



**AGENDA**  
**ADJOURNED MEETING OF THE BOARD OF DIRECTORS**  
**WEDNESDAY, JUNE 16, 2021 - 9:00 AM**  
**1391 Engineer Street, Vista, CA 92081**  
**Phone: (760) 597-3100**

**COVID-19 RESPONSE PROCEDURES FOR MEETING**  
**NOTICE FOR PARTICIPATION**

In light of Governor Newsom's Executive Orders N-29-20 and N-33-20, and guidance from the County of San Diego, State of California, and Centers for Disease Control, please be advised that members of the public will not be able to attend this meeting in person. Executive Order N-33-20 requires persons "stay home or in their place of residence except as needed to maintain continuity of operations..." of critical infrastructure. As welcome as public attendance is at Vista Irrigation District Board of Directors meetings, it does not appear to fit this exception, and Vista Irrigation District encourages compliance with the Governor's Executive Order.

Members of the public may participate through Vista Irrigation District's teleconferencing line. The phone 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. Phone 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 phone or data charges from your carrier may apply to your use of this option.

To maintain orderliness in proceedings, phone 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 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](mailto:BoardSecretary@vidwater.org).

Please also be advised that one or more members of the Vista Irrigation District Board of Directors or staff may participate in this meeting by teleconference or other digital means consistent with Executive Order N-29-20.

Vista Irrigation District appreciates your understanding as we all work through the unprecedented challenges posed by COVID-19. 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.



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**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. Annual contract for well field maintenance services**

*Recommendation: Authorize the General Manager to renew the existing agreement with Brax Company Inc. to provide as-needed services on the Warner Ranch to maintain wells and well pumps for Fiscal Year 2022 in an amount not to exceed \$100,000.*

**B. Annual contract for paving services**

*Recommendation: Authorize the General Manager to enter into an agreement with SealRight Paving, Inc. to provide paving services on District projects for Fiscal Year 2022 in an amount not to exceed \$600,000.*

**C. Minutes of the Board of Directors meeting on June 2, 2021**

*Recommendation: Approval of draft minutes.*

**D. Ratification of check disbursements**

*Recommendation: Adopt a resolution ratifying checks numbered 67002 through 67075 in the amount of \$517,710.71 pursuant to the cash disbursement report detailing expenditures.*

**7. 2020 URBAN WATER MANAGEMENT PLAN**

*Recommendations: 1) Conduct a public hearing to receive public comment relative to Vista Irrigation District's 2020 Urban Water Management Plan; and, 2) Consider adopting Resolution No. 21-XX adopting the 2020 Urban Water Management Plan.*

**8. WATER SUPPLY RESPONSE PROGRAM**

*Recommendations: 1) Conduct a public hearing for the purpose of receiving comments on amending the Vista Irrigation District's Water Supply Response Program; and, 2) Adopt Resolution No. 21-XX amending the Vista Irrigation District's Water Supply Response Program.*

**9. SEED COLLECTION LICENSE AGREEMENT**

*Recommendation: Authorize the General Manager to execute a license agreement with S & S Seeds, Inc. to catalog, collect and harvest the seeds of naturally occurring plants on the Warner Ranch.*

**10. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS ELECTION, SOUTHERN NETWORK, SEAT A**

*Recommendation: Cast Vista Irrigation District's ballot for California Special Districts Association Board of Directors for the Southern Network, Seat A.*

**11. 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.*

**12. MEETINGS AND EVENTS**

- A. Reports on meetings and events attended by Directors*
- B. Schedule of upcoming meetings and events*

**13. 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.*

**14. 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.*

**15. COMMENTS BY GENERAL COUNSEL**

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

**16. COMMENTS BY GENERAL MANAGER**

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

**17. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL—EXPOSURE TO LITIGATION**

*Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Section 54956.9: 1 potential case, relating to change order requests by Richard Brady & Associates, Inc. on the HB Reservoir Rehabilitation Project.*

**18. 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 outside the lobby of the District office during normal business hours.*
- Agendas and minutes are available at [www.vidwater.org](http://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: June 10, 2021

  
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Lisa R. Soto, Board Secretary



## **STAFF REPORT**

**Agenda Item: 6**

**Board Meeting Date:**

**June 16, 2021**

**Prepared By:**

**Lisa Soto**

**SUBJECT: CONSENT CALENDAR**

- A. Annual contract for well field maintenance services
- B. Annual contract for paving services
- C. Minutes of the Board of Directors meeting on June 2, 2021
- D. Ratification of check disbursements



## STAFF REPORT

Agenda Item: 6.A

Board Meeting Date:	June 16, 2021
Prepared By:	Mark Saltz
Reviewed By:	Don Smith
Approved By:	Brett Hodgkiss

**SUBJECT:** ANNUAL CONTRACT FOR WELL FIELD MAINTENANCE SERVICES

**RECOMMENDATION:** Authorize the General Manager to renew the existing agreement with Brax Company Inc. (Brax) to provide as-needed services on the Warner Ranch to maintain wells and well pumps for Fiscal Year 2022 in an amount not to exceed \$100,000.

**PRIOR BOARD ACTION:** On May 21, 2020, the Board authorized the General Manager to enter into an Agreement for Services with Brax to provide as-needed services on the Warner Ranch to maintain wells and well pumps for Fiscal Year 2021 in an amount not to exceed \$100,000.

**FISCAL IMPACT:** Expenditures under the current agreement, which expires June 30, 2021, are estimated to be \$17,681; however, expenditure levels vary from year to year based on maintenance needs, some of which are not readily apparent, of the well field. Therefore, the agreement amount for Fiscal Year 2022 is proposed to remain at not to exceed \$100,000.

**SUMMARY:** The current agreement with Brax expires on June 30, 2021. Per the terms of the current agreement, the District has the option to renew the agreement for two additional one-year periods. The authorization to renew the agreement will allow Brax to continue to provide well field maintenance services on the Warner Ranch.

**DETAILED REPORT:** Brax (previously Hidden Valley Pump Systems, Inc.) has been providing as-needed well field maintenance services to the District on the Warner Ranch for many years. Brax has specialized equipment and the expertise for working on commercial wells in a ranch setting, and their proximity to the District's operations enables them to respond to emerging maintenance requirements in a timely and cost effective fashion. Brax's familiarity with the District's unique operations and working conditions on the Warner Ranch reduces costs by eliminating the time needed to learn the District's system and greatly reducing the need for District staff time to assist Brax. Due to Brax's unique qualifications and history of satisfactory performance, District staff recommends exercising the District's first option to extend the agreement for a one-year period for Fiscal Year 2022 in an amount not to exceed \$100,000.



## STAFF REPORT

Agenda Item: 6.B

**Board Meeting Date:** June 16, 2021  
**Prepared By:** Frank Wolinski  
**Approved By:** Brett Hodgkiss

SUBJECT: ANNUAL CONTRACT FOR PAVING SERVICES

RECOMMENDATION: Authorize the General Manager to enter into an agreement with SealRight Paving, Inc. to provide paving services on District projects for Fiscal Year 2022 in an amount not to exceed \$600,000.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: This contract is proposed for an amount not to exceed \$600,000.

SUMMARY: The District advertised and solicited bids from licensed contractors to perform paving services throughout the District's service area. In response, the District received four qualified bids. SealRight Paving, Inc. responded with the lowest bid.

DETAILED REPORT: Annually, the District generates approximately 20,000 square feet of patch paving and requires pavement restoration services for over two miles of trench line to support the mainline replacement program. In May 2021, the District advertised and solicited bids from 10 contractors to perform asphalt repair services for patch paving and mainline replacement projects. Contractors were required to bid on paving in incremental amounts as well as provide pricing for seal coating, striping, signage, curb and berm, and other related services. The District received four responsive bids from A.M. Ortega Construction, Inc., Joe's Paving, Inc., LC Paving & Sealing, Inc. and SealRight Paving, Inc.

As Joe's Paving, Inc. and SealRight Paving, Inc. submitted overlapping unit costs, staff reviewed previous mainline replacement projects and patch paving invoices. Based on the quantity and type of work typically performed, SealRight Paving, Inc. would provide the lowest cost service on an annual basis for patch paving and trench restoration services.

Vista Irrigation District boundaries include the City of Vista and portions of the cities of San Marcos, Escondido, Oceanside, and unincorporated areas of San Diego County. The contractor will be expected to comply with all paving standards as established under the appropriate governing agency's requirements.

ATTACHMENT: Bid Summary

**BID SUMMARY**  
**Annual Paving Contract**

<b>Asphalt Base Paving (Patch Paving)</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
1	1 - 500 Square Feet	\$7.25	\$6.50	\$16.72	\$30.00	Per Sq. Ft.
2	501 - 1,000 Square Feet	\$7.25	\$6.50	\$11.11	\$15.05	Per Sq. Ft.
3	1,001 - 2,000 Square Feet	\$7.25	\$6.40	\$10.74	\$11.75	Per Sq. Ft.
4	Additional Asphalt replacement 1" depth	\$0.75	\$0.65	\$2.30	\$2.00	Per Sq. Ft.
<b>Grind and Cap (Patch Paving)</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
5	2 - 1,000 Square Feet	\$4.50	\$4.25	\$12.09	\$17.75	Per Sq. Ft.
6	1,001 - 2,500 Square Feet	\$4.35	\$4.00	\$7.57	\$6.00	Per Sq. Ft.
7	2,501 - 4,000 Square Feet	\$4.10	\$3.55	\$4.78	\$5.00	Per Sq. Ft.
<b>Mobilization Fee</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
8	1 - 1,000 Square Feet	\$1.25	\$3.00	\$0.79	\$5,000.00	Per Sq. Ft.
9	1,001 - 2,000 Square Feet	\$1.25	\$1.75	\$0.53	\$3,500.00	Per Sq. Ft.
<b>Asphalt Base Paving (Mainline Replacement - single mobilization)</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
10	2,001 - 4,000 Square Feet	\$6.15	\$6.00	\$10.95	\$10.00	Per Sq. Ft.
11	≥4,001 Square Feet	\$4.50	\$5.75	\$9.21	\$8.00	Per Sq. Ft.
<b>Grind and Cap (Mainline Replacement - single mobilization w/base)</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
12	2,001 - 4,000 Square Feet	\$2.95	\$4.45	\$6.14	\$5.00	Per Sq. Ft.
13	≥4,001 Square Feet	\$2.85	\$4.05	\$4.17	\$4.00	Per Sq. Ft.
<b>Asphalt Base Paving (Mainline Replacement - phase I)*</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
14	2,001 - 4,000 Square Feet	\$7.25	\$6.65	\$12.54	\$14.50	Per Sq. Ft.
15	≥4,001 Square Feet	\$7.25	\$6.65	\$12.34	\$11.50	Per Sq. Ft.
<b>Grind and Cap (Mainline Replacement - phase II)</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
16	2,001 - 4,000 Square Feet	\$4.25	\$6.25	\$6.14	\$5.00	Per Sq. Ft.
17	≥4,001 Square Feet	\$4.25	\$4.50	\$4.27	\$4.00	Per Sq. Ft.
<b>Remove and Replace (Mainline Replacement)</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
18	1 - 1000 Square Feet	\$8.00	\$10.00	\$15.86	\$34.25	Per Sq. Ft.
19	1,001 - 2,000 Square Feet	\$8.00	\$7.50	\$12.15	\$13.50	Per Sq. Ft.
20	≥2,001 Square Feet	\$7.75	\$7.40	\$9.26	\$11.75	Per Sq. Ft.
<b>Additional Items (Mainline Replacement)</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
21	Additional Asphalt replacement 1" depth	\$1.00	\$0.99	\$2.30	\$2.00	Per Sq. Ft.
22	Flag-person (using Contractor materials and equipment)	\$75.00	\$75.00	\$145.00	\$75.00	Per Hour
23	Project Coordinator (Job Walk)	\$60.00	\$70.00	\$100.00	\$75.00	Per Hour
<b>Seal Coat</b>						
Item		Joe's Paving	SealRight	A.M Ortega	LC Paving	
24	1 - 1000 Square Feet	\$5.25	\$1.05	\$27.56	\$15.00	Per Sq. Ft.
25	1,001 - 2,000 Square Feet	\$5.00	\$0.75	\$9.19	\$5.75	Per Sq. Ft.
26	≥2,001 Square Feet	\$4.75	\$0.39	\$3.94	\$3.75	Per Sq. Ft.

\*Per County of San Diego SDRSD 24A/B (Type D-Phase I/II)



<b>Berm and Curb</b>						
Item		Joe's Paving	SealRight	A.MOrtega	LC Paving	
27	3" - 6" Rolled Asphalt Berm	\$7.00	\$4.35	\$16.76	\$60.00	Per Ln. Ft.
28	6" Machined Asphalt Curb	\$8.00	\$6.95	\$36.76	\$75.00	Per Ln. Ft.
<b>Striping</b>						
Item		Joe's Paving	SealRight	A.MOrtega	LC Paving	
29	Painted Striping	\$11.00	\$3.25	\$13.78	\$35.00	Per Ln. Ft.
30	Painted Lane Striping	\$11.00	\$3.25	\$22.05	\$35.00	Per Ln. Ft.
31	Thermoplastic Striping	\$34.00	\$34.50	\$27.56	\$44.50	Per Ln. Ft.
32	Thermoplastic Lane Striping	\$34.00	\$34.50	\$34.45	\$44.50	Per Ln. Ft.
33	Pavement Markers/reflectors	\$15.00	\$12.00	\$9.65	\$12.00	Each
<b>Signage</b>						
Item		Joe's Paving	SealRight	A.MOrtega	LC Paving	
34	Painted Intersection Marking	\$175.00	\$100.00	\$300.00	\$600.00	Each
35	Thermoplastic Intersection Marking	\$500.00	\$225.00	\$500.00	\$75.00	Each
<b>Traffic Loops</b>						
Item		Joe's Paving	SealRight	A.MOrtega	LC Paving	
36	Traffic Control Loop Repair	\$1,050.00	\$1,600.00	\$2,757.00	\$400.00	Each
37	Cyclist Control Loop	\$900.00	\$1,600.00	\$2,757.00	\$400.00	Each
<b>Additional Services</b>						
Item		Joe's Paving	SealRight	A.MOrtega	LC Paving	
38	Asphalt compaction test	\$650.00	\$2,250.00	\$1,175.00	\$525.00	Each

**DRAFT MINUTES**

*Not part of the District's permanent record until approved by the Board of Directors.*

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

June 2, 2021

A Regular Meeting of the Board of Directors of Vista Irrigation District was held on Wednesday, June 2, 2021 at the offices of the District, 1391 Engineer Street, Vista, California.

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Directors present: Miller, Dorey, Sanchez, and MacKenzie.

Directors absent: Vásquez.

Staff present: Brett Hodgkiss, General Manager; Don Smith, Director of Water Resources; Randy Whitmann, Director of Engineering; Frank Wolinski, Director of Operations and Field Services; Marlene Kelleher, Director of Administration; and Ramae Ogilvie, Administrative Assistant. General Counsel David Cosgrove was also present.

Other attendees: None.

**3. PLEDGE OF ALLEGIANCE**

Director Dorey led the pledge of allegiance.

**4. APPROVAL OF AGENDA**

21-06-63 *Upon motion by Director Dorey, seconded by Director MacKenzie and unanimously carried (4 ayes: Miller, Dorey, MacKenzie, and Sanchez; 1 absent: Vásquez), the Board of Directors approved the agenda as presented.*

**5. ORAL COMMUNICATIONS**

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

**6. CONSENT CALENDAR**

21-06-64 *Upon motion by Director Miller, seconded by Director MacKenzie and unanimously carried (4 ayes: Miller, Dorey, MacKenzie, and Sanchez; 1 absent: Vásquez), the Board of Directors approved the Consent Calendar, including Resolution Nos. 21-25 and 21-26 ordering the final detachment and approving disbursements, respectively.*

**DRAFT MINUTES**

***Not part of the District's permanent record until approved by the Board of Directors.***

A. Annual contract for material transport services

See staff report attached hereto. Staff recommended and the Board authorized the General Manager to execute an agreement with Leon Perrault Trucking to transport and provide assorted material for District jobs in an amount not to exceed \$250,000.

B. Materials for mainline replacement

See staff report attached hereto. Staff recommended and the Board approved the purchase of pipeline materials from Ferguson Waterworks for mainline replacement on Mason Road in the amount of \$73,877.43.

C. Final detachment

See staff report attached hereto.

***The Board adopted Resolution No. 21-25 ordering the final detachment of the Lindauer – Olive Street Reorganization to change Vista Irrigation District boundaries over a single-family residential parcel consisting of approximately 4.00 acres owned by Lloyd and Marilyn Lindauer (LN 2020-014; CF 500-373; LAFCO RO20-11; APN 182-101-01; DIV NO 5), by the following roll call vote:***

***AYES: Directors Miller, Dorey, MacKenzie, and Sanchez***

***NOES: None***

***ABSTAIN: None***

***ABSENT: Director Vásquez***

***Resolution No. 21-25 is on file in the official Resolution book of the District.***

D. Acceptance of water system and quitclaim deed

See staff report attached hereto. Staff recommended and the Board accepted the water system and approved Quitclaim Deed (668) for a 124-unit townhome-condominium housing project, known as The Peak at Delpy's Corner, consisting of approximately 15.9 gross acres owned by CalAtlantic Group Inc., located at the southeast corner of East Vista Way and Foothill Drive, Vista (I-3076; LN 2017-035; APNs 173-250-46, 47, & 48; DIV NO 1).

E. Minutes of the Fiscal Policy Committee meeting on May 10, 2021

The Board noted and filed the minutes of the Fiscal Policy Committee meeting on May 10, 2021, which were provided for informational purposes.

F. Minutes of the Board of Directors meeting on May 18, 2021

The minutes of May 18, 2021 were approved as presented.

G. Resolution ratifying check disbursements

**DRAFT MINUTES**

*Not part of the District's permanent record until approved by the Board of Directors.*

**RESOLUTION NO. 21-26**

**BE IT RESOLVED**, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 66894 through 66991 drawn on Union Bank totaling \$916,772.37.

**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 2<sup>nd</sup> day of June 2021.

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**7. DIVISION REPORTS**

See staff report attached hereto.

General Manager Brett Hodgkiss stated that the Buena Creek (HB) Reservoir Rehabilitation project is complete; he noted that photographs of the completed project were being shown via a slideshow prior to the start of the Board meeting.

Mr. Hodgkiss informed the Board that the District is releasing water from Lake Henshaw to Lake Wohlford. Director of Water Resources Don Smith stated that the District has coordinated with the State Water Resources Control Board Division of Drinking Water to monitor Harmful Algal Blooms (HABs) anatoxin levels in Lake Wohlford, and if anatoxins are detectable, the water will be tested while going through the treatment plant. He noted that 40 percent of the water going through the treatment plant is local water.

Mr. Smith informed the Board that staff has participated in several HABs workshops and is working with the District's consultant to develop a rapid response monitoring plan and treatment strategy. He stated that the consultant team is making good progress on a short-term chemical treatment plan and on evaluating long-term management strategies for HABs.

**8. FINANCIAL REPORT FOR THE NINE MONTHS ENDED MARCH 31, 2021**

See staff report attached hereto.

Director of Administration Marlene Kelleher presented an overview of the Financial Report for the nine months ended March 31, 2021 stating that the District experienced a \$1.2 million operating gain, which is a decrease from the \$4.3 million operating gain for the same period the previous year. She said that a majority of the decrease was attributable to HABs at Lake Henshaw impacting the District's ability to bring local water into the system; as a result, the District had to purchase more expensive water from the San Diego County Water Authority to make up for the loss of local supply. Ms. Kelleher reviewed other notable items in the report.

The Board thanked Ms. Kelleher for the report.

**DRAFT MINUTES**

***Not part of the District's permanent record until approved by the Board of Directors.***

**9. FISCAL YEAR 2022 BUDGET**

See staff report attached hereto.

Mr. Hodgkiss presented an overview of the Fiscal Year (FY) 2022 Budget. He stated that the budget projects water production (16,800 acre-feet) and water sales (15,800 acre-feet) to decrease by about 0.5% respectively from the prior fiscal year; local water production is projected at 3,115 acre feet based on a 10-year rolling average. The Revenue Budget is projected to increase by 2.5%; the Operating Budget is projected to increase by 17.5%; and the Capital Budget is projected to increase by 21%. As a result, approximately \$8.8 million of the District's reserves will be used to fund the FY 2022 Budget.

Mr. Hodgkiss stated that the Revenue Budget is projected to increase by just over 2.5% primarily as a result of the inflationary adjustment made to the service charge effective July 1, 2021 as well as an increase in System Fees revenue related to new development. He added that the Service Charges/Fees budget projects the collection of late fees beginning July 1, 2021 as well as the collection of door hanger and delinquent lock fees starting January 1, 2022. Mr. Hodgkiss also noted the downward trend in Investment Income due to lower interest rates and a slow recovery from the economic impacts of the COVID-19 pandemic.

