



**BOARD OF DIRECTORS
REGULAR MEETING**

Pursuant to the State of California Executive Order N-29-20, and in the interest of public health, the District is temporarily taking actions to mitigate the COVID-19 pandemic by holding Board Meetings by teleconference or videoconference. The general public may not attend this meeting at the District's office due to social distancing requirements.

To join this meeting via Zoom Teleconference please dial: 1 (669) 900-6833
Meeting ID: 868 3973 3307 **Passcode:** 897955

Public Participation/Comment: Members of the public can participate in the meeting by emailing comments to the Executive Assistant at tbaity@lwwd.org by 4:00 p.m. the day of the meeting. The subject line of your email should clearly state the item number you are commenting on. If you desire to have your comment read into the record during the meeting, please note that in the email subject line. All comments will be emailed to the Board of Directors prior to the start of the meeting. Finally, comments may be mailed to the District, but to be considered, must be received on or before the meeting date. Written comments should be mailed to: Leucadia Wastewater District, c/o Executive Assistant, 1960 La Costa Avenue, Carlsbad, CA 92009.

DATE: Wednesday, December 8, 2021
TIME: 5:00 p.m.
PLACE: VIA VIDEOCONFERENCE ONLY

AGENDA

Items on the agenda may be taken out of sequential order as their priority is determined by the Board of Directors. In the case of an emergency, items may be added to the Agenda by a majority vote of the Board of Directors. Also, items that arise after posting of the Agenda may be added, per Government Code Section 54954.2, by a 2/3 vote of the Board.

Any writings or documents provided to a majority of the members of Leucadia Wastewater District regarding any item on this Agenda will be made available for public inspection in the Administration Office located at 1960 La Costa Avenue, Carlsbad, CA 92009 during normal business hours. In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the Executive Assistant at (760) 753-0155. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**

4. **Adopt Resolution No. 2361 - Authorizing Remote Teleconference Meetings Due to the Declared State Emergency Resulting From the COVID-19 Pandemic (Pages 5-8)**
5. **General Public Comment Period**
6. **Approval of Agenda**
7. **Presentation and Awards**
 - A. Achievement of Organizational Performance Objective – Two Years No Spills. (Page 9)

CONSENT CALENDAR

Items 8-13 will be enacted in one motion in accordance with the recommendation unless removed from the Consent Calendar by the Board of Directors, Staff or Public. If a member of the public wishes to remove an item, they should submit a "Request to Address the LWD Board of Directors" form to the Board Secretary prior to the meeting. Items removed from the Consent Calendar will be considered in the original agenda order immediately following adoption of the Consent Calendar.

8. Approval of Board and Committee Minutes

Minutes of the following meetings:

November 10, 2021 Regular Board Meeting (Pages 10-16)
November 30, 2021 Human Resources Committee Meeting (Pages 17-18)
December 1, 2021 Engineering Committee Meeting (Pages 19-20)

9. Approval of Demands for November/December 2021

This item provides for Board of Directors approval of all demands paid from LWD during the month of November and a portion of December 2021. (Pages 21-28)

10. Operations Report

This report discloses the year-to-date and monthly flow, rainfall, EDU's and reclaimed water averages; along with MGD flow comparisons from FY21 to FY22, flows by sub-basin, and staff training. (Pages 29-35)

11. Finance Report

This report discloses up-to-date schedule of assets, liabilities, net assets and compares fiscal year-to-date expenditures to the FY22 budget and discloses monthly investments. (Pages 36-43)

12. Disclosure of Reimbursements

This report discloses travel expense reimbursements for the month of November 2021. (Pages 44-45)

13. Board-General Manager/Staff Relations Policy

Receive and file the annual review of the Board-General Manager/Staff Relations Policy. (Pages 46-50)

EWA REPORTS

14. Encina Wastewater Authority Reports

- A. A regular EWA Board Meeting was held on November 17, 2021 via video conference – report by Director Sullivan. (Page 51)

- B. An Encina Member Agencies Manager's Meeting was held on December 7, 2021 – report by GM Bushee. (Verbal)

COMMITTEE REPORTS

15. Committee Reports

- A. Human Resources Committee Meeting was held on November 30, 2021 via videoconference – report by Director Sullivan. (Page 52)
- B. Engineering Committee meeting was held on December 1, 2021 via videoconference – report by Director Roesink. (Page 53)

ACTION ITEMS

16. Fiscal Year 2022 Gravity Sewer Repairs Project

Authorize the General Manager to execute an Agreement with Burtech Pipeline, Incorporated for construction services to complete the Fiscal Year 2022 Gravity Sewer Repairs Project in an amount not to exceed \$268,000. (Pages 54-58)

17. Adopt Resolution No. 2360 - Amending the LWD Substance Abuse Policy. (Pages 59-78)

18. Board of Directors Election of Officers. (Pages 79)

19. Approve the Board Performance Evaluation Survey (Pages 80-91)

INFORMATION ITEMS

20. Project Status Updates and Other Informational Reports

- A. 2022 CASA Winter Conference is scheduled for January 19 - 21, 2022 at the Hilton Palm Springs in Palm Springs, CA. (Verbal)

21. Directors' Meetings and Conference Reports

- A. CSDA Quarterly Dinner Meeting was held on Thursday, November 18, 2021 at the 94th Aero Squadron in San Diego, CA. (Page 92)

22. General Manager's Report

23. General Counsel's Report

24. Board of Directors' Comments

25. Adjournment

AFFIDAVIT OF POSTING

I, Paul J. Bushee, Secretary of the Leucadia Wastewater District, hereby certify that I posted a copy of the foregoing agenda in the lobby of the District office at 1960 La Costa Avenue, Carlsbad, California and on the District website www.lwwd.org at least 72 hours prior to the meeting, in accordance with Govt. Code Section 54954.2(a).

Date: December 2, 2021



Paul J. Bushee, Secretary/General Manager

MEMORANDUM

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: **Adopt Resolution No. 2361 – Authorizing Remote Teleconference Meetings Due to the Declared State of Emergency Resulting from the COVID-19 Pandemic**

RECOMMENDATION:

Staff recommends that the Board of Directors:

1. Adopt Resolution No. 2361 – Authorizing Remote Teleconference Meetings Due to the Declared State of Emergency Resulting from the COVID-19 Pandemic;
2. Discuss and take other action, as appropriate.

DISCUSSION:

On September 30, 2021 the Executive Orders authorizing virtual or teleconference meetings without full compliance with the Brown Act expired. On September 16, 2021, Governor Newsom signed Assembly Bill 361, which took effect immediately, and amends provisions of the Ralph M. Brown Act (Cal. Gov. Code 54950 *et seq.*) to provide local agencies with authority to continue virtual meetings during a state of emergency proclaimed by the Governor.

The authority provided by AB 361 is not automatic. For Leucadia Wastewater District to continue virtual meetings:

1. There must be a proclaimed state of emergency pursuant to section 8625 of the California Emergency Services Act (Cal. Gov. Code, § 52953(e)(4).); and
2. The Board of Directors must hold a meeting and adopt a resolution finding, by a majority vote, that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees. (Cal. Gov. Code, § 52953(e)(1).)

On March 4, 2020, Governor Newsom proclaimed a state of emergency pursuant to Section 8625 of the California Emergency Services Act, and it remains in place today. Thus, the Board of Directors has authority to adopt an AB 361 resolution extending virtual meetings. Resolutions approving virtual meetings pursuant to AB 361 automatically expire after 30 days unless renewed. (Cal. Gov. Code, § 52953(e)(3).)

The Board has adopted complying resolutions at its October and November meetings and staff is recommending the Board adopt Resolution No. 2361 in order to hold its December 8th meeting virtually.

PJB:dwb

Attachment

RESOLUTION NO. 2361

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LEUCADIA
WASTEWATER DISTRICT AUTHORIZING REMOTE TELECONFERENCE
MEETINGS DUE TO THE DECLARED STATE EMERGENCY RESULTING FROM
THE COVID-19 PANDEMIC**

WHEREAS, the Leucadia Wastewater District is committed to ensuring public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Leucadia Wastewater District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconference meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), during a proclaimed state of emergency, subject to specified conditions; and

WHEREAS, on March 4, 2020, the Governor of California issued a Proclamation declaring a state of emergency pursuant to Government Code section 8625 due to the COVID-19 pandemic; and

WHEREAS, COVID-19 can result in serious illness or death; and

WHEREAS, COVID-19 spreads effectively in indoor settings when multiple people are present,

**NOW, THEREFORE, THE BOARD OF DIRECTORS FOR THE LEUCADIA
WASTEWATER DISTRICT HEREBY FINDS AND RESOLVES AS FOLLOWS:**

1. The above recitations are true and correct.
2. As a result of the COVID-19 pandemic state of emergency, the risk of serious illness or death from the disease, and the ability of the disease to spread efficiently when multiple people are present, the Board finds that meeting in person would present imminent risks to the health and safety of attendees.
3. Accordingly, the Board elects to continue holding legislative meetings telephonically pursuant to the alternative procedures authorized by Government Code section 54953(e).
4. The General Manager is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

5. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) January 7, 2021, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of LEUCADIA WASTEWATER DISTRICT may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED at a meeting of the Board of Directors of LEUCADIA WASTEWATER DISTRICT held December 8, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald F. Omsted, President

ATTEST:

Paul J. Bushee, General Manager

(SEAL)

MEMORANDUM

Ref: 22-7807

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager
SUBJECT: Two Years No Spills



It is my pleasure to announce that the Leucadia Wastewater District recently achieved an Organizational Objective under the Incentive Program. The achievement is as follows:

Achieve highest number of a consecutive year(s) without a reportable spill

One of the District's organizational goals is to protect our local environment, private and personal property and public assets. To achieve this goal, the District must not have a sewer spill for one consecutive year or multiple consecutive years. As of November 28, 2021, the District has achieved this goal by not having a spill for more than two years

Under the Incentive Program, staff is eligible for an incentive award of \$1,000 per employee for this accomplishment.

Please join me in congratulating LWD for this outstanding accomplishment.

tb:PJB

LEUCADIA WASTEWATER DISTRICT
 Minutes of a Regular Board Meeting
 November 10, 2021

A regular meeting of the Board of Directors of the Leucadia Wastewater District was held Wednesday, November 10, 2021 at 5:00 p.m. via teleconference.

1. Call to Order

President Omsted called the meeting to order at 5:00 p.m.

2. Roll Call

DIRECTORS PRESENT: Omsted, Hanson, Sullivan, Brown, and Roesink

DIRECTORS ABSENT:

OTHERS PRESENT: General Manager Paul Bushee, General Counsel Wayne Brechtel, Technical Services Manager Robin Morishita, Field Services Superintendent Jeff Stecker, Administrative Services Supervisor Trisha Hill, Executive Assistant Tiañne Baity, Field Services Specialist Ian Riffel, District Engineer Dexter Wilson, Steven Henderson of Dexter Wilson Engineering, Inc., Shannon Ayala of Davis Farr LLP, Lauren Hoodenpyle of Clifton Larson, Allen LLP, and Richard Duffey a member of the public

3. Pledge of Allegiance

President Omsted led the pledge of allegiance.

4. Adopt Resolution No. 2359 - Authorizing Remote Teleconference Meetings Due to the Declared State Emergency Resulting From the COVID-19 Pandemic

GC Brechtel stated that in accordance with AB 361, staff is recommending the Board adopt Resolution No. 2359 in order to hold its November 10th meeting virtually.

