

MINUTES OF THE ADJOURNED MEETING OF THE
BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT

May 24, 2023

An Adjourned Meeting of the Board of Directors of Vista Irrigation District was held on Wednesday, May 24, 2023, at the offices of the District, 1391 Engineer Street, Vista, California.

1. CALL TO ORDER

President MacKenzie called the meeting to order at 9:00 a.m.

2. ROLL CALL

Directors present: Vásquez, Kuchinsky, Sanchez, and MacKenzie.

Directors absent: Miller.

Staff present: Brett Hodgkiss, General Manager; Ramae Ogilvie, Assistant Secretary of the Board; Don Smith, Director of Water Resources; Randy Whitmann, Director of Engineering; Frank Wolinski, Director of Operations and Field Services; and Shallako Goodrick, Director of Administration. General Counsel Elizabeth Mitchell of Burke, Williams & Sorensen was also present. Breona Paz, Customer Service Supervisor was present for Item No. 7.

Other attendees: LaVonne Peck, San Luis Rey Indian Water Authority

3. PLEDGE OF ALLEGIANCE

Director Kuchinsky led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

23-05-61	<i>Upon motion by Director Kuchinsky, seconded by Director Sanchez and unanimously carried (4 ayes: Vásquez, Kuchinsky, Sanchez, and MacKenzie and 1 absent: Miller), the Board of Directors approved the agenda as presented.</i>
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5. ORAL COMMUNICATIONS

No public comments were presented on items not appearing on the agenda.

6. CONSENT CALENDAR

23-05-62	<i>Upon motion by Director Vásquez, seconded by Director Kuchinsky and unanimously carried (4 ayes: Vásquez, Kuchinsky, Sanchez, and MacKenzie and 1 absent: Miller), the Board of Directors approved the Consent Calendar, including Resolution No. 23-20 approving disbursements.</i>
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A. Paving Services

See staff report attached hereto. Staff recommended and the Board authorized the General Manager to execute an agreement with Kirk Paving, Inc. for paving services on Mar Vista and Miramar drives (D-2371; DIV NO 4) in an amount not to exceed \$161,198.90.

B. Grant of Right of Way

See staff report attached hereto. Staff recommended and the Board accepted Grant of Right of Way (A56) for a specific easement within a five lot single-family residential subdivision consisting of approximately 3.30 gross acres owned by Aloush LLC, located at 1732 Anza Avenue, Vista (I-3089; LN 2017-044; APN 173-350-30; DIV NO 1).

C. Minutes of the Board of Directors meeting on May 3, 2023

The minutes of May 3, 2023 were approved as presented.

D. Resolution ratifying check disbursements

RESOLUTION NO. 23-20

BE IT RESOLVED, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 72021 through 72180 drawn on Union Bank totaling \$ 6,964,174.99.

FURTHER RESOLVED that the Board of Directors does hereby authorize the execution of the checks by the appropriate officers of the District.

PASSED AND ADOPTED unanimously by a roll call vote of the Board of Directors of Vista Irrigation District this 24th day of May 2023.

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7. REQUEST TO WAIVE WATER ACCOUNT CHARGES

See staff report attached hereto.

Since Mr. Oshideri was not present (in person or telephonically) to address the Board on Item 7, President MacKenzie suggested moving the item to the end of the agenda. Each Director affirmed that they did not have further knowledge of, personal interest in, or a conflict of interest related to Item 7.

23-05-63 *Upon motion by Director Kuchinsky, seconded by Director Sanchez and unanimously carried (4 ayes: Vásquez, Kuchinsky, Sanchez, and MacKenzie and 1 absent: Miller), the Board of Directors approved moving Item 7 to the end of the agenda.*

8. VISTA IRRIGATION DISTRICT ANNEX TO THE 2023 SAN DIEGO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

See staff report attached hereto.

Director of Operations and Field Services Frank Wolinski provided an overview of the District Annex (Annex) to the 2023 San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP). He stated that the Annex identifies the District’s planning process, risk assessment and mitigation strategies that it plans to implement over the next five years. Mr. Wolinski noted that the hazard summary identified seven

mitigation action plans, six of which address risks to aging infrastructure-related items that are vulnerable to earthquakes. He added, once the Annex is approved, the District would be eligible to apply for Federal Emergency Management Agency hazard mitigation assistance funding.

The Board commended staff on their hard work on the Annex.

23-05-64 *Upon motion by Director Kuchinsky, seconded by Director Sanchez the Board of Directors adopted Resolution No. 23-21 approving the Vista Irrigation District Annex to the 2023 San Diego County Multi-Jurisdictional Hazard Mitigation Plan, by the following roll call vote:*

AYES: Directors Vásquez, Kuchinsky, Sanchez, and MacKenzie

NOES: None

ABSTAIN: None

ABSENT: Director Miller

A copy of Resolution 23-21 is on file in the official Resolution Book of the District

9. U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION NEAR-TERM COLORADO RIVER OPERATIONS - DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

See staff report attached hereto.

Mr. Hodgkiss noted that the Lower Basin states (California, Arizona, and Nevada) have submitted a proposal to the U.S. Department of the Interior, Bureau of Reclamation (Bureau) to conserve up to three million acre-feet of Colorado River water by 2026 with more than one-half of it being conserved by 2024. Additionally, the Lower Basin states have requested that the comment period for the Supplemental Environmental Impact Statement (SEIS) on near-term Colorado River operations be suspended so that this proposal could be evaluated along with the other two presented in the SEIS (reductions based on priority and same percentage reduction for all). He stated that all seven Basin States have also asked the Bureau for the SEIS comment period to be suspended to allow additional time to analyze the new proposal.

Mr. Hodgkiss suggested that, in light of the aforementioned new development, the recommendation be changed to authorize the Board President or General Manager to sign comment letters issued jointly by the Vista Irrigation District and the City of Escondido, and jointly by the San Diego County Water Authority, San Luis Rey Indian Water Authority, City of Escondido and Vista Irrigation District on the draft SEIS related to near-term Colorado River operations at a future date. He noted that the comment letters would likely address the 16,000 acre-feet of water secured by the San Luis Rey Indian Water Rights Settlement Agreement as well as the proposal submitted by the Lower Basin states.

23-05-65 *Upon motion by Director Sanchez, seconded by Director Vásquez and unanimously carried (4 ayes: Vásquez, Kuchinsky, Sanchez, and MacKenzie and 1 absent: Miller), the Board of Directors authorized the Board President or General Manager to sign comment letters issued jointly by the Vista Irrigation District and the City of Escondido, and jointly by the San Diego County Water Authority, San Luis Rey Indian Water Authority, City of Escondido and Vista Irrigation District on the draft Supplemental Environmental Impact Statement related to near-term Colorado River operations at a future date.*

10. FALLBROOK PUBLIC UTILITY DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT PROPOSED REORGANIZATIONS

See staff report attached hereto.

Mr. Hodgkiss provided an overview of Fallbrook Public Utility District (Fallbrook) and Rainbow Municipal Water District (Rainbow) Proposed Reorganizations Prospectus (Prospectus), May 2023, prepared by San Diego Local Agency Formation Commission (LAFCO) staff, emphasizing that there will be a cost to the District's ratepayers should this reorganization go through. He stated that the Prospectus recommends Fallbrook and Rainbow pay a combined, significantly discounted, exit fee totaling \$24.305 million over a five-year period; the discount being equal to the full cost to construct the Emergency Storage Project North County Pump Station (\$38.6 million). Mr. Hodgkiss stated that a discount/credit should not be applied since a firm commitment to fund and construct the project has not been made San Diego County Water Authority (Water Authority). Additionally, the length of the exit fee should be tied to longer-term financial commitments made to secure water supplies or construct major infrastructure, not the frequency that Urban Water Management Plans are prepared and Municipal Service Reviews are conducted (every five years).

Mr. Hodgkiss noted that the Prospectus concludes that the financial impact to the Water Authority, its member agencies and ratepayers is material but not significant. He contended that the impact of the increase would be significant because it would be in addition to any other rate adjustments made by the Water Authority and/or the District in future years.

Mr. Hodgkiss summarized three of the options LAFCO staff have indicated warrant consideration by the LAFCO Commission (Commission): 1) approve the proposals with payment of an exit fee; 2) defer consideration of the proposals until the completion of a scheduled municipal service review of the Water Authority; and 3) disapprove the a proposals without prejudice. LAFCO staff is recommending that the Commission approve the proposals with additional conditions that include requiring the applicants to pay exit fees to the Water Authority.

Mr. Hodgkiss stated the LAFCO Commission will conduct a combined public hearing on June 5, 2023 on Fallbrook's and Rainbow's proposed reorganizations. Should additional time for deliberation be needed, the public hearing will be continued to July 10, 2023.

The Board discussed the comments presented by Mr. Hodgkiss in his staff report and indicated concurrence with all of the analysis and conclusions. Director Vásquez commented that the District's ratepayers should not be asked to pay more so that Rainbow's and Fallbrook's customers can pay less; all the Directors agreed. The Board suggested that Mr. Hodgkiss send a comment letter to LAFCO addressing the key policy conclusions and recommendations contained in the Prospectus.

11. MATTERS PERTAINING TO THE ACTIVITIES OF THE SAN DIEGO COUNTY WATER AUTHORITY

See staff report attached hereto.

Mr. Hodgkiss reported that the Water Authority is reviewing its two-year budget and considering alternatives to minimize rate impacts associated with the Fiscal Year 2024 Budget. The alternatives being evaluated would result in increases ranging from 7.2 percent to 12.7 percent.

12. MEETINGS AND EVENTS

See staff report attached hereto.

Director Kuchinsky reported on his attendance at the Vista Chamber of Commerce Government Affairs Committee meeting where he heard a presentation by the County of San Diego (County) Assessor, Recorder and County Clerk Jordan Marks regarding the various services provided by the County offices.

Director Vásquez reported on his attendance at the 2023 Association of California Water Agencies (ACWA) Spring Conference where he attended meetings of the Groundwater Committee and the Water Quality Committee. He also reported on the District's 100th Anniversary Celebration ad hoc Committee meeting which focused on planning efforts for the open house event.

Director Sanchez reported on his attendance at the ACWA Joint Power Insurance Authority (JPIA) Board meeting where he heard presentations by ACWA JPIA representatives about the property, liability, workers' compensation and employee benefit programs. He also reported on his attendance at the 2023 ACWA Spring Conference where he attended the Federal Affairs Committee meeting; information was provided on various legislative measures.

President MacKenzie reported on her attendance at the ACWA JPIA Board meeting, noting that four members were elected to the ACWA JPIA Executive Committee. She also reported on her attendance at the 2023 ACWA Spring Conference where she attended ACWA Local Government Committee and Membership Committee meetings; at the Local Government Committee, information was provided on various bills, and at the Membership Committee Meeting, it was noted that five new agencies joined ACWA. President MacKenzie reported on her attendance at a California Special Districts Association (CSDA) Legislative Committee meeting in which various pieces of legislation were reviewed. She attended a Special District Leadership Foundation meeting in which scholarships and professional development conferences were discussed.

President MacKenzie and Directors Kuchinsky and Vásquez reported on their attendance at the Vista Historical Society luncheon where Vista Irrigation District's first Board of Directors were inducted into the Vista Hall of Fame.

Director Vásquez requested forgiveness for not attending the CSDA Quarterly Meeting on May 18, 2023 due to family obligations. Director Sanchez requested authorization to go to the Vista Chamber of Commerce 100th Anniversary celebration.

23-05-66	<i>Upon motion by Director Sanchez, seconded by Director Kuchinsky and unanimously carried (4 ayes: Vásquez, Kuchinsky, Sanchez, and MacKenzie and 1 absent: Miller), the Board of Directors granted Director Sanchez authorization to attend the Vista Chamber of Commerce 100th Anniversary celebration and granted Director Vásquez forgiveness for not attending the CSDA Quarterly Meeting on May 18, 2023.</i>
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13. ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

See staff report attached hereto.

President MacKenzie requested that an informational item regarding employee benefit options be added to the list of "Items for Future Agendas".

14. COMMENTS BY DIRECTORS

Director Vásquez commented on an article he read regarding water being released from California reservoirs to make room for run-off from the upcoming snowmelt.

Director Kuchinsky commented on an article that he read regarding the Water Systems PFAS (per- and polyfluoroalkyl) Liability Protection Act. This federal bill that would provide an exemption for water agencies from legal liability under the Comprehensive Environmental Response, Compensation, and Liability Act for the release of PFAS into the environment and make the polluters, not water agencies, financially responsible for the treatment of PFAS.

Director Sanchez commented on the completion of the San Pasqual Undergrounding Project, calling it a unique engineering achievement that deserves professional recognition and suggested exploring this idea with the City of Escondido.

President MacKenzie mentioned that the CSDA committee and expert feedback team nominations will need to be submitted in the near future. Mr. Hodgkiss stated that staff will place an item on a future agenda for the Board to consider nominations to CSDA committees and expert feedback teams.

15. COMMENTS BY GENERAL COUNSEL

General Counsel Elizabeth Mitchell provided a brief update on current legislation including recent amendments to Senate Bill 233 related to electric vehicles and Assembly Bill 1572 regarding non-functional turf.

16. COMMENTS BY GENERAL MANAGER

Mr. Hodgkiss stated that the water level at Lake Henshaw was approximately 31,400 acre-feet. He commented that the State Water Resources Control Board has issued a public notice regarding its intent to readopt its emergency regulation prohibiting the irrigation of non-functional turf prior to the expiration of the current emergency regulation in June 2023.

7. REQUEST TO WAIVE WATER ACCOUNT CHARGES (continued)

Director of Administration Shallako Goodrick gave a brief overview of the item stating that Mr. Paul Oshideri is requesting that the District waive all outstanding charges on the billing account for his property located in San Marcos, California. Mr. Oshideri does not believe he should have to pay the tenant's unpaid bills or any fees for non-payment of said bill, or the locked meter service charge and late penalties for non-payment after the meter was locked on July 7, 2022. Ms. Goodrick stated that Mr. Oshideri has been informed during numerous conversations with staff that the property owner is liable for water served to the property even when used by a tenant and that the property owner retains full responsibility for the payment of all water charges, penalties and fees. She noted that the current account balance is comprised of two unpaid tenant water bills, late fees, a door hanger fee, lock fee and locked meter service charges.

President MacKenzie asked if Mr. Oshideri was present on the teleconference line and would like to address the Board. President MacKenzie confirmed (and stated for the record) that Mr. Oshideri was not present in the Boardroom nor on the teleconference line, and noted that the Board had granted him additional time to call in or appear in-person by continuing the item to the end of the agenda.

Mr. Hodgkiss stated for the record that Mr. Oshideri was provided a copy of the agenda (along with the staff report and attachments), which clearly shows the date, time and location of the meeting as well as

options for participating in the meeting via teleconference. After a brief discussion, the Board took the following action:

23-05-67	<i>Upon motion by Director Sanchez, seconded by Director Vasquez and unanimously carried (4 ayes: Vásquez, Kuchinsky, Sanchez, and MacKenzie and 1 absent: Miller), the Board of Directors denied Mr. Paul Oshideri's request to waive all outstanding charges on the billing account for his property located in San Marcos, California.</i>
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17. ADJOURNMENT

There being no further business to come before the Board, at 11:23 a.m., President MacKenzie adjourned the meeting.



Jo MacKenzie, President

ATTEST:



Ranae Ogilvie, Assistant Secretary
Board of Directors
VISTA IRRIGATION DISTRICT



STAFF REPORT

Board Meeting Date: May 24, 2023
Prepared By: Frank Wolinski
Approved By: Brett Hodgkiss

SUBJECT: PAVING SERVICES

RECOMMENDATION: Authorize the General Manager to execute an agreement with Kirk Paving, Inc. for paving services on Mar Vista and Miramar drives (D-2371; DIV NO 4) in an amount not to exceed \$161,198.90.

PRIOR BOARD ACTION: On April 19, 2023, the Board rejected all bids and authorized the issuance of a revised request for bids for final asphalt repairs on Mar Vista and Miramar drives.

FISCAL IMPACT: Not to exceed \$161,198.90.

SUMMARY: On April 21, 2023, District staff solicited ten contractors to rebid final asphalt repairs on Mar Vista and Miramar drives. Three contractors attended the mandatory job walk, and three responsive bids were received. Kirk Paving, Inc. responded with the lowest bid.

DETAILED REPORT: District staff installed approximately 3,800 feet of various sizes of PVC pipe in Mar Vista and Miramar drives, comprising 65 percent of the total project. Final asphalt repair requirements for this phase of the project include approximately 17,300 square feet of trench paving, 3,365 lineal feet of striping and various pavement markings.

On March 5, 2023, the District advertised and solicited bids for final paving on this phase of the project. After bids were received, a section of trench line at the intersection of Mar Vista and Miramar Drive needed to be permanently paved due to rainstorms causing this section of trench line to fail. As the permanent paving occurred after the bid opening, the scope of work for this project changed requiring that it be rebid.

The results of the rebid are as follows:

Kirk Paving, Inc.	\$161,198.90
Joe’s Paving, Inc.	\$199,986.60
RAP Engineering, Inc.	\$232,420.00

Based on the bid results as well as references received, staff recommends executing an agreement with Kirk Paving, Inc. for paving services on Mar Vista and Miramar drives.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): This agreement is for a phase of the mainline replacement project, which is a project that staff previously determined to be exempt under Class 2 of the State CEQA Guidelines section 15302 (Replacement or Reconstruction), 14 CCR § 15302(c), because it consists of replacement or reconstruction of an existing utility system and/or facilities involving negligible or no expansion of capacity and there is no potential for the project to cause either a direct or a reasonably foreseeable indirect physical change in the environment.



STAFF REPORT

Agenda Item: 6.B

Board Meeting Date:	May 24, 2023
Prepared By:	Robert Scholl
Reviewed By:	Randy Whitmann
Approved By:	Brett Hodgkiss

SUBJECT: GRANT OF RIGHT OF WAY

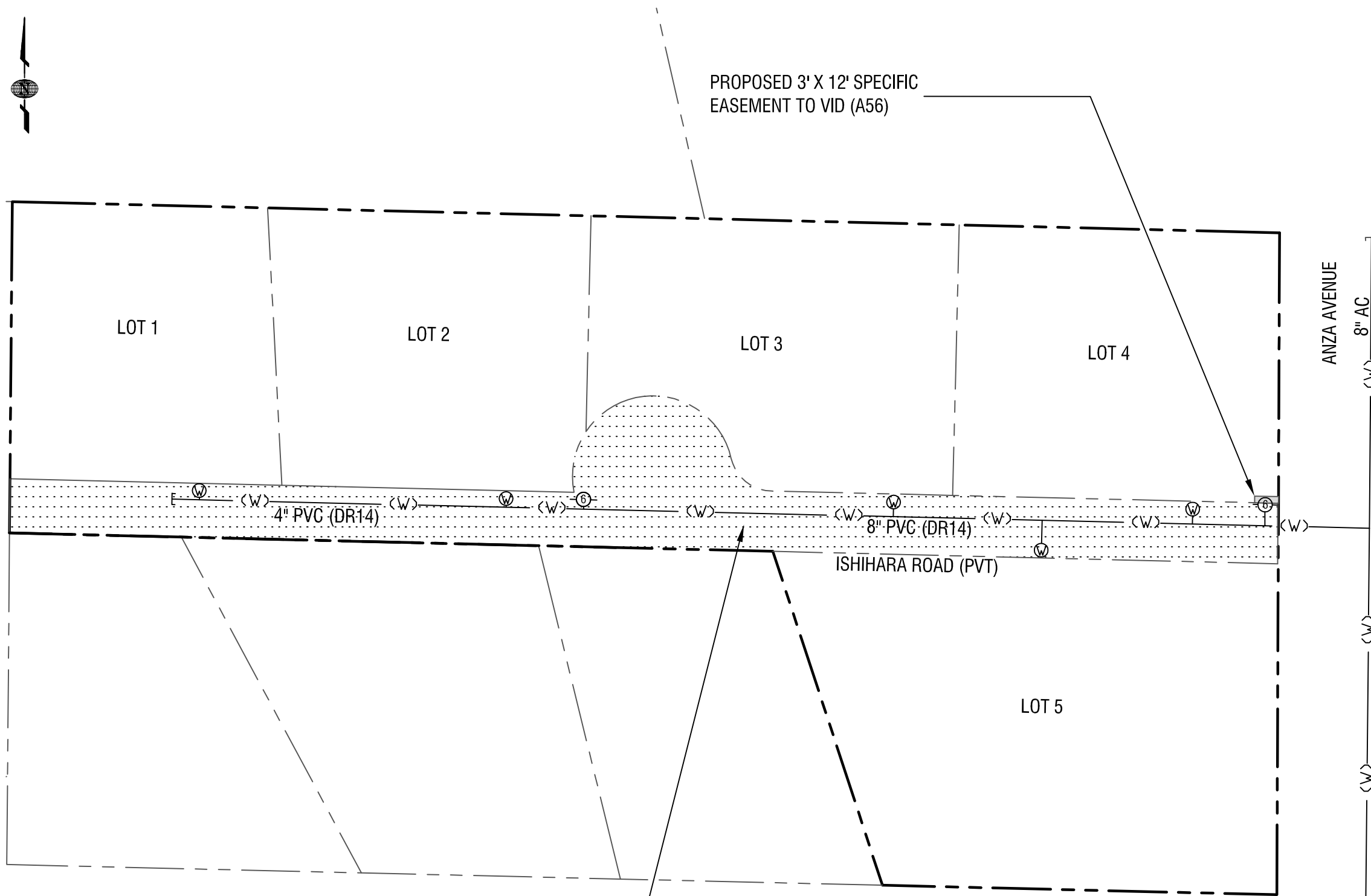
RECOMMENDATION: Accept Grant of Right of Way (A56) for a specific easement within a five lot single-family residential subdivision consisting of approximately 3.30 gross acres owned by Aloush LLC, located at 1732 Anza Avenue, Vista (I-3089; LN 2017-044; APN 173-350-30; DIV NO 1).

PRIOR BOARD ACTION: On January 18, 2006, the Board approved Parcel Map 20026 and accepted Grant of Right of Way (S151). On January 6, 2010, the Board approved the waterline project and accepted Grant of Right of Way (A48). The Board reapproved the waterline project on December 9, 2020.

FISCAL IMPACT: None.

SUMMARY: The owner, Aloush LLC, is in the process of developing five single-family residential lots on approximately 3.30 gross acres located on Ishihara Road and Anza Avenue. The project installed approximately 600 feet of new water main to the properties located within existing easements; however, an additional pocket easement is required for one of the new fire hydrants. Acceptance of Grant of Right of Way (A56) via easement document will allow the District to secure a dedicated 3-foot by 12-foot specific easement over existing District facilities.

ATTACHMENT: Map



PROPOSED 3' X 12' SPECIFIC
EASEMENT TO VID (A56)

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

ANZA AVENUE

8" AC
(W)
(W)
(W)

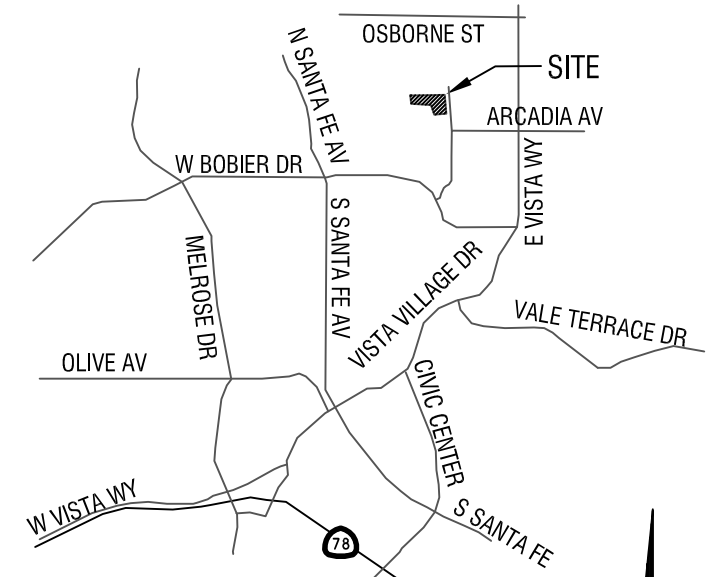
EXISTING VID EASEMENTS
(S151) AND (A48)

ENGINEER:
EXCEL ENGINEERING
440 STATE PL
ESCONDIDO, CA 92029

OWNER:
ALOUGH LLC
2132 BUENA CREEK ROAD
VISTA, CA 92084

LEGEND

- (W) — WATER MAIN
- (6) — FIRE HYDRANT
- (W) — WATER SERVICE
- ▤ EXISTING VID EASEMENTS (S151) AND (A48)
- ▨ PROPOSED 3' X 12' SPECIFIC EASEMENT TO VID (A56)



VICINITY MAP
NTS

VISTA IRRIGATION DISTRICT		
GRANT OF RIGHT OF WAY (A56)		
1732 ANZA AVENUE		
APN 173-350-30	T.B.	
SCALE: NONE	L.N. 2017-044	
APPD. BY: RS	DATE: 5/15/23	W.O. I-3089
DRAWN BY: JR	DATE: 5/08/23	
SHEET 1 of 1	MAP: F9, G9	
REVISED: 5/15/23 Jose Rodriguez		
I:\Eng_Staff_Reports(rs)\Future\Jose R\1732 Anza Avenue\h2017-044 - Revised		



Cash Disbursement Report

Payment Dates 4/20/2023 - 5/10/2023

Payment Number	Payment Date	Vendor	Description	Amount
72021 - 72022	04/26/2023	Refund Checks 72021 - 72022	Customer Refunds	4,874.68
72023 - 72026	04/26/2023	Refund Checks 72023 - 72026	Customer Refunds	1,930.20
72027	04/26/2023	Refund Checks 72027	Customer Refund	86.29
72028	04/26/2023	Refund Checks 72028	Customer Refund	2,546.78
72029	04/26/2023	Amazon Capital Services	Picking Chain Sling, Portable Water Tank -Truck 65	236.06
	04/26/2023		Footwear Program	173.18
	04/26/2023		Boat Anchor	140.02
72030	04/26/2023	Answering Service Care, LLC	Answering Service	509.00
72031	04/26/2023	AT&T	3680/CALNET 03/13/23 - 04/12/23 - Phones	417.71
	04/26/2023		0230/CALNET 03/13/23-4/12/23 - Teleconference	14.26
72032	04/26/2023		Voice & Data Service	1,174.38
72033	04/26/2023	Auto Specialist Warehouse	Brake Parts	(328.73)
	04/26/2023		Front Bake Parts - Truck 46	64.21
	04/26/2023		Brake Hardware - Truck 29	12.72
	04/26/2023		Front Brake Pads - Truck 43	92.60
	04/26/2023		Front Brake Parts - Truck 56	269.62
72034	04/26/2023	Benjamin Barton Bareno	Reimburse - Prescription Safety Glasses	200.00
72035	04/26/2023	Boot World Inc	Footwear Program (1)	180.00
	04/26/2023		Footwear Program (2)	335.14
72036	04/26/2023	Canon Solutions America, Inc	Canon Supplies & Services	30.94
72037	04/26/2023	Cecilia's Safety Service Inc	Traffic Control - Skyline Dr	760.00
	04/26/2023		Traffic Control - Knapp Dr/N Santa Fe Ave	3,942.50
	04/26/2023		Traffic Control - Buena Vista Dr/Mar Vista Dr	6,626.25
	04/26/2023		Traffic Control - La Rueda Rd	2,232.50
	04/26/2023		Traffic Control - Buena Creek Rd/Ora Avo Dr	1,092.50
72038	04/26/2023	Citi Cards	Oil	139.90
	04/26/2023		Turbocharger Core	(663.08)
	04/26/2023		AWWA Intro to Controls & SCADA Webinar	155.00
	04/26/2023		AWWA Spring Conference	399.00
	04/26/2023		Raken App for Construction Management	252.00
	04/26/2023		Kitchen & Restroom Supplies	843.84
	04/26/2023		Dog Biscuits - Meter Readers/Field Personnel	51.93
	04/26/2023		Emergency Phone Cloud Service	24.59
	04/26/2023		Microsoft Azure	811.50
	04/26/2023		GFI Faxmaker	15.00

Payment Number	Payment Date	Vendor	Description	Amount
	04/26/2023		Microsoft One Drive	15.00
	04/26/2023		Employment Advertising - Finance Supervisor	200.00
	04/26/2023		Employment Advertising - Heavy Equipment Operator	200.00
	04/26/2023		ACWA Legislative Symposium	325.00
	04/26/2023		Prepayment 02/07/23 & 02/23/23	(3,600.00)
	04/26/2023		Prepayment	(9,827.00)
	04/26/2023		AWWA Conference Registration	424.00
	04/26/2023		AWWA Conference Registration	424.00
	04/26/2023		Kitchen & Restroom Supplies	1,378.19
	04/26/2023		Emergency Phone Cloud Service	27.04
	04/26/2023		Microsoft Azure	767.01
	04/26/2023		Microsoft One Drive	15.00
	04/26/2023		GFI Faxmaker	15.00
	04/26/2023		Employment Advertising - Heavy Equipment Operator	100.00
	04/26/2023		Employment Advertising - Heavy Equipment Operator	199.00
	04/26/2023		Employment Advertising - System Operator I/II	200.00
	04/26/2023		Refreshments for Training - Safety	201.49
	04/26/2023		Refreshments for Training - Safety	(19.05)
	04/26/2023		ACWA Conference - R Vasquez	25.39
	04/26/2023		ACWA Conference - J MacKenzie	815.00
	04/26/2023		Urban Water Conference - J MacKenzie	595.00
	04/26/2023		CSDA Annual Conference - P Sanchez	675.00
	04/26/2023		ACWA Conference - P Sanchez	815.00
	04/26/2023		ACWA Conference - R Vasquez	815.00
	04/26/2023		100 Year Coins (300)	999.00
	04/26/2023		CSDA Annual Conference - B Hodgkiss	675.00
	04/26/2023		ACWA Conference - B Hodgkiss	705.00
	04/26/2023		YSI ProDSS Turbidity Sensor	1,149.50
72039	04/26/2023	CleanCapital HC4 Borrower LLC	Solar Use 02/2023	4,527.08
	04/26/2023		Solar Use 03/2023	4,888.94
72040	04/26/2023	CoreLogic Solutions Inc	RealQuest Online Services 03/2023	300.00
72041	04/26/2023	Diamond Environmental Services	Portable Restroom Service	109.95
	04/26/2023		Portable Restroom Service	102.57
72042	04/26/2023	Direct Energy	Electric 03/2023 - VID Headquarter	1,776.50
72043	04/26/2023	Ferguson Waterworks	Regulator Cover (1)	1,120.39
72044	04/26/2023	Grainger	Face Shields (5)	113.58
72045	04/26/2023	InfoSend Inc	Data Processing/Mailing Service 03/2023	6,696.50
	04/26/2023		Backflow Notices 03/2023	243.39
	04/26/2023		Support & Storage 03/2023	1,720.26
72046	04/26/2023	Jackson & Blanc	HVAC Maintenance 04/2023 - 06/2023	3,592.50

Payment Number	Payment Date	Vendor	Description	Amount
72047	04/26/2023	Kronick Moskovitz Tiedemann & Girard	Legal 02/2023	9,896.70
72048	04/26/2023	McMaster-Carr Supply Company	Display Cables for SCADA	109.78
72049	04/26/2023	Mutual of Omaha	LTD/STD/Life Insurance 05/2023	6,243.24
72050	04/26/2023	Parkhouse Tire Inc	Tires (2) - T7	589.44
72051	04/26/2023	Volvo Construction Equipment & Services	Filters (2)	61.64
72052	04/26/2023	SePro Corporation	HABs Lab Analysis	510.00
72053	04/26/2023	Sierra Analytical Labs, Inc	HABs Lab Analysis	80.00
72054	04/26/2023	Southern Counties Lubricants, LLC	Grease	202.76
72055	04/26/2023	Spok, Inc	Pagers	50.39
72056	04/26/2023	Bend Genetics, LLC	HABs Lab Analysis	2,479.00
72057	04/26/2023	The San Diego Union-Tribune LLC	RFP Advertisement - Mar Vista Paving	440.80
72058	04/26/2023	Johnson Controls Security Solutions LLC	Security Monitoring & Maintenance 05/2023 - 07/2023	3,378.32
72059	04/26/2023	Valley CM, Inc	E Reservoir Replacement & Pump Station 02/2023	36,467.46
72060	04/26/2023	Verizon Wireless	Air Cards	152.04
72061	04/26/2023	Vista Paint Corporation	Paint Supplies	348.54
72062	04/26/2023	Zuza LLC	Postage - 2023 Level 1 Water Use Notice	7,214.67
72063 - 72065	05/03/2023	Refund Checks 72063 - 72065	Customer Refunds	2,110.03
72066	05/03/2023	Refund Check 72066	Customer Refund	2.69
72067	05/03/2023	Amazon Capital Services	Camera/SD Card, Stapler	97.60
	05/03/2023		Footwear Program	129.89
	05/03/2023		US & CA Flags	151.50
	05/03/2023		Pens	20.45
	05/03/2023		Tape Measures (2)	33.51
	05/03/2023		Warehouse Supplies	317.48
72068	05/03/2023	Asbury Environmental Services	Used Oil Disposal	95.00
72069	05/03/2023	BKM OfficeWorks. LLC	Deposit for Office Chairs (2)	621.25
72070	05/03/2023	Burke, Williams & Sorensen, LLP	Legal 03/2023	6,868.00
	05/03/2023		Legal 03/2023	29.00
72071	05/03/2023	Cecilia's Safety Service Inc	Traffic Control - Knapp Dr/N Santa Fe Ave	2,897.50
	05/03/2023		Traffic Control - Clarence Dr	950.00
	05/03/2023		Traffic Control - Buena Creek Rd	1,567.50
	05/03/2023		Traffic Control - Branding Iron	760.00
	05/03/2023		Traffic Control - Kent Place	688.75
	05/03/2023		Traffic Control - Mimosa Ave	570.00
72072	05/03/2023	Akeso Occupational Health	Pre-employment Physical	168.00
	05/03/2023		Covid Test	149.00
72073	05/03/2023	Columbia Bank	E Res Replacement & Pump Sta 03/23 - Retainage D2346	9,048.58
72074	05/03/2023	Conсор North America, Inc	Deodar Reservoir Rehabilitation 02/2023 - 03/2023	1,565.35
72075	05/03/2023	Core & Main	Ball Meter Valve 1" Lockwing FIPxSwivel Mtr Nut(2)	240.32
	05/03/2023		Fire Hydrant 6x4x2.5 (6)	23,252.10

