

**RIO LINDA / ELVERTA COMMUNITY WATER DISTRICT
REGULAR MEETING OF THE
BOARD OF DIRECTORS**

October 17, 2022 (6:30 p.m.)

Visitor's / Depot Center
6730 Front Street
Rio Linda, CA 95673

THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC WITH SOME REASONABLE
LIMITATIONS PURSUANT TO CURRENT STATE AND COUNTY GUIDELINES.

Our Mission is to provide a safe and reliable water supply in a cost-effective manner.

AGENDA

The Board may discuss and take action on any item listed on this agenda, including items listed as information items. The Board may also listen to the other items that do not appear on this agenda, but the Board will not discuss or take action on those items, except for items determined by the Board pursuant to state law to be of an emergency or urgent nature requiring immediate action. The Board may address any item(s) in any order as approved by the Board.

The public will be given the opportunity to directly address the Board on each listed item during the Board's consideration of that item. Public comment on items within the jurisdiction of the Board is welcomed, subject to reasonable time limitations for each speaker. Public documents relating to any open session item listed on this agenda that are distributed to all or any majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection at the District office at 730 L Street, Rio Linda, CA 95673. In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, please contact the District office at (916) 991-1000. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

1. CALL TO ORDER, ROLL CALL, & PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT

2.1. *Members of the public are invited to speak to the Board regarding items within the subject matter jurisdiction of the District that are not on the agenda or items on the consent agenda. Each speaker may address the Board once under Public Comment for a limit of 2 minutes. (Policy Manual § 2.01.160).*

3. CONSENT CALENDAR (Action items: Approve Consent Calendar Items)

3.1. Minutes

September 19, 2022

The Board is being asked to approve the Minutes from the September 19, 2022 Regular Board Meeting .

3.2. Expenditures

The Executive Committee recommends the Board approve the August 2022 Expenditures.

3.3. Financial Reports

The Executive Committee recommends the Board approve the August 2022 Financial Report.

4. REGULAR CALENDAR

ITEMS FOR DISCUSSION AND ACTION

4.1. GM Report.

4.1.1. The General Manager will provide his monthly report to the Board of Directors

4.2. District Engineer’s Report.

4.2.1. *The Contract District Engineer will provide his monthly report to the Board of Directors.*

4.3. Consider Customer Request for Board Consideration of Billing Issues, Account # 7026001.

4.4. Consider Adopting Proposed Capacity Fee Payment Plan Agreement.

4.5. Consider Approving Revisions to the Discontinuation of Residential Water Service for Nonpayment Policy.

4.6. Consider Ratifying the 2022 COLA Negotiations Ad Hoc Committee Assignment.

4.7. Authorize any New Board Member Assignments (committees and other) Proposed by the Chair Pursuant to District Policy 2.01.065.

4.7.1.SGA Officer Nominating Committee.

5. INFORMATION ITEMS

5.1. District Activities Reports

5.1.1.Water Operations Report

5.1.2.Completed and Pending Items Report

5.1.3.Conservation Report

5.1.4.Leak Repair Report

5.1.5.SB 1439 New Conflict of Interest Requirements (substantial).

5.1.6. Water Loss Audit

5.2. Board Member Reports

5.2.1.Report any ad hoc committees dissolved by requirements in Policy 2.01.065

5.2.2.Sacramento Groundwater Authority – Harris (primary)

5.2.3.Executive Committee – Gifford, Ridilla

5.2.4.ACWA/JPIA – Ridilla

5.2.5. Ad Hoc – COLA Committee

5.2.6.Ad Hoc – GM Evaluation Committee

6. Public Comment Prior to Closed Session

7. CLOSED SESSION - The Board of Directors will meet in closed session to discuss the following item:

7.1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – General Manager: The Board will conduct a performance evaluation of the General Manager pursuant to subdivision (b) of California Government Code Section 54957.

8. RECONVENE IN OPEN SESSION

8.1. Announce any reportable actions authorized in closed session.

9. DIRECTORS’ AND GENERAL MANAGER COMMENTS

10. ADJOURNMENT –

Upcoming meetings:

Executive Committee

November 7 2022, Monday, 6:30 pm. New Beginnings Fellowship 7008 10th St. Rio Linda, CA

Board Meeting

November 21, 2022, Monday, 6:30 pm. Visitors / Depot Center, 6730 Front St. Rio Linda, CA



**Consent Calendar
Agenda Item: 3.1**

Date: October 17, 2022

Subject: Minutes

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

N/A -Minutes of Board meetings are not reviewed by committees.

Current Background and Justification:

These minutes are to be reviewed and approved by the Board of Directors.

Conclusion:

I recommend the Board review and approve (as appropriate) the minutes of meetings provided with your Board packets.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla:____ Harris:____ Jason Green ____ Gifford _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

**MINUTES OF THE SEPTEMBER 19, 2022
BOARD OF DIRECTORS REGULAR MEETING
OF THE RIO LINDA/ELVERTA COMMUNITY WATER DISTRICT**

2

1. CALL TO ORDER, ROLL CALL

The September 19, 2022 meeting of the Board of Directors of the Rio Linda/Elverta Community Water District called to order at 6:30 p.m. Visitor Depot Center 6730 Front St., Rio Linda, CA 95673. This meeting will be physically open to the public with some reasonable limitations pursuant to current state and county guidelines. All in-person attendees are required to wear masks pursuant to the Sacramento County public health order and the federal Americans with Disabilities Act. Director Ridilla led the pledge of allegiance.

General Manager Tim Shaw took roll call of the Board of Directors. Director Jason Green, Director John Ridilla, Director Chris Gifford, Director Mary Harris, General Manager Tim Shaw, District Engineer, Mike Vasquez, and, Legal Counsel were present.

2. PUBLIC COMMENT – No public comment.

3. CONSENT CALENDAR

3.1. Minutes August 15, 2022 and August 26, 2022

3.2 July Expenditures

3.3 July Financials

It was moved by Director Harris and seconded by Director Ridilla to approve the consent calendars with a correction in the minutes from August 15, 2022 to include the name of the Directors who voted. Directors Green, Harris, Gifford and Ridilla voted yes. The motion carried with a roll call vote of 4-0-0.

4. REGULAR CALENDAR

ITEMS FOR DISCUSSION AND ACTION

4.1 GM Report.

The General Manager, Tim Shaw provided his monthly report to the Board of Directors.
The Board took no action on this item.

4.2 District Engineer's Report.

The Contract District Engineer report provided a General District Engineering, Active Development Reviews (only projects with updates from the last Board Meeting), CIP Dry Creek Road Pipe Replacement Project and 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

The Board took no action on this item.

4.3 Consider Approving a budget revision for Fiscal Year 2022-2023

As regularly conveyed to Board Members at the past several meetings, record levels of inflation have dramatically increased the cost of service. The record level of inflation, coupled with the unanticipated cost for lowering and subsequently raising water valve boxes at the intersection of Elkhorn and Rio Linda Blvd has necessitated additional funding.

The source of additional funding is proposed to be from the fiscal year 2022/2023 annual pipe replacement program. As also repeatedly conveyed to the Board Members at regular, public meetings, the pipe replacement project for the previous fiscal year has endured several delays, e.g. pipe procurement and slow permit processing. As such, re-purposing some of the 2022/2023 pipe replacement project funding will be the least invasive solution to the cost overruns caused by inflation and other unanticipated costs.

The details of the line-item changes for this proposed budget revision are detailed in the document associated with this item

Comments/Questions – Public member commented on the conservation budget line item.

It was moved by Director Harris and seconded by Director Ridilla to approve the FY 2022-2023 budget revision. Directors Green, Gifford, Harris and Ridilla voted yes. The motion carried with a roll call vote of 4-0-0.

4.4 Consider Approving the Governmental Accounting Standards Board Statement 75 (GASB-75) Actuarial Statement.

The GASB 75 statement prepared by the District's consultant, DFA LLC was not available at the time the documents for the September 6th Executive Committee documents were posted. Staff does not recommend waiting for October meetings to consider this report as such delay may correspondingly delay the annual independent audit. Additionally, the mandate for preparing the GASB 75 statement is biannual, i.e., this is a recurring item.

The primary objective of the GASB 75 Statement is to improve accounting and financial reporting by state and local governments for employee postemployment benefits other than pensions (other postemployment benefits or OPEB). The most common form of OPEB is retiree medical insurance. GASB 75 requires transparent, objective reporting of the costs (both long and short term) for defined benefit retiree medical insurance.

Extensive details including the purpose, required content, and essence of the GASB 75 statement are provided in the statement document, which is a document associated with this item.

Comments/Questions – Public member commented on the report.

It was moved by Director Ridilla and seconded by Director Gifford to approve the Governmental Accounting Standards Board Statement 75 (GASB-75) Actuarial Statement. Directors Harris, Ridilla, Green, and Gifford voted yes. The motion carried with a roll call vote of 4-0-0.

4.5 Consider Approving the Professional Services Agreement with Maze & Associates for Independent Auditing Services

As previously communicated at the past several Board meetings, the previous auditor is deceased. As such, a Request For Proposals (RFP) process was initiated with Board approval. Staff has evaluated the qualification and experience of the two respondents to the RFP and determined the most qualified and experienced services provider relative to the District's need. Staff has also determined that the charges proposed by the most qualified respondent are reasonable.

Staff has prepared a Professional Services Agreement (small scope, standard form) for Board consideration. The Professional Services Agreement is included with the Board packets as a document associated with this item.

Comments/Questions – Public member inquired why the District was changing auditors.

It was moved by Director Ridilla and seconded by Director Gifford to approve the Professional Services Agreement with Maze & Associates for Independent Auditing Services. Directors Green, Gifford, and Ridilla voted yes. Director Harris voted no. The motion carried with a roll call vote of 3-1-0.

4.6 Consider Approving an Engagement Agreement with White Brenner LLP for General Legal Services.

The Board previously authorized a Request for Proposals (RFP) for legal services and established an ad hoc committee to interview respondents. The interviews resulted in the ad hoc committee's recommended selection, which the Board affirmed.

The RFP provided specific preferences for law firm engagement, e.g. Cost of Living Adjustments and coordination with the District prior to consultations leading to additional charges. Similarly, the Board stipulated a priority for having an say in the assignments within of attorneys.

The selected law firm, White Brenner LLP, has coordinated with staff to draft the engagement agreement included as a document associated with this item.

Comments/Questions – No public comment.

It was moved by Director Harris and seconded by Director Ridilla voted to approve the engagement agreement with White Brenner LLP for General Legal Services. Directors Green, Harris, Gifford, and Ridilla voted yes. The motion carried with a roll call vote of 4-0-0.

4.6 Authorize any New Board Member Assignments (committees and other) Proposed by the Chair Pursuant to District Policy 2.01.065.

The Board recommended to the Board President to move forward with the GM Annual Performance Review but to postpone the Ad Hoc Committee for the MOU Reopener for COLA. Director Harris recommended the Ad Hoc Committee for the GM Annual review be herself and Director Green.

4.7.1 MOU Reopener for Cost of Living Adjustment Ad Hoc Committee. – President Green postponed the Ad Hoc Committee for the Mou Reopener for COLA.

4.7.2 General Manager Annual Performance Review Ad Hoc Committee. – President Green appointed Director Harris and himself to that committee. *Directors Green, Harris, Gifford, and Ridilla voted yes. The motion carried with a roll call vote of 4-0-0.*

Director Harris requested to attend a social event for Rob Schwartz.

5. INFORMATION ITEMS

5.1 District Activities Reports

- 5.1.1 Water Operations Report – Written report provided.
- 5.1.2 Completed and Pending Items Report – Written report provided.
- 5.1.3 Conservation Report – Written report provided.
- 5.1.4 Leak Repair Report – Report provided.
- 5.1.5 Trend of Mandates for Water Purveyors – Information provided.
- 5.1.6 State Water Board Report on Water Fees Increases – Information provided.

Public member commented on the Operations report needing clarification on the usage reported.

Public member commented on the chromium charge when the states limit is set.

Public member commented on Well 14 property.

5.2 Board Member Report

- 5.2.1 Report any ad hoc committees dissolved by requirements in Policy 2.01.065 – No action taken.
- 5.2.2 Sacramento Groundwater Authority – Harris (primary) – No report.
- 5.2.3 Executive Committee – Gifford, Ridilla – Minutes provided.
- 5.2.4 ACWA/JPIA – Ridilla – No report.

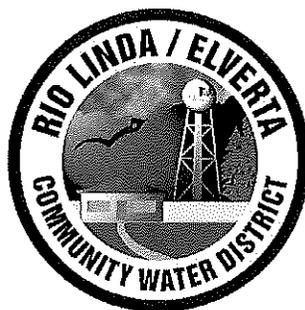
6. DIRECTORS’ AND GENERAL MANAGER COMMENTS – No comments.

7. ADJOURNMENT - The meeting was adjourned at 7:35pm.

Respectfully submitted,

Timothy R. Shaw, Secretary

Jason Green, President of the Board



**Consent Calendar
Agenda Item: 3.2**

Date: October 17, 2022

Subject: Expenditures

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee recommends approval of the Expenditures for the months of August 2022

Current Background and Justification:

These expenditures have been completed since the last regular meeting of the Board of Directors.

