

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

September 21, 2022

An Adjourned Meeting of the Board of Directors of Vista Irrigation District was held on Wednesday, September 21, 2022, at the offices of the District, 1391 Engineer Street, Vista, California.

1. CALL TO ORDER

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

2. ROLL CALL

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

Directors absent: None.

Staff present: Brett Hodgkiss, General Manager; Ramae Ogilvie, Assistant Secretary of the Board; Don Smith, Director of Water Resources; and Marlene Kelleher, Director of Administration. Present via teleconference were Randy Whitmann, Director of Engineering and Frank Wolinski, Director of Operations and Field Services. General Counsel Elizabeth Mitchell of Burke, Williams & Sorensen was also present.

Other attendees: None.

3. PLEDGE OF ALLEGIANCE

Director Sanchez led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

22-09-92	<i>Upon motion by Director MacKenzie, seconded by Director Vásquez and unanimously carried (5 ayes: Vásquez, Kuchinsky, Sanchez, MacKenzie and Miller), the Board of Directors approved the agenda as presented.</i>
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5. ORAL COMMUNICATIONS

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

6. CONSENT CALENDAR

Director Kuchinsky requested an amendment to the minutes of the September 7, 2022 Board meeting concerning his comments made under Item 6, the Consent Calendar, to read as follows:

“Director Kuchinsky noted that the rate for the District’s property insurance from the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority (JPIA) has increased by ~~17~~ 20 percent with a 7 percent valuation on all scheduled assets.”

Director of Operations and Field Services Frank Wolinski provided clarification on Item 6.B, stating that the agreement with Joe’s Paving, Inc. for paving services on Vista Grande Drive is for a site-specific project (in excess of \$60,000) and is separate from the District’s annual paving services agreement.

22-09-93 *Upon motion by Director Vásquez, seconded by Director Kuchinsky and unanimously carried (5 ayes: Vásquez, Kuchinsky, Sanchez, MacKenzie and Miller), the Board of Directors approved the Consent Calendar, including Resolution No. 22-30 approving disbursements.*

A. Cancellation of recorded document

See staff report attached hereto. Staff recommended and the Board approved the cancellation of the recorded document titled Notice of Fees Due and Payable Upon Application for Water Service (OD-4AR) for New Pointe Investment 48, LLC who is developing five single-family units on 2.54 acres known as West Knapp Estates located at West Knapp Drive and Northcrest Lane, Vista (LN 2020-029; APNs 169-041-01, 03, 05 & -06; DIV NO 1).

B. Paving services

See staff report attached hereto. Staff recommended and the Board authorized the General Manager to execute an agreement with Joe’s Paving, Inc. for paving services on Vista Grande Drive in an amount of \$199,667.50.

C. Minutes of Board of Directors meeting on September 7, 2022

The minutes of September 7, 2022 were approved as amended.

D. Resolution ratifying check disbursements

RESOLUTION NO. 22-30

BE IT RESOLVED, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 70346 through 70433 drawn on Union Bank totaling \$840,150.18.

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

PASSED AND ADOPTED unanimously by a roll call vote of the Board of Directors of Vista Irrigation District this 21st day of September 2022.

7. DISTRICT PARTICIPATION IN THE NORTH COUNTY MULTIPLE SPECIES CONSERVATION PLAN

See staff report attached hereto.

Director of Water Resources Don Smith stated that the Warner Ranch Committee (Committee) discussed participation in the North County Multiple Species Conservation Plan (NCMSCP) at its meeting on September 8, 2022 and recommended that the matter be brought to the Board for consideration. Mr. Smith provided an overview of the NCMSCP, stating that it was one of three planning areas in the County of San Diego’s (County) Multiple Species Conservation Program (MSCP). When the NCMSCP was expanded in 2021 to include Warner Ranch, the County invited the District to participate in its preparation. Mr. Smith said that because the District is not subject to the County’s land use authority, the District’s involvement in the NCMSCP would be at its own discretion.

Mr. Smith stated that the federal Endangered Species Act requires the development of a habitat conservation plan to obtain a federal incidental take permit; by electing to participate in the NCMSCP that requirement would be fulfilled. Mr. Smith said that the Committee recognized the benefit of having a streamlined process for obtaining federal and state incidental take permits for future capital projects on the Warner Ranch and recommended that the District's participation be as a co-permittee under the NCMSCP.

Mr. Smith stated that the District will need more information on what participation in the NCMSCP would involve in order to determine the associated costs. He indicated that the first step would be to retain a consultant with experience in conservation planning efforts in California to assist the District with evaluating options for potential participation with the NCMSCP.

The Board requested that all agreements associated with the District's participation in NCMSCP be presented to the Board.

22-09-94 *Upon motion by Director Kuchinsky, seconded by Director Vásquez and unanimously carried (5 ayes: Vásquez, Kuchinsky, Sanchez, MacKenzie and Miller), the Board of Directors authorized the General Manager to express the District's interest in participating in the North County Multiple Species Conservation Plan in a letter to the County of San Diego.*

22-09-95 *Upon motion by Director MacKenzie, seconded by Director Kuchinsky and unanimously carried (5 ayes: Vásquez, Kuchinsky, Sanchez, MacKenzie and Miller), the Board of Directors authorized the General Manager to initiate the process of identifying a qualified consultant to advise and perform work necessary to support the District's role in the North County Multiple Species Conservation Plan and coordinate with the County of San Diego.*

8. UPDATE TO BANKING AUTHORITIES

See staff report attached hereto.

Director of Administration and Treasurer Marlene Kelleher reviewed the roles and responsibilities of the District's Contracting Officer and Treasurer/Assistant Treasurers. She stated that in advance of her upcoming retirement, it is necessary to update the authorized individuals on the District's bank and investment accounts. The Board took the following action to update the banking authorities:

22-09-96 *Upon motion by Director Sanchez, seconded by Director Kuchinsky, the Board of Directors: 1) removed Marlene Kelleher as Treasurer and left the position vacant until filled; 2) adopted Resolution 22-31 naming Shallako Goodrick as the Contracting Officer with Union Bank; and 3) adopted Resolution 22-32 naming Treasurer and Assistant Treasurers as authorized individuals to order the deposit or withdrawal of monies in the Local Agency Investment Fund, by the following roll call vote:*

AYES: Directors Vásquez, Kuchinsky, Sanchez, MacKenzie and Miller

NOES: None

ABSTAIN: None

ABSENT: None

Copies of Resolutions 22-31 and 22-32 are on file in the official Resolution Book of the District.

9. CONFLICT OF INTEREST CODE REVISIONS

See staff report attached hereto.

Mr. Hodgkiss stated that the District is required to review its Conflict of Interest Code (Code) every even-numbered year, as well as whenever amendments to the Code are necessary. Staff recommended that that the position title of the “Safety & Risk Manager” be changed to “Safety & Risk Administrator” in the Code.

22-09-97 *Upon motion by Director MacKenzie, seconded by Director Kuchinsky, the Board of Directors adopted Resolution 22-33 amending the District’s Conflict of Interest Code, by the following roll call vote:*

AYES: Directors Vásquez, Kuchinsky, Sanchez, MacKenzie and Miller
NOES: None
ABSTAIN: None
ABSENT: None

A copy of Resolution 22-33 is on file in the official Resolution Book of the District.

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

See staff report attached hereto.

President Miller reported that there has not been a meeting of the San Diego County Water Authority (Water Authority) since his last report. President Miller commented on the upcoming Water Authority Board elections for Chair, Vice Chair and Secretary. He reported that Metropolitan Water District of Southern California (MWD) Board of Directors will be holding an election for Chair at its October 11, 2022 meeting.

President Miller reported that additional repairs needed to be made to the Lake Hodges dam, delaying the project’s completion; he noted that there is a long-range plan to replace the dam.

The Board took a break at 10:15 a.m. and resumed the meeting at 10:20 a.m.

11. MEETINGS AND EVENTS

See staff report attached hereto.

Director Kuchinsky reported on his attendance at the Association of California Water Agencies (ACWA) Region 10 Leadership to Leadership zoom meeting on September 14, 2022 in which ACWA President Pam Tobin and Executive Director Dave Eggerton gave a presentation on how ACWA establishes its goals and long term strategic plans.

Director Sanchez reported on his attendance at the ACWA Federal Affairs Committee meeting on September 14, 2022 in which updates were provided on several water-related legislative bills. He noted that ACWA is seeking members’ feedback on the draft Fiscal Year 2023 appropriations requests.

Director MacKenzie reported on her attendance at the Warner Ranch Committee Meeting where discussion was centered on the District’s participation in the NCMSCP, renewal of the Mataguay Grazing License Agreement, and Warner-Carrillo Ranch House operations.

President Miller and Director MacKenzie reported on their virtual attendance of a meeting with the Rincon Band of Luiseño Indians on their proposed water quality standards.

Director MacKenzie reported on her attendance at a meeting of the California Special Districts Association's (CSDA) Board of Directors on September 16, 2022 in which the strategic plan and budget were approved. She reported that CSDA memberships have increased by 106% over last year.

Director MacKenzie reported on her virtual attendance in a Local Agency Formation Commission (LAFCO) webinar focused on detachment and annexation projects in Orange County.

Directors Vásquez, Sanchez, MacKenzie, and Kuchinsky requested authorization to attend the Southern California Water Coalition webinar: A Collaborative Approach to Colorado River Management on October 6, 2022.

