The minutes presented herewith are not a verbatim transcription of the Regular Board meeting held telephonically on July 28, 2020. The intent is to provide a synopsis of key points of discussion and to chronicle decisions and actions taken by a quorum of the Board of Directors (ref: Roberts Rules of Order, Section 48). For more information or background, please refer to the applicable board packet.

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
July 28, 2020

A Regular Meeting of the Board of Directors of the Rincon Del Diablo Municipal Water District was held telephonically on Tuesday, July 28, 2020 at 5:03 p.m.

Directors Present: Drake, Lump, Murtland, Quist, and Towne.

Directors Absent: None.

District Staff Present: Clint Baze, General Manager; Julia Escamilla, Public Information Officer; Jeffrey Umbrasas, Director of Administration and Finance; Karen Falk, Senior Engineer; Josefina Washington, Accountant; and Wanda Cassidy, Clerk of the Board.

Legal Counsel: Gerry Shoaf, Legal Counsel, Redwine and Sherrill.

Guests: Rick Vogt, Fire Chief, Escondido Fire Department.

President Murtland called the meeting to order at 5:03 p.m. Director Towne then led the Board of Directors and attendees in the Pledge of Allegiance to the Flag of the United States of America.

ADDITIONS/CHANGES TO AGENDA

There were no additions or changes to the agenda.

ORAL COMMUNICATIONS TO THE BOARD

There were no communications to the Board.

SECTION 1 - CONSENT ITEMS

In a motion by Director Towne and seconded by Director Quist, the Board of Directors unanimously approved the following consent items:
1-B. Minutes of the Special Board of Directors Meeting of July 14, 2020.
1-C. General Fund Disbursements, June 2020.
1-F. Board of Directors’ Per Diem Fees and/or Expense Report, June 2020.

by the following roll call vote:

Drake   Aye
Lump    Aye
Murtland Aye
Quist   Aye
Towne  Aye

SECTION 2 – EMERGENCY PREPAREDNESS & FIRE SERVICES


Rick Vogt, Chief of the Escondido Fire Department reported on the following:

  o COVID-19 Update:
    ▪ The City of Escondido (City) is reducing indoor activities and businesses are moving outdoors. Escondido has provided temporary use permits, canopies are coming out, and business owners are conducting business outdoors.
    ▪ Development is on the rise. The City has received many developer applications and several projects are currently underway.
    ▪ There have been a few small vegetation fires in the area. The Fire Department responded to a small fire close to a water tank and a fire burning a small grove of palm trees at Hacienda de Vega.
    ▪ On July 24, the Fire Department, San Diego Sheriff’s Department, and Park Rangers worked collaboratively on a rescue in a remote location in Daley Ranch. A San Diego County helicopter was able access the remote area and then haul the patient from Daley Ranch to an ambulance which then transported him to Palomar Hospital.
The next few days there will be a warming trend in Escondido.
COVID-19 and social distancing is causing agencies to rethink how to fight wildfires. Responders are listening to briefings on phones and fighting fires in pods. Small pods work in different areas which enables firefighters to fight fires while keeping safe distances from each other.
COVID-19 is also forcing businesses to implement efficiencies to continue business as usual. Business will evaluate the efficiencies and determine whether the efficiencies will continue once the pandemic ends.

After the report, Directors congratulated Chief Vogt on being elected as the 2020-2021 president of the San Diego County Fire Chiefs’ Association.

Chief Vogt then answered Directors’ questions.

SECTION 3 – PUBLIC INFORMATION & INTERGOVERNMENTAL RELATIONS


Director Towne requested staff amend the minutes to include a discussion on making improvements to the District’s mobile website application in an effort to be more “user friendly.”

Received and filed the Public Information & Intergovernmental Relations (PIIGR) Committee Meeting Minutes of July 15, 2020 with the requested revision.

SECTION 4 – FINANCE, INSURANCE & PERSONNEL


Received and filed the Finance, Insurance & Personnel (FIP) Committee Meeting Minutes of June 9, 2020.