Conclusion:

I recommend the Board approve the Expenditures for August 2022.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

**Rio Linda Elverta Community Water District
Expenditure Report
August 2022**

Type	Date	Num	Name	Memo	Amount
Liability Check	08/10/2022	EFT	QuickBooks Payroll Service	For PP Ending 08/06/22 Pay date 08/11/22	18,124.59
Liability Check	08/11/2022	EFT	CalPERS	For PP Ending 08/06/22 Pay date 08/11/22	3,022.26
Liability Check	08/11/2022	EFT	CalPERS	For PP Ending 08/06/22 Pay date 08/11/22	1,147.92
Liability Check	08/11/2022	EFT	Internal Revenue Service	Employment Taxes	7,107.38
Liability Check	08/11/2022	EFT	Employment Development	Employment Taxes	1,440.34
Liability Check	08/11/2022	EFT	Empower	Deferred Compensation Plan: Employer & Employee Share	2,311.03
Bill Pmt -Check	08/11/2022	EFT	Adept Solutions	Computer Maintenance	3,446.02
Bill Pmt -Check	08/11/2022	EFT	Comcast	Phone/Internet	367.58
Bill Pmt -Check	08/11/2022	EFT	Republic Services	Utilities	140.78
Bill Pmt -Check	08/11/2022	EFT	Voyager Fleet	Transportation Fuel	203.45
Check	08/11/2022	EFT	RLECWD	Umpqua Bank Monthly Debt Service Transfer	17,000.00
Transfer	08/11/2022	EFT	RLECWD - Capital Improvement	Current Monthly Transfer	49,500.00
Check	08/11/2022	2223	Teamsters	Union Dues	720.00
Check	08/11/2022	2224	Customer	Final Bill Refund	64.09
Check	08/11/2022	2225	Customer	Final Bill Refund	100.00
Check	08/11/2022	2226	Customer	Hydrant Meter Deposit Refund	1,000.00
Check	08/11/2022	2227	Customer	Hydrant Meter Deposit Refund	1,000.00
Check	08/11/2022	2228	Customer	Hydrant Meter Deposit Refund	993.60
Check	08/11/2022	2229	Customer	Final Bill Refund	170.45
Bill Pmt -Check	08/11/2022	2230	ABS Direct	Printing/ Postage	5,947.03
Bill Pmt -Check	08/11/2022	2231	ACWA/JPIA Powers Insurance Authority	Cyber Liability Insurance 22/23	1,475.80
Bill Pmt -Check	08/11/2022	2232	ACWA/JPIA Powers Insurance Authority	EAP	23.80
Bill Pmt -Check	08/11/2022	2233	BSK Associates	Lab Fees	574.00
Bill Pmt -Check	08/11/2022	2234	Corelogic Solutions	Metro Scan	134.75
Bill Pmt -Check	08/11/2022	2235	EKI Environment & Water	Engineering	5,000.00
Bill Pmt -Check	08/11/2022	2236	Energy Systems	Pumping Maintenance	4,219.69
Bill Pmt -Check	08/11/2022	2237	Intermedia.net	Telephone	83.00
Bill Pmt -Check	08/11/2022	2238	Rio Linda Hardware & Building Supply	Shop Supplies	158.35
Bill Pmt -Check	08/11/2022	2239	Sierra Chemical Company	Chemical Supplies	1,912.56
Bill Pmt -Check	08/11/2022	2240	SMUD	Utilities	26,879.09
Bill Pmt -Check	08/11/2022	2241	Vanguard Cleaning Systems	Janitorial	195.00
Bill Pmt -Check	08/11/2022	2242	Ferguson Enterprises	Capital Improvement: Small Meter Replacement	27,721.92
Bill Pmt -Check	08/11/2022	2243	Rawles Engineering	Capital Improvement: Pipeline Replacement	79,650.00
Liability Check	08/24/2022	EFT	QuickBooks Payroll Service	For PP Ending 08/20/22 Pay date 08/25/22	18,145.79
Liability Check	08/25/2022	EFT	CalPERS	For PP Ending 08/20/22 Pay date 08/25/22	3,007.47
Liability Check	08/25/2022	EFT	CalPERS	For PP Ending 08/20/22 Pay date 08/25/22	1,147.92
Liability Check	08/25/2022	EFT	Internal Revenue Service	Employment Taxes	6,972.90
Liability Check	08/25/2022	EFT	Employment Development	Employment Taxes	1,380.74
Liability Check	08/25/2022	EFT	Empower	Deferred Compensation Plan: Employer & Employee Share	2,339.33
Bill Pmt -Check	08/17/2022	EFT	ARCO	Transportation Fuel	1,383.79
Liability Check	08/25/2022	EFT	Kaiser Permanente	Health Insurance	1,777.00
Bill Pmt -Check	08/25/2022	EFT	PGE	Utilities	77.41



**Rio Linda Elverta Community Water District
Expenditure Report
August 2022**

Type	Date	Num	Name	Memo	Amount
Liability Check	08/25/2022	EFT	Principal	Dental & Vision Insurance	1,644.54
Bill Pmt -Check	08/25/2022	EFT	Umpqua Bank Credit Card	Bldg Maint, Computer, Office, Postage, Safety, Treatment, Uniforms	1,455.09
Liability Check	08/25/2022	EFT	Western Health Advantage	Health Insurance	10,909.42
Check	08/25/2022	EFT	Wageworks	FSA Administration Fee	76.25
Bill Pmt -Check	08/25/2022	EFT	Verizon	Field Communication, Field IT	548.51
Check	08/25/2022	2244	Customer	Final Bill Refund	20.29
Check	08/25/2022	2245	Customer	Final Bill Refund	90.69
Check	08/25/2022	2246	Sacramento County Clerk	Lien Fees	60.00
Bill Pmt -Check	08/25/2022	2247	BSK Associates	Lab Fees	847.00
Bill Pmt -Check	08/25/2022	2248	Buckmaster Office Solutions	Office Equipment	76.57
Bill Pmt -Check	08/25/2022	2249	Chacon, Socorro	Notary	130.00
Bill Pmt -Check	08/25/2022	2250	DirectHit Pest Control	Building Maintenance	80.00
Bill Pmt -Check	08/25/2022	2251	Henrici, Mary	Retiree Insurance	900.00
Bill Pmt -Check	08/25/2022	2252	ICONIX Waterworks	Distribution Supplies	2,560.15
Bill Pmt -Check	08/25/2022	2253	McCrometer	Pumping Maintenance	1,661.59
Bill Pmt -Check	08/25/2022	2254	Oreilly Automotive	Transportation Maintenance	8.63
Bill Pmt -Check	08/25/2022	2255	Quill	Office Expense	119.33
Bill Pmt -Check	08/25/2022	2256	Rawles Engineering	Contract Repairs	10,516.00
Bill Pmt -Check	08/25/2022	2257	Rio Linda Elverta Recreation & Park	Meeting Fees	50.00
Bill Pmt -Check	08/25/2022	2258	Sacramento Local Agency Formation Com	Annual Membership	457.00
Bill Pmt -Check	08/25/2022	2259	Sierra Chemical Company	Treatment	3,108.60
Bill Pmt -Check	08/25/2022	2260	Spok, Inc.	Field Communication	15.42
Bill Pmt -Check	08/25/2022	2261	Tesco Controls	Annual Maintenance Agreement	6,500.00
Bill Pmt -Check	08/25/2022	2262	Thrasher Bros Autoivoive	Transportation Maintenance	1,585.98
Bill Pmt -Check	08/25/2022	2263	White Brenner LLP	Legal	5,400.72
Bill Pmt -Check	08/25/2022	2264	EKI Environment & Water	Capital Improvement: Urban Water Management Plan	50,000.00
Bill Pmt -Check	08/25/2022	2265	Ferguson Enterprises	Capital Improvement: Meter Replacement	7,380.85
Bill Pmt -Check	08/25/2022	2266	Metron-Farnier, LLC	Capital Improvement: Meter Replacement	3,415.65
Total 10000 - Bank - Operating Account					407,685.11

**Río Linda Elverta Community Water District
Expenditure Report
August 2022**

Type	Date	Num	Payee	Memo	Amount
Transfer	06/16/2022	EFT	RLECWD	CIP Expense Transfer: Refer to operating check numbers: 2242	27,721.92
Transfer	08/25/2022	EFT	RLECWD	CIP Expense Transfer: Refer to operating check numbers: 2264, 2265, 2266	60,796.50
10475 · Capital Improvement-Umpqua Bank					<u>60,796.50</u>

Type	Date	Num	Payee	Memo	Amount
Transfer	08/08/2022	EFT	RLECWD	CIP Expense Transfer: Refer to operating check numbers: 2243	79,650.00
10490 · Future Capital Improvement Projects-Umpqua Bank					<u>79,650.00</u>





Consent Calendar Agenda Item: 3.3

Date: October 17, 2022

Subject: Financial Reports

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee recommends approval of the Districts Financial Reports for the month of August 2022.

Current Background and Justification:

The financial reports are for the District’s balance sheet, profit and loss, and capital improvements year to date.

These financials are to be presented to the Board of Directors in order to inform them of the District’s current financial condition.

Conclusion:

I recommend the Board approve the Financial Reports for August 2022.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

Rio Linda Elverta Community Water District
Balance Sheet
 As of August 31, 2022



ASSETS

Current Assets

Checking/Savings

100 · Cash & Cash Equivalents	
10000 · Operating Account	
10020 · Operating Fund-Umpqua	1,736,096.98
Total 10000 · Operating Account	1,736,096.98
10475 · Capital Improvement	
10480 · General	345,390.05
10481 · Cr6 Mitigation	454,500.00
10485 · Vehicle Replacement Reserve	17,948.49
Total 10450 · Capital Improvement	817,838.54
10490 · Future Capital Imp Projects	1,630,747.91
Total 100 · Cash & Cash Equivalents	4,184,683.43

102 · Restricted Assets

102.2 · Restricted for Debt Service	
10700 · ZIONS Inv/Surcharge Reserve	503,496.22
10300 · Surcharge 1 Account	793,293.64
10350 · Umpqua Bank Debt Service	68,330.27
10380 · Surcharge 2 Account	282,074.88
10385 · OpusBank Checking	557,861.11
Total 102.2 · Restricted for Debt Service	2,205,056.12
102.4 · Restricted Other Purposes	
10600 · LAIF Account	411,558.45
10650 · Operating Reserve Fund	309,155.72
Total 102.4 · Restricted Other Purposes	720,714.17

Total 102 · Restricted Assets 2,925,770.29

Total Checking/Savings 7,110,453.72

Accounts Receivable 219,586.16

Other Current Assets

12000 · Water Utility Receivable	94,990.05
12200 · Accrued Revenue	150,000.00
12250 · Accrued Interest Receivable	699.29
15000 · Inventory Asset	52,310.62
16000 · Prepaid Expense	100,825.57

Total Other Current Assets 398,825.53

Total Current Assets 7,728,865.41

Fixed Assets

17000 · General Plant Assets	685,384.68
17100 · Water System Facilites	25,039,859.58
17300 · Intangible Assets	373,043.42
17500 · Accum Depreciation & Amort	-11,137,668.41
18000 · Construction in Progress	424,288.05
18100 · Land	576,673.45

Total Fixed Assets 15,961,580.77

Other Assets

18500 · ADP CalPERS Receivable	470,000.00
19000 · Deferred Outflows	729,108.00
19900 · Suspense Account	0.00

Total Other Assets 1,199,108.00

TOTAL ASSETS **24,889,554.18**

Rio Linda Elverta Community Water District
Balance Sheet
As of August 31, 2022

LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	46,166.17
Credit Cards	72.00
Other Current Liabilities	942,634.91
Total Current Liabilities	<u>988,873.08</u>
Long Term Liabilities	
23000 · OPEB Liability	81,433.00
23500 · Lease Buy-Back	558,032.27
25000 · Surcharge 1 Loan	3,094,197.71
25050 · Surcharge 2 Loan	2,325,040.16
26000 · Water Rev Refunding	1,506,424.00
26500 · ADP CalPERS Loan	440,000.00
27000 · Community Business Bank	140,123.22
29000 · Net Pension Liability	1,117,944.00
29500 · Deferred Inflows-Pension	39,277.00
29600 · Deferred Inflows-OPEB	74,020.00
Total Long Term Liabilities	<u>9,376,491.36</u>
Total Liabilities	<u>10,365,364.44</u>
Equity	
31500 · Invested in Capital Assets, Net	8,829,942.46
32000 · Restricted for Debt Service	705,225.24
38000 · Unrestricted Equity	4,658,518.42
Net Income	330,503.62
Total Equity	<u>14,524,189.74</u>
TOTAL LIABILITIES & EQUITY	<u><u>24,889,554.18</u></u>

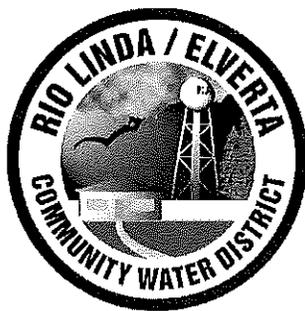
**Rio Linda Elverta Community Water District
Operating Profit & Loss Budget Performance
As of August 31, 2022**

9

	<u>Annual Budget</u>	<u>Aug 22</u>	<u>Jul 22-Jun 23</u>	<u>% of Annual Budget</u>	<u>YTD Annual Budget Balance</u>
Ordinary Income/Expense					
Income					
Total 40000 · Operating Revenue	3,040,800.00	159,615.36	388,138.03	12.76%	2,652,661.97
41000 · Nonoperating Revenue					
41110 · Investment Revenue					
41112 · Interest Revenue	35.00	3.18	6.19	17.69%	28.81
Surcharge Total 41110 · Investment Revenue	35.00	3.18	6.19	17.69%	28.81
41120 · Property Tax	109,100.00	2,801.65	2,801.65	2.57%	106,298.35
Total 41000 · Nonoperating Revenue	109,135.00	2,804.83	2,807.84	2.57%	106,327.16
Total Income	3,149,935.00	162,420.19	390,945.87	12.41%	2,758,989.13
Gross Income	3,149,935.00	162,420.19	390,945.87	12.41%	2,758,989.13
Expense					
60000 · Operating Expenses					
60010 · Professional Fees	108,200.00	10,400.72	10,400.72	9.61%	97,799.28
60100 · Personnel Services					
60110 · Salaries & Wages	810,243.00	57,286.18	105,867.64	13.07%	704,375.36
60150 · Employee Benefits & Expense	496,340.00	32,464.29	59,799.65	12.05%	436,540.35
Total 60100 · Personnel Services	1,306,583.00	89,750.47	165,667.29	12.68%	1,140,915.71
60200 · Administration	236,251.00	11,726.47	59,038.73	24.99%	177,212.27
64000 · Conservation	300.00	0.00	0.00	0.00%	300.00
65000 · Field Operations	603,630.00	72,018.37	94,808.67	15.71%	508,821.33
Total 60000 · Operating Expenses	2,254,964.00	183,896.03	329,915.41	14.63%	1,925,048.59
69000 · Non-Operating Expenses					
69010 · Debt Service					
69100 · Revenue Bond					
69105 · Principle	152,273.00	0.00	0.00	0.00%	152,273.00
69110 · Interest	48,650.00	0.00	0.00	0.00%	48,650.00
Total 69100 · Revenue Bond	200,923.00	0.00	0.00	0.00%	200,923.00
69125 · AMI Meter Loan					
69130 · Principle	52,948.00	0.00	26,652.61	50.34%	26,295.39
69135 · Interest	5,566.00	0.00	2,604.35	46.79%	2,961.65
Total 69125 · AMI Meter Loan	58,514.00	0.00	29,256.96	50.00%	29,257.04
69200 · PERS ADP Loan					
69205 · Principle	30,000.00	0.00	0.00	0.00%	30,000.00
69210 · Interest	1,739.00	0.00	0.00	0.00%	1,739.00
Total 69100 · PERS ADP Loan	31,739.00	0.00	0.00	0.00%	31,739.00
Total 69010 · Debt Service	291,176.00	0.00	29,256.96	10.05%	261,919.04
69400 · Other Non-Operating Expense	3,000.00	0.00	0.00	0.00%	3,000.00
Total 69000 · Non-Operating Expenses	294,176.00	0.00	29,256.96	9.95%	264,919.04
Total Expense	2,549,140.00	183,896.03	359,172.37	14.09%	2,189,967.63
Net Ordinary Income	600,795.00	-21,475.84	31,773.50		
Net Income	600,795.00	-21,475.84	31,773.50		

Rio Linda Elverta Community Water District
CAPITAL BUDGET VS ACTUAL FISCAL YEAR 2022-23
 As of August 31, 2022

	GENERAL		FUTURE CAPITAL IMPROVEMENT PROJECTS		VEHICLE & LARGE EQUIPMENT REPLACEMENT	
	Annual Budget	YTD Actual	Annual Budget	YTD Actual	Annual Budget	YTD Actual
FUNDING SOURCES						
Fund Transfers						
Operating Fund Transfers In	594,000.00	99,000.00	-	-	-	-
Operating Fund Transfers Out	(59,000.00)	-				
CIP Fund Intrafund Transfers	(312,737.00)	-	302,737.00	-	10,000.00	-
PERS ADP Loan Payment						
Principle			30,000.00	-		
Interest			1,739.00	-		
Investment Revenue	85.00	14.41	110.00	28.54	-	-
PROJECTS						
A · WATER SUPPLY	-					
A-1 · Miscellaneous Pump Replacements	40,000.00	-				
Total A · WATER SUPPLY	40,000.00	-	-	-	-	-
B · WATER DISTRIBUTION						
B-1 · Service Replacements	30,000.00	-	-	-	-	-
B-2 · Small Meter Replacements	120,000.00	10,796.50	-	-	-	-
B-3 · Large Meter Replacements	5,000.00	-	-	-	-	-
B-4 · Pipeline Replacement	-	-	478,844.00	79,650.00	-	-
Total B · WATER DISTRIBUTION	155,000.00	10,796.50	478,844.00	79,650.00	-	-
M · GENERAL PLANT ASSETS						
M-1 · Urban Water Management Plan	50,000.00	50,000.00	-	-	-	-
Total M · GENERAL PLANT ASSETS	50,000.00	50,000.00	-	-	-	-
TOTAL BUDGETED PROJECT EXPENDITURES	245,000.00	60,796.50	478,844.00	79,650.00	-	-



**Items for Discussion and Action
Agenda Item: 4.1**

Date: October 17, 2022
Subject: General Manager's Report
Staff Contact: Timothy R. Shaw

Recommended Committee Action:

N/A this item is not reviewed by committee.