In reviewing the Operating Budget, Mr. Hodgkiss stated that the projected 17.5% increase is largely due to the inclusion of \$8 million for San Pasqual Undergrounding Project (Project) cost. He noted that the Project involves infrastructure not owned by the District; therefore, the cost is captured in the Operating Budget rather than the Capital Budget. Mr. Hodgkiss noted that the Project costs included in the budget are for FY 2022 only; future Project expenditures will be included in subsequent fiscal year budgets. He stated that the balance of the increase in the Operating Budget is due to higher costs for purchased water and adjustments to labor related costs in accordance with current labor agreements. Mr. Hodgkiss pointed out that the Travel budget has been increased in anticipation of in-person conferences and meetings resuming. He explained that increase to the Awards and Contributions budget is the result of the scholarship program budget being increased from \$6,000 to \$10,000, and the increase to the Insurance budget is the result of higher liability premiums due to increased losses by the District. Mr. Hodgkiss pointed out that the Operating Budget, less the \$8 million for the San Pasqual Undergrounding Project, is increasing by less than one percent from the prior fiscal year.

Mr. Hodgkiss stated that the Capital Budget is projected to increase by 21%. He stated that approximately \$3.5 million of the Capital Budget is for deferred capital outlay/projects from FY 2021 and approximately \$3.5 million is for new capital outlay/projects.

Director MacKenzie asked what reserve fund would be used to fund the FY 2022 Budget. Ms. Kelleher stated that the \$8.8 million would come from the Capital Improvement Reserve.

Mr. Hodgkiss thanked staff, Marlene Kelleher and Finance Supervisor Shallako Goodrick for their hard work on the Budget. The Board thanked staff for their good work on the Budget.

21-06-65	<b><i>Upon motion by Director Miller, seconded by Director Dorey and unanimously carried (4 ayes: Miller, Dorey, MacKenzie, and Sanchez; 1 absent: Vásquez), the Board of Directors adopted Fiscal Year 2022 Budget.</i></b>
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**DRAFT MINUTES**

***Not part of the District's permanent record until approved by the Board of Directors.***

**10. SELECTION OF FIRM FOR AUDITING SERVICES**

See staff report attached hereto.

Ms. Kelleher reported that in accordance with the Board's policy to change accounting firms providing auditing services every five years, a Request for Proposal was sent to 11 accounting firms; four firms submitted proposals. After reviewing the proposals from the qualified firms, staff ranked Davis Farr the highest using the District's rating criteria. President Sanchez noted that Davis Farr's pricing was on par with the District's prior auditing firm.

21-06-66      ***Upon motion by Director Miller, seconded by Director MacKenzie and unanimously carried (4 ayes: Miller, Dorey, MacKenzie, and Sanchez; 1 absent: Vásquez), the Board of Directors authorized the General Manager to enter into a contract with Davis Farr LLP for auditing services for three years of auditing services, with the option to extend on a year-by-year basis for two additional years.***

**11. PASEO SANTA FE STREETSCAPE IMPROVEMENT PROJECT**

See staff report attached hereto.

Director of Engineering Randy Whitmann provided an overview of the item stating that the City of Vista (City) has completed its redevelopment project known as Phase II and III of the Paseo Santa Fe Streetscape Improvement Project (Project), which encompassed South Santa Fe Avenue between Oceanview Drive and Civic Center Drive. While the City's street reconfiguration required the relocation of existing pipelines, the water system improvements also served to replace old infrastructure and upsize facilities as recommended in the District's Water Master Plan.

Mr. Whitmann stated that under District inspection the City's contractor, Dick Miller, Inc. (DMI), replaced/relocated 6-inch and 10-inch diameter, 66 year-old water mains with approximately 1,350 feet of 8-inch and 2,750 feet of 18-inch main of polyvinyl chloride (PVC) pipelines and associated appurtenances. He said that the final contract amount (including change orders) with the City totaled \$1,498,350.90, which was \$351,649.10 under budget for this Project. Mr. Whitmann noted that the City added a new roundabout at Pala Vista Drive as part of the Project; however, only a portion of the roundabout was completed because the City was unable to obtain all of the necessary public right-of-way. He stated that the City is in the process of obtaining the right-of way to finish the construction; completion of the roundabout will require the relocation of approximately 100 feet of the District's 8-inch water main at an estimated cost of \$75,000. It is anticipated that the District will contract with the City to include this work as part of its bid package. Mr. Hodgkiss mentioned that staff would come back to the Board for approval to complete the project when the City is ready to proceed.

21-06-67      ***Upon motion by Director Miller, seconded by Director Dorey and unanimously carried (4 ayes: Miller, Dorey, MacKenzie, and Sanchez; 1 absent: Vásquez), the Board of Directors accepted Phase II and Phase III of the Paseo Santa Fe Streetscape Improvement Project and directed staff to file a Notice of Acceptance with the County Recorder's Office (LN 2016-015; D-2319; DIV NO 3).***

**DRAFT MINUTES**

***Not part of the District's permanent record until approved by the Board of Directors.***

**12. EXTENSION OF FAMILIES FIRST CORONAVIRUS RESPONSE ACT LEAVE PROVISIONS**

See staff report attached hereto.

Mr. Hodgkiss provided an overview of the item stating that in February the Board approved the voluntary extension of the leave provisions and related benefits contained in the Families First Coronavirus Response Act (FFCRA) through March 31, 2021. On March 11, 2021, President Biden approved the American Rescue Plan Act (ARPA), which allowed employers, on a voluntarily basis, to continue to provide leave as set forth in the FFCRA through September 30, 2021 in exchange for a payroll tax credit. Staff recommends continuing to voluntarily offer the additional 10 weeks of expanded family and medical leave provided for under FFCRA to assist employees that have low or no leave balances (primarily new employees). It was noted that state law (Senate Bill 95) enacted on March 19, 2021 requires employers to offer 80 hours of COVID-19 supplemental paid sick leave to eligible employees; this requirement also ends September 30, 2021.

Director Dorey asked if the voluntary extension of FFCRA leave provisions was directly tied to COVID-19. Mr. Hodgkiss explained that the leave provided for in FFCRA as well as Senate Bill 95 is available to eligible employees who, 1) have COVID-19 related symptoms; 2) have to care for someone with COVID-19; or, 3) have to care for a child whose school or childcare is closed/unavailable because of COVID-19. He added that while the District (as a governmental agency) was not previously eligible to receive the payroll tax credits, the ARPA extended payroll tax credits to public agencies for COVID-19 related paid leave through September 30, 2021. Mr. Hodgkiss stated that the District intends to seek payroll tax credits for eligible leave as set forth in the ARPA.

21-06-68	<i>Upon motion by Director Dorey, seconded by Director MacKenzie and unanimously carried (4 ayes: Miller, Dorey, MacKenzie, and Sanchez; 1 absent: Vásquez), the Board of Directors voluntarily extended the expanded family and medical leave provisions and related benefits contained in Families First Coronavirus Response Act through September 30, 2021.</i>
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**13. LOCAL AGENCY FORMATION COMMISSION ALTERNATE SPECIAL DISTRICT MEMBER ELECTION**

See staff report attached hereto.

Director Dorey recommended that the Board cast its vote for David Drake of Rincon del Diablo Municipal Water District.

21-06-69	<i>Upon motion by Director Dorey, seconded by Director Miller and unanimously carried (3 ayes: Miller, Dorey, and Sanchez; 1 abstain: MacKenzie; 1 absent: Vásquez), the Board of Directors selected David Drake as the candidate to fill a vacant and unexpired term as an alternate special district member of San Diego Local Agency Formation Commission (LAFCO) and authorized the Board President to cast the District's vote accordingly.</i>
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**DRAFT MINUTES**

***Not part of the District's permanent record until approved by the Board of Directors.***

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

See staff report attached hereto.

Director Miller reported that the San Diego County Water Authority (Water Authority) Board met on May 27, 2021 and adopted an updated Debt Management and Disclosure Policy, approved amendments to the compensation schedule for unrepresented employees and designated officers and employees authorized to execute certain disaster relief or emergency assistance documents. He reported that the Water Authority Board also set a public hearing date of June 24, 2021 to receive comments regarding the proposed rates and charges to be effective January 1, 2022 and approved the Water Authority's 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

Director Miller reported that the Water Authority Administrative and Finance Committee will hold a Budget workshop on June 8 and 10, 2021 to discuss the recommended Budget for 2022-23. He stated that the untreated and treated melded water rates for Calendar Year 2022 will increase by 3.3 percent and 3.6 percent respectively. Director Miller asked if the District's budget incorporated the Water Authority rate increase. Mr. Hodgkiss stated that the District does not budget for future rate increases; the cost of increases is covered via the District's pass-through of wholesale water and water-related fees and charges policy.

**15. MEETINGS AND EVENTS**

See staff report attached hereto.

Director MacKenzie reported on her attendance at the virtual California Special District Association (CSDA) Legislative Days held on May 18 and 19, 2021 where various pieces of federal and state legislation were discussed. Of note were House of Representatives (HR) 2482, a federal bill that would provide tax credits for microgrid properties, and Senate Bill (SB) 45, which would provide \$5.59 billion for wild fire prevention, safe drinking water and drought preparation if approved in 2022. Director MacKenzie also reported on Assembly Bill (AB) 1434, which would establish the standard for indoor residential water use at 48 gallons per capita per day beginning January 1, 2023, 44 gallons per capita per day beginning January 1, 2025 and 40 gallons per capita per day beginning January 1, 2030.

Director MacKenzie reported on her attendance at the Association of California Water Agencies (ACWA) State Legislative Committee meeting on May 20, 2021 where SB 222 was discussed. This bill would establish a Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California. Director MacKenzie reported on a May 20, 2021 meeting of the CSDA Finance Corporation where \$1.2 million in financing was approved for the Little Rock Creek Public Sewer District to purchase energy saving equipment.

Director MacKenzie reported on a CSDA webinar she attended on May 25, 2021 "Addressing Cybersecurity Risks", which covered topics including ransomware attacks and methods of prevention, and the importance of knowing who has access to your system.

Director Vásquez, via President Sanchez, requested authorization to attend the Council of Water Utilities Meeting on June 15, 2021. Director MacKenzie requested authorization to attend the CSDA Quarterly Meeting on August 19, 2021 and authorization after the fact for attending the CSDA webinar "Addressing Cybersecurity Risks" on May 25, 2021.



**DRAFT MINUTES**

*Not part of the District's permanent record until approved by the Board of Directors.*

21-06-70      *Upon motion by Director Dorey, seconded by Director MacKenzie and unanimously carried (4 ayes: Miller, Dorey, MacKenzie, and Sanchez; 1 absent: Vásquez), the Board of Directors authorized Director Vásquez to attend the Council of Water Utilities Meeting on June 15, 2021 and Director MacKenzie to attend the CSDA Quarterly Meeting on August 19, 2021. The Board authorized after the fact Director MacKenzie's attendance at the CSDA webinar "Addressing Cybersecurity Risks" on May 25, 2021.*

**16. ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES**

See staff report attached hereto.

Mr. Hodgkiss stated that, in addition to the 2020 Urban Water Management Plan and Water Supply Response Program, both planned for the June 16, 2021 Board agenda, approval of a seed collection license agreement for Warner Ranch and casting a ballot in the CSDA Board of Directors election for Southern Network, Seat A will also be on the agenda.

**17. COMMENTS BY DIRECTORS**

There were no comments by Directors.

**18. COMMENTS BY GENERAL COUNSEL**

General Counsel David Cosgrove reported to the Board on two cases that involved Proposition 218. The first, KCSFV I, LLC vs. Florin County Water District (Agency) was a rate challenge case. The Agency established a \$10 rate increase, stating it was to increase reserves and to replace infrastructure as necessary. The plaintiff protested and challenged that the rate increase was excessive. The trial court held for the plaintiff finding that the Agency's Prop 218 notice did not show cost per parcel, did not explain how the rate was calculated, and failed to prove that the notice was mailed to all ratepayers.

Mr. Cosgrove updated the Board on the Kessner vs. City of Santa Clara litigation. He stated that on May 20, 2021 there was a hearing for a broad range of motions brought by the defendants including venue, jurisdiction and joinder. The court ruled that the Prop 218 hearing is not an effective administrative remedy and overruled the objections that the plaintiffs did not adequately exhaust the administrative remedies. The court found that the joinder and the venue motions were upheld but gave the plaintiffs 30 days to find joint activity and amend their complaint, and 30 more days to continue to challenge the venue.

**19. COMMENTS BY GENERAL MANAGER**

Mr. Hodgkiss had no comments.

**DRAFT MINUTES**

*Not part of the District's permanent record until approved by the Board of Directors.*

**20. ADJOURNMENT**

There being no further business to come before the Board, at 11:02 a.m. President Sanchez adjourned the meeting to June 16, 2021 at 9:00 a.m.

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Patrick Sanchez, President

ATTEST:

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Ramae Ogilvie, Assistant Secretary  
Board of Directors  
VISTA IRRIGATION DISTRICT



# Cash Disbursement Report

Payment Dates 5/20/2021 - 6/2/2021

Payment Number	Payment Date	Vendor	Description	Amount
67002	05/26/2021	AT&T	3680/CALNET 4/23/21-5/12/21 - Phones	422.46
	05/26/2021		0230/CALNET 04/13/21-05/12/21-Teleconference	35.58
67003	05/26/2021	Boot World Inc	Footwear Program	169.66
67004	05/26/2021	County of San Diego	Notice of Exemptions (2)	100.00
67005	05/26/2021	Dinesh Shah	Customer Rebate Smart Leak Detector Rebate Program	75.00
67006	05/26/2021	Fastenal Company	Stainless Steel Screw, Nut, Washer Assortment	90.52
67007	05/26/2021	FedEx	Express Shipping	139.56
67008	05/26/2021	Grainger	"Vault Flooded" Switch	55.88
	05/26/2021		UPS Power Supplies	1,519.06
	05/26/2021		UPS Power Supply	189.88
67009	05/26/2021	InfoSend Inc	Data Processing/Mailing Services	357.38
67010	05/26/2021	McMaster-Carr Supply Company	Machine Key	15.09
	05/26/2021		Stainless Screen	71.77
67011	05/26/2021	Opto 22	SCADA PLC Modules	4,205.21
67012	05/26/2021	Richard Brady & Associates, Inc	HB Reservoir Rehabilitation 04/2021	130,975.00
67013	05/26/2021	Roberto Martinez	Refund Fees 05/2021	3,465.00
67014	05/26/2021	Southern Counties Lubricants, LLC	Grease Cartridges (2)	87.72
67015	05/26/2021	Verizon Wireless	Air Cards 04/13/21 - 05/12/21	152.04
67016	06/02/2021	ABABA Bolt	Stainless Hardware	34.72
	06/02/2021		Stainless Steel Screws	18.75
	06/02/2021		Lag Screws	87.57
	06/02/2021		Lag Screws	146.69
	06/02/2021		Saw Blade	165.77
	06/02/2021		Lag Screws	93.03
67017	06/02/2021	Airgas USA LLC	Oxygen & Acetylene	785.45
67018	06/02/2021	Escondido Metal Supply	Aluminum Angles (56)	240.88
	06/02/2021		Aluminum Angles (56)	240.86
	06/02/2021		Flat Bar	24.57
	06/02/2021		Steel Tubing	245.19
67019	06/02/2021	Amazon Capital Services	Batteries for Tools (2)	124.86
	06/02/2021		Gopher Deterrent	170.22
	06/02/2021		Heathly Snacks - Wellness Grant Program	29.98
67019	06/02/2021		Weighted Wattle	74.69

Payment Number	Payment Date	Vendor	Description	Amount
	06/02/2021		Automatic Stop/Start Delete Adapter - Truck 16	43.30
	06/02/2021		Oil Drain Valves, Hoses	93.66
67020	06/02/2021	AT&T	Data Services	698.93
	06/02/2021		SIP Trunks	461.63
67021	06/02/2021	Basic	Flexible Spending Service/Cobra 05/2021	275.80
67022	06/02/2021	Boot Barn Inc	Footwear Program	119.61
67023	06/02/2021	Cecilia's Safety Service Inc	Traffic Control - W Vista Way/Nettleton	6,697.50
	06/02/2021		Traffic Control - Mason Rd	712.50
	06/02/2021		Traffic Control - Elevado Rd	3,040.00
	06/02/2021		Traffic Control - Casa Real/Melrose Place	1,472.50
	06/02/2021		Traffic Control - W Vista Way / Nettleton	3,325.00
	06/02/2021		Traffic Control - E Vista Way	1,235.00
	06/02/2021		Traffic Control - Champa St / N Santa Fe Ave	1,520.00
	06/02/2021		Traffic Control - Bautista Ave	3,562.50
	06/02/2021		Traffic Control - Melrose Dr / Bach St	1,425.00
	06/02/2021		Traffic Control - Elevado Rd / Vista Grande Dr	665.00
67024	06/02/2021	Citi Cards	Paint Striping Sticks (2)	64.72
	06/02/2021		GFOA Conference (Virtual)	420.00
	06/02/2021		Kitchen & Building Supplies	665.53
	06/02/2021		Kitchen & Building Supplies	975.53
	06/02/2021		Microsoft Basic Office 365 Licenses	18.00
	06/02/2021		Software for Remote Support to Lake Henshaw	60.00
	06/02/2021		Microsoft Azure Cloud Service Monthly	102.44
	06/02/2021		GFI FaxMaker Online Service	12.75
	06/02/2021		Employment Advertising - System Operator I/II	100.00
	06/02/2021		Health Snacks - Wellness Grant Program	155.88
	06/02/2021		CSDA Annual Conference - P Sanchez	625.00
	06/02/2021		SDLF District of Distinction Re-accreditation	250.00
	06/02/2021		CSDA Annual Conference - B Hodgkiss	625.00
	06/02/2021		Cloud Based Phone System - COVID-19	342.40
67025	06/02/2021	City of Vista	Paseo Santa Fe Pipeline - Final Progress Payment	35,657.30
	06/02/2021		Paseo Santa Fe Pipeline - Final Design & Admin Payment	195,437.07
67026	06/02/2021	Coastal Chlorination & Backflow	Chlorination Service - Nettleton Rd	744.50
67027	06/02/2021	Core & Main	Tracer Lids 4" Cast Iron (20)	303.64
	06/02/2021		Fire Hydrant Spool 6x18 DI (3)	392.95
	06/02/2021		ELL 6"x16" POxFL Bury DI (2)	580.22
	06/02/2021		Sleeve 8"x12" Galvanized Top Sections (75)	876.83
	06/02/2021		Gate Valve 6" FL R/W (3)	1,769.89

Payment Number	Payment Date	Vendor	Description	Amount
	06/02/2021		Nut Bolt Gskt Kit 6"-8"(6" gasket)3/4 x 3 1/4 (20)	205.68
	06/02/2021		Fire Hydrant Spool 6x24 DI (1)	152.63
	06/02/2021		Lid 8" Slotted Valve (VID) (470)	12,032.53
	06/02/2021		Gate Valve 6" FL R/W (1)	529.34
	06/02/2021		Fire Hydrant 6x4x2.5 (5)	13,065.79
67028	06/02/2021	County of San Diego	Permit Fees 04/2021	5,505.00
67029	06/02/2021	Diamond Environmental Services	Stationary & Portable Restroom Service	317.25
	06/02/2021		Portable Restroom Service	50.00
67030	06/02/2021	Streamline	Webhosting, Maintenance & Support	300.00
67031	06/02/2021	DIRECTV	Direct TV Service	109.24
67032	06/02/2021	Drug Testing Network Inc	Post Accident Drug Test	95.95
67033	06/02/2021	Ergostop Inc	Standing Mats (2)	229.38
67034	06/02/2021	Eurofins Eaton Analytical Inc	DI Suitability Lab Samples	497.00
67035	06/02/2021	Ferguson Waterworks	Primer Christy's Purple (6)	78.91
	06/02/2021		Clamp 12x12 Repair Full Circle SS Romac (1)	303.58
	06/02/2021		Fire Hydrant LB400 Check Valve (4)	6,624.90
	06/02/2021		Gate Valve O-Rings, Gaskets	41.67
67036	06/02/2021	Glennie's Office Products Inc	Office Supplies	30.22
	06/02/2021		Office Supplies	193.60
	06/02/2021		Office Supplies	5.17
	06/02/2021		Office Supplies	135.31
67037	06/02/2021	Hach Company	Analyzer Supplies	748.96
67038	06/02/2021	Hawthorne Machinery Co	Brush Kits & Skirt - B16	847.28
67039	06/02/2021	HELIX Environmental Planning, Inc	Flume Alignment Study 03/29/21 - 04/25/21	1,416.25
67040	06/02/2021	InfoSend Inc	2021 e-CCR Inserts	20.36
67041	06/02/2021	Johnson Controls Fire Protection LP	5 Year Sprinkler Certification & Repairs	5,271.06
67042	06/02/2021	Lawnmowers Plus Inc	Chainsaw	204.71
	06/02/2021		Parts & Oil	168.05
67043	06/02/2021	Leon Perrault Trucking & Materials	Trucking & Material 04/2021	8,403.63
67044	06/02/2021	Liebert Cassidy Whitmore	Legal Service 04/2021	1,740.00
67045	06/02/2021	McMaster-Carr Supply Company	Stainless Mesh Screen	37.59
	06/02/2021		Stainless Steel Drain Screen	68.61
67046	06/02/2021	Megan Hayburn	Customer Rebate Smart Leak Detector Rebate Program	100.00
67047	06/02/2021	Moodys	Dump Fees (3)	900.00
	06/02/2021		Dump Fees (1)	300.00
67048	06/02/2021	Mutual of Omaha	LTD, STD, Life Insurance 06/2021	6,690.51
67049	06/02/2021	NAPA Auto Parts	Spray Paint - AZ2	27.03
	06/02/2021		Filters (2)	22.72