Payment Number	Payment Date	Vendor	Description	Amount
	05/03/2023		End Caps (2)	229.70
72076	05/03/2023	County of San Diego	Permit Fees 03/2023	358.00
72077	05/03/2023	Craneworks Southwest Inc	Service Kit - Truck 75	498.45
72078	05/03/2023	Diamond Environmental Services	Portable Restroom Service	137.56
	05/03/2023		Portable Restroom Service	85.69
72079	05/03/2023	DIRECTV	Direct TV Service	118.24
72080	05/03/2023	Dudek	E Reservoir Replacement & Pump Station 01/2023	2,082.50
	05/03/2023		E Reservoir Replacement & Pump Station 02/2023	9,875.00
72081	05/03/2023	Ferguson Waterworks	DFW Meter Box Lid Small D1324 (VID Stamp) (109)	7,433.53
	05/03/2023		Service Saddle 8x1 Brass AC (1)	188.48
	05/03/2023		Sleeve 10"x12" Galvanized Top Sections (20)	313.93
72082	05/03/2023	Fidelity Security Life Insurance Co (EyeMed)	Vision Insurance 05/2023 - Cobra	8.78
	05/03/2023		Vision Insurance 05/2023 - Cobra	8.78
	05/03/2023		Vision Insurance 05/2023 - Cobra	8.78
	05/03/2023		Vision Insurance 05/2023 - Cobra	14.24
	05/03/2023		Vision Insurance 05/2023 - Cobra	14.24
	05/03/2023		Vision Insurance 05/2023 - Cobra	14.24
	05/03/2023		Vision Insurance 05/2023 - Cobra	47.44
	05/03/2023		Vision Insurance 05/2023 - Cobra	14.24
	05/03/2023		Vision Insurance 05/2023 - Employees	1,503.14
	05/03/2023		Vision Insurance 05/2023 - M Miller	14.24
	05/03/2023		Vision Insurance 05/2023 - J MacKenzie	14.24
	05/03/2023		Vision Insurance 05/2023 - P Sanchez	14.24
	05/03/2023		Vision Insurance 05/2023 - P Kuchinsky	14.24
	05/03/2023		Vision Insurance 05/2023 - R Vasquez	14.24
72083	05/03/2023	Coast Fitness Repair Shop	Life Cycle Service/Battery	91.46
72084	05/03/2023	Gateway Pacific Contractors, Inc	E Reservoir Replacement & Pump Station 03/2023	171,923.26
72085	05/03/2023	Grainger	Warehouse Supplies	102.22
	05/03/2023		Parts for Toilet	66.73
72086	05/03/2023	Inland Water Works Supply Co	Itron Mobile Radio 2 w/USB cable and charger (1)	2,267.84
72087	05/03/2023	J & R Concrete Products, Inc	Valve Lids (10)	571.08
72088	05/03/2023	Jan-Pro of San Diego	Janitorial Service 04/023	4,497.00
72089	05/03/2023	Lightning Messenger Express	Messenger Service 04/14/23	88.00
72090	05/03/2023	Major League Pest	Monthly Pest Control	225.00
72091	05/03/2023	Makelele Systems Landscape & Maintenance, Inc	Landscape Services 04/2023	1,650.00
72092	05/03/2023	Moody's	Dump Fees (5)	1,500.00
	05/03/2023		Dump Fees (5)	1,500.00
	05/03/2023		Dump Fees (5)	1,500.00
	05/03/2023		Dump Fees (5)	1,500.00
	05/03/2023		Dump Fees (4)	1,200.00

Payment Number	Payment Date	Vendor	Description	Amount
	05/03/2023		Dump Fees (2)	600.00
72093	05/03/2023	North County Auto Parts	Head Lamp - Truck 15	41.63
	05/03/2023		Shop Chemicals	154.84
	05/03/2023		Tool Box Door Shock Mounts	3.78
72094	05/03/2023	North County Industrial Park	Association Fees 05/2023	936.59
72095	05/03/2023	Pacific Pipeline Supply	Coupling .75" Repair CxC Copper (5)	132.77
72096	05/03/2023	Parkhouse Tire Inc	Front Tires (2) - Trunk 10	714.40
72097	05/03/2023	Powerland Equipment, Inc	Riding Mower Parts	167.55
72098	05/03/2023	Ramco Petroleum	Fuel 03/2023	3,853.05
72099	05/03/2023	San Diego Friction Products	Water Truck Parts - Truck 28	491.52
72100	05/03/2023	San Diego Gas & Electric	Electric 03/2023 - Cathodic Protection & T&D	86.96
	05/03/2023		Electric 03/2023 - Reservoirs	(90.92)
	05/03/2023		Electric 03/2023 - Pump Stations	12,604.50
	05/03/2023		Electric 03/2023 - Plants	22.98
72101	05/03/2023	Sierra Analytical Labs, Inc	HABs Lab Analysis	830.00
72102	05/03/2023	Southern Counties Lubricants, LLC	Fuel 04/01/23 - 04/15/23	8,542.86
72103	05/03/2023	Bend Genetics, LLC	HABs Lab Analysis	4,891.00
	05/03/2023		HABs Lab Analysis	4,891.00
72104	05/03/2023	TS Industrial Supply	Plier 8" Long Nose (2)	67.12
	05/03/2023		Plier 8" Lineman's Cut (2)	71.45
	05/03/2023		Pump Utility 36" with hose (5)	340.99
72105	05/03/2023	UniFirst Corporation	Uniform Service	274.88
72107	05/03/2023	Verizon Wireless	Cell Phones 03/16/23 - 04/15/23	2,043.72
72108	05/03/2023	Water District Jobs	Employment Advertising - Water Resources Aide	145.00
72109	05/03/2023	White Cap Construction Supply	Premixed Fuel	814.08
72110	05/03/2023	Xerox Corporation	Xerox Supplies & Services 03/2023	212.16
72111	05/10/2023	Refund Check 72111	Customer Refund	1,584.06
72112	05/10/2023	Refund Check 72112	Customer Refund	204.70
72113	05/10/2023	Airgas USA LLC	Acetylene, Oxygen	725.69
72114	05/10/2023	AC Plumbing	Meter Tie-Back - Knapp Dr	1,220.00
72115	05/10/2023	Amazon Capital Services	Snake Guards (5)	182.50
	05/10/2023		Battery - Truck 11	86.49
	05/10/2023		Cell Phone Case	15.14
	05/10/2023		Office Supplies	53.38
	05/10/2023		Sampling Supplies - HABs	15.14
	05/10/2023		Rear Bumper - Truck 32	232.51
	05/10/2023		Office Supplies	141.10
	05/10/2023		Batteries (2) - Fire Panel	107.14
	05/10/2023		Office Supplies	41.73
	05/10/2023		Printer Ink	71.43

Payment Number	Payment Date	Vendor	Description	Amount
	05/10/2023		Office Supplies	13.63
	05/10/2023		Footwear Program (1)	119.02
72116	05/10/2023	AquaTechnex, LLC	Algaecide - HABs	32,874.53
	05/10/2023		Algaecide - HABs	76,466.41
	05/10/2023		Algaecide Treatment- HABs	24,950.00
	05/10/2023		Algaecide Treatment- HABs	24,950.00
72117	05/10/2023	Association of California Water Agencies	ACWA Region 10 Event Sponsorship	500.00
72118	05/10/2023	Auto Specialist Warehouse	Front Brake Parts	513.34
72119	05/10/2023	Bennett-Bowen & Lighthouse Inc	Magnetic Work Lamps (2)	221.00
72120	05/10/2023	Brown and Caldwell	Flume Replacement Alignment Study 02/23 & 03/23	43,525.93
72121	05/10/2023	Bryan and the Bee's	Live Bee Removal (1)	175.00
	05/10/2023		Live Bee Removal (1)	175.00
	05/10/2023		Live Bee Removal (1)	175.00
	05/10/2023		Live Bee Removal (1)	175.00
72122	05/10/2023	Cal Pacific Truck Center LLC	Axle Gaskets - Truck 52	31.11
72123	05/10/2023	Canon Solutions America, Inc	Canon Supplies & Services	21.17
72124	05/10/2023	Cecilia's Safety Service Inc	Traffic Control - Knapp Dr	570.00
	05/10/2023		Traffic Control - Rock Spring Rd/Nordahl Dr	1,923.75
	05/10/2023		Traffic Control - Oro Avo Dr	1,615.00
	05/10/2023		Traffic Control - Buena Vista Dr/Mar Vista Dr	1,520.00
	05/10/2023		Traffic Control - Rock Springs Rd	2,755.00
	05/10/2023		Traffic Control - Buena Vista Dr/Mar Vista Dr	6,555.00
	05/10/2023		Traffic Control -- Sunset Dr	1,377.50
	05/10/2023		Traffic Control - Via Centre	475.00
	05/10/2023		Traffic Control - Alta Vista Dr	1,330.00
	05/10/2023		Traffic Control - Monte Vista Dr	1,377.50
72125	05/10/2023	Champ Equipment Corp	New Champ ICM Hydraulic Breaker	10,716.75
	05/10/2023		Mounting Head - E3	2,435.63
72126	05/10/2023	Christian Magill	Footwear Program (1)	180.00
72127	05/10/2023	Citi Cards	Prepayment	(5,010.00)
	05/10/2023		Kitchen & Restroom Supplies	981.43
	05/10/2023		Microsoft Azure	817.94
	05/10/2023		Microsoft One Drive	15.00
	05/10/2023		Splashtop Remote Control	60.00
	05/10/2023		GFI Faxmaker	15.50
	05/10/2023		Emergency Phone Cloud Service	27.24
	05/10/2023		Employment Advertising - Water Resources Aide	18.98
	05/10/2023		Employment Advertising - Management Analyst	100.00
	05/10/2023		Employment Advertising - Meter Reader Trainee	100.00
	05/10/2023		Employment Advertising - Director of Water Resources	199.00

Payment Number	Payment Date	Vendor	Description	Amount
	05/10/2023		Employment Advertising - Water Resources Aide	200.00
	05/10/2023		Employment Advertising - Director of Water Resources	200.00
	05/10/2023		Employment Advertising - Water Resources Assistant	200.00
	05/10/2023		Employment Advertising - Water Resources Aide	18.98
	05/10/2023		Weight Bench - Wellness Grant	487.11
	05/10/2023		Vista Hall of Fame Lunch (2) - R Vasquez	100.00
	05/10/2023		ACWA Conference - P Sanchez	305.35
	05/10/2023		ACWA Conference - P Sanchez	1,052.58
	05/10/2023		Southern CA Water Coalition Luncheon - R Vasquez	100.00
	05/10/2023		Vista Hall of Fame Luncheon - B Hodgkiss	50.00
72128	05/10/2023	City Of Escondido	Escondido Canal Operating Cost 01/2023 - 03/2023	111,130.20
	05/10/2023		San Pasqual Underground Project 01/2023 - 03/2023	2,663,909.42
	05/10/2023		EVWTP FY22 Reconciliation	1,093,822.93
	05/10/2023		SPUP FY22 Reconciliation	2,137,910.07
72129	05/10/2023	City of San Diego	Annual AED Management Agreement	175.00
72130	05/10/2023	Coastal Chlorination & Backflow	Chlorination of Main - Knapp Dr	400.00
72131	05/10/2023	Complete Office of California, Inc	Office Supplies	340.25
72132	05/10/2023	Core & Main	Ball Meter Valve 2" FLG X FIP DD & Lockwing (2)	803.22
	05/10/2023		Coupling 10" Repair PVC C900 (2)	645.17
	05/10/2023		Service Saddle 6x2 PVC (1)	378.88
	05/10/2023		Ell 10" DI PO 45 Degree (1)	353.98
	05/10/2023		Coupling 6" Deflection C900 (5)	276.04
	05/10/2023		Reducer 8x6 DI PO (1)	171.04
	05/10/2023		Ell 8" DI PO 22.5 Degree (1)	187.27
	05/10/2023		Tubing 1" Copper Soft 60' (200)	1,110.65
	05/10/2023		Ell 6" DI POxFL 22.5 Degree (1)	152.63
	05/10/2023		Adapter 2.5" MNST X 2" MIPT Hose (4)	112.56
	05/10/2023		Coupling 2" Brass (5)	104.19
	05/10/2023		Flange 6" SOW 8-hole (6)	272.79
	05/10/2023		Service Saddle 6x1 PVC (1)	1,113.89
	05/10/2023		Flange 10" SOW (1)	113.66
	05/10/2023		Gate Valve 6" POxFL R/W (2)	2,013.45
	05/10/2023		Pipe 8" PVC DR-14 C900 (80)	2,857.80
	05/10/2023		Gate Valve 6" FL R/W (5)	5,033.63
	05/10/2023		Fire Hydrant LB400 Check Valve (3)	5,975.40
	05/10/2023		Tubing 1" Copper Soft 60' (120)	1,851.08
	05/10/2023		10" Deflection Couplings (2)	3,935.97
72133	05/10/2023	Cosco Fire Protection, Inc	Fire Sprinkler Inspection - Henshaw	1,156.00
	05/10/2023		Fire Sprinkler Inspection/Repairs	701.00
72134	05/10/2023	Craneworks Southwest Inc	Hydraulic Hose - E1	207.35

Payment Number	Payment Date	Vendor	Description	Amount
72135	05/10/2023	FedEx	Express Shipping	91.49
72136	05/10/2023	Ferguson Waterworks	Angle Ball Mtr Valve 1"Flare Swl Mtr Nut Lckwg(33)	4,493.89
	05/10/2023		Angle Ball Mtr Valve 1"Flare Swl Mtr Nut Lckwg(14)	1,906.50
	05/10/2023		Coupling 1" Brass (10)	59.54
	05/10/2023		Adapter / Male / 0.75" Copper (10)	30.31
	05/10/2023		Proselect Pipe Lubricant (24)	116.91
	05/10/2023		8" Pipe Restrainer with T-Bolts (4)	264.13
	05/10/2023		10" Pipe Restrainer with T-Bolts (5)	548.83
	05/10/2023		6" Pipe Restrainer with T-Bolts (20)	790.23
	05/10/2023		Coupling 0.75" Brass (10)	39.19
	05/10/2023		Lid 10" Slotted Valve (VID) (15)	1,268.15
	05/10/2023		Lid 8" Slotted Valve (VID) (700)	29,931.13
72137	05/10/2023	Flyers Energy, LLC	Fuel	43.63
72138	05/10/2023	Freeway Trailer Sales	Trailer Break Away Switches, Tail Light Converter	73.11
72139	05/10/2023	Grainger	Pipe Clamps (6)	149.01
	05/10/2023		Pipe Clamps (25)	113.12
	05/10/2023		Stainless Needle Valves (5)	986.49
	05/10/2023		Ethernet Port Block out (1)	37.58
	05/10/2023		SCADA Cables (3)	82.87
	05/10/2023		Safe (1)	1,316.65
	05/10/2023		O-Rings (1)	(38.31)
	05/10/2023		Battery Charger (2) - E32/E305 Solar Upgrade	361.84
	05/10/2023		Intrusion Magnets (22)	79.35
72140	05/10/2023	Hach Company	Conductivity Probe	1,945.26
72141	05/10/2023	Hawthorne Machinery Co	Water Cap - B16	179.57
	05/10/2023		Tiger Teeth & Hardware	353.04
	05/10/2023		Cold Planer attachment for Caterpillar Skid Steer	25,798.79
72142	05/10/2023	Innovyze Inc	Innovyze InfoWater InfoCare Renewal	5,613.00
72143	05/10/2023	Jeff McNeal Productions	On Hold Messaging	220.00
72144	05/10/2023	Joe's Paving	Patch Paving (various locations)	8,344.95
	05/10/2023		Patch Paving - Knapp Dr	48,015.25
72145	05/10/2023	Kimball Midwest	O-Rings (20)	53.26
72146	05/10/2023	Lanair Technology Group	Secure Breach Prevention Platform 05/2023	180.00
72147	05/10/2023	Lawnmowers Plus Inc	Concrete Pipe Saw Parts	819.96
	05/10/2023		Weed Whip Parts	171.26
	05/10/2023		Chain Bar	254.28
	05/10/2023		Chain Bar	(173.47)
72148	05/10/2023	Lightning Messenger Express	Messenger Service 04/20/23 & 04/28/23	132.00
72149	05/10/2023	LinguaLinx Language Solutions, Inc	Translation Services - 2023 Water Use Notice	69.72
72150	05/10/2023	Mallory Safety and Supply, LLC	Vest Lime Hi-Viz 3XL (2)	44.71

Payment Number	Payment Date	Vendor	Description	Amount
	05/10/2023		Vest Lime Hi-Viz LG (5)	111.76
	05/10/2023		Stop/Slow 18" Hi Intensity (5)	254.39
	05/10/2023		Jacket Rain MED (1)	115.83
72151	05/10/2023	Moody's	Dump Fee (1)	300.00
	05/10/2023		Dump Fees (3)	900.00
	05/10/2023		Dump Fee (1)	300.00
72152	05/10/2023	NAPA Auto Parts	Filters (4)	40.16
72153	05/10/2023	North County Auto Parts	Wheel Seals - Truck 47	34.38
	05/10/2023		Coolant (6)	158.02
	05/10/2023		Shop Chemicals	190.65
	05/10/2023		Filter	16.53
	05/10/2023		Filter	16.53
	05/10/2023		Blower Motor - Truck 29	81.86
72154	05/10/2023	O'Reilly Auto Parts	Front & Rear Shocks - Truck 63	240.14
	05/10/2023		Battery - Truck 2	189.91
72155	05/10/2023	Paychex of New York LLC	Onboarding/Recruiting/Flex Spending 05/2023	812.50
72156	05/10/2023	Powerland Equipment, Inc	Metal Cutoff Blades (10)	130.27
72157	05/10/2023	Regal CineMedia	Movie Tickets (300) - Employee Purchase	2,710.00
72158	05/10/2023	Rincon del Diablo MWD	MD Reservoir Water Service	34.74
72159	05/10/2023	San Diego Chapter CSDA	CSDA Dinner Meeting 05/18/23 - R Vasquez	60.00
	05/10/2023		CSDA Dinner Meeting 05/18/23 - J MacKenzie	60.00
	05/10/2023		CSDA Dinner Meeting 05/18/23 - B Hodgkiss	60.00
72160	05/10/2023	San Diego Co Superintendent of Schools	Splash Lab Sponsorship 04/12/23 & 04/18/23	1,580.00
72161	05/10/2023	San Diego Gas & Electric	Gas Use 04/2023 - VID Headquarter	1,339.75
	05/10/2023		Electric 04/2023 - Henshaw Buildings & Grounds	756.87
	05/10/2023		Electric 04/2023 - Henshaw Wellfield	9,425.72
	05/10/2023		Electric 04/2023 - VID Headquarter	4,446.65
72162	05/10/2023	SePro Corporation	HABs Lab Analysis	1,020.00
72163	05/10/2023	SignArt	Flags w/VID Logo (2)	185.33
72164	05/10/2023	Identifix, LLC	Subscription Renewal for Online Automotive Manuals	1,428.00
72165	05/10/2023	Southern Counties Lubricants, LLC	Fuel 4/16/23 - 4/30/23	7,569.17
72166	05/10/2023	State Water Resources Control Board	D5 Certification Renewal	105.00
72167	05/10/2023	Shred-it	Shredding Services	172.72
72168	05/10/2023	Stillwater Sciences	HABs Consulting 02/27/23 - 04/02/23	3,137.84
	05/10/2023		HABs Management Plan 03/2023 - Phase II	24,526.90
72169	05/10/2023	Technology Unlimited	Configuration to Meet Bank Requirements	2,800.00
72170	05/10/2023	The UPS Store 0971	Shipping 04/2023 - HABs	2,273.00
72171	05/10/2023	Bend Genetics, LLC	HABs Lab Analysis	4,891.00
72172	05/10/2023	TS Industrial Supply	PyrameDupont Tyvek Overalls / 2XL (box of 25)(25)	196.74
	05/10/2023		2" Black Pipe Wrap Tape (100' / 10 ml) (18)	170.49

Payment Number	Payment Date	Vendor	Description	Amount
	05/10/2023		File 12" Flat / 2nd Cut (4)	116.04
	05/10/2023		Striping Paint Blue #750 (12)	99.37
	05/10/2023		Striping Paint White #710 (12)	99.37
	05/10/2023		Striping Paint Black #770 (12)	99.37
	05/10/2023		Pyramex Goliath Safety Glasses- Black / Smoke (12)	113.66
	05/10/2023		Paint Brush / 3" White (30)	45.47
	05/10/2023		Nemesis Safety Glasses - Smoke / Blk Frame (12)	73.00
	05/10/2023		Marking Feathers White (bundle of 25) (4)	18.19
	05/10/2023		Stainless Wire Brush / 7 3/4" / plastic handle (10)	26.63
	05/10/2023		Sea 0.5" Teflon Tape (1/2" x 520") (20)	15.16
	05/10/2023		3M Earplug / Uncorded / #1100 (200 per box)(1)	36.37
	05/10/2023		Marking Feathers Blue (bundle of 25)(8)	36.37
	05/10/2023		Hardware, High Pressure Spray Guns	239.44
	05/10/2023		Shovel Spade (2)	114.20
	05/10/2023		Towel Wypall X80 (13)	645.22
	05/10/2023		Digging Bar Heavy Duty (3)	581.30
	05/10/2023		Locks 2029 Master (30)	454.65
	05/10/2023		Shovel Square Point (9)	321.50
	05/10/2023		Wrench Magnum 1.25" One Hand (2)	297.15
	05/10/2023		Gloves Thickster Nitrile LG 100 per box (10)	281.45
	05/10/2023		Shovel Round Point (7)	250.06
	05/10/2023		Towel Scrub in a Bucket (6)	149.39
	05/10/2023		Abrasive Mesh Roll 180G (5)	112.04
	05/10/2023		Igloo Water Cooler 5 gal (2)	103.49
	05/10/2023		Cutter 1/8" to 1 5/8" Ridgid #RC-1625 PVC (1)	85.73
	05/10/2023		Probe Soil 3/8"x4' SSP 400 SS (1)	83.35
	05/10/2023		Pry Bar 18" Rolling Head (2)	69.93
	05/10/2023		Wrench 15/16"x1.125" Rathe (1)	58.40
	05/10/2023		Extension Cord 25' (1)	51.42
	05/10/2023		Mirror 3.25" Diameter Telescopic (2)	51.42
	05/10/2023		Wrench 14" Pipe (1)	45.36
72173	05/10/2023	Umpqua Bank	Cables for Sediment & Depth Samplers - HABs	103.96
	05/10/2023		Calibration Solution - HABs	50.59
	05/10/2023		Employment Advertising - Director of Water Resources	475.00
	05/10/2023		Employment Advertising - Construction Worker	200.00
	05/10/2023		Fruit Boxes (4) - Wellness Grant	316.00
72174	05/10/2023	UniFirst Corporation	Uniform Service	258.64
	05/10/2023		Uniform Service	258.15
72175	05/10/2023	Valley CM, Inc	E Reservoir Replacement & Pump Station 03/2023	38,793.42
72176	05/10/2023	Verizon Wireless	SCADA Remote Access 03/21/23 - 04/20/23	402.45

Payment Number	Payment Date	Vendor	Description	Amount
72177	05/10/2023	Vinje & Middleton Engineering Inc	Compaction Test - E Knapp	408.75
72178	05/10/2023	Vista Fence Company Inc	Fence Material - Pump Station 10	211.89
72179	05/10/2023	Vista Irrigation District	Replenish Safe - Change Making Cash	840.00
72180	05/10/2023	Weck Laboratories, Inc	UCMR5 - Water Samples	1,560.00
Grand Total:				6,964,174.99



STAFF REPORT

Agenda Item: 7

Board Meeting Date: May 24, 2023
Prepared By: Breona Paz
Reviewed By: Shallako Goodrick
Approved By: Brett Hodgkiss

SUBJECT: REQUEST TO WAIVE WATER ACCOUNT CHARGES

RECOMMENDATION: Deny Mr. Paul Oshideri's request to waive all outstanding charges on the billing account for his property located in San Marcos, California.

PRIOR BOARD ACTION: At its January 5, 2022 meeting, the Board upheld the District's Rules and Regulations relevant to the District billing procedures, denying Mr. Oshideri's request to limit the amount that an owner is responsible to pay when a tenant does not pay their bill and held Mr. Oshideri responsible for paying the water bill for his property.

FISCAL IMPACT: Unknown.

SUMMARY: Per Vista Irrigation District Rules and Regulations Section 2.2.2 (A), the property owner is liable for water served to the property even when used by a tenant. Furthermore, the District has no duty to collect any water charges, penalties or fees from a tenant who has vacated the property prior to collecting delinquent amounts from the property owner. Per California Water Code §25806, water bills are a lien on the land and may be added to the assessment roll of the District.

Additionally, Rules and Regulations Section 2.2.2 (B) allows the property owner to have the tenant billed if the property owner completes and signs the District's authorization form; however, as noted in the previous paragraph, the property owner retains full responsibility for the payment of all water charges, penalties and fees. The property owner is notified of a tenant's delinquent bill.

Tenants occupying Mr. Oshideri's property in San Marcos, California (CA) have requested to establish a billing account in their name; however, Mr. Oshideri has refused to sign the District's Owner Authorization letter without modification, which has resulted in the billing account for the subject property being left in Mr. Oshideri's name. When a recent tenant moved out, they left an unpaid bill; Mr. Oshideri does not believe he should have to pay the tenant's unpaid bill or any fees for non-payment of said bill. In addition, he objects to being charged the locked meter service charge and late penalties for non-payment after the meter was locked on July 7, 2022. Mr. Oshideri is requesting that the outstanding water bill and related charges be waived.

DETAILED REPORT: On March 24, 2022, the District received a call from a new tenant asking to establish an account for the property located in San Marcos, CA in his name. Staff explained to the tenant that Mr. Oshideri needed to complete an Owner Authorization letter in order to establish an account for the subject property in his name. Mr. Oshideri returned a modified Owner Authorization letter on March 25, 2023 and was informed the District would not accept it, consistent with what he had been told on several other occasions when he returned modified authorization letters. The account for the subject property was left in Mr. Oshideri's name.

The District mailed a water bill for the subject property to Mr. Oshideri on April 20, 2022 with a due date May 5, 2022; when the bill was not paid (25 days after the due date) the District mailed a late notice and applied the associated late penalty on June 1, 2022. Consistent with its Billing Procedures (Rules and Regulations Section 2.2.3), the District initiated its Discontinuation of Water Service Policy (District Rules and Regulations Section 2.2.4) when payment was not received 21 days after the late notice was sent. A notice was left at the property

on June 23, 2022 advising the occupant that service would be discontinued on July 7, 2022 (14 days after a notice is left at the property) if payment was not received by July 6, 2022. The tenant called on July 6, 2022 requesting additional time to pay the bill and was informed that the District could not do so since the bill was in the owner's name; water service to the property was discontinued (locked) on July 7, 2022 and has remained locked since that time. Water service was discontinued to the subject property once the current water bill became delinquent for more than 60 days, consistent with the District's Discontinuation of Water Service Policy and State law (California Health & Safety Code §116900 et seq., Discontinuation of Residential Water Service).

The current account balance is comprised of two unpaid tenant water bills, late fees, a door hanger fee, lock fee and locked meter service charges. Per District Rules and Regulations Section 4.4.3 (G), the locked meter service charge is equivalent to 25 percent of the regular meter service charge. Since the account has remained in Mr. Oshideri's name, he has continued to be sent water bills and subsequent late notices for non-payment.

It is important to note that moneys received from the Water and Wastewater Arrearage Payment Program were applied (as credits) to eligible customer accounts with outstanding balances, including Mr. Oshideri's account, on December 30, 2021. After applying the credit, an outstanding balance remained and was fully paid on March 17, 2023, prior to the period covered by Mr. Oshideri's current request.

The District's water rate structure is designed to comply with State law requirements, and its water rates do not take into account covering the cost of unpaid tenant water bills and charges on behalf of property owners. The District is prohibited from inter-ratepayer subsidies where individual customers are required to pay more than their actual cost of water so that other ratepayers may pay less. Waiving (writing off) the balance due, as requested by Mr. Oshideri, would require that other District customers cover the cost of his unpaid water bill.

As described in this staff report, the District has billed Mr. Ohideri consistent with requirements of its Rules and Regulations, and the account balance is due and payable. As noted above, the District's water rate structure complies with State law (e.g., prohibition of inter-rate payer subsidies) and does not take into account covering the cost of unpaid water bills by tenants or owners; therefore, waiving the balance due would require that other District customers cover the cost of Mr. Oshideri's account balance. For these reasons, staff recommends denying Mr. Oshideri's request to waive all outstanding charges on the billing account for his property in San Marcos, CA.

ATTACHMENTS:

- Email and attachments from Mr. Oshideri dated April 21, 2023
- Excerpt from January 5, 2022 Board meeting minutes – Item 7, Billing Procedures
- Excerpts from Vista Irrigation District Rules and Regulations - Sections 2.2.2 (A) and (B), Owners and Tenants; Section 2.2.4, Discontinuation of Water Policy; and Section 4.4.3 (G), Locked Meters
- Sample Owner Authorization Letter
- California Water Code §25806
- California Health & Safety Code §116900 et seq.

Shallako Goodrick

From: Paul Oshideri [REDACTED]
Sent: Friday, April 21, 2023 9:17 AM
To: Breona Paz
Subject: Re: [REDACTED]
Attachments: Vista Water [REDACTED] answer to tenant.pdf; Vista Irrigation Water District board meeting.pdf; Vista Water rejection June 2022.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mrs. Paz:

1. This concerns overcharging and forced payment by Vista Water to make the landlord pay a year-old water bill. Increasing the bill when even the water is disconnected is a violation unless you submit a document that was signed and receipt by me to agree with it.

Property Address: [REDACTED]

Tenants name: [REDACTED]

2. The bill is over \$200 and my suggestion in the last board meeting that I attended was : Vista Water should impose a limit on the water bill and if that bill was not paid it should have disconnected immediately.

Board refused to do officially a limit but said we disconnect everything in 60 days of non payment. In this case it did not happen, citing Corona-19 laws and regulation. Then they should get their money from the Federal Government. I think they got the money from the county but they did not apply it to the bill.

3. Request to remove the entire water bill.

Attached is a document for you to see.

Paul Oshideri

On Thursday, April 20, 2023 at 04:01:01 PM PDT, Breona Paz <bpaz@vidwater.org> wrote:

Good Afternoon Mr. Oshideri,

I have been informed that your comment "Complain about over-changing and forced payment by Vista Water." Does not meet the required information to be added to our agenda. In accordance with our Rules and Regulations section 2.2.4 we will need the follow three areas addressed.

1) A detailed description of the issue

- 2) Evidence supporting the claim
- 3) A request for resolution

We do have strict deadlines for getting on our agendas in order to allow for proper research into your claims. In order to be considered for the May 3rd agenda we will need to receive this detailed information by 5pm today as we need a minimum of 12 days prior to the next meeting. However, depending on the amount of research required to investigate your claims it may not be scheduled until our May 24th board meeting.

Thank You,

Breona Paz

Customer Service Supervisor

Vista Irrigation District

Ph: 760-597-3130

Fax: 760-597-2632

bpaz@vidwater.org



From: Paul Oshideri <[REDACTED]>
Sent: Thursday, April 20, 2023 3:20 PM
To: Breona Paz <BPaz@vidwater.org>
Subject: [REDACTED] Board Meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Briana:

I would like to participate in the next Board Meeting.

Please register me and let me know.

Complain about over-changing and forced payment by Vista Water.

Thank

Paul Oshideri

[REDACTED]

P



1391 Engineer Street • Vista • California 92081-8840
Phone: (760) 597-3100 • Fax: (760) 598-8757
www.vidwater.org

Board of Directors

Richard L. Vásquez, *President*
Paul E. Dorcy
Jo MacKenzie
Marty Miller
Patrick H. Sanchez

Administrative Staff

Brett L. Hodgkiss
December 2, 2020 *General Manager*
Lisa R. Soto
Board Secretary
David B. Cosgrove
General Counsel

Parviz Oshideri



RE: [Redacted] & Tenant [Redacted]

Dear Mr. Parviz Oshideri,

I am in receipt of your signed Owner Authorization for Delivery of Water to Tenant, however we cannot accept it as you have scratched out a portion of our letter.

Vista Irrigation District, a special district, follows CA Water Code section 25806 that states that any unpaid charges can be liened against the property and the owner of record. Therefore, Vista Irrigation District does not request social security numbers or deposits from any persons wishing to start an account.

It is the Board of Directors for Vista Irrigation District who require the form to be signed as issued to ensure that the property owners are aware of this responsibility ahead of time. By us doing this, it protects property owners by verifying that the person requesting to initiate service is in fact a tenant and not a squatter or other unauthorized persons on the premises.

In accordance with the Vista Irrigation District rules and regulations, we cannot bill a tenant on the property without the signed authorization letter. If the letter remains unsigned or if sections have been removed, the water billing for said property will remain in or be reverted into the owner of records name.

Thank You,

A handwritten signature in black ink that reads 'Breona Paz'.

Breona Paz

Customer Service Supervisor

c: file



AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
WEDNESDAY, JANUARY 5, 2022 - 9:00 AM
1391 Engineer Street, Vista, CA 92081
Phone: (760) 597-3100

COVID-19 MEETING PROCEDURES
NOTICE FOR PARTICIPATION

On September 16, 2021, Governor Newsom signed Assembly Bill 361 (2021-2022) ("AB 361"), which incorporated some aspects of the teleconferencing rules applied by Executive Order 08-21 to local agencies during the COVID-19 pandemic into California law. AB 361 allows local agencies to conduct virtual meetings without any public participation component during a state of emergency. As of the date of this notice, there exists a state of emergency in California caused by COVID-19; however, unless a subsequent agenda or public notice provides otherwise, the Vista Irrigation District intends to conduct its meetings in a hybrid fashion, allowing for individuals to participate in public meetings in-person, observing California Department of Public Health ("CDPH") COVID-19 related guidance, or if they prefer, via teleconferencing.

Members of the public attending the meeting in person must comply with CDPH Guidance for the Use of Face Coverings, including the requirement that individuals wear face coverings indoors. Vista Irrigation District has posted information regarding the requirement to wear face-coverings at the entrance to its facility.

Members of the public may also participate through Vista Irrigation District's teleconferencing line; the telephone number and applicable pass code for such participation is as follows: Phone (877) 873-8018; Pass Code 474698#. Vista Irrigation District's teleconferencing line capacity is limited and not all parties who wish to participate through this method may be able to do so. Telephone participants are asked to place calls to this line at or before the scheduled start time of the meeting, so the District staff can organize order of speakers and assure the ability of all who wish to participate. Please also note telephone or data charges from your carrier may apply to your use of this option.

To maintain orderliness in proceedings, telephone participants will be asked to identify themselves, their address, and the item on the agenda they wish to address. Telephone participants are asked to limit background noise during telephonic participation (with muting features, if available) and to maintain proper decorum suitable to the conduct of public meetings at all times. Telephone participants may not speak until the appropriate time on the agenda and only when recognized by the Board President.

Members of the public may address the Vista Irrigation District Board of Directors directly and in real time during the public comment period regardless of whether they are participating in person or over the telephone.

Members of the public may also address the Board of Directors by email; however, such email communication must be received at or before the time of the commencement of the meeting. The email address to use for such communications is as follows: BoardSecretary@vidwater.org.

Please be advised that one or more members of the Vista Irrigation District Board of Directors or staff may participate in this meeting by teleconference consistent with AB 361.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the Board meeting telephonically, please contact the Board Secretary during regular business hours at (760) 597-3128. Notification received 48 hours before the meeting will assist Vista Irrigation District in making reasonable accommodations.



AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
WEDNESDAY, JANUARY 5, 2022 - 9:00 AM
1391 Engineer Street, Vista, CA 92081
Phone: (760) 597-3100

1. CALL TO ORDER

2. ROLL CALL – DETERMINATION OF QUORUM

3. PLEDGE OF ALLEGIANCE

4. CONSIDER APPROVAL OF AGENDA

In the case of an emergency, items may be added to the Agenda by a majority vote of the Board of Directors. An emergency is defined as a work stoppage, a crippling disaster, or other activity that severely imperils public health, safety, or both. Also, items that arise after the posting of the Agenda may be added by a 2/3 vote of the Board. Items on the agenda may be taken out of sequential order as their priority is determined by the Board of Directors. The Board may take action on any item appearing on the agenda.

5. ORAL COMMUNICATIONS

Members of the public may address the Board on items not appearing on the posted agenda, which are within the subject matter jurisdiction of the Board. Speakers are asked to limit their comments to five (5) minutes; the total time allowable for all public comment on items not appearing on the agenda at any one meeting may be limited. Comments on items listed on the agenda will be taken before or during discussion of the agenda item. Members of the public desiring to address the Board are asked to complete a speaker's slip available on the table near the entrance of the Boardroom and present it to the Board Secretary prior to the meeting.

6. CONSENT CALENDAR

Any member of the Board, staff or public may request that items from the Consent Calendar be removed for discussion. Items so removed shall be acted upon separately immediately following approval of items remaining on the Consent Calendar.

