

VALLEY CENTER MUNICIPAL WATER DISTRICT
AGENDA

Regular Meeting of the Board of Directors

TUESDAY, January 17, 2023 — 2:00 P.M.

The VCMWD Board of Directors welcomes the public back to its Board Room in a limited capacity while still accommodating remote participation options. Seating inside the Board Room will be spaced to accommodate social distancing, with an option to listen to the meetings on speakers outside of the Board Room. Our Board Meetings will also continue to be livestreamed for those who wish to observe remotely. *Please be advised that one or more members of the VCMWD Board of Directors or staff may participate in this meeting by teleconference consistent with Assembly Bill 361.*

Instructions for members of the public who wish to address the Board of Directors:

Members of the public who wish to address the Board of Directors under “Audience Comments/Questions” or on specific agenda items, may do so as instructed below. All comments will be subject to a limit of three (3) minutes.

- Making Public Comment for Those Attending In-Person: Members of the public who wish to observe or to address the Board may join the Board Members at the noticed, physical location. A Request to Speak slip is required to be submitted to the Board Secretary prior to start of the meeting (*if possible*).
- Phone Comments During the Meeting: Before the meeting, or before public comment period for the item closes during the meeting, submit a telephone number by email to the Board Secretary at publiccomments@vcmwd.org, together with the agenda item number, and the Board Secretary will call when the board is ready to hear public comments; *or*
- Emailed Comments: Before the meeting, or before public comment period for that item closes at the meeting, e-mail your comments to the Board Secretary at publiccomments@vcmwd.org and the Board Secretary and it will be read aloud at the public comment period; *or*
- Written Comments: Written comments can be also be physically dropped off in advance of the meeting at the District’s Administrative Office or mailed in advance of the meeting to 29300 Valley Center Rd., Valley Center, CA 92082, for receipt no later than 1:00 pm on the meeting day.

These public comment procedures supersede the District’s standard public comment policies and procedures to the contrary. If modifications or accommodations from individuals with disabilities are required, such persons should provide a request at least 24 hours in advance of the meeting by email to the Board Secretary at kperaino@vcmwd.org.

Meeting Broadcast: Members of the public may watch the meeting electronically by visiting the District’s website at vcmwd.org/Board/Board-Documents and then clicking the link listed below “live stream” on the page.

Meeting Documents: Board Meeting Packets (*except for closed session materials*) will be made available to the public once distributed to the Board. Please visit the District’s website at vcmwd.org/Board/Board-Documents for Agenda and related Board Meeting Documents.

**Valley Center Municipal Water District
Board of Directors' Meeting Agenda**

ROLL CALL

APPROVAL OF AGENDA

At its option, the Board may approve the agenda, delete an item, reorder items and add an item to the agenda per the provisions of Government Code §54954.2.

AUDIENCE COMMENTS/QUESTIONS

Comments and inquiries from the audience will be received on any matter not on the agenda, but within the jurisdiction of the Board. Comments and inquiries pertaining to an item on the agenda will be received during the deliberation of the agenda item (Government Code §54954.3).

CONSENT CALENDAR

Consent calendar items will be voted on together by a single motion unless separate action is requested by a Board member, staff or member of the audience.

1. **Make Findings Necessary to Continue Teleconferenced Board Meetings Pursuant to Assembly Bill 361 (AB 361);**
2. **Minutes of the Regular Board Meeting Held Tuesday, January 3, 2023;**
3. **Audit Demands and Wire Disbursement;**
4. **Expense Reimbursement Disclosures (Oct. 1 – Dec. 31, 2022) per GC §53065.5; and**
5. **Treasurer's Report for Month Ending November 30, 2022.**

ACTION AGENDA

6. **MWD Rate Litigation Attorney Fees Award – Update on the Disposition of Funds and Consideration of Staff Recommendation:**

An update on how the District's share of the third MWD Litigation Damages Award should be used and consideration of staff recommendation.

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny staff recommendation

INFORMATIONAL AGENDA

7. **Lower Moosa Canyon Water Reclamation Facility Master Plan 2023 Update – Preliminary Findings:**

Preliminary findings on the Lower Moosa Canyon Water Reclamation Facility Master Plan 2023 Update, will be presented.

- a. Report by District Engineer
- b. Discussion
- c. Audience comments/questions
- d. Information item only, no action required

**Valley Center Municipal Water District
Board of Directors' Meeting Agenda**

8. Update on the Financial Impacts of COVID for Quarter Ending December 31, 2022:

An update on the financial impacts of the COVID-19 Pandemic on the District will be provided.

- a. Report by Director of Finance and Administration
- b. Discussion
- c. Audience comments/questions
- d. Information item only, no action required

9. Enterprise Resource Planning (ERP) Finance Software Upgrade Update:

A progress update on the ERP Finance Software Upgrade will be provided.

- a. Report by Director of Finance and Administration
- b. Discussion
- c. Audience comments/questions
- d. Information item only, no action required

GENERAL MANAGER'S AGENDA

10. General Information:

General Informational items will be reviewed.

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. Information item only, no action required

DISTRICT GENERAL COUNSEL'S AGENDA

BOARD OF DIRECTORS' AGENDA AND REPORTS ON MEETINGS ATTENDED

11. Conduct of Board Meetings After the End of Emergency Order on February 28, 2023:

Evaluate and provide direction on the conduct of Board Meetings after the Governor-Proclaimed Emergency Order ends on February 28, 2023 will be discussed.

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. If desired, provide input and direction on the conduct of Board Meetings after 2/28/2023

12. San Diego LAFCO Special Districts Election – Nomination of Regular and Alternate Special District Members:

A review of the San Diego LAFCO Special Districts Election with request for nominations.

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. If desired, provide nomination of qualified individual(s) for SDLAFCO Regular & Alternate Member

**Valley Center Municipal Water District
Board of Directors' Meeting Agenda**

CLOSED SESSIONS

At any time during the regular session, the Board may adjourn to closed session to consider litigation, personnel matters, or to discuss with legal counsel matters within the attorney-client privilege. Discussion of litigation is within the attorney-client privilege and may be held in closed session. *Authority: Government Code §54956.9.*

13. A Closed Session will be held pursuant to:

- **Government Code §54957 - Public Employee Performance Evaluation:**
Unrepresented Employee: *General Manager*
- **Government Code §54957.6 - Conference with Labor Negotiators:**
Agency Designated Representatives: *Board of Directors*
Unrepresented Employee: *General Manager*

ADJOURNMENT

NOTICE TO THE PUBLIC:

This agenda was posted at least 72 hours before the meeting in a location freely accessible to the public. No action may be taken on any item not appearing on the posted agenda, except as provided by Gov. Code §54954.2. Any written materials provided to a majority of the Board of Directors within 72 hours prior to the meeting regarding any item on this agenda will be available for public inspection on the District's website. The agenda is available for public review on the District's website, <http://www.vcmwd.org>.

For questions or request for information related to this agenda contact Kirsten Peraino, *Board Secretary*, at (760) 735-4517 or publiccomments@vcmwd.org. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the American with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Board Secretary at least 48 hours before the meeting, if possible.

— End of Agenda —

January 17, 2023

TO: Honorable President and Board of Directors

FROM: Gary T. Arant, *General Manager*

SUBJECT: MAKE FINDINGS NECESSARY TO CONTINUE TELECONFERENCED BOARD MEETINGS PURSUANT TO ASSEMBLY BILL 361

PURPOSE:

Approve a motion making findings necessary to continue holding remote/teleconferenced Board Meetings pursuant to Assembly Bill 361 (AB 361).

SUMMARY:

The Brown Act generally allows for Board members to join a meeting by teleconference, provided that the physical locations of the Board members joining by teleconference are posted on the agenda, that those locations are open to the public to attend and participate in the meeting, and that a quorum of the members is participating from within the agency's boundaries. Since March 2020 and the issuance of Executive Order N-29-20, executed on March 17, 2020, which suspended certain portions of the Brown Act relating to teleconferencing at the outset of the COVID-19 pandemic, the Board has held fully or partially virtual meetings without having to post the location of the Board members attending remotely, while also allowing members of the public to attend and participate in the meeting remotely. In June 2021, Governor Newsom issued Executive Order N-08-21, which provided that certain provisions of Executive Order N-29-20 would be withdrawn and certain provision regarding public meetings would be extended. On September 15, 2021, Governor Newsom signed AB 361 into law.

AB 361 provides an exception to the standard Brown Act teleconferencing procedures in order to allow for fully or partially virtual meetings during proclaimed emergencies, without posting each Board member's teleconference location on the agenda or requiring other standard Brown Act teleconferencing procedures. Finally, Executive Order N-15-21, executed on September 20, 2021, set forth the method of securing initial compliance with AB 361.

Circumstances Under Which Agencies May Use AB 361:

Under Government Code section 54953(e), which was adopted by AB 361 (copy attached), the Board can hold meetings without providing notice of the body's teleconference locations other standard Brown Act teleconferencing procedures if there is a Governor-proclaimed State of Emergency (Executive Order N-15-21, executed March 20, 2020 extended by Executive Order N-08-21, executed June 11, 2021) and one of two secondary criteria listed below still exists:

1. State or local officials have imposed or recommended measures to promote social distancing ("Health Officer Teleconferencing Recommendation," executed by Wilma Wooten, September 23, 2021); or
2. The legislative body determines that requiring a meeting in person would present an imminent risk to the health and safety of attendees.

Currently, the Governor's declaration of a COVID-19 State of Emergency remains in effect. Further, state and local health officials continue to recommend or require social distancing, particularly under certain circumstances, including individuals who have recently tested positive for COVID-19 or been in close proximity to a person who has tested positive for COVID-19. In addition, on September 23, 2021, the San Diego County Public Health Officer issued a Teleconferencing Recommendation (copy attached). The Teleconferencing Recommendation is still in effect, and provides, in part:

Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation order or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease.

Re-Authorization Required Every 30 Days:

After the Board held a meeting pursuant to AB 361 for the first time (October 18, 2021), the Board must now make specific findings (by majority vote) at least every thirty (30) days thereafter. The Board must find that it has reconsidered the circumstances of the state of emergency and that the state of emergency continues to directly impact the ability of the members to meet safely in person or that state and local officials continue to impose or recommend measures to promote social distancing.

If the Board desires to continue meeting pursuant to AB 361, an item will be placed on each agenda to reauthorize remote meetings if that is the Board direction.

Lastly, it is important to note that AB 361 is optional. If the Board desires, it may choose for Board meetings to be held in person, with teleconferencing only under the standard Brown Act rules, where each teleconference location must be listed on the agenda and be open for the public to attend and participate from each meeting location.

RECOMMENDATION:

Staff recommends that the Board adopt a motion making the following findings and determinations:

1. That the proclaimed COVID-19 State of Emergency remains in effect and that the Board has reconsidered the circumstances of the COVID-19 State of Emergency – (see Executive Order N-15-21 and N-08-21, copies attached);
2. That state or local officials continue to impose or recommend measures to promote social distancing (see Health Officer Teleconferencing Recommendation); and
3. That, for the next thirty (30) days, the Board determines that meetings held in person would present an imminent risk to the health and safety of attendees, and that meetings shall continue be held pursuant to the provisions of Government Code §54953(e) to ensure the health and safety of the Board, staff and the public.

PREPARED BY:



Kirsten Peraino
Board Secretary

SUBMITTED BY:



Gary Arant
General Manager

Attachments:

AB 361

Executive Order N-29-20

Executive Order N-08-21

Executive Order N-15-21

Health Officer Teleconferencing Recommendation of September 23, 2021

Assembly Bill 361 (AB361)

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with
Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly

resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and

to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 89305.6 is added to the Education Code, to read:
89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing

and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically

or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) 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.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) 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 in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body

shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter

2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for

the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) 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.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting,

members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) 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, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the

legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint

powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

Executive Order N-29-20

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-29-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

WHEREAS time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

WHEREAS social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

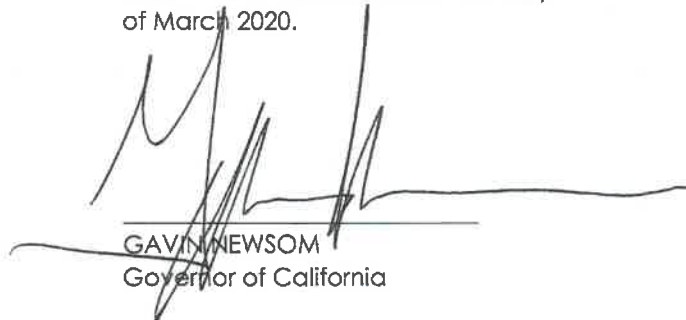
All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
California to be affixed this 17th day
of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

Executive Order N-08-21

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-08-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS since March 2020, the State has taken decisive and meaningful actions to reduce the spread, and mitigate the impacts, of COVID-19, saving an untold number of lives; and

WHEREAS as a result of the effective actions Californians have taken, as well as the successful and ongoing distribution of COVID-19 vaccines, California is turning a corner in its fight against COVID-19; and

WHEREAS on June 11, 2021, I issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20, issued on March 19, 2020), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020); and

WHEREAS in light of the current state of the COVID-19 pandemic in California, it is appropriate to roll back certain provisions of my COVID-19-related Executive Orders; and

WHEREAS certain provisions of my COVID-19 related Executive Orders currently remain necessary to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic, including California's ongoing vaccination programs, and the termination of certain provisions of my COVID-19 related Executive Orders during this stage of the emergency would compound the effects of the emergency and impede the State's recovery by disrupting important governmental and social functions; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would continue to prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

The following provisions shall remain in place and shall have full force and effect through June 30, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

1) State of Emergency Proclamation dated March 4, 2020:

- a. Paragraph 10. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
- b. Paragraph 11;
- c. Paragraph 12; and
- d. Paragraph 13.

2) Executive Order N-25-20:

- a. Paragraph 1; and
- b. Paragraph 7, and as applicable to local governments per Executive Order N-35-20, Paragraph 3. Effective July 1, 2021, the waivers in Executive Order N-25-20, Paragraph 7, and Executive Order N-35-20, Paragraph 3, of reinstatement requirements set forth in Government Code sections 7522.56(f) and (g) are terminated.

3) Executive Order N-26-20:

- a. Paragraph 1;
- b. Paragraph 2;
- c. Paragraph 3;
- d. Paragraph 5;
- e. Paragraph 6; and
- f. Paragraph 7.

4) Executive Order N-27-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 3.

5) Executive Order N-28-20:

- a. Paragraph 3; and
- b. Paragraph 6.

6) Executive Order N-31-20:

- a. Paragraph 1; and
- b. Paragraph 2.

7) Executive Order N-35-20:

- a. Paragraph 1. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
- b. Paragraph 4;
- c. Paragraph 6. To the extent the Director exercised their authority pursuant to this provision on or before June 30, 2021, the extension shall remain valid until the effective expiration;

- d. Paragraph 10. The State Bar shall receive the time extension in the aforementioned order for any nomination submitted to the State Bar by the Governor on or before June 30, 2021; and
- e. Paragraph 11 (as extended and clarified by N-71-20, Paragraph 6). Claims accruing before June 30, 2021 will remain subject to the 120-day extension granted in the aforementioned orders.

8) Executive Order N-36-20, Paragraph 1. To the extent the Secretary exercised their authority pursuant to this provision, the Secretary shall allow each facility to resume intake in a manner that clears intake backlog as soon as feasible.

9) Executive Order N-39-20:

- a. Paragraph 1. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
- b. Paragraph 4; and
- c. Paragraph 7. The leases or agreements executed pursuant to this provision shall remain valid in accordance with the term of the agreement.

10) Executive Order N-40-20:

- a. Paragraph 1. For rulemakings published in the California Regulatory Notice Register pursuant to Government Code section 11346.4(a)(5) prior to June 30, 2021, the deadlines in the aforementioned order shall remain extended in accordance with the order;
- b. Paragraph 2 (as extended and clarified by N-66-20, Paragraph 12, and N-71-20, Paragraph 10). Notwithstanding the expiration of this provision, state employees subject to these training requirements shall receive the benefit of the 120-day extension granted by the aforementioned orders. All required training due on or before June 30, 2021 must be completed within 120 days of the statutorily prescribed due date;
- c. Paragraph 7 (as extended and clarified by N-66-20, Paragraph 13 and N-71-20, Paragraph 11). With regard to appeals received on or before June 30, 2021, the State Personnel Board shall be entitled to the extension in the aforementioned order to render its decision;
- d. Paragraph 8. To the extent the deadlines specified in Government Code section 22844 and California Code of Regulations, title 2, sections 599.517 and 599.518 fell on a date on or before June 30, 2021 absent the extension, they shall expire pursuant to the timeframes specified in the aforementioned orders;
- e. Paragraph 16;
- f. Paragraph 17; and
- g. Paragraph 20.

11) Executive Order N-45-20:

- a. Paragraph 4;
- b. Paragraph 8;
- c. Paragraph 9; and

- d. Paragraph 12. For vacancies occurring prior to June 30, 2021, the deadline to fill the vacancy shall remain extended for the time period in the aforementioned order.

12) Executive Order N-46-20:

- a. Paragraph 1; and
- b. Paragraph 2.

13) Executive Order N-47-20:

- a. Paragraph 2; and
- b. Paragraph 3.

14) Executive Order N-48-20, Paragraph 2 (which clarified the scope of N-34-20).

15) Executive Order N-49-20:

- a. Paragraph 1;
- b. Paragraph 3. For determinations made on or before June 30, 2021, the discharge date shall be within 14 days of the Board's determination; and
- c. Paragraph 4.

16) Executive Order N-50-20, Paragraph 2.

17) Executive Order N-52-20:

- a. Paragraph 6;
- b. Paragraph 7. To the extent an individual has commenced a training program prior to June 30, 2021, that was interrupted by COVID-19, that individual shall be entitled to the extended timeframe in the aforementioned order; and
- c. Paragraph 14; and
- d. Paragraph 16.

18) Executive Order N-53-20:

- a. Paragraph 3;
- b. Paragraph 12 (as extended or modified by N-69-20, Paragraph 10, and N-71-20, Paragraph 27); and
- c. Paragraph 13 (as extended or modified by N-69-20, Paragraph 11, and N-71-20, Paragraph 28).

19) Executive Order N-54-20, Paragraph 7. To the extent the date governing the expiration of registration of vehicles previously registered in a foreign jurisdiction falls on or before June 30, 2021, the deadline is extended pursuant to the aforementioned orders.

20) Executive Order N-55-20:

- a. Paragraph 1. Statutory deadlines related to cost reports, change in scope of service requests, and reconciliation requests occurring on

or before June 30, 2021 shall remain subject to the extended deadline in the aforementioned order;

- b. Paragraph 4;
- c. Paragraph 5;
- d. Paragraph 6;
- e. Paragraph 8;
- f. Paragraph 9;
- g. Paragraph 10;
- h. Paragraph 13;
- i. Paragraph 14. Statutory deadlines related to beneficiary risk assessments occurring on or before June 30, 2021 shall remain subject to the extended deadline in the aforementioned order; and
- j. Paragraph 16. Deadlines for fee-for-service providers to submit information required for a Medical Exemption Request extended on or before June 30, 2021 shall remain subject to the extended deadline granted under the aforementioned order.

21) Executive Order N-56-20:

- a. Paragraph 1;
- b. Paragraph 6;
- c. Paragraph 7;
- d. Paragraph 8;
- e. Paragraph 9; and
- f. Paragraph 11.

22) Executive Order N-59-20, Paragraph 6.

23) Executive Order N-61-20:

- a. Paragraph 1;
- b. Paragraph 2;
- c. Paragraph 3; and
- d. Paragraph 4.

24) Executive Order N-63-20:

- a. Paragraph 8(a) (as extended by N-71-20, Paragraph 40). The deadlines related to reports by the Division of Occupational Safety and Health (Cal/OSHA) and the Occupational Safety & Health Standards Board on proposed standards or variances due on or before June 30, 2021 shall remain subject to the extended timeframe;
- b. Paragraph 8(c). To the extent the date upon which the Administrative Director must act upon Medical Provider Network applications or requests for modifications or reapprovals falls on or before June 30, 2021 absent the extension in the aforementioned order, it shall remain subject to the extended timeframe;
- c. Paragraph 8(e). To the extent filing deadlines for a Return-to-Work Supplement appeal and any reply or responsive papers fall on or before June 30, 2021, absent the extension in the aforementioned order, they shall remain subject to the extended timeframe;
- d. Paragraph 9(a) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for the Labor Commissioner to

issue any citation under the Labor Code, including a civil wage and penalty assessment pursuant to Labor Code section 1741, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;

- e. Paragraph 9(b) (as extended and modified by N-71-20, Paragraph 41);
- f. Paragraph 9(c) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for a worker to file complaints and initiate proceedings with the Labor Commissioner pursuant to Labor Code sections 98, 98.7, 1700.44, and 2673.1, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;
- g. Paragraph 9(d) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for Cal/OSHA to issue citations pursuant to Labor Code section 6317, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;
- h. Paragraph 9(e) (as extended and modified by N-71-20, Paragraph 41);
- i. Paragraph 10;
- j. Paragraph 12. Any peace officer reemployed on or before June 30, 2021 pursuant to the aforementioned order shall be entitled to the extended reemployment period set forth in the order;
- k. Paragraph 13;
- l. Paragraph 14; and
- m. Paragraph 15 (as extended by N-71-20, Paragraph 36).

25) Executive Order N-65-20:

- a. Paragraph 5 (as extended by N-71-20, Paragraph 35; N-80-20, Paragraph 4; and N-01-21). Identification cards issued under Health and Safety Code section 11362.71 that would otherwise have expired absent the aforementioned extension between March 4, 2020 and June 30, 2021 shall expire on December 31, 2021; and
- b. Paragraph 7.

26) Executive Order N-66-20:

- a. Paragraph 3;
- b. Paragraph 4; and
- c. Paragraph 5.

27) Executive Order N-68-20:

- a. Paragraph 1. Notwithstanding the expiration of the aforementioned order, temporary licenses granted on or before June 30, 2021 shall be valid through September 30, 2021; and
- b. Paragraph 2. Renewal fee payments otherwise due to the to the California Department of Public Health absent the extension in the aforementioned order on or before June 30, 2021, shall be entitled to the extensions of time set forth in the aforementioned order.

28) Executive Order N-71-20:

- a. Paragraph 1;
- b. Paragraph 4;
- c. Paragraph 16. Where the statutory deadline for opening or completing investigations is set to occur on or before June 30, 2021, the deadline shall remain subject to the extension in the aforementioned order; and
- d. Paragraph 17. Where the statutory deadline for serving a notice of adverse action is due on or before June 30, 2021, the deadline shall remain subject to the extension in the aforementioned order.

29) Executive Order N-75-20:

- a. Paragraph 7. Children placed in foster care on or before June 30, 2021 shall receive such examinations on or before July 31, 2021;
- b. Paragraph 8;
- c. Paragraph 9;
- d. Paragraph 10. Any facility operating under a waiver pursuant to this provision may operate pursuant to such a waiver through the expiration as set forth by the California Department of Public Health, or September 30, 2021, whichever occurs first; and
- e. Paragraph 13.

30) Executive Order N-76-20, Paragraph 3.

31) Executive Order N-77-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 3.

32) Executive Order N-78-20 (as extended and modified by N-03-21):

- a. Paragraph 1; and
- b. Paragraph 2.

33) Executive Order N-83-20:

- a. Paragraph 3. To the extent the Director of the Department of Alcoholic Beverage Control suspends deadlines for renewing licenses upon payment of annual fees on or before June 30, 2021, the extension shall remain valid until the effective expiration;

- b. Paragraph 5 (which repealed and replaced N-71-20, Paragraph 19, which extended N-52-20, Paragraph 1, and N-69-20, Paragraph 3);
- c. Paragraph 6 (which repealed and replaced N-71-20, Paragraph 20, which extended N-52-20, Paragraph 2, and N-69-20, Paragraph 4); and
- d. Paragraph 7 (which repealed and replaced N-71-20, Paragraph 21, which extended N-52-20, Paragraph 3, and N-69-20, Paragraph 5).

34) Executive Order N-84-20:

- a. Paragraph 1;
- b. Paragraph 2;
- c. Paragraph 3; and
- d. Paragraph 5.

The following provisions shall remain in place and shall have full force and effect through July 31, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

35) Executive Order N-39-20, Paragraph 8 (as extended by N-69-20, Paragraph 2 and N-71-20, Paragraph 8).

36) Executive Order N-53-20, Paragraph 11 (as extended or modified by N-68-20, Paragraph 15, and N-71-20, Paragraph 26).

37) Executive Order N-71-20, Paragraph 25.

38) Executive Order N-75-20:

- a. Paragraph 5; and
- b. Paragraph 6

The following provisions shall remain in place and shall have full force and effect through September 30, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

39) State of Emergency Proclamation dated March 4, 2020:

- a. Paragraph 3; and
- b. Paragraph 14. Any facility operating under a waiver pursuant to this provision may operate pursuant to such a waiver through the expiration as set forth by the Department of Social Services, or September 30, 2021, whichever occurs first.

40) Executive Order N-25-20:

- a. Paragraph 2;
- b. Paragraph 3; and
- c. Paragraph 4.

41) Executive Order N-28-20:

- a. Paragraph 4; and
- b. Paragraph 5.

42) Executive Order N-29-20, Paragraph 3, is withdrawn and replaced by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply through September 30, 2021.

43) Executive Order N-32-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 3.

44) Executive Order N-35-20:

- a. Paragraph 2; and
- b. Paragraph 12.

45) Executive Order N-39-20:

- a. Paragraph 2;
- b. Paragraph 3; and
- c. Paragraph 6.

46) Executive Order N-40-20:

- a. Paragraph 12 (as extended or modified by N-66-20, paragraph 16, N-71-20, paragraph 14, and N-75-20, Paragraph 12). To the extent the Director exercised their authority pursuant to this provision on or before September 30, 2021, the extension shall remain valid until the effective expiration of the applicable waiver; and
- b. Paragraph 18.

47) Executive Order N-42-20.

48) Executive Order N-43-20.

49) Executive Order N-49-20, Paragraph 2.

50) Executive Order N-54-20:

- a. Paragraph 8 (as extended by N-80-20, Paragraph 6); and
- b. Paragraph 9. To the extent any timeframe within which a California Native American tribe must request consultation and the lead agency must begin the consultation process relating to an Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration under the California Environmental Quality Act extends beyond September 30, 2021, the tribe and lead agency will receive the benefit of the extension so long as the triggering event occurred on or before September 30, 2021.

51) Executive Order N-55-20:

- a. Paragraph 2;
- b. Paragraph 3;
- c. Paragraph 7. All on-site licensing visits which would have been due on or before September 30, 2021 shall occur before December 31, 2021;
- d. Paragraph 11; and
- e. Paragraph 12.

52) Executive Order N-56-20, Paragraph 10 is withdrawn and superseded by the following text:

Paragraph 42 of this Order, including the conditions specified therein, shall apply to meetings held pursuant to Article 3 of Chapter 2 of Part 21 of Division 3 of Title 2 of the Education Code and Education Code section 47604.1(b).

53) Executive Order N-58-20 (as extended by N-71-20, Paragraph 29).

54) Executive Order N-59-20:

- a. Paragraph 1. The sworn statement or verbal attestation of pregnancy must be submitted on or before September 30, 2021 and medical verification of pregnancy must be submitted within 30

working days following submittal of the sworn statement or verbal attestation for benefits to continue;

- b. Paragraph 2 (as extended and modified by N-69-20, Paragraph 14, and N-71-20, Paragraph 31);
- c. Paragraph 3 (as extended and modified by N-69-20, Paragraph 15, and N-71-20, Paragraph 32); and
- d. Paragraph 4 (as extended and modified by N-69-20, Paragraph 16, and N-71-20, Paragraph 33).

55) Executive Order N-63-20:

- a. Paragraph 8(b). To the extent filing deadlines for claims and liens fall on or before September 30, 2021, absent the extension in the aforementioned order, they shall remain subject to the extended timeframe; and
- b. Paragraph 11.

56) Executive Order N-66-20, Paragraph 6.

57) Executive Order N-71-20:

- a. Paragraph 15;
- b. Paragraph 22; and
- c. Paragraph 23.

58) Executive Order N-75-20:

- a. Paragraph 1;
- b. Paragraph 2; and
- c. Paragraph 4.

59) Executive Order N-80-20:

- a. Paragraph 3; and
- b. Paragraph 7.

60) Executive Order N-83-20

- a. Paragraph 2 is withdrawn and replaced by the following text:

The deadline to pay annual fees, including any installment payments, currently due or that will become due during the proclaimed emergency, as specified in Business and Professions Code sections 19942, 19951, 19954, 19955, 19984, and any accompanying regulations is September 30, 2021; the deadlines for submission of any application or deposit fee, as specified in Business and Professions Code sections 19951 (a), 19867, 19868, 19876, 19877, 19942, 19984, and any accompanying regulations is no later than September 30, 2021, or per existing requirements, whichever date is later.

