

Borrego Water District Board of Directors
Regular Meeting
December 22, 2020 @ 9:00 a.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004

COVID-19 UPDATE: The Borrego Water District Board of Directors meeting as scheduled in an electronic format. BWD will be providing public access to the Meeting thru electronic means only to minimize the spread of the COVID-19 virus, based upon direction from the California Department of Public Health, the California Governor's Office and the County Public Health Office. Anyone who wants to listen to or participate in the meeting is encouraged to observe the GO TO MEETING at:

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I. OPENING PROCEDURES -

- A.** Call to Order:
- B.** Pledge of Allegiance
- C.** Roll Call
- D.** Approval of Agenda
- E.** Approval of Minutes
 - 1. November 10, 2020 Special Board Meeting (3-5)
 - 2. November 24, 2020 Regular Board Meeting (6-9)
- F.** Comments from the Public & Requests for Future Agenda Items (may be limited to 3 min)
- G.** Comments from Directors
- H.** Correspondence Received from the Public- None

II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION -

- A.** RESOLUTION NO 2020-12-01 OF THE BOARD OF DIRECTORS OF BORREGO WATER DISTRICT AWARDING A CONSTRUCTION CONTRACT TO AND AUTHORIZING THE DISTRICT PRESIDENT OR HER DESIGNEE TO EXECUTE THE CONTRACT WITH THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER SUBMITTING A RESPONSIVE BID, SOUTHWEST DRILLING, IN THE AMOUNT OF \$857,250 FOR THE ID-5X WELL PROJECT; MAKING CEQA-RELATED FINDINGS AND AUTHORIZING STAFF TO FILE NOTICE OF EXEMPTION- D Dale (10-17)
- B.** Bi-Ennial Conflict of Interest Code Review and Approval of RESOLUTION 2020-12-02 RESOLUTION OF THE BOARD OF DIRECTORS OF THE BORREGO WATER DISTRICT AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974 – E Garcia (18-53)

AGENDA: December 22, 2020

All Documents for public review on file with the District's secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004. Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole – Board Secretary at (760) 767 – 5806 at least 48 hours in advance of the start of this meeting, in order to enable the District to make reasonable arrangements to ensure accessibility.

If you challenge any action of the Board of Directors in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Board of Directors (c/o the Board Secretary) at, or prior to, the public hearing.

- C. Interim Borrego Springs Subbasin Watermaster Board – G Poole, D Duncan/K Dice
 - 1. Update on Board Activities – VERBAL D Duncan (54)

III. STANDING AND AD-HOC BOARD COMMITTEE REPORTS – (55-57)

A. STANDING:

- 1. Operations and Infrastructure – Delahay/Duncan
- 2. AD HOC:
 - a. Stipulated Judgment Implementation – Brecht/Duncan
 - b. Risk Management/Pandemic – Brecht/Dice
 - c. Grant Funding – Dice/Johnson
 - d. Association of California Water Agencies/Joint Powers Authority – Dice/Johnson
 - e. Organizational Staffing - Dice/Duncan
 - f. Prop 218 and BWD Developers’ Policy – Brecht
 - g. Public Outreach – Dice/Baker
 - i. Proposition 218 Update and Outreach Schedule

IV. MONTHLY FINANCIAL & OPERATIONS REPORTS

- A. Financial Reports: November 2020 (58-73)
- B. Water and Wastewater Operations Report: November 2020 (74-80)
- C. Water Production/Use Records: November 2020 (81)

V. STAFF REPORTS - VERBAL

- 1. Deferred to January Meeting

VI. CLOSED SESSION:

- A. Conference with Legal Counsel - Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9: (Two (2) potential cases)
- B. Conference with Legal Counsel – Existing Litigation (BWD v. All Persons Who Claim a Right to Extract Groundwater, et al. (San Diego Superior Court case no. 37-2020-00005776)

- VII. CLOSING PROCEDURE:** The next Board Meeting is scheduled for January 12, 2021 to be available online. See Board Agenda at BorregoWD.org for details, available at least 72 hours before the meeting.

AGENDA: December 22, 2020

All Documents for public review on file with the District’s secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004. Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

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Mr. Poole reviewed changes recommended by Best Best & Krieger. They included reference to the well site as property “formerly owned by the Borrego Unified School District”; the lowest responsible, responsive bidder or best value; changes to the terms “description of payment,” “cost proposal” and “bid schedule” and other wording changes; deletion of the section on changes occurring after pre-qualification; and addition of provisions on critical supply shortage and force majeure. Esmeralda Garcia agreed to make the changes.

Mr. Ilkhanipour responded to comments and questions from Ms. Baker. She questioned why the warranty was only a year, and Mr. Ilkhanipour replied that it was standard in California. She asked why the well wouldn’t be used for monitoring, and he explained there were two monitoring wells nearby. In response to her inquiry about water quality sampling, he pointed out that it was labor intensive and expensive. As in Well 4-9, the new well will be constructed to prevent intrusion of nitrates. Mr. Ilkhanipour went on to explain that the contractor will provide a pump and generator during construction. After completion, the District will purchase a permanent pump. As for noise concerns, the site is over 1,000 feet from the closest residents. Mr. Ilkhanipour suggested notifying residents there may be noise for two months during drilling. Director Johnson noted that the County Department of Environmental Health is inspecting Santiago Estates, which is near the job site. Mr. Poole will discuss the issue with Mr. Dale and Trey Driscoll.

MSC: Johnson/Brecht approving the plans and specifications for the ID 5-X Well. The motion passed by unanimous roll call vote of those present.

B. FY 2020-21 Budget Revisions, Including Water and Sewer Rate Discussion: Jessica Clabaugh presented a review of the first quarter 20-21 budget. Revenues are at 30 percent of total budget, and were 29 percent last year. She reminded the Board that they had chosen not to implement the approved six percent water/four percent sewer rate increases at the beginning of the fiscal year. Staff recommends enacting them effective January 1, 2021. Ms. Clabaugh is working with Raftelis on suggested rates after 2021. The proposed rate increases for 20-21 will result in a \$114,000 increase for the remainder of the fiscal year. Director Brecht recommended using a cash basis rather than accrual to estimate the revenue increase. He also suggested showing how the cash taken from reserves was used.

Director Duncan expressed concern regarding the groundwater management legal budget of \$85,000 and the fact that nearly \$80,000 has already been spent. Discussion followed regarding expenses related to the stipulated judgment lawsuit and service of process. Steve Anderson explained that legal costs will increase if anyone challenges the lawsuit and a trial is necessary. He suggested adding a \$100,000 cushion to the GWM legal budget, and the Board concurred.

C. Air Quality Monitoring Program Funding: President Dice reported that the Borrego Valley Endowment Fund had agreed to fund half the AQM program for calendar year 2021 and was asking BWD to contribute the other half. One option would be to fund one fourth of the cost, carrying the program through June 21, and hope the WMB might take over then. Rick Alexander reported he was trying to identify a source of grant funding for four more years (\$168,000). The California Air Resources Board grant opportunity will open up in April, and he suggested seeking assistance from our local State Assembly member. The County Air Pollution Control District is another option, as is Supervisor Desmond’s discretionary fund. Mr. Alexander suggested meeting with Charlie Zender, who heads the AQM program, and will check on his availability, as well as David Garmon, who is also involved. Directors Duncan and Brecht expressed support for funding one fourth of the cost in 21, but Director Brecht wanted to identify where the money would come from and asked Mr. Alexander to continue to pursue grant funding. He also wanted to know how the data will be used. President Dice recommended postponing any decision until talking with Dr. Zender, and Mr. Poole agreed to invite him to the next Board meeting.

Mr. Alexander reported he attended an APCD webinar and learned that as an SDAC, Borrego would qualify for a grant to replace engines with zero emission engines in heavy equipment or trucks. Alan Asche has identified three or four pieces of equipment that would qualify.

D. Borrego Springs Basin Interim Watermaster Update: Director Duncan reported that the WMB would hear a report on the first Technical Advisory Committee meeting at this week's session. He went on to note that WMB Director Mark Jorgensen, the community member, does not have a representative on the TAC because he is not a pumper. Director Duncan suggested asking Mr. Jorgensen to share with BWD in accessing Dudek's input (as the BWD TAC representative). ***MSC: Brecht/Duncan allowing Mr. Jorgensen to have access to Dudek relative to the TAC. The motion passed by unanimous roll call vote of those present.***

Mr. Poole reported that the WMB might ask for BWD's assistance with the CASGEM groundwater monitoring program. More details will be presented at the next BWD meeting.

III. STAFF REPORTS

A. Water Sales and Revenues Update: Ms. Clabaugh presented a graph depicting water revenue, consumption and aging. The balance was just over \$339,000 for October, a six percent decrease from the previous month. A total of 57,500 units were sold, a nine percent decrease. She presented a three year average, showing a slight decline. Sewer revenues remain stable. There are a number of past due accounts; receivables increased about \$100,000 since February. Notices have been sent to customers who are critically overdue, and Ms. Garcia is working with some to establish payment plans.

IV. CLOSED SESSION:

A. Conference with Legal Counsel – Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Government Code Section 54956.9: (Two (2) potential cases):

B. Conference with Legal Counsel – Existing Litigation (BWD v. All Persons Who Claim a Right to Extract Groundwater, et al., San Diego Superior Court case no. 37-2020-00005776):

The Board adjourned to closed session at 11:00 a.m., and thereafter, the open session reconvened. There was no reportable action.

V. CLOSING PROCEDURE

The next Board Meeting is scheduled for November 24, 2020 at Borrego Water District, 806 Palm Canyon Drive, Borrego Springs, CA 92004. There being no further business, the Board adjourned.

standards? Dr. Zender explained that the measurements that the EPA mandates are only those taken by the EPA and the San Diego Air Quality Control Board. The UCI measurements may be used if taken for at least two years and they indicate mitigation is needed. Efforts are underway to calibrate the UCI equipment with the AQCB's. Director Brecht brought up concerns expressed during recent solar installations regarding dust-related health issues. Mr. Garmon said it was discussed with the APCD, and they said if UCI had robust data and their equipment was calibrated, they would be interested in the findings and might bring one of their federally qualified machines out to confirm them. Director Brecht asked for written confirmation, and Mr. Garmon agreed to pursue it.

(2) Is this data useful for CEQA requirements when fallowing? Dr. Zender explained that CEQA requires government agencies to inform the public of potential environmental impacts and reduce them. Work is underway to improve a model which could forecast air quality and address CEQA issues. Dr. Zender requested a more precise definition of AQM Region 1 (the agricultural area), and estimates of what land will be fallowed or is likely to be.

(3) Why are U.S. EPA standards being used when Borrego is surrounded by a State Park? Why are we not using wilderness air quality standards? Dr. Zender explained that the only difference between federal and wilderness standards is that wilderness standards measure visibility, but there is no actual standard for visibility. The trends are just tracked so declines can be mitigated. ***MSC: Duncan/Brecht approving a contribution of approximately \$11,500 to fund half of the UCI Air Quality Monitoring Program through June 2021. The motion passed by unanimous roll call vote of those present.*** Rebecca Falk asked Director Duncan to bring the action to the attention of the WMB Technical Advisory Committee.

B. Revisions for FY 2020-21 Budget and Capital Improvement Plan and Water and Sewer Rate Increases Effective January 1, 2021: Jessica Clabaugh referred to the Board's action earlier this year to defer the rate increases (six percent for water and four percent for sewer) approved in 2016 under Proposition 218. She explained adjusted expenses in the 20-21 budget, including the WMB BPA and legal expenses. Changes to the CIP approved in October were also included, and she changed from cash basis to accrual per Director Brecht's request. Director Brecht noted the addition of \$11,500 for air quality monitoring, just approved.

Ms. Clabaugh explained the four alternate scenarios for implementing the deferred rate increase. (1) No rate increase; (2) one rate increase for the full amount; (3) two equal rate increases, January 1 and April 1; (4) incremental increases each month until the six/four percent increases are attained. ***MSC: Duncan/Brecht approving two equal rate increases, January 1 and April 1. The motion passed by unanimous roll call vote of those present.*** Director Brecht requested a draft budget package for Board approval with changes, which will then be submitted to the bank.

C. Cost of Service Study: Mr. Poole reported he would have more information about the COS study in December. Ms. Clabaugh has been working with Fieldman, Rolapp and Raftelis, and the model is being finalized. Director Brecht had some changes he will forward to Mr. Poole.

D. Water Leak Billing Adjustment for BWD Customers: Diana Del Bono explained that the most significant change to the water leak adjustment policy, as recommended by staff, is the method of calculating the adjustment. Now the excess above the customer's average bill is written off. Now staff suggests that the excess over the average bill be charged at 91 cents per unit, covering the cost of power. Other changes include requirements to report the leak within a certain time period and submit a statement showing it has been repaired. Currently, a two-month adjustment is authorized, but the recommendation is to reduce it to one month with possible consideration of a second month. The information will be posted on the BWD website. ***MSC: Johnson/Brecht approving the revised water leak billing adjustment policy as presented. The motion passed by unanimous roll call vote of those present.***

E. Request from Anza Borrego Foundation for Acquisition of Wilcox Property and Authorization to Initiate Appraisal Process (ABF funded): Mr. Poole reported that Dick Troy, President of the Anza-Borrego Foundation, had written to President Dice to express interest in acquiring the 160-acre Wilcox site in Glorietta Canyon owned by BWD. The District was originally considering it as a water treatment plant site, but this now appears unlikely. Even if it were needed, BWD would need only 20 acres. Upon Board approval, the next step would be to obtain an appraisal, for the entire 160 acres or alternatively 140 acres with the District to retain 20. Director Brecht pointed out that if BWD were to retain 20 acres and develop it, it could detract from views in the area that ABF is trying to preserve. President Dice suggested selling 140 acres and trading 20 for a more appropriate treatment plant or well site. ***MSC: Johnson/Duncan authorizing staff to proceed with the appraisal (both alternates) and investigate other property for a potential trade. The motion passed by unanimous roll call vote of those present.*** Director Duncan requested an inventory of property owned by the District and the likelihood of its being used. Mr. Poole agreed to compile it. Director Brecht noted an important upcoming issue, whether when the District purchases pumping allocations, the land comes with it.

