

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

March 20, 2019

An Adjourned Meeting of the Board of Directors of Vista Irrigation District was held on Wednesday, March 20, 2019, at the offices of the District, 1391 Engineer Street, Vista, California.

**1. CALL TO ORDER**

President MacKenzie called the meeting to order at 8:30 a.m.

**2. ROLL CALL**

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

Directors absent: None.

Staff present: Brett Hodgkiss, General Manager; Lisa Soto, Secretary of the Board; Don Smith, Director of Water Resources; Randy Whitmann, Director of Engineering; Frank Wolinski, Director of Operations and Field Services; Marlene Kelleher, Director of Administration; Ben Parks, Engineering Inspector; Manny Macias, Construction Supervisor; Matt Atteberry, Engineering Services Manager; Alisa Nichols, Management Analyst; Mark Saltz, Water Resources Specialist; Shallako Goodrick, Finance Supervisor; and Ramae Ogilvie, Administrative Assistant. General Counsel Dave Cosgrove was also present.

Other attendees: Jim Ellis, a member of the public was present for Agenda Item 7.

**3. PLEDGE OF ALLEGIANCE**

Director Vásquez led the pledge of allegiance.

**4. APPROVAL OF AGENDA**

19-03-39	<i>Upon motion by Director Vásquez, seconded by Director Miller and unanimously carried (5 ayes: Miller, Vásquez, Dorey, Sanchez, and MacKenzie), the Board of Directors approved the agenda as presented.</i>
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**5. PUBLIC COMMENT TIME**

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

**6. CONSENT CALENDAR**

General Counsel David Cosgrove stated that Director Dorey advised him earlier that he owns a community property interest in San Diego Gas & Electric (SDG&E) in an amount in excess of the statutory limit for an interest in a business entity; therefore, he counseled Director Dorey to disqualify himself from participating in a decision on Consent Calendar Item 6.B. Mr. Cosgrove further recommended that Item 6.B be pulled from the Consent Calendar for separate consideration and that Director Dorey leave the room during the discussion and vote on said item.

19-03-40 *Upon motion by Director Miller, seconded by Director Dorey and unanimously carried (5 ayes: Miller, Vásquez, Dorey, Sanchez, and MacKenzie), the Board of Directors approved the Consent Calendar excluding Item 6.B, and including Resolution No. 19-12 approving disbursements.*

A. Identity Theft Prevention Program

See staff report attached hereto. The Board received an update on the District's Identity Theft Prevention Program.

C. Grant of Right of Way

See staff report attached hereto. Staff recommended and the Board accepted Grant of Right of Way (H95) via easement document for a 20-foot wide specific easement over a single-family residential property consisting of approximately 0.47 gross acres owned by Pamella Huppert, located off of Avalon Drive, Vista (LN 2018-014; APN 176-120-11; DIV NO 3).

D. Grant of Right of Way

See staff report attached hereto. Staff recommended and the Board accepted Grant of Right of Way (C137) via City of Vista Tract Map No. PC02-122 for a dedicated 35-foot wide specific easement over a proposed 11-lot single-family development, consisting of approximately 6.36 gross acres owned by The Salvatore Sam and Elena Colucci Family Trust, located at 1515 Warmlands Avenue, Vista (LN 2017-042; APN 174-080-33; DIV NO 1).

E. Waterline Project Approval

See staff report attached hereto. Staff recommended and the Board approved this waterline project and directed staff to file the Notice of Exemption for a proposed 27 single-family housing project, known as Sienna, consisting of approximately 6.90 gross acres owned by Lennar Homes of California, Inc., a California Corporation, located at 729 N. Emerald Drive, Vista (WOI-3083; LN 2013-034; APNs 162-140-96; DIV 2).

F. Minutes of Board of Directors meeting on March 7, 2019

The minutes of March 7, 2019 were approved as presented.

G. Resolution ratifying check disbursements

**RESOLUTION NO. 19-12**

**BE IT RESOLVED**, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 61072 through 61176 drawn on Union Bank totaling \$504,026.61.

**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 20<sup>th</sup> day of March 2019.

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Prior to the following discussion, Director Dorey left the room.

6.B. San Diego Gas and Electric request for a new easement on the Warner Ranch

See staff report attached hereto.

The Board discussed the request by San Diego Gas and Electric (SDG&E) for a new easement on the District’s Warner Ranch property. General Counsel Cosgrove provided clarification regarding the District’s liability should a fire occur that was caused by SDG&E’s equipment at this location; he stated that the District would not be liable as the property owner just by way of granting an easement to SDG&E. Mr. Cosgrove explained that there would have to be a negligent condition on the District’s property (i.e. an unreasonable amount of un-cleared brush under the area where the electrical wires run) in order for there to be any issue of liability on the District’s part.

19-03-41 *Upon motion by Director Vásquez, seconded by Director Sanchez and unanimously carried (4 ayes: Miller, Vásquez, Sanchez, and MacKenzie; 1 absent: Dorey), the Board of Directors approved the request from San Diego Gas and Electric (SDG&E) for a new easement on the District’s Warner Ranch Property; and authorized the General Manager to execute SDG&E’s Easement document RW 370057 and accepted SDG&E’s offer of \$2,500 to purchase the easement rights (APN 193-080-30; DIV NO 4).*

Following the above discussion and vote, Director Dorey rejoined the meeting.

7. **APPEAL OF UNAUTHORIZED TAKING OF DISTRICT WATER FEE**

See staff report attached hereto.

General Manager Brett Hodgkiss reviewed the events that led to the issuance of a Notice of Unauthorized Water Use and the associated Unauthorized Taking of District Water Fee (Fee) to Mr. Jim Ellis for an unauthorized hook-up to a Reduced Pressure Detector Assembly (RPDA) on the property located at 170 Eucalyptus Avenue, Vista, California. Mr. Hodgkiss explained that staff acted in accordance with the District’s Rules and Regulations with regards to the unauthorized hook-up, noting that staff informed the property owner, Mr. Ellis, that his unauthorized connection to the RPDA was in violation of District policy and that he would be issued a Notice of Unauthorized Water Use and the associated fee; staff also advised Mr. Ellis that the fitting and hoses connected to the RPDA had been confiscated.

Mr. Hodgkiss stated that Mr. Ellis appealed the issuance of the Fee to the General Manager in accordance with District Rules and Regulations, Section 2.2.8, Unauthorized Hook-Ups. Mr. Hodgkiss explained that pursuant to Section 2.2.8 (F), a party charged with unauthorized water use may appeal the associated charge to the General Manager if the party believes that factual errors or misrepresentations have occurred; if the General Manager determines that no such errors have been made, the charge stands. After reviewing all information related to the incident, Mr. Hodgkiss said that he determined that no factual errors nor misrepresentation occurred; therefore, the charge stood. Mr. Ellis was informed of the General Manager’s determination and appealed the decision to the Board of Directors.

The Board reviewed District Rules and Regulations, Section 2.2.8, Unauthorized Hook-Ups, and all documentation relevant to the incident. Mr. Ellis addressed the Board and explained that he did not know that what he was doing was wrong; he also stated that he felt that the fee was too high and that he should only have to pay for the water he used.

Mr. Cosgrove advised the Board that staff did everything in accordance with District policy and that it was within the Board's purview and discretion to uphold staff's actions or waive/reduce the fee, if deemed appropriate under the circumstances. Mr. Cosgrove stated that, per the General Manager, labor costs related to this incident were approximately \$250 and suggested that, at a minimum, labor costs and the cost of the water consumed should be recovered.

The Board discussed the District's application for the fire service and acknowledged the possibility that the information contained on the form may not have been explicit enough with respect to the policy regarding the appropriate use of the service.

In light of the specific circumstances of this case, the Board discussed a fee reduction aimed at recovering the following costs: 1) \$250 for staff time; 2) \$200 for the estimated cost of water; and 3) \$400 for other administrative costs.

19-03-42	<i>Upon motion by Director Sanchez, seconded by Director Vásquez and carried (4 ayes: Vásquez, Dorey, Sanchez, and MacKenzie; 1 no: Miller), the Board of Directors authorized a reduced fee for the unauthorized taking of District water by Jim Ellis, in the amount of \$850.</i>
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At this time Jim Ellis, Manny Macias, Ben Parks, Mark Saltz, Matt Atteberry and Alisa Nichols all left the meeting.

**8. FINANCIAL REPORT FOR THE SIX MONTHS ENDED DECEMBER 31, 2018**

See staff report attached hereto.

Marlene Kelleher, Director of Administrative Services presented the District's Financial Report for the period ending December 31, 2018. She reported that the District experienced a \$2.6M operating gain during this period compared to the \$6.2M operating gain for the same period last year and explained the decrease was due to purchasing more water from the San Diego County Water Authority. Ms. Kelleher noted that the District added a new category under reserves titled Surplus Supplemental Water; funds are accumulated in this reserve during the year to account for the value of 8,000 acre-feet of supplemental water. Moneys from this reserve are subsequently used to pay the San Luis Rey Indian Water Authority for said water in January of each year in accordance with the San Luis Rey Indian Settlement Implementing Agreement.

**9. LAKE HENSHAW / WARNER RANCH INSPECTION TOUR**

See staff report attached hereto.

The Board reviewed the itinerary for the Lake Henshaw/Warner Ranch Inspection Tour scheduled for April 15, 2019. Mr. Hodgkiss clarified that the stop planned for the Buena Creek (HB) reservoir site is to provide the Board with a better understanding of the rehabilitation project. The Board agreed with the schedule as presented.

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

See staff report attached hereto.

Director Miller reported that the San Diego County Water Authority (Water Authority) Board had held a special board meeting and that progress is being made on settlement negotiations with Metropolitan Water District (MWD). Director Miller stated that he is no longer on the Water Authority Board's Imported Water Committee. He reported that he is now Chair of the Labor Negotiations Committee as well as on the committee that will oversee the recruitment of a new Water Authority General Manager.

Mr. Hodgkiss reported on the Member Agencies Managers' meeting he attended the previous day, noting that the Colorado River Board for California approved the Drought Contingency Plan (DCP). Mr. Hodgkiss reported that Governors from the seven basin states have signed letters approving the DCP and sent them to the Federal government; it was anticipated that the Federal government would approve the DCP by the end of March.

Mr. Hodgkiss reported that Water Authority staff is looking at a more comprehensive approach to dealing with the safe drinking water issue vis a vis the bills currently being considered by the State legislature. Water Authority staff suggested that State legislature leadership should be encouraged to have four measures dealing with safe drinking water issues (Senate Bill 200, relating to the creation of a Safe Drinking Water Fund; Senate Bill 414, relating to creation of the Small System Water Authority Act of 2019; Senate Bill 669, relating to the creation of the Safe Drinking Water Trust Fund; and budget trailer bill) be considered as an interrelated package of bills and be deliberated on as such within the context of a conference committee. Water Authority staff will be requesting authority from the Board to pursue this approach at the March 28, 2019 meeting.

## **11. MEETINGS AND EVENTS**

See staff report attached hereto.

Director Dorey reported on his attendance at a meeting of the Vista Historical Society Hall of Fame Nominating Committee where the Committee selected the 2019 inductees. Director Dorey also reported that he attended a meeting of the Yorba Linda Water District (YLWD) Board of Directors where the YLWD Board voted in favor of concurrence in his nominations to the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority (JPIA) Executive Committee and to the California Water Insurance Fund Board of Directors. Director Dorey inquired whether his mileage would be reimbursable for this attendance; General Counsel Cosgrove responded that per the District's Rules and Regulation, Section 1.5.1.C, mileage reimbursement would be allowable since Director Dorey was appointed to serve on the ACWA JPIA Board of Directors.

Directors Dorey and Vásquez reported on their attendance at the Council of Water Utilities (COWU) meeting where Kelly Murphy Lamkin, Chief Executive Officer of Manolatos Nelson Murphy gave a presentation titled "Community Outreach Like You Mean It: Lessons from Three Water Utility Campaigns in California", and Glenn Farrel, Government Relations Manager for the San Diego County Water Authority provided a legislative update. COWU members also approved an amendment to the Bylaws regarding the rotation of officers.

Director Vásquez reported that the date for the ACWA Region 10 Program was set for July 30, 2019, with the location to be determined.

President MacKenzie reported on her attendance at the ACWA Legislative Committee meeting where various bills were discussed, including Assembly Bill 60 (AB 60) concerning water meter accuracy standards and Senate Bill 559 (SB 559) related to appropriating funds for the purpose of restoring the Friant-Kern Canal to its full capacity. President MacKenzie noted that ACWA was not in favor of AB 60 unless it was amended and that ACWA was in favor of SB 559.

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

See staff report attached hereto.

The Board requested an upcoming agenda item to discuss relevant sections of the District’s Rules and Regulations regarding unauthorized water use; the Board also asked to review District applications and other relevant documents where references to the District Rules and Regulations regarding unauthorized water use may need to be added.

Mr. Hodgkiss noted that, in addition to the upcoming agenda items listed in the staff report, the District’s scholarship contest winner(s) selection and award(s) presentation as well as review and approval of the 2018 Annual Report would be forthcoming for the Board’s consideration in April.

**13. COMMENTS BY DIRECTORS**

Director Vásquez reviewed the San Diego County Water Authority’s report regarding the end of the drought announcement. He also reported that former Vista Irrigation District and Buena Colorado Water District Board member Bernard Koston had passed away.

**14. COMMENTS BY GENERAL COUNSEL**

Mr. Cosgrove provided an overview of AB1486, which would require governmental agencies to offer a right of first refusal to affordable housing developers, school agencies, and park agencies before offering District land for sale or lease. It was noted that the California Special Districts Association had requested that their members send letters in opposition to this bill to the Assembly Committee on Local Government as well as their local legislators.

**15. COMMENTS BY GENERAL MANAGER**

Mr. Hodgkiss informed the Board that the water level at Lake Henshaw went up 900 acre feet since his last report; the Lake level was at 17,344 AF, approximately 33% of capacity.

Prior to the next agenda item, Director Miller left the Board meeting due to a possible conflict of interest related to the fact that he owns property in the same business park association as the property to be discussed.

**16. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

President MacKenzie adjourned the meeting to closed session at 10:22 a.m. for a conference with Real Property Negotiators, per Government Code section 54956.8 to discuss the following:

- Property: Vista Irrigation District property located at the northwest corner of Engineer St. and Pipeline Dr. in Vista, CA 92081 (APN 219-532-22)
- Agency Negotiator: Brett Hodgkiss
- Negotiating Parties: Burtech Real Estate Investments, LLC
- Under Negotiation: Price and terms


The meeting reconvened in at 10:30 a.m. General Counsel Cosgrove declared that no reportable action had been taken.

**17. ADJOURNMENT**

There being no further business to come before the Board, at 10:31 a.m., President MacKenzie adjourned the meeting.

  
Jo MacKenzie, President

ATTEST:

  
Ranae Ogilvie, Assistant Secretary  
Board of Directors  
VISTA IRRIGATION DISTRICT



## STAFF REPORT

Agenda Item: 6.A

**Board Meeting Date:** March 20, 2019  
**Prepared By:** Breona Paz  
**Reviewed By:** Marlene Kelleher  
**Approved By:** Brett Hodgkiss

**SUBJECT:** IDENTITY THEFT PREVENTION PROGRAM

**RECOMMENDATION:** Receive update on the District's Identity Theft Prevention Program (no changes proposed).

**PRIOR BOARD ACTION:** The Board adopted Resolution No. 09-20 adopting an Identity Theft Prevention Program on March 18, 2009.

**FISCAL IMPACT:** None.

**SUMMARY:** In response to and in compliance with requirements of the Fair and Accurate Credit Transaction Act of 2003, the District adopted an Identity Theft Prevention Program (Program) on March 18, 2009. The Program is to be used as an aid to detect patterns, practices and specific forms of activity that could signal possible identity theft. More specifically, the Program defines "red flags," implements procedures for identifying "red flags," and discusses appropriate action to be taken should "red flags" be detected. It also includes provisions for reporting on and updating the Program.

**DETAILED REPORT:** Per Part V, Paragraph D of the Identity Theft Prevention Program, the District is to provide an annual report to the Board of Directors that details the District's compliance with the Federal Trade Commission's Red Flag Rules. This report addresses the following:

- Effectiveness of the policies and procedures of the District in addressing the risk of identity theft in connection with the opening of new accounts and with respect to the management of existing accounts
- Service provider arrangements
- Significant incidents involving identity theft and management's response
- Recommendations for material changes to the Program

The District is complying with the guidelines set forth in its Program. The District's procedures for opening new accounts and managing existing accounts have not changed. Staff continues to follow best business practices related to the prevention of identity theft, such as keeping computer screens from being viewed by unauthorized personnel and shredding confidential documents that are no longer needed.

