



AGENDA

REGULAR BOARD MEETING

Board Room
3707 Old Highway 395
Fallbrook, CA 92028

Tuesday, December 10, 2024
1:00 P.M.

1. CALL TO ORDER

- 2. ROLL CALL: Hamilton, Mack, Townsend-Smith, Hoffman, *Irvine **** Pursuant to Government Code Section 54953, Director Irvine will be participating remotely from the Royal Solaris Hotel, Boulevard San Jose Lot 10, MZ 22, San Jose Del Cabos, BS 23400, Mexico. This location will be accessible to the public. All votes will be taken by verbal roll call.

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA

5. APPROVAL OF THE AGENDA

6. PUBLIC COMMENT

Any person may address the Board at this time upon any subject not identified on this Agenda, but within the jurisdiction of Rainbow Municipal Water District; however, any matter that requires action will be referred to staff for a report and action at a subsequent Board meeting. As to matters on the Agenda, if a request to make a public comment is received, an opportunity will be given to address the Board when the matter is considered.

Members of the public may make comments in person by submitting a Speaker Slip to the Board Secretary, virtually through virtual or teleconference options, or by submitting an email to tquintanar@rainbowmwd.ca.gov no less than one hour prior to the posted start time of the meeting. Comments shall be made in an orderly manner, and profanity, slander, or abusive language which is disruptive to the meeting will not be tolerated. Individuals have a limit of three (3) minutes to make comments and will have the opportunity when called upon by the presiding officer.

7. COMMITTEE MEETING SUMMARIES

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

8. CONSENT CALENDAR

Consent Calendar items are expected to be routine and non-controversial, to be acted upon by the Board at one time without discussion. If any Board member, staff member, or interested

person requests that an item be removed from the Calendar, it shall be removed so that it may be acted upon separately.

- A. Approval of November 19, 2024 Board Meeting Minutes

9. ACTION ITEMS

- A. Consider Appointment of Board Officers
- B. Consider Approval of the 2025 Regular Board Meeting Schedule
- C. Consider Adoption of an Ordinance Amending the Administrative Code to Incorporate Chapter 7.01 Safety Policies
- D. Consider Adoption of an Ordinance Amending Administrative Code Section 5.05.050.08 - Risk Management Records Retention Management Reference Guide
- E. Consider Adoption of an Ordinance Amending Administrative Code Sections 8.11.040.09 – Connection and Meter Charges and 8.30.020- Leak Policy, Removing References to the SDCWA
- F. Consider Approval of a Sole Source Purchase Order with Evoqua for Odor Control Chemicals

10. INFORMATION ITEMS

- A. Operations Report
- B. Engineering Report
- C. Administrative Services Report
- D. Finance Report

11. REPORTS & COMMENTS

This is placed on the agenda to enable individual Board members, Legal Counsel, and the General Manager to convey information to the Board and the public. There is to be no discussion or action taken by the Board of Directors.

- A. Legal Counsel's Report
- B. General Manager's Report
- C. Board Member Comments
- D. Board Reports
 - 1. CSDA
 - 2. LAFCO
 - 3. Santa Margarita River Watershed Watermaster Steering Committee
 - 4. ACWA
 - 5. Committees, Workshops, Seminars, Training

12. REQUESTS TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

13. SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

14. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION - Significant Exposure to Litigation Pursuant to Government Code section 54956.9(d)(2) (2 Cases)

15. ADJOURNMENT - To January 28, 2025, at 1:00 p.m.

ATTEST TO POSTING:

/s/Terese Quintanar
Terese Quintanar
Secretary of the Board

12/4/2024 4:37 PM
Date and Time of Posting
Outside Display Cases

Rainbow Municipal Water District (RMWD) provides remote attendance options solely as a matter of convenience to the public. RMWD will not stop or suspend its in-person public meeting should a technological interruption occur with respect to the Zoom or call-in line listed on the agenda. We encourage members of the public to attend meetings in person at 3707 Old Highway 395, Fallbrook, CA 92028, or remotely utilizing the options below:

For Online Participation:

Go to: <https://rainbowmwd.zoom.us/j/85664315900>

If members of the public attending virtually would like to ask a question or make a comment on any item listed on this agenda, please utilize the "Raise Hand" button, located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.

For Call-in Only:

Call: (669) 900-6833, or (669) 444-9171, or
(309) 205-3325, or (312) 626-6799, or
(564) 217-2000, or (689) 278-1000
Meeting ID: 856 6431 5900

*Those who have joined by dialing a number on their telephone, can dial *9 to alert us of a request to speak, and *6 to unmute, once called upon by the presiding officer.*

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted at the District's Administrative offices not less than 72 hours prior to the meeting date and time above. Meetings are regularly held at 1:00 p.m. All public records relating to each agenda item, including any public records distributed less than 72 hours prior to the meeting to all, or a majority of all, of the members of District's Board, are available for public inspection in the office of the District Secretary, 3707 Old Highway 395, Fallbrook, CA 92028

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

BOARD INFORMATION

Item No. 7

BOARD OF DIRECTORS

SUBJECT

COMMITTEE MEETING SUMMARIES

DESCRIPTION

A verbal update will be provided at the meeting regarding meeting topics most recently discussed by the District's Standing Committees:

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



Jake Wiley, General Manager

**MINUTES OF THE SPECIAL BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
NOVEMBER 19, 2024**

1. **CALL TO ORDER** - The Special Meeting of the Board of Directors of the Rainbow Municipal Water District on November 19, 2024, was called to order by President Hamilton at 2:06 p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. President Hamilton presiding.

2. **ROLL CALL:**

Present: Directors Hamilton, Johnson, Mack, Townsend-Smith, and Dale

Also Present: General Manager Wiley, Legal Counsel Smith, Chief Financial Officer Aragon, District Secretary Quintanar, Engineering and CIP Program Manager Williams, Administrative Services Manager Harp, Information Technology Specialist Espino, Administrative Analyst Weber

**Also Present in Person,
Via Teleconference or**

Video Conference: Sr. Project Manager Tamimi, Construction and Meters Supervisor Lagunas, Operations Manager Gutierrez, Safety and Risk Management Officer Johnson, Services Representative Constant, Billing Specialist Kilmer, Duane Urquhart, Rick Carey, Dorothea and Gerald Flanigan, Lora Nichols, Robert Porr, Nick Kanetis – Eastern Municipal Water District, and several members of the public

3. **PLEDGE OF ALLEGIANCE**

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

Request was made for Item No. 9.C to be moved to the top of the Action Items to be addressed first.

5. **APPROVAL OF THE AGENDA**

Motion

To approve the Agenda as amended.

Action: Approve, Moved by Director Mack, Seconded by Director Johnson

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

6. **PUBLIC COMMENT**

Dorothea Flanigan addressed the Board to ask for an amendment to the District’s Code in regard to Right-of-Way, easements, and encroachments. She and Mr. Gerald Flanigan relayed that they want a concrete driveway, to accommodate heavy vehicles that utilize the driveway, such as fire trucks, SDG&E, and septage pumpers. Ms. Flanigan stated that she has not received a

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satisfactory response from the District since bringing this to the District's attention last year. She relayed a willingness to install a driveway and that contractors do not want to work with the District. Mr. Gerald Flanigan mentioned that a SDG&E truck damaged his driveway. He opined that utilities that utilize his driveway are crooks.

Mr. Rick Carey shared a Farm Bureau publication and an article about the Central Valley. He stated that a five percent reduction in rates is not sufficient for his operation. He opined that the area would be losing avocado groves and that he hopes things change.

7. COMMITTEE MEETING SUMMARIES

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

Mr. Wiley reported on items being presented today that were reviewed by the Budget and Finance Committee, and shared the content of the Committee discussions regarding each item. Items No. 9.E and 9.F on today's agenda received Committee support for staff's recommendation. The Engineering and Operations Committee also discussed matters on this agenda, made suggestions, and was supportive of staff's recommendations for Board approval.

Ms. Weber reported on the Communications and Customer Service Committee meeting, where CropSWAP was a topic of discussion. She provided an update on the program, which has been very successful for Rainbow Water customers. Mr. Wiley added to the report, that over \$870,000 has been committed to projects requested by Rainbow's customers and additional funding will be sought for the projects on the waiting list. The Committee also discussed use of the one-time early detachment savings and opined that the best use would be a split between the reserves and capital improvement project fund. She also provided the highlights of the November, December and January newsletters, and the December 18, 2024 Blood Drive. Vice President Johnson expressed gratitude and announced the November 30th Bonsall Chamber of Commerce tree lighting event. She also asked if the CropSWAP information has been shared with the Farm Bureau. Mr. Wiley responded that the information has been shared. Mr. Rick Carey commented that he is unaware of commercial growers participating in CropSWAP. Ms. Weber concluded her update announcing upcoming community events and recent media coverage.

8. CONSENT CALENDAR

- A. Notice Of Completion And Acceptance Of Minor Facilities Constructed By Customers (Districtwide)

Motion

To approve the Consent Calendar, a Notice Of Completion And Acceptance Of Minor Facilities Constructed by Customers

Action: Approve, Moved by Director Dale, Seconded by Director Johnson

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

9. ACTION ITEMS

- A. Consider Approval of an Addendum to the District's Water Tank Maintenance Contract with USG Water Solutions

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Mr. Williams provided background regarding review, discussions and negotiations on the matter, to date. He explained that there was no issue on the performance regarding exterior of tanks, but the duration for which interiors were being recoated. The amendment includes two tank interiors to be done for the next four years (eight tanks total) starting in January 2025. The exact tanks to be done will be assessed by both parties each year. Industry standards and third party inspectors, as well as in-house inspection requirements have been included in the proposed amendment. The newly negotiated schedule provides a tremendous benefit regarding the service to our tanks without additional contract costs. Mr. Wiley added that the amendment covers additional communication through annual meetings so the work is more collaborative.

Motion

To approve Option 1, an Addendum to the District's Water Tank Maintenance Contract with USG Water Solutions

Action: Approve, Moved by Director Mack, Seconded by Director Johnson

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

- B. Consider Approval of an Increase of \$1.150M to the Pump Station Fiscal Year 24-25 Project Budget (Project #600013) for a Total Budget Of \$4.550M (Division 1)

Mr. Williams reported that the Engineering and Operations Committee discussed this matter at length, and supports approval by the Board of Directors. This funding will cover the conclusion of all punch list items connected with this project as well as a budget omission of sales tax that were paid for the pump station procurement. Director Dale thanked staff for clarifications made to the staff report. Mr. Wiley and Mr. Aragon explained the plan to finance this budget amendment.

Motion

To approve an increase of \$1.150M to the Pump Station Fiscal Year 24-25 Project Budget (Project #600013) for a Total Budget Of \$4.550M (Division 1)

Action: Approve, Moved by Director Townsend-Smith, Seconded by Director Mack

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

- C. Consider Approval of a Water Billing and Service Agreement between Rainbow Municipal Water District and Eastern Municipal Water District

This item was addressed prior to Item Nos. 9.A and 9.B.

Mr. Wiley introduced Nick Kanetis, Deputy General Manager with Eastern Municipal Water District (EMWD), who was present to answer any questions about the Agreement presented for consideration. He acknowledged the efforts to date, congratulated the District on the detachment progress, and relayed that EMWD's Board is very supportive and would also be considering approval of the Agreement tomorrow. Mr. Wiley reported that the draft agreement is very similar to what FPUD and Rancho Water have in place. Short discussion was held regarding terms of the agreement.

Motion

To approve the Water Billing and Service Agreement between Rainbow Municipal Water District and the Eastern Municipal Water District

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Action: Approve, Moved by Director Johnson, Seconded by Director Dale

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

- D. Consider Options for the Use of One-Time Budget Savings Due to the Early Finish of Detachment From the San Diego County Water Authority

Mr. Wiley provided information regarding the \$768,800 early detachment savings and the various options for utilization of the savings. Options included CIP Project acceleration (La Canada Pipeline Replacement), Reserves stabilization, re-investment, strategic use for unbudgeted expenses, or a bill credit. He provided additional detail on each of the suggested options. Director Mack requested postponement on decision on the utilization of the savings until feedback is received at a community meeting scheduled for tomorrow. Vice President Johnson also requested postponement of action.

Mr. Uruqhart expressed favor of the partnership with Eastern Municipal Water District. He pointed out the loss of agriculture in the area over the years, the lack of increased water sales. He urged for a reversed course to increase agricultural sales, and roll back the rates of agricultural customers.

Mr. Wiley acknowledged comments made by Mr. Uruqhart and Mr. Carey and that efforts have been made to balance rates within the confines of Proposition 218, and those discussions will continue. Mr. Carey again expressed that MWD's pass-through charge needs to be implemented and the fees on the tax bill should also be adjusted for inflation.

Vice President Johnson also acknowledged that revenues are greatly attributed to agriculture in this area and that efforts are being made to assist with hardships. President Hamilton also expressed that the issue is important to the District as well and the challenges is to comply with the legal structure while doing the best for our ag customers.

No action was taken.

- E. Consider Adoption of a Resolution Approving and Authorizing the Execution and Delivery of an Installment Purchase Agreement With U.S. Bank for Financing \$15,800,000 Dollars for the Exit Fee From the San Diego County Water Authority

Mr. Aragon provided a summary, beginning by explaining that LAFCO's imposed a term to include a \$15.8M Exit Fee for detachment from SDCWA, with payment over five years, and is now a debt for the District. In the Settlement Agreement with SDCWA, we agreed to paying the entire Exit Fee within 90 days of the effective date of detachment. If not paid in full, monthly interest has to be paid on a variable rate (currently at approximately 4.5%), but in a rising interest rate environment. In the FY 24/25 budget we assumed paying the initial \$3.2M out of reserves and the remaining \$12.6M over the next four years, with interest. Subsequently, staff obtained confirmation that we can issue debt at a tax exempt rate, with the detachment as an intangible asset. We can also repay the remaining balance over ten years, instead of five. We've paid the \$3.2M but now have the option to reimburse the District due to the reimbursement resolution adopted in October 2024. This would boost our reserves, which are below minimum targets, and is needed at this time. The options presented are to pay the debt off over five years or ten years. Although extended, we would see cash flow relief and a bigger savings in that time period, and make payments in the final five years when we are better equipped to. The District would pay

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more in interest over the longer 10 years. The terms for the 10-year debt include the ability to refinance or pay off over five years. A fixed rate would provide certainty to the District. Financing the full \$15.8M, and pay over 10 years at fixed rate, at 4.63 percent interest (very close to the Federal Treasury borrow rate), will allow us to cover the budget increase for the recently constructed pump stations and also cover the January 1, 2025, 3.6 percent MWD pass-through rate increase. Payment over a ten year period is more equitable for customers. In total, paying over ten years will result in \$2.9M more accrued interest, but much of that extra will be in the last five years, which, on a NPV basis is only about \$300,000 more. Option No. 3 would be to stick with paying the SDCWA over five years and, overall, have less debt and less interest accruing as it would over ten years. We would also have to implement MWD's pass-through rate increase on January 1, 2025 and our reserves would be impacted more severely. Option No. 2 enables the financing of the \$12.6M remaining, over five years. Discussion followed regarding ability to respond to a catastrophic event, and the financial disadvantages of issuing debt to respond to an emergency.

Motion

To approve Option 1, and adopting Resolution No. 2024-14, Approving and Authorizing the Execution and Delivery of the Installment Purchase Agreement, and Related Documents and Additional Actions

Action: Approve, Moved by Director Townsend Smith Seconded by Director Dale

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

- F. Consideration of Four Rate Related Actions: (1) Adoption of an Ordinance Amending the Administrative Code to Repeal PSAWR Customer Classification and Rates and Reclassifying PSAWR Customers to Agriculture Customers, (2) Adoption of a Resolution Lowering Agriculture Rates, (3) Adoption of an Ordinance Amending Ordinance No. 23-04 Revising Provisions Relating to Construction Water Rates, and (4) Providing Direction to Staff to Not Implement the 3.6% Imported Water Cost Increase Pass-Through Rate Increase on January 1, 2025

Mr. Aragon reported that the PSAWR program was available to the District through the SDCWA. The program offered lowered rates for the District's participating agricultural customers in exchange for less reliability in times of shortage. Now being a wholesale customer of EMWD, the District pays one rate and there is no distinction in customers. The first action recommended by staff was to remove reference of PSAWR rates from the Administrative Code, and assign the previous PSAWR customers as ag customers. Mr. Aragon explained that with additional revenue that was not previously planned for, the District can lower the ag rate so everyone is paying the same rate, which is about 5% lower than the current Ag rate. There are about 1,700 ag customers that would have had a higher rate from the SDCWA if we had not detached. Mr. Aragon answered several questions from the Board and audience members, and continued to explain changes to the Administrative Code should the Board adopt the first ordinance presented.

Mr. Aragon also pointed out that Construction Water Rates for temporary meters attached to hydrants aren't included in the rate sheet, and the action redirects to the commercial rates. The last is the pass-through rate increase and the decision to implement that or forego implementation.

Mr. Uruqhart urged for a re-examination of Proposition 218, as he opined that it contains conflicting legal requirements. He suggested examination of options for agricultural rates and

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expressed displeasure with the actions being considered. He added that, proportionately, agriculture has funded the backbone of the local infrastructure and that its adjustment of ag rates need to be taken into account. Mr. Carey also expressed displeasure items under consideration, and that expectations over the past four years have not been met for agricultural customers.

Vice President Johnson requested future discussion of creative ways to support agriculture, within the legal requirements.

Motion

To Adopt Ordinance No. 24-13, Amending the Administrative Code to Repeal PSAWR Customer Classification and Rates and Reclassifying PSAWR Customers to Agriculture Customers, (2) Adopt Resolution No. 2024-15 Lowering Agriculture Rates, (3) Adopt Ordinance No. 24-14 Amending Ordinance No. 23-04 Revising Provisions Relating to Construction Water Rates, and (4) Providing Direction to Staff to Not Implement the 3.6% Imported Water Cost Increase Pass-Through Rate Increase on January 1, 2025. Additional components of the motion include direction to the General Manager to seek additional cost savings that can be incorporated into the Cost of Service Study and potentially provide savings that can be passed on to customers, and to begin discussions in December 2025 about alternatives for lowering the agricultural rate.

Action: Approve, Moved by Director Johnson, Seconded by Director Townsend-Smith

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

- G. Consider Adoption of an Ordinance Authorizing Amendment to Sections 3.01.030 and 2.06.010 of the Administrative Code- Biannual Organizational Meeting and Committees Policies

Mr. Wiley explained that the intent for the suggested Administrative Code is a procedural amendment to provide the newly appointed Board President and Board Vice President (in December of even-numbered years) with the opportunity to make recommendations for a slate of committee and representative appointments at the subsequent January Board meeting.

Motion

To adopt Ordinance No. 24-15, Amending Admin Code Sections 3.01.030 and 2.06.010 Biannual Organizational Meetings and Committees Policies

Action: Approve, Moved by Director Johnson, Seconded by Director Mack

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

Ayes: Directors Hamilton, Johnson, Townsend-Smith, Mack, and Dale

10. REPORTS & COMMENTS

- A. Legal Counsel's Report

Mr. Smith reported on a recent federal court ruling directing the United States Environmental Protection Agency ("EPA") to initiate a rulemaking regarding the fluoridation of drinking water. This federal court ruling directs EPA to initiate what is likely to be a lengthy rulemaking process that may result in changes to warning label requirements, acceptable fluoride uses, or the recommended level of fluoridation of drinking water at a later point in time. The National Institute of Health's toxicology program finalized last month concluded that "higher levels" of fluoride is now linked to lowered IQ in children.

B. General Manager's Report

Mr. Wiley reported a main break on our 20" transmission main under Mission Road, transmitting water to the Morrow Reservoir. He described repair efforts to this critical line, estimated to cost approximately \$90,000. Fortunately, the District was able to reline the pipe instead of replacing it. He expressed appreciation for our cooperative shared resources relationships, as Rancho California Water District assisted by providing four 20" blind flanges, and FPUD who responded with construction assistance.

Mr. Wiley also expressed optimism about the benefits of the CropSWAP program and obtaining additional funding. He also announced that MWD will be offering a Reverse Cyclic program in 2025, initially offering up front pre-purchase of 100,000 acre feet of water, for delivery within the next five years. More information will be provided for the Board in early 2025.

He also announced that Rick Aragon would be leaving the District to accept a position at WMWD, and acknowledged his creativity and challenges met by Rick over a critical year for the District. His hard work, both administratively and analytically regarding financial options was invaluable, and the work done in this short amount of time has been during a historic time for the District. He wished him the best, and announced that in the interim, we will have a finance officer assisting through the audit process until the vacancy is filled.

C. Board Member Comments

Several Board members requested details of the Flanigan's complaints. Mr. Wiley explained that the Flanigans hired a contractor, and we were working with the contractor regarding our easement, which overlays a small section of their driveway for a service lateral to a neighboring property. Mr. Wiley indicated the District has not required anything unreasonable, in his opinion. Staff has made efforts to resolve this and the District is not preventing construction of the new driveway, which is seldomly accessed. He opined that the frustration is stemming from the contractor not having the required license and other agencies that have allegedly caused damage to the driveway (SDGE, Fire).

President Hamilton mentioned changes to be considered regarding committee and representative appointments. He mentioned the lack of progress or activity within the Santa Margarita Watershed Watermaster Steering Committee. Mr. Wiley announced that EMWD will also have a bi-monthly ad-hoc committee meeting which should include two Board Members and the General Manager.

D. Board Reports

Vice President Johnson reported that the CDSA Finance Corporation met last week. Their next annual conference is in Monterey. Director Townsend-Smith inquired about messaging to ratepayers regarding savings associated with the detachment. A mailer is being developed for distribution to all rate payers to explain in detail the savings associated with detachment.

LAFCO didn't meet but has discussed changing their process for MSR Reviews. The ACWA Conference is next month, in Palm Desert. Mr. Smith invited conference attendees to a reception on December 4, 2024 at ACWA.

11. REQUESTS TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

There were no requests.

12. SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

Cost of Service Study will be discussed.

13. CLOSED SESSION

The Board and staff adjourned to closed session at 5:01 p.m. to discuss:

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957, Title: General Manager

The Board readjoined to open session at 5:18 p.m. Legal Counsel Smith reported that there was no action taken in closed session.

14. CONSIDER APPROVAL OF AMENDMENT TO THE GENERAL MANAGER EMPLOYMENT CONTRACT

Recommendations were made for amendments to several terms within the Employment Contract, including a merit increase, severance, term, and bonus. President Hamilton made a motion for a 4% merit increase, 2% of which would be incorporated into the bonus instead of in salary.

Motion

To approve Option 2, Approve amendments to Jacob Wiley’s Employment Contract terms, through changes to Sections 2 (Term and Renewal) and 3 (Compensation and Reimbursement) to reflect the previous Cost of Living Adjustment (COLA) and to Section 7.C.2, approving an increase to Jacob Wiley’s base salary by a 2% merit increase to bring the total annual salary to \$267,911.40, effective September 24, 2024. In addition, approval of a one-time lump sum discretionary bonus in the amount of \$17,250, paid on the next regular payday.

15. ADJOURNMENT The meeting was adjourned at 5:27 p.m. by President Hamilton to December 10, 2024, at 1:00 p.m.

Hayden Hamilton, Board President

Attest:

Terese Quintanar, District Secretary

BOARD ACTION

Item No. 9.A

BOARD OF DIRECTORS

December 10, 2024

SUBJECT

CONSIDER APPOINTMENT OF BOARD OFFICERS

BACKGROUND

Administrative Code Policy Section 3.01.030—Biannual Organizational Meeting, as amended on November 19, 2024, states that the Board of Directors shall hold an organizational meeting at its regular meeting in December of the even-numbered year or as determined by the Board. At this meeting, the Board will elect a President and Vice President from among its members.

DESCRIPTION

The Board of Directors, in accordance with Administrative Code Section 3.01.030, will need to consider the appointments of Board Officers at this time. Appointments are for a two year term, unless filling a vacancy.

The positions under consideration are as follows:

Board President

Board Vice-President

The primary responsibility of the President of the Board of Directors is to serve as chairperson at all Board meetings and shall have the same rights as the other members of the Board in voting, introducing motions, resolutions, and ordinances, and any discussion questions that follow said actions. In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all board meetings. Per the Administrative Code, other primary responsibilities of the Board President (and Vice President in their absence) include press release review, media relations, and point of contact for the General Manager for emergency declarations and/or purchases.

The annual reappointment of Committee Members and agency representation will be presented for discussion and action on January 28, 2025. Due to the recent vacancy of the Finance Manager/CFO position, appointment of a Board Treasurer can be considered at a later date.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Four: Fiscal Responsibility

Strategic Focus Area Five: Customer Service

Strategic Focus Area Six: Communication

Administrative Code: Section 3.01.030 – Biannual Organizational Meeting

ENVIRONMENTAL

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

BOARD OPTIONS/FISCAL IMPACTS

Make and accept appointment nominations for Board consideration and action.

STAFF RECOMMENDATION

Staff supports direction.



Jake Wiley

December 10, 2024

BOARD ACTION

Item No. 9.B

December 10, 2024

SUBJECT

CONSIDER ESTABLISHING THE 2025 REGULAR BOARD MEETING SCHEDULE

BACKGROUND

Per Administrative Code Section 3.01.010.01, regular meetings are to be held on the fourth (4th) Tuesday of each calendar month, with the November and December meetings combined and held on the first available Tuesday in December of each calendar year. The starting time for the regular meeting Open Session is 1:00 p.m.

DESCRIPTION

Staff requests the Board's consideration and action to establish the 2025 Regular Board Meeting schedule. To accommodate attendance of the CSDA Annual Conference being held August 25-27, staff is recommending the monthly Board Meeting be held on August 19, 2025. In addition, to avoid December 2-4, 2025, ACWA Conference schedule conflicts and in accordance with policy, staff suggests holding the December meeting on December 9, 2025.

In accordance with Administrative Code Section 3.01.010.01, a proposed meeting schedule has been drafted and attached for Board reference and discussion.

For reference, the regular meeting schedule for the District's Standing Committees, as established in the Administrative Code is as follows:

- The Regular Engineering and Operations meetings shall be held on the first Tuesday of each month at 1:00 p.m.
- The Regular Budget and Finance Committee meetings shall be held on the second Tuesday of each month at 1:00 p.m.
- The Regular Communications and Customer Service Committee meetings shall be held on the third Tuesday of each month at 1:00 p.m.

Efforts will be made to follow the proposed schedule. However, the Board and Committee meeting schedules are subject to change from time to time, to ensure quorums or resolve unforeseen calendar conflicts.

In the event the Board prefers setting a different meeting schedule than that presented in accordance with the current policy, the Board will need to consider amending and updating Administrative Code Section 3.01.010.01, accordingly.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Six: Communication

Administrative Code Section 3.01.010 – Regular Meetings

ENVIRONMENTAL

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

BOARD OPTIONS/FISCAL IMPACTS

- Option 1: Accept the proposed schedule as presented.
- Option 2: Establish a revised 2025 Regular Board Meeting schedule.

STAFF RECOMMENDATION

The Board establish the 2025 Regular Board Meeting schedule.



Jake Wiley, General Manager

December 10, 2024

RAINBOW MUNICIPAL WATER DISTRICT

2025

REGULAR BOARD MEETING SCHEDULE

4th Tuesday of the Month

~~ Meetings will begin at a time announced on each month's respective agenda. Typically, Regular meetings will be scheduled to begin at 1:00 p.m. ~~

January 28

February 25

March 25

April 22

May 27

June 24

July 22

*August 19

September 23

October 28

*December 9

- The August Board meeting will be held on August 19th to accommodate the CSDA Annual Conference, August 25-27. Per the Administrative Code, the November and December Board meetings will be combined into one meeting to be held on the first available Tuesday of the month. The combined Board meeting will be held on December 9, 2025.

Special Meetings may be scheduled as needed.

BOARD OF DIRECTORS

December 10, 2024

SUBJECT

CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE TO INCORPORATE CHAPTER 7.01 SAFETY POLICIES

BACKGROUND

Title 7 of the Administration Code was established to contain policies related to safety. At the time that Title 7 was established, no written policies were available to incorporate into the Administrative Code. Since that time, this section has remained blank. In consideration of best practices, procedures followed by similar agencies, and the District’s established programs, staff has drafted the attached written policies for Board consideration to incorporate into Title 7 fo the Administrative Code.

DESCRIPTION

The policies being presented for consideration define Rainbow MWD’s Safety Policies at a high level, including, program goals, responsibilities of key members, documentation, communication and training, hazard assessments, mishap reporting, Standard Operating Procedures (SOP), and compliance.

The newly drafted policies were developed utilizing guidelines provided from the California Division of Occupational Safety and Health (Cal/OSHA), the regulatory authority over workplace safety in California, and are organized in the following sections:

- 7.01.010 Program Goal and Outline
- 7.01.020 Program Responsibility
- 7.01.030 Injury and Illness Records
- 7.01.040 Documentation of Activities
- 7.01.050 Program Communication and Training
- 7.01.060 Hazard Assessment and Control
- 7.01.070 Mishap Reporting and Investigation
- 7.01.080 Standard Operating Procedures
- 7.01.090 Compliance and Enforcement

This information was presented to the Engineering and Operations Committee on December 3, 2024, and the Committee voted in support of the adoption of the Ordinance amending the Administrative Code, adding all of the newly drafted policies attached.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Two: Asset Management

ENVIRONMENTAL

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

BOARD OPTIONS/FISCAL IMPACTS

- Option 1: Adopt an Ordinance Amending the Administrative Code to incorporate Safety Policies into Title 7, Chapter 7.01 – Safety Policies
- Option 2: Adopt an Ordinance Amending the Administrative Code with any proposed changes or corrections from the Board

STAFF RECOMMENDATION

Staff recommends approval of Option 1 to add Safety Chapter 7.01 policies into the Administration Code.

