

MINUTES OF REGULAR MEETING
March 3, 2022
RUBIDOUX COMMUNITY SERVICES DISTRICT

DIRECTORS PRESENT: Bernard Murphy
John Skerbelis
F. Forest Trowbridge
Hank Trueba, Jr.
Armando Muniz

DIRECTORS ABSENT: None

STAFF PRESENT: Jeffrey Sims, General Manager
Brian Laddusaw, Finance Director
Ted Beckwith, District Engineer
Brian Jennings, Customer Service Manager
Miguel Valdez, Operations Manager

Call to order: the meeting of the Board of Directors of the Rubidoux Community Services District by President Trueba, at 4:00 P.M., Thursday, March 3, 2022, by teleconferencing at District Office, 3590 Rubidoux Boulevard, Jurupa Valley, California.

ITEM 4. APPROVAL OF MINUTES

Approval of Minutes for February 17, 2022, Board Meeting.

Director Skerbelis moved, and Director Murphy seconded to approve the February 17, 2022, Regular Board Minutes as presented.

Roll call:

Ayes – 5 (Muniz, Murphy, Skerbelis, Trowbridge, Trueba)

Noes – 0

Abstain – 0

Absent – 0

The motion was carried unanimously.

ITEM 5. Consideration to Approve the March 3, 2022, Salaries, Expenses and Transfers.

Consideration to Approve the March 3, 2021, Salaries, Expenses and Transfers.

Director Trowbridge moved, and Director Skerbelis seconded to approve the March 3, 2022, Salaries, Expenses and Transfers.

Roll call:

Ayes – 5 (Muniz, Murphy, Skerbelis, Trowbridge, Trueba)

Noes – 0

Abstain – 0

Absent – 0

The motion was carried unanimously.

ITEM 6. PUBLIC ACKNOWLEDGE OF NON-AGENDA MATTERS

There were no members of the public to address the board.

ITEM 7. CORRESPONDENCE AND RELATED INFORMATION

There was a California News article regarding the end of the school indoor mask mandate on March 12, regardless of vaccination status. The second item is a letter from Michael Hadley, the governmental affairs representative of WMWD. The letter is addressed to Senators Padilla and Feinstein requesting for liability exemption for agencies operating wastewater treatment plants regarding PFAS as these agencies have to deal with all contaminants in sewage received for treatment and have no ability to control the input of contaminants placed in the influent.

ITEM 8. MANAGER’S REPORT

Operations Report:

Presented at the second meeting of the month.

Emergency and Fire Report:

Presented at the second meeting of the month.

ITEM 9. Consider Agreement to provide water to RCSD: DM 2022-16.

BACKGROUND

Rubidoux Community Services District (“District”) currently is reliant on local groundwater for its potable water supply. Historically the groundwater level in the Riverside Basin where District production occurs has been very stable. Given its historically stable local groundwater supply, the District has made limited investments to diversify its water supply portfolio. Over the past 20 years though the District has faced increased challenges using local groundwater due to treatment requirements necessary to remove various contaminants.

Over the years the District has added various treatment systems to enable compliance with State of California State Water Resources Control Board Division of Drinking Water (“DDW”) water quality requirements.

<u>Treatment Type</u>	<u>Location</u>	<u>Contaminant</u>
Ion Exchange	Smith Plant	Nitrate
GAC	Smith Plant	PFAS
Ion Exchange	Thompson Plant	PFAS
Oxidation	Thompson Plant	Manganese
GAC & Blending	Well 2	PFAS, Nitrate, 1,2,3-TCP

In addition to meeting DDW requirements the District must comply with sewer discharge limits of the City of Riverside (“Riverside”). The District owns 3.055 MGD of sewer discharge and treatment rights in Riverside’s treatment plant for treatment of sewage collected within the District’s service area. Riverside operates its wastewater plant pursuant to a NPDES Permit having a total dissolved solids (“TDS”) concentration limit of 650 mg/l for recycled water discharged to the Santa Ana River. As such, the District’s sewage discharged to Riverside needs to have a TDS concentration at or below 650 mg/l. Currently the District’s sewage delivered to Riverside has a TDS concentration of approximately 740 mg/l. The higher concentration of TDS in the District’s sewage is a function of 1) the ambient TDS level in the groundwater distributed for potable water use, and 2) the use increment of TDS added by customers discharged to the District’s sewer collection system.

Riverside is concerned about excess TDS in the District’s sewage and states the District is using available surplus TDS capacity created by other discharges to Riverside’s treatment plant who have lower TDS in their potable water supply. To limit the District from increasing its TDS loading to Riverside’s treatment plant, Riverside has objected to LAFCO approving proposed annexations of new service areas to the District. An example is the Rio Vista Project. The Rio Vista Project proposes upwards of 2,000 equivalent dwelling units, adding significantly to the District’s customer base.

