

Agenda
Rio Linda / Elverta Community Water District
Executive Committee

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

November 1, 2021
6:00 p.m.

Public documents relating to any open session items listed on this agenda that are distributed to the Committee members less than 72 hours before the meeting are available for public inspection on the counter of the District Office at the address listed above.

The public may address the Committee concerning any item of interest. Persons who wish to comment on either agenda or non-agenda items should address the Executive Committee Chair. The Committee Chair will call for comments at the appropriate time. Comments will be subject to reasonable time limits (3 minutes).

In compliance with the Americans with Disabilities Act, if you have a disability, and you need a disability related modification or accommodation to participate in this meeting, then 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.

Call to Order

Public Comment

This is an opportunity for the public to comment on non-agenda items within the subject matter jurisdiction of the Committee. Comments are limited to 3 minutes.

Items for Discussion:

1. Update from Contract District Engineer.
2. Discuss U.S. EPA Mandate for Vulnerability Assessment and Emergency Response Plan Update.
3. Status Report on State Water Resources Control Board Arrearages Program.
4. Discuss the Written Request from J Smith for Retroactive Cost Share for Improvements at Well #15.
5. Fiscal Year Ending June 30, 2021 Independent Auditor Report.
6. Discuss the Vacaville Hexavalent Chromium 9th Circuit Court Ruling.
7. Discuss timing and process for implementing Innov8 / WaterScope Customer Consumption Data Option.
8. Discuss Expenditures for September 2021.
9. Discuss Financial Reports for September 2021.

Directors' and General Manager Comments:

Items Requested for Next Month's Committee Agenda

Adjournment

Next Executive Committee meeting: Monday, December 6, 2021 at Visitors / Depot Center

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, if you need special assistance or materials to participate in this meeting, please contact the District Office at 916-991-1000. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and agenda materials.



Executive Committee Agenda Item: 1

Date: November 1, 2021

Subject: General Status Update from the District Engineer

Contact: Mike Vasquez, PE, PLS, Contract District Engineer

Recommended Committee Action:

Receive a status report on specific focus items currently being addressed by the District Engineer.

Current Background and Justification:

Subjects anticipated for discussion include:

1. 2020 UWMP RFP
2. Annual Pipe Replacement Project – Dry Creek Road
3. Well 16 Pump Station

Conclusion:

I recommend the Executive Committee receive the status report from the District Engineer. Then, if necessary and appropriate, forward an item(s) onto the November 15, 2021 Board of Directors Meeting agenda with recommendations as necessary.



Executive Committee Agenda Item: 2

Date: November 1, 2021

Subject: Discuss U.S. EPA Mandate for Vulnerability Assessment and Emergency Response Plan Update

Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee should review this staff report and the documents associated with this item, then direct staff as appropriate.

Current Background and Justification:

About 6-weeks ago, I began receiving outreach from U.S. EPA, regarding a drinking water reporting mandate. Outreach from U.S. EPA is unusual because we are regulated by the State Water Resources Control Board, Division of Drinking Water (DDW). The essence of the outreach was that RLECWD was overdue for a new submittal requirement, a Risk and Resiliency Assessment (vulnerability). My immediate response to U.S. EPA was, "how can we already be overdue if this is the first outreach?". U.S. EPA responded that they had been sending e-mails.

In my experience, U.S. EPA emails are a common target of SPAM and/or deception. Private sector entities often make their solicitation letters/emails look as if they are U.S. EPA.

This new submittal mandate is similar to a security assessment U.S. EPA required shortly after September 11, 2001. The updated vulnerability assessment adds the scopes of natural disasters to the terrorism scope of the original requirement after 9/11.

We have received a task order from EKI to perform the vulnerability assessment using a check list format U.S. EPA developed for smaller water agencies. The not-to-exceed amount in the task order is \$7,500. I have performed outreach to U.S. EPA requesting feedback on how many hours typical small water agencies expend in completing the vulnerability assessment via the U.S. EPA checklist. My objective being to gauge whether or not the EKI task order is reasonable.

Conclusion:

I recommend the Executive Committee review the material and provide staff direction as appropriate.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, California 94105-3901**

Via email

Re: Warning – Certification of Risk and Resilience Assessment is Required

Information currently available to the United States Environmental Protection Agency (EPA) indicates that the Public Water System No. _____ has not certified the completion of a new/revised Risk and Resilience Assessment (RRA) by the June 30, 2021 deadline pursuant to the Safe Drinking Water Act (SDWA). EPA requests a written response to this correspondence which should set out a schedule for meeting the requirements discussed below.

On October 23, 2018, Section 1433 of SDWA was amended in accordance with the America's Water Infrastructure Act of 2018 (Public Law 115-270) which requires all Community Water Systems (CWS) serving more than 3,300 persons to (1) prepare a Risk and Resiliency Assessment (RRA) and (2) prepare or revise an ERP that incorporates the findings of an RRA and certify to EPA that this work has been completed. Pursuant to Section 1433(a) of the SDWA, the RRA shall include:

1. the risk to the system from malevolent acts and natural hazards;
2. the resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system
3. the monitoring practices of the system;
4. the financial infrastructure of the system;
5. the use, storage, or handling of various chemicals by the system; and
6. the operation and maintenance of the system

In an effort to ensure that all CWSs comply, we ask that you submit a schedule (see example attachment) for meeting the statutory requirement within 30 days of receipt of this letter. If a CWS fails to comply with a requirement under Section 1433 (e.g., fails to certify they have conducted a risk and resilience assessment by the statutory deadline), then EPA may exercise its enforcement discretion by initiating an action under Section 1414 to require compliance and may also seek a civil penalty of not more than \$57,317* per day of violation.

If you have certified completion of an RRA and believe that our records are in error, please contact Samantha Bishop, Region 9 AWIA RRA/ERP coordinator, immediately, at (415) 972-3411 or bishop.samantha@epa.gov. Additional information and tools to assist in compliance with the new requirements are available on [EPA's website](#). If you have any questions, please do not hesitate to contact us.

Sincerely,

Corine Li, P.E. Manager
Drinking Water Section



Tim Shaw

From: Bishop, Samantha <Bishop.Samantha@epa.gov>
Sent: Tuesday, October 26, 2021 2:43 PM
To: Tim Shaw
Subject: RE: Warning Letter Attached; Response Required within 30 days

Tim,

I have provided your information and solicited feedback on VSAT. I'm told by large systems that it took months to gather all the information, talk to folks across different departments in the CWS, and complete VSAT. But by smaller systems not doing as deep of a dive into the quantitative analysis section of VSAT it can be much faster. On the longer end it could take a few months, on the shorter end I've heard folks have been able to finish the required, qualitative section of VSAT or the checklist in one day.

Please consider this a reminder to respond to our request for return to compliance timeline by the end of the month.

Samantha Bishop
Environmental Engineer/Chemist
Region 9 – Drinking Water
75 Hawthorne St 94105
415-972-3411

From: Tim Shaw <GM@rlecwd.com>
Sent: Tuesday, October 12, 2021 11:41 AM
To: Bishop, Samantha <Bishop.Samantha@epa.gov>
Cc: Pat Goyet <pgoyet@rlecwd.com>; Rezvani, Ali@Waterboards <Ali.Rezvani@waterboards.ca.gov>
Subject: RE: Warning Letter Attached; Response Required within 30 days

Ms. Bishop:

Can you consider providing my contact information to any water agency having completed the VSAT checklist (preferably a small, underfunded agency like RLECWD) and ask them to contact me to provide simple insights on the process, e.g. how long did the checklist take? What was the most challenging part.

Timothy R. Shaw

General Manager
Rio Linda / Elverta Community Water District
(916) 991-8891

From: Bishop, Samantha <Bishop.Samantha@epa.gov>
Sent: Tuesday, October 12, 2021 11:36 AM
To: Tim Shaw <GM@rlecwd.com>
Cc: Pat Goyet <pgoyet@rlecwd.com>
Subject: RE: Warning Letter Attached; Response Required within 30 days

I'm not aware of any time estimates we have for typical vsat completion.