The District has contracted with third party service providers, InfoSend and Official Payments Corporation, for electronic bill presentment and payment services and credit card payment processing services, respectively. Pursuant to the Federal Trade Commission's Red Flag Rules, InfoSend and Official Payments Corporation have adopted and implemented Identity Theft Prevention Programs. The District retains copies of InfoSend's and Official Payment Corporation's statements of compliance under the Federal Trade Commission's Red Flag Rules on file.

The District continues to keep all confidential information secured and maintains business best practices that aid in the prevention of identity theft. There have been no incidents of identity theft in the last year. After a thorough review, no changes are recommended to the existing Program.

**ATTACHMENT:** Vista Irrigation District Identity Theft Prevention Program





## **Identity Theft Prevention Program**

This program is in response to and in compliance with the  
Fair and Accurate Credit Transaction Act (FACTA) of 2003  
and  
The final rules and guidelines for the FACTA issued by the Federal Trade  
Commission and federal bank regulatory agencies in November 2007

Adopted March 18, 2009 – Resolution No. 09-20

Program Last Reviewed and Updated: March 18, 2009

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## **Introduction**

On November 9, 2007, the Federal Trade Commission (FTC) and several other Federal agencies published the Identity Theft Red Flag Rule (FR 72:217:63717). All utilities that provide water/wastewater service on credit, i.e., send a bill for past service, are required to develop a program to comply with this rule by May 1, 2009.

The Identity Theft Red Flag Rule requires any creditor to develop a program to detect, prevent, and mitigate identity theft. Utility companies are specifically mentioned in the definition of a creditor, so this Rule clearly applies to water and wastewater utilities.

A Red Flag is "a pattern, practice, or specific activity that indicates the possible existence of identity theft." Identity Theft is "a fraud committed or attempted using the identifying information of another person without authority."

### **Part I. Assessment of Existing Business Practices**

Part I of the Identity Theft Prevention Program is used to identify areas of potential risk within the District's standard customer service business practices. The District has selected specific business processes associated with offering or maintaining accounts, or engaging in other activities, which could raise "red flags" indicating the potential for identity theft. It should be noted that the business practices listed below are typical for most utilities that operate as retailers of drinking water:

- The District provides personnel with the ability to request and review a Customer's personal identifying information when engaging in any of the following activities:
  - Open new accounts;
  - Access existing accounts;
  - Modify existing accounts;
  - Close existing accounts;
  - Processing accounts for bad debt collections.
- The District provides Customers with the ability to do the following action independent of District personnel (either through an automated phone system or online via a third party service provider), and a Customer's personal identifying information is required to complete any of these activities:
  - Make a payment on an account.

## Part II. Identification of Red Flags

Part II of the Identity Theft Prevention Program assists the District in identifying Red Flags that may arise during routine handling of new and/or existing accounts.

The District has identified the following events as potential Red Flag sources or categories that might indicate an instance of identity theft.

Event
Documents provided for identification appear to have been altered or forged.
Photograph, physical description and/or other information on the identification is not consistent with the appearance of the person presenting the identification.
Information provided is associated with known fraudulent activity.
Information provided is of a type commonly associated with fraudulent activity (fictitious address and/or phone number is invalid).
The District is notified that it has opened or maintains an account for a person engaged in identity theft.

## Part III. Detection of Red Flags

Part III of the Identity Theft Prevention Program addresses the process of detecting Red Flags as related to possible identity theft during the District's routine handling of new and/or existing accounts via telephone, email, or in person. The following is a list of detection methods that the District uses to prevent identity theft by verifying the identity of the Customer:

- When working with Customers in person or via telephone, require Customers to provide the following types of information:
  - Name;
  - Address;
  - Phone number (Home, Work, Alternate); and
  - Same information for a second person on the account (Related ID – spouse, partner, other responsible party).
- When fielding a request to access and/or modify an existing account (such as a change of billing address), verify identity of Customer by requesting specific pieces of personal identifying information such as name and address.

## Part IV. Prevention and Mitigation

Part IV of the Identity Theft Prevention Program details response actions for District personnel if the personnel have observed a Red Flag associated with a new or existing utility account. Examples of specific actions that will be taken in response to specific Red Flags are set forth below:

Event	Action
Documents provided for identification appear to have been altered or forged.	<ul style="list-style-type: none"> <li>- Request other forms of identification.</li> <li>- If still an issue, report the incident to the Supervisor.</li> </ul>
Photograph, physical description and/or other information on the identification is not consistent with the appearance of the person presenting the identification.	<ul style="list-style-type: none"> <li>- Request other forms of identification.</li> <li>- If still an issue, report the incident to the Supervisor.</li> </ul>
Information provided is associated with known fraudulent activity	<ul style="list-style-type: none"> <li>- Report the incident to the Supervisor.</li> </ul>
Information provided is of a type commonly associated with fraudulent activity (fictitious address and/or phone number is invalid).	<ul style="list-style-type: none"> <li>- Request other forms of identification.</li> <li>- If still an issue, report the incident to the Supervisor.</li> </ul>
The District is notified that it has opened or maintains an account for a person engaged in identity theft.	<ul style="list-style-type: none"> <li>- Contact the Supervisor.</li> </ul>

The following is a list of other potential actions to be taken by the District during Red Flag events:

- The District will not open a new account (after review of the presented identifying information and discussion with department supervisor).
- For an existing account, the District may contact the Customer by telephone, U.S. Mail and/or electronic mail and, upon verification of personal identification information on file with the District, present the following alternative courses of action for selection by the Customer:
  - Continue to monitor the account for evidence of identity theft and contact the Customer to discuss possible actions.
  - Close an existing account.
- For all instances of confirmed identity theft, the District will notify local law enforcement and will provide them with all the relevant details associated with the identity theft event.

## **Part V. Program Administration**

Program administration is an important part of the Identity Theft Prevention Program. This section details the training requirements, annual program review, approval and adoption process and annual reporting requirements that are associated with this Program.

### **A. Staff Training**

Any employee with the ability to open a new account, or access/manage/close an existing account will receive training on identifying and detecting Red Flags. They will also be trained in the appropriate response actions in the event that an instance of identity theft is suspected. Key management personnel in appropriate departments will also receive training on the contents of this Program. As necessary, employees will be re-trained annually if the Program is updated to include new methods of identifying and detecting Red Flags, or if new response actions are implemented.

### **B. Program Review and Update**

The District will review and update the Program annually to reflect changes in risks to Customers from identity theft based on factors such as:

- Experiences of the District with identity theft.
- Changes in methods of identity theft.
- Changes in methods to detect, prevent, and mitigate identity theft.
- Changes in the types of accounts that the District offers or maintains.
- Changes in the business arrangements of the District and service provider arrangements.

### **C. Program Approval and Adoption**

This Program, and subsequent modifications, requires review and approval by the District's General Manager and the Board of Directors.

### **D. Annual Reporting**

The District will provide an annual report to the Board of Directors that details the District's compliance with the Federal Trade Commission's Red Flags Rule. The report will address matters related to the Program and address several topic areas including:

- Effectiveness of the policies and procedures of the District in addressing the risk of identity theft in connection with the opening of new accounts and with respect to the management of existing accounts;
- Service provider arrangements;
- Significant incidents involving identity theft and management's response;
- Recommendations for material changes to the Program.

## E. Service Provider Oversight

Whenever the District engages a service provider to perform an activity in connection with one or more of the Customer accounts, the District will verify that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. To accomplish this, the District will require the service provider by contract to have policies and procedures to detect relevant Red Flags that may arise in the performance of the service provider's activities, and either report the Red Flags to the District, or to take appropriate steps to prevent or mitigate identity theft.

## **Part VI. Additional Security Information**

Although the District is not required by the Federal Trade Commission to implement the following business practices, they are provided as guidelines to assist in the prevention of identity theft.

1. Keep computer screens, printed documents, and faxes from being viewed by unauthorized personnel. Use the screensaver locking feature to secure computer screens, and store all documents in a secure area. Immediately shred any documents that are no longer needed for the use intended.
2. Never share your computer while it is under a personal login.
3. Limit access to all forms of Customer information to employees who have a business reason to see it. For example, give employees who respond to Customer inquiries access to Customer files, but only to the extent they need it to do their jobs.
4. Employees with authorization to Customer information should follow these basic steps to maintain the security, confidentiality, and integrity of Customer information, including:
  - a. Locking rooms and file cabinets where records are kept;
  - b. Encrypting sensitive Customer information when it is transmitted electronically via public networks;
  - d. Reporting suspicious attempts to obtain Customer information to designated personnel.
5. Regularly remind effected employees of the legal requirement to keep Customer information secure and confidential. This may include posting reminders about their responsibility for security in areas where customer information is processed and stored.



## STAFF REPORT

Agenda Item: 6.B

**Board Meeting Date:** March 20, 2019  
**Prepared By:** Mark Saltz  
**Reviewed By:** Don Smith  
**Approved By:** Brett Hodgkiss

**SUBJECT:** SAN DIEGO GAS AND ELECTRIC REQUEST FOR A NEW EASEMENT ON THE WARNER RANCH

**RECOMMENDATION:** Approve the request from San Diego Gas and Electric (SDG&E) for a new easement on the District's Warner Ranch Property; and authorize the General Manager to execute SDG&E's Easement document RW 370057 and accept SDG&E's offer of \$2,500 to purchase the easement rights (APN 193-080-30; DIV NO 4).

**PRIOR BOARD ACTION:** On May 24, 2017, the Board approved SDG&E's request for additional easement rights that were necessary for them to enhance the safety and reliability of existing electric facilities within and near the Cleveland National Forest (CNF).

**FISCAL IMPACT:** SDG&E will purchase the easement rights from the District for \$2,500.

**SUMMARY:** SDG&E is requesting a new 10-foot wide by 61.5-foot-long (approximately 0.0141 acres) easement for the purpose of undergrounding electrical and communication facilities. The easement will allow SDG&E to remotely monitor their transmission line system in the area.

**DETAILED REPORT:** SDG&E has been making improvements to their electrical transmission system in the area, replacing the wood power poles with steel and upgrading their electrical monitoring system. This easement will allow SDG&E to connect facilities into the Warner Substation from an adjacent power pole; the facilities are needed to create a link between substations and to allow SDG&E to remotely monitor their transmission system in the area. District legal counsel has reviewed and provided comments on the easement document; those comments have been incorporated.

SDG&E has proposed a one-time payment of \$2,500 to the District as compensation for the easement rights. SDG&E previously provided an appraisal to establish just compensation to the District when they requested additional easement rights for their project to enhance the safety and reliability of their electric facilities within and near the CNF; the appraisal established a value for a new easement at \$5,000/acre multiplied by Easement Area (in acres) multiplied by 90%. Using the same formula, the easement SDG&E is currently requesting would be valued at \$63.45 (\$5,000 multiplied by 0.0141 acres equals \$70.50 and 90% of that value is \$63.45).

Staff has reviewed SDG&E's request and does not see any conflicts with the District's operations on the Warner Ranch.

**ATTACHMENTS:** Vicinity Map  
Easement Document RW 370057  
Offer Letter



# SDG&E EASEMENT REQUEST AT WARNER SUBSTATION

SWAN LAKE



SDG&E'S- WARNER SUBSTATION



Warner Springs

HWY 79

SAN FELIPE ROAD (S2)  
S2

Lake Henshaw  
Lake Henshaw

S7

79

76

HWY 76



2 mi

Recording Requested by  
San Diego Gas & Electric Company

When recorded, mail to:

San Diego Gas & Electric Company  
P O Box 129831  
San Diego, CA 92123-9831  
Attn: Real Estate Records - CP12A

SPACE ABOVE FOR RECORDER'S USE

Project No.: 751280-060  
Const. No.: 2989075  
A.P.N.: 193-080-30  
SR No. : 257690

Transfer Tax None  
SAN DIEGO GAS & ELECTRIC COMPANY

**RW 370057**

EASEMENT

VISTA IRRIGATION DISTRICT (Grantor), grants to SAN DIEGO GAS & ELECTRIC COMPANY, a corporation (Grantee), an easement and right of way in, upon, over, under and across the lands hereinafter described, to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of:

1. Underground facilities and fiber optic cable, together with necessary fixtures and appurtenances for the transmission and distribution of electricity.
2. Underground communication facilities, and appurtenances used solely and exclusively for SDG&E internal communications.

The above facilities will be installed at such locations and subsurface elevations upon, along, and under the hereinafter described easement as Grantee may now or hereafter deem convenient or necessary. Grantee also has the reasonable right of ingress and egress to serve the purposes of the easement, to, from and along any public rights of way adjacent to this easement, and in the event such public rights of way no longer exist or do not provide access to the easement area, by any reasonable, practical, and minimally intrusive route in, upon, over and across the hereinafter described lands. Grantee further has the right, but not the duty to clear and keep this easement clear from explosives, buildings, structures and materials.

The property in which this easement and right of way is hereby granted is situated in the County of San Diego, State of California described as follows:

That portion of Rancho Valle De San Jose, as per patent issued by the United States of America to Sylveste de la Portilla, January 10, 1880 in Book 2 of Patents, Page 84, Records of said County of San Diego.

The easement in the aforesaid lands shall be more particularly described on Exhibit "A" and shown and delineated on Exhibit "B", consisting of three (3) sheets, attached hereto and made a part hereof.

Grantee, upon receiving prior written consent from Grantor, which consent shall not be unreasonably withheld or delayed, may erect and maintain on Grantor's property immediately adjacent to this easement retaining walls and/or protective barricades as may be necessary for Grantee's purposes.

Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed, any building or other structure, plant any tree, drill or dig any well, within this easement.

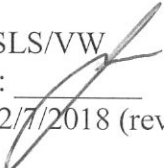
Grantor shall not increase or decrease the ground surface elevations within this easement after installation of Grantee's facilities, without prior written consent of Grantee, which consent shall not unreasonably be withheld.

Grantee shall have the right but not the duty, to trim or remove trees and brush along or adjacent to this easement and remove roots from within this easement whenever Grantee deems it necessary. Said right shall not relieve Grantor of the duty as owner to trim or remove trees and brush to prevent danger or hazard to property or persons.

CONDUITS CARRY HIGH VOLTAGE ELECTRICAL CONDUCTORS, therefore Grantor shall not make or allow any excavation or fill to be made within this easement WITHOUT FIRST NOTIFYING SAN DIEGO GAS & ELECTRIC COMPANY BY CALLING (619) 696-2000, and OBTAINING PERMISSION.

The legal description for this easement was prepared by San Diego Gas & Electric Company pursuant to Section 8730 of the Business and Professions Code, State of California.

This easement shall be binding upon and inure to the benefit of successors, heirs, executors, administrators, permittees, licensees, agents or assigns of Grantor and Grantee.

Drawn: SLS/VW  
Checked:   
Date: 12/7/2018 (rev. 02/20/2019)

IN WITNESS WHEREOF, Grantor executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**GRANTOR**

VISTA IRRIGATION DISTRICT

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, before me \_\_\_\_\_,  
(name, title of officer)

personally appeared \_\_\_\_\_,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
(Signature of Notary Public)

(Notary Seal)

# EXHIBIT "A"

## 10 FOOT UNDERGROUND ELECTRIC EASEMENT

That certain 10.00 foot strip of land within a portion of Rancho Valle De San Jose, as per patent issued by the United States of America to Sylveste de la Portilla, January 10, 1880 in Book 2 of Patents, Page 84, Records of the County of San Diego, in the County of San Diego, State of California, said strip of land being 5.00 feet measured at right angles and radial on each side of the following described centerline:

### PARCEL 1 (APN 193-080-30)

**COMMENCING** at a found 3 inch iron pipe open, in a concrete pyramid marking corner no. "P-24" as shown on Record of Survey No. 7740 filed in the Office of the County Recorder of said San Diego County on March 1, 1973 as File No. 73-054757, said corner bears North 60°39'13" East, 5357.17 feet (record South 60°38'39" West, 5356.55 feet per said Record of Survey No. 7740) from a found 1 inch square pin stamped "LS 2129" set alongside a 3 inch iron pipe open, in a concrete pyramid marking corner no. "P-25" as shown on said Record of Survey No. 7740; thence from said **POINT OF COMMENCEMENT** North 11°35'02" East, 9624.56 feet to the **TRUE POINT OF BEGINNING**; thence South 59°26'12" East, 29.62 feet to the beginning of a tangent 3.00 foot radius curve concave Northerly; thence Easterly along the arc of said curve through a central angle of 66°27'10" an arc distance of 3.48 feet; thence North 54°06'38" East, 28.40 feet more or less, to a point in the Southwesterly boundary of San Diego Gas and Electric Company's Warner's Ranch Substation Lease Property as described in an unrecorded "AGREEMENT FOR LEASE" executed by Vista Irrigation District on September 1, 1999 and executed by San Diego Gas and Electric Company on September 8, 1999, San Diego Gas and Electric Company Right of Way number 361368 and shown on San Diego Gas and Electric Company Survey Drawing No. W-604 dated October 25, 1947, on file with San Diego Gas and Electric Company, Land Services Department, said point bears North 35°51'53" West, 266.15 feet from a found 3/4 inch iron pipe with tack set per said San Diego Gas and Electric Company Survey Drawing No. W-604.

