

MINUTES OF REGULAR MEETING
June 2, 2022
RUBIDOUX COMMUNITY SERVICES DISTRICT

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

DIRECTORS ABSENT: F.Forest Trowbridge

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, June 2, 2022, by teleconferencing at District Office, 3590 Rubidoux Boulevard, Jurupa Valley, California.

ITEM 4. APPROVAL OF MINUTES

The Minutes were deferred until the next board meeting due to unforeseen circumstances.

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

Consideration to Approve the June 3, 2022, Salaries, Expenses and Transfers.

Director Murphy moved, and Director Skerbelis seconded to Approve the June 3, 2022, Salaries, Expenses and Transfers.

Roll call:

Ayes – 4 (Muniz, Murphy, Skerbelis, Trueba)

Noes – 0

Abstain – 0

Absent – 1 (Trowbridge)

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

A letter is being generated by a coalition of general managers and it went around for everyone's input, to hire an AP advocate to help the water industry raise the level of awareness for policy makers in Sacramento. We chose not to support it, however our friends at WMWD have chosen to still put our name on it. It's a very strong letter. It will be in your packet for the 16th.

(Murphy) I still have the question for what happened last Thanksgiving. (Murphy) I'll repeat the question. Just the titles of the people that worked on Thanksgiving Day.

ITEM 8. MANAGER'S REPORT

Operations Report:

Well 2 is down currently. We should have that up and running in the next 2-3 weeks.

Emergency and Fire Report:

Presented at the second meeting of the month.

ITEM 9. PUBLIC HEARING – Second Reading and Adoption of Ordinance No. 2022-131, an Ordinance of the Rubidoux Community Services District Authorizing the Adjustment of the Riverside Sewage Treatment (RST) Cost Component of the Wastewater Charges. DM 2022-47.

BACKGROUND

On May 5, 2022, at the regularly scheduled Rubidoux Community Services District ("District") Board of Director's ("Board") meeting, the Director's directed staff to prepare DRAFT Ordinance No. 2022-131 and schedule its introduction (First Reading) of the Ordinance at the May 19, 2022 regularly scheduled Board meeting. The proposed ordinance includes a 5% increase in the Riverside Sewage Treatment ("RST") portion of the wastewater rates. This is a pass-through component of the wastewater bill the District pays to the City of Riverside for treatment and disposal. The 5% pass-through increase proposed in DRAFT Ordinance No. 2022-131 is consistent with year four (4) of the five (5) year fiscally sustainable water and wastewater rate plan ("Rate Plan") adopted by this Board in May 2019 after notice to the public in accordance with Proposition 218 and compliance with AB 3030 and concluded with a public protest hearing.

The proposed sewer residential rate increase is \$1.14 per month. This increase brings the total wastewater cost to the District's residential customers to \$29.92 per month. Non-residential customers are assessed a rate increase based on their water meter size. The proposed increases are necessary to keep pace with treatment charges passed through from the City of Riverside. The District's residential sewer rate with the 5% rate adjustment for pass through City RST charges increases to \$29.95 per month. This monthly rate of \$29.92 is significantly less than surrounding agencies.

During the First Reading of DRAFT Ordinance No. 2022-131 at the May 19, 2022 2022 regularly scheduled Board meeting, no Board members provided alterations or comments as it

pertained to DRAFT Ordinance No. 2022-131. At the conclusion of the First Reading, the Board directed staff to schedule a Public Hearing and Final Reading (Second Reading) of DRAFT Ordinance No. 2022-131 at the June 2, 2022 regularly scheduled Board meeting.

This afternoon's Public Hearing for Ordinance No. 2022-131 was posted at the District's office, on the District's website, and noticed in the Press-Enterprise Newspaper no less than 10 days prior to today.

As of the writing of this Memorandum, District staff received no comments, oral or written, from members of the public as it pertains to DRAFT Ordinance No. 2022-131.

At the conclusion of this afternoon's Public Hearing and Final Reading, District staff recommends the Board consider adoption of Ordinance No. 2022-131. The Ordinance will have an effective date no earlier than thirty (30) days from today or July 3, 2022.

Director Trueba opened the Public Hearing. With no members of the public to comment, Direct Trueba closed the Public Hearing.

Director Skerbelis moved, and Director Muniz seconded the Board of Director's Adopt Ordinance No. 2022-131 with an effective date of July 3, 2022.