Director Kuchinsky requested authorization to attend the Colorado River Water Users Association Conference (CRWUA) on December 14-16, 2022 (tentative).

22-09-98	<i>Upon motion by Director Vasquez, seconded by Director MacKenzie and unanimously carried (5 ayes: Vásquez, Kuchinsky, Sanchez, MacKenzie and Miller), the Board of Directors approved Directors Kuchinsky, Vásquez, Sanchez and MacKenzie to attend the Southern California Water Coalition: A Collaborative Approach to Colorado River Management webinar on October 6, 2022; and approved Director Kuchinsky to tentatively attend the Colorado River Water Users Association Conference (CRWUA) on December 14-16, 2022.</i>
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12. ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

See staff report attached hereto.

Mr. Hodgkiss stated that the Fallbrook Public Utility District/Rainbow Municipal Water District detachment item will be scheduled following the draft LAFCO staff report on the matter being made available for review.

Director Sanchez requested that an item on the District's 100th Anniversary Celebration be placed on an upcoming Board agenda in October.

Director Vásquez requested that an item for Harmful Algal Blooms Long-Term Solutions be added to the list of items for future agendas.

13. COMMENTS BY DIRECTORS

Director Kuchinsky notified the Board that he would not be attending the October 19, 2022 Board Meeting. He commended staff on their great work on ongoing District projects and requested that staff keep track of achievements on projects so that they can be highlighted on future grant applications.

Director Vásquez commented on a recent news article regarding the City of San Diego's initiation of a report on the harvesting of stormwater.

President Miller remarked that most new commercial building structures are being designed to capture and store stormwater runoff.

14. COMMENTS BY GENERAL COUNSEL

General Counsel Elizabeth Mitchell presented a brief update regarding current legislation including Assembly Bill (AB) 2449 focused on open meeting laws and revised teleconferencing rules.

15. COMMENTS BY GENERAL MANAGER

Mr. Hodgkiss informed the Board that the District will have flu shots available on October 5, 2022 and requested that the Board members let staff know if they would like to sign up. He stated that the Lake Henshaw area recorded a half inch of rain from the recent storm. Mr. Hodgkiss informed the Board that District was currently releasing water from Lake Henshaw.

16. ADJOURNMENT

There being no further business to come before the Board, at 11:36 a.m., President Miller adjourned the meeting.



Marty Miller, President

ATTEST:



Ramae Ogilvie, Assistant Secretary
Board of Directors
VISTA IRRIGATION DISTRICT



STAFF REPORT

Agenda Item: 6.A

Board Meeting Date:	September 21, 2022
Prepared By:	Robert Scholl
Reviewed By:	Randy Whitmann
Approved By:	Brett Hodgkiss

SUBJECT: CANCELLATION OF RECORDED DOCUMENT

RECOMMENDATION: Approve the cancellation of the recorded document titled Notice of Fees Due and Payable Upon Application for Water Service (OD-4AR) for New Pointe Investment 48, LLC who is developing five single-family units on 2.54 acres known as West Knapp Estates located at West Knapp Drive and Northcrest Lane, Vista (LN 2020-029; APNs 169-041-01, 03, 05 & -06; DIV NO 1).

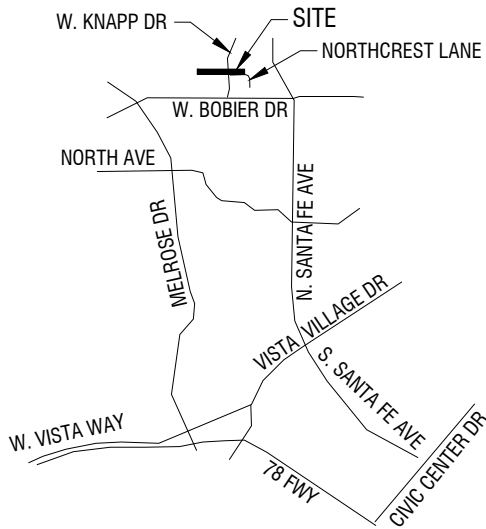
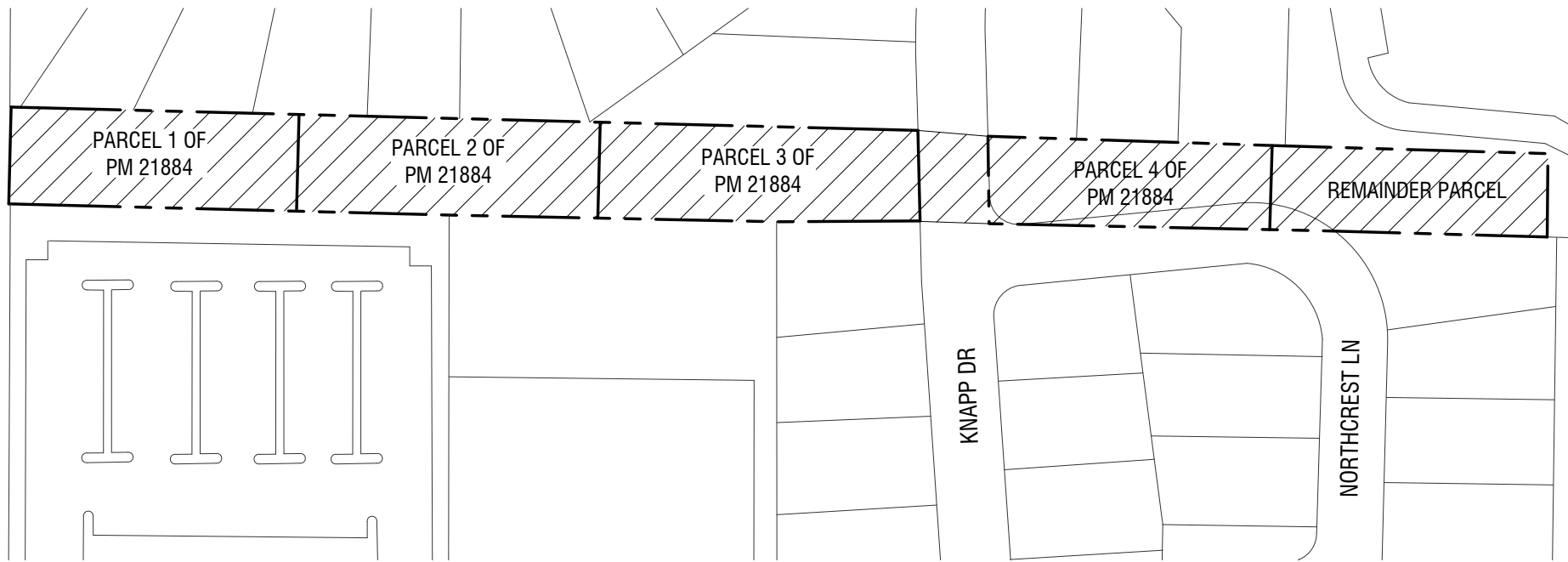
PRIOR BOARD ACTION: On December 23, 1992, the Board set the terms and conditions for the Bueno Colorado Municipal Water District/Vista Irrigation District reorganization. On December 15, 1993, the Board authorized the recording of documents titled Notice of Fees Due and Payable Upon Application of Water Service against all properties annexed into the Vista Irrigation District by the reorganization.

FISCAL IMPACT: None.

SUMMARY: The dissolution of the Bueno Colorado Municipal Water District became effective on November 24, 1993 with the recording of the Local Agency Formation Commission's (LAFCO's) Certificate of Completion. One of the conditions imposed by LAFCO and the Board was the recordation of notices to properties annexing into the District regarding in-lieu annexation fees that would be required and paid when the property owner requested water service. The property located at West Knapp Drive and Northcrest Lane (APNs 169-041-01, 03, 05 & -06) was included in this reorganization and subject to the fees.

DETAILED REPORT: On August 5, 2021, the District approved plans for the installation of water services for West Knapp Estates located at West Knapp Drive and Northcrest Lane. On November 17, 2021, the owner paid in-lieu annexation fees in the amount of \$17,442.18 (2.54 acres x \$6,867 per acre) along with a Document Cancellation Fee (\$700) in accordance with District Rules and Regulations sections 4.4.5 and 4.4.6. The owner's payment of the in-lieu annexation fees has fulfilled the conditions of the recorded document titled Notice of Fees Due and Payable Upon Application for Water Service (OD-4AR).

ATTACHMENT: Map




VICINITY MAP

NTS

LEGEND

--- PARCEL LINE

 CANCELLATION OF OD-4AR (2.54 ACRES)
(WA 2021.0027 PAID ANNEXATION FEES)

OWNER:
 NEW POINT INVESTMENT 48 LLC
 16880 WEST BERNARDO DRIVE, SUITE 110
 SAN DIEGO, CA 92127

ENGINEER:
 DK GREENE CONSULTING INC.
 BOX 143
 BONSALL, CA 92003
 (760) 310-9408

**VISTA IRRIGATION DISTRICT
 CANCELLATION OF OD-4AR
 WEST KNAPP ESTATES**

APN: 161-041-01, 03, 05, 06		T.B.
SCALE: NTS		L.N. 2020-029
APPD. BY:	DATE	W.O.
DRAWN BY: JB	DATE 9/12/2022	
SHEET 1 OF 1	MAP D09 / E09	
REVISED 9/12/22 Jeanette Bradshaw		
Z:\Engineering\JOBS\LN-Jobs\LN2020\LN 2020-029 West Knapp (APN 161-041-01)\MA_Exhibit.dwg		



STAFF REPORT

Agenda Item: 6.B

Board Meeting Date: September 21, 2022
Prepared By: Frank Wolinski
Approved By: Brett Hodgkiss

SUBJECT: PAVING SERVICES

RECOMMENDATION: Authorize the General Manager to execute an agreement with Joe's Paving, Inc. for paving services on Vista Grande Drive in an amount of \$199,667.50.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: \$199,667.50

SUMMARY: The District advertised and solicited bids from ten contractors for final asphalt repairs for this project. Six contractors attended the mandatory job walk, and four responsive bids were received. Joe's Paving, Inc. responded with the lowest bid.