Upon a motion duly made by Director Brown, seconded by Director Sullivan, and unanimously carried, the Board of Directors adopted Resolution No. 2359 - Authorizing Remote Teleconference Meetings Due to the Declared State Emergency Resulting From the COVID-19 Pandemic by the following vote:

| Director | Vote |
|-----------------------|------|
| President Omsted | Yes |
| Vice President Hanson | Yes |
| Director Sullivan | Yes |
| Director Brown | Yes |
| Director Roesink | Yes |

5. General Public Comment Period

None.

6. Approval of Agenda

Upon a motion duly made by Vice President Hanson, seconded by Director Brown, and unanimously carried, the Board of Directors approved the agenda by the following vote:

| Director | Vote |
|-----------------------|------|
| President Omsted | Yes |
| Vice President Hanson | Yes |
| Director Sullivan | Yes |
| Director Brown | Yes |
| Director Roesink | Yes |

7. Presentations and Awards

Achieve Highest Number of Consecutive Work Days Without a Lost Time Injury.

GM Bushee reported that on October 15, 2021 staff completed two years without a lost time injury accident. This achievement meets an organizational objective under the incentive program. He noted each employee is eligible for a \$500 compensation award. He stated this award reflects staff's excellent attention to safety.

The Board congratulated staff for their efforts.

CONSENT CALENDAR

8. Approval of Board and Committee Minutes

Minutes of the following meetings:

- October 13, 2021 Regular Board Meeting
- October 19, 2021 Community Affairs Committee Meeting
- November 2, 2021 Engineering Committee Meeting
- November 3, 2021 Investment and Finance Committee Meeting

9. Approval of Demands for October/November 2021

Payroll Checks numbered 22858-23002; General Checking Checks numbered 56157-56262

10. Operations Report (A copy was included in the original November 10, 2021 Agenda)

11. Finance Report (A copy was included in the original November 10, 2021 Agenda)

12. Quarterly Treasurer's Investment Report

This report discloses investments for the quarter ending September 30, 2021.

13. Disclosure of Reimbursements

This report discloses travel expense reimbursements for the month of October 2021.

Upon a motion duly made by Vice President Hanson, seconded by Director Roesink, and unanimously carried, the Board of Directors approved the Consent Calendar by the following vote:

| Director | Vote |
|-----------------------|------|
| President Omsted | Yes |
| Vice President Hanson | Yes |
| Director Sullivan | Yes |
| Director Brown | Yes |
| Director Roesink | Yes |

EWA and COMMITTEE REPORTS

14. Encina Wastewater Authority (EWA) Reports

A. A regular EWA Board Meeting was held on October 27, 2021.

Director Sullivan reported on EWA's October 27, 2021 Board Meeting.

B. An Encina Member Agency Manager's (MAM) Meeting was held on November 2, 2021.

GM Bushee reported on EWA's November 2, 2021 MAM meeting.

15. Committee Reports

A. Community Affairs Committee (CAC) Meeting was held on October 19, 2021.

Director Brown reported that the CAC reviewed and commented on the draft layout of the 2021 Fall newsletter. He stated that the CAC made some suggested edits and staff and Rising Tide Partners stated they would make the changes. Director Brown noted that the final draft newsletter will be mailed to the Board for review prior to being mailed to District customers which is scheduled for early November.

B. Engineering Committee (EC) Meeting was held on November 2, 2021.

Director Roesink reported that the EC reviewed the following recommendations:

- Adopt Resolution No. 2358 - Weston Annexation; and
- Receive and File the FY2021 Audit of the District's 2019 Sanitary Sewer Management Plan (SSMP) completed by Dexter Wilson Engineering, Inc.

The EC concurred with staff to present these recommendations to the Board of Directors and they will be discussed later in the agenda.

This EC also received updates on the following:

- Development Projects Summary; and
- Encinitas Estates Pump Station Replacement Project.

These items were for information purposes and there was no action taken.

C. Investment and Finance Committee (IFC) Meeting was held on November 3, 2021.

Vice President Hanson reported that the IFC reviewed a recommendation to receive and file the Fiscal Year 2021 Annual Comprehensive Financial Report.

The IFC concurred with staff to present this recommendation to the Board of Directors and it will be discussed later in the agenda.

ACTION ITEMS

16. Receive and file the Fiscal Year 2021 (FY21) Annual Comprehensive Financial Report conducted by Davis Farr LLP

Ms. Lauren Hoodenpyle of Clifton Larson, Allen LLP provided background information on this item and provided a summary of the Annual Comprehensive Financial Report Management’s Discussion and Analysis (MD&A) highlighting and discussing the following areas:

- Financial Highlights;
- Net Position;
- Reserve Balances Compared to Cash and Investment Balances; and
- FY21 Budget to Actual Expenses

The Board thanked Ms. Hoodenpyle. GM Bushee then introduced Shannon Ayala of Davis Farr LLP to provide a summary of the auditor’s reports and auditing process.

Ms. Ayala stated that the auditor’s internal report indicated that the audit was a clean, unmodified opinion for the year ending FY21. She stated that staff was prepared for the audit, and the auditors had no recommended material audit adjustments and noted no material weaknesses or significant deficiencies in internal controls.

Ms. Ayala noted the areas of audit focus included Fixed Asset Testing and Governmental Accounting Standards 98 (GASB 98). In conclusion, Ms. Ayala stated that there were no instances of noncompliance with certain provisions of laws, regulations, contracts, and grant agreements that have a material effect on the determination of financial statement amounts.

The Board thanked Ms. Ayala for her presentation.

GM Bushee thanked Ms. Hoodenpyle, Ms. Ayala, and staff for their work on the Annual Comprehensive Financial Report. He also thanked Mr. Duffey for his work on the audit prior to his retirement from the District.

Director Brown also thanked the consultants and staff for their work on the Annual Comprehensive Financial Report.

Upon a motion duly made by Director Sullivan, seconded by Vice President Hanson, and unanimously carried, the Board of Directors received and filed the FY21 Annual Comprehensive Financial Report by the following vote:

| Director | Vote |
|------------------------------|-------------|
| President Omsted | Yes |
| Vice President Hanson | Yes |
| Director Sullivan | Yes |
| Director Brown | Yes |
| Director Roesink | Yes |

17. Receive and file the Fiscal Year 2021 (FY21) Audit of the District’s 2019 Sanitary Sewer Management Plan (SSMP) completed by Dexter Wilson Engineering, Inc.

FSS Stecker provided an overview of the FY21 SSMP Audit noting it is a Fiscal Year 2022 tactical goal. He also provided background information on the SSMP noting that the State of California issued Waste Discharge Requirements (WDR) require that agencies develop and implement a SSMP.

Mr. Steven Henderson of Dexter Wilson Engineering described in detail what is included in a SSMP Audit. He stated that the WDR require an audit of the SSMP every two years but LWD performs this annually. He noted that the SSMP and the annual Audits are to ensure the proper operation and maintenance of collection systems to reduce the number and volume of Sewer System Overflows (SSO). Mr. Henderson concluded that all SSMP elements are in place and implemented and there is no significant change from the FY19 SSMP Update.

The Board thanked Mr. Henderson for his presentation.

President Omsted noted the huge accomplishment of zero spills last fiscal year.

FSS Stecker emphasized that even working with an alternating half-staff schedule due to COVID social distancing, the field staff was still able to meet all their hydro-cleaning and CCTV inspection mileage goals.

Upon a motion duly made by Director Roesink, seconded by Vice President Hanson, and unanimously carried, the Board of Directors received and filed the FY21 SSMP Audit of the District's 2019 Sanitary Sewer Management Plan (SSMP) completed by Dexter Wilson Engineering, Inc. by the following vote:

| Director | Vote |
|------------------------------|-------------|
| President Omsted | Yes |
| Vice President Hanson | Yes |
| Director Sullivan | Yes |
| Director Brown | Yes |
| Director Roesink | Yes |

18. Adopt Resolution No. 2358 - Requesting LAFCO Take Proceedings for the Weston Annexation

FSSpec Riffel presented the item stating that the annexation into the District of the Weston Property consists of three parcels totaling 13.4 acres, located west of Interstate 5, north of La Costa Avenue and east of Hygeia Avenue. He noted the annexation is within the District's sphere of influence and includes two parcels that each have an existing single-family residence currently connected to an individual septic tank system. The proposed subdivision consists of 48 total single-family residences, all of which would be required to connect to the public sewer per the City of Encinitas.

FSSpec Riffel stated than an Environmental Impact Report was conducted for this project in March of 2019 and approved by the City of Encinitas as the Lead Agency. He noted that LWD has sufficient capacity for the proposed development and that connection to the District's collection system requires the construction of approximately 1,800 linear feet of public sewer and 12 manholes within the subdivision. He explained that approximately 350 linear feet of existing public sewer would need to be modified.

Director Brown asked if La Costa Avenue or Sea Breeze Court was relined in 2016. FSSpec Riffel stated that about 1500-1600 feet of sewer was relined on La Costa Avenue as part of a force main project.

Following discussion, upon a motion duly made by Director Roesink, seconded by Director Sullivan, and unanimously carried, the Board of Directors adopted Resolution No. 2358 – Requesting LAFCO to take proceedings for the Weston Change of Organization by the following vote:

| Director | Vote |
|-----------------------|------|
| President Omsted | Yes |
| Vice President Hanson | Yes |
| Director Sullivan | Yes |
| Director Brown | Yes |
| Director Roesink | Yes |

19. Calendar Year 2022 Board of Directors' Meeting Schedule

EA Baity presented the item stating that the Board approved a resolution in 2009 that indicates that the Board meetings will be held on the second Wednesday of each month at 5:00 PM. She stated that under Assembly Bill 361 (AB 361) and in the interest of public health, the District is continuing to mitigate the COVID-19 pandemic by holding Board Meetings via videoconference.

EA Baity noted that staff has developed the proposed CY22 Board meeting schedule and coordinated the meetings with upcoming conferences in 2022. She also noted that staff suggests moving the April and August 2022 Board meetings to the third Wednesday of the month so they would not conflict with the CWEA Annual Conference and the CASA Annual Conference dates.

Following discussion, upon a motion duly made by Director Sullivan, seconded by Director Brown, and unanimously carried, the Board of Directors approved the CY22 Board of Directors' meeting schedule by the following vote:

| Director | Vote |
|-----------------------|------|
| President Omsted | Yes |
| Vice President Hanson | Yes |
| Director Sullivan | Yes |
| Director Brown | Yes |
| Director Roesink | Yes |

INFORMATION ITEMS

20. Project Status Updates and Other Informational Reports

A. Senate Bill 9 (SB 9) Report.

DE Wilson presented the item and provided background information on SB 9. He outlined the potential impacts for the District and noted that there should be no foreseeable capacity issues.

GC Brechtel provided additional information on SB 9 from a legal perspective.

B. 2021 Batiquitos Lagoon Foundation Board Members Election

EA Baity presented the item stating that the Batiquitos Lagoon Foundation is requesting its members to vote for candidates for its 2021 Board Election. She noted the candidate's names and that staff has no recommendation.

The Board of Directors reached unanimous consensus to vote for Kevin Kienast (Incumbent), Craig Rossell (Incumbent) and Jeff Regan (Incumbent) for the Batiquitos Lagoon Foundation Board.

C. CSDA Quarterly Dinner Meeting is scheduled for Thursday, November 18, 2021 at the 94th Aero Squadron in San Diego, CA.

EA Baity stated the date and time of the CSDA Quarterly Dinner Meeting.

D. 2022 CASA Winter Conference is scheduled for January 19 - 21, 2022 at the Hilton Palm Springs in Palm Springs, CA.

EA Baity announced the date and location of the 2022 CASA Winter Conference.

21. Directors' Meetings and Conference Reports

None.