- b. Paragraph 4.

61) Executive Order N-03-21, Paragraph 3, is withdrawn and replaced by the following text:

As applied to commercial evictions only, the timeframe for the protections set forth in Paragraph 2 of Executive Order N-28-20 (and extended by Paragraph 21 of Executive Order N-66-20, Paragraph 3 of Executive Order N-71-20, and Paragraph 2 of Executive Order N-80-20) is extended through September 30, 2021.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 11th day of June 2021.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State

Executive Order N-15-21

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-15-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS on June 11, 2021, I issued Executive Order N-08-21 to roll back certain provisions of my COVID-19-related Executive Orders and to clarify that other provisions remained necessary to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic; and

WHEREAS Paragraph 42 of Executive Order N-08-21 waived and set forth certain requirements related to public meetings of local legislative and state bodies, and specified that it would be valid through September 30; and

WHEREAS on September 16, 2021, I signed into law Assembly Bill 361 (AB 361), which pertains to the same subject matter as Paragraph 42 of Executive Order N-08-21, which took effect immediately pursuant to an urgency clause, and which may, in some instances, have different substantive provisions than the provisions contained in Paragraph 42 of Executive Order N-08-21; and

WHEREAS it is necessary to provide clarity around the applicable procedures governing meetings of local legislative and state bodies until Paragraph 42 of Executive Order N-08-21 expires to further mitigate the impacts of the COVID-19 pandemic as the state continues to reopen and to ensure that critical governmental functions are not interrupted.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The provisions governing teleconference meetings in Education Code section 89305.6, Government Code section 11133, and subdivision (e) of Government Code section 54953 are suspended through September 30, 2021, except that any local legislative body that meets to take a majority vote pursuant to subparagraph (B) of paragraph (1) of subdivision (e) of Government Code section 54953 shall conduct the meeting at which such vote is taken as required by paragraph (2) of subdivision (e) of Government Code section 54953. Except as otherwise specified in this paragraph, the requirements related to public meetings of local legislative and state bodies specified in Paragraph 42 of Executive Order N-08-21 shall continue to govern such meetings through September 30, 2021.
2. This Order shall expire at 11:59 p.m. on October 1, 2021.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 20th day of September 2021.

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, Ph.D.
Secretary of State

“Health Officer Teleconferencing Recommendation”
of September 23, 2021



County of San Diego

NICK MACCHIONE, FACHE
AGENCY DIRECTOR

HEALTH AND HUMAN SERVICES AGENCY
PUBLIC HEALTH SERVICES

WILMA J. WOOTEN, M.D.
PUBLIC HEALTH OFFICER


HEALTH OFFICER TELECONFERENCING RECOMMENDATION

COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies—such as commissions, committees, boards, and councils—have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS-CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of San Diego to use certain available teleconferencing options set forth in the Brown Act.

September 23, 2021



Wilma J. Wooten, M.D., M.P.H.
Public Health Officer
County of San Diego

VALLEY CENTER MUNICIPAL WATER DISTRICT

Regular Board Meeting

TUESDAY, January 3, 2023 – 2:00 P.M.

Place: Board Room

29300 Valley Center Road; Valley Center, CA 92082

The Valley Center Municipal Water District Board of Directors' meeting was called to order by President Polito at 2:00 PM, via teleconference and in-person. President Polito established for the record that all Directors were able to hear the proceedings, that all members of the Board were able to hear the Directors participating remotely clearly, and that all votes would be taken by a roll call vote pursuant to the provisions of the Brown Act. The meeting was also livestreamed.

ROLL CALL

Board Members Present: President Polito and Director Ness (*present in-person*); with Director Holtz and Vice President Ferro teleconferencing.

Board Members Absent: Director Smith.

Staff Members Present: General Manager Arant, Director of IT Pilve, District Engineer Grabbe, Director of Operations and Facilities Lovelady, Senior Engineer Lyuber, Manager of Accounting Velasquez, Executive Assistant/Board Secretary Peraino, General Counsel de Sousa, and Federal Consultant Howells (*present in-person*); with Special Projects & Compliance Manager Olson teleconferencing.

PUBLIC COMMENTS / QUESTIONS

President Polito established for the record the process by which public comments are received by the Board; this process was also described in the Agenda for the meeting.

2022 ELECTION RESULTS

Directors Ness (Div. 2), Smith (Div. 3), and Holtz (Div. 5) won their respective Division Elections in the November 8, 2022 General Election, and are reappointed to 4-year terms expiring December 2026.

ELECTION OF BOARD OFFICERS

1. Per Water Code, an election of officers, President and Vice President, shall be conducted during the first meeting in January of each odd numbered year.

Action: Upon motion by Ferro, seconded by Ness; and unanimously carried, Director Polito was re-elected **President** of the Board of Directors.

Upon motion by Holtz, seconded by Ness; and unanimously carried, Director Ferro was re-elected **Vice President** of the Board of Directors.

Valley Center Municipal Water District
Board of Directors' Meeting Minutes

CONSENT CALENDAR

2. **Minutes of the Regular Board Meeting Held Monday, December 19, 2022**
3. **Audit Demands for Check Nos. 164941 – 165069 from 12/8/2022 thru 12/22/2022; and**
4. **Treasurer's Report for Month Ending October 31, 2022.**

Action: Upon motion by Ferro, seconded by Ness; and unanimously carried, the previously listed consent calendar items were approved.

PUBLIC HEARING

5. **Public Hearing on Proposed Changes to Water and Wastewater Rates and Charges and Adoption of Ordinance No. 2023-01 Amending the Administrative Code to Increase Water and Sewer Rates Effective with the February 1, 2023 Billings:**

Before the Public Hearing was opened, General Manager Arant gave a brief summary of the Proposition 218 requirements. At the conclusion of the General Manager's background summary on Prop 218, President Polito opened the public hearing at 2:14 p.m. to receive written and oral input on the proposed increases in Water and Sewer Rates.

The increases include pass through of the wholesale price of water from SDCWA and MWD, and an adjustment in the local commodity portion to offset increases in operational and maintenance costs. In addition, Pumping Zone Rates are proposed to increase to offset increased utility costs and increases in pump and motor maintenance costs, along with increases in the Moosa Wastewater Service Charges and Fees and Low-Pressure Wastewater Collection System Charge.

On November 15, 2022 the District mailed 25,554 Proposition 218 Notices of Public Hearing to all owners and tenants of record within the District's boundaries, representing 40,026 parcels, in compliance with state law, stated Ms. Velasquez.

a. Water Rates

The proposed total net increase is 4.7% for domestic and 5.7% for the Permanent Special Agricultural Water Rate (PSAWR) customers, as shown in the following table:

<u>Domestic/Commercial**:</u>	<u>Current</u>	<u>Change</u>	<u>New</u>
Wholesale: MWD/SDCWA	\$4.8233	\$0.2241	\$5.0474
VCMWD	<u>\$0.5971</u>	<u>\$0.0311</u>	<u>\$0.6282</u>
Total	\$5.4204	\$0.2552	\$5.6756
 <u>Certified PSAWR**:</u>	 <u>Current</u>	 <u>Change</u>	 <u>New</u>
Wholesale: MWD/SDCWA	\$3.4841	\$0.2025	\$3.6866
VCMWD	<u>\$0.5971</u>	<u>\$0.0311</u>	<u>\$0.6282</u>
Total	\$4.0812	\$0.2336	\$4.3148
 Construction Water:	 <u>Current</u>	 <u>Change</u>	 <u>New</u>
Reclaimed (50% of Domestic)	\$5.4204	\$0.2552	\$5.6756
	\$2.7102	\$0.1276	\$2.8378

**Per Hundred Cubic Feet

**Valley Center Municipal Water District
Board of Directors' Meeting Minutes**

The District's Local Cost Component will increase 5.2%. Included in water charges the District is required to pay the SDCWA and MWD in 2023 are fixed charges for readiness to serve, capacity, customer service, emergency storage, and supply reliability. The District calculates the per-acre-foot equivalent of these charges by dividing the total charges by projected water sales, less an 8% reserve for declining sales. For FY 2022-23, budgeted sales total 16,500 acre-feet (AF). The 2023 fixed charges of \$4.2M are allocated over 15,180 AF.

b. Water Meter Service Charges

The monthly water service charge and service charge for fire protection meters are to increase 5.2% to offset local inflation in the District's operating costs.

Water Meter Service:

Meter Size	Current	Change	Effective 2/1/23
3/4-inch	\$ 45.12	\$ 2.34	\$ 47.46
1-inch	\$ 61.64	\$ 3.20	\$ 64.84
1 1/2-inch	\$ 92.46	\$ 4.80	\$ 97.26
2-inch	\$ 123.28	\$ 6.41	\$ 129.69
3-inch	\$ 184.92	\$ 9.61	\$ 194.53
4-inch	\$ 246.56	\$ 12.82	\$ 259.38
6-inch	\$ 369.84	\$ 19.23	\$ 389.07
8-inch	\$ 493.12	\$ 25.64	\$ 518.76

Fire Meter Service:

Meter Size	Current	Change	Effective 2/1/23
3/4-inch	\$ 9.45	\$ 0.49	\$ 9.94
1-inch	\$ 13.23	\$ 0.68	\$ 13.91
1 1/2-inch	\$ 19.72	\$ 1.02	\$ 20.74
2-inch	\$ 26.20	\$ 1.36	\$ 27.56
3-inch	\$ 39.44	\$ 2.05	\$ 41.49
4-inch	*	*	*
6-inch	*	*	*
8-inch	*	*	*

**Fire meters larger than 3" require the approval of the District Engineer.
The monthly service charge is based on the size of the meter times the 1" service.*

<u>Construction Water:</u>	Current	Change	Effective 2/1/23
Potable:	\$184.92	\$9.61	\$194.53

**Valley Center Municipal Water District
Board of Directors' Meeting Minutes**

c. Pumping Rates

Total energy costs, including electricity and natural gas, pump and motor maintenance continue to increase. Pumping rates are proposed to increase 10.0% in calendar year 2023.

Zone	Current \$/Unit	Change	Effective 2/1/23
1	\$0.11004	\$0.01100	\$0.12104
2	\$0.22002	\$0.02200	\$0.24202
3	\$0.24409	\$0.02441	\$0.26850
4	\$0.36452	\$0.03645	\$0.40097
5	\$0.53465	\$0.05347	\$0.58812
6	\$0.59640	\$0.05964	\$0.65604
7	\$0.63247	\$0.06325	\$0.69572
8	\$0.71684	\$0.07168	\$0.78852
9	\$0.74247	\$0.07425	\$0.81672
10	\$0.98340	\$0.09834	\$1.08174

d. SDCWA Infrastructure Access Charge (IAC)

Annually the SDCWA assesses the District a fixed charge based on the number and size of the active meters within the District. The charge to the District is passed through and collected from active customers. No change is proposed to the current rates for 2023.

Meter Size	3/4- inch	1-inch	1 1/2- inch	2-inch	3-inch	4-inch	6-inch	8-inch
Current	\$4.24	\$6.78	\$12.72	\$22.05	\$40.70	\$69.54	\$127.20	\$220.48

e. Construction Water Permit Fees:

With the proposed water rate increases, the Construction Water Permit Fees will change accordingly.

Via a Water Truck with a capacity of:

	Potable	
	Current	New
2,500 gallons or less	\$325	\$340
3,000 gallons	\$390	\$410
3,500 gallons	\$450	\$475
4,000 gallons	\$515	\$545
5,000 gallons or more	\$645	\$680

**Valley Center Municipal Water District
Board of Directors' Meeting Minutes**

f. Wastewater Monthly Service Charges:

- **Moosa**

The Lower Moosa Canyon Wastewater Reclamation Facility Monthly Service Fee and Low-Pressure Wastewater Collection System Maintenance Fee are proposed to increase 5.2%, per equivalent dwelling unit (EDU) to offset inflationary impacts.

The monthly Wastewater Capacity Reservation Fee is also proposed to increase 5.2%. The current and proposed rates for Wastewater Service Charges and Capacity Reservation Fee are set forth in the table below:

	Current	Change	Effective 2/1/23
Monthly Moosa - Gravity	\$58.67	\$3.05	\$61.72
Monthly Moosa - Pressure	\$48.42	\$2.51	\$50.93
Combined Total:	\$107.09	\$5.56	\$112.65

Capacity Reservation Fee	\$29.34	\$1.52	\$30.86
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- **Woods Valley Ranch**

Sewer Service Charges and Sewer Standby Fees for properties not yet connected to the sewer system are collected as a fixed charge special assessment on the property tax roll. No change is proposed at this time. The current fee is \$98.60 per month, or \$1,183.20 per year.

Grinder Pump Maintenance Charge is normally collected on the property tax roll. However, mid-year connections may occur which will result in the collection of the charge on the monthly water bill until the end of the FY. The current fee is proposed to increase \$2.51, or 5.2%, to \$50.93 per month, or \$611.16 per year.

Wastewater Excess Usage Charge: When wastewater usage exceeds the wastewater EDU capacity allocation, staff proposes to add a Wastewater Excess Usage Charge to the property's water bill based on the amount of excess wastewater discharged.

The Wastewater Excess Usage Charge, on commercial properties, provides a means to recover capital, service and administration costs associated with wastewater usage in excess of a property's wastewater capacity allocation. The charge is billed to the commercial customer on their monthly water bill and should be sufficient to recover all costs associated with providing wastewater service.

The allotted wastewater flow is calculated at 175 gallons per day per EDU, or 5,250 gallons per month per EDU, which equates to a wastewater flow per EDU of 7.0 hundred cubic feet per month. Any wastewater discharged greater than 7.0 HCF times the number of EDU's allocated to the property would be charged at the Wastewater Excess Usage Charges. No change is proposed to the current rates at this time. For discharge amounts greater than 7.0 HCF times the EDU allocation, the Wastewater Excess Usage Charge would be \$39.66 per HCF. For discharge amounts greater than 7.0 HCF times the EDU allocation, the Grinder Pump Excess Usage Charge would be \$9.92 per HCF.

Valley Center Municipal Water District Board of Directors' Meeting Minutes

Prior to the close of the Public Hearing, it was announced that out of 25,554 notices mailed, the District received thirteen (13) written protests and one in-person public comment from Mr. Matthew Pricket, who voiced opposition to the proposed rate increases. President Polito closed the public hearing at 2:46 p.m.

Staff recommended adoption of Ordinance No. 2023-01 to implement the proposed rate changes to be effective for services provided on and after February 1, 2023, and authorizing the pass through of wholesale water, energy, Infrastructure Access Charge, increases in the retail component of the water rate, and increases in wastewater rates and charges.

Action: Upon motion by Holtz, seconded by Ferro; the following Ordinance was approved with 4 affirmative votes:

ORDINANCE NO. 2023-01

ORDINANCE OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER MUNICIPAL WATER DISTRICT ADOPTING INCREASES IN WATER AND WASTEWATER RATES AND CHARGES

Was adopted by the following vote, to wit:

AYES:	<i>Directors Polito, Ferro, Holtz, and Ness</i>
NOES:	<i>None</i>
ABSENT:	<i>Director Smith</i>

ACTION AGENDA

6. **Adoption of Resolution No. 2023-01, Approving Change Order No. 2 to the Professional Services Agreement with CCL Contracting, Inc. for the Gordon Hill Rd. Pipeline Replacement Project [Project No. 01-06-78-51412]:**

A brief overview of the Construction Contract with CCL Contracting, Inc., for the Gordon Hill Rd. Pipeline Replacement Project ("Project"), was given by Senior Engineer Lyuber. The Project scope includes replacement of approximately 4,700 linear feet of 12-inch diameter buried polyvinyl chloride (PVC) potable waterline including valves, water services, and appurtenances within Gordon Hill Road (*Private*), between Old Castle Road (*Public*), and Welk View Drive (*Private*). The Project replaces aging existing 8- and 10-inch steel waterlines and realigns portions out of hard to access easements.

Mr. Lyuber noted that this project is the second in the trilogy of projects funded by the State Revolving Fund (SRF) loan.

The first change order was administrative only and was executed in December 2022, with no cost or time impact. The five parts to the second change order are summarized below:

- Item 1: Additional Survey to establish Easement limits – \$7,399;
- Item 2: Re-alignment Construction Change – \$0
- Item 3: Easement Road Base and Drainage improvements – \$42,589;
- Item 4: Additional to facilitate meter relocates – \$14,042; and
- Item 5: Replacement of Property Corner Monuments – \$27,615.

Valley Center Municipal Water District Board of Directors' Meeting Minutes

Staff recommended the Board adopt Resolution No. 2023-01, approving change order No. 2 with CCL Contracting, Inc. in the amount of \$91,645 for the Gordon Hill Road Pipeline Replacement Project.

Action: Upon motion by Ferro, seconded by Ness; the following Resolution was approved with 4 affirmative votes:

RESOLUTION NO. 2023-01

RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY CENTER MUNICIPAL WATER DISTRICT APPROVING CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH CCL CONTRACTING, INC. FOR THE GORDON HILL ROAD PIPELINE REPLACEMENT PROJECT [PROJECT NO. 01-06-78-51412]

was adopted by the following vote, to wit:

AYES: ***Directors Polito, Ferro, Holtz, and Ness***
NOES: ***None***
ABSENT: ***Director Smith***

GENERAL MANAGER'S AGENDA

7. General Information:

The following general informational items were reported on by General Manager Arant:

- Water Supply Conditions (*State Water Project and Upper Colorado River Basin*);
- Water Conservation Measurement for FY 2022-23;
- SD Local Agency Formation Commission Elections for Regular and Alternate Representatives to be Held in March 2023; and
- Federal Funding Update:
 - A brief update was given by General Manager Arant before the District's Federal Consultant, Jacqueline Howells with HDR Governmental Relations, provided a more in depth overview.

Action: Informational item only, no action required.

DISTRICT GENERAL COUNSEL'S AGENDA

General Counsel de Sousa gave a brief update on pending legislation.

BOARD OF DIRECTORS' REPORTS ON MEETINGS ATTENDED

None.

**Valley Center Municipal Water District
Board of Directors' Meeting Minutes**

ADJOURNMENT

Action: Upon motion by Holtz, seconded by Ness; motion passes unanimously, the regular meeting of the Board of Directors was adjourned at 3:29 p.m.

ATTEST:

ATTEST:

Robert A. Polito, *President*

Kirsten N. Peraino, *Secretary*

VALLEY CENTER M.W.D.
DISBURSEMENTS
FOR PERIOD DECEMBER 23, 2022 THROUGH DECEMBER 29, 2022

DECEMBER

CHECK #	PAYEE	DESCRIPTION	AMOUNT
165070	Payroll	Payroll 12/16/22-12/29/22	2,963.43
165071	Air Crafts Heating, Inc.	Services - Install New Heat Pump System In Front	9,800.00
165072	Bender Rosenthal, Inc.	Services	1,949.41
165073	CSI Services Inc	Pre-Job Inspection Services	4,510.00
165074	DIRECTV	Dish Services 12/24/22-01/23/23	51.99
165075	Lorena Espinoza	Janitorial Service - December 2022	1,875.00
165076	Ferguson Waterworks #1083	Materials - Field	21,681.68
165077	Glennie's Office Products, Inc	Office Supplies	908.56
165078	PEBSICO/Nationwide Retirement	Deferred Compensation 12/16/22-12/29/22	200.00
165079	Kirsten Peraino	Holiday Luncheon Supplies	123.57
165080	T.S. Industrial Supply	Materials - Field	125.76
165081	United Water Works, Inc.	Materials - Field	3,902.30
165082	UPS	Shipping	11.61
TOTAL			<u>48,103.31</u>

Approved By: _____

General Manager

Vanessa Velazquez for J. Pugh
Director of Finance & Administration

VALLEY CENTER M.W.D.
DISBURSEMENTS
FOR PERIOD DECEMBER 30, 2022 THROUGH JANUARY 05, 2023

JANUARY

CHECK #	PAYEE	DESCRIPTION	AMOUNT
165083	ACWA/JPIA	Blue Cross Medical Premiums - January 2023	73,377.32
165084	Advanced Chemical Transport Inc	Hazardous Waste Removal	1,390.18
165085	Advanced Detection Systems	Services - Security Alarm	125.00
165086	Alpha Analytical Laboratories, Inc.	Testing	2,440.00
165087	Alpha Analytical Laboratories, Inc.	Testing	970.00
165088	Aqua-Metric Sales Company	Materials - Field	34,208.31
165089	Armstrong Feed & Supply	Materials - Field	35.78
165090	Asbury Environmental Services	Hazardous Waste Removal	538.00
165091	AT&T	Services	552.34
165092	AT&T	Services	33.97
165093	AT&T Mobility	Services - Acct #287290784385	3,861.25
165094	Babcock Laboratories, Inc	Testing	160.00
165095	Barbara Baker	Medicare Part B Reimbursement 4th Qtr 2022	510.30
165096	Velma Blake	Medical & Medicare Part B Reimbursement 4th Qtr	483.48
165097	Dalila Borroel	Medicare Part B Reimbursement 4th Qtr 2022	372.30
165098	Tomas Borroel	Medicare Part B Reimbursement 4th Qtr 2022	474.30
165099	Calvin Brewer	Medicare Part B Reimbursement 1st-4th Qtr 2022	2,041.20
165100	Michael Bull	Medical & Medicare Part B Reimbursement 4th Qtr	1,933.80
165101	Cristi Bush	Medicare Part B Reimbursement 4th Qtr 2022	366.30
165102	California Bank & Trust	Credit Cards - Meals, Travel, Meetings	6,731.27
165103	California Bank & Trust	Credit Cards - Meals, Travel, Meetings	1,541.76
165104	California Bank & Trust	Credit Cards - Meals, Travel, Meetings	2,679.56
165105	California Bank & Trust	Credit Cards - Meals, Travel, Meetings	328.94
165106	California Bank & Trust	Credit Cards - Meals, Travel, Meetings	1,331.48
165107	Core & Main LP	Materials - Field	6,018.93
165108	Culligan of Escondido	Washrack Service	170.00
165109	Diamond Environmental Services, LP	Services	1,340.00
165110	Fallbrook Printing Corp	Printing Services	270.74
165111	Ferguson Waterworks #1083	Materials - Field	7,098.52
165112	Fidelity Security Life Insurance Company	Vision Plan Premium - December 2022 Group ID:	1,231.60
165113	Terill Finton	Medical and Medicare Reimbursement 4th Qtr 2022	821.91
165114	Fleetpride	Vehicle Maintenance	20.46
165115	Freeway Trailer Sales	Vehicle Maintenance	23.60
165116	Patricia Garcia	Medical Reimbursement for 3rd & 4th Qtr 2022	2,166.25
165117	Dale G Gertzen	Medical and Medicare Part B Reimbursement 4th Qtr	957.73
165118	Glaser & Bailey Awards, Inc	Engraving Services	123.91
165119	Glennie's Office Products, Inc	Office Supplies	1,096.55
165120	Gosch Ford Escondido	Vehicle Maintenance	503.93
165121	Grainger, Inc	Materials - Field	4,863.27
165122	HealthEquity Inc.	Employee Contribution - 12/16/22-12/30/22	1,004.14
165123	Hi-Way Safety	Traffic Control	2,383.25
165124	Jacqueline Howells	Consultant Services - January 2023	7,500.00
165125	International City Mgmt Association Remittance	MissionSquare-Remittance 12/16/22-12/30/22	5,768.24
165126	Interstate Battery of San Diego, Inc.	Batteries	428.11

VALLEY CENTER M.W.D.
DISBURSEMENTS
FOR PERIOD DECEMBER 30, 2022 THROUGH JANUARY 05, 2023

JANUARY

CHECK #	PAYEE	DESCRIPTION	AMOUNT
165127	Cynthia Jeffrey	Medical and Medicare Reimbursement 4th Qtr 2022	765.45
165128	Patric Jewell	Medical and Medicare Reimbursement 4th Qtr 2022	2,954.40
165129	Yvonne Jones	Medicare Reimbursement 4th Qtr 2022	1,326.90
165130	JS&S (Water Holdings) Inc	CIP - Clarifier No. 1 Upgrades	50,907.73
165131	Konica Minolta Premier Finance	Copier Rental - January 2023	1,753.94
165132	Eric Laventure	Medical Reimbursement 4th Qtr 2022	2,523.00
165133	Manufacturers Distributor Inc.	CIP - Service Truck	976.09
165134	Anne Masley	Medicare Part B Reimbursement 4th Qtr 2022	1,011.60
165135	Garnishment	Garnishment Paydate 01/05/23	346.15
165136	North County Lawnmower, Inc.	Materials - Field	64.69
165137	Pacific Pipeline Supply	Materials - Field	1,809.63
165138	PEBSO/Nationwide Retirement	Deferred Compensation 12/16/22-12/30/22	8,854.13
165139	PEBSO/Nationwide Retirement	Deferred Compensation 12/16/22-12/29/22	18,640.96
165140	Pitney Bowes Inc	Postage Meter Materials	165.42
165141	Judy Pumar	Medical and Medicare Reimbursement 4th Qtr 2022	966.93
165142	Mike Pumar	Medical and Medicare Reimbursement 4th Qtr 2022	966.93
165143	Pamela Regan	Medicare Reimbursement 4th Qtr 2022	510.30
165144	Thomas Regan	Medicare Reimbursement 4th Qtr 2022	510.30
165145	Safeguard Business Systems Inc	Tax Forms 2022	218.92
165146	San Diego County Vector Control Program	Mosquito and Vector Disease Control Assessment	734.81
165147	San Diego Friction Products, Inc.	CIP-Service Truck	11,632.15
165148	San Diego Gas & Electric	Gas Services - December 2022	62,835.82
165149	Sealing Systems, Inc.	Materials - Field	2,434.38
165150	Self Insured Services Company	Reimbursement Request for Dental Funding Date	2,311.75
165151	Self Insured Services Company	Medical & Dental Insurance Premiums - December	664.00
165152	Francesca Shough	Medicare Part B Reimbursement 4th Qtr 2022	1,020.60
165153	Moses Shubin	Reimburse - ABPA Cross Connection Control Spe	155.00
165154	Sierra Analytical Labs, Inc	Testing	200.00
165155	Ken Simon	Medicare Part B Reimbursement 4th Qtr 2022	510.30
165156	Southwest Answering Service, Inc	Answering Service 12/01/22-12/28/22	430.52
165157	John Stetson	Medical and Medicare Part B Reimbursement 4th Qtr 2022	1,367.83
165158	Kathleen Stetson	Medical and Medicare Part B Reimbursement 4th Qtr 2022	1,477.23
165159	Superior Ready Mix Concrete LP	Materials - Field	436.11
165160	Supreme Oil Company	Gasoline and Oil	4,912.86
165161	SWRCB	Renewal D5 Cert#35994-Roy Rutherford	190.00
165162	T.S. Industrial Supply	Materials - Field	925.02
165163	David Tilley	Medicare Part B Reimbursement 4th Qtr 2022	510.30
165164	Deborah Tilley	Medicare Part B Reimbursement 4th Qtr 2022	510.30
165165	Turbine Supply Co	Materials - Field	574.65
165166	United Water Works, Inc.	Materials - Field	4,096.16
165167	United Way of San Diego County	Employee Contribution 12/16/22-12/30/22	20.00
165168	UPS	Shipping	110.64
165169	Phil Valenzuela	Medical and Medicare Part B Reimbursement 4th Qtr 2022	1,225.56
165170	Valley Center Materials	Materials - Field	226.28

VALLEY CENTER M.W.D.
DISBURSEMENTS
FOR PERIOD DECEMBER 30, 2022 THROUGH JANUARY 05, 2023

JANUARY

CHECK #	PAYEE	DESCRIPTION	AMOUNT
165171	VCMWD Employees Assoc.	Employee Contributions 12/16/22-12/30/22	697.50
165172	Walter's Wholesale Electric Co	Materials - CIP	426.67
165173	Westair Gases & Equipment Inc.	Materials - Field	118.48
TOTAL			<u>376,306.37</u>

Approved By: _____

General Manager

J.V. Pugh
Director of Finance & Administration

VALLEY CENTER MUNICIPAL WATER DISTRICT
ELECTRONIC DISBURSEMENTS
FOR PERIOD DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

SEQ. #	DATE	PAYEE	DESCRIPTION	AMOUNT
BANK TRANSFERS:				
ACH:				
521	12/08/22	Direct Deposit	DIRECT DEP PAYROLL 11/18/22-12/02/22	198,341.02
	12/09/22	IRS	P/R TAX 11/18/22-12/02/22	42,006.69
	12/09/22	EDD	P/R TAX 11/18/22-12/02/22	12,794.91
	12/09/22	CALPERS	CALPERS CONTRIBUTIONS 11/18/22-12/02/22	54,650.70
	12/09/22	EXPERTPAY	GARNISHMENT 11/18/22-12/02/22	1,241.54
	12/13/22	IRS	P/R TAX 12/02/22-12/12/22	1,539.22
	12/13/22	EDD	P/R TAX 12/02/22-12/12/22	390.49
522	12/22/22	Direct Deposit	DIRECT DEP PAYROLL 12/02/22-12/16/22	200,788.04
	12/23/22	IRS	P/R TAX 12/02/22-12/16/22	42,628.59
	12/23/22	EDD	P/R TAX 12/02/22-12/16/22	12,928.43
	12/23/22	CALPERS	CALPERS CONTRIBUTIONS 12/02/22-12/16/22	54,149.41
	12/23/22	EXPERTPAY	GARNISHMENT 12/02/22-12/16/22	1,241.54
	12/23/22	IRS	P/R TAX 12/16/22-12/22/22	94.22
	12/23/22	EDD	P/R TAX 12/16/22-12/22/22	0.08
	12/30/22	IRS	P/R TAX 12/16/22-12/29/22	348.27
	12/30/22	EDD	P/R TAX 12/16/22-12/29/22	69.46

ONE TIME WIRES:

RECURRING WIRES:

576	12/08/22	SDCWA	WATER DELIVERY - OCTOBER 2022	2,523,994.18
577	12/28/22	SD COUNTY INVESTMENT FUND	TEMPORARY INVESTMENT	2,800,000.00

TOTAL

5,947,206.79

APPROVED BY:


GENERAL MANAGER


DIRECTOR OF FINANCE

January 17, 2023

TO: Honorable President and Board of Directors

FROM: Gary Arant, General Manager

SUBJECT: GOVERNMENT CODE §53065.5

PURPOSE:

Disclosure of reimbursements paid by the District to employees for the quarter ended December 31, 2022.