Samantha Bishop
Environmental Engineer/Chemist
Region 9 – Drinking Water
75 Hawthorne St 94105
415-972-3411

From: Tim Shaw <GM@rlecwd.com>
Sent: Monday, October 11, 2021 9:47 AM
To: Bishop, Samantha <Bishop.Samantha@epa.gov>
Cc: Pat Goyet <pgoyet@rlecwd.com>
Subject: RE: Warning Letter Attached; Response Required within 30 days
Importance: High

Ms. Bishop:

We have received a quote from our Contract District Engineer's firm for their proposed work in completing the Resilience Assessment. The quote is a basic Time and Materials quote with a not to exceed amount of \$7,500. My task as General Manager is to assess whether or not the charge (\$7,500) is reasonable for the service to be provided.

My impediment is that I have not ever used the AWAI VSAT Checklist to perform and/or update a Resilience Assessment. Can you provide insights into the typical quantity of person hours small water agencies expend for completing the checklist?

Timothy R. Shaw

General Manager
Rio Linda / Elverta Community Water District
(916) 991-8891

From: Bishop, Samantha <Bishop.Samantha@epa.gov>
Sent: Friday, October 1, 2021 2:21 PM
To: Pat Goyet <pgoyet@rlecwd.com>; Tim Shaw <GM@rlecwd.com>
Subject: Warning Letter Attached; Response Required within 30 days
Importance: High

Please find attached a warning letter indicating we have not received your Risk and Resilience Assessment. We ask that you submit a schedule (see example attachment) for meeting the statutory requirement within 30 days of receipt of this letter.

Samantha Bishop
Environmental Engineer/Chemist
Region 9 – Drinking Water
75 Hawthorne St 94105
415-972-3411

Small System Risk and Resilience Assessment Checklist

This guidance is intended for small community water systems (CWSs) serving greater than 3,300 but less than 50,000 people to comply with the requirements for risk and resilience assessments under America's Water Infrastructure Act of 2018 (AWIA). For larger CWSs, EPA recommends the [Vulnerability Self-Assessment Tool \(VSAT\) Web 2.0](#) or an alternate risk assessment method. CWSs serving 3,300 or fewer people are not required to conduct risk and resilience assessments under AWIA. EPA recommends, however, that very small CWSs use this or other guidance to learn how to conduct risk and resilience assessments and address threats from malevolent acts and natural hazards that threaten safe drinking water.

Why is EPA providing this document?

This guidance will help small CWSs meet the requirements for risk and resilience assessments in AWIA. This guidance does not address emergency response plans (ERPs), which are also required under AWIA for CWSs serving more than 3,300 people. EPA has developed an [Emergency Response Plan Template and Instructions](#) for CWSs to comply with AWIA. Further, this guidance does not cover all aspects of water system security and resilience, such as asset management, climate change, and emergency preparedness and response. Visit EPA's [Drinking Water and Wastewater Resilience](#) page to find more information.

-  [AWIA Small System Risk and Resilience Assessment Checklist.pdf \(pdf\)](#) (5/12/2020)



Executive Committee

Agenda Item: 3

Date: November 1, 2021

Subject: Discuss Status Report on State Water Resources Control Board (SWRCB) Arrearages Program

Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee should review the materials associated with this item and, if deemed appropriate, forward an item onto the November 15th Board agenda.

Current Background and Justification:

The SWRCB position continues to include a social equity idealism as a required prerequisite for funding. Participants must waive late fees. I participated in the SWRCB Arrearages workshop, and I provided the limitations for public water districts (contrasted to investor-owned utilities). The SWRCB staff was undeterred by my feedback. I also reached out to California Special Districts Association (CSDA), but I did not receive any response.

As confirmed by Legal Counsel at the October 18th Board meeting, various statutory provisions and restrictions prohibit public water agencies from re-allocating the cost of providing service to those customers who did not receive the service, e.g., late notice, delinquency notice and shut off notice.

It is reasonable to foresee that the media and SWRCB et al will ramp up outreach and campaigning for their \$1 billion arrearages program. RLECWD delinquent customers will reasonably request an explanation of non-participation.

Conclusion:

The RLECWD Board review and discussion should be overtly public. Accordingly, the Executive Committee should forward this item onto the November 15th Board agenda.

*** CALIFORNIA CONSTITUTION - CONS**

ARTICLE XIII D [ASSESSMENT AND PROPERTY-RELATED FEE REFORM] [SECTION 1 - SEC. 6]

(Article 13D added Nov. 5, 1996, by Prop. 218. Initiative measure.)

SEC. 6.

Property Related Fees and Charges. (a) Procedures for New or Increased Fees and Charges. An agency shall follow the procedures pursuant to this section in imposing or increasing any fee or charge as defined pursuant to this article, including, but not limited to, the following:

(1) The parcels upon which a fee or charge is proposed for imposition shall be identified. The amount of the fee or charge proposed to be imposed upon each parcel shall be calculated. The agency shall provide written notice by mail of the proposed fee or charge to the record owner of each identified parcel upon which the fee or charge is proposed for imposition, the amount of the fee or charge proposed to be imposed upon each, the basis upon which the amount of the proposed fee or charge was calculated, the reason for the fee or charge, together with the date, time, and location of a public hearing on the proposed fee or charge.

(2) The agency shall conduct a public hearing upon the proposed fee or charge not less than 45 days after mailing the notice of the proposed fee or charge to the record owners of each identified parcel upon which the fee or charge is proposed for imposition. At the public hearing, the agency shall consider all protests against the proposed fee or charge. If written protests against the proposed fee or charge are presented by a majority of owners of the identified parcels, the agency shall not impose the fee or charge.

(b) Requirements for Existing, New or Increased Fees and Charges. A fee or charge shall not be extended, imposed, or increased by any agency unless it meets all of the following requirements:

(1) Revenues derived from the fee or charge shall not exceed the funds required to provide the property related service.

(2) Revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed.

(3) The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.

(4) No fee or charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question. Fees or charges based on potential or future use of a service are not permitted. Standby charges, whether characterized as charges or assessments, shall be classified as assessments and shall not be imposed without compliance with Section 4.

(5) No fee or charge may be imposed for general governmental services including, but not limited to, police, fire, ambulance or library services, where the service is available to the public at large in substantially the same manner as it is to property owners.

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2021-**

**CONDEMNING RACISM, XENOPHOBIA, AND RACIAL INJUSTICE AND
STRENGTHENING COMMITMENT TO RACIAL EQUITY, DIVERSITY, INCLUSION,
ACCESS, AND ANTI-RACISM**

WHEREAS:

1. As part of the California Environmental Protection Agency (CalEPA), the shared mission of the State Water Resources Control Board (State Water Board) and nine Regional Water Quality Control Boards (Regional Water Boards), collectively Water Boards, is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use for the benefit of present and future generations. In relation to this mission, the Water Boards accept responsibility for confronting structural and institutional racism and advancing racial equity. According to the Government Alliance on Race and Equity (GARE), racial equity occurs when race can no longer be used to predict life outcomes, and outcomes for all groups are improved.
2. Historically, government agencies used race to establish structures and systems that continue to deliver disparate outcomes, including wealth, health, and environmental inequities. Because race intersects with many, if not all, other marginalized identities, prioritizing and addressing racial inequities improves outcomes for other marginalized communities.
3. CalEPA's 2021 Pollution and Prejudice Story map demonstrates that historically redlined neighborhoods are "generally associated with worse environmental conditions and greater population vulnerability to the effects of pollution today." In addition, Black, Indigenous, and people of color are overrepresented in the neighborhoods that are the most environmentally degraded and are still experiencing severe racial wealth gaps caused by redlining and other land-use practices.
4. The Office of Environmental Health Hazard Assessment's (OEHHA's) CalEnviroScreen mapping tool identifies communities that are disproportionately impacted by a combination of environmental stressors and socioeconomic disadvantages. The tool's 2021 update reveals that the top 10 percent of least-polluted neighborhoods are 72 percent white, while the top 10 percent of most-polluted neighborhoods are 89 percent Black, Indigenous, and people of color.
5. In contrast, State of California workforce census data from 2020 show that 43% of the state's population is white, yet about 56% of the Water Boards' workforce and 68% of the Water Boards' management is white. Only 42% of the Water Boards' workforce and 32% of its management are Black, Indigenous, and people of color compared to 63% of the state's population.