22. General Manager's Report

GM Bushee reported on the following:

- Update on the Director of Administration and Finance recruitment;
- Update on Staff Team Building held on October 26, 2021;
- Sewer flow update for the month of October 2021; and
- LWD sponsored the Batiquitos Lagoon Foundation Clean Up Day

23. General Counsel's Report

None.

24. Board of Directors' Comments

Directors Roesink thanked everyone for their hard work.

Director Brown stated there has been a lot of good information this month. He thanked staff for their work.

Directors Sullivan and Hanson wished everyone a Happy Thanksgiving holiday.

25. Adjournment

President Omsted adjourned the meeting at 6:26 p.m.

Donald F. Omsted, President

Paul J. Bushee
Secretary/General Manager
(SEAL)

LEUCADIA WASTEWATER DISTRICT
 Minutes of a Human Resources Committee Meeting
 November 30, 2021

A meeting of the Human Resources Committee (HRC) of the Leucadia Wastewater District (LWD) was held Tuesday, November 30, 2021 at 10:30 a.m., via video conference.

1. Call to Order

Chairperson Sullivan called the meeting to order at 10:32 a.m.

2. Roll Call

DIRECTORS PRESENT: Sullivan and Omsted

DIRECTORS ABSENT: None

OTHERS PRESENT: General Manager Paul Bushee, Administrative Services
 Supervisor Trisha Hill, and Executive Assistant Tianne Baity

3. Public Comment

None.

4. New Business

A. Annual Review of the Board-General Manager/Staff Relations Policy.

GM Bushee presented the item stating the policy calls for an annual review. He stated staff has reviewed the policy and is not recommending any changes. GM Bushee noted if the HRC concurs with staff this item will be placed on the January Board Agenda Consent Calendar.

Following discussion, the HRC concurred with staff to place this item on the January Board Agenda Consent Calendar.

B. Adopt Resolution No. 2360 – Amending LWD’s Substance Abuse Policy.

ASsup Hill presented the item and provided background information stating it is a FY 2022 Tactical Goal. She noted that policy was last updated on November 8, 2006 and since that time, regulatory requirements, as well as District procedures have changed rendering the existing policy obsolete. ASsup Hill then summarized the following revised policy sections:

- Sections I and II – Purpose and Policy Statements;
- Section III – Applicability;
-
- Section IV – Definitions;
- Section V – Prohibited Substances;
- Sections IX and X – Testing for Prohibited Substances for All Employees vs. Safety-Sensitive Employees; and
- Appendix A – Procedures for Complying with FMCSA and Clearinghouse Requirements and Conducting Substance Abuse Testing

She stated that throughout the policy, various minor changes were made to improve clarity, correct grammatical spelling, and format inconsistencies. She also noted that the policy had been reviewed by General Counsel Brechtel and his recommended changes have been incorporated into the proposed policy.

Following discussion, the HRC concurred with staff to recommend that the Board of Directors adopt Resolution No. 2360 – Amending LWD’s Substance Abuse Policy.

C. Review Board Performance Evaluation Survey.

GM Bushee presented the item and provided background information on the item. He stated that staff is requesting that the HRC review the draft Board evaluation survey and provide comments.

The HRC discussed the revised survey which included two sections: 1) an individual evaluation form for Board members to evaluate themselves; and 2) a full Board evaluation form for Board members to evaluate the Board as a whole.

President Omsted stated he would like the full board to review the revised survey. GM Bushee noted that the policy will be presented to the Board for review and approval.

Following discussion, the HRC agreed to present the revised Performance Evaluation Survey to the Board of Directors for approval at the December Board Meeting.

5. Information Items

None.

6. Directors’ Comments

None.

7. General Manager’s Comments

GM Bushee stated that the Employee Satisfaction Survey will be December 9, 2021 with Mr. Jeff Bills.

GM Bushee also provided updates on the Administrative Services Specialist and the Director of Finance and Administration positions.

8. Adjournment

Chairperson Sullivan adjourned the meeting at 11:22 a.m.

Paul J. Bushee
Secretary/General Manager
(Seal)

LEUCADIA WASTEWATER DISTRICT
 Minutes of an Engineering Committee Meeting
 December 1, 2021

A meeting of the Engineering Committee (EC) of Leucadia Wastewater District (LWD) was held on Wednesday, December 1, 2021 at 9:00 a.m. via video conference.

1. Call to Order

Chairperson Omsted called the meeting to order at 9:00 a.m.

2. Roll Call

DIRECTORS PRESENT: Omsted, Roesink

DIRECTORS ABSENT: None

OTHERS PRESENT: General Manager Paul Bushee; Technical Services Manager Robin Morishita; Field Services Superintendent Jeffrey Stecker; Field Services Supervisor Marvin Gonzalez; Field Services Specialist Ian Riffel; District Engineer Dexter Wilson; and Administrative Specialist II Mark Brechbiel

3. Public Comment

None.

4. New Business

- A. Authorize the General Manager to execute an Agreement with Burtech Pipeline, Incorporated for construction services to complete the Fiscal Year 2022 Gravity Sewer Repairs Project in an amount not to exceed \$268,000 as the lowest responsive and responsible bidder.

FSSpec Riffel presented staff's recommendation. He began by providing background of what is entailed in the FY22 Gravity Sewer Repairs Project. He then described the bid schedule and engineer's estimate of \$334,000. He outlined the 4 bids that were received and indicated that Burtech Pipeline, Inc. (Burtech) not only submitted the lowest bid at \$268,000, which is \$66,000 less than the engineer's estimate, but also met all the bid requirements. FSSpec Riffel also stated that Infrastructure Engineering Corporation (IEC), project design engineer, performed a bid analysis and recommended awarding the contract to Burtech Pipeline, Inc.

FSSpec Riffel explained the disparity in the bid results. He stated that Burtech has recently completed several projects for the District, reducing their risk and likely resulted in their lower bid.

Director Roesink asked about the timeline for the project. FSSpec Riffel stated the contract duration is 120 days and construction is predicted to begin February 2022 and go through May 2022.

Chairperson Omsted asked what was the last project completed for the District by Burtech. FSSpec Riffel stated that they completed work on the FY21 Gravity Sewer Repairs Project. TSM Morishita also stated that Burtech was involved with the FY20 Sewer Repair / Quebrada Realignment Project.

At the completion of the EC's discussion, they concurred with staff to recommend that the Board of Directors authorize the General Manager to execute an Agreement with Burtech Pipeline, Inc. for construction services to complete the FY22 Gravity Sewer Repairs Project in an amount not to exceed \$268,000 as the lowest responsive and responsible bidder.

5. Information Items

A. Development Projects Summary

TSM Morishita presented this item to the EC for comments and questions. There was no discussion.

B. Encinitas Estates Pump Station Replacement Project Update

TSM Morishita presented this item to the EC. He reviewed the project location, layout and design. He described in detail the construction of the perimeter concrete block wall, including the installation of the reinforcing bars, footing and concrete blocks. TSM Morishita explained the installation of the electrical conduit. He then showed the construction of the piping system in the valve vault.

Director Roesink asked what the pressure within the pipe is. DE Wilson replied approximately 35 to 40 pounds.

6. Directors' Comments

None.

7. General Manager's Comments

GM Bushee provided updates on the Administrative Services Specialist and the recruitment of the Director of Finance and Administration.

8. Adjournment

Chairperson Omsted adjourned the meeting at approximately 9:45 a.m.

Paul J. Bushee,
Secretary/Manager
(Seal)

**LEUCADIA WASTEWATER DISTRICT
DEMANDS SUMMARY**

December 8, 2021

Disbursement Period November 5, 2021 Through December 2, 2021

GENERAL CHECKING

| | | |
|-----------------------------|-----------|-------------------|
| Operating | \$ | 143,372.72 |
| Capital | \$ | 364,642.70 |
| TOTAL GENERAL CHECKS | \$ | 508,015.42 |

VOIDED CHECKS

| | | |
|--|----|---------|
| Check # 56295 Operating | \$ | (30.00) |
|--|----|---------|

| | | |
|-----------------------|-----------|-------------------|
| PAYROLL CHECKS | \$ | 136,760.11 |
|-----------------------|-----------|-------------------|

| | | |
|----------------------|-----------|-------------------|
| TOTAL DEMANDS | \$ | 644,745.53 |
|----------------------|-----------|-------------------|

**LEUCADIA WASTEWATER DISTRICT
EMPLOYEE/BOARD PAYROLL CHECKS
December 8, 2021**

Disbursement Period November 5, 2021 Through December 2, 2021

| <u>Description</u> | <u>Check Date</u> | <u>Check #'s</u> | <u>Amount</u> |
|-----------------------------|-------------------|------------------|----------------------|
| Incentive Payroll Check | 11/10/2021 | 23003-23019 | \$ 7,557.44 |
| Biweekly Payroll Checks | 11/17/2021 | 23020-23036 | \$ 48,942.48 |
| Sick Leave Buy Back Checks | 12/1/2021 | 23037-23048 | \$ 28,812.34 |
| Biweekly Payroll Checks | 12/1/2021 | 23049-23065 | \$ 49,343.73 |
| Board Payroll Checks | 12/1/2021 | 23066-23070 | \$ 2,104.12 |
| TOTAL PAYROLL CHECKS | | | \$ 136,760.11 |

Leucadia Wastewater District
 Check/Voucher Register - Demand Summary for Board
 1001 - PPB (Opus) General Checking Account
 From 11/5/2021 Through 12/2/2021