SUMMARY:

Government Code §53065.5 requires the District "...disclose any reimbursement paid by the district... of at least \$100.00 for each individual charge for services or product received. 'Individual charge' includes, but is not limited to, one meal, lodging for one day, transportation or a registration fee paid to any employee or member of the governing body of the district...".

Backup documentation is available upon request.

RECOMMENDATION:


Information item only

PREPARED BY:



James V. Pugh
Director of Finance & Administration

SUBMITTED BY:



Gary T. Arant
General Manager

Attachments

ACWA 2022 FALL CONFERENCE & EXHIBITION

ACWA

980 9th Street, Suite 1000
Sacramento, CA 95814
Ph: 916-441-4545

RECEIPT

Receipt Number: 666
Receipt Date: Sep 26, 2022
Reference: 74

Bill to :

Gary Arant
Valley Center Municipal Water District
P.O. Box 67
Valley Center
CA 9208267

Description	Amount
ADVANTAGE - Full Conference Registration & Meals Package	775.00

Payment Details

Amount: 775.00
Payment Type: Cash
Description: Paid by card
Authorization:
Gateway Receipt Number:

R
RENAISSANCE®
HOTELS

RENAISSANCE ESMERALDA RESORT

GUEST FOLIO

3035 ROOM RVQQ TYPE 17	ARANT/GARY/ARANT NAME VALLEY CENTER MWD 29300 VALLEY CENTER VALLEY CENTE CA 92082	199.00 RATE	12/01/22 DEPART 11/28/22 ARRIVE	10:02 TIME 11:48 TIME	28171 ACCT#	42407 GROUP
ROOM CLERK	ADDRESS	VSXXXXXXXXXXXX2523 PAYMENT			MBV#:	
DATE	REFERENCES	CHARGES	CREDITS	BALANCES DUE		
11/28	SELPARK # 1800	.00				
11/28	GRSRTCHG	10.00				
11/28	ROOM TX	1.53				
11/28	ROOM GR	199.00				
11/28	CITY TAX	24.38				
11/28	TBIDASMT	5.97				
11/28	CA FEE	.90				
11/29	SELPARK #0001800	.00				
11/29	GRSRTCHG	10.00				
11/29	ROOM TX	1.53				
11/29	ROOM GR	199.00				
11/29	CITY TAX	24.38				
11/29	TBIDASMT	5.97				
11/29	CA FEE	.90				
11/30	SELPARK #0001800	.00				
11/30	GRSRTCHG	10.00				
11/30	ROOM TX	1.53				
11/30	ROOM GR	199.00				
11/30	CITY TAX	24.38				
11/30	TBIDASMT	5.97				
11/30	CA FEE	.90				
12/01	CCARD-VS					
	PAYMENT RECEIVED BY: VISA BK	XXXXXXXXXXXX2523		725.34		
						.00

See our "Privacy & Cookie Statement" on [Marriott.com](https://www.marriott.com/privacy)

As a Marriott Bonvoy member, you could have earned points towards your free dream vacation today. Start earning points and elite status, plus enjoy exclusive member offers. Enroll today at the front desk.

See <https://members.marriott.com> for more information.

R
RENAISSANCE®
HOTELS

RENAISSANCE ESMERALDA RESORT
44-440 INDIAN WELLS
INDIAN WELLS, CA 92210

Was that the best night's sleep you have ever had? Have a repeat performance at your place by visiting CollectRenaissance.com.

This statement is your only receipt. You have agreed to pay in cash or by approved personal check or to authorize us to charge your credit card for all amounts charged to you. The amounts shown in the credit column opposite any credit card entry in the reference column above will be charged to the credit card number set forth above. (The credit card company will bill in the usual manner.) If for any reason the credit card company does not make payment on this account, you will owe us such amount. If you are direct billed, in the event payment is not made within 25 days after check-out, you will owe us interest from the check-out date on any unpaid amount at the rate of 1.5% per month (ANNUAL RATE 18%), or the maximum allowed by law, plus the reasonable cost of collection, including attorney fees.

Signature X

BRKFAST, TUES
MORNING

& & & 401 & & &
CAVA

RENAISSANCE ESMERALDA RESORT \$ SPA
INDIAN WELLS, CALIFORNIA, 92210

Check No : 1964
Table No : 86
Server : 15995 OSCAR
Name on Card: ARANT/GARY T
Acct Num : XXXXXXXXXXXX2523
Expiry Date : **/**
Card Type : VISA
Trans Type : Authorize
Trans Date : 11/29/2022
Trans Time : 7:22 AM
Entry Mode : Chip
Auth Code : 029522
Resp Code : 00
Mode : Issuer
App Label : VISA CREDIT
AID : A0000000031010
ARC : 00
TVR : 8000008000
TSI : 6800
IAD : 06011203602000

00 Approved - Thank You 000

Subtotal : USD\$ 19.40
Gratuity : 4 -
Total : \$23.40

X _____
Signature
I Agree to pay total amount as
per the Card Issuer Agreement.
Customer Copy

(760)773-4444

& & & 401 & & &
RENAISSANCE ESMERALDA
**** CAVA****
(760)-773-4444
renhotels.com

15995 OSCAR

CHK 1964 TBL 86/1
GST 1

29 Nov'22 7:00 AM

1 SEASONAL PARFAIT	9.00
OTHER YOGURT	
1 TOAST	4.00
WHEAT TOAST	
1 COFFEE	5.00

SUBTOTAL	\$18.00
TAX	\$1.40
7:21 AM	
TOTAL DUE	\$19.40

PLEASE COMPLETE FOR ROOM CHARGES

GRATUITY _____

TOTAL _____

ROOM NUMBER _____

PRINT LAST NAME _____

at Renaissance by Marriott !

MITCH'S ON EL PASEO
73-951 EL PASEO
PALM DESERT, CA. 92260
PH: (760) 779-9200
www.mitchsonelpaseo.com

1011 DANIEL C

Tbl 145/1 Chk 1440 Gst 6
Nov29'22 06:41PM

Restaurant

1 SARATOGA SPARK	10.00
1 SUSHI SPECIAL	18.00
2 SOUP OF DAY	20.00
1 CALAMARI	18.00
1 SHISHITO PEPP	12.00
1 CHINESE SALAD	20.00
1 MUSHROOMS	10.00
1 SWEET POTATO	10.00
1 BRUSSEL SPROUTS	10.00
1 PORK CHOP	40.00
1 SCALLOPS	44.00
1 YELLOW CARPACCIO	24.00
1 SHRIMP & SCALLOP	46.00
1 CRAB CAKE	22.00
1 ICE CREAM	12.00
1 APPLE DUMPLING	12.00
1 BREAD PUDDING	12.00
SUBTOTAL	340.00
TAX	26.35
08:23PM TOTAL DUE	366.35

THANK YOU

BOARD DINNER
ACUAS CONFERENCE

MITCH'S ON EL PASEO
73-951 EL PASEO
PALM DESERT, CA. 92260
PH: (760) 779-9200
www.mitchsonelpaseo.com

TABLE# 145.1
SERVER 1011/DANIEL C
CHECK# 1440

Trans Time : 11/29/2022 08:40 PM
TID : 750650950006
Trans Type : Purchase
VISA CREDIT: XXXXXXXXXXXX2523
Entry Mode : Chip
CVM : STGN
Invoice : 0000011403
Response : APPROVED
Auth Code : 029233
AID : A0000000031010
TVR : 8080008000
IAD : 06011203A02000
TSI : 6800
ARC : Z3

Amount : USD \$366.35

Tip : 75

Total : 544.35

ARANT/GARY T

*** CUSTOMER COPY ***

D. Smith Max Smith
Jim Pugh, Jessica
Jacq Dowdell
Amy Leek
C. Adams

& & & 401 & & &
CAVA
RENAISSANCE ESERALDA RESORT \$ SPA
INDIAN WELLS, CALIFORNIA, 92210

Check No : 1436
Table No : 17
Server : 16017 VICTOR
Name on Card: ARANT/GARY T
Acct Num : XXXXXXXXXXXXX2523
Expiry Date : **/**
Card Type : VISA
Trans Type : Authorize
Trans Date : 12/1/2022
Trans Time : 9:08 AM
Entry Mode : Chip
Auth Code : 001892
Resp Code : 00
Mode : Issuer
App Label : VISA CREDIT
AID : A0000000031010
ARC : 00
TVR : 8000008000
TSI : 6800
IAD : 0601120360A000

00 Approved - Thank You 000

Subtotal : USD\$ 32.33
Gratuity : 6.50
Total : \$38.83

X _____
Signature
I Agree to pay total amount as
per the Card Issuer Agreement.
Merchant Copy

(760)773-4444

J. Howell G. Nans

Feed Forward
& & & 401 & & &
RENAISSANCE ESERALDA
**** CAVA****
(760)-773-4444
renhotels.com

16017 FRANCO

CHK 1436 TBL 17/1
GST 2

1 Dec'22 8:39 AM

1 ACAI BOWL 11.00
1 YOGURT PARFAIT 9.00
OTHER YOGURT
1 COFFEE 5.00
1 HOT TEA 5.00

SUBTOTAL \$30.00
TAX \$2.33

8:54 AM

TOTAL DUE \$32.33

PLEASE COMPLETE FOR ROOM CHARGES

GRATUITY 6.50

TOTAL \$38.83

ROOM NUMBER _____

PRINT LAST NAME _____

at Renaissance by Marriott !

VALLEY CENTER MUNICIPAL WATER DISTRICT EXPENSE REIMBURSEMENT FORM

(Please Print)

CLAIMANT'S NAME: Kirsten Peraino

#11570

DATE(S): 11/22/2022

PURPOSE: 4th Grade Poster Contest Supplies and Water & WW Professionals Week

Date	Description of Expense (meeting, lodging, car rental, meals)	Account No. 01-01-01-XXXXX	Employee Paid Expenses	District Paid Expenses	Total for GC53065.5 Reporting
17-Sep-22	Albertsons - half/half creamer for Board Meetings	50036	\$ 7.38		\$ 7.38
	DOLLAR TREE (see 2 line items below)	----	\$ 28.92 Total	----	----
05-Oct-22	4th grade poster contest winner prize supplies	50184	\$ 10.80		\$ 10.80
	Water/WW Professionals Week Luncheon supplies	50030	\$ 18.12		\$ 18.12
05-Oct-22	Water/WW Professionals Week Luncheon supplies	50030	\$ 15.96		\$ 15.96
05-Oct-22	Water/WW Professionals Week Luncheon supplies	50030	\$ 53.13		\$ 53.13
	...01-01-01-50036 = \$7.38				
	...01-01-01-50184 = \$10.80				
	...01-01-01-50030 = \$87.21				
	Mileage: _____ miles @ \$ 0.585 /mile (effect. 1/1/2022)				
Comments:	Total		105.39		105.39
Mileage to post notice of vacancy	Less Advance				
	Less Personal Expenses				
Vendor# _____ Acct# _____	Net Expense Reimbursement		105.39		
	Board of Directors Only:				
Vendor# _____ Acct# _____	Per Diem: _____ @ \$100/day				
	Total Request		105.39		105.39

GC53065.5
Reporting

VCMWD does not reimburse for spouse/guest expenses or alcoholic beverages. Receipts for hotel, transportation, parking, taxi, meals and any additional claim for reimbursement must be attached.

The undersigned makes the foregoing claim against VCMWD and states the expenses/per diem requested is correct and said claim is presented in good faith and heretofore not been paid by VCMWD.

Claimant's Signature: [Signature] Date: 11/22/2022
 Approved for Payment: [Signature] Date: 11/22/2022 V.V.

ACCOUNTING USE ONLY:

Audited By: [Signature]

If reimbursed from Petty Cash: _____ Date Paid: _____

Recipient Signature: _____ Amount Paid: _____

Custodian: _____ Account #: _____

Rev. 1/7/09

PAID
DEC 11 2022



Store 733 Dir Anthony Carso
Main:(760) 729-3468 Rx:(760) 729-4127
3450 Marron Road
OCEANSIDE CA 92056

GROCERY

LACROIX 8 PK	3.99 B
CRV SFTDK 8 PK TAX	0.40 B
Regular Price	4.49
Sale Savings	0.50-
GM CRL COUNT CHOCU	3.50 S
Regular Price	3.99
Sale Savings	0.49-
SIG WTR PUR DRNKNG	1.29 S
CRV SFTDK SNGL NTX	0.10 S
SIG CASHEW HLW PCS	2.99 S
SIG APPLE JUICE	1.99 S
Regular Price	2.29
Sale Savings	0.30-
JUICY FRUIT FRUITY	3.99 S
Regular Price	4.99
Sale Savings	1.00-
CHEEZ-IT CRACKERS	5.19 S
SUNSHINE CHEEZ IT	0.00 S
Regular Price	5.19
Sale Savings	5.19-
PLANTER NUTS	4.99 S
Regular Price	5.99
Sale Savings	1.00-
QUAKER INSTANT OAT	8.99 S
QUAKER INST OATML	4.99 S
Regular Price	5.99
Sale Savings	1.00-
OCEAN SPRAY CRBY R	3.99 S
CRV GROC SNGL NTX	0.10 S
Regular Price	4.99
Sale Savings	1.00-
HALF/HALF MINI	3.69 S
2 QTY	
MARUCHAN	1.20 S
NBC MINI SALTINE	4.29 S
Regular Price	4.79
Sale Savings	0.50-
SPRITE SODA	2.00 B
CRV SFTDK SNGL TAX	0.10 B
Regular Price	2.99
Sale Savings	0.99-
FANTA STRAWBERRY	2.00 B
CRV SFTDK SNGL TAX	0.10 B
Regular Price	2.99
Sale Savings	0.99-
STRBKS COFF K CP B	8.99 S
Regular Price	11.99
Sale Savings	3.00-

REFRIG/FROZEN

2 QTY BISCUITS	2.58 S
Regular Price	5.98
Sale Savings	3.40-
PLSBRY GRANDS BSCT	1.29 S
Regular Price	2.99
Sale Savings	1.70-
PLSBRY CINN ROLLS	1.29 S
Regular Price	3.49
Sale Savings	2.20-
LUC CHES COLBY JAC	3.49 S
Regular Price	3.99
Sale Savings	0.50-
LUCERNE WHOLE MILK	2.79 S
SIG LUCERNE MILK	4.99 S
LUCERNE MILK FF	4.99 S
TRPCNA LIGHT	3.29 S
CRV REFRG SNGL NTX	0.10 S
Regular Price	3.49
Sale Savings	0.20-

01-01-01-21
50031

9/17/2022

\$ 7.38

2x half = half
mini's
(Board
of
Director's
mtg's!)

1 QTY	YOPLAIT YGRT FRNCH	0.30 S
	Regular Price	0.80
	forU Mfr Coupon	0.50-
1 QTY	YOPLAITCHEESECAKE	0.80 S
1 QTY	YOPLAIT YGRT VERY	0.80 S
1 QTY	YOPL LT YGRT	0.80 S
	EGGLAND'S BEST	4.99 S

GEN MERCHANDISE

4 QTY	TSHRT BAG	0.40
-------	-----------	------

BAKED GOODS

	BUTTER COOKIES	5.49 S
--	----------------	--------

MEAT

	S FARMS TRK BREAST	3.99 S
	Regular Price	5.99
	Sale Savings	2.00-
	DM BF BOLD	5.99 S
1 QTY	JD MAPLE PANCAKES	3.00 S

PRODUCE

0.96 lb @ \$1.99 /lb		
WT	BROCCOLI CROWNS	1.91 S
2.08 lb @ \$0.69 /lb		
WT	BANANAS GREEN	1.06 S
	Regular Price	1.44
	forU Personalized	0.39-
	JOVY STRAWBERRY RE	0.50 S
	Regular Price	0.69
	Sale Savings	0.19-
	JOVY GRAPE READY C	0.50 S
	Regular Price	0.69
	Sale Savings	0.19-
	STRAWBERRIES 1LB	3.99 S
	ORG LACINATO KALE	2.49 S
1.51 lb @ \$5.99 /lb		
WT	CTTN CANDY GRAPES	7.53 S
	Regular Price	9.04
	Sale Savings	1.51-
1.87 lb @ \$3.49 /lb		
WT	YELLOW PEACHES LG	4.66 S
	Regular Price	6.53
	Sale Savings	1.87-

DELI

	APLGTE HNY TRKY	7.99 S
	D&W TURKEY BREAST	6.99 S
	Regular Price	7.99
	Sale Savings	1.00-

MISCELLANEOUS

MR	DONATION	1.00
	TAX	0.71
****	BALANCE	160.36

Debit Purchase 09/17/22 19:24
CARD # *****2010 PRIMARY
TOTAL TRANSACTION AMOUNT: 160.36
CASH BACK AMOUNT: 0.00
REF: 302427120100 AUTH: 00630273

AL US DEBIT
AID A0000000980840
TVR 8000048000
TSI 6800

Debit	160.36
-------	--------

CHANGE	0.00
TOTAL NUMBER OF ITEMS SOLD =	58
09/17/22 19:24 733 2 251-4402	

3.69 x 2 =
7.38

10/5/22

total
28.92
-10.80
-18.12



Store# 2507 (760) 305-5399
4161 Oceanside Blvd
Suite C
Oceanside CA 92056-6035

DESCRIPTION	QTY	PRICE	TOTAL
7UP 2LT	1	1.25	1.25T
BTL DEP/BEV FEE CARD BEV 672	1	0.10	0.10N
SQUIRT 2LT	1	1.25	1.25T
BTL DEP/BEV FEE CARD BEV 672	1	0.10	0.10N
BAGGED ICE 7LB	1	1.25	1.25T
BAGGED ICE 7LB	1	1.25	1.25T
BAGGED ICE 7LB	1	1.25	1.25T
BAGGED ICE 7LB	1	1.25	1.25T
BAGGED ICE 7LB	1	1.25	1.25T
BAGGED ICE 7LB	1	1.25	1.25T
LIGHT BLUE BOWL COLOR 11.25	1	1.25	1.25T
HOOK PUSH PINS 40CT	1	1.25	1.25T
VELVET PUSH PINS 20PK	1	1.25	1.25T
LIGHT BLUE 13X8 TRAY	1	1.25	1.25T
LIGHT BLUE 13X8 TRAY	1	1.25	1.25T
BAG A BASKET 2PK CLEAR	1	1.25	1.25T
BAG A BASKET 2PK CLEAR	1	1.25	1.25T
SPOON/FORK SALAD SERVER 2PK	1	1.25	1.25T
RIBBON BRIGHT PLY CARLY 300FT CR	1	1.25	1.25T
TISSUE WHITE 20X20	1	1.25	1.25T
SLOTTED RECT BASKET	1	1.25	1.25T
SLOTTED RECT BASKET	1	1.25	1.25T
SLOTTED RECT BASKET	1	1.25	1.25T
SLOTTED RECT BASKET	1	1.25	1.25T
Bag Fee	9	0.10	0.30N

Sub Total \$26.75
GENERAL EXEM \$0.00
SALES TAX \$2.17
Total \$28.92
US DEBIT \$28.92
*****2010 Approved
Purchase Chip
Auth/Trace Number: 076755/027598
Chip Card AID: A0000000980840

=====

NOW SHOP ON-LINE AT DOLLARTREE.COM

* We will gladly exchange any unopened item *

* with original receipt. We do not offer refunds. *

9722 02507 02 001 2671422 10/05/22 13:11
Sales Associate:Araceli

01-01-01-50030

Water &
Wine
Professional's
Week

= 18.12

01-01-01-5018

4th grade
poster Car

8 x 1.25 =
10 x 8% tax =
10.80

01-01-01-500's
water &
WW
Professional's
week

\$15.96
10/5/22



Store 740 Dir Mike Thomas
Main: (760) 940-8282
4150 Oceanside Blvd
OCEANSIDE CA 92056

BAKED GOODS

CKYS BRWN MILK	3.99 S
Regular Price	4.99
Sale Savings	1.00-
SUGAR COOKIES 16CT	3.99 S
Regular Price	4.99
Sale Savings	1.00-
SUGAR COOKIES 16CT	3.99 S
Regular Price	4.99
Sale Savings	1.00-
PNT BTR COOKIES	3.99 S
Regular Price	4.99
Sale Savings	1.00-

TAX	0.00
*** BALANCE	15.96

Debit Purchase 10/05/22 13:28
CARD # *****2010 PRIMARY
TOTAL TRANSACTION AMOUNT: 15.96
CASH BACK AMOUNT: 0.00
REF: 962846120100 AUTH: 00805433

AL US DEBIT
AID A0000000980840
TVR 8000048000
TSI 6800

Debit	15.96
-------	-------

CHANGE	0.00
TOTAL NUMBER OF ITEMS SOLD =	4
10/05/22 13:28 740 54 90	8854

REWARDS AVAILABLE 1

POINTS EARNED TODAY

Base Points 15
Bonus Points 30
Total 45

Points Towards Next Reward 1 of 100

YOUR CASHIER TODAY WAS SELF

YOUR SAVINGS

Store Savings	4.00
Total	4.00
Total Savings Value	20%



00074006400902210051328

Thank you for shopping Albertsons!
For ALBERTSONS FOR U questions call
877-276-9637 or Albertsons.com/foru



Waters &
you professionals
proof week
01-01-01-
50030

Here's the receipt from your recent purchase at Albertsons.

Purchase Summary

Final Total : **\$53.13**

Total Savings : \$27.94

Customer Information

KIRSTEN PERAINO
4150 Oceanside Blvd
Oceanside, CA 92056
760-213-3528

Order Information

Order Number 50479450

Date **10/05/22**

Time 01:00 PM - 08:00 PM

Order Details DUG

Order Count 2

Special Instructions/Driver Instructions:

Substituted Items

Item Description	Ordered	Substituted
Fresh Express Caesar Salad Kit Family - 19.4 Oz	3	0
Substituted with		
Fresh Express Caesar Salad Kit Family - 19.4 Oz		3

Out of Stock

Item Description	Ordered	Fulfilled
Chocolate Chip M&m Cookies 30 Count - EA	1	0
Variety Cookies 30 Count - EA	1	0

Purchase Details

Item Description	Quantity	Total
Grocery		
Barqs Soda Pop Root Beer - 12-12 Fl. Oz.	1	\$5.00
Regular Price \$7.99		
Sale Price Savings \$2.99		
CRV SFTDK 12PK TAX	1	\$0.60
Coca-Cola Soda Pop Classic - 12-12 Fl. Oz.	2	\$10.00
Regular Price \$15.98		
Sale Price Savings \$5.98		
CRV SFTDK 12PK TAX	2	\$1.20
Coca-Cola Zero Sugar Soda Fridge Pack Cans - 12-12 Fl. Oz.	1	\$5.00
Regular Price \$7.99		
Sale Price Savings \$2.99		
CRV SFTDK 12PK TAX	1	\$0.60
Fanta Soda Pop Orange Fruit Flavored 12 Count - 12 Fl. Oz.	1	\$5.00
Regular Price \$7.99		
Sale Price Savings \$2.99		
CRV SFTDK 12PK TAX	1	\$0.60
Sprite Soda Pop Lemon Lime Pack In Cans - 12-12 Fl. Oz.	1	\$5.00
Regular Price \$7.99		
Sale Price Savings \$2.99		

CRV SFTDK 12PK TAX

1

\$0.60

Baked Goods

Chocolate Chip Cookies 30 Count - EA

1

\$4.92

Regular Price \$7.99 (1.00 LB @ \$7.99/LB)

Sale Price Savings \$1.53

Albertsons for U Savings \$1.54

Produce

Fresh Express Caesar Salad Kit Family - 19.4 Oz

3

\$11.04

Regular Price \$17.97

Sale Price Savings \$3.47

Albertsons for U Savings \$3.46



You earned 56 points today!

You now have 56 points and 0 rewards.

Purchase Summary

Total Items (16)	\$77.50
Total Savings	-\$27.94
Sale Price Savings	-\$22.94
Albertsons for U Savings	-\$5.00
Subtotal	\$49.56
Total Taxes and Fees	\$3.57
Sales Tax	\$2.77
Bag Fee	\$0.80
Total	\$53.13

Payment Details

Type	Credit/ Debit Card
Card Type	MASTERCARD
Amount	\$53.13
Card Number	*****5986
Authorization Code	17733B
Reference Number	50479450
Authorization Date	Oct 05, 2022
Authorization Time	12:21 PM

For Customer Support, visit www.albertsons.com & click on Contact Us in the footer,
or call us at 760-533-5973.

VALLEY CENTER MUNICIPAL WATER DISTRICT EXPENSE REIMBURSEMENT FORM

(Please Print)

CLAIMANT'S NAME: Kirsten Peraino

DATE(S): 12/29/2022

PURPOSE: Holiday Luncheon Supplies

Date	Description of Expense (meeting, lodging, car rental, meals)	Account No. 01-01-01-XXXXX	Employee Paid Expenses	District Paid Expenses	Total for GC53065.5 Reporting
10-Dec-22	DOLLAR TREE (holiday luncheon supplies)	50030	\$ 11.91		\$ 11.91
14-Dec-22	Rite Aid (beverages for holiday luncheon)	50030	\$ 21.50		\$ 21.50
14-Dec-22	Lilac Foods (beverages for holiday luncheon)	50030	\$ 40.93		\$ 40.93
15-Dec-22	Albertsons (holiday luncheon supplies)	50030	\$ 45.42		\$ 45.42
14-Dec-22	Mileage : 6.1 miles @ \$ 0.625 /mile		\$ 3.81		\$ 3.81
Comments:		Total	\$ 123.57		\$ 123.57
Mileage to post notice of vacancy		Less Advance			
01-01-01-50030		Less Personal Expenses			0.00
Vendor#	Acct#	Net Expense Reimbursement	\$ 123.57		
#11570		Board of Directors Only:			
Vendor#	Acct#	Per Diem: Days @\$100/day			
Total Request			\$ 123.57		\$ 123.57

GC53065.5
Reporting

VCMWD does not reimburse for spouse/guest expenses or alcoholic beverages. Receipts for hotel, transportation, parking, taxi, meals and any additional claim for reimbursement must be attached.

The undersigned makes the foregoing claim against VCMWD and states the expenses/per diem requested is correct and said claim is presented in good faith and heretofore not been paid by VCMWD.