A. Construction agreement

Recommendation: Authorize the General Manager to enter into a Construction Agreement with the City of Vista for the completion of the South Santa Fe Avenue – Pala Vista Drive Roundabout (LN 2021-024; D-2368; DIV NO 3).

B. Quitclaim deed

Recommendation: Approve Quitclaim Deed (689) quitclaiming a portion of Blanket Easement (D47) within a residential property consisting of approximately 0.69 gross acres owned by the Robert J. Mosqueda Family Trust located at 3242 Linda Vista Drive, San Marcos (LN 2021-033; APN 221-560-16; DIV NO 5).

C. Waterline project approval

Recommendation: Approve this waterline project for a multi-family development known as Silverado Townhomes, consisting of 62 attached condominium units on approximately 4.9 gross acres owned by KB Home Coastal, Inc., located at 425 Smilax Road, Vista (TM 5634; LN 2021-019; APNs 217-191-02 and 217-191-03; DIV NO 5).

D. Minutes of the Board of Directors meeting on December 8 and 9, 2021

Recommendation: Approval of draft minutes.

E. Ratification of check disbursements

Recommendation: Adopt a resolution ratifying checks numbered 68283 through 68462 in the amount of \$719,518.26 pursuant to the cash disbursement report detailing expenditures.

7. **BILLING PROCEDURES**
Recommendation: Consider Mr. Paul Oshideri's request to amend Vista Irrigation District's billing procedures to limit the amount the property owner should pay in the event a tenant does not pay the water bill.
8. **FISCAL YEAR 2021 AUDIT**
Recommendation: Accept the Fiscal Year 2021 audit report by Davis Farr LLP.
9. **FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2021**
Recommendation: Informational report concerning the financial results of the District.
10. **DIVISION REPORTS**
Informational reports by Operations and Field Services, Water Resources, Administration, and Engineering Divisions concerning District operations and activities.
11. **LABOR AGREEMENTS AND EMPLOYEE PERSONNEL POLICIES MANUAL**
Recommendations:
 1. *Adopt Resolution No. 22-XX covering wages, hours and terms and conditions of employment with California Teamsters Public, Professional and Medical Employees Union Local 911 for employees in the Non-Supervisory Unit for the calendar years 2022, 2023 and 2024.*
 2. *Adopt Resolution No. 22-XX covering wages, hours and terms and conditions of employment with confidential employees and management employees for the calendar years 2022, 2023 and 2024.*
 3. *Adopt Resolution No. 22-XX revising the Employee Personnel Policies Manual.*
12. **REVISIONS TO COMPENSATION SCHEDULE**
Recommendation: Adopt Resolution No. 22-XX approving revisions to the Compensation Schedule effective January 1, 2022.
13. **DISTRICT COMMITTEES AND REPRESENTATIVES TO OUTSIDE ORGANIZATIONS**
Recommendation: Review and ratify committee and outside organization appointments for 2022.
14. **MATTERS PERTAINING TO THE ACTIVITIES OF THE SAN DIEGO COUNTY WATER AUTHORITY**
Informational report by staff and directors concerning the San Diego County Water Authority.
15. **MEETINGS AND EVENTS**
 - A. *Reports on meetings and events attended by Directors*
 - B. *Schedule of upcoming meetings and events*
16. **ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES**
This item is placed on the agenda to enable the Board to identify and schedule future items for discussion at upcoming Board meetings and/or identify press release opportunities.
17. **COMMENTS BY DIRECTORS**
This item is placed on the agenda to enable individual Board members to convey information to the Board and the public not requiring discussion or action.
18. **COMMENTS BY GENERAL COUNSEL**
Informational report by the General Counsel on items not requiring discussion or action.
19. **COMMENTS BY GENERAL MANAGER**
Informational report by the General Manager on items not requiring discussion or action.

20. **CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL—EXPOSURE TO LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (1) of subdivision (e) of Section 54956.9: 1 potential case.
21. **CLOSED SESSION TO CONSIDER SELECTION OF DISTRICT GENERAL COUNSEL**
The Board will convene in closed session pursuant to Government Code section 54957(b)(1) to consider selection of District General Counsel.
22. **CLOSED SESSION TO CONDUCT PUBLIC EMPLOYEE PERFORMANCE EVALUATION –GENERAL MANAGER**
Performance evaluation of public employee pursuant to Government Code section 54957.
23. **ADJOURNMENT**

- *The agenda package and materials related to an agenda item submitted after the packet's distribution to the Board, are available for public review in the lobby of the District office during normal business hours.*
- *Agendas and minutes are available at www.vidwater.org.*
- *VID Board meetings are generally held on the first and third Wednesday of each month.*

AFFIDAVIT OF POSTING

I, Lisa R. Soto, Board Secretary of the Vista Irrigation District, hereby certify that I posted a copy of the foregoing agenda outside the lobby of the District office at 1391 Engineer Street, Vista, California at least 72 hours prior to the meeting, in accordance with Govt. Code Sec. 54954.2(a).

Date: December 29, 2021



Lisa R. Soto, Board Secretary



STAFF REPORT

Agenda Item: 7

Board Meeting Date: January 5, 2022
Prepared By: Marlene Kelleher
Approved By: Brett Hodgkiss

SUBJECT: BILLING PROCEDURES

RECOMMENDATION: Consider Mr. Paul Oshideri's request to amend Vista Irrigation District's billing procedures to limit the amount the property owner should pay in the event a tenant does not pay the water bill.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: Unknown.

SUMMARY: Per Vista Irrigation District Rules and Regulations Section 2.2.2 (A), the property owner is liable for water served to the property even when used by a tenant. Furthermore, the District has no duty to collect any water charges, penalties or fees from a tenant who has vacated the property prior to collecting delinquent amounts from the property owner. Per California Water Code Section 25806, water bills are a lien on the land and may be added to the assessment roll of the District.

Additionally, Rules and Regulations Section 2.2.2 (B) allows the property owner to have the tenant billed if the property completes and signs the District's authorization form; however, as noted in the previous paragraph, the property owner retains full responsibility for the payment of all water charges, penalties and fees. The property owner is notified of a tenant's delinquent bill.

Since September 2018, three separate tenant accounts have been established for property owned in San Marcos by Mr. Paul Oshideri. Each tenant left unpaid balances when they moved out. Mr. Oshideri is requesting that the District modify its billing procedures such that when a tenant does not pay their water bill, a cap is placed on the amount of the unpaid balance the property owner is responsible for paying.

DETAILED REPORT: In order to place an account in a tenant's name, the District requires completion of an Owner Authorization letter. By signing the letter, the property owner authorizes the District to deliver water in the name of the tenant. The property owner also acknowledges that they are responsible for the payment of all charges for water used should the tenant not pay said charges.

On September 12, 2018, water service was established in a tenant's name while the District awaited completion of an Owner Authorization letter. The letter was received on October 1, 2018. Upon termination of service with that tenant and after three attempts to collect the amount due, the unpaid balance was transferred to the property owner's account, consistent with the provisions set forth in the Owner Authorization letter.

On November 21, 2019, water service was established in a tenant's name while the District awaited completion of an Owner Authorization letter; after not receiving the Owner Authorization letter, the account reverted back to the property owner with an unpaid balance. Mr. Oshideri contacted the District on April 14, 2020 and requested that the meter be locked, stating there was no one living at the property. Per the request, the District locked the meter; on April 15, 2020, the resident of the property called indicating that they did not have water service. The District turned the water back on in compliance with the Governor's Executive Order regarding not shutting off water due for non-payment due to the pandemic. On April 16, 2020, Mr. Oshideri inquired as to why water service had been turned back on at the property, and staff explained why the meter was unlocked and water service was re-established.

On August 11, 2020, water service was established in a tenant's name while the District awaited completion of an Owner Authorization letter. Mr. Oshideri deleted the terms of the District's Owner Authorization letter and added his own terms, which were inconsistent and not in compliance with the District's Rules and Regulations Section 2.2.2 (B) - "*Per Water code Section 25806, the Owner can elect to have the tenant billed if the Owner completes and signs the District's authorization form. However, Owner retains full responsibility for the payment of all water charges, penalties and fees.*" Since the District did not receive a completed (unedited) District Owner Authorization letter, the account reverted to the property owner with an outstanding balance.

The District's water rate structure is designed to comply with State law requirements, and its water rates do not take into account covering the cost of unpaid tenant water bills and charges on behalf of property owners. The District is prohibited from inter-ratepayer subsidies where individual customers are required to pay more than their actual cost of water so that other ratepayers may pay less. Amending the District billing procedures, as requested by Mr. Oshideri, would require that other District customers cover a portion of the cost of a tenant's unpaid water bill.

ATTACHMENTS:

- Email from Mr. Oshideri dated December 1, 2021
- Excerpt from Vista Irrigation District Rules and Regulations 2.2 – Billing Procedures
- California Water Code Section 25806
- Sample Owner Authorization Letter
- Owner Authorization Letter received from Paul Oshideri dated November 28, 2020

From: Paul Oshideri [REDACTED]
Sent: Wednesday, December 1, 2021 9:32 AM
To: Greg Bryant <GBryant@vidwater.org>
Subject: Re: Board Meeting

A specific item is an agreement with Vista Water to put a cap on tenants using the water and not paying for it according to VID guidelines.
I request to be on agenda for January 5/2021 board meeting.
Paul

Parviz Oshideri

On Wednesday, December 1, 2021, 09:17:14 AM PST, Greg Bryant <gbryant@vidwater.org> wrote:

Good morning Mr. Oshideri,

The deadline to be included on the December 8, 2021 Board of Directors meeting agenda has expired. The next scheduled Board meeting will be held on Wednesday January 5, 2022 at 9:00 am. It is requested that you provide written details on the specific item(s), that you would like to address to the Board of Directors.

Thank you,

Greg Bryant

From: Paul Oshideri [REDACTED]
Sent: Tuesday, November 30, 2021 1:48 PM
To: Greg Bryant <GBryant@vidwater.org>
Subject: Board Meeting

Hi Greg:

I would like to attend the Vista Irrigation District Water on December 08/2021.

Please put me on agenda.

Thanks

Paul Oshideri

It is recognized that in some cases, after the above procedures have been exhausted, that neither staff nor the customer may be able to explain the high water usage. These cases may be referred to the Customer Service Supervisor if the adjustment does not exceed \$500, or to the General Manager for final resolution. In all cases, the customer has the right to appeal the General Manager's final decision regarding the customer's water bill to the Board of Directors of Vista Irrigation District pursuant to Section 2.2.4 (E).

2.2 BILLING PROCEDURES

2.2.1 Water Bill Charges

(See Section 4.4.14 for fees related to payment of water bills.)

2.2.2 Definitions

A. Owner

Owner of record per the County of San Diego. The owner remains liable for water served to the property even when used by a Tenant. The District has no duty to collect any water charges, penalties or fees from a tenant who has vacated the property prior to collecting delinquent amounts from the Owner. Water bills are a lien on the land and may be added to the assessment roll of the District.

B. Tenant

Occupying the premises with the Owner's approval. Per Water code Section 25806, the Owner can elect to have the Tenant billed if the Owner completes and signs the District's authorization form. However, Owner retains full responsibility for the payment of all water charges, penalties and fees. If the District sends a late note to the Tenant, it will also send a late notice to the Owner.

C. Billing Due Date

All water bills are due 15 days from the date of mailing and are subject to late penalty if not received within 25 days after the due date.

D. Good Payment Record

No late charges, returned checks, broken lock fees or delinquent alternative payment arrangements within the last 12 months.

E. Alternative Payment Arrangements

A Customer Service Representative may make arrangements of up to four

State of California

WATER CODE

Section 25806

25806. (a) In case any charges for water and other services or either remain unpaid, the amount of the unpaid charges may, in the discretion of the district:

(1) If unpaid at the time specified for delivery of the assessment book to the collector, be added to and become a part of the annual assessment levied upon the real property upon which the water for which the charges are unpaid was used and upon the real property subject to the charges for any other district services and shall constitute a lien on that real property. However, if, during the year preceding the date on which the first installment of real property taxes which evidence the charges appears on the roll, any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, then the lien which would otherwise be imposed by this subdivision shall not be added to and become part of the annual assessment nor shall it attach to the real property.

(2) Be secured at any time by filing for record in the office of the county recorder of any county, a certificate specifying the amount of the charges and the name and address of the person liable therefor.

From the time of recordation of the certificate, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterwards, and before the lien expires, acquired by him or her. The lien has the force, priority, and effect of a judgment lien and shall continue for 10 years from the date of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within 10 years from the filing of the certificate or within 10 years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of the filing the lien shall be extended to the real property in such county for 10 years unless sooner released or otherwise discharged.

When the charges have become delinquent, they may be collected in the manner provided for the collection of delinquent assessments in Chapter 5 (commencing with Section 26075) and Chapter 6 (commencing with Section 26225) of Division 11 of Part 10.

(b) Where the county assumes the responsibility of assessment and collection pursuant to Chapter 7 (commencing with Section 26500), the amount of the unpaid charges may be added to, and become part of, the annual assessment levied upon the real property upon which the water for which the charges are unpaid was used and upon the real property subject to the charges for any other district services and shall

constitute a lien on that real property upon recordation of the order confirming the assessment in the office of the county recorder of the county in which the real property is situated. However, if, during the year preceding the date on which the first installment of real property taxes which evidence the charges appears on the roll, any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, then the lien which would otherwise be imposed by this subdivision shall not attach to the real property and the costs of the water and services or either, as confirmed, relating to the property shall be transferred to the unsecured roll for collection.

(Amended by Stats. 1987, Ch. 1052, Sec. 2.)

December 22, 2021

PARVIZ OSHIDERI
[REDACTED]

OWNER'S AUTHORIZATION FOR DELIVERY OF WATER TO TENANT

Account Number:

TO: BOARD OF DIRECTORS
VISTA IRRIGATION DISTRICT
1391 ENGINEER ST
VISTA CA 92083-8836

I, the undersigned, do hereby certify that I am the owner of the following described property:

[REDACTED]

I hereby authorize VID to deliver water to PARVIZ OSHIDERI, Tenant. I understand that if the Tenant does not pay, as owner of the property, I am responsible for payment of all charges for water so used, and for payment of such other charges as may accrue on account of this service, including, but not limited to, cost of repairing damages caused by the negligent or intentional acts or omissions of Tenant, in conformity with the rules and regulations of the district.

Date Signed

Owner's Signature



1391 Engineer Street • Vista • California 92081-8840
Phone: (760) 597-3100 • Fax: (760) 598-8757
www.vidwater.org

Board of Directors
Richard L. Vásquez, *President*
Paul E. Dorey
Jo MacKenzie
Marty Miller
Patrick H. Sanchez

Administrative Staff
Brett L. Hodgkiss
General Manager
Lisa R. Soto
Board Secretary
David B. Cosgrove
General Counsel

November 23, 2020

PARVIZ OSHIDERI

OWNER'S AUTHORIZATION FOR DELIVERY OF WATER TO TENANT

Account Number:

TO: BOARD OF DIRECTORS
VISTA IRRIGATION DISTRICT
1391 ENGINEER ST
VISTA CA 92083-8836

I, the undersigned, do hereby certify that I am the owner of the following described property:



I hereby authorize VID to deliver water to _____, Tenant. I understand that if the Tenant does not pay as a net of the property, I am responsible for payment of all charges for water used, and for payment of such other charges as may accrue on account of this service, including, but not limited to cost of repairing damages caused by the negligent or intentional acts or omissions of Tenant, in conformity with the rules and regulations of the district.

NOT AGREED P.O.
Paul Oshideri P.O.
TENANTS ARE US CITIZEN WITH VALID SS# AND VALID ID. VID TO QUALIFY THEM AND ASK FOR DEPOSIT IF NECESSARY. P.O.

Date Signed

11/28/2020

Owner's Signature

Paul Oshideri

ACCOUNT: [REDACTED]
 PARVIZ OSHIDERI

Meter Size: [REDACTED]

Service Address: [REDACTED]



Current Reading	06/07/2022	[REDACTED]	Usage:	[REDACTED] Units
Prior Reading	04/05/2022	[REDACTED]		
PREVIOUS BALANCE DUE				[REDACTED]
PAYMENTS RECEIVED				[REDACTED]
ACCOUNT ADJUSTMENTS				[REDACTED]
REMAINING BALANCE				[REDACTED]
CURRENT CHARGES				[REDACTED]
COUNTY WATER AUTHORITY EMERGENCY STORAGE FEE				[REDACTED]
SERVICE CHARGE				[REDACTED]
WATER USAGE	CWA* Rate	VID Rate	Total Rate	Units
Tier 1	4.03	0.69	4.72	[REDACTED]
TOTAL CURRENT CHARGES				[REDACTED]
<p><i>I WILL NOT PAY FOR THIS THIS IS NOT UNDER MY NAME THERE ARE TENANTS INSIDE YOU SHOULD SEND THEM THE BILL</i></p>				
*CWA: San Diego County Water Authority			BALANCE DUE	[REDACTED]
This Year	Units		Billing Inquiries Call: 760-597-3120	
Last Year	[REDACTED]		Water Conservation Inquiries Call: 760-597-3160	
			VID Website: www.vidwater.org	

Thinking of upgrading your landscaping? Free WaterSmart landscape make over workshops for homeowners are available online. Visit www.watersmartsd.org for more information and to register; registration is required and space is limited.

Paul did 6/28/2022

** Late penalty assessed 08/03/2022 **

See reverse side for important information

Please return this portion with payment.

Check here for address change (see back)



1391 Engineer St.
 Vista, CA 92081-8840

Service Address: [REDACTED]

Account Number	Date Mailed	Due Date	Balance Due
[REDACTED]	06/22/2022	PAST DUE 07/07/2022	[REDACTED]

VIA0622A 2 1 AB 0.461
 7000000002 00.0001.0002 2/1



PARVIZ OSHIDERI



Make Payment To:
 VISTA IRRIGATION DISTRICT
 1391 ENGINEER STREET
 VISTA, CA 92081-8840

100708800100458503

A. Construction agreement

See staff report attached hereto. Staff recommended and the Board authorized the General Manager to enter into a Construction Agreement with the City of Vista for the completion of the South Santa Fe Avenue – Pala Vista Drive Roundabout (LN 2021-024; D-2368; DIV NO 3).

B. Quitclaim deed

See staff report attached hereto. Staff recommended and the Board approved Quitclaim Deed (689) quitclaiming a portion of Blanket Easement (D47) within a residential property consisting of approximately 0.69 gross acres owned by the Robert J. Mosqueda Family Trust located at 3242 Linda Vista Drive, San Marcos (LN 2021-033; APN 221-560-16; DIV NO 5).

C. Waterline project approval

See staff report attached hereto. Staff recommended and the Board approved the waterline project for a multi-family development known as Silverado Townhomes, consisting of 62 attached condominium units on approximately 4.9 gross acres owned by KB Home Coastal, Inc., located at 425 Smilax Road, Vista (TM 5634; LN 2021-019; APNs 217-191-02 and 217-191-03; DIV NO 5).

D. Minutes of Board of Directors meetings on December 8 and 9, 2021

The minutes of December 8 and 9, 2021 were approved as presented.

E. Resolution ratifying check disbursements

RESOLUTION NO. 22-01

BE IT RESOLVED, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 68283 through 68462 drawn on Union Bank totaling \$719,518.26.

FURTHER RESOLVED that the Board of Directors does hereby authorize the execution of the checks by the appropriate officers of the District.

PASSED AND ADOPTED unanimously by a roll call vote of the Board of Directors of Vista Irrigation District this 5th day of January 2022.

7. BILLING PROCEDURES

See staff report attached hereto.

Director of Administration Marlene Kelleher presented an overview of the District’s billing procedures, noting that the property owner is liable for water served to the property, even when the water was used by a tenant, per the District’s Rules and Regulations. She stated that a property owner may authorize a tenant to be billed for water usage; however, the property owner retains full financial responsibility for all water served to the property, including penalties and fees. Ms. Kelleher detailed the specifics of Mr. Oshideri’s situation in which three separate tenants have left unpaid water bill balances when they moved out of his rental property in San Marcos; the outstanding balances were transferred to Mr. Oshideri’s account for the property consistent with the District’s Rules and Regulations. She stated that per State law, the District’s water rates do not take into account covering the cost of unpaid tenant water bills on behalf of property owners. Additionally, the District is prohibited from inter-ratepayer subsidies

where individual customers are required to pay more than their actual cost of water so that other ratepayers may pay less.

Mr. Oshideri reviewed his email to the District dated January 1, 2022 (attached hereto as Exhibit A) regarding his experiences with tenants leaving without paying their water bills. He asked that the District consider amending its billing procedures to allow the discontinuance of water service to a tenant based on a certain amount of usage or outstanding bill amount. The Board discussed the matter and received clarification about how the District handles delinquent water bills, and how and when the landlord is made aware of an outstanding bill. It was noted that any time a tenant is delinquent by 15 days the landlord receives a copy of the bill, as has been the case for Mr. Oshideri.

Interim General Counsel Jennifer Farrell stated that the District's billing procedures, including those for tenants and landlords, are consistent with the District's Rules and Regulations and State law, including Water Code Section 25806 which allows the District to place a lien on a property for an unpaid water bill. It was noted that funds received from the California Water and Wastewater Arrearage Payment Program (Program) have been applied (as credits) to eligible customer accounts with outstanding balances, including Mr. Oshideri's account; after applying the credit, an outstanding balance remains on Mr. Oshideri's account. Customer Service Supervisor Breona Paz stated per Program guidelines the District is obligated to offer the customer a payment plan for any outstanding account balance. She stated that Mr. Oshideri was recently sent a letter offering a payment plan; he has 30 days (until the end of January 2022) to respond.

The Board discussed the Governor's Executive Order (expired as of December 31, 2021) prohibiting discontinuation of water service for non-payment during the pandemic. It was noted that under normal (non-pandemic) circumstances, the District will (per the District's Rules and Regulations) discontinue water service for non-payment, but the landlord does not have the legal ability to shut off water to a property as a means of settling a dispute between landlord and tenant. President Miller expressed sympathy for Mr. Oshideri for his unfortunate experiences as a landlord, but stated that the District cannot give Mr. Oshideri financial relief as this would be violation of State law, as would the other requests made by Mr. Oshideri.

22-01-03	<i>Upon motion by Director Sanchez, seconded by Director Dorey and unanimously carried (5 ayes: Vásquez, Dorey, Sanchez, MacKenzie and Miller), the Board of Directors upheld the District's Rules and Regulations and State Laws relevant to District billing procedures, held Mr. Oshideri financially responsible for the water bill to his property, and directed staff to reset the start date of the 30-day deadline for Mr. Oshideri to request a payment plan to January 5, 2022.</i>
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8. FISCAL YEAR 2021 AUDIT

See staff report attached hereto.

Ms. Kelleher introduced Shannon Ayala, CPA, of Davis Farr LLP (auditors), who presented the results of the audit for the year ended June 30, 2021. Ms. Ayala reviewed the auditors' opinion and the methods and standards by which the audit was conducted. She stated that the District's financial statements and best practices were reviewed, and the auditors found no material weaknesses involving the District's internal control structure or its operation. Ms. Ayala noted that the auditors encountered no significant difficulties in performing the audit and that there were no disagreements with management.

It is recognized that in some cases, after the above procedures have been exhausted, that neither staff nor the customer may be able to explain the high water usage. These cases may be referred to the Customer Service Supervisor if the adjustment does not exceed \$500, or to the General Manager for final resolution. In all cases, the customer has the right to appeal the General Manager's final decision regarding the customer's water bill to the Board of Directors of Vista Irrigation District pursuant to Section 2.2.4 (E).

2.2 BILLING PROCEDURES

2.2.1 Water Bill Charges

(See Section 4.4.14 for fees related to payment of water bills.)

2.2.2 Definitions

A. Owner

Owner of record per the County of San Diego. The owner remains liable for water served to the property even when used by a Tenant. The District has no duty to collect any water charges, penalties or fees from a tenant who has vacated the property prior to collecting delinquent amounts from the Owner. Water bills are a lien on the land and may be added to the assessment roll of the District.

B. Tenant

Occupying the premises with the Owner's approval. Per Water code Section 25806, the Owner can elect to have the Tenant billed if the Owner completes and signs the District's authorization form. However, Owner retains full responsibility for the payment of all water charges, penalties and fees. If the District sends a late note to the Tenant, it will also send a late notice to the Owner.

C. Billing Due Date

All water bills are due 15 days from the date of mailing and are subject to late penalty if not received within 25 days after the due date.

D. Good Payment Record

No late charges, returned checks, broken lock fees or delinquent alternative payment arrangements within the last 12 months.

E. Alternative Payment Arrangements

A Customer Service Representative may make arrangements of up to four

made with the District.

For multiple family residences, the District will make a reasonable attempt to notify the facility manager as set forth in subsection 2.2.3 above, and request that the manager give notice to all of the individual tenants affected by the discontinuation. In addition, the District shall post a written notice of the pending discontinuation of service in conspicuous location on the property served by the service connection, which may, but is not required to be, posted at the vehicular entry to such property from the public right of way. Such notice shall provide both a telephonic and e-mail contact at the District that parties subject to service discontinuation can contact for further information.

2.2.4 Discontinuation of Water Service Policy

- A. The District may discontinue water service if the current water bill or alternative payment arrangement is delinquent for at least 60 days.
- B. The District will provide written notice to the customer of record at least 14 days prior to discontinuation of water service.
- C. For customers facing medical and financial hardship, the District will not discontinue water service if all of the following conditions are met.
 - 1) The customer, or a tenant of the customer, submits to the District the certification of a primary care provider that discontinuation of residential water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.
 - 2) The customer demonstrates that he or she is financially unable to pay for residential service within the District's normal billing cycle. The customer is deemed financially unable to pay during the normal billing cycle if: (a) any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants and Children, or (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level; and
 - 3) The customer is willing to enter into a Hardship Payment Agreement.

A customer meeting the above requirements may provide the District with appropriate documentation to demonstrate specified

medical and economic hardship and enter into a Hardship Payment Agreement. The customer will be required to demonstrate eligibility for medical and financial hardship on an annual basis.

The District may discontinue water service if a customer granted a Hardship Payment Agreement under this section fails to do any of the following for 60 days or more: (a) pay any amount under a Hardship Payment Agreement or (b) pay the current charges for water service. The District will post a final notice of intent to discontinue service in a prominent and conspicuous location at the service address at least five business days prior to discontinuation of service. The final notice will not entitle the customer to any investigation or review by the District.

- D. In the event of non-payment of a water bill by an Owner for a residence that receives individually metered residential water service, a Tenant may request to become the customer of record to avoid discontinuation of water service. In order to transfer service into Tenant's name, the Owner will be required to complete and sign the District's form of authorization providing approval to transfer into Tenant(s) name within 30 days. Should the District not receive the form of authorization within 30 days, the Tenant may continue to pay the Owner's water bill in order to avoid discontinuation. In the event the Tenant cannot secure the Owner's written authorization within 30 days, the Tenant may request the District to provide to Tenant, duplicate copies of the Owner's water bills for the individually metered residential water service, to facilitate the Tenant's ability to timely pay water bills accruing over time, which payments shall be treated by District as paid on behalf of Owner, until formal transfer is complete. Notwithstanding any such duplicate water bills, or payments accepted by District from Tenant, the Owner retains full responsibility for payment of any unpaid water bills and all subsequent charges to the property pursuant to California Water Code Section 25806.
- E. If a customer disputes an unpaid water bill that is beyond the authority of the Customer Service Supervisor to resolve, the Customer Service Supervisor may defer the discontinuation of water service until the dispute can be reviewed by the General Manager and/or brought before the Board for final resolution. The dispute will not be referred to the General Manager or scheduled for consideration by the Board until the customer pays a reasonable portion of the disputed water bill. The reasonable portion of the disputed bill will be based on the customer's account history.

The customer shall submit a written request of appeal to the Board Secretary to have his or her dispute considered as an item for discussion at an upcoming Board meeting, which would allow the Board to hear the dispute and take action. The written request of appeal shall include: 1) a description of the issue, 2) evidence supporting the claim, and 3) a request for resolution.

Water service shall not be discontinued pending an appeal.

- F. Water service will be restored only upon payment of all delinquent charges and penalties.

2.2.5 Payment in the Field

Employees of the District are not authorized to receive money or checks from water customers in payment of water bills. Remittances should be made payable to the Vista Irrigation District (VID) and sent to the office of the District.

2.2.6 Broken Locks

- A. Locked accounts shall be checked frequently for tampering.
- B. If a lock is broken for the first time, the account shall be charged for the broken lock and for re-locking the service. The water account balance must be paid in full to reinstate service.
- C. If a lock is broke a second time according to the account history available on computer look-up, the meter shall be removed and charges for the broken lock and pulling the meter shall be added to the account. The water account balance must be paid in full to reinstate service.

2.2.7 Unauthorized Taking of District Water

(Last revision 8/21/19: Minute Order No. 19-08-87)

- A. Where an unauthorized taking of District water is found at the location of a District customer account, pictures or videotapes may be taken and certified and first class letters sent to the customer (owner and/or tenant) giving them thirty (30) days after receipt of the letter to pay the water account in full, including estimated unrecorded use. If receipt of the letter is refused, or other circumstances dictate, an attempt will be made to deliver the letter to the occupant of the property. The District may disconnect water service pursuant to section 2.2.9, Disconnection of Service, ten (10) days after providing written notice. Written notice may be left as a door hanger.
- B. Where the unauthorized taking of District water is through a connection to a fire hydrant or any other appurtenance (including but not limited to air vents, backflow devices, etc.), and because by definition unauthorized connections are not metered, it shall be presumed that 500 units of water was used. The District shall have the discretion to increase or decrease the presumed amount of unauthorized use based on the available evidence.
- C. The District may take any other action authorized by law, including injunctive relief or recovery of damages under the California Civil Code. Unauthorized taking of District water may subject the offender to criminal penalties.

by the San Diego County Water Authority. When no water delivery cutbacks are imposed by the Water Authority, Tier 3 usage will be billed at the Tier 2 rate.

<u>Tier</u>	<u>Rate Per Unit*</u>
Tier 1	\$ 4.99
Tier 2	5.46
Tier 3**	5.46

Agricultural Water Programs

<u>Program</u>	<u>Rate Per Unit*</u>
SAWR	\$ 4.31
Domestic usage	5.30

* 1 unit = 748 Gallons

** Tier 3 usage will be billed at the tier 2 rate when no delivery cutbacks are imposed.

E. Service Charge

<u>Meter Size</u>	<u>Monthly Charge</u>
5/8"	\$32.82
3/4" or 3/4" x 1"	43.30
1"	63.98
1 1/2"	116.14
2"	178.50
3"	344.85
4"	531.89
6"	1,259.65
8"	1,675.71
10"	2,507.47

F. San Diego County Water Authority (CWA) Fee

<u>Meter Size</u>	<u>Monthly Charge</u>
5/8"	\$4.24
3/4" or 3/4" x 1"	4.24
1"	6.78
1 1/2"	12.72
2"	22.05
3"	40.70
4"	69.54
6"	127.20
8"	220.48
10"	330.72

G. Locked Meters

The Service Charge and other fixed charges on locked meters shall be twenty-five percent (25%) of the regular charges for that account.

[Redacted]

PARVIZ OSHIDERI

[Redacted]

OWNER'S AUTHORIZATION FOR DELIVERY OF WATER TO TENANT

Account Number: [Redacted]

TO: BOARD OF DIRECTORS
VISTA IRRIGATION DISTRICT
1391 ENGINEER ST
VISTA CA 92083-8836

I, the undersigned, do hereby certify that I am the owner of the following described property:

[Redacted]
[Redacted]

I hereby authorize VID to deliver water to PARVIZ OSHIDERI, Tenant. I understand that if the Tenant does not pay, as owner of the property, I am responsible for payment of all charges for water so used, and for payment of such other charges as may accrue on account of this service, including, but not limited to, cost of repairing damages caused by the negligent or intentional acts or omissions of Tenant, in conformity with the rules and regulations of the district.

Date Signed

Owner's Signature

State of California

WATER CODE

Section 25806

25806. (a) In case any charges for water and other services or either remain unpaid, the amount of the unpaid charges may, in the discretion of the district:

(1) If unpaid at the time specified for delivery of the assessment book to the collector, be added to and become a part of the annual assessment levied upon the real property upon which the water for which the charges are unpaid was used and upon the real property subject to the charges for any other district services and shall constitute a lien on that real property. However, if, during the year preceding the date on which the first installment of real property taxes which evidence the charges appears on the roll, any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, then the lien which would otherwise be imposed by this subdivision shall not be added to and become part of the annual assessment nor shall it attach to the real property.

(2) Be secured at any time by filing for record in the office of the county recorder of any county, a certificate specifying the amount of the charges and the name and address of the person liable therefor.

From the time of recordation of the certificate, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterwards, and before the lien expires, acquired by him or her. The lien has the force, priority, and effect of a judgment lien and shall continue for 10 years from the date of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within 10 years from the filing of the certificate or within 10 years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of the filing the lien shall be extended to the real property in such county for 10 years unless sooner released or otherwise discharged.

When the charges have become delinquent, they may be collected in the manner provided for the collection of delinquent assessments in Chapter 5 (commencing with Section 26075) and Chapter 6 (commencing with Section 26225) of Division 11 of Part 10.

(b) Where the county assumes the responsibility of assessment and collection pursuant to Chapter 7 (commencing with Section 26500), the amount of the unpaid charges may be added to, and become part of, the annual assessment levied upon the real property upon which the water for which the charges are unpaid was used and upon the real property subject to the charges for any other district services and shall

constitute a lien on that real property upon recordation of the order confirming the assessment in the office of the county recorder of the county in which the real property is situated. However, if, during the year preceding the date on which the first installment of real property taxes which evidence the charges appears on the roll, any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, then the lien which would otherwise be imposed by this subdivision shall not attach to the real property and the costs of the water and services or either, as confirmed, relating to the property shall be transferred to the unsecured roll for collection.

(Amended by Stats. 1987, Ch. 1052, Sec. 2.)



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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (*Division 104 added by Stats. 1995, Ch. 415, Sec. 6.*)

PART 12. DRINKING WATER [116270 - 117130] (*Part 12 added by Stats. 1995, Ch. 415, Sec. 6.*)

CHAPTER 6. Discontinuation of Residential Water Service [116900 - 116926] (*Chapter 6 added by Stats. 2018, Ch. 891, Sec. 2.*)

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

(*Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.*)

116902. For the purposes of this chapter, the following definitions apply:

(a) "Board" means the State Water Resources Control Board.

(b) "Public water system" has the same meaning as defined in Section 116275.

(c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

(d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.

(e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

(*Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.*)

116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.

(*Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.*)

116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:

(1) A plan for deferred or reduced payments.

(2) Alternative payment schedules.

(3) A formal mechanism for a customer to contest or appeal a bill.

(4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy

to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585 and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.

(B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:

(i) The customer's name and address.

(ii) The amount of the delinquency.

(iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.

(iv) A description of the process to apply for an extension of time to pay the delinquent charges.

(v) A description of the procedure to petition for bill review and appeal.

(vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.

(2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service

will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116914. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:

(1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(2) Waive interest charges on delinquent bills once every 12 months.

(b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs,

CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116918. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

(b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)

116926. This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.

(Added by Stats. 2018, Ch. 891, Sec. 2. (SB 998) Effective January 1, 2019.)



STAFF REPORT

Agenda Item: 8

Board Meeting Date: May 24, 2023
Prepared By: Frank Wolinski
Approved By: Brett Hodgkiss

SUBJECT: VISTA IRRIGATION DISTRICT ANNEX TO THE 2023 SAN DIEGO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

RECOMMENDATION: Adopt Resolution No. 23-XX approving the Vista Irrigation District Annex to the 2023 San Diego County Multi-Jurisdictional Hazard Mitigation Plan.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: None.