The sidelines of said 10.00 foot strip of land to be lengthened and/or shortened at their Northeasterly ends so as to terminate in the Southwesterly boundary of said Warner's Ranch Substation Lease Property.

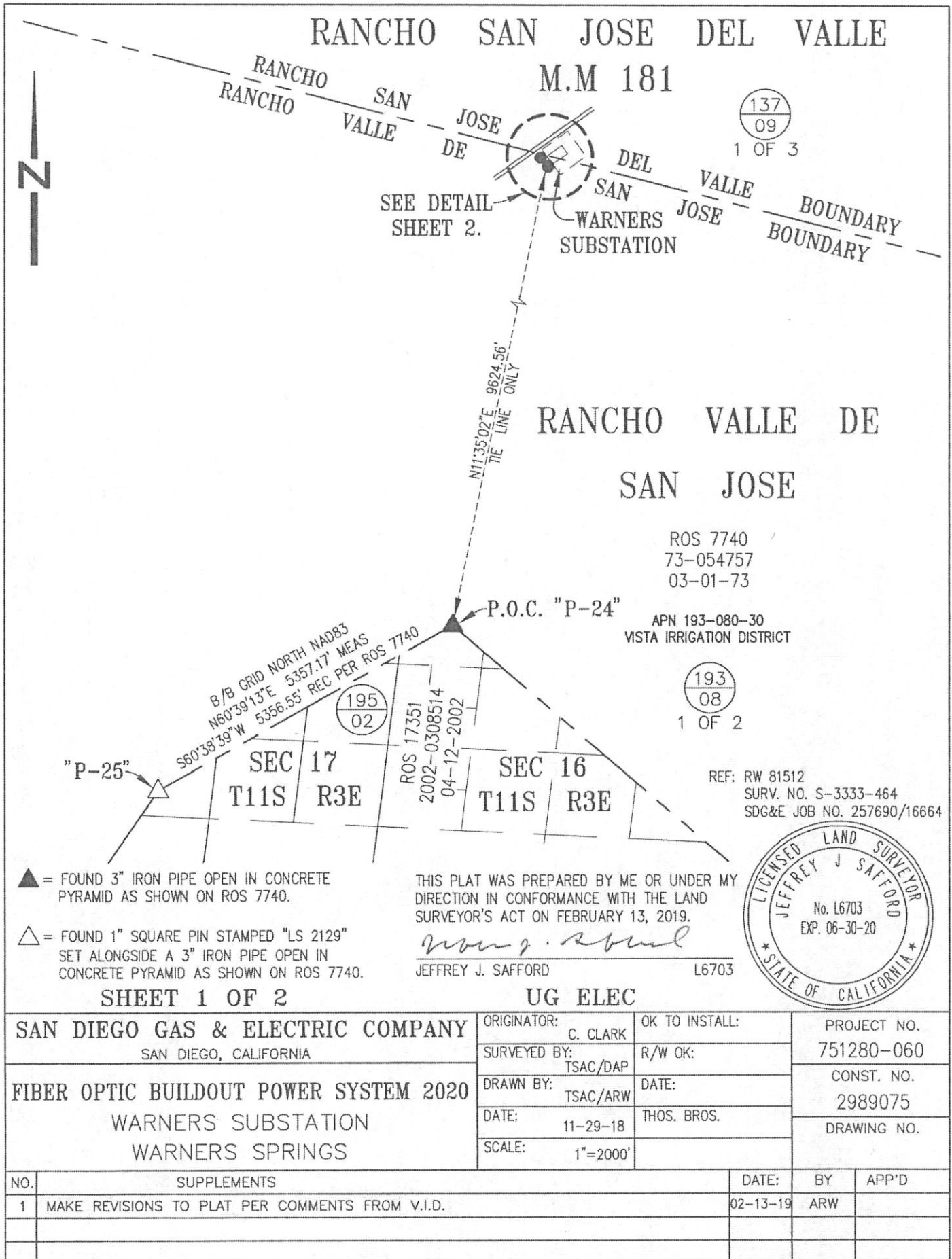
Containing 0.014 acres (615 square feet) more or less.

Jeffrey J. Safford 2/13/2019  
Jeffrey J. Safford, L6703 Date



TSAC Engineering  
16885 Via Del Campo Court, Suite 304  
San Diego, CA 92127

EXHIBIT "B"



▲ = FOUND 3" IRON PIPE OPEN IN CONCRETE PYRAMID AS SHOWN ON ROS 7740.

△ = FOUND 1" SQUARE PIN STAMPED "LS 2129" SET ALONGSIDE A 3" IRON PIPE OPEN IN CONCRETE PYRAMID AS SHOWN ON ROS 7740.

THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE LAND SURVEYOR'S ACT ON FEBRUARY 13, 2019.

*Jeffrey J. Safford*  
 JEFFREY J. SAFFORD L6703

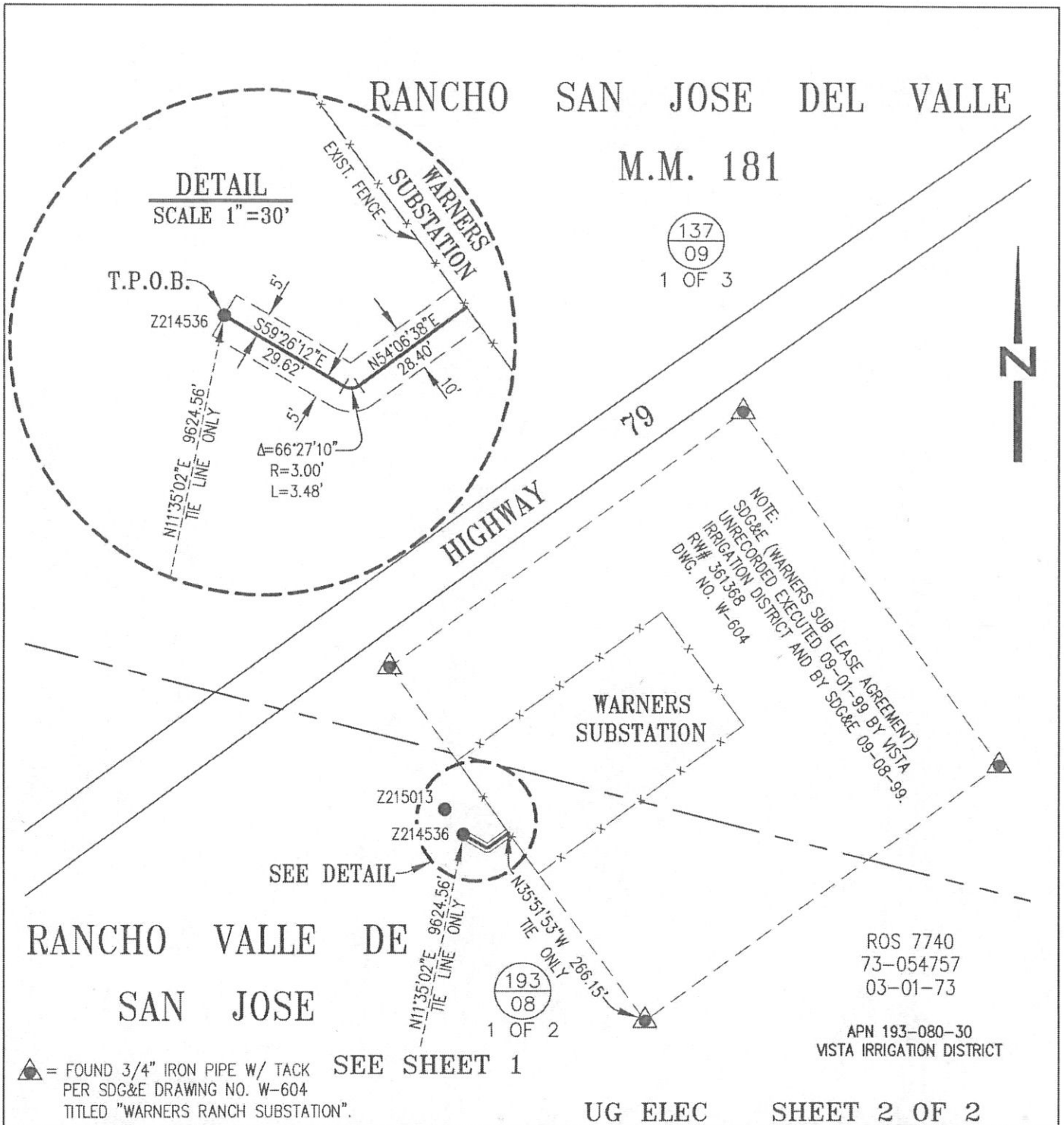
SHEET 1 OF 2

UG ELEC

SAN DIEGO GAS & ELECTRIC COMPANY SAN DIEGO, CALIFORNIA		ORIGINATOR: C. CLARK	OK TO INSTALL:	PROJECT NO. 751280-060
FIBER OPTIC BUILDOUT POWER SYSTEM 2020 WARNERS SUBSTATION WARNERS SPRINGS		SURVEYED BY: TSAC/DAP	R/W OK:	CONST. NO. 2989075
		DRAWN BY: TSAC/ARW	DATE:	DRAWING NO.
		DATE: 11-29-18	THOS. BROS.	
		SCALE: 1"=2000'		

NO.	SUPPLEMENTS	DATE:	BY	APP'D
1	MAKE REVISIONS TO PLAT PER COMMENTS FROM V.I.D.	02-13-19	ARW	

EXHIBIT "B"



UG ELEC SHEET 2 OF 2

<b>SAN DIEGO GAS &amp; ELECTRIC COMPANY</b> SAN DIEGO, CALIFORNIA		ORIGINATOR: C. CLARK	OK TO INSTALL:	PROJECT NO. 751280-060
<b>FIBER OPTIC BUILDOUT POWER SYSTEM 2020</b> WARNERS SUBSTATION WARNERS SPRINGS		SURVEYED BY: TSAC/DAP	R/W OK:	CONST. NO. 2989075
		DRAWN BY: TSAC/ARW	DATE: 11-29-18	DRAWING NO.
		DATE: 11-29-18	THOS. BROS.	
		SCALE: NONE		
NO.	SUPPLEMENTS	DATE:	BY	APP'D
1	MAKE REVISIONS TO PLAT PER COMMENTS FROM V.I.D.	02-13-19	ARW	







## STAFF REPORT

Agenda Item: 6.C

Board Meeting Date:	March 20, 2019
Prepared By:	Matt Atteberry
Reviewed By:	Randy Whitmann
Approved By:	Brett Hodgkiss

SUBJECT: GRANT OF RIGHT OF WAY

RECOMMENDATION: Accept Grant of Right of Way (H95) via easement document for a 20-foot wide specific easement over a single-family residential property consisting of approximately 0.47 gross acres owned by Pamela Huppert, located off of Avalon Drive, Vista (LN 2018-014; APN 176-120-11; DIV NO 3).

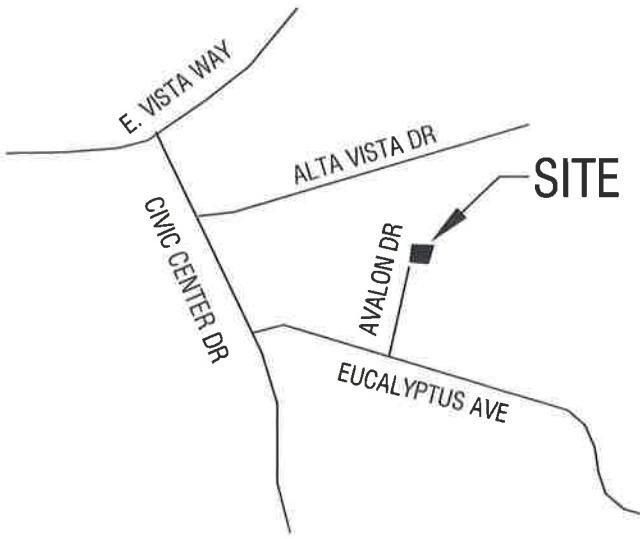
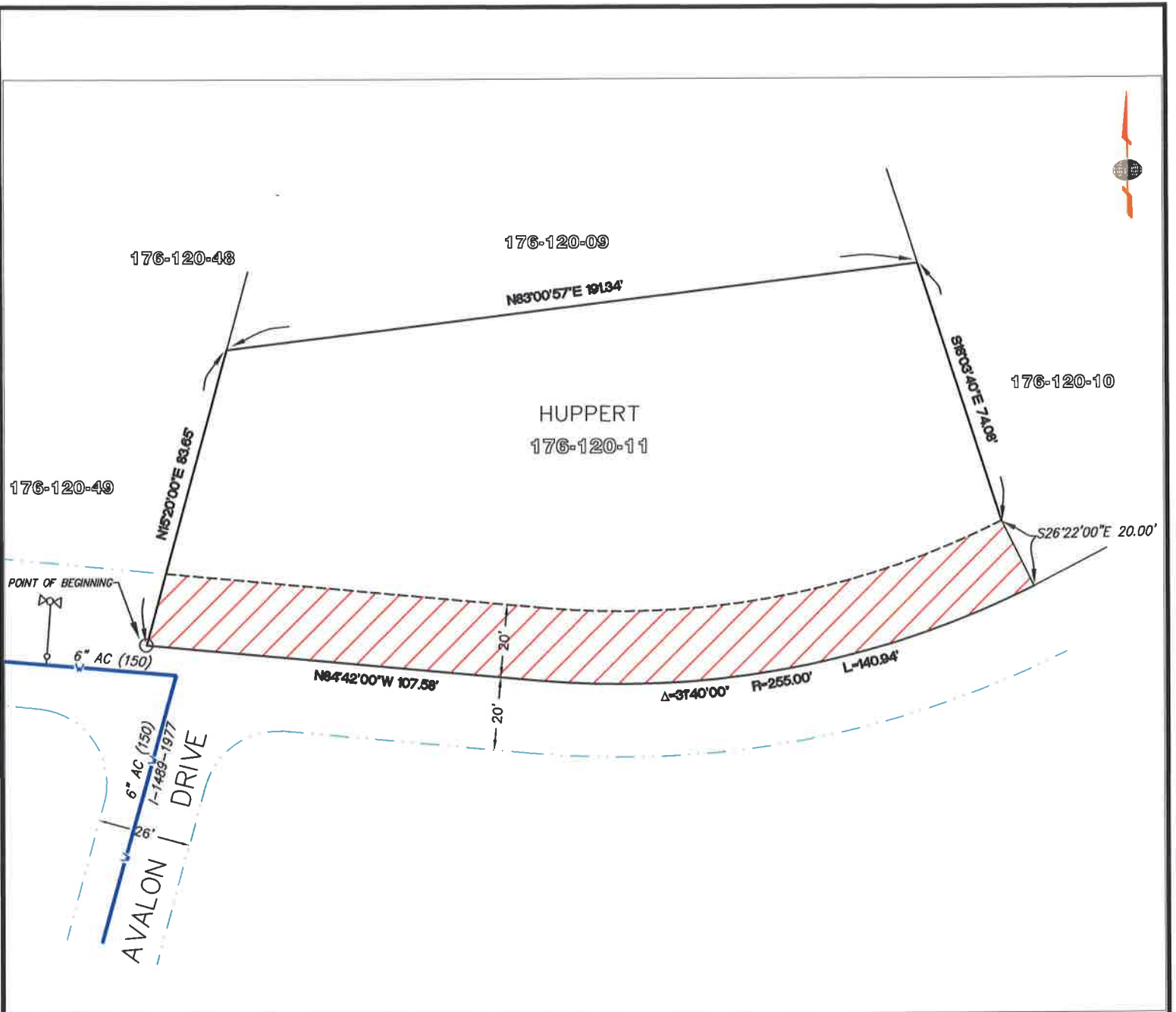
PRIOR BOARD ACTION: None.

FISCAL IMPACT: None.

SUMMARY: Acceptance of Grant of Right of Way (H95) via easement document will allow the District to secure a dedicated 20-foot wide specific easement over the vacant parcel (APN 176-120-11) and allow the owner to record the easement document with the County Recorder.


DETAILED REPORT: Pamela Huppert is in the process of building a residential dwelling on the property located off of Avalon Drive (APN 176-120-11). The District currently has Blanket Easement (BV140) encumbered over this property; the owner is granting the District a dedicated 20-foot wide specific easement along the southerly boundary of the property. Acceptance of Grant of Right of Way (H95) will allow for a future waterline extension and water meter installation within the specific easement.