DETAILED REPORT: District staff installed approximately 5,300 feet of various sizes of PVC pipe in Vista Grande Drive. Paving requirements for this project include approximately 11,500 square feet of base paving, 30,000 square feet of grind and cap paving, and 2,200 feet of striping.

The bid results are as follows:

Joe's Paving, Inc.	\$199,667.50
LC Paving & Sealing, Inc.	\$237,181.16
RAP Engineering, Inc.	\$248,773.00
J&S Asphalt, Inc.	\$342,820.70



Cash Disbursement Report

Payment Dates 8/25/2022 - 9/7/2022

Payment Number	Payment Date	Vendor	Description	Amount
70346 - 70348	08/31/2022	Refund Checks 70346 - 70348	Customer Refund	1,994.83
70349	08/31/2022	A-1 Irrigation, Inc	Electrical Conduit	110.45
70350	08/31/2022	Amazon Capital Services	Recoil Starters	77.88
	08/31/2022		Cell Phone Holder	18.35
	08/31/2022		Freezer for Water Sample Ice Packs	365.57
	08/31/2022		Supplies for Ranch Entry Gate	176.11
	08/31/2022		Trailer Light Cord Adapters (2)	28.20
	08/31/2022		SCADA Tablet Case	71.39
	08/31/2022		Power Cord	29.20
	08/31/2022		Warehouse Supplies	132.90
	08/31/2022		Stainless Steel Screen - HP Reservoir Roof Vent	43.29
70351	08/31/2022	Hendey Meter	Fire Hydrant Construction Meters (2)	2,275.38
70352	08/31/2022	Auto Specialist Warehouse	Sway Bar Links	86.45
	08/31/2022		Rear Brake Shoes & Hardware	91.56
	08/31/2022		Rear Brake Rotors	267.92
	08/31/2022		Rear Rotors, Park Brake Shoes	390.53
70353	08/31/2022	Brett Hodgkiss	CSDA Annual Conference - R Whitmann	17.12
	08/31/2022		CSDA Annual Conference - J MacKenzie	17.10
	08/31/2022		CSDA Annual Conference - B Hodgkiss	138.76
70354	08/31/2022	Brown and Caldwell	Flume Replacement Alignment Study 05/2022 & 06/2022	38,927.54
	08/31/2022		Flume Replacement Alignment Study 07/2022	23,519.87
70355	08/31/2022	Bryan and the Bee's	Live Bee Removal (1)	175.00
70356	08/31/2022	CDW Government Inc	Shredder	1,482.16
70357	08/31/2022	Cecilia's Safety Service Inc	Traffic Control - Independence Way/Elm Dr	2,357.50
	08/31/2022		Traffic Design - Bobier Dr	35.00
	08/31/2022		Traffic Control - Rush Ave/Portia Ave	6,175.00
	08/31/2022		Traffic Control - E Bobier Dr	760.00
70358	08/31/2022	Citi Cards	Water Education Seminar	150.00
	08/31/2022		Oil/Lubricant for Equipment & Valve Lids	99.92
	08/31/2022		Water Education Seminar	125.00
	08/31/2022		Water Education Seminar	25.00
	08/31/2022		Water Education Seminar	150.00
	08/31/2022		Bug Screen - HP Reservoir Roof Vents	690.68

Payment Number	Payment Date	Vendor	Description	Amount
	08/31/2022		Ekman Grab Kit to Collect Sediment Samples	636.70
	08/31/2022		Water Education Seminar	125.00
	08/31/2022		Water Education Seminar	150.00
	08/31/2022		Water Education Seminar	150.00
	08/31/2022		CSDA Conference - R Whitmann	353.42
	08/31/2022		CSDA Conference - R Whitmann	176.71
	08/31/2022		ACWA Fall Conference - R Whitmann	725.00
	08/31/2022		Kitchen & Restroom Supplies	1,396.34
	08/31/2022		Gift Card - WaterSmart Landscape Contest Winner	250.00
	08/31/2022		Emergency Phone Cloud System	24.53
	08/31/2022		Microsoft Azure Services	784.43
	08/31/2022		One Drive Online Service	15.00
	08/31/2022		GFI Faxmaker	12.75
	08/31/2022		Employment Advertising - Director of Administration	150.00
	08/31/2022		Employment Advertising - Director of Administration	105.00
	08/31/2022		Employment Advertising - Director of Administration	400.00
	08/31/2022		Employment Advertising - Director of Administration	299.00
	08/31/2022		Employment Advertising - Director of Administration	200.00
	08/31/2022		Employment Advertising - IT System Administrator	495.00
	08/31/2022		Urban Water Institute Conference - R Vasquez	498.12
	08/31/2022		ACWA Fall Conference - M Miller	775.00
	08/31/2022		ACWA Fall Conference - P Sanchez	775.00
	08/31/2022		ACWA Fall Conference - J MacKenzie	725.00
	08/31/2022		ACWA Fall Conference - R Vasquez	775.00
	08/31/2022		CSDA Conference - B Hodgkiss	176.71
	08/31/2022		CSDA Conference - B Hodgkiss	353.42
	08/31/2022		CSDA Fiscal Committee Meeting	107.97
	08/31/2022		ACWA Fall Conference - B Hodgkiss	725.00
	08/31/2022		Retirement Service Award	319.99
70359	08/31/2022	Core & Main	Ball Meter Valve 1" Lockwing FIPxSwivel Mtr Nut (4)	480.63
70360	08/31/2022	County of San Diego	Excavator Permits 07/2022 - Vista Grande	2,109.50
70361	08/31/2022	CSUSM	Scholarship Award	1,000.00
70362	08/31/2022	DIRECTV	Direct TV Service	107.99
70363	08/31/2022	EDCO Waste & Recycling Services Inc	Trash & Recycle 08/2022	440.23
70364	08/31/2022	Electrical Sales Inc	Enclosure Seals	171.04
70365	08/31/2022	Fastenal Company	Washers for Installing Water Meters	97.43
70366	08/31/2022	Ferguson Waterworks	1-1/4"Copper Washers for Flare Copper Adapters (50)	216.50
	08/31/2022		Clamp 4x12 Repair Full Circle SS Romac (1)	297.49

Payment Number	Payment Date	Vendor	Description	Amount
	08/31/2022		Gate Valve 6" FL R/W (2)	1,880.04
	08/31/2022		Coupling 0.75" Copper with Stop (10)	17.32
	08/31/2022		Bushing 2" x 1" PVC S x S Sch 40 (10)	19.49
	08/31/2022		Nipple 0.75" x 6" Brass (3)	22.67
	08/31/2022		Proselect Pipe Joint Lubricant - 32 oz (24)	116.91
	08/31/2022		Coupling PVC / 4" / S x S / Sch 80 (1)	24.52
	08/31/2022		1" Meter Gasket / 1/8" Thick (400)	151.55
	08/31/2022		Nipple 1" x 6" Brass (3)	33.12
	08/31/2022		5/8" x 2.5" Brass Bolts (50)	289.57
	08/31/2022		Bushing 1" x 0.75" Brass (10)	36.91
	08/31/2022		Calder Coupling 4" Clay x 4" PVC (10)	70.90
70367	08/31/2022	Gillingham Water Planning & Engineering Inc	Flume Replacement Alignment Study 02/17/22 - 07/31/22	6,125.00
70368	08/31/2022	Grainger	Lubricant	57.17
70369	08/31/2022	Hach Company	CL17 Buffer Solution	667.07
	08/31/2022		PH Probe	(505.58)
70370	08/31/2022	Hawthorne Machinery Co	Hydraulic Tubes - B21	170.31
	08/31/2022		Blade & Hardware - B20	305.54
	08/31/2022		Blade & Hardware - B20	286.16
	08/31/2022		Foot Plate - Wacker Tamper	418.71
	08/31/2022		Hydraulic Fluid	519.18
70371	08/31/2022	Hello Deli	Lunch (5) 8/24/22 - Laborer Trainee Interviews	82.98
70372	08/31/2022	Hi-Line Inc	Shop Supplies, 4 Drawer Parts Bin for Garage	659.12
70373	08/31/2022	J. Leon Construction	Concrete Work - San Clemente Way	5,022.00
70374	08/31/2022	Lightning Messenger Express	Messenger Service 08/12/22	82.00
70375	08/31/2022	Louie Castillo	Reimburse for Water Damage	5,223.54
70376	08/31/2022	Marlene Kelleher	Reimburse - CSDA Fiscal Committee 08/2022	200.58
70377	08/31/2022	Moodys	Dump Fees (3)	900.00
70378	08/31/2022	Mutual of Omaha	LTD/STD/Life Insurance 08/2022	6,291.91
70379	08/31/2022	NAPA Auto Parts	Filters	39.92
70380	08/31/2022	North County Auto Parts	Steering Wheel Covers - Truck 18	42.67
	08/31/2022		Shop Chemicals, Wiper Blades	217.88
	08/31/2022		Tune-up Parts - Truck 37	175.79
70381	08/31/2022	North County Industrial Park	Association Fees 09/2022	879.30
70382	08/31/2022	One Source Distributors	Respirator Supplies	150.20
70383	08/31/2022	Opto 22	CK17K PLC Rack	240.27
70384	08/31/2022	Pacific Pipeline Supply	Angle Valves (2)	461.51
	08/31/2022		Clamp Repair	45.21
	08/31/2022		Pipe 10" PVC DR-14 C900 (4260)	198,292.35