Payment Number	Payment Date	Vendor	Description	Amount
67050	06/02/2021	North County Auto Parts	Tailgate Switch - Truck 56	12.10
	06/02/2021		Windshield Washer (12)	42.35
	06/02/2021		Chemicals & Oil - Garage	122.42
67051	06/02/2021	North County Industrial Park	Association Fees 06/2021	879.30
67052	06/02/2021	O'Reilly Auto Parts	Battery - Truck 66	181.91
67053	06/02/2021	Pacific Pipeline Supply	PVC Pipe, Bushing	1,073.69
	06/02/2021		Reducer Copper 1.5" Street x 1" (10)	108.25
	06/02/2021		Christy's Ultra Seal Thread Sealant 8oz (10)	113.67
	06/02/2021		6" Pipe Restraint with T-Bolts (10)	313.93
	06/02/2021		Angle Stops (3)	524.25
	06/02/2021		Ball Valve (1)	254.86
	06/02/2021		Restrainer Clamps (2)	222.08
67054	06/02/2021	Pacific Safety Center	Annual Fit Testing (20)	1,295.00
	06/02/2021		Certificate for Occupational Safety Mgr Class (Virtual)	1,999.00
67055	06/02/2021	Palomar Reprographics Inc	Printing Draft 2120 Urban Wtr Management Plan Copies	743.55
67056	06/02/2021	Powerland Equipment, Inc	Riding Mower Repair	1,081.30
67057	06/02/2021	Public Agency Risk Managers Association	PARMA Membership 07/2021 - 06/2022	150.00
67058	06/02/2021	Ramco Petroleum	Fuel 04/2021	1,940.39
67059	06/02/2021	Ramona Disposal Service	Trash Service 04/2021	167.50
	06/02/2021		Trash Service 05/2021	167.50
67060	06/02/2021	RDO Equipment Co	Clutch & Belt - C5	2,345.38
67061	06/02/2021	San Diego Friction Products	Fuel Shut Off Solenoid - Truck 7	(53.80)
	06/02/2021		Clearance Lamp Bar - Truck 66	16.31
	06/02/2021		Portable Magnetic Work Lamps (2)	151.44
67062	06/02/2021	San Diego Gas & Electric	Electric 05/2021 - Warner Ranch House	27.97
	06/02/2021		Electric 04/2021 - Cathodic Protection & T&D	229.35
	06/02/2021		Electric 04/2021 - Reservoirs	158.92
	06/02/2021		Electric 04/2021 - Pump Stations	9,404.07
	06/02/2021		Electric 04/2021 - Plants	113.33
67063	06/02/2021	Shred-it USA LLC	Monthly Shredding, Customer Svc Shredding Project	759.46
67064	06/02/2021	Southern Counties Lubricants, LLC	Fuel 05/01/21 - 05/15/21	5,216.17
67065	06/02/2021	Spok, Inc	Pagers	44.50
67066	06/02/2021	Steven Engineering	SCADA Terminal Block & Breakers	941.20
67067	06/02/2021	Sunbelt Rentals	Replacement Blade for Brush Hog	66.83
	06/02/2021		Brush Chipper Rental	254.06
	06/02/2021		Concrete	246.77
67068	06/02/2021	Sunrise Materials Inc	Rock Bags (140)	598.62
	06/02/2021		Delivery Fee (1)	156.96

Payment Number	Payment Date	Vendor	Description	Amount
	06/02/2021		Pallet Deposit (2)	75.78
	06/02/2021		Pallets Returned (3)	(81.19)
67069	06/02/2021	Tegriscap Inc	Landscape Service 05/2021	1,787.00
67070	06/02/2021	TS Industrial Supply	Measuring Tape 25' Engineering (2)	35.72
	06/02/2021		Digging Bar Heavy Duty (3)	409.19
	06/02/2021		Measuring Tape Holder 25' (2)	32.15
	06/02/2021		Pruner 1" (1)	25.69
	06/02/2021		White Construction Marking Paint #255 (12)	46.37
	06/02/2021		Blue Construction Marking Paint #254 (12)	46.37
	06/02/2021		Marking Paint White #207 (12)	46.37
	06/02/2021		Marking Paint Blue (12)	46.37
	06/02/2021		Max Earplug Uncorded - #Max 1 (200/BX) (1)	31.93
	06/02/2021		Striping Paint White #710 (24)	135.10
	06/02/2021		Sea 2" Pipe Wrap Tape (18)	139.90
	06/02/2021		Maxiflex Gloves Large (12)	60.92
	06/02/2021		Striping Paint Blue #750 (36)	202.64
	06/02/2021		Twine Twisted Nylon Pink (2)	6.17
	06/02/2021		Leather Gloves Size Large (Brown Trim) (12)	99.89
	06/02/2021		Multi Max Earplug Uncorded 200/BX (200)	52.23
67071	06/02/2021	UniFirst Corporation	Uniform Service	335.94
	06/02/2021		Uniform Service	461.84
	06/02/2021		Uniform Service	335.29
67072	06/02/2021	Verizon Wireless	Cell Phones	1,551.20
67073	06/02/2021	Vista Brake & Smog	Tires (4) - Truck 16	937.21
67074	06/02/2021	VWR International LLC	Lab Supplies	522.52
	06/02/2021		Lab Supplies	521.10
67075	06/02/2021	Xerox Corporation	Xerox Supplies & Services	168.89
<b>Grand Total:</b>				<b>517,710.71</b>



## STAFF REPORT

Agenda Item: 7

**Board Meeting Date:** June 16, 2021  
**Prepared By:** Alisa Nichols  
**Reviewed By:** Marlene Kelleher  
**Approved By:** Brett Hodgkiss

SUBJECT: 2020 URBAN WATER MANAGEMENT PLAN

RECOMMENDATIONS: That the Board:

- 1) Conduct a public hearing to receive public comment relative to Vista Irrigation District's 2020 Urban Water Management Plan; and
- 2) Consider adopting Resolution No. 21-XX adopting the 2020 Urban Water Management Plan.

PRIOR BOARD ACTION: The Board approved the first Urban Water Management Plan (UWMP) in 1985 and has approved an update to the UWMP every five years since that date. At its meeting on June 28, 2011, the Board adopted Method 3 for the purposes of Water Code section 10608.20(b), approved the implementation plan for complying with the requirements of Senate Bill X 7-7 (SBX 7-7) and adopted the 2010 UWMP. On June 22, 2016, the Board adopted the 2015 UWMP.

FISCAL IMPACT: There is no fiscal impact associated with the preparation of the UWMP. Information related to the fiscal impact of implementing specific components of the UWMP is contained in the body of the document.

SUMMARY: The Urban Water Management Planning Act (Act) requires that “every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually to prepare and adopt, in accordance with prescribed requirements, an urban water management plan.” The UWMP must be adopted and submitted to the California Department of Water Resources (DWR) by July 1, 2021. An urban water supplier must submit an UWMP prepared pursuant to the Act in order to be eligible to receive grant funding or drought assistance from the State.

DETAILED REPORT: The Act requires urban water suppliers to quantify and describe water demand and water supplies over a 20-year planning horizon, and describe how the supplier will address any shortfalls. UWMPs must describe the supplier’s service area and population; identify existing and planned water sources available to the supplier over a 20-year planning horizon; describe the reliability of water supplies during average, single-dry and multiple-dry water year scenarios; provide water use history and future demand projections; describe potential water supply projects and programs; describe demand management measures; provide a water contingency analysis; and provide information on the use or potential use of recycled water. Water suppliers must also coordinate the preparation of their plans with other appropriate agencies in the area.

Additionally, SBX 7-7 requires urban water suppliers to incorporate interim 2015 and 2020 water use targets as well as a discussion regarding the implementation of policies and programs to assist the supplier in meeting the water use targets and the potential economic impacts of implementing said policies and programs into their 2020 UWMPs. The District adopted Method 3 (95% of the 2020 hydrologic region target) for the purpose of calculating its water use target for 2020. The District’s baseline water use number (calculated using data from the San Diego County Water Authority and the San Diego Association of Governments) was 175 gallons per capita per day (GPCD); the 2020 target using Method 3 is 142 GPCD, requiring an 18 percent reduction (rather than a 20 percent reduction) from the baseline daily per capita water use. The District met both its 2015 interim target of 158 GPCD and the 2020 target of 142 GPCD; the District’s per capita water use for fiscal year 2015 was 125 GPCD and was 109 GPCD for fiscal year 2020.



The draft 2020 UWMP was distributed to the Board and made available for public review at the District's office located at 1391 Engineer Street in Vista on May 27, 2021. It was also made available for public review on the District web site. In accordance with State law, the District distributed copies of its draft UWMP to the cities and county located within the District's service area for public review on May 27, 2021.

Sections 10642 and 10608.26 of the California Water Code require that a public hearing be held prior to adoption of the UWMP. The notice of public hearing on June 16, 2021 at 9:00 AM to receive public comment relative to Vista Irrigation District's 2020 Urban Water Management Plan was duly posted and published in a newspaper of general circulation in the District's service area on June 6 and June 13, 2021.

As of the date this report was prepared, the District had not received any comments from the public concerning the UWMP. Attached are proposed amendments to the draft UWMP based on questions and comments received from the Board and staff. Any comments received after the publication of the agenda will be provided at the Board meeting for discussion purposes. The final document will be amended, as necessary, to incorporate comments received at the public hearing from all interested parties as well as District staff and Board members.

ATTACHMENTS:

- Notice of Public Hearing
- Draft 2020 Urban Water Management Plan
- Resolution No. 21-XX



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**Board of Directors**

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

**Administrative Staff**

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

**NOTICE OF PUBLIC HEARING**

In accordance with California Water Code Sections 10608.26 and 10642, notice is hereby given that the Vista Irrigation District (“District”) Board of Directors will hold a public hearing in its Boardroom located at 1391 Engineer Street, Vista, CA 92081, to receive comments and consider adoption of the 2020 Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (also referred to as the Water Supply Response Program). The 2020 UWMP is available for public review on the District website at <https://www.vidwater.org/public-notice>. A hard copy of the 2020 UWMP is also available for public review outside the lobby during normal business hours at the above noted address.

Consistent with Water Code 10608.26, the public hearing will allow public input and comment on any aspect of the UWMP, specifically including the following:

- (1) The District’s implementation plan for complying with UWMP requirements.
- (2) The economic impacts of the District’s implementation plan.
- (3) The District’s method for determining its urban water use target.

The public hearing will be held at 9:00 AM, or as soon thereafter as the matter may be heard, on Wednesday, June 16, 2021. Pursuant to State of California Executive Orders, members of the public may participate in the public hearing through the District’s teleconferencing line. Please refer to the instructions regarding how to participate provided on the posted agenda.

Vista Irrigation District encourages the active involvement of the diverse social, cultural, and economic elements of the population within its service area. Please be advised that in any later judicial or other action challenging any action taken by the District on the UWMP or any related item, you may be limited to those grounds raised either in writing or in person prior to the close of the public hearing. For further information concerning the 2020 UWMP and Water Supply Response Program, please contact Alisa Nichols at (760) 597-3173. Written comments will be received at the address noted above until 9:00 AM on June 16, 2021.

  
\_\_\_\_\_  
Lisa R. Soto, Secretary  
Board of Directors  
VISTA IRRIGATION DISTRICT

To electronically view the Draft 2020 Urban Water Management Plan,

[CLICK HERE](#)

Or browse to the following web address:

<https://www.vidwater.org/files/54ca332da/VID+2020+Draft+UWMP.pdf>

A hard copy of the Draft 2020 Urban Water Management Plan (UWMP) is available for review during normal business hours outside the lobby of Vista Irrigation District headquarters, located at 1391 Engineer Street, Vista CA 92081.

RESOLUTION NO. 21-XX

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE VISTA IRRIGATION DISTRICT  
ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN

WHEREAS, the California Urban Water Management Planning Act (Act), Water Code section 10610 et seq., mandates that every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, prepare and update an Urban Water Management Plan (UWMP) at least once every five years in years ending in five and zero, subject to Water Code Section 10621, which requires urban water suppliers to adopt their 2020 urban water management plans by July 1, 2021; and

WHEREAS, Vista Irrigation District (District) is an urban water supplier for the purposes of the Act, and approved and adopted its most recent UWMP on June 22, 2016, and submitted its 2015 UWMP to the California Department of Water Resources (DWR); and

WHEREAS, Senate Bill 7 of the Seventh Extraordinary Session (SBX 7-7), Water Code section 10608 et seq., established requirements for urban retail water suppliers to prepare urban water use targets in accordance with the goals of SBX 7-7 to reduce statewide per capita water use by 10 percent by 2015 and 20 percent by 2020; and

WHEREAS, the District is an “urban retail water supplier” for the purposes of SBX 7-7 because it directly provides potable municipal water to more than 3,000 end users; and

WHEREAS, in accordance with the requirements of the Act and SBX 7-7, the District has prepared its 2020 UWMP and has undertaken certain coordination, notice, public involvement, public comment, and other procedures in relation to its 2020 UWMP; and

WHEREAS, as authorized by Water Code section 10620(e) of the Act, the District has prepared its 2020 UWMP with its own staff, and in consultation with other governmental agencies, and has utilized and relied upon the DWR Urban Water Management Plan Guidebook 2020 (March 2021) and the DWR Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use (March 2016) in preparing its 2020 UWMP; and

WHEREAS, in accordance with Water Code section 10621, the District notified cities and the county within which the District provides water supplies that it was reviewing and considering amendments to its UWMP on March 23, 2021; and

WHEREAS, the draft 2020 UWMP was made available for public review on the District’s web site and at its office located at 1391 Engineer Street in Vista during normal business hours and was distributed to cities and the county within which the District provides water supplies on May 27, 2021; and

WHEREAS, in accordance with applicable law, including Water Code sections 10608.26 and 10642 and Government Code section 6066, a notice of public hearing regarding the District’s 2020 UWMP was published in a newspaper of general circulation within its service area on June 6, 2021 and June 13, 2021; and

WHEREAS, in accordance with applicable law, a public hearing was held on June 16, 2021 at 9:00 AM, or soon thereafter, in the District’s Board Room at 1391 Engineer Street, Vista, CA 92081, in order to receive public comment relative to the 2020 UWMP; and

WHEREAS, pursuant to said public hearing on the 2020 UWMP, the District encouraged the active involvement of diverse social, cultural and economic elements of the population within its service area with regard to the preparation of the 2020 UWMP, and considered the testimony and evidence presented at that public hearing.

NOW, THEREFORE, the Board of Directors of the Vista Irrigation District does resolve as follows:

1. The District hereby adopts the 2020 Urban Water Management Plan as presented to the Board by District staff, which Plan incorporates 2015 and 2020 water use targets as well as a discussion regarding the implementation of policies and programs to assist the District in meeting the water use targets and the potential economic impacts of implementing said policies and programs.
2. The General Manager is hereby authorized and directed to include a copy of this Resolution in the District's 2020 Urban Water Management Plan and, in accordance with Water Code section 10644(a), to file the 2020 Urban Water Management Plan with the California Department of Water Resources, the California State Library, and any city or county within which the District provides water supplies within 30 days of the adoption of this Resolution.
3. The General Manager is hereby authorized and directed, in accordance with Water Code section 10645, to make the 2020 Urban Water Management Plan available for public review during normal business hours not later than 30 days after filing a copy of the plan with the California Department of Water Resources.
4. The General Manager is hereby authorized and directed, in accordance with Water Code section 10635(b), to provide that portion of the 2020 Urban Water Management Plan prepared pursuant to Water Code section 10635(a) to any city or county within which the District provides water supplies not later than 60 days after filing a copy with the California Department of Water Resources.
5. The General Manager is hereby authorized and directed to implement the components of the 2020 Urban Water Management Plan in accordance with the Urban Water Management Planning Act, including, but not limited to, the District's water conservation programs and its water shortage contingency plan.

PASSED AND ADOPTED, by the Board of Directors of the Vista Irrigation District on this 16<sup>th</sup> day of June, 2021, by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Patrick Sanchez, President  
Board of Directors

ATTEST:

\_\_\_\_\_  
Lisa Soto, Board Secretary  
Board of Directors  
VISTA IRRIGATION DISTRICT



## STAFF REPORT

Agenda Item: 8

**Board Meeting Date:** June 16, 2021  
**Prepared By:** Alisa Nichols  
**Reviewed By:** Marlene Kelleher  
**Approved By:** Brett Hodgkiss

SUBJECT: WATER SUPPLY RESPONSE PROGRAM

RECOMMENDATIONS: That the Board:

- 1) Conduct a public hearing for the purpose of receiving comments on amending the Vista Irrigation District's Water Supply Response Program; and
- 2) Adopt Resolution No. 21-XX amending the Vista Irrigation District's Water Supply Response Program.

PRIOR BOARD ACTION: In September 2008, the District adopted a Drought Response Conservation Program (DRCP) and amended it in February and October 2009. The DRCP was amended and renamed the Water Supply Response Program (WSRP) in June 2011; the WSRP was last amended in May 2015. The District implemented Level 2 of DRCP in April 2009 and Level 2 of the WSRP in August 2014 to achieve mandated demand reduction requirements.

FISCAL IMPACT: There is no fiscal impact associated with amending the District's WSRP, also referred to as the water shortage contingency plan. Information related to the fiscal impact of implementing specific components of the WSRP are contained in the body of the document, as well as in the water shortage contingency planning analysis provided in Chapter 8 of the 2020 Urban Water Management Plan (UWMP).

SUMMARY: State legislation requires every urban water supplier to prepare and adopt a water shortage contingency plan as part of its 2020 UWMP. Certain elements of the WSRP are required by the Water Code, including five specific response actions that align with six standard water shortage levels based on the District's water supply conditions and shortages resulting from catastrophic supply interruptions.

Additionally, the law requires the District to conduct a public hearing to allow the public to provide comment and input into the development of the WSRP. The Notice of Public Hearing was duly published in a newspaper of general circulation in the District's service area and the Certificate of Publication will be on file with the District Secretary once received.

DETAILED REPORT: Staff developed proposed revisions to the District's WSRP to incorporate new legislative requirements contained in Senate Bill 606 and recommendations included in Executive Order B-37-16 *Making Water Conservation a California Way of Life*. A number of the revisions also strengthen water conservation measures that will assist the District in meeting demand reduction requirements in response to various shortage conditions identified in the six standard shortage levels.

Both the proposed WSRP amendments and the water shortage contingency planning analysis provided in Section 8 of the 2020 UWMP address the new components required by the Water Code. Specifically, the WSRP and water contingency planning analysis must include the following five specific response actions:

1. Locally appropriate supply augmentation actions;
2. Locally appropriate demand reduction actions to adequately respond to shortages;
3. Additionally, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions;
4. Inclusion of six standard water shortage levels (up 10, 20, 30, 40, 50 and greater than 50 percent shortage); and

5. For each action, an estimate of the extent to which the gap between the supplies and demand will be reduced by implementation of the action as well as six standard water shortage levels (up 10, 20, 30, 40, 50 and greater than 50 percent shortage).

The primary change in the proposed amended WSRP is the new required six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage versus the four water shortage levels in the existing WSRP. The attached summary identifies the locally appropriate shortage response actions for each shortage level with a corresponding estimate of the extent that the action will address the gap between supplies and demands.

The new regulations require the District to establish procedures for conducting an annual water supply and demand assessment with prescribed elements. The District's internal water supply reliability analysis is guided by a thorough condition assessment of existing facilities and a calibrated hydraulic model that accurately reflects the current distribution system demands and operating parameters identified in the updated Potable Water Master Plan (2018). Due to the District's dependence on regional water wholesalers, Metropolitan Water District of Southern California and the San Diego County Water Authority (Water Authority) for a significant portion of its water supply, the District relies on the two agencies for annual and long-term water supply planning and demand assessments. The Water Authority creates and updates a variety of long-term planning documents by coordinating with other agencies, including the District, to estimate future water demands and identify necessary facilities and supplies to meet those demands.