Luke Johnson, Safety and Risk
Management Officer

December 10, 2024

Ordinance No. 24-

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending the Administrative Code Chapter 7.01 – Safety Policies**

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:

- 7.01.010 Program Goal and Outline
- 7.01.020 Program Responsibility
- 7.01.030 Injury and Illness Records
- 7.01.040 Documentation of Activities
- 7.01.050 Program Communication and Training
- 7.01.060 Hazard Assessment and Control
- 7.01.070 Mishap Reporting and Investigation
- 7.01.080 Standard Operating Procedures
- 7.01.090 Compliance and Enforcement

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 10th day of December 2024.

, Board President

ATTEST:

Terese Quintanar, District Secretary

Chapter 7.01 SAFETY

Sections:

- 7.01.010 Program Goal and Outline**
- 7.01.020 Program Responsibility**
- 7.01.030 Injury and Illness Records**
- 7.01.040 Documentation of Activities**
- 7.01.050 Program Communication and Training**
- 7.01.060 Hazard Assessment and Control**
- 7.01.070 Mishap Reporting and Investigation**
- 7.01.080 Standard Operating Procedures**
- 7.01.090 Compliance and Enforcement**

Section 7.01.010
Program Goal and Outline

The District is committed to ensuring safe and healthy working conditions for all employees. Our injury and illness prevention program will adhere to the best practices of similar agencies, encompassing:

- A. Implementation of mechanical and physical safeguards to the maximum extent possible.
- B. Regular safety and health inspections to identify and eliminate unsafe working conditions or practices, control health hazards, and comply with safety and health standards.
- C. Comprehensive training for all employees in good safety and health practices.
- D. Provision of necessary personal protective equipment along with clear instructions for use and care.
- E. Development and enforcement of safety and health rules, with a focus on enforcing safety rules fairly and uniformly.
- F. Prompt and thorough investigation of every accident to determine its cause and implement corrective measures.
- G. Recognition for outstanding safety service and performance.

Section 7.01.020
Program Responsibility

The General Manager, with the authority granted by the Board of Directors, will be responsible for implementing this policy and the District's injury and illness prevention program. The Safety and Risk Management Officer may be designated by the General Manager to carry out this program.

- A. Supervisory personnel will cultivate a safety culture, ensuring that all operations prioritize the well-being of personnel. Supervisory staff are responsible for direct oversight and enforcement of safe work practices, and taking the appropriate corrective actions when violations occur.
- B. Employees are expected to follow all aspects of the program, complying with rules and regulations, and assisting in maintaining a safe work environment. Non-compliance will result in corrective action, which may include retraining, policy review, or appropriate disciplinary measures.

Section 7.01.030
Injury and Illness Records

The District's record-keeping system will adhere to CAL/OSHA standards for its injury and illness prevention program. Records will be maintained and used to evaluate program success.

- A. Reports will be obtained for every injury or illness requiring medical treatment.
- B. Injuries or illnesses will be recorded on Cal/OSHA Form 300, with a supplementary record on OSHA Form 5020.
- C. An annual summary (Cal/OSHA Form 300A) will be posted by February 1st for employee review.
- D. All records will be maintained in accordance with CAL/OSHA regulations and the records retention policy.

Section 7.01.040
Documentation of Activities

Records of scheduled and periodic inspections and safety and health training will be maintained in accordance with the Rainbow Municipal Water District Retention Policy.

- A. Inspections will include the name of the inspector, identified hazards, and corrective actions taken.
- B. Training documentation will specify employee details, training dates, type, and provider.

Section 7.01.050
Program Communication and Training

Communication with employees will be in a language they understand. The Injury Illness and Prevention Program (IIPP) and Standard Operating Procedures are available on the District's intranet website. Training for supervisors and general employee meetings will occur regularly, with written summaries maintained according to the districts Record Retention Schedule.

Section 7.01.060
Hazard Assessment and Control

Regular safety inspections, conducted by a Competent Person, will identify existing hazards. An OSHA "competent person" is defined as "one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them" [29 CFR 1926.32(f)]. Inspections will occur when the program is established, at least annually thereafter, and whenever new hazards are introduced.

- A. Assessments will be documented, including identified hazards and corrective measures.
- B. The Safety and Risk Management Officer will review reports and verify completion of corrective actions.

- C. The IIPP will be supplemented to include identified workplace hazards and programs to minimize or eliminate them.

Section 7.01.070
Mishap Reporting and Investigation

All employees are required to report injuries, hazards, unsafe practices, and near-misses promptly to the Safety and Risk Management Officer. Thorough investigations will be conducted with a focus on cause(s) and corrective actions.

- A. Investigations will include interviews, workplace examinations, determining of root causes, taking corrective actions, and recording findings.
- B. Corrective actions will be identified not only to prevent recurrence but also to improve overall operations.

Section 7.01.080
Standard Operating Procedures

The District's Standard Operating Procedures (SOP) will be available to all employees electronically. All applicable SOPs will be reviewed with employees as part of their training. All employees must adhere to these rules, report unsafe conditions, and supervisors will enforce compliance.

Section 7.01.090
Compliance and Enforcement

The primary objective is to ensure a safe working environment through compliance with relevant regulations and established operating procedures. The District will:

- A. Establish and communicate safety expectations through rules and an Injury Illness Prevention Plan.
- B. Inform employees about the IIPP provisions.
- C. Evaluate safety performance and implement recognition programs for safe behavior.
- D. Consistently correct unsafe behavior, reminding employees to take initiative and responsibility for safety.
- E. Provide additional training for deficient safety performance.
- F. Document all corrective and disciplinary actions.
- G. Supervisors at all levels are responsible for enforcing the program within their respective areas.

BOARD OF DIRECTORS

December 10, 2024

SUBJECT

CONSIDER ADOPTION OF AN ORDINANCE AMENDING ADMINISTRATIVE CODE SECTION 5.05.050.08 - RISK MANAGEMENT RECORDS RETENTION MANAGEMENT REFERENCE GUIDE

BACKGROUND

The Records Retention Management Guides (schedules) contained in Section 5.05.050 of the Administrative Code serve as Rainbow Municipal Water District's legal authority to retain and purge records. The Records Retention Management Reference Guide captures all of the types of records created and used by the various District departments in the course of conducting business and indicates how long these records are required to be retained, the location of the records, and in what format or media in which they are retained.

The Risk Management Retention Management Guide was last updated in 2018. It is prudent to periodically review retention requirements and update the retention policy to ensure compliance.

DESCRIPTION

After thorough review, staff is presenting recommended amendments to the Risk Management Retention Management Guide, Section 5.05.050.08 to reflect Cal/OSHA requirements and to make formatting adjustments. The attached redline reflects suggested changes to the retention periods of various document types, updates to the regulatory information, and updates regarding the location where various records are physically and/or electronically retained.

In addition, a new document type was added to the Guide to establish that a Workplace Violence Incident Log will be retained for the current year, plus five years, in accordance with Labor Code Section 6401.9(f).

This matter was presented to the Engineering and Operations Committee on December 3, 2024. With minor adjustments requested and presented herewith, the Committee voted in support of the Board of Director's adoption of the Ordinance amending Section 5.05.050.08 of the Administrative Code.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Two: Asset Management
Strategic Focus Area Three: Workforce Development
Strategic Focus Area Four: Fiscal Responsibility

ENVIRONMENTAL

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

BOARD OPTIONS/FISCAL IMPACTS

- Option 1: Adopt the Ordinance amending the Administrative Code, reflecting the changes presented in the Retention Reference Guide in alignment with Cal OSHA and updated Safety Management Software.
- Option 2: Make no changes

There is no Fiscal Impact to either option.

STAFF RECOMMENDATION

Staff supports Option 1.

Luke Johnson
Safety and Risk Mgmt Officer

December 10, 2024

Ordinance No. 24-

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending the Administrative Code Chapter 5.05.050 – Records Retention**

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:

5.05.050.08 - Records Retention – Risk Management Records

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 10th day of December 2024.

, Board President

ATTEST:

Terese Quintanar, District Secretary

**Section 5.05.050.08
Records Retention – Risk Management Records**

District risk management records must be retained and destroyed according the schedule provided herein. The Risk Management department is responsible for the record retention and destruction of records covered in this section.

5.05.050.08.1 Risk Management Retention Management Reference Guide

RECORD	RETENTION PERIOD	REGULATORY INFO	RECORD LOCATION	MEDIA TYPE
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<u>ENVIRONMENTAL</u>				
Air Pollution Control District Inspections (Including tanks/generators)	<u>PERM</u> CU + 3	3 Yrs. Per Permit	Safety Files On Site/ <u>Safety Office/ Online</u>	P, E
Asbestos Records (Including identification and disposal manifests)	<u>PERM</u> CU +3	3 Yrs. Per Permit	<u>Safety Office/ Online</u> Safety Files	P, EP
Compliance Inspection Reports (External agency re: regs/hazardous materials/pesticides, etc.)	CU + 3	Gov. Code 60200	<u>Safety Office/ Online</u> Safety Files	P, EP
Hazardous Material (Including material safety data sheets/inventory list & handling procedures)	CU + 10	Cal OSHA	<u>Safety Office/ Online</u> <u>Online, On-Site</u> Common Areas	P, EP, E
Hazardous Waste Compliance Inspections (Including internal/external (County Environmental Health)	CU + 10	Cal OSHA	<u>Safety Office/ Online</u> Safety Files	P, EP
Hazardous Waste Disposal Manifests	CU + 10	Cal OSHA	<u>Safety Office/ Online</u>	P, E
Pesticide Records (inventory/use/disposal)	CU + 2	Gov. Code 60200	<u>Safety Office/ Online</u> Safety Files	P, EP
<u>INSURANCE</u>				
Claims (Not Litigated)	CU + 6	Gov. Code 60200	<u>Safety Office/ Online</u> <u>Online/Safety Files</u>	P, E

A=Active AU=Audit CL=Closed or Completed CU=Current DB=Database
E=Electronic I=Injury L=Life O=Open P=Paper PERM=Permanent S=Settled
T=Termination or Term of Document V=Videos

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RECORD	RETENTION PERIOD	REGULATORY INFO	RECORD LOCATION	MEDIA TYPE
Coverage (Including Policies/JPIA MOU's)	PERM	Gov. Code 60200	Online	<u>P, EP, E</u>
<u>MISCELLANEOUS</u>				
Original Contract	L + 7	State Department		P, E
Litigation (Pending Claim/Litigation or Any Settlement of Litigation)	S + 5	Gov. Code 6254	<u>Safety Office/ Online</u>	P, E
Unaccepted Bids	CL + 2	Gov. Code 34090		P, E
<u>SAFETY</u>				
Compliance Inspection Reports (Fire equipment, etc.)	<u>3CU + 1</u>	<u>Gov. Code 60200 Cal OSHA</u>	<u>Safety Office/ Online Safety Office</u>	<u>P, EP</u>
Confined Space (Entry permit/ inspection/checklists/test data/notifications)	<u>CU + 1</u>	<u>Cal OSHA Gov. Code 60200</u>	<u>Safety Office/ Online Safety Office</u>	<u>P, EP</u>
Driving Records (DMV)	T + 5	Gov. Code 60200	Safety Office	P
Driving Records (DOT) (Including DMV exams & reports/drivers' hours/logs/pull notices for A&B drivers)	T + 5	Gov. Code 60200	Safety Office	P
Equipment Calibration Records (Fall protection, gas meters, wenches, lanyards, harnesses, etc.)	CL + 5	Gov. Code 60200	<u>Safety Office/ On-Site</u>	P
First Aid Treatment and Observation Only Injuries	<u>I + 5</u>	<u>Cal OSHACGR Tit 8, 3204</u>	<u>Safety Office/ Online Safety Office</u>	<u>P, EP, E</u>
Injury & Accident Reports (Including on the job and vehicle/OSHA log)	<u>PI + 5</u>	<u>Cal OSHA Gov. Code 60200</u>	<u>Safety Office/ Online Safety Office</u>	<u>P, EP, E, DB</u>
Medical Program Records (Medical testing)	T + 30	Gov. Code 60200	Safety Office	P
OSHA Correspondence & Notices	CL + 5	Gov. Code 60200	Safety Office	P
Permits	<u>CU + 3</u>		On-Site/ Safety Office	<u>P, EP</u>

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RECORD	RETENTION PERIOD	REGULATORY INFO	RECORD LOCATION	MEDIA TYPE
Safety Inspections-Internal (Including facility audits)	CU + 5 7	Cal OSHA Gov. Code 60200	Safety Office/ Online Safety Office	P, EP
Safety Meeting Minutes	CU + 5 7	Cal OSHA Gov. Code 60200	Safety Office/ Online Network	P, EE
Surveillance Program Records (Substance tests/hearing/respirator)	T + 30	Gov. Code 60200	Safety Office/ Online Safety Office	P, EP
Terminal Safety Inspection & Compliance Records (BIT Program – DMV Pulls)	CL + 3	Gov. Code 60200	Safety Office/ Online	P, E
Training Records (Including attendance, new employee orientation, scheduled, certification, tailgate rosters)	CU + 7	Gov. Code 60200 Cal OSHA	Safety Office/ Online Safety Office/ Network	P, EP, E
Workers Compensation Files	I + 5 Or CL + 2	CCR 15400.2	Safety Office/ Online	P, EP, E
Workplace Assessments (Including ergonomic studies/job hazard analysis)	CU + 5 2	Gov. Code 60200 Cal OSHA	Safety Office/ Online	P, E
<u>Workplace Violence Incident Log</u>	<u>CU + 5</u>	<u>LC Section 6401.9(f)</u>	<u>Safety Office/ Online</u>	<u>P, E</u>

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BOARD ACTION Item No.9.E

December 10, 2024

SUBJECT

CONSIDER ADOPTION OF AN ORDINANCE AMENDING AND UPDATING ADMINISTRATIVE CODE SECTIONS 8.11.040.09 – CONNECTION AND METER CHARGES AND 8.30.020- LEAK POLICY, REMOVING REFERENCES TO THE SDCWA

BACKGROUND

Section 8.11.040.09 establishes the requirement for the District to collect San Diego County Water Authority (SDCWA) capacity charges prior to providing a water meter.

Section 8.30.020 (e) refers to the SDCWA Fixed Charge as one of the charges that is not adjusted when courtesy leak adjustments are prepared.

DESCRIPTION

With the SDCWA detachment process now complete, staff recommends amendment to the Administrative Code to remove references to any fees, charges, or requirements of the SDCWA.

The proposed red-lined changes to Administrative Code Sections 8.11.040.09 and 8.30.020 (e) are attached. Removal of Section 8.11.040.09 will result in the renumbering of Section 8.11.040.10 to 8.11.040.09 and will also affect changes to the Table of Contents.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Three: Fiscal Responsibility – The proposed Administrative Code changes are intended to provide relevant information to all District customers following the District’s annexation into the Eastern Municipal Water District for imported water deliveries.

ENVIRONMENTAL

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

BOARD OPTIONS/FISCAL IMPACTS

- 1) Adopt the Ordinance amending Administrative Code Chapter 8.11, removing Section 8.11.040.09 and amending Section 8.30.020 (e), removing references to the SDCWA as provided.
- 2) Adopt the Ordinance amending Administrative Code Chapter 8.11, removing Section 8.11.040.09 and amending Section 8.30.020 (e) with revisions.

- 3) Do not adopt the Ordinance amending and updating amending Administrative Code Chapter 8.11, removing Section 8.11.040.09 and amending Section 8.30.020 (e).

STAFF RECOMMENDATION

Staff recommends approval of Option 1.



Jake Wiley

December 10, 2024

Ordinance No. 24-

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

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

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

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

NOW, THEREFORE,

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

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

Section 8.11.040.09: San Diego County Water Authority Capacity
Charges

Section 8.30.020: Criteria and Procedure – Leak Policy

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 10th day of December 2024.

, Board President

ATTEST:

Terese Quintanar, District Secretary

**Chapter 8.11
CONNECTION AND METER CHARGES**

Sections:

- 8.11.010 Commencement of Service**
- 8.11.020 Fees and Charges**
- 8.11.030 Transfer of Meter**
- 8.11.040 Water Capacity Charge**
 - 8.11.040.01 Application**
 - 8.11.040.02 Capacity Charge for Increasing Meter Size**
 - 8.11.040.03 Reduction in Meter Size**
 - 8.11.040.04 Exchange of Meter for Multiple Smaller Meters**
 - 8.11.040.05 Fire Service Meters**
 - 8.11.040.06 Meter Relocation**
 - 8.11.040.07 Transfer of Capacity Charges or Meters**
 - 8.11.040.08 Reimbursement of Capacity Charges**
 - ~~**8.11.040.09 San Diego County Water Authority (SDCWA) Capacity Charges**~~
 - 8.11.040.1009 Removal of Water Service**
- 8.11.050 Water Service Commitments of More than Five Parcels**
 - 8.11.050.01 Development Consultation Fee**
 - 8.11.050.02 Application for Availability**
 - 8.11.050.03 Project Facility Availability Forms**
 - 8.11.050.04 Application for Commitment**
 - 8.11.050.05 Project Facility Commitment Forms**

be immediately due and payable or service shall be immediately discontinued. Administrative and inspection fees shall apply.

8.11.040.06 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" Class 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.

8.11.040.07 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.

8.11.040.08 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.

~~8.11.040.09 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.~~

8.11.040.~~1009~~ Removal of Water Service

If the owner of District serviced property no longer requires service and wants a meter removed permanently, the owner must provide a written request to the District. In addition, the owner must sign a Meter Removal Agreement 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, remove the meter, and abandon the lateral connection at the District water main. The customer must provide a deposit, based on an estimate of the work, to cover all District costs for meter removal and meter lateral abandonment. The deposit amount shall be determined by District staff and any unused amounts will be refunded once the project is accepted by the District. All work shall be done according to the District's most current specifications. If a contractor performs any work, the contractor shall have minimum licensing (typically Class A) and insurance as determined by District staff. Per Section 8.11.040.8, 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 install a new service and pay the current capacity fees.

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Section 8.30.010

Leak Policy

A courtesy leak adjustment on water used is available to customers who experience above average water consumption due to leaks. The leak adjustments will be limited to 2 billing periods and will also be limited to one adjustment every 60 months. The 60-month period begins the first month of the billing period following the last billing period for which the loss of water adjustment was prepared.

Section 8.30.020

Criteria and Procedure

- a) A leak appeal form must be properly completed by the customer and submitted with original repair receipts within 30 days of the statement date of an affected bill.
- b) The customer has to have taken reasonable attempts to mitigate the leak.
- c) An adjustment will be considered if the water consumption for the billing period(s) appealed by the customer is at least 50% more than the property's monthly average corresponding seasonal water consumption, as evidenced by the historical water consumption available for the property.
 - i. If the previous historical consumption for the corresponding season is not present, then the consumption must be at least 50% more than the property's historical average consumption.
- d) The repair must be completed within 30 days of the statement date of an affected bill.
- e) The adjustment will only be applied to the water consumption rate charge and the variable pumping charge. Adjustments will not be applied to other fixed or variable charges such as; RMWD O&M charge, ~~SDCWA Fixed Charge~~, backflow, fixed pumping or sewer charges.
- f) The value of the adjustment will be determined by applying the wholesale rate to all usage above 10 units.
- g) No adjustment shall exceed \$750. Should the value of the adjustment exceed \$750, the customer may submit additional information for consideration by the District's Communications and Customer Service Committee who will review this information and make a recommendation to the District's Board of Directors to consider a variance from this policy.

Section 8.30.030

Temporary Policy Suspension

Should a customer be impacted by a large-scale disaster the Board has the right to temporarily suspend this policy.

BOARD OF DIRECTORS

December 10, 2024

SUBJECT

CONSIDER APPROVAL FOR A SOLE SOURCE PURCHASE ORDER WITH EVOQUA FOR ODOR-CONTROL CHEMICALS

BACKGROUND

Over the last several years, RMWD has conducted three odor control studies evaluating different chemicals and their effectiveness in eliminating odors associated with the District's primary wastewater collection system along the Hwy 76 corridor and Old River Road. With increased residential flow from the construction of Horse Creek and Citro developments and the District's Thoroughbred Lift Station, staff began to receive frequent odor complaints from the public due to increased wastewater flows in the system. RMWD has never had active odor control in the wastewater system. Therefore, staff felt it prudent to begin looking into the most effective chemical for sequestering odors for the public's benefit.

Three companies were evaluated for their product's effectiveness in eliminating odors along the Hwy 76 corridor to the last lift station at Old River Road/Little Gopher Canyon and the cost per gallon of their chemicals. Each company uses a proprietary chemical unique to its business. Three qualified firms; USP, Suez, and Evoqua were solicited in early 2022 to determine if they would be willing to participate in a trial of their products. Each agreed and, over the last two years, were evaluated in their effectiveness in mitigating odors. The chemicals were injected at Rancho Viejo and Horse Creek Lift Stations. Monitoring stations were established at Hwy 76 and Old 395, Thoroughbred Lift Station, and Golf Club Lift Station. Each company was tasked to reduce odors below 25 ppm, which is the level detectable by humans.

DESCRIPTION

The first study with USP started in 2022. They use a product called SuFeLox, which proved effective in eliminating odors. However, the chemical negatively impacted the sensor on a flow meter at Horse Creek Lift Station. There was an excessive amount of iron build-up, which caused the flow meter to malfunction. Staff would have to disassemble the flow meter and clean the inside with vinegar to resolve the issue regularly. The chemical was stored in several totes onsite haphazardly. Additionally, their customer service and billing were found to be subpar.

The second study was with Suez using a product called ProSweat. The odor treatment took longer than expected to be effective in reducing odors. However, this reduction was most noticeable near the injection area and less effective downstream. Their customer service was also subpar, and they have yet to respond to follow-up inquiries by the District.

The last and final study is with Evoqua using a product called Bioxide. This trial lasted sixty days and is the same product that the City of Oceanside injects at LS2 at Little Gopher and Old River Road to control odors in their downstream system. This product proved the most effective at reducing odors within the

system with little impact on existing infrastructure. Evoqua delivered a 2,000-gallon tank and installed injection lines to the wet well at Horse Creek. They provided a cloud-based platform for monitoring and adjusting chemical flows and have been very receptive to inquiries from staff. Staff will be in full control of monitoring the dosing information and will work with the vendor on appropriate dosing solutions. In addition, the Evoqua product is the most cost-effective solution.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Two: Asset Management- Odor mitigation has two purposes, which include eliminating odors and reducing harmful H2S gasses that have a detrimental effect on wastewater assets.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15301 Existing Facilities, this project qualifies as a Class 1 exemption, and further environmental review is not required at this time. A Notice of Determination will be filed with the County of San Diego Recorder’s Office.

BOARD OPTIONS/FISCAL IMPACTS

Option #1 staff recommends the Board approve an annual sole source PO with Evoqua for up to the amount included in each year’s Sewer Operating Budget as the District’s odor control chemical supplier. The Fiscal Year 2024-2025 budget included \$90,000 for odor control chemicals, sufficient to cover the proposal’s cost for the next six months (see attached proposal). The table below summarizes the per gallon cost for each odor control supplier tested during these trials. The Evoqua price includes applicable taxes.

Cost per Gallon		
\$	3.92	Evoqua
\$	8.10	USP
\$	8.72	Suez

Option#2-Provide feedback to staff

STAFF RECOMMENDATION

- Staff recommends option #1



Robert Gutierrez, Operations Manager 12/10/24



November 4, 2024

Robert Gutierrez
Chief Operating Officer
Rainbow Municipal Water District
3707 Old Highway 395
Fallbrook, CA 92028
Office: (760) 468-0217
Email: rgutierrez@rainbowmwd.ca.gov

**RE: FULL-SERVICE ODOR AND CORROSION CONTROL PROGRAM
RAINBOW MUNICIPAL WATER DISTRICT (FALLBROOK, CA) – HORSE CREEK LIFT STATION
Evoqua Quote No. 2024-634728r3**

Dear Mr. Gutierrez:

Thank you for your interest in Evoqua Water Technologies LLC. Evoqua would like to submit the following proposal to install a BIOXIDE® Chemical Feed and Storage System at Horse Creek Lift Station. This proposed feed system will control odors in the downstream Thoroughbred Lift Station.

Evoqua ran a BIOXIDE demonstration in August 2024 and established a weekday feed rate of 60-65 gpd and weekend feed rate of 90-95 gpd to achieve average hydrogen sulfide levels between 20-25 ppm at the control point (Thoroughbred LS) – an approximate 88% reduction in sulfide odors.

Evoqua Water Technologies LLC is established as an industry leader for the supply of odor and corrosion control products and services. The Evoqua Municipal Services Division employs over 175 engineers, chemists, technicians, transportation personnel and managerial/support staff to meet the odor and corrosion control needs of our customers nationwide

Evoqua is committed to providing the highest standard of chemical quality and technical services in the industry. If you have any questions regarding this proposal, please do not hesitate to contact me at (909) 837-9908.

Sincerely,

Daniel Trybulski

Daniel Trybulski
Technical Sales Representative

Evoqua Water Technologies LLC

FULL SERVICE ODOR AND CORROSION CONTROL PROGRAM

HORSE CREEK LIFT STATION
RAINBOW MUNICIPAL WATER DISTRICT
FALLBROOK, CA

Quotation # 2024-634728r3

November 4, 2024

Sales Representative

Dan Trybulski
Evoqua Water Technologies LLC
Mobile: (909) 837-9908
Email: daniel.trybulski@xylem.com

BACKGROUND

Evoqua Water Technologies has investigated the collection system downstream of the Horse Creek Lift Station to determine an appropriate odor control solution for reducing hydrogen sulfide levels at the Thoroughbred Lift Station. Using wastewater flow rates and force main dimensions provided by the District, along with analysis of liquid grab samples, sulfide generation within the collection system has been modeled and summarized in the table below.

Feed Site	Horse Creek Lift Station
Average Daily Flow	290,000 GPD
Force Main Length	925 feet
Force Main Diameter	12 inches
Gravity Main	5.4 miles (28,512 feet)
Retention Time (average)	est four (4) hours
Average Vapor Phase H ₂ S (untreated)	67 PPM _v
Peak Vapor Phase H ₂ S (untreated)	294 PPM _v

Table 1: Design Parameters

Based on an average daily flow of 290,000 MGD from the Horse Creek LS, and the physical data shown in Table 1, it is estimated to take 60-100 GPD BIOXIDE dosed at the feed site to remove all existing hydrogen sulfide and prevent the generation of hydrogen sulfide along the force main. However, actual dose rates will depend on your systems flow rates and your specific treatment goals.

TREATMENT OBJECTIVE

Evoqua is proposing the following treatment objectives for this application.

Control Point	Thoroughbred Lift Station
Odor Control Solution	BIOXIDE Solution
Point of Addition	Wet Well
Dissolved Sulfide at Control Point (treated)	≤ 1.0 mg/L
Average Vapor Phase H ₂ S (treated)	≤ 10.0 PPM _v
Nitrate Residual	≤ 5.0 mg/L

Table 2: Treatment Objectives

SCOPE OF SERVICES

1. EQUIPMENT

Evoqua Water Technologies shall provide the following equipment:

- 1- 3,150 Nominal Gallon, Double Wall, High Density XLPE Chemical Storage Tanks, Black in color. (8'2" Tall, 10'2" Diameter, Specific Gravity 1.90). The storage tank shall be equipped with the following standard fittings, designated for the following purposes (any unused fittings shall remain plugged):
 - 1- Fill – 2" PVC Bulkhead Fitting
 - 1- Vent – 4" PVC U-Vent
 - 1- Suction – ¾" PVC Bulkhead Fitting
 - 1- Return – ½" PVC Bulkhead Fitting
 - 1- Level Indication – 2" PVC Bulkhead Fitting
 - 1- Overfill Indication – ½" PVC Bulkhead Fitting
 - 1- Spare – 2" PVC Bulkhead Fitting
 - 1- Leak Detection – 2" PVC Bulkhead Fitting
- 1- Pressure Transducing Sensor for remote tank level monitoring
- 1- Reverse Float Mechanical Level Indicator
- 1- Single Wall Piping Kit shall consist of:
 - 1- 2" Stainless Steel Male Camlock
 - 1- 2" Plastic Female Camlock Cap
 - Misc. required fittings

Provided by installer:

- ~40 ft 1/2" schedule 80 PVC Pipe
- ~20 ft 2" Schedule 80 PVC Tank Fill Piping
- 1- 316 SS Control Enclosure containing the following:
 - 1- Operator Interface with tank level readout
 - 2- Off/Auto Soft Switches for pump control
 - 2- On/Off Soft Switches for auxiliary equipment
 - 2- Dry contacts to receive digital inputs
 - 1- Disconnect Switch
 - 2- Integrated Chemical Feed Pumps (see specifications below)
 - 1- Ground fault receptacle
 - 1- Disconnect Switch
 - 1- 1,000 mL Calibration Cylinder with Flow Control Valves
 - 1- Cellular Modem
- 1- VersaDose® LT Advanced Dosing Packages – The automation package will be programmed at the factory and can be optimized in the field to functionally control the dose rate using 24 hour / day per week dose curves or from station
- 2- Evoqua Water Technologies Bellows Pumps with an adjustable feed rate from 63 to 630 mL/min and a maximum discharge pressure of 20 psi.
- 1- Electronic Double Wall Leak Monitoring System to provide a sensor sensitive to conductive liquids found in the interstice of double wall tank or double wall piping.