| Check Number | Effective Date | Vendor Name | Check Amount | Transaction Description |
|--------------|----------------|--|--------------|--|
| 56263 | 11/11/2021 | AIRGAS USA LLC | 1,588.88 | Liquid Oxygen Contract |
| | 11/11/2021 | AIRGAS USA LLC | 800.00 | Liquid Oxygen Contract - Monthly Fee |
| 56264 | 11/11/2021 | ALLIANT INSURANCE SERVICES | 1,280.00 | Vehicle Insurance FY2022 Q1 Endorsement |
| 56265 | 11/11/2021 | BASE NINE CONSULTING | 4,500.00 | Optimize Radio Communication (60%) |
| 56266 | 11/11/2021 | CHARLES KING COMPANY | 5,400.00 | Emergency Bypass Pump Rental-BPS 09/27/21-10/25/21 |
| 56267 | 11/11/2021 | CITY OF CARLSBAD | 212.84 | Water for Vactor 1 |
| | 11/11/2021 | CITY OF CARLSBAD | 349.40 | Water for Vactor 2 |
| 56268 | 11/11/2021 | CONFIDENCE CONSULTING | 1,200.00 | Sure Hire Assessments (3)-Director of Finance & Admin |
| 56269 | 11/11/2021 | CORODATA | 82.75 | File Storage - October 2021 |
| 56270 | 11/11/2021 | COUNTY OF SAN DIEGO APCD | 446.00 | District Fees APCD1996-SITE-09551 |
| 56271 | 11/11/2021 | EMPLOYMENT DEVELOPMENT DEPT | 282.00 | Unemployment - J Whittenburg |
| 56272 | 11/11/2021 | EVOQUA WATER TECHNOLOGIES, LLC | 5,250.00 | Demobilization Fee for Ferrous Tank |
| 56273 | 11/11/2021 | HAAKER EQUIPMENT CO | 3,257.28 | OMG Nozzle |
| | 11/11/2021 | HAAKER EQUIPMENT CO | 141.16 | Repairs / Maintenance for Vactors |
| 56274 | 11/11/2021 | KONECRANES, INC | 595.00 | Quarterly Crane Inspections - LPS |
| 56275 | 11/11/2021 | LEE'S LOCK & SAFE | 755.31 | PadLocks (57) |
| 56276 | 11/11/2021 | MALLORY SAFETY AND SUPPLY | 192.34 | Safety Supplies - Pants/Jacket |
| 56277 | 11/11/2021 | MITSUBISHI ELECTRIC US, INC | 324.88 | Elevator Maintenance - November 2021 |
| 56278 | 11/11/2021 | NAPA AUTO | (162.68) | Credit on Invoice 623993 & 624036 |
| | 11/11/2021 | NAPA AUTO | 162.68 | Lamp |
| | 11/11/2021 | NAPA AUTO | 18.34 | MAC Electronic Clean / Connector |
| 56279 | 11/11/2021 | OLIVENHAIN MUNICIPAL WATER DIS... | 67.27 | Recycled Water @ Traveling |
| | 11/11/2021 | OLIVENHAIN MUNICIPAL WATER DIS... | 152.54 | Water @ Encinitas Estates PS |
| | 11/11/2021 | OLIVENHAIN MUNICIPAL WATER DIS... | 377.82 | Water @ Traveling |
| | 11/11/2021 | OLIVENHAIN MUNICIPAL WATER DIS... | 459.54 | Water @ Traveling 2 |
| | 11/11/2021 | OLIVENHAIN MUNICIPAL WATER DIS... | 107.26 | Water @ VP5 PS |
| | 11/11/2021 | OLIVENHAIN MUNICIPAL WATER DIS... | 53.63 | Water @ VP7 PS |
| 56280 | 11/11/2021 | Professional Exchange Service Corpora... | 97.50 | Answering Services - October 2021 |
| 56281 | 11/11/2021 | PRUDENTIAL OVERALL SUPPLY | 103.47 | Weekly Uniform/Laundry Service 11/04/21 |
| 56282 | 11/11/2021 | SAN DIEGUITO WATER DISTRICT | 133.44 | Water @ BPS |
| | 11/11/2021 | SAN DIEGUITO WATER DISTRICT | 89.04 | Water @ Tanker 1 |
| | 11/11/2021 | SAN DIEGUITO WATER DISTRICT | 38.16 | Water @ Tanker 2 |
| 56283 | 11/11/2021 | SHARP ELECTRONICS CORP DBA SHA... | 47.61 | Copier Fees 07/27/21-10/31/21 |
| 56284 | 11/11/2021 | STAPLES | 84.72 | Office Supplies |
| 56285 | 11/11/2021 | TERMINIX PROCESSING CENTER | 82.00 | Pest Control 10/13/21 |
| 56286 | 11/11/2021 | THE HOME DEPOT CRC/GECF | 105.40 | Ant Killer / Brooms / CLR |
| | 11/11/2021 | THE HOME DEPOT CRC/GECF | 303.71 | Step Ladders |
| 56287 | 11/11/2021 | UNIFIRST FIRST AID CORP | 209.65 | First Aid Supplies |
| 56288 | 11/11/2021 | VERIZON WIRELESS | 21.27 | Telemetry for Cell Phones |
| 56289 | 11/11/2021 | WORDEN WILLIAMS LLP | 7,209.00 | Legal Services - October 2021 |
| 56290 | 11/18/2021 | AMERICAN BUSINESS BANK | 13,889.00 | Retention-Pacific Hydrotech Encinitas Estates PS # 8654100 |
| 56291 | 11/18/2021 | AT&T | 189.52 | Phone Service-BPS 10/10/21-11/09/21 |
| | 11/18/2021 | AT&T | 326.83 | Phone Service-Elevator 09/25/21-10/24/21 |
| 56292 | 11/18/2021 | AYALA ENGINEERING | 11,050.00 | Manhole Rehabs (3) |
| | 11/18/2021 | AYALA ENGINEERING | 6,850.00 | Replace Manhole Frames & Covers / Manhole Rehab |

Leucadia Wastewater District
 Check/Voucher Register - Demand Summary for Board
 1001 - PPB (Opus) General Checking Account
 From 11/5/2021 Through 12/2/2021

| Check Number | Effective Date | Vendor Name | Check Amount | Transaction Description |
|--------------|----------------|------------------------------------|--------------|--|
| 56293 | 11/18/2021 | BRYAN MYERS | 3,000.00 | Lateral Reimbursement: 1045 Neptune Ave, Encinitas CA 92024 |
| 56294 | 11/18/2021 | CHRISTA COLLINS | 1,250.00 | Lateral Reimbursement: 2157 Vista La Nisa, Carlsbad CA 92009 |
| 56295 | 11/18/2021 | CSDA- SAN DIEGO CHAPTER | 30.00 | CSDA Quarterly Dinner - November 2021 |
| 56296 | 11/18/2021 | DATA NET SOLUTIONS GROUP | 4,866.75 | Monthly IT Service - October 2021 |
| 56297 | 11/18/2021 | DEXTER WILSON ENGINEERING | 2,422.50 | FY-21 SSMP Audit Job 103-019/5 |
| 56298 | 11/18/2021 | FEDERAL EXPRESS CORPORATION | 12.90 | Shipping 11/08/21 |
| 56299 | 11/18/2021 | HAAKER EQUIPMENT CO | 280.30 | Repairs / Maintenance for Vactors |
| 56300 | 11/18/2021 | ICMA RETIREMENT-303979 | 5,007.75 | Deferred Comp for PPE 11/14/21 |
| 56301 | 11/18/2021 | INFRASTRUCTURE ENGINEERING CORP | 2,980.00 | Encinitas Estates PS Replace Project-October 2021 |
| | 11/18/2021 | INFRASTRUCTURE ENGINEERING CORP | 4,410.00 | VP7 PS Replace Project-October 2021 |
| 56302 | 11/18/2021 | JOHN W. SMITH dba: NORTH COUNT... | 65.00 | Backflow Testing |
| 56303 | 11/18/2021 | KONECRANES, INC | 14,868.74 | Personnel Lift Device for Crane Inspection-LPS |
| 56304 | 11/18/2021 | L&L PRINTERS | 5,565.59 | Downstream Newsletter Printing/Mailing |
| 56305 | 11/18/2021 | NATIONWIDE RETIREMENT SOLUTIONS | 150.00 | Deferred Comp 11/17/21 |
| 56306 | 11/18/2021 | NU-LINE TECHNOLOGIES, INC | 26,440.03 | FY2021 CIPP Lining Project - July 2021 |
| 56307 | 11/18/2021 | Pacific Hydrotech Corporation | 263,891.00 | Encinitas Estates PS Replace Project-October 2021 |
| 56308 | 11/18/2021 | PACIFIC RIM MECHANICAL | 12,691.00 | Replacement of AWT AC Unit |
| 56309 | 11/18/2021 | PLANT PEOPLE, INC | 158.00 | Office Plant Maintenance - November 2021 |
| 56310 | 11/18/2021 | PRUDENTIAL OVERALL SUPPLY | 107.25 | Weekly Uniform/Laundry Service 11/11/21 |
| | 11/18/2021 | PRUDENTIAL OVERALL SUPPLY | 107.25 | Weekly Uniform/Laundry Service 11/18/21 |
| 56311 | 11/18/2021 | QUADIENT LEASING | 209.07 | Postage Meter Machine Lease 12/18/21-03/17/22 |
| 56312 | 11/18/2021 | ROCKWELL CONSTRUCTION SERVICE... | 810.00 | Encinitas PS Repalce Elec/Instrum/Inspect Svcs-Sept 2021 |
| | 11/18/2021 | ROCKWELL CONSTRUCTION SERVICE... | 270.00 | LPS Rehab Elec/Instrum/Inspect Svcs-September 2021 |
| 56313 | 11/18/2021 | SAN DIEGO FREIGHTLINER DBA LOS ... | 1,126.15 | Replace Coolant Resivoir - Vehicle #159 |
| 56314 | 11/18/2021 | SAN DIEGO GAS & ELECTRIC | 220.41 | Gas @ Admin |
| 56315 | 11/18/2021 | SAN DIEGO LAFCO | 7,686.00 | Project # 1032 - Weston Annexation |
| 56316 | 11/18/2021 | SAN DIEGO UNION TRIBUNE | 764.75 | Bid Notice SDT 17450602 |
| 56317 | 11/18/2021 | SPACELINK/I2B NETWORK | 160.00 | Webcam @ BPS 11/14/21-12/13/21 |
| 56318 | 11/18/2021 | STAPLES | 227.70 | Office Supplies |
| 56319 | 11/18/2021 | UNIFIRST FIRST AID CORP | 90.48 | First Aid Supplies |
| 56320 | 11/18/2021 | UPS | 45.64 | Shipping 11/02/21 |
| 56321 | 12/2/2021 | AIRGAS USA LLC | 1,614.57 | Liquid Oxygen Contract |
| 56322 | 12/2/2021 | AT&T | 325.58 | Phone Service-Elevator 10/25/21-11/24/21 |
| 56323 | 12/2/2021 | BAJA POOL AND SPA SERVICE | 150.00 | Weekly Maintenance of Fountain - December 2021 |
| 56324 | 12/2/2021 | CITY OF CARLSBAD | 322.24 | Water @ 1900 La Costa Ave |
| | 12/2/2021 | CITY OF CARLSBAD | 153.40 | Water @ 1960 La Costa Ave |
| | 12/2/2021 | CITY OF CARLSBAD | 27.78 | Water @ Fire Line |
| 56325 | 12/2/2021 | COLONIAL LIFE INS | 169.72 | Accident/Critical Illness Insurance 11/03/21 & 11/17/21 |

Leucadia Wastewater District
 Check/Voucher Register - Demand Summary for Board
 1001 - PPB (Opus) General Checking Account
 From 11/5/2021 Through 12/2/2021