The existing and proposed provisions of the District's WSRP align with the Water Authority's Water Shortage Contingency Plan and provide the District flexibility in addressing required reductions in water usage by District customers through established District procedures. The District will continue to follow the procedures set forth in Section 11, Non-Compliance and Fees, when enforcing provisions of the WSRP. The first violation results in a letter of warning and every violation after the first (within a 12-month period) may result in the assessment of a Water Conservation Fee. The Water Conservation Fees are as follows: second violation - \$200; third violation - \$404; and four or more violations - \$609. Also, the District may install a flow restrictor (in addition to the assessment of a fee) for a third or fourth violation.

The amended WSRP was distributed to the Board and made available for public review at the District's office located at 1391 Engineer Street in Vista on May 27, 2021. It was also made available for public review on the District web site. In accordance with State law, the District distributed copies of its draft amended WSRP in conjunction with its draft 2020 UWMP to the cities and county located within the District's service area for public review on May 27, 2021.

Sections 10642 and 10608.26 of the California Water Code require that a public hearing be held prior to adoption of the UWMP and WSRP. The notice of public hearing on June 16, 2021 at 9:00 AM to receive public comment relative to Vista Irrigation District's 2020 UWMP and revised WSRP was duly posted and published in a newspaper of general circulation in the District's service area on June 6 and June 13, 2021.

As of the date this report was prepared, the District had not received any comments from the public concerning the WSRP. Attached are proposed amendments to the WSRP developed by staff in response to new state regulations. Any comments received after the publication of the agenda will be provided at the Board meeting for discussion purposes. The final document will be amended, as necessary, to incorporate comments received at the public hearing from all interested parties as well as District staff and Board members.

**ATTACHMENTS:**

- Notice of Public Hearing
- Resolution No. 21-XX
- Resolution No. 21-XX Strike-through version
- Water Supply Response Plan Summary



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**Board of Directors**

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

**NOTICE OF PUBLIC HEARING**

In accordance with California Water Code Sections 10608.26 and 10642, notice is hereby given that the Vista Irrigation District (“District”) Board of Directors will hold a public hearing in its Boardroom located at 1391 Engineer Street, Vista, CA 92081, to receive comments and consider adoption of the 2020 Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (also referred to as the Water Supply Response Program). The 2020 UWMP is available for public review on the District website at <https://www.vidwater.org/public-notice>. A hard copy of the 2020 UWMP is also available for public review outside the lobby during normal business hours at the above noted address.

Consistent with Water Code 10608.26, the public hearing will allow public input and comment on any aspect of the UWMP, specifically including the following:

- (1) The District’s implementation plan for complying with UWMP requirements.
- (2) The economic impacts of the District’s implementation plan.
- (3) The District’s method for determining its urban water use target.

The public hearing will be held at 9:00 AM, or as soon thereafter as the matter may be heard, on Wednesday, June 16, 2021. Pursuant to State of California Executive Orders, members of the public may participate in the public hearing through the District’s teleconferencing line. Please refer to the instructions regarding how to participate provided on the posted agenda.

Vista Irrigation District encourages the active involvement of the diverse social, cultural, and economic elements of the population within its service area. Please be advised that in any later judicial or other action challenging any action taken by the District on the UWMP or any related item, you may be limited to those grounds raised either in writing or in person prior to the close of the public hearing. For further information concerning the 2020 UWMP and Water Supply Response Program, please contact Alisa Nichols at (760) 597-3173. Written comments will be received at the address noted above until 9:00 AM on June 16, 2021.

  
\_\_\_\_\_  
Lisa R. Soto, Secretary  
Board of Directors  
VISTA IRRIGATION DISTRICT



RESOLUTION NO. 21-XX

RESOLUTION OF THE BOARD OF DIRECTORS  
OF VISTA IRRIGATION DISTRICT AMENDING THE DISTRICT'S  
WATER SUPPLY RESPONSE PROGRAM

WHEREAS, article 10, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use; that waste, unreasonable use, or unreasonable method of use of water be prevented; and that water be conserved for the public welfare; and

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, and installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

WHEREAS, California Water Code sections 375 et seq. authorize water suppliers to adopt and enforce a comprehensive water conservation program; and

WHEREAS, the Board of Directors of Vista Irrigation District (District) amended its Drought Response Conservation Program and renamed it the Water Supply Response Program on June 1, 2011, and amended the Water Supply Response Program adopted on May 27, 2015 as part of the District's 2015 Urban Water Management Plan; and

WHEREAS, amendment and enforcement of a comprehensive water conservation program will allow the District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.; and

WHEREAS, San Diego County is a semi-arid region and local water resources are scarce. The region is dependent upon imported water supplies provided by the San Diego County Water Authority (Water Authority), which obtains a substantial portion of its supplies from the Metropolitan Water District of Southern California. Because the region is dependent upon imported water supplies, weather and other conditions in other portions of this State and of the Southwestern United States affect the availability of water for use in San Diego County; and

WHEREAS, the Water Authority has an Urban Water Management Plan that includes water conservation as a necessary and effective component of the Water Authority's programs to provide a reliable supply of water to meet the needs of the Water Authority's 24 member public agencies, including the District. The Water Authority's Urban Water Management Plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This resolution is consistent with the Water Authority's Urban Water Management Plan; and

WHEREAS, as anticipated by its Urban Water Management Plan, the Water Authority, in cooperation and consultation with its member public agencies, has established a program for

responding to water supply limitations. This resolution is intended to be consistent with the Water Authority's Water Shortage Contingency Plan; and

WHEREAS, this resolution contains six levels and corresponding actions that will assist the District in meeting conservation targets; and

WHEREAS, the District, due to the geographic and climatic conditions within its territory and its dependence upon water imported and provided by the Water Authority, may experience shortages due to drought conditions, regulatory restrictions enacted upon imported supplies and other factors. The District has adopted an Urban Water Management Plan that includes water conservation as a necessary and effective component of its programs to provide a reliable supply of water to meet the needs of the public within its service territory. The District's Urban Water Management Plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This resolution is consistent with the Urban Water Management Plan adopted by the District; and

WHEREAS the water-use efficiency practices, water conservation measures and progressive restrictions on water use and method of use identified by this resolution provide certainty to water users and enable the District to control water use, provide water supplies, and plan and implement water management measures in a fair and orderly manner for the benefit of the public; and

WHEREAS, a public hearing was held upon the proposed amended Water Supply Response Program (also referred to as Water Shortage Contingency Plan) at the Board of Directors meeting on June 16, 2021, at which all present were given an opportunity to be heard on the proposed amended Water Supply Response Program; and

WHEREAS, the Board of Directors has considered the proposed amended Water Supply Response Program and the evidence and testimony presented at the June 16, 2021 public hearing.

NOW, THEREFORE, the Board of Directors of Vista Irrigation District does resolve as follows:

**ARTICLE ONE:** The Water Supply Response Program is amended and restated, in its entirety as follows:

**SECTION 1.0           DECLARATION OF NECESSITY AND INTENT**

(a) This resolution establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water, prevent unreasonable method of use of water within the District in order to assure adequate supplies of water to meet the needs of the public, and further the public health, safety, and welfare, recognizing that water is a scarce natural resource that requires careful management not only in times of drought, but at all times.

(b) This resolution establishes regulations to be implemented at all times including

during times of declared water shortages or declared water shortage emergencies. It establishes six levels of actions, with increasing restrictions on water use in response to worsening water supply conditions and decreasing available supplies.

(c) During Levels 1 through 6, all water-use efficiency practices, water conservation measures and water use restrictions are mandatory and become increasingly restrictive in order to attain escalating conservation goals.

(d) During all Levels, violations of water-use efficiency practices, water conservation measures and water use restrictions established by this resolution are subject to criminal, civil, and administrative remedies and penalties, including fees specified in this resolution.

## **SECTION 2.0 DEFINITIONS**

(a) The following words and phrases whenever used in this chapter shall have the meaning defined in this section:

1. “Grower” refers to those engaged in the growing or raising, in conformity with recognized practices of husbandry, for the purpose of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural or floricultural products, and produced: (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market. “Grower” does not refer to customers who purchase water subject to the Water Authority’s Permanent Special Agricultural Water Rate program.

2. “District” means Vista Irrigation District

3. “Water Authority” means the San Diego County Water Authority.

4. “Metropolitan” means the Metropolitan Water District of Southern California.

5. “Person” means any natural person, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, college, university, or any other user of water provided by the District.

## **SECTION 3.0 APPLICATION**

(a) The provisions of this resolution apply to any person in the use of any water provided by the District.

(b) This resolution is intended to maintain efficient water use practices and to further the conservation of water. It is not intended to implement any provision of federal, State, or local statutes, resolutions, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information

on any stormwater resolutions and stormwater management plans.

(c) Nothing in this resolution is intended to affect or limit the ability of the District to declare and respond to an emergency, including an emergency that affects the ability of the District to supply water.

(d) The provisions of this resolution do not apply to use of water from private wells or to recycled water.

(e) Nothing in this resolution shall apply to use of water that is subject to a special supply program, such as the Water Authority's Permanent Special Agricultural Water Rate. Violations of the conditions of special supply programs are subject to the penalties established under the applicable program. A person using water subject to a special supply program and other water provided by the District is subject to this resolution in the use of the other water.

(f) When the General Manager has determined that the District's water supply is in a water emergency condition, everyone shall be required to reduce water consumption as prescribed by the General Manager.

(g) The General Manager shall have the authority and discretion to interpret and apply the provisions set forth in the Water Supply Response Program as long as the interpretations and applications of the measures meet the intent and goals of the Water Supply Response Program.

#### **SECTION 4.0            LEVEL 1 – WATER EFFICIENCY**

(a) Level 1 is also referred to as the "Water Efficiency" level. Level 1 applies at all times and up to and including 10 percent water shortage, unless the District Board of Directors has declared another level, per the procedures set forth in this resolution. Level 1 is designed to ensure customers use water efficiently and eliminate water waste at all times.

(b) At Level 1, the District will utilize its public education and outreach efforts to raise public awareness of the following mandatory water-use efficiency practices:

1. No washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards or to maintain, repair, construct/reconstruct streets.

2. No water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. Similarly, water shall not flow onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.

3. No irrigating residential or commercial landscapes during or within 48 hours following measurable rainfall.

4. Irrigate residential and commercial landscape with in-ground or hose-end sprinkler systems before 8 a.m. and after 6 p.m. only. Irrigation of new turf and/or plantings

is exempt from these watering hour restrictions for a period of 30 days following the date of planting. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used.

5. Irrigate nursery and commercial grower's products before 8 a.m. and after 6 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.

6. Use potable water taken through construction meters to irrigate landscape before 8 a.m. and after 6 p.m. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used.

7. Irrigate landscape outside of newly constructed homes and buildings in a manner that is consistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

8. Use re-circulated water to operate ornamental fountains.

9. Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.

10. Serve and refill water in restaurants and other food service establishments only upon request.

11. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.

12. Repair all water leaks within 48 hours of notification by the District unless other arrangements are made with the General Manager.

13. Use recycled or non-potable water for construction purposes when available.

## **SECTION 5.0            LEVEL 2 – WATER CONSERVATION**

(a) A Level 2 may be declared under the following conditions: 1) when the Water Authority notifies its member agencies that due to cutbacks caused by drought or other reduction in supplies, a consumer demand reduction is required in order to have sufficient supplies available to meet anticipated demands; 2) when a consumer demand reduction is required by a regulatory agency; or 3) when other conditions exist that require a consumer demand reduction. The consumer demand reduction amounts in Level 2 typically apply during a shortage of up to and including 20 percent, although the District Board of Directors may declare Level 2 and implement the mandatory Level 2 conservation measures identified in this resolution to achieve a consumer demand reduction of a different amount. The General Manager shall have the authority and discretion to implement water conservation measures commensurate with the level of demand reduction required and/or the reduction targets achieved, as described in Section 5 (b) below. The General Manager shall inform the Board of Directors of the status of the implementation of the measures set forth in this section and the resulting water conservation in a timely manner.

(b) All persons using District water shall comply with Level 1 water-use efficiency practices during Level 2, and shall also comply with the following additional mandatory conservation measures:

1. Stop watering ornamental turf in public street medians with potable water.
2. Irrigate residential and commercial landscape with in-ground or hose-end sprinkler systems before 8 a.m. and after 6 p.m. only.
3. Irrigate nursery and commercial grower's products before 8 a.m. and after 6 p.m. only. Watering by nurseries and commercial growers is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
4. Irrigation of landscape on a construction project with potable water taken through a construction meter before 8 a.m. and after 6 p.m. only.
5. Limit residential and commercial landscape irrigation to assigned days per week and limited duration times on a schedule established by the General Manager and posted by the District. This section shall not apply to commercial growers or nurseries for water that they use for agricultural purposes.
6. Limit lawn watering and landscape irrigation using in-ground or hose-end sprinklers to time limits per watering station per assigned day as established by the General Manager and posted by the District. This provision does not apply to landscape irrigation systems using drip/micro-irrigation systems and stream rotor sprinklers.

7. Turf and/or plant establishment is allowed if required by a landscape permit or necessary for erosion control, landscape renovation after a natural disaster, or establishment, repair or renovation of public use fields for schools or parks. New turf and/or plantings are exempt from irrigation limitations set forth in sections 4 (b) (3) (4), 5 (b) (1) and 5 (b) (2) for a period of 30 days following the date of planting.

8. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system, before 8 a.m. and after 6 p.m. only by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation per assigned day as established by the General Manager and posted by the District.

9. Commercial and agricultural customers are asked to implement all measures practicable toward improving efficiency and conserving water.

## **SECTION 6.0 LEVEL 3 – WATER SHORTAGE**

(a) Level 3 may be declared under the following conditions: 1) when the Water Authority notifies its member agencies that due to increasing cutbacks caused by drought or other reduction of supplies, a serious water shortage condition exists that requires extensive consumer demand reductions in order to have sufficient supplies available to meet anticipated demands; 2) when a similar requirement is imposed by a regulatory agency; or 3) when other conditions exist that require a serious consumer demand reduction. The consumer demand reduction amounts in Level 3 typically apply during a shortage of up to and including 30 percent, although the District Board of Directors may declare Level 3 and implement the Level 3 conservation measures identified in this resolution to achieve a consumer demand reduction of a different amount. The General Manager shall have the authority and discretion to implement water conservation measures commensurate with the level of demand reduction required and/or the reduction targets achieved, as described in Section 6 (b) below. The General Manager shall inform the Board of Directors of the status of the implementation of the measures set forth in this section and the resulting water conservation in a timely manner.

(b) All persons using District water shall comply with Level 1 water-use efficiency practices and Level 2 water conservation practices during Level 3 and shall also comply with the following additional mandatory conservation measures:

1. Comply with any new residential and commercial landscape irrigation restrictions relative to assigned days per week and limited duration times on a schedule established by the General Manager and posted by the District.

2. Stop re-filling pools/spas more than one foot per week. Draining and re-filling of pools and spas is not permitted except to repair leaks or for health and safety reasons.

3. Stop filling or re-filling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have

been actively managed within the water feature prior to declaration of another level under this resolution.

4. Stop operating ornamental fountains or decorative water features. These types of fountains and water features may be operated on a limited basis for maintenance purposes only. The operation of fountains and water features that do not use re-circulated water is prohibited.

5. Stop washing vehicles except at commercial car washes that re-circulate water, or by high pressure/low volume wash systems.

(c) Upon the declaration of Level 3, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:

1. A valid, unexpired building permit has been issued for the project; or

2. The project is necessary to protect the public's health, safety, and welfare;

or

3. The applicant participates in a District-approved demand offset program that produces or saves at least the same amount of water as is being used by the new development, prior to the issuance by the District of a new water meter or water meters for the project.

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.

(d) Upon the declaration of Level 3, District will suspend consideration of annexations to its service area.

(e) The District may establish a water allocation for property served by the District using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the District establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for water service or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the District, any person that uses water in excess of the allocation shall be subject to a penalty for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or fee that may be imposed for violation of this resolution.



**SECTION 7.0            LEVEL 4 – CRITICAL WATER SHORTAGE**

(a) Level 4 applies under the following conditions: 1) when the Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 and notifies its member agencies that Level 4 requires a water shortage demand reduction in order for the District to maximize supplies available to meet anticipated demands; 2) when a similar requirement is imposed by a regulatory agency; or 3) when other conditions exist that require the Board of Directors to declare a water shortage emergency. The consumer demand reduction amounts in Level 4 typically apply during a shortage of up to and including 40 percent, although the District Board of Directors shall declare a Level 4 water shortage in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with water-use efficiency practices and conservation measures required under Levels 1 through 3 and shall also comply with the following additional mandatory conservation measures:

1. Stop all commercial landscape irrigation, unless the District has determined that recycled water is available and may be lawfully applied to the use. This restriction shall not apply to the following categories of use.

A. Maintenance of trees and shrubs that are watered on the same schedule set forth in section 6 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;

B. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;

C. Maintenance of existing landscaping for erosion control;

D. Maintenance of plant materials identified to be rare or essential to the well being of rare animals;

E. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two days per week according to the schedule established under section 6 (b) (1);

F. Watering of livestock; and

G. Public works projects and actively irrigated environmental mitigation projects.

H. Irrigation of crops and landscape products of commercial growers and nurseries.

2. Stop all vehicle washing, including at commercial car washes.
3. Repair all water leaks within 24 hours of notification by the District unless other arrangements are made with the General Manager.

## **SECTION 8.0 LEVEL 5 – WATER EMERGENCY**

(a) Level 5 applies under the following conditions: 1) when the Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 and notifies its member agencies that Level 5 requires an emergency water demand reduction in order for the District to maximize supplies available to meet anticipated demands; 2) when a similar requirement is imposed by a regulatory agency; or 3) when other conditions exist that require the Board of Directors to declare a water shortage emergency. The consumer demand reduction amounts in Level 5 typically apply during a shortage of up to and including 50 percent, although the District Board of Directors shall declare a Level 5 water shortage in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with water-use efficiency practices and conservation measures required under Levels 1 through 4 and shall also comply with the following additional mandatory conservation measures:

1. Stop all residential landscape irrigation, unless the District has determined that recycled water is available and may be lawfully applied to the use. This restriction shall not apply to the following categories of use.
  - A. Maintenance of trees and shrubs that are watered on the same schedule set forth in section 7 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;
  - B. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;
  - C. Maintenance of existing landscaping for erosion control;
  - D. Maintenance of plant materials identified to be rare or essential to the well being of rare animals; and
  - E. Watering of livestock.

## **SECTION 9.0 LEVEL 6 – CRITICAL WATER EMERGENCY**

(a) Level 6 condition applies when the Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code Section 350 and notifies its member agencies that Level 6 requires a demand reduction of more than 50% in order for the

District to have maximum supplies available to meet anticipated demands. The District shall declare a Critical Water Emergency in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with conservation measures required during Levels 1 through 5 conditions and shall also comply with the following additional mandatory conservation measures:

1. Stop all landscape irrigation, including maintenance of trees and shrubs, and crops and landscape products of commercial growers and nurseries at the General Manager's discretion. This restriction shall not apply to the following categories of use unless the District has determined that recycled water is available and may be lawfully applied to the use.

A. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;

B. Maintenance of existing landscaping for erosion control;

C. Maintenance of plant materials identified to be rare or essential to the well-being of rare animals;

D. Watering of livestock; and

E. Public works projects and actively irrigated environmental mitigation projects.

2. At the discretion of the General Manger, the District may shut off or lock irrigation meters without customer notification.

## **SECTION 10.0 PROCEDURES FOR DETERMINATION AND NOTIFICATION OF LEVEL OF ACTION**

(a) Level 1 under this Program applies at all times unless the District Board of Directors has declared another Level, per the procedures set forth in this section. The District shall, at a minimum, provide notice of a Level 1 declaration and condition by news release and by posting information on the District's website.

(b) The existence of a Level 2 or Level 3 may be declared by resolution of the District Board of Directors adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation measures applicable to Level 2 or Level 3 shall take effect on the tenth day after the date the response level is declared. Within five days following the declaration of the level, the District shall publish a copy of the resolution in a newspaper used for publication of official notices.

(c) The existence of Level 4, 5 or 6 may be declared in accordance with the procedures specified in California Water Code sections 351 and 352. The mandatory conservation measures applicable to Levels 4 through 6 shall take effect on the tenth day after the date the response level is declared. Within five days following the declaration of the level, the District shall publish a copy of the resolution in a newspaper used for publication of official notices. If the District establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Water allocation shall be effective on the fifth day following the date of mailing or at such later date as specified in the notice.