ATTACHMENT: Map



 EASEMENT (H95) GRANTED TO VISTA IRRIGATION DISTRICT

**VICINITY MAP**  
NO SCALE

<b>VISTA IRRIGATION DISTRICT</b>			
<b>GRANT OF RIGHT OF WAY</b>			
<b>NO. H95</b>			
APN	176-120-11	T.B.	1087-J9
SCALE	1"=40'	L.N.	2018-014
APPD. BY		DATE	3/11/19
DRAWN BY	J.VITTACHI	DATE	3/11/19
SHEET	1 OF 1	MAP	G13
REVISED:	3/11/19 Jay Vittachi		
PATH:			



## STAFF REPORT

Agenda Item: 6.D

Board Meeting Date:	March 20, 2019
Prepared By:	Matt Atteberry
Reviewed By:	Randy Whitmann
Approved By:	Brett Hodgkiss

SUBJECT: GRANT OF RIGHT OF WAY

RECOMMENDATION: Accept Grant of Right of Way (C137) via City of Vista Tract Map No. PC02-122 for a dedicated 35-foot wide specific easement over a proposed 11-lot single-family development, consisting of approximately 6.36 gross acres owned by The Salvatore Sam and Elena Colucci Family Trust, located at 1515 Warmlands Avenue, Vista (LN 2017-042; APN 174-080-33; DIV NO 1).

PRIOR BOARD ACTION: None.

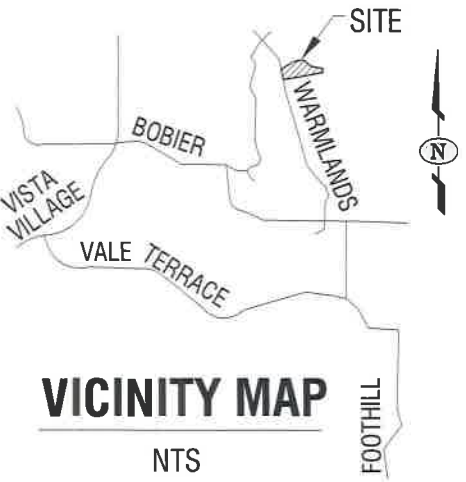
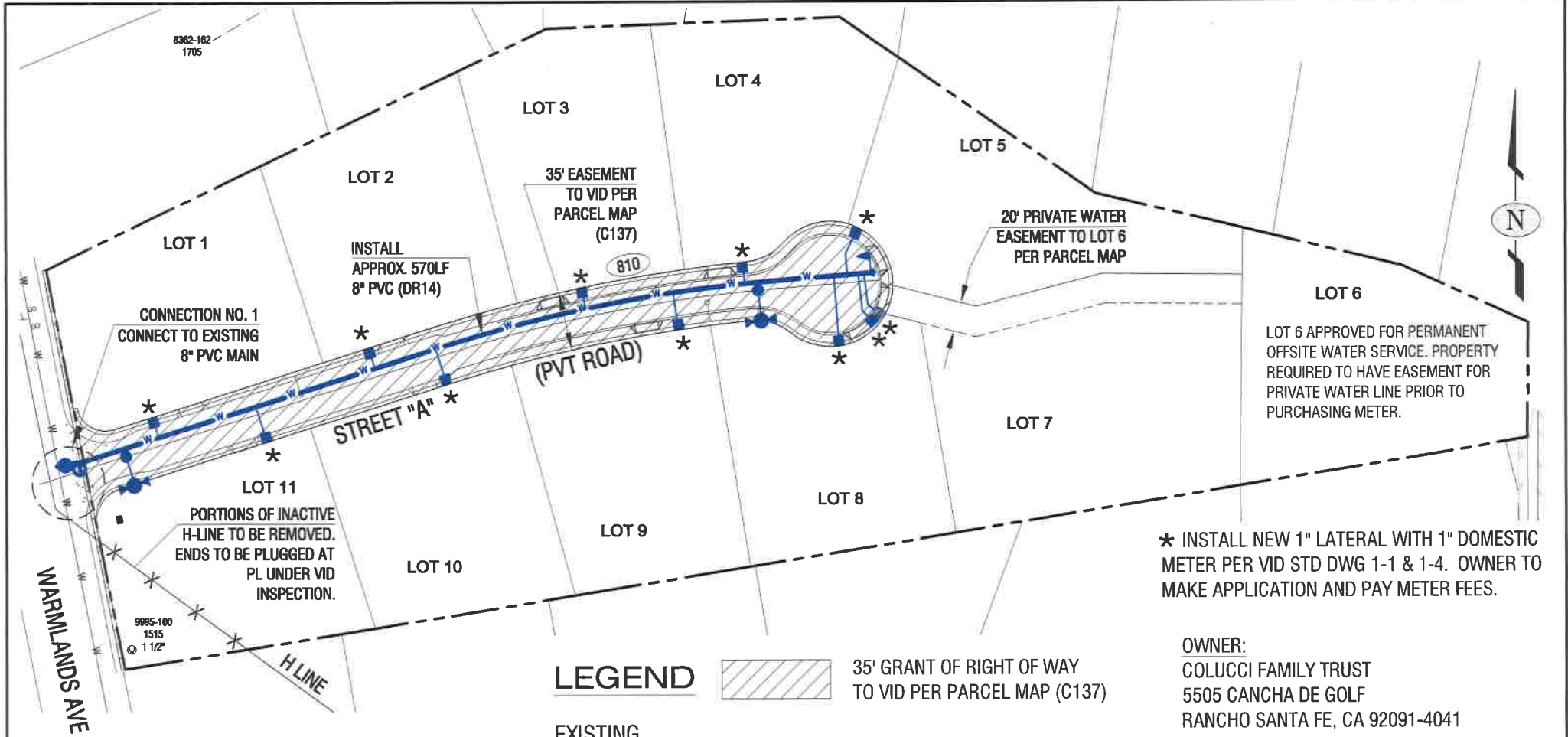
FISCAL IMPACT: None.

SUMMARY: Acceptance of Grant of Right of Way (C137) via parcel map will allow the District to secure a dedicated 35-foot specific easement over the existing single-family parcel (APN 174-080-33) and allow the owners to record the map with the County Recorder.

DETAILED REPORT: The property owners, The Salvatore Sam and Elena Colucci Family Trust, are in the process of subdividing their existing single-family parcel into 11 separate parcels with a private road off of Warmlands Avenue (APN 174-080-33). The District currently has Blanket Easement (BN109) encumbered over this property; the owners are granting the District a dedicated 35-foot wide specific easement over the private road for utility purposes.

Acceptance of Grant of Right of Way (C137) will allow proposed water facilities to be located within the dedicated specific easement and will allow the owners to proceed with the development of their project. Approval of the waterline project will be brought to the Board for consideration at a subsequent meeting.

ATTACHMENT: Map



**LEGEND**

35' GRANT OF RIGHT OF WAY TO VID PER PARCEL MAP (C137)

**EXISTING**

- 8" PVC WATER MAIN
- BLOW OFF
- AIR VENT
- VALVE
- WATER METER
- 6" FIRE HYDRANT

**PROPOSED**

- 8" PVC (DR14) WATER
- BLOW OFF
- AIR VENT
- VALVE
- WATER METER
- 6" FIRE HYDRANT

**OWNER:**  
 COLUCCI FAMILY TRUST  
 5505 CANCHA DE GOLF  
 RANCHO SANTA FE, CA 92091-4041

**ENGINEER:**  
 WALSH ENGINEERING & SURVEYING, INC.  
 607 ALDWYCH ROAD EL CAJON, CA 92020  
 CONTACT: MIGUEL CRUZ 619-588-6747

<b>VISTA IRRIGATION DISTRICT</b>		
<b>1515 WARMLANDS</b>		
APN 174-080-33		
APN 174-080-33	T.B. 1088-C3	
SCALE: 1"=100'	L.N. 2017-042	
APPD. BY	DATE 3/11/19	W.O.
DRAWN BY JB	DATE 01/03/18	
SHEET 1 of 1	MAP I10	
REVISED 3/11/19	Jeanette Bradshaw	
Z:\Engineering\JOBS\LN-Jobs\LN2017\LN2017-042 1515 Warmlands\ln2017-042 Exhibit.dwg		



## STAFF REPORT

Agenda Item: 6.E

Board Meeting Date:	March 20, 2019
Prepared By:	Matt Atteberry
Reviewed By:	Randy Whitmann
Approved By:	Brett Hodgkiss

SUBJECT: WATERLINE PROJECT APPROVAL

RECOMMENDATION: Approve this waterline project and direct staff to file the Notice of Exemption for a proposed 27 single-family housing project, known as Sienna, consisting of approximately 6.90 gross acres owned by Lennar Homes of California, Inc., a California Corporation, located at 729 N. Emerald Drive, Vista (WOI-3083; LN 2013-034; APNs 162-140-96; DIV 2).

PRIOR BOARD ACTION: None.

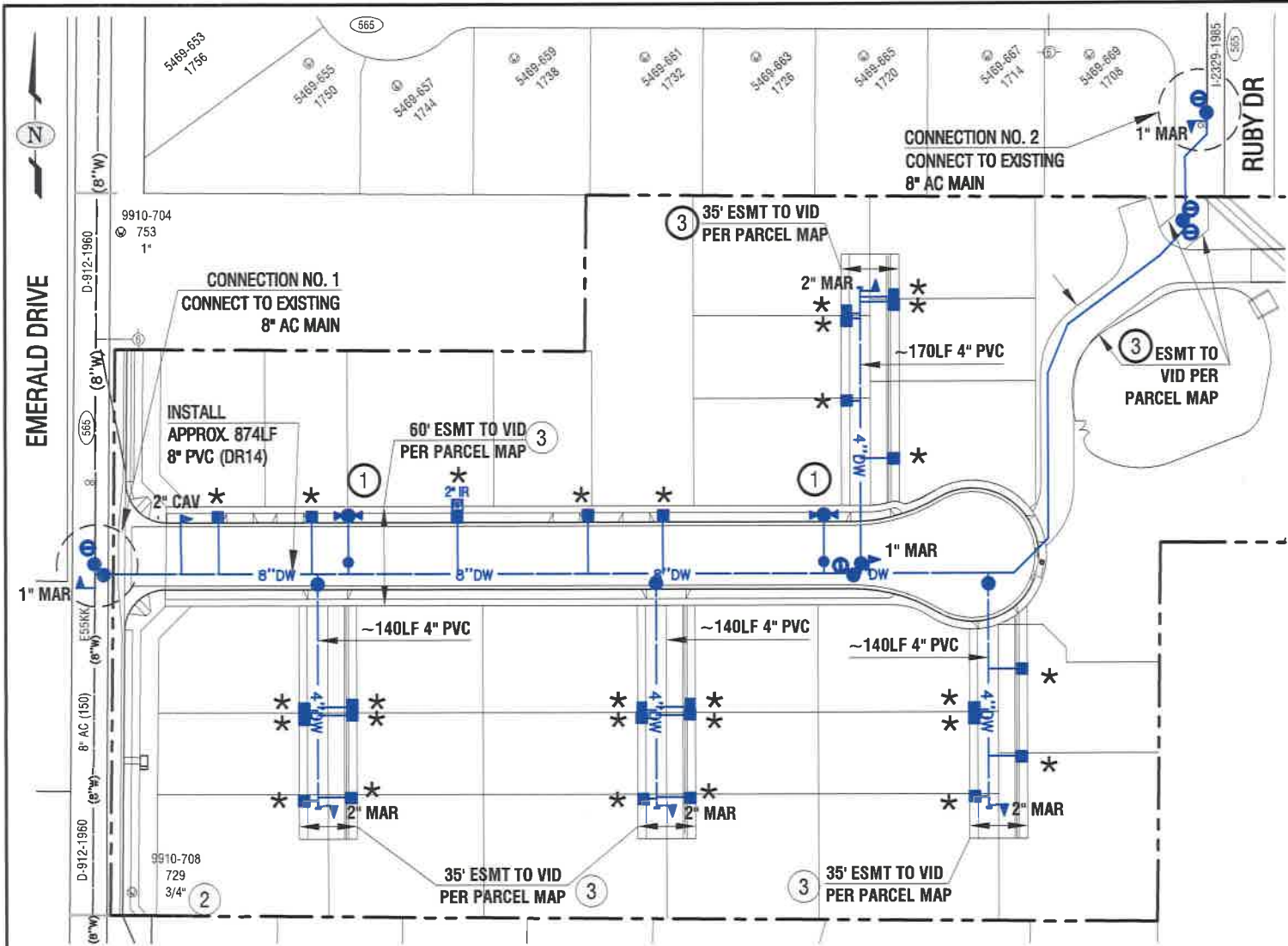
FISCAL IMPACT: None.

SUMMARY: On March 11, 2019, the District signed the improvement plans for this waterline project. Approval of this project will allow the General Manager to sign the construction contract when the owner returns it.

DETAILED REPORT: Under District inspection, the owner's contractor will install approximately 874 feet of 8-inch waterline, 590 feet of 4-inch waterline, five 2-inch blow-offs, two 1-inch and four 2-inch air-vents, two 6-inch fire hydrants, 27 1-inch domestic water services, one 2-inch irrigation water service with a backflow device and make connections as approved on the plans. The owner will also submit applications and pay the necessary fees to the District for water meters.

Approval of this waterline project will allow the owner to proceed with the development of their project. The acceptance of a specific easement via Parcel Map will be brought to the Board for consideration at a subsequent Board meeting.

ATTACHMENT: Map

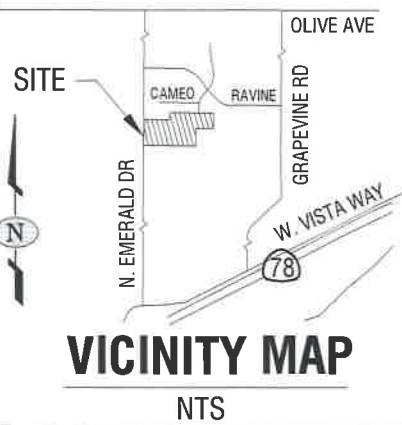


### LEGEND

	EXISTING WATER MAIN (8" W)
	BLOW OFF
	AIR VENT
	VALVE
	WATER METER
	FIRE HYDRANT
<b>PROPOSED</b>	
	4" PVC (DR14) WATER
	8" PVC (DR14) WATER
	BLOW OFF
	AIR VENT (CAV/MAR)
	VALVE
	WATER METER
	BACKFLOW (RP)
	6" FIRE HYDRANT

**ENGINEER:**  
 C&V CONSULTING, INC.  
 6 ORCHARD, SUITE 200  
 LAKE FOREST, CA 92630  
 (949) 916-3800

**OWNER:**  
 LENNAR HOMES OF CALIFORNIA, INC.  
 16465 VIA EXPRILLO, SUITE 150  
 SAN DIEGO, CA 92127



ADDITIONAL NOTES	
*	INSTALL NEW 1" LATERAL WITH DOMESTIC METER PER VID STD DWG 1-1 & 1-4. OWNER TO MAKE APPLICATION AND PAY METER FEES. FIRE DEPARTMENT OR FIRE SPRINKLER CONTRACTOR APPROVAL REQUIRED FOR 3/4" METERS.
①	FIRE HYDRANT LOCATIONS TO BE APPROVED BY FIRE AGENCY.
②	EXIST. METERS TO BE RELOCATED OR TERMINATED AND USED FOR CAPACITY CREDITS PER SERVICE CHANGE.
③	OWNER TO GRANT WATER EASEMENT TO VID PER MAP. ALL VID APPURTENANCES INCLUDING METERS AND FIRE HYDRANTS TO BE WITHIN VID EASEMENT.
	IF NO FIRE-HYDRANT IS REQUIRED AT THE END OF THE LINE, A 4" PVC WATER MAIN MAY BE ACCEPTABLE. CHECK WITH FIRE AGENCY FOR REQUIREMENTS.