Roll call:

Ayes – 4 (Muniz, Murphy, Skerbelis, Trueba)

Noes – 0

Abstain – 0

Absent – 1 (Trowbridge)

The motion was carried unanimously.

ITEM 10. PUBLIC HEARING – Second Reading and Adopting of Ordinance No. 2022-132, an Ordinance of the Rubidoux Community Services District Authorizing the Adjustment of the Riverside Sewage Treatment (RST) Cost Component of the Wastewater Charges. DM 2022-48.

BACKGROUND

On May 5, 2022, at the regularly scheduled Rubidoux Community Services District ("District") Board of Director's (Board") meeting, the Director's directed staff to prepare DRAFT Ordinance No. 2022-132 and schedule its introduction (First Reading) of the Ordinance at the May 19, 2022 regularly scheduled Board meeting. The proposed Ordinance includes a 6% increase in the "stand-by" and usage tiered service component of the potable water rates. The 6% increase proposed in DRAFT ordinance No. 2022-132 is consistent with year four (4) of the five (5) year fiscally sustainable water and wastewater rate plan ("Rate Plan") adopted by this Board in May 2019 after notice to the public in accordance with Proposition 218 and compliance with AB 3030 and concluded with a public protest hearing.

The District's residential and commercial potable water "stand-by" charge is based on the customers meter size. Currently, approximately 70% of the District's residential water customers

are billed at the 5/8” meter rate, while approximately 29% of the District’s residential water customers are billed at the 3/4” meter rate. For example, the typical customer billed at the 5/8” meter rate would see an increase in their “stand-by” charge of \$1.23, to \$28.62 per month. A typical District customer with a family of four, billed at a 5/8” meter rate and 19 units of water, would see an increase in their monthly bill of \$2.94, to \$64.03 per month. The proposed residential rate increase to \$64.03 for the typical District customer is significantly less than most surrounding agencies given the same meter size and usage.

During the First Reading of DRAFT Ordinance No. 2022-132 at the May 19, 2022 regularly scheduled Board meeting, no Board members provided alterations or comments as it pertained to DRAFT Ordinance No. 2022-132. At the conclusion of the First Reading, the Board directed staff to schedule a Public Hearing and Final Reading (Second Reading) of DRAFT Ordinance No. 2022-132) at the June 2, 2022 regularly scheduled Board meeting.

This afternoon’s Public Hearing for Ordinance No. 2022-132 was posted at the District’s office, on the District’s website, and noticed in the Press-Enterprise Newspaper no less than 10 days prior to today.

As of the writing of this Memorandum, District staff received no comments, oral or written, from members of the public as it pertains to DRAFT Ordinance No. 2022-132.

At the conclusion of this afternoon’s Public Hearing and Final Reading, District staff recommends the Board consider adoption of Ordinance No. 2022-132. The Ordinance will have an effective date no earlier than thirty (30) days from today or July 3, 2022.

Director Trueba opened the Public Hearing. With no members of the public to comment, Direct Trueba closed the Public Hearing.

Director Muniz moved, and Director Skerbelis seconded the Board of Director’s Adopt Ordinance No. 2022-132 with an effective date of July 3, 2022.

Roll call:

Ayes – 4 (Muniz, Murphy, Skerbelis, Trueba)

Noes – 0

Abstain – 0

Absent – 1 (Trowbridge)

The motion was carried unanimously.

ITEM 11. Presentation of the 2022 Water Master Plan and Wastewater Master Plan. DM 2022-49.

BACKGROUND

Periodically Water and Wastewater Master Plans must be updated to align with changes in General Plans, Zoning Plans, Specific Plans and modifications/additions of water and sewer infrastructure within the city or county the agency’s boundary encompasses.

Rubidoux Community Services District (“District”) has the responsibility of providing potable water and sewer disposal for its current and future customers. To this end, the Board authorized staff to hire Webb Engineers to update the District’s existing “Summary Master Water Plan” dated October 19, 2015 and update the existing “Wastewater Facilities Master Plan” dated November 30, 2015.

The 2015 Master Plans do not accurately reflect the City of Jurupa Valley’s current land use designations within the District’ Boundary. The updates evaluate capabilities of the existing system with current system demands and then the capabilities of the existing system with estimated future ultimate system demands based on the proposed land uses. System deficiencies and needs are identified and included as future capital improvements. The master plans reflect the scope of future improvements for the ultimate population and demand in the District, along with an estimate of the costs to implement.