(d) The District Board of Directors may declare an end to a level by the adoption of a resolution at any regular or special meeting held in accordance with State law.

(e) The District shall notify customers of any changes in levels or water use restrictions using multiple communication methods.

## **SECTION 11.0 NON-COMPLIANCE AND FEES**

(a) Any person, who uses, causes to be used, or permits the use of water in violation of this resolution is guilty of an offense punishable as provided herein.

(b) Each day that a violation of this resolution occurs is a separate offense.

(c) Water Conservation Fees, as set forth in Section 4.4.17 of the District's Rules and Regulations, may be levied for each violation of a provision of this resolution as follows:

1. A first violation of any provision of this resolution shall result in a letter of warning.

2. A second violation of any provision of this resolution within one year shall result in the assessment of a Water Conservation Fee.

3. A third violation of this resolution within one year shall result in the assessment of an additional Water Conservation Fee.

4. Four or more violations of any provision of this resolution shall result in the assessment of additional Water Conservation Fees.

(d) Violation of a provision of this resolution is subject to enforcement through installation of a flow-restricting device in the meter. The cost of installing and removing a flow-restricting device will be paid for by the person, who uses, causes to be used, or permits the use of water in violation of this resolution.

(e) Each violation of this resolution may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than 30 days or by a fine not exceeding \$1,000, or

by both as provided in Water Code section 377.

(f) Willful violations of the mandatory conservation measures and water use restrictions as set forth in Sections 7.0, 8.0 and 9.0 and applicable during Levels 4 through 6 may be enforced by discontinuing service to the property at which the violation occurs as provided by Water Code section 356. The cost of disconnecting and re-connecting water service be paid for by the person, who uses, causes to be used, or permits the use of water in violation of this resolution.

(g) All fees and costs associated with installing and removing a flow-restricting device and disconnecting and re-connecting water service will be added to the account of the person, who uses, causes to be used, or permits the use of water in violation of this resolution. Fees and costs will appear on and be payable with the first billing statement for the period the violation occurred and be subject to the same remedies that are imposed by the District for failure to pay other charges.

(h) All remedies provided for herein shall be cumulative and not exclusive.

## **SECTION 12.0 APPEALS**

(a) Any person complaining about fees and/or other remedies applied in accordance with Section 11 of this resolution shall have that complaint be first taken up with the General Manager before any action will be taken by the District's Board of Directors.

(b) The General Manager's determination may be appealed in writing within 10 days of the mailing of a notice of determination. Any determination not timely appealed shall be final.

(c) The person appealing the General Manager's determination shall submit a written request to the Board Secretary to have his or her appeal considered as an item for discussion and action at an upcoming Board meeting. The written request shall include: 1) a description of the issues, 2) evidence supporting the claim, and 3) a request for resolution of the dispute.

(d) The District shall at least 10 days before the date of the hearing mail an appropriate notice of the regular or special meeting at which the appeal will be heard. The Board may, in its discretion, affirm, reverse or modify the determination.

**ARTICLE TWO:** This resolution shall take effect immediately upon adoption or as otherwise established by State law for Vista Irrigation District.

**PASSED AND ADOPTED** by the following roll call vote of the Board of Directors of Vista Irrigation District this 16th day of June, 2021:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Patrick Sanchez, President

ATTEST:

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Lisa R. Soto, Secretary  
Board of Directors  
Vista Irrigation District

RESOLUTION NO. ~~21-XX15-21~~

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE VISTA IRRIGATION DISTRICT AMENDING THE DISTRICT'S  
WATER SUPPLY RESPONSE PROGRAM

WHEREAS, article 10, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use; that waste, unreasonable use, or unreasonable method of use of water be prevented; and that water be conserved for the public welfare; and

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, and installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

WHEREAS, California Water Code sections 375 et seq. authorize water suppliers to adopt and enforce a comprehensive water conservation program; and

WHEREAS, the Board of Directors of the Vista Irrigation District (~~District~~) amended its Drought Response Conservation Program and renamed it the Water Supply Response Program on June 1, 2011,; and amended the Water Supply Response Program adopted on May 27, 2015 as part of the District's 2015 Urban Water Management Plan; and

WHEREAS, amendment and enforcement of a comprehensive water conservation program will allow the ~~Vista Irrigation~~-District (~~District~~) to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.; and

WHEREAS, San Diego County is a semi-arid region and local water resources are scarce. The region is dependent upon imported water supplies provided by the San Diego County Water Authority (Water Authority), which obtains a substantial portion of its supplies from the Metropolitan Water District of Southern California. Because the region is dependent upon imported water supplies, weather and other conditions in other portions of this State and of the Southwestern United States affect the availability of water for use in San Diego County; and

WHEREAS, the ~~San Diego County~~-Water Authority has an Urban Water Management Plan that includes water conservation as a necessary and effective component of the Water Authority's programs to provide a reliable supply of water to meet the needs of the Water Authority's 24 member public agencies, including the ~~Vista Irrigation~~-District. The Water Authority's Urban Water Management Plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This resolution is consistent with the Water Authority's Urban Water Management Plan; and

WHEREAS, as anticipated by its Urban Water Management Plan, the ~~San Diego County~~ Water Authority, in cooperation and consultation with its member public agencies, has established a program for responding to water supply limitations. This resolution is intended to be consistent with the Water Authority's Water Shortage Contingency Plan; and

WHEREAS, this resolution contains levels and corresponding actions that will assist the District in meeting conservation targets; and

WHEREAS, the ~~Vista Irrigation~~ District, due to the geographic and climatic conditions within its territory and its dependence upon water imported and provided by the ~~San Diego County~~ Water Authority, may experience shortages due to drought conditions, regulatory restrictions enacted upon imported supplies and other factors. The ~~Vista Irrigation~~ District has adopted an Urban Water Management Plan that includes water conservation as a necessary and effective component of its programs to provide a reliable supply of water to meet the needs of the public within its service territory. The ~~Vista Irrigation~~ District's Urban Water Management Plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This resolution is consistent with the Urban Water Management Plan adopted by the ~~Vista Irrigation~~ District; and

WHEREAS the water-use efficiency practices, water conservation measures and progressive restrictions on water use and method of use identified by this resolution provide certainty to water users and enable ~~Vista Irrigation~~ the District to control water use, provide water supplies, and plan and implement water management measures in a fair and orderly manner for the benefit of the public; and

~~WHEREAS, this resolution contains water use efficiency practices, water conservation measures and water use restrictions that will aid the Vista Irrigation District in complying with the Governor's April 1, 2015 Executive Order and State Water Resources Control Board emergency regulations implementing mandatory water conservation measures to reduce water usage by 25 percent statewide as well as Senate Bill 7 of the Seventh Extraordinary Session (SBX 7-7) which requires urban retail water suppliers to reduce urban per capita water use 20 percent by 2020 (20 X 2020); and~~

WHEREAS, a public hearing was held upon the proposed amended Water Supply Response Program (also referred to as Water Shortage Contingency Plan) -~~at the special meeting on May 27, 2015~~ Board of Directors meeting on June 16, 2021, at which all present were given an opportunity to be heard on the proposed amended Water Supply Response Program; and

WHEREAS, the Board of Directors has considered the proposed amended Water Supply Response Program and the evidence and testimony presented at the May 27, 2015-June 16, 2021 public hearing.

NOW, THEREFORE, the Board of Directors of ~~the~~ Vista Irrigation District does resolve as follows:

**ARTICLE ONE:** The Water Supply Response Program is amended and restated, in its



entirety as follows:

## **SECTION 1.0           DECLARATION OF NECESSITY AND INTENT**

(a) This resolution establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water, prevent unreasonable method of use of water within the ~~Vista Irrigation~~ District in order to assure adequate supplies of water to meet the needs of the public, and further the public health, safety, and welfare, recognizing that water is a scarce natural resource that requires careful management not only in times of drought, but at all times.

(b) This resolution establishes regulations to be implemented at all times including during times of declared water shortages or declared water shortage emergencies. It establishes ~~four~~six levels of actions, with increasing restrictions on water use in response to worsening water supply conditions and decreasing available supplies.

(c) During Levels 1 through ~~4~~6, all water-use efficiency practices, water conservation measures and water use restrictions are mandatory and become increasingly restrictive in order to attain escalating conservation goals.

(d) During all Levels, violations of water-use efficiency practices, water conservation measures and water use restrictions established by this resolution are subject to criminal, civil, and administrative remedies and penalties, including fees specified in this resolution.

## **SECTION 2.0           DEFINITIONS**

(a) The following words and phrases whenever used in this chapter shall have the meaning defined in this section:

1. “Grower” refers to those engaged in the growing or raising, in conformity with recognized practices of husbandry, for the purpose of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural or floricultural products, and produced: (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market. “Grower” does not refer to customers who purchase water subject to the Water Authority’s Special Agricultural Water Rate program.
2. “District” means the Vista Irrigation District
3. “Water Authority” means the San Diego County Water Authority.
4. “Metropolitan” means the Metropolitan Water District of Southern California.

5. “Person” means any natural person, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, college, university, or any other user of water provided by the District.

### **SECTION 3.0 APPLICATION**

(a) The provisions of this resolution apply to any person in the use of any water provided by the District.

(b) This resolution is intended to maintain efficient water use practices and to further the conservation of water. It is not intended to implement any provision of federal, State, or local statutes, resolutions, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on any stormwater resolutions and stormwater management plans.

(c) Nothing in this resolution is intended to affect or limit the ability of the District to declare and respond to an emergency, including an emergency that affects the ability of the District to supply water.

(d) The provisions of this resolution do not apply to use of water from private wells or to recycled water.

(e) Nothing in this resolution shall apply to use of water that is subject to a special supply program, such as the Water Authority’s Permanent Special Agricultural Water Rate ~~program~~. Violations of the conditions of special supply programs are subject to the penalties established under the applicable program. A person using water subject to a special supply program and other water provided by the District is subject to this resolution in the use of the other water.

(f) When the General Manager has determined that the District’s water supply is in a water emergency condition, everyone shall be required to reduce ~~their~~ water consumption as prescribed by the General Manager.

(g) The General Manager shall have the authority and discretion to interpret and apply the provisions set forth in the Water Supply Response Program as long as the interpretations and applications of the measures meet the intent and goals of the Water Supply Response Program.

### **SECTION 4.0 LEVEL 1 – WATER EFFICIENCY**

(a) Level 1 is also referred to as the “Water Efficiency” level. Level 1 applies at all times and up to and including 10 percent water shortage, unless the District Board of Directors has declared another level, per the procedures set forth in this resolution. Level 1 is designed to ensure customers use water efficiently and eliminate water waste at all times.

(b) At Level 1, the District will utilize its public education and outreach efforts to raise public awareness of the following mandatory water-use efficiency practices:

1. No washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards or to maintain, repair, construct/reconstruct streets.
2. No water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. Similarly, water shall not flow onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
3. No irrigating residential or commercial landscapes during or within 48 hours following measurable rainfall.
4. Irrigate residential and commercial landscape with in-ground or hose-end sprinkler systems before 8 a.m. and after 8:6 p.m. only. Irrigation of new turf and/or plantings is exempt from these watering hour restrictions for a period of ~~thirty~~ (30) days following the date of planting. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used.
5. Irrigate nursery and commercial grower's products before 8 a.m. and after 8:6 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
6. Use potable water taken through construction meters to irrigate landscape before 8 a.m. and after 8:6 p.m. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used.
7. Irrigate landscape outside of newly constructed homes and buildings in a manner that is consistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
8. Use re-circulated water to operate ornamental fountains.
9. Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.
10. Serve and refill water in restaurants and other food service establishments only upon request.

11. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.
12. Repair all water leaks within ~~forty-eight (48)~~ hours of notification by the District unless other arrangements are made with the General Manager.
13. Use recycled or non-potable water for construction purposes when available.

## **SECTION 5.0 LEVEL 2 – WATER CONSERVATION**

(a) A Level 2 may be declared under the following conditions: 1) when the Water Authority notifies its member agencies that due to cutbacks caused by drought or other reduction in supplies, a consumer demand reduction is required in order to have sufficient supplies available to meet anticipated demands; 2) when a consumer demand reduction is required by a regulatory agency; or 3) when other conditions exist that require a consumer demand reduction. The consumer demand reduction amounts in Level 2 ~~are typically up to typically apply during a shortage of up to and including~~ 20 percent, although the District Board of Directors may declare Level 2 and implement the mandatory Level 2 conservation measures identified in this resolution to achieve a consumer demand reduction of a different amount. The General Manager shall have the authority and discretion to implement water conservation measures commensurate with the level of demand reduction required and/or the reduction targets achieved, as described in Section 5 (b) below. The General Manager shall inform the Board of Directors of the status of the implementation of the measures set forth in this section and the resulting water conservation in a timely manner.

(b) All persons using District water shall comply with Level 1 water-use efficiency practices during Level 2, and shall also comply with the following additional mandatory conservation measures:

1. Stop watering ornamental turf in public street medians with potable water.
2. Irrigate residential and commercial landscape with in-ground or hose-end sprinkler systems before 8 a.m. and after ~~8~~ 6 p.m. only.
3. Irrigate nursery and commercial grower's products before 8 a.m. and after ~~8~~ 6 p.m. only. Watering by nurseries and commercial growers is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
4. Irrigation of landscape on a construction project with potable water taken through a construction meter before 8 a.m. and after ~~8~~ 6 p.m. only.

5. Limit residential and commercial landscape irrigation to assigned days per week and limited duration times on a schedule established by the General Manager and posted by the District. This section shall not apply to commercial growers or nurseries for water that they use for agricultural purposes.

6. Limit lawn watering and landscape irrigation using in-ground or hose-end sprinklers to time limits per watering station per assigned day as established by the General Manager and posted by the District. This provision does not apply to landscape irrigation systems using drip/micro-irrigation systems and stream rotor sprinklers.

7. Turf and/or plant establishment is allowed if required by a landscape permit or necessary for erosion control, landscape renovation after a natural disaster, or establishment, repair or renovation of public use fields for schools or parks. New turf and/or plantings are exempt from irrigation limitations set forth in sections 4 (b) (3) ~~(4)~~, 5 (b) (1) and 5 (b) (2) for a period of ~~thirty (30)~~ days following the date of planting.

8. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system, before 8 a.m. and after ~~8-6~~ p.m. only by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation per assigned day as established by the General Manager and posted by the District.

~~9. ——— Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager.~~

~~10.9.~~ Commercial and agricultural customers are asked to implement all measures practicable toward improving efficiency and conserving water.

## SECTION 6.0 LEVEL 3 – WATER SHORTAGE

(a) Level 3 may be declared under the following conditions: 1) when the Water Authority notifies its member agencies that due to increasing cutbacks caused by drought or other reduction of supplies, a serious water shortage condition exists that requires extensive consumer demand reductions in order to have sufficient supplies available to meet anticipated demands; 2) when a similar requirement is imposed by a regulatory agency; or 3) when other conditions exist that require a serious consumer demand reduction. The consumer demand reduction amounts in Level 3 ~~are~~ typically apply during a shortage up to ~~40~~ 30 percent, although the District Board of Directors may declare Level 3 and implement the Level 3 conservation measures identified in this resolution to achieve a consumer demand reduction of a different amount. The General Manager shall have the authority and discretion to implement water conservation measures commensurate with the level of demand reduction required and/or the reduction targets achieved, as described in Section 6 (b) below. The General Manager shall inform the Board of Directors of the status of the implementation of the measures set forth in this section and the resulting water conservation in a timely manner.

(b) All persons using District water shall comply with Level 1 water-use efficiency

practices and Level 2 water conservation practices during Level 3 and shall also comply with the following additional mandatory conservation measures:

1. Comply with any new residential and commercial landscape irrigation restrictions relative to assigned days per week and limited duration times on a schedule established by the General Manager and posted by the District.
2. Stop re-filling pools/spas more than one foot per week. Draining and re-filling of pools and spas is not permitted except to repair leaks or for health and safety reasons.
3. Stop filling or re-filling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of another level under this resolution.
4. Stop operating ornamental fountains or decorative water features. These types of fountains and water features may be operated on a limited basis for maintenance purposes only. The operation of fountains and water features that do not use re-circulated water is prohibited.
5. Stop washing vehicles except at commercial car washes that re-circulate water, or by high pressure/low volume wash systems.

~~6. Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager.~~

(c) Upon the declaration of Level 3, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:

1. A valid, unexpired building permit has been issued for the project; or
2. The project is necessary to protect the public's health, safety, and welfare;  
or
3. The applicant participates in a District-approved demand offset program that produces or saves at least the same amount of water as is being used by the new development, prior to the issuance by the District of a new water meter or water meters for the project.

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.

(d) Upon the declaration of Level 3, District will suspend consideration of annexations to its service area.

(e) The District may establish a water allocation for property served by the District using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the District establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for water service or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the District, any person that uses water in excess of the allocation shall be subject to a penalty for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or fee that may be imposed for violation of this resolution.

**SECTION 7.0      LEVEL 4 – ~~WATER EMERGENCY~~ CRITICAL WATER SHORTAGE**

(a) Level 4 applies under the following conditions: 1) when the Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 and notifies its member agencies that Level 4 requires an emergency demand reduction in order for the District to maximize supplies available to meet anticipated demands; 2) when a similar requirement is imposed by a regulatory agency; or 3) when other conditions exist that require the Board of Directors to declare a water shortage emergency. The consumer demand reduction amounts in Level 4 typically ~~exceed~~ apply during a shortage of up to and including 40 percent, although the District Board of Directors shall declare a Level 4 ~~emergency~~ water shortage in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with water-use efficiency practices and conservation measures required under Level 1, ~~Level 2, and through Level 3~~ and shall also comply with the following additional mandatory conservation measures:

1. Stop all ~~residential and~~ commercial landscape irrigation, unless the District has determined that recycled water is available and may be lawfully applied to the use. This restriction shall not apply to the following categories of use.

A. Maintenance of trees and shrubs that are watered on the same schedule set forth in section 6 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;

B. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;

C. Maintenance of existing landscaping for erosion control;

D. Maintenance of plant materials identified to be rare or essential to



the well being of rare animals;

E. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two ~~(2)~~ days per week according to the schedule established under section 6 (b) (1);

F. Watering of livestock; and

G. Public works projects and actively irrigated environmental mitigation projects.

H. Irrigation of crops and landscape products of commercial growers and nurseries.

2. Stop all vehicle washing, including at commercial car washes.

2.3. Repair all water leaks within ~~twenty-four (24)~~ hours of notification by the District unless other arrangements are made with the General Manager.

~~(e) — The District may establish a water allocation for property served by the District. If the District establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for water service or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the District, any person that uses water in excess of the allocation shall be subject to a penalty for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or fee that may be imposed for violation of this resolution.~~

## SECTION 8.0 LEVEL 5 – WATER EMERGENCY

(a) Level 5 applies under the following conditions: 1) when the Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 and notifies its member agencies that Level 5 requires an emergency water demand reduction in order for the District to maximize supplies available to meet anticipated demands; 2) when a similar requirement is imposed by a regulatory agency; or 3) when other conditions exist that require the Board of Directors to declare a water shortage emergency. The consumer demand reduction amounts in Level 5 typically apply during a shortage of up to and including 50 percent, although the District Board of Directors shall declare a Level 5 water shortage in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with water-use efficiency practices and conservation measures required under Levels 1 through 4 and shall also comply with the following additional mandatory conservation measures:

1. Stop all residential landscape irrigation, unless the District has determined



that recycled water is available and may be lawfully applied to the use. This restriction shall not apply to the following categories of use.

A. Maintenance of trees and shrubs that are watered on the same schedule set forth in section 7 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;

B. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;

C. Maintenance of existing landscaping for erosion control;

D. Maintenance of plant materials identified to be rare or essential to the well being of rare animals; and

E. Watering of livestock.

## **SECTION 9.0 LEVEL 6 – CRITICAL WATER EMERGENCY**

Level 6 condition applies when the Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code Section 350 and notifies its member agencies that Level 6 requires a demand reduction of more than 50% in order for the District to have maximum supplies available to meet anticipated demands. The District shall declare a Critical Water Emergency in the manner and on the grounds provided in California Water Code section 350.

(a) All persons using District water shall comply with conservation measures required during Levels 1 through 5 conditions and shall also comply with the following additional mandatory conservation measures:

1. Stop all landscape irrigation, including maintenance of trees and shrubs, and crops and landscape products of commercial growers and nurseries at the General Manager's discretion. This restriction shall not apply to the following categories of use unless the District has determined that recycled water is available and may be lawfully applied to the use.

A. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;

B. Maintenance of existing landscaping for erosion control;

C. Maintenance of plant materials identified to be rare or essential to the well-being of rare animals;

D. Watering of livestock; and

E. Public works projects and actively irrigated environmental mitigation projects.

2. At the discretion of the General Manger, the District may shut off or lock irrigation meters without customer notification.