LAFCO has indicated it will not proceed with an annexation of the Rio Vista Project into the District until such time the District provides a TDS Mitigation Plan acceptable to Riverside.

To reduce TDS concentration the TDS in the potable water system needs to be lowered to accommodate added TDS by customer use, or somehow limit the amount of TDS customers add. Limiting the amount of TDS added by customers is not feasible. As such, the focus should be on having a potable water supply with a low enough TDS concentration to accommodate the historical use increment added by customers. District Customers historically add approximately 200 mg/l TDS with a use. This means the District needs to have a potable water supply with an average TDS concentration of approximately 450 mg/l to stay at or below the 650 mg/l TDS limit in sewage delivered to Riverside.

Currently the District potable supply has a TDS concentration of approximately 540 mg/l. To lower this to 450 mg/l the District can either add a reverse osmosis treatment system to remove TDS or purchase low TDS potable water in sufficient volume to use as a diluent with its groundwater. Either of these options will add expense to the District’s Water and Sewer Enterprises.

Implementation of reverse osmosis treatment will take years to go through planning, CEQA, design, permitting, construction, and startup. Purchasing imported water is problematic as the District would need to fund the construction of a pipeline to another agency and pay for wheeling, and the cost of supply. Since the District is within Western Municipal Water District (“Western”), two options evaluated to deliver imported water to the District included – 1) delivery of treated imported Metropolitan Water District (“MWD”) water purchased from Western wheeled through Riverside’s distribution system to a connection on the west side of the Mission Street Bridge, and 2) moving imported MWD water purchased from Western wheeled through Jurupa Community Services District’s (“JCS”) distribution system to the existing Jewel Street intertie. These imported water options have significant upfront capital expense to implement and create District dependency on either Riverside or Jurupa in terms of consistency in water quality, and reliability of distribution systems.

A third imported water supply surfaced through staff discussions with West Valley Water District (“West Valley”). West Valley is directly adjacent to the District’s northerly service area boundary and has available capacity in its system to sell up to 2,000 AFY of low TDS potable water to the District. To make the physical interconnection between the District and West Valley infrastructure needs include approximately 250 LF of pipeline, metering, and pressure control valving. Although the physical solution for this option is straightforward, there are complicating institutional issues.

The District is a retail agency within Western, and Western is a member agency of MWD. MWD is a State Water Project Contractor through agreement with the Department of Water Resources (“DWR”) who owns the State Water Project. DWR build the State Water Project to move water from northern California to southern California. MWD makes State Water Project water available to retail agencies within its service area, including Western. The District’s access to imported water is through Western.

San Bernardino Valley Municipal Water District (“San Bernardino Valley”) is also a State Water Project Contractor through agreement with the DWR and has access to deliveries from the State Water Project. San Bernardino Valley makes state Water Project available to retail agencies within its service area. West Valley is a retail agency within San Bernardino Valley’s service area had has access to imported water through San Bernardino Valley.

Contracts between DWR and State Water Project Contractors disallow sales of State Water Projects in each other’s service areas.

To receive imported water from Western the District would incur infrastructure costs of \$7 million (estimated) and need to secure an agreement with Riverside to wheel water through their system. To receive imported water from Western through West Valley, a retail agency within San Bernardino Valley, the District would incur costs of \$0.5 million (estimated). Given this significant cost difference, staff rekindled discussions with San Bernardino Valley and Western and became aware of a similar agreement that wheeled MWD water through San Bernardino Valley to serve imported water to the portion of West Valley that is located within the MWD service area.

Given the previous agreement between MWD and San Bernardino Valley, the involved parties discussed preparing a similar agreement. The goal of the agreement would provide for Western to wheel State Water Project water to the District through San Bernardino Valley and West Valley systems. Untreated State Water Project water would be delivered to West Valley, and West Valley would deliver an equivalent amount of water to the District. From an accounting standpoint there

is no cost to San Bernardino Valley and the imported water would come from MWD's allocation of State Water Project water.

The proposed agreement entitled "Agreement to Provide Water to Rubidoux Community Services District," ("Agreement") attached, has the following main terms:

1. Parties:
 - a. Metropolitan Water District
 - b. San Bernardino Valley Municipal Water District
 - c. Western Municipal Water District
 - d. West Valley Water District
 - e. Rubidoux Community Services District
2. Volume of Water Available: up to 2,000 AFY
3. Accounting of water sales: MWD will bill Western for full service untreated water delivered into San Bernardino Valley's connection to MWD's system and include volumetric charges, capacity charges, and readiness to serve charges in effect at the time.
4. West Valley Charges: West Valley will charge the District for wheeling and treatment expenses, currently indexed to 85% of the MWD treatment surcharge for full-service water. As a note, a separate agreement between West Valley and the District will follow detailing specific operational terms and conditions for actual water deliveries.
5. Term: Agreement is effective to December 31, 2035, coinciding with the termination of State Water Contracts with DWR. However, the term of the Agreement extends to match the term of the State Water Contracts if extended.