The Master Plans are a key financial component for the District. They identify future infrastructure needs necessary to determine capacity fees. Capacity fees are paid by developers based on their proportionate benefit received by connecting to the District’s water and sewer systems. The updates to the District’s water and sewer masterplans will in part be used as foundational documents for the District’s upcoming Fee Nexus Report and Comprehensive Cost of Services Study.

Other efforts underway providing input into the District Comprehensive Cost of Services Study include the District Wide Comprehensive Condition Assessment Program, Development of a Valve Turning Program, Hydro Washing (Sewer Cleaning), Standard Operating Procedures (SOP’s), and Major Asset Management and Replacement needs. Each of these critical components of running the District have an associated cost impacting water and sewer rates (fixed and variable) as well as capacity fees. The information from the water and sewer master plan updates will be used in the comprehensive cost of services study which will be presented to the Board later this year.

This Director’s Memorandum is to present to the Board the Draft District Water and Wastewater Master Plan updates. Attached is the Executive Summary of each of these Draft Master Plans. A complete copy of each is included in the Director’s Folder and published on our website for public viewing. On June 16, 2022, the Final Drafts of the District Water and Wastewater Master Plan Updates will be presented for approval by the Board of Directors.

Ted Beckwith gave a detailed presentation and slideshow on the Water and Wastewater Master Plans. The Executive summaries are included currently. The reason for the Master Plan is to have overall strategy for the finances of the district to see the system build out for CIP. The city’s general plan has changed over the years and they do general plan updates and general plan amendments, so we need to more closely match what their planning is. We need to adapt our water and sewer system to meet those requirements. From that we can determine a basis for capacity and connection fees the developers have to pay to help fund the CIP required to help service the new development.

A quick overview on what’s in the Master Plan. There are 7 chapters, including a group of appendices. The first 6 chapters in the Master Plan are how the model was developed, how it was analyzed within the district based on projected land use, existing land use and determine if we have the need for upsizing existing pipe, what new pipelines need to be built. Chapter 7 is the construction projects that need to come in. The appendices cover how Webb got to the answers.

It also includes a section on an alternate for construction for a Reverse Osmosis plant and a preliminary study for that. The summary sheets are towards the end, what the different projects are when they are required to achieve build out.

The Wastewater Master Plan has 6 Chapters. The appendices are similar.

Staff recommends the Board of Directors review the Draft Water and Wastewater Master Plans in anticipation of consideration of their approval on June 16, 2022.

ITEM 12. Update Board of Directors on Specific SB 1383 Commercial and Multi-Family Compliance Requirements, Metrics, and Timeframe. DM 2022-50.

BACKGROUND

Assembly Bill 341 (Mandatory Commercial Recycling – MCR) set forth mandatory statewide **commercial recycling requirements** that became effective on July 1, 2012. The City of Jurupa Valley implemented Ordinance 2019-22(6.77.020) of their municipal code requiring businesses, including a commercial or public entities that generates four cubic yards or more of solid waste per week to establish and maintain recycling services for the following materials: plastic containers, cardboard products, paper products, metal products, glass, and other items.

Assembly Bill 1826 (Mandatory Commercial Organics Recycling -MORE) set forth mandatory statewide **commercial organics recycling requirements** that became effective in 2020. The City of Jurupa Valley implemented Ordinance 2021-1(6.77.020) of their municipal code requiring businesses, including a commercial or public entity that generates 2 cubic yards or more of solid waste per week to establish and maintain commercial organics recycling services. Organic waste (also referred to as organics) includes food waste, landscape waste, green waste and pruning waste, and non-treated wood.

On March 3rd, 2022, the Board of Directors of Rubidoux Community Services District (“District”) Adopted Ordinance No. 2021-129 – an Ordinance of the Board of Directors of Rubidoux Community Services District Adopting Mandatory Organic Waste Disposal Reduction. Ordinance 2021-129 implements requirements of Senate Bill 1383 (“SB 1383”), the Short-lived Climate Pollutant Reduction Act, that was signed into law September 19, 2016, mandating all jurisdictions providing solid waste collection to adopt an organic recycling ordinance. The main goal of SB 1383 is to reduce organic waste disposal by 75% and increase edible food recovery by 20% by year 2025. This legislation requires businesses, multi-family dwellings, and single-family residential properties to have access to recycling programs that collect food waste, green waste, wood waste, and fibers such as paper and cardboard.