## **SECTION 10.0 PROCEDURES FOR DETERMINATION AND NOTIFICATION OF LEVEL OF ACTION**

(a) Level 1 under this Program applies at all times unless the District Board of Directors has declared another Level ~~2, 3 or 4~~, per the procedures set forth in this section. The District shall, at a minimum, provide notice of a Level 1 declaration and condition by news release and by posting information on the District's website.

(b) The existence of a Level 2 or Level 3 may be declared by resolution of the District Board of Directors adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation measures applicable to Level 2 or Level 3 shall take effect on the tenth (10) day after the date the response level is declared. Within five ~~(5)~~ days following the declaration of the level, the District shall publish a copy of the resolution in a newspaper used for publication of official notices.

(c) The existence of Level 4, 5 or 6 may be declared in accordance with the procedures specified in California Water Code sections 351 and 352. The mandatory conservation measures applicable to Level 4 through 6 shall take effect on the tenth ~~(10)~~ day after the date the response level is declared. Within five ~~(5)~~ days following the declaration of the level, the District shall publish a copy of the resolution in a newspaper used for publication of official notices. If the District establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Water allocation shall be effective on the fifth ~~(5)~~ day following the date of mailing or at such later date as specified in the notice.

(d) The District Board of Directors may declare an end to a level by the adoption of a resolution at any regular or special meeting held in accordance with State law.

(e) The District shall notify customers of any changes in levels or water use restrictions using multiple communication methods.

## **SECTION 9.011.0 NON-COMPLIANCE AND FEES**

(a) Any person, who uses, causes to be used, or permits the use of water in violation of this resolution is guilty of an offense punishable as provided herein.

(b) Each day that a violation of this resolution occurs is a separate offense.

(c) Water Conservation Fees, as set forth in Section 4.4.17 of the District's Rules and Regulations, may be levied for each violation of a provision of this resolution as follows:

1. A first violation of any provision of this resolution shall result in a letter of warning.
2. A second violation of any provision of this resolution within one year shall result in the assessment of a Water Conservation Fee.
3. A third violation of this resolution within one year shall result in the assessment of an additional Water Conservation Fee.
4. Four or more violations of any provision of this resolution shall result in the assessment of additional Water Conservation Fees.

(d) Violation of a provision of this resolution is subject to enforcement through installation of a flow-restricting device in the meter. The cost of installing and removing a flow-restricting device will be paid for by the person, who uses, causes to be used, or permits the use of water in violation of this resolution.

(e) Each violation of this resolution may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than ~~thirty (30)~~ days or by a fine not exceeding \$1,000, or by both as provided in Water Code section 377.

(f) Willful violations of the mandatory conservation measures and water use restrictions as set forth in Section 7.0, 8.0 and 9.0 and applicable during Levels 4 through 6 may be enforced by discontinuing service to the property at which the violation occurs as provided by Water Code section 356. The cost of disconnecting and re-connecting water service be paid for by the person, who uses, causes to be used, or permits the use of water in violation of this resolution.

(g) All fees and costs associated with installing and removing a flow-restricting device and disconnecting and re-connecting water service will be added to the account of the person, who uses, causes to be used, or permits the use of water in violation of this resolution. Fees and costs will appear on and be payable with the first billing statement for the period the violation occurred and be subject to the same remedies that are imposed by the District for failure to pay other charges.

(h) All remedies provided for herein shall be cumulative and not exclusive.

## **SECTION ~~10.0~~ 12.0 APPEALS**

(a) Any person complaining about fees and/or other remedies applied in accordance with Section 9 11 of this resolution shall have that complaint be first taken up with the General Manager before any action will be taken by the District's Board of Directors.

(b) The General Manager’s determination may be appealed in writing within ~~ten~~ 10 days of the mailing of a notice of determination. Any determination not timely appealed shall be final.

(c) The person appealing the General Manager’s determination shall submit a written request to the Board Secretary to have his or her appeal considered as an item for discussion and action at an upcoming Board meeting. The written request shall include: 1) a description of the issues, 2) evidence supporting the claim, and 3) a request for resolution of the dispute.

(d) The District shall at least ten days before the date of the hearing mail an appropriate notice of the regular or special meeting at which the appeal will be heard. The Board may, in its discretion, affirm, reverse or modify the determination.

**ARTICLE TWO:** This resolution shall take effect immediately upon adoption or as otherwise established by State law for Vista Irrigation District.

**PASSED AND ADOPTED** by the following roll call vote of the Board of Directors of the Vista Irrigation District this ~~27<sup>th</sup> day of May, 2015~~ 16<sup>th</sup> day of June, 2021:

AYES: ~~Directors Miller, Vasquez, Dorey, Reznicek, and MacKenzie~~  
NOES: ~~None~~  
ABSTAIN: ~~None~~  
ABSENT: ~~None~~

Jo MacKenzie, President Patrick Sanchez, President

ATTEST:

\_\_\_\_\_  
Lisa R. Soto, Secretary  
Board of Directors  
Vista Irrigation District



## **WATER SUPPLY RESPONSE PROGRAM**

### **SUMMARY**

#### **LEVEL 1 – WATER EFFICIENCY**

- Applies at all times, up to an including 10% reduction in supplies unless another level declared
- Customers shall comply with the following water-use efficiency practices:
  - No washing down paved surfaces.
  - Eliminate landscape irrigation run-off, overspray, etc.
  - No irrigating landscapes within 48 hours following rainfall.
  - Irrigate landscape before 8 AM and after 6 PM.
  - Use recirculated water to operate ornamental fountains.
  - Wash vehicles with a bucket and hand-held hose with positive shut-off nozzle.
  - Restaurants serve water on request; hotels launder daily on request.
  - Repair leaks within 48 hours of notification.

#### **LEVEL 2 – WATER CONSERVATION**

- Increasing cutbacks required by drought or other reductions in supplies and a reduction of up to 20% is required to meet demands.
- Customers shall comply with Level 1 water-use efficiency practices and the following additional mandatory conservation measures:
  - Stop watering ornamental turf in public medians
  - Limit landscape irrigation to assigned days and time limits
  - New turf or plantings allowed only by permit or under specific circumstances.

#### **LEVEL 3 – WATER SHORTAGE**

- Increasing cutbacks required by drought or other reductions in supplies and a reduction of up to 30% is required to meet demands.
- Customers shall comply with Levels 1 and 2 water-use efficiency practices and the following additional mandatory conservation measures:
  - Stop refilling pools/spas more than one foot per week.
  - Stop refilling lakes or ornamental ponds with exceptions.
  - Water allocations may be implemented for individual properties.
  - Stop washing vehicles except at facilities using recirculated water or low-pressure systems.
  - No new potable water service; no new temporary (constructions meters) or permanent water meters.
  - Water allocations may be implemented for individual properties

#### **LEVEL 4 – CRITICAL WATER SHORTAGE**

- Increasing cutbacks required by drought or other reductions in supplies and a reduction of up to 40% is required to meet demands.
- Customers shall comply with Levels 1, 2 and 3 water-use efficiency practices and the following additional mandatory conservation measures:
  - Commercial landscape irrigation prohibitions.
  - Repair all leaks within 24 hours.

#### **LEVEL 5 – WATER EMERGENCY**

- Increasing cutbacks required by drought or other reductions in supplies and a reduction of up to 50% is required to meet demands.
- Customers shall comply with Levels 1, 2, 3 and 4 water-use efficiency practices and the following additional mandatory conservation measures:
  - Residential landscape irrigation prohibitions.
  - Stop all vehicle washing, including at commercial car washes.

#### **LEVEL 6 – CRITICAL WATER EMERGENCY**

- Increasing cutbacks required by drought or other reductions in supplies and a reduction of more than 50% is required to meet demands.
- Customers shall comply with Levels 1 through 5 water-use efficiency practices and the following additional mandatory conservation measures:
  - All irrigation prohibited at General Manager’s discretion.



**STAFF REPORT**

**Agenda Item: 9**

**Board Meeting Date: June 16, 2021**  
**Prepared By: Mark Saltz**  
**Reviewed By: Don Smith**  
**Approved By: Brett Hodgkiss**

SUBJECT: SEED COLLECTION LICENSE AGREEMENT

RECOMMENDATION: Authorize the General Manager to execute a license agreement with S & S Seeds, Inc. to catalog, collect and harvest the seeds of naturally occurring plants on the Warner Ranch.

PRIOR BOARD ACTION: On August 17, 2016, the Board authorized the General Manager to execute a license agreement with Noll Seeds.

FISCAL IMPACT: If approved, the proposed license agreement will generate revenue for the District equivalent to 10 percent of the retail value of the seed actually harvested in any given year with a \$1,000 per year minimum. The actual revenues produced will vary each year according to the types and abundance of plants growing that year and the market forces setting the value of the seed crop.

Over the last 10 years, this activity has generated the following income:

<u>Fiscal Year</u>	<u>District Revenue</u>	<u>Days of Collection on Warner Ranch</u>
2012	\$ 2,728.20	2
2013	\$ 1,127.39	5
2014	\$ 1,192.32	10
2015	\$ 1,466.70	11
2016	\$ 1,690.84	3
2017	\$ 3,163.08	12
2018	\$ 2,097.89	5
2019	\$ 6,167.46	35
2020	\$ 3,414.78	9
2021	\$ 4,653.32	21
<b>Total</b>	<b>\$27,701.98</b>	

SUMMARY: Noll Seeds was granted a licensee for seed collection in 2006, which has consistently been renewed up to the present. Noll Seeds petitioned the District to designate S & S Seeds Inc. as the Successor Licensee in April 2020; the request was approved and S & S Seeds became the Successor Licensee on April 28, 2020. The current License Agreement with S & S Seeds expires on June 30, 2021; this was the fourth and final renewal of the existing agreement.

Seed collecting of certain native plants on the Warner Ranch has occurred periodically since 1992. The proposed license agreement continues that practice under substantially the same terms as the license agreement executed in 2016. In order to better conform to the typical seed collection season, the initial term will be for a period of 10 months (July 1, 2021 through April 30, 2022); the agreement may be renewed for four additional one-year periods.

S & S Seeds has coordinated their activities with the District to minimize impacts to District operations and the operations of the District’s other lessees and/or licensees. The licensee typically sends a harvesting crew of between 1 and 16 persons to perform the seed collection using hand tools.

ATTACHMENT: Seed Collection License Agreement

## **SEED COLLECTION LICENSE AGREEMENT**

This License Agreement (the “Agreement”) between VISTA IRRIGATION DISTRICT, a governmental agency (“Licensor”), and S&S Seeds, Inc. a California Corporation (“Licensee”), is effective July 1, 2021 (“Effective Date”) with reference to the following facts:

### **RECITALS**

- A. Licensor is the owner of real property commonly known as the Warner Ranch (the “Property”) more particularly described in Exhibit “A.”
- B. Licensee desires access to, and limited use of, portions of the Property to catalog, collect, and harvest the seeds of certain plants found thereon.
- C. Licensor is willing to authorize Licensee such access and limited use for such purposes under the terms and conditions in this Agreement.

### **Terms and Conditions**

#### **1. License.**

**1.1 Scope of License.** Licensor grants to Licensee a non-exclusive license (the “License”) to use portions of the Property to catalog, collect and harvest the seeds of certain plants found thereon subject to the terms and conditions of this agreement and pursuant to specific approval as provided in Section 2.1 of this agreement. No other uses of the Property are permitted under this agreement.

**1.2 Term of License.** The License shall begin on the Effective Date and extend until April 30, 2022 (“Initial Term”). This Agreement may be renewed for four one-year period(s) (the “Renewal Term”) subject to any changes required by Licensor or mutually agreed upon by the parties. Licensee must provide the Licensor at least sixty (60) days Notice, defined below, of its desire to renew this Agreement. The renewal shall not be effective unless and until the Licensee and Licensor have signed an extension or amendment to this Agreement setting forth any changed terms and provisions that will apply during the Renewal Term.

**1.3 Fees.** Licensee shall pay to Licensor a fee (the “License Fee”) of \$1,000.00 which shall be payable in full on the Effective Date of this agreement, and prior to any successive renewal period. In addition, the Licensee shall pay to the Licensor a fee (the “Collection Fee”) equal to ten percent (10%) of the fair market value of all seed collected in the current license period in excess of the amount of the License Fee. The Licensor shall not be due a rebate of a portion of the License Fee when ten percent of the value of seeds collected is less than the License Fee. The Collection Fee shall be payable in full 30 days before the expiration date of each annual license term. In no case will a license renewal be executed until the prior year’s Collection Fee has been paid in full. For the purposes of this agreement, the “fair market value” of seed collected shall be the same as the retail price listed for such seed by S & S Seeds, Inc., of Carpinteria, CA. The Licensee shall prepare a true



accounting of all seed collected, the fair market value of such seed, and the Collection Fee due for each year and shall submit the same with the Collection Fee remittance.

**1.4 Late Charges.** The parties agree that in the event any installment of the License Fee or the Collection Fee is not received by Licensor by the fifth day of the month in which it is due, the fee payment shall be deemed delinquent. Actual damages would be unreasonably difficult or impossible to quantify and the parties therefore estimate and agree to ten percent (10%) of the delinquent installment as liquidated damages which shall be added to the unpaid amount.

**1.5 Termination.** This License may be terminated by either the Licensor or the Licensee at any time and for any reason or for no reason. If the License is terminated, the Licensee shall provide an accounting of the value of seed collected prior to termination (as described under “Fees”, above) within thirty days of termination. If ten percent of that value exceeds the License Fee, the Licensee shall pay the excess amount to the Licensor. If ten percent of that value is less than the License Fee, the Licensor shall return the difference to the Licensee only if the License has been terminated by the Licensor.

**1.6 Limitations on License.** Nothing in this Agreement is intended to create an interest or estate of any kind or extent in the Property nor does it create a landlord-tenant relationship and Licensee is not entitled to avail itself of any rights afforded to tenants under the laws of the State of California.

**1.7 No Warranty.** Licensor makes no warranty or representation that the Property are suitable for Licensee’s use or any other uses. Licensee has inspected the Property and accepts them “as is.” Licensor is under no obligation to perform any work or provide any materials to prepare the Property for Licensee.

**1.8 Nonexclusive.** This License is not exclusive. Licensor reserves the right to enter into license or other agreements with other parties for use of the Property, including but not limited to cattle grazing, hunting, military training, recreational uses and water production activities. Accordingly, Licensee’s operations shall be conducted in a manner that will allow for shared use of the Property. Except as otherwise required by applicable law, disputes between the Licensee and other authorized uses of the Property shall be submitted to Licensor’s General Manager or his designee for final resolution.

## **2. Licensee’s Obligations**

**2.1 Submission of Plans for Approval.** The Licensee shall advise the Licensor’s Water Resources Director a minimum of two weeks in advance of any collection activity. The Licensee shall state, in writing, the location of the area of the Property impacted, the GPS coordinates (in decimal degrees) of the centroid of the collection area, the dates and times of collection activities, the target collection species, the estimated aerial extent of collection activities (in square feet or acres) and the number of personnel and equipment involved. The Licensor reserves the right to amend, modify, or reject these plans in order to accommodate other uses on the Property. The Licensee shall not proceed with any collection activities without an approved collection plan.

**2.2 Access.** The Licensee shall notify the Licensor's Henshaw Operations Manager between the hours of 7:00 AM and 3:30 PM two business days in advance of entry onto the property to notify Henshaw Staff and arrange access. Where access is provided by a locked gate, the Licensor shall provide a keyed padlock with an extra key to the Henshaw Staff to be located as needed. The Licensee shall carry a copy of the Licensor's "Temporary and Revocable Permit to Enter the Warner Ranch" at all times while on the Property. This permit shall be issued by the Licensor upon execution of the License.

**2.3 Operations.** Unless otherwise approved in writing, the Licensee shall conduct all collection activities using only non-mechanized hand-held implements. To the greatest extent possible, all vehicles and trailers will be confined to existing roads. The Licensee shall take care to close and lock gates on the Property to maintain the same state of access as found. The Licensee shall commit no waste of the Property and shall conduct their operations with a minimum of disturbance to the Property and the operations of both the Lessor and other authorized users. The Licensee shall not engage in any hunting, fishing, or recreation while on the Property and shall light no fires.

**2.4 Permits and Approvals.** Licensee shall be responsible for securing any necessary permits to conduct its operations on the Property from any governmental agency having jurisdiction.

**2.5 Taxes.** Licensee shall be responsible for any property taxes imposed as a result of the use of the Property by Licensee. Licensee specifically acknowledges that the grant of this License may subject Licensee to certain taxes under California Revenue and Taxation Code section 107.6 and agrees it is solely responsible for the payment of these taxes.

**2.6 Hazardous Material.** Licensee shall comply, with all applicable statutes, laws, ordinances, rules, and regulations now or hereafter mandated by any federal, state, or local governmental authority with respect to the use, generation, treatment, storage, disposal, emission, discharge, release or threatened release of any regulated chemical, pollutant, contaminant, hazardous waste, hazardous material, lead paint, toxic mold, medical waste, or hazardous, toxic, asbestos containing material, or radioactive substance (collectively, "Hazardous Materials"). Licensee shall not cause, or allow anyone else to cause, any Hazardous Materials to be used, generated, treated, stored, disposed of, emitted, discharged, or released, on or about the Property.

### **3. Licensor's Obligations**

**3.1 Access to the Property.** Licensor will allow reasonable ingress and egress for Licensee to the Property to engage in the collection activities described herein and in accordance of this agreement, and shall issue a "Temporary and Revocable Permit to Enter the Warner Ranch" upon execution of the License.

### **4. Compliance With Laws.**

**4.1 Non-Discrimination.** During the performance of the terms and obligations of this Agreement, neither party will discriminate against any person on the basis of religion, color, ethnic group identification, sex, sexual orientation, age, physical or mental disability, or other protected class status.

## 5. Insurance And Indemnification.

**5.1 Liability Insurance.** Licensee shall obtain and maintain during the Initial Term and any Renewal Term insurance against claims for injuries to persons or damage to property which may arise out of or in connection with use of the Property by Licensee or Licensee's agents, representatives, employees, contractors, guests or invitees.

(A) The insurance will be obtained from an insurance carrier meeting one of the following criteria:

(1) Be an "admitted insurer" in the State of California for the classes of insurance required and, in accordance with the current A.M. Best Company Rating, have a policy holder's rating of "A" or better and a financial rating of VII or better; or as otherwise approved by the District.

(2) If not an "admitted insurer" in the State of California, for all of the classes on insurance required, have an agent for service of process in California and, in accordance with the current A.M. Best Company Rating, have a policy holder's rating of "A" or better and a financial rating of VII or better; or as otherwise approved by the District.

(B) Licensee will maintain the types of coverage and minimum limits indicated below. These minimum amounts of coverage will not constitute any limitations or cap on Licensee's indemnification obligations under this Agreement. Licensor, its officers, agents and employees make no representation that the limits of the insurance specified to be carried by Licensee pursuant to this Agreement are adequate to protect Licensee. If Licensee believes that any required insurance coverage is inadequate, Licensee will obtain such additional insurance coverage, as Licensee deems adequate, at Licensee's sole expense.

(1) **Commercial General Liability Insurance.** \$2,000,000 combined single-limit per occurrence for bodily injury, personal injury, and property damage. If the submitted policies contain aggregate limits, the general aggregate will be twice the required per occurrence limit.

(2) **Automobile Liability.** \$1,000,000 combined single-limit per accident for bodily injury and property damage.

(3) **Workers Compensation and Employer's Liability.** Worker's Compensation limits as required by the California Labor Code and Employer's Liability limits of \$1,000,000 per accident for bodily injury.

(C) Licensee will ensure that the policies of insurance required under this Agreement contain, or are endorsed to contain, the following provisions:

(1) The Licensor and its directors, officers, employees, or authorized volunteers will be named as an additional insured on General Liability.

(2) Licensee will obtain occurrence coverage, excluding Professional Liability, which will be written as claims-made coverage.

(3) This insurance will be in force during the Initial Term and any Renewal Term and will not be canceled without thirty (30) days Notice.

(D) Licensee will furnish certificates of insurance and endorsements to Licensor on the standard ACORD insurance form or on another form approved by the Licensor before the Effective Date and annually thereafter..

(E) If Licensee fails to maintain any of these insurance coverages, Licensor may immediately terminate this License.

(F) Licensor reserves the right to require, at any time, complete and certified copies of any or all required insurance policies and endorsements.