 Claimant's Signature

12/29/2022
 Date


 Approved for Payment

12/29/2022 V.V.
 Date

ACCOUNTING USE ONLY:	
Audited By: <u>BQ. 12/29/22</u>	
If reimbursed from Petty Cash:	Date Paid: _____
Recipient Signature: _____	Amount Paid: _____
Custodian: _____	Account #: _____

Rev. 1/7/09



PAID

DEC 29 2022



Store# 2507
4161 Oceanside Blvd
Suite C
Oceanside CA 92056-6035

(760) 305-5399

DESCRIPTION	QTY	PRICE	TOTAL
GIFTBOX W/TWINE	1	1.25	1.25T
2022 CHAS HMC FLOOR DISPLAY	1	1.00	1.00T
GIFTBOX CHAS FLDED SLIPPER 4PK	1	1.25	1.25T
GIFTBOX CHAS FLDED SLIPPER 4PK	1	1.25	1.25T
SNOWFLAKES PLT 18CT	1	1.25	1.25T
SNOWFLAKES PLT 18CT	1	1.25	1.25T
SNOWFLAKES PLT 18CT	1	1.25	1.25T
SNOWFLAKES PLT 18CT	1	1.25	1.25T
SNOWFLAKES PLT 18CT	1	1.25	1.25T
SNOWFLAKES PLT 18CT	1	1.25	1.25T
Bag Fee	0	0.10	0.00N

Reason: Customer did not want

Sub Total	\$11.00
SALES TAX	\$0.91
Total	\$11.91
US DEBIT	\$11.91
*****2010	Approved
Purchase	Chip
Auth/Trace Number:	098030/040111
Chip Card AID:	A0000000980840

NOW SHOP ON-LINE AT DOLLARTREE.COM

* We will gladly exchange any unopened item *
* with original receipt. We do not offer refunds. *

8684 02507 04 004 27449472 12/10/22 11:27
Sales Associate:Isaac



Store #06750
28535 Cole Grade Rd.
Valley Center, CA 92082
(760) 751-4351

Register #4 Transaction #150582
Cashier #67506871 12/14/22 1:44PM

Rite Aid Rewards
Member Account#: 95XXXXX8669
1 PEPSI 12Z 12PK CN 8.69 TF
1 Bottle Deposit .60 F
1 DR PEP 12Z 12PK CN 9.59 TF
1 Bottle Deposit .60 F
1 MT DEW 12Z 12PK CN .00 TF
FREE, Reg 1/8.69
Discount 8.69-
1 Bottle Deposit .60 F

3 Items Subtotal \$20.08
Tax \$1.42
Total \$21.50

DEBIT SALE \$21.50
DEBIT card * #XXXXXXXXXXXX2010
App # AUTO
Ref # 297472
Entry Method: Chip
Verified By PIN

Application Label: US DEBIT
AID: A0000000980840
TVR: 8080048000
TSI: 6800
AC: 4336BC46F1B21DBE
ARC: 00

Tendered \$21.50
Cash Change \$.00

Your Rite Aid Rewards
Savings: 8.69

* LILAC FOODS *
28958 LILAC RD. VALLEY CENTER, CA 92082
(760) 749-0400

12/14/2022 000003
#0071 1:53PM SERV. 0100010

MUG ROOT BEER	T1 \$9.61
C. R. V.	T1 \$0.60
SODAS	T1 \$12.99
C. R. V.	T1 \$0.90
SPRITE	T1 \$12.99
C. R. V.	T1 \$0.90
MDSE ST	\$37.99
TAX1	\$2.94

CREDIT CARD \$40.93

THANK YOU
* PLEASE COME AGAIN *

LILAC FOODS
28958 LILAC RD
VALLEY CENTER, CA 92082
12/14/2022 13:56:41

CREDIT CARD

VISA SALE

Card #	XXXXXXXXXXXX2010
Chip Card:	VISA DEBIT
AID:	A0000000031010
SEQ #:	35
Batch #:	485
INVOICE	35
Approval Code:	056590
Entry Method:	Contactless
Mode:	Issuer

SALE AMOUNT \$40.93

CUSTOMER COPY



Store 740 Dir Mike Thomas
Main: (760) 940-8282
4150 Oceanside Blvd
OCEANSIDE CA 92056

REFRIG/FROZEN

KNUDSEN HALF & HAL 3.49 S

BAKED GOODS

COOKIE MINI SUGAR 4.99 S
COOKIE MINI SUGAR 4.99 S
PNT BTR COOKIES 4.99 S
CHOC CHIP COOKIES 4.99 S
2 QTY WHITE FRST 11.98 S

PRODUCE

SALAD SPIN BER FET 8.99 S
FE CAESAR KIT 3.00 S
Regular Price 4.79
Sale Savings 1.79-
FE CAESAR SALAD 3.00 S
Regular Price 4.79
Sale Savings 1.79-

ADDITIONAL DISCOUNTS

BASKET \$5 Off Basket 5.00-S

TAX 0.00
**** BALANCE 45.42

Debit Purchase 12/15/22 07:24
CARD # *****2010 PRIMARY
TOTAL TRANSACTION AMOUNT: 45.42
CASH BACK AMOUNT: 0.00
REF: 962433120100 AUTH: 00594595

AL US DEBIT
AID A0000000980840
TVR 8000048000
TSI 6800

Debit 45.42

CHANGE 0.00
TOTAL NUMBER OF ITEMS SOLD = 10
12/15/22 07 24 740 1 29 6284



Work (Valley Center Municipal Water District) to Work (Valley Center Municipal Water District)

Drive 6.1 miles, 13 min

Valley Center Municipal Water District

29300 Valley Center Rd, Valley Center, CA 92082

- ↑ 1. Head southwest toward Valley Center Rd 427 ft
- ↶ 2. Turn left to stay on Lizard Rocks Rd 92 ft
- ↷ 3. Turn right onto Valley Center Rd 167 ft
- ↑ 4. Continue straight to stay on Valley Center Rd 1.4 mi
- ↷ 5. Turn right onto Lilac Rd 1.4 mi
- ↶ 6. Turn left onto Hideaway Lake Rd 177 ft
- ↷ 7. Turn right
 ⓘ Destination will be on the left 256 ft

6 min (3.0 mi)

Lilac Foods

28958 Lilac Rd, Valley Center, CA 92082

Take Hideaway Lake Rd to Lilac Rd

- ↑ 8. Head southeast toward Hideaway Lake Rd 57 sec (0.1 mi)
- ↷ 9. Turn right toward Hideaway Lake Rd 89 ft
- ↶ 10. Turn left toward Hideaway Lake Rd 121 ft
- ↷ 11. Turn right toward Hideaway Lake Rd 180 ft
- ↶ 12. Turn left onto Hideaway Lake Rd 92 ft
- 177 ft

Continue on Lilac Rd to Lizard Rocks Rd

- ↷ 13. Turn right onto Lilac Rd 4 min (2.8 mi)
- ↶ 14. Use the left 2 lanes to turn left onto Valley Center Rd 1.4 mi
- 1.4 mi

Drive to Lizard Rocks Rd

- ↶ 15. Turn left onto Lizard Rocks Rd 1 min (0.1 mi)
- ↷ 16. Turn right to stay on Lizard Rocks Rd 92 ft
- ⓘ Destination will be on the right 427 ft

7 min (3.1 mi)

VALLEY CENTER MUNICIPAL WATER DISTRICT
TREASURER'S REPORT - SUMMARY
November 30, 2022

ACTIVE DEPOSITS

Checking Accounts
Deposits with Fiscal Agents

Cost Basis
\$1,535,490.50

TOTAL ACTIVE DEPOSITS

\$1,535,490.50

INVESTMENTS

	<u>Market Value</u>	<u>Average Yield</u>	<u>Percent</u>	
Money Market Funds	\$27,081,827.05	2.20%	73.210%	\$28,139,184.46
U.S. Treasury Notes	1,227,908.75	1.38%	3.240%	1,245,351.16
Federal Agencies Securities	6,516,995.34	1.56%	17.885%	6,874,431.80
Certificates of Deposit, insured	<u>2,073,064.88</u>	<u>1.36%</u>	<u>5.664%</u>	<u>2,177,156.81</u>
TOTAL INVESTMENTS	<u>\$36,899,796.02</u>	<u>2.02%</u>	<u>100.000%</u>	<u>\$38,436,124.23</u>

TOTAL ALL FUNDS

\$39,971,614.73

TOTAL ALL FUNDS (PRIOR MONTH - OCTOBER 2022)

\$41,228,703.17

Maturity Analysis of Investments

	<u>Percent</u>	<u>Cost Basis</u>
Money Market Funds	73.210%	\$28,139,184.46
Maturity within one year	9.388%	3,608,551.80
Maturity later than one year	<u>17.402%</u>	<u>6,688,387.97</u>
Total Investments	<u>100.000%</u>	<u>\$38,436,124.23</u>

Weighted Average Days to Maturity

147

Maximum permitted single investment maturity is 5 years.


Yield Comparatives

<u>Security</u>	<u>Term</u>	<u>Yield</u>	<u>Security</u>	<u>Term</u>	<u>Yield</u>
LAIF	1 day	2.007%	12 mo. rolling T Bond	1 year	2.454%
T Bills	3 months	4.320%	T Bonds	1 year	4.730%
T Bills	6 months	4.610%	T Bonds	2 years	4.500%

Sufficient funds are available to meet the next six month's expenditure requirements. All investments are in compliance with the District's adopted statement of investment policy. Market values for the Governmental / Federal Securities and Certificates of Deposit were provided by Zions Capital Advisors.


Reviewed by James V. Pugh, Treasurer

01/09/23


Received by Gary T. Arant, General Manager

01/09/23

Date

VALLEY CENTER MUNICIPAL WATER DISTRICT
TREASURER'S REPORT - DETAIL
November 30, 2022

ACTIVE DEPOSITS

Cost Basis

Checking Accounts:

California Bank & Trust	\$1,533,700.50
California Bank & Trust	\$390.00
Petty Cash	\$1,400.00
	<u>\$1,535,490.50</u>

INVESTMENTS

Face Value
or Rating

Purchase
Date

Maturity
Date

Market
Value

Current
Yield

Money Market Funds:

Local Agency Investment Fund				\$347,463.14	2.01%	\$347,463.14
County of San Diego Investment Fund				\$26,607,966.50	2.20%	27,665,323.91
Zions Institutional Liquidity Management				\$126,397.41	3.73%	126,397.41
				<u>\$27,081,827.05</u>	<u>2.20%</u>	<u>\$28,139,184.46</u>

U.S. Treasury Notes:

U S Treasury Notes 2.125%	500,000	05/20/22	12/31/22	499,217.00	2.12%	501,054.40
U S Treasury Notes 1.250%	500,000	05/06/22	07/31/23	488,594.00	1.26%	494,487.99
U S Treasury Notes 0.125%	250,000	05/20/21	10/15/23	240,097.75	0.13%	249,808.77
				<u>\$1,227,908.75</u>	<u>1.38%</u>	<u>\$1,245,351.16</u>

Federal Agencies Securities - CB&T, a subsidiary of Zion Bank

Federal Home Loan Mrtg Corp 0.20%	200,000	12/16/20	12/16/22	199,625.59	0.20%	\$200,000.00
Federal Home Loan Mrtg Corp 0.40%	250,000	09/18/20	02/26/24	236,972.00	0.40%	250,000.00
Federal Home Loan Banks 0.50%	250,000	08/30/21	08/28/24	232,055.18	0.50%	250,000.00
Federal Farm Credit Bank 0.44%	250,000	11/04/20	11/04/24	230,577.89	0.44%	250,000.00
Federal Home Loan Banks 0.625%	250,000	05/27/21	02/27/25	228,342.10	0.63%	250,000.00
Federal Home Loan Banks 0.80%	250,000	07/21/21	07/21/25	226,788.06	0.80%	250,000.00
Federal Home Loan Banks 3.15%	200,000	08/30/22	02/23/23	199,484.39	3.15%	200,000.00
Federal Home Loan Bank 3.25%	500,000	08/22/22	08/22/23	494,818.78	3.25%	500,000.00
Federal Home Loan Banks 1.00%	500,000	03/10/22	09/29/23	489,425.35	1.00%	500,000.00
Federal Farm Credit Banks 3.49%	1,000,000	06/22/22	12/22/23	984,630.63	3.49%	1,000,000.00
Federal Home Loan Banks 1.50%	500,000	03/28/22	03/28/24	481,388.54	1.50%	500,000.00
Federal Home Loan Banks 0.50%	250,000	03/24/21	09/24/24	231,047.46	0.50%	250,000.00
Federal Home Loan Banks 0.50%	250,000	09/30/21	09/30/24	231,292.33	0.50%	250,000.00
Federal Home Loan Banks 1.00%	500,000	03/10/22	12/10/24	478,450.30	1.54%	499,431.80
Federal Home Loan Banks 0.40%	250,000	02/18/21	02/18/25	227,645.80	0.40%	250,000.00
Federal Home Loan Banks 0.625%	250,000	05/27/21	02/27/25	228,637.24	0.63%	250,000.00
Federal Home Loan Banks 2.15%	500,000	03/14/22	03/14/25	472,641.65	2.15%	500,000.00
Federal Home Loan Banks 0.80%	350,000	03/16/21	03/16/26	311,373.04	0.80%	350,000.00
Federal Home Loan Banks 1.00%	125,000	06/30/21	06/30/26	111,024.62	1.00%	125,000.00
Federal Home Loan Banks 1.05%	250,000	10/15/21	10/15/26	220,774.39	1.05%	250,000.00
				<u>\$6,516,995.34</u>	<u>1.56%</u>	<u>\$6,874,431.80</u>

Certificates of Deposit - CB&T, a subsidiary of Zion Bank

Goldman Sachs 2.70%	248,000	04/18/19	04/17/23	246,485.46	2.71%	247,938.54
UBS Bank 0.25%	125,000	07/15/21	07/14/23	121,664.75	0.27%	124,958.37
Raymond James Bank 1.95%	245,000	08/23/19	08/23/23	240,220.54	1.96%	244,936.91
BMW Bank North Amercia 0.35%	245,000	09/27/21	09/25/23	236,495.32	0.38%	244,877.37
Cit Bank 3.30%	100,000	05/06/19	10/30/23	98,694.80	3.18%	100,489.45
Centerstate Bank 1.05%	245,000	04/30/20	04/30/24	232,363.88	1.05%	245,000.00
Medallion Bank 0.40%	245,000	07/29/21	07/22/24	227,983.53	0.47%	244,511.02
Synchrony Bank 0.55%	125,000	09/03/21	09/03/24	115,958.75	0.55%	125,000.00
UBS Bank 3.00%	120,000	05/11/22	11/12/24	115,736.40	3.03%	119,903.35
Morgan Stanley 1.50%	230,000	07/27/20	04/16/25	212,563.70	1.03%	234,841.87
HSBC Bank 1.30%	245,000	05/08/20	05/07/25	224,897.75	1.33%	244,699.93
				<u>\$2,073,064.88</u>	<u>1.36%</u>	<u>\$2,177,156.81</u>

TOTAL INVESTMENTS

\$36,899,796.02

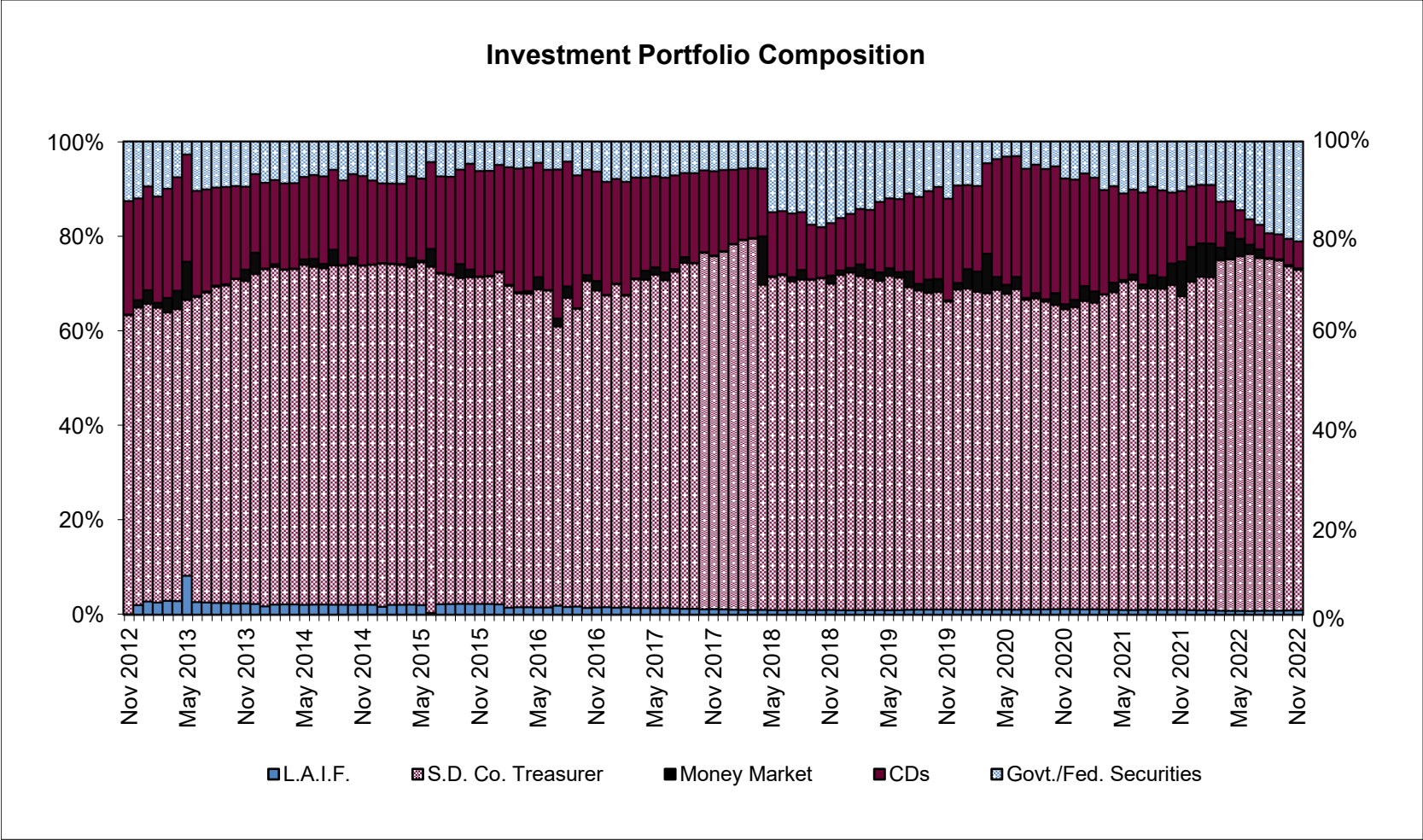
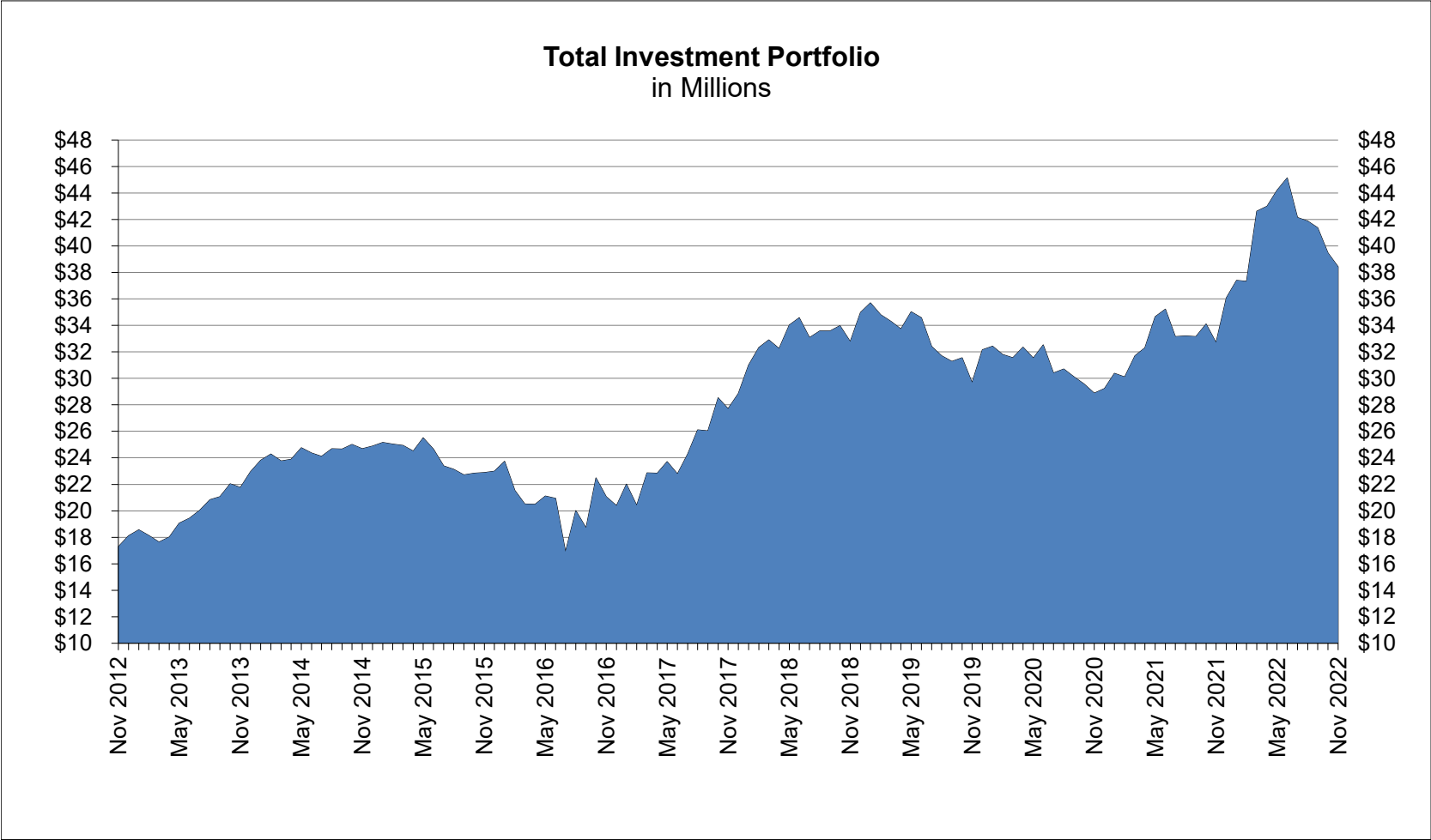
Average
2.015%

\$38,436,124.23

TOTAL ALL FUNDS

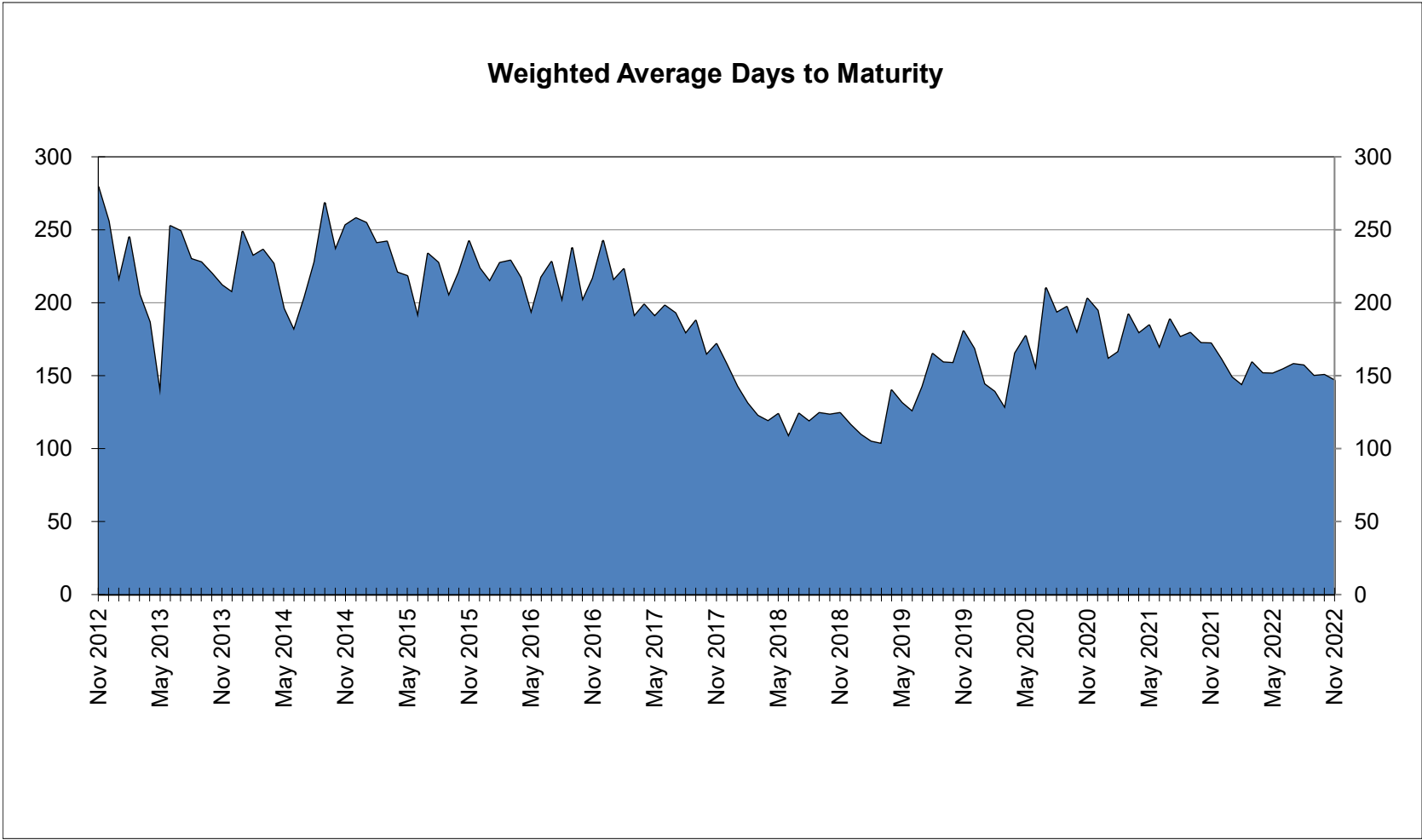
\$39,971,614.73

VALLEY CENTER MUNICIPAL WATER DISTRICT
TREASURER'S REPORT - GRAPHS
 November 30, 2022

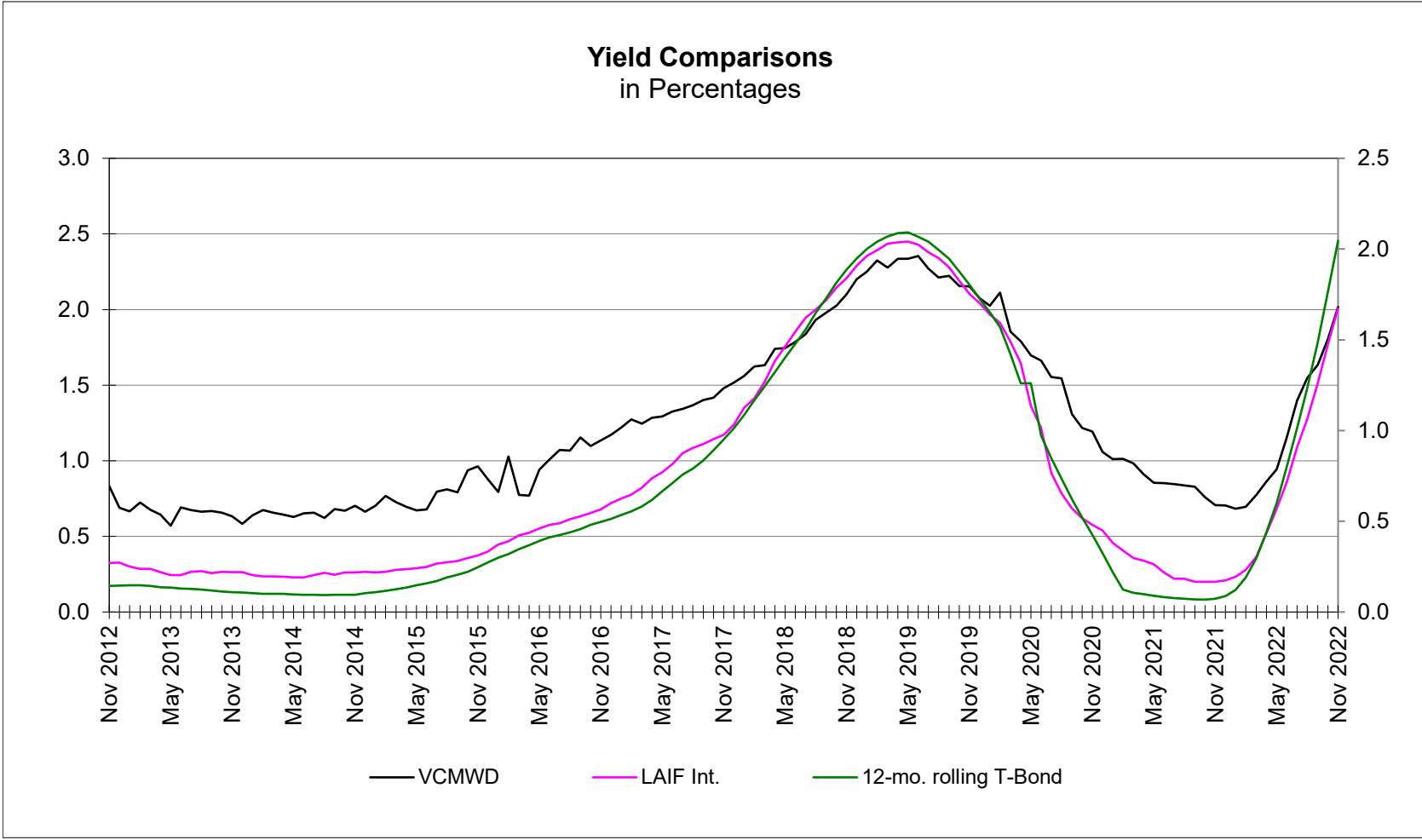


VALLEY CENTER MUNICIPAL WATER DISTRICT
TREASURER'S REPORT - GRAPHS
November 30, 2022

Weighted Average Days to Maturity



Yield Comparisons
in Percentages



**VALLEY CENTER MUNICIPAL WATER DISTRICT
TREASURER'S REPORT - TRANSACTIONS
JULY 1, 2022 THROUGH JUNE 30, 2023**

INVESTMENTS PURCHASED

<u>Purchase Date</u>	<u>Security</u>	<u>Maturity Date</u>	<u>Cost</u>	<u>Face Value</u>	<u>Expected Yield</u>
<u>CB&T, a subsidiary of Zion Bank</u>					
08/22/22	Federal Home Loan Banks 3.25%	08/22/23	500,000.00	500,000.00	3.250%
08/30/22	Federal Home Loan Banks 3.15%	02/23/23	200,000.00	200,000.00	3.150%

INVESTMENTS MATURED

<u>Purchase Date</u>	<u>Security</u>	<u>Maturity Date</u>	<u>Cost</u>	<u>Face Value</u>	<u>Yield to Maturity</u>
<u>CB&T, a subsidiary of Zion Bank</u>					
07/01/20	New York Comenity 0.35%	07/05/22	245,000.00	245,000.00	0.350%

January 17, 2023

TO: Honorable President and Board of Directors

FROM: Gary Arant, *General Manager*

SUBJECT: MWD RATE LITIGATION ATTORNEY FEES AWARD – UPDATE ON THE DISPOSITION OF FUNDS

PURPOSE:

To provide the Board with an opportunity to determine the disposition of the most recent MWD Rate Litigation related refund of \$313,768.93.