## VISTA IRRIGATION DISTRICT

# SIENNA

### 729 N. EMERALD DR - 27 LOTS

APN 162-140-96	T.B. 1088-C3
SCALE: 1"=100'	L.N. 2013-034
APPD. BY	DATE 3/11/19
DRAWN BY JRB	DATE 3/7/2019
SHEET 1 of 1	MAP B13
REVISED 3/11/19	Jeanette Bradshaw

W.O.  
I-3083

Z:\Engineering\JOBS\LN-Jobs\LN2013\In2013-034; 729 Emerald\HA\In2013-034 HA.dwg



# Cash Disbursement Report

Payment Dates 02/21/2019 - 03/06/2019

Payment Number	Payment Date	Vendor	Description	Amount
61072	02/27/2019	Amazon Capital Services	Cordless Sawzall	345.52
61073	02/27/2019	Asphalt Zipper Co	Grinding Bits (90)	1,010.63
61074	02/27/2019	AT&T	CALNET3 1/13/19-2/12/19 - Phones	650.49
	02/27/2019		CALNET3 1/13/19-2/12/19 -Teleconference	3.68
61075	02/27/2019	Auto Specialist Warehouse	Fuel Cap - Truck 1	7.36
	02/27/2019		Brake Calipers - Truck 79	251.50
	02/27/2019		Caliper Cores (2) - Truck 79	(140.00)
61076	02/27/2019	Basic pacific	Flexible Spending Service/Cobra 02/2019	257.40
61077	02/27/2019	CDW Government Inc	Adobe Indesign License Renewals (2)	878.76
	02/27/2019		VOIP Telephone System Implementation	18,153.10
61078	02/27/2019	Cecilia's Safety Service Inc	Traffic Control - Hutchinson	1,235.00
	02/27/2019		Traffic Control - Sunset Dr	3,185.00
	02/27/2019		Traffic Control - Osborne St	4,865.00
61079	02/27/2019	760Print	2019 Letterhead	740.43
61080	02/27/2019	County of San Diego	Permit Fees 01/2019	2,518.00
61081	02/27/2019	County of San Diego Registrar of Voters	General Election Cost	412.43
61082	02/27/2019	Craneworks Southwest Inc	Hydraulic Hose - AZ1	27.23
61083	02/27/2019	Todd Groundwater, Inc.	Warner Basin Groundwater Assessment 01/2019	5,493.92
61084	02/27/2019	El Camino Rental	Concrete	162.38
61085	02/27/2019	Endicott Comm., Inc - CV	Answering Service 02/2019	326.10
61086	02/27/2019	ESRI Inc	ArcGIS 3D Analyst for Desktop Concurrent Use license	500.00
	02/27/2019		ArcGIS Server Ent Std	5,000.00
	02/27/2019		ArcGIS Desktop Advanced Concurrent Use license	3,000.00
	02/27/2019		ArcGIS Developer Pro Subscription	1,800.00
	02/27/2019		ArcGIS Desktop Standard Concurrent Use License	1,500.00
	02/27/2019		ArcGIS Desktop Basic Concurrent Use license	700.00
	02/27/2019		ArcGIS Network Analyst Desktop Concurrent license	500.00
	02/27/2019		ArcGIS Desktop Basic Concurrent Secondary	436.82
61087	02/27/2019	Eurofins Eaton Analytical Inc	Henshaw Mid-Lake Samples	350.00
61088	02/27/2019	Ferguson Waterworks	Plug 2" Brass (25)	187.81
61088	02/27/2019	Ferguson Waterworks	Coupling 2" Brass (25)	349.38
	02/27/2019		Cover 8" Valve Cast Iron Water (100)	2,598.00
	02/27/2019		Air Vent 4" Plastic (3)	5,046.62
	02/27/2019		Air Vent 2" Plastic (10)	4,578.98
61089	02/27/2019	Freedom Window Cleaning	Windows Cleaning	395.00
61090	02/27/2019	D.H. Maintenance Services	Janitorial Service 02/2019	2,275.00
61091	02/27/2019	GLC-(CA) Vista LLC	Solar Energy Use 01/2019	3,615.04
61092	02/27/2019	Glennie's Office Products Inc	Office Supplies	183.14
	02/27/2019		Office Supplies	85.83

Payment Number	Payment Date	Vendor	Description	Amount
	02/27/2019		Office Supplies	17.07
61093	02/27/2019	Grainger	Carabiner	36.48
	02/27/2019		Binoculars (1)	43.11
	02/27/2019		Binoculars	(43.11)
	02/27/2019		Binoculars	43.11
61094	02/27/2019	Hello Deli	Lunch 02/25/19 - EVWTP Agreement Meeting (3)	38.71
61095	02/27/2019	InfoSend Inc	Support & Storage Fee 01/2019	1,297.37
61096	02/27/2019	Interstate Battery of San Diego Inc	Battery - Truck 5	119.18
61097	02/27/2019	Joe's Paving	Paving - Osborne St	48,285.70
	02/27/2019		Paving - Rosario Lane/Oak Dr	32,987.00
	02/27/2019		Patch Paving	4,568.50
	02/27/2019		Patch Paving	598.50
61098	02/27/2019	Johnson Controls Fire Protection LP	Power Supply for Access Control Panel	185.80
61099	02/27/2019	Liebert Cassidy Whitmore	Legal Service 01/2019	629.00
	02/27/2019		Legal Service 01/2019	703.00
61100	02/27/2019	Lightning Messenger Express	Messenger Service 2/1/19 & 2/15/19	105.00
61101	02/27/2019	Mission Resource Conservation District	Home Water Use Evaluations (2)	64.00
61102	02/27/2019	Moodys	Dump Fees (3)	600.00
61103	02/27/2019	Mutual of Omaha	LTD/STD/Life Insurance 03/2019	6,894.68
61104	02/27/2019	NAPA Auto Parts	Oil Absorb	20.55
	02/27/2019		HD Coolant	110.35
61105	02/27/2019	North County Auto Parts	Lube	6.51
	02/27/2019		Fuel Filter	3.56
	02/27/2019		Shocks - Truck 11	146.33
	02/27/2019		Filters, Shop Chemicals	90.69
61106	02/27/2019	Pacific Pipeline Supply	Gasket NST 1-1/2" (25)	135.32
	02/27/2019		Support Stands	127.32
	02/27/2019		Router Bits (2)	357.23
	02/27/2019		#3 Metal Meter Box Lids marked WATER (2)	78.44
61106	02/27/2019	Pacific Pipeline Supply	Adjustment Knob for Beveller	7.55
61107	02/27/2019	Pollardwater	Dechlor Tablets	1,014.34
61108	02/27/2019	Ramco Petroleum	Fuel - Henshaw	2,166.55
61109	02/27/2019	Red Wing Shoe Store	Footwear Program	203.85
61110	02/27/2019	Rutan & Tucker LLP	Legal 01/2019 - General	4,666.04
	02/27/2019		Legal 01/2019 - Administrative	1,669.50
	02/27/2019		Legal 01/2019 - Warner Ranch	954.00
	02/27/2019		Legal 01/2019 - Burtech Real Estate Investments	1,696.00
61111	02/27/2019	Volvo Construction Equipment & Services	Bucket Teeth, Adapters & Retainers - E2	852.46
61112	02/27/2019	San Diego Gas & Electric	Electric 02/2019 - WCRH	101.20
	02/27/2019		Electric 01/2019 - Cathodic Protection & T&D	221.99
	02/27/2019		Electric 01/2019 - Reservoirs	129.04
	02/27/2019		Electric 01/2019 - Pump Stations	8,531.55
	02/27/2019		Electric 01/2019 - Plants	107.77
61113	02/27/2019	Santa Fe Car Wash	Fleet Car Washes	315.00



Payment Number	Payment Date	Vendor	Description	Amount
61114	02/27/2019	SiteOne Landscape Supply, LLC	Drain Components	96.91
61115	02/27/2019	Southern Counties Lubricants, LLC	Fuel 02/01/19 - 02/15/19	5,208.86
61116	02/27/2019	The San Diego Union-Tribune LLC	Classified Listings- Bids for F Reservoir	852.10
	02/27/2019		Employment Advertising -Meter Reader Trainee	999.00
61117	02/27/2019	TS Industrial Supply	Face Shield for Grinder	26.76
	02/27/2019		Suction Hoses, Mud pump, Camlock Fittings	131.02
61118	02/27/2019	UniFirst Corporation	Uniform Service	678.43
61119	02/27/2019	Verizon Wireless	Air Cards	76.02
61120	02/27/2019	VG Donuts & Bakery Inc	Board Meeting 2/20/19	28.15
61121	02/27/2019	Vinje & Middleton Engineering Inc	Field Compaction Tests	1,205.00
61122	02/27/2019	Vista Firestone Brake & Smog	Tires & Alignment (4) - Truck 32	586.90
61125	03/06/2019	Alignment Plus	Installed Overload Spring Kit - Truck 62	770.96
61126	03/06/2019	Amazon Capital Services	Memory Cards for Camera (2)	48.28
61127	03/06/2019	AT&T	Data Circuit	698.93
	03/06/2019		SIP Trunks	420.52
	03/06/2019		Data Circuit	(2.09)
61128	03/06/2019	Auto Specialist Warehouse	Front Calipers & Pads - Truck 12	270.33
61129	03/06/2019	Boot World Inc	Footwear Program	180.00
61130	03/06/2019	CDW Government Inc	HDMI Cable	24.77
61131	03/06/2019	Cecilia's Safety Service Inc	Traffic Control - Presley Place	525.00
	03/06/2019		Traffic Control - Hacienda Dr	2,635.00
61131	03/06/2019	Cecilia's Safety Service Inc	Traffic Control - Osborne St	3,005.00
	03/06/2019		Traffic Control - Beaumont Dr/Peach Grove Lane	1,520.00
61132	03/06/2019	Certified Laboratories	Compressor Oil For Pump Station No. 4	380.42
61133	03/06/2019	Citi Cards	Stainless Steel Sinks (2)	432.98
	03/06/2019		GRA Meeting/Climate Extremes - D Smith	40.00
	03/06/2019		State of Community Luncheon - R Whitmann	60.00
	03/06/2019		ACWA Spring Conference - R Whitmann	725.00
	03/06/2019		Notary Class	757.56
	03/06/2019		GFOA Membership	150.00
	03/06/2019		GFI Fax Maker Online	32.75
	03/06/2019		Employment Advertising - Meter Reader Trainee	70.00
	03/06/2019		ACWA Legislative Symposium - P Sanchez	97.96
	03/06/2019		Urban Water Conference - R Vasquez	188.26
	03/06/2019		BBK SGMA Symposium - P Dorey	186.51
	03/06/2019		ACWA Groundwater Committee Meeting - P Dorey	31.00
	03/06/2019		ACWA Groundwater Committee Meeting - P Dorey	177.96
	03/06/2019		ACWA Water Quality Meeting - R Vasquez	97.96
	03/06/2019		Santa Ana River Watershed Conf - R Vasquez	158.61
	03/06/2019		Urban Water Conference - R Vasquez	425.00
	03/06/2019		State of Community Luncheon - R Vasquez	60.00
	03/06/2019		State of Community Luncheon - P Dorey	60.00
	03/06/2019		State of Community Luncheon - P Sanchez	60.00
	03/06/2019		State of Community Luncheon - M Miller	60.00

Payment Number	Payment Date	Vendor	Description	Amount
	03/06/2019		State of Community Luncheon - J Mackenzie	60.00
	03/06/2019		ACWA Spring Conference - J MacKenzie	725.00
	03/06/2019		ACWA Spring Conference - R Vasquez	725.00
	03/06/2019		ACWA Spring Conference - P Dorey	725.00
	03/06/2019		ACWA Spring Conference - P Sanchez	725.00
	03/06/2019		ACWA 2019 Legislative Symposium - J MacKenzie	270.00
	03/06/2019		ACWA 2019 Legislative Symposium - P Sanchez	270.00
	03/06/2019		Notary Renewal/Class	646.85
	03/06/2019		ACWA Spring Conference - B Hodgkiss	725.00
	03/06/2019		State of Community Luncheon - B Hodgkiss	60.00
61134	03/06/2019	City Of Escondido	Electrical -Bear Valley Power Plt FY18-19 2nd Qtr	4,200.06
61135	03/06/2019	Diamond Environmental Services	Portable Restroom Service	106.58
	03/06/2019		Portable Restroom Service	81.15
	03/06/2019		Portable & Stationary Restroom Service	193.78
	03/06/2019		Portable Restroom Service	96.34
61136	03/06/2019	DIRECTV	Direct TV Service	94.99
61137	03/06/2019	Downtown Ford Sales	2019 Ford F250 4x4 Reg Cab Truck	38,258.22
61138	03/06/2019	EDCO Waste & Recycling Services Inc	Trash & Recycle 02/2019	212.05
61139	03/06/2019	Electrical Sales Inc	Parking Area Lamp Bulbs	302.82
61140	03/06/2019	Fastenal Company	Stainless Steel Washers	68.99
61141	03/06/2019	Glennie's Office Products Inc	Office Supplies	52.96
61142	03/06/2019	Grainger	Water Filters (5)	87.46
61143	03/06/2019	Hach Company	Treatment Plant Supplies	762.84
	03/06/2019		NTV Vials	77.52
	03/06/2019		Turbid meter Desiccant Pouches (2)	40.25
61144	03/06/2019	Hardy Diagnostics	Sterilized Water	157.98
61145	03/06/2019	Hawthorne Machinery Co	Adapters (10)	74.02
61146	03/06/2019	Hello Deli	Lunch Meeting 02/26/18 - EVWTP Agreement (3)	37.95
61147	03/06/2019	HF Scientific Inc	DPD for Field Cl2 Colorimeters	200.12
61148	03/06/2019	Jackson & Blanc	A/C Split Unit Repair	3,666.00
	03/06/2019		Replacement - 125 Ton Cooled Chiller	145,686.00
61149	03/06/2019	Joe's Paving	Patch Paving - Beaumont Dr	8,448.50
61150	03/06/2019	KEH & Associates, Inc	PO1277 Grp Job 2 Pipeline Replacement Design 1/19	4,239.80
	03/06/2019		Grp Job 3 Pipeline Replacement Design Svc 01/2019	22,321.85
61151	03/06/2019	Leon Perrault Trucking & Materials	Trucking 01/2019	1,640.00
	03/06/2019		Trucking & Material 01/2019	3,365.00
	03/06/2019		Trucking & Material 01/2019	7,991.88
	03/06/2019		Trucking 01/2019	3,150.00
61152	03/06/2019	Moodys	Dump Fee (1)	200.00
	03/06/2019		Dump Fees (3)	600.00
61153	03/06/2019	MRC, Smart Technology Solutions	Managed Print Service	623.38
61154	03/06/2019	North County Auto Parts	Gas Cap - Truck 47	14.09
	03/06/2019		Filter, Shop Chemicals, Hitch Pin	44.57
	03/06/2019		Relays (2) - Truck 65	36.20

Payment Number	Payment Date	Vendor	Description	Amount
	03/06/2019		Relay - Truck 65	19.94
	03/06/2019		Spark Plugs (4)	10.31
61155	03/06/2019	North County Industrial Park	Association Fees 03/2019 - 1391 Engineer St	879.30
61156	03/06/2019		Association Fees 03/2019 - Pipeline Dr	256.40
61157	03/06/2019	Pacific Pipeline Supply	Angle Ball Mtr Valve 1" Flare w/Swivel Mtr Nut (15)	1,510.10
	03/06/2019		Cover 10" Valve Box Cast Iron (2)	112.58
	03/06/2019		Pipe 8 5/8" CMLC #10 Steel (20)	1,222.76
	03/06/2019		Compression Fittings	866.31
61158	03/06/2019	R.S. Hughes	Towel Wypall X80 (7 boxes)	215.88
61159	03/06/2019	S & R Towing	Towing Service - Truck 30	200.00
61160	03/06/2019	San Diego Co Superintendent of Schools	Splash Lab Sponsorships (2) 12/4/18 & 2/14/19	1,380.00
61161	03/06/2019	San Diego Gas & Electric	Henshaw Buildings & Grounds Electricity 01/15-2/13/19	222.36
	03/06/2019		Henshaw Wellfield Electricity 01/15-2/13/19	460.31
	03/06/2019		Henshaw Buildings & Grounds Electricity 01/15-2/13/19	432.91
	03/06/2019		Henshaw Wellfield Electricity 01/15-2/13/19	12,773.05
61162	03/06/2019	Shred-it USA LLC	Document Destruction	113.55
61163	03/06/2019	The Centre for Organization Effectiveness	Supervisor's Academy	775.00
61164	03/06/2019	TS Industrial Supply	Large Wire Brush-4x19 Wood Handle Wire Brush 14in (20)	68.20
	03/06/2019		Terry Topper Navy Sweatband (100)	281.45
	03/06/2019		Firehose Repair & Purchase	144.28
	03/06/2019		Batteries	33.43
	03/06/2019		Chain Binders (5) - T2 & T4	358.68
61165	03/06/2019	Johnson Controls Security Solutions LLC	Power Supply	185.80
61166	03/06/2019	Tyler Technologies Inc	Signature Change	138.00
61167	03/06/2019	UniFirst Corporation	Uniform Service	372.56
61168	03/06/2019	USABlueBook	Tools/Supplies	926.54
61169	03/06/2019	Verizon Wireless	Cell Phones 1/16/19 - 2/15/19	1,346.74
61170	03/06/2019	Video Fact Documentation Service	Pre-Construction Video - Camino Ciego/Oak Knoll Dr	450.00
61171	03/06/2019	Vista Firestone Brake & Smog	Tires (4) - T19	1,035.23
	03/06/2019		Spare Wheel & Valve Stems	294.85
61172	03/06/2019	Vista Lock & Safe Co	Gate Locks (12) - Henshaw	545.58
61173	03/06/2019	Vortex Industries Inc	Diagnose & Repair Window Shutter Operator	2,952.51
61174	03/06/2019	Vulcan Materials Company and Affiliates	Cold Mix	2,030.39
61175	03/06/2019	VWR International LLC	Glassware	171.64
	03/06/2019		Petri Dishes (1 case)	321.06
61176	03/06/2019	Weseloh Chevrolet	Front Brake Hoses (2) - Truck 51	244.10
<b>Grand Total:</b>				<b>504,026.61</b>



## STAFF REPORT

Agenda Item: 7

<b>Board Meeting Date:</b>	<b>March 20, 2019</b>
<b>Prepared By:</b>	<b>Alisa Nichols</b>
<b>Reviewed By:</b>	<b>Marlene Kelleher</b>
<b>Approved By:</b>	<b>Brett Hodgkiss</b>

**SUBJECT:** APPEAL OF UNAUTHORIZED TAKING OF DISTRICT WATER FEE

**RECOMMENDATION:** Consider Jim Ellis's appeal of the fee for the unauthorized taking of District water.

**PRIOR BOARD ACTION:** On April 29, 2003, the Board of Directors (Board) amended Vista Irrigation District's (District) Rules and Regulations to include provisions related to unauthorized hook-ups. The Board amended the provisions related to unauthorized hook-ups on June 1, 2005, adding clarifying language as well as a process for appealing the fee associated with the unauthorized taking of District water. District Rules and Regulations, Section 2.2.8, Unauthorized Hook-ups, is attached for reference.