6. Contaminated water sources disproportionately burden low-income communities and Black, Indigenous, and people of color communities throughout California, further exacerbating persistent inequities, which can be seen in data collected by the Human Right to Water Framework and Data Tool 1.0 (released January 2021).
7. In September 2012, with the enactment of Water Code section 106.3, California became the first state in the nation to legislatively recognize the human right to water. It states, in part, “...every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.”
8. In February 2016, to advance the implementation of Water Code section 106.3, the State Water Board adopted [Resolution No. 2016-0010](#), “The Human Right to Water as a Core Value and Directing Its Implementation in Water Board Programs and Activities.” Resolution No. 2016-0010 includes direction for the Water Boards’ staff to work with stakeholders to improve the State Water Board’s administration of its programs and projects to realize the human right to water.
9. From 2016 to 2019, the North Coast, Central Coast, Central Valley, and Santa Ana Regional Water Boards adopted similar resolutions, further elevating and emphasizing the importance of the human right to water in the Water Boards’ work and the need to improve administration of the Water Boards’ programs and projects to realize the human right to water.
10. In March 2017, the State Water Board adopted [Resolution No. 2017-0012](#), “Comprehensive Response to Climate Change,” directing a proactive approach to climate change in all State Water Board actions, including drinking water regulation, water quality protection, diversification of regional water supplies, and financial assistance. The effects of climate change—including extreme changes in water cycle patterns, flooding, sea level rise, and heat—are expected to become more severe every year, leading to threatened access to safe and affordable water, increased demand for limited water and wastewater infrastructure funding, and increased risk of cumulative, negative health and economic outcomes for all communities. Climate change impacts disproportionately affect Black, Indigenous, people of color and unsheltered communities.
11. From 2017 to 2018, the San Diego, Los Angeles, and Lahontan Regional Water Boards adopted similar resolutions to direct staff to address the impacts of climate change. In addition to specific climate change resolutions, the San Francisco Bay, Los Angeles and Central Valley Regional Water Boards have developed and implemented climate change action plans.
12. In recent years, California has passed critical legislation and bonds, administered and implemented by the Water Boards, to fund projects that remediate the harm, or threat of harm, to human health, safety, and the environment caused by existing or threatened surface water and groundwater contamination. These include, among others, Senate Bill (SB) 445 (2014), establishing the Site Cleanup Subaccount Program; the Water Quality, Supply, and Infrastructure Improvement Act of 2014

(Proposition 1); the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68); and SB 828 (2016), establishing the Drinking Water for Schools Grant Program. Many of these programs set aside or target specific funding for projects in disadvantaged and severely disadvantaged communities, thereby further advancing environmental and economic justice and the realization of safe, clean water for all.

13. In 2019, California enacted SB 200, establishing the \$130 million per year Safe and Affordable Drinking Water Fund. In conjunction with SB 200, the State Water Board created the Safe and Affordable Funding for Equity and Resilience (SAFER) Program to advance the human right to water. The SAFER Program encompasses regulatory, funding, and public engagement strategies to work toward long-term solutions for the estimated 1 million Californians without access to safe drinking water, thereby advancing environmental and economic justice.
14. In 2021, the State Water Board released the 2021 SAFER Drinking Water Needs Assessment, which (1) identifies California small water systems and domestic wells that are failing, or at risk of failing, to provide access to safe drinking water; (2) estimates the cost of interim and long-term solutions for these systems; and (3) determines the statewide funding gap and affordability challenges that may be barriers to implementing these solutions. There are approximately 345 systems that fail to meet the goals of the human right to water. In addition, the needs assessment identified 617 at-risk public water systems, 611 at-risk state small water systems, and 80,000 at-risk domestic wells. It also identified 13 federally regulated tribal water systems that failed to meet the goals of the human right to water and 22 at-risk tribal water systems.
15. Since 2018, the Water Boards have been participating in GARE, an international network of governmental organizations working to achieve racial equity and advance opportunities for all. The GARE network utilizes a racial equity model of change described as iterative stages of normalizing, organizing, and operationalizing.
16. Since 2019, the Water Boards' staff have been actively engaged in CalEPA's racial equity team, which is implementing the agency's "Plan to Achieve Racial Equity." Approximately 40 of the Water Boards' staff are participating across five sub-teams that are each focused on a specific outcome: (1) improve access to data and information on racial equity; (2) improve communication with communities and partners; (3) improve language access; (4) advance racial equity trainings for the CalEPA workforce; and (5) improve workforce hiring, retention, and promotion practices to advance racial equity within the environmental protection role that each board, department, and office shares with CalEPA.

17. In 2019, the Water Boards released the document, “Immediate Hiring Practices Action Plan for Advancing Workforce Diversity at the Water Boards” in alignment with CalEPA’s “Practices to Advance Racial Equity in Workforce Planning.” Both documents were developed to articulate the benefits of a diverse workforce and to identify practices to advance racial equity. The Water Boards’ plan directs hiring managers and supervisors to take specific short-term actions to improve workforce diversity while a more holistic plan is being developed.
18. In April and May 2020, CalEPA collaborated with GARE to survey staff of all CalEPA boards, departments, and offices, including the Water Boards, to establish baseline progress toward efforts to advance racial equity. Responses reveal that within the Water Boards’ workforce, the Water Boards are beginning to normalize conversations about racial equity by establishing the shared language, set of facts, and approaches required to advance racial equity. In addition, the summary report of the Water Boards’ staff responses indicates that more work is needed to further normalize racial equity, and it includes a specific recommendation for the Water Boards to center racial equity work on the perspectives and experiences of Black staff. Overall, the survey responses strongly support the need for additional training and tools for advancing racial equity and for stronger communication with staff.
19. During its August 18, 2020 meeting, the State Water Board directed staff to implement a racial equity initiative. Executive Director Sobeck established the Racial Equity Steering Committee and Working Group to advance the initiative. The Racial Equity Steering Committee’s charge is to ensure leadership remains committed to furthering racial equity and to direct the Working Group’s progress on implementing the following priorities: (1) establish a foundation of internal and external engagement that values listening and collaboration to drive action; (2) draft a resolution on racial equity to be considered for adoption by the State Water Board and also leveraged by the Regional Water Boards to adopt their own resolutions; and (3) develop racial equity strategies and action plans to drive the Water Boards’ efforts to institutionalize racial equity.
20. In November and December 2020, the Racial Equity Steering Committee and Working Group hosted four public listening sessions to solicit input on the challenges that Black, Indigenous, and people of color are facing and how the Water Boards can better facilitate equitable participation from these communities in their decision-making and policy development processes. Feedback from participants included several common themes, such as: a general distrust of government; feeling excluded from decision-making processes that ultimately affect them; not feeling heard when presenting issues to the Water Boards or that participation results in a change; a desire for more evidence that state government is committed to providing safe drinking water to disadvantaged communities; and concern that the Water Boards’ decision-makers and staff do not reflect the diversity of the communities they serve.
21. In March 2021, the Racial Equity Steering Committee and Working Group hosted listening sessions for the Water Boards’ staff to learn how the Water Boards can foster a workplace where all staff feel they belong and can contribute, and where

the impacts of institutional racism are being recognized, addressed, and dismantled. To encourage honest, open discussion, each session was facilitated by professional racial equity consultants. Several common themes emerged during the sessions, such as: a general lack of opportunities to increase diversity and promote inclusion within the workforce; a need for mandatory training for all the Water Boards' staff in the areas of racial equity, racism, implicit bias, and cultural competence; the importance of allocating resources to support racial equity efforts; and the need to bring a racial equity lens to the Water Boards' decision-making processes, including more meaningful opportunities for community involvement.