SUMMARY: In 2021, staff began participating with the County of San Diego Office of Emergency Services (County OES), 18 cities and other special districts to update the 2018 San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) and prepare a District Annex (Annex) to the plan. The Annex identifies the District's planning process, risk assessment and mitigation strategies that it plans to implement over the next five years. It also creates an opportunity to apply for and receive grant funding relative to hazard mitigation. The Annex has been reviewed by the California Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA); per 44 CFR § 201.6(c)(5), the Board must approve the Annex.

DETAILED REPORT: The Disaster Mitigation Act of 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act, creating a framework for state, local, tribal and territorial governments to engage in hazard mitigation planning to receive certain types of non-emergency disaster assistance. In 2004, County OES led an effort to develop the first MJHMP, a pre-disaster strategic plan that serves as a guideline for lowering the risks and exposures to hazards in the region. The MJHMP contains both a County Base Plan as well as Annexes for participating agencies. The MJHMP is required to be updated every five years to maintain active status; the County Board of Supervisors adopted an updated County Base Plan on February 7, 2023.

The Annex was prepared by a planning team comprised of District staff who conducted a risk assessment and developed a hazard summary based on applicable hazards and information gathered from existing planning documents. Mitigation goals were developed from the hazard summary and were further refined and prioritized into mitigation action plans. Of the seven action plans developed, six address aging infrastructure-related items that are vulnerable to earthquakes.

The Annex has been reviewed by CalOES and FEMA and is approved pending adoption by Board resolution. Once the Annex is approved, the District will be eligible to apply for FEMA hazard mitigation assistance funding. As a FEMA-approved hazard mitigation plan is required to receive grant funding, staff recommends the Board adopt the resolution.

ATTACHMENTS:

- Resolution No. 23-XX approving the Vista Irrigation District Annex to the 2023 Multi-Jurisdictional Hazard Mitigation Plan
- Vista Irrigation District Annex to the 2023 Multi-Jurisdictional Hazard Mitigation Plan

RESOLUTION NO. 23-XX

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE VISTA IRRIGATION DISTRICT
APPROVING THE VISTA IRRIGATION DISTRICT
ANNEX TO THE 2023 SAN DIEGO COUNTY MULTI-JURISDICTIONAL
HAZARD MITIGATION PLAN

WHEREAS, Vista Irrigation District recognizes the threat that natural and human-caused hazards pose to people and property within the District's service area; and

WHEREAS, Vista Irrigation District's Annex identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property within the District's service area from the impacts of future hazards and disasters; and

WHEREAS, Vista Irrigation District fully participated in the FEMA-prescribed mitigation planning process to update the region's multi-jurisdictional plan and develop a District Annex to this plan; and

WHEREAS, plan approval would allow the District to apply for hazard mitigation assistance funding; and

WHEREAS, the California Office of Emergency Services and Federal Emergency Management Agency officials have reviewed and approved the Vista Irrigation District's Annex contingent upon official adoption by its governing body; and

WHEREAS, adoption by the Board of Directors of the Vista Irrigation District demonstrates its commitment to hazard mitigation and achieving the goals and action plans outlined in the Annex.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Vista Irrigation District does hereby approve the Vista Irrigation District Annex to the 2023 San Diego County Multi-Jurisdictional Hazard Mitigation Plan as an official plan. While content related to the plan may require revisions to meet approval requirements, changes occurring after adoption will not require further re-adoption of any further iterations of the plan. Subsequent plan updates following the five-year approval period for this plan will require separate adoption resolutions.

PASSED AND ADOPTED by the following roll call vote of the Board of Directors of Vista Irrigation District this 24th day of May 2023.

AYES:
NOES:
ABSTAIN:
ABSENT:

Jo MacKenzie, President

ATTEST:

Ramae Ogilvie, Assistant Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

**Multi-Jurisdictional
Hazard Mitigation Plan:
Vista Irrigation District Annex
San Diego County, California
2023**

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1. SECTION ONE: Planning Area and Resources

1.1. Planning Area: Vista Irrigation District

Vista Irrigation District (District) is a Special District formed under the Irrigation District Act of the State of California to provide potable water service to its customers. It is governed by a five member Board of Directors elected by voters to four-year terms.

The District covers an area of approximately 21,200 acres. The service area includes the City of Vista and portions of the cities of Escondido, Oceanside, and San Marcos, and unincorporated areas of San Diego County. The District also owns the 43,402-acre (68 square mile) property housing Lake Henshaw reservoir in Santa Ysabel, roughly 25 miles from the District's central service area.

1.1.1. History

The District was formed in 1923 by local residents pursuant to Section 20500, et. seq., of the California Water Code. In 1946, Vista Irrigation District purchased the San Diego County Water Company, which included the 43,000-acre Warner Ranch that includes Henshaw Dam and Lake Henshaw.

The District, through the Bueno Colorado Municipal Water District, joined the San Diego County Water Authority (Water Authority) and Metropolitan Water District of Southern California (Metropolitan) in 1954 to acquire the right to purchase and distribute imported water throughout its service area. In 1993, the Bueno Colorado Municipal Water District was dissolved and reorganized into Vista Irrigation District and the District then became a member agency of the Water Authority.

The District currently serves roughly 29,000 accounts, the majority of which are residential, and a population of roughly 133,000.

1.1.2. District Infrastructure and Characteristics

The District has both local and purchased water supplies. The District purchases water supply from the Water Authority, which contains a blend of desalinated water from the Claude "Bud" Lewis Carlsbad Desalination Plant and imported water from northern California and the Colorado River, via Metropolitan. The District's local water supply, which is derived from surface water runoff in the San Luis Rey River Watershed and pumped groundwater from the Warner Wellfield, comes from Lake Henshaw. Local water is treated at the Escondido-Vista Water Treatment Plant, which the District jointly owns with the City of Escondido, and then conveyed via the Vista Flume to the Twin Oaks Valley area and the District's Pechstein Reservoir for distribution.

SECTION ONE | Planning Area and Resources

The District's infrastructure is broken down as follows:

District Distribution and Transmission Facilities

428 miles of pipelines

12 reservoirs (water tanks)

7 pumping stations

Vista Flume (11.25 miles of conduit)

Escondido-Vista Water Treatment Plant (jointly owned with the City of Escondido)

Lake Henshaw Reservoir

51,832 acre feet capacity

2,256 acres in area, 203 square mile watershed

Earthen Dam

12 active production wells and 91,000 feet of conduit

Day use recreation (fishing, boating)

1.1.3. Population, Demographics and Climate

The service area population is approximately 133,000. The median age of the District's population is 34 years. The majority of the population is Hispanic (49%). Whites make up 38%, Asians 5% and African Americans 2%. The remaining 1% of the population are American Indian, Pacific Islander and other races.

1.1.4. Economic Activity

The City of Vista, which constitutes the majority of the District's service area, has experienced considerable growth over the past 20 years, with the addition of over 20,000 new residents and construction of new industrial and commercial development. Although the City is approaching buildout, the population is expected to increase by more than 14,000 residents by 2030. The majority of this growth is anticipated to be accommodated by infill of vacant sites and redevelopment of underutilized sites. There are approximately 1,570 retail outlets in the service area.

1.1.5. Geography & Climate

The geography of the District's service area varies. The western edge of the service area is approximately 5 miles inland from the Pacific Ocean. It extends east another 10 miles to the foothills of the San Marcos Mountains. Elevations range from 300 feet above sea level toward the west and up to 1,000 feet above sea level to the east. Most of the businesses are located in the flatter areas in the center of the service area, and residences populate the surrounding hillsides.

The climate in the District's service area is typical of northern San Diego County - mild, varying from the mean annual maximum temperature of 74 to the mean minimum of 52 degrees Fahrenheit. The average annual rainfall for Vista is approximately 13 inches and occurs primarily from October through April. At Lake Henshaw, the mean annual maximum temperature is 77 and the mean minimum is 40 degrees Fahrenheit. The average annual rainfall is about 25 inches.

SECTION ONE | Planning Area and Resources

1.1.6. Environmental Factors

Undeveloped areas contain natural vegetation consisting of chaparral brushland, oak-sycamore woodland, riparian-woodland, and oak-grass savanna.

1.2. Community Rating System Requirements

As a Special District, the District is not eligible for National Flood Insurance Program (NFIP) coverage nor can it participate in the Community Rating System (CRS), a Federal Emergency Management Agency (FEMA) program that rewards communities that go beyond the minimum standards for floodplain management under the NFIP. For information related to the Community Rating System participation of the cities that fall within the District service area, including the City of Vista, Escondido, Oceanside and San Marcos, see the *San Diego County Multi-Jurisdictional Hazard Mitigation Plan*.

For more information on the NFIP, see <http://www.fema.gov/national-flood-insurance-program>.

**TABLE 1: FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 1.1
CRS REQUIREMENTS MET BY THE SAN DIEGO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.**

Community Rating System (CRS) Planning Steps	Local Mitigation Planning Handbook Tasks (44 CFR Part 201)
Step 1. Organize	Task 1: Determine the Planning Area and Resources Task 2: Build the Planning Team 44 CFR 201.6(c)(1)
Step 2. Involve the public	Task 3: Create an Outreach Strategy 44 CFR 201.6(b)(1)
Step 3. Coordinate	Task 4: Review Community Capabilities 44 CFR 201.6(b)(2) & (3)
Step 4. Assess the hazard	Task 5: Conduct a Risk Assessment 44 CFR 201.6(c)(2)(i) 44 CFR 201.6(c)(2)(ii) & (iii)
Step 5. Assess the problem	
Step 6. Set goals	Task 6: Develop a Mitigation Strategy 44 CFR 201.6(c)(3)(i) 44 CFR 201.6(c)(3)(ii) 44 CFR 201.6(c)(3)(iii)
Step 7. Review possible activities	
Step 8. Draft an action plan	
Step 9. Adopt the plan	Task 8: Review and Adopt the Plan 44 CFR 201.6(c)(5)
Step 10. Implement, evaluate, revise	Task 7: Keep the Plan Current
	Task 9: Create a Safe and Resilient Community 44 CFR 201.6(c)(4)

SECTION ONE | Planning Area and Resources

Any jurisdiction or special district may participate in the hazard mitigation planning process. However, to request FEMA approval, each of the local jurisdictions must meet all requirements of 44 CFR §201.6. In addition to the requirement for participation in the process, the Federal regulation specifies the following requirements for multi-jurisdictional plans:

- The risk assessment must assess each jurisdiction's risk where they may vary from the risks facing the entire planning area. (44 CFR §201.6(c)(2)(iii))
- There must be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan. (44 CFR §201.6(c)(3)(iv))
- Each jurisdiction requesting approval of the plan must document that it has been formally adopted. (44 CFR §201.6(c)(5))

The hazard mitigation plan must clearly list the jurisdictions that participated in the plan and are seeking plan approval. The San Diego County Multi-Jurisdictional Hazard Mitigation Plan and annexes meet all requirements.

Once adopted, this plan will be incorporated into the District's future planning documents. The previous 2018 Multi-Jurisdictional Plan was incorporated into the District's 2020 Urban Water Management Plan.

2. SECTION TWO: Planning Team and Process

2.1. Planning Team

District staff involved in the hazard mitigation planning process, including working with the County of San Diego and local planning partners to develop District goals are identified below.

Randy Whitmann, Director of Engineering

Frank Wolinski, Director of Operations and Field Services

Marlene Kelleher, Director of Administrative Services

Don Smith, Director of Water Resources

Alisa Nichols, Management Analyst

Brian Fisher, IT Supervisor

Sherry Thorpe, Safety and Risk Manager

Don Gordon, Facilities Supervisor

2.2. Planning Process

The goals and objectives were developed by considering the risk assessment findings and reviewing the District's 2017 Potable Water Master Plan, 2020 Water Supply Planning Study, 2020 Urban Water Management Plan, other localized hazard identification and loss/exposure estimates, and an analysis of the District's current capabilities assessment. These preliminary goals, objectives and actions were developed to represent a vision of long-term hazard reduction or enhancement of capabilities.

2.2.1. Planning Meetings

The District Planning Team met on the following dates to discuss core functions, internal deliverables and preparation of the draft the District's Multi-Jurisdictional Hazard Mitigation Plan Annex.

December 29, 2021 | March 21, 2022 | April 7, 2022 | April 19, 2022

District staff also met with the County of San Diego and other plan stakeholders on the following dates to discuss and review plan aspects, FEMA worksheets and deliverables.

December 2, 2021 | May 12, 2022 | November 9, 2022 | November 10, 2022 | November 14, 2022.

3. SECTION THREE: Outreach Strategy

The District has communication protocols and procedures to inform customers, the public and other government entities of any current or predicted water shortages and associated response actions. The District uses a range of printed and electronic materials and other outreach activities to raise awareness of conservation measures available to customers. The District provides water efficiency messaging in newsletters (printed and electronic), water bill messages, on-hold recordings, announcements on the District's website homepage and articles and news releases in local publications to keep the public, constituents and elected officials up-to-date on District activities.

Additionally, as a member of the San Diego County Water Authority (Water Authority), the District communications and water conservation staff attend the Joint Public Information and Conservation Coordinators monthly meeting hosted by the Water Authority for all member agencies. District staff also participates in the Water Authority's Water Agency Emergency Collaborative (WAEC) where regional and local emergency management and communications are discussed. Coordinated regional messaging on water efficiency topics, drought declarations, demand management measures and emergency management are a long-running practice between the Water Authority and member agencies.

Communication during a supply shortage incident or regional disaster is critical to relay information to employees, response partners and critical customers. During a catastrophic event that interrupts potable water service to District customers, the District will follow communication procedures outlined in the District's Emergency Response Plan and coordinate with the Water Authority and County OES if necessary. See Section 4.1.4 of this Annex for more information on District outreach and education capabilities.

See the *San Diego County Multi-Jurisdictional Hazard Mitigation Plan's* Section Three for details about the countywide outreach strategy.

4. SECTION FOUR: District Capabilities

Local mitigation capabilities are existing authorities, policies, programs, and resources that reduce hazard impacts or that could be used to implement hazard mitigation activities, and must be included in a hazard mitigation plan by the planning team.

4.1. Capability Assessment

The planning team identified current District capabilities available for implementing hazard mitigation activities. The Capability Assessment (Assessment) portion of the mitigation plan identifies the four primary types of capabilities for reducing long-term vulnerability through mitigation planning.

- Planning and regulatory
- Administrative and technical
- Financial
- Education and outreach

The Assessment includes a summary of codes, ordinances, and plans already in place associated to hazard mitigation planning as well as departments and their responsibilities associated to implementation of hazard mitigation planning and activities. The legal and regulatory capabilities of the District are shown in Table 4.1.1, which presents the existing ordinances and codes that affect the physical or built environment of the District. Examples of legal and/or regulatory capabilities can include the County of San Diego building codes, state health and safety codes, zoning ordinances, subdivision ordinances, special purpose ordinances, site plan review, general plans, capital improvement plans, emergency response plans, and real estate disclosure plans.

The Assessment identifies administrative and technical capabilities including the identification of staff, personnel, and department resources available to implement the actions identified in the mitigation section of the Plan. The District administrative and technical capabilities are shown in Table 4.1.2.

The Assessment also identifies the District's fiscal capabilities that may be applicable to providing financial resources to implement identified mitigation action items. Financial capabilities are shown in Table 4.1.3. The District's education and outreach strategies to convey information to District customers are shown in Table 4.1.4.

4.1.1. Planning and Regulatory

Planning and regulatory capabilities are the plans, policies, codes, and ordinances that prevent and reduce the impacts of hazards. Table 4.1.1 identifies existing planning documents and regulations related to mitigation efforts within the community. Specific resources reviewed include the District's 2017 Potable Water Master Plan, Capital Improvement Plan, 2020 Urban Water Management Plan, 2020 Water Supply Planning Study, Water Supply Response Program, Emergency Response Plan and Mutual Aid agreements.

SECTION FOUR | District Capabilities

*TABLE 4.1.1: VISTA IRRIGATION DISTRICT LEGAL AND REGULATORY CAPABILITY.
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 4.1 DATA.*

Regulatory Tools (Ordinances, Codes, and Plans)	Local Authority (Y/N)	Do plans identify hazards and projects to be used in mitigation actions?
Plans		
A. Comprehensive Master Plan	Yes	Potable Water Master Plan (2017). Yes.
B. Capital Improvement Plan	Yes	Mainline Replacement Program – formalized in 1995. Potable Water Master Plan (2017) and follow up studies/structural analyses for individual projects. Water Supply Planning Study/Plan (2020). Yes.
C. Economic Development Plan	N/A	Under the jurisdiction of the cities of Vista and San Marcos, Escondido and Oceanside.
D. Local Emergency Operations Plan	Yes	The District’s emergency response is coordinated through the following levels as defined in Title 19 guidelines of the California Code of Regulations: <ul style="list-style-type: none"> • Field response • Local government • Operational area • Regional • State Additionally the District has the following Emergency Response Plans and Mutual Aid Agreements in place: <ul style="list-style-type: none"> • Vista Irrigation District Emergency Response Plan (updated in 2020). • Lake Henshaw Emergency Action Plan. • Mutual Aid agreements with State, County of San Diego and San Diego County Water Authority and 23 of its member agencies.
E. Continuity of Operations Plan	Yes	Included in the District Emergency Response Plan as well as Mutual Aid agreements.
F. Transportation Plan	N/A	Under the jurisdiction of the cities of Vista, San Marcos, Escondido and Oceanside.
G. Stormwater Management Plan	N/A	Under the jurisdiction of the cities of Vista, San Marcos, Escondido and Oceanside.
H. Community Wildfire Protection Plan	N/A	Note: District does have Wildfire Annex in Emergency Response Plan.
I. Real Estate Disclosure Requirements	No	The District does not have jurisdiction to require real estate disclosures.
J. Other Special Plans (e.g., brownfields, redevelopment, etc.)	Yes	2020 Urban Water Management Plan (updated every 5 years).

SECTION FOUR | District Capabilities

TABLE 4.1.1 (CONTINUED): VISTA IRRIGATION DISTRICT LEGAL AND REGULATORY CAPABILITY. FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 4.1 DATA.

Regulatory Tools (Ordinances, Codes, and Plans)	Local Authority (Y/N)	Do plans identify hazards and projects to be used in mitigation actions?
Building Code, Permitting and Inspections		
K. Building Codes	N/A	Standard Drawings and Specifications (pertaining to water system infrastructure). No official date, revisions made to sections as needed.
L. Building Code Effectiveness Grading Schedule (BCEGS) Score	N/A	Under the jurisdiction of other agencies.
M. Fire Department ISO Rating	N/A	Under the jurisdiction of the cities of Vista, San Marcos, Escondido and Oceanside. The District provides available water system fire flow information to fire departments upon request.
N. Site plan review requirements	Yes	Review and approve all plans for water system improvements
Land Use Planning and Ordinances		
O. Zoning ordinance	N/A	Under the jurisdiction of the cities of Vista, San Marcos, Escondido and Oceanside.
P. Subdivision ordinance or regulations	N/A	Under the jurisdiction of the cities of Vista, San Marcos, Escondido and Oceanside.
Q. Special purpose ordinances (floodplain management, storm water management, hillside or steep slope ordinances, hazard setback requirements)	N/A	Under the jurisdiction of other agencies.
R. Growth management ordinances (also called "smart growth" or anti-sprawl programs)	N/A	Under the jurisdiction of the cities of Vista, San Marcos, Escondido and Oceanside.
S. Flood Insurance rate maps	N/A	Under the jurisdiction of other agencies.
T. Acquisition of land for open space and public recreation areas	No	The District has the ability to use eminent domain for water supply and water system infrastructure purposes only.

4.1.2. Administrative and Technical

Administrative and technical capabilities include staff and their skills and tools that can be used for mitigation planning and implementation of specific mitigation actions and are identified in Table 4.1.2. Specific resources reviewed include those involving technical personnel such as engineers with knowledge of land development and land management practices, engineers and facilities staff trained in construction practices related to building and infrastructure, water resources, distribution and facilities staff with an understanding of natural or manmade hazards, and administrative personnel with financial planning, emergency management, grant writing, water quality and geographic information system (GIS) skills.

SECTION FOUR | District Capabilities

*TABLE 4.1.2: VISTA IRRIGATION DISTRICT ADMINISTRATIVE AND TECHNICAL CAPACITY.
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 4.1 DATA.*

Administrative and Technical Resources	Y/N	Department/Agency and Position
A. Planner(s) or engineer(s) with knowledge of land development and land management practices	Yes	Fully staffed Engineering Department.
B. Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	Yes	Fully staffed Engineering Department.
C. Planners or Engineer(s) with an understanding of natural and/or manmade hazards	Yes	Fully staffed Engineering, Water Resources and GIS departments.
D. Mitigation Planning Committee	Yes	District staff coordinates mitigation planning across departments and with other local agencies within its service area.
E. Maintenance programs to reduce risk (e.g., tree trimming, clearing drainage systems)	Yes	Facilities department responsible for ensuring all District facilities are cleared of brush, debris and maintained to industry standards.
F. Mutual Aid Agreements	Yes	<p>The District is located in the State of California Mutual Aid Region VI and San Diego County Office of Emergency Services is responsible for coordination and regional emergency management. The District is represented at the County OES through the San Diego County Water Authority.</p> <p>The District is a member of CalWARN Southern Region and a signatory to the California Water/Wastewater Agency Response Network WARN 2007 Omnibus Mutual Assistance Agreement.</p> <p>The Water Authority and 23 of its member agencies, including the District, have entered into a Mutual Aid Agreement.</p>

SECTION FOUR | District Capabilities

TABLE 4.1.2 (CONTINUED): VISTA IRRIGATION DISTRICT ADMINISTRATIVE AND TECHNICAL CAPACITY. FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 4.1 DATA.

Staff/Personnel Resources	Y/N	Department/Agency and Position
A. Chief Building Official	N/A	The District Engineering department sets requirements and approves water infrastructure.
B. Floodplain Manager	N/A	Under the jurisdiction of other agencies.
C. Emergency manager	Yes	The District operates under SEMS and NIMS, which are based on the Incident Command System and the Multi-Agency Coordination System. The District has full-time staff with safety and emergency management experience, trained in NIMS/SEMS and authorized to access/represent the District through San Diego County WebEOC.
D. Surveyors	N/A	The District Engineering and Water Resources departments review and approve work performed by surveying consultants.
E. Staff with education or expertise to assess the community's vulnerability to hazards	Yes	The District has full-time staff in various departments with the necessary education and experience to assess risks and hazards with respect to District operations and facilities throughout the District service area, as well as coordination with other agencies.
F. Community Planner	N/A	Under the jurisdiction of the cities of Vista, San Marcos, Escondido and Oceanside.
G. Scientists familiar with the hazards of the community	Yes	The District has an Environmental Laboratory Accreditation Program (ELAP) certified laboratory (Certificate No. 1761). The District's laboratory is accredited for Total coliform, E.coli, and heterotrophic bacteria.
H. Civil Engineer	Yes	Fully staffed Engineering and Water Resources departments.
I. Personnel skilled in GIS	Yes	Fully staffed GIS Department
J. Grant writers	Yes	Administration, Finance, Engineering, Operations.

SECTION FOUR | District Capabilities

4.1.3. Financial

Table 4.1.3 shows specific financial and budgetary tools available to the District such as; capital improvements project funding; authority to levy taxes for specific purposes; fees for water; impact fees for homebuyers or developers for new development; ability to incur debt through general obligations bonds; and the Water Rate Stabilization Fund.

*TABLE 4.1.3: VISTA IRRIGATION DISTRICT FISCAL CAPABILITY.
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 4.1 DATA.*

Financial Resources	Accessible or Eligible to Use (Yes/No)	Funding activities and potential to fund future mitigation actions
A. Community Development Block Grants	N/A	
B. Capital improvements project funding	Yes	New facilities and system improvements are funded by water rates. Water rates are increased over time based on the long-range capital improvement plan. Replacement facilities are financed by depreciation and interest on accumulated depreciation. Expanded facilities are funded by developer fees and capacity charges. Items in the long-range capital improvement plan are determined not only by the depreciation schedule, but through a process which assesses a combination of factors including age, condition and the critical nature of the facility. The long-range capital improvement plan spreads projects over several years to maintain a constant level of capital projects to maximize the efficiency of District resources. Funds collected or accumulated in years in which there are no new or expanded facilities are placed into the District’s construction reserve account. Funds in the construction reserve account are used to pay for construction projects in years that the costs of construction projects exceed the amount collected from water rates.
C. Authority to levy taxes for specific purposes	Yes	The District can levy assessments (i.e., to pay interest on bonds, etc.) pursuant to California Water Code Sections 25650 – 25725. Special Districts require approval by 2/3 of votes of qualified voters to impose, extend, or increase any special tax and any revenue from the special tax is limited to the purpose or service for which the tax was imposed. California Water Code §20500, et seq., authorizes the District to exercise the power of eminent domain; to fix, revise and collect rates or other charges for the delivery of water, use of facilities or property, or provision of service; and to fix in each fiscal year, a water standby or availability charge on land within the boundaries of the District to which water is made available by the District.

SECTION FOUR | District Capabilities

*TABLE 4.1.3 (CONTINUED): VISTA IRRIGATION DISTRICT FISCAL CAPABILITY.
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 4.1 DATA.*

Financial Resources	Accessible or Eligible to Use (Yes/No)	Funding activities and potential to fund future mitigation actions
D. Fees for water	Yes	As water rates and fees for Special Districts are regulated by Proposition 218, which amended the California Constitution by adding articles XIII C (“Article XIII C”) and XIII D (“Article XIII D”), there are limitations on the ability of special districts to levy and collect existing and future taxes, assessments, and property-related fees and charges.
E. Water Rate Stabilization Fund	Yes	In the event of a prolonged drought and mandatory water use reductions, funds from this reserve could be used to help offset a severe increase in the water rate as a result of decreased water sales. If necessary, the District could also use funds from its Capital Improvement Reserve to stabilize rates.
F. Impact fees for homebuyers or developers for new developments/homes	Yes	Capacity fees are charged for new water meters.
G. Incur debt through general obligation bonds	Yes	The District may issue bonds, borrow money and incur indebtedness. Taxes, assessments, fees, and charges may be pledged to repay bonds or other forms of indebtedness.
H. Incur debt through special tax and revenue bonds	Yes	The District may issue bonds, borrow money and incur indebtedness. Taxes, assessments, fees, and charges may be pledged to repay bonds or other forms of indebtedness.
I. Incur debt through private activity bonds	Yes	The District has the ability to incur debt through private activity bonds.
J. Withhold spending in hazard-prone areas	No	

4.1.4. Education and Outreach

The District has communication protocols and procedures to inform customers, the public, other government entities and the community of any current or predicted water shortages or regional disasters affecting water supply and associated response actions. The District uses a range of printed and electronic materials and other outreach activities to raise awareness of conservation measures available to customers.

As a member agency of the Water Authority, the District also collaborates in regional messaging related to water conservation and emergency management information. Coordinated regional messaging on water efficiency topics, drought declarations, demand management measures and emergency management are a long-running practice between the Water Authority and member agencies.

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*TABLE 4.1.4: VISTA IRRIGATION DISTRICT EDUCATION AND OUTREACH CAPABILITIES.
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 4.1 DATA.*

Program/Organization	Y/N	Could the program/organization help implement future mitigation activities?
A. Local citizen groups or non-profit organizations focused on environmental protection, emergency preparedness, access and functional needs populations, etc.	Y	The District can leverage local organizations and groups for messaging purposes.
B. Ongoing public education or information program (e.g., water efficiency and conservation, preparation for water supply emergencies, Water Supply Response Program and drought response)	Y	Information on responsible water use, conservation programs and emergency preparedness on agency website, links to County OES, and/or newsletters.
C. Water Quality and Water Conservation school programs	Y	The District has ongoing educational programs related to water efficiency and conservation.
D. Public-private partnership initiatives addressing water-related issues	N/A	
E. Joint Public Information and Conservation Coordinators (JPIC) monthly meeting.	Y	Information sharing to enhance regional and local water efficiency and drought response communications.
F. Water Agency Emergency Collaborative (WAEC) bi-annual meetings	Y	Information sharing to help develop regional and local emergency management response actions and communications.
How can these capabilities be expanded and improved to reduce risk?		

4.1.5. Ability to Expand Resources

In order to expand internal capabilities to mitigate identified risk, the District may need to rely on outside resources and consultants in the areas of planning and policy, administrative and technical, financial and outreach and education.

As most mitigation efforts focus on infrastructure replacement, the District may need consultants in the areas of planning and policy, administrative, technical and financial to assist in qualifying for various funding sources. These funding sources may include:

Drinking Water State Revolving Fund | Infrastructure State Revolving Fund | Water Infrastructure and Innovation Act | Building Resilient Infrastructure and Communities | WaterSMART Water and Energy Efficiency Grants | Municipal Bonds.

Additionally, the financial and administrative consultant scope may include, but not be limited to:

- Establishing a bond rating for the District.

SECTION FOUR | District Capabilities

- Develop a funding portfolio and financial strategy.
- Modeling impacts to rates.
- Design a strategic rate schedule appropriate for funding mitigation efforts.
- Apply for low interest loans and grants.

Public outreach and education is in an integral component of any construction project that involves infrastructure replacement and including consultants in these areas will improve the progression and public view of mitigation projects. Outreach and education explains the rationale behind the project, ensures transparency and builds public support. Tools to facilitate outreach and education may include, but not be limited to:

- Press releases
- Newsletters/Flyers
- Social media
- Surveys
- Website postings
- Public meetings

5. SECTION FIVE: Risk Assessment and Hazard Summary

The planning team conducted a risk assessment to determine the potential impacts of hazards to the people, economy, and built and natural environments of the District service area. The risk assessment provides the foundation for the rest of the mitigation planning process, which is focused on identifying and prioritizing actions to reduce risk to hazards.

In addition to informing the mitigation strategy, the risk assessment also can be used to supplement the District's emergency preparedness and response priorities, for land use and comprehensive planning, and for decision making by elected officials, city and county departments, businesses, and organizations in the community.

5.1. Hazards Summary

After conducting a risk assessment, the following hazards were identified by the planning team: Earthquake, Wildfire, Power Loss, Drought and Man-Made – Cyberattack. A brief rationale for including each of these is included.

- **Earthquake**

An earthquake is caused by a sudden slip of a fault plane at the earth's surface. The slip releases energy outward from the fault in all directions in the form of seismic waves, which travel through the earth's crust and cause the shaking that is felt during an earthquake. The amount of energy released during an earthquake is expressed as magnitude and is recorded on seismographs. A common magnitude scale is the Richter Scale where the strength of an earthquake is expressed in whole numbers and decimals (e.g., 7.2) Earthquakes can cause structural damage, injury and loss of life, as well as damage vital infrastructure such as water, power, gas and communication systems.

Geographic extent of this hazard is District-wide. The Rose Canyon fault traverses through the heart of downtown San Diego northward up the coast. Geologists estimate that the Rose Canyon fault is capable of a magnitude 6.9 earthquake and is the biggest earthquake threat to the urban San Diego area. Additionally, the San Andreas Fault system can cause powerful earthquakes as big as magnitude 8.0, which would generate strong shaking levels in the San Diego region. Two other faults, the Elsinore and San Jacinto located in northeastern San Diego County, can also generate moderately sized but potentially damaging earthquakes. The Rose Canyon Fault lies offshore (approximately six miles from offshore portions of the Newport-Inglewood-Rose Canyon fault zone) and is capable of generating an earthquake that could damage above ground and below ground water storage and infrastructure throughout the District. Since the District receives imported water from the

SECTION FIVE | Risk Assessment and Hazard Summary

Los Angeles area, earthquake activity along the San Andreas and Elsinore Faults would likely disrupt water delivery to the District.

Figure A-1 depicts the proximity of the District’s service area from inactive and active fault lines and **Figure A-2** illustrates the shaking potential.

The District has an Earthquake Annex in its Emergency Response Plan.

Geographic Area: Extensive **Maximum Probable Extent:** Moderate

Probability of Future Events: Occasional **Overall Ranking:** Medium

- **Wildfire**

Wildfires spread by consuming flammable vegetation and can be caused by human activity and natural events such as lightning. Wildfires often occur in forested or other highly vegetated areas; wildfires can be classified as forest, urban, or interface. Wildfire behavior is based on three primary factors: fuel, topography, and weather; all three factors affect the burning qualities and speed that the fire burns as well as the severity and duration.

The majority of the District service area is located in Vista, which has been designated a Local Responsibility Area (LRA) by CAL FIRE. As seen in **Figure A-3**, portions of Vista are located in “Very High Fire Hazard Severity Zones” in LRA as recommended by CAL FIRE. Portions of the District service area, primarily in unincorporated areas, are located in State Responsibility Areas (SRA) that have been designated as Very High Hazard Severity Zone by CAL FIRE. A combined twenty two percent of the District service area is located in “Very High Hazard Severity Zones.” Additionally, areas in Carlsbad, San Marcos and Escondido adjacent to the District are also located in Very High Hazard Severity Zones. Areas adjacent to the District service area have been impacted by large wildfire events in 2003, 2007 and 2014.

The seasonal climatic conditions during Southern California’s wildfire season that generally runs from May through November create potential threats regarding control and protection against fires in the District. The hot, dry weather typical of this area in summer and fall, coupled with Santa Ana winds and low humidity frequently results in wildfires that could threaten District facilities. Most non-urban District facilities would be susceptible to wildfire because they are situated near open space and areas containing highly flammable, native vegetation. As most of these facilities are below ground in vaults, the overall impact is diminished.

The District has a Wildfire Annex in its Emergency Response Plan.

SECTION FIVE | Risk Assessment and Hazard Summary

Geographic Area: Extensive **Maximum Probable Extent:** Moderate
Probability of Future Events: Likely **Overall Ranking:** Medium

- **Power Loss**

Power loss scenarios can vary from a loss of an individual circuit to the entire power grid and can last from minutes to hours or even weeks to months. Power loss scenarios can stem from damage to San Diego Gas & Electric (SDG&E) above or below ground infrastructure such as power poles, transformers and electric lines to planned events such as Public Safety Power Shutoff's (PSPS) and rolling outages. Other power loss scenarios can be caused by other events such as wildfires, earthquakes and cyber/malevolent attacks.

The District's water distribution system is mostly gravity-based and during a small (single circuit) or large (full grid) power outage can initially sustain pressure and continued flow under normal or default conditions. The size, location and duration of the outage will determine the response necessary. Most outages can be responded to as an operational event.

The District has experienced full grid power outages, PSPS's and rolling outages in its service area. In 1996 and 2011, full grid power outages occurred as a result of transmission line failures in parts of the Western Interconnection. Both outages lasted less than 12 hours and required only operational changes to the District's distribution system.

PSPS's occur when extreme weather or fire threaten SDG&E's electrical system. SDG&E typically gives advanced notice before a PSPS event is to occur and notifies its customers when de-energization and restoration takes place. PSPS event duration is highly dependent on weather conditions and SDG&E's ability to inspect overhead lines before re-energizing. Based on the CPUC's Fire-Threat Map (**Figure A-4**) that identifies areas associated with increased risk for utility associated wildfires, only small portions of the District's service area is located in Tier 2 (elevated) fire-threat area.

Rolling outages occur when extreme heat increases energy demands, and the demand becomes greater than the available energy supply. These outages are typically scheduled, last 1-2 hours, and require minimal to no operational changes by the District.

The District has a Power Loss Annex in its Emergency Response Plan.

Geographic Area: Extensive **Maximum Probable Extent:** Moderate
Probability of Future Events: Likely **Overall Ranking:** Medium

SECTION FIVE | Risk Assessment and Hazard Summary

- **Drought**

Drought is a period of abnormally dry weather sufficiently prolonged for the lack of water to cause a serious hydrologic imbalance in the affected area. Droughts can be defined in different subsets: meteorological, hydrological, agricultural and socioeconomic. Drought is a cyclic part of California climate and can occur in winter and summer.