F. San Diego County Water Authority Regional Conveyance System Activities/Correspondence: Mr. Poole reported that on November 5, approximately 50 stakeholders attended a workshop conducted by SDCWA on RCS issues related to Borrego Springs. Representatives of SDCWA were present, along with David Garmon from the Tubb Canyon Desert Conservancy and Dick Troy from ABF. Last Thursday the SDCWA Board took action to continue with Phase B of the RCS study, including alternate routes along Interstate 8 and through Borrego Springs. They are looking for potential partners. Director Brecht noted that Phase B should take 12 to 18 months, and BWD should be prepared to pay \$200,000 for an independent analysis if the Borrego route is selected.

Discussion followed regarding a public comment letter from Wieslaw Czajkowski regarding the RCS, desalination and other matters. Mr. Poole agreed to draft a response for President Dice's review.

G. Interim Borrego Springs Subbasin Watermaster Board:

1. CASGEM Monitoring by BWD Staff. Mr. Poole reported that BWD has been monitoring nine wells as part of a State program, and it has now been included in the WMB budget. The WMB has requested that BWD continue the monitoring, and WMB will reimburse BWD. The rate would be based on Alan Asche's salary, benefits and overhead. The WMB will take care of other monitoring. Wildermuth Environmental, the company which employs the WMB Executive Director and Technical Consultant, is now West Yost.

2. Update on Board Activities. Director Duncan reported that at the last WMB meeting, a subcommittee of Directors Bennett and Jorgensen was formed to begin the creation of an Environmental Working Group. Mr. Poole reported that the WMB participated in the October 30 Stewardship Council meeting. President Dice noted that Steve Anderson explained the Stipulated Agreement and lawsuit. Samantha Adams talked about her role as Executive Director, and Director Jorgensen explained his role as community representative and how to reach him.

II. STANDING AND AD-HOC BOARD COMMITTEE REPORTS

A. STANDING:

1. Operations and Infrastructure. President Dice noted that a new member of the Committee would need to be appointed to replace Director Delahay.

B. AD-HOC:

a. Stipulated Judgment Implementation. No report.
b. Risk Management/Pandemic. In response to Director Brecht, Mr. Poole confirmed that staff was still complying safety measures including masks and social distancing.

- c. Grant Funding. No report.
- d. Association of California Water Agencies/Joint Powers Authority. No report.
- e. Organizational Staffing. No report.
- f. Prop 218 and BWD Developers' Policy. No report.

III. MONTHLY FINANCIAL & OPERATIONS REPORTS

A. Financial Reports: October 2020: Ms. Clabaugh reported that the Accounts Receivables decreased by \$33,000, The September billing was unusually high. Operations and Maintenance costs were as expected. A premium payment of \$28,000 was made to JPIA. Other significant costs included legal and engineering related to the WMB and debt service. Work is continuing on the De Anza pipeline, and there was some maintenance on Production Well 1. Downstream did some work on the sewer systems. Ms. Clabaugh reported she was working on the draft audit and has submitted all requested items to the auditors. Director Brecht requested a copy of the draft audit.

B. Water and Wastewater Operations Report: October 2020: The Water and Wastewater Operations Report was included in the Board package.

C. Water Production/Use Records: October 2020: The Water Production/Use Records were included in the Board package.

IV. STAFF REPORTS

1. Deferred to December Meeting.

V. CLOSED SESSION

A. Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code paragraph (3) of subdivision (d) of Section 54956.9 (Two (2) potential cases):

B. Conference with Legal Counsel – Existing Litigation (BWD v. All Persons Who Claim a right to Extract Groundwater, et al. (San Diego Superior Court case no. 37-2020-00005776)):

The Board adjourned to closed session at 12:10 p.m., and thereafter, the open session reconvened. There was no reportable action.

VI. CLOSING PROCEDURE

The next Board Meeting is scheduled for December 8, 2020, to be available on line. See Board Agenda at BorregoWD.org for details, available at least 72 hours before the meeting. There being no further business, the meeting adjourned.

BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 22, 2020
AGENDA ITEM II.A

December 15, 2020

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: RESOLUTION NO 2020-12-01 OF THE BOARD OF DIRECTORS OF BORREGO WATER DISTRICT AWARDING A CONSTRUCTION CONTRACT TO AND AUTHORIZING THE DISTRICT PRESIDENT OR HER DESIGNEE TO EXECUTE THE CONTRACT WITH THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER SUBMITTING A RESPONSIVE BID, SOUTHWEST DRILLING, IN THE AMOUNT OF \$857,250 FOR THE ID-5X WELL PROJECT; MAKING CEQA-RELATED FINDINGS AND AUTHORIZING STAFF TO FILE NOTICE OF EXEMPTION

RECOMMENDED ACTION:

Approve Contract with Southwest

ITEM EXPLANATION:

Bids were opened on December 8th, as follows:

Contractor	Base	Noise	Total
Southwest	\$822,250	\$35,000	\$857,250
Best	838,300	26,000	864,300
Zim	932,855	30,800	963,655
Layne	939,860	100,000	1,039,860

The attached Resolution approves the Contract and Notice of Exemption for the Project.

NEXT STEPS:

1. Sign Contracts and begin construction

FISCAL IMPACT:

\$857,250

ATTACHMENTS:

1. Resolution, Notice of Exemption and Justification

RESOLUTION NO 2020-12-01 OF THE
BOARD OF DIRECTORS OF BORREGO WATER DISTRICT AWARDING A CONSTRUCTION
CONTRACT TO AND AUTHORIZING THE DISTRICT PRESIDENT OR HER DESIGNEE TO
EXECUTE THE CONTRACT WITH THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER
SUBMITTING A RESPONSIVE BID, SOUTHWEST DRILLING, IN THE AMOUNT OF \$857,250
FOR THE ID-5X WELL PROJECT; MAKING CEQA-RELATED FINDINGS AND AUTHORIZING
STAFF TO FILE NOTICE OF EXEMPTION

WHEREAS, Borrego Water District desires to install a new Extraction Well ID-5X at Tilting T at Di Giorgio Road, located at Assessor's Parcel Number 198-27-013, which is an approximately 36.53 acre predominantly undeveloped parcel located ("Project"); and

WHEREAS, Borrego Water District wishes to enter into a contract agreement for the installation of the Project, which will include drilling, constructing, developing, pump testing, and disinfecting of one extraction well; and

WHEREAS, Borrego Water District Board of Directors authorized staff to advertise for bids for the installation of the Project; and

WHEREAS, the bid opened on December 8, 2020, resulted in the District receiving 4 sealed/electronic bid proposals in response to its request for bids; and

WHEREAS, the lowest responsible bidder submitting a responsive bid is with a total contract bid in the amount of \$857,250; and

WHEREAS, no bid protest was filed with the District within five (5) days of the bid opening as set forth in the Project specifications; and

WHEREAS, staff recommends the District award a construction contract to Southwest Drilling, the lowest responsible bidder submitting a responsive bid for the Project, and authorize the District Manager to execute a contract in the amount of \$857,250 in accordance with State law.

NOW, THEREFORE, be it resolved by the Board of Directors of the Borrego Water District, as follows:

1. The Board of Directors has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The Board of Directors finds that the construction contract should be awarded to Southwest Drilling as the lowest responsible and responsive bidder for the Project.
3. The Board of Directors hereby awards the construction contract to and authorizes the District President or her designee to execute the contract and related documents with the lowest responsible bidder submitting a responsive bid, Southwest Drilling, in the amount of \$857,250 for the Project.

4. Based on the entire record before Borrego Water District, including all written and oral evidence presented, the Board of Directors finds that the approval of the Project, including the award and execution of the construction contract, is categorically exempt from further CEQA review under State CEQA Guidelines section, which applies to the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The Guidelines provide that water mains, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length are allowed within this class of exemptions to serve such construction of new facilities. Here, the Project is categorically exempt under Section 15303 as it consists of the construction of a new, small structure, the Extraction Well ID-5X. None of the exceptions to the categorical exemption applies, and consequently, this action is exempt from further CEQA review.

5. The Board of Directors hereby directs that all documents and other materials constituting the record of proceedings related to this Resolution be maintained by the General Manager of the Borrego Water District, or his designee, on file at the Borrego Water District, 806 Palm Canyon Drive, Borrego Springs, California 92004.

6. The Board of Directors directs Staff to file a Notice of Exemption with the County Clerk for the County of San Diego within five (5) days from the adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Borrego Water District held on the 22nd day of December 2020, by the following vote:

Ayes:

Noes:

Absent:

President, Board of Directors of
Borrego Water District

ATTEST:

Secretary of the Board of Directors of
Borrego Water District

-

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: San Diego County

1600 Pacific Highway, Room 260

San Diego, CA 92101

From: (Public Agency): Borrego Water District

806 Palm Canyon Drive

Borrego Springs, CA 92004

(Address)

Project Title: Borrego Water District 2nd Production Well Location

Project Applicant: Borrego Water District, 806 Palm Canyon Drive, Borrego Springs, CA 92004; (760) 767-5806

Project Location - Specific:

APN: 198-27-013

Project Location - City: Borrego Springs

Project Location - County: San Diego

Description of Nature, Purpose and Beneficiaries of Project:

The Borrego Water District (District) is planning for the drilling and installation of a second new production well as part of the District's ongoing Capital Improvement Plan. The second new production well is planned to be drilled on assessor's parcel number (APN) 198-27-013, which is an approximate 36.53 acre predominantly undeveloped parcel located in the Central Management Area near the Borrego Springs Resort and west of Club Circle Resort Golf Course. The parcel is located near existing District production wells ID5-4 and ID5-5. A Phase I Environmental Site Assessment (ESA) has been prepared for the parcel as part of the District's acquisition of the parcel from the Borrego Springs Unified School District. The second production well is a replacement well for inactive wells ID4-2 and ID4-10. The project will be funded by a combination of private bonds and a \$250,000 Department of Water Resources (DWR) grant for Counties with Stressed Basins. The project would consist of property acquisition, pre-construction focused biological resource surveys, site preparation (minimal site grading of approximately 100' by 100' area for the well pad, fencing of a portion of the property, well drilling and construction, aquifer testing, water quality sampling, pump and motor installation, a concrete pad for the pumphouse, and electrical panels and connection to SDG&E electrical.

Name of Public Agency Approving Project: Borrego Water District

Name of Person or Agency Carrying Out Project: Borrego Water District

Exempt Status: **(check one):**

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: Class 3 - New Construction or Conversion of Small Structures - § 15303

Statutory Exemptions. State code number: _____

Reasons why project is exempt:

This project is a new production well as part of the Borrego Water District's ongoing Capital Improvement Plan. The new production well proposed is a replacement well for inactive District wells ID4-2 and ID4-10. Please see attached Justifications for CEQA Exemption, Class 3 S15303.

Lead Agency

Contact Person: Geoff Poole, General Manager Area Code/Telephone/Extension: (760) 767-5806

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? ■ Yes No

Signature: _____ Date: _____ Title: _____

■ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

JUSTIFICATION FOR CEQA EXEMPTIONS

BORREGO WATER DISTRICT 2ND PRODUCTION WELL LOCATION

[Attach to Notice of Exemption]

Description of Project: Borrego Water District (District) is planning the development of a second new production well (well ID5-X) as part of the District's ongoing Capital Improvement Plan. The second new production well is planned to be drilled on assessor's parcel number (APN) 198-27013, which is an approximate 36.53 acre predominantly undeveloped parcel located near the intersection of Tilting T Drive and Di Giorgio Road in the Country Club pressure zone. The project site is adjacent to the Borrego Springs Resort and west of Club Circle Resort Golf Course (Figure 1, Project Location).

The proposed production well is located near existing District production wells ID5-4 and ID5-5 in the Central Management Area. The new well would serve as a backup production well for ID55, which is currently the only well serving the Country Club pressure zone. The new production well would serve as a replacement well for former production wells ID4-2 and ID4-10 located in the Country Club pressure zone that have been converted to monitoring wells. The drilling and construction of the new production well is not expected to result in an increase of the total annual water production of the District. The new production well is meant to provide a secondary supply source for the Country Club pressure zone and provide the District with additional operational flexibility for management and maintenance of District water supply infrastructure.

The project will consist of property acquisition, site preparation (minimal site grading of approx. 100 ft. by 100 ft. area for well pad), fencing of portion of property, well drilling and construction, aquifer testing, water quality sampling, pump and motor installation, a concrete pad for the pumphouse, and electrical panels and connection to SDG&E electrical. The project will be funded with private bonds. On December 22 2020, the District Board of Directors awarded a construction contract to Southwest Drilling for installation of the Project .

Applicable CEQA Exemptions: The District hereby makes a factual determination that the above-described activities fit within the following CEQA categorical exemption and are supported by substantial evidence:

Class 3 – New Construction or Conversion of Small Structures – CEQA Guidelines § 15303. Under CEQA, the Class 3 Categorical Exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Of the exemption examples ((a) through (f)) provided under Class 3, example (d) best covers the purpose of the proposed project: *(d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.*

Minor Scope of Work and Insignificant Environmental Impacts

The development of a new production well that would serve as a replacement well for former production wells constitutes a small construction project falling within the category of projects exempt from CEQA under this Guideline section.

