The minutes presented herewith are not a verbatim transcription of the Regular Board meeting held electronically on January 26, 2021. 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 SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF THE RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
January 26, 2021

A Regular Meeting of the Board of Directors of the Rincon Del Diablo Municipal Water District was held electronically on Tuesday, January 26, 2021 at 5:00 p.m.

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

Directors Absent: None.

District Staff Present: Clint Baze, General Manager; Julia Escamilla, Public Information Officer; Jeffrey Umbrasas, Director of Administration and Finance; Karen Falk, Engineering Manager; Steve Plyler, Operations Manager; and Wanda Cassidy, Clerk of the Board.

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

Guests: Rick Vogt, Fire Chief, Escondido Fire Department; and Craig Balben, Public Affairs Representative, San Diego County Water Authority.

President Lump called the meeting to order at 5:00 p.m. Director Drake 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.

OATH OF OFFICE

President Lump administered the Oath of Office to incumbent David A. Drake and newly elected Director Inki Kim Welch.
After the Oaths of Office, General Manager Baze thanked retiring Gerry Shoaf, Legal Counsel for the District for his many years of service and presented him with a gift.

SECTION 1 - CONSENT ITEMS

In a motion by Director Quist and seconded by Director Drake, the Board of Directors unanimously approved the following consent items:

1-B. Fund Disbursements, December 2020.
1-C. Investment Report, November and December 2020.
1-E. Board of Directors' Per Diem Fees and/or Expense Reports, December 2020.

by the following roll call vote:

Drake  Aye
Lump  Aye
Murtland  Aye
Quist  Aye
Welch  Aye

SECTION 2 – EMERGENCY PREPAREDNESS & FIRE SERVICES


Chief Vogt reported on the following:

• Fires – The Escondido Fire Department has been responding to a number of nuisance arson fires involving ornamental shrubbery and trash within Escondido. The Escondido Fire Department and Police Departments are currently investigating.

• COVID-19 – The Escondido Fire Department currently has staff four members out with COVID-19. Fortunately, it has not had a significant impact on the department. Chief Vogt then reported a Captain of the Rancho Santa Fe Fire Department stationed at Harmony Grove recently passed away due to COVID-19.

• Vaccinations – The Escondido Fire Department has been working under Vaccination Collaboration under the direction of Health and Human
Services Agency. The collaboration includes 23 fire departments and two private ambulance services. Vaccination Collaboration has been tasked with providing vaccinations to first responders and has more recently transitioned to residences of long-term care facilities. Within Escondido alone there are 450 facilities where residences will require the vaccinations. Vaccination Collaboration as provided 1,662 first doses and 113 second doses to first responders. In the last three weeks, 2,372 doses have been given at long-term facilities. Chief Vogt reported currently that anyone 65 or older can be vaccinated. The County is at the Tier 1-A level, which includes healthcare workers and first responders. For those that are in Tier 1-A, there are several alternatives for access to the vaccine. The next tier eligible for vaccinations includes teachers, other front-line workers, and utility workers. Once Tier 1-D opens, District staff will be eligible for the vaccinations through Vaccination Collaboration.

After the report, Chief Vogt answered questions from Directors.

SECTION 3 – PUBLIC INFORMATION & INTERGOVERNMENTAL RELATIONS

3-A. Update on the Proposed Rainbow Municipal Water District and Fallbrook Public Utility District Reorganizations to Detach from the San Diego County Water Authority and Annex to Eastern Municipal Water District.

General Manager Baze reported the San Diego County Water Authority (SDCWA) and Rainbow Municipal Water District (RMWD) are currently undergoing the fact-finding process regarding the detachment. Areas of concern include:

- Reliability – Will Metropolitan Water District (MWD) and Eastern Municipal Water District (Eastern) be as reliable as SDCWA during water shortages?
- How will Fallbrook Public Utilities District (FPUD) and RMWD be represented from a board member standpoint?
- Will there be a wheeling charge?
- What kind of services will Eastern provide to RWMD and FPUD? Will they provide the same services SDCWA provides? Will RMWD and FPUD want those services?
- What will happen to RMWD’s and FPUD’s preferential rights since they do not transfer?
- Regarding the Ad Valorem tax. How much in taxes does Eastern believe SDCWA should receive after the detachment?

These are the questions San Diego Local Agency Formation Commission (LAFCO) will be reviewing.
SECTION 4 – FINANCE, INSURANCE & PERSONNEL

4-A. Receive and File Audit Committee Meeting Minutes of December 14, 2020.