To comply with SB 1383 the District is mandated to:

- Provide organic waste collection services to all District solid waste customers including green waste, wood waste, food waste, etc.; and
- Implement an edible food recovery program recovering edible food from commercial edible food generators; and
- Provide education and outreach to haulers, generators, and edible food recovery organizations; and
- Procure recycled organic waste products such as compose, renewable gas, and mulch; and

- Plan and secure access for recycling and increasing edible food recovery capacity; and
- Monitor compliance efforts and conduct enforcement for annual reporting requirements.

IMPLEMENTATION – Mandatory Commercial Recycling – (MCR) and Mandatory Commercial Organics Recycling – (MORe):

Burrtec has been actively doing outreach to Rubidoux Community Service District Business’s and Multi-family Residents – (MFR’s -5 Units or more).

- Survey forms to determine which MCR and MORe programs are required for individual Businesses and MFR’s in the District
- Burrtec Service Coordinators conducted free waste assessment to assist with compliance of the new laws
- Outreach to Business and MFR’s for voluntary compliance

Beginning September 2021, Burrtec Outreach moved from voluntary compliance to mandatory compliance.

- September 3, 2021, Notices of Non-Compliance letters were mailed, requesting compliance no later than October 3, 2021
- December 16, 2021, Notices of Non-Compliance Certified Mail Letters were mailed, requesting compliance no later than January 16, 2022
- Current campaign
 - Notices of Non-Compliance Certified Mail Letters mailed May 27, 2022
 - Deadline to comply and avoid further action is June 17, 2022
- ***Failure to meet compliance requirements will result in Business and MFR’s having the necessary recycling container(s) delivered to the location to comply with the regulations***
- ***Accordingly, the minimum monthly fee(s) will be added to the existing bill once the service begins***
- ***Service begins the week of June 27, 2022***

COMPLIANCE STATUS:

Burrtec staff indicate that CalRecycle current expected level of Compliance is in the 90-95 percentile.

Report Type: Compliance Information

Jurisdiction: Rubidoux CSD

Month/Year: April 2022

MCR and MORE Covered Information			
Commercial Accounts			
MCR (1)	Not Compliant	31	19.62%
	Total MCR Business Accounts	158	100.00%
MORE (2) Organic Waste	Compliant	243	82.37%
	Not Compliant	52	17.63%
	Total MORE Business Accounts	295	100.00%
MORE (2) Food Waste	Not Compliant	36	12.20%
	Total MORE Business Accounts	295	100.00%
MORE (2) Green Waste	Not Compliant	22	7.46%
	Total MORE Business Accounts	295	100.00%
Multifamily Accounts			
MCR (1)	Not Compliant	16	41.03%
	Total MCR Multifamily Accounts	39	100.00%
MORE (2) Green Waste	Not Compliant	12	31.58%
	Total MORE Multifamily Accounts	38	100.00%

(1) MCR Program Covered: Commercial, 4 cy or more of solid waste & Multifamily, 5 units or more.

(2) MORE Program Covered: Commercial, 2 cy or more of solid waste & Multifamily, 5 units or more & 2cy or more of solid waste.

Note: Covered accounts are determined using CalRecycle approved service level disposal-based approach.

Totals for Covered accounts will vary due to ongoing service changes such as new accounts, increased service or closed accounts.

On the preceding page, the data as of April, 2022, show RCSD Businesses at approximately 80 and 90% level of compliance while MFR's level of compliance is in the 60 and 70 percentiles.

Upon completion of the current MCR and MORE Non-Compliance campaign being performed by Burrtec, future compliance monitoring and reporting responsibilities to CalRecycle will transition to the District and District staff.

IMPLEMENTATION – RESIDENTIAL FOOD WASTE COLLECTION:

Information regarding Residential Food Waste Collection and launch date will be provided by Burrtec beginning the 3rd quarter of 2022.

- Quarterly Burrtec Residential Waste and Recycling Newsletter (Summer 2022), will be included with the District's June bills, posted on the RCSD website and copies made available in the District front office lobby.

Information item only.

ITEM 13. CLOSED SESSION – Pursuant to Government Code 54957(b)(1): Consider Cost of Living Adjustment for General Manager.

There was action on the personnel matter.

ITEM 14. CLOSED SESSION – Pursuant to Government Code Section 54956.9: Legal Counsel Status Update on 1,2,3-TCP Litigation Case, Rubidoux CSD v. Dow Chemical Co.

There was action on the litigation case.

ITEM 15. Directors Comments

Director Trueba adjourned the meeting at 6:08 PM.