## **5.2 Nonliability for Damages and Indemnification.**

(A) This License is made upon the express condition that Licensor and its directors, officers, employees, and agents are to be free from all liability, claims, damages, losses, expenses, and other costs arising out of or in any manner connected with Licensee's use of the Property. Licensee shall, to the fullest extent permitted by law, indemnify and hold each of them harmless from and against all liability, claims, damages, losses, expenses and other costs (including costs of defense and attorneys fees in defending against all claims) for injury to all persons and property, whomsoever, whatsoever, and wheresoever, including, without limitation, to Licensee and its directors, officers, employees, agents, invitees, contractors, and subcontractors and all other persons both on or off the Property, and the property of such persons including the loss of use thereof, arising out of, resulting from or in any manner connected with the Property, the access ways thereto, the improvements constructed by Licensee thereon or the use and occupancy by Licensee thereof. Licensee's indemnity obligations and Licensor's freedom from liability shall apply regardless of whether or not the claimed loss, damage or injury is caused in part by any act or omission, including passive negligence, of a party indemnified hereunder, and further provided that in the event of claims or liability arising in part from the active negligence or willful misconduct of a party indemnified hereunder, liability shall be determined on the basis of principles of comparative fault.

(B) Licensee has or will have made inspections, tests, and evaluations of the Property, the subsurface thereof and the surrounding area as it deems necessary to fully satisfy itself that the Property is entirely suitable for its intended use thereof and that it will not rely in any way upon any act or omission of the indemnified parties in regard thereto. Accordingly, no act or omission of a party indemnified with respect to the condition of or the suitability of the Property shall for the purposes of this paragraph or any purpose be considered to be solely and exclusively the fault or negligence of a party indemnified.

(C) As to any and all claims against any of the indemnified parties by any employee of the Licensee, any contractor, any subcontractor, any supplier, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, this indemnification obligation shall not be limited in any way by any limitation on amount or type of damages, compensation or benefits payable by or for the Licensee, or any contractor, subcontractor, supplier, or other person under worker's compensation acts, disability benefit acts or other employee

acts, except that in no event shall this indemnification obligation include indemnity for punitive or exemplary damages.

(D) Licensee shall be as fully responsible to the Licensor for the acts and omissions of its agents, representatives, employees, guests, invitees, contractors and of the persons directly or indirectly employed by its contractors as it is for the acts and omissions of persons directly or indirectly employed by it. Nothing contained in this Agreement or in any agreement entered into by Licensor shall create any contractual relationship between any contractor or others and Licensor. Licensee shall bind every contractor to be bound by the terms of the foregoing nonliability and indemnity provisions.

(E) Licensee agrees that a number of factors make the foregoing indemnity and liability limitations reasonable, necessary, valid, enforceable, and not contrary to public policy:

- (1) The nature and extent of the License.
- (2) Licensor is not seeking to lease the Property.
- (3) Licensor is not superior in bargaining strength to Licensee and Licensee is free to get other licenses elsewhere.
- (4) Licensor is able to obtain insurance with respect to its property and its
- (5) The amount of licensing fees to be paid.
- (6) The activities of Licensee are not subject to Licensor's control.
- (7) Licensor is a public agency with limited financial resources.

indemnity.

(8) The potential liability to Licensor without the indemnity and liability limitations could impede the public purposes for which Licensor exists and adversely affect its ratepayers and water users.

**5.3 Notice of Claims.** Both parties agree to give Notice to the other of any claim, lawsuit, or administrative proceeding against it arising out of the Agreement within ten (10) days after the discovery of a claim, lawsuit, or administrative proceeding. Both parties have the right to participate in the contest and any defense of the claim at its own expense to the extent it is not covered by insurance or the indemnity provisions in the Agreement. This Article applies only to third-party claims and not disputes between the parties.

## **6. Representations And Warranties.**

**6.1 Both Parties.** Both parties represent and warrant that:

(A) the parties have the power to enter into and perform this Agreement; and the execution of this Agreement has been duly authorized by all necessary corporate action;

(B) no consent or approval of any other person or governmental authority is necessary for this Agreement to be effective; and

(C) the performance of the obligations assumed under the Agreement will not violate any Laws or other applicable rules or regulations.

**6.2 Licensee.** Licensee represents and warrants that it has the requisite expertise and resources to perform its obligations under the Agreement.

**6.3 Survival.** All warranties and representations made by either party or in any certificate or other instrument delivered by either party as evidence of its compliance with obligations under the Agreement will be considered to have been relied upon by the other party and will survive the performance of all obligations under the Agreement.

**7. Attorney's Fees.** In the event either party requests arbitration or files a lawsuit for the interpretation, specific performance, or damages for the breach of this Agreement, the prevailing party is entitled to a judgment or award against the other in an amount equal to actual and reasonable attorney's fees and costs incurred, together with all other appropriate legal or equitable relief.

**8. Notices.**

**8.1 When Required.** When the Agreement requires that a party give Notice to the other party, including specifically notices of default, termination, or a demand for arbitration, the Notice must comply with the requirements in this Article.

**8.2 Methods.** Notice will be effective when:

(A) personally delivered to the recipient, Notice is effective upon delivery;

(B) mailed first class to the last address of the recipient known to the party giving Notice, Notice is effective three mail delivery days after deposit in a U.S. Postal Service office or mailbox;

(C) mailed certified mail, return receipt requested, Notice is effective on receipt, if a return receipt confirms delivery;

(D) delivered by overnight delivery (e.g., Federal Express/Airborne/United Parcel Service/DHL WorldWide Express), charges prepaid or charged to the sender's account, Notice is effective on delivery, if delivery is confirmed by the delivery service; and

(E) sent by email transmission, Notice is effective on receipt, except that any Notice given by email is deemed received on the next business day if it is received after 5:00 p.m. or on a nonbusiness day, provided that a duplicate copy of the Notice is promptly sent by first-class or certified mail or by overnight delivery or the receiving party delivers a confirmation of receipt. Notice by email is permissible only if all the parties and others to receive Notice have provided an email address in accordance with this Article.

Any correctly addressed Notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified will be deemed effective as of the first date that Notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger, or overnight delivery service.

**8.3 Recipients.** Notices must be given to:

If to Licensor, to:

Brett Hodgkiss  
General Manager  
Vista Irrigation District  
1391 Engineer Street  
Vista, CA 92081  
Telephone Number: (760) 597-3100  
Email: BHodgkiss@vidwater.org

If to Licensee, to:

Tax I.D. # 95-3535447

Andy Thomson  
S & S Seeds, Inc.  
110 Civic Center Drive, Ste. 208B  
Vista, CA 92084  
Telephone Number: (619) 977-6533  
Email: andythomson@ssseeds.com

**8.4 Change of Address.** Either party may change either its address, telephone number or email address by giving the other party Notice.

**8.5 Other Communications.** All communications for which Notice is not required, including those provisions permitting or requiring a party to “approve,” “advise,” or “consent” may be given by email communication. In these circumstances only the contact person for each party need receive the communication.

**9. Assignment.** Licensee may not assign, sublicense, or transfer the License granted by this Agreement, in whole or in part, without the prior written consent of Licensor, which Licensor may withhold in its sole discretion, and any attempt to do so without prior written consent is grounds for immediate termination of the License.

**10. General Provisions.**

**10.1 Relationship of the Parties.** The parties agree that the terms of the Agreement do not constitute the formation of a partnership, joint venture, or other relationship and that no form of agency exists between the parties. Neither party will hold itself, or its agents or employees out to be an agent of the other party, and neither party will have authority to bind or obligate the other party in any manner whatsoever.

**10.2 Limitations on Authority.** The rights, powers, and authority of both parties are subject to the following conditions and limitations:

(A) neither party will have authority to perform any act on behalf of the other except as expressly authorized in this Agreement or otherwise expressly authorized in writing;

(B) without the approval of the other party, neither party will authorize, or obligate the expenditure of any funds, or create any liability or expense for the other party; and

(C) any contracts or obligations will require the signatures of both parties.

**10.3 Third Persons.** Nothing in this Agreement, whether expressed or implied, is intended to confer any rights or remedies under, or by reason of, the Agreement on any persons other than the parties to it and their respective permitted transferees, successors, assigns, heirs, executors, administrators, and personal representatives, nor is anything in the Agreement intended to relieve or discharge the obligation or liability of any third persons to any party to the Agreement nor will any provision give any third person any right of subrogation or action over or against either party to the Agreement.

**10.4 Expenses.** Except as expressly provided in the Agreement, both parties will pay their own expenses incident to the Agreement and the transactions contemplated, including all fees of counsel and accountants.

**10.5 Waiver.** One or more waivers of a term or condition in the Agreement by either party will not be construed as a waiver of any right to enforce the same or a different term or condition in the event of future defaults. Delay or omission by either party to seek a remedy for any default of the Agreement or to exercise a right accruing to the party with respect to the default will not be construed as a waiver.

**10.6 Time is of the Essence.** Time is of the essence in respect to all provisions of the Agreement that specify a time for performance; provided, however, that the foregoing will not be construed to limit or deprive a party of the benefits of any grace or use period allowed in the Agreement.

**10.7 Entire Agreement.** This Agreement contains the entire agreement between the parties relating to the transactions contemplated. All contemporaneous Agreements, understandings, representations, and statements, whether oral or written, and whether by a party or the party's legal counsel, are merged into the Agreement. No modification, waiver, amendment, discharge, or change of the Agreement will be valid unless it is in writing and signed by the party against which the enforcement of the modification, waiver, amendment, discharge, or change is or may be sought.

**10.8 Construction and Interpretation.** The parties have participated fully in negotiating, preparing, and drafting the Agreement and the rule that an ambiguity in language is to be construed against the author will have no effect as to the Agreement. Article and Section headings are not to be considered a part of the Agreement and are included solely for convenience. Handwritten or typed words will have no greater weight than printed words. Unless the context



requires otherwise; the plural and singular numbers will each be deemed to include the other; masculine, feminine, and neuter genders will each be deemed to include the others; “will,” “will not,” or “agrees” are mandatory, and “may” is permissive; “or” is not exclusive; “includes” and “including” are not limiting; and “days” mean business days. “Written approval,” or “consent” means written approval or consent given in advance of the action or event signed by the other party giving its approval or non-approval, and if a party does not give approval or disapproval, approval is deemed denied.

**10.9 Partial Invalidity.** If any term or condition contained in the Agreement becomes to any extent invalid or unenforceable, the remainder of the Agreement, or the application of the term or condition to persons or circumstances other than those with respect to which it is invalid or unenforceable, will not be affected and every other term, provision, and condition will be valid and enforceable to the fullest extent permitted by law.

**10.10 Email Signature.** The parties agree that the Agreement, ancillary agreements, and related documents will be considered signed when the signature of a party is delivered by email transmission in PDF format. The email transmission of this signed Agreement shall be treated in all respects as having the same effect as an original signature.

**10.11 Miscellaneous Provisions.** This Agreement:

(A) will be binding upon, and inure to the benefit of, and be enforceable by the parties and their respective legal representatives, successors, or assigns;

(B) may be executed in any number of counterparts, each of which is deemed to be an original, but all of which together constitute one and the same instrument;

(C) must be construed and enforced in accordance with the laws of the State of California and local government agencies; and

(D) except as otherwise expressly provided, has been entered into in Vista, California as of the Effective Date.

**Licensor: VISTA IRRIGATION DISTRICT,  
a governmental agency**

By: \_\_\_\_\_  
Print Name: Brett Hodgkiss  
Title: General Manager

**Licensee: S&S Seeds, Inc.**

By: \_\_\_\_\_  
Print Name: Andy Thomson  
Title: Division Manager of Wildland Seed Collection

**Exhibit “A”**

**Real Property Description**

The Property consists of approximately 42,000 acres of that real property owned by the Vista Irrigation District generally referred to as the “Warner Ranch” and including the following Assessor’s Parcel Numbers (APN):

136-160-41	193-071-01	193-130-01
136-231-04	193-071-04	193-190-09
136-231-05	193-080-30	193-230-05
137-090-34	193-120-02	195-020-02
137-090-35	193-120-06	195-070-29
193-030-02	193-121-01	
193-070-05	193-121-02	

Excepting therefrom:

- A) That portion of APN 136-160-41 under exclusive lease to the US Government for the establishment of the Remote Training Site, Warner Springs (generally north of Highway 79 and west of Linton Road);
- B) That portion of APN 136-160-41 under exclusive lease to the State of California for the establishment of the Puerta La Cruz Honor Camp (at the northern terminus of Linton Road);
- C) Those portions of APN 193-080-30 in proximity to Henshaw Dam, VID employee residences and pasturage, and the facilities operated and maintained by Lake Henshaw Resort, Inc.; and
- D) Other miscellaneous portions of the above named parcels reserved for exclusive use by Caltrans, the County of San Diego, San Diego Gas & Electric, the Vista Irrigation District, and other authorized users.



**Agenda Item: 10**

## **STAFF REPORT**

**Board Meeting Date: June 16, 2021**  
**Prepared By: Brett Hodgkiss**

**SUBJECT:** CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS ELECTION, SOUTHERN NETWORK, SEAT A

**RECOMMENDATION:** Cast Vista Irrigation District's ballot for California Special Districts Association Board of Directors for the Southern Network, Seat A.

**PRIOR BOARD ACTION:** On February 17, 2021, the Board adopted a resolution nominating Jo MacKenzie to the California Special Districts Association (CSDA) Board of Directors for the Southern Network, Seat A.

**FISCAL IMPACT:** Undetermined amount for expenses and per diems.

**SUMMARY:** The District received an electronic ballot for use in the CSDA Board of Directors election for the Southern Network, Seat A. There are nine candidates, and the District may vote for one. Director MacKenzie is the incumbent on the ballot, currently serving a three-year term that will expire this year.

**DETAILED REPORT:** Each of CSDA's six networks has three seats on the Board of Directors; the term for Seat A in each network expires this year. Each candidate is a board member or management level employee of a CSDA regular member located in the geographic network that the candidate seeks to represent. Ballots must be received by CSDA by July 16, 2021.

**ATTACHMENTS:**

- Electronic Ballot – 2021 CSDA Board of Directors Election, Southern Section, Seat A
- Candidate Statements



- Home
- How It Works
- Logout **Brett Hodgkiss**

**CSDA Board of Directors Election Ballot - Term 2022-2024; Seat A - Southern Network**

**Please vote for your choice**

Choose **one** of the following candidates:

- Jo MacKenzie\*
- Jan Bissell
- Kelly Gregg
- Rickey Manbahal
- Jo-Anne Martin
- Paulina Martinez-Perez
- Rachel Mason
- David E. Raley
- John Skerbelis

\*Incumbent

<input type="checkbox"/>	<b>Jo MacKenzie*</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>Jan Bissell</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>Kelly Gregg</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>Rickey Manbahal</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>Jo-Anne Martin</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>Paulina Martinez-Perez</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>Rachel Mason</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>David E. Raley</b>	<a href="#">[view details]</a>
<input type="checkbox"/>	<b>John Skerbelis</b>	<a href="#">[view details]</a>

**Continue**

**Cancel**



**California Special  
Districts Association**  
*Districts Stronger Together*

## **2021 CSDA BOARD CANDIDATE INFORMATION SHEET**

The following information **MUST** accompany your nomination form and Resolution/minute order:

**Name:** Jo MacKenzie

**District/Company:** Vista Irrigation District, *CSDA District of Distinction, Platinum Level*

**Title:** Director

**Elected/Appointed/Staff:** Elected

**Length of Service with District:** 29 years

**1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):**

- CSDA Board of Directors, President 2011, Vice President 2010, Treasurer 2008-2009
- CSDA Legislative Advocate of the Year 2010
- Graduate of CSDA Governance Academy
- CSDA Finance Corporation Board of Directors, 2007-present; President 2012, 2013, 2015- present
- Special District Leadership Foundation Board of Directors, Treasurer 2014-present
- Fiscal and Audit Committees; Membership Committee 2011- present; Chair 2020-2021
- Legislative Committee 2004-present; Chair, 2006-2010 and 2012
- CSDA San Diego Chapter, Board of Directors, 1993-present; President 1998-2000
- Attend all Annual Conferences and Legislative Days

**2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):**

- ACWA: Past Board Director; Local Government, Chair 2014-2015 and Membership Committee
- ACWA Region 10 Board of Directors, Vice Chair, Alternate Chair, Director 1997-2010
- The California Association of Local Agency Formation Commissions (CALAFCO), Board Member and Legislative Committee member, 2017 - present
- Special District Official of the Year by PublicCEO 2011

**3. List local government involvement (such as LAFCO, Association of Governments, etc.):**

- San Diego LAFCO, 1994-present, Commissioner 7 years, Chair 2018-2019; Alternate 5 years; Special District Advisory Committee 14 years, Chair 2005 -2009
- City of San Marcos Planning and Traffic Commissions
- Personally initiated the City of San Marcos Budget Review Committee in 1980, Chair 1996-2006

**4. List civic organization involvement:**

- San Marcos Chamber of Commerce, Lifetime Ambassador
- Graduate Leadership 2000, Cal State San Marcos
- Community Development Associates, Treasurer
- Soroptimist International

**\*\*Candidate Statement-**Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot mailing.**



## **RE-ELECT JO MACKENZIE**

### **PROVEN EXPERIENCE LEADING SPECIAL DISTRICTS**

- Dedicated
  - Fiscally Responsible
  - Committed to Special Districts

It has been a privilege to serve on the CSDA Board of Directors representing the Southern Network. I am honored that three years ago you elected me to serve your district. I am asking for your vote again in this election.

I am committed to continue building on the present foundation of CSDA's educational programs, state and federal legislative advocacy, and public outreach. As you know, this year ALL webinars are free to our members. The Special District Leadership Foundation Board has eliminated budget limits for scholarships. This allows all districts to apply for scholarships to attend workshops and conferences in 2021. I serve on both boards and I'm proud that the collaboration between the two boards allows all special districts to take advantage of CSDA's programs.

Serving on the Board of Directors and CSDA committees takes dedication and commitment, and especially a commitment of time. I have a proven record of leadership as both a Board member, a committee member and a chair. I was the PublicCEO Special District Official of the Year 2011 and CSDA Legislative Advocate of the Year 2010.

My proven leadership and public service experience, commitment to fiscal responsibility, and my comprehensive LAFCO and special district knowledge make me the most qualified candidate to represent the Southern Network.

With a passion for and proven experience in leading special districts, I would be honored to continue serving on the CSDA Board of Directors as your Southern Network Director.

✓ **Your district's vote will be greatly appreciated!**

**Last day to vote: July 16, 2021**



California Special  
Districts Association  
*Districts Stronger Together*

## 2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Jan Bissell

District/Company: Valley-Wide Recreation and Park District

Title: Vice President

Elected/Appointed/Staff: Elected

Length of Service with District: 14 years (1999 - 2010, 2018 - to present day)

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Attendee of CSDA Conference

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

California Parks and Recreation Society (CPRS), California Association of Recreation Park Districts (CARPD), California Interscholastic Federation (CIF).

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Valley-Wide Recreation and Park District (VWRPD)

4. List civic organization involvement:

First Baptist School Board, USA Pickleball Association (USAPA), Friends of Valley-Wide Foundation (FOVWF), Local Pony Baseball and Softball Associations.

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**





# JAN BISSELL

FOR

## CSDA BOARD OF DIRECTORS, SEAT A SOUTHERN NETWORK

Hello, my name is Jan Bissell and I am the Vice President of the Valley-Wide Recreation and Park District Board of Directors. I am proud to say that for over 45 years, I have been involved with Valley-Wide Recreation as a volunteer in many capacities from coaching, officiating, organizing fundraisers and being an ambassador of Recreation in the community. My background is in business, but I also had the opportunity to serve as a Recreation Supervisor for 5 years and I was fortunate that both jobs kept me in direct contact with my community.

Last year, I had the honor of being recognized as an Outstanding Board Member for the California Association of Recreation and Park Districts. It is an honor I share with my fellow Board members as it is a reflection of our collective work to ensure the growth and sustainability of our District. With over 80 Parks and community centers and more than 250,000 residents to serve, my focus is on making sure the core of our services continue to reflect and fill the needs of our community.

- **Valley-Wide Recreation and Park District Board Member for 15 years (current)**
- **CIF and Recreation coach and sports official for 40+ years**
- **Outstanding Board Member CARPD 2020**
- **First Baptist Church Board of Trustees for 8 years**
- **First Baptist School Board Member for 4 years**
- **Member of the CIF Board for 25 years**

I am a husband, father, grandfather and a fearless advocate for our community. It is my hope that with your support, I can also be a fearless advocate for your special District.

On Behalf of our Board of Directors and entire Valley-Wide Recreation staff, I respectfully request your District's vote for the nomination to the Board of Directors of the California Special District Association (CSDA).





California Special  
Districts Association  
*Districts Stronger Together*

## 2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Kelly J Gregg

District/Company: Hesperia Recreation and Park District

Title: Director

Elected/Appointed/Staff: Elected

Length of Service with District: 9 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Have attended several CSDA conferences and workshops.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

N/A

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Current chair for City of Hesperia Safety committee.