Received and Filed Audit Committee Meeting Minutes of December 14, 2020.

4-B. Recess to the Rincon del Diablo Public Facilities Corporation.

At 5:23 p.m. the Board of Director recessed to the Rincon del Diablo Public Facilities Corporation.

Determination of Quorum:

Director Lump: Present
Director Drake: Present
Director Murtland: Present
Director Quist: Present
Director Welch: Present


Received and filed Rincon del Diablo Public Facilities Minutes of January 28, 2020.

B. Election of Officers

A recommendation was made to have the officers of the Rincon del Diablo Municipal Water District serve as the Board of Directors of the Rincon Public Facilities Corporation.

In a motion by Director Quist, seconded by Director Welch and unanimously carried, the officers of the Rincon del Diablo Municipal Water District will serve as the following officers of the Board of Directors of the Rincon Public Facilities Corporation:

President: Director Lump
Vice President: Director Quist
Treasurer: Director Murtland
by the following roll call vote:

Drake       Aye
Lump        Aye
Murtland    Aye
Quist       Aye
Welch       Aye

There was no new business.

President Lump closed the meeting and reconvened to Open Session at 5:26 p.m.

4-C. Public Hearing: Adoption of Ordinance No. 21-98.20: An Ordinance of the Board of Directors of the Rincon del Diablo Municipal Water District Adopting Revised Capital Facility (Capacity) Fees.

President Lump opened the hearing for Ordinance No. 21-98-20: An Ordinance of the Board of Directors of the Rincon del Diablo Municipal Water District Adopting Revised Capital Facility (Capacity) Fees at 5:27. The Public Hearing is a requirement in adopting the ordinance.

General Manager Baze then introduced Director of Administration and Finance Jeff Umbrasas to provide an overview of the ordinance.

Capacity fees are a one-time charge collected when new water service(s) are purchased, and connection(s) are made to the water system. The fees ensure that new users pay their fair share for either the existing costs and asset of the water system or to expand tee water system to meet additional demand.

The current Capacity Fees were derived from methodology in the 2005 Water Master Plan. The incremental cost method currently used assumes the water system does not have enough current capacity to accommodate growth and that new facilities (system expansion) will be needed to serve anticipated new connections to the water system. Separate Capacity Fees were established for Improvement District (ID) 1 and ID-A due to difference in growth assumptions for each ID.

Capacity Fees were last modified in 2012, and although a Capacity Fee review took place during the 2014 Water Master Plan Update, no action was taken. In July of 2020, Tom Scaglione of ATS Financial Services was engaged to review and provide recommendations regarding Capacity Fees. The 2020 Water Capital Facility Fee Study was prepared and presented to the Board with recommendations at the October 27, 2020 meeting. At the meeting, the Board of Directors unanimously authorized the General Manager to notice and hold a
public hearing to consider modifications to Capacity Fees. The following recommendations were made based on the study:

- Change from Incremental Growth Method to Buy-In Method.
  - Both IDs are “built-out” with current infrastructure largely sufficient to serve the needs of customers, now and in the future
  - New connections paying their fair share of the value of assets to join the existing water system
  - Fees collected under the buy-in method are unrestricted and can be used to fund capital reserves or capital projects on the water system.

- Implement a single District-wide Capacity Fee and eliminate distinct Capacity Fees for ID-1 and ID-A.
  - As both IDs are primarily “built-out,” it is common for new connections to buy-in to the entire value of the water system.
  - Single Fee is consistent with how other District fees are assessed, including service charges and usage rates.
  - Establish independent calculation for Recycled Water Capacity Fees.

The fee was calculated following a generally accepted fee design criteria and adhered to substantive requirements of California Government Code. The Study provided a necessary nexus to determine equitable and legally defensible Capacity Fees as recommended.

The proposed Capacity Fee in ID-1 (87% of service connections) has most potential for development growth. Proposed ID-A (13% of services connections) Capacity Fees will increase.

Staff then requested the Board of Directors adopt Ordinance No. 21-98.20: An Ordinance of the Board of Directors of the Rincon del Diablo Municipal Water District Adopting Revised Capital Facility (Capacity) Fees. The ordinance will become effective on March 29, 2021.

Mr. Umbrasas then answered questions from Directors.

