

**MINUTES OF REGULAR MEETING**  
**December 16, 2021**  
**RUBIDOUX COMMUNITY SERVICES DISTRICT**

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

**DIRECTORS ABSENT:**

**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 Skerbelis, at 4:00 P.M., Thursday, December 16, 2021, by teleconferencing at District Office, 3590 Rubidoux Boulevard, Jurupa Valley, California.

It was requested to add an emergency item to the agenda as Item #12.

**Director Murphy made the motion, and Director Trueba seconded to amend the agenda and add Item #12 to an Executive Closed Session.**

**The motion was carried unanimously.**

**ITEM 4. APPROVAL OF MINUTES**

Approval of Minutes for December 2, 2021, Board Meeting.

**Director Murphy moved, and Director Trueba seconded to approve the December 18, 2021, 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 December 17, 2021, Salaries, Expenses and Transfers.**

Consideration to Approve the December 17, 2021, Salaries, Expenses and Transfers.

**Director Murphy moved, and Director Trowbridge seconded to Approve the December 17, 2021, 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**

Included in the packet was some correspondence interests. There were some articles regarding drought conditions in the state of California and western states affecting the Colorado River Watershed and State Water Project. Given the ongoing duration of the drought, a single good storm does not relieve the state from a drought. At this time, the District has not declared any shortage. Mr. Sims informed the Board that he and Mr. Beckwith have been reviewing the District's Water Shortage Contingency Plan. Inside the recently approved Urban Water Management Plan there is a Water Shortage Contingency Strategy. Staff will likely be coming to the board in January or February with an Ordinance to codify our Water Shortage Contingency Plan stages and get the authorities to implement enforcement if necessary. There is a statewide drought which has prompted DWR to initially state there is a zero allocation of water to State Water Project contractors. It is still early in the "water year", which starts October 1 each year and it is hoped as the winter months proceed there will be above normal wet weather to improve current drought conditions.

The final article was on David Wright, the former head of Los Angeles DWP who was caught accepting bribes from a lawyer in exchange for supporting a \$30 million, no bid DWP contract. Additionally, he admitted in a plea agreement that he participated in several other corrupt schemes while serving as head of the DWP.

Director Murphy added that he attended a meeting at WMWD. One of the presenters was from MWD and they were talking about the DWR water allocations. They have redefined their data set for rainfall to include just the most recent 60 years. In the 60-year period, the wettest year occurred in 2016-2017 rainy season, as exemplified by Oroville Dam overflowing. They dumped all that water in that 3-year period. It's a good idea to build more storage facilities to store water, but if they are not managed appropriately, it can be a problem.

## **ITEM 8. MANAGER'S REPORT**

### **Operations Report:**

Miguel Valdez reported on the water/wastewater report for the month of November. Potable water production was an average of 4.12 mgd per day. Wastewater averaged 1.67 mg/day of flow to Riverside.

Potable production was provided as follows:

Well No. 18 produced 50%  
Well No. 1 produced 1%  
Well No. 2 produced 10%  
Well No. 4 produced 20%  
Well No. 6 produced 15%  
Well No. 8 produced 4%

### **Emergency and Fire Report:**

Chief Veik reported the Incidents Reported for the month of November 2021 and Special District Rubidoux CSD. Station 38 had a total of 282 calls, quite a bit above Station 38's normal history of calls. 180 calls, 63.8%, were medical aides.

Fire Inspector Joe Lewis conducted 21 annual business inspections. That included 45 weed abatement inspections. Joe Lewis will be moving over to The City of Eastvale Fire as their full-time fire inspector. We will now need to hire a new fire inspector. We had several water rescues during the rainstorm in the river bottom. The Fire Department alerted homeless in the river bottom area of impending flooding asking them to seek high ground. The river bottom is extremely hazardous both during flood season and fire season. Chief Weiser is leading a campaign to reduce fuel in the river bottom, hopefully to be all pursued by grants.

Director Trueba inquired about a traffic collision fatality at Limonite/Clay. Chief Veik reported that there was an adult fatality at the scene and major injuries to a pediatric victim.

Director Murphy inquired about an article on a fire that occurred in Riverside on a windy day. There was brush that occurred naturally and the mulch that was being composted. He wanted to recognize that we're going to have a concerted effort to reduce the fuel in the river bottom, which occurs naturally. The mulch that was at that fire was man placed and it became a fuel source for a fire. He wanted to recognize if these types of combustible materials are going to be placed on properties, there needs to be concern for potential for fires. Mr. Sims added that at the City of Jurupa Valley Design Review Team meetings there is an opportunity for the County Fire Department to give input at the Planning Commission meetings.