22. Although the Water Boards' racial equity and environmental justice work began prior to 2020, the national and worldwide backlash against racism toward Black people and related Black Lives Matter protests of 2020 accelerated and informed the Water Board's decision to develop an initiative, resolution, and subsequent action plan to address racial inequities within the Water Boards and through the Water Boards' work.
23. Historically, the Water Boards' programs were established over a structural framework that perpetuated inequities based on race. These inequities persist, and prior to this resolution, the Water Boards had not explicitly acknowledged the role racism has played in creating inequities in affordability and access to clean and safe water and in the allocation and protection of water resources. Toward reconciliation, the State Water Board now acknowledges:
 - a. White supremacy is a systemically and institutionally perpetuated system of exploitation and oppression of nations and peoples of color by white people for the purpose of maintaining and defending a system of wealth, power, and privilege. In the United States, white supremacy led to the genocide and forced relocation of Indigenous people to facilitate white resettlement and the enslavement of Black people for white economic gain. White supremacy has been served by many other government policies targeting people of color, including for example, race-focused immigration restrictions, the internment of Japanese Americans, exclusionary housing policies, and lack of investment in communities of color.
 - b. White supremacist ideologies have driven many governmental policies for centuries and have created persistent racial inequities and deeply entrenched systems of oppression. The impacts of federal, state, and local decision-making and policies made decades ago continue to impose challenges for Black, Indigenous, and people of color, who still grapple with the lasting effects of historical racial inequities stemming from those governmental decisions and policies.
 - c. The colonization, displacement, and murder of Indigenous people in the United States have contributed to the loss of watershed management practices that supported Indigenous people's traditional ways of life.

Watersheds are now largely managed in the context of the large-scale diversion of water for municipal, industrial, agricultural, and commercial beneficial uses to the detriment of traditional, local uses and the Indigenous people that depend on them.

- d. The historical seizures of land from Black, Indigenous, and people of color have had, and continue to have, long-standing impacts that extend beyond the loss of the land itself. These impacts include the loss of the associated water rights and other natural resources of value, lack of access to affordable and reliable governmental services, and forced relocation to areas with fewer or lower quality resources.
 - e. California government has played a role in historically and institutionally perpetuating racial inequities that Black, Indigenous and people of color continue to face. In California, race is a predictor of access to, and the quality of, the governmental services a person receives, including access to safe, clean water for drinking, and affordable services to support sanitation, and wastewater collection, treatment, and reuse. In fact, race is the strongest predictor of water and sanitation access.
 - f. To better represent and serve California’s communities, the Water Boards must address the connection between water management and systemic and institutional racism.
24. On a community scale, race is strongly correlated with more severe pollution burdens. However, none of the Water Boards’ policies, programs, or plans specifically consider or address racial inequities. As a government agency with a role in ensuring access to clean, safe, and affordable water for all Californians, the State Water Board recognizes the need to acknowledge racial inequity and to take action to address racial inequity within the agency and as part of the programs the Water Boards’ carry out for the communities we serve.

THEREFORE, BE IT RESOLVED THAT:

The State Water Resources Control Board:

- 1. Condemns acts of racism, xenophobia, white supremacy, and institutional and systemic racism; adopts racial equity, diversity, and inclusion as core values; and acknowledges the role of government agencies — including the Water Boards — in redressing racial inequities and dismantling institutional and systemic racism.
- 2. Commits to making racial equity, diversity, inclusion, and environmental justice central to our work as we implement our mission so that the access the State Water Board creates, and outcomes it influences, are not determined by a person’s race and the benefits are shared equitably by all people.

3. Commits to centering its work and decision-making on Black, Indigenous, and people of color who are disproportionately represented in the most vulnerable communities and in unsheltered populations, while ensuring the full benefits of the Water Boards' programs for all people.
4. Reaffirms our commitment to upholding California's human right to water law, upholding the State Water Board's human right to water resolution, and demonstrating that every human being in California, including Black, Indigenous, and people of color, deserves safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitation purposes.
5. Reaffirms our commitment to ensuring cleanup of contaminated soil, soil vapor and groundwater; control of wastes discharged to land and surface water; and restoration of impaired surface waters to protect public health and environmental quality in all communities, particularly communities of color disproportionately burdened by environmental pollution.
6. Commits to expanding implementation of the State Water Board's Climate Change Resolution to address the effects of sea-level rise and extreme hydrologic conditions, from drought to flooding, on Black, Indigenous, and people of color communities.
7. Directs staff to create a proposal by January 2022 to establish an Office of Equity, Diversity, and Inclusion to achieve a workplace, workforce, and work outcomes that reflect racial equity.
8. Directs staff to normalize conversations about racial equity and foster a workforce that competently integrates racial equity into our work by (1) developing and implementing training curricula for racial equity, diversity, inclusion, and environmental justice; (2) incorporating racial equity concepts into existing mandatory Water Boards training courses; (3) educating staff about Equal Employment Opportunity (EEO) laws and the Water Boards' EEO Office's process for preventing and responding to complaints of discrimination, harassment, bullying, or retaliation; (4) developing policies that will lead to a racially equitable and diverse workforce by ensuring the Water Boards' Immediate Hiring Practices Action Plan addresses recruitment, hiring, retention, promotion, succession planning, mentorship, STEM outreach to schools, and leadership development; and (5) partnering with other organizations to expand opportunities for community capacity building.
9. Directs staff to develop strategies for effectively reaching and engaging with Black, Indigenous, and people of color communities; involving Tribes, stakeholders, and other interested parties in our decision-making processes; providing accessible, open and transparent opportunities for people to participate in our public meetings, hearings, and workshops; improving our communications by addressing barriers to public participation, including language, digital, and time-of-day access; and meeting people in their communities and spaces to seek out their perspectives.

10. Directs staff to develop and implement a Racial Equity Action Plan that articulates a vision for racial equity and outlines specific actions the State Water Board will take to dismantle systems that perpetuate racial inequities while establishing new, resilient systems.
 - a. The plan shall include goals, objectives, actions, timelines, and metrics; incorporate all State Water Board divisions, offices, and programs; and address all aspects of our work, including, those detailed above in this resolution, as well as water quality control plans, policies, permits, enforcement, compliance assurance, contracting, funding, procurement, site remediation, monitoring, and water rights administration.
 - b. Staff shall advance a framework of transparency, accountability, and continuous improvement for our racial equity work by establishing metrics and using quantitative and qualitative data collection methods to measure and evaluate the Water Boards' progress toward implementing those metrics; equitizing our systems, practices, and policies; and diversifying the Water Boards' workforce.
 - c. Staff shall include a framework for analyzing how decisions and staff recommendations to the board may impact Black, Indigenous, and people of color communities.
 - d. Staff shall present the action plan to the Board no later than one year after adopting this resolution and report on implementation progress annually thereafter.
 - e. Staff shall provide updates on implementing the plan at least quarterly as part of the Executive Director's Report.
11. Encourages the nine Regional Water Boards to adopt this resolution, or a similar resolution that condemns racism, xenophobia, and racial injustice; affirms a commitment to equity, diversity, inclusion and anti-racism; and otherwise prioritizes this important work.

CERTIFICATION

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on [Instruction: Insert date].

Jeanine Townsend
Clerk to the Board



Executive Committee

Agenda Item: 4

Date: November 1, 2021

Subject: Written Request from J Smith for Sharing Costs of Improvements at Well 15 Site

Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

Review the request from J Smith and consider forwarding the item to the November 15th Board agenda with or without review by Legal Counsel.

Current Background and Justification:

The District has received a written request, after the fact, for improvements at the Well #15 facility. The improvements were performed by an adjacent property owner, who was inspired to deter vandalism and theft on his RV and boat storage property. Improvements cost \$6,300, Mr. Smith is requesting half, \$3,150.

Although the request is reasonable, and the improvement may be beneficial to the District, the request is after the fact, e.g., the improvements have already been completed. It is possible, if not likely, that the RV and boat storage business falsely presumed the District is like any private-sector business.

The District's consideration of the written request may require additional analyses including but not limited to:

- Land use recorded easement applicability (Contract District Engineer)
- Statutory preclusions including paying for an asset the ratepayers/taxpayers don't own (Legal Counsel).

Both of the above-described services are associated with charges from the services providers (Engineer and Legal Counsel).