4-B. Resolution No. 20-817.30, “Establishing the Limit for Appropriations of Proceeds of Tax Subject to Limitation for Fiscal Year 2020-21, in Compliance with Article XIII-B of the Constitution of the State of California.”
Staff is requesting the Board of Directors adopt Resolution No. 20-817.30, “Establishing the Limit for Appropriations of Proceeds of Tax Subject to Limitation for Fiscal Year 2020-21, in Compliance with Article XIII-B of the Constitution of California.”

Proposition 4 (a product of Proposition 13), requires the aggregate taxes paid to the District, which exceed the State mandated appropriation limits, be refunded to the property owners in Rincon del Diablo’s Parent District and Improvement Districts (ID) 1, ID A, and ID E.

The appropriation limit is based on a calculation using cost of living and population information for the Escondido area provided by the State of California Department of Finance. Based on the calculation for the current year, property taxes received for ID 1, ID A, and ID E are within the applicable appropriations limits.

After staff the answered Directors’ questions, President Murtland asked for a motion:

In a motion by Director Quist, and seconded by Director Drake, the Board of Directors, by the following roll call vote, unanimously adopted Resolution No. 20-817.30, “Establishing the Limit for Appropriations of Proceeds of Tax Subject to Limitation for Fiscal Year 2020-21, in Compliance with Article XIII-B of the Constitution of California.”

Drake Aye
Lump Aye
Murtland Aye
Quist Aye
Towne Aye

4-C. Annual Review and Adoption of the District’s Investment Policy (Administrative Code Section 3200).

General Manager Baze introduced Annual Review and Adoption of the District’s Investment Policy (Administrative Code Section 3200). Staff is requesting the Board of Directors adopt the District’s FY 2020-21 Investment Policy, as modified. Staff also requests that the Board delegate management and administration of the Investment Program to the General Manager and Director of Administration & Finance.

California Government Code (Sections 53600-53609) requires that the District’s Investment Policy be reviewed and adopted by the Board on an annual basis.
District staff engages in continuous review of the Investment Policy to respond to changes in law, industry guidelines, and investment climate. Director of Administration and Finance Jeff Umbrasas reported the results of a recent independent review by White Nelson Diehl Evans LLP (WNDE) found the District’s investments were in compliance with policies and procedures outlined in the Investment Policy.

Mr. Umbrasas also reported the Investment Policy was submitted to the California Municipal Treasurers Association (CMTA) for certification in 2019, however, it narrowly missed certification. The policy was recently resubmitted after making recommended changes and the District is awaiting the outcome of the review.

After staff responded to questions from Directors, President Murtland asked for a motion:

In a motion by Director Quist, and seconded by Director Drake, the Board of Directors, by the following roll call vote, unanimously adopted Resolution No. 20-817.30, “Establishing the Limit for Appropriations of Proceeds of Tax Subject to Limitation for Fiscal Year 2020-21, in Compliance with Article XIII-B of the Constitution of California” and approved that the Board delegate management and administration of the Investment Program to the General Manager and Director of Administration & Finance.

Drake Aye
Lump Aye
Murtland Aye
Quist Aye
Towne Aye

4-D. Write-off Customer Account Balances and Void Stale Dated Checks for Fiscal Year 2019-20.

General Manager Baze brought forward Write-off Customer Account Balances and Void State Dated Checks for Fiscal Year 2019-20. Staff is seeking Board approval to write-off certain customer account balances and to void state dated checks as part of the fiscal year-end closing process.

Josie Washington, Accountant, reported writing-off the amounts owed to the District does not relieve or absolve delinquent customers of financial responsibility. Amounts owed over $35 are forwarded to a collection agency for further action, and if they remain unpaid, the information is supplied to the
appropriate credit reporting agencies. These amounts will remain in the collections process, even if written-off.

It has also been the general policy of the District not to refund amounts less than $1 when customers terminate service with the District unless the customer specifically requests a refund. Included in the list of write-offs are several credits owed to customers, which fall below this $1 threshold.