Current Background and Justification:

The General Manager will provide a written report of District activities over the period since the last regular Board meeting. The Board may ask for clarifications and may also provide direction in consideration of the reported activities.

Conclusion:

No Board action is anticipated for this item.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent



Date: October 17, 2022

Subject: General Manager Report

Staff Contact: Timothy R. Shaw, General Manager

For the given month, I participated in the following reoccurring meetings and special events: Demands for resources associated with labor negotiations dominated this reporting period.

1. On September 20th, I participated in a webinar by BB&K Law regarding the EPA designation of Perfluorooctanoic acid (*PFOA*) and perfluorooctane sulfonate (PFOS) under CERCLA.
2. On September 20th (afternoon) I met with specialty legal counsel regarding existing litigation.
3. On September 21st I met with Sacramento County Planning regarding the Elverta Specific Plan. This meeting was beneficial in that it helped me understand the County's perspective.
4. On September 22nd, I participated in a Water Forum meeting. The successor agreement process has reached the negotiating stage.
5. On September 26th, I met with Verizon Wireless, government account representatives to explore the feasibility of transitioning from Comcast Internet to Verizon 5G wireless internet. The transition is feasible and would save the District approximately \$135 each month for internet.
6. On October 3rd, I participated in the Executive Committee meeting.
7. On October 4th (morning), I met with Teamster Local 150 to discuss the 2022 Cost of Living Adjustment (COLA).
8. On October 4th (evening) I met with the 2022 COLA Negotiations Ad Hoc Committee to discuss a counter proposal in response to the Teamster's proposal.
9. On October 5th, I attended the funeral of my Aunt, Shirley Kay Hamilton. Attending the funeral precluded my attendance at another Water Forum meeting. However, I sent information to the Water Forum staff to convey District preferences.
10. On October 11th staff and I participated in the annual healthcare insurance open enrollment kickoff meeting. There is a 10% increase in the cost of medical insurance.

11. On October 13th, Director Harris and I participated in the SGA regular meeting. Director Harris was nominated to the SGA Committee for nominating SGA Officers for 2023.

Throughout the reporting period, additional demands for resources were incurred from:

- Employee morale following the September 19th Board meeting.
- Data verification of the annual water loss audit.
- Coordinating meeting dates and times for the current two ad hoc committees.
- Corresponding with ACWA JPIA regarding the proposed transition of one of the two insurance providers for Property, Liability, and Workers Compensation.

Costs due to inflation have reportedly plateaued. However, fuel spiked again in California due to the transition from summer to winter blend (air quality) at the refineries.



**Items for Discussion and Action
Agenda Item: 4.2**

Date: October 17, 2022
Subject: Contract District Engineer’s Report
Staff Contact: Mike Vasquez, Contract District Engineer

Recommended Committee Action:

N/A this item is not reviewed by committee.

Current Background and Justification:

The Contract District Engineer will provide a written report of District activities over the period since the last regular Board meeting. The Board may ask for clarifications and may also provide direction in consideration of the reported activities.

Conclusion:

No Board action is anticipated for this item.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla:____ Harris:____ Jason Green ____ Gifford____.
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

13 October 2022

DISTRICT ENGINEER'S REPORT

To: Tim Shaw, General Manager, Rio Linda / Elverta Community Water District

From: Mike Vasquez, PE, PLS, Principal (EKI), Contract District Engineer (RL/ECWD)

Subject: **District Engineer's Report for the 17 October 2022 Board of Directors Meeting**

The District Engineer is pleased to submit this brief update of duties and tasks performed for the period of 14 September 2022 to 13 October 2022:

1. General District Engineering:

- Elkhorn Blvd. and Rio Linda Blvd. Water Valve Frames and Covers Adjustment: Johnson Construction Company (JCC) completed work on 9/12/22. The District Engineer received, reviewed, and approved the contractor's final invoice on 10/10/22. The contractor adjusted 21 of the projected 25 valve frames and covers included in the agreement. As such, the project was completed \$3,600 under budget.
- Labor Compliance Program Annual Report – The District Engineer reviewed and approved the District's annual labor compliance program report prepared by labor compliance consultant, Kurey and Associates. The report was submitted to the California Department of Industrial Relations on 9/13/2022.

2. Active Development Reviews (only projects with updates from the last Board Meeting):

- Fox Hollow Residential Development (28 lots 6th Street between Q Street and S Street): Operations staff has installed meters at 16 lots to date. House construction continues to progress steadily. It is anticipated that all houses will be constructed by June 30, 2023.
- West Delano Street Comcast Fiber Cable Installation (El Rio Avenue to Marindell Street): The District Engineer provided water facility maps to Comcast's contractor as they plan to install fiber cable at the location noted.
- Lakeside at Sutter Pointe Offsite Sewer Plans (from Reigo Road to West Elkhorn Boulevard): The District Engineer and Operations Superintendent reviewed plans at the request of the County of Sacramento for the installation of approximately 6.8 miles of 22"-24" diameter sewer force main along the west side of the District service area. No negative impact on the District's water facilities was determined upon review.
- Electric Avenue Residential Development (7 Lots, between Cypress Street and Elverta Road): The developer notified staff that ownership has changed. A revised project may be submitted in the future.

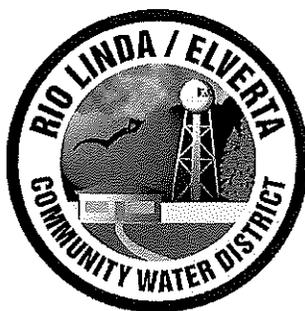
3. CIP Dry Creek Road Pipe Replacement Project:

- Staff received formal, written approval from the County of Sacramento Department of Transportation on 9/22/22 for the District's construction contractor to begin. The contractor anticipates performing potholing work to locate existing utilities the week of 10/17/2022. The contractor is currently working on a water main project for another local water district, and will mobilize to the District's project once the other project is completed. It is anticipated that construction will take 30 days to completed once started.

Please contact me directly at the office (650) 292-9112, cell phone (530) 682-9597, or email at mvasquez@ekiconsult.com with any questions or require additional information.

Very truly yours,

Mike Vasquez, PE, PLS, Principal (EKI), District Engineer (RL/ECWD)



**Items for Discussion and Action
Agenda Item: 4.3**

Date: October 17, 2022
Subject: Customer Request for Board Review of Billing Issue, Account # 7026001
Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee did not review this item.

Current Background and Justification:

The customer’s request was submitted the same day as the Executive Committee, 10-3-2022, i.e., not in time to be included with the agenda documents for the Executive Committee.

The customer is essentially requesting the estimated difference between their typical bill and the bill they received after their water softener malfunctioned resulting in a high volume of water consumption. The customer indicates they experienced the same issue before, however, the customer indicated they did not receive a courtesy phone call this time when their water softener malfunctioned.

Algorithms in the metering software generate reports, which the Conservation Coordinator uses for outreach to customers with continuous consumption, e.g., leaks. A malfunctioning water softener can result in such, however, it depends on the symptoms of the softener malfunction. Some softeners are programmed to regenerate the media only during hours of the day when household water use is unlikely, e.g., after midnight. Continuous flow for a few hours may or may not trigger the continuous use software flag.

Conclusion:

The Board should review the written request for billing relief, engage staff for any clarifications, then move to respond to the customer’s request.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent



Rio Linda Elverta Community Water District

Request for Consideration of Billing Issues by the Board of Directors

Account Holder: [Redacted] Account #: 00000 7026001
 Service Address: [Redacted] RIO LINDA, CA 95673

Check the appropriate box(s) and specify which fees you are requesting the Board to waive:

- Account Deposit Amount: \$ _____
- Delinquency Notice Fee Amount: \$ _____
- 48 Hour Notice Fee Amount: \$ _____
- Service Charges Amount: \$ 450.00
- Shutoff Fee Amount: \$ _____
- Tampering Fee Amount: \$ _____
- Other Amount: \$ _____

Notice: This request may be considered at a public Board Meeting. This document may become a part of the Board meeting agenda which is accessible to the public by request or via the District website. However, the District will make reasonable attempts to preserve customer privacy via redaction, e.g. addresses, phone, email etc.

Total: \$ _____

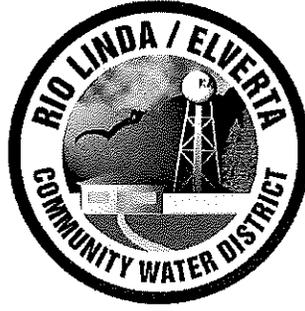
Justifying Information to Support Your Request: There was a problem with our water softener continuously regenerating water unknown to us, this only happened once before & we took responsibility & paid it, but we had surgeries & on medication & physically could not barely stand & we do not have the ability to pay this money. We received a call for the 1st leak, but no call for this time. Please allow our request to apply \$450 to our account.

(Attached additional sheets if necessary)

By signing below you are; attesting to the accuracy of the information you have provided and fraudulent submittal may result in Board denial, you acknowledge that all correspondence between yourself and the District is subject to California Public Records Act laws, and you further acknowledge the Board of Directors' rulings are final.

Signed: [Redacted Signature] Date: 10/3/2022

Account Holder Contact Information:
 In case you are unable to attend the Board Meeting, please provide with your preferred method for us to contact you regarding the
 Email Address: [Redacted]
 Phone Number: [Redacted]
 US Mail (provide [Redacted] RIO LINDA, CA 95673



Items for Discussion and Action

Agenda Item: 4.4

Date: October 17, 2022

Subject: Proposed Capacity Fee Payment Plan Agreement

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee recommends Board Approval of this item.

Current Background and Justification:

In the past year, the District has received interest from a few residents within the District's service area for a capacity fee payment plan. These residents are not currently connected to the water distribution system. Typically, they have/had a private well that is failing/has failed for one reason or another. The current drinking water capacity fee for a 1-inch service is nearly \$16,000 (excluding excavation and plumbing costs), which can represent a financial barrier for those not building a new house and incorporating the capacity fee into the total construction costs loan financing.

Earlier this month, the District became aware of a disadvantaged resident, who has a collapsed well and substantive financial limitations. A new well costs at least \$30,000. This disadvantaged resident has no means to pay an upfront cost of \$30,000 for a new well but might be able to afford the 1-inch service ~ \$16,000 capacity fee (excluding excavation and plumbing cost to physically connect pipes) via a payment plan. Alternatively, since this resident would not be subject to the mandatory residential fire sprinkler requirements, the capacity fee for a 5/8-inch service is approximately \$6,350 (again excluding excavation and plumbing).

For example, for 5/8-inch service, \$6,350 for capacity fee plus around \$3,000 for excavation/plumbing equals \$9,350. If the Board and the resident agree to a 5-year monthly payment plan. The monthly installments would be approximately \$168. This charge would be in addition to the bimonthly service charge for water service.

The draft payment plan agreement is a document associated with this item and included in the packets. If the Board finds it appropriate to approve the proposed capacity fee payment plan agreement form, the Board would separately (at future public meetings) consider residents' request for payment agreements, i.e., Board approval of the form does not correspond to blanket approval for all requesting residents.

Conclusion:

The Board should review the documents associated with this item, seek any needed clarifications from staff, then consider approving the Capacity Fee Payment Plan Agreement form as recommended by the Executive Committee.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

RECORDING REQUESTED BY:

Rio Linda Elverta Community Water District

WHEN RECORDED MAIL TO:

Rio Linda Elverta Community Water District
730 L St.
Rio Linda, CA 95673

APN:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AGREEMENT AUTHORIZING CONTINUING UTILITY SERVICE
SUBJECT TO DEFERRED PAYMENT OF CAPACITY CHARGES

APN: _____ County of: Sacramento

This agreement is made and entered into this _____ day of October, 2022, by and between Rio Linda Elverta Community Water District, hereinafter referred to as "District", and _____, hereinafter referred to as "Customer".

R E C I T A L S

WHEREAS, District provides treated water services (Utility Services) to its customers; and

WHEREAS, Customer applied for Utility Services at the "PROPERTY" located at the APN specified above, and in connection therewith, agreed to pay, in addition to monthly charges for utility services, the applicable capacity fees required upon connection to District's water distribution system.; and

WHEREAS, said capacity fees were and are established and maintained by the District in accordance with Government Code 60013 and such charges consist of Water System Capacity Fee, , for a total \$15,930.37 (as of January 1, 2022) hereinafter referred to as "Capacity Charges"; and

WHEREAS, Capacity Charges must be paid prior to the time a parcel is eligible to receive water service, and are all due and payable prior to connection, and

WHEREAS, as a special accommodation to those relatively disadvantaged service area residents and/or service area residents whose private wells have failed, become contaminated, or wells that are otherwise infeasible for providing potable water; the Board wishes to provide additional opportunities to for such residents to connect to the District's water distribution system.

WHEREAS, Customer has requested, and District has authorized, a payment plan for qualifying customers' Capacity Charges, subject to said charges being secured by a lien in accordance with provisions in the California Water Code and California Government Code.

NOW THEREFORE, the parties hereto do mutually agree upon the following terms, covenants and conditions:

RECITALS: The recitals contained herein are an integral part of this agreement and are incorporated herein by reference.

1. CONTINUATION OF UTILITY SERVICES: Customer desires District to provide Utility Services and to allow payment of Capacity Charges owed District in installments. District shall provide such services to Customer, provided that customer pays District the Capacity Charges in strict accordance with the terms set forth herein.
2. DEFERRED PAYMENT OF CHARGES: District and Customer understand and agree that the District shall receive deferred payment of delinquent Capacity Charges from Customer on a monthly basis, in equal monthly installments, including simple interest of __%. (based on the one year average of interest rates paid into the District's Local Agency Investment Fund or LAIF).
 - (a) Terms of Payment: Customer shall pay District at the rate of \$ _____ monthly, payable on the first day of each and every month commencing _____, which monthly sums are inclusive of interest. Customer agrees that the District may make the alteration in Customer's rate of monthly payment and bill Customer accordingly.
 - (b) Late Payment Charge for Delinquent Payment: Deferred payment of delinquent Capacity Charges under this agreement are due and payable on the first of each and every month until paid and Customer shall be in default under this Agreement if not paid before the 15th of the month in which the installment is due. If such default is not cured within 10 days after the 15th of the month, Customer shall be in substantial breach of this Agreement, and the full amount of the Capacity Charges shall immediately become due and payable, and the parcel shall no longer be entitled to Utility Services from District and the District shall have the right to immediately discontinue Utility Services until such time as Customer pays the full amount of the Capacity Charges due and owing District. District's right to discontinue service shall exist notwithstanding that the Customer is paying, when due, current monthly service charges for water and sewer services.
 - (c) Customer agrees that nothing herein shall prohibit the District from utilizing all other methods for collection of delinquent charges permitted under relevant statutes or other applicable law and consistent with the nature of the lien created hereby.
3. RECORDATION AND LIEN PURSUANT TO CALIFORNIA District and Customer understand and agree that the execution of this Agreement shall be filed for record in the office of the County Recorder, and further, that the amounts required to be paid herein shall constitute a lien upon the PROPERTY. In lieu of recordation of this entire Agreement, Customer agrees that District will record a Certificate of Lien, in the form attached hereto as Exhibit A. This lien shall expire on the date the Capacity Charges are paid in full, unless sooner released or otherwise discharged. Upon such expiration, District shall, if

requested by Customer, provide Customer with a written release confirming satisfaction of the lien. Customer shall pay any charges required by the County Recorder to file and record a release of discharge of lien document at the time of Customer's final and full payment of Connection Charges.