Conclusion:

The Committee should forward this item onto the November 15th Board agenda and should include Board consideration of the charged services described herein.

J&J Smith
RV & Boat Storage
www.jjsmithstorage.com

September 21, 2021

RLECWD
730 L St
Rio Linda, CA 95673

To Whom it may concern,

I own the 9 acres on 30th and Q St in North Highlands that surrounds the RLECWD one acre well pump at that location.

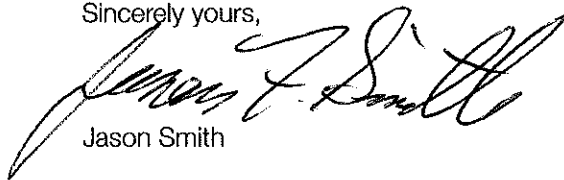
Because of the homeless, foot traffic, misc illegal dumping of garbage and theft that occurs frequently in this area, I have installed fencing and a gate that leads to my property and to your well pump to help protect the property and business.

I spent \$6,300 to install concrete track, fencing and install a rolling gate built to secure both of our property's.

I am requesting for the RLECWD to consider sharing half of the cost of this necessary upgrade to protect and secure the area.

Please feel free to reach out to me with any questions regarding this request.

Sincerely yours,



Jason Smith

916-834-5712

Martin Moen

Fencing & Decks

Cell: (916) 796-1005
Contractors Lic. #852410

Redwood
Chain Link
Ornamental Iron

Contractors Invoice

WORK PERFORMED AT:

TO: J & J Storage
PO Box 288
Elverta

(Jason Smith)
Q & 30th
North Highlands, CA 95660

DATE: 9/16/21

YOUR WORK ORDER NO. 916 834 5712

OUR BID NO.

DESCRIPTION OF WORK PERFORMED

install 20' Rolling Gate & fence on
both sides of Gate. Poor concrete strip
for U-track for Rolling Gate

M & Labor
\$ 6,300.00

Martin Moen
9/16/21

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of six thousand three hundred

Dollars (\$ 6,300.00).

This is a Partial Full invoice due and payable by: Sept 10 2021

In accordance with our Agreement Proposal No. 635 Dated Sept 10 2021







Executive Committee Agenda Item: 5

Date: November 1, 2021

Subject: Fiscal Year Ending June 30, 2021 Independent Auditor Report

Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

If the fiscal year 2020/2021 Independent Auditor's report is ready in time, the Committee should forward an item onto the November 15th Board agenda.

Current Background and Justification:

The annual audit report is typically ready for review at the RLECWD Board meeting in October of each year. However, staffing issues at the auditor's firm have resulted in delays. If the report is ready, the report should be considered by the Board as soon as practical.

Conclusion:

The Executive Committee should forward an item onto the November 15th Board agenda. It is likely appropriate to have the Committee stipulate, "if the report is ready". Additionally, the Committee cannot recommend Board approval of a document the Committee has not seen.



Executive Committee Agenda Item: 6

Date: November 1, 2021

Subject: Vacaville Hexavalent Chromium 9th Circuit Court Ruling

Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee should review the staff report and associated documents, then direct staff as appropriate.

Current Background and Justification:

Downey Brand law firm article on this subject provides pertinent details and speculated ramifications associated with this item. The Downey Brand article was forwarded to the State Water Resources Control Board staff assigned to the Hexavalent Chromium MCL Notice of Proposed Rulemaking, who were heretofore unaware of the ruling.

The Regional Groundwater Contamination Group is scheduled to discuss this immensely impactful court ruling at the quarterly meeting on October 28th (after this report was written).

Conclusion:

The Executive Committee should review the Downey Brand article and direct staff as appropriate.

Related People

Nicole E. Granquist
Meghan A. Quinn
Robert P. Soran
Melissa A. Thorme

Related Industries

Municipal & Public Agency
Water Rights & Resources

Related Practices

Environmental/Toxics Litigation
Water Quality Law

Ninth Circuit Finds that Distribution of Drinking Water Containing MCL-Compliant Levels of Hexavalent Chromium Gives Rise to RCRA Liability in Decision that Upends Law of the Circuit

Environmental Law

October 15, 2021

The Ninth Circuit recently issued a decision in *Cal. River Watch v. City of Vacaville* (Case No. 20-16605) (“*Vacaville*”) regarding the breadth of Resource Conservation and Recovery Act (“RCRA”) liability for contributing to the transportation of a solid waste, which may present an “imminent and substantial endangerment” to health or the environment. (42 U.S.C. § 6972(a)(1)(B).) Ultimately, the Ninth Circuit found that because the City of Vacaville (“City”) transported through its water distribution system drinking water that contained discarded hexavalent chromium from activity unassociated with the City, a triable issue existed regarding whether the City was liable under the “substantial endangerment” provision of RCRA, despite the City’s lack of involvement in generating the waste in question or in the waste disposal process. The decision appears to significantly undercut *Hinds Investments, L.P. v. Angioli*, 654 F.3d 846 (9th Cir. 2011) (“*Hinds*”), which held that some involvement in the waste disposal process is necessary for liability to exist under RCRA’s imminent and substantial endangerment liability provision, and could have wide-ranging implications for California municipalities and public water system operators. This case could be especially problematic given the recent federal and State focus on perfluoroalkylated substances (“PFAS”), which are found in a wide variety of products (including pots, pans, clothing, food service items, among others), and can be released into the environment through a number of activities, including, but not limited to domestic household tasks, such as washing clothes and dishes.

Lower Court Proceedings

In a RCRA citizen suit brought by California River Watch (“River Watch”), River Watch alleged the City’s water supply wells were contaminated by hexavalent chromium, and because the City conveys that water to residents through the City’s distribution system, the City was contributing to the transportation of a solid waste (hexavalent chromium), which may present an imminent and substantial endangerment in violation of RCRA. Interestingly, River Watch failed to identify the origin of the hexavalent chromium in its summary judgment papers filed in the lower court, vaguely pointing to an “anthropogenic” source of contamination. River

Watch's primary theory in the lower court was that the origin of contamination is irrelevant, a contention that directly undercuts the *Hinds* case. The lower district court granted summary judgment in favor of the City, and River Watch appeal

The Ninth Circuit's Decision

On appeal, River Watch refined its argument, alleging that the hexavalent chromium in question migrated through groundwater from the "Wickes Site." The Wickes Site sits approximately 1.4 to 3.3 miles from the City's drinking water well field and was the location where chromium wastes were discharged onto the ground in association with wood treatment activities allegedly conducted by entities such as Pacific Wood Preserving and Wickes Forest Industries, Inc. Thus, by demonstrating on appeal that the hexavalent chromium was allowed to pass onto the ground without any attempt at recovery and, therefore, was a manufacturing waste by-product, River Watch was able to remedy its earlier failure to adequately demonstrate that the hexavalent chromium was essentially discarded and, therefore, constituted a solid or hazardous waste. The Ninth Circuit found that River Watch adequately preserved this theory by merely pointing to the Wickes Site as a "likely" anthropogenic source of the contamination in question in its summary judgment papers.

Notably, the City of Vacaville had no involvement in the waste generation or disposal process, and did nothing to cause the alleged contamination of its water supply. Furthermore, the levels of contamination detected exceeded public health goals, but did not exceed the applicable State total chromium Safe Drinking Water Act ("SDWA") primary Maximum Contaminant Level ("MCL") of 50 parts per billion. The City alleged that the hexavalent chromium in its water supply is naturally occurring.

Implications

The significance of this case is the Ninth Circuit found that RCRA does not require that a solid waste "transporter," play some role in "discarding" or "generating" the waste alleged to have created an imminent and substantial endangerment. However, as pointed out by the dissent, because the City had no involvement in the waste disposal process, and did nothing to cause the alleged contamination of the ground water supply, such a finding significantly undercuts the law of the circuit, as stated in *Hinds*. In that case, the Ninth Circuit stated,

We decline to give such an expansive reading to the term "contribute." Instead, . . . we decide that the statutory language permitting suits against "any person . . . who has contributed or who is contributing" to the handling, storage, treatment, transportation or disposal of hazardous waste, § 6972(a)(1)(B), requires that a defendant be **actively involved in or have some degree of control over the waste disposal process to be liable under RCRA.**

Id. at 851 (emphasis added).