Historically, roughly 70% of the District’s water supply is dependent on imported water delivery from outside sources, which may be subject to state emergency drought declarations and mandatory cutbacks. Groundwater at Lake Henshaw is used to supplement the local water supply whenever surface runoff is insufficient to produce adequate supplies of local water. As the District has access to treated water supplies from the San Diego County Water Authority, including water from the Carlsbad Desalination Plant, its co-owned water treatment plant with the city of Escondido and ground/surface water sources at Lake Henshaw, it is more drought resilient than other water retailers in the region. Additionally, the District has a Water Supply Response Plan to administratively and operationally address drought conditions.

Currently, the San Diego County region is in a Moderate drought (D1) per the National Drought Mitigation Center – see **Figure A-5**.

Geographic Area: Significant **Maximum Probable Extent:** Moderate
Probability of Future Events: Likely **Overall Ranking:** Medium

- **Man-made – Cyberattacks**

A cyberattack is an assault launched by cybercriminals using one or more computers against single/multiple computers or a network. A cyberattack can maliciously disable computers, steal data or use a breached computer as a launch point for other attacks. Cybercriminals use a variety of methods to launch cyberattacks including, malware, phishing, ransomware, denial of service and other methods as well as physical attacks.

According to Check Point Research, in 2021, cyberattacks on corporate networks increased by 50% from 2020. Cyberattacks on utility companies increased 46% percent in the same period.

The District’s business network along with financial, billing, and email systems could be compromised from a cyberattack. An attack on the District’s Supervisory Control and Data Acquisition (SCADA) system can also disable

SECTION FIVE | Risk Assessment and Hazard Summary

remote monitoring or control of the water distribution system. The impacts of a cyberattack could disrupt business continuity and operations for weeks and even months.

To date, the District has not had a cyberattack or breach of any significance; although, some phishing scams have been successful.

The District has a Cyber Security Annex in its Emergency Response Plan.

Geographic Area: Limited **Maximum Probable Extent:** Severe

Probability of Future Events: Occasional **Overall Ranking:** Medium

*TABLE 5.1: VISTA IRRIGATION DISTRICT HAZARD SUMMARY.
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 5.1 DATA.*

Hazard	Location (Geographic Area Affected)	Maximum Probable Extent (Magnitude/Strength)	Probability of Future Events	Overall Significance Ranking
Avalanche	Negligible	Weak	Unlikely	Low
Dam Failure	Negligible	Weak	Unlikely	Low
Drought	Significant	Moderate	Likely	Medium
Earthquake	Extensive	Moderate	Occasional	Medium
Erosion	Limited	Weak	Occasional	Low
Expansive Soils	Negligible	Weak	Unlikely	Low
Extreme Cold	Negligible	Weak	Unlikely	Low
Extreme Heat	Significant	Weak	Occasional	Low
Flood	Limited	Weak	Unlikely	Low
Hail	Limited	Weak	Unlikely	Low
Hurricane	Negligible	Weak	Unlikely	Low
Landslide	Limited	Weak	Unlikely	Low
Lightning	Limited	Weak	Unlikely	Low

SECTION FIVE | Risk Assessment and Hazard Summary

*TABLE 5.1: VISTA IRRIGATION DISTRICT HAZARD SUMMARY.
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 5.1 DATA.*

Hazard	Location (Geographic Area Affected)	Maximum Probable Extent (Magnitude/Strength)	Probability of Future Events	Overall Significance Ranking
Sea Level Rise	Negligible	Weak	Unlikely	Low
Severe Wind	Limited	Moderate	Occasional	Low
Severe Winter Weather	Limited	Weak	Unlikely	Low
Storm Surge	Negligible	Weak	Unlikely	Low
Subsidence	Negligible	Weak	Unlikely	Low
Tornado	Negligible	Weak	Unlikely	Low
Tsunami	Negligible	Weak	Unlikely	Low
Wildfire	Extensive	Moderate	Likely	Medium

Definitions for Classifications

Location (Geographic Area Affected)

- **Negligible:** Less than 10 percent of planning area or isolated single-point occurrences.
- **Limited:** 10 to 25 percent of the planning area or limited single-point occurrences.
- **Significant:** 25 to 75 percent of planning area or frequent single-point occurrences.
- **Extensive:** 75 to 100 percent of planning area or consistent single-point occurrences.

Maximum Probable Extent (Magnitude/Strength based on historic events or future probability)

- **Weak:** Limited classification on scientific scale, slow speed of onset or short duration of event, resulting in little to no damage.
- **Moderate:** Moderate classification on scientific scale, moderate speed of onset or moderate duration of event, resulting in some damage and loss of services for days.
- **Severe:** Severe classification on scientific scale, fast speed of onset or long duration of event, resulting in devastating damage and loss of services for weeks or months.
- **Extreme:** Extreme classification on scientific scale, immediate onset or extended duration of event, resulting in catastrophic damage and uninhabitable conditions.

SECTION FIVE | Risk Assessment and Hazard Summary

*TABLE 5.2: HAZARD SCALE INDEX TO DEVELOP HAZARD SUMMARY
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 5.1 DATA.*

Hazard	Scale / Index	Weak	Moderate	Severe	Extreme
Drought	Palmer Drought Severity Index ³	-1.99 to +1.99	-2.00 to -2.99	-3.00 to -3.99	-4.00 and below
Earthquake	Modified Mercalli Scale ⁴	I to IV	V to VII	VII	IX to XII
	Richter Magnitude ⁵	2, 3	4, 5	6	7, 8
Hurricane Wind	Saffir-Simpson Hurricane Wind Scale ⁶	1	2	3	4, 5
Tornado	Fujita Tornado Damage Scale ⁷	F0	F1, F2	F3	F4, F5

Probability of Future Events

- **Unlikely:** Less than 1 percent probability of occurrence in the next year or a recurrence interval of greater than every 100 years.
- **Occasional:** 1 to 10 percent probability of occurrence in the next year or a recurrence interval of 11 to 100 years.
- **Likely:** 10 to 90 percent probability of occurrence in the next year or a recurrence interval of 1 to 10 years.
- **Highly Likely:** 90 to 100 percent probability of occurrence in the next year or a recurrence interval of less than 1 year.

Overall Significance

- **Low:** Two or more criteria fall in lower classifications, or the event has a minimal impact on the planning area. This rating is sometimes used for hazards with a minimal or unknown record of occurrences or for hazards with minimal mitigation potential.
- **Medium:** The criteria fall mostly in the middle ranges of classifications and the event's impacts on the planning area are noticeable but not devastating. This rating is sometimes used for hazards with a high extent rating but very low probability rating.
- **High:** The criteria consistently fall in the high classifications and the event is likely/highly likely to occur with severe strength over a significant to extensive portion of the planning area.

- Cumulative meteorological drought and wet conditions: <http://ncdc.noaa.gov/>
- Earthquake intensity and effect on population and structures: <http://earthquake.usgs.gov>
- Earthquake magnitude as a logarithmic scale, measured by a seismograph: <http://earthquake.usgs.gov>
- Hurricane rating based on sustained wind speed: <http://nhc.noaa.gov>
- Tornado rating based on wind speed and associated damage: <http://spc.noaa.gov>

5.2. Potential Hazard Exposure and Loss Estimates

The District reviewed a set of jurisdictional-level hazard maps and data provided by the County of San Diego, including detailed critical facility information and localized potential hazard exposure/loss estimates related to residential, commercial and critical asset/facilities to identify the top hazards threatening the District service area. Potential hazard exposure/loss estimates and are summarized in Table 5.3.

SECTION FIVE | Risk Assessment and Hazard Summary

TABLE 5.3: SUMMARY OF POTENTIAL HAZARD-RELATED EXPOSURE/LOSS IN VISTA DISTRICT SERVICE AREA*
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 5.1 DATA.

Hazard Types		Number of Buildings	Potential Exposure Loss (x \$1,000)	Number of Buildings	Potential Exposure Loss (x \$1,000)	Number of Facilities	Potential Exposure Loss (x \$1,000)
	Exposed Population	Residential		Commercial		Critical Facilities/Infrastructure**	
Dam Failure	33	N/A	N/A	N/A	N/A	N/A	N/A
Earthquake (Annualized Loss - Includes shaking, liquefaction and landslide components)	212	1,319	757,788	680	291,949	1	5,000
100 Year	N/A	N/A	N/A	N/A	N/A	N/A	N/A
500 Year	33,787	1,262	490,413	61	18,443	5	97,273
Rose Canyon Fault	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Floods (Loss)							
100 Year	481	35	13,601	7	2,116	4	22,575
500 Year	818	48	18,653	14	4,233	7	49,238
Rain-Induced Landslide							
Moderate Risk	4,182	5,802	2,254,077	454	137,267	10	394,676
High Risk	1,733	68	26,418	2	604,700	1	2,020
Drought	133,000						
Wildfire/ Structure Fire							
High Fire Hazard	8,960	674	261,916	36	10,885	1	14,101
Very High Fire Hazard	20,066	1,497	581,734	54	16,327	2	79,782

* Data provided by the County of San Diego. The data provided is only applicable to the population, residential and commercial structures, critical facilities and infrastructure that fall within the Vista Irrigation District service area and are not indicative of potential exposure or loss associated with District facilities or within the responsibility of the District. Information is provided as a summary of potential cost impacts to the District service area.

** Critical facilities and infrastructure within the District service area include highways, light rail, bridges, rail stations, oil and gas facilities and schools.

6. SECTION SIX: Mitigation Strategy

The mitigation strategy serves as the long-term blueprint for reducing potential losses identified in the risk assessment. The mitigation strategy describes how the District will accomplish the overall purpose, or mission, of the planning process.

The mitigation strategy is made up of three main required components: mitigation goals, mitigation actions, and an action plan for implementation. These provide the framework to identify, prioritize, and implement actions to reduce risk to hazards.

Mitigation Goals are general guidelines that explain what the District wants to achieve with the plan. Goals are broad policy-type statements that are long-term, and they represent visions for reducing or avoiding losses from the identified hazards.

Mitigation Actions are specific projects and activities that help achieve the goals.

Action Plans describe how the mitigation actions will be implemented, including how those actions will be prioritized, administered, and incorporated into the District's existing planning mechanisms.

6.1. Mitigation Goals

The District has developed the following six mitigation goals for this Hazard Mitigation Plan:

- Goal 1. Replace District's main conduit for local water to maintain access to local water supply and reduce dependence on imported water.
- Goal 2. Increase system reliability and redundancy through upgrades to aging infrastructure/facilities that have reached the end of their useful life.
- Goal 3. Reduce the possibility of damage and losses to existing assets, including people, critical facilities/infrastructure, and public facilities due to natural hazards (including earthquakes, wildfire and extreme weather).
- Goal 4. Reduce the possibility of damage and losses due to power outages.
- Goal 5. Reduce the possibility of damage and losses due to cyber-security breaches.
- Goal 6. Improve hazard mitigation coordination and communication with federal, state, local and tribal governments.

6.2. Mitigation Actions

A mitigation action is a specific action, project, activity, or process taken to reduce or eliminate long-term risk to people and property from hazards and their impacts. Implementing mitigation actions helps achieve the plan's mission and goals. The actions to reduce vulnerability to threats and hazards form the core of the plan and are a key outcome of the planning process. This Annex details the District planned mitigation action implementations and are shown in Tables 6.1.1 through 6.1.6.

SECTION SIX | Mitigation Strategy

*TABLE 6.1.1: VISTA IRRIGATION DISTRICT GOAL 1
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 6.1 DATA.*

Goal 1: Replace District’s main conduit for local water to maintain access to local water supply and reduce dependence on imported water.	
<i>Objective 1.A: Determine the most reliable, affordable, and responsible alignment to replace the existing 11-mile, nearly 100 year old Flume. Mitigation Hazard – Earthquake/Drought.</i>	
Action 1.A.1	Complete Vista Flume Replacement Alignment Study to select a preferred alignment based on various screening criteria including health and regulatory permits, maintaining minimum pressures, engineering and constructability, environmental/geotechnical constraints, overall capital costs, implementation schedule, impacts to local water deliveries, cash flow, and impacts to rates (study underway).
<i>Objective 1.B: Financial planning and securing funding for Flume Replacement Project.</i>	
Action 1.B.1	Research and identify all available local, state, and federal funding sources and opportunities.
<i>Objective 1.C: Design and construct the Flume Replacement Project.</i>	
Action 1.C.1	Complete design and associated environmental and permitting.
Action 1.C.2	Secure necessary funding.
Action 1.C.3	Construct the Flume Replacement Project.

*TABLE 6.1.2: VISTA IRRIGATION DISTRICT GOAL 1
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 6.1 DATA.*

Goal 2: Increase system reliability and redundancy through upgrades to aging infrastructure/facilities that have reached the end of their useful life.	
<i>Objective 2.A: Retire the nearly 100-year old, seismically deficient Cabrillo Circle (E-1) Reservoir. Mitigation Hazard: Earthquake.</i>	
Action 2.A.1	Construct redundant feed from the 752 Pressure Zone to the 565 Pressure Zone, which includes approximately 2,000 feet of new 18-inch pipeline and a flow control/pressure regulating valve.
Action 2.A.2	Demolish the existing E-1 Reservoir.
<i>Objective 2.B: Retire the nearly 100-year old, seismically deficient Summit Terrace (C) Reservoir.</i>	
Action 2.B.1	Construct redundant feed from the 707 Pressure Zone to the 637 Pressure Zone, which includes upsizing approximately 4,500 feet of 4 to 6 inch piping to 10 inch piping and a new flow control/pressure regulating valve.
Action 2.B.2	Construct redundant feed from the 707 Pressure Zone to the 637 Pressure Zone, which includes upsizing approximately 4,500 feet of 4 to 6 inch piping to 10 inch piping and a new flow control/pressure regulating valve.
Action 2.B.3	Demolish the existing, seismically deficient C Reservoir.

SECTION SIX | Mitigation Strategy

Goal 2 (Cont.): Increase system reliability and redundancy through upgrades to aging infrastructure/facilities that have reached the end of their useful life.

Objective 2.C: Replace the nearly 100-year old, seismically deficient Virginia Place (A) Reservoir. Mitigation Hazard: Earthquake.

Action 2.C.1	Demolish and replace the existing A Reservoir, increase storage capacity as much as the existing site will allow.
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Objective 2.D: Construct new Pechstein II Reservoir to meet system storage requirements and afford operational flexibility to seismically retrofit the existing Pechstein I Reservoir.

Action 2.D.1	Design, construct, and place into service the new Pechstein II Reservoir.
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Action 2.D.2	Design and construct seismic retrofits for existing Pechstein I Reservoir.
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*TABLE 6.1.3: VISTA IRRIGATION DISTRICT GOAL 1
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 6.1 DATA.*

Goal 3: Reduce the possibility of damage and losses to existing assets, including people, critical facilities/infrastructure, due to natural and manmade hazards (includes geological, flooding, wildfire and extreme weather).

Objective 3.A: Protect existing assets with the highest relative vulnerability to the effects of geological (earthquakes, mudslides and landslides) hazards. Mitigation Hazard: Earthquake/Wildfire/Man-Made – Cyberattacks.

Action 3.A.1	Replace/update seismic sensors/valves at critical reservoirs and flow control facilities.
Action 3.A.2	Continue monthly Flume inspections to identify any areas of potential slope instability.
Action 3.A.3	Continue to maintain adequate pipeline materials in the District’s warehouse.
Action 3.A.4	Update earthquake response actions in Emergency Response Plan (ERP).

Objective 3.B: Protect existing assets with the highest relative vulnerability to the effects of flooding.

Action 3.B.1	Continue inspection and maintenance of District owned storm drains and culverts.
Action 3.B.2	Consider relocating or replacing water mains in flood prone areas.
Action 3.B.3	Develop inspection program for water mains that traverse creeks, channels or bridges.

Objective 3.C: Protect existing assets with the highest relative vulnerability to the effects of wildfire.

Action 3.C.1	Continue weed abatement/brush clearing of District property.
Action 3.C.2	Partner with local agencies and promote defensible space efforts.
Action 3.C.3	Update wildfire response actions in ERP.

SECTION SIX | Mitigation Strategy

Goal 3 (Cont.): Reduce the possibility of damage and losses to existing assets, including people, critical facilities/infrastructure, due to natural and manmade hazards (includes geological, flooding, wildfire and extreme weather).

Objective 3.D: Protect existing assets with the highest relative vulnerability to the effects of manmade hazards.

Action 3.D.1	Continue to enhance site security at remote facilities based on vulnerability assessments.
Action 3.D.2	Update cyber-security response actions in ERP.

*TABLE 6.1.4: VISTA IRRIGATION DISTRICT GOAL 4
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 6.1 DATA.*

Goal 4: Increase operational resiliency to power outages – unplanned, public safety power shutoffs and rolling outages.

Objective 4.A: Add ancillary power sources to key facilities and SCADA sites. Mitigation Hazard: Power Loss.

Action 4.A.1	Add hookups for portable generators at Deodar Reservoir/Pump Station # 4 and E43 Regulator.
Action 4.A.2	Add solar/battery backup system to Pump Station # 3.
Action 4.A.3	Add solar/battery backup system to Elevado (H) Reservoir.

Objective 4.B: Partner with other agencies at shared facilities to develop ancillary power sources that are mutually beneficial.

Action 4.B.1	Coordinate with the San Diego County Water Authority to provide backup power source to VID3/Plant # 3.
Action 4.B.2	Coordinate with the city of Vista to provide backup power source to E30S flow control facility and Fire Station # 3.

Objective 4.C: Increase operational resiliency at District Headquarters.

Action 4.C.1	Explore the expansion of the backup generation system to provide power to the entire facility.
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SECTION SIX | Mitigation Strategy

*TABLE 6.1.5: VISTA IRRIGATION DISTRICT GOAL 5
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 6.1 DATA.*

Goal 5: Reduce the possibility of damage and losses due to cyber-security breaches	
<i>Objective 5.A: Implement Multifactor Authentication (MFA) on all externally accessible systems. Mitigation Hazard: Man-made – Cyberattacks</i>	
Action 5.A.1	Review all externally available systems and investigate how best to implement MFA. Evaluate various solutions.
Action 5.A.2	Implement MFA and provide training to users.
<i>Objective 5.B: Improve the District's capability and efficiency at administering pre- and post- disaster mitigation.</i>	
Action 5.B.1	Implement as many pre-incident safeguards as possible. Deploy a robust SIEM solution to get alerts to incidents that traditional AV products may not detect.
Action 5.B.2	Continuously develop and improve the District's cyber-incident and business continuity plans to create minimal downtime in the event of an incident. Test these plans at least annually.

*TABLE 6.1.6: VISTA IRRIGATION DISTRICT GOAL 6
FEMA LOCAL MITIGATION PLANNING HANDBOOK WORKSHEET 6.1 DATA.*

Goal 6: Improve hazard mitigation coordination and communication with federal, State, local and tribal governments.	
<i>Objective 6.A: Establish and maintain closer working relationships with state agencies, local, and tribal governments. Mitigation Hazard: Earthquake/Wildfire/Power loss/Drought/Man-made – Cyberattacks.</i>	
Action 6.A.1	Plan, practice, exercise, and operate the District's Emergency Operations Center (EOC) following the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS), and Incident Command System (ICS).
Action 6.A.2	Encourage further refinement and updating of the District's Emergency Response Plan to coordinate with local agencies and the Countywide Emergency Operations Plan.
<i>Objective 6.B: Improve the District's capability and efficiency at administering pre- and post- disaster mitigation.</i>	
Action 6.B.1	Participate in the development and execution of annual Emergency Operations Center (EOC) tabletop discussions and functional disaster exercises.
Action 6.B.2	Ensure there is always adequate staffing in the EOC and EOC personnel are trained in multiple positions.

6.3. Mitigation Action Plans

Once the comprehensive list of jurisdictional goals, objectives, and action items listed above was developed, the proposed mitigation actions were prioritized. This step resulted in a list of acceptable and realistic actions that address the hazards identified in the District service area. This prioritized list of action items was formed by the planning team weighing STAPLEE criteria.

The Disaster Mitigation Action of 2000 (at 44 CFR Parts 201 and 206) requires the development of an action plan that not only includes prioritized actions but one that includes information on how the prioritized actions will be implemented. Implementation consists of identifying who is responsible for which action, what kind of funding mechanisms and other resources are available or will be pursued, and when the action will be completed.

The top seven prioritized mitigation actions as well as an implementation strategy for each are:

Action Item #1: Complete Vista Flume Replacement Alignment Study.

Coordinating Individual/Organization:	Randy Whitmann/Vista Irrigation District
Potential Funding Source:	Vista Irrigation District CIP Fund/financing and potential federal/state grant funding
Implementation Timeline:	4 years
Hazards Addressed	Earthquake/Drought

Action Item #2: New 565 zone feed to retire Cabrillo Circle (E1) Reservoir.

Coordinating Individual/Organization:	Randy Whitmann/Vista Irrigation District
Potential Funding Source:	Vista Irrigation District CIP Fund/financing and potential federal/state grant funding
Implementation Timeline:	1 year
Hazard Addressed	Earthquake

Action Item #3: New 637 zone feed to retire Summit Terrace (C) Reservoir.

Coordinating Individual/Organization:	Randy Whitmann/Vista Irrigation District
Potential Funding Source:	Vista Irrigation District CIP Fund/financing and potential federal/state grant funding
Implementation Timeline:	1 year
Hazard Addressed	Earthquake

Action Item #4: Virginia Place (A) Reservoir Replacement.

Coordinating Individual/Organization:	Randy Whitmann/Vista Irrigation District
Potential Funding Source:	Vista Irrigation District CIP Fund/financing and potential federal/state grant funding
Implementation Timeline:	3 years
Hazard Addressed	Earthquake

Action Item #5: Construct Pechstein II Reservoir.

Coordinating Individual/Organization:	Randy Whitmann/Vista Irrigation District
Potential Funding Source:	Vista Irrigation District CIP Fund/financing and potential federal/state grant funding
Implementation Timeline:	3 years
Hazards Addressed	Earthquake/Drought

Action Item #6: Deodar Reservoir Roof Replacement.

Coordinating Individual/Organization:	Randy Whitmann/Vista Irrigation District
Potential Funding Source:	Vista Irrigation District CIP Fund/financing and potential federal/state grant funding
Implementation Timeline:	2 years
Hazard Addressed	Earthquake

Action Item #7: Reduce the possibility of damage and losses due to cyber-security breaches.

Coordinating Individual/Organization:	Rick Pooley/Vista Irrigation District
Potential Funding Source:	Vista Irrigation District General Fund
Implementation Timeline:	1 year
Hazard Addressed	Man-made – Cyberattacks

7. SECTION SEVEN: Implementation Progress

Hazard Mitigation Plan maintenance is the process the planning team has established to track the plan's implementation progress and to inform the plan update. The planning team, comprised of Division Heads, will meet annually with a coordination team (the District's Management Analyst and Safety and Risk Administrator) that will take the lead by facilitating the maintenance of the plan. These actions will help to:

- Ensure that the mitigation strategy is implemented according to the plan.
- Provide the foundation for an ongoing mitigation program.
- Standardize long-term monitoring of hazard-related activities.
- Integrate mitigation principles into daily job responsibilities and department roles.
- Maintain momentum through continued engagement and accountability in the plan's progress.

Hazard Mitigation Plan updates provide the opportunity to consider how well the procedures established in the previously approved plan worked and revise them as needed. This Annex is part of the most recent San Diego County Multi-Jurisdictional Hazard Mitigation Plan update. The plan was previously updated in 2018. See the San Diego County Multi-Jurisdictional Hazard Mitigation Plan for more information.

7.1. Mitigation Action Progress

The District's coordination team will track the implementation of the plan annually and update on implementation progress in a five-year cycle.

7.2. Plan Update Evaluation

The District coordination team will use the FEMA Region IX Hazard Mitigation Plan Review Tool to conduct a plan update evaluation in a five-year cycle running concurrently with the San Diego County Multi-Jurisdictional Hazard Mitigation Plan update.

7.2.1. Integration through Existing Programs and Planning Mechanisms

The mitigation action items identified provide the District with a framework for activities that it plans to implemented over the next five years. As the District has other short and long-term planning documents, integrating action items from the hazard mitigation plan into other planning documents will streamline processes and overall align District goals and objectives. Relevant mitigation action items will be incorporated into the following programs and planning documents:

- Urban Water Management Plan
- Capital Improvement Plan
- Potable Water Master Plan
- Mainline Replacement Program
- Emergency Response Plan
- Water Supply Response Program
- Water Rate Study

SECTION SEVEN | Implementation Progress

- Risk and Resilience Assessment

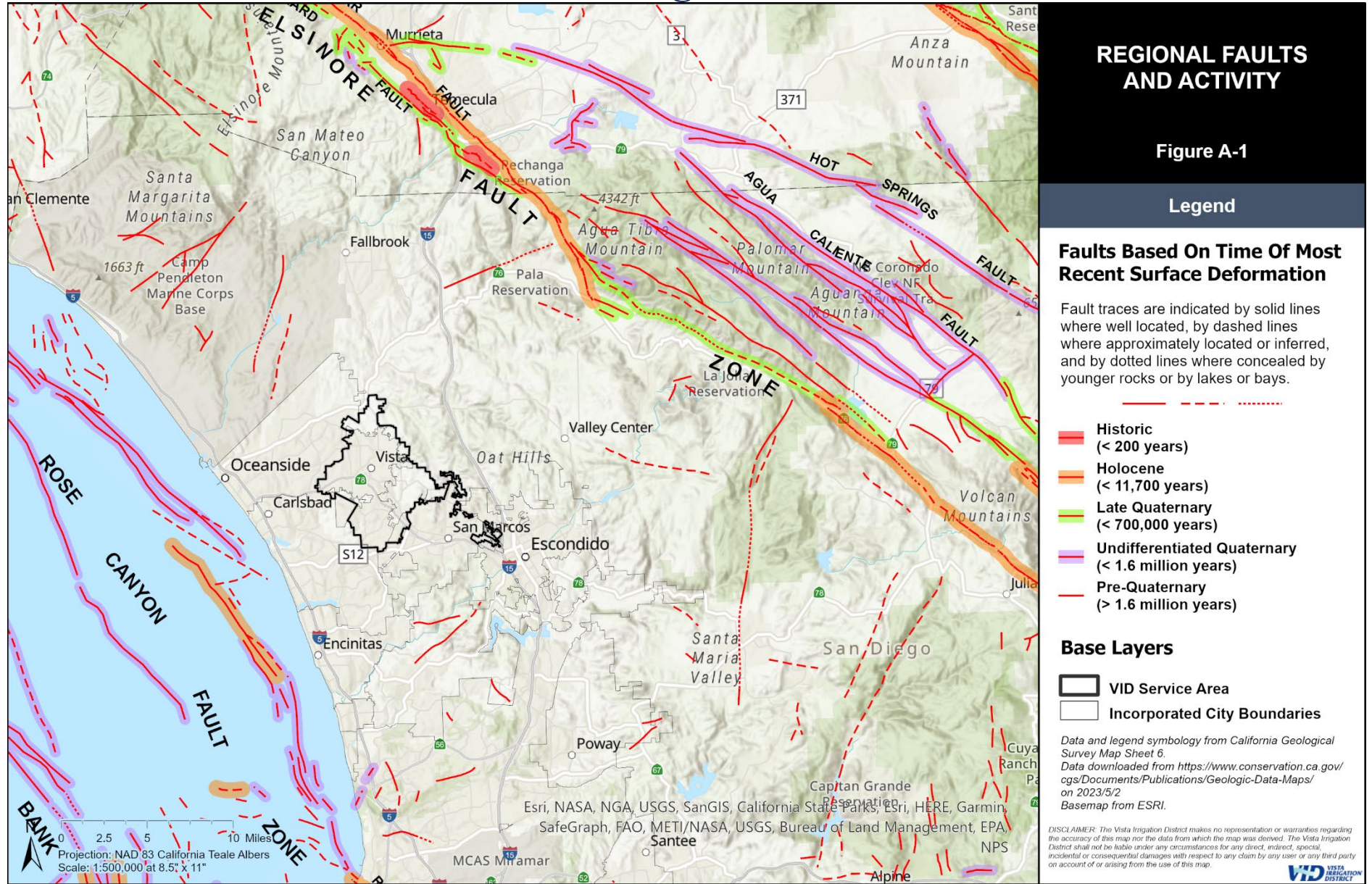
The planning and coordination teams will be responsible for incorporating this hazard mitigation plan into other planning mechanisms at their scheduled update. As most mitigation objectives and goals are infrastructure-related, implementation of these projects can quickly align with the District's Capital Improvement Plan and Mainline Replacement Program. These plans are typically updated on an annual basis; whereas, other plans are updated less frequently.

Efforts should continuously be made to monitor the progress of mitigation actions implemented through the aforementioned planning mechanisms and, where appropriate, their priority actions should be incorporated into updates of this hazard mitigation plan.

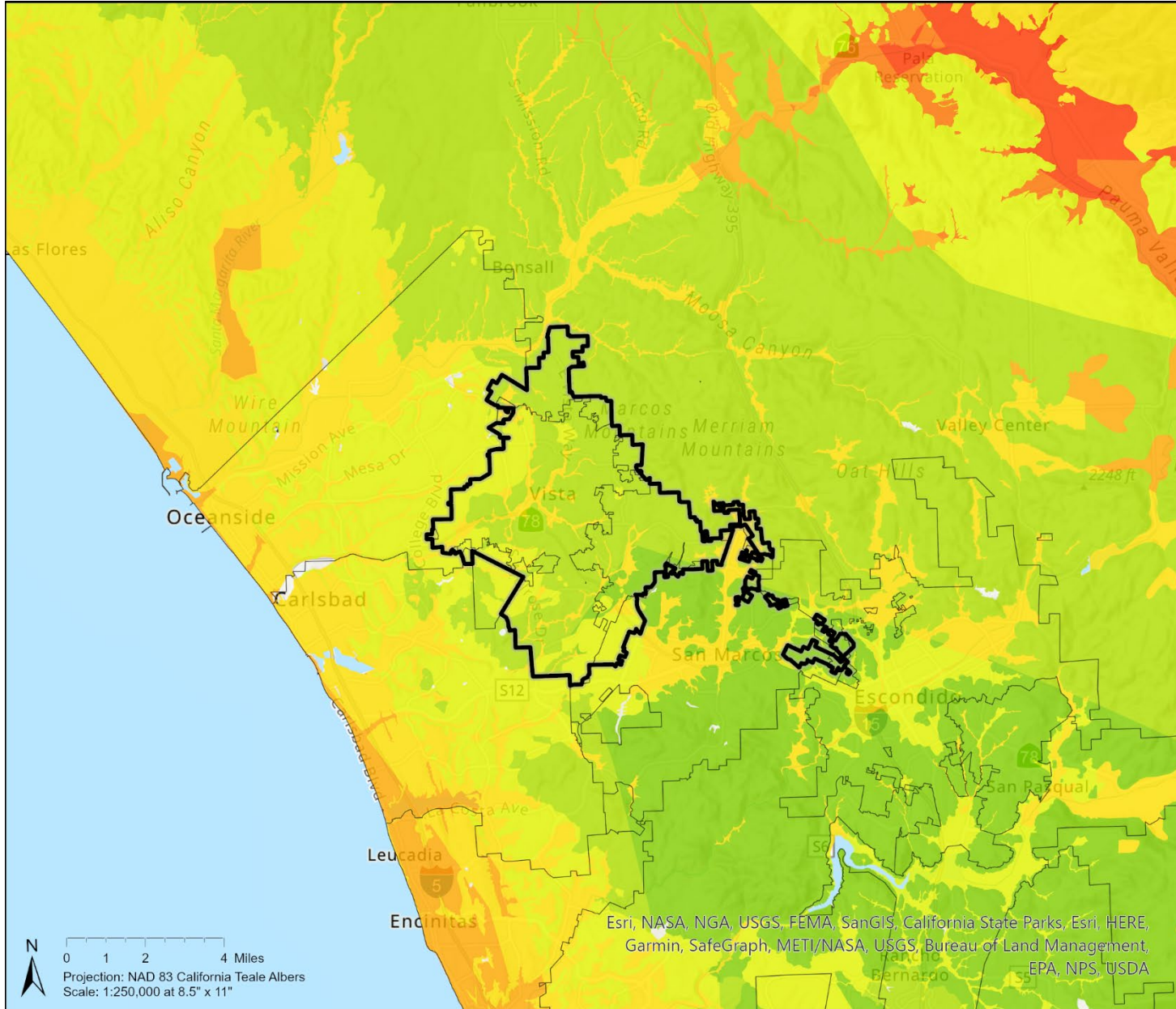
7.3. Point of Contact

Frank Wolinski, Director of Operations & Field Services
Vista Irrigation District
1391 Engineer Street
Vista, CA 92081
(760) 597-3153
fwolinski@vidwater.org

8. SECTION EIGHT: List of Figures



SECTION EIGHT | List of Figures

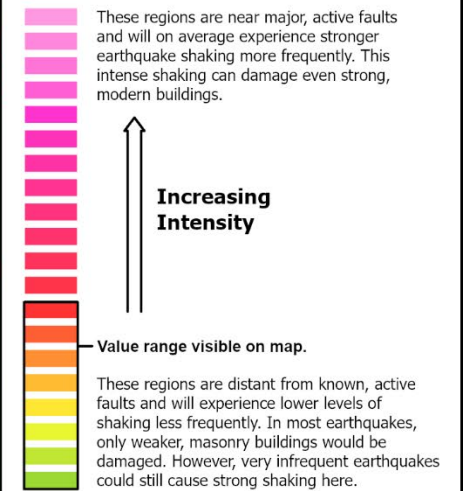


EARTHQUAKE SHAKING POTENTIAL

Figure A-2

Legend

Level of Earthquake Hazard



Base Layers

- VID Service Area
- Incorporated City Boundaries

Data and legend symbology from California Geological Survey Map Sheet 48 (revised 2016).
 Data downloaded from https://gis.conservation.ca.gov/server/rest/services/CGS/MS48_ShakingPotential/MapServer on 2023/5/2.
 Basemap from ESRI.

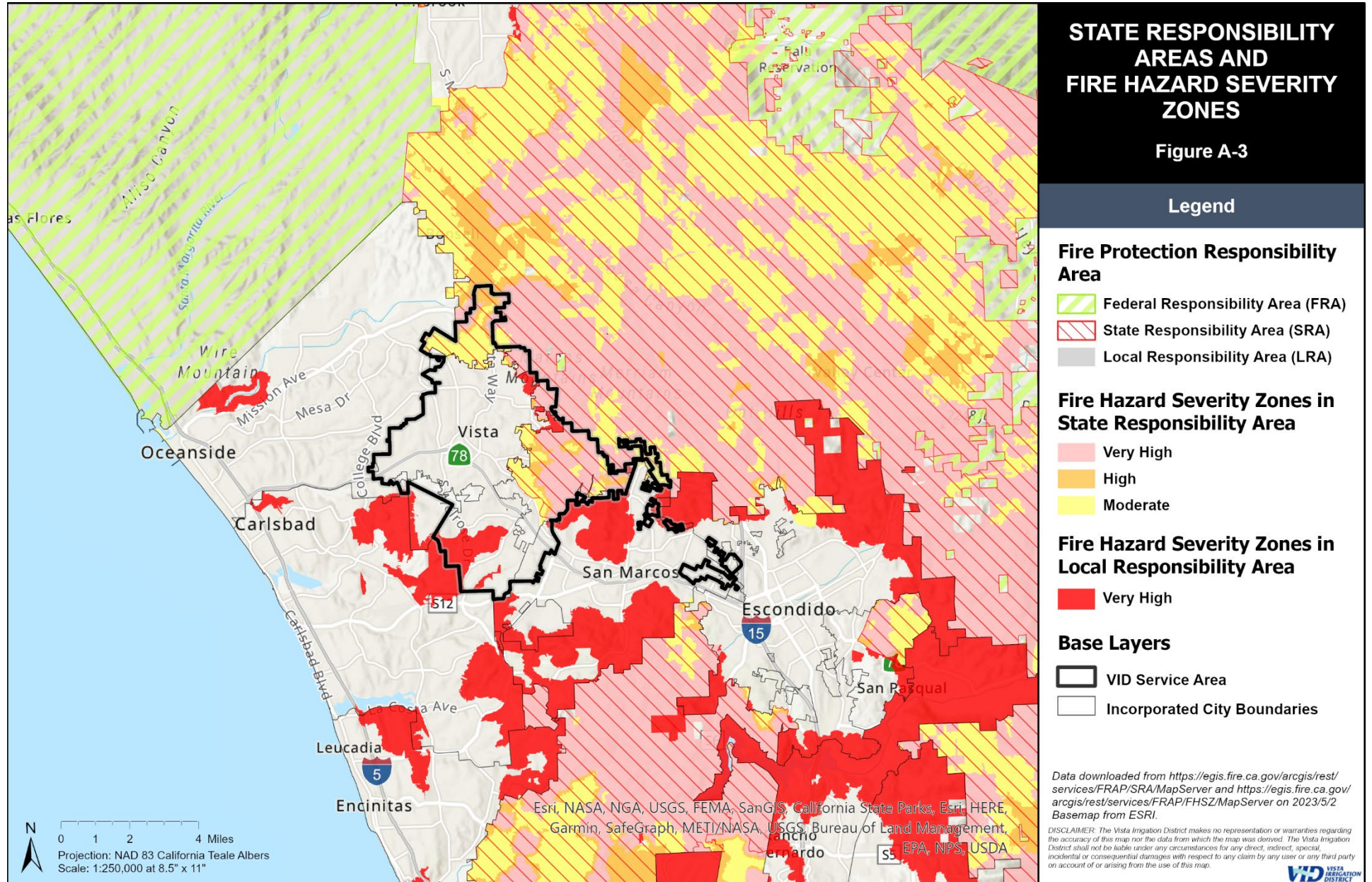
DISCLAIMER: The Vista Irrigation District makes no representation or warranties regarding the accuracy of this map nor the data from which the map was derived. The Vista Irrigation District shall not be liable under any circumstances for any direct, indirect, special, incidental or consequential damages with respect to any claim by any user or any third party on account of or arising from the use of this map.