Stale dated checks are those which have not been redeemed for three or more years. These unclaimed amounts are intended to be returned to the District’s fund balance. Several efforts have been made to contact the payees with no success. As per Government Code Sections 50050-50056, the District has published consecutive notices in the local newspaper for a period of over 45 days as a final attempt to get payees to claim their funds.

Ms. Washington then reported due to the pandemic, SB 998, and lack of collections, collections are higher than usual. Ms. Washington then answered questions regard the new collection agencies rates and fees.

After discussion, President Murtland requested a motion:

> In a motion by Director Quist, and seconded by Director Drake, the Board of Directors, by the following roll call vote, the Board of Directors unanimously authorized the writing off of customer account balances in the amount of $6,255.67 and the voiding of state dated checks in tea mound of $1,143.68.

<table>
<thead>
<tr>
<th>Drake</th>
<th>Aye</th>
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<tr>
<td>Lump</td>
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<td>Murtland</td>
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<td>Quist</td>
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<td>Towne</td>
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SECTION 5 – OPERATIONS; ENGINEERING & LONG-RANGE PLANNING

5-A. Consider Resolution No. 20-06, “Approval to Submit an Application for Concurrent Annexation of the Sringeri Vidya Bharati Foundation Temple (APN 241-080-47) to San Diego Local Agency Formation Commission."

General Manager Baze introduced Resolution No. 20-06, “Approval to Submit an Application for Concurrent Annexation of the Sringeri Vidya Bharati Foundation Temple (APN 241-080-47) to San Diego Local Agency Formation Commission.”

General Manager Baze reported the Sringeri Vidya Bharati Foundation requested annexation of a 19.52-acre parcel to the District to secure water service for a
temple and additional onsite facilities. The parcel is located adjacent to the east side of the District’s service area in the San Pasqual area and is within the existing sphere of influence.

The annexation to the District, SDCWA, and MWD will occur concurrently in conformance with San Diego Local Agency Formation Commission (LAFCO) guidelines. The lengthy annexation process, which began in 2018, includes SDCWA and MWD Board approval. All approvals have now been satisfied and District staff requested the Board of Directors approve the submittal of an Application for Concurrent Annexation of the Sringeri Vidyar Bharati Foundation Temple to the San Diego Local Agency Formation Commission.

After a brief discussion and General Manager Baze answered questions from Directors, President Murtland asked for a motion:

>In a motion by Director Quist, and seconded by Director Towne, the Board of Directors, by the following roll call vote, unanimously adopted Resolution No. 20-06, “Approval to Submit an Application for Concurrent Annexation of the Sringeri Vidyar Bharati Foundation Temple (APN 241-080-47) to San Diego Local Agency Formation Commission.”

Drake Aye
Lump Aye
Murtland Aye
Quist Aye
Towne Aye

5-B. Authorize the General Manager to Execute Amendment No. 1 to the Professional Services Agreement with Michael Baker International for the I-15 Crossings (CIP 52108.)

General Manager Baze brought forward Authorize the General Manager to Execute Amendment No. 1 to the Professional Services Agreement with Michael Baker International (MBI) for the I-15 Crossings (CIP 52018). Staff is recommending the consolidation of the I-15 Crossing Project (CIP 52018) and the 10” and 12” Pipeline Realignment Project (CIP 52137). The current appropriation of $600,000 in CIP 52137 will be transferred to the existing appropriation in CIP 52108 at a net zero impact to the District.

MBI has a Professional Services Agreement for the I-15 Crossings. Due to the nearby proximity and efficiencies gained by combining the two design projects into a single biddable set, Staff is recommending adding the additional design
work to MBI's existing contract and combining the projects. Staff has requested and negotiated the scope of work and fee for the additional pipeline work.

After discussion and General Manager Baze answered questions from Directors, President Murtland asked for a motion:

In a motion by Director Quist, and seconded by Director Drake, the Board of Directors, by the following roll call vote, unanimously authorized the General Manager to award Amendment No. 1 to Michael Baker International in the amount of $57,4000 for the I-15 Crossing Project and transfer $600,000 from the 10” and 12” Pipeline Realignment Project (CIP 52137) to the I-15 Crossing Project (CIP 52137) budget.