SUMMARY:

As the Board may recall, in March 2022, the Superior Court ruled that the San Diego County Water Authority (SDCWA) was the prevailing party in the 2010/2012 rate litigation with MWD. As a result, MWD was directed to pay the SDCWA attorney's fees related to the litigation (plus interest), totaling \$14,649,112.78. While the determination was made by the court in March 2022, the SDCWA Board deferred action on the disposition of the monies to a future Board Meeting.

At its May 26, 2022 meeting, the SDCWA Board elected to refund \$10,449,112.78 of the \$14,649,112.78 to its member agencies. The difference, \$4.2M, was to be retained by the SDCWA to fund ongoing litigation for fiscal year (FY) 2022-23. VCMWD's share of the most recently issued refund was \$313,768.93. In total, the SDCWA refunded \$90,694,138.77 to its member agencies, of which \$2,328,456.10 has been returned to VCMWD.

Disposition of Funds

As with the past refunds related to the litigation, the Board was to determine the disposition of the funds. The first refund of \$1,332,447.35 was directed to be used to cash fund a portion of the District's CIP. The second refund of \$682,215.91 was used to reduce the unfunded liability in the District's OPEB program.

The options available for the third refund at that time are the same as the first two refunds:

- Use for a rate rebate/refund to District customers;
- Use for one-time capital improvement projects/investments;
- Pay toward the CalPERS and/or OPEB unfunded liability; or
- Place in the District's Operating Reserve for future use.

In June 2022, staff recommended that the Board defer action on the award until the end of FY 2022-23 due to several financial uncertainties facing the District at the time. As a result, the Board directed the item be brought back for possible action in January 2023. The following were the concerns listed by staff at the June 20, 2022 Board Meeting regarding the future financial uncertainties:

1. While the impacts of the drought have been minimized to date because of the San Diego Region's water supply portfolio investments, Governor Newsom has stated that if there is

not an adequate response to his latest Executive Order N-7-22 and the recently adopted SWRCB Emergency Drought Order, then statewide mandatory reductions may be ordered irrespective of local or regional water supply conditions. If this were to occur there could be a negative effect on water sales-related revenues for FY 2022-23. The current refund represents 7.2% of the local commodity water sales revenue, \$4,358,000 anticipated for FY 2022-23, and could serve to offset the financial impacts of a mandatory reduction in water deliveries.

2. Like most other entities, the District is being impacted by inflation in labor, materials, equipment, and outside services. While staff has attempted to capture these factors in the budgeting process for FY 2022-23, the impact on all aspects of our operations for the entire fiscal year ahead is not fully known at this point. The \$313,768.93 refund represents 2.1% of the District's local fixed operating costs projected in the FY 2022-23 of \$14,666,584 and could serve to cushion against additional inflationary impacts; and
3. Predictions of a potential recession by the end of this or early next year and its impact on general economic activity and build-out of ongoing development can impact anticipated revenue, such as meter sales and capacity fees, for the upcoming FY 2022-23 period.

These concerns are still present today. Added to these is the fact that for the first 6 months of FY 2022-23 water demand and related revenue is down 22%, as was discussed with the Board at the January 3, 2023 Board Meeting.

With all of these concerns in mind, staff recommended then, and still does today, that the Board consider deferring action on the disposition of the refund until after the completion of FY 2022-23. Further, staff recommends that the Board should direct that these funds continue to be retained in the District's Operating Reserve. By the end of the coming fiscal year there will be a clear understanding of the impacts of a mandatory drought response, if imposed, the full impact of inflation, the general condition of the state/national economy, and the outcome of water sales in the full fiscal year. By then, the Board would have more certain information on which to base its decision, which would be especially important if the funds were to be irreversibly committed to reducing the CalPERS or OPEB Unfunded Liability, as was done with the second refund.

RECOMMENDATION:

After review and discussion, if so desired, continue to defer action on the disposition of the third MWD refund of \$313,768.93 until after the conclusion of FY 2022-23. As an alternative, determine the disposition for the third MWD refund among, but not limited to, the options listed in this memo.

SUBMITTED BY:


Gary Arant
General Manager

January 17, 2023

TO: Honorable President & Board of Directors

FROM: GARY T. ARANT, General Manager

**SUBJECT: LOWER MOOSA CANYON WATER RECLAMATION FACILITY MASTER PLAN
2023 UPDATE – PRELIMINARY FINDINGS**

PURPOSE:

Present project recommendations to be included in the Lower Moosa Canyon Water Reclamation Facility Master Plan 2023 update.

SUMMARY:

Staff will make a presentation on the project recommendation to be included in the Master Plan Update outlining a multi-year improvement program for the Lower Moosa Canyon Water Reclamation Facility for review and discussion by the Board.

RECOMMENDATION:

Information Item Only. No Board action required.

PREPARED BY:



**Wally Grabbe
District Engineer**

SUBMITTED BY:



**Gary T. Arant
General Manager**

January 17, 2023

TO: Honorable President and Board of Directors

FROM: Gary Arant, General Manager

SUBJECT: UPDATE ON THE FINANCIAL IMPACTS OF COVID-19

PURPOSE:

To provide the Board with an update of the financial impacts of the COVID-19 Pandemic on the District.

SUMMARY:

Staff has been keeping track of the financial impacts of the Covid-19 Pandemic has had on the District. Attached is a summary of the outstanding balance aging as well as the number of accounts that were outstanding at December 31, 2022.

December 2022, outstanding balances of \$3,110,072 representing 8,224 accounts, with sales of 874.1-acre feet, compared to September 2022, that had sales of 2,177.9-acre feet with total outstanding balances of \$5,379,765 representing 8,006 accounts.

Total balances in December 2022, that are greater than 30 days were \$640,155, 20.58% of the outstanding balance, that is up, \$126,754 from September, 2022. The Total outstanding balances are down \$2,269,693 on decreased sales volume in December compared to September of 1,303.8-acre feet. We continue to watch, contact, and ultimately send lien letters which has been effective in getting our customers to pay.

ANALYSIS:

The District's customers, even with the effects on the economy of the Covid-19 pandemic, continue to pay their bills as they have always done in the past. We continue watching and contacting accounts to make payment arrangements, flow-restricted some accounts, and place liens on properties.

RECOMMENDATION:

Information item only, no action is required.

PREPARED BY:



James V. Pugh
Director of Finance & Administration

APPROVED BY:



Gary T. Arant
General Manager

VCMWD - Customer Account Analysis

December 2022 compared to September 2022

Account Aging /Month	Total Outstanding Balance	Balance Under 30 Days	Balance 30 to 60 Days	Balance 60 to 90 Days	Balance 90 to 120 Days	Balance Over 120 Days	Total Balance Over 30 Days
December 2022							
Outstanding Balance	\$3,110,071.83	\$2,469,916.63	\$300,844.51	\$141,276.88	\$76,011.03	\$122,022.78	\$640,155.20
% of Outstanding Balance		79.42%	9.67%	4.54%	2.44%	3.92%	20.58%
Number of Accounts	8,224	8,224	1,024	360	208	115	1,024
% of Total Accounts Billed			12.45%	4.38%	2.53%	1.40%	12.45%
Water Sales (AF)	874.1						
September 2022							
Outstanding Balance	\$5,379,764.64	\$4,866,363.28	\$302,421.67	\$85,016.16	\$36,354.14	\$89,609.39	\$513,401.36
% of Outstanding Balance		90.46%	5.62%	1.58%	0.68%	1.67%	9.54%
Number of Accounts	8,006	8,006	981	309	157	92	981
% of Total Accounts Billed			12.25%	3.86%	1.96%	1.15%	12.25%
Water Sales (AF)	2,177.9						

VCMWD - Customer Account Analysis

December 2022

Account Aging /Month	Total Outstanding Balance	Balance Under 30 Days	Balance 30 to 60 Days	Balance 60 to 90 Days	Balance 90 to 120 Days	Balance Over 120 Days	Total Balance Over 30 Days
December 2022							
Outstanding Balance	\$3,110,071.83	\$2,469,916.63	\$300,844.51	\$141,276.88	\$76,011.03	\$122,022.78	\$640,155.20
% of Outstanding Balance		79.42%	9.67%	4.54%	2.44%	3.92%	20.58%
Number of Accounts	8,224	8,224	1,024	360	208	115	1,024
% of Total Accounts Billed			12.45%	4.38%	2.53%	1.40%	12.45%
Water Sales (AF)	874.1						
December 2021							
Outstanding Balance	\$3,188,048.00	\$2,660,563.95	\$232,943.98	\$85,525.84	\$44,190.63	\$164,823.60	\$527,484.05
% of Outstanding Balance		83.45%	7.31%	2.68%	1.39%	5.17%	16.55%
Number of Accounts	6,496	6,496	953	252	133	80	953
% of Total Accounts Billed			14.67%	3.88%	2.05%	1.23%	14.67%
Water Sales (AF)	1,260.6						
December 2020							
Outstanding Balance	\$3,293,880.84	\$2,766,224.06	\$323,125.60	\$105,522.70	\$51,302.70	\$47,705.78	\$527,656.78
% of Outstanding Balance		83.98%	9.81%	3.20%	1.56%	1.45%	16.02%
Number of Accounts	7,129	7,129	801	245	134	75	801
% of Total Accounts Billed			11.24%	3.44%	1.88%	1.05%	11.24%
Water Sales (AF)	1,259.2						

January 17, 2023

TO: Honorable President and Board of Directors

FROM: Gary T. Arant, *General Manager*

SUBJECT: Enterprise Resource Planning (ERP) Finance Software Upgrade

PURPOSE:

To provide the Board a progress update on the Enterprise Resource Planning (ERP) Finance Software Upgrade.

SUMMARY:

The District is currently using Springbrook (on-premise) ERP software supplied by SBRK Finance Holdings, Inc (SBRK). The software is providing critical accounting functionality, such as utility billing, accounts payable, payroll, inventory, and financial reporting. The District utilizes the on-premise version of Springbrook housed on District servers. SBRK has stopped providing any development of new software features to the on-premise version and is only providing upgrades in software functionality to the Cirrus (Cloud based) version. Additionally, the current on-premise version lacks the capability of a fully developed Application Programming Interface (API) that is necessary to integrate with other recent software upgrades, such as Cityworks, WaterSmart and Docusign. These recent software investments are part of the District's plan to increase efficiency and integration with the ERP software. Lastly, the current on-premise version has no solution for billing customers based on mandatory cutbacks that are likely to be required in the near future.

These circumstances led to staff recommending and the Board approving \$750,000 in the Budget for Fiscal Year 2022-2023 for an ERP Software Upgrade. After a thorough evaluation of several different ERP products, staff is pleased to report its decision to stay with Springbrook and upgrade to their new Cirrus Cloud platform, saving the District an estimated \$500,000 in Capital funds in Fiscal Year 2022-2023.

BACKGROUND:

District staff started this evaluation in late 2019, at a time when Springbrook Cirrus was not an option. District staff felt relegated to a software product that Accela, the parent company of Springbrook at that time, was not willing to invest in or further develop. This is what initiated the search for something new. Around that same time in January 2020, Springbrook was acquired by a leading investment firm called Accel-KKR (while the name is similar to Accela, Accel-KKR has no relation to Accela). Accel-KKR specializes in helping growing companies improve their product and service offerings. Springbrook became an independent company with this new ownership and is no longer a part of Accela. The acquisition by Accel-KKR brought new focus and commitment to investing in their product, customer care, and expanding their offerings.

A major part of their investment has been the development of Springbrook Cirrus, the new Cloud Based Springbrook platform. Springbrook has and is making significant investments and great strides into improving their new Cirrus platform and very little to no updates to the on-premise version that the District currently uses. They have in no simpler terms shared that eventually, the on-premise version will not be supported.

ERP SOFTWARE PROGRAMS EVALUATED – In the evaluation process, staff reviewed several different platforms including:

1. **Springbrook Cirrus** is the Cloud based version of the current ERP.
2. **Tyler Enterprise** is used by other water agencies including Helix WD and San Dieguito WD.
3. **Cogsdale** is used by other water agencies including Yorba Linda WD.
4. **Cayenta** is used by other water agencies including Helix WD.
5. **Tyler Incode** is used by other water agencies including Yuima MWD and Rincon Del Diablo MWD.

SOFTWARE EVALUATION CRITERIA:

District staff that included individuals from each department, evaluated each software based on criteria that is important to both customers and staff, but that would also keep up with current technology and be flexible enough for future needs. Below is a list of the criteria that was evaluated.

- **Solution for Allocations** – The District offers a Permanent Special Agricultural Water Rate (PSAWR) for certified agricultural customers that have agreed to cutback usage during severe drought conditions in exchange for that PSAWR. A solution for billing, managing and informing customers of their allocations during cutbacks is absolutely critical as California is currently experiencing multi-year drought conditions. Additionally, during the last severe drought in Fiscal Year 2015-2016, the State not only required cutbacks of Agricultural customers but of all Domestic and Commercial customers as well. Agricultural customers had a different cutback percentage than their Domestic/Commercial counterparts. It's important that the allocations can be applied differently by class of customer.
- **Solution for Tracking Employee Training** – District staff are required to take various types of training for example, safety training, workplace certifications, and outside training. Each training has different frequencies, some are required annually or bi-annually and others are only required once. Tracking a staff of 70 full-time employees and a variety of different training requirements could be performed more efficiently with the proper software. Currently the training is tracked within the legacy software system, Datastream, because the current on-premise version of Springbrook does not have the features required to do so. However, the legacy software has not been supported since 2017 when the District converted to Springbrook. The legacy software also does not have good reporting capabilities making it difficult to run reports from the current training database. Finding a better more permanent solution for managing the training for all staff is imperative.

- **Application Program Interface (API)** – This feature would allow for integration with other software's, primarily with Cityworks. It provides the means for two different software's to communicate with each other automatically and behind the scenes, eliminating for need for staff to perform double entries, once in each software. This is needed for utility billing service requests and work orders.
- **A More Robust Human Resources (HR) Module** – The current on-premise version does have an HR module. However, it is a fairly basic module that meets the needs for housing basic employee information that is required for payroll purposes. However, it lacks in its ability to generate useful reports, upload and manage employee files, track required training modules, manage performance evaluations, and other general Human Resources functions. It cannot track employment applications, or manage onboarding materials for new employees.
- **A More Robust Project Management (PM) Module** – The Engineering Department manages various capital, developer and special projects that have a variety of funding sources. The PM module needs to provide job cost information that corresponds to budgeted line items including, staff charges by project phase with a break-down of direct and fringe charges, contracts, professional service agreements, purchase orders, pre-purchased materials, etc. It should also have the capability to generate detailed and summary reports, by date ranges that can span the life of the project and multiple fiscal years (not just the current budget year) for all types of projects. Reports need to relate deposit or budgeted costs to expenses and provide remaining available funding. We need to know who is (and is not) charging to specific projects on a real time basis (i.e. right after timesheets are input). A more robust project management solution is needed to eliminate manual project accounting and budget tracking within Excel worksheets, eliminating duplicate inputting, and improving the efficiency and accuracy of tracking project expenses.

LIVE DEMONSTRATIONS – Staff participated in the following live demonstrations:

Tyler Enterprise – The representatives at Tyler presented a series of 3 or 4 product demonstrations that started in March of 2020 and ended in September 2022. The Demos covered every module that could be useful to the District, with extensive demonstrations for Utility Billing, their allocation solution, and human resources. VCMWD staff was generally very impressed with the product, primarily because they presented a solution for Allocations that is very similar to the program that VCMWD ran during the previous cutbacks and because of the robust HR module, and the variety of modules related to Project Management. That is until other local water agencies that use Tyler Enterprise were surveyed. Staff reached out to two of them to get their review and comments regarding their degree of satisfaction with the software. Below are the most notable takeaways:

- ***Helix Water District*** does not use Tyler Enterprise for Utility Billing, they use Cayenta. As such, they could not comment on a solution for ***Allocations***. They do use the ***Human Resources*** module and although it serves most of their general needs there are several areas where it doesn't, including performance evaluations, managing dependent information, and setting up new employees. They do not use the system to track ***training*** as they found that the system would require additional

configuration to meet their needs. They do use the **API's** to post nightly payment and billing transactions from Cayenta to Tyler Enterprise. They don't currently have an asset management system (like Cityworks) that would benefit from any further API implementation. Regarding **Project Management**, Tyler Enterprise does have modules for Contract Management, Grant Accounting and Bid Management, however staff at Helix has not found them useful for managing their large projects. Additionally, they expressed that Tyler Enterprise reporting has its limitations and they depend heavily on Microsoft SQL for reporting, which requires IT staff time to develop. They expressed some challenges with Tyler's customer support and stated that this was an ongoing issue.

- **San Dieguito Water District** does use Tyler Enterprise for Utility Billing, however, they did not have Tyler Enterprise during the last cutbacks and have not used the **Allocation** solution. They have been using Tyler Enterprise for 5 years and are very happy with the software overall. They do use the **Human Resources** module and are happy with it. However they have not implemented very many of the other modules yet, including HR for **tracking training**, Grant Accounting, and Bid Management. They do have plans to implement them in the future. Staff at San Dieguito shared a positive review of Tyler's customer support but admitted that they do have one unresolved support case that is over a year old.

Tyler Incode – There are several local water agencies, including Yuima MWD and Rincon Del Diablo, that initially converted to Tyler Incode after Datastream was purchased by Springbrook. Representatives from Tyler Incode provided an in-person demonstration in early 2020. At that time District staff all agreed that Tyler Incode could not provide any added benefit or additional features that were different than what Springbrook on-premise already provides. No further action was taken and it was ruled out early in the process.

Cayenta – Helix WD uses this software for their Utility Billing. A brief discussion with a salesperson from Cayenta revealed that the average purchase price of their software is nearly 3-times the District's budget and caters more to larger agencies with anywhere between 50,000 and 200,000 customers. No further action was taken.

Cogsdale – The representative at Cayenta recommended that we follow-up with their sister company, Cogsdale who caters more towards agencies of similar size to VCMWD.

- **Yorba Linda WD** uses Cogsdale. A discussion with their staff revealed that they are overall very happy with the product and have developed work arounds and SQL's over time to suit their needs. An accountant shared that she used to work at a different agency that used Tyler Enterprise and could confirm that Cogsdale offered significantly better reporting options than Tyler Enterprise. Ultimately, VCMWD staff did not request a product demonstration from Cogsdale primarily because Cogsdale doesn't have a solution for allocations.

Springbrook Cirrus – Springbrook staff provided two demonstrations of their Cloud version, Cirrus. Springbrook has committed to make the necessary changes and upgrades to their system that would allow for a Utility Billing **Allocation** feature which would satisfy most of the needs of the prior cutback program. Staff believes that with a combination of what both Springbrook and WaterSmart can provide, a workable Allocation program will be available when the need arises.

Cirrus has a variety of **API's** available for potential integration with other systems including Cityworks.

Springbrook is currently working on updates to the **HR Module** that could be useful, they are however, looking at a 9-12 month period before those updates are available to Cirrus customers.

There are no updates that would enable staff to track employee **training** more efficiently. However, IT staff believes that they will be able to develop a work around within VCWorks, similar to what they developed for the management of Backflows.

Springbrook Cirrus has a new more robust solution for **Project Management** called Advanced Capital Budgeting and Planning. The Engineering Department is willing to explore it as an option.

There are also several other features in Springbrook Cirrus that would be very useful to District Staff. They are listed below:

- **Employee Self-Service (ESS)** that provides individual login credentials for active employees to access and update their personal information, complete time cards, and download check stubs and W-2's.
- New built-in reporting feature called **Tableau** (a company Springbrook Cirrus patterned with to provide enhanced reporting capabilities).
- New Utility Billing functionality that allows for the completion of **service requests** via a **mobile** device by field staff. Eliminating the need for an API to Cityworks for Billing related service requests.
- New **Budget Planning** module that is much more advanced than the current Extended Budgeting (that we don't currently use).

SOFTWARE SELECTION

District staff determined that upgrading to Springbrook Cirrus would be the best solution to meet both the current and future needs of the District. In the majority of the evaluation criteria, Springbrook Cirrus now has a solution and the cost of converting to a new software does not outweigh the benefits.

Springbrook Cirrus offers:

- ✓ **Solution for Allocations**
- ✓ **Application Program Interface (API)**
- ✓ **A More Robust Human Resources (HR) Module**
- ✓ **A More Robust Project Management module**

Originally staff was planning to choose an ERP that allowed for an on-premise database. However, it was discovered that all of the ERP's staff evaluated no longer allow for on-premise versions. The trend is that they are all already in the Cloud and require all new customers to be as well. Eventually, they will require all of their current customers to convert to the Cloud.

There are two draw backs to with this setup:

1. The main one being that the Cloud versions require a reliable internet connection to operate. That has been a struggle for VCMWD because of the available internet options in our area. However, IT staff has been working to secure reliable and redundant internet connections that are planned to be in place prior to migrating to Springbrook Cirrus.
2. The other draw-back is because the database is currently maintained on-premise, links to GIS and VCWorks are able to display live data from the on-premise database. Moving to the Cloud will mean that the data in GIS and VCWorks will no longer be live, rather one day old, from the backup that will occur automatically every night.

A kick-off meeting to plan the migration with developers at Springbrook is expected in January 2023. Full completion of the migration is expected to take approximately 3-4 months.

SPRINGBROOK CIRRUS CONTRACT HIGHLIGHTS

3-Year Contract

Annual Recurring Costs

Springbrook Cirrus		Total Cost
Finance Suite	\$23,274.81	
Payroll	\$13,206.12	
Utility Billing	\$12,494.39	
Human Resources	\$3,465.00	
Employee Self-Service	\$1,540.00	
Accounts Receivable	\$2,784.64	
Cloud Database Download Subscription	\$2,400.00	
Building Permits	\$1,720.00	
Fixed Assets	\$1,720.00	
Inventory Control	\$1,720.00	
Purchase Orders	\$1,700.00	
Mobile Utility Service Requests	\$840.00	
Total Annual Costs – 3 Year Contract		\$66,864.96

Last fiscal year, the District paid Springbrook \$39,928.93 for the Annual Maintenance of the on-premise version. This amounts to a 167.4% increase in the annual maintenance fees. For comparison, the annual maintenance fees for Tyler Enterprise were quoted at \$162,456. Upgrading to Cirrus is significantly less costly on an annual basis.

Implementation Costs

Springbrook Cirrus		Total Cost
Cloud Migration to Cirrus	\$15,750	
Employee Self-Service	\$6,615	
Implementation Mobile Utility Service Requests	\$6,048	
Setup Fee for Mobile Utility Service Requests	\$500	
Total Implementation Costs		\$28,913

For comparison, the implementation costs for Tyler Enterprise were quoted at nearly \$500,000; the implementation costs for Cayenta were estimated at over \$2,000,000.

The available budget for the ERP Finance Software upgrade was approved for a total of \$750,000 which included \$250,000 in staff time for the conversion. Although we are staying with Springbrook, a migration to Cirrus will require staff time to implement. There are custom reports that will not carry over and will require development. There are also links to WaterSmart, Infosend, VCWorks and GIS that will need to be re-linked once the new Cloud Based database is live. Additionally, there are outstanding items that an upgrade to Cirrus will not solve. Staff would like to keep all funds available until after the initial migration at which time, a budget update can be provided to the Board.

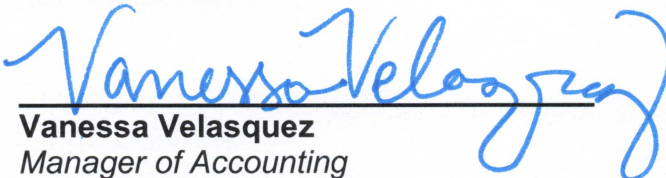
Items for consideration at a later time include:

- Capital Budgeting and Planning
- Project Management
- Human Resources
- Tracking Employee Training


RECOMMENDATION:

This is an informational item only and no action is necessary or being requested at this time.

PREPARED BY:


Vanessa Velasquez
Manager of Accounting

SUBMITTED BY:


Gary T. Arant
General Manager

REVIEWED BY:


James V. Pugh
Director of Finance & Administration

January 17, 2023

TO: Honorable President & Board of Directors

FROM: Gary T. Arant, *General Manager*

SUBJECT: DISTRICT STATUS REPORT – NOVEMBER 2022

PURPOSE:

To provide the Board with a status report on District operations, activities and projects.