Payment Number	Payment Date	Vendor	Description	Amount
70385	08/31/2022	Ramona Disposal Service	Trash Service	201.69
70386	08/31/2022	Rancho Environmental Service	Safety Cut Tall Eucalyptus Trees	6,200.00
	08/31/2022		Safety Cut Trees & Trim Shrubs	3,400.00
70387	08/31/2022	Superior Ready Mix Concrete	Concrete - San Clemente Way	1,317.62
70388	08/31/2022	Ditch Witch West	4" Fitting & Prospector Nozzle (VE-2)	359.46
	08/31/2022		T-handle Manifold (VE-2)	497.54
70389	08/31/2022	Bend Genetics, LLC	HABs Lab Analysis	6,380.00
70390	08/31/2022	TS Industrial Supply	Marking Paint Blue #254 (12)	55.73
	08/31/2022		Digging Bar Heavy Duty (4)	775.07
70391	08/31/2022	UniFirst Corporation	Uniform Service	340.33
70392	08/31/2022	United Rentals (North America) Inc	Tamper Repair	312.77
70393	08/31/2022	Verizon Wireless	Cell Phones 07/16/22 - 08/15/22	1,519.93
70394	09/07/2022	Refund Check 70394	Customer Refund	218.94
70395	09/07/2022	ACWA/JPIA	Medical & Dental Insurance 10/2022 - Cobra	33.72
	09/07/2022		Medical & Dental Insurance 10/2022 - Cobra	69.09
	09/07/2022		Medical & Dental Insurance 10/2022 - Cobra	33.72
	09/07/2022		Medical & Dental Insurance 10/2022 - Cobra	33.72
	09/07/2022		Medical & Dental Insurance 10/2022 - Cobra	33.72
	09/07/2022		Medical & Dental Insurance 10/2022 - Employees	173,286.40
	09/07/2022		Medical & Dental Insurance 10/2022 - Retirees	34,624.19
	09/07/2022		Medical & Dental Insurance 10/2022 - J MacKenzie	1,700.96
	09/07/2022		Medical & Dental Insurance 10/2022 - P Kuchinsky	1,700.96
	09/07/2022		Medical & Dental Insurance 10/2022 - M Miller	1,700.96
	09/07/2022		Medical & Dental Insurance 10/2022 - P Sanchez	1,700.96
	09/07/2022		Medical & Dental Insurance 10/2022 - R Vasquez	1,919.59
70396	09/07/2022	Amazon Capital Services	Warehouse Supplies	336.60
	09/07/2022		Batteries for Portable Tools - Truck 69	193.77
	09/07/2022		Supplies for Boat	963.29
70397	09/07/2022	AquaTechnex, LLC	Algaecide - HABs	146,787.00
	09/07/2022		Application of Algaecide - HABs	24,000.00
70398	09/07/2022	Cecilia's Safety Service Inc	Traffic Control - Park Center Dr/Melrose Dr	1,035.00
	09/07/2022		Traffic Design - Park Center Dr	70.00
	09/07/2022		Traffic Control - Rush Ave/Portia Ave	6,270.00
	09/07/2022		Traffic Control - Edgehill Rd	736.25
	09/07/2022		Traffic Control - Sunset Dr	2,850.00
70399	09/07/2022	City Of Escondido	Escondido Canal FY2022 Reconciliation	451.68
70400	09/07/2022	Core & Main	Corp Stop 1" MIP X Flare (15)	1,128.50
	09/07/2022		Angle Ball Mtr Valve 1"Flare Swl Mtr Nut Lockwing (1)	137.48

Payment Number	Payment Date	Vendor	Description	Amount
	09/07/2022		Flange 12" SOW (8)	1,428.90
	09/07/2022		Corp Stop 2" MIP X FIP (3)	834.61
	09/07/2022		Coupling 6" Macro (1)	402.69
	09/07/2022		Wire 10 Copper (500)	324.75
	09/07/2022		Corp Stop 1" MIP X Flare (1)	75.77
	09/07/2022		Coupling 6" Macro (4)	1,610.76
70401	09/07/2022	Craneworks Southwest Inc	Maintenance Kits for Compressors	957.26
70402	09/07/2022	CWEA	E/I-1 Renewal, Membership	246.47
70403	09/07/2022	Direct Energy	Electric 08/2022 - Henshaw Buildings & Grounds	220.81
	09/07/2022		Electric 08/2022 - Henshaw Well Field	16,180.74
	09/07/2022		Electric 08/2022 - T & D / Cathodic Protection	38.43
	09/07/2022		Electric 08/2022 - Reservoirs	14.37
	09/07/2022		Electric 08/2022 - Pump Stations	7,450.86
	09/07/2022		Electric 082022 - Treatment Plants	35.88
70404	09/07/2022	Electrical Sales Inc	Solar Panel & Bracket	358.35
	09/07/2022		Solar Charge Controller	175.78
70405	09/07/2022	Glennie's Office Products Inc	Office Supplies	263.67
70406	09/07/2022	Grainger	Equipment Labels	4.46
	09/07/2022		Equipment Labels	8.89
	09/07/2022		Wire Labels	84.18
	09/07/2022		SCADA UPS Units (5)	1,466.60
70407	09/07/2022	Hach Company	Pipette Filler	64.75
70408	09/07/2022	Hawthorne Machinery Co	Digging Teeth & Hardware - B23	227.61
	09/07/2022		Bucket Teeth - B21	565.41
70409	09/07/2022	HydroPro Solutions	Programming Module for Octave Water Meters	259.64
70410	09/07/2022	Jackson & Blanc	Fan Motor Replacement for A/C Unit above Garage	1,487.00
70411	09/07/2022	Jo MacKenzie	Reimburse - CSDA Annual Conference 08/2022	500.92
70412	09/07/2022	Joe's Paving	Patch Paving	13,220.50
70413	09/07/2022	Lawnmowers Plus Inc	Filter	33.93
70414	09/07/2022	Major League Pest	Monthly Pest Control	225.00
70415	09/07/2022	Moodys	Dump Fee (1)	300.00
70416	09/07/2022	North County Auto Parts	Steering Wheel Covers	53.54
	09/07/2022		Shop Chemicals, Oil	157.79
	09/07/2022		AC Recharge Kit - Truck 26	77.99
	09/07/2022		Coolant/Antifreeze	147.83
70417	09/07/2022	O'Reilly Auto Parts	Battery - Truck 6	143.57
70418	09/07/2022	Pacific Pipeline Supply	8" Valve (1)	1,494.27
70419	09/07/2022	Pacific Safety Center	Membership Renewal 11/2022 - 10/2023	280.00

Payment Number	Payment Date	Vendor	Description	Amount
70420	09/07/2022	Parkhouse Tire Inc	Tire (1) - Truck 20	220.19
	09/07/2022		Tires (4) - Truck 40	931.89
	09/07/2022		Tire Disposal Fees (4) - Truck 40	22.00
70421	09/07/2022	Paychex of New York LLC	Onboarding/Recruiting/Flex Benefits Service 09/2022	1,625.00
70422	09/07/2022	RC Auto & Smog	Installed Eccentric Adapters, Aligned -Trk 20	472.46
70423	09/07/2022	San Diego Gas & Electric	Gas Use 08/2022	273.62
	09/07/2022		Electric 08/2022 - Henshaw Buildings & Grounds	66.63
	09/07/2022		Electric 08/2022 - Henshaw Wellfield	18,420.52
	09/07/2022		Electrical Use 08/2022	5,062.82
	09/07/2022		Electric 08/2022	26.73
70424	09/07/2022	Shred-it	Shredding Service	170.16
70425	09/07/2022	Sunrise Materials Inc	Concrete Accelerator	63.87
70426	09/07/2022	The UPS Store 0971	Shipping 08/2022	2,514.54
70427	09/07/2022	TS Industrial Supply	Striping Paint White #710 (24)	182.38
	09/07/2022		Sea 1/2" Teflon Tape (18)	11.30
	09/07/2022		Striping Paint Black #770 (12)	91.19
	09/07/2022		Max Flex Gloves XL - Yellow Cuff (12)	66.77
	09/07/2022		Sqwincher Fruit Punch 0.6 oz packets (200)	107.82
	09/07/2022		Dupont Tyvek Coverall - 3XL (25)	211.90
	09/07/2022		Masonry Cut Off Wheel (10)	100.67
	09/07/2022		Striping Paint Blue #750 (12)	91.19
	09/07/2022		Striping Paint White #710 (36)	273.57
	09/07/2022		Max Flex Gloves - Med - Green Cuff (12)	66.77
	09/07/2022		Construction Marking Paint Blue #254 (12)	55.73
	09/07/2022		Wire Brush -Stainless Steel with Plastic Handle (10)	26.63
	09/07/2022		2" Pipe Wrap Tape (36)	340.99
	09/07/2022		Assembled Trigger/Handle - VE2	87.97
	09/07/2022		HD Pressure Washers (2)	2,124.58
	09/07/2022		Wrench Three Socket (1)	281.73
	09/07/2022		Gauge 200lb Pressure Oil (2)	47.63
	09/07/2022		Flaring 1" Tool (2)	52.61
	09/07/2022		Wrench Fire Hydrant (3)	59.72
	09/07/2022		Shovel Square Point (2)	63.11
	09/07/2022		Rake 14" Garden (1)	18.67
	09/07/2022		Hammer 3lb Brass Sledge (1)	106.36
	09/07/2022		Shovel Spade (1)	64.30
	09/07/2022		Shovel 4" Trench (3)	78.75
	09/07/2022		Towel Wypall X80 (10)	423.26