- 4. SALE OR TRANSFER OF CUSTOMER'S PROPERTY: This Agreement for deferred payment of capacity charges is authorized as an accommodation solely for the benefit of Customer and may not be assigned, transferred or conveyed. Should Customer sell, transfer, or convey the PROPERTY, the full amount of the Capacity Charges shall become due and payable, and the remaining principal balance shall constitute a delinquent Capacity Charge against the PROPERTY, payment of which, in full, is a pre-requisite to Utility Service being provided to the PROPERTY.
- 5. ATTORNEY'S FEES: Should either party hereto be required to institute legal action to either complete performance of this agreement or recover damages for non-performance, the prevailing party shall be entitled to all reasonable attorney's fees, costs of suit, expert witness fees, and all other expenses of litigation incurred in connection therewith.
- 6. COVENANT: This agreement benefits and burdens the PROPERTY, and shall constitute a covenant running with the PROPERTY and it shall bind the heirs, successors and assigns of Customer. Capacity Charges are not personal obligations of the Customer, but apply to the parcel receiving service. Should Customer not pay the full amount of Capacity Charges against the parcel pursuant to this agreement, then Utility Services thereto will be disconnected and Utility Service thereto denied until any unpaid balance thereof is paid in full.
- 7. NOTICES: The mailing addresses of District and Customer for purposes of giving any notice required pursuant to this agreement are as follows:

DISTRICT:
 Rio Linda Elverta Community Water District

 730 L St.
 Rio Linda, CA 95673

CUSTOMER

IN WITNESS WHEREOF, parties hereto have executed this agreement on the day and year first above written.

Rio Linda Elverta Community Water District
 BY: _____
 Timothy R. Shaw, General Manager

CUSTOMER

BY: _____

CUSTOMER

BY: _____



Items for Discussion and Action Agenda Item: 4.5

Date: October 17, 2022

Subject: Revisions to the Discontinuation of Residential Water Service for Nonpayment Policy

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee recommends Board consideration of the proposed revisions to the Discontinuation of Residential Water Service for Nonpayment (SB 998).

Current Background and Justification:

The Executive Committee directed staff to simplify this report. For those who wish to review the more detailed report, it can be accessed via www.rlecwd.com.

SB was signed into law in September 2018 and stipulated an effective date of February 2020 (one month prior to the onset of the COVID 19 pandemic. The pandemic provoked several Executive Orders from the Governor, including an order declaring a moratorium on discontinuing residential water service for non-payment. The moratorium on water service termination lasted 2-years. Now that the moratorium was lifted, the District has observed needed improvements.

The total person-hours needed to provide all of the notices and customer outreach prescribed in the current Discontinuation of Residential Water policy exceeds the service fees. The current policy and practice include the following notices:

1. The bill, meters are read, and the bills are mailed every two months.
2. Reminder Notice, mailed out at least 19-days after the bills are mailed. Reminder notices entail a \$5 charge to the account holder for the cost of preparing and mailing the notice.. The Reminder Notice correlates to customers who do not pay prior to the fee free deadline.
3. A “48-hour” notice, is physically hung at the residence where water service is provided. The “48-hour” notice entails a \$40 fee for the cost of preparing and distributing the notice. The “48-hour” notice provides much of the stipulated information required by SB 998.
4. A service termination notice (tag), is also physically hung at the service address. The service termination tag is hung by RLECWD staff at the time the staff shuts off the service valve. The

termination tag also correlates to a \$40 fee to cover the cost of tag preparation and person-hours shutting off service (and subsequently turning on after the non-payment issues are resolved).

SB 998 stipulates that customers with incomes less than 200% of the federal poverty line (around \$36,000 per year for a household of two persons) must not be charged more than \$50 to have their water service recontinued after shut off for non-payment. Instead of expanding the duties and training for current RLECWD staff to document income levels of affected customers, the RLECWD adopted policy presumes every customer qualifies for the \$50 limit. However, staff feedback, who are observing that the District is expending far more than \$50 in person-hours alone are raising virtual alarm bells, e.g., “we cannot keep this up without staffing augmentations and or other priorities being subjugated to the SB 998 process.

The District can take the following mitigating measures to improve the process and reduce superfluous notices currently exacerbating the mismatch of fees and costs:

- A. Eliminate the service termination tags and modify the “48-hour” and Reminder Notices. The Reminder Notice revision would place the bulk of the SB 998 required information. The Reminder Notice would include information on; how to request a payment plan, how to appeal to the Board, how to get a copy of the Discontinuation of Water Service policy etc. Although not required, I support also including contact information for the Low Income Household Water Assistance Program, which is a 3rd party non-profit helping disadvantaged residents with paying past due utility bills.
- B. The modifications to the “48-hour” notices would be such that the notices could not be called 48-hours. The name change could be “Final Notice” or similar. Pursuant to SB 998 these notices must be distributed (mailed) no less than 7-days prior to the discontinuation of service. The Final Notice should convey to the customer how much payment is required to avoid service termination and the cost to restore service after termination has occurred. These Final Notices would be formatted to stipulate the charge for resuming service after service has been terminated will require payment the past due balance and an additional \$50 (total cost to shut off then subsequently turn back on after payment is received).

The consequences for discontinuing water service in violation of SB 998, 2) include up to \$1,000 per day fine to the District for each day the customer was shutoff without compliance with SB 998 requirements.

Conclusion:

The Executive Committee recommends the Board approve the proposed revisions.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

Discontinuation of Residential Water Service for Nonpayment Policy

I. Purpose

The Rio Linda Elverta Community Water District (District) will apply the following Discontinuation of Water Service for Nonpayment Policy (Policy). Discontinuance of water service for nonpayment is considered the final phase of the collection procedure and will be instituted only after sufficient notification, and when all other reasonable alternatives have been deployed.

II. Scope

This Policy applies to all District residential water service customers, hereafter referred to as the “customer” or “customers”. To the extent this Policy conflicts with any other rules, regulations, or policies of the District, this Policy will control.

III. General Provisions

A. All customers are provided a bimonthly bill for water service and usage. These bimonthly bills are due upon receipt. The due upon receipt aspect is necessary to implement the stipulated minimum days prior to discontinuation policies, associated alternative payment plans and bill dispute/appeals processes stipulated in the new sections of the California Health and Safety Code.

B. The District will attempt to contact the customer and provide notice of discontinuation of water service as provided in this Policy. It is the customer’s responsibility to provide the District with accurate, current contact information. The District is not responsible for the customer not receiving the notices due to inaccurate and/or outdated customer contact information.

C. The District will disconnect water service for charges that have become delinquent for a period of no less than sixty (60) days, unless the service discontinuation is otherwise preempted as further described in this policy. Reconnection fees will be applied to the account of any water service disconnected for nonpayment of delinquent charges. The District will provide notice of disconnection with information on how to restore water service.

1. The beginning of the sixty (60) day period begins with the day in each billing cycle which the bills are distributed.
2. A “Fee Free Deadline”, the last date to pay without incurring additional fee assessments will be established for each billing cycle.
3. Prior to the potential discontinuation of service date (prior to the 60th day following bill distribution) the District will send a payment delinquency notice (First Notice) advising the customer of the need to pay in order to preclude service termination and further advising of other options available to the customer. The District’s cost for sending the payment delinquency notice will be charged to the customer’s account. The payment

delinquency notices will be sent no sooner than 19-days after the bill distribution date and no less than seven (7)-days prior to the potential discontinuation of services date.

4. Where a landlord-tenant relationship exists (where the billing address is different than the service address, the payment delinquency notice will also be sent to "Occupant" at the service address. The payment delinquency notice to the "Occupant" (tenant in the landlord-tenant relationship) will apprise the Occupant of the Occupant's right to become the customer of record. Barring intervention (e.g. payment of the delinquency) to preclude such by the landlord, the tenant will be informed of the right to become the customer to whom the future services will be billed without the Occupant being required to pay the amount due on the delinquent account.

5. If the bill remains unpaid or is otherwise unresolved via alternative payment options, transition in the customer of record (landlord-tenant), or appeal, the District will send a Final Notice by mail no less than 7-days prior to discontinuation of service.

D. Customers whose water service has been discontinued may contact the District by telephone at (916) 991-1000 or in person regarding restoration of service. Restoration will be subject to payment of the delinquent charges, reconnection fees and established security deposit if required by the District. Water service reconnections requested and performed after normal business hours are subject to an additional fee.

IV. Notices

A. First Notice

The District will provide notices as described above. The notices will be in English and will include instructions in the languages listed in Section 1632 of the Civil Code for receiving a translated copy of the notice. The First Notice will contain:

1. the name and address of the customer;
2. the amount of the delinquency;
3. the date by which payment or payment arrangements must be made to avoid discontinuation of service;
4. the procedure by which the customer may initiate a complaint or request an investigation or appeal concerning service or charges;
5. a description of the procedure by which the customer may request an amortization, reduction, or other alternative payment arrangement;
6. the procedure for the customer to obtain information on financial assistance, if applicable; and
7. the telephone number where the customer may request a payment arrangement or receive additional information from the District.

B. Final Notice

The District will provide a mailed notice to the customer of record at least seven (7) days before discontinuation of water service. If this notice is returned through the mail as undeliverable, the District will attempt to contact the customer by telephone, email, and/or via door hanger at the service address. The District will make a reasonable, good faith effort to contact an adult person living at the service address. The notice will contain:

- i. The date and time that delinquent payment is due to prevent discontinuation of water service for nonpayment.
- ii. The amount of payment due to prevent discontinuation of water service.
- iii. Information relevant to landlord -tenant statutes regarding tenants rights to become the account holder of record without having to pay the past due balance. Such past due balance to remain the liability of the record property owner.
- iv. District contact information to initiate the process to restore water service following discontinuation for nonpayment.
- v. The disconnection /reconnection fee to be added to the outstanding charges if the payment is not received prior to the date/time provided in the Final Notice.

C. Posting of Notice to Occupants at Service Address

If the mailed notices are returned as undeliverable, the District will make a reasonable, good faith effort to contact an adult person living at the service address including, if necessary, by hand delivery notice placing in a conspicuous place at the service address.

V. Bill Amortization

The District will consider a request to amortize the bill over a reasonable period of time, not to exceed six (6) months. The amortization schedule and amounts due will be set forth in writing and provided to the customer. During the amortization period, the customer must remain current on all water service charges in subsequent billing periods.

The District may terminate water service if the customer fails to pay an amortized amount due by the schedule date and the original amount due is delinquent by at least sixty (60) days. The District will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the District.

A. Contact

Customers are encouraged to contact the Customer Service Department for further details regarding this policy or customer assistance options during business hours at (916) 991-1000. Customers may also visit the District's Customer Service desk in person Monday through Friday, from 7:00 a.m. to 4:00 p.m., except on District holidays.

VI. When Service Will Not Be Discontinued

A. General

The District will not discontinue water service due to nonpayment on a Saturday, Sunday, legal holiday, or at any time during which the District's office is not open to the public. In addition, the District will not discontinue residential water service for nonpayment during the District's investigation of a customer dispute or complaint; during an appeal to the District's Board of Directors; during a District-approved extension, amortization, alternative payment schedule, or reduction, if the customer remains in compliance with the payment arrangement; or as may be required by local, state, or federal law.

B. Special Circumstances with Amortization Agreement

The District will not discontinue water service if all of the following are met:

- i. The customer is willing to enter into an amortization with respect to the delinquent charges
- ii The customer is the account holder of record.
- iii. The customer is not currently in an Amortization Agreement with the District.

For any customers who meet all of the above qualifications, the District will offer the customer amortization of the unpaid balance. The District's General Manager will select terms and conditions for the amortization.

The District will review the request for amortization within seven (7) days and: (1) notify the customer of the amortization terms selected by the District and request the customer's signed assent to participate in the amortization; (2) request additional information from the customer; or (3) notify the customer that they do not meet the qualifications.

Discontinuation of Water Service for Nonpayment Policy

The District may discontinue water service if a customer who has been granted an amortization under this section fails to do any of the following for sixty (60) days or more: (a) to pay any amortized amount due under the amortization schedule; or (b) to pay his or her current charges for water service. The District will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the District.

VI. Other Remedies

In addition to discontinuation of water service, the District may pursue any other remedies available in law or equity for nonpayment of water service charges, including, but not limited to: securing delinquent amounts by filing liens and/or direct levy on real property, filing a claim or legal action, or referring the unpaid amount to collections. In the event a legal action is decided in favor of the District, the District will be entitled to the payment of all costs and expenses, including attorneys' fees and accumulated interest.

Discontinuation of Water Service for Nonpayment Policy

VII. Discontinuation of Water Service for Other Customer Violations

The District reserves the right to discontinue water service for any violations of District ordinances, rules, or regulations other than nonpayment.

VIII. Fees and Charges Incurred

Except as otherwise expressly stated in this Policy, any fees and charges incurred by a customer under any other rules, regulations, or policies of the District, including, but not limited to, delinquent charges, will be due and payable as set forth therein.

IX. Decisions by District Staff

Any decision which may be appealed to the District's General Manager. The General Manager's ruling may be appealed to the Board of Directors and/ or the Board's designee.

A customer may initiate a complaint or request an investigation regarding the amount of a bill within fifteen (15) days of receiving a disputed bill. For purposes of requesting review of the amount of a bill, a bill shall be deemed received by a customer five (5) days after mailing. The customer may submit a written request to review the amount of the bill to the District, which shall provide a written determination to the customer provided the request is made within the fifteen (15) day complaint window.

X. Translations

A. Policy

Translations of this policy in the languages listed in Section 1632 of the Civil Code are available at the District office or website.

- i. Please visit our office or website for a translation of this policy.
- ii. Visite nuestra oficina o sitio web para obtener una traducción de este política.
- iii. 请访问我们的办公室或网站，了解本政策的翻译。
- iv. Mangyaring bisitahin ang aming opisina o website para sa isang pagsasalín ng patakarang ito.
- v. Vui lòng truy cập văn phòng hoặc trang web của chúng tôi để dịch bản chính sách này.
- vi. 이 정책에 대한 번역은 저희 사무실이나 웹 사이트를 방문하십시오.

B. Notices

All written notices issued under this Policy will be available at the District office or website in English, Spanish, Chinese, Tagalog, Vietnamese, Korean, and any other language spoken by ten percent (10%) or more people within the District's service area.