Based on current costs water delivered to the District will cost \$1,160 to \$1,200/acre-foot.

With approval of the agreement and construction of the intertie with West Valley, the District will have access to low TDS potable water (325 mg/l) to use as diluent to combine with higher TDS local groundwater. Based on current annual water demand, the District will need around 800 AFY. This annual volume will increase as demand increases in the District with new development.

Laura Roughton, the newly appointed representative for Division 4 of WMWD, introduced herself to the Board. She gave some fun facts on WMWD. As a water wholesaler, Western provides water to the area through water sales. It is her commitment to ensure that this community has the water and wastewater services that it needs. This agreement will be voted on with Western's board on March 16. Additionally, Miss Roughton gave an update on the drought and stated that it is a serious situation. We need to make sure we are conserving water, but we also need to make sure we are not wasting water. She left some information with the board on Western.

Director Skerbelis moved, and Director Trowbridge seconded the Board of Directors approve and authorize the General Manager to:

- 1. Sign the agreement entitled "Agreement to Provide Water to Rubidoux Community Services District" as attached or as modified with minor, non-substantive edits.**

Roll call:

Ayes – 5 (Muniz, Murphy, Skerbelis, Trowbridge, Trueba)

Noes – 0

Abstain – 0

Absent – 0

The motion was carried unanimously.

ITEM 10. Consider Professional Services Contract for Construction of Security Improvements to the Fire Station 38 Perimeter Fence: DM 2022-18.

BACKGROUND

The Rubidoux Community Services District (“District”) is responsible for providing Fire Protection Services within the District’s boundary and provides this service through a contract with Riverside County Fire/CalFire (“County Fire”) for staffing and equipment. Fire Station 38 property and building are District owned and as the owner, the District is responsible for its ongoing upkeep. Funding to pay County Fire for contract services and ongoing expenses related to upkeep of Fire Station comes from the District’s share of property taxes paid by property owners within the District service boundary. The District retains reserves from this funding source for upkeep and improvements to Fire Station 38.

There is a considerable population of unsheltered and unhoused people in the City of Jurupa Valley, particularly in the area the District serves. A portion of this population occupies the vacant lot adjacent to Fire Station 38. Additionally, other unhoused persons roam the streets about Fire Station 38. County Fire staff suspect people occupying the adjacent lot are responsible for break-ins and breaches of the perimeter of Fire Station 38. These acts include breaking into storage buildings and stealing equipment and breaking into County Fire staff personal vehicles. When these events happen, staff files a report with the County Sheriff, and the District property insurance carrier.

District staff met with County staff to discuss options to secure Fire Station 38. Increasing physical difficulty of scaling the existing masonry perimeter fencing seems to be the best option.

To that end, District staff requested a proposal for preparation of plans and details for the construction of perimeter security improvements from T&B Structural Engineering (T&B) in Riverside. The President of the firm met with District staff at the Fire Station to discuss preparation of plans and details improve the perimeter wall. Proposed enhancements include adding vertical metal fencing affixed to the existing masonry wall, enlarging gates, and making the existing masonry wall less climbable. These improvements would include both vehicle access gates, closing decorative holes in the wall surrounding the HVAC Equipment and the Fireman’s outdoor patio, and completing the enclosure of the lattice cover over the patio. The height of the gate facing Mission Blvd. will be increased and work with the existing supports on the block wall on each side of the gate.

T&B’s proposal includes preparation of a detailed set of plans showing locations of each improvement, technical bid specifications, and support during construction. The proposed cost is

\$15,000. Staff seeks contingency funding in the amount of \$3,000 for design changes if necessary. In all staff is requesting \$18,000 (with contingency) be authorized to hire T&B Engineering to prepare necessary plans and specifications for enhancing perimeter fencing security at Fire Station 38. Once the plans are complete and publicly bid, staff will come back to the Board for additional funding for construction.

Property tax increment income for Fire Operations received by the District currently exceeds costs paid by the District for the annual County Fire contract and upkeep of Fire Station 38. Property tax income not expended is allocated to the District's General Fund Reserve. This money is available for improvements to Fire Station 38. To fund this \$18,000 expense, staff recommends the Board of Directors approve amending the FY 2022 Budget by moving \$18,000 from the General Fund – Line Item 6, Property Tax Transfer In (Transfers in from excess Property Tax Increment for Fire Services) to the Fire/Weed Abatement Budget Line-Item Number 12 Repairs and Maintenance.

Director Murphy would like the following questions answered:

- 1) Is it possible to have the debris removed from the property by forces employed by a public agency?
- 2) If it can, how long does that process take?