Payment Number	Payment Date	Vendor	Description	Amount
70428	09/07/2022	UC Regents	Scholarship Award	2,000.00
70429	09/07/2022	UniFirst Corporation	Uniform Service	273.13
70430	09/07/2022	Verizon Wireless	SCADA Remote Access	387.78
70431	09/07/2022	Vista Fence Company Inc	Parts to Repair Fence	121.76
70432	09/07/2022	Water District Jobs	Employment Advertising - Safety/Risk Administrator	145.00
70433	09/07/2022	Xerox Corporation	Xerox Services & Supplies	195.51
Grand Total:				840,150.18



**WARNER RANCH
COMMITTEE REPORT**

Agenda Item: 7

Board Meeting Date: September 21, 2022
Prepared By: Dirs. MacKenzie & Sanchez

SUBJECT: DISTRICT PARTICIPATION IN THE NORTH COUNTY MULTIPLE SPECIES CONSERVATION PLAN

RECOMMENDATION: Authorize the General Manager to express the District's interest in participating in the North County Multiple Species Conservation Plan in a letter to the County of San Diego; and initiate the process of identifying a qualified consultant to advise and perform work necessary to support the District's role in the North County Multiple Species Conservation Plan and coordinate with the County of San Diego.

PRIOR BOARD ACTION: On August 16, 2006, the Board authorized the General Manager to indicate to the County of San Diego (County) the District's interest in participating in the East County Multiple Species Conservation Plan (ECMSCP). The Board also authorized District staff to begin the process of identifying consultants and preparing a draft Request for Proposal from a firm qualified to aid the District in coordinating with the County and preparing sub-area plans, implementing agreements, and other documents necessary to secure incidental take permits.

FISCAL IMPACT: Unknown costs related to the retention of a consultant to perform services related to the District's participation in the North County Multiple Species Conservation Plan (NCMSCP).

SUMMARY: The County has recently inquired as to whether the District would be interested in participating in the NCMSCP. The Warner Ranch Committee discussed this item at its meeting of September 8, 2022 and recommended that it be brought to the full Board for consideration.

The NCMSCP is regional habitat conservation plan that allows for managed development, recreation, and agriculture in the area covered by the plan while complying with provisions of the federal Endangered Species Act, state Endangered Species Act, and state Natural Communities Conservation Planning Act. Specifically, it provides a streamlined process to obtain federal and state incidental take permits for activities that might harass or harm threatened or endangered species covered by the plan. District participation in the NCMSCP could benefit the District by facilitating compliance with the laws designed to protect threatened and endangered species in a coordinated and economical manner.

DETAILED REPORT: The County is implementing its Multiple Species Conservation Program (MSCP) over three distinct planning areas, organized as the South County MSCP, the ECMSCP and the NCMSCP. The County approved the South County MSCP in 1997. In 2006, the District's Warner Ranch holdings were within the planning area of the ECMSCP, and the County invited the District to participate in that plan; in August 2006, the Board took action to notify the County of the District's interest in participating in that plan. In June 2009, the County announced that the development of the ECMSCP would be suspended due to budget constraints.

In October 2020, the County Board of Supervisors directed County staff to proceed with preparation of the NCMSCP. In 2021, the planning area of the NCMSCP was expanded eastward, doubling the total plan area (see figure, attached). The expanded NCMSCP plan area now includes the entire upper San Luis Rey River watershed, including the Warner Ranch.

Land owned by the District is not subject to the County's land use authority, so the extent and character of the District's participation in the NCMSCP is subject to District discretion. The District has several options regarding its involvement in the NCMSCP, including:

1. Full District Participation. The County would act as Permittee and administrator of the NCMSCP, and the District would seek coverage for incidental take of threatened or endangered species from the County. The County would require the District to comply with mitigation measures defined in the NCMSCP in order to qualify for coverage, and the District would obtain incidental take permits from the County.
2. District Co-Permittee. The District and County would be co-permittees under the NCMSCP, each administering the plan and incidental take permits for projects within their areas of authority. The District would develop an approach tailored to a subset of specific activities with separate avoidance and minimization measures.
3. District Cooperation. The District's lands, while within the plan area, would not be subject to the NCMSCP and not be included in the Permit Area of the plan. The District would coordinate with the County regarding information exchange and planning with respect to the NCMSCP and would comply with federal and state endangered species regulations independently.
4. District Independence. The District would not participate in information exchange or planning with respect to the NCMSCP and would comply with federal and state endangered species regulations independently.

Under the first two scenarios, the District would have access to a streamlined process to obtain state and federal incidental take permits for projects on the Warner Ranch, such as rehabilitation of the Warner Wellfield. Under the last two scenarios, the District would either have to avoid activities, including normal operation and maintenance activities, that might harass or harm threatened or endangered species, or it would have to apply for incidental take permits from state and federal agencies on its own. Section 10 of the federal Endangered Species Act requires the development of a habitat conservation plan (HCP) to obtain a federal incidental take permit (see attached flyer "Habitat Conservation Plans Under the Endangered Species Act"). While neither the California Endangered Species Act nor the state Natural Communities Conservation Planning Act require the development of a Natural Communities Conservation Plan (NCCP) in order to obtain a state incidental take permit, an NCCP streamlines the process and provides assurance with respect to required mitigation measures. The NCMSCP will comply with the requirements of both a federal HCP and a state NCCP to facilitate the timely issuance of incidental take permits for covered species.

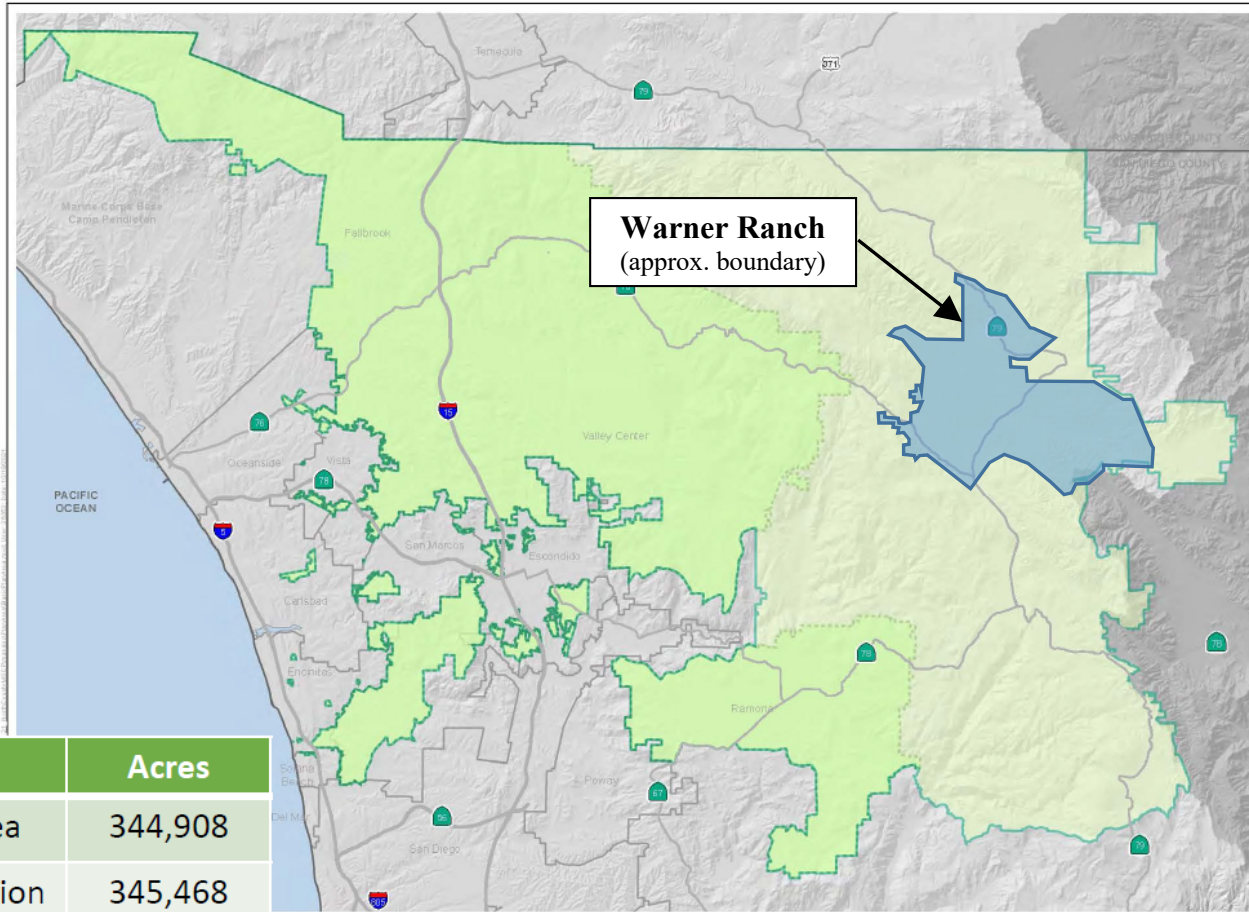
The Warner Ranch Committee recommends that the District pursue participation with the NCMSCP in a manner that maximizes the District's control over its activities on the Warner Ranch. This may suggest the District's involvement as a co-permittee, which will be confirmed at a later date with input from a consultant with experience in conservation planning.