XI. References

- A. California Water Code div. 1, ch. 1, § 106.3
- B. California Health & Safety Code, div. 104, part 2, ch. 6, § 116900 et seq. (SB 998 [2018])
- C. California Government Code, tit. 6, div. 1, § 60370 et seq.
- D. California Civil Code div. 3, part 2, title 2, § 1632
- E. California Senate Bill 998 (SB 998)

Discontinuation of Residential Water Service for Nonpayment Policy

I. Purpose

The Rio Linda Elverta Community Water District (District) will apply the following Discontinuation of Water Service for Nonpayment Policy (Policy). Discontinuance of water service for nonpayment is considered the final phase of the collection procedure and will be instituted only after sufficient notification, and when all other reasonable alternatives have been deployed.

II. Scope

This Policy applies to all District residential water service customers, hereafter referred to as the “customer” or “customers”. To the extent this Policy conflicts with any other rules, regulations, or policies of the District, this Policy will control.

III. General Provisions

A. All customers are provided a bimonthly bill for water service and usage. These bimonthly bills are due upon receipt. The due upon receipt aspect is necessary to implement the stipulated minimum days prior to discontinuation policies, associated alternative payment plans and bill dispute/appeals processes stipulated in the new sections of the California Health and Safety Code.

B. The District will attempt to contact the customer and provide notice of discontinuation of water service as provided in this Policy. It is the customer’s responsibility to provide the District with accurate, current contact information. The District is not responsible for the customer not receiving the notices due to inaccurate and/or outdated customer contact information.

C. The District will disconnect water service for charges that have become delinquent for a period of no less than sixty (60) days, unless the service discontinuation is otherwise preempted as further described in this policy. Reconnection fees will be applied to the account of any water service disconnected for nonpayment of delinquent charges. The District will ~~leave~~provide notice of disconnection with information on how to restore water service.

1. The beginning of the sixty (60) day period begins with the day in each billing cycle which the bills are distributed.
2. A “Fee Free Deadline”, the last date to pay without incurring additional fee assessments will be established for each billing cycle.
3. Prior to the potential discontinuation of service date (prior to the 60th day following bill distribution) the District will send a payment delinquency notice (~~late notice~~First Notice) advising the customer of the need to pay in order to preclude service termination and further advising of other options available to the customer. The District’s cost for sending the payment delinquency notice will be charged to the customer’s account. The payment

delinquency notices will be sent no sooner than 19-days after the bill distribution date and no less than seven (7)-days prior to the potential discontinuation of services date.

4. Where a landlord-tenant relationship exists (where the billing address is different than the service address, the payment delinquency notice will also be sent to "Occupant" at the service address. The payment delinquency notice to the "Occupant" (tenant in the landlord-tenant relationship) will apprise the Occupant of the Occupant's right to become the customer of record. Barring intervention (e.g. payment of the delinquency) to preclude such by the landlord, the tenant will be informed of the right to become the customer to whom the future services will be billed without the Occupant being required to pay the amount due on the delinquent account.

5. If the bill remains unpaid or is otherwise unresolved via alternative payment options, transition in the customer of record (landlord-tenant), or appeal, the District will send a ~~shut-off notice~~ Final Notice by mail no less than ~~48-hour~~ 7-days prior to discontinuation of service.

D. Customers whose water service has been discontinued may contact the District by telephone at (916) 991-1000 or in person regarding restoration of service. Restoration will be subject to payment of the delinquent charges, reconnection fees and established security deposit if required by the District. Water service reconnections requested and performed after normal business hours are subject to an additional fee.

IV. Notices

A. ~~Written Notices to Customer~~ First Notice

The District will provide notices as described above. The notices will be in English and will include instructions in the languages listed in Section 1632 of the Civil Code for receiving a translated copy of the notice. The First Notice will contain:

1. the name and address of the customer;
2. the amount of the delinquency;
3. the date by which payment or payment arrangements must be made to avoid discontinuation of service;
4. the procedure by which the customer may initiate a complaint or request an investigation or appeal concerning service or charges;
5. a description of the procedure by which the customer may request an amortization, reduction, or other alternative payment arrangement;
6. the procedure for the customer to obtain information on financial assistance, if applicable; and
7. the telephone number where the customer may request a payment arrangement or receive additional information from the District.

B. Final Notice

The District will provide a mailed notice to the customer of record at least seven (7) days before discontinuation of water service. If this notice is returned through the mail as undeliverable, the District will attempt to contact the customer by telephone, email, and/or via door hanger at the service address. The District will make a reasonable, good faith effort to contact an adult person living at the service address. The notice will contain:

- i. The date and time that delinquent payment is due to prevent discontinuation of water service for nonpayment.
- ii. The amount of payment due to prevent discontinuation of water service.
- iii. Information relevant to landlord -tenant statutes regarding tenants rights to become the account holder of record without having to pay the past due balance. Such past due balance to remain the liability of the record property owner.
- iv. District contact information to initiate the process to restore water service following discontinuation for nonpayment.
- v. The disconnection /reconnection fee to be added to the outstanding charges if the payment is not received prior to the date/time provided in the Final Notice.

BC. Posting of Notice to Occupants at Service Address

If the mailed notices are returned as undeliverable, the District will make a reasonable, good faith effort to contact an adult person living at the service address including, if necessary, by hand delivery a shut-off notice and placing in a conspicuous place at the service address.

C.V.-Bill Amortization

The District will consider a request to amortize the bill over a reasonable period of time, not to exceed six (6) months. The amortization schedule and amounts due will be set forth in writing and provided to the customer. During the amortization period, the customer must remain current on all water service charges in subsequent billing periods.

The District may terminate water service if the customer fails to pay an amortized amount due by the schedule date and the original amount due is delinquent by at least sixty (60) days. The District will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the District.

DA. Contact

Customers are encouraged to contact the Customer Service Department for further details regarding this policy or customer assistance options during business hours at (916) 991-1000. Customers may also visit the District's Customer Service desk in person Monday through Friday, from 7:00 a.m. to 4:00 p.m., except on District holidays.

VI. When Service Will Not Be Discontinued

A. General

The District will not discontinue water service due to nonpayment on a Saturday, Sunday, legal holiday, or at any time during which the District's office is not open to the public. In addition, the District will not discontinue residential water service for nonpayment during the District's investigation of a customer dispute or complaint; during an appeal to the District's Board of Directors; during a District-approved extension, amortization, alternative payment schedule, or reduction, if the customer remains in compliance with the payment arrangement; or as may be required by local, state, or federal law.

B. Special Circumstances with Amortization Agreement

The District will not discontinue water service if all of the following are met:

- i. The customer is willing to enter into an amortization with respect to the delinquent charges
- ii The customer is the account holder of record.
- iii. The customer is not currently in an Amortization Agreement with the District.

For any customers who meet all of the above qualifications, the District will offer the customer amortization of the unpaid balance. The District's General Manager will select terms and conditions for the amortization.

The District will review the request for amortization within seven (7) days and: (1) notify the customer of the amortization terms selected by the District and request the customer's signed assent to participate in the amortization; (2) request additional information from the customer; or (3) notify the customer that they do not meet the qualifications.

Discontinuation of Water Service for Nonpayment Policy

The District may discontinue water service if a customer who has been granted an amortization under this section fails to do any of the following for sixty (60) days or more: (a) to pay any amortized amount due under the amortization schedule; or (b) to pay his or her current charges for water service. The District will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to any investigation or review by the District.

VI. Other Remedies

In addition to discontinuation of water service, the District may pursue any other remedies available in law or equity for nonpayment of water service charges, including, but not limited to: securing delinquent amounts by filing liens and/or direct levy on real property, filing a claim or legal action, or referring the unpaid amount to collections. In the event a legal action is decided in favor of the District, the District will be entitled to the payment of all costs and expenses, including attorneys' fees and accumulated interest.

Discontinuation of Water Service for Nonpayment Policy

VII. Discontinuation of Water Service for Other Customer Violations

The District reserves the right to discontinue water service for any violations of District ordinances, rules, or regulations other than nonpayment.

VIII. Fees and Charges Incurred

Except as otherwise expressly stated in this Policy, any fees and charges incurred by a customer under any other rules, regulations, or policies of the District, including, but not limited to, delinquent charges, will be due and payable as set forth therein.

IX. Decisions by District Staff

Any decision which may be appealed to the District's General Manager. The General Manager's ruling may be appealed to the Board of Directors and/ or the Board's designee.

A customer may initiate a complaint or request an investigation regarding the amount of a bill within fifteen (15) days of receiving a disputed bill. For purposes of requesting review of the amount of a bill, a bill shall be deemed received by a customer five (5) days after mailing. The customer may submit a written request to review the amount of the bill to the District, which shall provide a written determination to the customer provided the request is made within the fifteen (15) day complaint window.

X. Translations

A. Policy

Translations of this policy in the languages listed in Section 1632 of the Civil Code are available at the District office or website.

- i. Please visit our office or website for a translation of this policy.
- ii. Visite nuestra oficina o sitio web para obtener una traducción de este política.
- iii. 请访问我们的办公室或网站，了解本政策的翻译。
- iv. Mangyaring bisitahin ang aming opisina o website para sa isang pagsasalin ng patakarang ito.
- v. Vui lòng truy cập văn phòng hoặc trang web của chúng tôi để dịch bản chính sách này.
- vi. 이 정책에 대한 번역은 저희 사무실이나 웹 사이트를 방문하십시오.

B. Notices

All written notices issued under this Policy will be available at the District office or website in English, Spanish, Chinese, Tagalog, Vietnamese, Korean, and any other language spoken by ten percent (10%) or more people within the District's service area.

XI. References

- A. California Water Code div. 1, ch. 1, § 106.3
- B. California Health & Safety Code, div. 104, part 2, ch. 6, § 116900 et seq. (SB 998 [2018])
- C. California Government Code, tit. 6, div. 1, § 60370 et seq.
- D. California Civil Code div. 3, part 2, title 2, § 1632
- E. California Senate Bill 998 (SB 998)

Senate Bill No. 998

CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with Secretary of State September 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on, a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill

would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

Digest Key

Vote: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: NO

Bill Text

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

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.
- (d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.
- (e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.
- (f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. Discontinuation of Residential Water Service

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

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

- (a) "Board" means the State Water Resources Control Board.
- (b) "Public water system" has the same meaning as defined in Section 116275.
- (c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.
- (d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.
- (e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

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

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

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

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

- (1) A plan for deferred or reduced payments.
- (2) Alternative payment schedules.
- (3) A formal mechanism for a customer to contest or appeal a bill.
- (4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

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

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

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

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

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

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

(i) The customer's name and address.

(ii) The amount of the delinquency.

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

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

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

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

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

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

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

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

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

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

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

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

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

(D) Temporary deferral of payment.

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

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

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

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

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

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

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

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

(b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

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

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

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

legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

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

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

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

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

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

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

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

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

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

Agenda Item 4.5

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

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



Items for Discussion and Action

Agenda Item: 4.6

Date: October 17, 2022

Subject: Ratifying the 2022 COLA Negotiations Ad Hoc Committee Assignment

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee recommends the Board ratify the ad hoc committee assignments for 2022 COLA Negotiations.

Current Background and Justification:

At the September 19th Board meeting, the Board postponed the action recommended by the Executive Committee, i.e., the Board did not authorize the formation of an ad hoc committee to begin negotiations with Teamster Local 150 for the 2022 COLA.

Subsequent to the September 19th Board meeting, the District received correspondence from Teamster Local 150 requesting to begin negotiations and further requesting available negotiations meeting dates from the District. In response, the Chair, Legal Counsel and the GM reviewed relevant District policies, then the Chair (with concurrence from the GM and Legal Counsel) assigned an ad hoc committee consisting of Board Members Green and Gifford, to begin the negotiations process.

In accordance with District policy (2.01.065), it is necessary to request Board retroactive approval of the ad hoc committee assignments.

Conclusion:

As recommended by the Executive Committee, the Board should ratify the assignments for the 2022 COLA Negotiations Ad Hoc Committee.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

2.01.055 Election of President and Vice President. (See Ca Gov Code §30520) At its regular meeting in December, the Board shall elect one of its members as President and one of its members as Vice President who shall hold office thereafter until their successors are elected and qualify. The election of the President and Vice President shall be by voice vote cast separately for each office with the member with the highest number of votes being deemed elected.

2.01.060 Duties of President and Vice President. (See Ca Water Code §30578) The President shall preside at all meetings of the Board and act as Chairperson of the Board, shall appoint all committee members as specified in section 2.01.080, and shall perform all other duties necessary or incidental to his/her office as authorized or imposed by the Board. In the absence of the President or because of the President's inability to act, the Vice President shall take his/her place and perform the duties of the President.

2.01.065 Committees and Other Assignments. (Amended by 6/18/2018 Board Minutes) The Board President shall appoint such standing and/or ad hoc committees as may be deemed necessary or advisable. The creation of ad hoc committees and new standing committees initiated by the Board President must be approved by action of the full Board of Directors per Policy 2.01.180. The President of the Board shall make all appointments of Board Members to ad hoc and standing Committees with the cooperation of the Board Member(s) nominated for the assignment(s). In addition, the President of the Board may designate Board Members to represent the Board as needed. Board Member participation in meetings and attendance by Board Members at organized events shall not be considered sanctioned by the RLECWD Board of Directors unless such attendance/participation is in accordance with this policy. Announcement to authorize attendance/participation retroactively is acceptable to accommodate insufficient time available for a Board meeting prior to the event. Retroactive announcement must be approved by the Board of Directors per Policy 2.01.180

1. The duties of a new standing committee shall be determined at the time of appointment, proposed at a regular Board meeting and subject to confirmation by the Board of Directors per Policy 2.01.180. Standing committees shall only be dissolved by majority vote of the Board.

2. The duties of an ad hoc committee shall be determined and announced at a regular meeting of the Board of Directors. Ad hoc committees shall be considered dissolved when any of the following occur:

a. The ad hoc committee submits its final report to the Board of Directors.

b. Upon the sixth regular meeting of the Board of Directors following the announcement that the ad hoc committee had been created, the Board Secretary shall announce, and the minutes shall reflect, the ad hoc committee dissolution.

c. The ad hoc committee has failed to report to the Board of Directors for three consecutive regular Board meetings. The Board Secretary shall announce, and the minutes shall reflect, the absence of reporting and indicate the ad hoc committee has been dissolved.

3. Board Members assigned by the Board President to serve on standing committees or to participate in sanctioned events shall serve in such capacity for the remainder of the President's term of office. Such assignments are to be announced at the regular Board meeting in January each year. However, assignments may be changed via announcement at a subsequent Board meeting to accommodate Board Member availability, incompatibility of offices, or other circumstances. The Board President may also authorize temporary substitutions of Board Members for a single meeting to accommodate the anticipated absence of the regularly assigned Board Member.

4. All meetings of standing committees shall conform to all open meeting laws (e.g., Ralph M. Brown Act) that pertain to regular meetings of the Board. Board Members assigned to ad hoc committees and other assignments shall report their findings and observations to the Board of Directors at regular Board meetings.

2.01.070 Requests for Information. Requests for information by Board members regarding District operations should be made through the General Manager or other designated District staff. The General Manager shall designate management or supervisory personnel to respond to inquiries in his/her absence.

2.01.075 Attendance at Meetings. Board members are expected to attend all regular and special meetings of the Board, including closed sessions, unless there is good cause for the absence or the absence is pre-approved by the President. A request for absence, except emergency absence, shall be submitted to the Board President in writing as soon as the Board Member becomes aware that he/she may be absent. Absences shall conform to the requirement of Government Code Section 1063 or other applicable law.