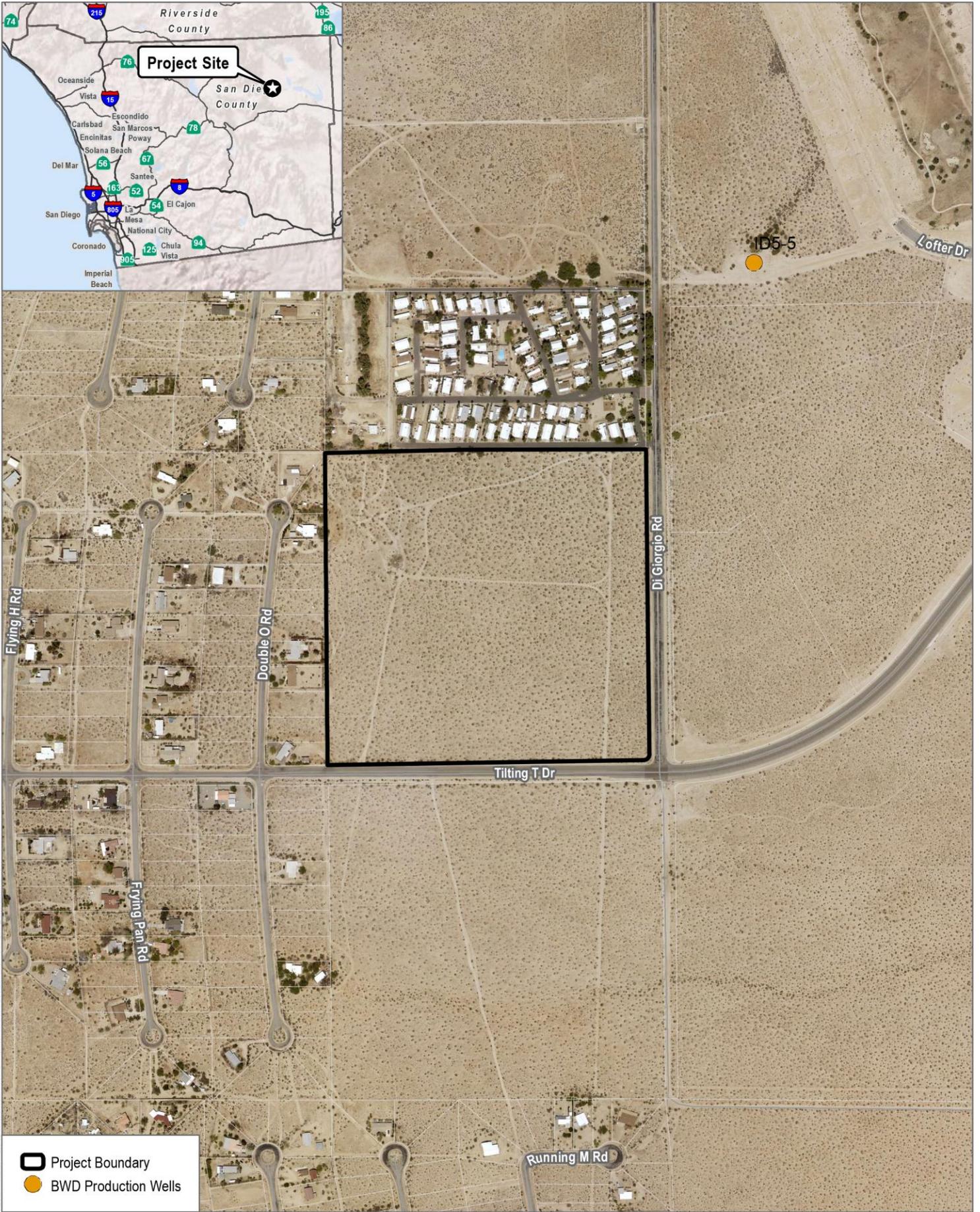
The project site is characterized as a generally undeveloped land with dirt roads intersecting the area. Rural residential development is found within the north and western boundaries of the study area, and the south and eastern boundaries are bordered by paved and developed roads and undeveloped land. Of the approximately 36.53-acre site, the permanent disturbance area for the second production well is approximately 2.06 acres. The project will consist of property acquisition, site preparation (minimal site grading of approx. 100' by 100' area for the well pad), fencing of a portion of the property, well drilling and construction, aquifer testing, water quality sampling,

pump and motor installation, a concrete pad for the pumphouse, and electrical panels and connection to SDG&E electrical. The new well would pump into the existing 10-inch polyvinyl chloride (PVC) water line in Tilting T Drive. The new well injection location is just downstream of a dedicated pump outlet line for Well ID5-5, which supplies the Country Club tank. Adjacent well ID5-5 is located approximately 1,900 ft. from the proposed location of the new well.

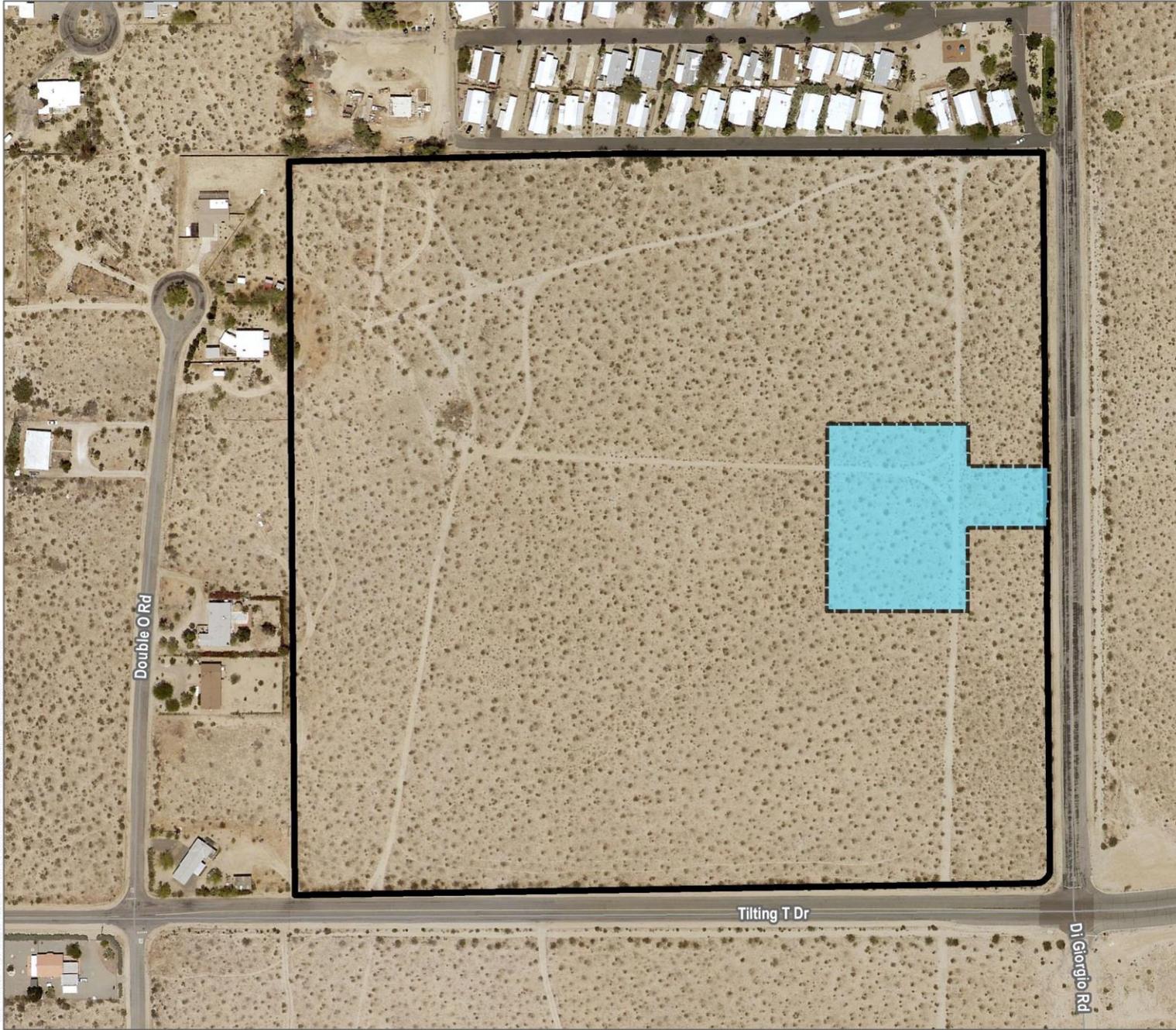
The construction work associated with the proposed project would include the drilling, constructing, developing, pump testing, and disinfecting of one extraction well. The extraction well is to be drilled into the unconsolidated deposits of the Borrego Springs Groundwater Subbasin to a depth of approximately 800 feet using direct or reverse circulation mud-rotary drilling. In addition to the drill rig for the well, construction equipment will likely include tractors, delivery trucks, and construction worker vehicles. The construction phase of the project is estimated to take approximately four months. All construction activities will be localized to the project footprint (Figure 2, Project Footprint). Construction would be minimal and short in duration and would be limited to the hours of 7am and 7pm in accordance with the County Code §36.409. All well and water levels would continue to be monitored by the District in accordance with existing practices and responsibilities.

A Phase I Environmental Site Assessment (ESA) has been prepared for the parcel as part of the District's acquisition of the parcel from the Borrego Springs Unified School District. The Phase I ESA revealed no evidence of RECs, controlled RECs, or historical RECs in connection with the subject property. To support the Notice of Exemption (NOE) and Environmental Checklist, a Biological Resources Memorandum and Cultural Resources Inventory Report were prepared for the project. The Biological Resources Memorandum found that no federal or state-listed species were found to have a potential to occur on site. There is a total of three special-status plant species with a moderate potential to occur and six special-status wildlife species with moderate potential to occur on site. However, with implementation of best management practices and proposed regulatory requirement measures, and because disturbances would be minor and primarily occur in previously disturbed areas, it was determined the project would result in less than significant impacts to these biological resources. Pre-construction nesting bird and burrowing owl surveys should be conducted prior to ground disturbance as required by laws, regulations, and policies (regulatory requirements). The Cultural Resources Inventory Report did not identify any resources recommended as significant under CEQA, or eligible for listing on the California Register of Historical Resources (CRHR).

Accordingly, the District finds that the development of the new production well falls within the scope of this Class 3 exemption. The proposed new production well represents an area and project purpose consistent with Class 3 Categorical Exemption requirements. Finally, the analysis of the CEQA Initial Study - Environmental Checklist Form and Technical Memorandums completed for the project provides further information on the minor scope of work and less-than-significant environmental impacts.



SOURCE: SanGIS 2017; Open Street Map 2019



SOURCE: SanGIS 2017; Open Street Map 2019

FIGURE 2
Project Footprint

BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 22, 2020
AGENDA ITEM II.B

December 15, 2020

TO: Board of Directors
FROM: Geoffrey Poole, General Manager
SUBJECT: Bi-Ennial Conflict of Interest Code Review – E Garcia

RECOMMENDED ACTION:

Approve Conflict of Interest Code

Adopt Resolution 2020-12-02 RESOLUTION OF THE BOARD OF DIRECTORS OF THE BORREGO WATER DISTRICT AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

ITEM EXPLANATION:

BWD is required to review and revise its Conflict of Interest Code every two years. Esmeralda has been working with our Legal Counsel, BB&K, and attached is a report on the recommended changes for 2021.

NEXT STEPS:

1. Amend Conflict of Interest Code

FISCAL IMPACT

N/A

ATTACHMENTS:

1. General Counsel Staff Report
2. Revised Conflict of Interest Code Red Line
3. Notice of Intent
4. 18730. Provisions of Conflict of Interest Codes.
5. Conflict of Interest Code Final
6. Resolution 2020-12-02

DATE: December 15, 2020
TO: Board of Directors
FROM: General Counsel
RE: **ADOPT RESOLUTION 2020-12-01 TO AMEND THE CONFLICT OF INTEREST CODE**

FORM MOTION

It is recommended that the Board of Directors adopt Resolution No. 2020-12-01 amending the Conflict of Interest Code of the Borrego Water District (the “District”).

BACKGROUND

The Political Reform Act (the “Act”) requires all public agencies to adopt and maintain a Conflict of Interest Code containing the rules for disclosure of personal assets. The Conflict of Interest Code must specifically designate all agency positions that make or participate in the making of decisions and assign specific types of personal assets to be disclosed that may be affected by the exercise of powers and duties of that position.

The Act further requires that agencies regularly review and update their Codes as necessary when directed by the code-reviewing body or when change is necessitated by changed circumstances (Sections 87306 and 87306.5). The County Board of Supervisors is the District’s code-reviewing body and directed that the Code be reviewed as required under the Act. During this review, staff found that amendments to the Code are necessary.

Attached is a redlined version of the proposed amended Code showing that the revisions of the Conflict of Interest Code are required to include a new position that must be designated and clarify disclosure requirements..

CONCLUSION

Adopt Resolution No. 2020-12-01 amending the Conflict of Interest Code of the District and directing that such amendment be submitted to the San Diego County Board of Supervisors as the District’s code-reviewing body (Gov. Code § 82011) requesting approval of the amendment as required under Government Code section 87303.

Attachment: Legislative (redlined) version of proposed amended Conflict of Interest Code.

**BORREGO WATER DISTRICT
NOTICE OF INTENTION TO ADOPT A
CONFLICT OF INTEREST CODE OF THE**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Borrego Water District intends to adopt a Conflict of Interest Code pursuant to Government Code Section 87300.

A conflict of interest code designates those employees, members, officers and consultants who make or participate in the making of decisions which may affect financial interests and are subject to the disclosure requirements of the District's Code. The District's proposed amendment is to include a new position that must be designated and clarify disclosure requirements.

The proposed Conflict of Interest Code will be considered by the Board of Directors on December 22, 2020, at 9:00 am. The meeting will be conducted pursuant to the provisions of the Governor's Executive Order N-29-20 dated March 17, 2020 and will be held telephonically only. Any interested person may be present telephonically and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Esmeralda Garcia, Administrative Assistant, Borrego Water District, 806 Palm Canyon Dr., Borrego Springs, CA 92004; (760) 767-5806; esmeralda@borregowd.org . Written comments must be submitted no later than December 22, 2020, at 9:00 am.

Copies of the proposed amended Code obtained from the Administrative Assistant.

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE
OF THE
BORREGO WATER DISTRICT

CONFLICT OF INTEREST CODE OF THE BORREGO WATER DISTRICT

(Adopted ~~October 24, 2018~~December 22, 2020)

The Political Reform Act, (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, (2 Cal. Code of Regs. § 18730), that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code after public notice and hearing. Regulation 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulation section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This Incorporation Page, Regulation 18730, and the attached Appendix, disclosure categories, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of **BORREGO WATER DISTRICT** ("District").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **{Administrative Assistant}** as the District's Filing Officer. The **{Administrative Assistant}** shall make and retain a copy of all statements filed by the Board of Directors and General Manager and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **{Administrative Assistant}** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
BORREGO WATER DISTRICT

(Amended ~~October 24, 2018~~ December 22, 2020)

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3(b), are NOT subject to the District’s Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are Officials who manage public investments¹. These positions are listed here for informational purposes only.