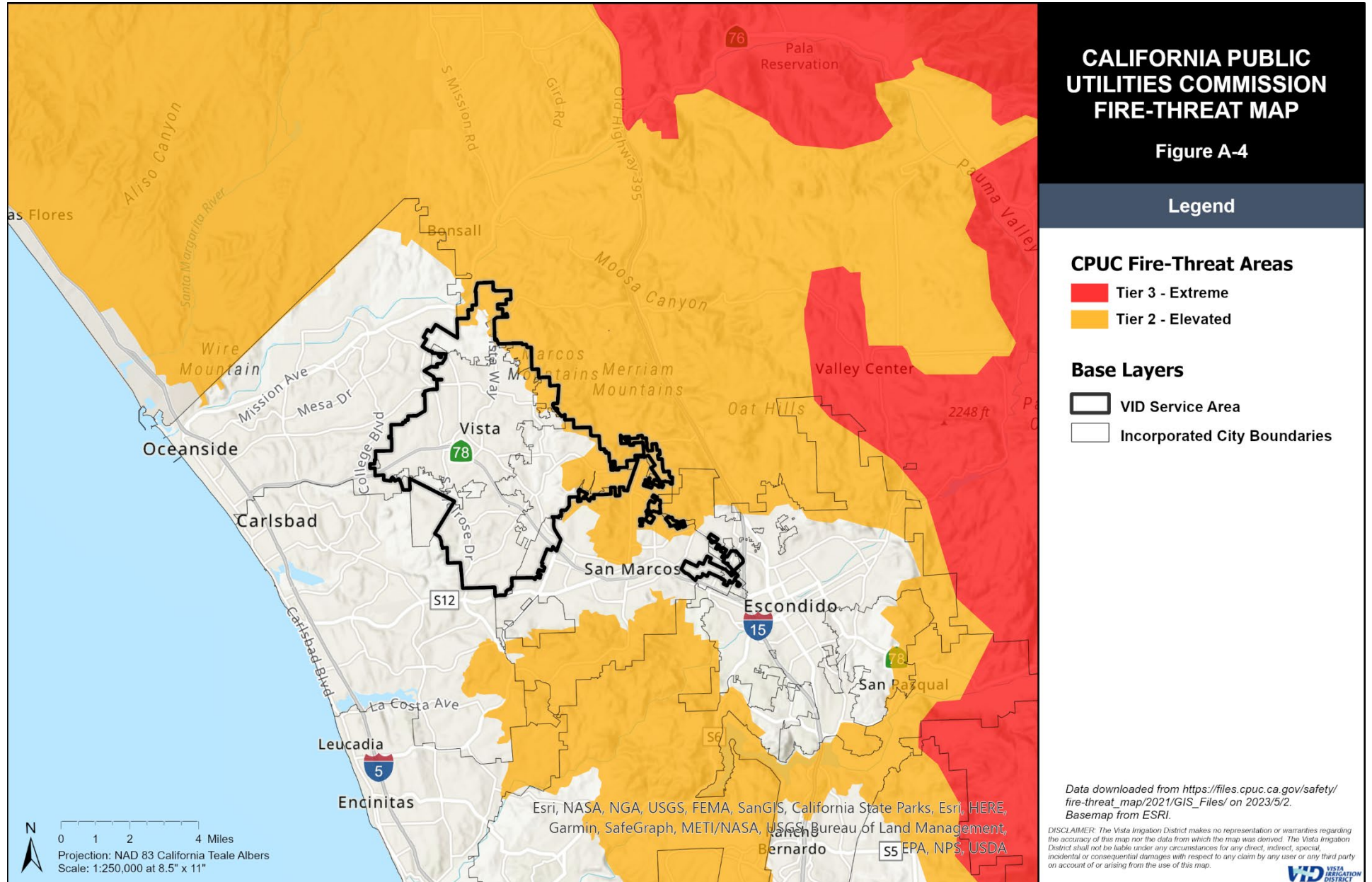
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 Projection: NAD 83 California Teale Albers
 Scale: 1:250,000 at 8.5" x 11"

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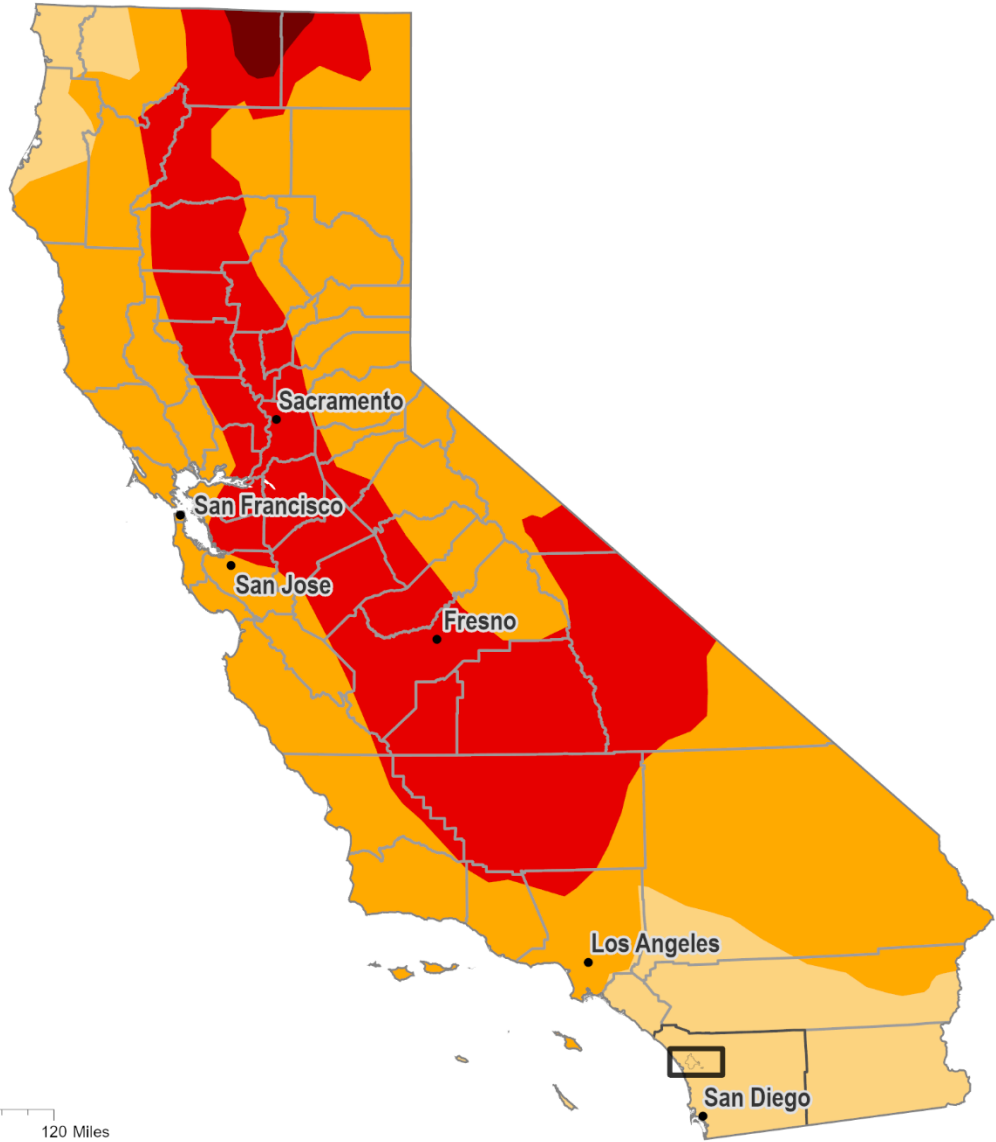
SECTION EIGHT | List of Figures



SECTION EIGHT | List of Figures



SECTION EIGHT | List of Figures



**U.S. DROUGHT MONITOR
FOR CALIFORNIA:
DECEMBER 28, 2021**

Figure A-5

Legend

Drought Intensity

- D0 - Abnormally Dry
- D1 - Moderate Drought
- D2 - Severe Drought
- D3 - Extreme Drought
- D4 - Exceptional Drought

Base Layers

- VID Service Area
- County Boundaries

Data downloaded from <https://droughtmonitor.unl.edu/DmData/GISData.aspx> on 2023/5/2

The U.S. Drought Monitor is jointly produced by the National Drought Mitigation Center at the University of Nebraska-Lincoln, the United States Department of Agriculture, and the National Oceanic and Atmospheric Administration. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

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 Scale: 1:7,000,000 at 8.5" x 11"



STAFF REPORT

Board Meeting Date: May 24, 2023
Prepared By: Don Smith
Approved By: Brett Hodgkiss

SUBJECT: U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION NEAR-TERM COLORADO RIVER OPERATIONS - DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

RECOMMENDATIONS:

- 1) Authorize the Board President to sign a comment letter issued jointly by the Vista Irrigation District and the City of Escondido on the draft Supplemental Environmental Impact Statement related to near-term Colorado River operations.
- 2) Authorize the Board President or General Manager to sign the joint comment letter being prepared by the San Diego County Water Authority on the draft Supplemental Environmental Impact Statement related to near-term Colorado River operations, contingent on said comments being consistent with those presented in the Vista Irrigation District and the City of Escondido joint letter.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: None.

SUMMARY: On April 11, 2023, the U.S. Department of the Interior, Bureau of Reclamation (Reclamation) released a draft Supplemental Environmental Impact Statement (SEIS) to revise the current interim operating guidelines for the near-term operation of Glen Canyon and Hoover dams. Drawing on comments from the Colorado River Basin States, cooperating agencies, Tribes and other interested parties, the draft SEIS analyzes three alternatives and measures intended to address potential water shortages in the Colorado River Basin. Comments on the draft SEIS are due to by May 30, 2023.

There are alternatives presented in the draft SEIS that could affect the District's imported water supply from the Colorado River. The proposed measures would not only impact the imported water supplied by the San Diego County Water Authority (Water Authority), but the 16,000 acre-feet of water allocated to the Settlement Implementing Parties (SIP Water) secured by the San Luis Rey Indian Water Rights Settlement Agreement (Settlement Agreement). In order to bring these potential effects to Reclamation's attention and to highlight the unique legal character of SIP Water, the District proposes to submit the attached draft comment letter to Reclamation jointly with the City of Escondido (Escondido). The District understands the San Luis Rey Indian Water Authority and the Indian Bands that are party to the Settlement Agreement (Indian Bands) also plan to submit a joint letter independently.

The Water Authority also plans to submit comments on the draft SEIS, and it is likely that our closely aligned interests would make it appropriate and beneficial for the Indian Bands, Escondido and the District to join in the Water Authority's comments.

DETAILED REPORT: The draft Joint SEIS comment letter outlines the three legal paradigms under which Escondido and the District enjoy rights to Colorado River water:

1. As sub-agencies to the Metropolitan Water District of Southern California (Metropolitan), which has fourth priority rights under California's 2007 Seven-Party Agreement;

2. As members of the Water Authority, which secured independent rights to water conserved by the Imperial Irrigation District and the lining of the All-American Canal and its Coachella Branch under the landmark 2003 Quantification Settlement Agreement (QSA); and
3. As beneficiaries of the San Luis Rey Indian Water Rights Settlement Act of 1988 (Settlement Act), in which Congress directed the Secretary of the Interior to annually provide 16,000 acre-feet of water to the Settlement Implementing Parties (SIP). Subsequent agreements and legislation (QSA and the Packard Amendment to the Settlement Act) established that the source of this water would be from the conservation resulting from the lining of the All-American Canal and its Coachella Branch (SIP Water).

In connection with the Colorado River water that Escondido and the District receive by virtue of their membership in the Water Authority, the draft Joint SEIS comment letter expresses support for voluntary conservation measures among contracting agencies to achieve water use reduction goals. It also states that if mandatory cuts are implemented by Reclamation, those cuts should “respect long established water rights law and follow the Law of the River for all water rights holders and users of Colorado River water”.

With respect to the SIP Water, the draft joint SEIS comment letter states:

“This Congressional mandate to permanently furnish 16,000 acre-feet of conserved water per year to the San Luis Rey Settlement Implementing Parties for the Settlement and to fulfill the United States’ trust responsibility to the Indian Bands cannot – and should not – be diminished or affected by the draft SEIS.

On May 5, 2023, the Water Authority, Indian Bands, Escondido and District staffs discussed a joint approach to submitting comments on the draft SEIS. The Water Authority mentioned that they would prepare a draft comment letter (not available at the writing of this staff report), which they would circulate for comment.

ATTACHMENT: Draft Joint SEIS Comment Letter



May 15, 2023

United States Bureau of Reclamation
2007 Interim Guidelines SEIS Project Manager
Upper Colorado Basin Region
125 South State Street, Suite 8100
Salt Lake City, Utah 84138

Via Email: CRinterimops@usbr.gov

Subject: City of Escondido's and Vista Irrigation District's Comments on the U.S. Department of the Interior, Bureau of Reclamation April 2023, Near-term Colorado River Operations - Draft Supplemental Environmental Impact Statement

Dear Bureau of Reclamation:

The City of Escondido (Escondido) is a California municipality located in Northern San Diego County with a population of slightly over 150,000 residents.

Vista Irrigation District (VID) is a California Irrigation District which serves 135,000 people in the City of Vista and portions of Escondido, Oceanside, San Marcos, and unincorporated areas of San Diego County

Escondido and VID's Rights to Colorado River Water

Both Escondido and VID obtain water from the Colorado River in several ways.

Initially both Escondido and VID were dependent upon obtaining water from the San Luis Rey River. However, beginning in the 1950's both entities were forced by drought conditions and population growth to find additional sources of water and became member agencies of the San Diego County Water Authority (Water Authority).¹

¹ The Water Authority provides the water supply for the entire San Diego area and the region's \$223 billion economy, and that water sustains the quality of life of the 3.3 million people who live and work in San Diego County. The Water Authority consists of 24 member agencies: six cities (including the City of San Diego), five water districts, three irrigation districts, eight

The Water Authority through its status as a member agency of the Metropolitan Water District of Southern California (MWD)² has rights to obtain water from the Colorado River.³ In addition, the Water Authority supply portfolio includes independent conserved Colorado River supplies negotiated through the landmark 2003 Quantification Settlement Agreement (QSA). The QSA supplies include 200,000 acre-feet annually through a conserved water agreement with the Imperial Irrigation District (IID)⁴, and approximately 77,000 acre-feet conserved by concrete lining long stretches of the All-American Canal and its Coachella Branch.

In connection with their rights to Colorado River water through their membership in the Water Authority, Escondido and VID believe that any additional water cuts should be based on voluntary actions like the 2007 Interim Guidelines and agreements adopted pursuant to the Colorado River Drought Contingency Plan Authorization Act (DCPA - Public Law 116-14). To the extent that mandatory cuts are required Escondido and VID do not support Alternative 2 but believe that the Bureau should respect long established water rights law and follow the Law of the River for all water rights holders and users of Colorado River water.

In addition to its rights through its membership in the Water Authority, Escondido and VID also have their own independent rights to Colorado River water pursuant to a Federal Statute, the San Luis Rey Indian Water Rights Settlement Act.

History of the San Luis Rey Water Rights Dispute and Settlement

The San Luis Rey River originates in the Palomar and Hot Springs Mountains and flows westward for more than 55 miles across northern San Diego County before terminating at the Pacific Ocean in the City of Oceanside. When the United States established Reservations for five Indian Bands (the La Jolla Band of Luiseno Indians, the Rincon Band of Luiseno Indians, the San Pasqual Band of Diegueno Indians, the Pauma Band of Luiseno Mission Indians, and the Pala Band of Mission Indians) in or near the San Luis Rey River watershed in the late 1800s, the United States impliedly reserved San Luis Rey River water in sufficient quantities for use on those reservations. The U.S. Supreme Court has upheld such tribal water rights. *See, e.g., Winters v. United States*, 207 U.S. 564 (1908).

Soon after the Indian Reservations were established, the predecessors-in-interest to Escondido

municipal water districts, one public utility district, and one federal agency (a military base). Escondido and VID are member agencies of the County Water Authority and thus have seats on its 36-member Board of Directors.

² MWD consists of 26-member water agencies — cities, municipal water districts and the Water Authority — and delivers water directly or indirectly to 19 million people in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties. The Water Authority is the largest user of MWD water and has four designated Delegates on MWD's 38-member Board of Directors.

³ As noted on page 3-60 of the Draft Supplemental Environmental Impact Statement, pursuant to California's Seven-Party Agreement, MWD has a Fourth Priority right to 550,000-acre feet of Colorado River water.

⁴ As noted on page 3-60 of the Draft Supplemental Environmental Impact Statement, pursuant to California's Seven-Party Agreement, IID has a Third Priority right to California's 4,400,000 acre-feet of Colorado River water. IID has a "present perfected" right to 2,600,000 acre-feet of water annually.

began diverting and using San Luis Rey River water in the Escondido area pursuant to state water appropriations and a series of federal contracts, permits and licenses. A few years later, the predecessors-in-interest to VID, pursuant to its state water appropriations and another federal contract began capturing San Luis Rey River flows and flood waters in a reservoir (Lake Henshaw) for subsequent release into the Escondido Canal for water and power use by Escondido and VID. The United States effectively gave the San Luis Rey River water away twice: first to the Bands, then to Escondido and VID. As a result, approximately ninety percent of the upper San Luis Rey River flows were diverted away from the Reservations.

In 1969, the Indian Bands, and later the United States on their behalf, sued Escondido and VID, claiming that Escondido and VID's diversion of water from the San Luis Rey River deprived the Indian Bands of water under their preexisting federal water rights. Among other claims, they also asserted that the federal permits, contracts and licenses on which VID and Escondido relied were either invalid or had been breached.⁵

After nearly two decades of litigation, Congress enacted the San Luis Rey Indian Water Rights Settlement Act in 1988 (Settlement Act - Public Law 100-675). The Settlement Act recognized that the San Luis Rey River could not meet the water needs of the Indian Bands, Escondido, and VID. See § 103(a)(3).

Title I of the Settlement Act directed the Secretary annually to provide 16,000 acre-feet of "Supplemental Water" (i.e., water from a source other than the San Luis Rey River) to the Indian Bands, VID, and Escondido to resolve their conflicting and unmet water demands and created the San Luis Rey Indian Water Authority (Indian Water Authority) to administer the Indian Bands' share of the Supplemental Water. See §§ 106, 107.⁶

Title II of the Settlement Act authorized the Secretary to line certain previously unlined portions of the All-American Canal and its Coachella Branch, § 203, and identified the Canal Lining Projects as a possible source of Supplemental Water to settle the San Luis Rey water rights dispute as among the Indian Bands and VID and Escondido. See § 106(a)(2).

In 1998, the State of California appropriated two hundred million dollars (\$200,000,000) for the Canal Lining Projects as part of the Colorado River Management Program, California Water Code §12562(a)(1). This appropriation was conditioned on an agreement among the San Luis Rey Settlement Parties, MWD, the Imperial Irrigation District, and other agencies, after consultation with the United States, to allocate the water conserved by the Canal Lining Projects consistent with the San Luis Rey Settlement Act. *Id.* at § 12562(a)(3). In 2000, Congress enacted the "Packard Amendment," and directed that Colorado River water conserved by lining the All-American Canal and its Coachella Branch ("Canal Lining Projects") would be the source of the 16,000 acre-feet per year for the San Luis Rey Settlement, Public Law 106-377, App. B, § 211 (October 27, 2000)

⁵ The history of the San Luis Rey dispute is largely set forth in various published decisions. *See, e.g., Escondido Mutual Water Co. v. Federal Energy Regulatory Com.*, 692 F.2d 123 (9th Cir. 1982), *amended* 701 F.2d 826 (9th Cir. 1983), *aff'd. in part and rev. in part sub nom, Escondido Mutual Water Co v. La Jolla Band of Mission Indians*, 466 U.S. 765 (1984)

⁶ The Indian Bands, Escondido, VID, and the Indian Water Authority have often been referred to as the "San Luis Rey Settlement Parties." More recently, since the settlement is in the Implementation phase these parties are referred to as the "San Luis Rey Settlement Implementing Parties ("SIP")."

114 Stat. 1441A 70. The Packard Amendment added subsection 106(f) to the San Luis Rey Settlement Act:

Notwithstanding any other provision of law, in order to fulfill the trust responsibility to the Bands, the Secretary, acting through the Commissioner of Reclamation, shall permanently furnish annually the following:

(1) WATER.—16,000 acre-feet of the water conserved by the [Canal Lining Projects] for the benefit of the [San Luis Rey Settlement Implementing Parties] [...]

In addition to the original \$200,000,000 the California Legislature appropriated an additional \$55,000,000. By providing the remaining funds for the Canal lining Projects the Water Authority obtained the 77,000-acre feet of conserved water above the 16,000 af allocated to the San Luis Rey Settlement Implementing Parties (SIP Water).⁷

Final Settlement and Implementation of the San Luis Rey Settlement

Therefore, the SIP Water is conserved Colorado River Water because of the Canal Lining Projects. It is a good early example of water users and tribal governments working with the federal government to make water available through infrastructure improvement and conservation measures. Such examples are needed and consistent with the Bureau of Reclamation's efforts to promote multi-party cooperation and conservation measures. The Bureau should not cut water from successful conservation projects while at the same time promoting conservation. Water users need to be able to rely on the benefits of their investment in conserved water infrastructure projects to continue investing in them.

After reaching a settlement among themselves, the San Luis Rey Settlement Implementing Parties had to also reach a settlement with the United States. This required additional Federal legislation. See Pub Law 114-322, Act of Dec 16, 2016, 130 Stat 1793-94 which added section 112 "Implementation of the Settlement" to the San Luis Rey Settlement Act which approved and ratified the Settlement Agreements among the Settlement Implementing Parties and the United States. On May 17, 2017, following approvals of the Settlement by both the United States District Court and the Federal Energy Regulatory Commission, the San Luis Rey Settlement finally took effect.

The dispute that arose over a century ago and resulted in a fifty-year court battle and several Congressional actions has at last been resolved. The Parties to the Settlement have entered a new phase; they now work together as implementing partners. The Supplemental Water – made possible by Canal Lining Projects that were a major conservation measure to reduce California's

⁷ The Canal Lining Project and related contracts have withstood a variety of legal challenges. See, e.g., *Consejo De Desarrollo Economico De Mexicali. A.C. v. United States*, 482 F.3d 1157 (9th Cir 2007) (Canal Lining Project upheld against challenges that it violated the Endangered Species Act (16 U.S.C. § 1531 et seq) and the National Environmental Policy Act (42 U.S.C. § 4321 et seq)), *In re Quantification Settlement Cases*, 237 Cal. App.4th 72, 187 Cal. Rptr.3d 669 (2015) (Quantification Settlement Act Contracts including those allocating the Canal Lining water upheld against a various claims including that they violated the California Environmental Quality Act (Cal. Pub. Resources Code § 21000 et seq.)).

use of Colorado River

Water is a critical component of the Settlement's successful implementation.

This Congressional mandate to permanently furnish 16,000 acre-feet of conserved water per year to the San Luis Rey Settlement Implementing Parties for the Settlement and to fulfill the United States' trust responsibility to the Indian Bands cannot – and should not – be diminished or affected by the draft SEIS.

The congressional granted SIP Water is not subject to mandatory cuts by the Bureau because it is conserved water and because the Bureau does not have the authority as an executive branch agency to overturn a water right guaranteed by an Act of Congress.

Respectfully submitted,

Christopher McKinney
Deputy City Manager
City of Escondido

Jo MacKenzie
President of the Board
Vista Irrigation District

cc: Email Distribution List

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May 15, 2023

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Desert Sun.

ENVIRONMENT

Colorado River basin states reach historic deal on water cutbacks to stave off crisis



Janet Wilson

Palm Springs Desert Sun

Published 9:16 a.m. PT May 22, 2023

A deal has been reached to conserve at least 3 million acre-feet of water in the Colorado River through 2026, the Department of the Interior announced on Monday. More than half of that would be saved by the end of 2024.

A whopping \$1 billion in funding from the Inflation Reduction Act would be used to save 2.3 million acre-feet by compensating farmers, water districts and others, according to a source directly involved with talks on the agreement. The remaining 700,000 acre-feet would be achieved though voluntary, uncompensated reductions by the three states. The consensus-based proposal – agreed upon by California, Arizona and Nevada – commits to measures to conserve the water through the end of 2026, when current operating guidelines agreed to in 2007 are set to expire.

Officials leading the negotiations for the three lower basin states said in a proposal letter to the federal government that they were submitting it with "a firm recognition that recent hydrology does not override the longer-term challenges the basin is facing. The Lower Division States stand ready to support these efforts and look forward to our continued cooperation with Reclamation and the Upper Division States on these critical actions."

All seven states that depend on the river and its mammoth dams and reservoirs also submitted a letter requesting the voluntary proposal be added to an environmental review of other proposals by federal officials, which could have imposed mandatory cuts. In light of the new, consensus-based plan, Interior officials also announced they were temporarily withdrawing the draft SEIS published in April to fully analyze the effects of the new proposal, and pushed back the May 30 deadline for comments until an unspecified date. The Bureau of Reclamation will publish an updated draft for public comment with the

consensus-based proposal as an action alternative, and Interior plans to "finalize the... process" later this year.

"California worked hard with our Basin States partners to achieve consensus between all seven states to protect the Colorado River system for the duration of the current guidelines," California's Colorado River Board Chairman JB Hamby said in a statement. He also also serves as California's Colorado River commissioner.

The seven-states letter requested that Reclamation:

- analyze the Lower Basin Plan as an action alternative under the Draft Supplemental Environmental Impact Statement;
- provide sufficient time to fully analyze the plan consistent with applicable law, and;
- allow for an appropriate public comment period.

The draft SEIS evaluates potential near-term modifications to the 2007 Interim Shortage Guidelines that govern the operation of the Colorado River's major dams and reservoirs through 2026.

"California and our partners in Arizona and Nevada have developed a plan to better perform and protect the Colorado River system than either action alternative identified in the current Draft SEIS released last month by Reclamation," Hamby added. "The Lower Basin Plan will generate unprecedented volumes of conservation that will build elevation in Lake Mead, make strategic use of the improved hydrology, and build upon partnerships within and between states, urban water agencies, agricultural irrigation districts, and Basin Tribes who rely upon and share the Colorado River."

California has committed to saving 1.6 million acre-feet by 2026, with the rest of the savings coming from Arizona and Nevada.

Janet Wilson is senior environment reporter for The Desert Sun. She can be reached at jwilson@gannett.com or on Twitter @janetwilson66



STAFF REPORT

Board Meeting Date: May 24, 2023
Prepared By: Brett Hodgkiss

SUBJECT: FALLBROOK PUBLIC UTILITY DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT PROPOSED REORGANIZATIONS

RECOMMENDATION: For Information only.

PRIOR BOARD ACTION: At its November 16, 2022 meeting, the Board authorized the General Manager to submit comments on the on the proposed reorganizations of Fallbrook Public Utility District (Fallbrook) and Rainbow Municipal Water District (Rainbow) to the San Diego Local Agency Formation Commission (LAFCO).

FISCAL IMPACT: According to LAFCO staff, if Fallbrook and Rainbow were to detach and no exit fee was assessed, the San Diego County Water Authority (Water Authority) would see a net reduction in revenue of about \$12.581 million annually. Assuming the Water Authority collected the reduction in revenue from remaining agencies and purchases remained somewhat consistent with the past five-year rolling averages, LAFCO staff estimates the annual cost increase to the District to be \$347,984. Based on said amount, the District estimates that its commodity rates would increase by approximately five cents per billing unit, which translates to a typical customer's bi-monthly bill (3/4-inch meter and 24 units) increasing by \$1.20.

LAFCO staff is recommending that Fallbrook and Rainbow pay combined exit fee totaling \$24.305 million over a five-year period, translating to an annual payment of \$4.861 million, as a condition of detachment. Assuming the exit fee is assessed, the Water Authority would still see a net revenue reduction of \$7.72 million annually (\$12.581 million less the \$4.861 million), which would likely be collected from the remaining member agencies. Using the lower figure, the annual cost increase to the District is estimated at \$213,535 for a five-year period. Under this scenario, the District estimates that its commodity rates would increase by approximately three cents per billing unit, which translates to a typical customer's bi-monthly bill (3/4-inch meter and 24 units) increasing by 72 cents.

It is important to note that the increases shown above are related to the Fallbrook and Rainbow reorganizations only; these increases would be in addition to any other rate adjustments made by the Water Authority and/or the District in future years.

SUMMARY: In March 2020, Fallbrook and Rainbow filed reorganization applications with San Diego LAFCO seeking to transfer wholesale water service from the Water Authority to Eastern Municipal Water District (Eastern) in Riverside County. According to LAFCO staff, this transfer request necessitates multiple jurisdictional changes and related approvals by LAFCO, namely concurrent detachment from the Water Authority and annexation into Eastern. Fallbrook and Rainbow estimate that the reorganization will reduce their per acre-foot wholesale cost by over \$400.

In May 2020, the Water Authority Board adopted a resolution opposing the detachment unless four issues were shown to be satisfied during the LAFCO process. The four issues are as follows:

1. It can be determined by what means Fallbrook and Rainbow can guarantee all obligations as promised to their own ratepayers can be met;
2. It can be demonstrated that the detachment will not adversely affect its other member agencies and the region financially or environmentally;

3. It can be demonstrated that the reorganization will not increase reliance on the Bay-Delta; and
4. It can be demonstrated that the detachment will not diminish the Water Authority's voting power at Metropolitan Water District of Southern California (MWD).

The Fallbrook and Rainbow proposed reorganizations May 2023 prospectus covers the administrative review of the applications and summarizes key policy issues underlying the reorganization applications, key LAFCO staff conclusions and recommendations. The LAFCO Commission (Commission) will hold a public hearing on this matter on June 5, 2023 at 8:30 AM; July 10, 2023 has been reserved for the Commission to continue the hearing, if necessary.

DETAILED REPORT: The administrative review by LAFCO has included approval of a Memorandum of Understanding with Riverside LAFCO, which designates San Diego LAFCO as the lead, as well as approval of alternate conducting authority proceedings, allowing any proposal approval to bypass the standard protest proceedings and go directly to a confirmation election of registered voters. An Ad Hoc Committee was formed to advise the Executive Director through the administrative review process; their focus was on water supply reliability, ratepayer impacts and exit fees, all of which are addressed in the prospectus. Lastly, as a prerequisite to considering proposed jurisdictional changes, a property tax exchange analysis was prepared, a municipal service review (MSR) of the Fallbrook region was completed and an addendum to the most recent MSR for Eastern was prepared.

Based on its administrative review, LAFCO staff has drawn conclusions on a number of key policy issues that have informed their recommendations to the Commission (see pages 6 and 7 of the prospectus). Below is a summary of the key conclusions and recommendations as well as District staff's observations.

Fallbrook and Rainbow ratepayers will see cost savings. LAFCO published estimates that the average monthly household savings for Fallbrook and Rainbow ratepayers to be \$23.50 if the proposed reorganizations are approved. It is not stated whether the estimated savings figure takes into consideration the payment of an exit fee to the Water Authority; if the figure does not include this cost, the estimated savings figure would be overstated (over time period that the exit fee is in place).

Water Authority member agencies' ratepayers will see cost increases. The conclusion that other Water Authority member agencies' ratepayers will have to pay higher rates (as the result of Fallbrook and Rainbow reorganizations) is correct. Additionally, Water Authority's pass-through rate increase associated with the proposed reorganization would be in addition to any other rate adjustments made by the Water Authority to address member agency roll-offs, MWD rate increases, etc.

Financial Impacts to Water Authority and ratepayers are material but not significant. The conclusion that the financial impacts of the detachments are significant but not material is because the annual net revenue loss to the Water Authority (\$12.581 million) equals 4.4% of its gross water sales. The increase is significant and material when one considers that it would be in addition to any other rate adjustments made by the Water Authority and/or the District in future years.

Approval of the Proposals is reasonable if conditioned on an exit fee. The conclusion that it would be appropriate to require an exit fee equal to the estimated revenue loss for the Water Authority should Fallbrook and Rainbow detach seems reasonable.

Discounting the exit fee to reflect cost savings is reasonable. The prospectus states that the Water Authority would save \$38.6 million should Fallbrook and Rainbow detach that would otherwise be expended on proceeding with the Emergency Storage Project (ESP) North County Pump Station; therefore, discounting the exit fee to account for this cost avoidance is reasonable. As noted in the District's November 29, 2022 comment letter, the Water Authority has stated that only "de minimus amounts" have been spent on initial planning for this project, no debt has been issued for this project and no project costs have been included in its rates and

charges or budget. Given those statements, a firm commitment to fund and construct the project has not been made by the Water Authority; therefore, there is no savings to be realized and the offset would be zero.

Near-certain roll-off impacts are measurably higher than detachment impacts. LAFCO staff estimates the annual net revenue loss tied to expected roll-offs involving three reuse projects is estimated at \$47.0 million by the end of the decade, translating to a ratepayer impact of 9.4% (compared to a 2.5% ratepayer impact associated with the detachment). This conclusion seems to support LAFCO staff's alternative action (option three on page 7 of the prospectus) to defer consideration of the proposals until the completion of a scheduled municipal service review on the Water Authority, which includes an evaluation of the financial condition of the agency.

Loss of voting rights at MWD is a valid concern. LAFCO staff is correct that voting rights at MWD are valuable, especially when voting on important decisions that have a lasting impact on San Diego region ratepayers; the loss of any voting rights is of the utmost concern.

Detachments would benefit agriculture in the North County. LAFCO staff notes that both agencies' proposals center on the premise of providing economic relief to their agricultural customers by securing less expensive water supplies. LAFCO statute and adopted policy address the loss of agriculture with the latter having been recently expanded to now consider actions whenever appropriate to "enhance" agriculture, which allows the Commission to make special accommodations for the affected territory in evaluating the proposals. As noted in the District's November 29, 2022 letter, agricultural water use could be reduced by as much as 90% or be completely prohibited under the Human Health and Safety formula MWD (Eastern's wholesale water supplier) used in parts of its service area during a drought. The potential for this type of reduction during a drought does not appear to support a policy of enhancing agriculture.

