	\$ 150.00	\$ 300.00	
	TRAVEL EXPENSES						
	MILEAGE EXPENSE						
	REIMBURSEMENT FROM DIRECTORS						\$ (354.80)
	Monthly Totals	<u>\$ 150.00</u>	<u>\$ 150.00</u>	<u>\$ 150.00</u>	<u>\$ 150.00</u>	<u>\$ 300.00</u>	<u>\$ -</u>
	REPORT TOTAL (2017):	\$ 4,193.67	\$ 1,110.00	\$ 1,103.54	\$ 7,065.99	\$ 5,518.52	\$ -

**Director's Expenses
FY 2017-2018**

Disbursement Date	Description	Miguel Gasca	Helene Brazier	Claude Hamilton	Michael Mack	William Stewart	Retiree
01/31/18	CAL PERS - HEALTH INS.						\$ 347.11
	WATER AGENCIES ASSOC OF S.D.						
	CSDA,SAN DIEGO CHAPTER						
	CONFERENCES (CSDA, ACWA, etc.)						
	TRAINING						
	COUNCIL OF WATER UTILITIES	\$ 40.00			\$ 40.00		
	DIRECTORS' PER DIEMS	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	
	TRAVEL EXPENSES						
	MILEAGE EXPENSE	\$ 32.70		\$ 23.98	\$ 39.24		
	REIMBURSEMENT FROM DIRECTORS						\$ (347.11)
	Monthly Totals	<u>\$ 372.70</u>	<u>\$ 300.00</u>	<u>\$ 323.98</u>	<u>\$ 379.24</u>	<u>\$ 300.00</u>	<u>\$ -</u>
02/28/18	CAL PERS - HEALTH INS.						\$ 347.11
	WATER AGENCIES ASSOC OF S.D.						
	CSDA,SAN DIEGO CHAPTER	\$ 30.00	\$ 30.00	\$ 650.00	\$ 30.00	\$ 30.00	
	CONFERENCES (CSDA, ACWA, etc.)						
	TRAINING		\$ (25.00)				
	COUNCIL OF WATER UTILITIES	\$ 40.00					
	DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 450.00	\$ 300.00	\$ 300.00	
	TRAVEL EXPENSES			\$ 631.74			
	MILEAGE EXPENSE	\$ 32.70		\$ 106.82	\$ 52.32		
	REIMBURSEMENT FROM DIRECTORS			\$ 300.00			\$ (347.11)
	Monthly Totals	<u>\$ 252.70</u>	<u>\$ 155.00</u>	<u>\$ 2,138.56</u>	<u>\$ 382.32</u>	<u>\$ 330.00</u>	<u>\$ -</u>

Bank Reconciliation

Board Audit



Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 01 WATER FUND				
Department: 00				
ACH	ACWA-JPIA	MONTHLY HEALTH AND VISION INSURANCE - MAR 2018	02/20/2018	69,355.09
ACH	AFLAC	VOID 1/31/18 AFLAC (ADJ)_PR Batch 00013.01.2018	02/15/2018	-24.36
ACH	AIRGAS USA, LLC	SILVER SOLDER 15%	02/26/2018	899.28
ACH	ASPIRE FINANCIAL SERVICES, LLC	2018 401(a) Medical Retirement Contribution Employer - 2/15/18PR	02/28/2018	3,260.00
ACH	EMPLOYMENT DEV DEPARTMENT	PR Void Checks Batch 00002.01.2018 State Income Tax	02/01/2018	-26.90
ACH	INTERNAL REVENUE SERVICE	PR Void Checks Batch 00002.01.2018 FICA Employee Portion	02/01/2018	-1,124.53
ACH	PRINCIPAL LIFE INSURANCE COMPANY	MONTHLY INSURANCE - FEB 2018	02/13/2018	6,854.34
ACH	RENE BUSH	REIMBURSE RETIRED EMPLOYEE HEAL INS - MAR 2018	02/28/2018	726.00
ACH	SAN DIEGO COUNTY WATER AUTH	WIRE TRANSFER FOR WATER PURCHASES - DEC 2017	02/08/2018	2,504,142.94
ACH	CHARLES C. SNEED	REIMBURSE RETIRED EMPLOYEE HEALTH INS - FEB 2018	02/13/2018	363.00
ACH	KEVIN MILLER	REIMBURSE RETIRED EMPLOYEE HEALTH INS - MAR 2018	02/28/2018	726.00
54365	PHYLLIS MILLER	Refund Check	02/09/2018	3,925.19
54370	JACOB WHALL AMERICAN HYDROSEED	Refund Check	02/13/2018	1,583.18
54372	BALFOUR BEATTY CONSTRUCTION	Refund Check	02/13/2018	1,027.81
54381	FERGUSON WATERWORKS #1083	3/4" NEPTUNE T-10 E-CODER	02/13/2018	57,608.75
54392	JORDAN & KATARINA LEETE	Refund Check	02/13/2018	94.91
54396	HENRY MEYER	Refund Check	02/13/2018	73.33
54399	NATION STAR MORTGAGE LLC	Refund Check	02/13/2018	115.62
54403	PACIFIC RESTORATION GROUP, INC	Refund Check	02/13/2018	39.27
54411	SILVER HOLDINGS	REFUND FOR EXPIRED SEWER PERMIN APP FOR APN 126-230-55	02/13/2018	2,340.00
54412	CHRISTINE TAYLOR	Refund Check	02/13/2018	155.51
54419	ZEP MANUFACTURING CO.	ZEP SCENTGARD 4GL CASE	02/13/2018	719.29
54428	ANDREW ECHOLS	REIMBURSE RETIRED EMPLOYEE HEALTH INS - FEB 2018	02/26/2018	363.00
54431	FERGUSON WATERWORKS #1083	1"x24" BRASS NIPPLE	02/26/2018	2,137.78
54433	J. ALAN GUNTHER	Refund Check	02/26/2018	322.58
54435	HOCH CONSULTING	AS-NEEDED CONSTRUCTION INSPECTION SERVICES	02/26/2018	21,000.00
54443	PRINCIPAL LIFE INSURANCE COMPANY	SHORT TERM DISABILITY EMPLOYER FICA - OCT 2017	02/26/2018	1,271.40
54446	STEADY BUILDER, INC.	INSPECTION DEPOSIT BAL REIMB FOR NEW FIRE HYDRANT INSTAL GOPHER	02/26/2018	240.34
Total for Department: 00				2,678,168.82
Department: 31 PUMPING				
54410	SAN DIEGO GAS & ELECTRIC	MONTHLY GAS AND ELECTRIC SERVICE #1065 087 935 1	02/13/2018	36,917.40
Total for Department: 31 PUMPING				36,917.40
Department: 32 OPERATIONS				
ACH	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	02/28/2018	595.00
ACH	COKER PUMP & EQUIPMENT COMPANY	M154ST Mody Pump, 2 Horsepower, 115/230/1/60,Mechanical Seal TC/	02/13/2018	4,082.60
ACH	MALLORY SAFETY AND SUPPLY, LLC	Honey-SRWMP75C, MICR Open LEL Sensor	02/13/2018	611.17