Members of the Board of Directors

Finance Officer

Investment Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> TITLE OF FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
Engineer	2, 3, 5
General Counsel	1, 2
General Manager	1, 2
Operations Manager	4
Consultants and New Positions ²	

² Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the District, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

**BORREGO WATER DISTRICT
NOTICE OF INTENTION TO ADOPT A
CONFLICT OF INTEREST CODE OF THE**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Borrego Water District intends to adopt a Conflict of Interest Code pursuant to Government Code Section 87300.

A conflict of interest code designates those employees, members, officers and consultants who make or participate in the making of decisions which may affect financial interests and are subject to the disclosure requirements of the District's Code. The District's proposed amendment is to include a new position that must be designated and clarify disclosure requirements.

The proposed Conflict of Interest Code will be considered by the Board of Directors on December 22, 2020, at 9:00 am. The meeting will be conducted pursuant to the provisions of the Governor's Executive Order N-29-20 dated March 17, 2020 and will be held telephonically only. Any interested person may be present telephonically and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Esmeralda Garcia, Administrative Assistant, Borrego Water District, 806 Palm Canyon Dr., Borrego Springs, CA 92004; (760) 767-5806; esmeralda@borregowd.org . Written comments must be submitted no later than December 22, 2020, at 9:00 am.

Copies of the proposed amended Code obtained from the Administrative Assistant.

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories

are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$500.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$500 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected

officer has been elected or over which that elected officer's agency has direction and control.

This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action.

Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The

fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

CONFLICT OF INTEREST CODE
OF THE
BORREGO WATER DISTRICT

CONFLICT OF INTEREST CODE OF THE BORREGO WATER DISTRICT

(Adopted December 22, 2020)

The Political Reform Act, (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, (2 Cal. Code of Regs. § 18730), that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code after public notice and hearing. Regulation 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulation section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This Incorporation Page, Regulation 18730, and the attached Appendix, disclosure categories, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of **BORREGO WATER DISTRICT ("District")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative Assistant** as the District's Filing Officer. The **Administrative Assistant** shall make and retain a copy of all statements filed by the Board of Directors and General Manager and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Administrative Assistant** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
BORREGO WATER DISTRICT

(Amended December 22, 2020)

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3(b), are NOT subject to the District’s Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are Officials who manage public investments¹. These positions are listed here for informational purposes only.

Members of the Board of Directors

Finance Officer

Investment Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OF FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Engineer	2, 3, 5
General Counsel	1, 2
General Manager	1, 2
Operations Manager	4
Consultants and New Positions ²	

² Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The General Manger's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

PART “B”

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in or own real property within the jurisdiction of the District.

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

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

RESOLUTION NO. 2020-12-02

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BORREGO WATER DISTRICT AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code section 81000 et seq. (the “Act”), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Borrego Water District (the “District”) and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the “Code”) which was amended on October 24, 2018, in compliance with the Act; and

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

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

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided each affected designated employee and publicly posted for review; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on December 22, 2020, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Borrego Water District that the Board of Directors:

Section 1. The Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto;

Section 2. The amended Code shall be on file with the Administrative Assistant and available to the public for inspection and copying during regular business hours.

Section 3. That the amended Code shall be submitted to the San Diego County Board of Supervisors for approval and shall become effective immediately upon approval by the Board of Supervisors.

APPROVED AND ADOPTED this 22 day of December, 2020.

President, Board of Directors of
Borrego Water District

ATTEST:

Secretary of the Board of Directors of
Borrego Water District

BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 22, 2020
AGENDA ITEM II.C

December 15, 2020

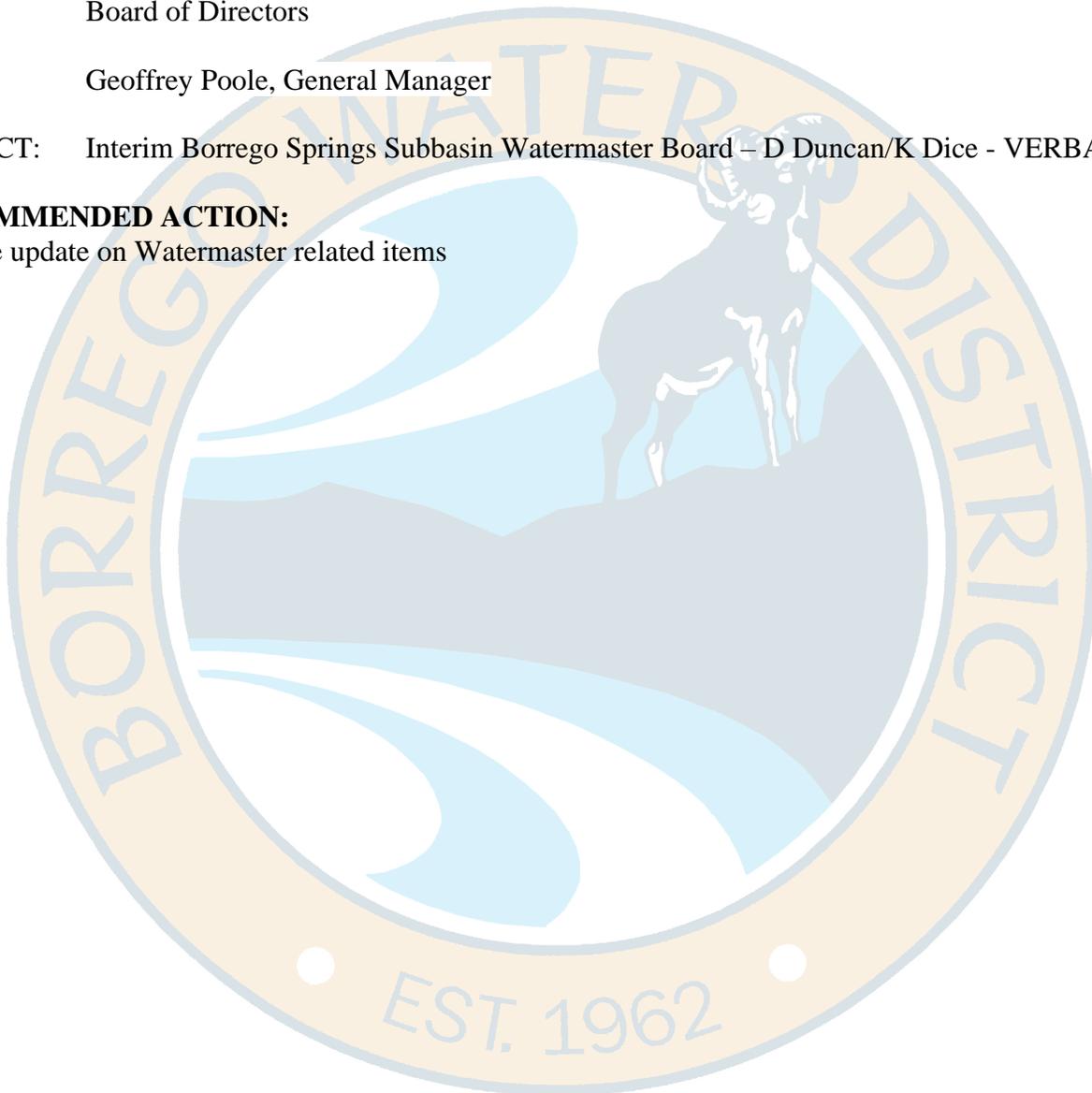
TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Interim Borrego Springs Subbasin Watermaster Board – D Duncan/K Dice - VERBAL

RECOMMENDED ACTION:

Receive update on Watermaster related items



BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 22, 2020
AGENDA ITEM II.G.i

December 15, 2020

TO: Board of Directors
FROM: Geoffrey Poole, General Manager
SUBJECT: Proposition 218 Schedule and Outreach Process – K Dice/T Baker/ G Poole

RECOMMENDED ACTION:

Receive information on Proposition 218 History/Process and Draft Schedule of Outreach

ITEM EXPLANATION:

Following is a summary of the Proposition 218 history and process as well as the Draft Schedule of Outreach efforts. President Dice, Director Baker and I will return in January with our ideas on content/message to be used during the Outreach. The 3 of us would appreciate a verbal conversation at the Meeting with the Directors on their thoughts before we begin to put the info together.

ISSUE

The Borrego Water District (the “District”) is considering adopting property related fees for water and sewer service (the “Fees”). The Fees are subject to article XIII D, section 6 of the California Constitution, commonly known as Proposition 218. This memo provides a procedural checklist for adopting such Fees.

ANALYSIS

The Fees are subject to article XIII D, section 6 of the California Constitution (“Article XIII D”). Article XIII D contains both procedural and substantive requirements for the adoption of property-related fees. The substantive requirements ensure that property related fees do not exceed the proportional cost of service, do not generate revenue in excess of the amounts necessary to provide the property related service, and are not used for providing unrelated services such as police, fire, or other utility services.

Additionally, Article XIII D sets forth the procedural requirements for adoption of property related fees:

1. The District must identify all of the parcels upon which the Fees will be imposed;
2. The District must determine and identify the rate for the Fees to be imposed upon each parcel.
 - a. This is usually accomplished through inclusion of a rate table, which lists the various customer classes and the applicable rates.
 - b. This must include sufficient detail to allow owner or customers of record to know their overall Fee based on the categories included in the rate table, or to

estimate what the total Fee will be if the rates include a variable component based on consumption.

- c. It would not be possible to include the exact rate for each identified parcel where some component of the rate is variable, nor is this required under Article XIII D. The District must only identify the rate for the Fees.
3. The District must provide written notice to the record owner of each identified parcel, as well as the customer of record for each parcel, which must include (at a minimum) the following information:
 - a. Identify that the parcel will be subject to the Fees;
 - b. Identify the amount of the Fees proposed to be charged upon each parcel;
 - c. Describe the basis upon which the amount of the Fees was calculated;
 - d. Explain the reasons for the increases to the Fees;
 - e. State the date, time, and location of the public hearing; and
 - f. Include any procedures for the public hearing, including how protests must be filed, information that must be included on the protest for it to be accepted, and other information the District wishes to provide;
 4. At least 45 days after mailing, the District must hold a public hearing:
 - a. At the hearing, the District must consider all protests;
 - b. If **written** protests (which will not include oral protest or communications made at the hearing) are filed by a majority of owners or customers of record of separate parcels, the District is prohibited from imposing the Fee;
 5. Automatic adjustments for inflation or wholesale cost increases may be included for the Fees:
 - a. The methodology must be included in the notice described above;
 - b. The automatic adjustments may only last for 5 years; and
 - c. Notice must be mailed to each property owner and customer of record at least 30 days in advance of any automatic adjustments.

**Proposition 218 Rate Setting
Process DRAFT Outreach Schedule
English and Spanish**

BWD Board Meeting- December 22, 2020

Discuss Outreach Content Ideas

Social Media Campaign Throughout – 92004 and Website Updates

BWD Newsletter - January 1, 2021

Overview of 218, Explain Process/Schedule

BWD Newsletter - February 1, 2021

Reminder about Process/Schedule/Message

Notification of Virtual Town Hall

Sun Article - February 11, 2021

Overview of Prop 218, Explain Process/Schedule/Message

BWD Newsletter - March 1, 2021

Announce Agenda for Town Hall, Agenda, Message

Sun Article - March 16, 2021

Announce Agenda for Town Hall, Agenda, Message

Town Hall - March 25, 2021

218 Rate Setting, Watermaster/Stipulation and ???

Distribute Notices (at Least 45 days before Public Hearing) - April 13, 2021

Home Owners Association and Stakeholder Group Meetings Outreach - April-May 2021

Message and Share Recommendations/Justification

Hold Public Hearing - May 25, 2021

Receive Input

Adopt Rate Resolution – June 8, 2021

Board Approval for water use after July 1, 2021

IV.A
NOVEMBER 2020 FINANCIALS





TREASURER'S REPORT November 2020

	Bank Balance	Carrying Value	Fair Value	<u>% of Portfolio</u> Current Actual	Rate of Interest	Maturity	Valuation Source
Cash and Cash Equivalents:							
Demand Accounts at CVB/LAIF							
General Account/Petty Cash	\$ 4,077,932	\$ 3,888,703	\$ 3,888,703	54.14%	0.00%	N/A	CVB
Payroll Account	\$ 119,490	\$ 106,705	\$ 106,705	1.49%	0.00%	N/A	CVB
MMA (Bond Funds)	\$ 1,159,452	\$ 1,088,216	\$ 1,088,216	15.15%	2.22%	N/A	CVB
CIP Bond Funds Checking	\$ 119,824	\$ 41,214	\$ 41,214	0.57%	0.00%	N/A	CVB
LAIF	\$ 2,057,787	\$ 2,057,787	\$ 2,057,787	28.65%	2.45%	N/A	LAIF
Total Cash and Cash Equivalents	<u>\$ 7,534,486</u>	<u>\$ 7,182,625</u>	<u>\$ 7,182,625</u>	<u>100.00%</u>			
Facilities District No. 2017-1A-B							
Special Tax Bond- Rams Hill -US BANK	\$ 67,434	\$ 67,434	\$ 67,434				
Total Cash,Cash Equivalents & Investments	<u>\$ 7,601,920</u>	<u>\$ 7,250,059</u>	<u>\$ 7,250,059</u>				

Cash and investments conform to the District's Investment Policy statement filed with the Board of Directors on June 24, 2019

Cash, investments and future cash flows are sufficient to meet the needs of the District for the next six months.

Sources of valuations are CVB Bank, LAIF and US Trust Bank.