## **ITEM 9. Receive and File Statement of Cash Asset Schedule Report Ending November 2021. DM 2021-84.**

## **BACKGROUND**

Attached for the Board of Directors' consideration is the November 2021 Statement of Cash Asset Schedule Report for all District Fund Accounts. Our YTD interest is \$24,952.07 for District controlled accounts. With respect to District "Funds in Trust", we show \$1,059.41 which has been earned and posted. The District has a combined YTD interest earned total of \$26,011.48 as of November 30, 2021.

The District's Operating Funds (Excluding Restricted Funds and Operating Reserves), we show a balance of \$6,241,881.19 ending July 31, 2021. That's **\$1,876,165.78 LESS** than July 1, 2021, beginning balance of \$8,118,046.97.

Further, the District's Field/Admin Fund current fund balance is \$706,366.66.

Submitted for the Board of Directors consideration is the *November 2021, Statement of Cash Asset Schedule Report* for your review and acceptance this afternoon.

**Director Trowbridge moved, and Director Trueba seconded to Receive and File the Statement of Cash for the Month of November 2021 for the Rubidoux Community Services District.**

**Roll call:**

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

**Noes – 0**

**Abstain – 0**

**Absent – 0**

**The motion was carried unanimously.**

**ITEM 10. Consider Ordinance No. 2021-129, an Ordinance to Implement Requirements of SB 1383. DM 2021-85.**

## **BACKGROUND**

Rubidoux Community Services District ("District") provides solid waste collection for customers within its service boundaries. The District accomplishes this service through an agreement with Burrtec Waste Industries, Inc. ("Burrtec"). The District-Burrtec agreement has been in place since January 1, 2008. This agreement has a 5-yr wind down period after notice of non-renewal is provided on or before December 31 of a year. To date neither the District nor Burrtec has provided a written notice of non-renewal to initiate the wind down period.

Each spring the District and Burrtec review rates Burrtec will charge the District. Once finalized, the District goes through a Prop. 218 process to establish adjusted rates starting each July 1. Per the agreement Burrtec can adjust rates annually linked to the local consumer price index, plus direct pass-through costs paid to the County for tipping fees. The District does billings and provides customer service. To cover these expenses the District receives \$0.25 per residential customer per month and 10% of the commercial account revenues.

On September 19, 2016, Senate Bill 1383 (“SB 1383”), the short-lived Climate Pollutant Reduction Act, was signed into law 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 percent and increase edible food recovery by 20 percent 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.

The State of California relies on the California Department of Resources Recycling and Recovery, known as CalRecycle, a department within the California Environmental Protection Agency to develop regulations associated with waste and recycling laws passed by the legislature.

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 compost, 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.

A summary of SB 1383 requirements prepared by Burrtec is attached.

CalRecycle mandates every entity providing solid waste services to adopt a mandatory recycling ordinance. The ordinance will enable entities authority to enact and enforce organics recycling on customers. The District has been working with Burrtec and the City of Jurupa Valley on implementing the necessary ordinance and has advised CalRecycle of the intent to have the Ordinance in place no later than the District’s first Board Meeting in February 2022. CalRecycle may assess fines up to \$10,000 per day for non-compliance with requirements of SB 1383 in the absence of a good-faith effort by the District.

Ordinance No. 2021-129 is the District’s first step toward compliance with SB 1383 requirements. Over the next 3-6 months, the District, City of Jurupa Valley, and Burrtec will coordinate on future implementation to avoid duplicative administrative efforts. The goal will be to find the most cost-effective way to implement Ordinance No. 2021-129 while complying with SB 1383 requirements.

Proposed Ordinance No. 2021-129 is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15061 (B)(3) and 15308 because it can be seen with certainty there is no possibility these regulations will have a significant negative effect on the environment.

The financial effect of adopting Ordinance No. 2021-129 is undetermined. Given administrative and programmatic efforts required to implement the requirements of SB 1383, it is more likely than not customer rates will increase. As staff coordinates with the City of Jurupa Valley and

Burrtec the goal of staff is to find ways to mitigate the increases by finding ways to partner with the City of Jurupa Valley and Burrtec to minimize if not eliminate duplicative efforts conducted by Burrtec on behalf of both entities.

The first step towards implementation is for the Board of Directors to conduct a first reading of Ordinance No. 2021-129 with final adoption at the January 20, 2022, Board Meeting.

**Director Murphy’s comments:**

Director Murphy went to the city and spoke at their public hearing and when they approved a similar Ordinance. His concerns are as follows: On the board letter they spoke of different colored containers. It is his understanding of what is intended by this state regulation is that they want kitchen waste going into the green container as opposed to the black container. There is a requirement that plastic bags go into the green container must be compostable and they are available. People need to know that food clippings need to be put into an unlined pail or one of the compostable plastic bags must be used.