ACH	MISSION VALLEY SANITATION-SD	PORTA POTTY RENTAL FOR WEED ABATEMENT	02/26/2018	141.07
54379	D & H WATER SYSTEMS INC	A3-SNGG-R Roller Assembly	02/13/2018	2,550.44
54386	HOME DEPOT	12 STRANDED THHN GREEN, 500 FT	02/13/2018	75.49
54408	RYAN HERCO PRODUCTS CORP	5524.1021V Plastomatic Valve	02/13/2018	276.09
54410	SAN DIEGO GAS & ELECTRIC	MONTHLY GAS AND ELECTRIC SERVICE #1065 087 935 1	02/13/2018	898.42
54414	UTILITY SERVICE CO.	QUARTERLY TANK SERVICE - GOMEZ TANK	02/13/2018	137,130.71
54415	WALTERS WHOLESALE	GED AQU3182RCXAXB4 PRO-STK 240V 3PH 225A NFT 18CR CU	02/13/2018	451.83
54441	JOE PERREIRA	REIMBURSEMENT FOR CDPH GRADE D4 CERT RENEWAL FEE	02/26/2018	105.00
ACH	UNION BANK (VISA)	EMPLOYEE MEALS	02/13/2018	52.33

Total for Department: 32 OPERATIONS 146,970.15

Department: 33 VALVE MAINTENANCE

54386	HOME DEPOT	27IN LOPPER	02/13/2018	53.84
54439	JOE'S HARDWARE	Hammer 4lb 16in Hndl	02/26/2018	19.44

Total for Department: 33 VALVE MAINTENANCE 73.28

Department: 34 WATER DISTRIBUTION

ACH	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	(1) 6X12 TRENCH PLATE RENTAL	02/13/2018	25.20
ACH	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	(4) 6X10 TRENCH PLATES RENTAL	02/26/2018	2,215.60
ACH	ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	(1) 6X12 TRENCH PLATE RENTAL	02/28/2018	249.00
ACH	FALLBROOK EQUIPMENT RENTAL	PROPANE, PER 1/10 GALLON	02/13/2018	43.55
ACH	TRAFFIC SAFETY SOLUTIONS, LLC	WILT RD/CITRUS TRAFFIC CONTROL	02/13/2018	2,100.00
ACH	UNDERGROUND SERVICE ALERT	RAI88 NEW TICKET CHARGES (187) & MONTHLY DATABASE MAINTENANCE FE	02/13/2018	285.55
54369	ALTERNATE SOURCE TOOLS, INC	TOKU TK-PB90 JACKHAMMER	02/13/2018	1,110.56
54418	RICARDO ZARAGOZA	REIMB FOR SWRCB GRADE T2 CERT RENEWAL FEE	02/13/2018	60.00
54422	SCW CONTRACTING CORPORATION	Leak repair on Virgin Islands on Dec. 9 th 2017	02/20/2018	18,491.47
54429	FALLBROOK IRRIGATION SUPPLIES	PVC 90, 2.5 "	02/26/2018	206.32
54438	INTEGRATED TOOL SOLUTIONS LLC	PNEUMATIC LIFT ASSIST FOR 90LB. JACKHAMMER	02/26/2018	1,075.35
54439	JOE'S HARDWARE	Coupling 2.5" SXS	02/26/2018	13.19
ACH	UNION BANK (VISA)	CALIF GOLD CHIP SEAL	02/13/2018	1,225.81

Total for Department: 34 WATER DISTRIBUTION 27,101.60

Department: 35 METER SERVICES

ACH	TEMECULA VALLEY BACKFLOW, INC.	ANNUAL BACKFLOW PREVENTION DEVICE TESTING/REPAIR SERVICES	02/13/2018	34,523.00
54440	KNOCKOUT PEST CONTROL& TERMITE, INC.	ONE TIME BEE REMOVAL	02/26/2018	525.00