Jessica Clabaugh, Finance Officer

**Borrego Water District
Cash Flow
November 2020**

	6/23/2020 ADOPTED BUDGET 2020-2021	Actual November 2020	Projected November 2020	Difference Explanations	Actual YTD 2020-2021
WATER REVENUE					
Residential Water Sales	884,704	80,922	76,261		460,380
Commercial Water Sales	455,153	42,556	39,234		218,716
Irrigation Water Sales	207,629	18,363	17,898		122,302
GWM Surcharge	177,564	15,865	15,306		89,620
Water Sales Power Portion	475,237	43,620	40,965		246,435
TOTAL WATER COMMODITY REVENUE:	2,200,286	201,326	189,665		1,137,452
Readiness Water Charge	1,240,486	101,144	100,853		505,729
Meter Install/Connect/Reconnect Fees	1,768	-	144		7,778
Backflow Testing/installation	5,228	-	50		294
Bulk Water Sales	2,501	1,368	203		2,521
Penalty & Interest Water Collection	34,850	235	2,833	No Penalty(CV)	1,190
TOTAL WATER REVENUE:	3,485,119	304,074	293,747		1,654,964
PROPERTY ASSESSMENTS/AVAILABILITY CHARGES					
641500 1% Property Assessments	55,000	4,241	4,583		8,053
641502 Property Assess wtr/swr/ffd	75,000	2,437	6,250		3,605
641504 Water avail Standby	91,000	14,641	7,583		21,486
641503 Pest standby	14,000	1,187	1,167		1,935
TOTAL PROPERTY ASSES/AVAIL CHARGES:	235,000	22,505	19,583		35,078
SEWER SERVICE CHARGES					
Town Center Sewer Holder fees	199,983	20,275	16,387		101,374
Town Center Sewer User Fees	98,847	8,305	8,100		41,527
Sewer user Fees	293,189	24,678	24,024		124,021
TOTAL SEWER SERVICE CHARGES:	592,018	53,259	48,510		266,922
OTHER INCOME					
Interest Income	76,000	-	4,000		7,157
TOTAL OTHER INCOME:	76,000	-	4,000		7,157
TOTAL INCOME:	4,388,137	379,838	365,840		1,964,121
CASH BASIS ADJUSTMENTS					
Decrease (Increase) in Accounts Receivable		225,981			
TOTAL CASH BASIS ADJUSTMENTS:		225,981			
TOTAL OPERATING INCOME RECEIVED:	4,388,137	608,137			

<u>EXPENSES</u>	<u>ADOPTED BUDGET 2020-2021</u>			<u>Actual Q1 2020-2021</u>
<u>MAINTENANCE EXPENSE</u>				
R & M Buildings & Equipment	250,000	20,498	20,833	55,938
R & M - WTF	120,000	2,766	10,000	13,332
Telemetry	10,000	-	833	3,914
Trash Removal	5,500	527	458	2,373
Vehicle Expense	18,000	1,155	1,500	6,356
Fuel & Oil	<u>35,000</u>	<u>2,828</u>	<u>2,917</u>	<u>14,072</u>
TOTAL MAINTENANCE EXPENSE:	438,500	27,774	36,542	95,983
<u>PROFESSIONAL SERVICES EXPENSE</u>				
Tax Accounting (Taussig)	3,000	-	250	883
Administrative Services (ADP)	3,000	126	250	1,517
Audit Fees (Leaf & Cole)	17,000	1,280	3,400	16,870
Computer billing (Accela/Parker)/Cyber Security	31,000	8,850	2,583	19,390
Financial/Technical Consulting (Raftelis/Fieldman)	80,000	19,006	6,667	33,026
Engineering (Dudek)	35,000	-	2,917	10,353
District Legal Services (BBK)	45,000	7,962	3,750	22,085
Air Quality Study	43,551	20,432		43,551
Grant Acquisitions (TRAC) 17170+17180	30,000	4,523	2,500	4,523
Testing/lab work (Babcock Lab/Water Quality Monitoring)	24,000	869	2,000	7,756
Regulatory Permit Fees (SWRB/DEH/Dig alerts/APCD)	<u>36,500</u>	<u>9,257</u>	<u>3,042</u>	<u>14,541</u>
TOTAL PROFESSIONAL SERVICES EXPENSE:	348,051	72,304	27,358	174,494
<u>INSURANCE EXPENSE</u>				
ACWA/JPIA Program Insurance	60,000	-		78,833
ACWA/JPIA Workers Comp	<u>18,000</u>	-		<u>8,479</u>
TOTAL INSURANCE EXPENSE:	78,000	-	-	87,312
<u>DEBT EXPENSE</u>				
Compass Bank Note 2018A/B	388,939	-		354,071
Pacific Western Bank 2018 IPA	<u>499,406</u>	-		<u>415,559</u>
TOTAL DEBT EXPENSE:	888,345	-		782,963
<u>PERSONNEL EXPENSE</u>				
Board Meeting Expense (board stipend/board secretary)	23,000	1,545	1,917	8,931
Salaries & Wages (gross)	930,000	84,638	77,500	421,678
Salaries & Wages offset account (board stipends/staff projec	(80,000)	(4,337)	(6,667)	(47,895)
Consulting services/Contract Labor	10,000	625	833	1,625
Taxes on Payroll	23,700	1,777	1,975	8,985
Medical Insurance Benefits	212,700	24,497	17,725	93,500
Calpers Retirement Benefits	210,000	12,363	17,500	63,807
Conference/Conventions/Training/Seminars	<u>18,000</u>	<u>458</u>	<u>1,500</u>	<u>1,346</u>
TOTAL PERSONNEL EXPENSE:	1,347,399	121,566	112,283	551,978

<u>EXPENSES(Con't)</u>	ADOPTED BUDGET 2020-2021			Actual Q1 2020-2021
<u>OFFICE EXPENSE</u>				
Office Supplies	24,000	3,461	2,000	8,574
Office Equipment/ Rental/Maintenance Agreements	50,000	643	4,167	6,296
Postage & Freight	15,000	2,000	1,250	5,190
Taxes on Property	3,300	-	-	2,611
Telephone/Answering Service/Cell	20,000	1,390	1,667	7,577
Dues & Subscriptions (ACWA/CSDA)	23,000	62	1,917	1,371
Printing, Publications & Notices	2,500	70	208	756
Uniforms	7,000	347	583	2,778
OSHA Requirements/Emergency preparedness	5,500	215	458	997
TOTAL OFFICE EXPENSE:	150,300	8,188	12,250	36,149
<u>UTILITIES EXPENSE</u>				
Pumping-Electricity	325,000	27,503	27,083	137,602
Office/Shop Utilities	6,000	283	500	4,077
TOTAL UTILITIES EXPENSE:	331,000	27,786	27,583	141,680
<u>GROUNDWATER MANAGEMENT EXPENSE</u>				
Pumping Fees	123,888	61,944	61,944	
Physical Solution Development	-	-	-	
Physical Solution Reimbursement (42,800 rcvd in FY2020)	(57,200)	(636)	(4,766)	(86,917)
Stipulation Legal	185,000	79,181	7,083	196,277
Stipulation Legal Reimbursements (24,400 rcvd in FY2020)	(40,600)	(304)	(3,383)	(12,321)
Interim Judgement Legal Support	-	-	3,750	-
Interim Judgement Technical Support	45,000	4,083	3,750	88,827
Misc. & Contingency	20,000	-	1,667	-
BPA Transactions that meet CEQA requirements	5,000	-	417	-
TOTAL GWM EXPENSE:	281,088	144,269	14,293	185,866
TOTAL EXPENSES:	3,862,682	401,887	230,309	2,056,424
<u>CASH BASIS ADJUSTMENTS</u>				
Decrease (Increase) in Accounts Payable		2,968		214,127
Increase (Decrease) in Inventory		4,332		10,565
TOTAL CASH BASIS ADJUSTMENTS:		7,300		224,692
TOTAL OPERATING EXPENSES PAID:	3,862,682	409,187		2,281,117
NET OPERATING INCOME RECEIVED:	613,846	198,949	135,531	(316,995)

<u>CIP PROJECTS</u>	<u>ADOPTED BUDGET 2020-2021</u>	<u>Actual Q1 2020-2021</u>
<u>CASH FUNDED - WATER</u>		-
Bending Elbow Pipeline Project	380,000	2,521
SCADA Replacement	100,000	44,382
Facilities Maintenance - Office Interior	15,000	-
Emergency System Repairs	60,000	440
Replace Twin Tanks (Moved from GRANT)	630,000	-
Engineering/Construction Management Consulting	25,000	-
TOTAL CASH CIP EXPENSES WATER:	1,210,000	47,342
<u>CASH FUNDED - SEWER</u>		-
Oxygen Injection at Borrego Valley Rd Pump	20,000	-
Difusers at Sludge Holding Tank (Completed from R&M)	43,000	-
Manhole Replacement/Refurbishments	18,000	-
Engineering/Construction Management Consulting	-	-
TOTAL CASH CIP EXPENSES SEWER:	81,000	2,757
CASH FUNDED - Short Lived Asset Replacement Progra	405,000	
TOTAL CASH FUNDED CIP EXPENSES:	1,696,000	51,864
<u>CASH RECAP</u>		
Net Operating Income	613,846	198,949
Total Budgeted Cash CIP	(1,696,000)	(51,864)
Bond Funded CIP Shortfall	(772,738)	-
Period Reserves Adjustment	(1,854,892)	147,085
Cash Beginning of Period	6,025,193	4,940,394
Projected Cash Balance at Period End	4,170,301	5,087,479
FY Reserves Target	7,710,218	7,710,218
Reserves Surplus/(Shortfall)	(3,539,917)	(2,622,739)
<u>DEBT & GRANT ACCOUNTING</u>		
<u>GRANT(PROP 1) FUNDED CIP - WATER</u>		
Replace Twin Tanks (Changed to CASH)	-	-
Replace Wilcox Diesel Motor (Push to FY22)	-	-
Replace Indianhead Reservoir (Push to FY22)	-	-
Rams Hill #2, recoating (Push to FY22)	-	-
TOTAL GRANT CIP EXPENSES WATER:	0	-
Grant Proceeds Received	454,000	232,398
<u>GRANT(PROP 1) FUNDED CIP - SEWER</u>		
Plant-Grit removal at the headworks	214,000	-
Clarifyer Upgrade/Rehabilitation	240,000	-
TOTAL GRANT CIP EXPENSES SEWER:	454,000	-
TOTAL GRANT CIP EXPENSES:	454,000	-
<u>BOND FUNDED CIP - WATER</u>		
De Anza Pipeline Replacement Project	430,000	270,153
Production Well 2 Investigation and Construction	1,250,000	11,161
Replace 30 fire hydrants 17160	540,000	-
Production Well #1 ID4-Well #9-17110	-	628
Replace 5 well discharge manifolds and electric panel upgra	0	-
TOTAL BOND FUNDED WATER CIP:	2,220,000	281,943
<u>BOND FUNDED CIP - SEWER</u>		
Miscellaneous Sewer System Improvements	410,000	-
TOTAL SEWER BOND FUNDED CIP:	410,000	58,145
TOTAL BOND FUNDED CIP EXPENSES:	2,630,000	281,943
BOND PROCEEDS RECAP		
Bond Balance at beginning of period (07/01/2020)	1,857,262	1,441,077
Less Bond Expenditures	(2,630,000)	(281,943)
Bond Balance at end of period (06/30/2020)	(772,738)	1,159,134

Lazy S & Granada
11/16



	BALANCE SHEET November 30, 2020 (unaudited)	BALANCE SHEET October 31, 2020 (unaudited)	MONTHLY CHANGE (unaudited)
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	\$ 5,948,834.46	\$ 5,746,437.13	\$ 202,397.33
Accounts receivable from water sales and sewer charges	\$ 411,480.67	\$ 637,461.43	\$ (225,980.76)
Inventory	\$ 119,893.81	\$ 115,561.36	\$ 4,332.45
Prepaid expenses	\$ -	\$ -	\$ -
TOTAL CURRENT ASSETS	\$ 6,480,208.94	\$ 6,499,459.92	\$ (19,250.98)
RESTRICTED ASSETS			
Debt Service:			
Deferred amount of COP Refunding	\$ -	\$ -	\$ -
Unamortized bond issue costs	\$ 125,185.22	\$ 125,185.22	\$ -
Viking Ranch Refinance issue costs	\$ (19,564.91)	\$ (19,564.91)	\$ -
Deferred Outflow of Resources-CalPERS	\$ 311,059.00	\$ 311,059.00	\$ -
Total Debt service	\$ 416,679.31	\$ 416,679.31	\$ -
Trust/Bond funds:			
Investments with fiscal agent -CFD 2017-1	\$ 67,434.21	\$ 67,434.21	\$ -
2018 Certificates of Participation to fund CIP Projects	\$ 1,129,429.83	\$ 1,446,149.97	\$ (316,720.14)
Total Trust/Bond funds	\$ 1,196,864.04	\$ 1,513,584.18	\$ (316,720.14)
TOTAL RESTRICTED ASSETS	\$ 1,613,543.35	\$ 1,930,263.49	
UTILITY PLANT IN SERVICE			
Land	\$ 2,246,187.15	\$ 2,240,863.65	\$ 5,323.50
Flood Control Facilities	\$ 4,287,340.00	\$ 4,287,340.00	\$ -
Capital Improvement Projects	\$ 1,157,289.07	\$ 1,039,014.14	\$ 118,274.93
Bond funded CIP Expenses	\$ 1,435,680.15	\$ 3,686,553.39	\$ (2,250,873.24)
Sewer Facilities	\$ 6,175,596.99	\$ 6,175,596.99	\$ -
Water facilities	\$ 14,104,596.13	\$ 11,620,831.80	\$ 2,483,764.33
General facilities	\$ 1,007,563.15	\$ 1,007,563.15	\$ -
Equipment and furniture	\$ 597,312.57	\$ 597,312.57	\$ -
Vehicles	\$ 675,446.88	\$ 675,446.88	\$ -
Accumulated depreciation	\$ (13,140,494.34)	\$ (13,128,500.54)	\$ 11,993.80
NET UTILITY PLANT IN SERVICE	\$ 18,546,517.75	\$ 18,202,022.03	\$ 344,495.72
OTHER ASSETS			
Water rights -ID4	\$ 185,000.00	\$ 185,000.00	\$ -
TOTAL OTHER ASSETS	\$ 185,000.00	\$ 185,000.00	
TOTAL ASSETS	\$ 26,825,270.04	\$ 26,816,745.44	\$ 8,524.60