- 4- VaporLink® Remote H₂S Monitoring devices for rotational deployment at the control point(s)¹ every 90 days - Evoqua shall be responsible for the calibration and deployment of the VaporLink® units.
- 1- VaporLink® Antenna Kit
- 1- SIM Card
- 1- All necessary piping and fittings for the installation

Evoqua Water Technologies retains ownership of all provided equipment. Evoqua will maintain spare parts for the equipment for emergency replacement.

Note (1): An extra set of Vaporlinks will be rotated at the Golf Club LS to monitor hydrogen sulfide downstream of the Thoroughbred LS. The Bioxide feed rate may be adjusted to mitigate hydrogen sulfide at the Golf Club LS if possible.

2. PREVENTATIVE MAINTENANCE AND MONITORING SERVICES

An Evoqua service technician will perform routine maintenance and sampling for the chemical feed site at a *minimum of once per month*. These visits will be conducted at a frequency *not more than four (4) weeks apart* and shall include odor control point liquid phase sampling. A written report will be provided within a week of site visit. Sampling and routine maintenance services will be scheduled in advance and include, but not be limited to the following:

- Perform scheduled preventative maintenance on equipment.
- Liquid phase testing for performance evaluation. The parameters measured shall be:

Parameter Monitored	Method
Dissolved Sulfide	Methylene Blue, pre-flocced to remove insoluble sulfides
pH	Combination Glass Electrode
Temperature	NIST calibrated Thermometer
Residual Nitrate	HACH Nitrate Strips

Table 3: Performance Sampling Methods

- Continuous Vapor Phase hydrogen sulfide monitoring:
 1. A VaporLink® monitor shall be deployed for continuous remote monitoring of atmospheric H₂S concentrations at the control point(s). Continuous atmospheric H₂S data will be made accessible through Evoqua’s Link2Site® website, which can be viewed through any device with an internet connection. The VaporLink® will also provide instantaneous alarms should the H₂S concentration exceed a high level or average alarm set point.
 2. Evoqua Water Technologies shall respond to all alarms and make any necessary process adjustments to ensure the treatment objective is being met.
 3. Evoqua shall be responsible for the calibration and deployment of the VaporLink® units.
- Optimization of chemical feed rates based on liquid phase performance evaluations.



- Evoqua shall respond to any emergencies immediately and target a resolution time of less than 24 hours within being notified of any odor complaints or odor control equipment failures.
- 24-hour technical phone response is included in the price of the program.
- A report will be issued to the District after each visit noting the following:
 1. Beginning feed rate in ml/min, gal/day
 2. Liquid phase data collected
 3. Adjusted feed rate in mL/min, gal/day
 4. Tank Levels
 5. General Condition of the feed and storage equipment

3. PRICING

Evoqua is pleased to offer the following price for services for a one-year period, from date of contract acceptance. Pricing shall be subject to annual review following this initial period:

BIOXIDE: **\$ 3.63 / gallon** in minimum 2400-gallon loads

Remote Monitoring: Included in the price of chemical

Equipment and Services: Included in the price of chemical

Terms of payment are NET 30 days from date of invoice. These prices do not include any applicable taxes.

The attached Terms and Conditions are considered part of this proposal and shall prevail.

Due to current volatility in the market, pricing associated with this quote will remain in firm for a period of sixty (60) days. If we are not in receipt of an order by the end of this firm price period, we reserve the right to modify the prices quoted.

Evoqua is committed to providing the highest standard of chemical quality and technical services in the industry. If you have any questions regarding this proposal, please do not hesitate to contact me at (909) 837-9908.

Sincerely,

Daniel Trybulski

Daniel Trybulski
Technical Sales Representative

Evoqua Water Technologies LLC



**RE: FULL-SERVICE ODOR AND CORROSION CONTROL PROGRAM
RAINBOW MUNICIPAL WATER DISTRICT (FALLBROOK, CA) – HORSE CREEK LIFT STATION
Evoqua Quote No. 2024-634728r3**

Evoqua will process your order when we receive acceptance of this proposal by signing below and returning to utilityservicesinbox@xylem.com or via fax to: (941) 359-7985.

Company Name: _____

This ____ day of _____ Month _____ Year

By: _____

Title: _____

P.O.Number _____

Site Address: _____

NOTE: Effective April 2022, you may be assessed a 3% fee if paying via Credit Card. Find more info on our website here > <https://www.evoqua.com/en/about-us/terms-conditions-sale-products-services/credit-card-fee-fags> . Ask us how to avoid paying fees by migrating to ACH CTX payment type.

EVOQUA WATER TECHNOLOGIES LLC

STANDARD TERMS OF SALE

1. Applicable Terms. These terms govern the purchase and sale of equipment, products, related services, leased products, and media goods if any (collectively herein "Work"), referred to in Seller's proposal ("Seller's Documentation"). Whether these terms are included in an offer or an acceptance by Seller, such offer or acceptance is expressly conditioned on Buyer's assent to these terms. Seller rejects all additional or different terms in any of Buyer's forms or documents.
2. Payment. Buyer shall pay Seller the full purchase price as set forth in Seller's Documentation. Unless Seller's Documentation specifically provides otherwise, freight, storage, insurance and all taxes, levies, duties, tariffs, permits or license fees or other governmental charges relating to the Work or any incremental increases thereto shall be paid by Buyer. If Seller is required to pay any such charges, Buyer shall immediately reimburse Seller. If Buyer claims a tax or other exemption or direct payment permit, it shall provide Seller with a valid exemption certificate or permit and indemnify, defend and hold Seller harmless from any taxes, costs and penalties arising out of same. All payments are due within thirty (30) days after receipt of invoice. Buyer shall pay interest on all late payments not received by the due date. The Buyer shall be charged the lesser rate of 1 ½% interest per month or the maximum interest rate permissible under applicable law, calculated daily and compounded monthly. Buyer shall also reimburse Seller for all costs incurred in collecting amounts due but unpaid, including without limitation, collections fees and attorneys' fees. All orders are subject to credit approval by Seller. Back charges without Seller's prior written approval shall not be accepted.
3. Delivery. Delivery of the Work shall be in material compliance with the schedule in Seller's Documentation. Unless Seller's Documentation provides otherwise, delivery terms are FOB Shipping Point, or for international orders, ExWorks Seller's factory (INCO™ Terms 2020). Title to all Work shall pass upon receipt of payment for the Work under the respective invoice. Unless otherwise agreed to in writing by Seller, shipping dates are approximate only and Seller shall not be liable for any loss or expense (consequential or otherwise) incurred by Buyer or Buyer's customer if Seller fails to meet the specified delivery schedule.
4. Ownership of Materials and Licenses. All devices, designs (including drawings, plans and specifications), estimates, prices, notes, electronic data, software, and other information prepared or disclosed by Seller, and all related intellectual property rights, shall remain Seller's property. Seller grants Buyer a non-exclusive, non-transferable license to use any written material solely for Buyer's use of the Work. Buyer shall not disclose any such material to third parties without Seller's prior written consent. Buyer grants Seller a non-exclusive, non-transferable license to use Buyer's name and logo for marketing purposes, including but not limited to, press releases, marketing and promotional materials, and web site content.
5. Changes. Neither party shall implement any changes in the scope of Work described in Seller's Documentation without a mutually agreed upon change order. Any change to the scope of the Work, delivery schedule for the Work, any Force Majeure Event, any law, rule, regulation, order, code, standard or requirement which requires any change hereunder shall entitle Seller to an equitable adjustment in the price and time of performance. If Buyer requests a proposal for a change in the Work from Seller and subsequently elects not to proceed with the change, a change order shall be issued to reimburse Seller for reasonable costs incurred for estimating services, design services, and services involved in the preparation of proposed changes.
6. Force Majeure Event. Neither Buyer nor Seller shall have any liability for any breach or delay (except for breach of payment obligations) caused by a Force Majeure Event. If a Force Majeure Event exceeds six (6) months in duration, the Seller shall have the right to terminate the Agreement without liability, upon fifteen (15) days written notice to Buyer, and shall be entitled to payment, including overhead and profit, for work performed prior to the date of termination. "Force Majeure Event" shall mean events or circumstances that are beyond the affected party's control and could not reasonably have been easily avoided or overcome by the affected party and are not substantially attributable to the other party. Force Majeure Event may include, but is not limited to, the following circumstances or events: war, act of foreign enemies, terrorism, riot, strike, or lockout by persons other than by Seller or its sub-suppliers, natural catastrophes, (with respect to on-site work) unusual weather conditions, epidemic, pandemic, communicable disease outbreak, quarantines, national emergency, or state or local order.
7. Warranty. Subject to the following sentence, Seller warrants to Buyer that the (i) Work shall materially conform to the description in Seller's Documentation and shall be free from defects in material and workmanship and (ii) the Services shall be performed in a timely and workmanlike manner. Determination of suitability of treated water for any use by Buyer shall be the sole and exclusive responsibility of Buyer, and Seller disclaims any warranty regarding such suitability. The foregoing warranty shall not apply to any Work that is specified or otherwise demanded by Buyer and is not manufactured or selected by Seller, as to which (i) Seller hereby assigns to Buyer, to the extent assignable, any warranties made to Seller and (ii) Seller shall have no other liability to Buyer under warranty, tort or any other legal theory. The Seller warrants the Work, or any components thereof, through the earlier of (i) eighteen (18) months from delivery of the Work, or (ii) twelve (12) months from Buyer's initial operation of the Work, or in the case of services performed as part of the Work, ninety (90) days from the performance of the services (the "Warranty Period"). If Buyer gives Seller prompt written notice of breach of this warranty within the Warranty Period, Seller shall, at its sole option and as Buyer's sole and exclusive remedy, repair or replace the subject parts, re-perform the Service or refund the purchase price. Unless otherwise agreed to in writing by Seller, (i) Buyer shall be responsible for any labor required to gain access to the Work so that Seller can assess the available remedies and (ii) Buyer shall be responsible for all costs of installation of repaired or replaced Work. If Seller determines that any claimed breach is not, in fact, covered by this warranty, Buyer shall pay Seller its then customary charges for any repair or replacement made by Seller. Seller's warranty is conditioned on Buyer's (i) operating and maintaining the Work in accordance with Seller's instructions, (ii) not making any unauthorized repairs or alterations, and (iii) not being in default of any payment obligation to Seller. Seller's warranty does not cover (i) damage caused by chemical action or abrasive material, improper thermal or electrical capacity, misuse or improper installation (unless installed by Seller) and (ii) media goods (such as, but not limited to, resin, membranes, or granular activated

carbon media) once media goods are installed. THE WARRANTIES SET FORTH IN THIS SECTION ARE THE SELLER'S SOLE AND EXCLUSIVE WARRANTIES AND ARE SUBJECT TO THE LIMITATION OF LIABILITY PROVISION BELOW. SELLER MAKES NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR PURPOSE.

8. **Indemnity.** Seller shall indemnify, defend, and hold Buyer harmless from any claim, cause of action, or liability incurred by Buyer as a result of third-party claims for personal injury, death, or damage to tangible property, to the extent caused by Seller's negligence. Seller shall have the sole authority to direct the defense of and settle any indemnified claim. Seller's indemnification is conditioned on Buyer (i) promptly notifying Seller of any claim, and (ii) providing reasonable cooperation in the defense of any claim. Buyer shall indemnify, defend, and hold harmless Seller from any claim, cause of action, or liability incurred by Seller as a result of third-party claims for personal injury, death, or damage to tangible property, to the extent caused by Buyer's negligence. Buyer shall have the sole authority to direct the defense of and settle any such indemnified claim. Buyer's indemnification is conditioned on Seller (i) promptly notifying Buyer of any claim, and (ii) providing reasonable cooperation in the defense of any claim.

9. **Assignment.** Neither party may assign this Agreement, in whole or in part, nor any rights or obligations hereunder without the prior written consent of the other party; provided, however, the Seller may assign its rights and obligations under these terms to its affiliates or in connection with the sale or transfer of the Seller's business, and Seller may grant a security interest in the Agreement and/or assign proceeds of the agreement without Buyer's consent.

10. **Termination.** Either party may, in addition to any other available remedy, terminate this agreement for a material breach upon issuance of a written notice of the breach and expiration of a thirty (30) day cure period. In the event of (i) a voluntary or involuntary petition in bankruptcy, (ii) an assignment for the benefit of a creditor, or (iii) a receivership, liquidation, or dissolution, Seller may terminate the agreement immediately, in addition to seeking any other available remedy. If Buyer suspends an order without a change order for ninety (90) or more days, Seller may thereafter terminate this Agreement without liability, upon fifteen (15) days written notice to Buyer, and shall be entitled to payment for work performed, whether delivered or undelivered, prior to the date of termination.

11. **Dispute Resolution.** In the event of any claim, dispute, or controversy arising out of or relating in any way to this Agreement (collectively, a "Claim"), Seller and Buyer shall first negotiate in good faith in an effort to resolve the Claim. If, despite good faith efforts, the parties are unable to resolve a Claim through negotiations, the parties shall mediate the Claim in accordance with the commercial mediation procedures of the American Arbitration Association ("AAA"), with such mediation to take place in Pittsburgh, Pennsylvania. If the parties are unable to resolve the Claim through such mediation, then the Claim shall be resolved through final and binding arbitration pursuant to the commercial arbitration procedures of the AAA, with such arbitration to take place in Pittsburgh, Pennsylvania before one arbitrator, who shall have authority to rule on jurisdiction over the Claim. Seller and Buyer agree to the exclusive jurisdiction of the federal and state courts situated in Allegheny County, Pennsylvania for purposes of entering judgment upon the arbitrator's award. The substantially prevailing party, as determined by the arbitrator, shall be entitled to recover all costs, expenses, and charges, including, without limitation, reasonable attorneys' fees and expert witness fees, incurred in connection with the Claim. In case of an Agreement under which Seller ships the Work outside of the United States, or under which Seller's and Buyer's places of business are in different countries, any Claim which is not resolved by the good faith negotiations and mediation required by this Section shall then be determined by arbitration administered by the International Center for Dispute Resolution in accordance with its International Arbitration Rules, with such arbitration taking place in Pittsburgh, Pennsylvania, USA, before one arbitrator, with English as the language of the arbitration. This Agreement and any Claim shall be governed by the laws of the Commonwealth of Pennsylvania, without giving effect to the choice of law principles thereof.

12. **Export Compliance.** All items, and technologies, software, and work products are controlled by the U.S. Government and authorized for export only to the country of ultimate destination for use by the ultimate consignee or end-user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-user(s), either in their original form or after being incorporated into other items, without first obtaining approval from the U.S. government or as otherwise authorized by U.S. law and regulations. Any diversion contrary to U.S. law is prohibited. Buyer acknowledges that Seller is required to comply with applicable export laws and regulations relating to the sale, exportation, transfer, assignment, disposal, and usage of the Work provided under this Agreement, including any export license requirements. Buyer agrees that such Work shall not at any time directly or indirectly be used, exported, sold, transferred, assigned, or otherwise disposed of in a manner which will result in non-compliance with such applicable export laws and regulations. It shall be a condition of the continuing performance by Seller of its obligations hereunder that compliance with such export laws and regulations be maintained at all times. BUYER AGREES TO INDEMNIFY AND HOLD SELLER HARMLESS FROM ANY AND ALL COSTS, LIABILITIES, PENALTIES, SANCTIONS AND FINES RELATED TO NON-COMPLIANCE WITH APPLICABLE EXPORT LAWS AND REGULATIONS.

13. **Anti-Kickback Statute – Discounts.** It is the intent of both Buyer and Seller to comply with the Anti-Kickback Statute (42 U.S.C. §1320a-7b(b)) and the Discount Safe Harbor and Warranties Safe Harbor regulations set forth in 42 C.F.R. 1001.952(h) and (g), respectively. Buyer's price may constitute a 'discount or other reduction in price' under the Anti-Kickback Statute. Seller shall provide Buyer with invoices that fully and accurately disclose the discounted price of all Products purchased under this Agreement to allow Buyer to comply with this Section and the Discount Safe Harbor regulations, including sufficient information to enable it to accurately report its actual cost for all purchases of Products. Buyer acknowledges that, if applicable, it will fully and accurately report all discounts or other price reductions, including warranty items, in the costs claimed or charges made under any Federal or State healthcare program and provide information upon request to third party reimbursement programs, including Medicare and Medicaid. Buyer will be solely responsible for determining whether any savings or discount or warranty item it receives must be reported or passed on to payors.

14. **Federal Program Participation.** Seller represents and warrants that neither it nor any of its current directors, officers, or key personnel: (i) are currently excluded, debarred or otherwise ineligible to participate in federal health care programs as defined in 42 U.S.C. §1320a-7b(f) (the "Federal Healthcare Programs"); (ii) have been convicted of a criminal offense related to the provision of healthcare items

or services during the last five (5) years; or (iii) have been excluded, debarred or otherwise declared ineligible to participate during the last five (5) years in Federal Healthcare Programs. Seller will notify Buyer of any change in the status of the representations and warranties set forth above.

15. LIMITATION OF LIABILITY. NOTWITHSTANDING ANYTHING ELSE TO THE CONTRARY, SELLER SHALL NOT BE LIABLE FOR ANY CONSEQUENTIAL, INCIDENTAL, SPECIAL, PUNITIVE OR OTHER INDIRECT DAMAGES, AND SELLER'S TOTAL LIABILITY ARISING AT ANY TIME FROM THE SALE OR USE OF THE WORK, INCLUDING WITHOUT LIMITATION ANY LIABILITY FOR ALL WARRANTY CLAIMS OR FOR ANY BREACH OR FAILURE TO PERFORM ANY OBLIGATION UNDER THE AGREEMENT, SHALL NOT EXCEED THE PURCHASE PRICE PAID FOR THE WORK. THESE LIMITATIONS APPLY WHETHER THE LIABILITY IS BASED ON CONTRACT, TORT, STRICT LIABILITY OR ANY OTHER THEORY.

16. Miscellaneous. These terms, together with any related Contract Documents issued or signed by the Seller, comprise the complete and exclusive statement of the agreement between the parties (the "Agreement") and supersede any terms contained in Buyer's documents, unless separately signed by Seller. No part of the Agreement may be changed or cancelled except by a written document signed by Seller and Buyer. No course of dealing or performance, usage of trade or failure to enforce any term shall be used to modify the Agreement. To the extent the Agreement is considered a subcontract under Buyer's prime contract with an agency of the United States government, in case of Federal Acquisition Regulations (FARs) flow down terms, Seller will be in compliance with Section 44.403 of the FAR relating to commercial items and those additional clauses as specifically listed in 52.244-6, Subcontracts for Commercial Items (OCT 2014). If any of these terms is unenforceable, such term shall be limited only to the extent necessary to make it enforceable, and all other terms shall remain in full force and effect. The Agreement shall be governed by the laws of the Commonwealth of Pennsylvania without regard to its conflict of laws provisions. Both Buyer and Seller reject the applicability of the United Nations Convention on Contracts for the international sales of goods to the relationship between the parties and to all transactions arising from said relationship.

Only in the event that the Work contemplated in this Order is related to the provision of medical devices, the following additional terms apply:

17. Medical Devices Act and Regulatory Disclaimer. Buyer acknowledges that it is familiar with the U.S. Safe Medical Devices Act of 1990 (the "Devices Act") and the reporting obligations imposed on device users thereunder. In this regard, Buyer agrees to notify Seller within ten (10) days of the occurrence of any event identified in the Devices Act imposing a reporting obligation on Buyer and/or Seller (except for events representing an imminent hazard that require notification to the United States Food and Drug Administration (the "FDA") within seventy-two (72) hours (or such shorter time as required by law), in which case, such notice will be delivered to the FDA and Seller within said period). Buyer will maintain adequate tracking for the Products to enable Seller to meet the FDA requirements applicable to the tracking of medical devices. Although Seller has the required registrations, approvals, and licenses (e.g., U.S. 510(k) pre-market notifications) for all or substantially all of its systems, the purchase of parts and system components from Seller does not provide 510(k) compliance or compliance under any other law, rule or regulation for Buyer's system.

Only in the event that the Work contemplated in this Order is related to the provision of leased or rented equipment ("Leased Equipment"), the following additional terms apply:

18. Rental Equipment / Services. Any Leased Equipment provided by Seller shall at all times be the property of Seller with the exception of certain miscellaneous installation materials purchased by the Buyer, and no right or property interest is transferred to the Buyer, except the right to use any such Leased Equipment as provided herein. Buyer agrees that it shall not pledge, lend, or create a security interest in, part with possession of, or relocate the Leased Equipment. Buyer shall be responsible to maintain the Leased Equipment in good and efficient working order. At the end of the initial term specified in the order, the terms shall automatically renew for the identical period unless canceled in writing by Buyer or Seller not sooner than three (3) months nor later than one (1) month from termination of the initial order or any renewal terms. Upon any renewal, Seller shall have the right to issue notice of increased pricing which shall be effective for any renewed terms unless Buyer objects in writing within fifteen (15) days of issuance of said notice. If Buyer timely cancels service in writing prior to the end of the initial or any renewal term this shall not relieve Buyer of its obligations under the order for the monthly rental service charge which shall continue to be due and owing. Upon the expiration or termination of this Agreement, Buyer shall promptly make any Leased Equipment available to Seller for removal. Buyer hereby agrees that it shall grant Seller access to the Leased Equipment location and shall permit Seller to take possession of and remove the Leased Equipment without resort to legal process and hereby releases Seller from any claim or right of action for trespass or damages caused by reason of such entry and removal.



BOARD INFORMATION
Item 10.A

BOARD OF DIRECTORS

December 10, 2024

SUBJECT

OPERATIONS REPORT FOR OCTOBER 2024

DESCRIPTION

Activities for Operations & Maintenance Division

CONSTRUCTION & MAINTENANCE DEPARTMENT:

October	Repairs	Installations	Leaks
Mainline	3	365	3
Service	1		1
Hydrants		1	
Valves	1	6	
Meters			
Blow-Offs	1		
Air Vacs	1	1	1
Annual Totals	110	475' Main, 56 Valves, 9 Appurtenances	57

- 278 utility locates were completed this month - an Annual Total of 3,141.
- Repaired 3 mainline leaks at the following locations: 1585 Tecolote, 6668 Camino Del Rey, and 5425 Mission Rd.
- Repaired a leaky service lateral at 7432 Rainbow Heights Rd.
- Installed four 12-inch valves, one- 6-inch valve, and one 1-inch Valve at Gopher Canyon Rd, and installed one 12-inch plug valve at Night Heron Rd.
- Repaired one damaged blow-off at 6907 Kellyn Ln.
- Installed one hydrant and Hydrant Guard at Gopher Canyon Rd.
- Installed one 1-inch Air Vac at Gopher Canyon Rd.
- Installed/replaced 365-feet of 12-inch CML&C pipe at Gopher Canyon Road.
- Gopher Canyon Road Pipeline Project is 90% complete (pending paving/stripping).

WATER OPERATIONS AND VALVE MAINTENANCE DEPARTMENT

Water Operations:

- Assessed 3 Water Quality Complaints. **Annual Total 29.**
- Performed 2 fire flow tests. **Annual total 30.**
- Performed routine maintenance and rebuilt 3 pressure stations (CLA VALs) — **annual total 74.**
- Collected all system tank and reservoir nitrification samples.
- The third CL2/LAS injection lines were installed at the Morro reservoir.
- Installed pumps for sample return lines at Morro Reservoir.
- New pump station start-up for West Lilac, Rancho Amigos, and Dentro de Lomas.

Valve Maintenance:

Monthly Totals	Valves (Distribution)	Appurtenance Valves	Annual Totals
Exercised	99	52	1,047
Inoperable	1	3	290
Repaired			
Replaced	0	0	2
Installed	0	0	0

Valve Maintenance completed and oversaw the following:

- Performed 7 shutdowns - **Annual total 73.**
- Replaced 0 air vents - **Annual total 33.**
- Painted 102 appurtenances - **Annual total 987.**
- Replaced 0 Fire Hydrants - **Annual total 3.**

METERS DEPARTMENT:

- **251** Service Requests were resolved in OCTOBER 2024 **YTD 1,866 total.** (Previous Year Month Comparison: OCTOBER 2023: **202** Service Requests: **Up 20%**).
- **142** Check Bills were completed in OCTOBER 2024. **YTD total 1,958.** (Previous Year Month Comparison: OCTOBER 2023: **152** Check Bills: **Down 7%**).
- **YTD** Service Requests and Check Bills combined: **3,824** (Previous YTD 2023 Comparison: **3,438** combined Service Requests & Check Bills: **Up 10%**).

Backflows:

- **475** backflows were tested in October 2024 – **4,131 YTD.**

WASTEWATER:

- California Integrated Water Quality System (CIWQS): Monthly No Spill Report for October 2024 Event # 2681001.
- San Diego County Hazmat - Compliance inspection, Record ID# DEH2017-HUPFP-00306 Address: 30516 Old River Road.

Lift Stations:

- October 02, 2024 - Sludge busters called out to assist in vactoring out the wet well at Rancho Monserate causing pumping alarms due to debris at the bottom of the channel.

- October 08, 2024 – Contractor Southern Electric worked at the Thoroughbred lift station to troubleshoot the flow meter faults.
- October 10, 2024 - Full entry confined space permit - Operational pumping alarms fault / psi washing interior walls & re-position level sensor at lower anchor points PM.
- October 21, 2024 - October 25, 2024: Rented Vactor sewer truck to vactor out wet wells at following locations, Old River Road, Rancho Viejo, Horsecreek and Fallbrook oaks. WW cleaned
- September 03, 2024 - September 10, 2024: HAKER truck vactor rental used at the following wet well areas: Old River Road, Thoroughbred, Rancho Viejo, Horsecreek pm & operations.

Collection System:

- Public complaint - Oceanside boundary RMWD sewer outfall line October 01, 2024 MH#P1_5 Manhole hazard on main traffic road. Removed broken concrete and repaired.
- October 2024 – Haaker vactor truck used to clean high frequency areas total cleaned - 2,855 feet.

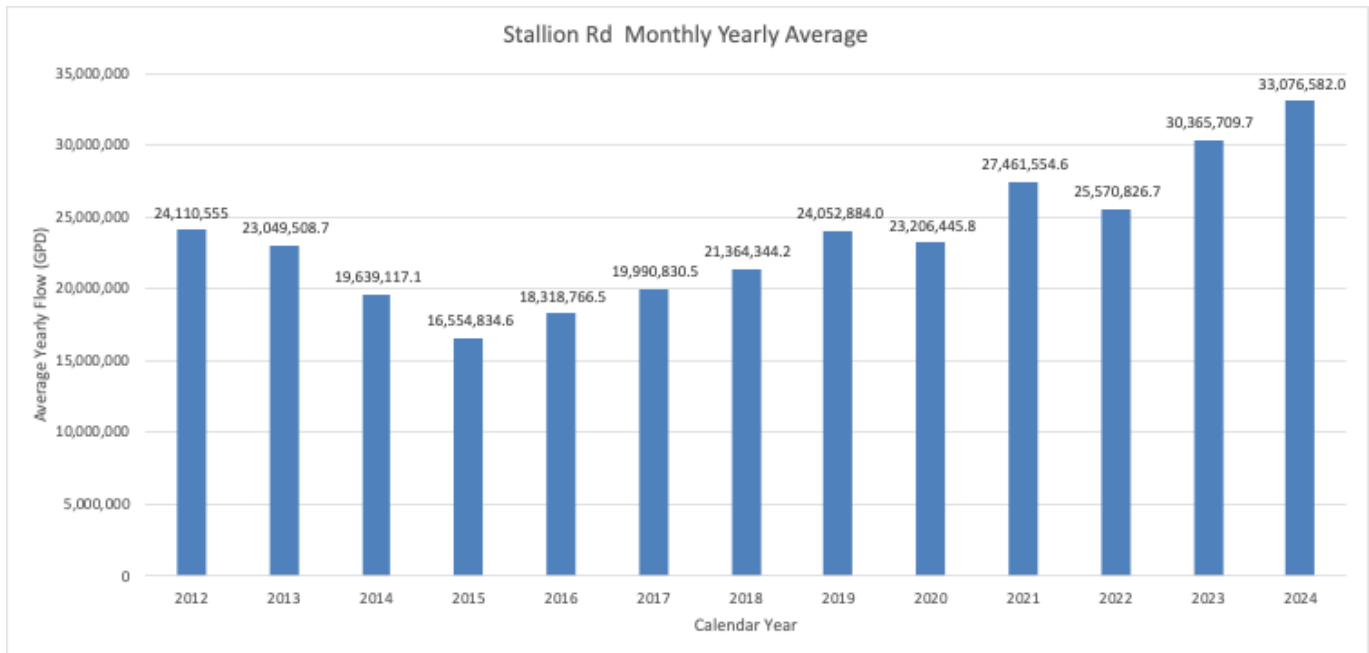
Customer service: Nelson Marcus; Location Pala Mesa Village Association. The customer complained about why Aurora Heights has purple pipes, and his community does not. Met with the customer and explained the differences.