Total for Department: 35 METER SERVICES 35,048.00

Total for Fund:01 WATER FUND 2,924,279.25

Fund: 02 SEWER FUND

Department: 00

ACH	CITY OF OCEANSIDE	SEWER TREATMENT - JANUARY 2018	02/08/2018	67,336.59
ACH	CITY OF OCEANSIDE	SEWER TREATMENT - FEBRUARY 2018	02/26/2018	67,336.59
54392	JORDAN & KATARINA LEETE	Refund Check	02/13/2018	51.87

Total for Department: 00 134,725.05

Department: 61 WASTEWATER

ACH	ATLAS PUMPING SERVICE	MONTHLY BIN RENTAL	02/13/2018	210.00
ACH	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	02/13/2018	155.00
ACH	MALLORY SAFETY AND SUPPLY, LLC	HONEY- SRWMP75C BW MICROPEL (LEL SENSOR)	02/13/2018	138.56

54362	RAMON ZUNIGA	CWEA/CSM IV RENEWAL REIMBURSEMENT	02/06/2018	100.00
54386	HOME DEPOT	RAPDSET CONR, 4LB HAMMER, RDNUP SPRAYR	02/13/2018	119.34
54387	HOUSTON AND HARRIS	CCTV PALA MESA, LAKE GARDEN, LAKE SYCAMORE, SWEETGRASS (TOTAL FT	02/13/2018	7,102.50
54390	J J SEPTIC	EMERGENCY 7000GL TRK	02/13/2018	1,075.00
54410	SAN DIEGO GAS & ELECTRIC	MONTHLY GAS AND ELECTRIC SERVICE #1065 087 935 1	02/13/2018	4,906.16
54416	WATER QUALITY SPECIALISTS	MONTHLY OPERATIONS - JAN 2018	02/13/2018	1,950.00
54427	CWEA	ANNUAL MEMBERSHIP RENEWAL FOR DARREN MILNER #000337524I	02/26/2018	180.00
54432	GLOBAL POWER GROUP INC.	Troubleshoot and repair Fallbrook Oaks lift station # 6.-MILEAGE	02/26/2018	772.20
54444	RHO MONSERATE C.C.H.A.	ELECTRIC CHARGE	02/26/2018	377.49
54453	CWEA	ANNUAL MEMBERSHIP RENEWAL FOR RUBEN LOPEZ #000044100I	02/28/2018	180.00
ACH	UNION BANK (VISA)	FASTRAK FEE	02/13/2018	31.04

Total for Department: 61 WASTEWATER 17,297.29

Total for Fund:02 SEWER FUND 152,022.34

Fund: 03 GENERAL FUND

Department: 00

ACH	ACWA-JPIA	MONTHLY HEALTH AND VISION INSURANCE - MAR 2018	02/20/2018	3,030.19
ACH	PRINCIPAL LIFE INSURANCE COMPANY	MONTHLY INSURANCE - FEB 2018	02/13/2018	202.96
ACH	PUBLIC EMPLOYEES RETIREMENT	ER CONTRIBUTION-UNFUNDED ACCRUED LIABILITY, PEPRA 26407	02/01/2018	28,507.82
ACH	PUBLIC EMPLOYEES RETIREMENT	ER CONTRIBUTION-UNFUNDED ACCRUED LIABILITY, PEPRA 26407	02/28/2018	28,507.82

Total for Department: 00 60,248.79

Department: 20 BOARD

54378	CSDA, SAN DIEGO CHAPTER	CSDA QUARTERLY DINNER MEETING-BRAZIER, GASCA, MACK, STEWART	02/13/2018	120.00
54382	MIGUEL GASCA	MILEAGE REIMBURSEMENT - COUNCIL OF WATER UTILITIES	02/13/2018	32.70
54383	HAYDEN HAMILTON	MILEAGE REIMB TO SANTA MARGARITA WATERSHED WATERMASTER STEERING	02/13/2018	23.98
54395	MICHAEL MACK	MILEAGE REIMB TO COUNCIL OF WATER UTILITIES	02/13/2018	39.24
54426	COUNCIL OF WATER UTILITIES	COWU MEETING 2/20/18-TKENNEDY & MGASCA	02/26/2018	40.00

Total for Department: 20 BOARD 255.92

Department: 36 GARAGE

ACH	DAR FRYER HYDRAULICS, INC	Scope of work includes: removal of single post semi-hydraulic au	02/06/2018	5,217.50
ACH	FALLBROOK EQUIPMENT RENTAL	Bolt kit long	02/13/2018	845.43
ACH	FLYERS ENERGY LLC	ORDER 1385801-18, CARB REG 10% ETH 350/DSL 150 UNITS	02/13/2018	4,070.28
ACH	O'REILLY AUTO PARTS	OIL FILTER, AT FILER KIT, FUEL FILTER	02/28/2018	50.67
ACH	PARKHOUSE TIRE, INC.	LT265/70R18 E FST TRANSFORCE AND 225/70R19.5 G CONDT HDR	02/28/2018	1,674.75
54363	FALLBROOK SMOG	UNIT 19 VIN. 5E101789	02/09/2018	198.75
54384	HEAVY VEHICLE ELECTRONIC LICENSE PLATE	MONTHLY SERVICE - JAN	02/13/2018	17.65
54393	LINE-X OF ESCONDIDO	BULL RING CARGO HOOKS (SEE ATTACHMENT) \$ 256.00	02/13/2018	275.84
54402	NETWORK FLEET, INC.	MONTHLY AIRTIME CHARGES FOR GPS TRACKING - FEB 2018	02/13/2018	780.00
54452	ACTIVE AUTO COLLISION	LABOR (SEE ATTACHMENTS) ESTIMATE 6685	02/28/2018	2,255.34
54454	FALLBROOK AUTO PARTS	UNIT 72-AIR FILTER	02/28/2018	724.55
ACH	UNION BANK (VISA)	EMERGENCY FUEL	02/13/2018	100.00
ACH	UNION BANK (VISA)	EMERGENCY FUEL	02/13/2018	95.00