Balance sheet continued

	BALANCE SHEET November 30, 2020 (unaudited)	BALANCE SHEET October 31, 2020 (unaudited)	MONTHLY CHANGE (unaudited)
LIABILITIES			
CURRENT LIABILITIES PAYABLE FROM CURRENT ASSETS			
Accounts Payable	\$ 155,181.96	\$ 158,149.85	\$ (2,967.89)
Accrued expenses	\$ 188,643.94	\$ 188,643.94	\$ -
Deposits	\$ 42,500.00	\$ 40,181.81	\$ 2,318.19
TOTAL CURRENT LIABILITIES PAYABLE FROM CURRENT ASSETS	\$ 386,325.90	\$ 386,975.60	\$ (649.70)
CURRENT LIABILITIES PAYABLE FOM RESTRICTED ASSETS			
Debt Service:			
Accounts Payable to CFD 2017-1	\$ 67,433.88	\$ 67,433.54	\$ 0.34
TOTAL CURRENT LIABILITIES PAYABLE FROM RESTRICTED ASSETS	\$ 67,433.88	\$ 67,433.54	\$ 0.34
LONG TERM LIABILITIES			
2018A & 2018B Refinance ID4/Viking Ranch	\$ 2,243,337.48	\$ 2,243,337.48	\$ -
2018 Certificates of Participation to fund CIP Projects	\$ 4,613,000.00	\$ 4,613,000.00	\$ -
Net Pension Liability-CalPERS	\$ 850,153.00	\$ 850,153.00	\$ -
Deferred Inflow of Resources-CalPERS	\$ 34,862.00	\$ 34,862.00	\$ -
TOTAL LONG TERM LIABILITIES	\$ 7,741,352.48	\$ 7,741,352.48	\$ -
TOTAL LIABILITIES	\$ 8,195,112.26	\$ 8,195,761.62	\$ (649.36)
FUND EQUITY			
Contributed equity	\$ 9,611,814.35	\$ 9,611,814.35	\$ -
Retained Earnings:			
Unrestricted Reserves/Retained Earnings	\$ 9,018,343.43	\$ 9,009,169.47	\$ 9,173.96
Total retained earnings	\$ 9,018,343.43	\$ 9,009,169.47	\$ 9,173.96
TOTAL FUND EQUITY	\$ 18,630,157.78	\$ 18,620,983.82	\$ 9,173.96
TOTAL LIABILITIES AND FUND EQUITY	\$ 26,825,270.04	\$ 26,816,745.44	\$ 8,524.60

To: BWD Board of Directors
 From: Jessica Clabaugh
 Subject: Consideration of the Disbursements and Claims Paid
 Month Ending November 30, 2020



Vendor disbursements paid during this period: \$ 683,541.00

Significant items:

Automated Water Treatment	Calcium Hypochlorite Tablets	\$ 11,313.78
CalPERS		\$ 12,362.61
Employee Health Benefits		\$ 24,496.86
Ramona Disposal	Garbage Collection	\$ 3,970.02
San Diego County Treasurer	Property Tax Bill - Annual	
SC Fuels	Fuel For District Vehicles	\$ 2,003.12
SDGE	November Payments	\$ 27,786.42
Sunset Electric Power	Maintenance & Repairs @ Wells 4 & 5	\$ 2,700.00
State Water Resources Control Board	- Permit Fees	\$ 9,257.00

Capital Projects/Fixed Asset Outlays:

Chicago Title	Downpayment on Land for Well ID5-X	\$ 5,000.00
Control Systems Inc	SCADA Radio Upgrades	\$ 44,381.53
C Wells Pipeline Supply	Parts for Clay Valve Repair	\$ 1,547.69
Interim Watermaster	Pumping Fees	\$ 61,944.00
McCalls Meters	BOND Meters for Pipeline Phase II	\$ 1,509.58
McCalls Meters	Inventory	\$ 3,534.20
Pacific Pipeline Supply, Inc.	Inventory	\$ 4,256.97
Rove Engineering	BOND Pipeline II Work	\$ 262,712.00
UC Regents	Air Quality Study	\$ 20,432.05

Total Professional Services for this Period:

BBK	General	\$ 8,235.50
BBK	Groundwater Rights Litigation	\$ 79,181.35
Cylance, Inc.	Computer Vulnerability Scans	\$ 7,616.00
Dudek	Subbasin TAC Support	\$ 2,476.25
Dudek	BOND Extraction Well 2 Management	\$ 10,697.50
Landmark Consultants	BOND Pipeline Ph II Consult	\$ 3,072.00
Leaf & Cole, LP	Audit Progress Billing	\$ 1,280.00
Raftelis Financial Consultants	Finance & Rate Study (Sept thru Nov)	\$ 16,606.25
Rick Alexander Company	Grants Acquisition	\$ 4,522.50
Quadient	Postage Meter Contract	\$ 2,000.00
Jerry Rowling	Consulting Services	\$ 1,750.00
Ronald G Holoway	Mapping, Production Reports, etc.	\$ 2,400.00

Payroll for this Period:

Gross Payroll	\$ 84,637.76
Employer Payroll Taxes and ADP Fee	\$ 275.50
Total	<u>\$ 84,913.26</u>

BOARD REPORT

November 2020



34178	MEDICAL ACWA-JPIA	10/27/2020	26,876.36
34198	Interim BORREGO SPRINGS WATERMASTER	11/05/2020	61,944.00
34216	ABILITY ANSWERING/PAGING SER	11/13/2020	230.00
34217	BORREGO SPRINGS WATER LLC	11/13/2020	51.34
34218	CASH	11/13/2020	300.00
34219	CHICAGO TITLE INSURANCE CO.	11/13/2020	5,000.00
34220	DEBBIE MORETTI	11/13/2020	122.00
34221	RECORDER/COUNTY CLERK'S OFFICE	11/13/2020	50.00
34222	SC FUELS	11/13/2020	2,003.12
34223	MEET PANCHAL	11/18/2020	660.00
34224	AFLAC	11/30/2020	1,468.86
34225	AGRI DRAIN CORP	11/30/2020	147.24
34236	ALEXIS HERNANDEZ	11/30/2020	215.45
34226	AT&T-CALNET 3	11/30/2020	459.19
34227	AUTOMATED WATER TREATMENT	11/30/2020	11,313.78
34228	BORREGO SUN	11/30/2020	70.00
34229	CONTROL SYSTEMS ENGINEERING INC	11/30/2020	44,381.53
34230	CYLANCE INC.	11/30/2020	7,616.00
34231	DIAMOND MMP, INC	11/30/2020	870.19
1177	DUDEK	11/30/2020	10,697.50
34232	DUDEK	11/30/2020	2,476.25
34233	EMPIRE SOUTHWEST	11/30/2020	722.00
34234	HACH COMPANY	11/30/2020	298.04
1178	LANDMARK CONSULTANTS, INC.	11/30/2020	3,072.00
34238	LEAF & COLE LLP	11/30/2020	1,280.00
1179	McCALLS METERS,INC	11/30/2020	1,509.58
34239	McCALLS METERS,INC	11/30/2020	3,534.20
1180	PACIFIC PIPELINE SUPPLY INC	11/30/2020	619.68
34240	PACIFIC PIPELINE SUPPLY INC	11/30/2020	4,256.97
34241	POOL & ELECTRICAL PRODUCTS	11/30/2020	259.98
34237	R. GREG HOLLOWAY	11/30/2020	2,400.00
34242	RAMONA DISPOSAL SERVICE	11/30/2020	3,970.02
34235	REX HARVEY	11/30/2020	300.00
1181	ROVE ENGINEERING, INC	11/30/2020	262,712.00
34243	SAN DIEGO GAS & ELECTRIC	11/30/2020	27,786.42
34244	SC FUELS	11/30/2020	807.95
34245	SUNSET ELECTRIC POWER	11/30/2020	2,700.00
34246	T2 FARMS LLC	11/30/2020	11,640.00
34247	T2 HOLDINGS, LLC	11/30/2020	23,160.00
34248	XEROX FINANCIAL SERVICES	11/30/2020	377.00
34249	AMERICAN LINEN INC.	12/07/2020	346.80
34250	BEST BEST & KRIEGER ATTORNEYS AT LAW	12/07/2020	87,888.85
34251	BORREGO AUTO PARTS & SUPPLY CO	12/07/2020	455.88
34252	CENTER MARKET	12/07/2020	704.98
34254	HOME DEPOT CREDIT SERVICES	12/07/2020	673.51
34253	JAMES HORMUTH DE ANZA TRUE VALUE	12/07/2020	182.50
34259	LOUIS ALEXANDER THE RICK ALEXANDER COMPANY	12/07/2020	4,522.50
1182	PACIFIC PIPELINE SUPPLY INC	12/07/2020	356.87
34255	POOL & ELECTRICAL PRODUCTS	12/07/2020	259.98
34256	QUADIENT FINANCE USA, INC.	12/07/2020	2,000.00
34257	SWRCB	12/07/2020	9,257.00
34258	T.S. INDUSTRIAL SUPPLY	12/07/2020	512.66
34260	UC REGENTS	12/07/2020	20,432.05
34261	UNDERGROUND SERVICE ALERT	12/07/2020	14.95
34262	XL COMPANY	12/07/2020	17.23
34266	AT&T MOBILITY	12/15/2020	539.92
34278	BABCOCK LABORATORIES	12/15/2020	869.00
34267	BORREGO SPRINGS WATER LLC	12/15/2020	16.00
34268	C. WELLS PIPELINE MATERIALS INC.	12/15/2020	1,547.69
1183	COUNTY OF SAN DIEGO DEPT OF PUBLIC WORKS	12/15/2020	398.20

34269	DISH	12/15/2020	61.74
34281	J & T Tire and Auto	12/15/2020	442.68
34280	JEROME C. ROLWING	12/15/2020	1,750.00
34270	LUPE'S GARDENING MAINTENANCE INC.	12/15/2020	585.00
34279	RAFTELIS FINANCIAL CONSULTANTS, INC.	12/15/2020	16,606.25
34272	STAPLES CREDIT PLAN	12/15/2020	1,218.80
34273	U.S.BANK CORPORATE PAYMENT SYS	12/15/2020	2,303.48
34274	USABLUBOOK	12/15/2020	347.57
34275	VERIZON WIRELESS	12/15/2020	160.79
34271	WENDY QUINN	12/15/2020	225.00
34276	WESTERN PUMP, INC	12/15/2020	218.30
34277	ZITO MEDIA	12/15/2020	265.78
	Report Total (72 checks):		683,540.61

	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1														
2			BOND CIP FUNDS									Sewer Inspect		
3			RECONCILIATION-FY 2019/2021									Club Cir 17150	Firehydrants	
4								Well 12-17100/ 4-5 Well upgrades 10117140	Prod Well #1 ID4-9 10117110	Pipeline Project Phase 1/2 10117120/17200	Prod Well #2 10117130	10117210	10117160	
5				Bond Proceeds	Interest paid	Cost of Issuance	Misc.							
6														Totals
7														
8		07/10/18	Pacific Western Bank-Loan Proceeds	\$ 5,586,000.00										\$ 5,586,000.00
9		07/10/18	Cost of Issuance	\$ (68,707.13)										\$ (68,707.13)
10		07/17/18	US Bank Interest Fee			\$ 1,700.00								\$ (1,700.00)
11		07/17/18	Nixon Peabody-Cost of issuance			\$ 10,000.00								\$ (10,000.00)
12		07/17/18	Kutok Rock-Cost of Issuance			\$ 10,000.00								\$ (10,000.00)
13		07/20/18	MMA Interest paid		\$ 2,282.99									\$ 2,282.99
14		07/31/18	MMA Interest paid		\$ 693.25									\$ 693.25
15		08/01/18	Grant Thornton-Cost of Issuance			\$ 1,500.00								\$ (1,500.00)
16		08/01/18	Brandis Tallman-Cost of Issuance			\$ 17,500.00								\$ (17,500.00)
17		08/01/18	Fieldman, Rolapp & Assoc.-Cost of Issuance			\$ 50,231.67								\$ (50,231.67)
18		08/01/18	Best Best & Krieger-Cost of Issuance			\$ 55,000.00								\$ (55,000.00)
19		08/31/18	MMA Interest paid		\$ 4,683.02									\$ 4,683.02
20		09/31/18	MMA Interest paid		\$ 4,535.86									\$ 4,535.86
21		10/31/18	MMA Interest paid		\$ 4,690.98									\$ 4,690.98
22		11/30/18	MMA Interest paid		\$ 6,498.24									\$ 6,498.24
23		12/31/18	MMA Interest paid		\$ 8,125.10									\$ 8,125.10
24		12/31/18	Fed-x Bond issuance costs			\$ 62.02								\$ (62.02)
25		01/31/19	Dudek-Construction Mgmt Prod well #2					\$ 8,295.00						\$ (8,295.00)
26		01/31/19	BBK-Review Bid documents					\$ 855.50	\$ 3,635.00					\$ (4,490.50)
27		01/31/19	Harland Check order-partial charge					\$ 70.12	\$ 70.13	\$ 70.13				\$ (210.38)
28		01/31/16	MMA Interest paid		\$ 9,878.83									\$ 9,878.83
29		02/28/19	BBK-Review final specs Pipeline #1						\$ 306.00					\$ (306.00)
30		02/28/19	BBK-Finalize Bid documents					\$ 2,657.00	\$ 1,799.50	\$ 1,453.50				\$ (5,910.00)
31		02/28/19	Dudek-Construction Mgmt Prod well #1					\$ 11,535.00		\$ 8,422.50				\$ (19,957.50)
32		02/28/19	MMA Interest paid		\$ 8,529.85									\$ 8,529.85
33		03/31/19	Dudek-Construction Mgmt					\$ 5,467.50		\$ 7,232.50				\$ (12,700.00)
34	1007	03/31/19	Dudek-Construction Mgmt					\$ 5,264.68		\$ 5,006.25				\$ (10,270.93)
35	1006	03/31/19	BBK-Review Bid documents					\$ 740.00	\$ 879.00	\$ 867.50				\$ (2,486.50)
36		03/31/19	MMA Interest paid		\$ 9,460.57									\$ 9,460.57
37			Reallocate interest to Admin 7122		\$ (59,378.69)									\$ (59,378.69)
38			Well 12 repairs from O&M to Bond funds-check #32867					\$ 13,537.82						\$ (13,537.82)
39			Well 12 repairs from O&M to Bond funds-check #32970					\$ 82,640.56						\$ (82,640.56)
40		04/04/19	Big J Fencing-Fencing for Well ID4 Well 9					\$ 16,975.00						\$ (16,975.00)
41		04/08/19	BBK					\$ 561.00	\$ 535.50					\$ (2,473.50)
42		04/08/19	Hidden Valley Pump-Well 12/Well 5/Well 16 Transfer switch					\$ 36,033.00						\$ (36,033.00)
43		04/08/19	Hidden Valley Pump-Well 12/Well 5/Well 16/11 Transfer switch					\$ 253,731.68						\$ (253,731.68)
44		04/23/19	Dudek-Construction Management					\$ 3,690.00		\$ 1,927.50				\$ (5,617.50)
45		04/23/19	Fed-x -Mailing of NOE to County New Well #1					\$ 30.53						\$ (30.53)
46		04/23/19	Pacific Pipe-well 12					\$ 1,337.83						\$ (1,337.83)
47		05/29/20	Pacific Pipeline					\$ 38.45						\$ (38.45)
48		05/20/19	Well 12 repairs transferred from Admin					\$ 83,223.56						\$ (83,223.56)
49		05/29/19	Hidden Valley Pump-Electric panel well 12					\$ 2,503.88						\$ (2,503.88)
50		05/29/19	DeAnza Ready Mix-Road base well 12					\$ 1,547.09						\$ (1,547.09)
51		05/29/19	Dynamic Consulting-Phase 1 & 2 Pipeline						\$ 71,010.00					\$ (71,010.00)
52		05/29/19	Bobs Trailer-Office trailer Well 1 ID4-9 and well 2					\$ 4,500.00		\$ 4,500.00				\$ (9,000.00)
53		05/29/19	Pacific Pipe-well 12					\$ 12,635.88						\$ (12,635.88)
54	1022	05/29/19	BBK-bid review					\$ 612.00	\$ 153.00					\$ (765.00)
55		05/29/19	Big J Fencing-Fencing for Well ID4 Well 9					\$ 16,975.00						\$ (16,975.00)
56		05/29/19	De Anza Ready Mix					\$ 700.38	\$ 40,057.36					\$ (40,757.74)
57		05/29/19	Dudek-investigation of second production well							\$ 2,672.50				\$ (2,672.50)
58		05/29/19	Hidden Valley Pump-ID1 well 8 repairs					\$ 3,086.18						\$ (3,086.18)
59		05/29/19	Pacific Pipe-construction supply line					\$ 498.23						\$ (498.23)
60		05/29/19	Southwest Pump-construction of well 4-9					\$ 104,500.00						\$ (104,500.00)
61		05/29/19	State of California-Fee for Bond cost			\$ 1,396.50								\$ (1,396.50)
62		06/10/19	Deanza Ready Mix-Road base well 4-9					\$ 2,116.53						\$ (2,116.53)
63		06/10/19	Hidden Valley Pump-Step down transformer well 4-9					\$ 8,292.37						\$ (8,292.37)
64	1033	06/10/19	US Bank-Remote office supplies well 4-9					\$ 891.56		\$ 809.51				\$ (1,701.07)
65		06/18/19	BBK-Correspondence to A&R							\$ 127.50				\$ (127.50)
66		06/18/19	Dudek-Costruction management well 4-9					\$ 20,697.01						\$ (20,697.01)
67		06/18/19	One Eleven Services-Construction Mgmt well 4-9					\$ 4,500.00						\$ (4,500.00)
68		07/01/19	Southwest Pump-construction of well 4-9					\$ 543,866.73						\$ (543,866.73)
69		07/03/19	Hidden Valley Pump-Well 5 Manual Transfer Switch					\$ 399.00						\$ (399.00)
70		07/03/19	Pacific Pipe-Fire hydrant extensions										\$ 1,378	\$ (1,377.80)
71		07/08/19	De Anza Ready Mix-Concrete well 12					\$ 658.01						\$ (658.01)
72		07/08/19	De Anza Ready Mix-Concrete well 5					\$ 344.21						\$ (344.21)
73		07/08/19	Hidden Valley Pump-Well 5 pull pump replace bowls/video					\$ 141,472.45						\$ (141,472.45)