Projects:

- 2024 Odor control treatment Evoqua/Xylem.

Mutual Aid:

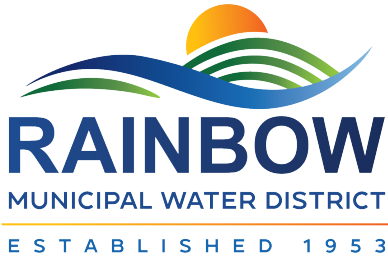
- Southern Electric flow meter.
- Fallbrook Equipment Rental - Water truck.
- Haaker - Vactor services wet wells& High frequency.



Robert Gutierrez

Robert Gutierrez
Chief Operating Officer

11/26/2024



BOARD INFORMATION

Item No. 10.B

BOARD OF DIRECTORS

December 10, 2024

SUBJECT

ENGINEERING REPORT FOR NOVEMBER 2024

DESCRIPTION

CAPITAL IMPROVEMENT PROJECTS:

West Lilac, Rancho Amigos, and Dentro De Lomas Pump Stations Project (Pacific Hydrotech Corp.), Division 1: (PN: 600013) The project is for constructing permanent pump stations as part of the detachment process from the San Diego County Water Authority. The construction contract was awarded to Pacific Hydrotech Corporation in the amount of \$5,657,500 with a construction schedule of 180 working days (Completion Date: October 21, 2024). All three pump stations have been commissioned and are all up and running. The contractor is working on punch list items at all sites that are expected to be completed by the end of December. The permanent switchgear is being scheduled for installation at all sites prior to the end of the year depending on SDG&E's schedule. The Board approved a 1.15M increase in the project budget to cover sales tax costs for the EFI Pump Stations and additional change orders with the contractor to expedite delivery of time sensitive material.

Camino Del Rey Waterline Relocation Project, Division 1: (PN: 600026) The County of San Diego (County) is proposing the Camino Del Rey Drainage and Roadway Improvements Project, which will improve a portion of Camino Del Rey by raising the roadbed by 10 feet, incorporating culvert crossings under the road, improving intersections, and installing Green Street Best Management Practices (BMPs) for water quality treatment. As a result of the County's project, District infrastructure will be impacted. There is currently a 14-inch water main that runs down Camino Del Rey, a 20-inch water main at Camino Del Cielo, a 6-inch main for the San Luis Rey Downs Racetrack, and multiple gravity main crossings that conflict with the County's proposed improvements. On January 17, 2023, the County confirmed the District has prior rights over the roadway. On December 20, 2023, the County rejected claims of prior rights after finding a road easement from 1897. The County and District are now working together to determine the extent of prior rights along Camino Del Rey and each agency's scope of work for utility relocations. In July, Right-of-Way Engineering services were expanded for additional surveying. Staff is reviewing the surveys and working with the County on which agency has prior rights.

FPUD Maravilla Lane to RMWD Maravilla Lane Pipeline Connection, Division 2: (PN: 600091) The District requested that Right-of-Way Engineering (ROWE) move forward with a plat map for proposed

alignment for connecting the two (2) District's pipelines at Maravilla Lane. The additional staking and surveying was completed by ROWE in November. Staff is coordinating internally to review various ideas for the connection within the easement.

FPUD Olive Hill Drive to RMWD Olive Hill Drive Pipeline Connection, Division 2: (PN: 600092) Helix (the District's on-call environmental firm) submitted a draft California Environmental Quality Act (CEQA) Notice of Exemption (NOE) that staff reviewed. Following a review by Helix the District's on-call environmental firm) the project qualified for a California Environmental Quality Act (CEQA) Notice of Exemption (NOE). The NOE was filed with the County of San Diego on November 12, 2024.

Gopher Skid Pump Station, Division 1: (PN: 600094) This project is for the replacement of the temporary Gopher Skid Pump with a permanent pump station. District staff met to discuss the scope of the work and has reached out to as needed civil engineering firm to submit a cost and schedule to prepare the design. Proposals are anticipated to be received for review in December.

Electrical Panel Switches (Manual Transfer Switch), District-wide: (PN: 600058) This project is for the installation of manual transfer switches at three pump stations that include (1) Morro Hills, (2) Vallecitos, and (3) Rainbow Hills Pump Station. Staff continues to prep the Front End documents for a public bidding process.

Rancho Monserate, Rancho Viejo, and HQ B-Plant Emergency Generators, Division 4: (PN: 530023) This project entails procuring emergency generators for each of the sewer lift station sites via grant funding. District staff met to discuss the grant application requirements to apply for the grant funding.

MAJOR DEVELOPER PROJECTS:

Cal-A-Vie (Spa Havens) Water/Sewer Main Extension on Spa Havens Way, Division 1: The Developer submitted the third plan check for District review. The District's Engineer provided a letter to the developer stating no additional EDUs were needed. Developer's Engineer inquired about the capacity in Gopher Canyon in the event Cal-A-Vie decides to add 12-14 more units to the property. Staff is coordinating with the Developer's engineer as the Cal-A-Vie development was not part of the districtwide sewer impact study performed by Dexter Wilson. District staff found a discrepancy with the number of sewer EDUs owned by the Cal-a-Vie spa. The District found the spa owns 23.5 EDUs for sewer service. The Developer's engineer provided a Sewer Report (dated August 8, 2023) stating that Cal-a-Vie had 60 EDUs. The District is currently investigating with the Developer's engineer. In July, District staff investigated additional facilities that were being built by the Developer. Staff is working with the Developer on the additional EDUs the new facilities will need. Staff and developers' engineer met in August 2024 to discuss permit renewal and outstanding fees. Developer indicated they no longer plan to convert the existing private lift station to a gravity main and now intend to increase the capacity of the lift station. The District has requested that the Developer conduct a new sewer service study to resolve the conflicting sewer EDU reports.

Citro (FKA Meadowood) by Tri Pointe Homes (FKA Pardee Homes), Division 4: Approximately 844 Units, 926.6 Sewer EDUs - On Pala Road/Horse Ranch Creek Road. The contractor has constructed several of the improvements and is on-site excavating and installing both water and sewer mains. A second crew is on-site testing the water and sewer mains. The Developer has purchased 252 meters to date. The District continues to review the Developer's fee credit requests as received for the use of water capacity credits, for compensation of the construction work on the 18-inch Rice Canyon waterline and the 12-inch Horse Creek Road waterline. The Contractor has installed all 3 pressure reducing stations. All sewer water and PRS have been tested and accepted by the District. The Meadowood Final Map Tract No. 5354-5 is scheduled for recordation by the County of San Diego in November 2023. The improvements on the map are part of planning area 5B, which includes water and sewer improvements that have already been constructed. Out of 844 lots 581 are complete and in escrow leaving 263 lots to build on. As-builts for Planning Areas HRRCR, PA5A and PA5B were approved in January 2024 and PA5C were approved by the District inspector in April 2024.

Havens (FKA Bonsall Oaks), Division 1: 164 SFR / 205.8 EDUs– Construction for Phase 1A (Provence) is complete and construction is underway for Phase 1A-1, also referred to as Provence. District staff continues coordinating with the Developer on plan reviews for future phases (Phases 1B, 2A and 2B). The District completed plan check No. 3 for those phases, the issues with new sewer manholes over 20-feet deep and flat slopes have not been resolved. The Developer moved in the direction of proposing sewer lift stations to resolve the issues and submitted the draft report in February and staff provided preliminary comments. District staff continues to review the sewer lift station for the project. The County approved the Amended Tract map, which dedicated non-exclusive water and sewer easements within the private roadways for all phases of the project; and exclusive water and sewer easements for the sewer main that will serve the development and future Dentro De Lomas pump station. In July 2023, the Developer's engineer notified the District that they will be revising all the roads and lots for future phases 1B, 2A, and 2B. This will require an Amended Tract map, which requires the District to relinquish all recently dedicated easements and this will potentially impact the Joint Use Agreement legal description. In December 2023 the District approved the newly revised Street Dedications for Phases 1B and 2A and is reviewing the Grant of Deed document. The Developer sold part of the development to Neighborhood 1 on November 23, 2021 consisting of 59 units and this portion of the project was re-named Provence. The Developer has started the process to join the SCIP Program, which will require the District to enter into an Acquisition Agreement. At the August 2023 Board meeting the Board authorized the District to continue negotiating with the Developer and execute the Acquisition Agreement on behalf of the District. In October 2024, staff flagged this project for unpaid fees in the amount of \$75,000 and the request was sent to the developer. Phase 1B plans were sent to the consultant for a fourth plan check. District received the requested deposit funds in October, plan check and inspection work has resumed.

Pala Mesa Market Development Plan, Division 4: District staff met with the Developer in July to restart the project. The Developer will send over the current plans for review.

North River Farms Development, Division 2: (PN: 700064) Construction of a sewer flow meter station for the North River Farms development. Developer provided plans for the proposed facilities. In September 2024, Staff continued to meet with the Developer to review proposed plans. District provided comments on the first plan check on October 16, 2024. Several agreements will be required including (1) transfer of approximately 2,500 linear feet of existing sewer main to Oceanside, (2) new water service from Oceanside, (3) easement quitclaim of previous station, (4) dedication of new easements for new station, (5) transfer of SDG&E power service to new station. Draft agreements have been requested from the Developer.

Pala Ranch (FKA Campus Park West) (Pappas Investments), Division 4: Residential and Commercial development. The Board approved an amended Sewer Service Agreement at the September 2023 meeting. Staff continued negotiations with the Developer on the amended Sewer Service Agreement. The District has approved the water and sewer improvement plans and the Developer is scheduled to begin work in January 2025.

Ocean Breeze Ranch, Division 1: The District completed a review of the revised water and sewer system analysis reports, conditions of approval, and improvement plans in December 2020. The second plan check was completed by the District December 2023. There are two sewer lift stations on the project. The District continues to meet with the Engineer to discuss the source of water for the development, which will impact their proposed pressure reducing stations and proposed connections to the District's water system. The District contracted Mission Consulting to analyze the water system as it relates to the Ocean Breeze Ranch development now that the source of water has changed from when this project was initiated in 2020. The District concluded that this development will need a dedicated 12-inch diameter water main to meet the County's fire flow requirements without impacting the West Lilac Pump Station. The dedicated water main provides no beneficial use to the District, and therefore, the District will not propose cost share. The Developer has started the process to join the CFD/SCIP Program. As part of this program, the District and Developer negotiated to enter into an Acquisition Agreement. The Acquisition Agreement was executed in September 2023.

Rancho Alegre (Garrett Grp/Redhawk Communities), Division 5: The Developer paid a deposit for Sewer Analysis. Dexter Wilson Engineering, Inc. produced a comprehensive analysis of the District's sewer infrastructure. Preliminary findings concerning the impact of the Rancho Alegre development on District sewer infrastructure were provided to the Developer in September 2022. The Developer restarted communications regarding a potential project in August 2023. Communication in January 2024 involved a request for horizontal clearances between the Metropolitan Water District's existing 76-inch diameter aqueduct and the proposed RMWD's 8-inch diameter water main. Staff continues to respond to information inquiries from the Developer.

INACTIVE MAJOR DEVELOPER PROJECTS:

San Luis Rey Racetrack Improvement Plan, Division 1: The Developer paid a deposit for Sewer and Water Analysis. Dexter Wilson Engineering, Inc. produced a memorandum discussing the expected impacts on sewer infrastructure related to one of two expansion scenarios proposed by the Developer. Staff are waiting on data from the Developer related to the second expansion scenario to complete a second memorandum. District staff met with applicant in May 2024, they are ready to move forward with the expansion. District staff is coordinating the onsite detention volumes and timing and volume of sewer flow characteristics into the District sewer system with the applicant.

Vista Valley Country Club Water Service, Division 1: Contractor reached out in July 2024 to restart project. The sewer agreement expired in early 2023 and capacity fees were refunded. Contractor advised to sign a new sewer agreement and pay capacity fees before the District could approve construction. The District provided the application form, deposit request, and fee schedule to the developer.

Carefield Senior Living, Division 2: *Inactive*

Melanie Lane Waterline Extension (Monserate Place, LLC), Division 4: *Inactive*

Walker Farm Road Waterline Extension, Division 4: *Inactive*

OTHER:

ITEMS	NO#
Water Meters Purchased	23



Chad Williams
Engineering and CIP Program Manager

12/10/2024

AS-NEEDED CONTRACT EXPENDITURES REPORT
November 2024

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE	
Title: On-Call Civil Engineering Services, PSA #22-25 Firm: Ardurra Expires: 11/2/25 CCO:									
CONTRACT AMOUNT:						\$ 150,000			
		2023-__							
					Unspecified		\$ 150,000.00	\$ -	
						TOTALS:	\$ 150,000	\$ 150,000.00	\$ -
Title: On-Call Civil Engineering Services, PSA #22-26 Firm: Dexter Wilson Eng. Expires: 11/2/25 CCO:									
CONTRACT AMOUNT:						\$ 150,000.00			
		2023-__							
					Unspecified		\$ 150,000.00		
						TOTALS:	\$ 150,000	\$ 150,000.00	\$ -
Title: On-Call Civil Engineering Services, PSA #22-27 Firm: Harris & Assoc. Expires: 11/2/25 CCO:									
CONTRACT AMOUNT:						\$ 150,000			
		2023-__							
					Unspecified		\$ 150,000.00		
						TOTALS:	\$ 150,000	\$ 150,000.00	\$ -
Title: On-Call Civil Engineering Services, PSA #22-28 Firm: Water Works Engineers Expires: 11/2/25 CCO:									
CONTRACT AMOUNT:						\$ 150,000			
		2023-__							
					Unspecified		\$ 150,000.00	\$ -	
						TOTALS:	\$ 150,000	\$ 150,000.00	\$ -
Title: On-Call Real Estate Services, PSA #22-29 Firm: Anderson & Brabant Expires: 11/3/25 CCO:									
CONTRACT AMOUNT:						\$ 50,000			
		2023-__							
					Unspecified		\$ 50,000.00	\$ -	
						TOTALS:	\$ 50,000	\$ 50,000.00	\$ -

AS-NEEDED CONTRACT EXPENDITURES REPORT
November 2024

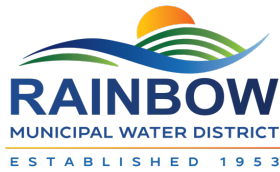
CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE
Title: On-Call Real Estate Services, PSA #22-30 Firm: Epic Land Solutions Expires: 11/3/25 CCO:								
CONTRACT AMOUNT:						\$ 50,000		
	Non CIP	2023-01	Closed	2/13/23	Bonsall Reservoir - Appraisal for Rental & Sale of Property. Beck Reservoir - Apparials for Sale of Property.		\$ 7,000.00	\$ 7,000.00
					Unspecified		\$ 43,000.00	\$ -
TOTALS:						\$ 50,000	\$ 7,000.00	\$ 7,000.00
Title: On-Call Land Surveying Services, PSA #22-33 Firm: GIS Surveyors, Inc. (GSI) Expires: 1/3/2026 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	Non-CIP	2024-01	Closed	3/28/24	Bonsall Reservoir Staking		\$ 4,840.00	\$ 4,825.00
					Unspecified		\$ 95,160.00	\$ -
TOTALS:						\$ 100,000	\$ 4,840.00	\$ 4,825.00
Title: On-Call Land Surveying Services, PSA #22-34 Firm: KDM Meridian Expires: 1/3/2026 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	CIP	2023-01	Closed	2/9/23	Live Oak Park Bridge - Staking of 8" and 16" Water main.		\$ 7,480.00	\$ 6,043.00
	Non-CIP	2024-02	Closed	2/9/24	Kendall Farms Staking		\$ 10,000.00	\$ 10,000.00
	CIP	2024-03	Open	4/25/24	Dentro De Lomas Pump Station Easement Staking		\$ 7,500.00	\$ 5,880.00
					Unspecified		\$ 75,020.00	\$ -
TOTALS:						\$ 100,000	\$ 24,980.00	\$ 21,923.00
Title: On-Call Land Surveying Services, PSA #22-35 Firm: Right-of-Way Eng. Expires: 1/3/2026 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	Non-CIP	2023-01	Closed	2/1/23	Genista Place - Staking of existing utility easements.		\$ 2,860.00	\$ 2,450.00
	Non-CIP	2023-02	Closed	2/6/23	Via Monserate/Ramona - Staking of existing utility easements.		\$ 5,550.00	\$ 2,692.34
	Non-CIP	2023-03	Closed	2/28/23	Via Mariposa - Staking of existing easment.		\$ 2,970.00	\$ 2,545.00
	Non-CIP	2023-04	Closed	8/9/23	Maravilla Lane - Staking of existing pipeline.		\$ 6,750.00	\$ 5,908.70
	CIP	2024-05A	Open	8/7/24	Camino Del Ray Water Line Survey (PN: 600026)		\$ 31,980.00	\$ 29,395.00
	CIP	2024-06	Open	8/27/24	FPUD Olive Hill Lane to RMWD Olive Hill Lane (PN: 600092)		\$ 3,380.00	\$ 3,352.48
	CIP	2024-07A	Open	10/24/24	FPUD Maravilla Drive to RMWD Maravilla Drive (PN: 600091)		\$ 10,190.00	\$ 3,950.00
					Unspecified		\$ 36,320.00	\$ -
TOTALS:						\$ 100,000	\$ 63,680.00	\$ 50,293.52
Title: On-Call Geotechnical Services, PSA #22-36 Firm: Atlas Tech Consultants Expires: 1/6/2026 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	Non-CIP	2023-01	Open	2/21/24	Morro Tank Movement		\$ 42,550.00	\$ 11,891.50
					Unspecified		\$ 57,450.00	\$ -
TOTALS:						\$ 100,000	\$ 42,550.00	\$ 11,891.50

**AS-NEEDED CONTRACT EXPENDITURES REPORT
November 2024**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE
Title: On-Call Geotechnical Services, PSA #22-37 Firm: Leighton Consultants Expires: 1/6/2026 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	600013	2024-01A	Open	10/28/24	West Lilac, Rancho Amigos, & Dentro Pump Stations		\$ 84,177.00	\$ 60,308.50
					Unspecified		\$ 15,823.00	\$ -
TOTALS:						\$ 100,000	\$ 84,177.00	\$ 60,308.50
Title: On-Call Geotechnical Services, PSA #22-38 Firm: Ninyo & Moore Expires: 1/6/2026 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	CIP	2023-01	Closed	4/4/23	Sumac Communication Tower Photovoltaic & Battery System -		\$ 9,732.00	\$ 562.50
					Unspecified		\$ 90,268.00	\$ 562.50
TOTALS:						\$ 100,000	\$ 9,732.00	\$ 562.50
Title: On-Call Construction Management & Insp. Services, PSA #23-04 Firm: Acroscopic Expires: 5/23/26 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	CIP	2024-01	Open	3/22/24	District wide Construction Management Services		\$ 100,000.00	\$ 41,212.50
					Unspecified		\$ -	\$ -
TOTALS:						\$ 100,000.00	\$ -	\$ 41,212.50
Title: On-Call Construction Management & Insp. Services, PSA #23-05 Firm: Ardurra Expires: 5/23/26 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
					Unspecified		\$ 100,000.00	\$ -
TOTALS:						\$ 100,000	\$ 100,000.00	\$ -

**AS-NEEDED CONTRACT EXPENDITURES REPORT
November 2024**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE
Title: On-Call Construction Management & Insp. Services, PSA #23-06 Firm: Valley CM Expires: 5/23/26 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	Non-CIP	2023-01	Open	8/2/23	District staff support with coordination & logistics in finalizing the Standard Specifications and Drawings.		\$ 18,500.00	\$ 12,765.00
	Both	2023-02A	Open	8/4/23	Inspection support services on various District projects.		\$ 81,500.00	\$ 62,328.00
					Unspecified		\$ -	\$ -
					TOTALS:	\$ 100,000	\$ 100,000.00	\$ 75,093.00
Title: On-Call Environmental Services, PSA #23-07 Firm: Helix Expires: 5/23/26 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
	Non-CIP	2023-01	Closed	8/4/23	Nesting bird surveys for upcoming tree trimming at District headquarters.		\$ 2,025.00	\$ 652.50
	600013	2023-02	Open	8/17/23	Environmental compliance support for the West Lilac, Rancho Amigas, & Dentro de Lomas Pump Station project.		\$ 6,240.00	\$ 5,880.00
	530001	2023-03	Open	10/24/23	LS-1 Replacement environmental compliance support services		\$ 43,711.00	\$ 31,801.69
	600013	2024-04	Open	1/12/24	Pump Stations Bird Surveys		\$ 3,200.00	\$ 3,151.30
	Non-CIP	2024-05A	Open	3/19/24	Bird Nesting Surveys Canonita Tank & HQ B-Plant		\$ 3,155.01	\$ 2,736.77
	Non-CIP	2024-06	Open	4/18/24	Environmental Beck Reservoir		\$ 4,262.00	\$ 2,403.14
	Various CIP	2024-07	Open	8/1/24	Year 1 CIP Categorical Exemptions		\$ 15,290.00	\$ 2,525.00
					Unspecified		\$ 22,116.99	\$ -
					TOTALS:	\$ 100,000	\$ 77,883.01	\$ 49,150.40
Title: On-Call Environmental Services, PSA #23-08 Firm: RECON Expires: 5/23/26 CCO:								
CONTRACT AMOUNT:						\$ 100,000		
		2024-____			Unspecified		\$ 100,000.00	\$ -
					TOTALS:	\$ 100,000	\$ 100,000.00	\$ -



**SEWER EQUIVALENT DWELLING UNITS (EDUs) STATUS REPORT
November 2024**

STATUS SUMMARY	EDUs
Total Treatment Capacity Purchased from Oceanside	8,333
Less 5% Contractual Allowance	417
EDUs Set Aside by Board for Emergencies	60
EDUs Connected	6,166 *
EDUs Unconnected/Committed	377
Total EDUs Available for Purchase:	1,314

DEVELOPMENTS WITH UNCONNECTED/COMMITTED EDUs	EDUs	CAPACITY FEES / CFD Bonds
Bonsall Oaks (Polo Club) - 164 (SF/Other)	169	\$ 1,453,560
Citro (fka Meadowood) - 947 (SF/MF/Other)	111	\$ -
Passerelle (HRC Commercial)	97	\$ -
Other Development w/5 or less EDUs - (SF & Other)	0	\$ -
TOTAL UNCONNECTED:	377	\$ 1,453,560

Notes:

*There is a delay between connections and new account activations.

1. Bonsall Oaks paid initial 50% of Sewer Capacity Fees. The remaining 50% \$1,453,560 is due prior to issuance of building permits.

2. CITRO Annexation Agreement 4/30/20 - Sewer Capacity \$10.5M to be paid by CFD bonds. Received \$8M payment from CFD bonds on 8/18/22. Received remaining \$2.5M payment from CFD bonds on 9/20/23.

3. Passerelle last remaining EDUs.

BOARD INFORMATION

Item No. 10.C

BOARD OF DIRECTORS

December 10, 2024

SUBJECT

ADMINISTRATIVE SERVICES REPORT FOR NOVEMBER/DECEMBER 2024

DESCRIPTION

Human resources, safety, risk management, and communications report for November/December 2024.

HUMAN RESOURCES:

STAFF UPDATES:

Ed Bradley’s official retirement was on Friday, November 15. Staff hosted a farewell cook out and grilled his favorite Carne Asada on Thursday, November 7.

RECRUITMENT:

Our CFO’s last day was Dec 2. We have over 70 applicants for the role but only 20 with public agency experience. We are actively screening applicants as they come in and will leave the position open until filled.

Interim Finance Manager: Mary Aykroid started on Tuesday, November 19th and was able to overlap with Rick for about 1.5 weeks.

Management Analyst: Esther Lan’s hire date was November 25. She was able to overlap with Rick a few days, before his departure.

EVENTS:

- Annual Employee Appreciation Burrito day is Wednesday, December 18th . The Management staff prepares breakfast burritos for employees, followed by an optional game of White Elephant, gift stealing game.
- Holiday Blood Drive: RMWD is pleased to host a Holiday Blood Bank drive, also taking place on Wednesday, December 18th. All Employees as well as community members can participate.

EMPLOYEE ANNIVERSARIES:

11/07/2022	Colette Barrow	Engineering	2 years
12/04/2006	Scott Simpson	Valve Maintenance	18 years
12/18/2024	Terese Quintanar	Administration	1 year
12/28/1998	David Hill	Meters	26 years

WORKFORCE ANALYTICS:

Current headcount:	61	FYTD new hires:	11
FYTD separations:	6	Average tenure:	8 years, 3 months
FYTD turnover:	10.4%	Projected annual turnover:	10.38%
Retention rate:	89.6%	Projected retirements this year:	2

RISK MANAGEMENT:

Incidents

- We had two employees injured this month. One rolled their ankle while conducting an Emergency Repair on a Main break and another injured their finger while shutting off water to a meter with blown gasket.

Safety Program Management

- Annual Review and update of Safety Policies and Procedures:
- Injury and Illness Protection Program (IIPP) is being updated.
- Updated Annual Compliance Tracker and Employee Training Tracker are being updated and visible to all employees in SharePoint.
- Covid 19 Policy has been updated and in Final Review
- District Vehicle Use Policy being reviewed.
- SiteDocs Safety Management Software has been implemented through Supervisors and Crew Leads. Safety working on Document integration and SDS's Sheets before rolling out to all staff.
- Safety Reviewed Chapter 7.01 Safety Section with the E&O Committee for inclusion into the Admin Code.
- Safety reviewed the Risk Management Record Retention Policy updates with the E&O Committee.

Environmental Programs

- Asbestos Cement Pipe (ACP) in the Lower Yard is being inventoried, and Safety has contacted multiple vendors to evaluate the proper disposal of the material cutoffs.
- Pesticide Use reported through CalAgPermits was reviewed and didn't require entry since none was used.

Emergency Response Programs

- Operations and Safety are working together on scheduling a Training Exercise and Mock EOC setup.
- Emergency Response Plan being updated and ERP folders added to EOC SharePoint.

Safety Training / Tailgate Talks

- Operations and Office Staff discussed What to do when OSHA arrives and also inventoried Rain Gear in preparation for the upcoming season.
- One employee attended training for Confined Space Rescue Training in November.
- Four employees attended JPIA Trenching & Excavation Safety Training in November.

Claims in Progress/Completed

	Claims Received	Open Claims at JPIA	Value of Open Claims at JPIA	Small Claims Rejected	Small Claims Approved	Value of Small Claim Settlements
Fiscal YTD	10	5	\$262,797.12	5	1	\$997.26
Current Month	2	1	\$11,247.16	0	1	\$3,910.00

COMMUNICATIONS:

CropSWAP Program

- Rainbow Water leads with participation in the Regional CropSWAP Program.
 - Rainbow Water has reported a total of 77 submissions to date.
 - Current projects are pending review as the first come, first serve period has ended.
 - A total of \$960,450 in reserved grant funding has been approved for projects.
 - The top rebate types include 27 avocado rootstock and 16 crop conversions.
 - Status on the 77 projects to date: 3 new applications received, 59 approved, 11 in pre-inspection for review with Rancho Water's project administrators.

Community Events

- Upcoming events were reviewed:
 - San Diego Blood Bank will bring their mobile unit to Rainbow Water on Wednesday, December 18 from 9 a.m. to 2:30 p.m. A sign-up form is available on the website and press release will be sent to local media to promote the community blood drive.
 - North County Water Agency will publish the 2025 calendar and feature all three of the student winners. Complimentary calendar's will be available at the office later this month and sent to the winners at Bonsall Elementary School.

Newsletter Features

December Community Newsletter articles:

- New agriculture rates, fair and equitable rates and detachment update. Comparison of surrounding water agencies rate increases.
- The Value of Water: Importing water from 500 miles away, new wholesaler, same water
- Year in Review: Highlights from construction projects, school visits, and gratitude to the community.
- Holiday Messages: Office hours for end of year. Reminder fats, oils and greases do not go down the drain.



Karleen Harp
Administrative Services Manager

12/10/2024



BOARD OF DIRECTORS

December 10, 2024

SUBJECT

FINANCE REPORT FOR OCTOBER 2024

DESCRIPTION

Summary:

Water Sales:

FY 24/15 Budget - 10,000 AF
Actual September FYTD 24/25 5,815 AF
Actual September FYTD 23/24 4,813 AF
Actual September FYTD 22/23 7,262 AF
Actual September FYTD 21/22 6,708 AF

September FYTD 2024/2025 Budget vs Actual:

Water Operating Revenues through September 2024 came in at \$16.1M or 2% above the budgeted amount for this time of year, due mostly due to the higher-than-average water demands for July through September as noted in the “Water Purchases” section below. The gain in revenue from water sales is offset slightly by a timing variance due to RTS charges placed on property taxes by the District not being received until mostly in the December through May time period. Water Operating Expenses are at \$12.8M and 4% above the budgeted amount for this time of year due to the increased volume of imported water purchases stemming from higher sales. Net Operating Water Revenue was \$3.2M or 6% below the budgeted amount for the third month of operating activity. The District spent \$2.1M on capital projects, or 27% of the annual budget through the same period. Water Non-Operating Revenues are at \$0.1M or 14% below budget due to property taxes not being received from the County until starting in December.