Total for Department: 36 GARAGE 16,305.76

Department: 41 ADMINISTRATION/HR

ACH	ACCELA, INC. #774375	WEB PAYMENTS WITH ONLINE-BILLS.COM	02/13/2018	2,453.00
ACH	AIRGAS USA, LLC	HELIUM BALLOON 60 CGA FOR EE RECOGNITION BANQUET	02/13/2018	93.07
ACH	PUBLIC EMPLOYEES RETIREMENT	CALPERS REPLACEMENT PLAN - FA 2016 CHRISTENSEN	02/15/2018	347.11

ACH	PUBLIC EMPLOYEES RETIREMENT	ASSESSED INTEREST ON UNPAID BALANCE	02/16/2018	0.36
ACH	RAFTELIS FINANCIAL CONSULTANTS	PROFESSIONAL SERVICES FROM 1/1/18-1/31/18, RATE STUDY	02/13/2018	29,672.50
ACH	SOUTHWEST ANSWERING SERVICE, INC.	MONTHLY ANSWERING SERVICE	02/13/2018	783.94
ACH	SPECIAL DISTRICT RISK	PROPERTY/LIABILITY INSURANCE-6 DISTRICT VEHICLES PROGRAM YR-1718	02/13/2018	1,700.38
ACH	TNG SECURITY INC.	REPLACEMENT CARD READER AND ADDITIONAL BACKUP UNIT	02/13/2018	684.63
ACH	XEROX CORP.	MONTHLY LEASE	02/13/2018	1,315.85
54364	SUE FORSETH	SETTLEMENT FOR DAMAGES DUE TO SHUTDOWN OPERATIONS	02/09/2018	250.00
54366	MICHAEL TRINKLE	SETTLEMENT FOR DAMAGES DUE TO SHUTDOWN OPERATIONS	02/09/2018	112.50
54367	ADECCO USA, INC	STAFFING: A. ACHARTZ (CS CLERK)	02/13/2018	563.64
54371	AMERIGAS - TEMECULA	PROPANE GAS	02/13/2018	1,031.68
54373	BONSALL PEST CONTROL	MONTHLY PEST CONTROL	02/13/2018	90.00
54376	COSTCO WHOLESALE MEMBERSHIP	MEMBERSHIP RENEWAL FEE - COMPANY CARD & PRIMARY ACCT HOLDER	02/13/2018	120.00
54377	COVERALL NORTH AMERICA, INC.	COMMERCIAL CLEANING SERVICES	02/13/2018	995.00
54378	CSDA, SAN DIEGO CHAPTER	CSDA QUARTERLY DINNER MEETING-KENNEDY, GRAY, WASHBURN	02/13/2018	90.00
54380	FALLBROOK WASTE AND RECYCLING	MONTHLY REFUSE AND RECYCLE	02/13/2018	372.00
54386	HOME DEPOT	RIGID COUP, 6' CARPET	02/13/2018	163.03
54391	JOE'S HARDWARE	SINGLE CUT REGULAR KEY	02/13/2018	12.22
54397	MITEL LEASING	LEASE AGREEMENT	02/13/2018	764.30
54398	MODULAR BUILDING CONCEPTS, INC	RENTAL AGREEMENT	02/13/2018	836.13
54404	QUALITY FENCE COMPANY	REPAIR EXISTING CHAIN LINK FENCE, 2 LOCATIONS AT LOWER YARD	02/13/2018	200.00
54409	SAN DIEGO COUNTY ASSESSOR/RECORDER/CLERK	RELEASE OF LIEN DOC (2)	02/13/2018	176.00
54410	SAN DIEGO GAS & ELECTRIC	MONTHLY GAS AND ELECTRIC SERVICE #4065 592 756 6	02/13/2018	2,791.69
54413	THE CARLSON COMPANY	JANITORIAL SUPPLIES RESTOCK. HANDSOAP, GLASS CLEANER, LYSOL SPRA	02/13/2018	260.22
54420	ARAYA CONSTRUCTION INC.	SAND BAGS FILLED, SUBCONTRACT SERVICES-ELECT, RESTORATION, INSPE	02/20/2018	66,719.28
54421	FALLBROOK VINTAGE CAR CLUB, INC.	ANNUAL VINTAGE CAR SHOW - 20FT X 15FT SPACE RESERVATION FEE	02/20/2018	70.00
54423	AT&T	MONTHLY PHONE SERVICE	02/26/2018	166.27
54426	COUNCIL OF WATER UTILITIES	COWU MEETING 2/20/18-TKENNEDY & MGASCA	02/26/2018	40.00
54436	INFOSEND, INC.	MONTHLY MAILING OF WATER BILLS AND NEWSLETTER	02/26/2018	61.56
54442	PITNEY BOWES INC.	(2) INK CARTRIDGES	02/26/2018	531.19
54445	SHRED-IT USA LLC	MONTHLY SERVICE AGREEMENT	02/26/2018	140.07
54448	THE CARLSON COMPANY	JANITORIAL SUPPLIES RESTOCK-DISHWASHING LIQUID, DISINFECTING WP	02/26/2018	207.91
54449	TIME WARNER CABLE	MONTHLY INTERNET CONNECTION - FEB 2018	02/26/2018	1,250.00
54451	XEROX FINANCIAL SERVICES	MONTHLY LEASE	02/26/2018	618.34
54457	VERIZON WIRELESS	MONTHLY CELLULAR SERVICE	02/28/2018	3,392.51
ACH	UNION BANK (VISA)	GO TO MY PC MONTHLY CHARGE	02/13/2018	408.97
ACH	UNION BANK (VISA)	SUPT OFFICE TABLE/CHAIRS	02/13/2018	598.67
ACH	UNION BANK (VISA)	CC FINANCE CHARGE	02/13/2018	0.30
Total for Department: 41 ADMINISTRATION/HR				120,084.32