Based on the aforementioned conclusions, LAFCO staff has developed five options (listed on page 7 of the prospectus) with three of the five having merit and warranting consideration by the Commission. The three options are 1) approve the proposal with additional conditions that include requiring the applicants to pay exit fees to County Water Authority; 2) defer consideration of the proposals until the completion of a scheduled municipal service review on the Water Authority; or 3) disapprove the proposals without prejudice. LAFCO staff is recommending that the Commission approve the proposals with special terms that require the applicants to pay a combined exit fee totaling \$24.305 million over five years to the Water Authority.

LAFCO staff has scheduled a combined public hearing for the Commission to consider the Fallbrook and Rainbow proposed reorganizations for June 5, 2023 at 8:30 AM; July 10, 2023 has been reserved for the Commission to continue its deliberations if additional time is needed. Commission meetings are live streamed and may be viewed on the YouTube Channel @sandiegolafco9909. All documents received or sent by LAFCO on the Fallbrook and Rainbow proposed reorganizations can be found on a dedicated LAFCO's webpage at <https://www.sdlafco.org/resources/major-proposals/fallbrook-pud-rainbow-mwd-wholesaler-reorganization-2020>.

ATTACHMENTS:

- Proposed Reorganizations Fallbrook Public Utility District and Rainbow Municipal Water District Prospectus, May 2023
- Estimated Detachment Impacts to Member Agencies and Ratepayers
- Vista Irrigation District comment letter dated November 29, 2022
- Assembly Bill 530
- Rainbow letter to LAFCO regarding Assembly Bill 530



Proposed Reorganizations

FALLBROOK PUD +
RAINBOW MWD

PROSPECTUS

STAFF REPORT | May 2023



OVERVIEW

This prospectus covers San Diego LAFCO's administrative review of two related reorganization proposals filed by Fallbrook Public Utility District (PUD) and Rainbow Municipal Water District (MWD). The proposed reorganizations affect – directly or indirectly – a sizable portion of San Diego County residents and are scheduled to be presented to the Commission for formal deliberations as part of a joint-hearing on June 5, 2023. This prospectus summarizes the proposed reorganizations and key policy issues addressed during the administrative reviews – including jurisdictional disputes and other material topics identified by the Executive Officer – along with outlining staff recommendations.

PROPOSAL FILINGS: What Fallbrook PUD and Rainbow MWD are Requesting...

Fallbrook PUD and Rainbow MWD via separate proposal filings in March 2020 are requesting LAFCO approval to transfer wholesale water service responsibilities within their combined 124 square mile jurisdictional boundaries from the San Diego County Water Authority to Eastern MWD in Riverside County. The requested transfer necessitates multiple jurisdictional changes and related approvals by LAFCO and headlined by concurrently (a) detaching the affected territory from the County Water Authority and (b) annexing into Eastern MWD. The stated purpose of the proposals is to achieve cost-savings for the applicants and by extension their retail ratepayers with additional focus on agricultural users. The savings ties to the applicants' agreement with Eastern MWD for wholesale water supplies at a per acre-foot charge that is (one-third) lower than the charge from the County Water Authority.

PROPOSAL FILINGS: What the County Water Authority is Requesting in Response...

The County Water Authority is on record opposing the proposals unless:

- Rainbow and Fallbrook guarantee all obligations as promised to their own ratepayers are met.
 - Detachments will not adversely affect other County Water Authority member agencies and San Diego County as a region – financially or environmentally.
- Detachments will not increase reliance on the Bay Delta.
 - Detachments will not diminish the County Water Authority’s voting power at MET.

Regional Setting: Fallbrook PUD and Rainbow MWD

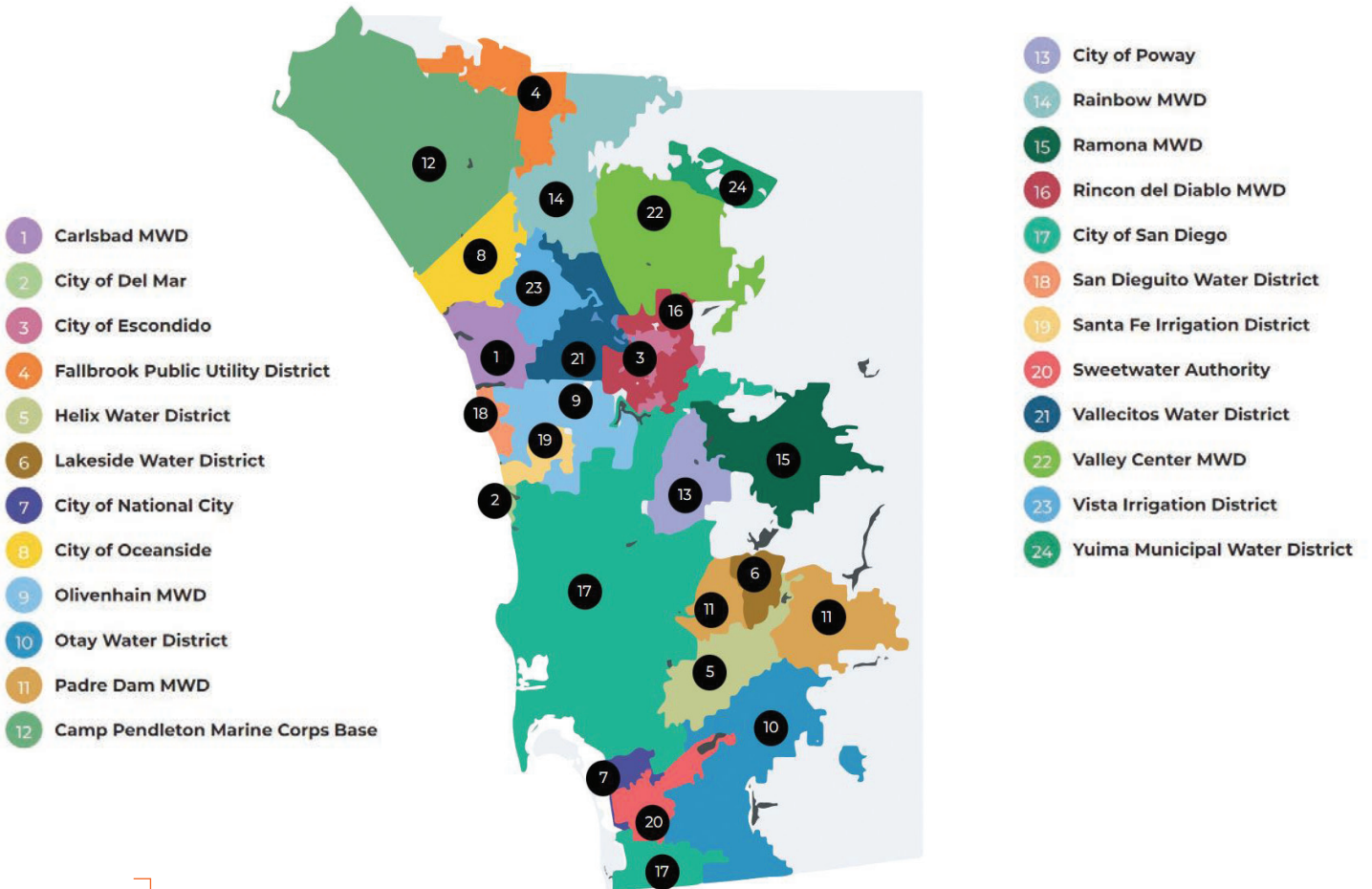
Fallbrook PUD

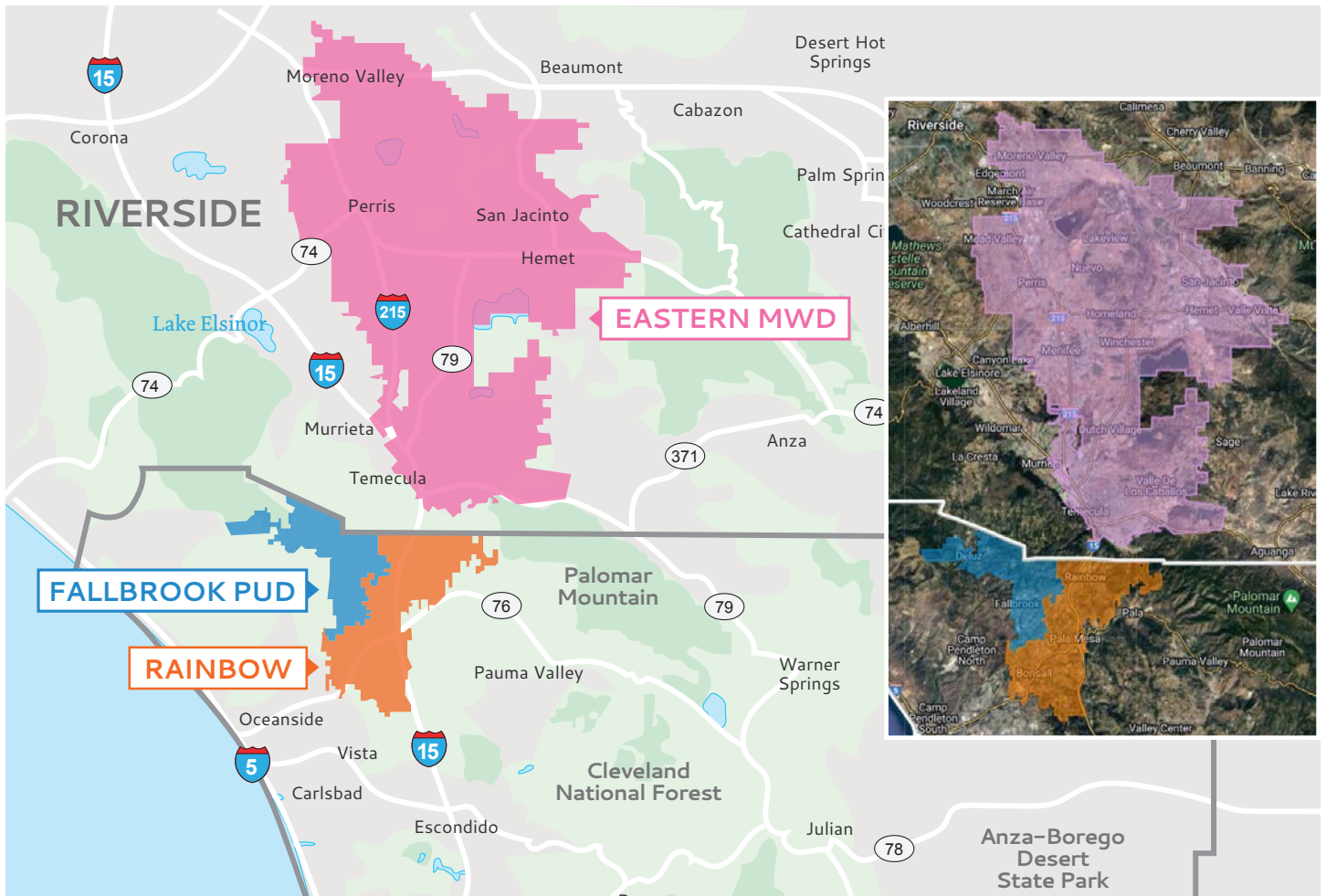
Board President Charley Wolk
 General Manager Jack Bebee
 Formed in 1922
 Estimated Population is 33,986
 Avg Annual Water Demand is 9,161 AF
 6% of Customers are Ag
 38% of Water Demand is Ag

Rainbow MWD

Board President Hayden Hamilton
 General Manager Tom Kennedy
 Formed in 1953
 Estimated Population is 22,130
 Avg Annual Water Demand is 16,976 AF
 29% of Customers are Ag
 67% of Water Demand is Ag

San Diego County Water Authority + Member Agencies





ADMINISTRATIVE REVIEW Informing Preambles...

Approval of Memorandum of Understanding with Riverside LAFCO

In response to the proposal filings, San Diego and Riverside LAFCOs entered into a memorandum of understanding (MOU) to establish tasks and responsibilities in October 2019. The MOU designates San Diego as lead in preparing all related analysis and this includes completing a municipal service review on Eastern MWD to inform a conforming sphere of influence action to accommodate any annexation approvals. The MOU specifies San Diego shall actively consult with Riverside in processing the reorganizations and related studies. All approvals are delegated to San Diego.

Approval of Alternative Conducting Authority Proceedings

As allowed under statute, at its May 2020 meeting San Diego LAFCO approved a request from the County Water Authority to apply alternative conducting authority proceedings should the Commission approve Fallbrook PUD and/or Rainbow MWD's proposals. This means any proposal approval will bypass standard protest proceedings and directly proceed to a confirmation election of registered voters. An election would be limited to the boundaries of the Fallbrook PUD and Rainbow MWD and may – at the discretion of the Commission – be expanded to include the boundaries of Eastern MWD.



Solar panels facilitate well pumping in Fallbrook, California.

» Administrative Review

Establishment of an Advisory Committee & Technical Expertise from Dr. Michael Hanemann

Given the complexities and associated jurisdictional disputes underlying the proposals, at its June 2020 meeting San Diego LAFCO created a 10-member Ad Hoc Committee to advise the Executive Officer through the administrative review process. The Ad Hoc includes representatives from all four subject agencies plus at-large members and held 13 public meetings between December 2020 and April 2023. Most of these meetings were dedicated to addressing three overlapping topics – (a) water supply reliability, (b) financial impacts, (c) potential exit fees – selected by the Ad Hoc with their related tasking of Dr. Michael Hanemann with Arizona State University to provide expert analysis. Dr. Hanemann’s final report was presented to the Ad Hoc in February 2022.

Property Tax Exchange Process

As required for all proposed jurisdictional changes, a property tax exchange analysis has been prepared for the Fallbrook PUD and Rainbow MWD proposals. This analysis concludes an existing tax exchange resolution previously adopted by the Board of Supervisors applies to the proposals. The application of the County’s adopted master exchange resolution would result in 100% of all AB8 monies (the portion of the 1% in property taxes biannually collected) transferring to Eastern MWD. The total annual value of the property tax transfer is \$0.382 million. All remaining annual revenues collected by the County Water Authority off the property tax roll within the affected territory involves unitary fees and available charges and would immediately cease. These other annual revenues currently total \$0.723 million.

Municipal Service Review on the Fallbrook Region

As a prerequisite to considering the proposed jurisdictional changes, San Diego LAFCO has prepared and completed a municipal service review on the Fallbrook region and the local agencies operating therein subject to the Commission’s oversight – including Fallbrook PUD and Rainbow MWD. The final report – approved March 2022 – outlines nine central conclusions relative to LAFCO’s growth management tasks and interests based on data collected and analyzed between 2016 and 2020. This includes concluding Fallbrook PUD and Rainbow MWD have experienced clear and measurable financial stresses and reflected in substantive declines in their liquidity, capital, and margin levels over the preceding 60-month period.

Addendum to Municipal Service Review on Eastern MWD

As a separate prerequisite to considering the proposed jurisdictional changes, San Diego LAFCO has prepared and completed an addendum to Riverside LAFCO’s most recent municipal service review on Eastern MWD. The addendum provides gap analysis on Eastern MWD with specific attention to its potable water function and financial standing through data collected and analyzed between 2017 to 2021. The addendum concludes Eastern MWD maintains adequate infrastructure to meet current and anticipated potable water demands (retail and wholesale) with available capacity to accommodate additional growth. This conclusion is reflected in average annual and daily system demands for Eastern MWD equaling less than one-third of its available capacities (supplies and associated infrastructure) during the 60-month period. The addendum also concludes Eastern MWD is fiscally sound overall and marked by finishing with positive total margins in the last four of the five years covered.



Residential homes near Interstate 15 in Fallbrook, California.

Timing Considerations: Addressing Jurisdictional Disputes + Other Material Topics ...

The central focus of the administrative review involves analyzing the proposals’ timing relative to three overlapping factors. The first factor involves baseline considerations in statute ranging from disclosing and otherwise addressing compatibility with external policies of other State, regional, and local agencies as well as assessing the ability of Eastern MWD – as the receiving agency – to provide services. The second factor involves addressing consistency with Commission policies and includes L-107 and its provisions to disclose and remedy – if reasonable – known jurisdictional disputes. The third factor expands on addressing jurisdictional disputes and involves evaluating 18 other material topics selected by the Executive Officer that are largely sourced to comments generated during the approximate three-year administrative review. These 18 topics collectively capture the key policy issues underlying consideration of the proposals and include all of the following subjects:

- MET’s Position on the Detachments
- Financial Difference Between “Roll-Offs” and Detachments
- Financial Impacts from Detachments on CWA’s Member Agencies + Ratepayers
- Merits and Options to Impose Exit Fees
- LAFCO’s Authority to Require Exit Fees
- Risk to Applicants in Assuming Greater Reliance on the Sacramento Bay-Delta
- Detachments’ Impact on CWA’s Voting Power at MET Based on Recent History
- Emergency Supplies Available to the Applicants During a Catastrophic Event
- Determining the “Affected Territory” for Election Purposes
- SANDAG’s Position on the Detachments
- Detachments’ Impact on CWA’s Credit Rating and Ratepayers
- Measuring the Significance of the Financial Impacts to CWA + Ratepayers
- Appropriate Length of Any Exit Fees
- Merits to Discount Any Exit Fees
- Risk to Applicants in Changes to MET Wholesale Rates Going Forward
- Detachments’ Effect on Reuse Projects in San Diego County
- Effect of Stipulated CEQA Settlements Involving Applicants on LAFCO
- Role of Agriculture in the Proposals + Influence on LAFCO Decision-Making



KEY STAFF CONCLUSIONS

The following key conclusions are directly drawn from the administrative review and inform the staff recommendations.

1. Fallbrook PUD + Rainbow MWD's Ratepayers Will See Cost-Savings

LAFCO staff estimates the average monthly cost-savings for the applicants' ratepayers is \$23.50 per household. This estimate draws on Dr. Hanemann's macro calculations and assumes full-pass through to ratepayers.

2. County Water Authority's Member Agencies' Ratepayers Will See Cost-Increases

LAFCO staff estimates the average monthly cost-increases to the remaining County Water Authority member agencies' ratepayers at \$2.20 per household. This estimate draws on Dr. Hanemann's macro calculations and assumes full-pass through to ratepayers.

3. Financial Impacts to CWA + Ratepayers are Material – But Not Significant

LAFCO staff believes the financial impacts of the detachments on the County Water Authority – and by extension its member agencies and retail ratepayers – are material but not significant given standard measurements. This includes showing the annual net-revenue impact on the County Water Authority of \$12.581 million (Dr. Hanemann calculation) equaling 4.4% of its gross water sales and below the one-year inflation rate of 6.4% for San Diego County (emphasis).

4. Approval of the Proposals with an Exit Fee is Reasonable

Conditioning any proposals' approvals to require an exit fee to the County Water Authority is reasonable and merited given the financial impacts and need therein for a period of adjustment. LAFCO staff believes mitigating annual net revenue losses appears appropriate in setting exit fees since it is the most concrete and quantifiable impact to the County Water Authority. Dr. Hanemann calculates this impact at \$12.581 million annually. Focusing on mitigating annual net revenue losses also covers long-term debt by helping to keep the County Water Authority whole and its ability to service debt on an annual basis.

5. Discounting an Exit Fee to Reflect Cost-Savings is Reasonable

The County Water Authority would save \$38.6 million should Fallbrook PUD and Rainbow MWD detach that would otherwise be expended on proceeding with the planned and budgeted construction of the ESP North County Pump Station. Discounting the exit fee to account for this cost-avoidance to the County Water Authority is reasonable and merited.

6. Near-Certain Roll-Off Impacts are Measurably Higher than Detachment Impacts

The estimated annual net-revenue loss tied to expected roll-offs involving three reuse projects (San Diego, Oceanside, and Padre/Helix) on the County Water Authority is \$47.0 million by the end of the decade and translates to a ratepayer impact of 9.4%. Comparatively, the estimated impact of detachments on the County Water Authority's annual net-revenue is \$12.6 million (less any exit fees) and translates to a ratepayer impact of 2.5%.

7. Loss of Voting Rights at MET is a Valid Concern

Should Fallbrook PUD and Rainbow MWD detach from the County Water Authority and annex into Eastern MWD a proportional change in voting rights at MET would follow. The estimated value of voting rights totals 0.3% and considered material given the proximity to the recent margin in the successful vote of the new MET General Manager in June 2021. While staff does not believe the proportional change in voting rights associated with the detachments would measurably increase going forward, this topic does merit Commission attention.

8. Detachments Would Benefit Agriculture in North County

A central premise to the applicants' proposals involve providing economic relief to their agricultural customers by securing less expensive water supplies from Eastern MWD. The specter of agricultural losses is a prominent consideration under LAFCO statute and adopted policy with the latter having been recently expanded to now consider actions whenever appropriate to "enhance" agriculture. The substantive ties between statute and policy in supporting agriculture provides added allowance for the Commission to make special accommodations for the affected territory in evaluating the proposals.





STAFF RECOMMENDATIONS + MORE

Available Alternatives...

Five alternative actions for the proposed reorganizations are available to the Commission. These alternatives are organized linearly as follows:

- **Option One** involves approving the proposals with only standard conditions.
- **Option Two** involves approving the proposal with additional conditions that include requiring the applicants to pay exit fees to County Water Authority.
- **Option Three** involves deferring consideration of the proposals until the completion of a scheduled municipal service review on the County Water Authority.
- **Option Four** involves disapproving the proposals without prejudice.
- **Option Five** involves disapproving the proposals.

Staff Recommendations...

Staff believes three of the five available alternatives – Options Two, Three, and Four – are readily merited based on the administrative review and distinguished by addressing different and otherwise appropriate Commission policy priorities. Among these three merited alternatives, staff recommends Option Two with special terms to require the applicants pay a combined annual exit fee payment for five years totaling \$24.305 million. This alternative prioritizes the stand-alone merits of the applicants' proposals and concurrent policy enhancement of supporting a viable agriculture economy in North County. Related actions in support of the staff preferred alternative are also recommended and include making exemption findings under the California Environmental Quality Act.

Public Review + Comment.

Staff's full report and recommendations on the proposed reorganizations are available online at www.sdlafco.org. The public is encouraged to review the report and consider submitting comments. All written comments received by Monday, May 22, 2023 will be incorporated into the agenda packet provided to the Commission and posted online ahead of the public hearing set for Monday, June 5, 2023. Comments should be emailed to Priscilla Mumpower at priscilla.mumpower@sdcountry.ca.gov. Comments are also welcomed during the hearing.



For more information or to access
the full report, please visit:

sdlafco.org

ESTIMATED DETACHMENT IMPACTS TO MEMBER AGENCIES + RATEPAYERS

Agenda Report, June 5, 2023

STEP ONE Baseline...			STEP TWO Isolating Detachment Impacts...			STEP THREE Detachment True Ups...			STEP FOUR Annual Agency Impacts...			STEP FIVE Annual Ratepayer Impacts...			STEP SIX Monthly Ratepayer Impacts...		
Water Sales + Equivalent Meter Units 5-Year Averages FY17 to FY22			FPUD and RMWD Revenue Share Assumes Property Tax Loss			Adjusting for Detachments Making Up for FPUD and RMWD Leaving...			Redistribution of Loss Revenue MACRO: Each Agency (annual)			Redistribution of Loss Revenue MICRO: Individual Ratepayers (annual)			Redistribution of Loss Revenue MICRO: Individual Ratepayers (annual)		
% of Total	# of Active EMUs		Years 1 to 10	Years 11 +	Adjusted... % of Total	differenece	Years 1 to 10	Years 11 +	Years 1 to 10	Years 11 +	Years 1 to 10	Years 11 +	Years 1 to 10	Years 11 +			
Carlsbad MWD	4.80%	36,577	603,886.46	527,432.06	5.106%	0.306%	642,432	561,098	17.56	15.34	1.46	1.28	1.46	1.28			
City of Del Mar	0.30%	2,506	37,742.90	32,964.50	0.319%	0.019%	40,152	35,069	16.02	13.99	1.34	1.17	1.34	1.17			
City of Escondido	2.90%	35,618	364,848.07	318,656.87	3.085%	0.185%	388,136	338,997	10.90	9.52	0.91	0.79	0.91	0.79			
Fallbrook PUD	2.10%	11,887	264,200.33	230,751.53	0.000%		-	-	-	-	-	-	-	-			
Helix WD	5.60%	65,537	704,534.21	615,337.41	5.957%	0.357%	749,504	654,614	11.44	9.99	0.95	0.83	0.95	0.83			
Lakeside WD	0.80%	8,199	100,647.74	87,905.34	0.851%	0.051%	107,072	93,516	13.06	11.41	1.09	0.95	1.09	0.95			
City of National City	0.50%	*	62,904.84	54,940.84	0.532%	0.032%	66,920	58,448			-	-	-	-			
City of Oceanside	5.40%	58,289	679,372.27	593,361.07	5.745%	0.345%	722,736	631,235	12.40	10.83	1.03	0.90	1.03	0.90			
Olivenhain MWD	4.20%	28,376	528,400.66	461,503.06	4.468%	0.268%	562,128	490,961	19.81	17.30	1.65	1.44	1.65	1.44			
Otay WD	8.00%	60,715	1,006,477.44	879,053.44	8.511%	0.511%	1,070,721	935,163	17.64	15.40	1.47	1.28	1.47	1.28			
Padre Dam MWD	2.80%	27,048	352,267.10	307,668.70	2.979%	0.179%	374,752	327,307	13.86	12.10	1.15	1.01	1.15	1.01			
Camp Pendelton	0.00%		-	-	0.000%	0.000%	-	-			-	-	-	-			
City of Poway	2.20%	17,076	276,781.30	241,739.70	2.340%	0.140%	294,448	257,170	17.24	15.06	1.44	1.26	1.44	1.26			
Rainbow MWD	3.90%	14,864	490,657.75	428,538.55	0.000%		-	-	-	-	-	-	-	-			
Ramona MWD	1.30%	10,328	163,552.58	142,846.18	1.383%	0.083%	173,992	151,964	16.85	14.71	1.40	1.23	1.40	1.23			
Rincon MWD	1.50%	10,418	188,714.52	164,822.52	1.596%	0.096%	200,760	175,343	19.27	16.83	1.61	1.40	1.61	1.40			
City of San Diego	37.20%	395,266	4,680,120.10	4,087,598.50	39.574%	2.374%	4,978,851	4,348,509	12.60	11.00	1.05	0.92	1.05	0.92			
San Dieguito WD	1.00%	15,371	125,809.68	109,881.68	1.064%	0.064%	133,840	116,895	8.71	7.60	0.73	0.63	0.73	0.63			
Santa Fe ID	1.70%	10,560	213,876.46	186,798.86	1.809%	0.109%	227,528	198,722	21.55	18.82	1.80	1.57	1.80	1.57			
Sweetwater	1.40%	43,303 *	176,133.55	153,834.35	1.489%	0.089%	187,376	163,654	4.33	3.78	0.36	0.31	0.36	0.31			
Vallecitos WD	4.60%	27,461	578,724.53	505,455.73	4.894%	0.294%	615,664	537,719	22.42	19.58	1.87	1.63	1.87	1.63			
Valley Center MWD	4.20%	14,690	528,400.66	461,503.06	4.468%	0.268%	562,128	490,961	38.27	33.42	3.19	2.79	3.19	2.79			
Vista ID	2.60%	36,047	327,105.17	285,692.37	2.766%	0.166%	347,984	303,928	9.65	8.43	0.80	0.70	0.80	0.70			
Yuima MWD	1.00%	596	125,809.68	109,881.68	1.064%	0.064%	133,840	116,895	224.56	196.13	18.71	16.34	18.71	16.34			
Total:	100.00%	930,732	12,580,968	10,988,168	100.000%	6.000%			Annual Averages	\$ 26.41	\$ 23.06	Monthly Averages	\$ 2.20	\$ 1.92			
									... per month average	\$ 2.20	\$ 1.92						

Less FPUD and RMWD	Others	Comibned
Years 1 to 10	94.00%	6.00%
Years 11 +	94.00%	6.00%

* Sweetwater's EMU total of 33,284 is split with National City



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Board Secretary
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General Counsel

November 29, 2022

Priscilla Mumpower
Analyst II
San Diego Local Agency Formation Commission
2550 Fifth Avenue, Suite 725
San Diego, CA 92103

Via U.S. Mail and email to priscilla.mumpower@sdcounty.ca.gov

Re: Comments on the proposed reorganizations of Fallbrook Public Utility District and Rainbow Municipal Water District

Dear Ms. Mumpower:

Vista Irrigation District (District) appreciates the opportunity to provide comments on the proposed reorganizations of the Fallbrook Public Utility District (Fallbrook) and Rainbow Municipal Water District (Rainbow), which seek to transfer wholesale water service from the San Diego County Water Authority (Water Authority) to Eastern Municipal Water District (Eastern). As San Diego Local Agency Formation Commission (LAFCO) staff is aware, the decisions made by the LAFCO Commission on this matter affect, not only the Water Authority, but also its member agencies and their ratepayers. The District is concerned about the negative impacts to our agency and ratepayers should the LAFCO Commission approve the reorganization based on the tentative conclusions on key policy decisions presented in the October 2022 prospectus on the proposed reorganizations prepared by LAFCO staff.

At its November 16, 2022 meeting, the District's Board of Directors reviewed the prospectus as well as other documents that have been submitted in response to the proposed reorganizations. Based on its review and discussion of the matter, the Board of Directors directed staff to submit comments on the proposed reorganizations, focusing on the tentative conclusions presented in the prospectus and the impact on the District and its ratepayers. The following comments are being submitted on behalf of the District and its Board of Directors for LAFCO's consideration.

1. ***Water Authority member agencies' ratepayers will see cost increases.*** The conclusion that other Water Authority member agencies' ratepayers will have to pay higher rates (if Fallbrook and Rainbow detach and no exit fee is assessed; if an assessed exit fee does not equal the Water Authority's revenue loss associated detachment; or after the term of an assessed exit fee terminates) is correct. However, the impacts are understated when the estimated figures shown in the Hanemann report are adjusted to actual figures shown in the table included with the Water Authority's June 9, 2022 letter to LAFCO. Additionally, the Water Authority's pass-through rate increase associated with the proposed reorganization would be in addition to any other rate adjustments made by the Water Authority to address member agency roll-offs, MWD rate increases, etc. as well as the member agencies own rate and charge increases.

A public agency serving the city of Vista and portions of San Marcos, Escondido, Oceanside and San Diego County

Based on figures shown in the Advisory Committee on the Rainbow-Fallbrook Reorganizations Workgroup Summary and in the table included with the Water Authority's June 9, 2022 letter to LAFCO, the District would see its costs increase anywhere from \$339,660 to \$475,000 annually if an exit fee is not assessed (or after an exit fee terminates, if one is assessed). The District would need to increase its commodity rates by an estimated five cents to seven cents per billing unit to cover those higher costs from the Water Authority. This translates to the District's typical customer (3/4" water meter using 24 billing units) being charged an additional \$1.20 to \$1.68 every two months. The impacts to all Water Authority member agencies' ratepayers should be calculated and disclosed to inform the LAFCO Commissioners rather than just providing the impacts to three agencies.

2. ***Approval of the Proposals is reasonable only if conditioned on an appropriate exit fee.*** The conclusion that it would be appropriate to require an exit fee equal to the estimated revenue loss for the Water Authority should Fallbrook and Rainbow detach is reasonable.
3. ***Five years is not an appropriate length of time for an exit fee.*** The prospectus notes that the purpose of the exit fee is to provide the Water Authority and its remaining member agencies a level of financial protection in the short run while they adjust to the changed financial situation associated with the Fallbrook and Rainbow detachments. The tentative conclusion by LAFCO staff that five years is an appropriate standard to apply an annual exit fee is not supported. The Hanemann reports notes that in the water industry, 10 years would typically be considered short term for planning purposes. Therefore, 10 years would be the shortest standard to apply. However, even 10 years is too short under the circumstances given the substantial investments/obligations that have been incurred by the Water Authority in order to supply water to its member agencies, including Rainbow and Fallbrook. The appropriate length of time for the exit fee should be tied to longer-term financial commitments made to construct major infrastructure (e.g. the largest debt burden through 2039 as shown in the Hanneman report) or to secure water supplies such as Imperial Irrigation District transfer water (which has commitments through at least 2047).
4. ***Offsetting the exit fee to reflect ancillary Water Authority savings associated with not proceeding with the Emergency Storage Project (ESP) North County Pump Station is not reasonable.*** The prospectus' statement that the Water Authority would save money should Fallbrook and Rainbow detach that would otherwise be expended on proceeding with the ESP North County Pump Station lacks support. In its August 31, 2022 letter to LAFCO, the Water Authority states that only "de minimus amounts" have been spent on initial planning for this project, no debt has been issued for this project and no project costs have been included in its rates and charges or budget. Given those statements, a firm commitment to fund and construct the project has not been made by the Water Authority; therefore, there are no savings to be realized and the offset would be zero.
5. ***Loss of voting Rights at MWD is a valid concern.*** LAFCO staff is correct that voting rights at the Metropolitan Water District of Southern California (MWD) are valuable, especially when voting on important decisions that have a lasting impact on San Diego region's ratepayers; the loss of any voting rights is of the utmost concern. However, LAFCO staff's proposed solution relating to the Water Authority retaining their voting apportionment associated with Fallbrook and Rainbow for five years after detachment appears to violate California law, more specifically the Metropolitan Water District Act.

6. ***Fallbrook and Rainbow ratepayers will not see cost savings equal to the amount shown if an exit fee is assessed.*** LAFCO published estimates that the average monthly household savings for Fallbrook and Rainbow ratepayers is estimated to be \$20.21 and \$26.79 respectively if the proposed reorganizations are approved. However, as acknowledged during the October 26, 2022 Special District Advisory Committee meeting, those estimated savings figures do not take into consideration the payment of an exit fee to the Water Authority; by not including this cost, the estimated savings figures are overstated. Additionally, it is not clear whether the estimated cost savings take into consideration MWD rate increases associated with their efforts to secure sustainable water supplies, such as the development of the Pure Water Southern California project, and the launch of other capital improvement projects. Cost savings figures (at a minimum) should take into account the assessment of an exit fee to fully inform those voting on whether to approve the proposed reorganizations, including Fallbrook and Rainbow ratepayers and LAFCO Commissioners.
7. ***Further exploration regarding calling an election to include all registered voters within the Water Authority member agencies' boundaries is warranted.*** The Water Authority has requested that LAFCO condition approval of the reorganization proposals on expanding the “affected territory” for the purposes of calling an election to include all registered voters within its member agencies’ boundaries. While it was stated that LAFCO legal counsel does not believe this option is available to the LAFCO Commission, no analysis or authorities were provided. Given the financial impact that the reorganizations would have on the Water Authority as well as its member agencies and their ratepayers, the Water Authority’s request seems reasonable and warrants further exploration by LAFCO’s legal counsel and disclosure to the public.
8. ***Eastern’s supplies are not as reliable at the Water Authority’s supplies.*** The statement that Eastern’s water supply from MWD is “adequate and can reasonably accommodate demands now and going forward for both Fallbrook and Rainbow” is not entirely accurate given current conditions on the Colorado River and in northern California, nor does it consider MWD’s current available water supplies. MWD has acknowledged that it is now in the process of preparing to allocate its available water supplies as soon as January 2023. If MWD uses the same model that it did in earlier droughts, agricultural water use could be reduced by as much as 90% or be completely prohibited under the Human Health and Safety formula MWD is currently using in other parts of its service area. Additionally, Fallbrook and Rainbow are growing and will continue to grow into the future; therefore, the need for long-term water supply reliability is an important consideration when determining whether to approve the proposed reorganizations.
9. ***Class 20 California Environmental Quality Act (CEQA) exemptions may not be appropriate.*** The Fallbrook and Rainbow reorganizations will change the geographical areas in which the Water Authority exercises its powers; therefore, it appears that the Class 20 exemption does not apply and further environmental review of the reorganization, including its potential to increase reliance on imported water from the Bay-Delta, is warranted.