2.01.080 Ralph M. Brown Act. The Board as a whole and each Director shall comply with the Ralph M. Brown Act.

2.01.085 Code of Ethics. The Board of Directors is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents. The following rules should be observed in order to assist in the governance of the behavior between and among members of the Board of Directors.

1. Directors shall thoroughly prepare themselves to discuss agenda items. Information may be requested pursuant to Section 2.01.090 or exchanged between Directors before meetings in a manner consistent with the Ralph M. Brown Act.
2. The dignity, style, values and opinions of each Director should be respected.
3. Responsiveness and attentive listening in communication is encouraged.
4. The needs of the District's constituents should be the priority of the Board of Directors.
5. When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and route their questions through appropriate channels and to responsible management personnel.
6. The primary responsibility of the Board of Directors is the formulation and evaluation of policy and strategy to give direction and guidance to District staff. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.
7. Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.
8. Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.
9. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action Directors should commit to supporting said action and not to create barriers to the implementation of said action.
- 10 The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.
11. Directors should develop a working relationship with the General Manager wherein current issues, concerns, and District projects can be discussed comfortably and openly.
12. Directors should practice the following procedures while working with the General Manager, District staff, and District constituents;
 - (A) In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision making.
 - (B) In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager or delegated District staff.
 - (C) In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.
 - (D) When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.

2.01.090 Email Accounts *(added 12/6/2010)* In order for the public to contact the Board of Directors each Director must establish an email account through the District's server. It is required that all Directors use their District email addresses instead of personal private email accounts for District business. An email account will be assigned to Board members as they take office.

(added 04/16/2018)

Director correspondence on matters of District business which are conducted using text messaging are to be copied (e.g. using the multiply recipients feature in text messaging) to the following District e-mail address: PRA@RLECWD.COM. This email account will not be routinely monitored but will be reviewed by appropriate staff if the District receives a Public Records on Private Accounts request. Directors are thereby enabled to delete their text messages on their personal devices after copying the text to the email address stipulated above. The settings of this email account will be such that messages greater than one year old, will be deleted to conserve resources. Director written correspondence regarding District business on social media, e.g. Facebook Private Messaging, Twitter, Instagram etc., are prohibited due to the impracticality of compliance with Public Records on Private Accounts requests when using such correspondence methods.

2.01.100 BOARD PROCEEDINGS

2.01.110 Regular Meetings. *(amended with Resolution 2012-08 and 12/16/13 board meeting)* The regular meeting of the Board of Directors shall be held on the third Monday of each month except when the third Monday is a District, State or Federal holiday, in which case the regular meeting may be held on the second Monday of the month. Meetings shall commence at 6:30 p.m. unless otherwise noticed and shall be held at the Visitor Center located at 6730 Front Street, Rio Linda, or other location within the District.

2.01.130 Meetings to be Informal; Robert's Rules of Order. It is the intent of the Board that meetings shall remain as informal as reasonably possible consistent with the business needs of the District. Failure to comply with these rules shall not invalidate an otherwise lawful action of the Board. Nevertheless, whenever the President, or a majority of the Board, deems it necessary for the orderly conduct of business, formal proceedings may be initiated. In such case, the meeting shall be conducted pursuant to Robert's Rules of Order except as otherwise provided in this Chapter.

2.01.140 Posting Notice. (*Amended Resolution 2008-08*) Notices and other items required to be posted by law or Board direction shall be posted on bulletin board at 810 Oak Lane, Rio Linda, California 95673 in the window of the District Office, and on the District's website.

2.01.150 Agendas. (*Amended Resolution 2008-08, 3/30/09 minutes*) The Secretary shall prepare the agenda for the meeting containing a brief description of each agenda item and post it at least 72 hours prior to the regular Board meeting after consultation with the President. If a Board member twenty-four (24) hours prior to the posting of the agenda requests a matter be placed on an agenda, the Secretary shall include an item on the agenda to permit discussion of the matter, subject to approval by the President. Agendas for special Board meetings shall be posted at least twenty-four (24) hours prior to the meeting. The Board by majority vote, or as otherwise provided by law, may modify the agenda prior to proceeding to the consideration of the first matter. All matters shall be considered by the Board in the order listed on the agenda as posted or modified, to the extent of time available. No action may be taken on any matter which did not appear on the posted agenda except as permitted by State law. Agenda items not considered or completed at a meeting for lack of time may be continued and become agenda items at the following meetings in accordance with the forgoing policies.

2.01.160 Public Comment. An item shall be placed on each regular meeting agenda labeled "Public Comment" to provide citizens with an opportunity to express views on matters not otherwise on the agenda. Whether on this agenda item or on another item, such public expression shall be subject to the rules provided herein. No person may address the Board without the permission of the presiding officer, or a majority of the quorum, or as otherwise required by law. Except as required by law, the presiding officer may not recognize anyone other than a Board member or member of the Board staff until Board members have had the opportunity to ask staff questions. A person addressing the Board shall begin by offering his name and address. However, a person shall not be required to offer his name and address in order to comment. Each speaker shall limit his remarks to two (2) minutes, except as otherwise specifically provided for in these rules, or except as time is extended by the presiding officer with the consent of a majority. Each speaker shall avoid repetition of the remarks of prior speaker's and speak only to the agenda item under consideration. Following each speaker's remarks, each Board member shall be given the opportunity to comment further and to address questions to the speaker.

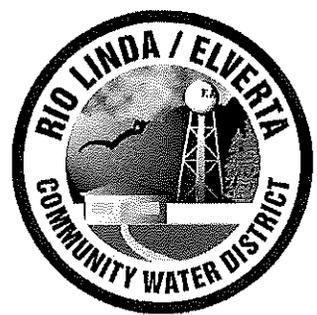
2.01.170 Form of Action. (*Amended Resolution 2008-08, Minute order June 17, 2013*) The Board may act through the enactment of an ordinance whenever appropriate. A minute order or resolution shall be adopted to amend, repeal or otherwise modify the Policy Manual. The meeting date that the modification was approved will be recorded in the corresponding section of the Manual.

2.01.175 Ordinances. (*Amended Resolution 2008-08, Minute order April 18, 2016*) Most District business will occur by resolution, however the District Board of Directors may instead choose to carry out business by adopting an ordinance at a special or regular meeting. Unless specific adoption procedures are required by statute (i.e. updating water capacity fees and charges under Cal. Gov't Code §§ 66013 and 66016, or setting water conservation measures under the Cal. Water Code §§ 375 and 376), the District shall adopt an ordinance by introducing it for first reading at a District Board of Directors meeting and at least five (5) days later, perform a second reading and the District Board of Directors vote on adoption the ordinance. District ordinances shall then take effect thirty (30) days following adoption. The Secretary of the Board of Directors shall post the full text of said ordinance in the District office and publish a summary of the ordinance in a newspaper printed, published and circulated in the District at least five (5) days prior to the meeting at which adoption is proposed to occur. After adoption, the Secretary will then publish a summary of the ordinance a second time including the names of those directors voting for and against the ordinance within fifteen (15) days after adoption.

2.01.180 Quorum; Vote Required. (*Amended Resolution 2008-08*) The majority of the Board shall constitute a quorum for the transaction of business. No ordinance, resolution, or motion shall be passed or become effective without the affirmative votes of at least a majority of the full Board. An abstention shall be recorded as an abstention and shall have the effect of a non-vote.

2.01.200 CONDUCT OF HEARINGS

2.01.205 Purpose. This procedure is a guide in conducting a dignified and functional hearing.



**Items for Discussion and Action
Agenda Item: 4.7**

Date: October 17, 2022

Subject: Authorize any new Board Member Assignments (committees and other) announced by the Chair pursuant to District Policy 2.01.065

Staff Contact: Timothy R. Shaw

Recommended Committee Action:

N/A, this is a standing item on all regular meeting agendas.

Current Background and Justification:

District policy and various statutes stipulate Board approval of any Board Member assignments. This is a standing item, which occurs on every regular meeting agenda.

Conclusion:

I recommend the Board consider approving any specific nominations and assignments as may be deemed necessary and appropriate.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Ridilla: _____ Harris: _____ Jason Green _____ Gifford _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent



Information Items Agenda Item: 5.1

Date: October 17, 2022

Subject: District Reports

Staff Contact: Timothy R. Shaw, General Manager

DISTRICT ACTIVITY REPORTS

1. Operations Report
2. Completed and Pending Items Report
3. Conservation Report
4. Leak Repair Status Report
5. SB 1439 New Conflict of Interest Requirements (substantial).
6. Water Loss Audit

RIO LINDA/ELVERTA C.W.D. 2022

REPORT OF DISTRICT OPERATIONS

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SOURCE WATER DATA

Water Production (Million Gallons)

January	February	March	April	May	June	Year To Date
40.7	40.9	53.6	57	88.2	99.4	
40,708,764	40,949,074	53,558,498	57,044,990	88,179,174	99,413,706	
July	August	Sept.	Oct.	Nov.	Dec.	
110.3	102.7	82.9				675.70
110,303,570	102,685,078	82,931,166				
						Monthly Total
Gallons = Multiply M.G. by: 1,000,000						82,931,166
Cubic Feet = Divide gallons by: 7.48						11,087,054
Hundred Cu Ft. = Divide cu. ft. by: 100						110,871
Acre Ft. = Divide gallons by: 325,829						254.52
						Gallons
						675,774,020
						Cubic Feet
						90,344,120
						Hundred Cubic Feet
						903,441
						Acre Ft.
						2,074

DISTRIBUTION SYSTEM DATA

Water Quality Complaints

Complaints Total (Low Psi Complaints)

January	February	March	April	May	June	Year To Date
0	0	1 (1)	1 (1)	2 (1)	2 (2)	
July	August	Sept.	Oct.	Nov.	Dec.	
1	1 (1)	0				8

New Services

New Construction	0		19
Existing Homes	0		1
Paid prior to increase. (2 not installed)	0		0
Total of Service Connections to Date ----->			4668

Distribution System Failures/Repairs

Deterioration September 1 thru 30	7		69
Damaged September 1 thru 30	0		3

Bacteriological Sampling

Routine Bacteriological Samples (Distribution System)	16		140
Raw Water Bacteriological Samples (at Wells)	12		40

September 1, 2022 - September 30, 2022

7 - Distribution leaks repaired by District staff, 0 - by Contractor or with Contractor assistance.

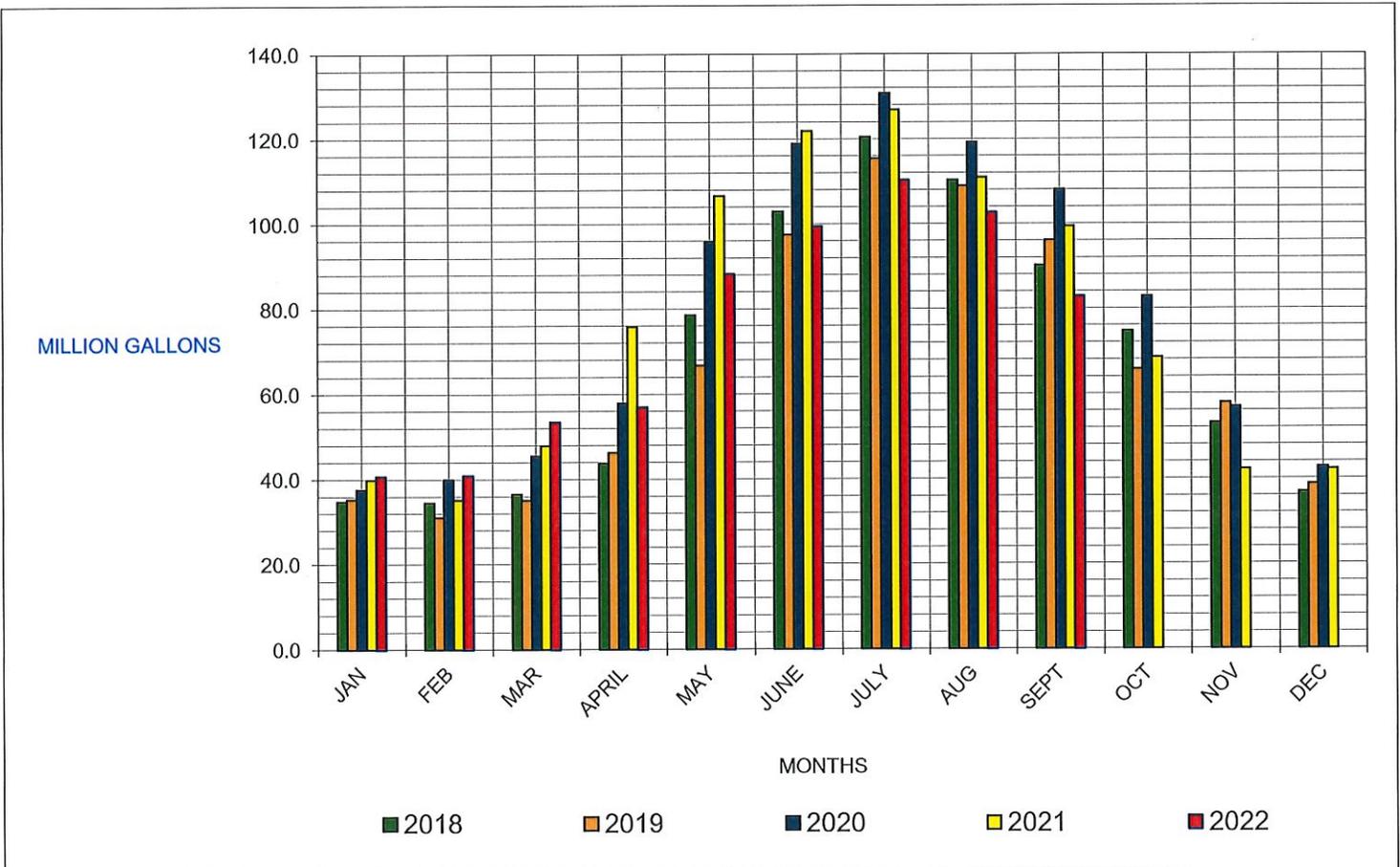
Work Orders Issued - 72	Work Orders Completed - 48	USA's Issued - 75
Repair or Replace Box - 1	Repair or Replace Box - 1	
Change Out Meter - 29	Change Out Meter - 12	
Conservation - 1	Conservation - 1	
Disconnect Service - 7	Disconnect Service - 6	
Flow Test - 2	Flow Test - 2	
Get Current Read - 7	Get Current Read - 6	
Hydrant Repair - 1	Hydrant Repair - 1	
Repair/Replace Lid - 1	Repair/Replace Lid - 1	
Line Leak - 1	Line Leak - 1	
Other Work - 2	Other Work - 1	
Possible Leak - 12	Possible Leak - 8	
Tag Property - 2	Tag Property - 2	
Turn Off Service - 4	Turn Off Service - 4	
Turn On Service - 2	Turn On Service - 2	

RIO LINDA/ELVERTA C.W.D.