Department: 42 HUMAN RESOURCES

ACH	TEG STAFFING, INC.	STAFFING: M. GALLOWAY (HR ASST)	02/13/2018	3,571.20
54400	NATIONAL BENEFIT SERVICES, LLC	COBRA ADMINISTRATION FEE - JANUARY 2018	02/13/2018	50.00
54424	CALIFORNIA CHAMBER OF	2 CA LABOR LAW POSTER WITH POSTER PROTECTION	02/26/2018	106.36
54430	FEDEX	DELIVERY SERVICE	02/26/2018	33.33
ACH	UNION BANK (VISA)	COIN RECOGNITION LUNCH	02/13/2018	206.86
ACH	UNION BANK (VISA)	CARD & BALLOON FOR EE IN HOSPITAL	02/13/2018	8.51

Total for Department: 42 HUMAN RESOURCES 3,976.26

Department: 43 SAFETY

ACH	MSDSONLINE, INC.	ANNUAL RENEWAL FEE 3/10/18-3/9/19	02/26/2018	1,949.00
ACH	T.R.Y. ENTERPRISES, INC.	PATROL SERVICES FOR 1/1/18-1/31/18-DISTRICT YARD & HUNTLEY PUMP	02/13/2018	985.00
54368	AIRGAS SAFETY INC	RAINSUIT LARGE	02/13/2018	2,016.69
54374	BOOT BARN INC	SAFETY BOOTS: CWAITE & JDEMARY	02/13/2018	334.58
54394	LUXFER MAGTECH INC.	HM-EX Assorted 12 pack	02/13/2018	294.04

54401	NATIONAL SAFETY COMPLIANCE,INC	DOT CERTIFIED DRUG TEST, ALCOHOL TEST, FUEL SURCHARGE	02/13/2018	229.00
54455	GIL FRANCO, TIRE HAULER	RECYCLING & DISPOSAL 10 PASSENGER TIRES	02/28/2018	50.00

Total for Department: 43 SAFETY 5,858.31

Department: 51 FINANCE

54381	FERGUSON WATERWORKS #1083	RETURNED ITEM: 6" MERCHANT PLUG W/SQ	02/13/2018	-565.69
54388	INFOSEND, INC.	MONTHLY MAILING OF WATER BILLS AND NEWSLETTER	02/13/2018	950.29
54407	RENEE RUBIO	TUITION REIMBURSEMENT FOR ECONOMICS CLASS	02/13/2018	2,335.00
54417	WHITE NELSON DIEHL EVANS LLP	PROFESSIONAL SERVICES RENDERED THRU 2/2/18, WNDE STAFF JAN2018	02/13/2018	6,178.00
54430	FEDEX	DELIVERY SERVICE	02/26/2018	17.50
54436	INFOSEND, INC.	MONTHLY MAILING OF WATER BILLS AND NEWSLETTER	02/26/2018	1,924.92

Total for Department: 51 FINANCE 10,840.02

Department: 52 CUSTOMER SERVICE

ACH	MISSION RESOURCE CONSERVATION DISTRICT	HOME WATER EVALUATIONS - JAN 2018	02/13/2018	47.00
ACH	TCN, INC	MONTHLY 48 HOUR NOTICE CALLS	02/13/2018	34.67
54388	INFOSEND, INC.	MONTHLY MAILING OF WATER BILLS AND NEWSLETTER	02/13/2018	353.20
54406	RT LAWRENCE CORPORATION	LOCKBOX PROCESSING FEES FOR JANUARY 2018	02/13/2018	700.33
54436	INFOSEND, INC.	MONTHLY MAILING OF WATER BILLS AND NEWSLETTER	02/26/2018	565.81