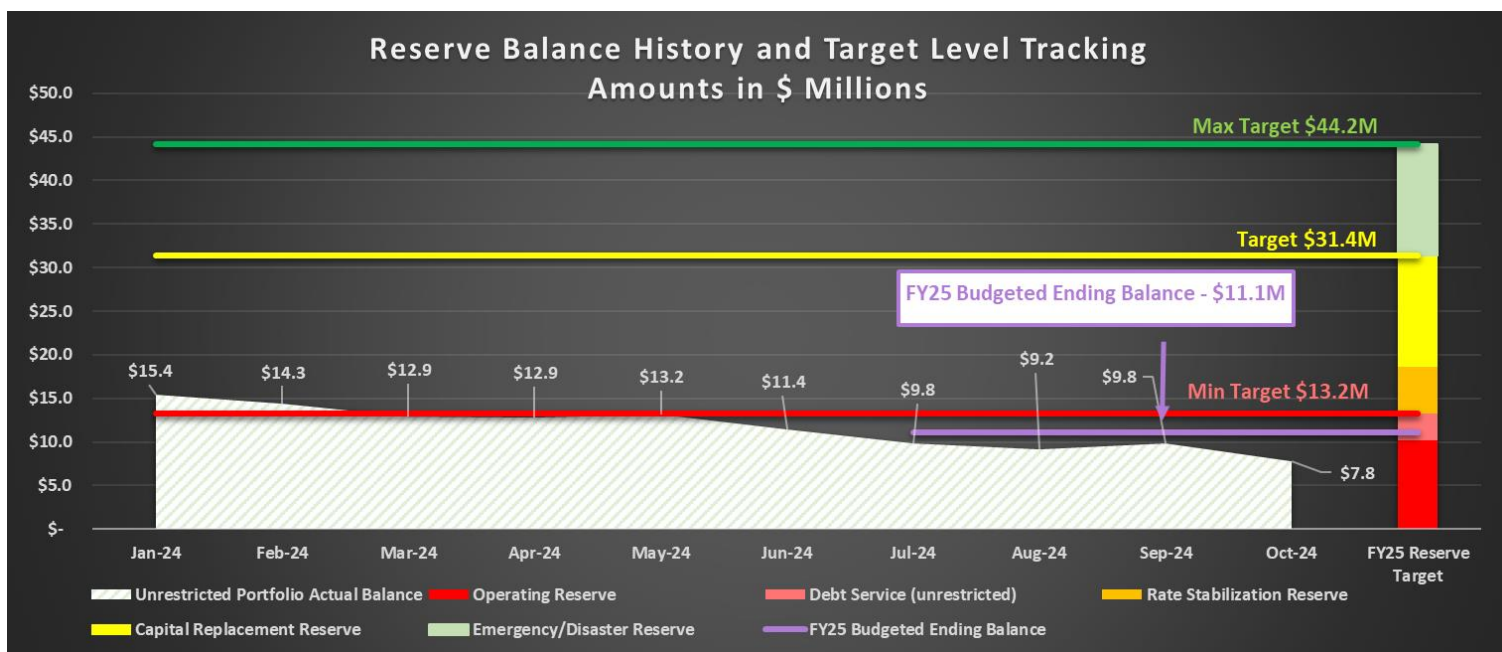
Wastewater Operating Revenues through September 2024 came in at \$1.4M or 1% above the budgeted amount for this time of year. Wastewater Operating Expenses are at \$1.1M or 1% below the budgeted amount for this time of year due mostly from the timing of expenses. Net Operating Wastewater Revenue was \$264 thousand or 23% above the budgeted amount for the third month of operating activity. Capital project spending came in at \$368 thousand or 8% of budget. Most of the Wastewater CIP budget stems from amounts approved in previous years that have been carried forward relating to the Thoroughbred Lift Station to cover remaining costs to wrap up the project but are in excess of the projected actual costs by approximately \$3.5M to \$3.7M. However, since there was no identified funding source tied to the excess budget approved in previous years on this project, there will be no remaining budget to reallocate to other projects when this project’s budget is revised downward to actual costs during the mid-year budget revision.

Staff finished the comprehensive budget book for FY24/25 and submitted it to the GFOA for consideration to given the Distinguished Budget Presentation Award. If awarded, this would mark the District’s 9th consecutive year of received the award. The budget document is presented separately on this agenda for review and reference.

Treasury Report:

The District’s total portfolio at the end of October 2024 was \$14.3M with the unrestricted portion totaling \$7.8M, and \$3.8M in remaining restricted proceeds from US Bank \$10M loan dedicated to covering CIP expenses for FY25 and FY26 budgeted projects. This is a decrease from the unrestricted portfolio balance of \$9.8M in September 2024 due the District initial exit fee payment in October to the SDCWA of \$3.2M and acquisition price payment of the 4 northern MWD connections for \$0.6M. The graph below depicts the historical unrestricted portfolio balances compared to the new reserve targets adopted in June 2024.

The District received interest revenue in the amount \$70,623 for October, not including interest on restricted debt service reserves, compared to \$30,721 for the same period last year. The Federal Home Loan Bank bond for \$500,000 matured in October and was rolled into the main liquidity money market fund the District uses that currently earns approximately 4.7%. The CAMP investment yield is currently 5.0% and LAIF is 4.52%. As liquidity is of primary concern over the next year due to the impending exit fee payment this fall and higher debt service amounts, no funds will be reinvested beyond the District’s most liquid and safe options (CAMP, Money Market, LAIF) until reserves amounts have substantially increased. Fortunately, these immediately available investment options still have higher interest rates than longer term options.



Water Purchases & Water Sales:

The Five-Year Water Purchases Demand Chart (Attachment D) reports imported water purchases; this data is available in real time. System demand for the current fiscal year totaled 6,402 AF through October, or 16% above the system demand at the same time last year, and 21% above the water purchases budget for this time of year based on the average 5-year demand trend through October.

The District recorded 5,815AF in water sales through October for FY25 compared to 4,813 AF is sales for FY24 for the same period, or 21% higher than prior year due to the hotter and dryer weather this summer compared to last year. The Water Sales Summary Report (Attachment E) represents water that was billed to customers, so the data is time delayed in comparison to the Five-Year Water Purchases Demand Chart. These two reports will not correlate unless they are both presented for the same date; we provide the purchases report in real time to provide the board with the most current demand information available.

Monthly Call Volume:

The call volume for October included 1,503 calls to customer service with an average hold time of 46 seconds, average talk time of 4 minutes and 51 seconds, and a max time in queue of 12 minutes and 29 seconds. See the chart below for the comparison of call statistics over the last 12 months. The District saw elevated call volume in October due to technical issue causing Cycle 1 customers on Autopay to have payments drawn for both outstanding months of water bills rather than just those due in October. The issue was remedied with the

additional month refunded, but it involved answering significantly more calls in the initial few days when customers first noticed the high payment amounts.



Attachments:

- A. Budget vs Actuals (September FY25)
- B. CIP Budget to Actuals (September FY25)
- C. Treasury Report (September FY25)
- D. Five-Year Water Purchases Demand Chart (through 11/1/2024)
- E. Water Sales Summary (October FY25)
- F. Check Register (September FY25)
- G. Directors' Expense Report (September FY25)
- H. Credit Card Breakdown (September FY25)
- I. RMWD Properties

Richard R. Aragon
CFO/Treasurer

December 10, 2024

Rainbow Muncipal Water District
 Operating Budget Summary by Fund
NET OPERATING INCOME

Description	FY 2024 Adjusted Budget	FY 2024 Actuals YTD 6/30/24	FY 2025 Actuals YTD 9/30/2024	Current \$ (Under)/Over Full Year Budget	Current % of Full Year Budget	Projected Over/(Under) \$	Projected Over/(Under) %	FY 2025 Adopted Budget
Water Operating & Non-Operating Fund								
Water Operating Revenues	\$ 42,497,078	\$ 42,302,657	\$ 16,053,533	\$ (31,115,509)	34%	\$ 727,193	2%	\$ 47,169,042
Water Operating Expenses	35,906,391	38,459,074	\$ 12,841,825	(23,011,943)	36%	1,454,687	4%	35,853,767
Water Fund Net Operating Revenue	\$ 6,590,687	\$ 3,843,583	\$ 3,211,708	\$ (8,103,566)	28%	\$ (727,494)	-6%	\$ 11,315,275
Water Non-Operating Fund								
Water Non-Operating Revenues	\$ 956,000	\$ 11,050,756	\$ 114,683	\$ (952,159)	11%	\$ (152,027)	-14%	\$ 1,066,842
Water Non-Operating Expenses	16,601,337	15,076,854	2,076,992	(13,085,541)	14%	(1,713,641)	-11%	15,162,533
Water Fund Net Non-Operating Revenue	\$ (15,645,337)	\$ (4,026,098)	\$ (1,962,309)	\$ 12,133,382	14%	\$ 1,561,614	111%	\$ (14,095,691)
WATER NET REVENUE	\$ (9,054,650)	\$ (182,515)	\$ 1,249,400	\$ 4,029,816	-45%	\$ 834,120	130%	\$ (2,780,416)
Wastewater Operating & Non-Operating Fund								
Wastewater Operating Revenues	4,717,000	4,751,970	1,388,545	(3,938,436)	26%	56,799	1%	5,326,981
Wastewater Operating Expenses	4,222,180	4,487,384	1,124,605	(3,652,790)	24%	(69,744)	-1%	4,777,396
Wastewater Fund Net Operating Revenue	\$ 494,820	\$ 264,586	\$ 263,939	\$ (285,646)	48%	\$ 126,543	23%	\$ 549,585
Wastewater Non-Operating Fund								
Wastewater Non-Operating Revenues	39,000	80,434	31,279	(684,656)	4%	(147,705)	-21%	715,935
Wastewater Non-Operating Expenses	10,146,644	6,561,624	1,512,654	(6,082,693)	20%	(386,182)	-5%	7,595,347
Wastewater Fund Net Non-Operating Revenue	\$ (10,107,644)	\$ (6,481,190)	\$ (1,481,375)	\$ 5,398,037	22%	\$ 238,478	103%	\$ (6,879,412)
WASTEWATER NET REVENUE	\$ (9,612,824)	\$ (6,216,604)	\$ (1,217,436)	\$ 5,112,391	19%	\$ 365,021	106%	\$ (6,329,826)
WATER & WASTEWATER NET REVENUE	\$ (18,667,474)	\$ (6,399,119)	\$ 31,964	\$ 9,142,207	0%	\$ 1,199,141	113%	\$ (9,110,243)

% of Annual Budget

- 40% Water Purchases/Sales based on historical average
- 25% Fixed Fee Revenue & Expenses are based on time

Rainbow Muncipal Water District
Water Fund Operating Budget Summary

Water Operating

Description	FY 2024 Adjusted Budget	FY 2024 Actuals YTD 6/30/24	FY 2025 Actuals YTD 9/30/2024	Current \$		Projected Over/(Under) \$	Projected Over/(Under) %	FY 2025 Adopted Budget
				(Under)/Over Full Year Budget	Current % of Full Year Budget			
Operating Revenues								
Water Sales	\$ 42,172,414	\$ 42,002,070	\$ 15,981,676	\$ (30,868,200)	34%	\$ 735,128	2%	\$ 46,849,876
Other Water Services	324,664	300,587	\$ 71,856	(247,310)	23%	\$ (7,935)	-2%	319,166
Total Operating Revenues	\$ 42,497,078	\$ 42,302,657	\$ 16,053,533	\$ (31,115,509)	34%	\$ 727,193	2%	\$ 47,169,042
Operating Expenses								
Purchased Water	21,997,021	22,088,500	9,324,123	(10,413,479)	47%	1,966,027	10%	19,737,602
Pumping	903,529	1,012,459	328,981	(1,211,189)	21%	(56,062)	-4%	1,540,170
Operations	2,723,168	2,995,406	650,510	(2,261,403)	22%	(77,468)	-3%	2,911,913
Valve Maintenance	407,508	462,317	108,724	(328,820)	25%	(662)	0%	437,545
Construction	2,424,696	3,255,382	569,918	(2,704,146)	17%	(248,598)	-8%	3,274,064
Meters	1,071,718	1,029,274	228,464	(782,833)	23%	(24,360)	-2%	1,011,298
General Fund Transfer	6,378,750	7,615,735	1,631,104	(5,310,072)	23%	(104,190)	-2%	6,941,176
Total Operating Expenses	\$ 35,906,391	\$ 38,459,074	\$ 12,841,825	\$ (23,011,943)	36%	\$ 1,454,687	4%	\$ 35,853,767
NET OPERATING REVENUE	\$ 6,590,687	\$ 3,843,583	\$ 3,211,708	\$ (8,103,566)	28%	\$ (727,494)	-6%	\$ 11,315,275
Non-Operating Revenues								
Debt Proceeds	-	10,000,000	-	0	0%	-	0%	-
Investment Income	200,000	444,797	99,069	(361,665)	22%	(16,115)	-3%	460,734
Property Tax Revenue	650,000	591,418	12,696	(576,228)	2%	(134,535)	-23%	588,924
Other Non-Operating Revenue	106,000	14,541	2,919	(14,265)	17%	(1,377)	-8%	17,184
Total Non-Operating Revenues	\$ 956,000	\$ 11,050,756	\$ 114,683	\$ (952,159)	11%	\$ (152,027)	-14%	\$ 1,066,842
Non-Operating Expenses								
Capital Improvement Projects	13,524,172	11,999,689	2,076,992	(5,535,683)	27%	173,823	2%	7,612,675
Debt Service	3,077,165	3,077,165	-	(4,140,069)	0%	(1,035,017)	-25%	4,140,069
Detachment Payment	0	0	-	(3,409,789)	0%	(852,447)	-25%	3,409,789
Total Non-Operating Expenses	\$ 16,601,337	\$ 15,076,854	\$ 2,076,992	\$ (13,085,541)	14%	\$ (1,713,641)	-11%	\$ 15,162,533
NET NON-OPERATING REVENUE	\$ (15,645,337)	\$ (4,026,098)	\$ (1,962,309)	\$ 12,133,382	14%	\$ 1,561,614	111%	\$ (14,095,691)
NET REVENUE	\$ (9,054,650)	\$ (182,515)	\$ 1,249,400	\$ 4,029,816	-45%	\$ 834,120	130%	\$ (2,780,416)
	10,000 AF	9,975 AF						10,000AF

Rainbow Municipal Water District
Wastewater Fund Operating Budget Summary

Description	FY 2024 Adjusted Budget	FY 2024 Actuals YTD 6/30/24	FY 2025 Actuals YTD 9/30/2024	Current \$ (Under)/Over Full Year Budget	Current % of Full Year Budget	Projected Over/(Under) \$	Projected Over/(Under) %	FY 2025 Adopted Budget
Operating Revenues								
Wastewater Revenues	\$ 4,711,000	\$ 4,750,770	\$ 1,387,895	\$ (3,937,486)	26%	\$ 56,549	1%	\$ 5,325,381
Other Revenues	6,000	1,200	650	(950)	41%	250	16%	1,600
Total Operating Revenues	\$ 4,717,000	\$ 4,751,970	\$ 1,388,545	\$ (3,938,436)	26%	\$ 56,799	1%	\$ 5,326,981
Operating Expenses								
Total Payroll Expenses	807,330	824,453	196,158	(672,520)	23%	(21,011)	-2%	868,679
Total Maintenance & Supply	1,918,600	1,876,524	545,842	(1,734,698)	24%	(24,293)	-1%	2,280,540
General Fund Transfer	1,496,250	1,786,407	382,605	(1,245,572)	23%	(24,440)	-2%	1,628,177
Total Operating Expenses	\$ 4,222,180	\$ 4,487,384	\$ 1,124,605	\$ (3,652,790)	24%	\$ (69,744)	-1%	\$ 4,777,396
NET OPERATING REVENUE	494,820	264,586	263,939	(285,646)	48%	126,543	23%	549,585
Non-Operating Revenues								
Investment Income	-	-	23,238	(81,647)	22%	(2,983)	-3%	104,885
Property Tax Revenue	38,000	80,434	1,855	(84,195)	2%	(19,658)	-23%	86,050
Grants Revenue	-	-	6,186	(518,814)	1%	(125,064)	-24%	525,000
Other Non-Operating Revenue	1,000	-	-	-	0%	-	0%	-
Total Non-Operating Revenues	39,000	80,434	31,279	(684,656)	4%	(147,705)	-21%	715,935
Non-Operating Expenses								
Oceanside- Prior Period Liability	802,836	802,836	481,702	(1,445,105)	25%	-	0%	1,926,806
Oceanside - Contribution to Repl. Reserve	-	440,553	-	(440,553)	0%	(110,138)	-25%	440,553
Capital Improvement Projects	8,680,787	4,655,214	367,932	(4,197,035)	8%	(773,310)	-17%	4,564,967
Debt Service	663,021	663,021	663,021	-	100%	497,266	75%	663,021
Total Non-Operating Expenses	10,146,644	6,561,624	1,512,654	(6,082,693)	20%	(386,182)	-5%	7,595,347
NET NON-OPERATING REVENUE	\$ (10,107,644)	\$ (6,481,190)	\$ (1,481,375)	\$ 5,398,037	22%	\$ 238,478	103%	\$ (6,879,412)
NET REVENUE	\$ (9,612,824)	\$ (6,216,604)	\$ (1,217,436)	\$ 5,112,391	19%	\$ 365,021	106%	\$ (6,329,826)

**Rainbow Municipal Water District
General Fund Operating Budget Summary**

General Operating

Description	FY 2024 Adjusted Budget	FY 2024 Actuals YTD 6/30/24	FY 2025 Actuals YTD 9/30/2024	Current \$ (Under)/Over Full Year Budget	Current % of Full Year Budget	Projected Over/(Under) \$	Projected Over/(Under) %	FY 2025 Adopted Budget
Operating Revenues								
Water Overhead Transfer	\$ 6,378,750	\$ 7,615,735	\$ 1,631,104	\$ (5,310,072)	23%	\$ (258,954)	-4%	\$ 6,941,176
Wastewater Overhead Transfer	1,496,250	1,786,407	382,605	(1,245,572)	23%	(24,440)	-2%	1,628,177
Other General Fund Revenue	860,000	558,506	51,889	-849,471	6%	(173,451)	-19%	901,360
Total Operating Revenues	\$ 8,735,000	\$ 9,960,648	\$ 2,065,598	\$ (7,405,115)	22%	\$ (456,844)	-5%	\$ 9,470,713
Operating Expenses								
Board of Directors	\$ 35,105	\$ 49,902	\$ 3,110	\$ (60,733)	5%	\$ (12,851)	-20%	\$ 63,843
Garage	638,335	641,451	143,455	-493,977	23%	(15,903)	-2%	637,432
Administration	1,804,028	2,828,135	325,922	-1,256,342	21%	(69,644)	-4%	1,582,264
Human Resources	457,924	439,422	114,155	-455,536	20%	(28,267)	-5%	569,692
Risk Management	825,989	674,077	224,564	-555,816	29%	29,469	4%	780,380
IT Services	1,476,617	1,415,465	332,588	-1,324,314	20%	(81,638)	-5%	1,656,902
Public Relations	69,022	81,036	20,263	-166,602	11%	(26,453)	-14%	186,865
Finance	1,210,691	1,138,961	214,223	-1,118,447	16%	(118,944)	-9%	1,332,670
Customer Service	585,384	521,300	167,711	-571,226	23%	(17,023)	-2%	738,937
Engineering	981,906	1,518,363	306,591	-590,139	34%	82,409	9%	896,730
CalPERS UAL Payment	650,000	652,535	213,016	-811,984	21%	(43,234)	-4%	1,025,000
Total Operating Expenses	\$ 8,735,000	\$ 9,960,648	\$ 2,065,598	\$ (7,405,115)	22%	\$ (302,080)	-3%	\$ 9,470,713
CHANGE IN NET POSITION	\$ -	\$ -	\$ -	\$ -				\$ -

Water Capital Projects - FY25 Budget to Actuals through September 2024

Project #	Project Name	PY Adjusted Budget -	Prior Year Actual (FY24)	PY Remaining Budget -	Carryforward Remaining	Carryforward Amount of	CY Adopted Budget	CY Budget Adjustments	Amended Budget w/ PY	Year-to-Date Expended	Remaining Budget
		FY24	FY 23/24	FY24	Budget Balance from PY ?	Remaining Budget From PY			FY 24/25	FY 24/25	FY 24/25
300008	New District Headquarters	\$ -	\$ 2,085	\$ (2,085)	No	\$ -	\$ 500,000		\$ 500,000	\$ 325	\$ 499,675
600003	San Luis Rey Imported Return Flow Recovery	\$ 225,000	\$ 102,602	\$ 122,398	Yes	\$ 122,398	\$ -		\$ 122,398	\$ 5,566	\$ 116,832
600007	Pressure Reducing Stations	\$ 25,000	\$ 22,936	\$ 2,064	No	\$ -	\$ 150,000		\$ 150,000	\$ -	\$ 150,000
600009	Isolation Valve Installation Program	\$ 80,000	\$ 67,212	\$ 12,788	No	\$ -	\$ 100,000		\$ 100,000	\$ 75,465	\$ 24,535
600013	Hutton/Rancho Amigos (Turner)/Dentro Pump Stations	\$ 9,577,891	\$ 9,592,614	\$ (14,723)	Yes	\$ (14,723)	\$ 3,400,000		\$ 3,385,277	\$ 1,851,126	\$ 1,534,151
600026	Camino Del Rey Waterline Relocation	\$ 45,000	\$ 30,569	\$ 14,431	No	\$ -	\$ 100,000		\$ 100,000	\$ 14,652	\$ 85,348
600030	Corrosion Prevention Program Development and Implementation	\$ 162,861	\$ 5,876	\$ 156,985	No	\$ -	\$ -		\$ -	\$ 3,436	\$ (3,436)
600058	Electrical Panel Switches	\$ 6,000	\$ 11,902	\$ (5,902)	No	\$ -	\$ 200,000		\$ 200,000	\$ -	\$ 200,000
600088	SDCWA Connections 1, 8, 9 & 10 Acquisition				N/A	\$ -	\$ 500,000	\$ 250,000	\$ 750,000	\$ 96,333	\$ 653,667
600089	SDCWA Connections 3, 6, 7, 11, & 12 Interim Decommissioning				N/A	\$ -	\$ 200,000		\$ 200,000	\$ -	\$ 200,000
600090	Master Plans (Water & Waste Water)				N/A	\$ -	\$ 100,000		\$ 100,000	\$ 315	\$ 99,685
600091	FPUD Maravilla to RMWD Maravilla (Morro Tank) (750 LF, in-house construction)				N/A	\$ -	\$ 210,000		\$ 210,000	\$ 2,368	\$ 207,632
600092	FPUD Olive Hill to RMWD Olive Hill (Morro Reservoir) (840 LF, in-house construction)				N/A	\$ -	\$ 235,000		\$ 235,000	\$ 2,718	\$ 232,282
600093	La Canada Pipeline Replacement and Pressure Reduction from Hillrise Rd. to Via Monserate (4,000 LF, in-house construction)				N/A	\$ -	\$ 100,000		\$ 100,000	\$ -	\$ 100,000
600094	Gopher Skid Pump Station				N/A	\$ -	\$ 710,000		\$ 710,000	\$ -	\$ 710,000
600096	Gopher Canyon Pipeline Extension (FY25)				N/A	\$ -	\$ -	\$ 600,000	\$ 600,000	\$ -	\$ 600,000
N/A	Vehicle/Equipment Acquisition	\$ 200,000	\$ 232,721	\$ (32,721)	No	\$ -	\$ 150,000		\$ 150,000	\$ 24,688	\$ 125,312
Total		\$ 10,321,752	\$ 10,068,517	\$ 253,235	\$ -	\$ 107,675	\$ 6,655,000	\$ 850,000	\$ 7,612,675	\$ 2,076,992	\$ 5,535,682

= Financed in part or whole by the \$10M US Bank Loan (dated 5-1-24)

Wastewater Capital Projects - FY25 Budget to Actuals through September 2024

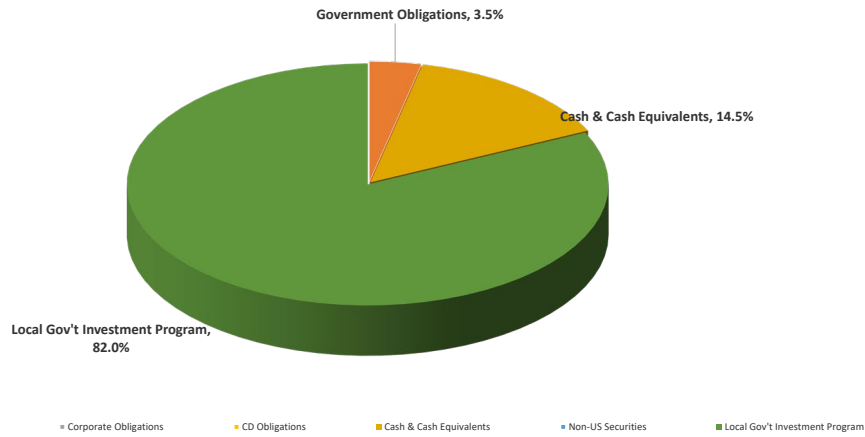
		PY Adjusted Budget - FY24	Prior Year Actual (FY24)	PY Remaining Budget - FY24	Carryforward Remaining Budget Balance from PY ?	Carryforward Amount of Remaining Budget From PY	CY Adopted Budget	CY Budget Adjustments	Amended Budget w/ PY Carryforward	Year-to-Date Expended 9/30/24	Remaining Budget
Project #	Project Name	FY 23/24	FY 23/24	FY 23/24	FY 23/24	FY 23/24	FY 24/25	FY 24/25	FY 24/25	FY 24/25	FY 24/25
530001	Thoroughbred Lane Lift Station and Pipeline Repair (LS1 Replacement)	\$ 8,680,787	\$ 4,640,820	\$ 4,039,967	Yes	\$ 4,039,967	\$ -	\$ -	\$ 4,039,967	\$ 367,932	\$ 3,672,035
530023	Rancho Monserate, Rancho Viejo LS & HQ B-Plant Emergency Generators	\$ -	\$ -	\$ -	No	\$ -	\$ 525,000	\$ -	\$ 525,000	\$ -	\$ 525,000
Total		\$ 8,680,787	\$ 4,640,820	\$ 4,039,967	\$ -	\$ 4,039,967	\$ 525,000	\$ -	\$ 4,564,967	\$ 367,932	\$ 4,197,035

RAINBOW MUNICIPAL WATER DISTRICT
 TREASURER'S MONTHLY REPORT OF INVESTMENTS
 PORTFOLIO SUMMARY
 10/31/2024

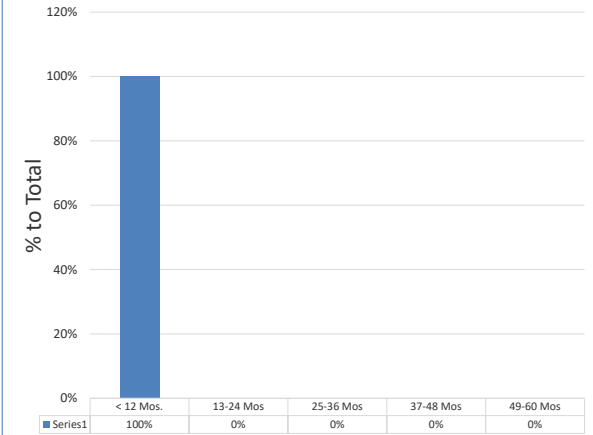


TYPE	ISSUER	RESTRICTION LEVEL	CUSIP	Bond Rating	Date of Maturity	Par Value	Cost Basis	Market Value*	Interest Rate	Yield to Maturity	Semi-Annual Interest	Days to Maturity
Cash-Operating	US Bank x139	Unrestricted				\$ 336,922	\$ 336,922	\$ 336,922				0
Cash-Oceanside Plant Construction	US Bank x352	Restricted				\$ -	\$ -	\$ -				0
Money Market Funds	First American Government, US Bank	Unrestricted	31846V567			\$ 0	\$ 0	\$ 0				0
Money Market Funds (Debt Reserve)	Western Alliance	Restricted				\$ -	\$ -	\$ -				0
Money Market Funds-Beck Restr (Debt Reserve)	Computershare Corporate Trust 201	Restricted				\$ 477,009	\$ 477,009	\$ 477,009				0
Money Market Funds-Morro Restr (Debt Reserve)	Computershare Corporate Trust 301	Restricted				\$ 632,011	\$ 632,011	\$ 632,011				0
Money Market Funds (Debt Reserve)	39170200 Trust 200	Restricted				\$ 99	\$ 99	\$ 99				0
Money Market Funds (Debt Reserve)	39170300 Trust 300	Restricted				\$ 111	\$ 111	\$ 111				0
Money Market Funds(Debt Reserve)	Zions Bank-D	Restricted				\$ 617,683	\$ 617,683	\$ 617,683				0
Money Market Funds (Debt Reserve)	Zions Bank-E	Restricted				\$ 46	\$ 46	\$ 46				0
Total Cash & Cash Equivalents						\$ 2,063,881	\$ 2,063,881	\$ 2,063,881				
Local Gov't Investment Program												
	California Asset Management Program (CAMP)	Unrestricted	4039-001			\$ 7,885,065	\$ 7,885,065	\$ 7,885,065				
	CAMP - US Bank Loan Proceeds for CIP	Restricted	4039-002			\$ 3,777,683	\$ 3,777,683	\$ 3,777,683				
	Local Agency Investment Fund (LAIF)	Unrestricted				\$ 44,894	\$ 44,894	\$ 44,894				0
Total Local Gov't Investment Program						\$ 11,707,642	\$ 11,707,642	\$ 11,707,642				
US Bank Government Obligations												
	FEDERAL HOME LOAN BKS	Unrestricted	3130AQF40	Aaa	12/20/24	\$ 500,000	\$ 499,710	\$ 497,520	1.000%	1.030%	\$ 2,499	50
Total Government Obligations						\$ 500,000	\$ 499,710	\$ 497,520				
US Bank Corporate Issues												
Total Corporate Issues						\$ -	\$ -	\$ -				
Investment Portfolio Totals						\$ 14,271,523	\$ 14,271,233	\$ 14,269,043				
Less Restricted Cash for Oceanside Replacement Reserve						\$ (974,540)	\$ (974,540)	\$ (974,540)				
Less Restricted Portfolio						\$ (5,504,642)	\$ (5,504,642)	\$ (5,504,642)				
Total Unrestricted Portfolio						\$ 7,792,341	\$ 7,792,051	\$ 7,789,861				

Portfolio Mix



Maturity Distribution



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. The District is in compliance with the current Investment Policy and California Government Code.