| Check Number | Effective Date | Vendor Name | Check Amount | Transaction Description |
|--------------|----------------|---------------------------------|--------------|--|
| 56326 | 12/2/2021 | COX COMMUNICATIONS SAN DIEGO | 526.10 | Phone Service 11/18/21-12/17/21 |
| 56327 | 12/2/2021 | CSDA- SAN DIEGO CHAPTER | 30.00 | CSDA Quarterly Dinner - November 2021 |
| 56328 | 12/2/2021 | DATA NET SOLUTIONS GROUP | 1,230.00 | VMWARE Essentials Support Renewal |
| 56329 | 12/2/2021 | DAVIS FARR LLP | 4,500.00 | Financial Auditing Services FY 2021-2022 |
| 56330 | 12/2/2021 | DEXTER WILSON ENGINEERING | 57.00 | Development Services-1115 555 & 571 N Vulcan Ave |
| | 12/2/2021 | DEXTER WILSON ENGINEERING | 115.00 | Development Services-1131 Carlsbad Perm Fire Station #2 |
| | 12/2/2021 | DEXTER WILSON ENGINEERING | 456.00 | Development Services-1132 Jay Bird 1935 Calle Barcelona #172 |
| | 12/2/2021 | DEXTER WILSON ENGINEERING | 114.00 | Development Services-1134 579 La Costa Ave |
| | 12/2/2021 | DEXTER WILSON ENGINEERING | 171.00 | Development Services-1135 Woodside Development La Costa Ave |
| | 12/2/2021 | DEXTER WILSON ENGINEERING | 9,921.50 | General Engineering 103-500 October 2021 |
| 56331 | 12/2/2021 | DKF SOLUTIONS GROUP, LLC | 300.00 | MSO Subscription - December 2021 |
| 56332 | 12/2/2021 | ELAINE SULLIVAN | 29.68 | Mileage Reimbursement-CSDA Quarterly Dinner |
| 56333 | 12/2/2021 | ESRI | 500.00 | ArcGIS Online Creator 02/10/21-02/09/22 |
| 56334 | 12/2/2021 | GRAINGER, INC | 0.76 | Sealant Tape |
| | 12/2/2021 | GRAINGER, INC | 280.03 | Sump Pump Vertical Float |
| 56335 | 12/2/2021 | HUMANA DENTAL INS. | 3,046.08 | Dental Insurance - December 2021 |
| 56336 | 12/2/2021 | ICMA RETIREMENT-303979 | 3,100.00 | Deferred Comp - Additional Annual Contribution |
| | 12/2/2021 | ICMA RETIREMENT-303979 | 5,009.29 | Deferred Comp for PPE 11/29/21 |
| 56337 | 12/2/2021 | INFRASTRUCTURE ENGINEERING CORP | 3,590.64 | FY2022 Gravity Sewer Repair Project-October 2021 |
| 56338 | 12/2/2021 | MALLORY SAFETY AND SUPPLY | 104.73 | Safety Supplies - Safety Vests |
| 56339 | 12/2/2021 | MES VISION | 378.97 | Vision Insurance - December 2021 |
| 56340 | 12/2/2021 | MINUTEMAN PRESS | 91.53 | Window Envelopes (500) |
| 56341 | 12/2/2021 | MUTUAL OF OMAHA | 1,133.17 | Disability Insurance - December 2021 |
| 56342 | 12/2/2021 | NAPA AUTO | 179.87 | Wheel Choke/Ball Mount/Trailer Ball |
| 56343 | 12/2/2021 | NATIONWIDE RETIREMENT SOLUTIONS | 150.00 | Deferred Comp 12/01/21 |
| 56344 | 12/2/2021 | PLUMBERS DEPOT, INC | 610.64 | CCTV Van Misc Repairs / Maintenance - Swivel |
| 56345 | 12/2/2021 | PRUDENTIAL OVERALL SUPPLY | 107.25 | Weekly Uniform/Laundry Service 11/25/21 |
| 56346 | 12/2/2021 | RYAN RODRIGUEZ | 276.03 | Safety Boots FYE 2022 - R Rodriguez |
| 56347 | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 3,610.35 | Electric @ Admin |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 119.15 | Electric @ Avocado PS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 1,410.23 | Electric @ AWT |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 16,147.04 | Electric @ BPS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 406.42 | Electric @ Diana PS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 796.47 | Electric @ E Estates PS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 913.68 | Electric @ La Costa PS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 6,897.58 | Electric @ LPS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 152.19 | Electric @ RV PS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 739.77 | Electric @ Saxony PS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 383.64 | Electric @ VP5 PS |
| | 12/2/2021 | SAN DIEGO GAS & ELECTRIC | 173.85 | Electric @ VP7 PS |

Leucadia Wastewater District
 Check/Voucher Register - Demand Summary for Board
 1001 - PPB (Opus) General Checking Account
 From 11/5/2021 Through 12/2/2021

| Check Number | Effective Date | Vendor Name | Check Amount | Transaction Description |
|--------------|----------------|------------------|--------------|--|
| 56348 | 12/2/2021 | STAPLES | 351.11 | Office Supplies |
| 56349 | 12/2/2021 | SWRCB-DWOCP | 60.00 | Water Distribution Operator D2 Certificate Renewal-I Riffel |
| 56350 | 12/2/2021 | U.S. BANK | 7,176.55 | Cal Card Purchases - Statement 11/22/21 |
| 56351 | 12/2/2021 | VERIZON WIRELESS | 1,040.72 | Cell Phone 10/08/21-11/07/21 |
| 56352 | 12/2/2021 | WASTE MANAGEMENT | 225.29 | Trash Service - November 2021 |
| Report Total | | | 508,015.42 | |

Leucadia Wastewater District
Vendor Activity - Supplemental Credit Card Report
From 11/5/2021 Through 12/2/2021

| Vendor Name | Tra... Sou... | Effective Date | Check/Voucher Number | Expenses | GL Code | GL Title | Transaction Description |
|-------------|---------------|----------------|----------------------|----------|---------|---|--|
| U.S. BANK | API | 11/22/2021 | 56350 | 222.18 | 4330 | BOARD CONFERENCES | CASA Conference Hotel Deposit - DO |
| U.S. BANK | API | 11/22/2021 | 56350 | 222.18 | 4330 | BOARD CONFERENCES | CASA Conference Hotel Deposit - ES |
| U.S. BANK | API | 11/22/2021 | 56350 | 222.18 | 4330 | BOARD CONFERENCES | CASA Conference Hotel Deposit - JH |
| U.S. BANK | API | 11/22/2021 | 56350 | 595.00 | 4330 | BOARD CONFERENCES | CASA Conference Registration - DO |
| U.S. BANK | API | 11/22/2021 | 56350 | 595.00 | 4330 | BOARD CONFERENCES | CASA Conference Registration - ES |
| U.S. BANK | API | 11/22/2021 | 56350 | 595.00 | 4330 | BOARD CONFERENCES | CASA Conference Registration - JH |
| U.S. BANK | API | 11/22/2021 | 56350 | 34.80 | 4910 | OFFICE SUPPLIES | Day Timer Refill Supplies |
| U.S. BANK | API | 11/22/2021 | 56350 | 20.00 | 4930 | SUBSCRIPTIONS | eNewsletter |
| U.S. BANK | API | 11/22/2021 | 56350 | 9.99 | 4950 | Computer Software/Srvc/Support/Hardware | iCloud Storage - PB |
| U.S. BANK | API | 11/22/2021 | 56350 | 349.99 | 4950 | Computer Software/Srvc/Support/Hardware | Server Remote-Access Field Services |
| U.S. BANK | API | 11/22/2021 | 56350 | 40.00 | 4950 | Computer Software/Srvc/Support/Hardware | Zoom Cloud |
| U.S. BANK | API | 11/22/2021 | 56350 | 927.59 | 5310 | ADVERTISING | Job Posting - FST-IT |
| U.S. BANK | API | 11/22/2021 | 56350 | 674.00 | 5510 | LINE MAINTENANCE | City of Carlsbad OT Work |
| U.S. BANK | API | 11/22/2021 | 56350 | 365.61 | 5530 | BUILDINGS & GROUNDS | Office Lightbulbs |
| U.S. BANK | API | 11/22/2021 | 56350 | 222.18 | 5710 | TRAINING, EDUCATION & CONFERNC | CASA Conference Hotel Deposit - PB |
| U.S. BANK | API | 11/22/2021 | 56350 | 222.18 | 5710 | TRAINING, EDUCATION & CONFERNC | CASA Conference Hotel Deposit - TH |
| U.S. BANK | API | 11/22/2021 | 56350 | 1,190.00 | 5710 | TRAINING, EDUCATION & CONFERNC | CASA Conference Registration - PB & TH |
| U.S. BANK | API | 11/22/2021 | 56350 | 90.88 | 5710 | TRAINING, EDUCATION & CONFERNC | Job application review - Lunch Meeting |
| U.S. BANK | API | 11/22/2021 | 56350 | 201.00 | 5710 | TRAINING, EDUCATION & CONFERNC | Team Building Breakfast |
| U.S. BANK | API | 11/22/2021 | 56350 | 221.79 | 5710 | TRAINING, EDUCATION & CONFERNC | Team Building Lunch |
| U.S. BANK | API | 11/22/2021 | 56350 | 125.00 | 5910 | TELEPHONE | Web Hosting |
| U.S. BANK | API | 11/22/2021 | 56350 | 30.00 | 5910 | TELEPHONE | Wifi |

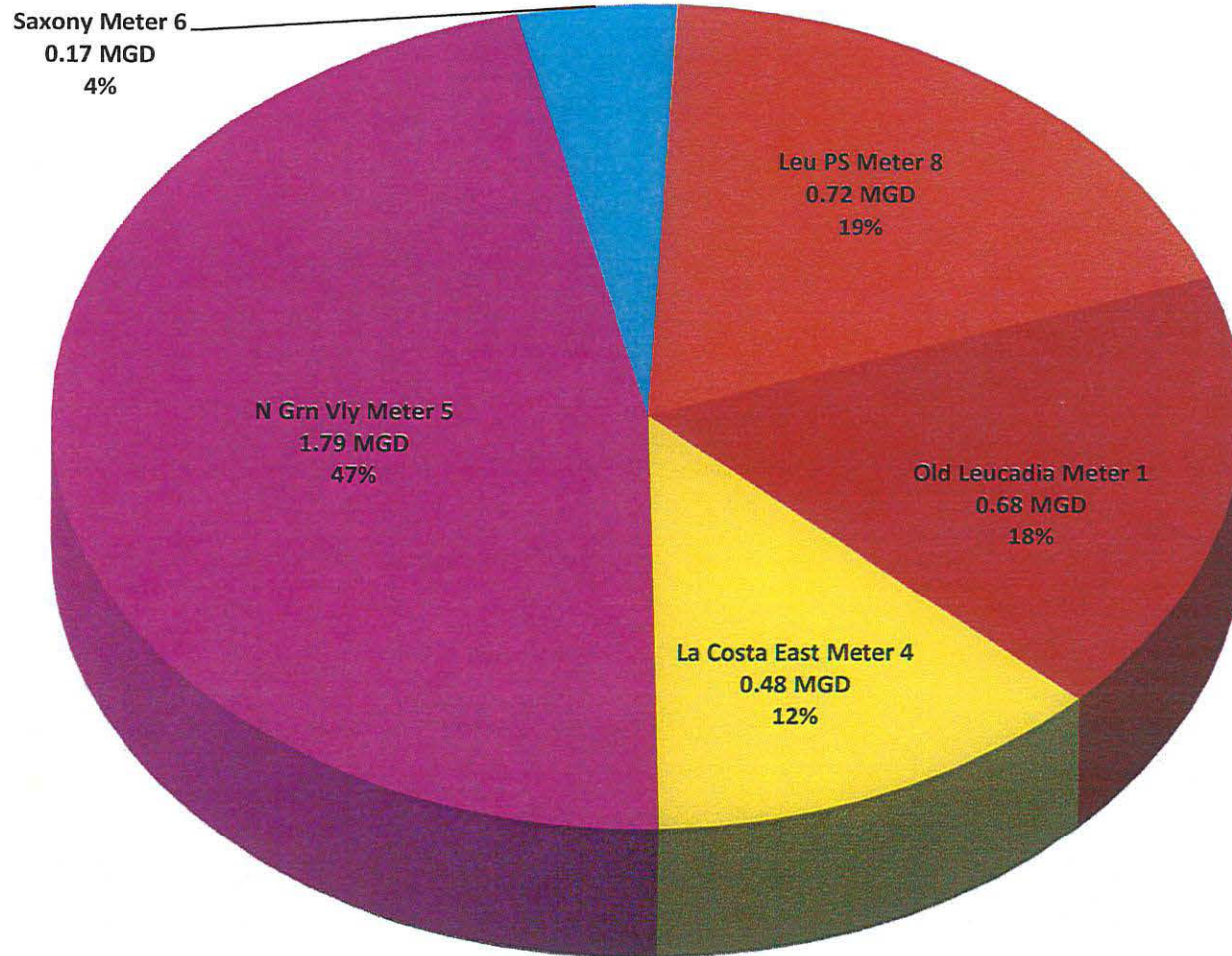
Leucadia Wastewater District
 Vendor Activity - Supplemental Credit Card Report
 From 11/5/2021 Through 12/2/2021

| Vendor Name | Tra... Sou... | Effective Date | Check/Voucher Number | Expenses | GL Code | GL Title | Transaction Description |
|--------------------------------|---------------|----------------|----------------------|-----------------|---------|----------|-------------------------|
| | | | Transaction Total | <u>7,176.55</u> | | | |
| Report Opening/Current Balance | | | | _____ | | | |
| Report Transaction Totals | | | | 7,176.55 | | | |
| | | | | _____ | | | |
| Report Current Balances | | | | ===== | | | |