Total for Department: 52 CUSTOMER SERVICE 1,701.01

Department: 91 ENGINEERING

54385	HERCULES INDUSTRIES, INC	HERCULOCK 800 series with a 7/8" stainlesssteel shackle cleara	02/13/2018	1,407.92
54405	RHINO MARKING & PROTECTION S	Shipping Estimate	02/13/2018	3,648.38
54430	FEDEX	DELIVERY SERVICE	02/26/2018	56.18
54434	HDR ENGINEERING, INC.	CONDITION ASSESSMENT OF WATER FACILITIES	02/26/2018	26,832.50
54435	HOCH CONSULTING	AS-NEEDED CONSTRUCTION INSPECTION SERVICES	02/26/2018	22,782.61
54456	OSTARI INC.	ONSITE COMPUTER AND DATABASE SERVICES FOR DEC 2017	02/28/2018	10,800.00
ACH	UNION BANK (VISA)	CONFERENCE - ENIGEER MGR AIRFARE ITINERARY CHANGE	02/13/2018	200.10

Total for Department: 91 ENGINEERING 65,727.69

Total for Fund:03 GENERAL FUND 284,998.08

Fund: 26 NEW WATER SOURCES FUND

Department: 00

ACH	DUDEK	BONSALL BASIN DESALTER STUDIES	02/26/2018	2,570.00
ACH	STONE-MILLER CONSULTANTS, INC.	AS-NEEDED HYDROGEOLOGIST SERVICES	02/28/2018	16,672.75

Total for Department: 00 19,242.75

Total for Fund:26 NEW WATER SOURCES FUND 19,242.75

Fund: 52 SEWER CAPITAL REPLACEMENT

Department: 00

54411	SILVER HOLDINGS	REFUND FOR EXPIRED SEWER PERMIN APP FOR APN 126-230-55	02/13/2018	21,379.59
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Total for Department: 00 21,379.59

Total for Fund:52 SEWER CAPITAL REPLACEMEN 21,379.59

Fund: 53 SEWER CAPITAL EXPANSION

Department: 00				
54411	SILVER HOLDINGS	REFUND FOR EXPIRED SEWER PERMIN APP FOR APN 126-230-55	02/13/2018	132,430.41
			Total for Department: 00	132,430.41
			Total for Fund:53 SEWER CAPITAL EXPANSION	132,430.41
Fund: 60 WTR CAP EXPANSION/REPLACEMENT				
Department: 00				
ACH	PSOMAS	GIRD/MONSERATE WATERLINE DESIGN	02/28/2018	15,521.44
54386	HOME DEPOT	ELBOW 2" SCH40 90CEG BELL END, ADAPTER	02/13/2018	53.03
54389	INFRASTRUCTURE ENGINEERING	PUMP STATION #1 NATURAL GAS MOTOR REPLACEMENTS DESIGN SERVICES	02/13/2018	8,277.90
54437	INFRASTRUCTURE ENGINEERING	R.A. WEESE FILTRATION PLANT INTERCONNECT PROJECT	02/26/2018	48,244.67
54450	TORY R. WALKER ENGINEERING, INC.	MOOSA CANYON HYDROLOGIC ANALYSIS	02/26/2018	1,820.00
			Total for Department: 00	73,917.04
			Total for Fund:60 WTR CAP EXPANSION/REPLAC	73,917.04
			Grand Total:	3,608,269.46

Comparative Water Sales YTD from Prior Years

FISCAL YEAR 2017-2018

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
591	AD	33,368	29,810	36,240	31,341	32,604	31,023	27,275	20,008					555
403	AG	143,947	131,374	145,023	120,650	125,864	102,753	92,501	61,270					2,120
5	C	-	-	-	-	-	-	-	-					-
231	CM	33,760	42,525	33,852	26,225	24,198	16,798	18,566	48,438					561
30	CN	2,468	3,986	8,073	10,498	18,605	5,633	3,526	2,577					127
24	IS	2,320	2,440	2,793	2,488	2,335	1,700	1,339	1,038					38
88	MF	11,472	10,002	13,072	10,304	11,489	11,350	9,566	8,403					197
326	SC	179,822	156,120	202,103	148,336	176,307	145,994	119,086	84,941					2,784
1034	SD	246,972	223,157	271,457	221,749	243,725	210,020	185,162	112,432					3,936
5122	SF	175,041	165,722	194,945	155,283	162,716	146,128	120,558	96,758					2,794
7854	Total	829,170	765,136	907,558	726,874	797,843	671,399	577,579	435,865	-	-	-	-	13,112

FISCAL YEAR 2016-2017

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
591	AD	36,216	34,134	39,119	28,217	22,903	24,494	7934	5036					455
403	AG	156,957	152,359	172,040	132,882	104,544	96,050	31370	16829					1,981
5	C	-	-	-	-	-	-	0	0					-
231	CM	47,830	45,043	43,040	26,707	20,970	21,140	5876	4333					493
30	CN	4,900	4,950	7,309	11,456	7,427	904		63					85
24	IS	3,806	3,701	3,980	3,061	2,446	1,653	1408	594					47
88	MF	11,307	11,657	13,746	10,597	8,876	11,213	7139	7047					187
326	SC	183,744	166,212	206,354	150,910	121,456	115,009	18861	6544					2,225
1034	SD	279,246	253,718	298,226	222,243	181,674	171,322	39596.7	18148.3					3,361
5122	SF	187,516	175,736	202,555	154,361	120,520	133,125	57385	42596					2,465
7854	Total	911,522	847,510	986,369	740,434	590,816	574,910	169,570	101,190	-	-	-	-	11,300