Other facets of conservation planning include preserve area design and the potential development of a mitigation bank. While conservation planning is a costly endeavor, the administration of a mitigation bank provides an opportunity for cost recovery. The Warner Ranch Committee recommends retaining a consultant with experience in conservation planning efforts in California to assist the District with evaluating options for potential participation with the NCMSCP as well as to explore the potential for cost recovery (via the establishment of a mitigation bank on the Warner Ranch).

ATTACHMENTS:

- Revised NCMSCP Plan Area Boundary
- Habitat Conservation Plans Under the Endangered Species Act

Revised Plan Area Boundary



Plan Area

Multiple Species Conservation Program
North County Plan

LEGEND

- North County MSCP Plan Area Boundary
- Previous North County MSCP Plan Area Boundary
- Desert
- Coastal



0 1 2 3 4 8 Miles

1:300,000

Source: County of San Diego, SANDAG, SanGIS

Plan Area	Acres
Previous Plan Area	344,908
Plan Area Expansion	345,468
Total Plan Area	690,376



Habitat Conservation Plans Under the Endangered Species Act

Introduction

Why should we save endangered species? Congress answered this question in the introduction to the Endangered Species Act of 1973 (Act), recognizing that endangered and threatened species of wildlife and plants “are of esthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people.”

After this finding, Congress said that the purposes of the Act are “. . . to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved [and] to provide a program for the conservation of such . . . species. . . .” Habitat Conservation Plans (HCPs) under section 10(a)(1)(B) of the Act provide for partnerships with non-Federal parties to conserve the ecosystems upon which listed species depend, ultimately contributing to their recovery.

What are HCPs?

HCPs are planning documents required as part of an application for an incidental take permit. They describe the anticipated effects of the proposed taking; how those impacts will be minimized, or mitigated; and how the HCP is to be funded.

HCPs can apply to both listed and nonlisted species, including those that are candidates or have been proposed for listing. Conserving species before they are in danger of extinction or are likely to become so can also provide early benefits and prevent the need for listing.

Who needs an incidental take permit?

Anyone whose otherwise-lawful activities will result in the “incidental take” of a listed wildlife species needs a permit. The U.S. Fish and Wildlife Service (FWS) can help determine whether a proposed project or action is likely to result in “take” and whether



John Cleckler/USFWS

The endangered California tiger salamander is among the listed species included in the East Contra Costa County Habitat Conservation Plan.

an HCP is needed. FWS staff can also provide technical assistance to help design a project to avoid take. For example, the project could be designed with seasonal restrictions on construction to minimize disturbance to a species.

What is the benefit of an incidental take permit and habitat conservation plan to a private landowner?

The permit allows the permit-holder to legally proceed with an activity that would otherwise result in the unlawful take of a listed species. The permit-holder also has assurances from the FWS through the “No Surprises” regulation.

What is “take”?

The Act defines “take” as “. . . to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” “Harm” includes significant habitat modification that actually kills or injures a listed species through impairing essential behavior such as breeding, feeding, or sheltering.

Section 9 of the Act prohibits the take of endangered and threatened species. The purpose of the incidental take permit is to exempt non-Federal permit-holders—such as States and private landowners—from the prohibitions of section 9, not to authorize the activities that result in take.

What do habitat conservation plans do?

In developing habitat conservation plans, people applying for incidental take permits describe measures designed to minimize and mitigate the effects of their actions—to ensure that species will be conserved and to contribute to their recovery.

Habitat conservation plans are required to meet the permit issuance criteria of section 10(a)(2)(B) of the Act:

- (i) taking will be incidental;
- (ii) the applicant will, to the maximum extent practicable, minimize and mitigate the impacts of the taking;

- (iii) the applicant will ensure that adequate funding for the plan will be provided;
- (iv) taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and
- (v) other measures, as required by the Secretary, will be met.

What needs to be in HCPs?

Section 10 of the Act and its implementing regulations define the contents of HCPs. They include:

- an assessment of impacts likely to result from the proposed taking of one or more federally listed species.
- measures that the permit applicant will undertake to monitor, minimize, and mitigate for such impacts, the funding available to implement such measures, and the procedures to deal with unforeseen or extraordinary circumstances.
- alternative actions to the taking that the applicant analyzed, and the reasons why the applicant did not adopt such alternatives.
- additional measures that the Fish and Wildlife Service may require.

HCPs are also required to comply with the Five Points Policy by including:

1. biological goals and objectives, which define the expected biological outcome for each species covered by the HCP;
2. adaptive management, which includes methods for addressing uncertainty and also monitoring and feedback to biological goals and objectives;
3. monitoring for compliance, effectiveness, and effects;
4. permit duration which is determined by the time-span of the project and designed to provide the time needed to achieve biological goals and address biological uncertainty; and
5. public participation according to the National Environmental Policy Act.

What are “No Surprises” assurances?

The FWS provides “No Surprises” assurances to non-Federal landowners through the section 10(a)(1)(B)

process. Essentially, State and private landowners are assured that if “unforeseen circumstances” arise, the FWS will not require the commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources beyond the level otherwise agreed to in the HCP without the consent of the permit-holder. The government will honor these assurances as long as permit-holders are implementing the terms and conditions of the HCPs, permits, and other associated documents in good faith. In effect, the government and permit-holders pledge to honor their conservation commitments.

Are incidental take permits needed for listed plants?

There are no Federal prohibitions under the Act for the take of listed plants on non-Federal lands, unless taking those plants is in violation of State law. However, the FWS analyzes the effects of the permit on listed plant species because section 7 of the Act requires that issuing an incidental take permit may not jeopardize any listed species, including plants. In general, it is a good idea to include conservation measures for listed plant species in developing an HCP.

What is the process for getting an incidental take permit?

The applicant decides whether to seek an incidental take permit. While FWS staff members provide detailed guidance and technical assistance throughout the process, the applicant develops an HCP and applies for a permit. The components of a completed permit application are a standard application form, an HCP, an Implementation Agreement (if applicable), the application fee, and a draft National Environmental Policy Act (NEPA) analysis. A NEPA analysis may result in a categorical exclusion, an environmental assessment, or an environmental impact statement.

While processing the permit application, the FWS prepares the incidental take permit and a biological opinion under section 7 of the Act and finalizes the NEPA analysis documents. Consequently, incidental take permits have a number of associated documents.

How do we know if we have listed species on our project site?

For assistance, check with the appropriate State fish and wildlife

agency, the nearest FWS field office, or the National Marine Fisheries Service (NMFS), for anadromous fish such as salmon.

What kinds of actions are considered mitigation?

Mitigation measures are actions that reduce or address potential adverse effects of a proposed activity on species included in an HCP. They should address specific conservation needs of the species and be manageable and enforceable. Mitigation measures may take many forms, including, but not limited to, payment into an established conservation fund or bank; preservation (via acquisition or conservation easement) of existing habitat; enhancement or restoration of degraded or a former habitat; establishment of buffer areas around existing habitats; modifications of land use practices, and restrictions on access. Which type of mitigation measure used for a specific HCP is determined on a case by case basis, and is based upon the needs of the species and type of impacts anticipated.

What is the legal commitment of a HCP?

Incidental take permits make binding the elements of HCPs. While incidental take permits have expiration dates, the identified mitigation may be in perpetuity. Violating the terms of an incidental take permit may constitute unlawful take under section 9 of the Act.

Who approves an HCP?

The FWS Regional Director decides whether to issue an incidental take permit, based on whether the HCP meets the criteria mentioned above. If the HCP addresses all of the requirements listed above, as well as those of other applicable laws, the FWS issues the permit.

What other laws besides the Endangered Species Act are involved?

In issuing incidental take permits, the FWS complies with the requirements of NEPA and all other statutes and regulations, including State and local environmental/planning laws.

Who is responsible for NEPA compliance during the HCP process?

The FWS is responsible for ensuring NEPA compliance during the HCP process. However, if the Service does not have sufficient staff resources, an applicant may, within certain limitations, prepare the draft NEPA

analysis. Doing so can benefit the applicant and the government by expediting the application process and permit issuance. In cases like this, the FWS provides guidance, reviews the document, and takes responsibility for its scope, adequacy, and content.

Does the public get to comment on our HCP? How do public comments affect our HCP?