**FISCAL IMPACT:** The fee for the unauthorized taking of District water is \$2,624.

**SUMMARY:** On February 6, 2019, District staff discovered an unauthorized hook-up to a Reduced Pressure Detector Assembly (RPDA) located at 170 Eucalyptus Avenue, Vista, California. Staff informed the property owner, Jim Ellis, that he was in violation of District Rules and Regulations Section 2.2.8, Unauthorized Hook-Ups, by connecting to the RPDA and would be issued a Notice of Unauthorized Water Use and charged the corresponding fee. Mr. Ellis appealed the issuance of the fee for the unauthorized taking of water to the General Manager; in accordance with provisions set forth in Section 2.2.8 (F), the General Manager determined that no factual errors or misrepresentations occurred and did not waive the fee. Mr. Ellis is appealing the General Manager's determination to the Board.

**DETAILED REPORT:** On February 6, 2019, District staff discovered an unauthorized hook-up to an RPDA located at 170 Eucalyptus Avenue in Vista and requested that the District's Engineering Inspector visit the site to verify that the connection to a RPDA was unauthorized. The District's Engineering Inspector verified that the hook-up was unauthorized and confiscated three hoses and a brass tee; the connection to the RPDA was being used to provide water to a trailer and to the site for general use. The District's Engineering Inspector contacted Mr. Ellis on-site and advised him that he was not authorized to be connected to the RPDA and that a Notice of Unauthorized Water Use and fee would be issued; he also advised Mr. Ellis that he had confiscated the items that were connected to the RPDA.

Later the same day, Mr. Ellis contacted District staff who confirmed that the District would be issuing the Notice of Unauthorized Water Use and charge a fee pursuant to District Rules and Regulations, Section 2.2.8. Mr. Ellis provided an explanation as to why there was an unauthorized hook-up to the RPDA (landscape contractor broke the private water line so a connection was made to the RPDA to provide water service to the job site and trailer for sanitation purposes until the line could be repaired) and requested a fee waiver, stating that the fee was a financial hardship on the project. District staff explained the appeal process and asked Mr. Ellis to send the request in writing for review by the General Manager; Mr. Ellis sent an e-mail on February 8, 2019 appealing the issuance of the fee for the unauthorized taking of District water.

Pursuant to Section 2.2.8 (F), a party charged with unauthorized water use may appeal the associated charge to the General Manager if the party believes that factual errors or misrepresentations have occurred; if the General Manager determines that no such errors have been made, the charge stands. The General Manager reviewed all information available related to the incident and found that the connection to the RPDA was unauthorized and not in compliance with District Rules and Regulations governing the use of fire service connections

(Section 6.8.2). The General Manager also determined that no factual errors or misrepresentations occurred; therefore, in accordance with Section 2.2.8 (F), the charge stood. On February 14, 2019, the General Manager sent a letter to Mr. Ellis notifying him of his findings and that the charge stood.

On February 19, 2019, Mr. Ellis contacted District staff to discuss the incident and was informed that the General Manager had denied his appeal of the fee for the unauthorized taking of District water. Mr. Ellis told District staff that he felt an exception should be made since he was improving the property, and he believed there was an emergency that warranted connection to the RPDA; he requested information on how to appeal the General Manager's decision to the Board. District staff e-mailed Mr. Ellis a copy of the General Manager's letter and explained the appeal process; Mr. Ellis submitted a request to appeal the General Manager's decision to the Board via email on February 21, 2019.

ATTACHMENTS: District Rules & Regulations, Section 2.2.8, Unauthorized Hook-Ups  
Notice of Unauthorized Water Use and enclosures  
E-mail appealing issuance of fee to General Manager dated February 8, 2019  
Letter from General Manager dated February 14, 2019  
Fire Service Application for 170 Eucalyptus Avenue  
District Rules & Regulations, Section 6.8.2, Fire Service Connections  
E-mail from District staff regarding Board appeal process dated February 19, 2019  
E-mail appealing General Manager's decision to the Board dated February 21, 2019

2.2.5 Policy for Locking Water Service – All Cycles

- A. The water service will be unlocked only upon payment in FULL of all delinquent charges and penalties.
- B. Under special circumstances, the Customer Service Representative(s) may have the account unlocked and payment deferred until 5:00 PM on the following Tuesday. Late or lock fees may be rescinded or allowed to be paid with the next billing upon approve of the Customer Service Manager.
- C. Tenants receive no further credit arrangements because the property owner is obligated to pay tenant's account.

2.2.6 Payment in the Field

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

2.2.7 Broken Locks

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

2.2.8 Unauthorized Hook-Ups

- A. If an illegal hook-up is found at the location of a District customer account, pictures or videotapes may be taken and a certified letter sent giving the owner three days after receipt of the letter to pay the water account in full, including estimated unrecorded use, or have the service disconnected. If receipt of the letter is refused, or other circumstances dictate, an attempt will be made to deliver the letter to the occupant of the property. It may be left as a door hanger.
- B. Where the unauthorized use is through a hookup to a fire hydrant or any other appurtenance (including but not limited to air vents, backflow devices, etc.), it shall be presumed that 500 units of water was used. The District shall have the discretion to increase or decrease the estimate of unauthorized use based on the available evidence.

- C. Street marking for disconnection shall be ordered at this time.
- D. The water account must be paid in full including estimated unrecorded use to reinstate service.
- E. The District may take any other action authorized by law, including recovery of damages under the California Civil Code. Unauthorized taking of District water may subject the offender to criminal penalties.
- F. A party charged with unauthorized use of water may request that the charges be appealed to the District's General Manager or designee if the party believes that factual errors or misrepresentations have occurred. If the General Manager or designee determines that no such error(s) has been made, the charge will stand. The customer may appeal the decision of the General Manager or designee to the Board of Directors by addressing his/her desires to the Board Secretary per section 1.4.6, Agenda Procedures, of the District's Rules and Regulations.

The written request for appeal shall include a description of the issue, the specific remedy being requested, and evidence supporting the appeal. The requesting party shall be notified of the date and time of the meeting that his/her appeal will be discussed. The party may attend the meeting to present information about the incident or respond to questions asked by the Board. The Board may, at its discretion, affirm, reverse or modify the determination of the General Manager or designee. The Board's determination shall be considered final resolution of the dispute.

(Last revision 6/1/05: Minute Order No. 05-06-45)

#### 2.2.9 Disconnection of Service

- A. The service may be "crimped" or disconnected at the main, at the District's discretion. Time and materials shall be charged to the water account.
- B. The water service will be restored only when application for a meter is made and the application fees and delinquent fees are paid.

(Last revision 9/17/97: Minute Order 97-09-131)

### 2.3 CUSTOMER SERVICE/DISCONTINUANCE OF WATER SERVICE

#### 2.3.1 Temporary Discontinuance of Service

Should consumer desire to have service temporarily discontinued at any time, written notice must be given or sent to the District when a shutoff is to be made. A charge as outlined in Section 4.4.14.B will be made for reading the meter and locking the meter. Written application must again be made to have the service turned on. An unlock charge as outlined in Section 4.4.14.B will be made for this service.

(Last revision 2/2/01: Resolution No. 01-08)



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

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Lisa R. Soto  
*Board Secretary*

David B. Cosgrove  
*General Counsel*

February 7, 2019

Mr. Jim Ellis  
Ellis Orleavo, LLC  
550 Mar Vista  
Vista, CA 92084

***Re: Unauthorized Water Use – 170 Eucalyptus Avenue***

Dear Mr. Ellis:

Enclosed please find invoice number 1102 and Vista Irrigation District's Notice of Unauthorized Water Use dated February 6, 2019.

As noted on the enclosed supporting documentation, on February 6, 2019, District staff found an illegal connection to a RPDA located at 170 Eucalyptus Avenue, located in Vista. According to staff, a garden hose was hooked to the #1 test cock on the RPDA, with the hose leading to a y-fitting with two additional hoses connected; one hose for water use to a trailer on-site and the other for what appeared to be general use at the site location. The enclosed photographs shows the unauthorized connections to the RPDA.

Per Vista Irrigation District's Rules and Regulations, Section 2.2.8 (B), the charge associated with the unauthorized use of water through an unauthorized hook-up is \$2,624.00. Payment of the charge is due upon receipt of this invoice. *Please write the invoice number on your check and return it in the enclosed envelope to ensure proper credit to your account.*

If you have any questions regarding this issue, feel free to contact me at (760) 597-3173.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alisa Nichols", is written over a light blue circular stamp.

Alisa Nichols  
Management Analyst

Enclosures



UNAUTHORIZED WATER USE

Illegal connection to RPDA  
at 170 Eucalyptus  
February 6, 2019



Hose illegally connected to RPDA  
at 170 Eucalyptus  
February 6, 2019



Illegal connection leading to y-fitting with  
additional hoses connected at 170 Eucalyptus  
February 6, 2019



Illegal hose connection leading to trailer  
170 Eucalyptus  
February 6, 2019



Illegal hose connection connected to trailer hose  
at 170 Eucalyptus  
February 6, 2019



Trailer hose on-site at 170 Eucalyptus  
February 6, 2019



VISTA IRRIGATION DISTRICT  
 Attn: Finance  
 1391 Engineer Street  
 Vista, CA. 92081-8840  
 (760) 597-3107

INVOICE NO. 1102

DATE: 02/06/19

**INVOICES DUE UPON RECEIPT**

<b>BILL TO:</b>	<b>DESCRIPTION:</b>
-----------------	---------------------

Ellis Orleavo LLC  
 Attn Mr Jim Ellis  
 550 Mar Vista Dr  
 Vista, CA 92084

Unauthorized Water Use at 170 Eucalyptus  
 Ave

1-1210 INV1102	1-410-6103		
A/R Misc			
\$2,624.00	(\$2,624.00)		
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Unauthorized Water Use	2,624.00	2,624.00
	If you have questions regarding this invoice, please call Alisa Nichols at 760-597-3173.		

**TOTAL DUE** **\$2,624.00**

*Please note invoice number on check. Thank you.*



1391 Engineer Street • Vista, CA 92081-8840  
(760) 597-3100 • Fax: (760) 598-8757

### NOTICE OF UNAUTHORIZED WATER USE

T # 1139 Date: 2 / 06 / 2019 Time: 11:30 AM / PM

Address/Location: 170 Eucalyptus Ave, Vista  
Number Street Name City

Individual Contacted: \_\_\_\_\_

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Developer: \_\_\_\_\_ Developer Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Developer Contact: \_\_\_\_\_

---

Contractor: Jim Ellis Contractor Phone: (760)505-3853

Address: 550 Mar Vista Dr, Vista, CA 92084

Contractor Contact: \_\_\_\_\_

---

Owner: \_\_\_\_\_ Owner Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Owner Contact: \_\_\_\_\_

Comments/Description of Unauthorized Water Use: Hose hooked up onto the # 1 test cock on the RPDA. The hose went to a y-fitting with one hose connected to a trailer and the other laying on the ground for what appeared to be general use. Fire Service Application: FS2018.8030.

\_\_\_\_\_

\_\_\_\_\_

You are being issued a violation notice for the unauthorized use of water through an unauthorized hookup. Per Section 2.2.8 of the District's Rules and Regulations, where unauthorized use has occurred through an unauthorized hook-up to a fire hydrant or other appurtenance, the value of the water taken is estimated to be a minimum of \$2,624. You will receive further written communication in the mail regarding charges associated with this incident. If you have any questions regarding this notice, please contact the Water Use Investigator at (760) 597-3173 between 8:00 AM and 5:00 PM Monday through Friday.

Issued by: Ben Parks

## Alisa Nichols

---

**From:** Inspired Images <jim@inspiredimagesstudios.com>  
**Sent:** Friday, February 8, 2019 5:32 PM  
**To:** Alisa Nichols  
**Cc:** Lauren Fehlhaber  
**Subject:** 170 Eucalyptus Ave Water hookup to RPDA

Hi Alisa

Here is the letter I would like you to send to the board members.

Revitalizing this building has been a challenge and this fine is a hardship on a project that is already over budget.

Thanks for making this available,

Jim

Dear Board Members,

My name is Jim Ellis part owner of the building at 170 Eucalyptus Ave.

My company is doing a tenant improvement on the building at that location.

A little over a week ago a landscaper hit our water line and we had to turn it off at the street for repair. From that line we were servicing our contractor trailer and a hose for the contractors. The problem was that I have two ladies working with me in the trailer who need a rest room other than the contractor porto-potti and on top of that, one is nursing. I told one of my guys what happened and he said temporarily tie into the RPDA until tomorrow when we intended a plumber to come out and fix the problem. I thought it was a great solution.

Well then the rains hit and it rained for much of the week. We rescheduled the plumber for this week to fix the line which he finally was able to do today. Two days ago before the line was fixed we had a loud knock at the door and a gentlemen from VID informed me that I had an illegal hookup and that he was confiscating all of my hoses and my brass tee and that I would be receiving a fine for \$2600. I thought it was a little severe, especially for a first time offense. I am a proud citizen who upholds the law so I was not happy to find out I was in the wrong in my attempt to take care of my employees.

I would be glad to attend the next board meeting to state my case to the board members.

Thanks for your gracious consideration in this matter,

Jim Ellis

---

Jim Ellis | President/ Executive Producer



Inspired Images Studios

Office | 170 Eucalyptus Ave. Vista, Ca 92084

T: 760-643-0850 Ex. 2 [www.inspiredimagesstudios.com](http://www.inspiredimagesstudios.com)

**CONFIDENTIALITY NOTICE:** This e-mail and any documents, files or previous e-mail messages attached to it, may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this message is STRICTLY PROHIBITED. If you have received this email in error, please immediately notify Inspired Images by reply e-mail at [info@inspiredimagesstudios.com](mailto:info@inspiredimagesstudios.com) or by telephone at (760) 643-0850, and destroy the original message and attachments. Thank you.



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*General Counsel*

February 14, 2019

Mr. Jim Ellis, President  
Inspired Images Studios  
170 Eucalyptus Avenue  
Vista, CA 92084

***Re: Unauthorized Water Use – 170 Eucalyptus Avenue***

Dear Mr. Ellis:

I am in receipt of your e-mail dated February 8, 2019, requesting that the fee you were issued for water use through an unauthorized connection to Vista Irrigation District's (District) water system be waived and have had the opportunity to review the available information relevant to the incident.

On February 6, 2019, District staff discovered unauthorized water use through an unauthorized connection to the fire service (through a backflow device) for 170 Eucalyptus Avenue in Vista. Per your e-mail, the private water line for the property was damaged, and as a result, the service was turned off; your contractor made an unauthorized connection to the fire service backflow to maintain water service to the construction trailer and job site. It is my understanding that neither you nor your contractor contacted the District to ask if an alternative water source was available to the property, or if a connection to the fire service backflow to provide water service was permitted.

District Rules and Regulations state that fire protection service connections are furnished to provide water service to private onsite fire suppression systems and fire hydrants as long as the water is used for the purposes of fire extinguishing; no other uses are allowed. Furthermore, water used from the fire service, other than for fire suppression or testing as required by the Fire Department, is a violation of the District's Rules and Regulations. Your unauthorized connection to the fire service backflow at 170 Eucalyptus Avenue to provide water service for construction related purposes violates District Rules and Regulations for fire protection service connections (and unauthorized hookups/water use).

The District diligently safeguards the water supply from contamination through various water quality control measures. Please be aware that the unauthorized connection to the #1 test cock on the fire service backflow created a cross-connection into the District's distribution system. A loss in water pressure in the District's system could have resulted in your trailer feeding water back into the system, contaminating the District's water supply and jeopardizing water quality for other District customers.