Richard R. Aragon, Treasurer

11/4/2024

*Source of Market Value - US Bank monthly statements

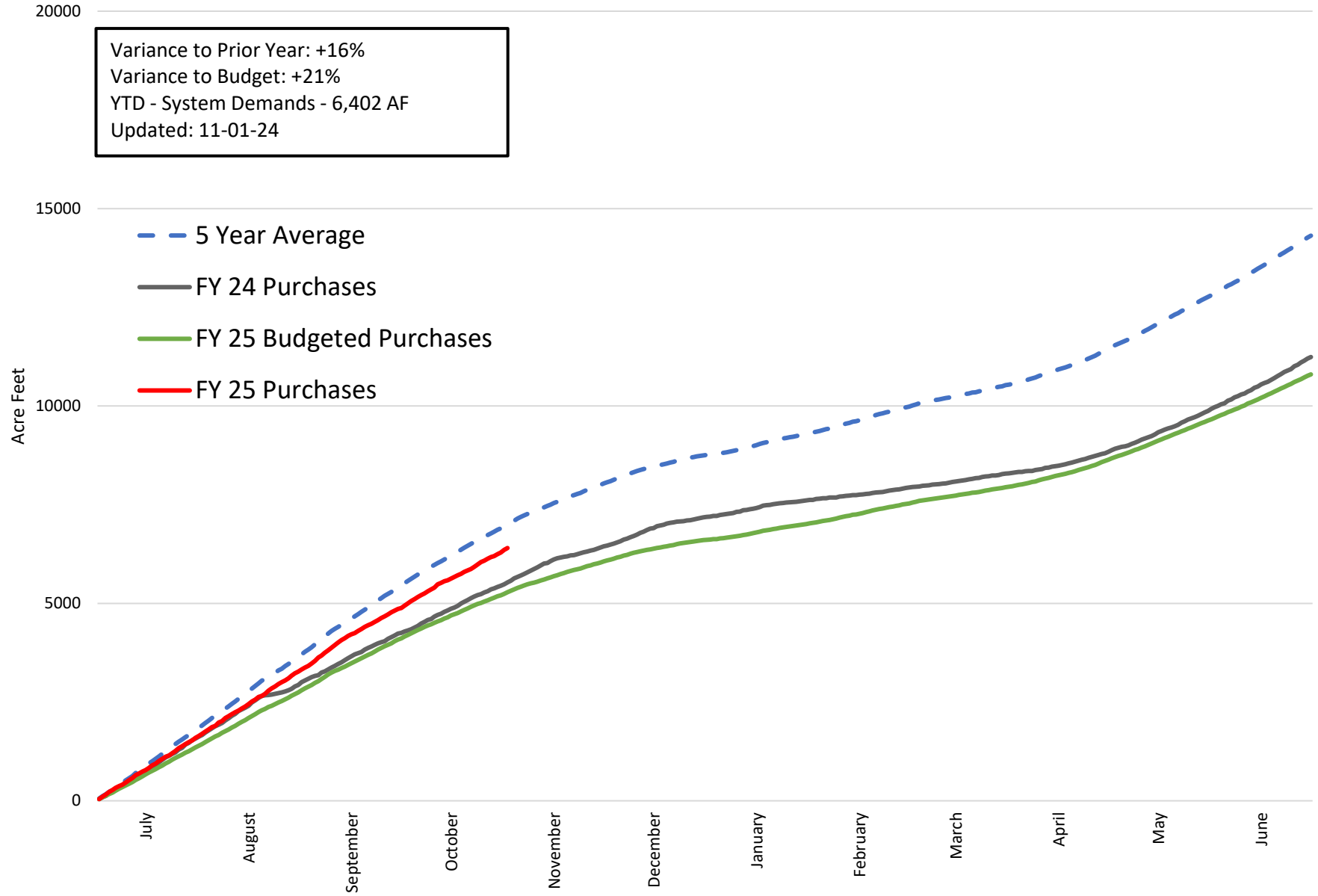
RAINBOW MUNICIPAL WATER DISTRICT
 TREASURER'S MONTHLY REPORT OF INVESTMENTS
 MONTHLY TRANSACTIONS
 10/31/2024



										Bond											Yield to	
TYPE	ISSUER	CUSIP	Rating	Date of Maturity	Par Value	Cost Basis	Buy/Sell Price	Gain/(Loss) on Sale	Interest Rate	Maturity												
No Activity																						
TOTAL SALES ACTIVITY					\$	-	\$	-	\$	-	\$	-										

System Demands Comparison Chart

Variance to Prior Year: +16%
Variance to Budget: +21%
YTD - System Demands - 6,402 AF
Updated: 11-01-24



Comparative Water Sales YTD from Prior Years

FISCAL YEAR 2024-2025

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Total
1,124	AD	193	251	269	231	-	-	-	-	-	-	-	-	945
500	AG	246	344	374	307	-	-	-	-	-	-	-	-	1,272
247	CM	85	111	123	83	-	-	-	-	-	-	-	-	401
22	CN	6	10	7	11	-	-	-	-	-	-	-	-	34
16	IS	5	7	7	6	-	-	-	-	-	-	-	-	26
113	MF	33	38	37	33	-	-	-	-	-	-	-	-	141
131	PC	140	184	197	171	-	-	-	-	-	-	-	-	692
287	PD	157	202	218	192	-	-	-	-	-	-	-	-	768
6,465	SF	327	405	441	364	-	-	-	-	-	-	-	-	1,537
8,905	Total	1,192	1,553	1,672	1,398	-	-	-	-	-	-	-	-	5,815

FISCAL YEAR 2023-2024

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
1,186	AD	168	225	211	178	-	-	-	-	-	-	-	-	783
513	AG	203	317	311	221	-	-	-	-	-	-	-	-	1,052
275	CM	66	98	88	65	-	-	-	-	-	-	-	-	318
37	CN	6	6	7	5	-	-	-	-	-	-	-	-	25
21	IS	4	6	5	5	-	-	-	-	-	-	-	-	20
124	MF	26	31	37	31	-	-	-	-	-	-	-	-	125
139	PC	100	150	132	120	-	-	-	-	-	-	-	-	503
300	PD	138	200	176	148	-	-	-	-	-	-	-	-	663
6,234	SF	287	363	365	311	-	-	-	-	-	-	-	-	1,325
8,829	Total	998	1,398	1,332	1,085	-	-	-	-	-	-	-	-	4,813

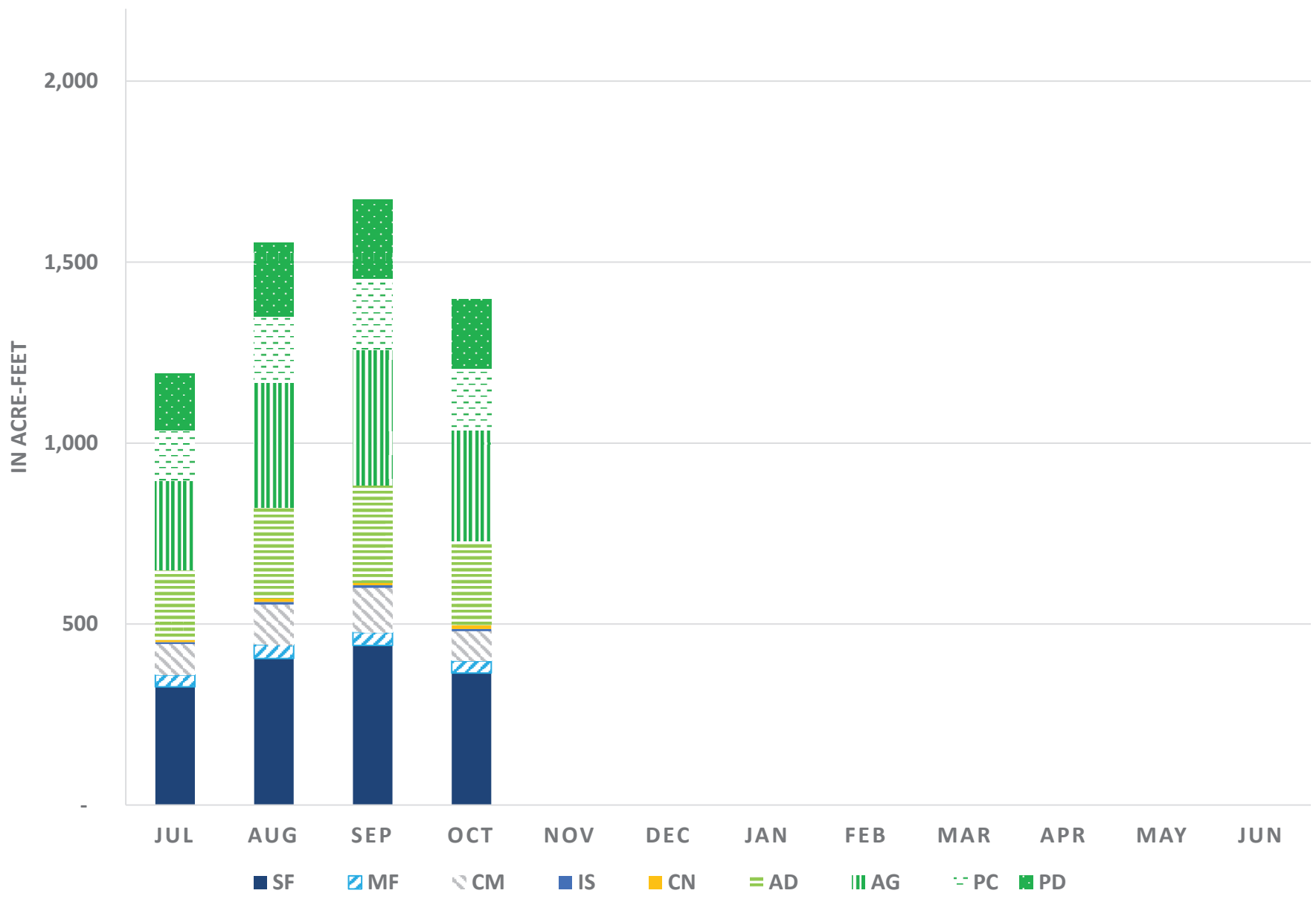
FISCAL YEAR 2022-2023

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
1,227	AD	291	249	318	242	-	-	-	-	-	-	-	-	1,100
531	AG	438	400	540	356	-	-	-	-	-	-	-	-	1,736
276	CM	119	110	144	98	-	-	-	-	-	-	-	-	471
26	CN	32	20	37	19	-	-	-	-	-	-	-	-	108
21	IS	10	8	10	6	-	-	-	-	-	-	-	-	34
121	MF	32	29	38	31	-	-	-	-	-	-	-	-	130
148	PC	199	177	229	179	-	-	-	-	-	-	-	-	784
313	PD	235	217	279	202	-	-	-	-	-	-	-	-	932
-	SC	-	-	-	363	-	-	-	-	-	-	-	-	363
-	SD	-	-	-	-	-	-	-	-	-	-	-	-	-
6,012	SF	417	368	457	363	-	-	-	-	-	-	-	-	1,605
8675	Total	1,774	1,579	2,053	1,858	-	-	-	-	-	-	-	-	7,262

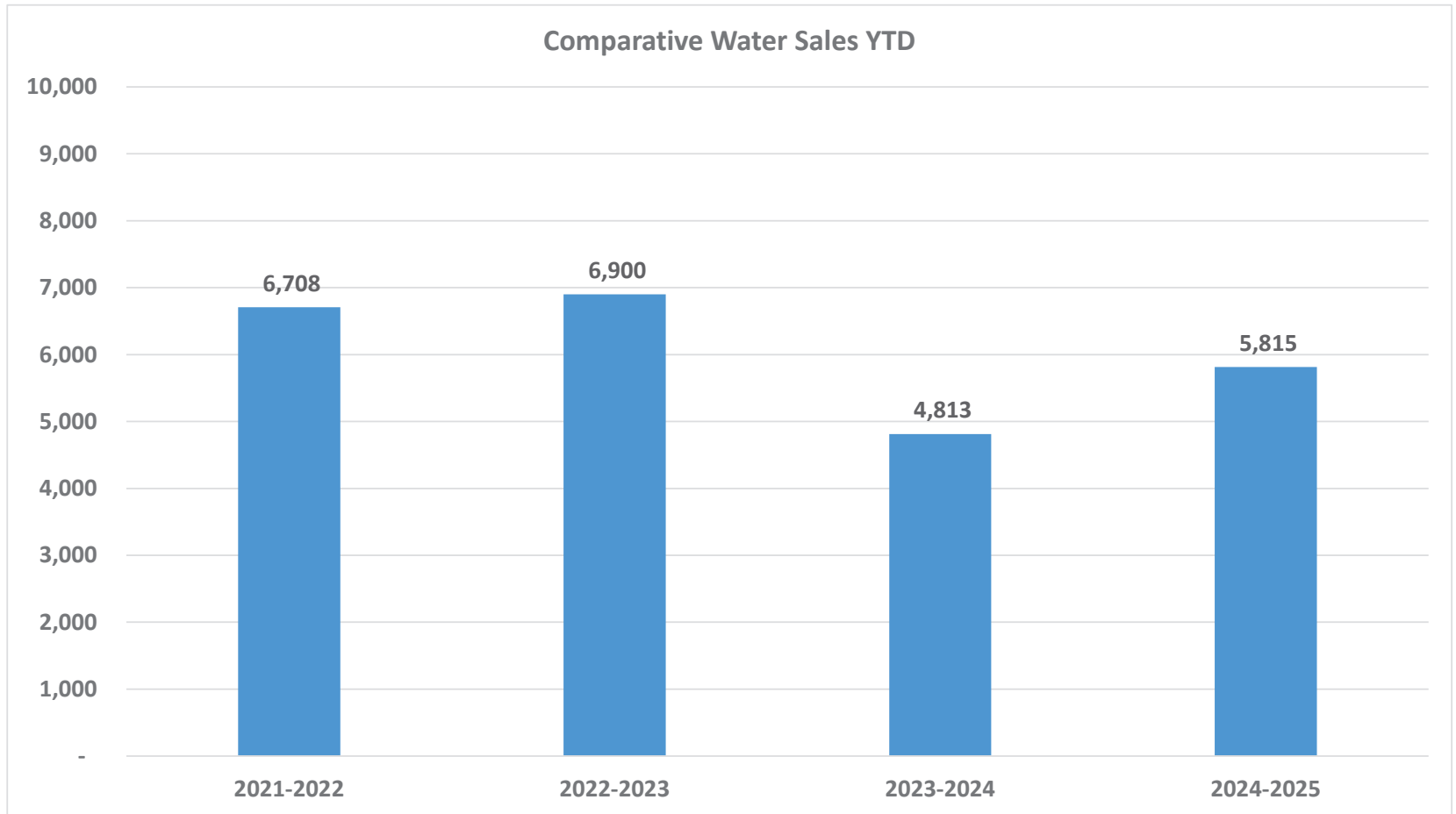
FISCAL YEAR 2021-2022

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
549	AD	115	277	304	243	-	-	-	-	-	-	-	-	938
402	AG	289	359	433	324	-	-	-	-	-	-	-	-	1,406
271	CM	100	103	135	80	-	-	-	-	-	-	-	-	418
24	CN	23	17	20	11	-	-	-	-	-	-	-	-	71
21	IS	9	8	9	6	-	-	-	-	-	-	-	-	32
114	MF	33	29	34	26	-	-	-	-	-	-	-	-	121
	PC	241	201	225	175	-	-	-	-	-	-	-	-	843
	PD	240	233	249	196	-	-	-	-	-	-	-	-	918
319	SC	125	-	-	-	-	-	-	-	-	-	-	-	125
1,012	SD	198	-	-	-	-	-	-	-	-	-	-	-	198
5,851	SF	429	406	444	357	-	-	-	-	-	-	-	-	1,637
8,563	Total	1,802	1,635	1,853	1,418	-	-	-	-	-	-	-	-	6,708

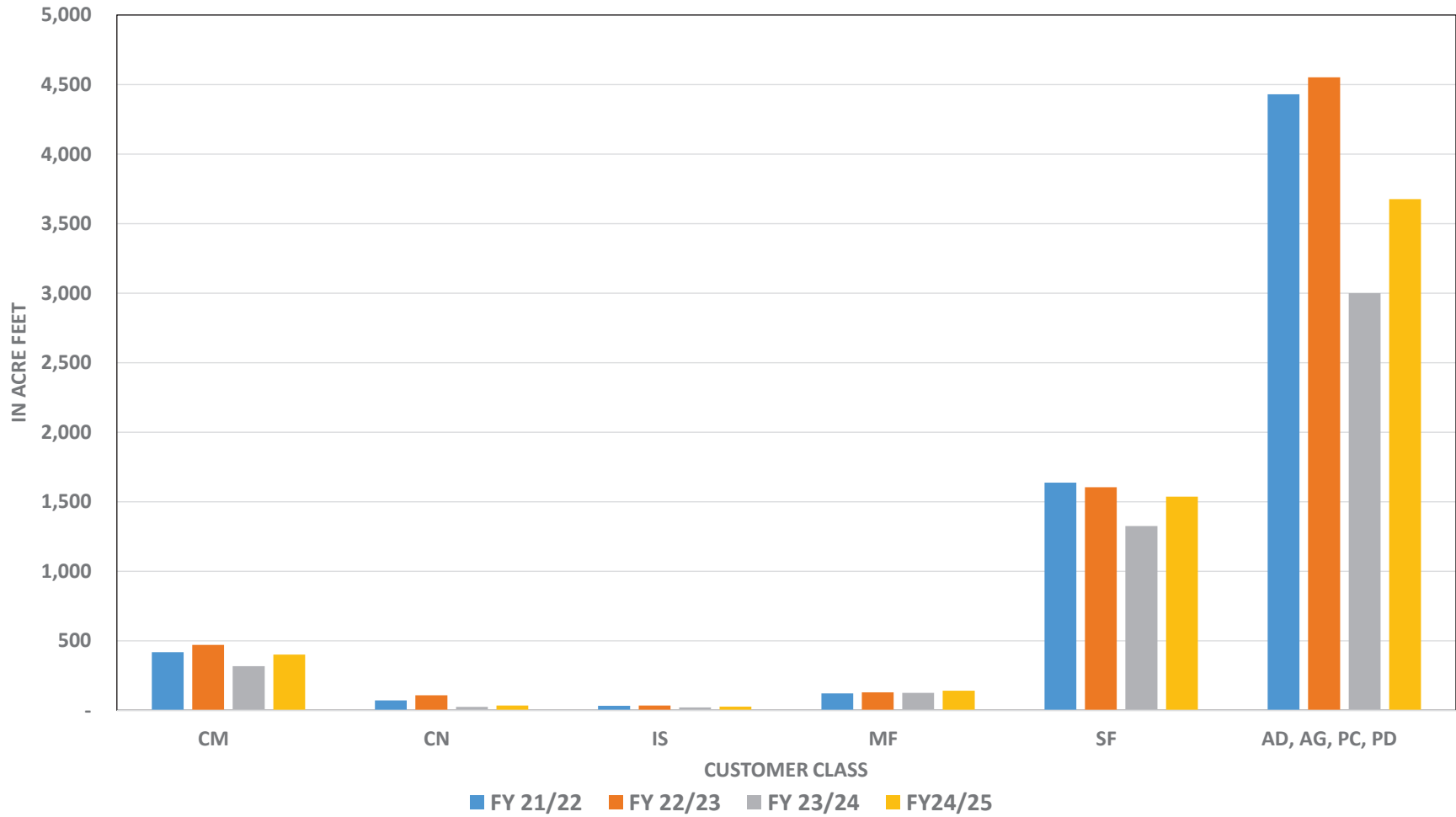
USAGE BY CUSTOMER CLASS FY 24-25



Comparative Water Sales YTD from Prior Years



YTD USAGE BY CUSTOMER CLASS





Check Register
Fiscal Year 2024-2025

September 2024

Payments above 50K

Transaction No	Type	Vendor	Name	Description	Issue Date	Amount
150430004	WIRE	700707	SAN DIEGO COUNTY WATER AUTHORITY	SDCWA WATER PURCHASE- JULY 2024	09/13/2024	\$ 3,278,412.40
2845	ACH	701263	PACIFIC HYDROTECH CORPORATION	WEST LILAC, RANCHO AMIGOS, AND DENTRO PS PROJECT	09/13/2024	\$ 591,543.72
28326	CHECK	700659	CITY OF OCEANSIDE	RAINBOW WASTEWATER AGREEMENT, FY22/FY23/FY24 O&M PAST DUE	09/27/2024	\$ 209,227.15
202409250001	ACH	702909	WESTERN ALLIANCE DEBT PAYMENT	WESTERN ALLIANCE DEBT PAYMENT	09/25/2024	\$ 182,477.91
150732134	WIRE		US BANK DEBT SERVICE LOAN	US BANK - COMMERCIAL LOAN	09/24/2024	\$ 181,642.96
28326	CHECK	700659	CITY OF OCEANSIDE	RAINBOW WASTEWATER AGREEMENT, FY25 2 OF 11 RECONCILE,O&M SEP	09/27/2024	\$ 142,454.28
28305	CHECK	701872	SAN DIEGO GAS & ELECTRIC	MONTHLY GAS & ELECTRIC, #1065 087 935 1	09/13/2024	\$ 132,114.46
2852	ACH	700935	ACWA-JPIA	MONTHLY INSURANCE MEDICAL/VISION - OCTOBER 2024	09/27/2024	\$ 99,565.32

Payments below 50K

Transaction No	Type	Vendor	Name	Description	Issue Date	Amount
150430003	WIRE	701034	AMERICAN EXPRESS	AMERICAN EXPRESS (AUGUST STATEMENT)	09/12/2024	\$ 22,683.18
621485778631135	EFT		HOME DEPOT	HOME DEPOT CC - ALL (AUGUST 2024 STATEMENT)	09/12/2024	\$ 4,725.50
28271	CHECK	703003	ACE LOCK & KEY	MASTER LOCK KEY BLANKS	09/13/2024	\$ 140.08
2837	ACH	703073	ACROSTIC	AS-NEEDED CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES	09/13/2024	\$ 5,775.00
28272	CHECK	702925	AMERICAN BUSINESS BANK	WEST LILAC, RANCHO AMIGOS, AND DENTRO PS PROJECT	09/13/2024	\$ 31,133.88
28273	CHECK	702896	ARDURRA GROUP, INC.	ENGINEERING & DEVELOPMENT PLAN CHECKING SERVICES	09/13/2024	\$ 1,800.00
28273	CHECK	702896	ARDURRA GROUP, INC.	ENGINEERING & DEVELOPMENT PLAN CHECKING SERVICES	09/13/2024	\$ 6,200.00
28274	CHECK	702629	ATLAS ENGINEERING WEST, INC.	AS-NEEDED GEOTECHNICAL SERVICES	09/13/2024	\$ 2,882.50
28311	CHECK	702900	ATS COMMUNICATIONS	UNMANNED WIRELESS COMMUNICATIONS FACILITIES MANAGEMENT	09/13/2024	\$ 297.50
2838	ACH	700830	BABCOCK LABORATORIES, INC	FINANCE CHARGE	09/13/2024	\$ 10.00
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 152.00
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 445.95
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 247.75
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 247.75
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 396.40
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 545.05
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 99.10
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 102.00
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 180.00
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 740.11
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY LEASE AGREEMENT	09/13/2024	\$ 137.48
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 119.00
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 119.00
2838	ACH	700830	BABCOCK LABORATORIES, INC	MONTHLY WATER ANALYSIS	09/13/2024	\$ 119.00
2839	ACH	702525	BADGER METER INC.	ORION CELLULAR LTE SERV UNIT	09/13/2024	\$ 224.10
2839	ACH	702525	BADGER METER INC.	DS - RCDL DISC LEAD-FREE BRZ ALLOY	09/13/2024	\$ 8,379.56
2839	ACH	702525	BADGER METER INC.	DS - RCDL DISC LEAD-FREE BRZ ALLOY	09/13/2024	\$ 33,606.36
2840	ACH	700638	CECILIA'S SAFETY SERVICE	TRAFFIC CONTROL - 3876 ALTA VISTA DRIVE, VISTA	09/13/2024	\$ 1,775.00
28275	CHECK	700650	COLONIAL LIFE & ACCIDENT INS.	PR BATCH 2418_HEALTH AND ACCIDENTAL INSURANCE	09/13/2024	\$ 68.90
28276	CHECK	701977	CORE & MAIN LP	6X42 CI FLG HYD BURY 6H	09/13/2024	\$ 511.82
28276	CHECK	701977	CORE & MAIN LP	2-1/2 FNST X 2 FNPT SWVL ADPT, 300# 316SS B&N KIT W/WASHERS	09/13/2024	\$ 4,596.62
28276	CHECK	701977	CORE & MAIN LP	HYDRANT GUARD CHECK VALVE	09/13/2024	\$ 14,162.62