	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1			BOND CIP FUNDS											
2			RECONCILIATION-FY 2019/2021											
3								Well 12-17100/ 4-5 Well upgrades	Prod Well #1 ID4-9 10117110	Pipeline Project Phase 1/2 10117120/17200	Prod Well #2 10117130	Sewer Inspect Club Cir 17150 La Casa 10117210	Firehydrants 10117160	
4				Bond Proceeds	Interest paid	Cost of Issuance	Misc.							
5														
74	1042	07/25/19	BBK-Review A&R contract							\$ 765.00				\$ (765.00)
75		07/25/19	Dudek-Construction Management Well 4-9						\$ 45,827.52					\$ (45,827.52)
76		07/25/19	Pacific Pipe-Fire hydrants										\$ 21,826	\$ (21,825.77)
77	1045	07/25/19	One Eleven Services-Construction Mgmt well 4-9						\$ 1,690.00		\$ 475.00			\$ (2,165.00)
78		07/25/19	Southwest Pump-construction of well 4-9						\$ 67,022.50					\$ (67,022.50)
79		08/12/19	Hack-Chlorine well 4-9						\$ 849.62					\$ (849.62)
80		08/19/19	Dudek-Construction Management Well 4-9						\$ 22,521.09					\$ (22,521.09)
81		08/20/19	Insitu-Transducer rental well 4-9						\$ 454.72					\$ (454.72)
82		08/27/19	BBK-Review A&R Bond							\$ 535.50				\$ (535.50)
83		08/31/20	Returned Parts					\$ (1,947.86)						\$ 1,947.86
84		09/04/19	Insitu-Transducer rental well 4-9						\$ 429.93					\$ (429.93)
85		09/04/19	SDGE-Electrict well 4-9						\$ 1,060.00					\$ (1,060.00)
86		09/04/19	Southwest Pump-construction of well 4-9						\$ 55,029.85					\$ (55,029.85)
87		09/04/19	US Bank Charge card-chlorine well 4-9						\$ 125.93					\$ (125.93)
88		09/09/19	Pacific Pipe-Supplies Double O Pipeline project							\$ 26,476.36				\$ (26,476.36)
89		09/16/19	Terry Robertson-Double O Pipeline replacement							\$ 491,504.35				\$ (491,504.35)
90		09/23/19	Dudek-Construction Management well 4-9						\$ 31,886.86					\$ (31,886.86)
91		09/23/19	Insitu-Transducer rental well 4-9						\$ 74.35					\$ (74.35)
92		09/23/19	Pacific Pipe-Meter boxes lids-Double O project							\$ 4,582.64				\$ (4,582.64)
93		09/30/19	BBK-Review change order A&R							\$ 204.00				\$ (204.00)
94	1061	09/30/19	Dudek-Construction Management Well 4-9								\$ 1,260.00			\$ (1,260.00)
95	1062	10/08/19	Dudek-Construction Management Well 4-9						\$ 4,305.00					\$ (4,305.00)
96	1063	10/08/19	Southwest Pump-construction of well 4-9						\$ 44,548.38					\$ (44,548.38)
97	1064	10/16/19	Dudek-Construction Management Well 4-9						\$ 17,778.75					\$ (17,778.75)
98	1064	10/16/19	Dudek-investigation of second production well								\$ 600.00			\$ (600.00)
99	1065	10/16/19	Pacific Pipe-Well 5 upgrade					\$ 5,553.49						\$ (5,553.49)
100	1066	10/21/19	McCalls Meters-Meters for Pipeline phase 1							\$ 11,636.47				\$ (11,636.47)
101	1067	10/21/19	Pacific Pipeline Supply-Tools/supplies well 5 upgrade					\$ 577.94						\$ (577.94)
102	1068	10/21/19	Jeffrey Smith-Appraisal well #2 site investigation								\$ 1,000.00			\$ (1,000.00)
103	1069	10/29/19	Jerry Rolwing-Well #2 site investigation								\$ 3,750.00			\$ (3,750.00)
104	1070	11/05/19	Brax company-materials well 5					\$ 166.04						\$ (166.04)
105	1071	11/05/19	Manuel Rodrigues-DeAnza concrete-Well 5					\$ 740.72	\$ 710.18					\$ (1,450.90)
106	1072	11/12/19	Downstream-video/clean Club Circle									\$ 92,804.00		\$ (92,804.00)
107	1073	11/18/19	Dudek-Construction Management well 4-9						\$ 360.00					\$ (360.00)
108	1074	11/18/19	Pacific Pipe-Materials for Well 11/Well 16					\$ 12,532.02						\$ (12,532.02)
109	1075	11/18/19	Jerry Rolwing-Well #2 site investigation								\$ 250.00			\$ (250.00)
110	1076	11/16/19	Brax company-ID4-9 electric hook-up						\$ 146,691.66					\$ (146,691.66)
111	1077	11/26/19	Pacific Pipe-Well 11 upgrades					\$ 2,810.62						\$ (2,810.62)
112	1078	12/11/19	Freight Charge					\$ 623.29						\$ (623.29)
113	1079	12/23/19	BBK-real property acquisition-Well #2								\$ 265.50			\$ (265.50)
114	1080	12/20/19	DeAnza Ready mix-Road base Well 4-9						\$ 1,377.22					\$ (1,377.22)
115	1081	12/20/19	Pacific Pipe-Well 16 upgrades					\$ 5,904.65						\$ (5,904.65)
116	1082	12/23/19	Brax-Well repairs					\$ 1,539.07	\$ 270,188.02					\$ (271,727.09)
117	1083	12/27/19	Brax-Work in Well 4-9						\$ 62,963.13					\$ (62,963.13)
118	1084	12/27/19	DeAnzaReady mix-concrete for kicker					\$ 688.42	\$ 553.41					\$ (1,241.83)
119	1085	01/03/20	Best Best & Krieger-Bond work review							\$ 586.50	\$ 62.04		\$ 640	\$ (1,288.54)
120	1086	01/28/20	Automated Water Treatment-chlorinator well4-9						\$ 1,044.75					\$ (1,044.75)
121	1087	01/28/20	David Taussig-Debt reporting costs				\$ 905.00							\$ (905.00)
122	1088	01/28/20	McCalls Meters-Meter for well ID4-9						\$ 3,694.50					\$ (3,694.50)
123	1089	01/28/20	Pacific Pipe-Parts for well 4-9						\$ 11,981.64					\$ (11,981.64)
124	1090	02/10/20	DeAnzaReady mix-concrete for kicker well9						\$ 651.20					\$ (651.20)
125	1091	02/10/20	Grainger-Exhaust Fan Well 9						\$ 359.99					\$ (359.99)
126	1092	02/10/20	Pacific Pipe-Hydrants, Well 9						\$ 1,160.74				\$ 17,742	\$ (18,902.83)
127	1093	02/12/20	Best Best & Krieger								\$ 206.50			\$ (206.50)
128	1094	02/12/20	Jerome C Rowling								\$ 250.00			\$ (250.00)
129	1095	02/25/20	Dynamic Consulting-Phase 1 & 2 Pipeline							\$ 38,140.00				\$ (38,140.00)
130	1096	02/25/20	Pacific Pipe-Hydrants							\$ 3,112.63			\$ 950	\$ (4,062.61)
131	1097	03/09/20	Fredericks Services Inc										\$ 18,965	\$ (18,965.00)
132	1099	03/23/20	Home Depot										\$ 510	\$ (510.17)
133	1098	03/23/20	Best Best & Krieger							\$ 1,206.00	\$ 1,386.50			\$ (2,592.50)
134	1100	03/16/20	Pacific Pipeline - Hydrants										\$ 9,711	\$ (9,711.27)
135	1101	03/23/20	Fredericks Services Inc										\$ 20,324	\$ (20,324.00)
136	1102	03/23/20	Pacific Pipeline Supply - Hydrants										\$ 23,810	\$ (23,809.97)
137	1103	03/23/20	Jerry Rolwing-Well #9 Water Sample						\$ 500.00					\$ (500.00)
138		06/27/10	Pacific Pipeline - Extra parts to Inventory										\$ (379)	\$ 379.47
139	1104	04/07/20	Pacific Pipeline Supply - Hydrants										\$ 12,816	\$ (12,816.43)
140	1105	04/07/20	Terry Robertson-Double O Pipeline replacement + RET							\$ 150,136.65				\$ (150,136.65)
141	1106	04/07/20	US Bank - AC & Awning for Portable Office						\$ 4,377.05					\$ (4,377.05)