Director Murphy read page 19 from the city’s ordinance, which covered regulated entities. What this page stated in the ordinance was that an inspector can go to a private residence, and state that he/she needs to inspect the trash cans – ‘please open the gate’. After going down to the city, he was told that the city would never do that. He has had previous experience with the City of Jurupa Valley code enforcement officer demand a full walk around inspection of his home and give him a comment in the end. The customers are being asked to pay for increased trash rates to provide the funds so that a city inspector has the authority to go on a private residence. Page 20 of the ordinance states fines will be imposed for violations. He believes the ordinance should be clear on how it is structured. The language in it should match language in the state law, specifically the section regarding not having fines for residential properties.

It was suggested the Trash Committee meet and completely go over the ordinance.

**Director Murphy moved to Defer/Table the Ordinance to the Trash Committee for Further Action. Director Trowbridge seconded the motion.**

**No Action.**

**ITEM 11. Consider Award of Professional Services to Ruhnau Clarke Architects for District Building Option Study. DM 2021-86.**

**BACKGROUND**

The District Board of Directors of Rubidoux Community Services District (“District”) has over the years considered potential options for new building facilities. These include:

- A. A new two-story glass building located on the vacant lot behind Stater Brothers
- B. The County Fleet Building either purchasing alone or in partnership with the City of Jurupa Valley
- C. Remodel of 3590 Rubidoux Blvd. (current location) and building a Field Function with goal of consolidating all staff in one location
- D. 5473 Mission Blvd. for administrative functions and remodeling 3590 Rubidoux Blvd. for field operations

Option A was deemed too expensive and the architecture inconsistent with the desired “Mission Village” planning concept. Option is no longer an opportunity as the City of Jurupa Valley has purchased the property alone after the Board decided the Fleet Building was not going to be functional for joint use without substantive remodeling and expense. Option remains viable but would need further refinement (fuel station and perimeter security fencing) and an evaluation of how to maintain continuity of business during remodeling efforts.

The County of Riverside owns 5473 Mission Blvd. and plans to surplus it. The County has provided the District a right-of-entry to evaluate interest for its purchase.

At its September 16, 2021, Board Meeting the Board authorized staff to hire Ruhnau Clarke to do preliminary space layouts for 5473 Mission Blvd. and based on the preliminary layouts it appears the building could be remodeled and facilitate District Administrative functions.

To provide a comprehensive evaluation of building needs, staff recommends the following work be done by Ruhnau Clarke:

1. Finalize space layouts for 5473 Mission Blvd. and generate project cost estimates. The estimate would include perimeter security fencing and lighting.
2. Develop a remodeling plan for 3590 Rubidoux Blvd. for Field Functions only. This option would include a “butler” building and perimeter security fencing. The butler building would be sized to store District Fleet vehicles and materials in a secure manner during non-working hours. Also included with this option would be the addition of a new fueling station and vehicle wash area.

The combined project cost of remodeling 5473 Mission Blvd. and 3590 Rubidoux Blvd. would be compared against the cost of Option C.

Ruhnau Clarke has submitted a proposal dated December 13, 2021, to help the District have appropriate information to make a decision on which option to proceed with. The goal is to have a final decision by the first meeting in February so we can advise the County of Riverside one way or another regarding 5473 Mission Blvd. Ruhnau Clarke requests a budget authorization of \$32,900 includes a budget of \$500 for reimbursables. The budget is a not-to-exceed amount.

In the FY 2022 General Fund Budget, Line 45 included \$25,000 for Office Improvements. Of this budget, \$6,750 was committed to prior work by Ruhnau Clarke. This leaves \$18,250. It is recommended instead of using this remaining budget, the Board authorize a budget amendment to allocate \$32,900 from the Field/Admin Building Reserve Fund that has a balance of \$706,366.66 (as of November 30, 2021) to pay for this work by Ruhnau Clarke.

**Director Murphy moved, and Director Muniz seconded the Board of Directors approve and authorize the General Manager to:**

- 1. Amend the District FY 2022 Budget by allocating \$32,000 from the Field/Admin Building Reserves to the General Fund Line 45 – Office Improvements.**
- 2. Issue Task Order No. 2 under Master Agreement RCSD 2021-04 to Ruhnau Clarke in an amount of not-to-exceed amount of \$32,900.**

**Roll call:**

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

**Noes – 0**

**Abstain – 0**

**Absent – 0**

**The motion was carried unanimously.**

**ITEM 12. CLOSED EXECUTIVE SESSION – Pursuant to Government Code Section 54956.9:**

After discussion and deliberation the Board approved increasing the District's monthly Health Care contribution for each employee \$66 per month. Motioned by Skerbelis, second Trowbridge:

Roll call:

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

Noes – 1 (Murphy)

Abstain – 0

Absent - 0

**ITEM 13. Directors Comments**

The Directors wished everyone Happy Holidays.

Director Skerbelis adjourned the meeting at 5:47 PM.