Drake       Aye
Lump        Aye
Murtland    Aye
Quist       Aye
Towne       Aye

SECTION 6 – SEWER

Nothing to report.

SECTION 7 – SDCWA DIRECTOR’S REPORT & DIRECTORS/STAFF ACTIVITIES REPORT

7-A. This portion of the agenda may be used by the San Diego County Water Authority (SDCWA) representative to make informal reports on activities.

President Murtland reported on the July 23, 2020 SDCWA Board of Directors’ meeting as follows:

• A member of the public commented against the Cadiz Water Project.
• The vote regarding the Conveyance Project proceeding to Phase B has been delayed to the August Board of Directors’ Meeting. Prior to the vote, several member agencies came together to have consultants prepare a report evaluating SDCWA’s initial Conveyance Study and provide input to the general managers to prepare for the vote. In response to the consultant study and presentations, SDCWA is presenting to member agencies to provide additional information and answer any questions regarding the Conveyance Project prior to the vote.
• The Board of Directors approved resolutions honoring Board Members upon their retirements from the SDCWA Board of Directors. Those honored were Ron Morrison of National City, Ron Watkins of Yuima, and Barry Leonard of the City of Poway.
• Dan Cayan of Scripps Institute of Oceanography presented “Climate: State of the Science.”
• The Board of Directors approved an ordinance making amendments to several chapters of the SDCWA Administrative Code.
• The Board of Directors passed a resolution setting the time and date for a Public Hearing to consider amendments to the San Diego County Water Authority Local Conflict of Interest Code.
• The Board of Directors filed the Treasurer’s Report.
• The Board of Directors authorized the General Manager to award a professional services contract to AECOM Technical Services, Inc. for design and engineering support services for the San Luis Rey Habitat Management Area Restoration and Dulín Hill Erosion Repair projects.
• A report was provided on reservoirs and storage.
• The Board of Directors were updated on SDCWA/MWD litigation.
• The Board of Directors approved the minutes of the Formal Board of Directors meeting of June 25, 2020.

After the report, President Murtland answered questions from Directors.

7-B. This portion of the agenda may be used by the Board of Directors or management to make informal oral reports on their activities.

• Director Lump reported on an Orange County Virtual Tour through CSDA. The tour was well done, educational, and may be a thing of the future. Director Lump also updated the Directors on the Fallbrook/Rainbow proposed detachment.
• Director Drake reported on the ACWA Virtual Conference and the bi-annual JPIA Zoom meeting.
• Director Quist reported that he has been participating in Urban Water Institute (UWI) planning meetings. UWI is currently working on a Zoom Webinar with panelists Felicia Marcus, Former California State Water Boards Chair and Pat Mulroy, former General Manager of Southern Nevada Water Authority with Steve Buckman, President of Bucknam and Associates, Inc. moderating. UWI Directors are also discussing the possibility of a February 2021 Conference.
• Director Towne reported on the CSDA Executive Meeting. Retiring County of San Diego Supervisor Dianne Jacob will be the speaker at the next CSDA Zoom Chapter meeting. The meeting will also include important announcements regarding the need for members to “step up to the plate”
to replace Chapter President Tom Kennedy and First Vice-President Jim Peasly.

- President Murtland had nothing additional to say.

7-C. This portion of the agenda may be used by the Board of Directors to request items for future agendas.

- Director Election Process Policy.

7-D. Request Approval for a Board Member(s) to Attend Upcoming Meetings; Conferences; or Seminars for Those Not Authorized in the District’s Administrative Code, Section 502 “Authorized District Memberships.”

There were no requests.


During the DAR, Directors commented on the calendar, how upcoming conferences were going to be virtual conferences, and the need for human interaction at conferences.

7-F. California Association of Sanitation Agencies (CASA) – Designate an Agency Representative to Exercise District Voting Rights, Consent to an Electronic Transmiissor for Voting, and Elect Directors to Four Available Seats on the CASA Board of Directors, and Approve Proposed Resolution No. 20-210 Approving Dues for Calendar Year 2021.