The hearing was closed at 5:56 p.m. Director Lump then asked for a motion:

**After a motion by Director Quist and seconded by Director Welch, the Board of Directors unanimously adopted Ordinance No. 21-98.20: An Ordinance of the Board of Directors of the Rincon del Diablo Municipal Water District Adopting Revised Capital Facility (Capacity) Fees by the following roll call vote:**
Drake  Aye
Lump    Aye
Murtland Aye
Quist   Aye
Welch   Aye

SECTION 5 – OPERATIONS; ENGINEERING & LONG-RANGE PLANNING


Received and Filed Engineering & Long-Range Planning Committee Meeting Minutes of December 16, 2020.

SECTION 6 – SEWER

6-A.  Receive and File Sewer Committee Meeting Minutes of December 17, 2020.

Received and Filed Sewer Committee Meeting Minutes of December 17, 2020.

6-B.  Sewer Treatment Plant Update.

General Manager Baze reported the plant has been operating as it should. With the rain, staff has been monitoring the plant. Engineering Manager Karen Falk reported a previous issue with the plant’s filter has been resolved.

General Manager Baze then answered questions from Directors

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

7-A.  This portion of the agenda may be used by the SDCWA representative to make informal reports on activities.

President Murtland recapped the most recent SDCWA meetings:

• Despite opposition from several agencies, the SDCWA Board of Directors authorized its staff to move forward with Phase B of the Regional Water
Conveyance System Study. Over the next two years, their staff will be working on Phase B, and focus on an economic analysis of the two conveyance route alternatives and explore partnerships that may provide benefits to stakeholders and possibly reduce the cost project development. Once the phase is completed, the Board will determine how to move forward with the project.

- With the recent resignation of Christy Guerin, an election was held to fill the seat and on December 10th Mona Rios, the Vice-Mayor of National City was elected.
- On November 19, 2020, the SDCWA Board of Director approved Resolution No. 2020-20 establishing vote and representative entitlements of each member agency to be effective January 1, 2021.
- On January 24, 2021, Director Murtland and several other water agency representatives had a virtual meeting with Mayor of San Diego, Todd Gloria, regarding their opposition to the Regional Conveyance Project. The group expressed their concerns with the project and the SDCWA’s Board of Directors’ vote on moving forward with Phase B of the project.

President Murtland then responded to questions from the 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 announced she and her family will be relocating out of the area and the February 24th Board of Directors’ meeting will be her last meeting.
- Director Drake reported on his JPIA participation.
- Director Quist reported he has been working on the Urban Water Institute’s Virtual 2021 Spring Conference. The conference will include short sessions held over two days and an evening reception.
- Director Welch reported she has been attending a number of conferences, meetings, and trainings and working to familiarize herself with the water industry and professional associations.
- President Murtland had nothing additional to report.

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

District 4 Seat Vacancy.

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.

Director Baze reported the personnel vacancy on the DAR was filled with Facilities Maintenance Worker Sean Glaser. The posting for the Facilities Maintenance Worker position will be posted in the first week in February.

7-F. Proposed Assignments to Committees and Seating Appointments.

President Lump presented the proposed committee and seating assignments:

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<thead>
<tr>
<th>Agency Boards and Commissions</th>
<th>Appointed</th>
<th>Alternate</th>
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<tbody>
<tr>
<td>Finance, Insurance &amp; Personnel Committee</td>
<td>Greg Quist (c)</td>
<td>Inki Welch</td>
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<tr>
<td>Finance, Insurance &amp; Personnel Committee</td>
<td>James Murtland</td>
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<tr>
<td>Emergency Preparedness and Fire Services Committee</td>
<td>Inki Welch (c)</td>
<td>David Drake</td>
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<td>Emergency Preparedness and Fire Services Committee</td>
<td>Greg Quist</td>
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<tr>
<td>Engineering &amp; Long-Range Planning Committee</td>
<td>David Drake (c)</td>
<td>Erin Lump</td>
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<td>James Murtland</td>
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<tr>
<td>Public Info &amp; Intergovernmental Relations Committee</td>
<td>Erin Lump (c)</td>
<td>James Murtland</td>
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<td>Inki Welch</td>
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<td>Sewer Committee</td>
<td>David Drake (c)</td>
<td>Greg Quist</td>
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<td>Sewer Committee</td>
<td>Erin Lump</td>
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<tr>
<td>Audit Committee</td>
<td>Greg Quist (c)</td>
<td>David Drake</td>
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<tr>
<td>Audit Committee</td>
<td>Inki Welch</td>
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<tr>
<td>San Diego County Water Authority</td>
<td>James Murtland</td>
<td>Clint Baze</td>
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<tr>
<td>ACWA</td>
<td>David Drake</td>
<td>Clint Baze</td>
</tr>
<tr>
<td>JPIA</td>
<td>David Drake</td>
<td>Clint Baze</td>
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</tbody>
</table>