Director Trowbridge moved, and Director Murphy seconded the Board of Directors authorize the General Manager to:

- 1. Execute a Professional Services Contract with T&B Engineering in the amount of \$15,000.**
- 2. Amend the 2021-22 Fiscal Year Budget by moving \$18,000 from the General Fund Line Item 6 – “Property Tax Transfer In (Transfers in from excess Property Tax Increment for Fire Services)” to the Fire/Weed Abatement Budget, Line Item 12 – “Repairs and Maintenance” to fund this effort.**

Roll call:

Ayes – 5 (Muniz, Murphy, Skerbelis, Trowbridge, Trueba)

Noes – 0

Abstain – 0

Absent – 0

The motion was carried unanimously.

ITEM 11. Conduct public hearing and second reading of Ordinance No. 2021-129; an ordinance to implement requirements of SB1383: DM 2022-19.

BACKGROUND

On December 16, 2021, the Board of Directors of Rubidoux Community Services District (“District”) conducted a first reading of Ordinance No. 2021-129. The Board requested a continuance of the First Reading to provide time for staff to make modifications to the proposed

ordinance. Staff presented the modified ordinance to the District's Solid Waste Committee on January 20, 2022. Modifications included:

- a) Language limiting inspection access by the District on residential property.
- b) Modifications of penalty amounts the District may impose on customers to match the MINIMUM fines contained in Senate Bill 1383.

With the modifications addressed and reviewed by the Solid Waste Committee, the Board of Directors on February 3, 2022, conducted the continued First Reading of Ordinance 2021-129. The Board authorized the General Manager to prepare the Notice of Public Hearing and post the Notice appropriately to meet Brown Act requirements for the second reading of Ordinance No. 2021-129.

Since February 3, 2022, the following has occurred in preparation of the Public Hearing to consider the second reading of Ordinance No. 2021-129:

- February 3, 2022 – First reading of Ordinance 2021-129
- February 10, 2022 – Prepare Notice of Public Hearing for Publication in the Press Enterprise
- February 18, 2022 - Publish Notice of Public Hearing in the Press Enterprise and post on District's website (proof of publication attached)

With publishing of the Notice of Public Hearing ten days prior to March 3, 2022, requirements of the Brown Act are satisfied, and the Board can conduct a Public Hearing for public comment on proposed Ordinance No. 2021-129.

As the Board may recall, Ordinance No. 2021-129 (attached) is an ordinance providing the District authorities to implement mandated requirements of Senate Bill 1383. Senate Bill 1383 is legislation the state enacted to reduce the amount of organic waste disposed in landfills. Major goals of the legislation include:

1. Reduction in methane pollution going into the atmosphere caused by decomposition of organics
2. Collection of edible organic waste such as food products from stores and restaurants and distribute to people in need
3. Promote increased use of recycled wood and paper fiber products

The District's solid waste contractor, Burrtec, is assisting with details necessary to comply with the reporting and education requirements of Senate Bill 1383. In addition, staff has applied for \$49,500 of grant funding through CalRecycle to help offset programmatic expenses associated with implementing Senate Bill 1383. An eligibility requirement for this funding includes applying agencies having an adopted ordinance to provide the agency with authority to effect Senate Bill 1383 requirements in its service area. Proposed Ordinance No. 2021-129 will satisfy this requirement.

The Board will need to conduct a Public Hearing to receive public comments regarding Ordinance No. 2021-129. After conclusion of the Public Hearing the Board can do the second reading and deliberate adoption of Ordinance No. 2021-129.

Director Trueba opened the Public Hearing. There were no members of the public at the board meeting or on the zoom call to comment on the second reading of Ordinance No. 2021-129.

Director Trueba closed the Public Hearing.

Director Murphy moved, and Director Skerbelis seconded the Board of Directors to:

- 1. Conduct the Public Hearing for the Second Reading of Ordinance No. 2021-129 entitled – “An Ordinance of the Board of Directors of Rubidoux Community Services District Adopting Mandatory Organic Waste Disposal Reduction and Making a Determination of Exemption Under CEQA Guidelines Sections 15061 (B)(3) and 15308”.**
- 2. Adopt Ordinance No. 2021-129 - An Ordinance of the Board of Directors of Rubidoux Community Services District Adopting Mandatory Organic Waste Disposal Reduction and Making a Determination of Exemption Under CEQA Guidelines Sections 15061 (B)(3) and 15308**

Roll call:

Ayes – 5 (Muniz, Murphy, Skerbelis, Trowbridge, Trueba)

Noes – 0

Abstain – 0

Absent – 0

The motion was carried unanimously.

ITEM 12. Directors Comments

Director Murphy stated that he received something in the mail, however it was not the photocopies of the 2012, 2015, and 2018 MOU’s he had requested at the previous meeting. He would like the last page of the MOU’s from those years.

Director Trueba adjourned the meeting at 5:19 PM.