SUMMARY:

For the month of November 2022, the following reports are presented by the Operations, Engineering, Finance, IT and General Administration Departments:

I. OPERATIONS DEPARTMENT:

A. WATER / WASTEWATER DIVISION:

	NOV <u>2022</u>	NOV <u>2021</u>	FY 2022-23 <u>to Date</u>	FY 2021-22 <u>to Date</u>
Water Operations				
Flow (average cfs)	15.84	25.80	28.86	29.45
Total Rainfall (inches)	1.79	0	2.43	1.75
Average 24 Hr. Temp. (EF)	55	63	70	70
Average High Temp. (EF)	68	78	83	84

Water Purchases (A.F.)	942.33	1,526.91	8,774.84	8,809.75
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	Budgeted 2022-23	Projected 2022-23	Actual 2021-22
Water Sales (A.F.)	16,500	15,300.0	16,207

	OCT 2022	SEPT 2022	F.Y. 2022-23 to Date
Power Purchases			
Electricity and Natural Gas			
Total kWh Purchased	787,798	1,050,882	3,846,695
Avg. Cost/kWh	\$0.219950	\$0.209918	\$0.206637
Total Therms Purchased	42,508	58,836	207,831
Avg. Cost/Therm	\$1.34829	\$1.55324	\$1.45902

RENEWABLE ENERGY PROGRAM

Project	Start Date	kWh Produced OCT 2022	Savings from Solar OCT 2022	CSI Rebate OCT 2022	kWh Produced Fiscal Year	Savings from Solar Fiscal Year	CSI Rebate FY	kWh Produced To Date	Savings from Solar to Date	CSI Rebate To Date
Lake Turner	1/1/2009	126,703	N/A		872,431	N/A		24,208,113	\$ 443,357.00	
Tyler <i>Pump Station</i>	6/3/2013	6,998	\$ 1,400.00		31,552	\$ 6,310.00		837,354	\$ 164,987.00	\$ 61,739.00
Circle R <i>Pump Station</i>	11/13/2013	6,974	\$ 1,395.00		31,612	\$ 6,322.00		846,081	\$ 167,425.00	\$ 68,201.00
Cobb Reservoir	4/1/2015	4,223	\$ 845.00		19,657	\$ 3,932.00		424,554	\$ 84,867.00	\$ 37,481.00
MJM <i>Pump Station</i>	6/1/2015	3,616	\$ 723.00		16,903	\$ 3,381.00		349,804	\$ 70,419.00	\$ 32,525.00
Cool Valley <i>Pump Station</i>	3/23/2016	10,219	\$ 2,044.00		38,936	\$ 7,787.00		1,019,296	\$ 210,350.00	
Miller <i>Pump Station</i>	7/1/2016	9,018	\$ 1,804.00		43,070	\$ 8,614.00		715,207	\$ 146,696.00	
TOTALS		167,751	\$ 8,211.00	\$0	1,054,161	\$ 36,346.00	\$0	28,400,409	\$ 1,288,101.00	\$199,946.00

Total Program Cost Savings **\$1,488,047**

Total Metric Tons of CO2e Offset by Renewable Energy Production **9,145**

SDG&E CO2e Factor **0.322**

Total Renewable Energy Credits Sold:	22,784		Value:	\$30,049.60
	+ <u>500</u>		+ <u>\$3,500.00</u>	
	23,284		\$33,549.60	

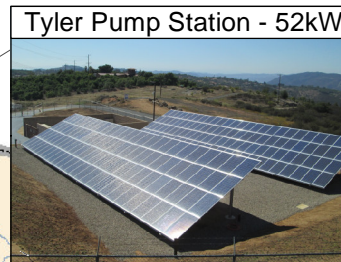
Operations and Facilities Department RENEWABLE ENERGY PROJECTS



Country Club Res - 58kW



Miller Pump Sta. (A) - 70kW



Tyler Pump Station - 52kW



Cool Valley Res - 91kW



MJM Pump Station - 30kW



Lake Turner - 1.1MW



Cobb Res - 30kW

Solar Sites Online

^ (7) Sites - Total: 1.43MW

Proposed Future Solar Sites

P Betsworth Pump Station	868kW
P Corporate Facility	110kW
P Lower Moosa Canyon WRF	187kW
P Miller Pump Station (B)	431kW
Total: 1.6MW	

Terms:
kW - Kilowatt or 1,000 Watts
MW - Megawatt or 1,000 Kilowatts
1 MW will power 1,000 Homes



Wastewater	<u>NOV 2022</u>	<u>NOV 2021</u>	<u>NOV 2020</u>
Daily Flows (Average M.G.D.)			
Moosa	.258	.308	.282
Woods Valley	.101	.056	.052

	<u>NOV 2022</u>	<u>NOV 2021</u>	<u>F.Y. 2021-22 to Date</u>	<u>F.Y. 2020-21 to Date</u>
Recycled Water				
Woods Valley Ranch WWRF (A.F.)	9.21	5.10	42.35	26.16

B. CUSTOMER CONTACTS:

	<u>NOV 2022</u>	<u>NOV 2021</u>	<u>F.Y. 2022-23 to Date</u>	<u>F.Y. 2021-22 to Date</u>
Customer Service Requests				
Backflow Leaking	1	3	27	32
Conservation	0	0	0	0
Facilities Damaged by Others	0	2	0	6
Leaks	29	18	111	104
Miscellaneous	23	50	233	156
No Water	5	2	20	19
Pressure	9	16	61	56
Sewer	0	0	2	0
STEP System	0	5	3	13
Water Quality	1	0	6	7
After-Hour Call-Outs				
SCADA	3	3	17	14
Customer	11	7	47	42

C. SAFETY/MEETINGS:

Safety Meetings

11/08/22	- Accident Forms	(online class)
11/22/22	- Drowsy Driving	(online class)

Seminars/Meetings

11/08/22	Vector Solutions Overview for ACWA JPIA Members attended by G. Olson and B. Morris, and
11/10/22	Technologies for Lead Service Line Inventories & Mapping webinar hosted by Association of State Drinking Water Administrators attended by J. Scott.

D. SECURITY:		<u>NOV 2022</u>	<u>NOV 2021</u>	<u>F.Y. 2022-23 to Date</u>	<u>F.Y. 2021-22 to Date</u>
Trespassing/Break-ins		0	0	1	1
Vandalism		0	0	0	0
Threats/Suspicious Activity		0	0	0	0
Theft		0	0	0	0
E. METER SERVICES DIVISION:		<u>NOV 2022</u>	<u>F.Y. 2022-23 to Date</u>	<u>F.Y. 2021-22 to Date</u>	
Installation/Maintenance/Repair					
Meters Installed		34	302	154	
Meter Service Repairs		3	26	10	
Total Meters Exchanged		19	108	84	
Meter Flow Test Bench					
Meters Tested		7	33	34	
Backflow Program RP & DC Devices					
Tested		460	2,409	2,044	
Repaired		17	112	112	
Installed		76	183	166	
Replaced Due to Theft/Damages		0	0	12	
F. WATER FACILITIES DIVISION:		<u>NOV 2022</u>	<u>F.Y. 2022-23 to Date</u>	<u>F.Y. 2021-22 to Date</u>	
Pump Maintenance					
Pumps Pulled		0	2	0	
Electric Motors Repaired		0	0	0	
Electric Motors Rewound		0	0	0	
G. CONSTRUCTION & MAINTENANCE DIVISION:		<u>NOV 2022</u>	<u>F.Y. 2022-23 to Date</u>	<u>F.Y. 2021-22 to Date</u>	
Pipeline Maintenance/Repair					
Mainline Repairs		1	4	8	
Shutdowns		0	3	4	
Shutdowns Due to New Construction		0	2	4	

Valve Maintenance

Quad completed: A – J
 12% through Quad K

Leak Detection Program Status

100% of facilities detected through Quads: A – J
 12% of facilities detected through Quad K

	<u>NOV 2022</u>	<u>F.Y. 2022-23 to Date</u>	<u>F.Y. 2021-22 to Date</u>
Landscape (Reservoirs) Maintenance			
Station Maintenance	22	90	117

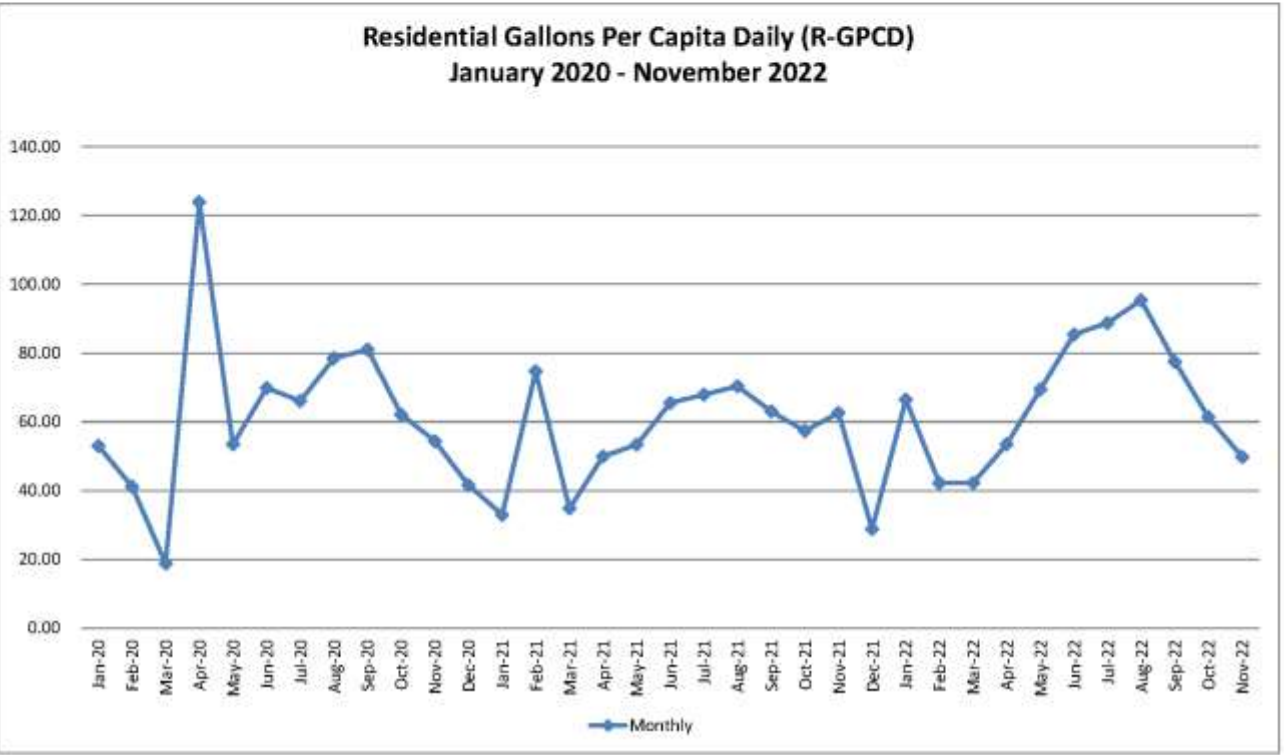
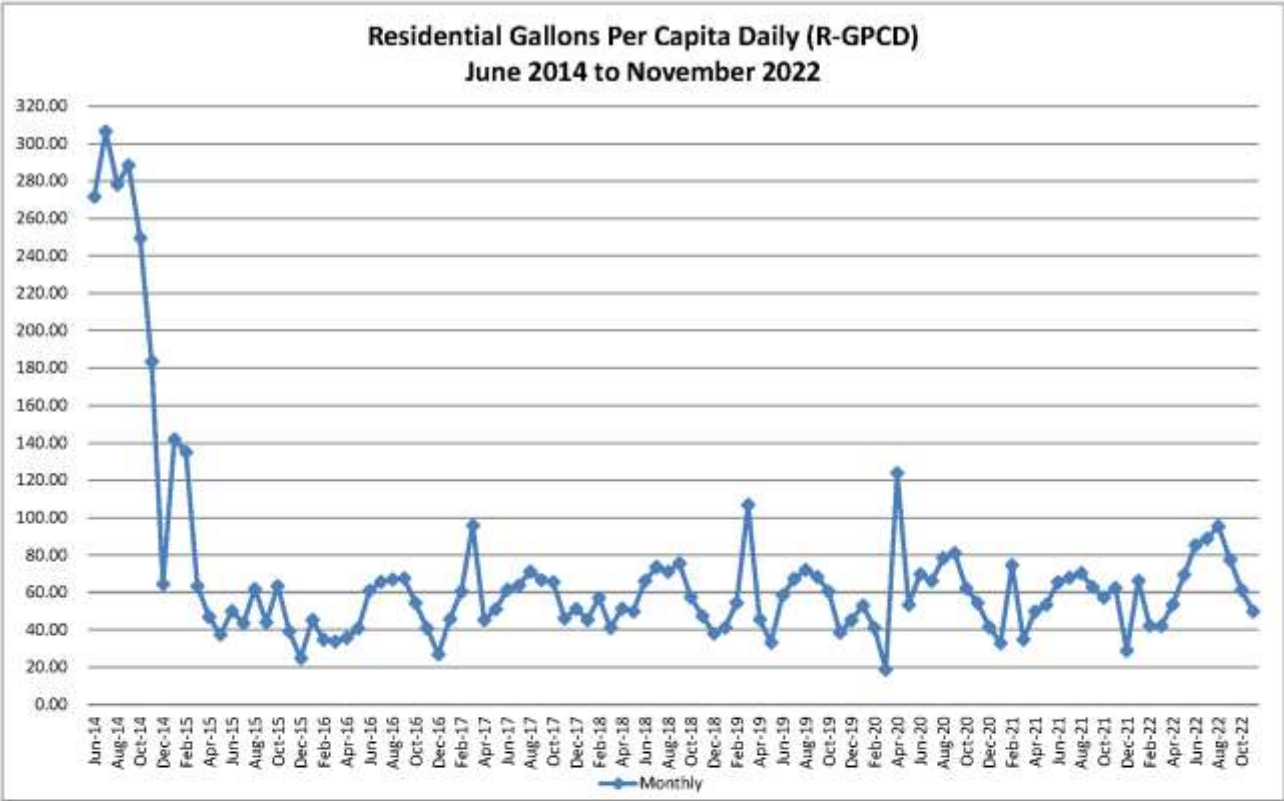
H. VEHICLE MAINTENANCE:

	<u>NOV 2022</u>	<u>F.Y. 2022-23 to Date</u>	<u>F.Y. 2021-22 to Date</u>
Vehicles Serviced	2	31	26
Miles Driven	28,510	140,127	125,139
Gallons of Fuel Consumed - Vehicles	2,339	11,899	10,885
Gallons of Fuel Consumed – Equipment	170	1,031	693
MPG (average)	12.1	11.7	11.3
Pickup Trucks MPG	14.8	14.4	13.4
Service Trucks MPG	7.2	7.1	7.2
Average Vehicle Miles	559	525	463
Total Mileage on Vehicles		4,778,794	4,906,926
 Total Number of Vehicles in Fleet	 51		
Vehicles in Service	46		
Surplus Vehicles in Service	3		
Surplus Vehicles Out of Service	2		

**FIELD DEPARTMENT
CAPITAL FUNDED PROJECTS SUMMARY**

Project No.	Name	F.Y. Authorized	Budget 2022-2023	Total Project Budget	Contracts			Comments	Dept.
					Contractor/Consultant	% Complete OCT. NOV.			
01-06-78-51050	Natural Gas Engine Controls Upgrade and Automation	16-17		\$ 190,000.00		30%	30%	Construction in progress	P&M
01-06-78-51650	Risk and Resilience Assessment and Emergency Response Plan	20-21		\$ 151,000.00		95%	95%	Risk & Resiliency Assessment 100% complete. ERP Plan is complete. Training will take place after COVID.	SAFETY
01-06-78-51080	Pump Station Power Monitors	22-23	\$ 56,220.00	\$ 56,220.00		15%	15%	Construction in progress	P&M
01-06-78-51370	Vehicles - Pickup Truck	20-21	\$ 54,500.00	\$ 214,100.00		25%	25%	1 Receveived	P&M
01-06-78-51371	Vehicles - Service Truck	21-22	\$ 283,100.00	\$ 430,525.00		20%	25%	1 Receveived	P&M
01-06-78-51372	Vehicles - Dump Truck	21-22	\$ 189,100.00	\$ 353,525.00		20%	20%	On Order	P&M
01-06-78-51373	Vehicles - Hooklift Truck	22-23	\$ 238,800.00	\$ 238,800.00		20%	20%	On Order	P&M
13-06-78-53140	Lower Moosa Collection System Vitrified Clay Pipe Lining	18-19		\$ 119,000.00		90%	90%	Contractor making repairs	WW
13-06-78-53060	Lower Moosa Canyon Reclamation Facility Solar Evaluation	19-20		\$ 15,000.00		0%	0%		WW
13-06-78-53430	Lower Moosa Canyon WRF Islands Lift Station Generator	20-21		\$ 55,000.00		20%	20%	On Order	P&M
13-06-78-53300	Sludge Transfer Pump Upgrade/Replacement	22-23	\$ 33,000.00	\$ 33,000.00		10%	10%	On Order	WW
13-06-78-53370 17-06-78-57370	Vehicles - Pickup Truck	22-23		\$ 58,000.00		20%	20%	On Order	P&M
13-06-78-53371 17-06-78-57371	Vehicles - Utility Pumper Truck	21-22	\$ 135,000.00	\$ 135,000.00		20%	20%	On Order	P&M
13-06-78-53372 17-06-78-57372	Vehicles - Service Truck	22-23		\$ 119,590.00		15%	15%	Out for Bid	P&M
17-06-78-57040	Lift Pumps	21-22	\$ 33,000.00	\$ 33,000.00		100%	100%	Completed	WW

II. Residential Gallons Per Capita Daily (R-GPCD):



Residential Gallons Per Capita Daily for November 2022 is 49.81

III. **ENGINEERING DEPARTMENT:**

A. ENGINEERING SERVICES:

	November <u>2022</u>	October <u>2022</u>	F.Y. 2022-23 <u>To Date</u>	F.Y. 2021-22 <u>Total</u>
Fire Meter Sales	29	45	131	315
Meter Sales	29	44	128	295
Meter Relocation	1	0	4	7
Meter Resize	0	2	3	5
Maps Processed (PF letters)	1	2	7	15
Agency Clearances Signed	6	6	24	107
Fire Hydrants/Special Projects Accepted	0	0	0	6
Underground Service Alerts/Mark-Outs	244	303	1,049	2,514
Potable Construction Meters	3	6	26	34
Non-Potable Construction Meters	0	0	0	0
One Day Permits	0	0	1	2
Wastewater Inspections	0	0	1	3

General Activity:

In addition to the items listed in the above table, Engineering Services staff assists with encroachment permits and violations, provides information for mark outs and helps customers with water conservation questions, and available rebate programs. In the month of September, 28 sets of meters were installed in the Park Circle Community. The Gordon Hill Road Pipeline Relocation and Replacement Project mobilized and a story map website was published to provide the public with project updates.

GEOGRAPHICAL INFORMATION SYSTEM (GIS):

GIS staff gathers and updates the facility data in the GIS as it is modified and assists project managers with various project maps/exhibits and data analysis.

The following took place in November:

1. The Engineering technician is learning the newest Desktop software, ArcGIS Pro, and is using it to produce some of our exhibits. This will eventually take over for ArcGIS Desktop. Additionally, she has taken on the large task of analyzing, adding, and updating all our facilities. Drawing out any improvements and bringing the as-builts together to hyperlink for staff to use in the Cityworks application or GIS web maps. This month the MJM Pump Station and MJM PRS Station were reviewed and updated;

2. Preparing data and work processes for Cityworks Phase II, CMMS (*Computerized Maintenance Management System*). Encroachments will be tracked, inspected, and supported in Cityworks. The consultant has now completed this work process. The last step was to push the pertinent information we collect for each encroachment in Cityworks into GIS. This will enable us to view the attribute data in GIS to support our web map applications;
3. Staff employed a consultant to begin the process of digitizing district easements to display in GIS. We have received multiple files consisting of over 400 Easements. We are currently reviewing this data and have added it to our Geodatabase so we can view it in our Web applications.

B. EASEMENT ENCROACHMENTS:

Summary of Activities:

In the month of November, no Violations were discovered and no Permits were requested. All existing files are still pending.

ENCROACHMENT STATUS TABLE					
November	Encroachment Violations			Encroachment Permits	
Beginning Log	12	22	11	17	10
Plus New	0	0	0	0	0
Less Completed	0	0	0	0	0
Ending Log	12	22	11	17	10

Encroachment Table Footnotes:

- 1) Pending Evaluation – This column represents the status of reported encroachment violations. The number of new violations reported during the month is indicated along with the number of violations that were resolved during the month. Resolution may result in either a) the property owner agreeing to remove the encroachment violation, b) in some cases, the District allowing the encroachment violation to remain pending resolution by the District, c) issuance of an encroachment permit that allows the encroachment to remain as is, or d) issuance of an encroachment permit that requires modification of the encroachment by the owner. Once the course of action for resolution of the encroachment violation has been determined, it is shown completed in the Pending Evaluation column and becomes a new item in either the Owner Resolution Column, the District Resolution Column or the Active Permit Column.
- 2) Owner Resolution – Removal of the encroachment violation is a property owner action requirement and will be inspected by District staff. The number of encroachment violations that were removed during the month is indicated as completed in this column.
- 3) District Resolution – Staff has determined that the encroachment violation is not a result of current owner's action and has agreed allow the encroachment to remain pending resolution by the District. The encroachment violation is properly documented and made clear to the owner that the District is not responsible for damage to the encroachment as a result of the operation, maintenance or failure of the District's facility in the easement.

- 4) Pending Evaluation – This column represents the status of requests to construct facilities or other improvements within a District easement under review and consideration. The number of requests received during the month is indicated as new and the number of requests resolved is indicated as completed. Resolution of the request included either a) denial of the encroachment request, or b) issuance of an encroachment permit. Many times the encroachment permits is issued concurrently with the completion of the work. Encroachment permits that will require further follow up inspection are shown in the Active Permits column.
- 5) Active Permits – This column shows the status of encroachment permits approved by District with work in progress and being inspected by District staff. Although the work is authorized, work may not commence immediately.

C. DEVELOPER FUNDED PROJECTS:

See Table I and Location Map for project details and general status of the Special Projects, Private Low-Pressure Wastewater Collection System Installations and Cell Site Projects that are in process.

See Table II and Location Map for general status of all developer funded projects.

ENGINEERING DEPARTMENT
TABLE I - ENGINEERING SERVICES PROJECTS SUMMARY

Special Projects (01-00-00-182xx)								
Job # 182xx	PROJECT NAME	Owner Engineer	Plan Approval	Estimated Construction Cost	Contractor	% Complete Construction	Final Accept.	November 2022 Comments
15	North Avenue Estates - Easement Quitclaim, New Easement and Pipeline Encroachment Improvements (Tamara Drive)	Jared Aronowitz (Beazer) <u>Masson & Associates</u>	N/A	N/A		5%		Plans signed by VCMWD November 2, 2022. Grant of Easement to VCMWD is pending signatures until their Map records.
28	Miller Road Plaza DCDA & Services - Miller & VC Roads	<u>Valley Center View Properties</u> Wynn Engineering	Pending	Pending	Pending	0%		Improvement plans were signed and returned to the developer. No further activity in November.
39	KA Enterprises - Mega Mart	KA Enterprises Omega Engineering Consultants	6/3/2021	\$21,200	BC3 Equipment	90%		Contractor continues to address punch-list items for Fire Hydrant and Fire Assembly.
44	San Pasqual Retail Center Ph 1 - Water Service Installation Ph 2 - Road Widening and Appurtenance Relocation	<u>San Pasqual Economic Development Corporation</u> Masson and Associates Inc	3/18/2021	\$92,758	TLM Petro Labor force, Inc.	70%		No activity in November.
59	Terra-Gen Battery Storage Valley Center	<u>TerraGenVCESS-LLC</u>	Pending	\$110,080	Paul Hansen Equipment Inc.	100%	02/22/22	In 1-year Warranty Period through February 2023.
60	Lilac Fire Hydrant - Blackrock	<u>David Klose</u>	N/A	\$30,200	Gratzl Heavy Equipment Rental	100%	02/02/22	In 1-year Warranty Period through February 2023.
62	Nissim Fire Hydrant	<u>Joseph & Edith Queja</u>	N/A	\$20,285	Draves Pipeline Inc.	100%	08/12/22	In 1-year Warranty Period through August 2023.

ENGINEERING DEPARTMENT
TABLE I - ENGINEERING SERVICES PROJECTS SUMMARY

Special Projects (01-00-00-182xx), Continued.								
Job # 182xx	PROJECT NAME	Owner Contactor	Plan Approval	Estimated Construction Cost	Contractor	% Complete Construction	Final Accept.	November 2022 Comments
64	Anthony Rd. Fire Hydrant - Blackrock	<u>David Klose</u>	N/A	Pending	Pending	0%		Project was established and performance bond received in October 2021. No Activity in November.
65	ARCO VC Rd & Cole Grade Rd	<u>Rafat Mikhail</u> Civil Landworks		Pending	Gratzl Heavy Equipment Rental	5%		No Activity since site grading was completed and plan check comments were returned to developer in September. Developer's engineer reports that the plans are in the process of being updated per SD County comments.
66	Darling Sewer Lateral	<u>Terri Darling</u>	4/29/2021	\$15,300	Draves Pipeline Inc.	100%	8/23/2022	In 1-year Warranty Period through August 2023.
67	Hamid Quitclaim	<u>Hamid Liaghat</u>		\$2,000	Szytel Engineering	80%		Under review by VCMWD staff and Jane Wiggins.
68	Khosrow Zolfaghari Grading Plan	<u>Khosrow Zolfaghari</u>		\$1,000	Iraj Asgharzadeh, P.E.	90%	NA	Recordable Encroachment Permit signed by property owner, VCMWD, notarized, and recorded by SD County.
69	Goldman FH	<u>Melanie Goldman</u>		\$17,365	Draves Pipeline Inc.	0%		No Activity in November.
81	Erler/Carney Rd FH	Hank Erler	N/A		Draves Pipeline Inc.	90%		Road widening improvements were complete. The contractor began work to reinstall a existing water service and a new fire hydrant. Work is scheduled to be complete in early December.
82	V.C. Fire Station No. 3 DCDA Installation	Joe Napier						No Activity in November.

**ENGINEERING DEPARTMENT
TABLE I - ENGINEERING SERVICES PROJECTS SUMMARY**

Private Grinder Pump - LPS Installations (13-06-78-53250 or 17-06-78-57250 - Function 64)								
App#	APPLICANT	Plan Submittal	Plan Approval	Estimated Construction Cost	Contractor	% Complete Construction	Final Accept.	November 2022 Comments
417	Papa Bears (Armando & Maria Sanchez)	11/26/18	11/26/18	N/A	Pending	98%		No Activity in November
11171	Solomon Garcia	04/18/22	04/29/22	N/A		100%		Pressure test performed and passed. Cut and capped riser pipe used for pressure testing. Ready to backfill. Customer is coordinating startup with Signa-Mechanical.
11165	Humberto Perez	11/29/22						Received Plan Submittal.
11166	Antonio Vera	11/09/22						Received Plan Submittal.
Cell Site Installations (01-03-23-50001 Function 122)								
Site #	SITE	Plan Submittal	Plan Approval	Estimated Construction Cost	Cell Company	% Complete Construction	Final Accept.	November 2022 Comments
VC115	Paradise Reservoir	4/28/2021		N/A	T-Mobile			

**ENGINEERING DEPARTMENT
TABLE II - DEVELOPER FUNDED PROJECTS SUMMARY**

Job # 01-00-00- 180xx	PROJECT NAME	Proj. Mgr.	Map No.	Lots/ Units	Phase	PLANNING	Planning		CONSTRUCTION				November 2022 Comments
						Engineer	Concept Approval	Plan Approval (1)	Estimated Cost	Contractor	% Complete	Final Acceptance	
02	Butterfield Trails	MP	TM 5551	71	G	Alidade Engineering - Larry Dutton	09/02/14		\$2,457,000				No Activity in November.
04	America Ridge Lane Waterline Extension	MP		4	G	Ben Yen & Assoc.	08/04/14		\$66,500				The property recently changed ownership. The new owner plans to merge existing lots from four to two. Currently, the new owner does not plan on pursuing this project any further. No Activity in November.
05	Belmont Estates	MP	TM5110-1	4	G	ACAL Engineering	08/04/14	02/04/16	\$166,655				No response to letter requesting status update sent February 2018. No Activity in November.
06	Lake Wohlford Resort Annexation	WG			F	Dexter Wilson Engineering							Owner's consultants continued working on an amendment to the SWRCB Grant to fund additional Annexation and Planning costs of the private water facilities needed to serve the resort and add service to the San Pasqual Band of Mission Indians at Duro Road. District activities on hold pending approval of the Grant amendment and funding of VCMWD project expenses and the SDCWA and MWD annexation processing fees. No activity in November other than attending the monthly project status phone meeting.
07	Viking Grove Development	MP	20689 & 20690	9	C	ACAL Engineering	05/16/16	08/09/21	\$147,886				Plan approval extension was processed in November. A pre construction meeting is scheduled for early December.
09	Duffywood LLC Waterline Extension	P NL	TM 5478	7	B	Florentina/ Civil Land Works	01/03/22	11/24/20	\$360,000	TAD Construction	90%		District improvements within Fruitvale Road were installed. A punch list was issued to the developer in November. County road improvements are pending within Fruitvale Road.
17	Bear Peak (Shady Oak)	NL		47	B	Rick Engineering Company	03/18/19	07/08/19	\$600,000	GPS Plumbing and H7 Contrating & Engineering	99%		District staff performed inspection of completed punch list items. Items are pending completion. The contractor will notify VCMWD for final inspection.
19	The Oaks (Washington Meadows Dev., Inc.)	MP	TM 5174.1	11	D	Spears and Assoc.	10/19/15		\$186,710		80%		No Activity in November.
22	El Cidro	NL		10	G	BWE, Inc. (formerly Burkett & Wong Engineering)	04/15/13	11/30/15	\$410,250				Joint Agreement to Improve Subdivision, Joint Lien Agreement & Lien Hold Agreement approved by the County and the Final Map was recorded in July 2016. With project under a Lien Hold Agreement, construction will be delayed indefinitely. No Activity in November.
	Park Circle Touchstone Communities (Backbone Facilities) (neighborhoods A & C)	NL	TM 5603 Units 2 & 3		B		04/15/19	07/23/19	\$3,100,000	Basile	98%		Staff is continuing to work with Developer and their contractors on completing the remaining punch list items. Punch list items are being completed slowly.