Somewhat confusingly, the majority opinion defends its seeming undercutting of *Hinds*, stating that, “*Hinds* . . . didn’t purport to grant blanket RCRA immunity for anyone outside of the ‘waste disposal process,’ as the dissent contends. Nor c address the meaning of ‘contribution’ in the context of ‘transporter’ liability.”

However, given the Ninth Circuit’s explicit reference to contributing to transportation in the *Hinds* decision, the *Vacaville* opinion appears to significantly undercut the holding in *Hinds*, or at least to significantly narrow it.

Furthermore, as noted above, the water transported by the City complies with both federal (less restrictive) and State MCLs for total chromium (no specific MCL exists for hexavalent chromium). However, River Watch views these standards as too lenient, and therefore, alleges that the City’s water poses a danger to human health. The dissent noted its view that the appropriate way to address this concern is to seek revision of the MCL through a challenge to the applicable SDWA standards, which are regularly reviewed and provide citizens adequate opportunity for such a challenge, rather than through a RCRA suit.

In fact, RCRA’s anti-duplication provision seeks to prevent River Watch’s precise litigation posture by precluding RCRA’s application to “any activity or substance which is subject to” the SDWA (among other environmental laws), to the extent that such application would be “inconsistent with” the requirements of the act (or other enumerated acts). (42 U.S.C. § 6905(a).) Given that the City is distributing water that complies with the directly applicable SDWA MCL, holding the City liable under RCRA for creating a substantial endangerment to human health, which MCLs explicitly seek to prevent, would be significantly at odds with the SDWA. However, neither the majority nor the dissent reach this issue, leaving the City to further that theory when the case returns back to the district court.

Entities that move water around the State of California including, but not limited to, operators of public water supplies regulated under the SDWA, would be wise to carefully watch or even seek to participate in these proceedings given the wide-ranging implications of this case, and potentially future decisions issued in connection with the *Vacaville* case.



Executive Committee Agenda Item: 7

Date: November 1, 2021

Subject: Timing and Process for Innov8 / WaterScope Consumption Data Option

Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee should review this report, engage in discussion, and direct staff as appropriate.

Current Background and Justification:

Phase 2 of the Innov8 pilot test is completed. The water consumption data for billing purposes has been integrated into the District's billing software. All performance promises were met or exceeded.

The next step in the evolution is to transition into a long-term program, wherein customers are able to choose the option of receiving access to water consumption data and pay the corresponding cost for service. The appropriate vehicle for implementation is a Resolution, which will establish findings and provide an Exhibit of charges.

At this point, it is appropriate for the District to discuss timing and means for outreach to all RLECWD ratepayers. As such, the iterations of public meeting discussions should be proportional to the need for outreach.

Conclusion:

The Executive Committee should forward this item onto the November 15th Board agenda to invite comments, concerns and questions from the public and from all RLECWD Board Members.



Executive Committee Agenda Item: 8

Date: November 1, 2021

Subject: Expenditure Summary

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

It is recommended that the Executive Committee review the expenditures for September 2021, then forward the item to the November 15th Board agenda, consent section, with a recommendation for approval.

Current Background and Justification:

These expenditures were necessary and prudent for operation of the District and consistent with the policies and budget adopted by the Board of Directors. The Expenditure Summary provides the listing of expenditures which have occurred since the last regular meeting of the Board.

Conclusion:

Consistent with the District policies, the Expenditure Summary is to be reviewed by the Executive Committee and approved by the Board of Directors.

**Rio Linda Elverta Community Water District
Expenditure Report
September 2021**

Type	Date	Num	Name	Memo	Amount
Liability Check	09/08/2021	EFT	QuickBooks Payroll Service	For PP Ending 09/4/21 Pay date 09/9/21	16,397.90
Liability Check	09/09/2021	EFT	CalPERS	For PP Ending 09/4/21 Pay date 09/9/21	2,715.59
Liability Check	09/09/2021	EFT	CalPERS	For PP Ending 09/4/21 Pay date 09/9/21	1,110.54
Liability Check	09/09/2021	EFT	Internal Revenue Service	Employment Taxes	6,486.44
Liability Check	09/09/2021	EFT	Employment Development	Employment Taxes	1,374.40
Liability Check	09/09/2021	EFT	Empower	Deferred Compensation Plan: Employer & Employee Share	1,965.58
Bill Pmt -Check	09/09/2021	EFT	Adept Solutions	Computer Maintenance	1,208.00
Bill Pmt -Check	09/09/2021	EFT	Comcast	Phone/Internet	274.75
Bill Pmt -Check	09/09/2021	EFT	Republic Services	Utilities	91.62
Bill Pmt -Check	09/09/2021	EFT	Umpqua Bank Credit Card	Backflow, Computer, Construction Eq Maint, Office,Postage, Shop Supplies	1,825.45
Check	09/09/2021	EFT	RLECWD	Umpqua Bank Monthly Debt Service Transfer	16,775.00
Bill Pmt -Check	09/09/2021	1847	ABS Direct	Printing & Postage	249.86
Bill Pmt -Check	09/09/2021	1848	ACWA/JPIA Powers Insurance Authority	EAP	25.70
Bill Pmt -Check	09/09/2021	1849	CoreLogic Solutions	Metro Scan	134.75
Bill Pmt -Check	09/09/2021	1850	Ferguson Enterprises	Annual Maintenance Agreement Fee	11,245.00
Bill Pmt -Check	09/09/2021	1851	Henrici, Mary	Retiree Medical	900.00
Bill Pmt -Check	09/09/2021	1852	ICONIX Waterworks	Distribution Supplies	624.33
Bill Pmt -Check	09/09/2021	1853	Intermedia.net	Phone/Internet	75.49
Bill Pmt -Check	09/09/2021	1854	Lechowicz & Tseng Municipal Consultants	Professional Fees	1,137.76
Bill Pmt -Check	09/09/2021	1855	Rio Linda Elverta Recreation & Park	Meeting Expense	25.00
Bill Pmt -Check	09/09/2021	1856	Rio Linda Hardware & Building Supply	Shop Supplies	1,141.88
Bill Pmt -Check	09/09/2021	1857	RW Trucking	Distribution Supplies	699.40
Bill Pmt -Check	09/09/2021	1858	Sacramento Suburban Water District	Professional Fees	519.44
Bill Pmt -Check	09/09/2021	1859	SMUD	Utilities	26,957.04
Bill Pmt -Check	09/09/2021	1860	UnifFirst	Uniforms	299.71
Bill Pmt -Check	09/09/2021	1834	Vanguard Cleaning Systems	Janitorial	195.00
Bill Pmt -Check	09/15/2021	EFT	WageWorks	FSA Administration Fee	76.25
Bill Pmt -Check	09/17/2021	EFT	ARCO	Transportation Fuel	661.88
Liability Check	09/22/2021	EFT	QuickBooks Payroll Service	For PP Ending 09/20/21 Pay date 09/23/21	16,204.88
Liability Check	09/23/2021	EFT	CalPERS	For PP Ending 09/20/21 Pay date 09/23/21	2,623.59
Liability Check	09/23/2021	EFT	CalPERS	For PP Ending 09/20/21 Pay date 09/23/21	1,110.54
Liability Check	09/23/2021	EFT	Internal Revenue Service	Employment Taxes	6,211.46
Liability Check	09/23/2021	EFT	Employment Development	Employment Taxes	1,267.87
Liability Check	09/23/2021	EFT	Kaiser Permanente	Health Insurance	1,275.76
Liability Check	09/23/2021	EFT	Principal	Dental & Vision Insurance	1,653.46
Liability Check	09/23/2021	EFT	Western Health Advantage	Health Insurance	10,535.85
Liability Check	09/23/2021	EFT	Empower	Deferred Compensation Plan: Employer & Employee Share	1,972.36
Bill Pmt -Check	09/23/2021	EFT	PGE	Utilities	50.00
Bill Pmt -Check	09/23/2021	EFT	Verizon	Field Communication, Field IT	578.75
Bill Pmt -Check	09/23/2021	EFT	Voyager	Transportation Fuel	425.98
Check	09/23/2021	EFT	RLECWD - Capital Improvement	Current Monthly Transfer	44,526.00