	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1			BOND CIP FUNDS									Sewer Inspect		
2			RECONCILIATION-FY 2019/2021					Well 12-17100/ 4-5 Well upgrades 10117140	Prod Well #1 ID4-9 10117110	Pipeline Project Phase 1/2 10117120/17200	Prod Well #2 10117130	Club Cir 17150 La Casa 10117210	Firehydrants 10117160	
3				Bond Proceeds	Interest paid	Cost of Issuance	Misc.							
4														
5														
142	1107	04/13/20	DeAnza Ready Mix - Concrete for Hydrants										\$ 597	\$ (596.74)
143	1108	04/13/20	Home Depot										\$ 2,124	\$ (2,124.37)
144	1109	04/13/20	Fredericks Services Inc										\$ 25,395	\$ (25,395.00)
145	1110	04/21/20	Pacific Pipeline Supply										\$ 27,709	\$ (27,708.72)
146	1111	04/28/20	Dudek								\$ 2,385.00			\$ (2,385.00)
147	1112	04/28/20	Fredericks Services Inc										\$ 24,399	\$ (24,399.00)
148	1113	05/05/20	Borrego Landfill										\$ 177	\$ (176.65)
149	1114	05/05/20	Pacific Pipeline Supply										\$ 28,324	\$ (28,324.07)
150	1115	05/12/20	DeAnza Ready Mix										\$ 1,302	\$ (1,302.38)
151	1116	05/12/20	Home Depot										\$ 877	\$ (877.33)
152	1117	05/19/20	Fredericks Services Inc										\$ 25,379	\$ (25,379.00)
153	1118	05/19/20	Pacific Pipeline Supply										\$ 1,164	\$ (1,163.76)
154	1119	05/26/20	BBK								\$ 4,484.50			\$ (4,484.50)
155	1120	05/26/20	Dudek								\$ 2,690.00			\$ (2,690.00)
156	1121	06/04/20	Aggregate Products Inc. - Asphalt										\$ 996	\$ (995.62)
157	1122	06/04/20	Borrego Landfill										\$ 206	\$ (205.61)
158	1123	06/04/20	Brax Company - Underground electric & Panels					\$ 60,000.00						\$ (60,000.00)
159	1124	06/04/20	Fredericks Services Inc										\$ 25,457	\$ (25,457.00)
160	1125	06/04/20	Pacific Pipeline										\$ 31,956	\$ (31,955.72)
161	1126	06/09/20	DeAnza Ready Mix										\$ 597	\$ (596.74)
162	1127	06/09/20	Home Depot										\$ 879	\$ (878.96)
163	1128	06/09/20	Pacific Trans Environmental										\$ 605	\$ (604.95)
164	1129	06/18/20	Fredericks Services Inc										\$ 10,244	\$ (10,244.00)
165	1130	06/22/20	Downstream-Video manhole #8 to #4 by La Casa									\$ 2,680		\$ (2,680.00)
166	1131	06/22/20	Fredericks Services Inc										\$ 26,697	\$ (26,697.00)
167	1132	07/07/20	Home Depot						\$ 1,944					\$ (1,944.11)
168	1133	07/14/20	Brax Company, Inc.					\$ 110,809						\$ (110,808.81)
169	1134	07/14/20	De Anza Ready Mix										\$ 353	\$ (352.83)
170	1135	07/14/20	Dudek								\$ 2,100			\$ (2,100.00)
171	1136	07/14/20	Pacific Pipeline										\$ 25,139	\$ (25,138.57)
172	1137	07/16/20	Brax Company, Inc.					\$ 1,000						\$ (1,000.00)
173	1138	07/16/20	Fredericks Services Inc										\$ 27,464	\$ (27,464.00)
174	1139	07/28/20	Dudek						\$ 1,648		\$ 2,833			\$ (4,480.00)
175	1140	08/10/20	De Anza Ready Mix										\$ 353	\$ (352.83)
176	1141	08/10/20	Downstream Services									\$ 20,569		\$ (20,569.44)
177	1142	08/10/20	Home Depot						\$ 1,152				\$ 693	\$ (1,844.91)
178	1143	08/10/20	Pacific Pipeline					\$ 113					\$ 30,019	\$ (30,131.34)
179	1144	08/17/20	Downstream Services									\$ 4,008		\$ (4,008.00)
180	1145	08/17/20	Fredericks Services Inc										\$ 36,917	\$ (36,917.00)
181	1146	08/25/20	Dudek								\$ 6,547			\$ (6,547.35)
182	1147	08/25/20	Pacific Pipeline										\$ 3,271	\$ (3,270.58)
183	1148	08/25/20	Fredericks Services Inc										\$ 6,152	\$ (6,152.00)
184	1149	09/08/20	Pacific Pipeline Supply, Inc.										\$ 600	\$ (599.95)
185	1150	09/14/20	Fredericks Services Inc										\$ 29,559	\$ (29,559.00)
186	1151	09/14/20	Landmark Consultants, Inc							\$ 7,916				\$ (7,916.40)
187	1152	09/14/20	Pacific Pipeline Supply, Inc.							\$ 31			\$ 219	\$ (249.36)
188	1153	09/21/20	Dudek								\$ 6,816			\$ (6,816.18)
189	1154	09/21/20	McCalls Meters, Inc							\$ 2,687				\$ (2,687.29)
190	1155	09/21/20	Pacific Pipeline Supply, Inc.							\$ 6,896				\$ (6,895.73)
191	1156	09/21/20	Rove Engineering							\$ 142,653				\$ (142,653.00)
192	1157	09/29/20	Downstream Services									\$ 11,539		\$ (11,539.26)
193	1158	09/29/20	Joe's Paving										\$ 7,555	\$ (7,555.18)
194	1159	09/29/20	Landmark Consultants, Inc							\$ 7,517				\$ (7,516.80)
195	1160	10/13/20	Downstream Services								\$ 2,980			\$ (2,980.00)
196	1161	10/13/20	Landmark Consultants, Inc							\$ 4,180				\$ (4,180.00)
197	1162	10/13/20	Pacific Pipeline							\$ 2,613				\$ (2,612.77)
198	1163	10/20/20	County of SD Public Works							\$ 4,887				\$ (4,887.00)
199	1164	10/20/20	DeAnza Ready Mix										\$ 298	\$ (298.00)
200	1165	10/20/20	Dudek								\$ 7,184			\$ (7,184.00)
201	1166	10/22/20	Downstream Services									\$ 4,008		\$ (4,008.00)
202	1167	10/27/20	A-1 Irrigation							\$ 165				\$ (164.61)
203	1168	10/27/20	DeAnza Ready Mix					\$ 2,793						\$ (2,793.09)
204	1169	10/27/20	Landmark Consultants, Inc							\$ 4,439				\$ (4,438.80)
205	1170	11/05/20	Brax Company					\$ 11,769						\$ (11,768.96)
206	1171	11/05/20	Pacific Pipeline					\$ 1,793		\$ 2,956			\$ (697)	\$ (4,052.28)
207	1172	11/05/20	Pacific Trans Environmental										\$ 3,308	\$ (3,307.80)
208	1173	11/09/20	Brax Company					\$ 682						\$ (681.84)
209	1174	11/09/20	Downstream Services									\$ 2,783		\$ (2,782.50)

	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1														
2			BOND CIP FUNDS									Sewer Inspect		
3			RECONCILIATION-FY 2019/2021					Well 12-17100/	Prod Well	Pipeline Project	Prod Well	Club Cir 17150	Firehydrants	
4								4-5 Well upgrades	#1 ID4-9	Phase 1/2	#2	La Casa		
5				Bond Proceeds	Interest paid	Cost of Issuance	Misc.	10117140	10117110	10117120/17200	10117130	10117210	10117160	
210	1175	11/13/20	SD County							\$ 3,258				\$ (3,258.00)
211	1176	11/13/20	Downstream Services									\$ 12,258		\$ (12,258.00)
212	1177	11/30/20	Dudek								\$ 10,698			\$ (10,697.50)
213	1178	11/30/20	Landmark Consultants, Inc							\$ 3,072				\$ (3,072.00)
214	1179	11/30/20	McCalls Meters							\$ 1,510				\$ (1,509.58)
215	1180	11/30/20	Pacific Pipeline							\$ 620				\$ (619.68)
216	1181	11/30/20	Rove Engineering							\$ 262,712				\$ (262,712.00)
218			BOND FUND BALANCE	\$ 5,517,293	\$ -	\$ 147,390	\$ 905	\$ 853,096	\$ 1,608,927	\$ 1,265,513	\$ 88,204	\$ 153,629	\$ 534,577	\$ 865,052
221														
222										11/30/2020	MMA			\$ 1,088,216
223										11/30/2020	Checking			\$ 41,214
224										11/30/2020	Total Bond funds Balance			\$ 1,129,430

Borrego Water District
 Groundwater Management Expenses
 FYE 2021



Month	(54810) BBK <u>Stipulated</u>	Legal BBK/JT <u>GWM</u>	Watermaster <u>BWD Staff</u>	DUDEK	Wendy Quinn Minutes	Meter Testing	Staff Allocation	Conf/Classes Misc.	Jerry Consulting	G/LTotal
July 2020	16,175.77	7,611.00	3,900.54				7,801.08	9.99	125.00	35,623.38
Aug 2020	31,872.40	1,684.95		18,001.25	62.50		3,852.30	9.99		55,483.39
Sept 2020	23,410.10		1,198.00			2,025.00	600.00	9.99		27,243.09
Oct 2020	39,471.76		153.33	43,754.76				9.99		83,389.84
Nov 2020	79,653.35			2,476.25				9.99	1,125.00	83,264.59
Total	190,583.38	9,295.95	5,251.87	64,232.26	62.50	2,025.00	12,253.38	49.95	1,250.00	285,004.29

IV. B
November 2020 Water and Wastewater Operations
Report





BORREGO WATER DISTRICT

NOVEMBER 2020

WATER OPERATIONS REPORT

WELL	TYPE	FLOW RATE	STATUS	COMMENT
ID1-8	Production	350	In Use	
ID1-10	Production	300	In Use	
ID1-12	Production	900	In Use	
ID1-16	Production	750	In Use	
Wilcox	Production	80	In Use	Diesel backup well for ID-4
ID4-4	Production	400	In Use	
ID4-11	Production	900	In Use	Diesel engine drive exercised monthly
ID4-18	Production	150	In Use	
ID5-5	Production	850	In Use	

System Problems: All production wells are in service. All reservoirs are in operating condition.

WASTEWATER OPERATIONS REPORT

Rams Hill Wastewater Treatment Facility serving ID-1, ID-2 and ID-5 Total Cap. 0.25 MGD (million gallons per day):

Average flow: 77550 (gallons per day)

Peak flow: 108000 gpd SATURDAY, NOVEMBER 28- 2020



BORREGO WATER DISTRICT

RAMS HILL WASTEWATER TREATMENT FACILITY

4861 Borrego Springs Rd, BORREGO SPRINGS, CA 92004
(760) 767-5806 FAX (760) 767-5994

12//04/2020

CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD – REGION 7
73-720 FRED WARING DR. SUITE 100
PALM DESERT, CA. 92260

Attn: Adriana Godinez/WRCE

RE: NOVEMBER 2020 Borrego Springs WWTP

Dear Adriana,

Please find attached the NOVEMBER 2020 monthly monitoring reports and Nitrate Study Lab results for Borrego springs district WWTP.

We are pleased to inform you that there's no known violations for this month.

If you have any questions please contact ROGELIO MARTINEZ/WT-III. (760)419-2764.

Respectfully,

Rogelio Martinez/ water plant operator III

CC: Geoff Poole/GM

MONTHLY REPORT: R.H.W.T.F

MONTH: NOVEMBER

YEAR: 2020

BORREGO WATER DISTRICT,
RAMS HILL WASTEWATER TREATMENT FACILITY,
4861 BORREGO SPRINGS ROAD,
BORREGO SPRINGS, CA 92004
760-767-5806; phone
760-767-5994; fax

COMMENTS: THERE ARE NO SPILLS TO REPORT FOR NOVEMBER 2020; THE FLOW REPORT IS ATTACHED.

Submitted by: ROGELIO MARTINEZ/BWD TO: GEOFF POOLE/BWD;

12/04/2020

NOV 2020	DAILY FLOW GAL.	TOTAL FLOW GAL.
1	71200	39428800
2	56500	39485300
3	50800	39536200
4	58100	39594400
5	56400	39650800
6	68100	39719000
7	82200	39801200
8	84300	39885600
9	73600	39959300
10	64500	40023900
11	70100	40094100
12	75900	40170100
13	80200	40250400
14	92400	40342900
15	91000	40434000
16	70900	40505000
17	65600	40570700
18	69200	40639900
19	67000	40706900
20	70400	40777300
21	80400	40857800
22	92300	40950200
23	90500	41040800
24	80800	41121700
25	87900	41209600
26	98500	41308200
27	106200	41414500
28	108000	41522600
29	92400	41615100
30	71100	41686300

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BAIS REGION**

WDID NO.: **7A 37 0125 001**
ORDEF NO.: **R7-2019-0015**

**MONITORING AND REPORTING
BORREGO WATER DISTRICT - RAMS HILL WWTF
MONTH: NOVEMBER
YEAR: 2020**

REPORTING FREQUENCIES: MONTHLY

NOVEMBER

TYPE OF SAMPLE:	INFLUENT			PONDS		
	Flow	BOD	TSS	DO	pH	Freeboard
CONSTITUENTS:	Flow	BOD	TSS	DO	pH	Freeboard
FREQUENCY:	Daily	Monthly	Monthly	Twice Monthly	Twice Monthly	Twice Monthly
DESCRIPTION:	Measurement	Grab	Grab	Grab	Grab	Measurement
UNITS:	gpd	mg/L	mg/L	mg/L	s.u.	ft
REQUIREMENTS						
30-DAY MEAN:						
MAXIMUM:						
MINIMUM:						
DATE OF SAMPLE	NOVEMBER					
1	71200					
2	56500					
3	50800	69	110	7.44	8.49	3.5
4	58100					
5	56400					
6	68100					
7	82200					
8	84300					
9	73600					
10	64500					
11	70100					
12	75900					
13	80200					
14	92400					
15	91000					
16	70900					
17	65600			7.94	9.02	3.5
18	69200					
19	67000					
20	70400					
21	80400					
22	92300					
23	90500					
24	80800					
25	87900					
26	98500					
27	106200					
28	108000					
29	92400					
30	71100					
31						
30-DAY MEAN	77550	69	110	7.69	8.76	3.5
MAXIMUM	108000	69	110	7.94	9.02	3.5
MINIMUM	50800	69	110	7.44	8.49	3.5

I declare under the penalty of law that I personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: 
Date: 12-4-2020

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

WDID NO.: **7A 37 0125 001**
ORDER NO.: **R7- 2019-0015**

**MONITORING AND REPORTING
BORREGO WATER DISTRICT - RAMS HILL WWTF
MONTH: NOVEMBER
YEAR: 2020**

REPORTING FREQUENCY **MONTHLY**

NOVEMBER

EFFLUENT						
TYPE OF SAMPLE:	BOD	TSS	SS	T. Nitrogen	TDS	pH
CONSTITUENTS:	BOD	TSS	SS	T. Nitrogen	TDS	pH
FREQUENCY:	Twice Monthly	Twice Monthly	Twice Monthly	Twice Monthly	Twice Monthly	Twice Monthly
DESCRIPTION:	Grab	Grab	Grab	Grab	Grab	Grab
UNITS:	mg/L	mg/L	ml/L	mg/L	ml/L	mg/L
REQUIREMENTS						
30-DAY MEAN:						
MAXIMUM:						
MINIMUM:						
DATE OF SAMPLE						
1						
2						
3	0.0	4.0	0.0	3.3	500	8.62
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17	0.0	3.0	0.0	7.0	490	9.12
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
30-DAY MEAN	0.0	3.5	0.0	5.2	495	8.87
MAXIMUM	0.0	4.0	0.0	7.0	500	9.12
MINIMUM	0.0	3.0	0.0	3.3	490	8.62

I declare under the penalty of law that I personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: *Regina M...*
Date: 12-4-2020

IV. C

Water Production/Use Records: November 2020

Deffered to January Board Meeting