Mr. Jim Ellis  
February 14, 2019  
Page 2

Based upon discussions with staff and a review of the information you provided, I have determined that no factual errors or misrepresentations have occurred related to this incident; therefore, I am unable to waive or adjust the unauthorized water use fees incurred pursuant to District Rules and Regulations. If you have any questions, please feel free to contact Alisa Nichols at (760) 597-3173.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Hodgkiss". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brett Hodgkiss  
General Manager



# FIRE SERVICE APPLICATION

Type: Commercial

App. No: FS2018.0030

Date: 11/2/2018

Service Address: 170 Eucalyptus Ave

Main App: 2018.0030

LOT NO. \_\_\_\_\_ CITY Vista \_\_\_\_\_ ZIP 92084 \_\_\_\_\_  
 MAP NO. F14 \_\_\_\_\_ LINE NO. EO8K \_\_\_\_\_  
 EASEMENT NO. ROW \_\_\_\_\_ APN 175-303-11 \_\_\_\_\_

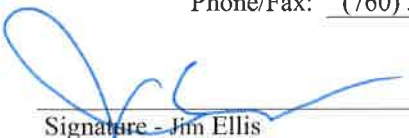
Service is in Public Right of Way

The undersigned hereby makes application for a [ 6" ] inch fire connection and agrees to the following terms and conditions:

1. This service shall at all times be in conformity with and subject to the resolutions, rules and regulations, and policies of the District existing from time to time.
2. District Maintenance and responsibility terminates at [ Property Line ].
3. The District's lateral will terminate at a point as specified above and the Owner is responsible for construction and maintaining the remainder of facilities necessary to provide fire inspection.
4. The Owner's system shall be constructed to the specifications of the public agency responsible for providing fire protection to the property.
5. The District assumes no responsibility for the proper functioning of the fire service system nor guarantees the availability of water from its mains for fire protection in the event of an emergency.
6. The Owner specifically agrees as a condition of service that the District shall incur no liability nor be subject to any damages resulting from a failure or malfunctioning of the fire sprinkler lateral or fire sprinkler system or from a lack of adequate quantity of water or pressure to make it fully effective.
7. The District valve is to be operated solely by the District and the Owner agrees to notify the District to close the valve when required for maintenance of customers system.
8. Due to unseen sub-surface conditions, the District makes no guarantee that the gate valve or lateral will be installed to any particular depth. The applicant hereby agrees that it is his responsibility to connect his system to the gate valve or lateral at the depth provided by the District.
9. Inspection by District is required up to and including the RPDA. The Owner shall request inspection 24 hours prior to installation of the assembly.
10. I have read the above terms and conditions and understand that any violation will be grounds for termination of service.

Owner: Ellis Orleavo LLC  
 Address: 550 Mar Vista Drive  
 City: Vista State: CA Zip: 92084  
 Phone/Fax: (760) 505-3853

Call (760) 597-3126 for RPDA Inspection  
 Additional charges may be billed if the main is more than 3 ft. deep, if rock is encountered, or other utilities interfere with the installation.

  
 Signature - Jim Ellis

  
 Date

  
 Director of Engineering

  
 Date

Lateral to be installed by: VID

Contractor	Staking Engineer
Name:	Name:
Address:	Phone:
Phone / Fax:	Insurance Required: No
License #	Insurance Approved By:

Taken by: JV      Checked by: **PAID** 

### COSTS & FEES

RPDA Fire Lateral Fee:	8,781
RPDA Additional Length:	5,854
RPDA Inspection Fee:	520
RPDA Gate Valve Fee:	0
RPDA Lateral Insp Fee:	0
Other Fire Fee: (City of Vista Permit)	1,437
Fire Backflow Setup Fee:	240
<b>Total Fire Fees:</b>	<b>\$16,832</b>

Printed: 11/1/2018 3:32 PM

NOV 02 2018  
 \$16,832 Check # 290  
 VISTA IRRIGATION DISTRICT



Adoption Date:	August 7, 1996
Action:	Approved by Board of Directors, Minute Order No. 96-08-91
Applicable Law/Code/Agency:	

### 6.8.1 Purpose

The District desires to provide water for fire protection under terms and conditions as set forth below.

### 6.8.2 General Provisions

Fire protection service connections will be furnished to provide water service to private onsite fire suppression systems and fire hydrants, upon the following minimum provisions:

- A. Prevention of contamination of the District's water supply, in a manner commensurate with the degree of potential hazard for residential service and comparable to the commercial-industrial service connection(s) to the premises and per the provisions of the District's "Manual of Cross-Connection Control Practices."  
(Last revision 9/4/02: Minute Order No. 02-09-76)
- B. Water shall be used for the purposes of fire extinguishing; no other uses are allowed.
- C. No other connection(s) to the fire protection system is allowed. Water service required for domestic, industrial and landscape purposes shall be connected to a District-owned main adjacent to the property.

### 6.8.3 Application and Agreement

The applicant will be required to sign a Fire Service application and agreement form that will be furnished by the District upon request.

### 6.8.4 Quantitative Charges

- A. No charge will be made for water used to extinguish fires or make routine tests of the fire suppression system as requested by the Fire Department.
- B. Water used from the fire service, other than for fire suppression or required testing is a violation of the District's regulations. The cost of the water used shall be paid for by the applicant in accordance with the rate schedule applicable for other customers, including any and all penalties as determined by the District (See Section 6.8.5 "Violation of Agreement").
- C. Fire protection connection services shall be charged a basic bi-monthly charge equivalent to the Readiness-to-Serve charge applicable to a 5/8" meter (See Section 4.4.3.C "Readiness-to-Serve Charge").

## Alisa Nichols

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**From:** Alisa Nichols  
**Sent:** Tuesday, February 19, 2019 3:04 PM  
**To:** 'Inspired Images'  
**Subject:** Copy of Denial Letter  
**Attachments:** 20190214\_Response to Request for Waiver.pdf

Mr. Ellis,

Please see attached letter from the Vista Irrigation District General Manager regarding your appeal of the charges for the unauthorized use of water fee.

Per our conversation today, you may appeal the General Manager's denial of your request to the Board of Directors by contacting the District Secretary at the address below.

In accordance with Vista Irrigation District Rules and Regulations section 2.2.8(F) – Unauthorized Hook-Ups, the written request for appeal shall include a description of the issue, the specific remedy being requested, and evidence supporting the appeal. The requesting party shall be notified of the date and time of the meeting that his/her appeal will be discussed. The party may attend the meeting to present information about the incident or respond to questions asked by the Board. The Board may, at its discretion, affirm, reverse or modify the determination of the General Manager or designee. The Board's determination shall be considered final resolution of the dispute.

Board Secretary  
Vista Irrigation District  
1391 Engineer Street  
Vista, CA 92081

Thank you,

*Alisa E. Nichols*  
Management Analyst  
Vista Irrigation District  
1391 Engineer Street  
Vista, CA 92081-3158  
[anichols@vidwater.org](mailto:anichols@vidwater.org)  
T: (760) 597-3173

## Alisa Nichols

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**From:** Inspired Images <jim@inspiredimagesstudios.com>  
**Sent:** Thursday, February 21, 2019 2:31 PM  
**To:** Alisa Nichols  
**Subject:** 170 Eucalyptus Ave unauthorized hook up

Hi Alisa

I have rewritten the letter I sent to you last week. This is to formally request an appeal to the board of directors.

Dear Board Members,

My name is Jim Ellis part owner of the building at 170 Eucalyptus Ave.

My company is doing a tenant improvement on the building at that location.

In the beginning of February a landscaper hit our water line and we had to turn it off at the street for repair. From that line we were servicing our contractor trailer and a hose for the contractors. I have two ladies working with me in the trailer who need a rest room other than the contractor porto-potti and on top of that, one is nursing. I told one of my guys what happened and he said temporarily tie into the RPDA until tomorrow when we intended a plumber to come out and fix the problem. I thought it was a good solution.

Well then the rains hit and it rained for much of the week. We rescheduled the plumber for the following week to fix the line which he finally was able to do.

Before the line was fixed we had a loud knock at the door and a gentlemen from VID informed me that I had an unauthorized hookup and that he was confiscating all of my hoses and my brass tee and that I would be receiving a fine for \$2600. I thought it was a little severe, especially for a first time offense and I can assure you up to that point, I did not know what I did was a problem. This is my first building project that required an RPDA. New nothing about them before this project.

I appealed the decision to the general manager. He said that he would not waive the fee.

I thought that he was very harsh in his decision and his judgement of my character.

After reading his letter it was **clear** that He believed that I had lied about not knowing that the hookup had to be authorized. He is absolutely wrong about that.

I am requesting a reversal of his decision.

I would be glad to attend the next board meeting to state my case to the board members.

Thanks for your **gracious** consideration in this matter,

Jim Ellis



**STAFF REPORT**

**Agenda Item: 8**

**Board Meeting Date: March 20, 2019**  
**Prepared By: Shallako Goodrick**  
**Reviewed By: Marlene Kelleher**  
**Approved By: Brett Hodgkiss**

SUBJECT: FINANCIAL REPORT FOR THE SIX MONTHS ENDED DECEMBER 31, 2018

RECOMMENDATION: Informational report concerning the financial condition of the District. No action will be required.

PRIOR BOARD ACTION: None.

FISCAL IMPACT: None.

SUMMARY: Attached for review by the Board of Directors is the Financial Report for the Six Months Ended December 31, 2018. This report includes the following items:

FINANCIAL STATEMENTS

- Statements of Net Position
- Statements of Revenues, Expenses and Changes in Net Position

SPECIAL REPORTS

- Water Statistics Budget Comparison
- Revenue and Expense Budget Comparison
- Capital Outlay Comparison
- Property Revenues
- Legal Expenses

Overall, the District experienced a \$2.6 million operating gain, which is a decrease from the \$6.2 million operating gain for the same six-month period in the previous year. The decrease in operating gain is primarily attributable to having to purchase more water from the San Diego County Water Authority during the six-months ended December 31, 2018 (9,284 acre feet) than during the same period in 2017 (6,762 acre feet); local water production during the six-months ended December 31, 2018 totaled 170 acre feet compared to 3,172 acre feet for the six months ended December 31, 2017.

The budget reports compare the actual results for the six-month period ended December 31, 2018 with the *annual* budgeted amounts approved by the Board.

DETAILED REPORT: See attached Financial Report for the Six Months Ended December 31, 2018.

The District’s reserves on December 31, 2018 were as follows:

Emergency and Contingency	\$ 9,000,000
Working Capital	10,000,000
Surplus Supplemental Water	8,072,000
Capital Improvement	<u>10,677,270</u>
Total Reserves	<u>\$37,749,270</u>

ATTACHMENT: Financial Report for the Six Months Ended December 31, 2018



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**FINANCIAL REPORT**  
**For the Six Months Ended**  
**December 31, 2018**

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*(UNAUDITED)*

*VISTA IRRIGATION DISTRICT*

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*FINANCIAL STATEMENTS*

# VISTA IRRIGATION DISTRICT

## STATEMENTS OF NET POSITION December 31, 2018 and June 30, 2018

<b>ASSETS</b>	<b>12/31/18</b>	<b>6/30/18</b>
Current Assets:		
Cash and cash equivalents	\$ 19,473,687	\$ 17,875,700
Investments	18,275,583	15,813,532
Accounts receivable, net	7,029,607	8,684,502
Taxes receivable	46,865	24,115
Accrued interest receivable	47,167	25,973
Inventories of materials and supplies	735,208	414,217
Prepaid expenses and other current assets	227,608	351,736
Total Current Assets	<u>45,835,725</u>	<u>43,189,775</u>
Noncurrent Assets:		
Capital assets:		
Depreciable assets, net of accumulated depreciation:		
Buildings, canals, pipelines, reservoirs and dams	86,224,401	83,740,622
Equipment	2,608,948	2,133,269
Henshaw pumping project	363,271	373,808
Nondepreciable assets:		
Land, franchises and water rights	6,001,127	6,001,127
Construction in progress	2,260,136	2,397,003
Total capital assets	<u>97,457,883</u>	<u>94,645,829</u>
Total Noncurrent Assets	<u>97,457,883</u>	<u>94,645,829</u>
Total Assets	<u>143,293,608</u>	<u>137,835,604</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Pension related	6,704,199	6,704,199
Other post-employment benefits related	94,646	94,646
Total Deferred Outflows of Resources	<u>6,798,845</u>	<u>6,798,845</u>
<b>LIABILITIES</b>		
Current Liabilities:		
Accounts payable	12,755,896	\$ 10,755,722
Deposits	558,338	320,715
Accrued expenses and other liabilities	1,549,654	3,072,647
Total Current Liabilities	<u>14,863,888</u>	<u>14,149,084</u>
Noncurrent Liabilities:		
Net pension liability	15,622,668	15,622,668
Net other post-employment benefits (OPEB) liability	547,421	547,421
Total Noncurrent Liabilities	<u>16,170,089</u>	<u>16,170,089</u>
Total Liabilities	<u>31,033,977</u>	<u>30,319,173</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>		
Pension related	1,440,845	1,440,845
Other post-employment benefits related	143,990	143,990
Total Deferred Inflows of Resources	<u>1,584,835</u>	<u>1,584,835</u>
<b>NET POSITION</b>		
Net investment in capital assets	97,457,883	94,645,829
Unrestricted	20,015,758	18,084,612
Total Net Position	<u>\$ 117,473,641</u>	<u>\$ 112,730,441</u>



# VISTA IRRIGATION DISTRICT

## STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION Six Months Ended December 31, 2018 and Year Ended June 30, 2018

	12/31/18	6/30/18
<b>OPERATING REVENUES</b>		
Water sales	\$ 26,297,278	\$ 49,833,312
System fees	309,200	731,240
Property rentals	378,452	823,871
Other services	302,211	451,600
Total Operating Revenues	<u>27,287,141</u>	<u>51,840,023</u>
<b>OPERATING EXPENSES</b>		
Purchased water	13,426,590	22,569,140
Wages and benefits	6,902,231	14,461,797
Contractual services	1,764,774	4,292,413
Depreciation	1,550,075	2,968,997
Supplies	655,296	1,531,232
Professional fees	240,483	603,257
Power	257,579	405,854
Office and general	322,238	557,713
Insurance	207,133	543,145
Communications	30,408	53,326
Uncollectible accounts	3,670	31,211
Burden allocation	(689,058)	(1,433,392)
Total Operating Expenses	<u>24,671,419</u>	<u>46,584,693</u>
Operating Income	<u>2,615,722</u>	<u>5,255,330</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>		
Property taxes	172,335	450,512
Investment income	407,613	346,063
Federal & state assistance	49,199	-
Gain on disposal of capital assets	66,920	19,210
Total Nonoperating Revenues	<u>696,067</u>	<u>815,785</u>
Income Before Contributed Capital	3,311,789	6,071,115
Contributed capital	1,431,411	1,315,564
Change in Net Position	4,743,200	7,386,679
Total Net Position - beginning, as restated	<u>112,730,441</u>	<u>105,343,762</u>
Total Net Position - ending	<u>\$ 117,473,641</u>	<u>\$ 112,730,441</u>



*SPECIAL REPORTS*

# VISTA IRRIGATION DISTRICT

## WATER STATISTICS BUDGET COMPARISON Six Months Ended December 31, 2018 (In Acre Feet)

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	Actual	Budget	Percentage of Budget
<b>WATER SOURCES:</b>			
Water Purchases	9,284	14,207	65%
Local Water	<u>170</u>	<u>3,393</u>	5%
Total Water Sources	<u><u>9,454</u></u>	<u><u>17,600</u></u>	54%
<b>WATER SALES</b>	<u><u>8,868</u></u>	<u><u>16,500</u></u>	54%

# VISTA IRRIGATION DISTRICT

## REVENUE AND EXPENSE BUDGET COMPARISON Six Months Ended December 31, 2018

	Actual	Budget	Percentage of Budget
<b>OPERATING REVENUES</b>			
Water sales:			
Single family	\$ 8,587,046	\$ 16,360,000	52%
Multiple family	2,685,831	5,650,000	48%
Irrigation	2,467,415	3,560,000	69%
Commercial	1,156,455	2,360,000	49%
Agricultural	1,046,650	1,820,000	58%
Industrial	595,404	1,120,000	53%
Government	487,190	750,000	65%
Mobile homes	368,937	700,000	53%
Unmetered	477	10,000	5%
Service charges	8,901,873	17,612,000	51%
Subtotal water sales	<u>26,297,278</u>	<u>49,942,000</u>	
System fees:			
Capacity	309,200	1,200,000	26%
Subtotal system fees	<u>309,200</u>	<u>1,200,000</u>	
Property rentals	378,452	738,300	51%
Other services:			
New installations	167,523	300,000	56%
Non construction services	134,688	250,000	54%
Subtotal other services	<u>302,211</u>	<u>550,000</u>	
Total Operating Revenues	<u>27,287,141</u>	<u>52,430,300</u>	52%
<b>OPERATING EXPENSES</b>			
Purchased water	13,426,590	22,552,500	60%
Wages and benefits:			
Salaries	3,981,866	8,220,000	48%
Employee health insurance	1,041,252	2,176,000	48%
PERS retirement	1,399,642	2,090,000	67%
FICA & medicare	279,117	580,000	48%
Retiree medical insurance	-	200,000	0%
Workers compensation	98,056	195,000	50%
Deferred compensation plan	39,362	95,000	41%
Life and disability insurance	43,403	89,200	49%
Uniforms	16,115	31,500	51%
Tuition reimbursement	481	4,000	12%
EAP counseling	2,937	3,000	98%
Unemployment insurance	-	2,000	0%
Subtotal wages and benefits	<u>6,902,231</u>	<u>13,685,700</u>	