The Act requires a 30-day period for public comments on applications for incidental take permits. In addition, because NEPA requires public comment on certain documents, the FWS operates the two comment periods concurrently. Generally, the comment period is 30 days for a Low Effect HCP, 60 days for an HCP that requires an environmental assessment, and 90 days for an HCP that requires an environmental impact statement. The FWS considers public comments in permit decisions.

What kind of monitoring is required for a HCP, and who performs it?

Three types of monitoring may be required: compliance, effectiveness, and effects. In general, the permit-holder is responsible for ensuring that all the required monitoring occurs. The FWS reviews the monitoring reports and coordinates with the permit-holder if any action is needed.

Does the Fish and Wildlife Service try to accommodate the needs of HCP participants who are not professionally involved in the issues?

Because applicants develop HCPs, the actions are considered private and, therefore, not subject to public participation or review until the FWS receives an official application. The FWS is committed to working with people applying for permits and providing technical assistance throughout the process to accommodate their needs.

However, the FWS does encourage applicants to involve a range of parties, a practice that is especially valuable for complex and controversial projects. Applicants for most large-scale, regional HCPs choose to provide extensive opportunities for public involvement during the planning process. Issuing permits is, however, a Federal action that is subject to public review and comment. There is time for such review during the period when the FWS reviews the information. In addition, the FWS solicits public involvement and review, as well as requests for additional information during the scoping process when an EIS is required.

Are independent scientists involved in developing an HCP?

The views of independent scientists are important in developing mitigation and minimization measures in nearly all HCPs. In many cases, applicants contact experts who are directly involved in discussions on the adequacy of possible mitigation and minimization measures. In other cases, the FWS incorporates the views of independent scientists indirectly through their participation in listing documents, recovery plans, and conservation agreements that applicants reference in developing their HCPs.

How does the FWS ensure that species are adequately protected in HCPs?

The FWS has strengthened the HCP process by incorporating adaptive management when there are species for which additional scientific information may be useful during the implementation of the HCP. These provisions allow FWS and NMFS to work with landowners to reach agreement on changes in mitigation strategies within the HCP area, if new information about the species indicates this is needed. During the development of HCPs, the FWS and NMFS discuss any changes in strategy with landowners, so that they are aware of any uncertainty in management strategies and have concurred with the adaptive approaches outlined.

What will the FWS do in the event of unforeseen circumstances that may jeopardize the species?

The FWS will use its authority to manage any unforeseen circumstances that may arise to ensure that species are not jeopardized as a result of approved HCPs. In the rare event that jeopardy to the species cannot be avoided, the FWS may be required to revoke the permit.

How can I obtain information on numbers and types of HCPs?

Our national HCP database displaying basic statistics on HCPs is available online from our Habitat Conservation Planning page at <https://ecos.fws.gov/ecp/report/conservation-plans-type-region>.

**U.S. Fish and Wildlife Service
Ecological Services Program
5275 Leesburg Pike
Falls Church, VA 22041
703-358-2171
<http://www.fws.gov/endangered>**

October 2021



STAFF REPORT

Agenda Item: 8

Board Meeting Date:	September 21, 2022
Prepared By:	Shallako Goodrick
Reviewed By:	Marlene Kelleher
Approved By:	Brett Hodgkiss

SUBJECT: UPDATE TO BANKING AUTHORITIES

RECOMMENDATIONS:

- 1) Remove Marlene Kelleher as Treasurer and leave position vacant until filled.
- 2) Adopt Resolution No. 22-XX naming Shallako Goodrick as the Contracting Officer with Union Bank.
- 3) Adopt Resolution No. 22-XX naming Treasurer and Assistant Treasurers as authorized individuals to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

PRIOR BOARD ACTION: On December 5, 2018, the Board appointed Marlene Kelleher to the position of Treasurer and authorized Marlene Kelleher, Shallako Goodrick and Brett Hodgkiss as individuals to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

FISCAL IMPACT: None.

SUMMARY: With the impending retirement of the Director of Administration/Treasurer Marlene Kelleher, it is necessary to update authorized individuals on the District's bank and investment accounts.

DETAILED REPORT: Director of Administration Marlene Kelleher's retirement requires the District to authorize a new Contracting Officer with Union Bank as well as change individuals authorized to transfer funds with the California State Treasurer's Office Local Agency Investment Fund (LAIF). These changes require the submission of adoption of resolutions to each entity (Union Bank and LAIF) to become effective.

The Contracting Officer with Union Bank is the person authorized to perform tasks in the Bank's online financial center such as adding and removing services, adding and removing signers and opening and closing accounts. It is recommended that Finance Supervisor/Assistant Treasurer Shallako Goodrick be named the authorized Contracting Officer with Union Bank. LAIF authorized individuals can only transfer funds between LAIF and Union Bank. It is recommended that Assistant Treasurers Brett Hodgkiss and Shallako Goodrick and the title Treasurer be named as those authorized on the District's LAIF account and that the language contained in the resolution be changed to allow for successors in office of Treasurer and Assistant Treasurer to perform those duties.

ATTACHMENTS:

- Resolution No. 22-XX naming Shallako Goodrick as the Contracting Officer with Union Bank
- Resolution No. 22-XX naming Treasurer and Assistant Treasurers as authorized individuals to order the deposit or withdrawal of monies in the Local Agency Investment Fund

RESOLUTION NO. 22-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT
NAMING SHALLAKO GOODRICK AS THE CONTRACTING OFFICER WITH
UNION BANK

RESOLVED, that Shallako Goodrick is hereby authorized to act as the Contracting Officer with Union Bank.

FURTHER RESOLVED, that Shallako Goodrick is hereby authorized to open and close accounts, add and remove services and add and remove signers with Union Bank.

PASSED AND ADOPTED this 21st day of September, 2022 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marty Miller, President

ATTEST:

Lisa R. Soto, Secretary

Board of Directors

VISTA IRRIGATION DISTRICT

RESOLUTION NO. 22-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT
NAMING THE TREASURER AND ASSISTANT TREASURERS OF VISTA IRRIGATION
DISTRICT AS AUTHORIZED INDIVIDUALS TO ORDER THE DEPOSIT OR WITHDRAWAL
OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Board of Directors does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the District.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the deposit and withdrawal of (District) monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following District officers holding the titles(s) specified herein below **or their successors in office** shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated hereby:

<u>(Vacant)</u>	<u>Brett Hodgkiss</u>	<u>Shallako Goodrick</u>
(Name)	(Name)	(Name)
<u>Treasurer</u>	<u>Assistant Treasurer</u>	<u>Assistant Treasurer</u>
(Title)	(Title)	(Title)
_____	_____	_____
(Signature)	(Signature)	(Signature)

PASSED AND ADOPTED by the following roll call vote of the Board of Directors of Vista Irrigation District this 21st day of September, 2022.

AYES:
NOES:
ABSTAIN:
ABSENT:

Marty Miller, President

ATTEST:

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



STAFF REPORT

Agenda Item: 9

Board Meeting Date: September 21, 2022
Prepared By: Lisa Soto
Approved By: Brett Hodgkiss

SUBJECT: CONFLICT OF INTEREST CODE REVISIONS

RECOMMENDATION: Adopt Resolution No. 22-XX amending the Vista Irrigation District's Conflict of Interest Code.

PRIOR BOARD ACTION:

1/9/19 Adopted Resolution No. 19-03 amending the Vista Irrigation District's Conflict of Interest Code.

FISCAL IMPACT: None.

SUMMARY: Section 87306.5 of the Government Code requires all local agencies in California to review their conflict of interest code in each even-numbered year, as well as whenever amendments are necessary. Agencies' revised conflict of interest codes must be approved by the County Board of Supervisors, and they become effective 30 days after Board of Supervisors' approval.

DETAILED REPORT: Per the requirements of Government Code Section 87306.5, staff has conducted a detailed review of the Vista Irrigation District's Conflict of Interest Code (Code). Under "Designated Positions (Staff)", one staff position's title has changed; it is recommended that the position title of "Safety & Risk Manager" be changed to "Safety & Risk Administrator" in the Code.

ATTACHMENTS:

- Draft resolution adopting amended Conflict of Interest Code
- Amended Conflict of Interest Code

RESOLUTION NO. 22-xx
RESOLUTION OF THE BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT
ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the “Act”), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Vista Irrigation District and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Directors of the Vista Irrigation District adopted a Conflict of Interest Code (the “Code”) which was amended on January 9, 2019, in compliance with Government Code Section 81000, et seq.; and

WHEREAS, subsequent changed circumstances with the Vista Irrigation District have made it advisable and necessary, pursuant to Sections 87306 and 87307 of the Act, to amend and update the District’s Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which would result in the Vista Irrigation District being restrained or prevented from acting in cases where provisions of the act may have been violated; and

WHEREAS, a public meeting was held on the proposed amended Conflict of Interest Code at the regular meeting of the Board of Directors on September 21, 2022, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Vista Irrigation District that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, attached hereto. A copy of the revised code is attached hereto and shall be filed with the District Secretary and available for inspection to the public.

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said amended Code shall become effective 30 days after the Board of Supervisors approves the amended Code as submitted.

BE IT FINALLY RESOLVED that Resolution No. 19-03 adopting the Amended Conflict of Interest Code on January 9, 2019 is rescinded effective upon the date that adoption of said amended Code becomes effective.