WATER PRODUCTION

2018 \ 2022

Month	Water Production in Million Gallons						SSWD Water Purchases				
	2018	2019	2020	2021	2022	Avg.	2018	2019	2020	2021	2022
JAN	34.8	35.3	37.6	39.9	40.7	37.7	0.0	0.0	0.0	0.0	0.0
FEB	34.5	31.1	40.0	35.2	40.9	36.3	0.0	0.0	0.0	0.0	0.0
MAR	36.5	35.1	45.5	47.9	53.5	43.7	0.0	0.0	0.0	0.0	0.0
APRIL	43.7	46.3	57.9	75.8	57.0	56.1	0.0	0.0	0.0	0.0	0.0
MAY	78.5	66.8	95.9	106.6	88.2	87.2	0.0	0.0	0.0	0.0	0.0
JUNE	102.9	97.5	118.9	121.9	99.4	108.1	0.0	0.0	0.0	0.0	0.0
JULY	120.5	115.4	130.7	126.8	110.3	120.7	0.0	0.0	0.0	0.0	0.0
AUG	110.3	108.9	119.2	110.9	102.7	110.4	0.0	0.0	0.0	0.0	0.0
SEPT	90.1	96.1	108.1	99.4	82.9	95.3	0.0	0.0	0.0	0.0	0.0
OCT	74.7	65.8	82.8	68.5		73.0	0.0	0.0	0.0	0.0	
NOV	53.1	57.8	56.9	42.2		52.5	0.0	0.0	0.0	0.0	
DEC	36.8	38.7	42.7	42.2		40.1	0.0	0.0	0.0	0.0	
TOTAL	816.4	794.8	936.2	917.3	675.6	866.2	0.0	0.0	0.0	0.0	0.0

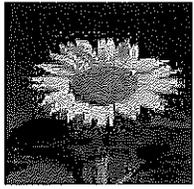




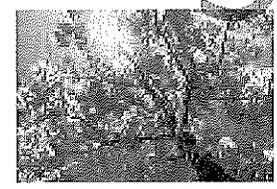
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**PENDING AND COMPLETED ITEMS
10-17-2022 BOARD OF DIRECTORS MEETING**

1. **SB-606 and AB-1668 planning for compliance** –RLECWD water use efficiency numbers continue trending in the right direction, and the District continues performing better than average compared to the state as a whole. The District achieved 23% conservation compared to the same month in 2020 (state’s defined criteria), which is higher than the conservation percentage of the rest of the state.
Pending
2. **Hexavalent Chromium MCL economic feasibility** The State Water Resources Control Board (SWRCB) published the draft notice proposing the re-adoption of the MCL at 10-parts per billion. public comment period concluded at the end of April. I reached out to State Water Board staff for an update on timing, who anticipates publishing the notice of proposed rulemaking in November 2022.
Pending
3. **District outreach to customers following implementation of a new rate structure focused on consumption in compliance with SB 606 / AB 1668 requirements** – The Customer Service / Conservation Coordinator has focused her efforts on contacting customers identified by AMI software that indicates a continuous use (leak). The District continues to see steady requests for Inov8 devices. **Pending**
4. **Raising iron for the Sacramento County road work at Elkhorn and Rio Linda Blvd** –. The work by JCC is finished and the final charge is under budget **Completed**
5. **Annual Water Loss Audit and Validation** – Staff completed the annual Water Loss Audit and the data has been validated. **Completed**
6. **Execution of a New Engagement Agreement with Legal Counsel** – The “contract with White Brenner LLP is now fully executed **Completed**
7. **Preparing for and negotiating a 2022 Cost of Living Adjustment (COLA) for General Unit employees** – Received correspondence from Teamster Local 150 requesting to begin negotiations for the 2022 COLA pursuant to the terms established in the current MOU. **Pending**
8. **Annual Performance Review of the General Manager** – The Board authorized assignments to an ad hoc committee. However, the committee has not met. **Pending**
9. **Cost of Service Reductions to Mitigate Inflation** – Staff will implement a change in internet service, which will save the ratepayers over \$2,700 annually. Staff continues to works with ACWA JPIA and SDRMA on reducing the total cost of Property, Liability and Workers Compensation Insurance via consolidate all three forms into one insurance provider, which would eliminate roughly \$10,000 in membership fees each year. **Pending**



Conservation Report September 2022



Supplies (kits):	Shower heads(0) Kitchen Aerators(0) Bathroom Aerators(0) Shower Timer(3) Nozzle(0) Toilet Tabs(7) Toilet Tummy(0) Retro-Fit Kits(0) Welcome Kits(0) Kids Kit(0)
Water Waste	2 Water Waste Call(s)
Water Waste Violation	3 Water Waste Violation
(calls, emails, letter, leaks detected, and fixed):	64 contacted about possible leaks using the AMI system - 2 were called, 1 was mailed, 61 were emailed, 0 tag was hung 15 were confirmed resolved
Water Schedule:	given to customers with all violation letters and new applications
Surveys	0
Workshops, Webinar, Meetings:	None
Fines:	None
Other Tasks:	<ul style="list-style-type: none"> ● Assisted with new customers ● Created/completed work orders ● Disconnect properties with no service application ● Notified and offered customers the ACH payment method ● Closed accounts and final billed customers ● Printed stamps ● Mailed out application requests to new owners ● Scanned and uploaded documents into UMS ● Reached out to customers with higher than normal water usage ● Verbal Demands ● Created Report for High Usage Exceptions ● Rereads for 9/20/22 billing cycle
Grant Updates:	None

2022 Leak - Repair Tracking

	Work Order #	Leak Type	Street	Date Reported	Date Repaired	Days
1	22863	Service Line	Beamer Way	12/27/2021	1/11/2022	16
2	23003	Service Line	Elwyn Ave	12/16/2022	1/6/2022	20
3	23052	Service Line	24th Street	1/12/2022	1/13/2022	2
4	None	Main	Elkhorn - W2nd St	1/13/2022	1/13/2022	1Hr
5	23106	Service Line	G Street	1/24/2022	1/25/2022	2
6	23109	Service Line	G Street	1/25/2022	1/25/2022	1
7	23110	Service Line	Front Street	1/26/2022	2/3/2022	8
8	23119	Service Line	Elwyn Ave	2/2/2022	2/2/2022	1
9	23120	Service Line	Lilac Ln	2/2/2022	2/5/2022	3
10	23127	Service Line	Blacktop Rd.	2/7/2022	2/7/2022	1
11	23130	Service Line	I Street	2/8/2022	2/9/2022	2
12	23147	Service Line	8th Street	2/16/2022	2/16/2022	1
13	23148	Service Line	Lilac Ln	2/16/2022	2/16/2022	1
14	23152	Service Line	Fallon Woods Wy	2/23/2022	2/28/2022	5
15	23153	Service Line	West U Street	2/24/2022	2/28/2022	4
16	23154	Service Line	Q Street	2/24/2022	2/24/2022	1
17	23168	Service Line	W. 2nd Street	3/9/2022	3/9/2022	1
18	23223	Service Line	K Street	3/21/2022	3/21/2022	1
19	23240	Service Line	10th Street	3/23/2022	3/29/2022	6
20	23225	Service Line	C Street	3/28/2022	3/29/2022	2
21	23225	Service Line	W. E Street (Damaged)	3/29/2022	3/29/2022	0
22	23167	Service Line	G Street	4/10/2022	4/19/2022	9
23	23178	Service Line	Quadra Ave	3/14/2022	4/6/2022	23
24	23273	Service Line	Rio Linda Blvd	4/8/2022	4/8/2022	0
25	23276	Service Line	K Street	4/12/2022	4/12/2022	0
26	23310	Service Line	W 2nd Street	4/29/2022	4/29/2022	0
27	23303	Service Line	Elkhorn Blvd	4/28/2022	4/28/2022	0
28	23318	Service Line	Dry Creek Rd	5/4/2022	5/4/2022	1
29	23329	Service Line	Fallon Place Ct.	5/17/2022	5/17/2022	1
30	N/A* GM Const.	Service Line	Elkhorn Blvd	5/24/2022	5/28/2022	4
31	23357	Service Line	Dry Creek Rd	5/23/2022	6/2/2022	10
32	23390	Service Line	Withington Ave	6/6/2022	6/9/2022	3
33	23393	Service Line	Fallon Woods Way	6/9/2022	6/9/2022	1
34	23393	Service Line	Silver View Way	6/10/2022	6/10/2022	1
35	23396	Service Line	E Street	6/8/2022	6/8/2022	1
36	23399	Service Line	Tuscany Ct	6/13/2022	6/15/2022	2
37	23401	Service Line	G Street	6/16/2022	6/17/2022	1
38	23406	Service Line	C Street	6/22/2022	6/27/2022	5
39	23421	Service Line	Ascot Ave	7/5/2022	7/6/2022	1
40	23428	Service Line	I Street	7/7/2022	7/7/2022	1
41	23432	Service Line	Dry Creek Rd	7/11/2022	7/14/2022	3
42	23435	Service Line	22nd Street	7/15/2022	7/26/2022	11
43	23443	Main	6th Street	7/20/2022	7/20/2022	1

44	23475	Service Line	E Street	7/25/2022	7/27/2022	2
45	23476	Service Line	Dutra Ct	7/25/2022	7/25/2022	1
46	23478	Service Line	Eloise Ave	7/26/2022	7/26/2022	1
47	23478	Service Line	Rio Linda Blvd	7/26/2022	7/26/2022	1
48	23429	Main	G Street	7/8/2022	8/9/2022	32
49	23472	Service Line	Old Mill Wy	7/22/2022	8/4/2022	11
50	23506	Service Line	Sun Acer Wy	8/10/2022	8/16/2022	6
51	23510	Service Line	W Delano St	8/11/2022	8/16/2022	5
52	23512	Service Line	W U St	8/11/2022	8/24/2022	13
53	23513	Service Line	Dry Creek Rd	8/15/2022	8/15/2022	1
54	23520	Service Line	5th Ave	8/16/2022	8/16/2022	1
55	23522	Service Line	O St	8/17/2022	8/22/2022	5
56	23531	Service Line	Fallon Woods Way	8/22/2022	8/24/2022	2
57	23532	Service Line	I Street	8/22/2022	8/23/2022	1
58	23533	Service Line	5th St	8/24/2022	8/29/2022	5
59	23534	Service Line	W 2nd Street	8/24/2022	8/25/2022	1
60	23538	Service Line	24th Street	8/25/2022	8/29/2022	4
61	23539	Service Line	26th Street	8/26/2022	8/31/2022	5
62	23541	Service Line	I Street	8/31/2022	8/31/2022	1
63	23526	Service Line	8th Ave	8/19/2022	8/29/2022	10
64	23537	Service Line	Jubilee Wy	8/25/2022	8/30/2022	5
65	23545	Service Line	22nd Street	8/31/2022	8/27/2022	1
66	23519	Service Line	22nd Street	8/16/2022	9/13/2022	28
67	23540	Service Line	Elkhorn Blvd	8/30/2022	9/8/2022	9
68	23551	Service Line	E Street	9/2/2022	9/12/2022	10
69	23573	Service Line	Rinetti Way	9/15/2022	9/15/2022	1
70	23578	Service Line	Rio Linda Blvd	9/19/2022	9/28/2022	9
71	23614	Service Line	18th Street	9/26/2022	9/29/2022	3
72	23617	Service Line	2nd Street	9/28/2022	9/30/2022	2

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[Local Governing Board Members Will Now Have a Conflict of Interest in Campaign Donors Appearing Before Their Agencies \(/news-events/insights/2022/legal-alerts/10/local-governing-board-members\)](#)

LEGAL ALERTS | OCT 11, 2022

Local Governing Board Members Will Now Have Conflict of Interest in Campaign Donors Appearing Before Their Agencies

Gov. Newsom signs SB 1439, Expanding the Levine Act’s Restrictions

Local elected officials – including city council members, special district board members and school district board members – will now have to “conflict out” of certain proceedings involving persons that made contributions to their respective political campaigns. Gov. Newsom signed SB 1439 into law, making a number of changes to the “Levine Act,” which is a part of the Political Reform Act. The Levine Act previously only applied to local governing boards composed of appointed officials, such as joint powers authorities or other regional agencies whose boards are appointed by their member agencies. Effective Jan. 1, 2023, SB 1439 extends the Levine Act’s coverage to elected governing boards.

The Levine Act will now impose two key duties on city council and district board members. First, it will prohibit accepting, soliciting or directing a campaign contribution of \$250 if the donor is involved in a proceeding involving a license, permit or other entitlement for use, including a contract award, that is pending before the agency. Under SB 1439, this prohibition continues for 12 months following the proceeding. (It was previously three



months.) Second, the Levine Act will now require city council and district board members to recuse from any proceeding involving a license, permit or other entitlement for use, including a contract award, if the member has received a campaign contribution from a person involved in the proceeding within the previous 12 months.

The Levine Act applies to both the parties directly involved in the proceeding, such as an applicant for an entitlement, as well as to other participants who actively support or oppose a particular decision in the proceeding. As with other provisions of the Political Reform Act, officials with a Levine Act conflict of interest cannot make, participate in making, or attempt to influence any such proceeding. The rule does not apply to labor contracts, personal employment contracts or contracts that are competitively bid.

In light of SB 1439, both elected and appointed officials of a local government agency must therefore do all of the following:

Disclose. Before participating in any decision in a proceeding involving a license, permit or other entitlement for use (including certain contracts), an officer who received a

contribution over \$250 in the preceding 12 months from a party or any participant in the proceeding must disclose that fact on the record.

Recuse. If the officer knows or has reason to know that the party or participant who made the contribution has a financial interest in the decision, the officer must not make – or participate in making – the decision.

Or Return. If the officer returns the contribution within 30 days from the time the officer knows or should have known about the contribution and relevant proceeding, the officer may participate in the decision.

Refuse. While the proceeding is pending for 12 months after a final decision is rendered, an officer must not accept, solicit or direct a contribution of more than \$250 from the party or participant if the officer knows or has reason to know the party, participant or the party's or participant's agent has a financial interest in the decision.

Or Return. If an officer accepts, solicits or directs a contribution of more than \$250 during the 12 months after the date a final decision is rendered in the proceeding, the officer may cure the violation by returning the contribution, or the portion of the contribution that exceeds \$250, within 14 days of accepting, soliciting or directing the contribution, whichever comes latest. This opportunity to cure is only available if the officer did not knowingly and willfully accept, solicit or direct the prohibited contribution and the officer or officer's controlled committee keeps a record of curing the violation.

SB 1439 presents a significant change for local elected officials because campaign donations previously did not give rise to a conflict of interest and the Levine Act did not apply to the agencies that officials were elected to represent. Thus, elected officials will need to be aware of these new “refuse and recuse” requirements.

The Levine Act is located at Government Code section 84308. If you have any questions regarding the applicability of this law, please contact your city attorney or agency counsel.

Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts, facts specific to your situation or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information herein.

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Water Audit Report for: Rio Linda/ Elverta Community Water District (CA3410018)
Reporting Year: 2021 1/2021 - 12/2021

Please enter data in the white cells below. Where available, metered values should be used; if metered values are unavailable please estimate a value. Indicate your confidence in the accuracy of the input data by grading each component (n/a or 1-10) using the drop-down list to the left of the input cell. Hover the mouse over the cell to obtain a description of the grades

All volumes to be entered as: MILLION GALLONS (US) PER YEAR

To select the correct data grading for each input, determine the highest grade where the utility meets or exceeds all criteria for that grade and all grades below it.