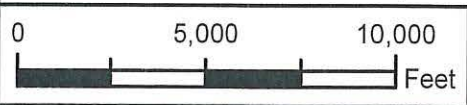
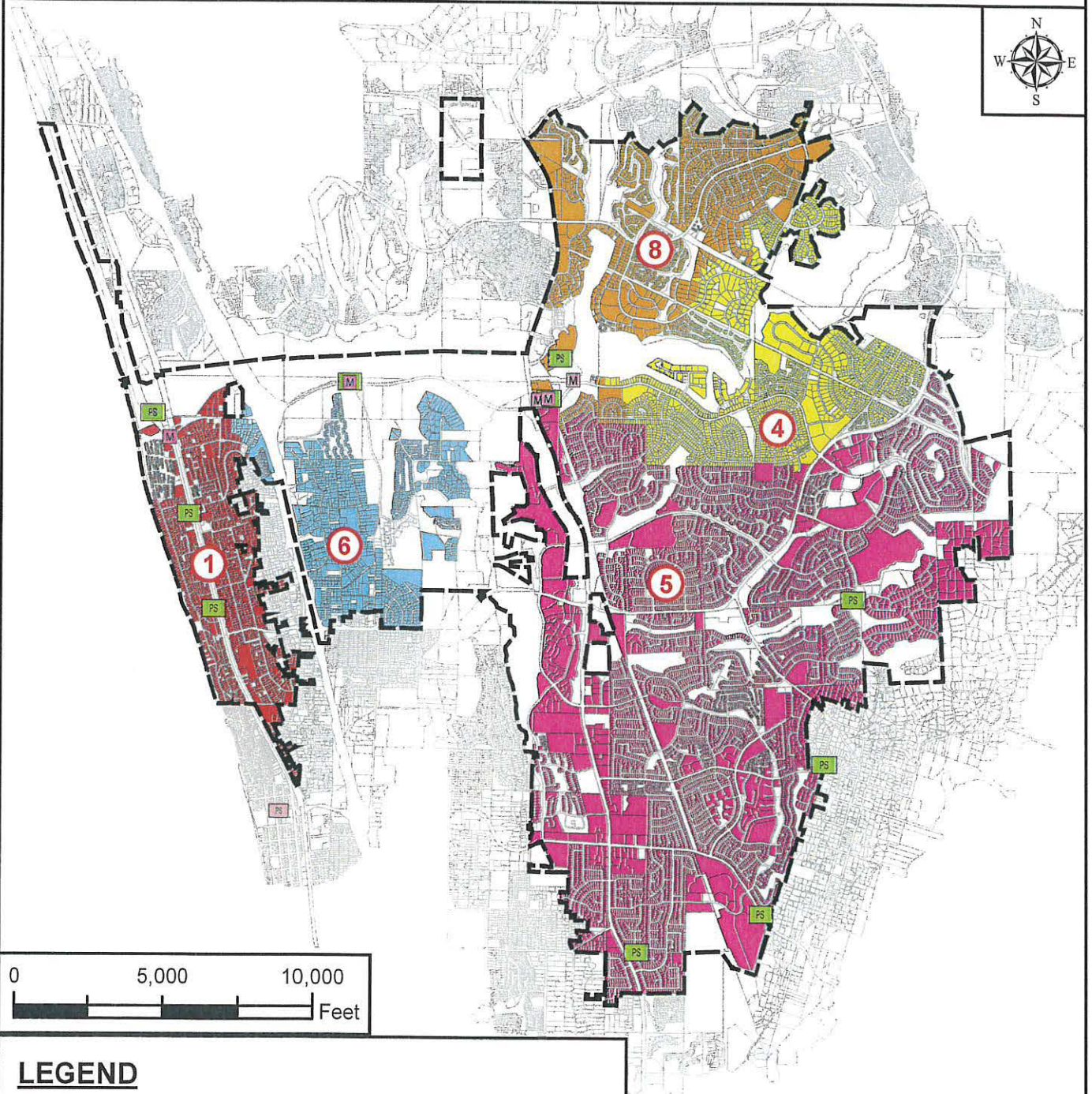
**LEUCADIA WASTEWATER DISTRICT
OPERATIONS REPORT
FISCAL YEAR 2022 (July 2021 - June 2022)**

| CURRENT MONTH - November 2021 | | | | | | | FY 2021 |
|-------------------------------|----------------------|------------------|--------------------------|------------------|---------|-------------------------------|------------------|
| Period | Total Rain Inches | Total Flow MG | Added EDU's 28,774.34 | LWD ADF (MGD) | GPD/EDU | RECLAIMED Total (ac-ft/mo) | LWD ADF (MGD) |
| JULY | 0.16 | 117.49 | 19.70 | 3.79 | 131.80 | 47.70 | 3.95 |
| YTD | | | 28,754.64 | | | | |
| AUGUST | 0.11 | 118.11 | 6.00 | 3.81 | 132.47 | 47.70 | 4.01 |
| YTD | | | 28,760.64 | | | | |
| SEPTEMBER | 0.11 | 112.20 | 0.00 | 3.74 | 130.04 | 33.07 | 3.78 |
| YTD | | | 28,760.64 | | | | |
| OCTOBER | 1.34 | 111.91 | 1.25 | 3.61 | 125.51 | 14.49 | 3.81 |
| YTD | | | 28,761.89 | | | | |
| NOVEMBER | 0.00 | 113.40 | 1.25 | 3.78 | 131.42 | 19.15 | 3.88 |
| YTD | | | 28,763.14 | | | | |
| DECEMBER | | | | | | | 3.76 |
| YTD | | | | | | | |
| JANUARY | | | | | | | 3.65 |
| YTD | | | | | | | |
| FEBRUARY | | | | | | | 3.63 |
| YTD | | | | | | | |
| MARCH | | | | | | | 3.89 |
| YTD | | | | | | | |
| APRIL | | | | | | | 3.90 |
| YTD | | | | | | | |
| MAY | | | | | | | 3.90 |
| YTD | | | | | | | |
| JUNE | | | | | | | 3.85 |
| YTD | | | | | | | |
| YTD Totals | 1.72 | 573.11 | 28.20 | | | 162.11 | |
| Mo Average | 0.34 | 114.62 | 5.64 | 3.75 | 130.25 | 32.42 | 3.83 |

**LWD Flows by Sub-Basin
November 2021
Total LWD Flow 3.84 MGD**



LEUCADIA WASTEWATER DISTRICT

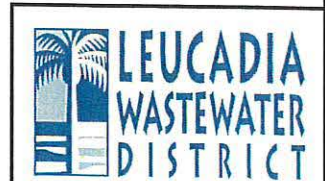


LEGEND

Parcels by Basin

- 1 - Old Leucadia
- 4 - La Costa East
- 5 - North Green Valley
- 6 - Saxony
- 8 - Leucadia PS

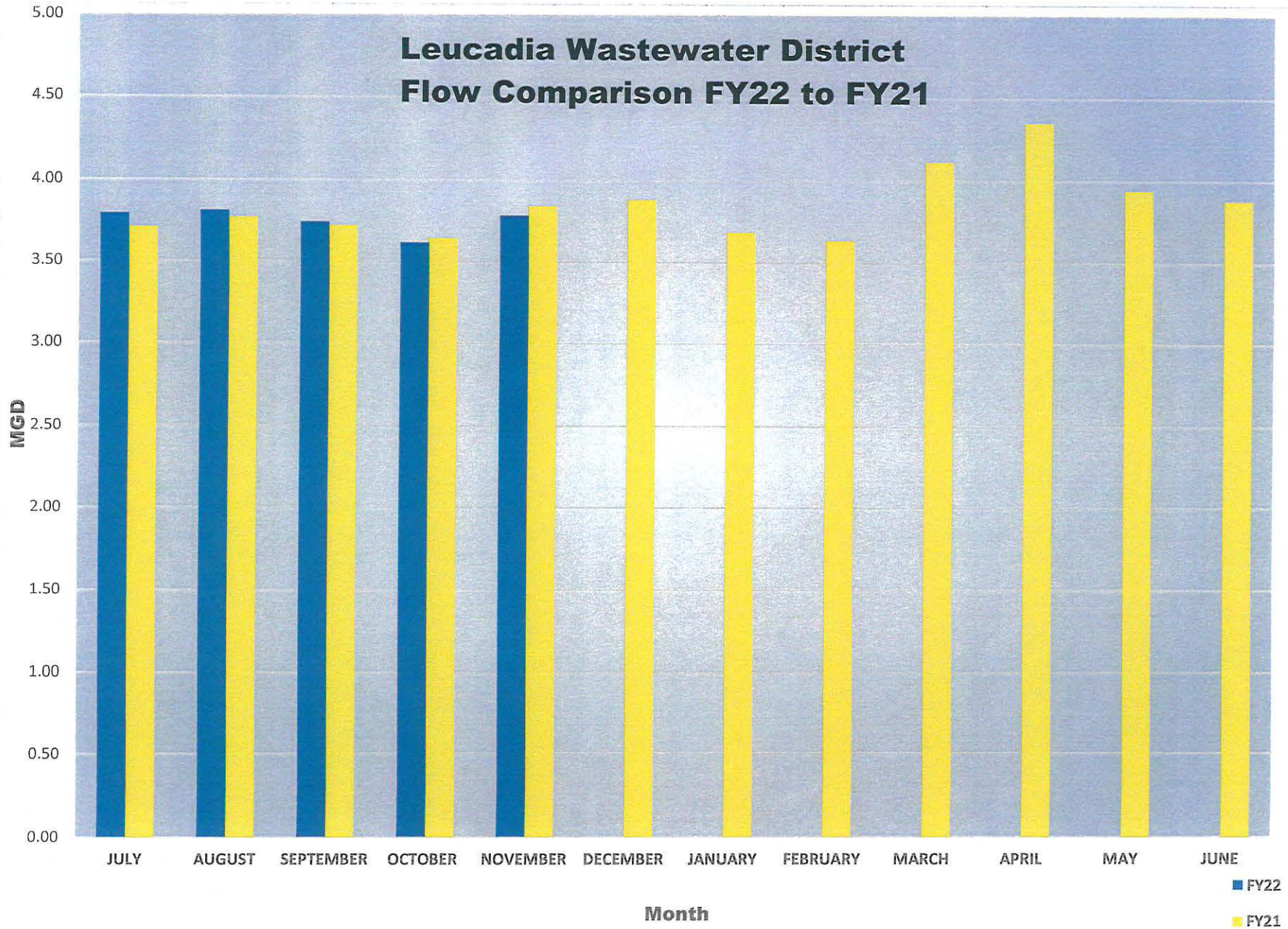
- Meter Locations
- LWD Pump Stations
- Encinitas Pump Stations
- LWD Boundary