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

In a motion by Director Drake and seconded by Director Quist, by a vote of 5-0, the Board of Directors unanimously approved the proposed Committee and Seating Assignments by the following roll call vote:

Drake        Aye
Lump         Aye
Murtland     Aye
Quist        Aye
Welch        Aye


General Manager Baze brought forward the 2021 Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA) Executive Committee Election. Staff is requesting the Board of Director nominate David A. Drake and
approve Resolution No. 21-01: Resolution of the Board of Directors of the Rincon del Diablo Municipal Water District to Serve as a Member of the Association of California Water Agencies and Joint Powers Insurance Authority (ACWA/JPIA) Executive Committee. Staff is also recommending the Board of Directors approve three Concurring in Nomination Resolutions, Resolution No. 21-02 for Randall James Reed of Cucamonga Valley Water District, Resolution No. 21-03 for Melody Henriques-McDonald of San Bernardino Valley Water Conservation District, and Resolution No. 21-04 for Tom Cuquet of South Sutter Water District.

After discussion, Director Lump asked for a motion:

In a motion by Director Quist, seconded by Director Drake and unanimously carried, the Board of Directors approved the nomination of David A. Drake and approved Resolution No. 21-01: Resolution of the Board of Directors of the Rincon del Diablo Municipal Water District to Serve as a Member of the Association of California Water Agencies and Joint Powers Insurance Authority (ACWA/JPIA) Executive Committee and Concurring in Nomination Resolutions No. 21-02 for Randall James Reed of Cucamonga Valley Water District, No. 21-03 for Melody Henriques-McDonald of San Bernardino Valley Water Conservation District, and No. 21-04 for Tom Cuquet of South Sutter Water District by the following roll call vote:

Drake   Aye
Lump    Aye
Murtaugh Aye
Quist   Aye
Towne   Aye

7-H. Sponsorship for Urban Water Institute’s Virtual 2021 Spring Water Conference.

General Manager Baze brought Sponsorship for Urban Water Institute’s (UWI) Virtual 2021 Spring Water Conference forward. UWI has requested Rincon support the Virtual 2021 Spring Conference with a sponsorship. During previous UWI conferences, the District has supported sponsorships at the $1,000 level. Sponsorships for this event range from $500 to $2,000.

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

In a motion made by Director Quist, and seconded by Director Drake, the Board of Directors unanimously approved a $1,000
Sponsorship for the Urban Water Institute Virtual 2021 Spring Water Conference by the following roll call vote:

Drake Aye
Lump Aye
Murtland Aye
Quist Aye
Welch Aye

7-I. Statement of Economic Interest Form 700 Annual Disclosures Filing for 2020-2021.

The Clerk of the Board, Wanda Cassidy announced Form 700s must be completed and submitted by April 1, 2021.

SECTION 8 – GENERAL MANAGER’S REPORT

8-A. District Status as a Result of the COVID-19 Pandemic.

General Manager Baze reported the District did have an individual with a positive COVID-19 test result. The employee who tested positive will be off the required ten-day quarantine. Staff was sent home and the District was disinfected. Staff who came in contact with the individual and were concerned about possible infection were able to be tested at Concentra by the District’s workers’ compensation physician.

The SDCWA keeps an updated list of local agencies and how each agency is observing the state and local health orders. With the Governor recently lifting the COVID-19 Regional Stay at Home Order, General Manager Baze reopened the lobby. Staff is still observing COVID-19 protocols.

8-B. General Manager’s Oral Report.

General Manager Baze reported the following:
- There will be an Emergency Preparedness and Fire Services (EPFS) Committee Meeting on Wednesday, February 3rd at 8:00 a.m.
- Next month the District will be accepting the Harmony Grove Village recycled water facility, including values.
- The District received the ACWA/JPIA Presidents Awards for Liability, Worker’s Compensation, and Property lines.
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 if Rincon Water is involved. No action is required on our part at this time.)

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

There was nothing to report.

ADJOURNMENT

There being no further business before the Board of Directors, the meeting was adjourned by President Lump at 6:50 p.m.

APPROVED:  
Erin R. Lump, President

ATTEST:  Wanda Cassidy  
Wanda Cassidy, Clerk of the Board