**ENGINEERING DEPARTMENT
TABLE II - DEVELOPER FUNDED PROJECTS SUMMARY**

Job # 01-00-00- 180xx	PROJECT NAME	Proj. Mgr.	Map No.	Lots/ Units	Phase	PLANNING	Planning		CONSTRUCTION				November 2022 Comments
						Engineer	Concept Approval	Plan Approval (1)	Estimated Cost	Contractor	% Complete	Final Acceptance	
23	Park Circle Touchstone Communities (Neighborhood E)	NL	TM 5603 Unit 1	101	B	Dexter Wilson Engineering & Touchstone Engineering Staff	04/15/19	10/19/20		Cass/Arrieta	90%		Developer and contractor are working to complete punch list items. 4 sets of 3/4-inch Domestic Meters and 1-inch Fire Meters were installed for Richmond American.
	Park Circle Touchstone Communities (Neighborhood B)	NL	TM 5603 Unit 4 & Portion Unit 5	143	B		04/15/19	11/18/19		Cass/Arrieta	90%		Backbone loop for Unit 4 was conditionally accepted on December 13, 2022. See Shea Homes and Beazer Homes project updates for Unit 4 and Unit 5; Job No. Items 55 and 64.
25	Orchard Run Subdivision - Unit 1 (Backbone Facilities funded by Touchstone)	NL	TM 5087 Unit 1 - 58 Lots Unit 2 - 70 Lots Unit 3 - 120 Lots Affordable Homes - 52 lots	20	B	Dexter Wilson Engineering & Touchstone Engineering Staff	04/15/19	07/23/19	\$1,855,600	Cass/Arrieta	95%		Staff is continuing to work with Developer and their contractors on completing the remaining punch list items. Punch list items are being completed slowly. 14 sets of 3/4" Domestic Meters and 1" Fire Meters were installed for Meritage.
	Orchard Run Subdivision - Unit 2 (Backbone Facilities funded by Touchstone)			3	B		04/15/19	07/23/19	\$1,877,000	Cass/Arrieta H7	90%		Remaining Unit 2 work is under KB Homes Job No. Item 56.
	Orchard Run Subdivision - Unit 3 (Backbone Facilities funded by Touchstone)			120	B		04/15/19	07/23/19	\$1,717,785	Cass/Arrieta	90%		Cass Construction working to complete above ground items such as concrete pads and enclosure installation.
27	Free-Thomas Line Extension	MP	20450	4	G	Penny Engineering	12/24/14	12/24/14	\$69,837				No activity since letter informing Owner that plan approval expired; requested project update. Owner continuing to process plans through County which is delaying water design. No Activity in November.
30	Deer Springs Towne Center	MP		2	F	BWE, Inc. (formerly Burkett & Wong Engineering)							Staff previously met with County planner in charge of other adjacent development to explore options for wastewater service that can be applicable here as well. There may be opportunity for joint effort with other developers for a communal system, to be further explored with individual developers. No Activity in November.
32	Keys Creek Water Line Replacement (Keys Creek Investments, Inc.)	MP	PM 1698	3	D	Engineering Design Group - Ranka Vukmanic	08/03/15	12/14/15	\$116,505				The developer to update the project plans with easement document numbers and resubmit plans for VCMWD approval. No Activity in November.
35	Welk Garden Villas	NL		148	B	Hale	06/19/06	07/26/10	\$458,800	Ratzlaff	90%		In October, Staff met with representative from Marriot, the new Owner of Welk Resort. They indicated a contractor is in process of being selected to perform the remaining punch list items. No Activity in November.

**ENGINEERING DEPARTMENT
TABLE II - DEVELOPER FUNDED PROJECTS SUMMARY**

Job # 01-00-00- 180xx	PROJECT NAME	Proj. Mgr.	Map No.	Lots/ Units	Phase	PLANNING	Planning		CONSTRUCTION				November 2022 Comments
						Engineer	Concept Approval	Plan Approval (1)	Estimated Cost	Contractor	% Complete	Final Acceptance	
39	Rimrock Phase III - Unit 1	MP	TM 4744	9	C	Piro Engineering	06/07/93	07/26/05	\$556,345	Civil Const.	99%		District was previously requested to re-sign the joint County bonds as part of the ownership transfer process. District met with the new owner representatives shortly after to review the project. The new owner is planning to resume development of the remaining lots in the near future. No Activity in November.
	Rimrock Phase III - Unit 2			32	C	Piro Engineering	06/07/93	07/26/06	\$201,922	Basile	99%		
	Rimrock Phase III - Unit 3			29	C	CTE, Inc.	06/07/93	09/08/15	\$582,246	Anderson	60%		
40	Circle P	MP	TM 5468	11	G	CTE, Inc.	08/07/17						No activity since Board issued Concept Approval for the project in August 2017. Staff prepared and submitted District Facility Agreement (DFA) to Developer for signature. Plan review pending receipt of plans and signed DFA. No Activity in November.
44	Sea Bright Line Ext.	MP	TM 5814	9	G	Sea Bright	01/22/13	06/02/17	\$639,000				No activity since Board issued Concept Approval for the project in August 2017. Staff prepared and submitted District Facility Agreement (DFA) to Developer for signature. Plan review pending receipt of plans and signed DFA. No Activity in November.
46	Beck Subdivision	MP	TM 5060	16	G	Sea Bright	06/01/09	10/10/18	\$237,215				No activity since plan approval extension was approved October 10, 2018.
47	Orchard Run Interim Lift Station	FC			B	Dexter Wilson Engineering		02/26/20	\$350,000	Basile	99%		No Activity in November.
51	Eagles Noel (Baldwin) Water Line Extension	NL	PM 17548	3	C	Wynn Engineering	04/05/21	06/02/21	\$185,000				Plan revisions were received in late November. District staff is reviewing changes made by developer.
52	Weston Towne Center (previously called Village Square)	WG		85	F	TSAC Engineering Steve McPartland							The project was acquired by Indian Creek Associates, LLC. The new owner has established a new project account, see Job No. Item 73. Owner of the commercial property (Bob's LLC) has not yet made contact with the District. This account will remain open to report on the status of the commercial property.
54	Mathew Rd. Line Ext.	NL		3	A	Wunderlin Engineering Inc.	12/21/20	09/28/21	\$58,100	Westcoast Underground	100%	06/02/22	Project in 1 year warranty period through July 2023
55	Park Circle Shea Homes (Neighborhood A)	NL	Portion TM 5603 Unit 5	88	B	Dexter Wilson Engineering & Touchstone Engineering Staff	04/15/19	11/18/19		Cass/Arrieta	95%		Shea Homes is working to complete remaining punch list items. No activity in November.
56	Orchard Run KB Home Coastal (Units 1 & 2)	NL		105	B	Dexter Wilson Engineering & Touchstone Engineering Staff	04/17/19	07/23/19	\$1,717,785	H7 Contracting and Engineering	80%		Developers contractor is working to complete punch list items. 10 Sets of 3/4" Domestic Meters and 1" Fire Meters were installed.

**ENGINEERING DEPARTMENT
TABLE II - DEVELOPER FUNDED PROJECTS SUMMARY**

Job # 01-00-00- 180xx	PROJECT NAME	Proj. Mgr.	Map No.	Lots/ Units	Phase	PLANNING	Planning		CONSTRUCTION				November 2022 Comments
						Engineer	Concept Approval	Plan Approval (1)	Estimated Cost	Contractor	% Complete	Final Acceptance	
57	Orchard Run Unit 3 Affordable Home Unit	NL	TM 5087-3	52	B	Touchstone	04/17/19	07/23/19	Incl in OR Unit 3	Cass/Arieta	50%		Easement documents were completed in November. Developer will need to record the easements and return to the district.
58	Mountain Meadow Village Center	MP		1	F	PLSA							In October, Developer requested additional Project Facility Availability forms to be signed as part of their ongoing permitting process with the County. No Activity in November
59	Pauma Vista Winery Water Line Extension	MP		1	D	Rancho Coastal Surveying Engineering Inc.	01/07/22		\$255,000				Project plans were signed on November 16th. Developer is currently obtaining quotes from contractors to perform the proposed improvements.
60	Liberty Bell Plaza	NL		5	F	Alidade Engineering - Larry Dutton							No activity in November. Developer is evaluating EDU allocations and waiting for County approval.
63	Polito Subdivision	NL	TM 5001	14	G	Piro Engineering	06/07/99	08/28/15	\$150,000				District staff is working to complete the quitclaim process.
64	Park Circle Beazer Homes (Unit 4)	NL	TM 5603-2	79	B	Dexter Wilson Engineering & Touchstone Engineering Staff	04/15/19	09/27/21		H7 Engineering and Contracting	60%		Developer is working to complete improvements on private alley G-7. Conditional acceptance for alley G-7 is anticipated for mid December.
65	Rincon Tribe Emergency Water Service	WG			G	JR Filanc							Staff is providing assistance and coordination to Rincon Band of Luiseno Indians regarding their evaluation of obtaining a connection location for an emergency source of water supply. Study is being conducted by JR Filanc utilizing San Diego State Engineering Department. No Activity since initial discussion with SDSU Students in October 2021.
66	Village Station	NL		200	F	Wynn Engineering	Pending						Previously requested updated preliminary design report (PDR) for all of VCV North Village property. Owner contracted with Dexter Wilson Engineering to prepare the report. Staff provided DWE with additional information. No further activity anticipated until receipt of the PDR.
67	Ivy Dell RV Park Water Line Extension	MP		N/A	F	ADJ Holdings, LLC	Pending		Pending	Pending			Developer's engineer submitted proposed improvement plans for review. Staff is processing plan review.
69	Manzanita Crest Waterline Extension	MP	PM 19064		F	SMS Consulting	Pending						Developer's engineer submitted plans for review. Staff processed and returned first plan check comments in June. No activity in November.

**ENGINEERING DEPARTMENT
TABLE II - DEVELOPER FUNDED PROJECTS SUMMARY**

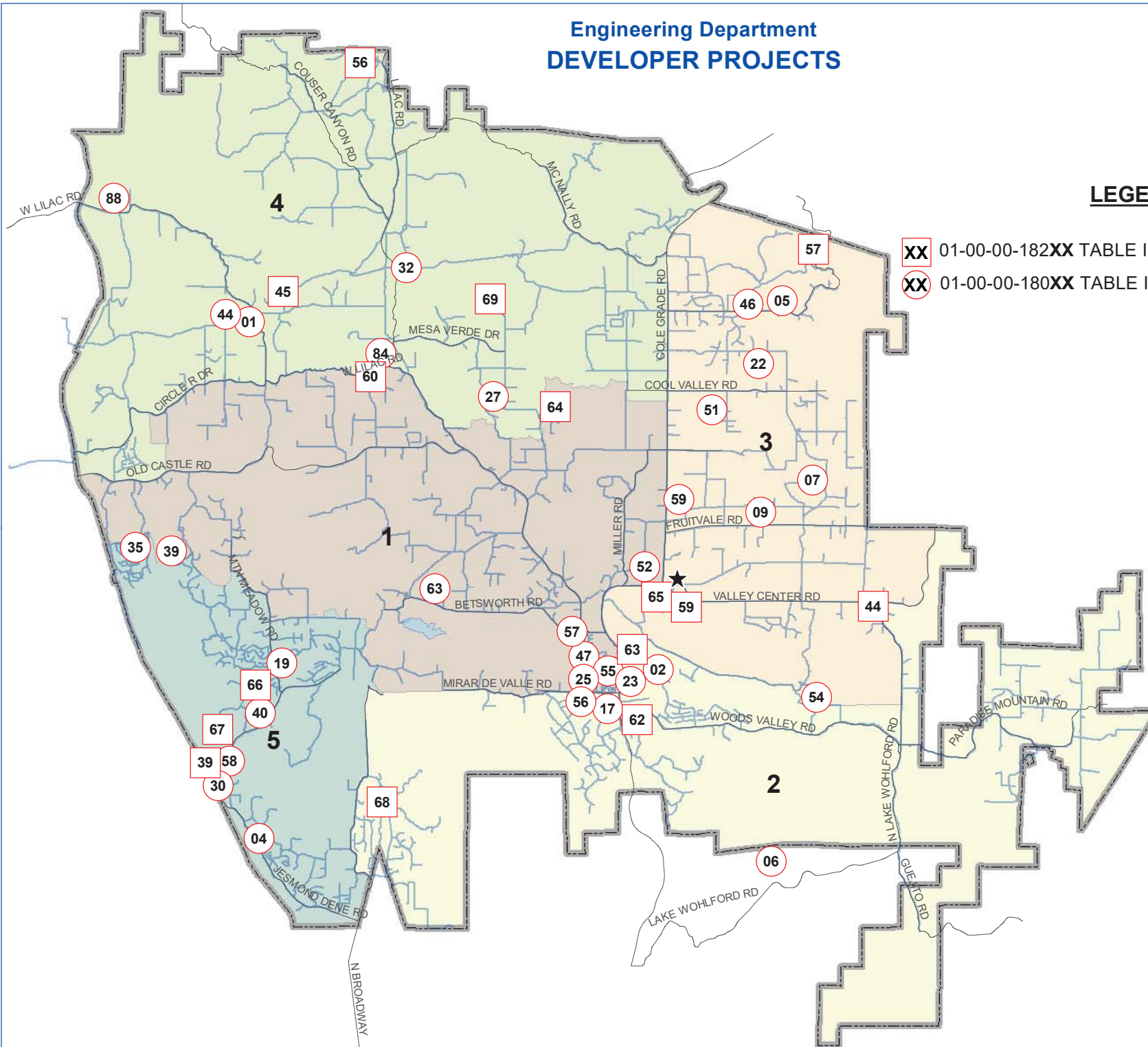
Job # 01-00-00- 180xx	PROJECT NAME		Proj. Mgr.	Map No.	Lots/ Units	Phase	PLANNING	Planning		CONSTRUCTION				November 2022 Comments
							Engineer	Concept Approval	Plan Approval (1)	Estimated Cost	Contractor	% Complete	Final Acceptance	
72	SDGE Strategic Undergrounding Project (SUP)		NL			B	NV5							Staff is supporting the project as necessary in response to SDG&E activity surrounding District facilities. No activity in November.
73	North Ranch Estates (Weston Residential Property)		NL		515	F	Dexter Wilson Engineering.							Developer is working closely with the other major developers in the North Village Area to prepare a Phase Expansion plan for additional wastewater capacity. Dexter Wilson Engineering will be updating their prior repots and requesting an update to the prior concept approval. No submittals received from the Developer in November.
74	City of Escondido Flume Underground Project		NL			B	Michael Baker International				Sukut			No Activity in November.
75	Hideaway Lake Road Waterline Extension		MP			F								District staff received plans back in late November. Staff is working to review plan revisions.
84	Anderson Line Extension (Munster Platz)		MP	TPM 20460	5	G	Wynn Engineering	05/16/16						Developer's Engineer contacted District late May 2021 indicating that the Developer was wanting to move forward with the water line improvements in 2021. Staff responded with need to renew the Concept Approval and review the plans for compliance with latest standards. No activity in November.
88	Marquart Ranch Line Ext.		MP	TM 5410	9	G	MLB Engineering (Michael Benesh)	05/04/09	09/19/17	\$293,751				No activity since plans approved September 7, 2017.
	PROJECT SUMMARY					# of Projects	Lots or Units	Total Cost						
A	Warranty Period					2	7	\$76,089		(DFA) = District Facilities Agreement				
B	Under Construction					16	913	\$12,036,970		(P) = District Participation in Project				
C	Pending Construction					5	82	\$1,673,399		(R) = Reimbursement Agreement				
D	Design Phase					3	15	\$558,215		(1) Red Text indicates that Concept or Plan Approval has expired.				
E	Concept Approval (Pending Design)					0	0	\$0						
	Total in Process					26	1,017	\$14,344,673						
F	In Planning - Active					10	808	\$0						
G	In Planning - Inactive					12	157	\$4,490,208						
	Total Planning					22	965	\$4,490,208						
	Total Projects					48	1,982	\$18,834,881						

Engineering Department DEVELOPER PROJECTS



LEGEND

- XX 01-00-00-182XX TABLE I - SPECIAL PROJECTS
- XX 01-00-00-180XX TABLE II - DEVELOPER PROJECTS



D. CAPITAL IMPROVEMENT PROJECTS:

See Table III and Location Map for general status of all capital improvement projects.

E. MAPPING:

General Activity: In the month of November staff received 18 mapping update requests for a total of 118, 18 were completed. In addition, staff assisted with the Gordon Hill Road Pipeline Replacement Capital Improvement drawings.

MAPS AND RECORDS UPDATE STATUS TABLE					
November	Capital Improvement Projects ⁽¹⁾	Developer Projects ⁽²⁾	Encroachment Permits ⁽³⁾	Special Projects ⁽⁴⁾	Facility Mapping ⁽⁵⁾
Beginning Log	4	0	0	0	100
Plus New	1	0	0		18
Less Completed	(1)	0	0	0	(18)
Ending Log	4	0	0	0	100

Maps and Records Updates: Maps and records consist of preparing record drawings (as-builts) and valve detail drawings and updating the District base map, GIS facility map, and database. Maps and records are continually being updated to accurately reflect completed projects, non-District improvements (encroachments), and current field conditions. The following table summarizes the status of the record map updates.

Maps and Records Update Status Table Footnotes:

- 1) Capital Improvement Projects – This column represents AutoCAD record drawing status of recently constructed Capital Improvement Projects. Each project may generate or affect one or more record drawings. Each project is counted as one regardless of the number of improvement sheets.
- 2) Developer Projects – This column represents AutoCAD record drawing status of recently constructed Developer Improvement Projects. Each project may generate or affect one or more record drawings. Each project is counted as one regardless of the number of improvement sheets.
- 3) Encroachment Permits – This column represents changes made to our existing AutoCAD record drawings to reflect an encroachment that has been generated through the permit process.
- 4) Special Projects – This column represents AutoCAD record drawing status of recently constructed Special Projects such as the installation of new fire hydrants or service laterals.
- 5) Facility Mapping – This column represents individual minor mapping update requests from field or office staff.

ENGINEERING DEPARTMENT
TABLE III - CAPITAL FUNDED PROJECTS SUMMARY

Acct. No.	Project Name	F.Y. Author-ized	Total Budget	Contractor / Consultant	Oct	Nov	Project Manager	November 2022 Comments
Pipelines & PRV Projects								
51020	Upsizing / Unspecified Pipeline Replacement	22-23	\$165,000	N/A	0%	0%	Wally Grabbe	New Authorization for FY 2022-23 - \$200,000 - Transferred \$35,000 in October to establish CIP Account to acquire property adjacent to Circle R Reservoir - \$165,000 Available.
51500	Pipeline Condition Assessment	22-23	\$150,000	Pending	0%	0%	Michael Powers	Project Established with FY 2022-23 Annual Budget. No Activity in November.
51150	North Broadway Pipeline Relocation (Design/Bid Phase)	21-22	\$100,000	In-House (Design) TSAC - Surveying	65%	65%	Michael Powers	Staff has reached out to EUSD once again, requesting response to previous emails regarding the easement. Meanwhile, other property owners are being approached for their concurrence to the necessary easements.
18080	NC ESP Alternative Delivery Project Planning and Funding Agreement	17-18	\$1,020,000	Michael Baker International	97%	99%	Nick Lyuber	Staff has set a deadline to advertise the project for bid beginning 12/5. Staff and consultant are working diligently to finalize all documents in order to meet the deadline.
51200	NC ESP 14-inch Pipeline Relocation	21-22	\$725,000	Michael Baker International	97%	99%	Nick Lyuber	Work is progressing as part of the overall ESP design effort.
51513	Water System Upgrade Projects - Keys Creek Crossing Replacement (planning and design)	14-15	\$170,000	In-House	20%	20%	Fernando Carrillo	Staff is preparing a recommendation for replacement and confirming the size requirement, a pipe bridge replacement above the 100-year floodplain elevation appears the least expensive option. No Activity in November.
51690	Cole Grade Road Pipeline Replacement Design Phase	16-17	\$610,000	In-House	95%	95%	Michael Powers	Awaiting action from the County towards the end of 2023, beginning of 2024. No activity in November.

ENGINEERING DEPARTMENT
TABLE III - CAPITAL FUNDED PROJECTS SUMMARY

Acct. No.	Project Name	F.Y. Authorized	Total Budget	Contractor / Consultant			Project Manager	November 2022 Comments
					Oct	Nov		
51412	Gordon Hill Pipeline Replacement (Design/Bid/Award Phase - 100% Complete) (Construction Ongoing)	18-19	\$3,380,000	CCL Contracting	10%	15%	Nick Lyuber	Contractor has mobilized onsite, established their laydown yard, performed survey, potholing of existing utilities, clear & grub, onsite environmental training, and began trenching operations from 36+00 heading South.
51415	Oat Hill Discharge & Alps Way Pipeline Replacement (Design/Bid/Award Phase - 100% Complete) (Construction Ongoing)	18-19	\$1,225,000	M-Rae	30%	60%	Nick Lyuber	12-inch C900 pipe and related appurtenances were complete and in place for the Oat Hill Discharge portion of the project. Tie in connections for the new Oat Discharge portion of piping will be scheduled after the contractor completes all required testing. The contractor is anticipated to complete testing and tie in to the existing waterline in December. Work to replace the Alps Way waterline is anticipated to start in December.
51417	Lilac Road Pipeline Upsizing (Construction Phase)	18-19	\$3,700,000	Cass Arrieta	0%	5%	Fernando Carrillo	Staff held a preliminary award meeting with the Contractor to review the project and establish a time for the Pre-Construction meeting in December.
51420	Old Castle Road Pipeline Replacement - Phase 2 Design Only	21-22	\$100,000	In-House	80%	80%	Michael Powers	This project is planned to be included in the "2021 Facility Replacement Project" SRF application. Staff is working on design plans to be included with the application.
51460	Duffwood Project	21-22	\$190,000	TAD Construction	95%	95%	Nick Lyuber	Developer is waiting on AT&T to remove existing line poles within Fruitvale Road. After poles are removed, developer can complete their County road improvements within Fruitvale Road. Remaining VCMWD punch list items cannot be completed until County improvements are complete.
51120	2020 DWSRF Loan Application (Reimbursement Phase)	18-19	\$150,000	Birdseye Planning Group	100%	100%	Nick Lyuber	Following the final contract execution for Lilac Road, staff is able to submit the Final Budget Adjustment to the State. Staff has put together the necessary paper and submitted package to the state for their review and approval.
51121	2021 DWSRF Loan Application	20-21	\$75,000	Birdseye Planning Group	25%	25%	Nick Lyuber	No Activity in November.
51910	Gordon Hill Upper Pipeline Relocation Project (Design, Bid Phase)	21-22	\$30,000	In-House	90%	90%	Michael Powers	Staff received Plat and Legal Descriptions from the surveyor for easements necessary for the new alignment. Staff will start pursuing easements from the affected property owners.

ENGINEERING DEPARTMENT
TABLE III - CAPITAL FUNDED PROJECTS SUMMARY

Acct. No.	Project Name	F.Y. Author-ized	Total Budget	Contractor / Consultant	Oct	Nov	Project Manager	November 2022 Comments
Reservoir Projects								
51230	Kornblum Reservoir Mixing System	22-23	\$300,000	D&H/UGSI	50%	50%	Nick Lyuber	The UGSI Solutions, Inc demonstration period is in progress, staff is continuing to monitor and collect performance data for comparison with the D&H system.
51303	Ridge Ranch Interim Reservoir (Planning Phase)	19-20	\$90,000	In-House Design	100%	100%	Michael Powers	This project is planned to be included in the 2021 SRF Loan Application Package. Staff is working on preliminary design.
51307	Weaver Reservoir - Paint & Recoat	21-22	\$1,800,000	AMP United	95%	100%	Nick Lyuber	Project is complete, with Notice of Completion filed, effective 10/6/2022. Retention was released to the contractor on 11/10/22 following successful retention period.
51401	Burnt Mountain & Reidy Canyon No. 2 Reservoir - Paint & Recoat	21-22	\$1,150,000	Advanced Industrial Services	80%	90%	Nick Lyuber	Interior and exterior coating was complete on Burnt Mountain. The contractor began to demobilize in November. Punchlist items still remain to be completed. Full completion is anticipated for December.
51403	San Gabriel No. 1 Reservoir - Paint & Recoat	22-23	\$2,040,000	AMP United	0%	0%	Michael Powers	Contract documents were completed. Staff began reviewing material submittals and took the tank out of service to prepare for contractor mobilization.
51404	Mountain Meadow No. 1 & Reid Hill Reservoirs - Paint & Recoat	22-23	\$2,315,000	Capital Industrial Coatings	5%	5%	Michael Powers	Staff continued to review material submittals. Contractor mobilized and completed inspection blasting. Contractor proposed repairing the corroded sections of existing rafters rather than replacing the full rafters.

ENGINEERING DEPARTMENT
TABLE III - CAPITAL FUNDED PROJECTS SUMMARY

Acct. No.	Project Name	F.Y. Author-ized	Total Budget	Contractor / Consultant	Oct	Nov	Project Manager	November 2022 Comments
Data Management Systems								
51730	SCADA/HMI Migration - Water system - Initial Equipment Purchase FY 17/18 Migration FY 21/22	21-22	\$310,000	In-House	10%	10%	Fernando Carrillo	Staff is working on programming and setting up template for HMI Screens.
51770	Document Management System	22-23	\$65,000	Pending	0%	0%	Wally Grabbe	Recommendation for software vender delayed pending further evaluation of construction management software and other department document requirements. Recommendation scheduled for January/February timeframe.
51780	GIS Easement Integration	22-23	\$75,000	In-House & Miller Spatial Services	20%	60%	Nick Lyuber	Integration is on going.
Facilities Projects								
51670	Turner Dam EAP	18-19	\$9,500	Chang Consultants Prestige Analytics, Inc.	95%	95%	Wally Grabbe Gaby Olson	DSOD (Division of Safety of Dams) approved the new inundation map on January 16, 2020. Staff completed and submitted the EAP (Emergency Action Plan) and received review comments from Cal OES (California Office of Emergency Services). Staff contracted with a consultant in April to address the State's comments and complete the EAP. Staff worked with the consultant to complete the EAP and resubmitted the EAP to the State for review and approval.
51590	Water Age Analysis	22-23	\$100,000	Mission Consulting Services (Jen Mael)	0%	0%	Wally Grabbe	Project Funding Approved with FY 2022-2023 Annual Budget. Scheduled start in January. No Activity in November.

ENGINEERING DEPARTMENT
TABLE III - CAPITAL FUNDED PROJECTS SUMMARY

Acct. No.	Project Name	F.Y. Author-ized	Total Budget	Contractor / Consultant	Oct	Nov	Project Manager	November 2022 Comments
Lower Moosa Canyon Water Reclamation Facility Projects								
53030	Moosa Wastewater O&M Manual Development	17-18	\$60,000	In-House	60%	60%	Fernando Carrillo	Engineering staff producing drawings and attachments for O&M Manual.
53040	Moosa Main Motor Control Center (MCC) Replacement - Bid/Construction Phase	17-18	\$650,000	Hydrotech Electric	100%	100%	Fernando Carrillo	Project is complete, pending receipt of As-Built drawings from Rockwell. Staff is working on project close out presentation schedule for January/February.
53130	Moosa Aeration Air Piping Upgrade	22-23	\$150,000	In-House	0%	0%	Fernando Carrillo	Project Funding Approved with FY 2022-2023 Annual Budget. No Activity in November.
53290	Meadows Lift Station Motor Control Upgrade	21-22	\$455,000	In-House Design	5%	5%	Fernando Carrillo	Staff is in the design phase for the MCC replacement.
53320	Moosa Clarifier Upgrades	21-22	\$250,000	In-House	35%	35%	Fernando Carrillo	Clarifier equipment is scheduled to arrive in late February. District Staff to issue bid request for installation in January.
53450	Moosa Headworks Improvements	21-22	\$140,000	In-House	5%	5%	Fernando Carrillo	Staff is preparing a set of plans for construction.
53540	Moosa Master Plan	04-05	\$95,000	Louis Berger Group	95%	95%	Wally Grabbe	Presented Preliminary Findings to the Board in September. Staff completing report for final approval in January/February Timeframe.

ENGINEERING DEPARTMENT

TABLE III - CAPITAL FUNDED PROJECTS SUMMARY

Acct. No.	Project Name	F.Y. Author-ized	Total Budget	Contractor / Consultant	Oct	Nov	Project Manager	November 2022 Comments
Woods Valley Ranch Water Reclamation Facility Expansion Projects								
56120	Woods Valley Ranch Wastewater Expansion Project Property Acquisitions	98-99	\$250,000	In-House	80%	80%	Wally Grabbe	North Village Lift Station site acquisition pending resolution of Indian Creek Road ROW and County approval of VCVF Village Station site plan. VCVF has re-opened discussions in December, but the site plan is still not approved by County. Staff is in discussions with the new owner of the Weston residential parcels which may lead to a resolution in the coming months. No Activity in November.
56170	Woods Valley Golf Course Seasonal Storage	16-17	\$450,000	In-House	0%	0%	Fernando Carrillo	Staff continuing to work with San Pasqual Economic Development Corporation to develop additional seasonal storage facilities on the golf course. No Activity in November.
56260	Grinder Pump Flow Meter Installation	21-22	\$72,000	In-House	0%	0%	Fernando Carrillo	Staff is developing an RFQ for installation of the flow meters at various commercial properties that are connected to the South Village Low Pressure sewer collection system.
56320	North Village Lift Station Design	16-17	\$290,000	Kennedy/Jenks (Preliminary Design)	10%	10%	Fernando Carrillo	Preliminary design complete. Lift Station site requirements identified. Site acquisition pending county approval of Village Station (VCVP) development plans. No Activity in November.
55330	Series 1 Bond Issuance Costs CFD 2020-1	21-22	\$350,000	BBK, Fieldman-Rolapp, Koppel & Gruber	90%	90%	Wally Grabbe	Resolution authorizing and providing for the issuance of \$5.995M in Special Tax Bonds was approved in April. In completing the Preliminary Official Statement, the finance team determined that an amendment to the SRF loans acknowledging the pledge of the CFD Special Taxes was needed for the bond sale. Received response from SWRCB staff requesting additional information and the information was provided. Further activity pending response from SWRCB staff.
55340	Orchard Run Lift Station Construction	21-22	\$3,850,000	GSE Construction (\$3,531,471)	50%	65%	Fernando Carrillo	Contractor poured odor control pad and installed odor station. Discharge pipe and flow meter installed with pipe supports. Masonry sub installed wall footing and started to lay block wall.