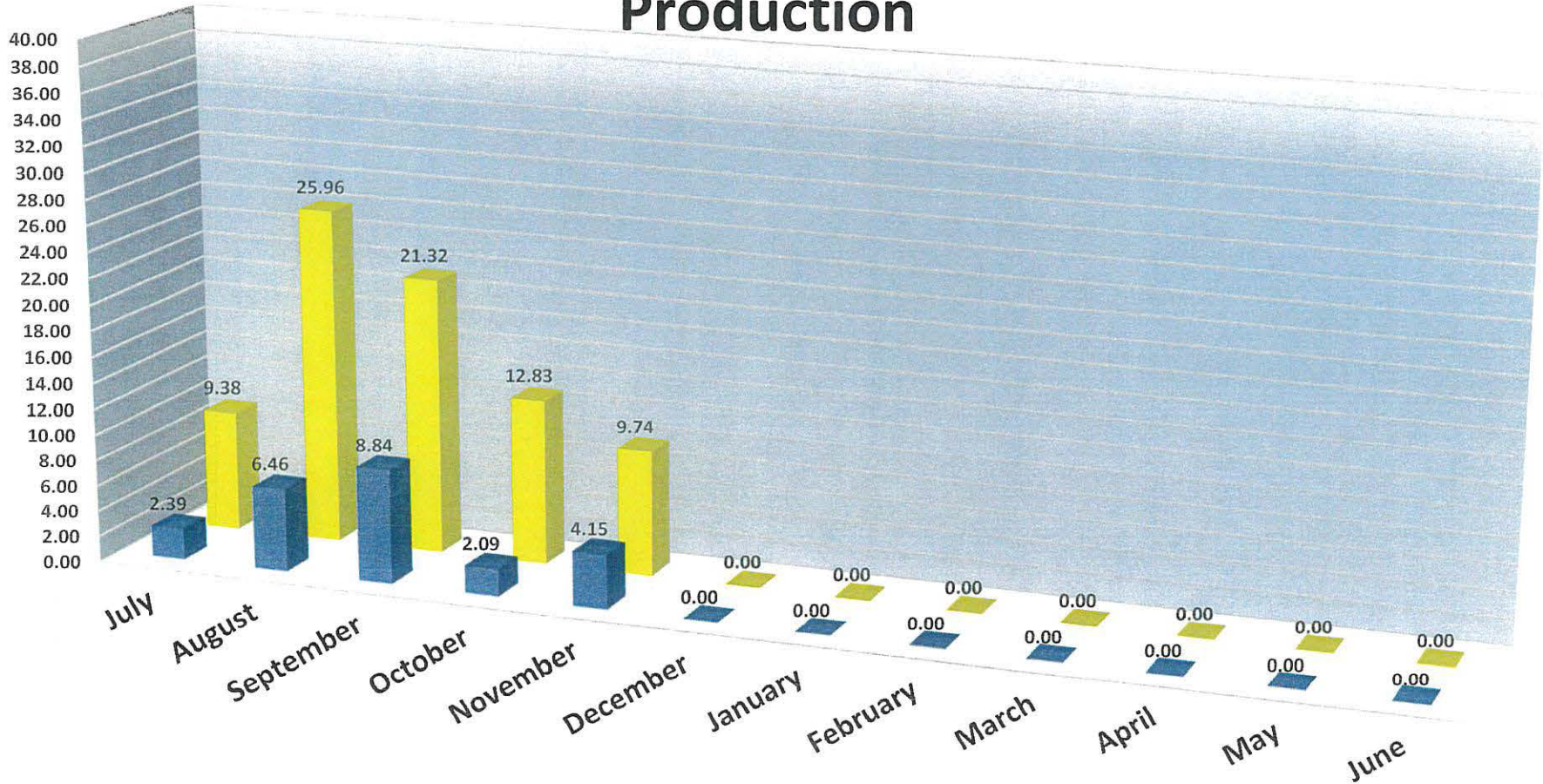
DEXTER WILSON ENGINEERING, INC.
CONSULTING ENGINEERS
(760) 438-4422

SEWER COLLECTION SYSTEM BY SUB-BASIN

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FY-22 CCTV Inspections & Hydro Cleaning Production



Monthly Target Mileage

Hydro-Cleaning: 15 Miles/Month

CCTV Inspections: 6.3 Miles/Month

■ CCTV Inspections (YTD 23.9 Miles)

■ Hydro Cleaning (YTD 79.2 Miles)



LEADERS IN
ENVIRONMENTAL
PROTECTION

Operations and Administration Training Report Summary for Fiscal Year 2022

| Training | | Hours | | |
|------------------------|-------|---------------|--------------|---------------|
| Month | Ops | Admin | Total | |
| Jul-21 | 35.50 | 7.00 | 42.50 | |
| Aug-21 | 14.00 | 12.00 | 26.00 | |
| Sep-21 | 91.50 | 5.00 | 96.50 | |
| Oct-21 | 30.00 | 7.50 | 37.50 | |
| Nov-21 | 10.00 | 5.00 | 15.00 | |
| Dec-21 | 0.00 | 0.00 | 0.00 | |
| Jan-22 | 0.00 | 0.00 | 0.00 | |
| Feb-22 | 0.00 | 0.00 | 0.00 | |
| Mar-22 | 0.00 | 0.00 | 0.00 | |
| Apr-22 | 0.00 | 0.00 | 0.00 | |
| May-22 | 0.00 | 0.00 | 0.00 | |
| Jun-22 | 0.00 | 0.00 | 0.00 | |
| YTD Totals | | 181.00 | 36.50 | 217.50 |
| YTD Monthly Avg | | 36.20 | 7.30 | 43.50 |

| Conferences | | Attendees | | |
|------------------------|------|-------------|-------------|--------------|
| Month | Ops | Admin | Total | |
| Jul-21 | 0.00 | 0.00 | 0.00 | |
| Aug-21 | 4.00 | 5.00 | 9.00 | |
| Sep-21 | 0.00 | 0.00 | 0.00 | |
| Oct-21 | 2.00 | 0.00 | 2.00 | |
| Nov-21 | 0.00 | 0.00 | 0.00 | |
| Dec-21 | 0.00 | 0.00 | 0.00 | |
| Jan-22 | 0.00 | 0.00 | 0.00 | |
| Feb-22 | 0.00 | 0.00 | 0.00 | |
| Mar-22 | 0.00 | 0.00 | 0.00 | |
| Apr-22 | 0.00 | 0.00 | 0.00 | |
| May-22 | 0.00 | 0.00 | 0.00 | |
| Jun-22 | 0.00 | 0.00 | 0.00 | |
| YTD Total | | 6.00 | 5.00 | 11.00 |
| YTD Monthly Avg | | 3.00 | 5.00 | 5.50 |

Notes:

Trainings include web-based, classroom, and tailgates

Conferences include CASA, CWEA, CSDA, CSRMA, CSFMO

**Operations and Administration Training Report
November 2021**

Training & Safety Events for the month November 2021

Hours

| Description | Ops | Admin | Total |
|-------------------------------------|-------------|------------|-------------|
| CSRMA Workplace Violence | 5.0 | 0.0 | 5.0 |
| Emergency Action Plan | 5.0 | 2.0 | 7.0 |
| Navigating COVID-19 Vaccine Mandate | 0.0 | 3.0 | 3.0 |
| | | | |
| Total Training Hours | 10.0 | 5.0 | 15.0 |

Conferences for the month of November 2021

Attendees

| Description | Ops | Admin | Total |
|-----------------------------------|----------|----------|----------|
| Other | 0 | 0 | 0 |
| Total Attended Conferences | 0 | 0 | 0 |

Notes:

Trainings include web-based, classroom, tailgates and safety events

Leucadia Wastewater District

Balance Sheet

As of 11/30/2021

| | Amount |
|--|-----------------|
| Assets | |
| Cash & Investments | 24,496,925.20 |
| Accounts Receivables | 150,470.39 |
| Net OPEB Asset | 73,376.00 |
| Prepaid Expense | 683,218.38 |
| Funds held with Encina Wastewater Authority | 2,041,200.00 |
| Capital Assets | 184,268,092.64 |
| Less Accumulated Depreciation | (64,311,774.48) |
| Total Assets | 147,401,508.13 |
| Deferred Outflows | |
| PERS Pension Deferred Outflows | 1,344,994.00 |
| OPEB Health Deferred Outflows | 86,509.00 |
| Total Deferred Outflows | 1,431,503.00 |
| Total Assets & Deferred Outflows | 148,833,011.13 |
| Liabilities | |
| Accounts Payable & Accrued Expenses | 736,756.81 |
| Developer Deposits | 87,715.09 |
| Net Pension Liability | 4,523,924.00 |
| Total Liabilities | 5,348,395.90 |
| Deferred Inflows | |
| PERS Pension Deferred Inflows | 181,483.00 |
| OPEB Health Deferred Inflows | 6,794.00 |
| Total Deferred Inflows | 188,277.00 |
| Net Position | |
| Beginning Net Position (as of June 30, 2021) | |
| Investment in Capital Assets | 119,956,318.25 |
| Reserves | 26,711,648.62 |
| Total Beginning Net Position (as of June 30, 2021) | 146,667,966.87 |
| Current Change In Net Position | |
| Other | (3,371,628.64) |
| Total Current Change In Net Position | (3,371,628.64) |
| Total Net Position | 143,296,338.23 |
| Total Liabilities, Deferred Inflows & Net Position | 148,833,011.13 |

Leucadia Wastewater District

Summary Budget Comparison - Revenues and Operating Expenses

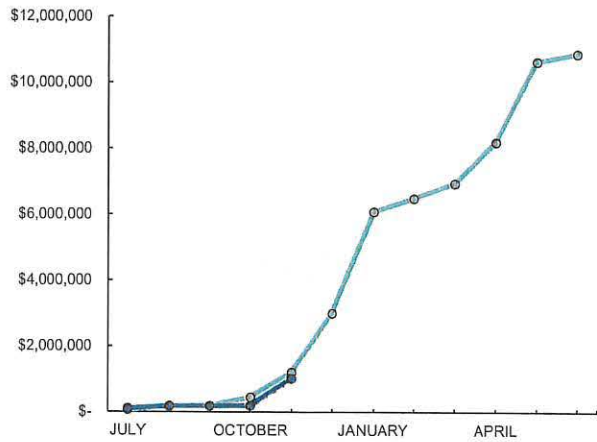
From 7/1/2021 Through 11/30/2021

| Account Title | YTD Actual | Total Annual Budget | Remaining Budget | Percentage Total Budget Used |
|-------------------------------------|------------------------|------------------------|------------------------|------------------------------|
| OPERATING REVENUES | | | | |
| 3110 Sewer Service Fees | \$ 1,015,840.50 | \$10,879,991.00 | \$ 9,864,150.50 | 9.3% |
| 3150 Recycled Water Sales | 228,371.47 | 350,000.00 | 121,628.53 | 65.2% |
| 3100 Misc. Operating Revenue | 42,598.57 | 180,599.00 | 138,000.43 | 23.6% |
| TOTAL OPERATING REVENUES | \$ 1,286,810.54 | \$11,410,590.00 | \$10,123,779.46 | 11.3% |
| OPERATING EXPENSES | | | | |
| 4100 Salaries | \$ 759,011.89 | \$ 2,063,646.00 | \$ 1,304,634.11 | 36.8% |
| 4200 Employee Benefits | 370,064.79 | 1,561,018.00 | 1,190,953.21 | 23.7% |
| 4300 Directors Expense | 33,118.39 | 129,100.00 | 95,981.61 | 25.7% |
| 4400 Election Expense | - | 30,000.00 | 30,000.00 | 0.0% |
| 4600 Gas, Oil & Fuel | 12,066.59 | 45,000.00 | 32,933.41 | 26.8% |
| 4700 Insurance Expense | 40,308.34 | 179,800.00 | 139,491.66 | 22.4% |
| 4800 Memberships | 17,451.39 | 36,925.00 | 19,473.61 | 47.3% |
| 4900 Office Expense | 56,405.30 | 169,500.00 | 113,094.70 | 33.3% |
| 5000 Operating Supplies | 33,057.33 | 147,500.00 | 114,442.67 | 22.4% |
| 5200 Professional Services | 168,517.33 | 600,000.00 | 431,482.67 | 28.1% |
| 5300 Printing & Publishing | 14,610.46 | 29,600.00 | 14,989.54 | 49.4% |
| 5400 Rents & Leases | 27,349.88 | 24,200.00 | (3,149.88) | 113.0% |
| 5500 Repairs & Maintenance | 118,341.35 | 559,100.00 | 440,758.65 | 21.2% |
| 5600 Monitoring & Permits | 11,944.50 | 74,300.00 | 62,355.50 | 16.1% |
| 5700 Training & Development | 13,282.48 | 49,500.00 | 36,217.52 | 26.8% |
| 5900 Utilities | 175,636.85 | 468,900.00 | 293,263.15 | 37.5% |
| 6100 LAFCO Operations | 7,257.17 | 7,700.00 | 442.83 | 94.2% |
| 6200 Encina Operating Expense | 816,722.39 | 2,677,900.00 | 1,861,177.61 | 30.5% |
| 6900 Admin O/H alloc to Capital | (44,755.05) | (192,796.00) | (148,040.95) | 23.2% |
| TOTAL OPERATING EXPENSES | \$ 2,630,391.38 | \$ 8,660,893.00 | \$ 6,030,501.62 | 30.4% |
| NON-OPERATING REVENUES | | | | |
| 3130 Capacity Fees | \$ 48,345.50 | \$ 162,848.00 | \$ 114,502.50 | 29.7% |
| 3220 Property Taxes | 154,780.32 | 1,988,000.00 | 1,833,219.68 | 7.8% |
| 3250 Investment Income | 119,734.87 | 316,000.00 | 196,265.13 | 37.9% |
| 3290 Misc. Non Op Revenue | 82,054.74 | 127,300.00 | 45,245.26 | 64.5% |
| TOTAL NON-OPERATING REVENUES | \$ 404,915.43 | \$ 2,594,148.00 | \$ 2,189,232.57 | 15.6% |