**Rio Linda Elverta Community Water District
Expenditure Report
September 2021**

Type	Date	Num	Name	Memo	Amount
Check	09/23/2021	1862	Teamsters	Union Dues	624.00
Check	09/23/2021	1863	Customer	Hyce Settlement	2,767.00
Check	09/23/2021	1864	Customer	Final Bill Refund	142.46
Check	09/23/2021	1865	Customer	Hydrant Meter Deposit Refund	936.50
Check	09/23/2021	1866	Customer	Final Bill Refund	67.92
Bill Pmt -Check	09/23/2021	1867	Buckmaster Office Solutions	Office Equipment	76.88
Bill Pmt -Check	09/23/2021	1868	EKI Environment & Water	Engineering	5,000.00
Bill Pmt -Check	09/23/2021	1869	Fechter & Company CPA	Auditor	8,994.00
Bill Pmt -Check	09/23/2021	1870	Pacific Premier Bank	Surcharge 2 Loan Payment	155,592.66
Bill Pmt -Check	09/23/2021	1871	Quill	Office Expense	56.86
Bill Pmt -Check	09/23/2021	1872	Sacramento County Utilities	Utilities	113.70
Bill Pmt -Check	09/23/2021	1873	Sierra Chemical	Chemical Supplies	800.25
Bill Pmt -Check	09/23/2021	1874	Spok, Inc.	Field Communication	15.40
Total 10000 - Bank - Operating Account					358,817.89

**Rio Linda Elverta Community Water District
Expenditure Report
September 2021**

Type	Date	Num	Payee	Memo	Amount
Check	09/23/2021	EFT	RLECWD	Surcharge 2 Loan Payment	155,592.66
10375 - Surcharge Account 2					<u>155,592.66</u>



Executive Committee Agenda Item: 9

Date: November 1, 2021

Subject: Financial Reports

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee should review the Finance Reports of the District for the month of September 2021, then forward the report onto the November 15th Board agenda with the Committee's recommendation for Board approval.

Current Background and Justification:

The financial reports are the District's balance sheet, profit and loss, and capital improvements year to date. This report provides the snapshot of the District's fiscal health for the period covered.

Conclusion:

Consistent with District policies, these financials are to be reviewed by this committee and presented to the Board of Directors to inform them of the District's current financial situation.

Rio Linda Elverta Community Water District

Balance Sheet

As of September 30, 2021

ASSETS

Current Assets

Checking/Savings

100 - Cash & Cash Equivalents

10000 - Operating Account

10020 - Operating Fund-Umpqua 950,343.62

Total 10000 - Operating Account 950,343.62

10475 - Capital Improvement

10480 - General 314,739.71

10481 - Cr6 Mitigation 454,500.00

10485 - Vehicle Replacement Reserve 90,000.00

Total 10450 - Capital Improvement 859,239.71

10490 - Future Capital Imp Projects 1,279,002.27

Total 100 - Cash & Cash Equivalents 3,088,585.60

102 - Restricted Assets

102.2 - Restricted for Debt Service

10700 - ZIONS Inv/Surcharge Reserve 524,232.41

10300 - Surcharge 1 Account 815,354.87

10350 - Umpqua Bank Debt Service 82,828.41

10380 - Surcharge 2 Account 155,369.13

10385 - OpusBank Checking 557,809.90

Total 102.2 - Restricted for Debt Service 2,135,594.72

102.4 - Restricted Other Purposes

10600 - LAIF Account 336,071.12

10650 - Operating Reserve Fund 309,127.34

Total 102.4 - Restricted Other Purposes 645,198.46

Total 102 - Restricted Assets 2,780,793.18

Total Checking/Savings 5,869,378.78

Accounts Receivable 50,780.00

Other Current Assets

12000 - Water Utility Receivable 686,027.87

12200 - Accrued Revenue 0.00

12250 - Accrued Interest Receivable 1,165.15

15000 - Inventory Asset 37,280.90

16000 - Prepaid Expense 68,427.37

Total Other Current Assets 792,901.29

Total Current Assets 6,713,060.07

Fixed Assets

17000 - General Plant Assets 661,464.54

17100 - Water System Facilites 24,938,800.63

17300 - Intangible Assets 373,043.42

17500 - Accum Depreciation & Amort -10,472,675.54

18000 - Construction in Progress 424,288.05

18100 - Land 576,673.45

Total Fixed Assets 16,501,594.55

Other Assets

18500 - ADP CalPERS Receivable 500,000.00

19000 - Deferred Outflows 729,108.00

19900 - Suspense Account 143.02

Total Other Assets 1,229,251.02

TOTAL ASSETS 24,443,905.64

Rio Linda Elverta Community Water District

Balance Sheet

As of September 30, 2021

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable 43,737.02

Credit Cards 60.00

Other Current Liabilities 909,530.79

Total Current Liabilities 953,327.81

Long Term Liabilities

23000 · OPEB Liability 81,433.00

23500 · Lease Buy-Back 607,287.27

25000 · Surcharge 1 Loan 3,468,784.61

25050 · Surcharge 2 Loan 2,555,040.16

26000 · Water Rev Refunding 1,658,697.00

26500 · ADP CalPERS Loan 470,000.00

27000 · Community Business Bank 193,071.58

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 10,265,554.62

Total Liabilities 11,218,882.43

Equity

31500 · Invested in Capital Assets, Net 8,593,770.46

32000 · Restricted for Debt Service 705,225.24

38000 · Unrestricted Equity 3,535,043.26

Net Income 390,984.25

Total Equity 13,225,023.21

TOTAL LIABILITIES & EQUITY 24,443,905.64

Rio Linda Elverta Community Water District
Operating Profit & Loss Budget Performance
As of September 30, 2021

	<u>Annual Budget</u>	<u>Sept 21</u>	<u>Jul-Sep 21</u>	<u>% of Annual Budget</u>	<u>YTD Annual Budget Balance</u>
Ordinary Income/Expense					
Income					
Total 40000 · Operating Revenue	2,862,870.00	386,403.87	734,747.93	25.67%	2,128,122.07
41000 · Nonoperating Revenue					
41110 · Investment Revenue					
41112 · Interest Revenue	300.00	3.18	9.25	3.08%	290.75
Surcharg Total 41110 · Investment Revenue	300.00	3.18	9.25	3.08%	290.75
41120 · Property Tax	95,700.00	0.00	2,332.59	2.44%	93,367.41
Total 41000 · Nonoperating Revenue	96,000.00	3.18	2,341.84	2.44%	93,658.16
Total Income	<u>2,958,870.00</u>	<u>386,407.05</u>	<u>737,089.77</u>	<u>24.91%</u>	<u>2,221,780.23</u>
Gross Income	2,958,870.00	386,407.05	737,089.77	24.91%	2,221,780.23
Expense					
60000 · Operating Expenses					
60010 · Professional Fees	100,050.00	15,131.76	25,440.00	25.43%	74,610.00
60100 · Personnel Services					
60110 · Salaries & Wages	770,402.00	51,711.21	148,946.00	19.33%	621,456.00
60150 · Employee Benefits & Expense	463,569.00	32,415.58	79,747.78	17.20%	383,821.22
Total 60100 · Personnel Services	<u>1,233,971.00</u>	<u>84,126.79</u>	<u>228,693.78</u>	<u>18.53%</u>	<u>1,005,277.22</u>
60200 · Administration	216,767.00	10,490.88	63,575.72	29.33%	153,191.28
64000 · Conservation	300.00	0.00	0.00	0.00%	300.00
65000 · Field Operations	538,200.00	35,561.15	108,624.79	20.18%	429,575.21
Total 60000 · Operating Expenses	2,089,288.00	145,310.58	426,334.29	20.41%	1,662,953.71
69000 · Non-Operating Expenses					
69010 · Debt Service					
69100 · Revenue Bond					
69105 · Principle	148,158.00	0.00	0.00	0.00%	148,158.00
69110 · Interest	53,111.00	0.00	0.00	0.00%	53,111.00
Total 69100 · Revenue Bond	<u>201,269.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>201,269.00</u>
69125 · AMI Meter Loan					
69130 · Principle	51,344.00	0.00	25,474.75	49.62%	25,869.25
69135 · Interest	7,170.00	0.00	3,782.21	52.75%	3,387.79
Total 69125 · AMI Meter Loan	<u>58,514.00</u>	<u>0.00</u>	<u>29,256.96</u>	<u>50.00%</u>	<u>29,257.04</u>
69200 · PERS ADP Loan					
69205 · Principle	30,000.00	0.00	0.00	0.00%	30,000.00
69210 · Interest	1,850.00	0.00	0.00	0.00%	1,850.00
Total 69100 · PERS ADP Loan	<u>31,850.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>31,850.00</u>
Total 69010 · Debt Service	291,633.00	0.00	29,256.96	10.03%	262,376.04
69400 · Other Non-Operating Expense	3,000.00	2,767.00	2,767.00	92.23%	233.00
Total 69000 · Non-Operating Expenses	<u>294,633.00</u>	<u>2,767.00</u>	<u>32,023.96</u>	<u>10.87%</u>	<u>262,609.04</u>
Total Expense	<u>2,383,921.00</u>	<u>148,077.58</u>	<u>458,358.25</u>	<u>19.23%</u>	<u>1,925,562.75</u>
Net Ordinary Income	<u>574,949.00</u>	<u>238,329.47</u>	<u>278,731.52</u>		
Net Income	<u><u>574,949.00</u></u>	<u><u>238,329.47</u></u>	<u><u>278,731.52</u></u>		