PASSED AND ADOPTED this 21st day of September 2022, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Marty Miller, President

ATTEST:

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



CONFLICT OF INTEREST CODE
(Amended ~~January 9, 2019~~ September 21, 2022)

Vista Irrigation District
1391 Engineer Street
Vista, California 92081
(760) 597-3100

**CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT
COUNTY OF SAN DIEGO**
(Amended ~~January 9, 2019~~ September 21, 2022)

The agency designated above hereby submits the following Conflict of Interest Code to the Board of Supervisors of the County of San Diego.

Dated: ~~January 9, 2019~~ September 21, 2022 Lisa R. Soto, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

Received on behalf of the Board of Supervisors of the County of San Diego.

Dated: _____ ~~DAVID HALL~~ ANDREW POTTER
Clerk of the Board of Supervisors

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the Code Reviewing Body on _____.

Other action, if any:

~~DAVID HALL~~ ANDREW POTTER
Clerk of the Board of Supervisors

**CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT**
(Amended ~~January 9, 2019~~ September 21, 2022)

The Political Reform Act of 1974 (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 Cal. Code of Regs. Sec. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Vista Irrigation District.

All officials required to submit a statement of economic interests shall file their statements with the Secretary of the Vista Irrigation District as the District's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by members of the Board of Directors, Treasurer, Assistant Treasurer and the General Manager and forward the originals of these statements to the Clerk of the San Diego County Board of Supervisors. The Vista Irrigation District shall retain statements for all other designated employees. The Filing Officer will make all retained statements available for public inspection and reproduction (Gov. Code Section 81008).

Adopted by the Board of Directors of the Vista Irrigation District on the ~~9th~~-21st day of ~~January 2019~~ September 2022.

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

**CONFLICT OF INTEREST CODE
OF
VISTA IRRIGATION DISTRICT**
(Amended ~~January 9, 2019~~ September 21, 2022)

APPENDIX

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District officials who manage public investments, as defined by 2 Cal. Code of Regs. §18701(b), are NOT subject to the District's Code, but are subject to disclosure requirements of the Act (Government Code Section 87200 et seq.). [Regs. 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are other District officials who manage public investments:

- Member of Board of Directors
- General Manager
- Director of Administration
- Treasurer
- Assistant Treasurer
- Financial Consultants

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

The Treasurer, Assistant Treasurer, and all District officials who manage the investment of public funds are included in and governed by this Conflict of Interest Code only with respect to its disqualification provisions. For purposes of disclosure, the Treasurer, Assistant Treasurer, and all District officials who manage the investment of public funds are governed by the statutory conflict of interest provisions of Article 2 of Chapter 7 of the Political Reform Act of 1974 (Government Code Section 87200, et seq.)

The persons holding positions listed below are "designated employees" who are subject to the provisions of this Code. Each such designated employee is required to disclose interests only in those categories set forth, which are identified by the numbers following his or her title.

Disclosure Categories

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property that the designated employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in, and sources of income from, all business entities that do business or own real property within the jurisdiction of the District, plan to do business or own real property within the jurisdiction of the District within the next year or have done business or owned real property within the jurisdiction of the District within the past two years.

Category 2: All interest in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit or licensing authority of the Designated Employee's Department, will be subject to such authority within the next year or have been subject to such authority within the past two years.

Category 4: All investments in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year or have engaged in such activities within the jurisdiction of the District within the past two years.

Category 5: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan or other financial institutions.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery or equipment of a type purchased, leased, used, or administered by the Designated Employee's Department or by the District.

<u>Designated Positions (Staff)</u>	<u>Disclosure Categories</u>
Administrative Assistant	6
Construction Supervisor	6
Customer Service Supervisor	6
Director of Engineering	1, 2, 3, 4, 5, 6
Director of Water Resources	1, 2, 4, 6
Engineering Inspector	2, 3, 4, 6
Engineering Services Manager	2, 3, 4, 6
Engineering Project Manager	1, 2, 4, 6
Executive Assistant	6
Facilities Supervisor	6
Finance Supervisor	1, 2, 5, 6
Director of Operations and Field Services	1, 2, 4, 6
General Counsel, Special Counsel, Attorney	1, 2, 3, 4, 5, 6
Human Resources Manager	1, 2, 5, 6
Information Technology Supervisor	1, 2, 5, 6
Inventory Control Clerk	6
Management Analyst	1, 2, 6
Purchasing Agent	6
Safety/Risk <u>Manager Administrator</u>	6
Senior Equipment Mechanic	6
System Controls Supervisor	6
Water Distribution Supervisor	6
Water Resources Specialist	1, 2, 6
Water Resources Supervisor	6

<u>Designated Positions (Consultants)*</u>	<u>Disclosure Categories</u>
Appraisers	1, 2, 4, 6
Real Estate Brokers	1, 2, 4, 6

*Consultants shall be included in the list of Designated Positions and shall disclose pursuant to the disclosure categories listed. If not listed, consultants shall disclose pursuant to the broadest disclosure category in this code, subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.



Agenda Item: 10

STAFF REPORT

Board Meeting Date: September 21, 2022
Prepared By: Brett Hodgkiss

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

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



STAFF REPORT

Agenda Item: 11.A

Board Meeting Date: September 21, 2022
Prepared By: Lisa Soto
Approved By: Brett Hodgkiss

SUBJECT: REPORTS ON MEETINGS AND EVENTS ATTENDED BY DIRECTORS

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



STAFF REPORT

Agenda Item: 11.B

Board Meeting Date: September 21, 2022
Prepared By: Lisa Soto
Approved By: Brett Hodgkiss

SUBJECT: SCHEDULE OF UPCOMING MEETINGS AND EVENTS

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

	SCHEDULE OF UPCOMING MEETINGS AND EVENTS	ATTENDEES
1	A Collaborative Approach to Colorado River Management Southern California Water Coalition <i>Oct. 6, 2022; 10:30 a.m. to noon (Webinar)</i> <i>Registration deadline: None.</i>	
2 *	Vista Chamber Government Affairs <i>Oct. 6, 2022; Noon-1:30 p.m.; The Film Hub, Vista</i> <i>Registration deadline: None.</i>	
3 *	Vista Chamber of Commerce Business Mixer <i>Oct. 12, 2022; 5:00 p.m.–7:00 p.m.; Vista Elks Lodge, Vista</i> <i>Registration deadline: No registration needed.</i>	
4	CALAFCO Annual Conference <i>Oct. 19-21, 2022; Hyatt Regency John Wayne Airport, Newport Beach</i> <i>Registration deadline: TBD</i>	MacKenzie (H)
5 *	Independent Special Districts of Orange County (ISDOC) Quarterly Meeting <i>Oct. 27, 2022; 11:30 a.m. to 1:00 p.m. (Virtual)</i> <i>Registration deadline: None.</i>	MacKenzie ◊
6 *	Vista Chamber Government Affairs <i>Nov. 3, 2022; Noon-1:30 p.m.; The Film Hub, Vista</i> <i>Registration deadline: None.</i>	
7 *	Council of Water Utilities Meeting <i>Nov. 15, 2022, 8:00 a.m.–9:30 a.m.; Four Points Sheraton, San Diego</i> <i>Registration deadline: TBD</i>	Vásquez
8 *	CSDA Quarterly Meeting <i>Nov. 17, 2022, 6:00 p.m.; Location TBD</i> <i>Registration deadline: TBD</i>	
9	ACWA Fall Conference <i>Nov. 29-Dec. 1, 2022; Indian Wells</i> <i>Registration deadline: 11/11/2022</i>	Miller (R, H) MacKenzie (R, H) Sanchez (R, H) Vásquez (R, H)
10	Colorado River Water Users Association Conference (CRWUA) <i>Dec. 14-16, 2022; Las Vegas</i> <i>Registration deadline: 11/30/2022</i>	Miller (R) MacKenzie (R) Sanchez (R) Vásquez (R)
11	ACWA Spring Conference <i>May 9-11, 2023; Monterey</i> <i>Registration deadline: TBD</i>	
12	Special Districts Legislative Days (CSDA) <i>May 16-17, 2023; Sheraton Grand Sacramento Hotel; Sacramento</i> <i>Registration deadline: TBD</i>	

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

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

R=Registration; **H**=Hotel; **A**=Airline; **S**=Shuttle; **C**=Car; **T**=Tentative; **◊**=Virtual



Agenda Item: 12

STAFF REPORT

Board Meeting Date: September 21, 2022
Prepared By: Brett Hodgkiss

SUBJECT: ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

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

Staff-generated list of tentative items for future agendas:

- District fees and charges other than water rates (October – following Fiscal Policy Committee review)
- Board President and First Vice-President selection procedures (November)
- Wildfire Resiliency
- Fallbrook Public Utility District/Rainbow Municipal Water District detachment
- Rename Edgehill Reservoir after former Director Paul Dorey



STAFF REPORT

Agenda Item: 13

Board Meeting Date: September 21, 2022
Prepared By: Lisa Soto

SUBJECT: COMMENTS BY DIRECTORS

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



STAFF REPORT

Agenda Item: 14

Board Meeting Date: September 21, 2022
Prepared By: Brett Hodgkiss

SUBJECT: COMMENTS BY GENERAL COUNSEL

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



STAFF REPORT

Agenda Item: 15

Board Meeting Date: September 21, 2022
Prepared By: Brett Hodgkiss

SUBJECT: COMMENTS BY GENERAL MANAGER

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