ENGINEERING DEPARTMENT
TABLE III - CAPITAL FUNDED PROJECTS SUMMARY

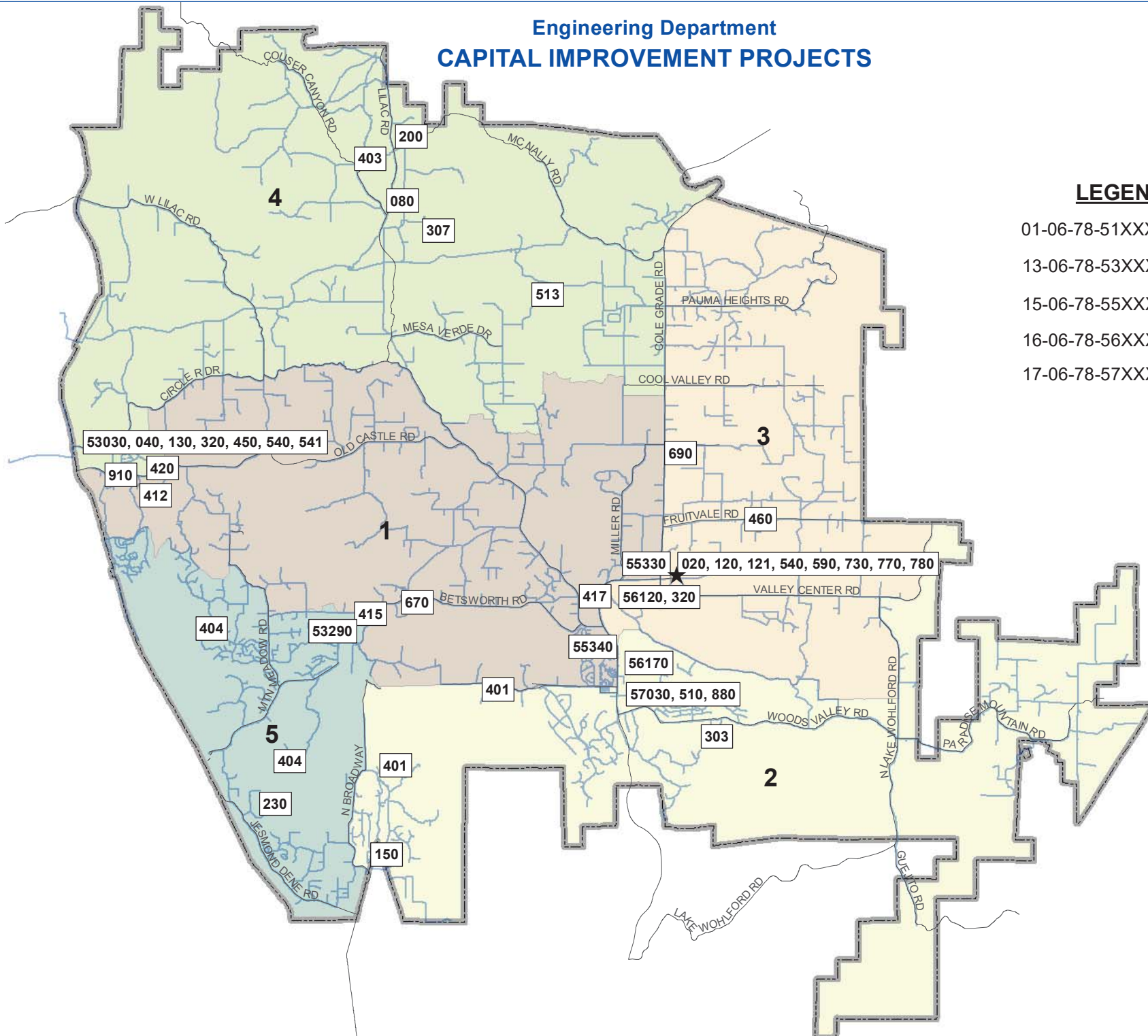
Acct. No.	Project Name	F.Y. Author-ized	Total Budget	Contractor / Consultant			Project Manager	November 2022 Comments
					Oct	Nov		
Woods Valley Ranch Water Reclamation Facility Projects								
57030	WVR Wastewater O&M Manual Development	17-18	\$90,000	In-House	6%	6%	Fernando Carrillo	Engineering staff and Wastewater staff have started reviewing existing O&M and are developing a new format. No Activity in November.
57510	WVR WRF HMI Upgrade	21-22	\$25,000	Interface Automation	5%	5%	Fernando Carrillo	WVR WRF HMI Upgrade is scheduled to start after the Water SCADA HMI Conversion Project is completed. No Activity in November.
57880	Woods Valley Ranch WRF Waste Discharge Permit Requirements Salt Nutrient Management Plan (SNMP)	15-16	\$90,000	In-House	5%	5%	Wally Grabbe	Scheduled start in February '23. No Activity in November.

Engineering Department CAPITAL IMPROVEMENT PROJECTS



LEGEND

- 01-06-78-51XXX (XXX)
- 13-06-78-53XXX (53XXX)
- 15-06-78-55XXX (55XXX)
- 16-06-78-56XXX (56XXX)
- 17-06-78-57XXX (57XXX)



F. FUNDING REQUESTS:

Drinking Water State Revolving Fund Loan Application. Final approval of the Installment Sales Agreement by the SWRCB for the 2020 Pipeline Projects was received and the Board of Directors authorized the General Manager to execute the Agreement in March '22. The first disbursement request for planning and design expenses was submitted in April and is being reviewed by the SWRCB staff. Receipt of the first disbursement was received in October '22. The last of the three projects included in the application, Lilac Road Pipeline Replacement Project, was Awarded in October and once the contracts and notice to proceed is issued, District staff can submit for final budget approval. Upon receipt of Final Budget Approval from the SWRCB staff can prepare disbursements requests for reimbursement of construction expenses. Receipt of the signed contract for the Lilac Road project is expected in early December.

G. SEMINARS/MEETINGS:

11/1/22 – M. Wick attended SDCWA Regional Water Loss Control Group meeting.

IV. FINANCE DEPARTMENT:

A. COMPARISON OF STATISTICS:

	NOV <u>2022</u>	Fiscal YTD <u>2022-23</u>	Fiscal YTD <u>2021-22</u>
Bills Mailed:	10,346	51,593	45,813
Actions for Non-Payment:			
Notices Mailed	1,342	6,633	5,883
48 Hr. Phone Calls	532	2,521	2,003
Meters Flow Restricted	1	10	10
Accounts Liened	11	14	30
Lien Notices Mailed	5	70	112
Accounts Transferred	46	337	321
	NOV <u>2022</u>	NOV <u>2021</u>	NOV <u>2020</u>
Customer Counts:			
Active Water Accounts:			
Certified Ag - PSAWR	646	647	1,041
M & I	8,994	8,581	8,034
Fire Meters	<u>1,832</u>	<u>1,422</u>	<u>1,290</u>
Total Active Accounts	11,472	10,650	10,365
Inactive Water Accounts:			
PSAWR	42	37	92
M & I	707	705	683
Fire Meters	<u>31</u>	<u>134</u>	<u>143</u>
Total Inactive Accounts	880	876	918
Total Water Accounts	<u>12,352</u>	<u>11,526</u>	<u>11,283</u>
Active Wastewater Accounts			
Moosa	2,495	2,492	2,488
Woods Valley	<u>784</u>	<u>450</u>	<u>350</u>
Total Wastewater Accounts	<u>3,279</u>	<u>2,942</u>	<u>2,838</u>

	<u>Acre-Feet</u>	<u>Value</u>
Interim MWD Agricultural Program:		
July 1994 through DEC 2012	<u>513,882.8</u>	\$63,681,802
MWD RTS Estimated Savings:		
JAN 2003 through DEC 2012		\$17,884,325
SDCWA PSAWR:		
July 1998 through NOV 2022	<u>484,501.4</u>	\$32,512,279
SDCWA Emergency Storage Est. Savings:		
JAN 2003 through NOV 2022		\$34,658,181
SDCWA Supply Reliability Est. Savings:		
JAN 2016 through NOV 2022		<u>\$4,337,136</u>
TOTAL MWD & SDCWA DISCOUNTS		<u>\$153,073,723</u>

B. MEETINGS:

- 11/02/2022 9:00 am – 10:00 am
Jim Pugh, Vanessa Velasquez, and Andrew Huerta attended the San Dieguito Water Virtual Demonstration of Tyler Technologies, Utility Billing module & general feedback.
- 11/08/2022 2:00 pm – 3:00 pm
Jim Pugh, Vanessa Velasquez, and Andrew Huerta attended the Velosimo Virtual Demonstration of integration with Springbrook and Cityworks.
- 11/15/2022 11:00 am – 11:30 am
Jim Pugh, Vanessa Velasquez, and Andrew Huerta attended the Springbrook Utility Billing Roadmap Virtual Discussion.
- 11/28/2022 - 12/1/2022
Jim Pugh attended the ACWA JPIA Fall Conference in Indian Wells, CA

V. INFORMATION TECHNOLOGY DEPARTMENT:

A. CAPITAL IMPROVEMENT PROJECTS –

SCADA HMI Improvements – Wonderware HMI system replacement at Moosa with Ignition HMI software has been completed. Replacement of the HMI system for the water system is currently in planning stages.

Asset Management System – Phase 2 of Cityworks development and deployment is in progress, which includes backflow, fleet maintenance, storeroom modules and integration with GIS and ERP systems.

Boardroom Technology Upgrade – The existing technology in the board room is being replaced with a new high definition media system. In-room video presentation system and video system wiring upgrades are in progress. Some components are backordered due to supply chain delays.

Server Visualization and Storage – The project will upgrade the data center virtual computing environment to Windows 2022 server-based system. This includes redundant server cluster with automatic failover, software licenses, and core network switch upgrade in the data center. The existing server will be relocated to a remote site and used for data replication, back, and disaster recovery. Server hardware has been set up. Cluster system and storage arrays have been configured. Backup system is currently being integrated and tested in the cluster.

B. GENERAL ACTIVITY –

SCADA Upgrades – Continuous rolling upgrades are being done to replace older devices such as radios, cameras, network switches, and Uninterruptible Power Supply (UPS) units with newer models, which are faster and more reliable. Video cameras are being replaced with event-driven models that are capable of detecting humans and vehicles.

Geographic Information Systems (GIS) Upgrades – GIS staff has deployed web maps and user portals within the software, and GIS databases and maps have been integrated with the Cityworks Asset Management System. The system is being continuously enhanced and actively used by District personnel.

Backflow Application – Work is continuing to integrate the District's Backflow application with Cityworks and GIS. Data replication components are being developed to allow backflow data to populate Cityworks inspections where it will be available for remote data entry by the tester.

C. SYSTEM STATUS –

All systems are operating normally.

D. MEETINGS –

No meetings were attended in November 2022.

VI. GENERAL ADMINISTRATION PROJECTS AND PROGRAMS:

A. GENERAL MANAGER'S MEETINGS AND ACTIVITIES FOR NOVEMBER 2022 –

- 11/01/22 – SDCWA MWD Delegates Meeting (GA);
DWR County Drought Planning (SB 552) Meeting (GA);
- 11/02/22 – Tyler ERP Demo Meeting, San Dieguito WD (GA & GO);
Sarah Hodge, ACWA Region 10 Representative Meeting (GA);
- 11/03/22 – SDCWA Water Rate Workgroup Meeting (GA); VMT Meeting, BB&K (GA);
- 11/04/22 – Department of the Interior / Bur. Rec Meeting, Oceanside (GA);
- 11/07/22 – VCMWD Board of Directors Meeting (GA & GO);
- 11/08/22 – SDCWA Member Agency General Manager's Meeting (GA);
- 11/09/22 – Agenda / COVID Meeting (GA & GO);
LAFCO / SD County Ag Planning Meeting (GA);
- 11/10/22 – Touchstone / VCMWD Financing Meeting (GA);
Solve the Water Crisis Board Meeting (GA)
- 11/14/22 – Touchstone / VCMWD Financing Meeting (GA);
SD County Farm Bureau Water Committee Meeting (GA);
- 11/15/22 – SDCWA Engineering and Operation Tour (GA);
- 11/16/22 – SDCWA North County Caucus Group (GA);
- 11/17/22 – SDCWA Board Meeting (GA);
- 11/18/22 – ACWA Board Meeting (GA);
- 11/21/22 – VCMWD ERP Eval. Team Meeting (GA); Farm Bill w/AWWA & FPUD (GA);
- 11/22/22 – Agenda / COVID Meeting (GA & GO);
- 11/28/22 – Solve the Water Crisis, Workshop #2, Indian Wells (GA); and
- 11/29-30/22 – ACWA Fall Conference, Indian Wells (GA).

**Key: GA – Gary Arant; GO Gaby Olson*

B. Water Conservation and Public Outreach –

Staff began coordinating with participating agencies in the North County Water Agencies group, preparing for next years' Fourth-Grade Water Awareness Poster Contest. 2023 Calendars have yet to be distributed.

C. Personnel –

1) Regular Full-Time Employees, as of November 30, 2022:

<u>Funds</u>	<u>Budgeted</u>	<u>Employed</u>
Water	66	63
Wastewater	<u>6</u>	<u>7</u>
Total	72	70

2) Pending Retirements –

- a) Rob Truesdale, *Wastewater Systems Technician* - December 29, 2022
- b) John Martinueau, *Sr. C&M Technician* – December 2023

Compiled By:



Kirsten N. Peraino, Board Secretary

Submitted By:



Gary T. Arant, General Manager

January 17, 2023

TO: Honorable President and Board of Directors

FROM: Gary Arant, *General Manager*

SUBJECT: CONDUCT OF BOARD MEETINGS POST FEBRUARY 28, 2023

PURPOSE:

Provide the Board of Directors an opportunity to consider and discuss how they will conduct Board Meetings following the anticipated expiration of the current COVID-19 Emergency Order on February 28, 2023.

SUMMARY:

Under the authority of AB 361, the District has been conducting hybrid Board Meetings since early 2020 as a result of health and safety concerns associated with COVID-19. Initially, meetings were closed to the public, but in June of 2022, Board Meetings were re-opened to the public. Hybrid participation continued for Board Members via WebEx. With the passage of AB 2449 in 2022 and the impending termination of the Governor-Proclaimed State of Emergency, the Board will need to consider how it will conduct Board Meetings moving forward. The issue has been covered extensively in the attached memo from our General Counsel. Additionally, the memo covers new laws regarding the availability of public documents and the removal of disruptive individuals from Board Meetings, however, those issues are not covered in this Board Report.

Background

As stated above, for almost three years Board Meetings have been conducted in a hybrid manner, with Board Members having remote and in-person participation options. Board Meetings have been broadcasted on YouTube for that same period of time. Public participation was initially only through the submission of written comments, and then with the ability to submit comments telephonically. These two methods are still available today, along with in-person participation at Board Meetings.

AB 361 provisions can extend to January 2024 if state and local officials continue to impose or recommend measures to promote social distancing and the Board would continue to make the necessary 30-day renewals of the findings necessary to hold hybrid meetings. If the Governor does not extend the COVID-19 Emergency Order, it will be difficult to make the findings required for AB 361; at which point the teleconference provisions would be governed by the standard Brown Act teleconferencing rules or AB 2449.

Under the Brown Act, teleconferencing rules, remote participation is allowed if the remote location(s) is listed on the Board Agenda with the Board Member(s) remote location posted, the remote location(s) must be open to the public, and there must be at least a quorum of the Board participating within the agency's jurisdictional boundary.

AB 2449

AB 2449 allows for limited and highly conditioned hybrid participation based on findings of ***Just Cause*** (childcare, caregiving of immediate family members, contagious illness, physical or mental disability, or travel for official business of the agency), or ***Emergency Circumstances*** (physical or family medical emergencies that prevent in-person attendance). *Just Cause* remote participation can only be used twice in a calendar year. More generally, remote participation under AB 2449 cannot be used for more than three consecutive months or 20 percent of the Board's meetings in a calendar year. There are also specific provisions for audio and visual aspects of remote participation as further described in the attached memo. Finally, a quorum of the Board must be physically present at a single location within the District's boundary (e.g., the Board Room).

Staff Recommendation

Given the likely rescission of the Governor's Emergency Order, and the limitations and complexities of the AB 2449 provisions, staff recommends the Board consider reverting to conducting its Meetings under the standard provisions of the Brown Act with all Board Members physically present in the Board Room. Remote participation would be allowed under the traditional Brown Act teleconferencing rules where advertising, posting, and public participation at the remote location would be required.

In an effort to enhance transparency and remove barriers for those who are unable to speak publicly at the time of the meeting, the existing enhanced public participation options such as broadcasting meetings on YouTube and allowing for written comments and real-time telephonic participation are also recommended to be considered for continuation.

RECOMMENDATION:

After review and discussion, provide input and direction on the conduct of Board Meetings after February 28, 2023 when the Governor-Proclaimed State of Emergency is anticipated to end.

SUBMITTED BY:



Gary Arant
General Manager

Attachments:

*"Preparing for 2023: Brown Act Updates on Teleconferencing, Agenda Posting, and
"Disruptions at Board Meetings," Paula De Sousa and Nicholas Norvell, BB&K*



Memorandum

To: Valley Center Municipal Water District
From: Best Best & Krieger, LLP
Date: December 22, 2022
Re: **Preparing for 2023: Brown Act Updates on Teleconferencing, Agenda Posting, and Disruptions of Board Meetings**

The purpose of this memorandum is to provide updates relating to teleconferencing under Assembly Bill 361, as well as legislative updates to the Ralph M. Brown Act ("Brown Act"). During its most recent session, the California Legislature adopted and the Governor signed three notable bills amending the Brown Act. These bills — which take effect on January 1, 2023 — relate to future teleconferencing by members of legislative bodies (AB 2449), posting agenda-related materials (AB 2647), and the removal of members of the public who are disrupting meetings (SB 1100).

Recent Developments Relating to Assembly Bill 361 (2021)

In 2021, in response to the COVID-19 pandemic, the Legislature adopted AB 361 to ease certain requirements for holding teleconference/virtual meetings under the Brown Act during Governor-declared emergencies. Before AB 361, the Brown Act's standard teleconferencing rules required public agencies to: (1) identify each teleconference location on the agenda; (2) post the agenda at those teleconference locations; (3) make each teleconference location open to the public; and (4) ensure that a quorum of the legislative body participated from within the agency's boundaries; none of which was feasible during a pandemic.

Although AB 361 remains in effect through January 1, 2024, Governor Newsom has announced that the declared statewide State of Emergency related to COVID-19 will end on February 28, 2023. If the COVID-19 State of Emergency in fact ends on February 28, 2023, agencies may only be able to continue using AB 361 for teleconference meetings if: (1) state or local officials continue to impose or recommend measures to promote social distancing; and (2) the agency's legislative body has continued to make the required 30-day renewal findings and continues to do so.

Ultimately, we anticipate that a number of local agencies currently conducting meetings under the provisions of AB 361 will revert to holding fully in-person public meetings *or* holding meetings using the newly adopted AB 2449 or traditional Brown Act teleconference rules once the COVID-19 State of Emergency is ended by the Governor.

Assembly Bill 2449 – Enhanced Teleconferencing

Subject to a number of requirements further described below, AB 2449 provides an new teleconferencing option that can be used when a member of the legislative body has to attend


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a meeting remotely due to an emergency or other reasons supported by “just cause.” Under these new rules, a legislative body may hold a hybrid (partial teleconference, partial in-person) meeting without having to comply with the standard Brown Act teleconference rules under certain circumstances. These circumstances are:

- ***Just Cause.*** One or more members of the legislative body (but less than a quorum) have notified the body at the earliest opportunity of their need to participate remotely for just cause. Just cause is restricted to: (1) childcare or caregiving need for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires remote participation; (2) contagious illness that prevents in-person attendance; (3) physical or mental disability need; or (4) travel while on official business of the agency or another state or local agency. The legislative body member must notify the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the meeting.
- ***Emergency Circumstance.*** One or more members of the legislative body (but less than a quorum) experience an emergency circumstance, which is defined as a physical or family medical emergency that prevents in-person attendance, and request to participate remotely. As part of their request, the member must provide a general description of the circumstances relating to their need to appear remotely; however, they are not required to disclose a medical diagnosis, disability or other confidential medical information. The legislative body must then take action on each member’s request. The member must make their request to participate remotely as soon as possible, and must make a separate request for each meeting in which they seek to participate remotely. If the request does not allow sufficient time to be placed on the posted agenda for the meeting for which the request is made, the legislative body may take action on it at the beginning of the meeting.

Please note that there are limitations on the number of times a member may use AB 2449 to participate remotely. Specifically, a member may not participate remotely for “just cause” for more than two meetings in a calendar year and, in general, may not use AB 2449 to participate remotely for more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year (or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year).

To allow one or more legislative body members to participate remotely under AB 2449, the meeting format and agendas must comply with the following:

- A quorum of the legislative body must meet in-person at a single location within the agency’s boundaries


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- The agency must use either a two-way audio-visual system or a two-way phone service with live webcasting.
- The agenda must identify a call-in or internet-based access option for the public, along with the in-person meeting location.
- If a disruption to the online meeting occurs, the legislative body may take no further action on agenda items until public access is restored.
- The public must be able to provide comments in real-time. Public comments may not be required to be submitted in advance.
- All votes must be taken by roll call.

In addition, legislative body members participating remotely under AB 2449 must comply with the following requirements during the meeting:

- Before any action is taken, the member(s) must disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.
- The member(s) must participate through both audio *and* visual technology.

In lieu of AB 2449 teleconferencing, local agencies may always rely on the traditional teleconferencing rules that applied pre-COVID and remain an available option: teleconference locations must be identified in the agenda, copies of the agenda must be posted at all teleconference locations, and teleconference locations must be open to the public, and at least a quorum of the members of the legislative body who are participating remotely must do so from locations within the agency's jurisdiction.

AB 2449 will present a host of administrative questions for local public agencies, and local agency governing bodies may wish to agendize a discussion item on the potential use of AB 2449 by the agency.

Assembly Bill 2647 – Posting of Agenda-Related Materials

AB 2647 makes clear that agenda-related materials distributed to the majority of a legislative body less than 72 hours before a meeting can be posted online to satisfy the requirement of making the documents available to the public.

Previously, under the Brown Act, when local agencies distributed agenda-related materials to members of a legislative body less than 72 hours before a meeting, the agencies were required to make the materials *physically available* for public inspection at a public office or



location. Although the Brown Act previously allowed agencies to post such materials on their websites, its basic requirement to make the materials physically available to the public at a public office or location remained in effect.

In *Sierra Watch v. Placer County* (2021) 69 Cal.App.5th 86, an appellate court determined that a county violated the Brown Act when it made agenda-related materials available to members of its board of supervisors at a time when the county's office was closed because members of the public would not also have physical access to the materials at that time.

AB 2647 will ensure that agencies can distribute agenda-related materials, such as updated staff reports or proposed agreements, to their legislative bodies in a timely fashion, as long as the materials are made immediately available on the agency's website in a manner that makes it clear that they relate to an agenda item for an upcoming meeting.

Senate Bill 1100 – Removing Disruptive Individuals from Meetings

Under SB 1100, legislative bodies now have additional clarity on their ability to address unwelcome meeting disruptions. The Brown Act already authorizes a legislative body to order the room cleared and continue in session if a group willfully interrupts the orderly conduct of the meeting, provided certain requirements are met. SB 1100 amends the Brown Act to make clear that the presiding member of a legislative body may have an individual removed for disrupting a meeting.

Before removing an individual, the legislative body must warn them that their behavior is disruptive and that continued disruption may result in their removal (however, no prior warning is required if they are engaging in or threatening the use of force). Behavior is otherwise "disruptive" if it actually disrupts or impedes the orderly conduct of the meeting.

Please let us know if you have any questions about the subjects discussed in this memorandum.

PAULA DE SOUSA
NICHOLAUS NORVELL

January 17, 2023

TO: Honorable President and Board of Directors

FROM: Gary Arant, *General Manager*

**SUBJECT: SAN DIEGO LAFCO SPECIAL DISTRICTS ELECTION – NOMINATION OF
REGULAR AND ALTERNATE SPECIAL DISTRICT MEMBERS**

PURPOSE:

To allow the Board an opportunity to nominate eligible candidates for the San Diego County Local Agency Formation Commission (SDLAFCO) Regular Member and Alternate Special District Member elections. Nominations are due February 24, 2023.

SUMMARY:

As the Board is aware, the San Diego County Special Districts Advisory Committee ("Committee") has two regular seats and one alternate seat on the SDLAFCO. There is currently one Regular and its Alternate up for election. Attached is a memo from the SDLAFCO regarding the elections and nomination process. It is anticipated that the mailed ballot election will be conducted in the March/April 2023 timeframe, as the current terms of office will expire on May 1, 2023.

To be eligible to serve as Regular and Alternate Special District Representatives to SDLAFCO, individuals must be a member of a legislative body of an independent Special District, must reside in San Diego County, and may not be a member of a legislative body for a city or county government.

RECOMMENDATION:

After review and discussion, if so desired, provide the nomination of qualified individual(s) for SDLAFCO Regular and Alternate Member, and direct staff to prepare the nomination form for execution by the Board President.

SUBMITTED BY:

A handwritten signature in dark ink, appearing to be 'G. Arant', written over a horizontal line.

Gary Arant
General Manager

Attachments:

"Call for Nominations – Regular and Alternate Special District Member Election on LAFCO"



San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

CALL FOR NOMINATIONS

December 19, 2022

TO: Independent Special Districts in San Diego County

FROM: Tamaron Lockett, Commission Clerk

SUBJECT: **Call for Nominations |
Regular and Alternate Special District Member Election on LAFCO**

This notice serves as a call to nominations pursuant to Government Code Section 56332(1) to solicit (a) one regular and (b) one alternate special district member to serve on the San Diego Local Agency Formation Commission (LAFCO). The term is four years and commences on May 1, 2023. The incumbent holders – Barry Willis, regular with Alpine Fire Protection District and David Drake, alternate with Rincon del Diablo Municipal Water District are expected to seek nomination and run for a new term. Additional details follow.

- **Eligibility**

Candidates eligible for election must be members of the legislative body of an independent special district who reside within San Diego County but may not be members of the legislative body of a city or county.

- **Authorized Nominations**

State Law specifies only the presiding officer or their alternate as designated by the governing board must sign the nomination form. Attached are nomination forms for the LAFCO regular special district member (**Attachment A**) and LAFCO alternate special district member (**Attachment B**).

- **Submittal Process and Deadline**

Signed nominations and a limited **two-page** resume indicating the candidate's District and LAFCO experience must be returned to San Diego LAFCO **no later than Tuesday, February 21, 2023**. Nominations received after this date will be invalid. Nominations

Administration
Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
San Diego, California 92103-6624
T 619.321.3380 F 619.404.6508
www.sdlafco.org

Chair Jim Desmond
County of San Diego

Joel Anderson
County of San Diego

Nora Vargas, Alt.
County of San Diego

Vacant
City Representative

Vacant
City Representative

Kristi Becker, Alt.
City of Solana Beach

Vacant
City representative

Marni von Wilpert, Alt.
City of San Diego

Jo MacKenzie
Vista Irrigation

Barry Willis
Alpine Fire Protection

David A. Drake, Alt.
Rincon del Diablo

Andy Vanderlaan
General Public

Harry Mathis, Alt.
General Public

ATTACHMENT A

NOMINATION OF THE SPECIAL DISTRICT REPRESENTATIVE FOR THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION REGULAR MEMBER

The _____ is pleased to nominate _____ as a
(Name of Independent Special District) (Name of Candidate)

Candidate for the San Diego Local Agency Formation Commission as a regular special district member with a term expiring 2027.

As presiding officer or his/her delegated alternate as provided by the governing board, I hereby certify that:

- The nominee is a member of a legislative body of an independent special district whom resides in San Diego County.

(Presiding Officer Signature)

(Print name)

(Print Title)

(Date)

PLEASE ATTACH RESUME FOR NOMINEE

- Limit two-pages
- Must be submitted with Nomination Form