# VISTA IRRIGATION DISTRICT

## REVENUE AND EXPENSE BUDGET COMPARISON Six Months Ended December 31, 2018

	Actual	Budget	Percentage of Budget
Contractual services	1,764,774	4,306,500	41%
Depreciation	1,550,075	3,058,000	51%
Supplies	655,296	1,306,400	50%
Professional fees:			
Consulting	114,058	420,400	27%
Legal	109,925	277,800	40%
Audit	16,500	25,000	66%
Subtotal professional fees	<u>240,483</u>	<u>723,200</u>	
Power	257,579	540,300	48%
Office and general:			
Fees and permits	107,780	145,500	74%
Computer hardware	74,310	95,000	78%
Postage	33,056	70,000	47%
Dues, subscriptions, and publications	1,904	48,800	4%
Training	14,742	48,100	31%
Employment related expense	24,465	42,700	57%
Travel	19,462	40,600	48%
Office supplies	9,422	22,700	42%
Printing	9,667	12,500	77%
Awards and contributions	-	9,500	0%
Computer software	27,430	4,200	653%
Subtotal office and general	<u>322,238</u>	<u>539,600</u>	
Insurance	207,133	434,000	48%
Communications	30,408	58,500	52%
Uncollectible accounts	3,670	28,000	13%
Burden allocation	(689,058)	(1,400,000)	49%
Total Operating Expenses	<u>24,671,419</u>	<u>45,832,700</u>	54%
Operating Income	2,615,722	6,597,600	40%
<b>NONOPERATING REVENUES (EXPENSES)</b>			
Property taxes	172,335	450,000	38%
Investment income	407,613	330,000	124%
Federal & state assistance	49,199	-	-
Gain on disposal of capital assets	66,920	-	-
Total Nonoperating Revenues	<u>696,067</u>	<u>780,000</u>	89%
Income Before Contributed Capital	<u>\$ 3,311,789</u>	<u>\$ 7,377,600</u>	45%

# VISTA IRRIGATION DISTRICT

## CAPITAL OUTLAY COMPARISON

December 31, 2018

	Budget Item #	Board Approved (Inception To Date)	Outlay To Date	Capital Outlay Remaining
<b>ENGINEERING:</b>				
E43 Regulator Relocation & Upgrade	10-02	150,000	45,369	104,631
AB Line Replacement	11-04	1,100,000	133,971	966,029
East Vista Way - Mason Road Pipeline	12-02	600,000	-	600,000
Flume - Siphon Replacement	15-03	1,300,000	65,883	1,234,117
Flume - Pressure Zone Loop	15-05	280,000	13,575	266,425
E Reservoir and Pump Station	16-04	600,000	13,771	586,229
Paseo Santa Fe Project	16-05	1,850,000	841,004	1,008,996
FY 2018 Main Replacement Program	18-01	4,500,000	3,737,550	762,450
Calle Maria Pipeline Extension	18-02	200,000	-	200,000
Vista Flume - Beehive Bench & Siphon	18-03	100,000	16,862	83,138
Lita Lane Pipeline Extension	18-04	81,000	-	81,000
HB Reservoir Rehabilitation	18-05	1,475,000	84,756	1,390,244
Camino Mateo Pipeline Extension & Intertie	18-07	20,000	32,770	-
FY 2019 Main Replacement Program	19-01	2,750,000	221,225	2,528,775
Pechstein Reservoir Rehabilitation	19-02	175,000	44,690	130,310
		<u>15,181,000</u>	<u>5,251,426</u>	<u>9,942,344</u>
<b>FIELD SERVICES:</b>				
Loader	18-09	170,000	145,818	-
Asphalt Grinder	18-10	135,000	133,721	-
Lobby Security Upgrade	18-12	48,000	-	48,000
Generator	19-03	165,000	-	165,000
Vehicles (2)	19-04	73,000	23,234	49,766
Excavator	19-05	66,000	66,635	-
Equipment Trailers (2)	19-06	50,000	49,757	-
Hydraulic Breaker	19-07	22,000	19,269	-
		<u>729,000</u>	<u>438,434</u>	<u>262,766</u>

# VISTA IRRIGATION DISTRICT

## CAPITAL OUTLAY COMPARISON

December 31, 2018

	Budget Item #	Board Approved (Inception To Date)	Outlay To Date	Capital Outlay Remaining
<b>FINANCE:</b>				
Phone System	17-07	35,000	-	-
Hyper-Converged Compute and Storage System	19-08	95,000	73,240	-
Color Laser Printer/Scanners (2)	19-09	15,000	12,599	-
		<u>145,000</u>	<u>85,839</u>	<u>-</u>
<b>OPERATIONS:</b>				
SCADA Control Panel (3)	18-17	110,000	77,424	-
Flow Control Facility	19-10	85,000	29,067	55,933
Regulator	19-11	21,000	20,248	-
Altitude and Seismic Valve Actuators	19-12	20,000	-	20,000
		<u>236,000</u>	<u>126,739</u>	<u>75,933</u>
<b>WATER RESOURCES:</b>				
Tractor Mower	19-13	36,000	34,048	-
Motor Well 29A	-	-	6,583	-
Motor Well 34A	-	-	8,268	-
		<u>36,000</u>	<u>48,899</u>	<u>-</u>
		<u>\$ 16,327,000</u>	<u>\$ 5,951,337</u>	<u>\$ 10,281,043</u>

# VISTA IRRIGATION DISTRICT

## PROPERTY REVENUES

Six Months Ended December 31, 2018 and Year Ended June 30, 2018

---

	12/31/18	6/30/18
Hein Hettinga	\$ 101,676	\$ 235,335
Department of Defense - Navy 2nd lease	49,653	97,729
My Country Club, Inc.	43,428	99,286
Department of Defense - Navy	27,950	55,012
Crown Castle - Cabrillo Circle	24,108	47,013
T-Mobile - Lupine Hills	24,021	46,922
Lake Henshaw Resort, Inc.	20,932	59,967
Crown Castle GT Co.	20,284	39,855
Cingular Wireless/AT&T	20,234	39,314
Verizon Wireless	10,155	19,757
Crown Castle - Vista Towers	9,310	17,990
Puerta La Cruz	7,200	13,236
Sempra Energy	6,284	12,063
Sprint	5,032	19,514
Mendenhall Cattle Company, Inc.	4,680	12,639
County of San Diego - Warner Pit	1,645	59
AECOM Technical Services	1,000	-
Department of Agriculture	500	500
Vallecitos Water District	360	360
Noll Seeds	-	5,315
Charles Chester Taylor	-	1,650
CalFire	-	355
	<hr/>	<hr/>
TOTAL PROPERTY REVENUES	<u>\$ 378,452</u>	<u>\$ 823,871</u>



# VISTA IRRIGATION DISTRICT

## LEGAL EXPENSES

Six Months Ending December 31, 2018

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### General Legal Fees

Liebert, Cassidy & Whitmore	General	10,104	
Rutan & Tucker LLP	General	<u>27,821</u>	
			\$ 37,925

### Water Rights Legal Fees

Horton, Knox, Carter & Foote	Indians	<u>72,000</u>	
			<u>72,000</u>

<b>Total Legal Costs (6 months)</b>			<u><u>\$ 109,925</u></u>
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<b>Total Budgeted Legal Costs (12 months)</b>			<u><u>\$ 277,800</u></u>
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## **STAFF REPORT**

**Agenda Item: 9**

**Board Meeting Date: March 20, 2019**  
**Prepared By: Lisa Soto**  
**Approved By: Brett Hodgkiss**

**SUBJECT:** LAKE HENSHAW / WARNER RANCH INSPECTION TOUR

**RECOMMENDATION:** Affirm the itinerary for the scheduled April 15, 2019 at 8:00 a.m. Board inspection tour of Lake Henshaw and the Warner Ranch.

**PRIOR BOARD ACTION:** The Board conducted its last periodic inspection tour of the Warner Ranch on April 24, 2018.

**FISCAL IMPACT:** None.

**SUMMARY:** Staff has prepared this draft itinerary for the tour which is intended to provide an operational overview as well as focus on current relevant issues related to the Lake Henshaw and the Warner Ranch.

**ATTACHMENT:** Draft Itinerary for Tour of the Warner Ranch



**Board of Directors  
2019 Spring Tour  
Draft Itinerary**

Monday, April 15, 2019

*Meet at VID offices at 8:00 am*

1. Call to order
2. Depart at 8:05 am

*Arrive at Lake Henshaw Café about 9:15*

3. Have refreshments, meet Concessionaire
4. Pre-order lunch
5. Depart about 9:50 am

*Arrive at Henshaw Overlook about 10:00 am*

6. View Lake Henshaw and conditions of streams and pasturage; discuss operations
7. Depart about 10:20 am

*Drive on Highways through Warner Springs and Fink Road to the Westfork of the San Luis Rey River*

*Arrive at Lower Ditch System about 11:10 am*

8. View storm damage; discuss repair plans
9. Depart about 11:45 am

*Arrive at the Lake Henshaw Café about 12:10 pm*

10. Meet Mendenhalls; have Lunch
11. Depart about 1:00 pm

*Arrive at the Buena Creek (HB) Reservoir about 2:00 pm*

12. Discuss rehabilitation project
13. Depart about 2:30 pm

*Return to VID offices ~ 3:00 pm*

Version: March 20, 2019



**Agenda Item: 10**

**STAFF REPORT**

**Board Meeting Date: March 20, 2019**  
**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: March 20, 2019**  
**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**

**Board Meeting Date:** March 20, 2019  
**Prepared By:** Lisa Soto  
**Approved By:** Brett Hodgkiss

**SUBJECT:** SCHEDULE OF UPCOMING MEETINGS AND EVENTS

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

	<b>SCHEDULE OF UPCOMING MEETINGS AND EVENTS</b>	<b>ATTENDEES</b>
1	<b>Groundwater Law and Legislation Forum</b> (Groundwater Resources Association) <i>Mar. 27, 2019—Tsakopoulos Library, Sacramento</i> <i>Registration deadline: 3/20/19</i>	Dorey (R, H, A)
2	<b>Santa Ana River Watershed Conference</b> (Water Education Foundation) <i>Mar. 29, 2019 – Cal State Fullerton University Conference Center</i> <i>Registration deadline: 3/22/19</i>	Vásquez (R, H)
3	<b>Central Valley Tour</b> (Water Education Foundation) <i>Apr. 3-5, 2019 – Begins and ends at the Sacramento Airport</i> <i>Reservation deadline: 3/29/19</i>	
4	<b>California Water Policy Conference</b> <i>Apr. 4-5, 2019 – Courtyard by Marriott at Liberty Station</i> <i>Registration deadline: 4/4/19</i>	
5	<b>Special District Leadership Academy</b> (CSDA) <i>Apr. 7-10, 2019 – Embassy Suites San Diego Bay</i> <i>Registration deadline: 4/7/19</i>	
6	<b>Legislative Round-Up Webinar</b> (CSDA) <i>Apr. 11, 2019 -10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 4/4/19</i>	MacKenzie (R)
7 *	<b>Council of Water Utilities Meeting</b> <i>Apr. 23, 2019—Venue to be announced</i> <i>Reservation deadline: 4/18/19</i>	Vásquez
8	<b>ACWA Spring Conference</b> <i>May 7-10, 2019 – Monterey Conference Center</i> <i>Registration deadline: 4/19/19</i>	MacKenzie (R, H) Dorey (R, H) Vásquez (R, H) Sanchez (R, H)
9 *	<b>Vista Historical Society Hall of Fame Luncheon</b> <i>May 18, 2019 – Shadowridge Country Club</i> <i>Reservation deadline: 5/10/19</i>	
10	<b>Special Districts Legislative Days</b> (CSDA) <i>May 21-22, 2019 – Sacramento Convention Center</i> <i>Registration deadline: 4/26/19</i>	MacKenzie (R)
11	<b>Bay-Delta Tour</b> (Water Education Foundation) <i>June 5-7, 2019 –Begins and ends at the Sacramento Airport</i> <i>Reservation deadline: 5/6/19</i>	
12	<b>Second Annual Groundwater Sustainability Agency Summit</b> (Groundwater Resources Association) <i>June 5-6, 2019—Radisson Hotel, Fresno</i> <i>Registration deadline: 5/1/19</i>	
13	<b>Hoover Dam &amp; Colorado River Aqueduct System</b> (SDCWA/MWD) <i>June 7-8, 2019 – SDCWA</i> <i>Reservation deadline: Not open yet</i>	

	<b>SCHEDULE OF UPCOMING MEETINGS AND EVENTS</b>	<b>ATTENDEES</b>
<b>14</b>	<b>Headwaters Tour</b> (Water Education Foundation) <i>June 27-28, 2019 – Begins and ends in the Sacramento area</i> <i>Reservation deadline: 5/27/19</i>	
<b>15</b>	<b>Special District Leadership Academy</b> (CSDA) <i>July 7-10, 2019 – Embassy Suites Napa Valley</i> <i>Registration deadline: 6/7/19</i>	
<b>16</b>	<b>Urban Water Institute Annual Water Conference</b> <i>Aug. 14-16, 2019 – Hilton San Diego</i> <i>Registration deadline: TBD</i>	
<b>17</b>	<b>Second Annual Western Groundwater Congress</b> (GRA) <i>Sept. 17-19, 2019 – Double Tree by Hilton, Sacramento</i> <i>Registration deadline: TBD</i>	
<b>18</b>	<b>CSDA Annual Conference</b> <i>Sept. 25-28, 2019 – Anaheim Marriott</i> <i>Registration deadline: TBD</i>	MacKenzie
<b>19</b>	<b>Northern California Tour</b> (Water Education Foundation) <i>Oct. 2-4, 2019 – Begins and ends at the Sacramento Airport</i> <i>Reservation deadline: 9/2/19</i>	
<b>20</b>	<b>Legislative Round-Up Webinar</b> (CSDA) <i>Oct. 31, 2019 -10:00 a.m. – 12:00 p.m.</i> <i>Registration deadline: 10/24/19</i>	
<b>21</b>	<b>Central Coast Tour</b> (Water Education Foundation) <i>Nov. 6-7, 2019 – Begins and ends in San Jose</i> <i>Reservation deadline: 10/7/19</i>	
<b>22</b>	<b>ACWA Fall Conference</b> <i>Dec. 3-6, 2019 – San Diego (Venue TBD)</i> <i>Registration deadline: TBD</i>	MacKenzie
<b>23</b>	<b>Colorado River Water Users Association Conference</b> (CRWUA) <i>Dec. 11-13, 2019 – Caesars Palace, Las Vegas</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:

**A**=Airline; **R**=Registration; **C**=Car; **H**=Hotel; **T**=Tentative



**STAFF REPORT**

**Board Meeting Date: March 20, 2019**  
**Prepared By: Lisa Soto**

SUBJECT: ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

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

*Staff-generated list of tentative items for future agendas:*

- 1951 Warmlands Avenue Property
- Local Agency Formation Commission Election
- Water Supply Planning Study
- Cross-connection control





## **STAFF REPORT**

**Agenda Item: 13**

**Board Meeting Date: March 20, 2019**  
**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.



**Agenda Item: 14**

**STAFF REPORT**

**Board Meeting Date: March 20, 2019**  
**Prepared By: Brett Hodgkiss**

SUBJECT: COMMENTS BY GENERAL COUNSEL

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



**Agenda Item: 15**

**STAFF REPORT**

**Board Meeting Date: March 20, 2019**  
**Prepared By: Brett Hodgkiss**

SUBJECT: COMMENTS BY GENERAL MANAGER

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



**STAFF REPORT**

**Board Meeting Date: March 20, 2019**  
**Prepared By: Brett Hodgkiss**

**SUBJECT: CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**SUMMARY: Discussion concerning real property transactions in compliance with Government Code section 54956.8 regarding:**

- Property: Vista Irrigation District property located at the northwest corner of Engineer Street and Pipeline Drive in Vista, CA 92081 (APN 219-532-22)
- Agency Negotiators: Brett Hodgkiss
- Negotiating Party: Burtech Real Estate Investments, LLC
- Under Negotiation: Price and terms