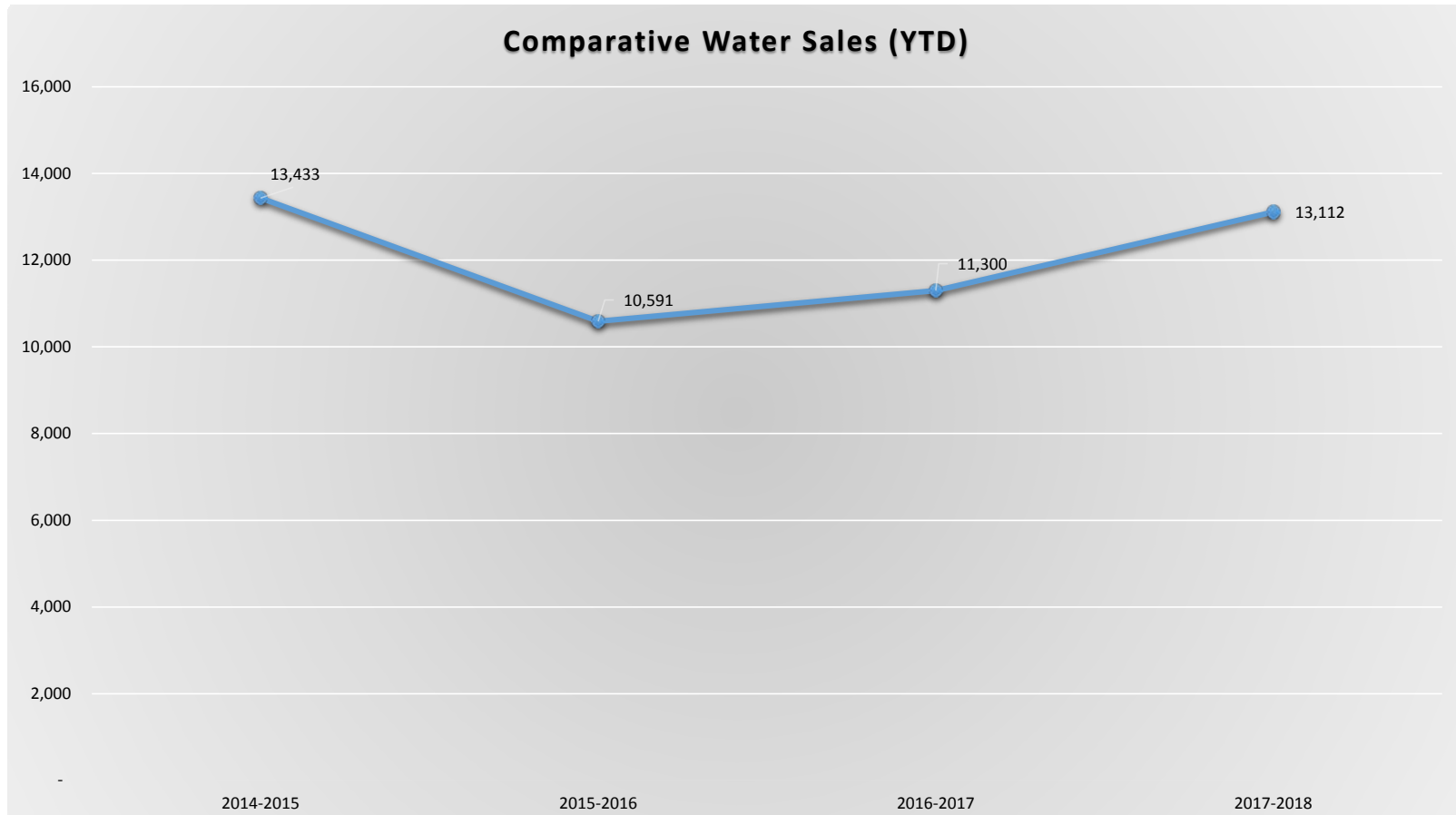
FISCAL YEAR 2015-2016

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
601	AD	29,891	26,212	33,050	25,166	24,907	20,638	12532	10056					419
404	AG	143,174	124,130	153,414	124,219	109,795	85,664	48608	35648					1,893
6	C	4,342	3,764	4,773	2,948	1,761	665	428	0					43
221	CM	28,620	33,259	34,668	28,374	14,569	11,399	8431	8591					385
37	CN	6,680	7,040	5,931	3,994	5,788	3,061	1002	1129					79
24	IS	2,773	2,779	2,486	3,073	3,299	2,641	828	796					43
88	MF	11,351	10,279	10,887	9,952	9,664	8,600	8072	6667					173
326	SC	162,756	144,892	188,145	132,002	133,998	109,284	46707	38985					2,196
1038	SD	245,736	213,120	257,965	197,426	188,412	162,042	82599	57837					3,226
5092	SF	148,573	143,404	162,621	135,030	120,706	96,899	69380	52522					2,133
7837	Total	783,896	708,879	853,940	662,184	612,899	500,893	278,587	212,231	-	-	-	-	10,591