Thank you for the opportunity to comment on the proposed reorganizations of Fallbrook and Rainbow. If you have any questions regarding our comments, please feel free to contact me at (760) 597-3117 or via email at bhodgkiss@vidwater.org.

Sincerely,



Brett Hodgkiss
General Manager

AMENDED IN ASSEMBLY MAY 15, 2023

AMENDED IN ASSEMBLY MARCH 9, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 530

Introduced by Assembly Member Boerner

February 8, 2023

~~An act to amend Section 39731 of the Health and Safety Code, relating to greenhouse gases.~~ *An act to amend Section 11 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to water.*

LEGISLATIVE COUNSEL'S DIGEST

AB 530, as amended, Boerner. ~~Methane emissions.~~ *County Water Authority Act: exclusion of territory: procedure.*

The County Water Authority Act provides for the formation of county water authorities and grants to those authorities specified powers with regards to providing water service. The act provides 2 methods of excluding territory from any county water authority, one of which is that a public agency whose corporate area as a unit is part of a county water authority may obtain exclusion of the area by submitting to the electors within the public agency, at any general or special election, the proposition of excluding the public agency's corporate area from the county water authority. Existing law requires that, if a majority of the electors approve the proposition, specified actions take place to implement the exclusion.

This bill would additionally require the public entity to submit the proposition of excluding the public agency's corporate area from the county water authority to the electors within the territory of the county

water authority. The bill would require the 2 elections to be separate; however, the bill authorizes both elections to run concurrently. The bill would require a majority vote for withdrawal in both elections for the withdrawal of the public agency from the territory of the county water authority.

~~Existing law requires the State Air Resources Board, no later than January 1, 2016, to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state. Existing law requires the state board, no later than January 1, 2018, to approve and begin implementing the comprehensive short-lived climate pollutant strategy to achieve a reduction in the statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Existing law requires the state board to undertake certain tasks, including consulting with federal and state agencies, independent scientific experts, and any other appropriate entities to gather or acquire the necessary information to carry out a life-cycle greenhouse gas emission analysis of natural gas produced and imported into the state using the best available and cost-effective scientific and technical methods, and to update relevant policies and programs to incorporate this information and other specified information.~~

~~This bill would additionally require the state board to consult with the aforementioned stakeholders to gather and acquire the necessary information to estimate, using the best available and cost-effective scientific and technical methods, methane emissions from landfills in the state. The bill would require the state board, no later than December 31, 2024, to update relevant policies and programs to incorporate this information. The bill would require the state board to consider additional policies to encourage the use of natural gas produced in the state with the lowest life-cycle emissions.~~

Vote: majority. Appropriation: no. Fiscal committee: *yes-no*. State-mandated local program: no.

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

- 1 SECTION 1. Section 11 of the County Water Authority Act
- 2 (Chapter 545 of the Statutes of 1943), as amended by Section 3 of
- 3 Chapter 1408 of the Statutes of 1985, is amended to read:
- 4 Sec. 11. (a) Exclusion of territory from any county water
- 5 authority may be effected by either of the following methods:

1 (1) Territory excluded from the portion of the corporate area of
2 any public agency ~~which~~ *that* lies within the exterior boundaries
3 of a county water authority, the public agency being a unit of the
4 authority, and ~~which~~ *that* exclusion occurs in accordance with the
5 provisions of law applicable to those exclusions, shall thereby be
6 excluded from and shall no longer be a part of the authority;
7 provided, that the taxable property within the excluded territory
8 shall continue to be taxable by the county water authority for the
9 purpose of paying the ~~bonded~~ *bonded* or other indebtedness
10 outstanding or contracted for at the time of the exclusion and until
11 the bonded or other indebtedness has been satisfied; provided
12 further, that if the taxable property within the excluded territory
13 or any part thereof shall be, at the time of the exclusion, subject
14 to special taxes levied, or to be levied, by the county water
15 authority pursuant to terms and conditions previously fixed under
16 paragraph subdivision (c) or (d) of Section 10 for the annexation
17 of the excluded territory or part thereof to the county water
18 authority, the taxable property within the excluded territory or part
19 thereof so subject to those special taxes shall continue to be taxable
20 by the county water authority for the purpose of raising the
21 aggregate sums to be raised by the levy of special taxes upon
22 taxable property within the respective annexing areas pursuant to
23 terms and conditions for the annexation or annexations as so fixed
24 and until the aggregate sums have been so raised by the special
25 tax levies.

26 Exclusion of territory from a county water authority pursuant to
27 this paragraph shall not occur if two or more public agencies that
28 are included in a county water authority as separate units are subject
29 to a reorganization of their boundaries under applicable provisions
30 of law ~~which~~ *that* would result in an exchange or transfer, but not
31 an overlapping, of territory that is entirely within the county water
32 authority. The boundaries of those agencies within the county
33 water authority, upon that reorganization and the filing with the
34 secretary of the county water authority of a copy of the certificate
35 of completion prepared, executed, and filed by the executive officer
36 of the local agency formation commission responsible therefore
37 constitute the boundaries of the agencies for all purposes of the
38 county water authority, without action by the board of directors
39 of the county water authority. If the exchange includes territory
40 subject to special conditions and tax levies pursuant to the terms

1 of annexation at the time the territory became a part of the county
2 water authority, the territory shall continue to be subject to those
3 conditions and to be taxable by the county water authority or those
4 levies.

5 From and after the effective date of the inclusion of the territory
6 by the including public agency, the territory shall be considered
7 to be a part of the corporate area of the including agency; provided,
8 however, that, if the taxable property within the territory, or any
9 portion thereof, is subject to special taxes levied or to be levied
10 by the county water authority pursuant to terms and ~~condition~~
11 *conditions* previously fixed under subdivision (c) or (d) of Section
12 10 for the annexation of the territory or portion thereof to the
13 county water authority, then the taxable property within the
14 territory shall continue to be taxable by the county water authority
15 for the purpose of raising the aggregate sums to be raised by the
16 levy of the special taxes pursuant to the terms and conditions for
17 the annexation or annexations as so fixed and until the aggregate
18 sums have been ~~or~~ so raised by the special tax levy.

19 (2) Any public agency whose corporate area as a unit has
20 become or is a part of any county water authority may obtain the
21 exclusion of the area therefrom *by elections conducted* in the
22 following manner:

23 ~~The~~

24 (A) (i) *The governing body of any public agency may submit*
25 *to the electors thereof at any general or special election the*
26 *proposition of excluding from the county water authority the*
27 *corporate area of the public agency. Notice of the election shall*
28 *be given in the manner provided in subdivision (c) of Section 10.*
29 *The election shall be conducted and the returns thereof canvassed*
30 *in the manner provided by law for the conduct of elections in the*
31 *public agency. If a majority of electors voting thereon vote in favor*
32 *of withdrawal, the result thereof shall be certified by the governing*
33 *body of the public agency to the board of directors of the county*
34 *water authority.* ~~A~~

35 (ii) *The governing body of any public agency may submit to the*
36 *electors within the territory of the county water authority at any*
37 *general or special election the proposition of excluding from the*
38 *county water authority the corporate area of the public agency.*
39 *Notice of the election shall be given in the manner provided in*
40 *subdivision (c) of Section 10. The election shall be conducted and*

1 *the returns thereof canvassed in the manner provided by law for*
2 *the conduct of elections in the public agency. If a majority of*
3 *electors within the territory of the county water authority voting*
4 *thereon vote in favor of withdrawal, the result thereof shall be*
5 *certified by the governing body of the public agency to the board*
6 *of directors of the county water authority.*

7 *(iii) The elections conducted pursuant to this subparagraph*
8 *shall be separate elections; however, they may run currently with*
9 *one another. A majority vote in both elections for withdrawal is*
10 *necessary for the withdrawal of the public agency from the territory*
11 *of the county water authority.*

12 *(B) A certificate of the proceedings shall be made by the*
13 *secretary of the county water authority and filed with the Secretary*
14 *of State. Upon the filing of the certificate, the corporate area of*
15 *the public agency shall be excluded from the county water authority*
16 *and shall no longer be a part thereof; provided, that the taxable*
17 *property within the excluded area shall continue to be taxable by*
18 *the county water authority for the purpose of paying the bonded*
19 *and other indebtedness of the county water authority outstanding*
20 *or contracted for at the time of the exclusion and until the bonded*
21 *or other indebtedness has been satisfied; provided further, that if*
22 *the taxable property within the excluded area or any part thereof*
23 *is, at the time of the exclusion, subject to special taxes levied or*
24 *to be levied by the county water authority pursuant to the terms*
25 *and conditions previously fixed under subdivision (c) or (d) of*
26 *Section 10 for the annexation of the excluded area or part thereof*
27 *to the county water authority, the taxable property within the*
28 *excluded area or part thereof so subject to the special taxes shall*
29 *continue to be taxable by the county water authority for the purpose*
30 *of raising the aggregate sums to be raised by the levy of special*
31 *taxes upon taxable property within the respective annexing areas*
32 *pursuant to the terms and conditions for the annexation or*
33 *annexations as so fixed and until the aggregate sums have been so*
34 *raised by the special tax levies. Upon the filing of the certificate*
35 *of proceedings, the Secretary of State shall, within 10 days, issue*
36 *a certificate reciting the filing of the papers in ~~his or her~~ the*
37 *Secretary of State's office and the exclusion of the corporate area*
38 *of the public agency from the county water authority. The Secretary*
39 *of State shall transmit the original of the certificate to the secretary*
40 *of the county water authority and shall forward a certified copy*

1 thereof to the county clerk of the county in which the county water
2 authority is situated.

3 (b) Whenever territory is excluded from any public agency in
4 accordance with paragraph (1) of subdivision (a), the governing
5 body, or clerk thereof, of the public agency shall file with the board
6 of directors of the county water authority a statement of the change
7 of boundaries of the public agency, setting forth the legal
8 description of the boundaries of the public agency, as so changed,
9 and of the part thereof within the county water authority, which
10 statement shall be accompanied by a map or plat indicating the
11 boundaries.

12 (c) Whenever any territory has been excluded from any public
13 agency prior to the effective date of this section, under conditions
14 ~~which~~ *that* would have resulted in the exclusion of the territory
15 from a county water authority had paragraph (1) of subdivision
16 (a) then been in effect, upon compliance with the following
17 provisions of this paragraph, the territory shall be excluded from
18 and shall no longer be a part of, the authority, the last-mentioned
19 provisions being as follows:

20 (1) The governing body of the public agency may adopt an
21 ordinance ~~which~~, *that*, after reciting that the territory has been
22 excluded from the public agency by proceedings previously taken
23 under statutory authority, and after referring to the applicable
24 statutes and to the date or dates upon which the exclusion became
25 effective, shall describe the territory and shall determine and
26 declare that the territory shall be, and thereby is, excluded from
27 the county water authority.

28 (2) The governing body, or clerk thereof, of the public agency
29 shall file a certified copy of the ordinance with the Secretary of
30 State. Upon the filing of the certified copy of the ordinance in the
31 office of the Secretary of State, the territory shall be excluded
32 from, and shall no longer be a part of, the county water authority;
33 provided, that the taxable property within the excluded territory
34 shall continue to be taxable by the county water authority for the
35 purpose of paying the bonded or other indebtedness outstanding
36 or contracted for at the time of the exclusion, and until the bonded
37 or other indebtedness has been satisfied; provided further, that if
38 the taxable property within the excluded territory or any part
39 thereof is, at the time of the exclusion, subject to special taxes
40 levied or to be levied by the county water authority pursuant to

1 terms and conditions previously fixed under subdivision (c) or (d)
2 of Section 10 for the annexation of the excluded territory or part
3 thereof to the county water authority, the taxable property within
4 the excluded territory or part thereof so subject to the special taxes
5 shall continue to be taxable by the county water authority for the
6 purpose of raising the aggregate sums to be raised by the levy of
7 special taxes upon taxable property within the respective annexing
8 areas pursuant to the terms and conditions for the annexation or
9 annexations as so fixed, and until the aggregate sums have been
10 so raised by the special tax levies.

11 (3) Upon the filing of the certified copy of the ordinance, the
12 Secretary of State shall, within 10 days issue a certificate describing
13 the territory, reciting the filing of certified copy of the ordinance
14 and the exclusion of the territory from the county water authority,
15 and declaring that the territory is no longer a part of the county
16 water authority. The Secretary of State shall transmit the original
17 of the certificate to the secretary of the county water authority and
18 shall forward a certified copy of the certificate to the county clerk
19 of the county in which the county water authority is situated.

20 (d) Whenever any territory has been exchanged or transferred
21 pursuant to law prior to January 1, 1986, among two or more public
22 agencies that are included in a county water authority as separate
23 units, the territory shall not be deemed excluded from the county
24 water authority, notwithstanding the failure of the county water
25 authority to give its consent to the exchange or transfer of the
26 territory, if there has been filed with the board of directors of the
27 county water authority prior to January 1, 1986, a statement of the
28 change of boundaries of the agencies, as so changed, and of the
29 part within the county water authority, which statement shall be
30 accompanied by a map or plat indicating those boundaries.

31 ~~SECTION 1. Section 39731 of the Health and Safety Code is~~
32 ~~amended to read:~~

33 ~~39731. The state board shall do all of the following:~~

34 ~~(a) Monitor and measure, in consultation with districts that~~
35 ~~monitor methane, high-emission methane hot spots in the state~~
36 ~~using the best available and cost-effective scientific and technical~~
37 ~~methods.~~

38 ~~(b) Consult with federal and state agencies, independent~~
39 ~~scientific experts, and any other appropriate entities to gather or~~
40 ~~acquire the necessary information to estimate, using the best~~

- 1 ~~available and cost-effective scientific and technical methods;~~
2 ~~methane emissions from landfills in the state and carry out a~~
3 ~~life-cycle greenhouse gas emission analysis of natural gas produced~~
4 ~~and imported into the state.~~
5 ~~(e) Update, no later than December 31, 2024, relevant policies~~
6 ~~and programs to incorporate the information gathered and acquired~~
7 ~~pursuant to subdivisions (a) and (b).~~
8 ~~(d) Consider additional policies to encourage the use of natural~~
9 ~~gas produced in the state with the lowest life-cycle emissions.~~
10 ~~(e) Review, in consultation with independent scientific experts,~~
11 ~~the most recent available scientific data and reports on the~~
12 ~~atmospheric reactivity of methane as a precursor to the formation~~
13 ~~of photochemical oxidants.~~



May 18, 2023

Keene Simonds
Executive Officer
San Diego Local Agency Formation Commission
2550 Fifth Avenue
Suite 725
San Diego, CA 92103

VIA EMAIL TO: keene.simonds@sdcounty.ca.gov

Subject: AB 530 and Option Three in Staff Report

Dear Keene:

As I am sure you are aware, on May 15th a bill that began as a climate change related bill in the State Assembly (AB 530) was amended. This amendment gutted all the climate change provisions and replaced them with an amendment to the County Water Authority Act. This amendment is targeted specifically at the two applications from Rainbow MWD and Fallbrook PUD to detach from the San Diego County Water Authority (SDCWA). The amendment revises the manner in which an election of the voters in the detaching agencies would be conducted, changing it from just within those agencies boundaries to be within the entire service area of the Water Authority.

Since the legislator in question was from San Diego County and since there is only one County Water Authority in existence to our knowledge, it seemed clear to me that this was an attempt by SDCWA to bypass the determinations that SDLAFCO and its counsel have made in the staff report that will be considered on June 5th by the Commission. In this report, SDLAFCO staff and counsel have correctly applied the plain language of the County Water Authority Act and have established that should the Commission approve the application(s), the required election by the voters would occur only within the territory of the detaching agencies.

We were taken aback by this effort as an affront to the processes ongoing at LAFCO. When a party to an action at LAFCO runs to the legislature for help when LAFCO makes determinations they may not like, they corrode the authority of LAFCOs statewide, which is a hindrance to LAFCOs performing their important function in local government. Jack Bebee (GM at FPUD) and I could only speculate as to whether SDCWA was involved in this effort, despite there being no motive for anyone else to initiate this legislative change.

On May 17th, Jack and I met with SDCWA Chair Katz and Vice Chair Serrano in San Diego City Hall to discuss detachment. The new Chair wanted to see if some sort of compromise could be reached. While we appreciate that they were finally willing to have open discussions and we will remain open to a resolution of this matter that protects our agricultural communities from the high cost of water within SDCWA, at this time we do not have a clear path forward to reach a better solution than detachment.

However, when the topic of this revision to AB 530 came up, Chair Katz and Vice Chair Serrano identified that they personally had reached out to Assembly Member Boerner and asked her to make this change.

It seems that after nearly four years of trying to get LAFCO to violate State Law by requiring a countywide vote did not go their way, SDCWA has decided to circumvent the powers given to SDLAFCO in this "gut and amend" of a climate change bill.

*Keene Simonds
San Diego LAFCO
May 18, 2023
Page 2*

While we are confident that this ill-conceived bill amendment will not pass, it does pose a significant challenge for Option Three in the staff report. This option would delay, after more than three years of processing of the applications by SDLAFCO, the final approval of the detachments until after a Municipal Service Review (MSR) is completed on SDCWA. This process could take up to two years. Though unlikely, should this bill be signed into law, that would cause great harm to the ratepayers of the two agencies due to the cost of the election and the challenge any countywide vote has to obtain approval.

This subversion of the LAFCO process has now rendered Option Three untenable as it is clear that SDCWA wishes to disregard the will of the Commission and would continue to work on legislative work arounds during the MSR process. I would like to request that Option Three be omitted from the final staff report and the Commission be informed as to the circumstances that lead to this change.

As a reminder, SDCWA has long stated that the financial impact of detachment is different from that of roll off (like the City of San Diego Pure Water project) because they have time to plan as these projects take up to a decade to create the impact. FPUD and RMWD notified SDCWA of our intention to detach on May 21, 2019 – four years ago next week. With the exit fee contained in Option Two mitigating any cost impacts for an additional five years, SDCWA will have had nine full years to mitigate what amounts to a less than 2% revenue impact. If SDCWA cannot manage an adjustment to this sort of situation the problem is not detachment, it is SDCWA.

If you have any questions please feel free to contact me

Sincerely,

RAINBOW MUNICIPAL WATER DISTRICT



Tom Kennedy
General Manager

cc: Alfred Smith, RMWD General Counsel
Jack Bebee, GM FPUD
LAFCO Commissioners
SDCWA Board Members

Item #10



VIA EMAIL

Keene Simonds, Executive Officer
San Diego County Local Agency Formation Commission
2550 Fifth Avenue, Suite 725
San Diego, CA 92103
(keene.simonds@sdcounty.ca.gov)

May 19, 2023

Re: Rainbow Letter of May 18, 2023

Dear Mr. Simonds:

We are in receipt of Mr. Tom Kennedy's letter to you of May 18, 2023, about new pending legislation, Assembly Bill 530. We are disappointed at both the tone and the content of Mr. Kennedy's letter. He makes a number of inaccurate and disparaging remarks that are counter-productive. We address some of his main contentions here so that you and the Commission are not misinformed.

For context, you will recall that years ago the Water Authority Board requested that LAFCO consider a vote in our service area so that all persons who would be affected by the requested Fallbrook/Rainbow reorganizations could have a say. As your own current Agenda Report for June 5 notes, millions of ratepayers in San Diego County will see increased water rates and loss of some of our County's MWD voting rights if the Commission were to approve the pending applications. Our Board felt it very important that all local residents who would face such impacts have a voice in the matter. Indeed, at the very first LAFCO Commission hearing on these applications years ago, then LAFCO Chair Dianne Jacob expressed exactly the same concern and supported such a vote in our entire service area.

However, as your Draft Report also notes, LAFCO's counsel has stated that LAFCO has no statutory authority to grant a vote by all those affected. As you know, our legal counsel disagrees, but we understand attorneys can have differing views.

Given LAFCO counsel's stated position that your agency is constrained by law from requiring a vote by all those persons affected by the applications, it is no surprise that the City of San Diego (not the Water Authority), decided that a vote by all those concerned was important enough to be reviewed by the Legislature. AB 530, the bill Mr. Kennedy addresses, simply allows a vote in our service area when agencies seek to detach. Though we did not propose this law, we certainly

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City of Oceanside • Olivenhain MWD • Otay Water District • Padre Dam MWD • Camp Pendleton Marine Corps Base • City of Poway • Rainbow MWD
Ramona MWD • Rincon del Diablo MWD • City of San Diego • San Dieguito Water District • Santa Fe Irrigation District • Sweetwater Authority
Vallecitos Water District • Valley Center MWD • Vista Irrigation District • Yuima Municipal Water District

understand the concerns that led our member agency -- the largest City in the County -- to seek legislation that would let the voters decide such an important issue.

Indeed, in a March 21, 2023, *Union-Tribune* article, it was noted that when you were asked about La Jolla's trying to leave the rest of the City of San Diego:

Simonds said . . . that communities that are already part of a city must win majority approval from the rest of the city's voters [to leave]."

It is our understanding that the City of San Diego is simply asking the Legislature to apply the same legal principle for the Water Authority that you cited as to cities in California. There is nothing wrong in asking the Legislature to let affected voters have a say in this matter, something the Commission itself might well prefer, but for the legal opinion it received:

A few additional specific comments as to accusations made by Mr. Kennedy:

- He claims this was an "attempt by SDCWA to bypass the determinations that SDLAFCO and its counsel have made in the staff report that will be considered on June 5th by the Commission." First, AB 530 was not written, drafted, or reviewed by our staff or counsel. It is a proposal sponsored by the City of San Diego. Second, we are sure you would disagree with Mr. Kennedy that LAFCO staff have made "determinations" via your report. We are sure you would instead agree that the Commission, and not LAFCO staff, will make determinations on this matter for your agency.
- Mr. Kennedy states that AB 530 is "an affront to the processes ongoing at LAFCO" and that this legislation will "corrode the authority of LAFCOs statewide." The exact opposite is true. The proposed legislation, which the Water Authority Board will soon review at a noticed meeting, simply allows voters to be heard, which is what our Board requested of LAFCO years ago, which former Chair Jacob supported, and which in fact might be welcomed by most of your Commissioners.
- Mr. Kennedy asserts that the Water Authority has just recently been "finally willing to have open discussions." That is not correct. We have sent extensive correspondence over the years to LAFCO pointing out how Rainbow and Fallbrook had not honored commitments to us for proposals to resolve this matter.
- Mr. Kennedy asks that you remove Option 3 (a delay for an MSR on the Water Authority) as a possibility. Though our agency does not support this option, as you will see in our upcoming formal comment letter, it is not up to Mr. Kennedy, or you, to remove options from the Commission. We reiterate the point that it is the Commission, not staff, and certainly not Mr. Kennedy and his agency, which decide matters at LAFCO. All legal options are of course open to the Commission.

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Ramona MWD • Rincon del Diablo MWD • City of San Diego • San Dieguito Water District • Santa Fe Irrigation District • Sweetwater Authority
Vallecitos Water District • Valley Center MWD • Vista Irrigation District • Yuima Municipal Water District

Thank you for your consideration of these matters.

Sincerely,



Sandra L. Kerl
General Manager

cc via email:

All LAFCO Commissioners
Holly Whatley, LAFCO General Counsel
Adam Wilson, Ad Hoc Committee Moderator
David Edwards, General Counsel, San Diego County Water Authority
Mark Hattam, Special Counsel, San Diego County Water Authority
Claire Collins, Counsel, San Diego County Water Authority
Jack Bebee, General Manager, Fallbrook PUD
Paula C. P. de Sousa, Counsel, Fallbrook PUD
Nick Kanetis, Deputy General Manager, Eastern MWD
Tom Kennedy, General Manager, Rainbow MWD
Alfred Smith, Counsel, Rainbow MWD
Water Authority Board of Directors
Rainbow Municipal Water District Board of Directors

MEMBER AGENCIES

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Vallecitos Water District • Valley Center MWD • Vista Irrigation District • Yulma Municipal Water District



STAFF REPORT

Agenda Item: 11

Board Meeting Date: May 24, 2023
Prepared By: Brett Hodgkiss

SUBJECT: MATTERS PERTAINING TO THE ACTIVITIES OF THE SAN DIEGO COUNTY WATER AUTHORITY

SUMMARY: Informational report by staff and directors concerning the San Diego County Water Authority. No action will be required.



STAFF REPORT

Agenda Item: 12.A

Board Meeting Date: May 24, 2023
Prepared By: Lisa Soto
Approved By: Brett Hodgkiss

SUBJECT: REPORTS ON MEETINGS AND EVENTS ATTENDED BY DIRECTORS

SUMMARY: Directors will present brief reports on meetings and events attended since the last Board meeting.

Vista Chamber of Commerce Government Affairs Hears from San Diego County Assessor Jordan Marks VIDEO



By Tom Robertson

May 4, 2023



Jordan Marks (center) Vista Government Committee
By TR Robertson

The May Vista Chamber of Commerce Government Affairs Committee meeting heard a detailed presentation from Jordan Marks, San Diego County Assessor, Recorder and County Clerk. Mr. Marks detailed the services provided by his office members in the five County offices. These County offices are in San Diego (Main Office), East County, Chula Vista, Kearny Mesa, and the closest North County Office in San Marcos. The San Marcos Office is located at 141 E Carmel St. in San Marcos. Marks said he is proud to say the offices provide top financial stewardship, have a high customer service rating, offer reduced fees, and have more online service, using less paper with quick customer service. They record over 1,000 documents a day. During the Pandemic they established an outdoor marriage hut as well as offering Saturday weddings and walk-up weddings. Marks gave an extensive presentation of Prop 13, the benefits to homeowners and a detail of how the Proposition helps protect homeowners. He also discussed the various Propositions that have passed regarding the sale or inheritance of property by families. These included Prop 58 – Parent to Child Transfer, Prop 193 – Grandparent to Grandchildren transfer, Prop 60 & 90 – Senior Exclusion from Reassessment and Prop 19 – Family Farms. Some of the Hot Topics the County Assessor said they are looking

at include the number of Prop 8 applications for tax reductions, The Rise of Insurance Rates, and the Restaurant Parklets Possessory Interest Tax. Marks said one success they have had is the assistance given to disabled veterans with the Disabled Veterans Exemption. Over 14,000 disabled veterans in San Diego County are getting the exemption. It was pointed out that the COVID Impact 2020 Commercial Property Tax Relief can still be filed for homeowner relief. Marks also recommended anyone owning property or a home should go to www.sdarcc.gov to protect your property from real estate from fraud. This is a free notification service provided by the County of San Diego Assessor's Office. For more information or question go to www.arcc.fgg.sdcounty.ca.gov or call 619-236-3771 for Assessor Office, 619-237-0502 for Recorder/Clerk Office. Jordan Marks contact is 619-531-5507 or go to Jordan.marks@sdcounty.ca.gov.



Governmental Updates

Fernando Hernandez from California Senator Catherine Blakespear's Office – The State Senator will be meeting in a subcommittee on May 15th concerning transportation on the rail corridor, safety, and the bluff erosion. May 12th will be the final Policy Committee meetings. By the end of the month, they will be working on getting any bills out of the Senate and the Assembly working on getting bills out of the Assembly before the last day of the month.

Ryan Ewart from Assembly Member Laurie Davies Office – Monday will mark the opening of the Assembly Member’s North County Office. The Assembly Member co-authored a bill to assist in reducing veteran suicide. A few bills passed to assist with the fight against the rise in fentanyl trafficking, fines, and distribution – AB 33, AB 474, AB 675, and AB 701. A handout was passed out detailing a few other bills the Assembly Member has co-authored in the areas of Public Safety Legislation, Environmental Legislation, Education Legislation, Consumer Protection Legislation and Revenue Legislation.

From Kristal Jabara in Supervisor Jim Desmond’s Office – On **May 20th from 9-11** in Guajome Park there will be a Pet Emergency Kit Distribution and Pet Chipping. In an update on the Nathan Fletcher situation, the Supervisors voted to support a special election on August 15 in his district to replace the Supervisor. The Supervisor brought forth the establishment of rules for nonprofit organizations holding public events on county property.

City of Vista Update – The City Council voted to establish a Safe Parking area for homeless individuals and families on Eucalyptus at Civic Center. It would be open each day at 5:30 P.M. and all individuals would have to leave by 7:00 A.M. The area would be cleaned every day. There were questions surrounding security for the area. Two new ambulances have been purchased for the Fire Department. The city has also advertised hiring a new EMT position. Moonlight opens next Wednesday for the start of the Summer Season of musicals. The first musical will be “Jesus Christ Superstar”.

Rachel Beld, Vista Chamber of Commerce CEO – The Meet the Leaders was a successful event at Shadowridge County Club. ([Vista Chamber Meet the Leaders Features Presentations from Local, County, State and Congressional Leaders](#)) The Chamber is in the process of putting together the Internship program. The 17 Rising Stars Scholarship winners will be announced next week. The Strawberry Festival will be held on Saturday May 28th. People are encouraged to ride shuttles to the Downtown Historic Vista area.

Peter Kuchinsky from the Vista Irrigation District – Award winners announced for the VID Scholarship – \$2,000 awarded to Naia Riggerbach from Pacific Ridge High School and Riley Robbins from Rancho Buena Vista High School. \$1,500 awarded to Monica Lozada from San Marcos High School and Colin Gastauer, Sarai Rojas, and Samantha Harris from Vista High School. Winners for the 31st Water Awareness Poster Contest Award were 1st Place of \$100 to Belinda Chacon of Grapevine Elementary, 2nd Place of \$50.00 to Olivia Rye of St. Francis School, and 3rd Place of \$25.00 to Caroline Noesgaard of Castia Center. There were 189 entries. It was also reported that water is up in reservoirs, but we still need to be water wise. Lake Mead should rise 25+ feet and Lake Powell 50+ feet.



STAFF REPORT

Agenda Item: 12.B

Board Meeting Date: May 24, 2023
Prepared By: Lisa Soto
Approved By: Brett Hodgkiss

SUBJECT: SCHEDULE OF UPCOMING MEETINGS AND EVENTS

SUMMARY: The following is a listing of upcoming meetings and events. Requests to attend any of the following events should be made during this agenda item.

	SCHEDULE OF UPCOMING MEETINGS AND EVENTS	ATTENDEES
1 *	Vista Chamber Government Affairs <i>June 1, 2023; Noon-1:30 p.m.; The Film Hub, Vista</i> <i>Registration deadline: None</i>	Kuchinsky ◇
2 *	Vista Chamber 100th Anniversary Party <i>June 14, 2023; 4:00 p.m.-7:00 p.m.; The Film Hub</i> <i>Registration deadline: None</i>	Kuchinsky (R) MacKenzie (R)
3	ACWA Region 10 Event and Tour “Flowing Forward: Water Infrastructure for the 21 st Century” <i>June 29, 2023; El Corazon Senior Center, Oceanside</i> <i>Registration deadline: 6/16/23</i>	Kuchinsky MacKenzie Vásquez Sanchez
4 *	Vista Chamber Government Affairs <i>July 6, 2023; Noon-1:30 p.m.; The Film Hub, Vista</i> <i>Registration deadline: None</i>	Kuchinsky ◇
5 *	Vista Chamber Government Affairs <i>Aug. 3, 2023; Noon-1:30 p.m.; The Film Hub, Vista</i> <i>Registration deadline: None</i>	Kuchinsky ◇
6 *	CSDA Quarterly Meeting <i>Aug. 17, 2023; 6:00 p.m.; The Butcher Shop Steakhouse, Kearny Mesa</i> <i>Registration deadline: TBD</i>	
7	Urban Water Institute Annual Water Conference <i>Aug. 23-25, 2023; Hyatt Regency Mission Bay</i> <i>Registration deadline: 5/26/23</i>	MacKenzie (R, H) Vásquez (H)
8	CSDA Annual Conference <i>Aug. 28-31, 2023; Monterey Conference Center</i> <i>Registration deadline: Early-bird deadline: 8/5/23</i>	MacKenzie (R) Sanchez (R, H)
9 *	Vista Chamber Government Affairs <i>Sept. 7, 2023; Noon-1:30 p.m.; The Film Hub, Vista</i> <i>Registration deadline: None</i>	Kuchinsky ◇
10	Effective Meeting Management through Parliamentary Procedure (CSDA) <i>Sept. 12, 2023; Live webinar</i> <i>Registration deadline: TBD</i>	
11	Sixth Annual Western Groundwater Congress <i>Sept. 12-14, 2023; Los Angeles Marriott Burbank Airport Hotel</i> <i>Registration deadline: TBD</i>	
12 *	Vista Chamber Government Affairs <i>Oct. 5, 2023; Noon-1:30 p.m.; The Film Hub, Vista</i> <i>Registration deadline: None</i>	Kuchinsky ◇
13	CALAFCO Annual Conference <i>Oct. 18-20, 2023; Hyatt Regency, Monterey</i> <i>Registration deadline: TBD</i>	

	SCHEDULE OF UPCOMING MEETINGS AND EVENTS	ATTENDEES
14	Special District Leadership Academy (CSDA) <i>Oct. 22-25, 2023; Hyatt Regency Sonoma Wine Country; Early-bird deadline: 9/22/23</i>	Kuchinsky
15 *	Vista Chamber Government Affairs <i>Nov. 2, 2023; Noon-1:30 p.m.; The Film Hub, Vista Registration deadline: None</i>	Kuchinsky ◇
16 *	CSDA Quarterly Meeting <i>Nov. 16, 2023; 6:00 p.m.; The Butcher Shop Steakhouse, Kearny Mesa Registration deadline: TBD</i>	
17	ACWA Fall Conference <i>Nov. 28-30, 2023; Indian Wells; Registration deadline: TBD</i>	
18 *	Vista Chamber Government Affairs <i>Dec. 7, 2023; Noon-1:30 p.m.; The Film Hub, Vista Registration deadline: None</i>	Kuchinsky ◇
19	Colorado River Water Users Association Conference <i>Dec. 13-15, 2023; Paris, Las Vegas; Registration deadline: TBD</i>	

* *Non-per diem meeting except when serving as an officer of the organization*

The following abbreviations indicate arrangements that have been made by staff:

R=Registration; **H**=Hotel; **A**=Airline; **S**=Shuttle; **C**=Car; **T**=Tentative; ◇=Attendee to Self-Register



STAFF REPORT

Board Meeting Date: May 24, 2023
Prepared By: Brett Hodgkiss

SUBJECT: ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

SUMMARY: This item is placed on the agenda to enable the Board to identify and schedule future items for discussion at upcoming Board meetings and/or identify press release opportunities.

Staff-generated list of tentative items for future agendas:

- Fiscal Year 2024 Budget (June)
- 100th Anniversary Celebration Update (June)
 - 100th Anniversary Celebration Photograph on June 27, 2023 at 7:30 AM
- Association of California Water Agencies elections
 - President and Vice President (electronic voting from July 17 to September 15, 2023)
 - Region 10 Board of Directors (electronic voting from July 17 to September 15, 2023)
- Rename Edgehill Reservoir after former Director Paul Dorey



Agenda Item: 14

STAFF REPORT

Board Meeting Date: May 24, 2023
Prepared By: Ranae Ogilvie

SUBJECT: COMMENTS BY DIRECTORS

SUMMARY: This item is placed on the agenda to enable individual Board members to convey information to the Board and the public not requiring discussion or action.



STAFF REPORT

Agenda Item: 15

Board Meeting Date:

May 24, 2023

Prepared By:

Brett Hodgkiss

SUBJECT: COMMENTS BY GENERAL COUNSEL

SUMMARY: Informational report by the General Counsel on items not requiring discussion or action.



Agenda Item: 16

STAFF REPORT

Board Meeting Date: May 24, 2023
Prepared By: Brett Hodgkiss

SUBJECT: COMMENTS BY GENERAL MANAGER

SUMMARY: Informational report by the General Manager on items not requiring discussion or action.