Rio Linda Elverta Community Water District
CAPITAL BUDGET VS ACTUAL FISCAL YEAR 2020-21
 As of September 30, 2021

	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	576,700.00	175,666.00	-	-	-	-
CIP Fund Intrafund Transfers	(381,468.00)	-	371,468.00	-	10,000.00	-
Fund Transfer from Operating			28,000.00			
Surcharge 2 Surplus Repayment	79,747.00	-	-	-	-	-
Investment Revenue	300.00	19.62	125.00	32.24	-	-
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	-	-	-	-	-
B-3 · Large Meter Replacements	5,000.00	-	-	-	-	-
B-4 · Pipeline Replacement	-	-	450,000.00	-	-	-
Total B · WATER DISTRIBUTION	155,000.00	-	450,000.00	-	-	-
M · GENERAL PLANT ASSETS						
M-1 · Urban Water Management Plan	50,000.00	-	-	-	-	-
M-2 · Office Air Conditioner Replacement	8,200.00	5,622.00	-	-	-	-
M-3 · Server Replacement	8,000.00	-	-	-	-	-
M-4 · Dump Truck	-	-	-	-	85,000.00	-
Total M · GENERAL PLANT ASSETS	66,200.00	5,622.00	-	-	85,000.00	-
TOTAL BUDGETED PROJECT EXPENDITURES	261,200.00	5,622.00	450,000.00	-	85,000.00	-

**Rio Linda Elverta Community Water District
Capacity Revenue Profit & Loss Budget Performance
July-September 2021**

	<u>Annual Budget</u>	<u>Jul-Sep 21 Current QTR</u>	<u>Jul 21-Sep 21 YTD</u>	<u>% of Annual Budget</u>	<u>YTD Annual Budget Balance</u>
Income					
41000 · Non-Operating Revenue					
41110 · Investment Revenue					
41112 · Interest Revenue	1,400.00	274.17	274.17	19.58%	1,125.83
	<u>1,400.00</u>	<u>274.17</u>	<u>274.17</u>	<u>19.58%</u>	<u>1,125.83</u>
44100 · Capacity Fee Revenue	500,000.00	62,262.70	62,262.70	12.45%	437,737.30
Total Income	<u>501,400.00</u>	<u>62,536.87</u>	<u>62,536.87</u>	<u>12.47%</u>	<u>438,863.13</u>
Gross Income	<u>501,400.00</u>	<u>62,536.87</u>	<u>62,536.87</u>	12.47%	438,863.13
Net Income	<u><u>501,400.00</u></u>	<u><u>62,536.87</u></u>	<u><u>62,536.87</u></u>		

**Rio Linda Elverta Community Water District
Surcharge 1 Profit & Loss Budget Performance
July-September 2021**

	<u>Annual Budget</u>	<u>Jul-Sep 21 Current QTR</u>	<u>Jul 21-Sep 21 YTD</u>	<u>% of Annual Budget</u>	<u>YTD Annual Budget Balance</u>
Income					
41000 · Non-Operating Revenue					
41110 · Investment Revenue					
41111 · Dividend Revenue	0.00	6.85	6.85	100.0%	-6.85
41112 · Interest Revenue	2,500.00	1,285.60	1,285.60	51.42%	1,214.40
41113 · Market Value Adjustment	0.00	-1,743.35	-1,743.35	100.0%	1,743.35
	<u>2,500.00</u>	<u>-450.90</u>	<u>-450.90</u>	<u>-18.04%</u>	<u>2,950.90</u>
43010 · Surcharge 1 Revenue	<u>523,374.00</u>	<u>115,661.00</u>	<u>115,661.00</u>	<u>22.1%</u>	<u>407,713.00</u>
Total Income	<u>525,874.00</u>	<u>115,210.10</u>	<u>115,210.10</u>	<u>21.91%</u>	<u>410,663.90</u>
Gross Income	525,874.00	115,210.10	115,210.10	21.91%	410,663.90
Expense					
69150 · Surcharge 1 Loan					
69155 · Principle	369,821.00	0.00	0.00	0.0%	369,821.00
69160 · Interest	91,534.00	0.00	0.00	0.0%	91,534.00
69170 · Admin Fees	2,100.00	525.35	525.35	25.02%	1,574.65
Total 69150 · Surcharge 1 Loan	<u>463,455.00</u>	<u>525.35</u>	<u>525.35</u>	<u>0.11%</u>	<u>462,929.65</u>
Total Expense	<u>463,455.00</u>	<u>525.35</u>	<u>525.35</u>		
Net Income	<u><u>62,419.00</u></u>	<u><u>114,684.75</u></u>	<u><u>114,684.75</u></u>		

**Rio Linda Elverta Community Water District
Surcharge 2 Profit & Loss Budget Performance
July-September 2021**

	<u>Annual Budget</u>	<u>Jul-Sep 21 Current QTR</u>	<u>Jul 21-Sep 21 YTD</u>	<u>% of Annual Budget</u>	<u>YTD Annual Budget Balance</u>
Income					
41000 · Non-Operating Revenue					
41110 · Investment Revenue					
41112 · Interest Revenue	800.00	20.58	20.58	2.57%	779.42
	<u>800.00</u>	<u>20.58</u>	<u>20.58</u>	<u>2.57%</u>	<u>779.42</u>
43050 · Surcharge 2 Revenue	439,019.00	96,173.33	96,173.33	21.91%	342,845.67
Total Income	<u>439,819.00</u>	<u>96,193.91</u>	<u>96,193.91</u>	<u>21.87%</u>	<u>343,625.09</u>
Gross Income	439,819.00	96,193.91	96,193.91	21.87%	343,625.09
Expense					
69175 · Surcharge 2 Loan					
69180 · Principle	225,000.00	110,000.00	110,000.00	48.89%	115,000.00
69185 · Interest	104,632.00	45,592.66	45,592.66	43.57%	59,039.34
Total 69175 · Surcharge 2 Loan	<u>329,632.00</u>	<u>155,592.66</u>	<u>155,592.66</u>	<u>47.2%</u>	<u>174,039.34</u>
Total Expense	<u>329,632.00</u>	<u>155,592.66</u>	<u>155,592.66</u>		
Net Income	<u><u>110,187.00</u></u>	<u><u>-59,398.75</u></u>	<u><u>-59,398.75</u></u>		