General Manager Baze brought forward California Association of Sanitation Agencies (CASA) – Designate an Agency Representative to Exercise District Voting Rights, Consent to an Electronic Transmission for Voting, and Elect Directors to Four Available Seats on the CASA Board of Directors, and Approve Proposed Resolution No. 20-210 Approving Dues for Calendar Year 2021.

The CASA annual business meeting typically is a part of the in-person meeting each year, were the membership elects new directors to the CASA Board and approves the annual member dues resolution. Because of the COVID-19 pandemic, the CASA Conference has been converted to a virtual event. Because of the change in format, the CASA Board has elected to have members vote on these actions by electronic ballot, separate and apart from the business meeting.

CASA is requesting the following:
- Designation of an Agency Representative and two alternates;
- Consent to Electronic Transmission for the election;
- Whether or not to approve the slate of Directors for FY 20-2021; and
• Whether or not to approve the Dues Resolution.
After a brief discussion, President Murtland asked for a motion:

In a motion made by Director Quist and seconded by Director Towne, by a vote of 5-0, the Board of Directors designated General Manager Baze to be the District’s Agency Representative, Director Drake as Alternate 1, and Director Lump as Alternate 2. Additionally, Directors consented to the Electronic Transmission of the ballot, approved the Slate of Directors for FY 20-2021, and approved the Dues Resolution by the following roll call vote:

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<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Drake</td>
<td>Aye</td>
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<tr>
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<td>Aye</td>
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<tr>
<td>Murtland</td>
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</tr>
<tr>
<td>Quist</td>
<td>Aye</td>
</tr>
<tr>
<td>Towne</td>
<td>Aye</td>
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</table>

7-G. Review and Approve General Manager’s Employment Agreement.

President Murtland introduced Review and Approve General Manager’s Employment Agreement. At the June 23, 2020 meeting, Directors agreed the General Manager’s Employment Agreement would be reviewed, finalized, and approved at this meeting.

After a brief discussion, President Murtland asked for a motion:

In a motion made by Director Quist and seconded by Director Lump, by a vote of 5-0, the Board of Directors a 5:00 p.m. approved the General Managers Employment Agreement by the following roll call vote:

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<tbody>
<tr>
<td>Drake</td>
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<td>Quist</td>
<td>Aye</td>
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<tr>
<td>Towne</td>
<td>Aye</td>
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SECTION 8 – GENERAL MANAGER’S REPORT
8-A. District Status as a Result of the COVID-19 Pandemic.

General Manager Baze reported on the County’s daily update of COVID-19 statistics.
8-B. General Manager’s Oral Report.

Prior to General Manager Baze’s report, Directors discussed updating the District Pocket Guide. General Manager Baze responded the Pocket Guide will require major updating due to the addition of Harmony Grove Village.

General Manager Baze reported on the following:

- The Finance, Insurance, and Personnel (FIP) Committee will need to meet for a Special Meeting. There are several time-sensitive issues that will require Board action at the August Board of Directors’ Meeting.
- Staff will be working on scheduling a SDCWA Conveyance Project presentation.

After the report, General Baze answered the Directors questions.

SECTION 9 – LEGAL MATTERS


There was nothing to report.

9-B. Closed Session

a. CONFERENCE WITH LEGAL COUNSEL – LITIGATION, Litigation pursuant to Government Code Section 54956.9(d)(4): San Diego County Office of Education, et al. v. The County of San Diego, et al. (This is a long-term item related to dissolution of redevelopment agencies and successor agencies and will remain on the agenda as long as Rincon Water is involved. No action is required on our part at this time.)

b. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b)(1). Title: General Manager.

c. CONFERENCE WITH LEGAL COUNSEL - Pursuant to Government Code Section 54956.9 (d)(4) to discuss potential litigation (one case).

There was no closed session.

ADJOURNMENT
There being no further business before the Board of Directors, the meeting was adjourned by President Murtland at 7:05 p.m.

APPROVED:  

James B. Murtland, President

ATTEST:  
Wanda Cassidy, Clerk of the Board