Master Meter and Supply Error Adjustments

WATER SUPPLIED

		----- Enter grading in column 'E' and 'J' ----->				Pcnt: Value:	
Volume from own sources:	<input type="button" value="+"/> <input type="button" value="7"/> <input type="button" value="4"/>	<input type="text" value="917.300"/>	MG/Yr	<input type="button" value="+"/> <input type="button" value="3"/>	<input type="text" value="0.23%"/>	<input checked="" type="radio" value="0"/>	<input type="radio" value="1"/>
Water imported:	<input type="button" value="+"/> <input type="button" value="7"/> <input type="button" value="n/a"/>	<input type="text" value="0.000"/>	MG/Yr	<input type="button" value="+"/> <input type="button" value="7"/>	<input type="text"/>	<input checked="" type="radio" value="0"/>	<input type="radio" value="1"/>
Water exported:	<input type="button" value="+"/> <input type="button" value="7"/> <input type="button" value="n/a"/>	<input type="text" value="0.000"/>	MG/Yr	<input type="button" value="+"/> <input type="button" value="7"/>	<input type="text"/>	<input checked="" type="radio" value="0"/>	<input type="radio" value="1"/>

Enter negative % or value for under-registration
Enter positive % or value for over-registration

WATER SUPPLIED: MG/Yr

AUTHORIZED CONSUMPTION

Billed metered:	<input type="button" value="+"/> <input type="button" value="7"/> <input type="button" value="7"/>	<input type="text" value="679.800"/>	MG/Yr
Billed unmetered:	<input type="button" value="+"/> <input type="button" value="7"/> <input type="button" value="n/a"/>	<input type="text" value="0.000"/>	MG/Yr
Unbilled metered:	<input type="button" value="+"/> <input type="button" value="7"/> <input type="button" value="9"/>	<input type="text" value="102.100"/>	MG/Yr
Unbilled unmetered:	<input type="button" value="+"/> <input type="button" value="7"/> <input type="button" value="5"/>	<input type="text" value="11.440"/>	MG/Yr

Default option selected for Unbilled unmetered - a grading of 5 is applied but not displayed

AUTHORIZED CONSUMPTION: MG/Yr

Click here: for help using option buttons below

Pcnt: Value:

Use buttons to select percentage of water supplied OR value

Pcnt: Value:

MG/Yr

MG/Yr

WATER LOSSES (Water Supplied - Authorized Consumption)

MG/Yr

Apparent Losses

Unauthorized consumption: MG/Yr

Default option selected for unauthorized consumption - a grading of 5 is applied but not displayed

Customer metering inaccuracies: MG/Yr
 Systematic data handling errors: MG/Yr

Default option selected for Systematic data handling errors - a grading of 5 is applied but not displayed

Apparent Losses: MG/Yr

Real Losses (Current Annual Real Losses or CARL)

Real Losses = Water Losses - Apparent Losses: MG/Yr

WATER LOSSES: MG/Yr

NON-REVENUE WATER

NON-REVENUE WATER: MG/Yr

= Water Losses + Unbilled Metered + Unbilled Unmetered

SYSTEM DATA

Length of mains: miles
 Number of active AND inactive service connections:
 Service connection density: conn./mile main

Are customer meters typically located at the curbside or property line? (length of service line, beyond the property boundary, that is the responsibility of the utility)

Average length of customer service line has been set to zero and a data grading score of 10 has been applied

Average operating pressure: psi

COST DATA

Total annual cost of operating water system: \$/Year
 Customer retail unit cost (applied to Apparent Losses): \$/100 cubic feet (ccf)
 Variable production cost (applied to Real Losses): \$/Million gallons Use Customer Retail Unit Cost to value real losses

WATER AUDIT DATA VALIDITY SCORE:

***** YOUR SCORE IS: 62 out of 100 *****

A weighted scale for the components of consumption and water loss is included in the calculation of the Water Audit Data Validity Score

PRIORITY AREAS FOR ATTENTION:

Based on the information provided, audit accuracy can be improved by addressing the following components:

- 1: Volume from own sources
- 2: Customer metering inaccuracies
- 3: Billed metered



AWWA Free Water Audit Software: System Attributes and Performance Indicators

WAS v5.0

American Water Works Association.

Water Audit Report for: Rio Linda/ Elverta Community Water District (CA3410018)
 Reporting Year: 2021 1/2021 - 12/2021

*** YOUR WATER AUDIT DATA VALIDITY SCORE IS: 62 out of 100 ***

System Attributes:

	Apparent Losses:	15.895	MG/Yr
+	Real Losses:	105.961	MG/Yr
=	Water Losses:	121.855	MG/Yr

? Unavoidable Annual Real Losses (UARL): 19.57 MG/Yr

Annual cost of Apparent Losses: \$19,761

Annual cost of Real Losses: \$33,957 Valued at **Variable Production Cost**
 Return to Reporting Worksheet to change this assumption

Performance Indicators:

Financial: { Non-revenue water as percent by volume of Water Supplied: 25.7%
 Non-revenue water as percent by cost of operating system: 3.1% Real Losses valued at Variable Production Cost

Operational Efficiency: { Apparent Losses per service connection per day: 9.37 gallons/connection/day
 Real Losses per service connection per day: 62.46 gallons/connection/day
 Real Losses per length of main per day*: N/A
 Real Losses per service connection per day per psi pressure: 1.20 gallons/connection/day/psi

From Above, Real Losses = Current Annual Real Losses (CARL): 105.96 million gallons/year

? Infrastructure Leakage Index (ILI) [CARL/UARL]: 5.41

* This performance indicator applies for systems with a low service connection density of less than 32 service connections/mile of pipeline



**Information Items
Agenda Item: 5.2**

Date: October 17, 2022

Subject: Board Reports

Staff Contact: Timothy R. Shaw, General Manager

BOARD REPORTS

1. Report ad hoc committee(s) dissolved by requirements in Policy 2.01.065
2. Sacramento Groundwater Authority (Harris (primary)
3. Executive Committee – Gifford, Ridilla
4. ACWA/ACWA JPIA
5. Ad Hoc – COLA Committee
6. Ad Hoc – GM Evaluation Committee

Minutes
Rio Linda / Elverta Community Water District
Executive Committee

45
October 3, 2022 @ 6:00 P.M.

Visitors / Depot Center
6730 Front St.
Rio Linda, CA 95673

The meeting was called to order at 6:00 P.M. The meeting was attended by Director Gifford, Director Ridilla, General Manager Tim Shaw, and Contract District Engineer Mike Vasquez.

Call to Order: 6:00 P.M.

The General Manager announced the need for adding an item to the agenda, Item X – Revisions to Discontinuation of Water Service Policy. This item emerged after the agenda was posted and will not wait until the next Committee meeting. Both Board Members agreed to add this item to the agenda.

Public Comment: *There were no members of the public in attendance*

Items for Discussion:

1.	Engineers Update.
<i>The Contract District Engineer presented his written report and provided additional details on the annual pipe replacement project. The District Engineer estimated the project will take approximately 30-days to complete.</i>	
2.	Discuss the Process for Cancelling Membership in the Association of California Water Agencies (ACWA).
<i>The General Manager presented his written report and explained the details determined so far. At this point, it appears as though it will be less cumbersome to move the Workers Compensation insurance from Special Districts Risk Management Authority to Association of California Water Agencies Joint Powers Insurance Authority. The General Manager indicated the District is awaiting a quote from ACWA JPIA to compare Workers Compensation Insurance coverage premiums.</i>	
3.	Status Report on GM Performance Review Ad Hoc.
<i>The General Manager presented his written report. As of the time of the Executive Committee meeting, one of the assigned Board Members had not responded to repeated email requests for available dates/times. Per direction of the Chair, the meeting was set for October 6th. However, on October 6th, the Board Member emailed to indicate unavailability for the meeting. The GM responded with yet another request for available dates but has not received a response.</i>	
4.	Discuss Correspondence with Teamster Local 150 Regarding 2022 Cost of Living Adjustment.
<i>The General Manager presented his written report and provided additional insights regarding current labor relations and employee morale, which occurred subsequent to the September 19th Board meeting, where the Board declined to form a negotiations ad hoc committee for the 2022 COLA. In response to the correspondence from Teamsters, the General Manager explained that two meetings were scheduled for October 4th, one with Teamster Local 150 and the other with the 2022 COLA Negotiations Ad Hoc Committee appointed by the Chair.. The GM explained that he had been in discussions with the Chair and Legal Counsel, both agreed that pursuant to District Policy, the Chair could appoint the negotiations ad hoc, then ask the Board to ratify the appointment at the October 17th Board meeting.</i> <i>The Executive Committee forwarded the ad hoc committee appointment ratification onto the October 17th Board agenda with the Committee's recommendation for Board approval.</i>	

<p>5. Discuss the Well 14 Parcel.</p>
<p><i>The General Manager presented his written report and explained that this item was placed on the agenda because a public member asked, at the September 19th Board meeting, questions about why the District is not selling the Well 14 property. That item was not on the Board agenda, and the Board was therefore limited in the degree of discussion. The General Manager reviewed the Board actions from a couple of years ago, where the Board affirmed the status of the Well 14 property to remain as a District Asset. The General Manager further reviewed the current requirements for public agencies with surplus property. The General Manager further reviewed the lessons learned by the District for purchasing property prior to ascertaining the viability of a water well.</i></p>
<p>6. Discuss the Practice and Documents for Offering a Payment Plan for Relatively Disadvantaged Individuals Paying RLECWD Drinking Water Capacity Fees.</p>
<p><i>The General Manager presented his written report and provided additional information on the more recent resident's need for a payment plan. Director Gifford indicated his support for the concept, where individual residents on private wells often cannot afford an upfront, lump sum payment of the connection costs for District service. Director Ridilla expressed his preference for an interest rate based on the interest the District receives from Local Agency Investment Fund (LAIF) for invested capacity fees.</i></p> <p><i>The Executive Committee forwarded the Capacity Fee Payment Plan Agreement onto the October 17th Agenda with the Committee's recommendation for Board approval.</i></p>
<p>7. Discuss the Date, Time, and Location of the November Executive Committee (Depot is Ballot Dropoff Location).</p>
<p><i>The Executive Committee established the next Executive Committee meeting will be at 6:30 on November 7th at the New Beginnings Fellowship, 7008 10th St. Rio Linda, CA.</i></p>
<p>8. Discuss Expenditures for August 2022.</p>
<p><i>Director Ridilla requested clarification on one of the Expenditures associated with retiree medical insurance. The Executive Committee forwarded the item onto the October 17th Board agenda with the Committee's recommendation for Board approval.</i></p>
<p>9. Discuss Financial Reports for August 2022</p>
<p><i>The Executive Committee forwarded the Financial Report onto the October 17th Board agenda with the Committee's recommendation for Board approval.</i></p>
<p>X. Revisions needed to the District's Discontinuation of Water Service Policy.</p>
<p><i>The General Manager distributed his written report by handing a copy to each person in attendance. The General Manager explained that pursuant to SB 998, the District adopted the Discontinuation of Residential Water Service for Nonpayment policy in January 2020 (with an effective date in February 2020. The next month (March 2020) the Governor issued an executive order precluding shutoffs for nonpayment. The executive order precluded implementation of the District's policy for two years.</i></p> <p><i>Recently, via putting the policy into practice, the District became aware of the need for revisions as described in the staff report. Director Ridilla requested that the staff report for the Board Meeting be simplified compared to the staff report for the Executive Committee.</i></p> <p><i>The Executive Committee forwarded this item onto the October 17th Board agenda with the Committee's recommendation for Board approval.</i></p>

Directors' and General Manager Comments: *None*

Items Requested for Next Month's Committee Agenda: *None*

Adjournment: 7:13 P.M.

SACRAMENTO GROUNDWATER AUTHORITY
REGULAR MEETING OF THE BOARD OF DIRECTORS

Thursday, October 13, 2022; 9:00 a.m.

AGENDA

The Board will discuss all items on this agenda, and may take action on any of those items, including information items and continued items. The Board may also discuss other items that do not appear on this agenda but will not act on those items unless action is urgent, and a resolution is passed by a two-thirds (2/3) vote declaring that the need for action arose after posting of this agenda.

The public shall have the opportunity to directly address the Board on any item of interest before or during the Board's consideration of that item. Public comment on items within the jurisdiction of the Board is welcomed, subject to reasonable time limitations for each speaker. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection on SGA's website. In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, please contact cecilia@rwa20.org. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

Notice: The Board meeting will be held in the RWA Board Room and virtually. The RWA Board Room will be open for Committee members and members of the public. Board members are encouraged to attend in person but are not required to do so.

Meeting Information:
SGA Board Meeting
October 13, 2022 09:00 AM (PST)

Please join my meeting from your computer, tablet, or smartphone

Join Zoom Meeting

<https://us06web.zoom.us/j/86451649564?pwd=TVhwZmpmU240SE8xMzRocnNjY3hNZz09>

You can also dial in using your phone

United States: +16694449171

Meeting ID: 864 5164 9564 **Passcode:** 796025

1. **CALL TO ORDER AND ROLL CALL**
2. **PUBLIC COMMENT:** Members of the public who wish to address the Board may do so at this time. Please keep your comments to less than three minutes.
3. **CONSENT CALENDAR:** All items listed under the Consent Calendar are considered and acted upon by one motion. Board members may request an item be removed for separate consideration.
 - a. Extend Resolution 2021-02, including requisite findings, to renew authorization to hold meetings of the Board of Directors via teleconference pursuant to Assembly Bill 361 until such time as the State of Emergency resulting from the COVID-19 pandemic no longer impacts the ability of Board members and the public to safely meet in person.
 - b. Approve the minutes of August 11, 2022 Board meeting.

Action: Approve Consent Calendar Items

4. **PRESENTATION OF RESOLUTION 2022-03 HONORING ROB SWARTZ FOR HIS YEARS OF SERVICE**
Action: Adopt Resolution 2022-03
5. **GROUNDWATER SUSTAINABILITY PROGRAM UPDATE**
Information and Presentation: Rob Swartz, Manager of Technical Services
6. **APPOINTMENT OF NOMINATIONS COMMITTEE FOR 2023 SGA OFFICERS**
Action: Chair Yasutake to Appoint Nominations Committee for 2023 SGA Officers
7. **EXECUTIVE DIRECTOR'S REPORT**
8. **DIRECTORS' COMMENTS**

ADJOURNMENT

Next SGA Board of Director's Meetings:

December 8, 2022, 9:00 a.m. at the RWA/SGA office, 5620 Birdcage Street, Ste. 110, Citrus Heights, the location is subject to change depending on the COVID-19 emergency.

Notification will be emailed when the SGA electronic packet is complete and posted on the SGA website at <https://www.sgah2o.org/meetings/board-meetings/>.



Agenda Item: 6

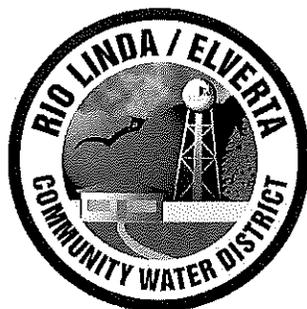
Date: October 17, 2022

Subject: Public Comment for Closed Session

Staff Contact: Timothy R. Shaw, General Manager

6. PUBLIC COMMENT FOR CLOSED SESSION

Public comment for closed session items only. The public is invited to comment on any item listed on the closed session agenda. Each speaker is limited to 2 minutes.



**Closed Session
Agenda Item: 7.1**

Date: October 17, 2022

Subject: Closed Session

Staff Contact: Timothy R. Shaw, General Manager

7. **CLOSED SESSION** - The Board of Directors will convene to Closed Session to discuss the following item.

7.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION – General Manager: The Board will conduct a performance evaluation of the General Manager pursuant to subdivision (b) of California Government Code Section 54957.