4. List civic organization involvement:

Member of Elks lodge #2646. Have assisted in many community events.

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**

Kelly J Gregg, Director  
Hesperia Recreation and Park District

I have been a lifelong resident of Hesperia since 1971. I served as the voice of the community, and taxpayers on the HRPD Governing Board from 2010-2014 and 2016-current.

- Serves as Director of the Hesperia Recreation and Park District and on several committees: Finance (chair), Tri-Agency (chair), Personnel (v-chair).
- Served as President of the Hesperia Recreation and Park District and on several committees: Budget (chair), Safety and Security (chair), Foundation, and Golf Course.
- Serves on Hesperia City Council Safety Committee (chair).
- Fiscal responsibility and transparency are two main platform goals that take priority when making decisions for any agency or civic organization.

Kelly J Gregg is available to you at (760)985.1193 or by email [directorgregg@hesperiaparks.com](mailto:directorgregg@hesperiaparks.com)

Please Vote: Kelly J Gregg for CSDA Director Southern Network



California Special  
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## 2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Shamindra "Rickey" Manbahal, MPA  
District/Company: West Valley Water District  
Title: Interim General Manager, Chief Financial & Administrative Officer  
Elected/Appointed/Staff: WVWD Board & Public Affairs Manager Naseem Farooqi  
Length of Service with District: 1.7 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Participated in several training Transparency Certificate of Excellence,

Leadership Academy and General Manager Training, attended conferences and is registered for 2021 conference.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

ACWA, GFOA, CMTA, CSMFO, League of California Cities

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

GFOA and LAFCO

4. List civic organization involvement:

Various Chamber of Commerce activities, Various non-profit participation

Jewish Vocational Service, High Road Training Program

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**

### CANDIDATE STATEMENT

When Mr. Manbahal was hired, WVWD was in a state of financial and administrative turmoil. Under his leadership, WVWD enacted ten major reforms to resolve financial issues, address the numerous negative findings in a previous California State Controller's office audit and deliver greater accountability and savings for ratepayers, resulting in WVWD's receiving of the Special District Leadership Foundation Transparency Certificate of Excellence. As a result of his efforts, including the implementation of the Cal-Card purchasing card program to minimize fraud, WVWD's most recent state audit found no material deficiencies with WVWD's internal controls, management and records.

Even in the face of a decline in revenue due to COVID-19, Manbahal's strong leadership produced a responsible fiscal year 2020-2021 budget that generated \$416,000 in cost savings without raising rates for ratepayers. Recently, Manbahal led WVWD's effort to apply for and secure a U.S. Environmental and Protection Agency loan for capital improvements worth nearly \$25 million.

Before his tenure at WVWD, Manbahal served as director of finance, assistant financial services director and interim finance director for localities throughout California. Prior to that, Manbahal worked as an internal auditor for the County of Los Angeles. Manbahal earned his Master's degree in Public Administration from California State University Northridge and a bachelor's degree in accounting. He also serves as a part-time lecturer at UCLA Extension, leading intensive courses in auditing, accounting and business management.

Given his extensive experience in turning around municipal finances and management, we have no doubt Mr. Manbahal will be a valuable addition to CSDA leadership. Without any reservation, we strongly urge you to consider Mr. Manbahal for the position of CSDA Board of Director Seat A — Southern Network in the coming election. If you have any questions or concerns, please contact Mr. Manbahal directly at [smanbahal@wvwd.org](mailto:smanbahal@wvwd.org) or (909) 820-3706.

*Rickey S. Manbahal, MPA  
Interim General Manager  
Chief Financial & Administrative Officer*



California Special  
Districts Association  
*Districts Stronger Together*

## 2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Jo-Anne Martin

District/Company: Placentia Library District

Title: Board President

Elected/Appointed/Staff: Elected

Length of Service with District: \_\_\_\_\_

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

I routinely attend the CSDA annual conference, as well as the Legislative Days. I have completed multiple CSDA webinars and training sessions. I also completed CSDA's Board Secretary Workshop.

2. Have you ever been associated with any other state-wide associations (CSAG, ACWA, League, etc.):

I am a member of the League of Women Voters and the California/Nevada League

of Credit Unions.

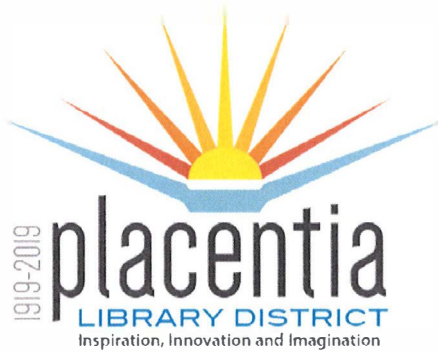
3. List local government involvement (such as LAFCo, Association of Governments, etc.):

None.

4. List civic organization involvement:

I currently serve as an Associate Director on Financial Partners Credit Union's Board of Directors, as the Secretary for Alta Vista's Women's Golf Association, an Elder of the Placentia Presbyterian Church and as a literacy volunteer for the Placentia Library District. I am also a past chair and board member of the Homeless Intervention Shelter.

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.



March 15, 2021

President Jo-Anne Martin's background is in aerospace defense, operations and business. She has a bachelor's degree in biopsychology from Vassar College, and a master's degree in Systems Management from the State University of New York at Binghamton.

Jo-Anne Martin served in the US Air Force for 21 years as an Air Battle Manager. During this time she commanded 2 Air Force units, served as a Mission Crew Commander in both the US and NATO Airborne Warning and Control System (AWACS) and was the Pacific Regional Air Defense Commander. President Martin commanded an AWACS crew during the first Gulf War, accumulating over 200 combat flying hours and was awarded an Air Medal for her accomplishments. She is the first female graduate of the USAF Fighter Weapons (Top Gun) School. Her last assignment was at the Pentagon where she directed Congressional, budget and program integration for a \$28 billion portfolio of communications and computer programs. She routinely briefed Congressional staffers, Air Force senior leadership and media.

After retiring from the Air Force, Jo-Anne Martin spent 10 years in the aerospace defense industry. She was a Director of Business Development for The Boeing Company with extensive international as well as domestic responsibilities. Her international experiences span Asia, the Middle East and Europe with multiple tours in South Korea.

President Martin is very active in the local community serving as Associate Director on the Financial Partner's Credit Union Board of Directors, Secretary for Alta Vista's Women's Golf Association, an Elder of the Placentia Presbyterian Church, and as a literacy volunteer at the Placentia Library District. President Martin also regularly volunteers at Charity's Closet and is a past chair and board member of the Homeless Intervention Shelter.

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## BOARD OF TRUSTEES

Jo-Anne Martin  
President

Gayle Carline  
Secretary

Sherri Dahl  
Trustee

Hilaire Shioura  
Trustee

Al Shkoler  
Trustee

Jeanette Contreras, M.L.S.  
Library Director

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**PLACENTIA LIBRARY DISTRICT**  
411 E. Chapman Ave.  
Placentia, CA 92870  
Phone: 714-528-1925  
administration@placentialibrary.org  
www.placentialibrary.org



Jo-Anne Martin  
President  
Placentia Library District  
Board of Trustees



California Special  
Districts Association  
*Districts Stronger Together*

## 2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Paulina Martinez-Perez  
South Bay Irrigation District  
District/Company: Director- Division 2  
Title: Elected  
Elected/Appointed/Staff: 4 year term- 2020-2024  
Length of Service with District: \_\_\_\_\_

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Workshops: Getting Oriented: The Critical Nature of Communications in the Public Age

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

Currently the delegate to ACWA representing South Bay Irrigation District, and an alternate representing Sweetwater Authority.

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

N/A

4. List civic organization involvement:

Public school teacher at a heavily civically involved TK-12 systemt that promotes social justice and civic engagement with all students. Have also participated in fellowshi

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**



SOUTH BAY IRRIGATION DISTRICT  
505 GARRETT AVENUE, POST OFFICE BOX 2328  
CHULA VISTA, CALIFORNIA 91912-2328  
(619) 420-1413 FAX (619) 425-7469  
[www.sbid.us](http://www.sbid.us)

BOARD OF DIRECTORS  
STEVE CASTANEDA  
DIVISION 1  
PAULINA MARTINEZ-PEREZ  
DIVISION 2  
JOSE PRECIADO  
DIVISION 3  
HECTOR MARTINEZ  
DIVISION 4  
JOSIE CALDERON-SCOTT  
DIVISION 5

**Candidate Statement:**

I am pleased to share with you my interest in being part of the Board of Directors representing the Southern Network. The Board of Directors for the California Special Districts Association has six major beliefs and I believe I would be an excellent addition that would support the board in being a leading and passionate voice for all special districts.

In order to raise awareness and understanding of what special districts are, the CSDA established the "Districts Make The Difference" campaign. This campaign focuses on creating more visibility and outreach to the public. With its new logos, videos, student contents, etc. the CSDA is demonstrating a newfound commitment to revolutionize, and modernize its efforts. Electing me as the representative of the Southern Network would align with CSDA's most recent push in revitalizing and revamping its efforts to outreach the public.

Undoubtedly, the members of the current Board of Directors are committed to strengthening and supporting the special districts that make up California. However, the strength of a fresh perspective cannot be overstated. As a newly elected Director the South Bay Irrigation District, and the youngest member ever elected, I have been able to bring a new perspective to our governing board. As part of the Board of Directors I would focus on being a member that promotes the ability to look at what can be done, and not only at what has been done.

Professionally, I am a graduate of the University of California, Los Angeles (UCLA) with a major in Political Science and minored in Society and Genetics as well as Biological Anthropology. I also possess a master's degree from Johns Hopkins University and I am currently a public high school biology teacher.

Please feel free to reach me directly at [pmp.sbid@gmail.com](mailto:pmp.sbid@gmail.com) or 619.361.1647.

Thank you for your time.

Respectfully,

A handwritten signature in black ink, appearing to read "Paulina Martinez-Perez".

Paulina Martinez-Perez





**California Special  
Districts Association**  
*Districts Stronger Together*

## 2021 BOARD OF DIRECTORS NOMINATION FORM

**Name of Candidate:**  Rachel Mason

**District:**  Fallbrook Regional Health District

**Mailing Address:**  138 S. Brandon Rd., Fallbrook, CA 92028

**Network:**  Southern Network  (see map)

**Telephone:**  Office: 760.731.9187 or Cell: 909.838.8071

(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

**Fax:**  760.731.9131

**E-mail:**  rmason@fallbrookhealth.org

**Nominated by (optional):**  Jennifer Jeffries, FRHD Board Treasurer

**Return this form and a Board resolution/minute action supporting the candidate and Candidate Information Sheet by mail or email to:**

CSDA  
Attn: Amber Phelen  
1112 I Street, Suite 200  
Sacramento, CA 95814  
(877) 924-2732

amberp@csda.net

***DEADLINE FOR RECEIVING NOMINATIONS – March 29, 2021***

*March 11, 2021*

California Special Districts Association

RE: 2021 Board of Directors Election Candidate Statement

To Whom it May Concern,

I respectfully submit this nomination form for consideration to represent the Southern Network of CSDA. My tenure with the Fallbrook Regional Health District has been short in duration, yet I feel that these last two years have been the most rewarding of my professional career. My initial professional life was in the nonprofit industry, so when I switched to a Governmental role, I found a new vocabulary, new rules of operations, and a new ability to provide deep service to my community. Upon entry to this position, I was immediately directed by the Board of Directors, the District's legal counsel and our long-time staffers to engage with CSDA for trainings, education and support. I have been impressed with the education and advocacy provided to members from CSDA and have benefitted from these resources. I believe that while I may be still be considered new to this industry, my broad professional experience and collaboration building abilities could benefit CSDA, my home District and our shared communities.



Rachel A. Mason, M.A., M.S.  
Chief Executive Officer  
Fallbrook Regional Health District



**California Special  
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## 2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: David E. Raley

District/Company: San Bernardino Valley Water Conservation District

Title: Director

Elected/Appointed/Staff: Elected

Length of Service with District: 11 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

I have taken Governance Training through CSDA.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

Our District is currently a member of ACWA.

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Please see attached statement.

4. List civic organization involvement:

Please see attached statement.

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**

Director, SBV Water Conservation District/ Retired Credit Union CEO, Retired Colonel

I have demonstrated my leadership and organizational commitment in rising from Aviation Cadet to a Colonel in the US Air Force. I demonstrated the same skills when I was elected to the Conservation District Board against a 16 year talented and effective Board Member.

My leadership skills and financial expertise have ensured cost effective protection of critical ground water resources in the San Bernardino Valley Water Conservation District.

I am a Vietnam Pilot Combat Veteran and a retired USAF Colonel after enlisting as an Aviation Cadet with a Trade High School Diploma.

As your Representative I will use these same skills and commitment to maintain and enhance the operation of the CSDA Board of Directors, Seat A, Southern Network Representative

I have continued to insist the District had effective fiscal controls to build and maintain a permanent strong financial position that ensures the viability of the District and its important endeavors.

“Helping Nature Store Our Water” is our Water District’s motto. I have actively promoted and supported projects to enhance water capture and to ensure all the available State Project water is stored in the Bunker Hill Basin.

I have provided significant contributions to our District’s effort to protect endangered species, public access to trails so all can enjoy the community’s upper Santa Ana River resources and local aggregate supplies in support of the local economy.

Qualifications: Master’s Degree in Business Administration from Arizona State University, President/CEO, Norton (Alta Vista) Credit Union, President, Crafton Hills College Foundation, Redlands Police Civilian Patrol, 3 years as Chairman of the Volunteer Governing Committee, City of Redlands Technical and Professional Volunteer of the Year and President of the San Bernardino Valley Conservation Trust.

I ask for your vote.

Thank you.

909.798.9248



California Special  
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## 2021 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: John Skerbelis

District/Company: Rubidoux Community Services District

Title: Director

Elected/Appointed/Staff: Elected

Length of Service with District: 8 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

None

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

None

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Riverside County Solid Waste Advisory Committee

Rubidoux Community Services District - Board of Directors

4. List civic organization involvement:

Past involvement with Riverside County Dept of Environmental Health on Community clean ups

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 29, 2021 will not be included with the ballot.**

## CANDIDATE STATEMENT

### JOHN SKERBELIS

Unique to Rubidoux Community Services District (“Rubidoux”) is its history as the state of California’s first community services district, formed in 1952. Rubidoux was within an unincorporated area of western Riverside County and now provides approximately 35,000 people with water, sewer, fire protection, trash, weed abatement, and street light services. These services in part helped enable the area to develop and grow, eventually leading into the incorporation of the area as the City of Jurupa Valley on July 1, 2011. Rubidoux continues to provide services consistent with its formation in 1952 and as a CSDA Member appreciates the support CSDA provides in many ways.

John Skerbelis is a Director on Rubidoux’s Board of Directors and currently the Board President. He is seeking election to CSDA’s Board of Directors and is asking for support from fellow CSDA Southern Network Members.

Examples of Director Skerbelis’ local community service experience include -

- Elected to Board of Directors of Rubidoux in 2007 and past Board President twice
- Member of Riverside County Solid Waste Management Advisory Council – 7 years
- Recognized by Riverside County Board of Supervisors for outstanding performance related to the illegal dumping task force (AB 1822 and AB 1924)
- Worked for Riverside County Department of Environmental Health - 8 years
- Local business owner
- Coordinated with Congressman Calvert and Takano to secure FEMA funds for Rubidoux

With his experience and diversity of public service, Director Skerbelis would be a meaningful member of CSDA’s Board of Directors. When submitting your vote in the upcoming vote for CSDA Board of Director Seat A – Southern Network, it is requested you consider John Skerbelis for your vote. Thank you.



**Agenda Item: 11**

**STAFF REPORT**

**Board Meeting Date: June 16, 2021**  
**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:** June 16, 2021  
**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.





**STAFF REPORT**

**Agenda Item: 12.B**

**Board Meeting Date: June 16, 2021**  
**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.

	<b>SCHEDULE OF UPCOMING MEETINGS AND EVENTS</b>	<b>ATTENDEES</b>
1	<b>Return to Work: Life after COVID</b> (CSDA webinar) <i>Jun. 22, 2021; 10:00 a.m.-11:00 a.m.</i> <i>Deadline: None</i>	
2	<b>Vista Chamber of Commerce Business Mixer</b> <i>Jul. 14, 2021; 5:00 p.m.-6:00 p.m.; Location TBD</i> <i>Deadline: None</i>	
3	<b>Vista Chamber of Commerce Business Mixer</b> <i>Aug. 11, 2021; 5:00 p.m.-6:00 p.m.; Location TBD</i> <i>Deadline: None</i>	
4	<b>Council of Water Utilities Meeting</b> <i>Aug. 17, 2021, 8:00 a.m.-9:30 a.m.</i> <i>Registration deadline: TBD</i>	
5	<b>CSDA Quarterly Meeting</b> <i>Aug. 19, 2021, 6:00 p.m.</i> <i>Registration deadline: TBD</i>	MacKenzie
6	<b>CSDA Annual Conference</b> <i>Aug. 30-Sept. 2, 2021; Monterey Conference Center</i> <i>Registration deadline: 7/30/21</i>	MacKenzie (R, H) Sanchez (R, H, A)
7	<b>Vista Chamber of Commerce Business Mixer</b> <i>Sept. 8, 2021; 5:00 p.m.-6:00 p.m.; Location TBD</i> <i>Deadline: None</i>	
8	<b>Western Groundwater Congress</b> (Groundwater Resources Association) <i>Sept. 13-15, 2021; Los Angeles Marriott Burbank Airport Hotel</i> <i>Registration deadline: 7/5/21</i>	Dorey (R, H)
9	<b>CALAFCO Annual Conference</b> <i>Oct. 6-9, 2021; Hyatt Regency Newport Beach John Wayne Airport</i> <i>Deadline: TBD</i>	MacKenzie (H)
10	<b>Vista Chamber of Commerce Business Mixer</b> <i>Oct. 13, 2021; 5:00 p.m.-6:00 p.m.; Location TBD</i> <i>Deadline: None</i>	
11	<b>Council of Water Utilities Meeting</b> <i>Oct. 19, 2021, 8:00 a.m.-9:30 a.m.</i> <i>Registration deadline: TBD</i>	
12	<b>Sexual Harassment Prevention Training AB 1661</b> <i>Nov. 2, 2021 -9:00 a.m. - 11:00 a.m., VID Board Room</i> <i>Reservation deadline: None</i>	Miller (R) Vásquez (R) Dorey (R) Sanchez (R) MacKenzie (R)

	<b>SCHEDULE OF UPCOMING MEETINGS AND EVENTS</b>	<b>ATTENDEES</b>
<b>13</b>	<b>Vista Chamber of Commerce Business Mixer</b> <i>Nov. 10, 2021; 5:00 p.m.–6:00 p.m.; Location TBD</i> <i>Deadline: None</i>	
<b>14</b>	<b>CSDA Quarterly Meeting</b> <i>Nov. 18, 2021, 6:00 p.m.</i> <i>Registration deadline: TBD</i>	MacKenzie
<b>15</b>	<b>ACWA Fall Conference</b> <i>Nov. 30-Dec. 3, 2021–Pasadena</i> <i>Registration deadline: TBD</i>	
<b>16</b>	<b>Vista Chamber of Commerce Business Mixer</b> <i>Dec. 8, 2021; 5:00 p.m.–6:00 p.m.; Location TBD</i> <i>Deadline: None</i>	
<b>17</b>	<b>Colorado River Water Users Association Conference (CRWUA)</b> <i>Dec. 13-15, 2021</i> <i>Registration deadline: TBD</i>	

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 for virtual meeting.



**Agenda Item: 13**

**STAFF REPORT**

**Board Meeting Date: June 16, 2021**  
**Prepared By: Lisa Soto**

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:*

- Lake Henshaw/Warner Ranch Inspection Tour date selection (July)
- Fiscal Year 2021 Capital Outlay Carryover (July)
- Vista Flume Replacement Alignment Study Workshop (August/September)



## STAFF REPORT

Agenda Item: 14

Board Meeting Date: June 16, 2021  
Prepared By: Lisa Soto

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:** June 16, 2021  
**Prepared By:** Brett Hodgkiss

SUBJECT: COMMENTS BY GENERAL COUNSEL

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



## STAFF REPORT

Agenda Item: 16

Board Meeting Date:

June 16, 2021

Prepared By:

Brett Hodgkiss

SUBJECT: COMMENTS BY GENERAL MANAGER

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



**Agenda Item: 17**

**STAFF REPORT**

**Board Meeting Date: June 16, 2021**  
**Prepared By: Lisa Soto**

SUBJECT: CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL—EXPOSURE TO LITIGATION

SUMMARY: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Section 54956.9: 1 potential case, relating to change order requests by Richard Brady & Associates, Inc. on the HB Reservoir Rehabilitation Project.