Transaction No	Type	Vendor	Name	Description	Issue Date	Amount
28276	CHECK	701977	CORE & MAIN LP	10 HP HYMAX GRIP CPLG 10.65-11.55 OD	09/13/2024	\$ 3,232.50
28277	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	ANNUAL HAZ MAT PERMIT FOR L/S1	09/13/2024	\$ 603.00
28277	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	UNIFIED PROGRAM FACILITY PERMIT-MAGEE PUMP STATION	09/13/2024	\$ 603.00
28277	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	ANNUAL HAZ MAT PERMIT FOR BECK RESERVOIR	09/13/2024	\$ 603.00
28277	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	ANNUAL HAZMAT PERMIT FOR L/S 5	09/13/2024	\$ 603.00
28278	CHECK	702652	COUNTY OF SAN DIEGO, RCS	WATER RADIOS ON THE 800 MHZ NETWORK	09/13/2024	\$ 2,732.45
28279	CHECK	703097	DESMOND, MARCELLO & AMSTER, LLC	WATER FLOW REVIEW	09/13/2024	\$ 3,000.00
28280	CHECK	702515	DITCH WITCH WEST	WATER PUMP, CONNECTOR, SERVICE SUPPLIES	09/13/2024	\$ 2,437.71
28281	CHECK	700839	ESCONDIDO METAL SUPPLY, INC.	SHEET SALE 10, 11, 16 GA SHEET	09/13/2024	\$ 109.53
28282	CHECK	702718	FALLBROOK ACE HARDWARE	STRAW WATTLE 9INX25FT, 1X2X12 PINE STAKE, 24 STAKES	09/13/2024	\$ 245.90
2841	ACH	700853	FALLBROOK EQUIPMENT RENTAL	WATER TRUCK 2000 GAL	09/13/2024	\$ 2,700.00
28283	CHECK	700884	FALLBROOK IRRIGATION SUPPLIES	PIPE ABS CELL CORE 3, BEND90 ABS 3", BULKHEAD FTG ST 2", BUL	09/13/2024	\$ 251.97
28284	CHECK	700855	FEDEX	DELIVERY SERVICE	09/13/2024	\$ 47.30
28285	CHECK	700860	FERGUSON WATERWORKS #1083	6" MACRO HP FCA 6.60-7.60 AND 8" MACRO HP FCA 8.60-9.75	09/13/2024	\$ 833.99
28285	CHECK	700860	FERGUSON WATERWORKS #1083	10 HIGH PRESS GRIP COUP 10.65-11.55	09/13/2024	\$ 843.05
28285	CHECK	700860	FERGUSON WATERWORKS #1083	*CVR* LF 3/4IN FIP X 1IN MALE MTR T	09/13/2024	\$ 171.86
28285	CHECK	700860	FERGUSON WATERWORKS #1083	HYDRANT GUARD BREAKOFF CHECK VLV	09/13/2024	\$ 2,559.06
28286	CHECK	701711	FLUME TECH	FLUME SMART WATER SYSTEM	09/13/2024	\$ 1,761.71
2842	ACH	701930	FLYERS ENERGY LLC	ORDER #3723209-24, DSL 100 UNITS/ETH 400 UNITS	09/13/2024	\$ 2,079.97
2842	ACH	701930	FLYERS ENERGY LLC	ORDER #3714689-24, DSL 295 UNITS/ETH 395 UNITS	09/13/2024	\$ 2,887.97
28287	CHECK	700915	FREEDOM AUTOMATION, INC.	TROUBLESHOOT GOMEZ PUMP STATION GENERATOR	09/13/2024	\$ 480.00
28288	CHECK	703022	GARDA CL WEST, INC	ARMORED TRANSPORTATION SERVICE	09/13/2024	\$ 268.62
28289	CHECK	702571	HASA INC.	HASACHLOR, 53GAL DRUM, 8 SHIPPED	09/13/2024	\$ 2,377.57
28290	CHECK	700974	HAWTHORNE MACHINERY COMPANY	FENDER-LH	09/13/2024	\$ 226.02
2843	ACH	701400	HELIX ENVIRONMENTAL PLANNING INC	AS-NEEDED ENVIRONMENTAL SERVICES	09/13/2024	\$ 1,197.50
2844	ACH	700663	ICONIX WATERWORKS (US) INC	2" S.S CLA-VAL SEAT P/N C4135E	09/13/2024	\$ 1,960.58
2844	ACH	700663	ICONIX WATERWORKS (US) INC	2 SCH40 MALE ADAPTER	09/13/2024	\$ 15.39
2844	ACH	700663	ICONIX WATERWORKS (US) INC	8" 300LB BOX SET FW T316	09/13/2024	\$ 2,713.03
28291	CHECK	701570	INFOSEND, INC.	MONTHLY MAILING OF WATER BILLS AND NEWSLETTER	09/13/2024	\$ 3,784.53
28292	CHECK	703032	INSIGHT PUBLIC SECTOR INC.	TENABLE VULNERABILITY MANAGEMENET SUBSCRIPTION	09/13/2024	\$ 3,500.00
28293	CHECK	703109	JAKE WILEY	EAST COUNTY AWP PROJECT TOUR LUNCH REIMBURSEMENT	09/13/2024	\$ 210.00
28294	CHECK	701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	ONE TIME METER BEE REMOVAL	09/13/2024	\$ 100.00
28294	CHECK	701409	KNOCKOUT PEST CONTROL& TERMITES, INC.	ONE TIME METER BEE REMOVAL	09/13/2024	\$ 150.00
28295	CHECK	702636	LANCE, SOLL & LUNGHARD LLP	2024 GOVERNMENT AUDIT - INTERIM FIELDWORK	09/13/2024	\$ 3,390.00
28296	CHECK	702635	LEIGHTON CONSULTING, INC.	AS-NEEDED GEOTECHNICAL SERVICES	09/13/2024	\$ 4,963.25
28297	CHECK	703105	LINK2PUMP CORP	L2P PEDESTAL 4P, MR1 PULSER	09/13/2024	\$ 5,550.00
28298	CHECK	701180	MODULAR BUILDING CONCEPTS, INC	LEASE AGREEMENT	09/13/2024	\$ 447.16
28298	CHECK	701180	MODULAR BUILDING CONCEPTS, INC	LEASE AGREEMENT	09/13/2024	\$ 868.46
28298	CHECK	701180	MODULAR BUILDING CONCEPTS, INC	LEASE AGREEMENT	09/13/2024	\$ 490.26
28299	CHECK	703045	NATIONAL PLANT SERVICES, INC.	GROUT 15" SEWER LINE	09/13/2024	\$ 5,925.00
28300	CHECK	701320	PACIFIC PIPELINE SUPPLY	COPPER PROGRESS C X MIP ADAPTER 2"	09/13/2024	\$ 494.78
28300	CHECK	701320	PACIFIC PIPELINE SUPPLY	BRASS HOSE ADAPT SWVL 2-1/2 FHT X 2 FIP	09/13/2024	\$ 1,000.91
28300	CHECK	701320	PACIFIC PIPELINE SUPPLY	GATE CAP M/ WATER 8"	09/13/2024	\$ 513.32
28300	CHECK	701320	PACIFIC PIPELINE SUPPLY	#436-010 ADAPT MALE PVC SCH40 MXS 1	09/13/2024	\$ 14.01
28300	CHECK	701320	PACIFIC PIPELINE SUPPLY	#MACRO-10 COUPLING 10.70-11.90 ESS 10"	09/13/2024	\$ 1,126.48
28300	CHECK	701320	PACIFIC PIPELINE SUPPLY	BALL VALVE SCH80 GEORGE FISHER, PIPE PVC SCH80 BE SW 2"	09/13/2024	\$ 1,654.00
28300	CHECK	701320	PACIFIC PIPELINE SUPPLY	MACRO-08 COUPLING 8.60-9.75 ESS 8", BRASS NIPPLE 2" X CLOSE	09/13/2024	\$ 1,061.79
28301	CHECK	700705	POLLUTION CONTROL DISTRICT COUNTY OF SAN DIEGO, AIR	ANNUAL PERMIT-3090 PANKEY RD, FALLBROOK	09/13/2024	\$ 687.00
2846	ACH	701684	PRECISION MOBILE DETAILING	RMWD VEHICLE WASH	09/13/2024	\$ 541.39
2846	ACH	701684	PRECISION MOBILE DETAILING	RMWD VEHICLE WASH	09/13/2024	\$ 572.39
2847	ACH	701341	QUALITY GATE, INC	QUARTERLY PREVENTATIVE MAINTENANCE - HORSE CREEK SEWER L/S	09/13/2024	\$ 462.87
2847	ACH	701341	QUALITY GATE, INC	QUARTERLY PREVENTATIVE MAINTENANCE - L/S #2	09/13/2024	\$ 145.00

Transaction No	Type	Vendor	Name	Description	Issue Date	Amount
2847	ACH	701341	QUALITY GATE, INC	QUARTERLY PREVENTATIVE MAINTENANCE - MAIN PLANT GENERATOR	09/13/2024	\$ 145.00
2847	ACH	701341	QUALITY GATE, INC	QUARTERLY PREVENTATIVE MAINTENANCE - MAIN ENTRANCE GATE	09/13/2024	\$ 145.00
2847	ACH	701341	QUALITY GATE, INC	QUARTERLY PREVENTATIVE MAINTENANCE - HORSE CREEK SEWER L/S	09/13/2024	\$ 145.00
28302	CHECK	701833	RIGHT-OF-WAY ENGINEERING SERV	ON-CALL LAND SURVEYING SERVICES	09/13/2024	\$ 6,020.00
28303	CHECK	703096	ROCKWELL CONSTRUCTION SERVICES, LLC	ELECTRICAL INSPECTION AT WEST LILAC PS PROJECT	09/13/2024	\$ 2,145.00
28303	CHECK	703096	ROCKWELL CONSTRUCTION SERVICES, LLC	ELECTRICAL INSPECTION AT WEST LILAC PS PROJECT	09/13/2024	\$ 780.00
28304	CHECK	703066	SAFEGUARD BUSINESS SYSTEMS, INC.	POCKET SECURE, EZSHIELD PREMIUM SERVICE, US BANK WAIVER	09/13/2024	\$ 125.28
2848	ACH	701888	SAFETY-KLEEN	FULL SYNTHETIC 5W-30 OIL, 15W-40	09/13/2024	\$ 2,333.85
28306	CHECK	701982	SOUTHWEST ANSWERING SERVICE, INC.	MONTHLY ANSWERING SERVICE	09/13/2024	\$ 1,225.00
28307	CHECK	701928	STERICYCLE, INC.	REGULAR SERVICES, 8/1/24-8/31/24	09/13/2024	\$ 182.63
28308	CHECK	701972	STREAMLINE	MONTHLY WEB MANAGEMENT FEE	09/13/2024	\$ 355.00
28309	CHECK	702022	T S INDUSTRIAL SUPPLY	@ASSY 2-1/2" X 50' WHITE KIT 400# FIRE HOSE CPLD MXF NST	09/13/2024	\$ 1,749.86
28310	CHECK	701984	TCN, INC	MONTHLY 48 HOUR NOTICE	09/13/2024	\$ 13.44
28312	CHECK	702899	THE ALCHEMY GROUP INC	ACTIVITIES FROM 8/1/24-8/31/24	09/13/2024	\$ 10,000.00
28313	CHECK	701059	TIME WARNER CABLE/SPECTRUM	MONTHLY INTERNET SERVICE	09/13/2024	\$ 1,400.00
28314	CHECK	701773	TRAFFIC SUPPLY, INC.	6FT X 32" X 18" TRAFFIX WATER-WALL BARRIER - ORANGE	09/13/2024	\$ 2,561.05
28315	CHECK	702065	ULINE	SOLID TOP RACKABLE PALLET - 48 X 40", RUST-OLEUM® INDUSTRIAL	09/13/2024	\$ 2,940.77
2849	ACH	702042	UNDERGROUND SERVICE ALERT	RAI88 NEW TICKET CHARGES	09/13/2024	\$ 280.10
2849	ACH	702042	UNDERGROUND SERVICE ALERT	CA STATE FEE FOR REGULATORY COSTS	09/13/2024	\$ 83.97
2850	ACH	702788	US BANK	TRUST DEPARTMENT - FEES, 7/1/24-7/31/24	09/13/2024	\$ 291.67
2851	ACH	701621	VALLEY CONSTRUCTION MANAGEMENT	AS-NEEDED CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES	09/13/2024	\$ 5,406.00
2851	ACH	701621	VALLEY CONSTRUCTION MANAGEMENT	CONSTRUCTION MANAGEMENT/INSPECTION SERVICES FOR LS1 REPL PH1	09/13/2024	\$ 38,752.03
28316	CHECK	703072	VESTIS SERVICES, LLC	MONTHLY UNIFORMS/MATS & MISC	09/13/2024	\$ 446.00
28316	CHECK	703072	VESTIS SERVICES, LLC	MONTHLY UNIFORMS/MATS & MISC	09/13/2024	\$ 440.15
28317	CHECK	703092	WELLSTEPS	WELLNESS PROGRAM	09/13/2024	\$ 2,142.00
28318	CHECK	702126	WHITE CAP CONSTRUCTION SUPPLY	60LB RED-E-CRETE 2500 PSI BASIC CONCRETE MIX QUIKRETE	09/13/2024	\$ 488.76
28318	CHECK	702126	WHITE CAP CONSTRUCTION SUPPLY	ASPHALT CUTTER BOSCH, NARROW CHISEL, SHANK SCALING CHISEL	09/13/2024	\$ 253.82
28318	CHECK	702126	WHITE CAP CONSTRUCTION SUPPLY	HEX CHISEL BOSCH, HEX MOIL POINT BOSCH, HEX CLAY SPADE	09/13/2024	\$ 336.50
2426374252318	ACH	701872	SAN DIEGO GAS & ELECTRIC	SDG&E - 1000016659/PROJECT #300000463362 (31267 RANCHO AMIG	09/19/2024	\$ 10,770.00
2426574384744	ACH	701872	SAN DIEGO GAS & ELECTRIC	SDG&E - 1000016706/PROJECT #300000463354 (7232 W LILAC)	09/21/2024	\$ 42,070.00
0002016645	EFT		WEX	WEX - ADMIN FEES (AUGUST 2024)	09/25/2024	\$ 85.00
2853	ACH	700958	AIRGAS USA, LLC	ELECT STCK, BACLV INDRA UNIV NVY BLU SNGL FRM	09/27/2024	\$ 116.52
2853	ACH	700958	AIRGAS USA, LLC	GLOW STICK, WELDING GLOVES, WELDING JACKET	09/27/2024	\$ 171.94
2853	ACH	700958	AIRGAS USA, LLC	DIGITAL HELMET, WELDING JACKET, GLOW STICK, LENS, GLOVES	09/27/2024	\$ 794.95
2853	ACH	700958	AIRGAS USA, LLC	CYLINDER RENTAL - LARGE AIR & OXYGEN, SMALL ACETYLENE & CARB	09/27/2024	\$ 146.08
2853	ACH	700958	AIRGAS USA, LLC	CYLINDER RENTAL - ACETYLENE, CARBON DIOXIDE, OXYGEN	09/27/2024	\$ 234.33
28319	CHECK	701264	AT&T	MONTHLY PHONE SERVICE	09/27/2024	\$ (13.45)
28319	CHECK	701264	AT&T	MONTHLY PHONE SERVICE	09/27/2024	\$ 87.47
28320	CHECK	701266	AT&T	MONTHLY PHONE SERVICE	09/27/2024	\$ 469.01
28320	CHECK	701266	AT&T	MONTHLY PHONE SERVICE	09/27/2024	\$ 30.42
28320	CHECK	701266	AT&T	MONTHLY PHONE SERVICE	09/27/2024	\$ 208.77
28320	CHECK	701266	AT&T	MONTHLY PHONE SERVICE	09/27/2024	\$ 30.42
28321	CHECK	701269	AT&T LONG DISTANCE	MONTHLY PHONE SERVICE	09/27/2024	\$ 172.43
28322	CHECK	702629	ATLAS ENGINEERING WEST, INC.	AS-NEEDED GEOTECHNICAL SERVICES	09/27/2024	\$ 2,899.75
2854	ACH	701677	AZUGA, INC.	MONTHLY SERVICE FEE	09/27/2024	\$ 244.15
28323	CHECK	700586	BONSALL PEST CONTROL	MONTHLY PEST CONTROL	09/27/2024	\$ 210.00
28324	CHECK	701510	BOOT BARN INC	SAFETY BOOTS - OMOEDANO	09/27/2024	\$ 165.60
28324	CHECK	701510	BOOT BARN INC	SAFETY BOOTS - AJONES	09/27/2024	\$ 183.16
28324	CHECK	701510	BOOT BARN INC	SAFETY BOOTS - EBRADLEY	09/27/2024	\$ 200.00
28324	CHECK	701510	BOOT BARN INC	SAFETY BOOTS - LJOHNSON	09/27/2024	\$ 200.00
2855	ACH	700868	BOOT WORLD, INC	SAFETY BOOTS - GALLOWAY AND GASSMANN	09/27/2024	\$ 394.83
2856	ACH	701187	BP BATTERY INC.	GROUP 31 - 1000 CCA	09/27/2024	\$ 473.69

Transaction No	Type	Vendor	Name	Description	Issue Date	Amount
2856	ACH	701187	BP BATTERY INC.	12VOLT 8AMP HOUR SEALED BATTERY	09/27/2024	\$ 203.59
28325	CHECK	702523	BRIGHTVIEW TREE CARE SERVICES, INC.	VOLUNTEERS EUCALYPTUS/PEPPERS	09/27/2024	\$ 4,320.00
2857	ACH	700638	CECILIA'S SAFETY SERVICE	TRAFFIC CONTROL - 3125 GIRD RD, FALLBROOK	09/27/2024	\$ 1,775.00
28327	CHECK	702988	CLEARSTAR, INC.	BACKGROUND CHECK	09/27/2024	\$ 32.00
28328	CHECK	700650	COLONIAL LIFE & ACCIDENT INS.	PR BATCH 2419_HEALTH AND ACCIDENTAL INSURANCE	09/27/2024	\$ 68.90
28329	CHECK	701977	CORE & MAIN LP	890-58-08216-16 8 HP HYMAX GRIP CPLG 8.50-9.40 OD	09/27/2024	\$ 9,552.04
28329	CHECK	701977	CORE & MAIN LP	890-58-10270-16 10 HP HYMAX GRIP CPLG 10.65-11.55 OD	09/27/2024	\$ 4,040.63
28330	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	ANNUAL RENEWAL HAZMAT PERMIT FOR L/S 2	09/27/2024	\$ 603.00
28330	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	NORTH RESERVOIR PERMIT	09/27/2024	\$ 603.00
28330	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	LOWER MORRO PERMIT	09/27/2024	\$ 799.00
28330	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	NORTHSIDE RESERVOIR PERMIT	09/27/2024	\$ 603.00
28330	CHECK	700688	COUNTY OF S.D. DEPT OF ENVIRONMENTAL HEALTH	DISTRICT PERMIT	09/27/2024	\$ 2,052.00
28331	CHECK	700797	DIAMOND ENVIRONMENTAL SERVICES	PORTA POTTY RENTAL	09/27/2024	\$ 36.93
28331	CHECK	700797	DIAMOND ENVIRONMENTAL SERVICES	PORTA POTTY RENTAL	09/27/2024	\$ 11.69
28332	CHECK	702718	FALLBROOK ACE HARDWARE	16"-1-1/4"(12)SS GEAR CLAMP	09/27/2024	\$ 36.74
28333	CHECK	700845	FALLBROOK AUTO PARTS	CONTROL ARM AND BALL	09/27/2024	\$ (178.32)
28333	CHECK	700845	FALLBROOK AUTO PARTS	ZX AMER VEH 5050 GA, NORTH AMERICAN VEHICLE	09/27/2024	\$ (45.26)
28333	CHECK	700845	FALLBROOK AUTO PARTS	ZX AMER VEH	09/27/2024	\$ 174.49
28333	CHECK	700845	FALLBROOK AUTO PARTS	PANEL FILTER, FLUID FILTER	09/27/2024	\$ 56.98
28333	CHECK	700845	FALLBROOK AUTO PARTS	CONTROL ARM AND BALL, RADIATOR, QUICK STRUT	09/27/2024	\$ 1,529.96
28333	CHECK	700845	FALLBROOK AUTO PARTS	WHEEL, CARBIDE BURR	09/27/2024	\$ 192.71
28333	CHECK	700845	FALLBROOK AUTO PARTS	MOTOR TUNE-UP 16OZ, ENGINE FLUSH, HOSE CLAMP	09/27/2024	\$ 129.24
28333	CHECK	700845	FALLBROOK AUTO PARTS	SPIN-ON FLUID FILTER	09/27/2024	\$ 53.25
28333	CHECK	700845	FALLBROOK AUTO PARTS	ATP PLATINUM KIT, PERFORMANCE DEX	09/27/2024	\$ 146.08
28333	CHECK	700845	FALLBROOK AUTO PARTS	OIL DRY	09/27/2024	\$ 48.42
28334	CHECK	700884	FALLBROOK IRRIGATION SUPPLIES	BEND90 ABS 3", BEND90 ABS LONGTURN 3", COUP ABS 3	09/27/2024	\$ 20.33
28335	CHECK	700855	FEDEX	DELIVERY SERVICE	09/27/2024	\$ 19.09
28335	CHECK	700855	FEDEX	DELIVERY SERVICE	09/27/2024	\$ 57.37
2858	ACH	701930	FLYERS ENERGY LLC	ORDER #3739728-24, DSL 150 UNITS/ETH 450 UNITS	09/27/2024	\$ 2,457.37
2858	ACH	701930	FLYERS ENERGY LLC	ORDER #3731193-24, DSL 250 UNITS/ETH 400 UNITS	09/27/2024	\$ 2,771.82
2859	ACH	702583	HARRIS & ASSOCIATES, INC.	TRI POINTE HOMES REIMBURSEMENT REVIEW SERVICES	09/27/2024	\$ 772.50
28336	CHECK	701010	HOCH CONSULTING, APC	SAN LUIS REY VALLEY GROUND WATER RECOVERY	09/27/2024	\$ 5,566.25
28337	CHECK	702902	HYDROPRO SOLUTIONS	RAVEN METER BOX 11X18X12 NON-S	09/27/2024	\$ 804.57
28338	CHECK	701570	INFOSEND, INC.	MONTHLY SUPPORT FEE - AUGUST 2024	09/27/2024	\$ 1,960.61
28338	CHECK	701570	INFOSEND, INC.	MONTHLY MAILING OF WATER BILLS AND NEWSLETTER	09/27/2024	\$ 3,936.84
28339	CHECK	701656	LINCOLN NATIONAL LIFE INSURANCE COMPANY	MONTHLY INSURANCE - OCTOBER 2024	09/27/2024	\$ 5,718.20
2860	ACH	702580	LIQUID ENVIRONMENTAL SOLUTIONS OF CA, LLC	GREASE AUTO CHARGE	09/27/2024	\$ 229.95
28340	CHECK	701870	MALLORY SAFETY AND SUPPLY, LLC	HONAN-GAPFMAX FILTER PARTICULATE PUMP THICK 5/PK	09/27/2024	\$ 43.64
28340	CHECK	701870	MALLORY SAFETY AND SUPPLY, LLC	34L BW MIX H2S 25 PPM,100PPM CO	09/27/2024	\$ 400.83
28342	CHECK	702467	MOBILE MINI, INC	STORAGE CONTAINER RENTAL	09/27/2024	\$ 299.91
28342	CHECK	702467	MOBILE MINI, INC	STORAGE CONTAINER RENTAL	09/27/2024	\$ 250.13
28342	CHECK	702467	MOBILE MINI, INC	STORAGE CONTAINER RENTAL	09/27/2024	\$ 250.13
28342	CHECK	702467	MOBILE MINI, INC	STORAGE CONTAINER RENTAL	09/27/2024	\$ 250.13
28342	CHECK	702467	MOBILE MINI, INC	STORAGE CONTAINER RENTAL	09/27/2024	\$ 250.13
28341	CHECK	702731	MOBILE MODULAR	OFFICE SPACE RENTAL, 9/13/24 TO 10/12/24	09/27/2024	\$ 880.60
28341	CHECK	702731	MOBILE MODULAR	OFFICE SPACE RENTAL, 9/10/24 TO 10/9/24	09/27/2024	\$ 3,502.51
28343	CHECK	701241	NATIONAL SAFETY COMPLIANCE,INC	SERVICES PERFORMED	09/27/2024	\$ 363.04
2861	ACH	701151	NOBEL SYSTEMS	2023 WATER LOSS AUDIT	09/27/2024	\$ 2,500.00
28344	CHECK	701254	O'REILLY AUTO PARTS	1QT TRANSFLD	09/27/2024	\$ 167.96
28344	CHECK	701254	O'REILLY AUTO PARTS	SWEEPING COM	09/27/2024	\$ 37.70
28344	CHECK	701254	O'REILLY AUTO PARTS	1QT TRANFLD	09/27/2024	\$ 167.96
28345	CHECK	703108	PACIFIC SAFETY SOLUTIONS, LLC	TOWER CLIMBER TRAINING - CLINE & GASSMANN	09/27/2024	\$ 2,290.00

Transaction No	Type	Vendor	Name	Description	Issue Date	Amount
28346	CHECK	701423	PERRAULT CORPORATION	3/4" GRAVEL, TRUCKING, ENVIRONMENTAL FEE	09/27/2024	\$ 1,802.01
28346	CHECK	701423	PERRAULT CORPORATION	SE30 SAND, TRUCKING, ENVIRONMENTAL FEE	09/27/2024	\$ 569.06
28346	CHECK	701423	PERRAULT CORPORATION	CLASS II BASE, TRUCKING, ENVIRONMENTAL FEE	09/27/2024	\$ 1,625.47
28347	CHECK	702357	PETERS PAVING & GRADING	TCM DEPOSIT REFUND	09/27/2024	\$ 2,534.09
2862	ACH	701296	PETERS PAVING & GRADING, INC	PAVING & GRADING - 3453 CABALLO LANE, FALLBROOK	09/27/2024	\$ 2,800.00
2862	ACH	701296	PETERS PAVING & GRADING, INC	PAVING & GRADING - 3125 GIRD RD, FALLBROOK	09/27/2024	\$ 3,300.00
2862	ACH	701296	PETERS PAVING & GRADING, INC	PAVING & GRADING - 3932 GIRD RD, FALLBROOK	09/27/2024	\$ 3,375.00
2862	ACH	701296	PETERS PAVING & GRADING, INC	PAVING & GRADING - 31344, 31362, 31404 AND 31418 CLUB VISTA	09/27/2024	\$ 3,950.00
28350	CHECK	701302	PITNEY BOWES BANK INC PURCHASE POWER	POSTAGE	09/27/2024	\$ 900.00
28348	CHECK	701301	PITNEY BOWES INC.	LEASE AGREEMENT	09/27/2024	\$ 594.80
2863	ACH	701684	PRECISION MOBILE DETAILING	RMWD VEHICLE WASH	09/27/2024	\$ 521.39
2863	ACH	701684	PRECISION MOBILE DETAILING	RMWD VEHICLE WASH	09/27/2024	\$ 1,160.88
2863	ACH	701684	PRECISION MOBILE DETAILING	RMWD VEHICLE WASH	09/27/2024	\$ 521.39
2864	ACH	701348	PRINCIPAL LIFE INSURANCE COMPANY	MONTHLY INSURANCE - OCT 2024	09/27/2024	\$ 7,624.39
28349	CHECK	703002	PROFORMA PRINTING CORP	#10 ENVELOPES (NAVY INK)	09/27/2024	\$ 971.67
28351	CHECK	702396	QTX MOBILE ACCESSORIES, INC.	PIONEER NEX HEADUNIT, DASH KIT, METRA ADAPTER, GM RADIO INTE	09/27/2024	\$ 1,390.67
2865	ACH	701338	QUALITY CHEVROLET	STARTER	09/27/2024	\$ 827.41
2865	ACH	701338	QUALITY CHEVROLET	SENSOR	09/27/2024	\$ 302.01
2866	ACH	701341	QUALITY GATE, INC	SERVICE CALL - MAIN PLANT (GENERATOR)	09/27/2024	\$ 145.00
2867	ACH	701619	RT LAWRENCE CORPORATION	LOCKBOX PROCESSING FEES - AUG 2024	09/27/2024	\$ 622.33
2867	ACH	701619	RT LAWRENCE CORPORATION	ACCIDENTAL PYMNT - CREDIT ON ACCOUNT	09/27/2024	\$ (531.34)
28352	CHECK	701871	RYAN HERCO PRODUCTS CORP	KYN HOSE ADPT 3/4"MT X 3/4"H PER EA EACH	09/27/2024	\$ 273.64
28352	CHECK	701871	RYAN HERCO PRODUCTS CORP	HERCO CHEM HOSE 1/2"ID X 100', KYN HOSE CONN 3/4" HOSE BARB,	09/27/2024	\$ 12,033.40
28352	CHECK	701871	RYAN HERCO PRODUCTS CORP	LMI MFV RETROFIT KIT, LMI FOOT VLV ASSY PVC/AFL/CER, LMI INJ	09/27/2024	\$ 531.34
28353	CHECK	702450	RYAN STOCKTON	DRINKING WATER OPES CERT RENEWAL REIMB	09/27/2024	\$ 130.00
2868	ACH	702490	SPECIALTY MOWING SERVICES, INC.	CAMINO DEL REY PIPE BRIDGE EXPOSE PIPELINE FOR MARKOUT	09/27/2024	\$ 4,250.00
28354	CHECK	702762	THE LLOYD PEST CONTROL, INC	COMMERCIAL SERVICE PROGRAM	09/27/2024	\$ 334.00
2869	ACH	702949	TOPECO PRODUCTS, INC	PRIMARY WIRE 18GA 100' SPOOL, TERMINAL QUICK CONNECT, HWH TE	09/27/2024	\$ 1,561.03
2870	ACH	702015	TRENCH SHORING COMPANY	K RAIL CONCRETE 10', K-RAIL DELIVERY - BOOM TRUCK PER HOUR,	09/27/2024	\$ 872.60
28355	CHECK	703041	U.S. BANK EQUIPMENT FINANCE, a division of U.S. BANK NATIONAL ASSOCIATION	MONTHLY LEASE AGREEMENT	09/27/2024	\$ 2,526.08
95891	EFT		US BANK CREDIT CARD	US BANK CC - CENTRAL BILL (AUGUST STATEMENT)	09/27/2024	\$ 2,659.95
28356	CHECK	701238	VALLEY CENTER M.W.D.	EMERGENCY 2" CONSTRUCTION METER CONNECTION	09/27/2024	\$ 266.45
2871	ACH	701621	VALLEY CONSTRUCTION MANAGEMENT	CM SERVICES PUMP STATIONS PROJECT	09/27/2024	\$ 11,380.00
28358	CHECK	703072	VESTIS SERVICES, LLC	MONTHLY UNIFORMS/MATS & MISC	09/27/2024	\$ 511.21
28358	CHECK	703072	VESTIS SERVICES, LLC	MONTHLY UNIFORMS/MATS & MISC	09/27/2024	\$ 479.03
28358	CHECK	703072	VESTIS SERVICES, LLC	THREE SEASON JACKET	09/27/2024	\$ 73.25
28358	CHECK	703072	VESTIS SERVICES, LLC	THREE SEASON JACKET	09/27/2024	\$ 62.47
28359	CHECK	701755	WATERLINE TECHNOLOGIES INC.	HYPOCHLORITE SOLUTIONS, 2000 UNITS	09/27/2024	\$ 8,460.00
28359	CHECK	701755	WATERLINE TECHNOLOGIES INC.	HYPOCHLORITE SOLUTIONS, 700 UNITS	09/27/2024	\$ 2,961.00
28359	CHECK	701755	WATERLINE TECHNOLOGIES INC.	HYPOCHLORITE SOLUTIONS, 1000 UNITS	09/27/2024	\$ 4,230.00
2872	ACH	702116	WESTERN LANDSCAPE MAINTENANCE PLUS, INC.	LANDSCAPE MAINTENANCE	09/27/2024	\$ 532.51
28360	CHECK	702126	WHITE CAP CONSTRUCTION SUPPLY	3M DBI-SALA EXOFIT NEX COMFORT ARC FLASH CLIMBING/POSITIONIN	09/27/2024	\$ 1,715.20
28360	CHECK	702126	WHITE CAP CONSTRUCTION SUPPLY	CHISEL, SPADE, POINT, FLAT CHISEL	09/27/2024	\$ 354.12
28360	CHECK	702126	WHITE CAP CONSTRUCTION SUPPLY	60LB RED-E-CRETE 2500 PSI BASIC CONCRETE MIX QUIKRETE, 4' CO	09/27/2024	\$ 283.16
28360	CHECK	702126	WHITE CAP CONSTRUCTION SUPPLY	NAVY BLUE ZENITH X2 AIR ANSI Z89.1 CLASS C TYPE 1 & 2 HELMET	09/27/2024	\$ 442.82
2427474788233	ACH	701872	SAN DIEGO GAS & ELECTRIC	SDG&E - 1000016846/PROJECT #300000541038 (DENTRO DE LOMAS)	09/30/2024	\$ 4,550.00
Net Distribution						\$ 5,336,086.77