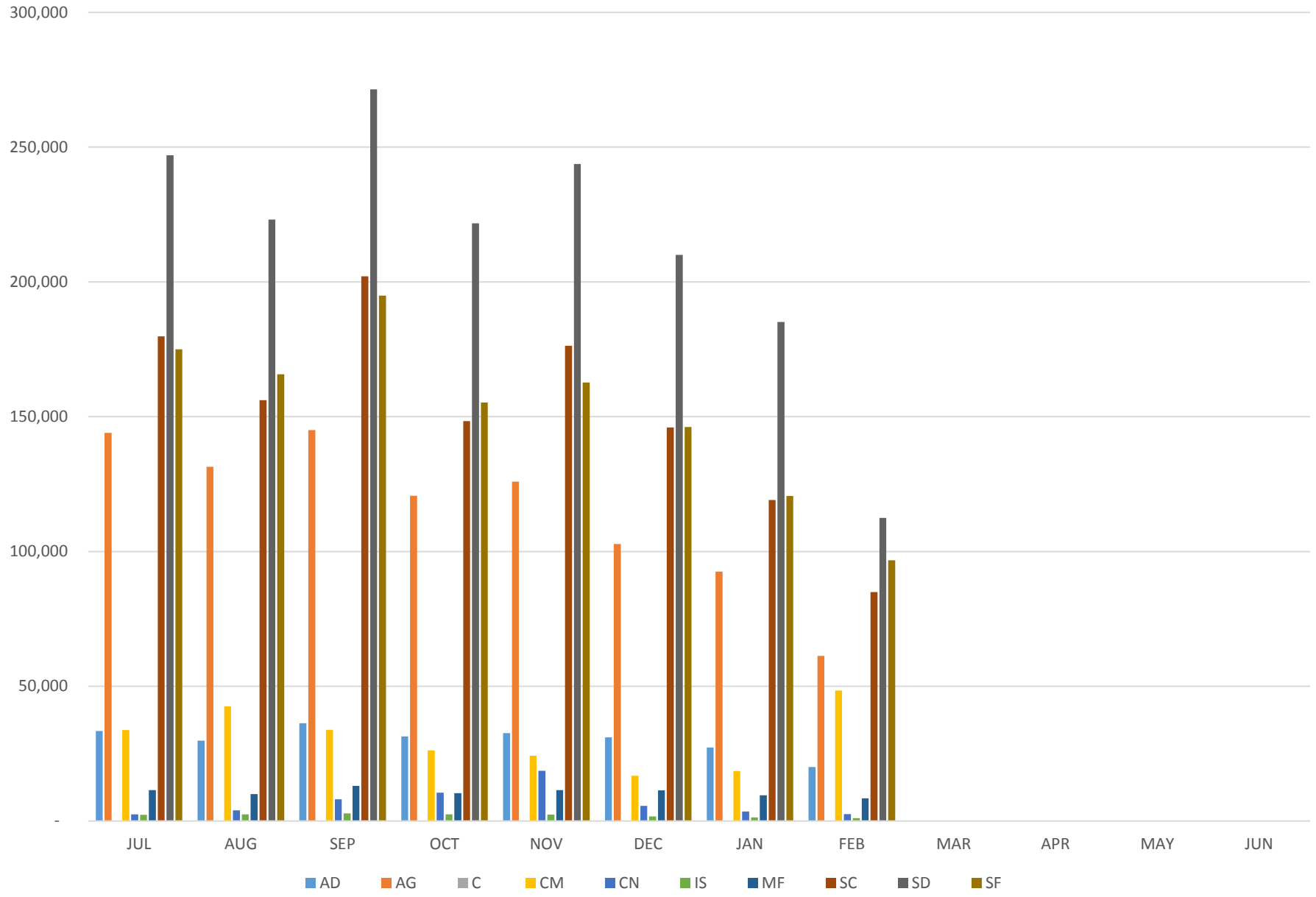
FISCAL YEAR 2014-2015

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
426	A	118,146	136,346	116,938	122,567	99,702	62,354	19943	44790					1,655
341	C	102,461	111,946	90,197	95,608	76,060	51,612	29802	38013					1,368
36	CN	3,175	3,510	3,579	2,898	1,119	372	1	0					34
5558	D	220,019	244,786	204,723	208,649	178,916	121,527	67259	80149					3,044
96	MF	15,917	16,081	14,016	14,241	13,689	10,249	8659	8017					232
323	SC	207,708	245,358	221,301	241,409	186,106	108,701	25015	79139					3,018
1040	SD	284,083	332,533	282,418	297,792	260,513	165,578	46135	109682					4,083
7820	Total	951,509	1,090,560	933,172	983,164	816,105	520,393	196,814	359,790	-	-	-	-	13,433

Comparative Water Sales YTD from Prior Years



USAGE BY CUSTOMER CLASS FY 17-18





**SEWER EQUIVALENT DWELLING UNITS (EDUs) STATUS REPORT
MARCH 2018**

STATUS SUMMARY	EDUs
Total Treatment Capacity Purchased from Oceanside	8,333.33
Less 5% Contractual Allowance	416.67
EDUs Set Aside by Board for Emergencies	60.00
EDUs Connected	4,578.82 *
EDUs Unconnected/Committed	667.10
Total EDUs Available for Purchase:	2,610.75

DEVELOPMENTS WITH UNCONNECTED/COMMITTED EDUs	EDUs	CAPACITY FEES PAID
Golf Green Estates (Dev. Solutions) - 102.46	76.66	\$ 1,413,252
Horse Creek Ridge - 754	265.20	\$ -
Passarelle (HRC Commercial) - 96.57	96.57	\$ -
Palomar College - 100	100.00	\$ -
Polo Club (Vista Valley Dev.) - 165 Lots	59.85	\$ 1,022,775 **
Pala Mesa Highlands (Beazer Homes) - 159.3	55.62	\$ 965,007 **
Others (5 or less)	13.20	\$ 204,156
TOTAL UNCONNECTED:	667.10	\$ 3,605,190

*There is a delay between connections and new account activations.

**Deferred Total Payment until Building Permits are Issued.