Director's Expense Report Fiscal Year 2024-2025

July 2024

Board Member	# Of Mtgs	Per Diem	Registration Fee	Travel Expense	Mileage Reimb		Total
					# Miles	Amount	
Cari Dale		\$ -				\$ -	\$ -
Claude Hamilton		\$ -				\$ -	\$ -
Julie Johnson		\$ -				\$ -	\$ -
Michael Mack		\$ -				\$ -	\$ -
Patti Townsend-Smith		\$ -				\$ -	\$ -
Monthly Totals	0	\$ -	\$ -	\$ -	0	\$ -	\$ -

August 2024

Board Member	# Of Mtgs	Per Diem	Registration Fee	Travel Expense	Mileage Reimb		Total
					# Miles	Amount	
Cari Dale	1	\$ 150.00	\$ 75.00			\$ -	\$ 225.00
Claude Hamilton	1	\$ 150.00				\$ -	\$ 150.00
Julie Johnson		\$ -	\$ 75.00			\$ -	\$ 75.00
Michael Mack	2	\$ 300.00				\$ -	\$ 300.00
Patti Townsend-Smith		\$ -				\$ -	\$ -
Monthly Totals	4	\$ 600.00	\$ 150.00	\$ -	0	\$ -	\$ 750.00

September 2024

Board Member	# Of Mtgs	Per Diem	Registration Fee	Travel Expense	Mileage Reimb		Total
					# Miles	Amount	
Cari Dale	3	\$ 450.00		\$ 247.54		\$ -	\$ 697.54
Claude Hamilton	2	\$ 300.00	\$ (700.00)			\$ -	\$ (400.00)
Julie Johnson		\$ -	\$ 30.00	\$ 247.54		\$ -	\$ 277.54
Michael Mack	2	\$ 300.00	\$ 625.00	\$ 247.54		\$ -	\$ 1,172.54
Patti Townsend-Smith	1	\$ 150.00		\$ 247.54		\$ -	\$ 397.54
Monthly Totals	8	\$ 1,200.00	\$ (45.00)	\$ 990.16	0	\$ -	\$ 2,145.16

Fiscal Year 2024-2025 Total

Board Member	# Of Mtgs	Per Diem	Registration Fee	Travel Expense	Mileage Reimb		Total
					# Miles	Amount	
Cari Dale	4	\$ 600.00	\$ 75.00	\$ 247.54	0	\$ -	\$ 922.54
Claude Hamilton	3	\$ 450.00	\$ (700.00)	\$ -	0	\$ -	\$ (250.00)
Julie Johnson	0	\$ -	\$ 105.00	\$ 247.54	0	\$ -	\$ 352.54
Michael Mack	4	\$ 600.00	\$ 625.00	\$ 247.54	0	\$ -	\$ 1,472.54
Patti Townsend-Smith	1	\$ 150.00	\$ -	\$ 247.54	0	\$ -	\$ 397.54
FY24-25 Total	12	\$ 1,800.00	\$ 105.00	\$ 990.16	0	\$ -	\$ 2,895.16



Credit Card Transactions
Fiscal Year 2024-2025

September 2024 Charges

American Express Credit Card

Vendor Name	Description	GL Finance Code	Transaction Amount
AMAZON	RETURNED ITEM: TRASH CAN	GL 03 41 63401 PO#13889	(78.84)
AMAZON	CURRENCY AND COIN RECORD FORM	GL 03 52 72000	38.55
AMAZON	CADDY	GL 03 41 63401	44.78
PREPASS	GM VEHICLE PASS	GL 03 41 75300	17.65
AMAZON	GRAND OPENING SCISSORS AND GREEN SATIN RIBBON	GL 03 45 72000	61.03
AMAZON	ERGONOMIC CHAIR	GL 03 41 63401 PO#13940	465.45
AMAZON	HEADLAMP	GL 03 52 72000 PO#13940	19.59
AMAZON	PIPE WRENCH	GL 01 34 72000 PO#13946	155.72
CULLIGAN	MONTHLY SUBSCRIPTION	GL 03 41 63401	97.66
NOSSAMAN	LEGAL FEES	GL 03 41 70300	48,921.60
AMAZON	IGNITION KEYS REPLACEMENT, KEYS FOR CATERPILLAR	GL 01 34 72000 PO#13946	280.53
GALLEHER INDUSTRIES	2X12 KERUING AD ROUGH TALLY	GL 03 36 72000 PO#13928	120.00
GRAINGER	SOCKET MOUNTING BASE, MOUNTING KIT	GL 02 61 72000 PO#13910	1,043.45
GRAINGER	EAR MUFFS, SCRATCH BRUSH, THREAD SEALANT	GL 03 43 72500 13945	949.61
GRAINGER	SMALL ENGINE FUEL	GL 03 36 63421 PO#13952	642.42
GRAINGER	HAND RAIL	GL 02 61 72000 PO#13910	356.52
GRAINGER	SOCKET MOUNTING BASE	GL 02 61 72000 PO#13910	135.04
GRAINGER	BEVERAGE COOLER, HARD SIDED	GL 03 43 72500 PO#13921	117.36
GRAINGER	MOUNTING KIT	GL 02 61 72000 PO#13910	67.08
GRAINGER	REPAIR CLAMP	GL 01 99 15260 PO#13921	37.13
GRAINGER	SCRAPER STRAIGHT CARBON STEEL, PUTTY KNIFE	GL 03 42 75300	279.31
GRAINGER	BROOM 60" W, OUTDOOR	GL 01 34 72000 PO#13874	1,769.27
GRAINGER	DUCT TAPE, BRUSH 3", PAINT BRUSH, SPRAY PAINT	GL 01 34 72000 PO#13894	1,682.59
GRAINGER	SMALL ENGINE FUEL	GL 03 36 63421 PO#13952	1,374.01
GRAINGER	HANDRAIL	GL 02 61 72000 PO#13910	1,276.27
OFFICE DEPOT	OFFICE SUPPLIES	GL 03 42 75300	316.39
AMAZON	RETURNED ITEM: GRAND OPENING SCISSORS	GL 03 45 72000	(43.09)
AMAZON	STRAIGHT PIPE WRENCH	GL 01 34 72000 PO#13946	193.84
OFFICE SIGN COMPANY	DOOR SIGN	GL 03 41 63401	50.32
RIB SHACK	BOARD MEETING LUNCHES	GL 03 41 75300	156.13
MAJOR MARKETPLACE	EMPLOYEE SNACKS - FRUITS	GL 03 41 63401	31.73
AMAZON	WOOD STAIN MARKER, LAUNDRY DETERGENT PACK	GL 03 41 63401	62.50
AMAZON	ERGONOMIC CHAIR	GL 03 41 63401	202.57
AMAZON	CLASSIFICATION FOLDER	GL 03 41 72900	37.66

Vendor Name	Description	GL Finance Code	Transaction Amount
QUALITY LOGO	PROMOTIONAL ITEMS FOR HR	GL 03 45 72000	3,650.78
MUNICIPAL WATER	MWDOC 2024 WATER SUMMIT	GL 03 51 75300	150.00
RENAISSANCE ESERALD	CFO HOTEL STAY	GL 03 51 75300	267.54
CHATGPT	SUBSCRIPTION	GL 03 51 72400	20.00
VILLAGE NEWS	ANNUAL SUBSCRIPTION	GL 03 41 72400	69.95
MUNICIPAL WATER	REFUND: MWDOC 2024 WATER SUMMIT	GL 03 51 75300	(150.00)
TRAVEL GUARD GROUP	CALPEPRA 2024 CONFERENCE TRIP INSURANCE	GL 03 42 75300	46.31
UNITED AIRLINES	CALPEPRA 2024 CONFERENCE - CRAMIREZ	GL 03 42 75300	687.08
EAGLES NEST PECHANGA	2025 EMPLOYEE BANQUET	GL 03 42 56513	800.00
CWEA	CWEA - ANNUAL MEMBERSHIP	GL 01 33 56512	239.00
INDEED JOBS	MONTHLY SUBSCRIPTION	GL 03 42 75500	120.00
LINKEDIN	MONTHLY SUBSCRIPTION	GL 03 42 75500	169.99
ETSY.COM	20 YEAR SERVICE AWARD-COFFEY	GL 03 42 56513	126.49
SILVER TOWNE	25 YEAR SERVICE AWARD-HEINCY	GL 03 42 56513	232.70
HARRAH'S HOTEL	ADMINISTRATIVE SERVICES MGR HOTEL STAY	GL 03 42 75300	397.19
WHIP AROUND	JANITORIAL SUPPLIES	GL 03 41 63401	489.00
ZOHO	FORMS APP/SOFTWARE	GL 01 35 72000	40.25
WHIP AROUND	JANITORIAL SUPPLIES	GL 03 41 63401	54.60
THE CENTER FOR ORG EFFECTIVEI	SUPERVISORY ACADEMY	GL 02 61 56512	110.00
AMAZON	CAPACITORS FOR PUMP STATIONS	GL 03 44 60100	63.66
WASABI	SOFTWARE PROGRAM	GL 03 44 72400	101.22
AMAZON	RECESSED POWER AND DATA ROUND FLOOR BOX	GL 03 44 72000	514.68
AMAZON	PANEL MOUNT UPS W/ STANDARD BATTERY	GL 03 44 60100	657.68
AMAZON	LAPTOP BACKPACK, SCREEN PROTECTOR	GL 03 44 60100	108.74
AMAZON WEB SERVICES	STORAGE SERVICE - PHONE CALL RECORDINGS	GL 03 44 72400	0.61
AMAZON	NOTEBOOKS	GL 03 44 72000	13.51
STARLINK	SATELLITE INTERNET	GL 03 44 60100	384.67
AMAZON	DELL VIDEO CONFERENCING MONITOR	GL 03 44 60100	481.90
AMAZON	HEADPHONE JACK ADAPTER	GL 03 44 60100	18.29
AMAZON	USB CHARGER	GL 03 44 60100	28.11
CORELOGIC	ADDRESS LOOKUP SERVICE	GL 03 44 72400	192.50
MICROSOFT	CLOUD SOFTWARE	GL 03 44 72400	131.66
TWILIO	SMS SERVICE	GL 03 44 72400	21.78
GOTOCONNECT	PHONE SERVICE	GL 03 41 74100	1,276.34
AMAZON	OTTERBOX SCREENLESS PHONE CASE	GL 03 44 60100	38.71
AMAZON	OTTERBOX IPHONE CASE	GL 03 44 60100	30.64
SQSP	DOMAIN REGISTRATION	GL 03 44 72400	12.00
SQSP	DOMAIN REGISTRATION	GL 03 44 72400	12.00
STARLINK	SATELLITE INTERNET	GL 03 44 60100	26.94
DIRECT TV	EOC TV SUBSCRIPTION	GL 03 44 72400	92.99
DIGITAL RIVER	SOFTWARE PROGRAM	GL 03 44 72400	60.00

Vendor Name	Description	GL Finance Code	Transaction Amount
AMAZON	WALL MOUNT, MICROPHONE CABLE	GL 03 44 60100	97.35
STARLINK	SATELLITE INTERNET	GL 03 44 60100	20.00
ZOOM	SUBSCRIPTION	GL 03 44 72400	135.94
AMAZON	DELL NOTEBOOKS (6)	GL 03 44 60000 PO#13973	5,086.20
APPLE	SUBSCRIPTION	GL 03 44 72400	2.99
AMAZON	65' SMART FIRE TV	GL 03 44 60100	361.56
FLIPPER DEVICES	SOFTWARE PROGRAM	GL 03 45 72000	198.27
TY WHITMAN	UNKNOWN CHARGE, DISPUTED W/ AMEX	GL 03 44 72000	25.00
RING	DOORBELL SUBSCRIPTION	GL 03 44 72400	10.00
AMAZON	SEAGATE SAVVIO (6)	GL 03 44 60100	244.45
AMAZON	IPHONE SCREEN PROTECTORS	GL 03 44 60100	10.62
RENAISSANCE ESMERALD	CSDA CONFERENCE	GL 03 91 75300	57.57
YARD HOUSE	CSDA CONFERENCE	GL 03 91 75300	88.08
RENAISSANCE ESMERALD	CSDA CONFERENCE	GL 03 91 75300	1,269.34
BONSALL POST	MAILING	GL 03 91 72000	24.94
NFPA	NFPA-70E FOR PAUL GASSMANN	GL 03 43 72000	272.00
NFPA	NFPA-70E FOR MARK CLINE	GL 03 43 72000	272.00
SAFETY CLASS	CONFINED SPACE TRAINING FOR ALEX JONES	GL 03 43 72000	325.00
NFPA	NFPA-70E FOR PGASSMANN DUPLICATE CHARGE	GL 03 43 72000	272.00
NFPA	REFUND: NFPA-70E FOR PAUL GASSMANN	GL 03 43 72000	(272.00)
HSI EMERGENCY	HIS CPR CARDS AND STUDENT SUPPLIES	GL 03 43 72000	805.68
LA PERLA	EMERGENCY MAIN BREAK DINNER FOR CREW	GL 03 43 72000	42.14
RENAISSANCE ESMERALDA	CSDA CONF. LODGING DIRECTOR DALE	GL 03 20 75300	495.08
RENAISSANCE ESMERALDA	CSDA CONF. LODGING DIRECTOR JOHNSON	GL 03 20 75300	495.08
RENAISSANCE ESMERALDA	CSDA CONF. LDG DIRECTOR TOWNSEND-SMITH	GL 03 20 75300	495.08
ACWA	FALL CONF. REGISTRATION DIRECTOR DALE	GL 03 20 75300	899.00
ACWA	FALL CONF. REGISTRATION JAKE WILEY	GL 03 41 72400	899.00
ACWA	FALL CONF. REGISTRATION DIRECTOR MACK	GL 03 20 75300	899.00
RENAISSANCE ESMERALDA	CSDA CONF. LODGING DIRECTOR MACK	GL 03 20 75300	495.08
VILLAGE PIZZA	SPECIAL BOARD MEETING LUNCH HH, MM, JJ, CD, PTS, JW, KH, AS	GL 03 41 72400	82.97
COLORADO RIVER WATER USERS	CRWUA CONF REG - DIRECTOR TOWNSEND-SMITH (CANCELLED/CREDIT ISSUED)	GL 03 20 75300	550.00
ACWA	FALL CONF. REGISTRATION DIRECTOR JOHNSON	GL 03 20 75300	899.00
ACWA	FALL CONF. REGISTRATION KARLEEN HARP	GL 03 42 75300	899.00
IMAGE ZONE	THOROUGHbred L/S EVENT	GL 03 45 72000	107.81
WWW.NAMEBADGE.COM	NAME BADGES FOR STAFF	GL 03 41 72900	336.37
MICHAELS	THOROUGHbred L/S EVENT	GL 03 45 72000	17.37
TRADER JOES	THOROUGHbred L/S EVENT	GL 03 45 72000	5.19
VONS	THOROUGHbred L/S EVENT	GL 03 45 72000	30.96
ALBERTSONS	THOROUGHbred L/S EVENT	GL 03 45 72000	12.38
TARGET	THOROUGHbred L/S EVENT	GL 03 45 72000	21.13
KRISPY KREME	THOROUGHbred L/S EVENT	GL 03 45 72000	19.99

Vendor Name	Description	GL Finance Code	Transaction Amount
ISTOCKPHOTO	SUBSCRIPTION	GL 03 45 72400	210.00
VILLAGE NEWS	ANNUAL SUBSCRIPTION	GL 03 45 72400	89.95
DJ MANDY MIXES	COMMUNITY APPRECIATION EVENT W/ FPUD	GL 03 45 72000	337.50
WWW.NAMEBADGE.COM	NAME BADGES FOR STAFF	GL 03 41 72900	125.33
TOTAL AMEX CHARGES:			90,442.74

US Bank Visa Credit Card

Vendor Name	Description	GL Finance Code	Transaction Amount
O'REILLY	1QT TRANSFLD	GL 03 36 63422	167.96
SP ELEMENT FIRE	TACTICAL MOUNT W/ STRAPS AND FIRE EXTINGUISHER	GL 03 36 72000	432.80
SP ELEMENT FIRE FRGN FEE	TRANSACTION FEE	GL 03 36 72000	12.98
PEDAL COMMANDER	PEDAL COMMANDER FOR FORD F350	GL 03 36 63422	338.23
HARBOR FREIGHT	RADIATOR HOSE, ENGINE OIL, BATTERY AND CHARGER, CUTTER	GL 03 36 73000	352.21
MATCO	CHR LOCK EXT SET, CHROME LOCKING EXT, UNIV 6PT SKT	GL 03 36 73000	268.54
HAPPY JUG LIQUOR	ACCIDENTAL CHARGE - PERSONAL	GL 03 99 12121	36.30
WALMART	EMPLOYEE BEVERAGES	GL 01 34 72000	39.02
AWWA	CA-NV-AWWA POLICY & PLAN DEVELOPMENT	GL 01 35 63404	275.00
AWWA	CA-NV-AWWA POLICY & PLAN DEVELOPMENT	GL 01 35 63404	275.00
ALBERTSONS	EMPLOYEE BEVERAGES	GL 01 34 72000	41.36
COSTCO	DELIVERY FEE	GL 03 41 63400	20.99
COSTCO	EMPLOYEE SNACKS - TRAIL MIX	GL 03 41 63400	395.05
COSTCO	EMPLOYEE SNACKS - TRAIL MIX	GL 03 41 63400	224.95
FAST FIX JEWELRY	M CLINE GIFT ENGRAVING	GL 03 42 56513	45.00
BONSALL DONUT	WORKPLACE VIOLENCE TRAINING - FOOD FOR STAFF	GL 03 42 56513	56.80
Z SOUTH	NEW HIRE WELCOME LUNCH - C MELTON	GL 03 42 75500	145.16
MAJOR MARKETPLACE	EMPLOYEE APPRECIATION TREAT - ROOT BEER FLOATS	GL 03 42 56513	58.44
BACKDRAFT	AFTER HOURS MEALS FOR CREW	GL 01 34 72000	117.45
LA PERLA	AFTER HOURS MEALS FOR CREW	GL 01 34 72000	139.54
TB RESTAURANT	CSDA CONFERENCE, MEAL FOR BOARD/STAFF	GL 03 41 75300	400.00
RENAISSANCE HOTELS	LODGING @ CSDA CONFERENCE JW	GL 03 41 75300	267.54
Z CAFÉ	GENERAL MANAGER LUNCH MEETING W/FPUD	GL 03 41 75300	38.00
BONSAL DONUT HOUSE	OPERATIONS PLANNING MEETING	GL 03 41 75300	46.15
TOTAL US BANK VISA CHARGES:			4,194.47

TOTAL CHARGES			94,637.21
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Rainbow Municipal Water District
Property spreadsheet

APN	Description of Use	Acreage
1023000800	North Reservoir	4.8
1023001100	U-1 Pump Station	0.14
1023005000	Rainbow Creek Crossing near North Reservoir	0.89
1023005300	Connection 9	0.01
1024300900	Pump Station across PS1 (not in use)	0.12
1025702000	U-1 Tanks	1.08
1026305400	Pump Station #1	0.33
1026602000	Booster Pump Station #4	0.03
1027001600	Pump Station #3	0.67
1071702800	Connection 7	1.60
1071702900	Pala Mesa Tank	10.35
1080206900	Northside Reservoir	9.23
1082210600	Beck Reservoir	27.25
1082210900	Near Beck Reservoir	4.82
1082211000	Near Beck Reservoir	6.23
1082211800	Near Beck Reservoir - Excess Property (not in use)	4.68
1084210600	Rice Canyon Tank	1.00
1084410300	Canonita Tank	2.41
1091410700	Gomez Creek Tank	1.00
1092310900	Rainbow Heights Tank	0.35
1092330300	Rainbow Heights Tank	0.99
1092341000	Rainbow Heights Concrete Tank - used for SCADA	1.74
1093101800	Vallecitos Tank	0.55
1093822800	Magee Tank	1.03
1093912400	Magee Pump Station	0.3
1100721000	Huntley Road Pump Station	0.52
1102203700	Huntley Chlorination Station (not in use)	0.2
1212011000	Morro Tank	0.31
1212011100	Morro Tank	4.85
1212011200	Morro Reservoir	13.01
1213300900	Morro Reservoir	6.79
1250703200	Sumac Reservoir (Not in Use)	1.72
1250902600	Headquarters	7.38
1250903400	Headquarters	4.43
1250903500	Headquarters	3.40
1250903800	Headquarters	17.03
1251002100	Rancho Viejo Lift Station #5	0.05
1252311800	Hutton Tank	1.39
1252312600	Hutton Tank	0.89
1260803100	Via de los Cepillos Easement	0.47
1261708700	Lift Station #2	0.08
1261708900	Lift Station #2	0.12
1263004200	Lift Station #1	0.01
1270710500	Bonsall Reservoir (Not in Use)	6.19
1270710600	Connection 6	0.28
1271512300	Turner Tank	15.12
1721404300	Gopher Canyon Tank	1.84
	<i>Total</i>	167.68

BOARD INFORMATION

Item No. 11

BOARD OF DIRECTORS

SUBJECT

REPORTS & COMMENTS

DESCRIPTION

This is placed on the agenda to provide the opportunity for individual Board members, Legal Counsel, and the General Manager to convey information to the Board and the public. This is intended for informational purposes only, and no discussion or action is to be taken by the Board of Directors.

- A. Legal Counsel's Report
- B. General Manager's Report
- C. Board Member Comments
- D. Board Reports
 - 1. CSDA
 - 2. LAFCO
 - 3. Santa Margarita River Watershed Watermaster Steering Committee
 - 4. ACWA
 - 5. Committees, Workshops, Seminars, Training



Jake Wiley, General Manager



TO: Rainbow Municipal Water District

FROM: Alfred Smith

DATE: December 10, 2024

RE: Attorney Report: Brown Act Update
501668-0002

I. INTRODUCTION.

This attorney report provides an update regarding recent developments involving the Ralph M. Brown Act (“Brown Act”). The Legislature passed two new bills which become effective on January 1, 2024. Assembly Bill 2302 changes the requirements for directors who remotely attend board meetings. Assembly Bill 2715 expands the ability of public agencies to meet in closed session to discuss cybersecurity threats. In addition, the State Attorney General recently issued two opinions that (1) address the intersection of the Brown Act and the Americans with Disabilities Act; and (2) interpret the Brown Act’s application to community events such as “state of the city” addresses.

II. BACKGROUND.

The Brown Act, California’s open meeting law, was enacted by the Legislature in 1953. Beginning at Government Code section 54950, the Brown Act contains many technical requirements governing the conduct of local agency board meetings, and the conduct of the governing officials of those agencies. The Brown Act prohibits a majority of a board members from discussing, deliberating, or taking action on business outside of a publicly noticed meeting. This includes using any type of communication, directly or through intermediaries, to reach a collective decision.

Although there have been numerous revisions throughout the years, two key provisions of the Brown Act have remained unchanged since its passage. The first is the intent section, which provides as follows:

"In enacting this chapter, the Legislature finds and declares that public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly."

The second key provision is contained in section 54953: "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as

otherwise provided in this chapter." The main focus of the Brown Act is the public's right to attend and participate in the decision-making processes of local agencies.

III. NEW BROWN ACT LAWS.

A. Remote Participation

The Brown Act contains a number of requirements for remote/teleconference meetings. Among other things, the Brown Act requires that (1) local agencies post on the agenda the physical location of each director's teleconference location; (2) each teleconference location be accessible to the public; (3) members of the public be allowed to address the agency at each teleconference location; (4) the legislative body post an agenda at each teleconference location; and (5) at least a quorum of the directors participate from locations within the boundaries of the agency's jurisdiction.

During the COVID-19 pandemic, new laws were passed to facilitate the ability of board members to remotely participate in board meetings. One such law includes Assembly Bill 2449. Among other things, Assembly Bill 2449 allows board members to remotely participate in board meetings in two situations:

- For "just cause," defined as the need to provide care to a child or close relation, having a contagious illness, needs related to a physical or mental disability, or being on official travel for the agency; or
- "Emergency circumstances," which include physical or family emergencies that prevent a member from attending.

The right to appear remotely in these circumstances is limited. Currently, AB 2449 provides that board members may not appear remotely for a period of more than three consecutive months or for 20% of the year's regular meetings. (If an agency meets fewer than ten times a year, a member may only appear remotely twice during the year.)

Assembly Bill 2302 revises the current limitation on remote attendance by directors. AB 2302 limits the allowed number of remote appearances for board members to:

- Two times per year if the agency regularly meets once per month or less;
- Five times per year if the agency regularly meets twice per month; or
- Seven times per year if the agency regularly meets three or more times per month.

B. Closed Session for Cybersecurity Threats

In 2023, the Federal Bureau of Investigation reported that government entities were the third-most targeted sector by ransomware. The average ransom demanded for government organizations that year was over \$1 million. Assembly Bill 2715 expands the justification for local agencies to meet in closed session to discuss cybersecurity.

AB 2715 authorizes local agencies to meet in closed session concerning cyberattacks by expanding on an existing ground for closed session. Under current law, agencies may meet in closed session to discuss threats to the security of public buildings, essential public services, or the public right of access to public facilities. The current focus of this exception is on physical threats to security.

AB 2715 expands this ground to include non-physical threats to “critical infrastructure controls” and “critical infrastructure information” relating to cybersecurity. AB 2715 defines these circumstances as follows:

- “Critical infrastructure controls,” which include “networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof”; or
- “Critical infrastructure information,” which is “information not customarily in the public domain,” and which pertains to:
 - “Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems, that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof”;
 - “The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure”;
 - “Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.”

C. Americans with Disabilities Act

The Attorney General recently issued an opinion providing guidance on the intersection of the Brown Act and the Americans with Disabilities Act (“ADA”). The Attorney General’s opinion concludes that the ADA generally allows remote participation by a director as a reasonable accommodation for a director with a physical disability. However, the board members who participate remotely must (1) use two-way video and audio streaming in real time and (2) disclose the identity of any adults who are present

Specifically, in Opinion No. 23-1002, the Attorney General considered the question:

“Under the Ralph M. Brown Act, a local agency’s legislative body must generally conduct its meetings in person at locations open to the public. Does the Americans with Disabilities Act (ADA) nonetheless require that a local agency’s legislative body allow remote participation for a member with a qualifying disability that precludes their in-person attendance at meetings of the body?”

The Attorney General responded:

“Yes. The ADA generally requires a local agency’s legislative body to allow remote participation as a reasonable accommodation for a member with a qualifying disability that precludes their in-person attendance at meetings of the body. This duty to reasonably accommodate is subject, however, to the Brown Act’s requirement that the remote participation must be conducted in a manner that simulates in-person attendance at meetings held in person at a location open to the public. To accomplish this, the Act requires that individual members who participate remotely (1) use two-way video and audio streaming in real time and (2) disclose the identity of any adults who are present.”

Years ago the Attorney General concluded the contrary. However, because of post-Covid changes to the Brown Act expanding the right of board members to participate remotely, the Attorney General concluded the prior reasoning no longer applied.

D. The Brown Act and Public Events

The Attorney General also recently opined that certain public events such as “state of the city” and similar addresses are “meetings” of “legislative bodies” subject to the Brown Act’s noticing and agenda requirements. (Cal. Att. Gen. Op. 23-102, Apr. 18, 2024.) The event at issue involved the annual breakfast of a local chamber of commerce at which the mayor, who is a member of the city council, delivered a “State of the City” address. Members of the public could attend the event in person, but only if

they purchased a ticket from the chamber of commerce. There was no other way for the public to watch the address in real time.

Given this context, the Attorney General considered the following questions:

“1. If a majority of the members of the city council were to attend the event described above, would that event constitute a ‘meeting’ of the city council within the scope of the Brown Act under Government Code section 54952.2(a)?

Yes. If a majority of the members of the city council were to attend the event described above, that event would constitute a congregation of a majority of the councilmembers at the same time and location to hear—and potentially discuss—an item within their subject matter jurisdiction. As such, the event would constitute a ‘meeting’ of the city council within the meaning of Government Code section 54952.2(a), and the meeting would have to comply with the open-meeting requirements of the Brown Act, unless a statutory exception applies.

2. Would the Brown Act exception for conferences or similar gatherings set forth in Government Code section 54952.2(c)(2) apply to such an event?

No. The event as described consisted of a single speech by a single official regarding the state of a single city. As such, it would not satisfy the Brown Act exception for conferences and similar gatherings set forth in Government Code section 54952.2(c)(2) because that exception involves a discussion of issues of general interest to the public or to public agencies of the type represented by the city council.

3. Would the Brown Act’s exception for ‘community meetings’ set forth in Government Code section 54952.2(c)(3) apply to such an event?

No. The Brown Act exception for community meetings set forth in Government Code section 54952.2(c)(3) requires, among other things, that the event must be open to the public. The event in question would not satisfy that element because members of the public could only attend by purchasing a ticket from the chamber of commerce.”

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