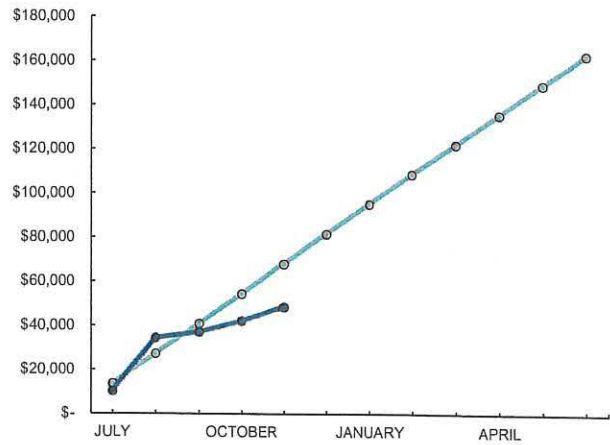
Leucadia Wastewater District Revenue FY2022

YTD through November 30, 2021

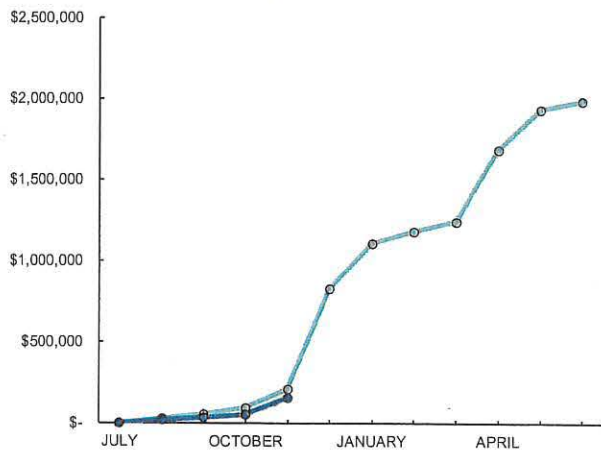
Sewer Service Fees



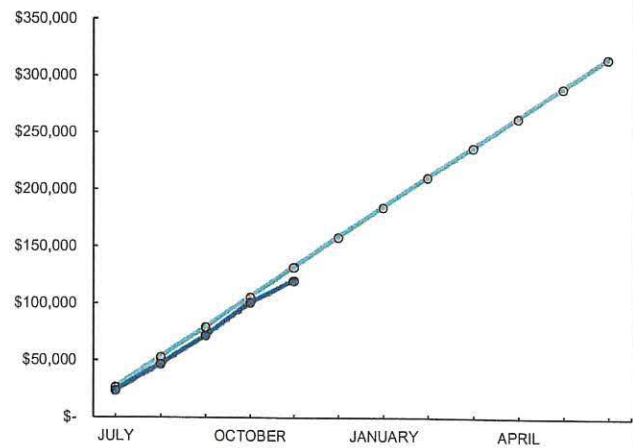
Capacity Charges



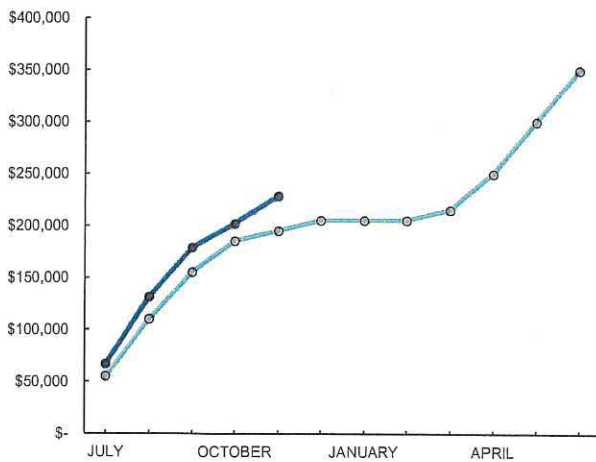
Property Taxes



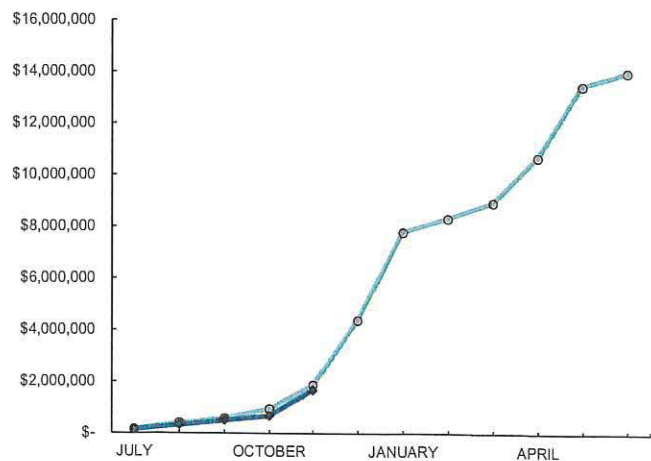
Investment Income



Recycled Wastewater Sales



Total Revenue



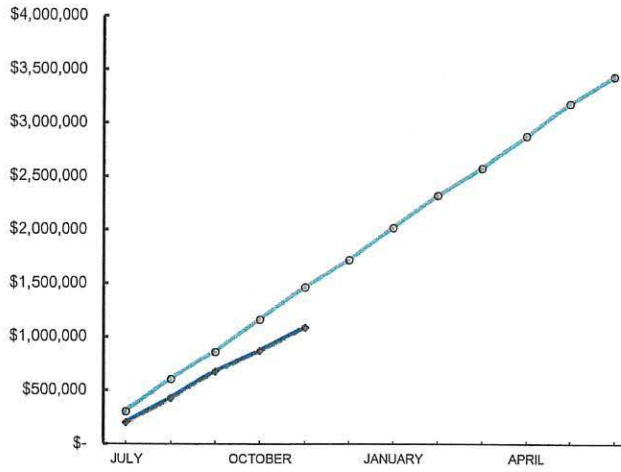
○ Budget ◆ Actual

* Preliminary: subject to future review, reconciliation, accruals, and audit

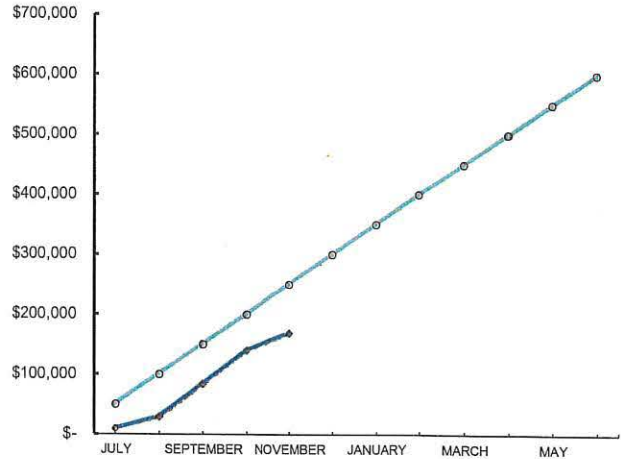
Leucadia Wastewater District Operating Expenses FY2022

YTD through November 30, 2021

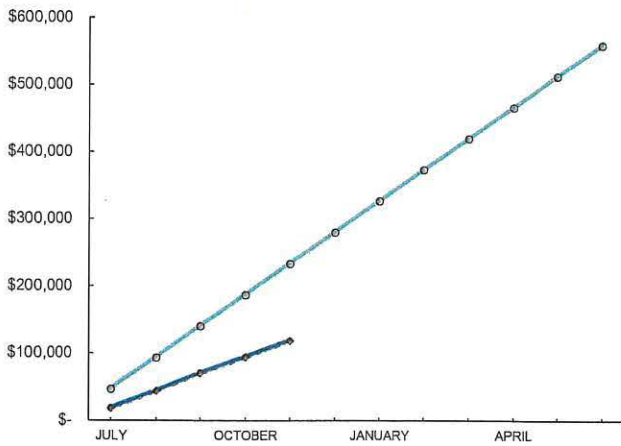
Salaries and Benefits



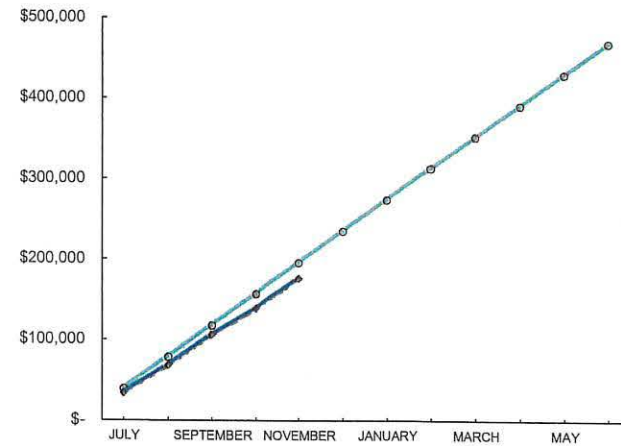
Professional Services



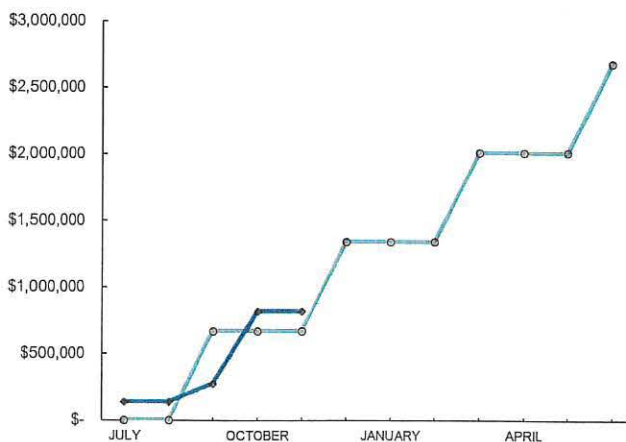
Repairs & Maintenance



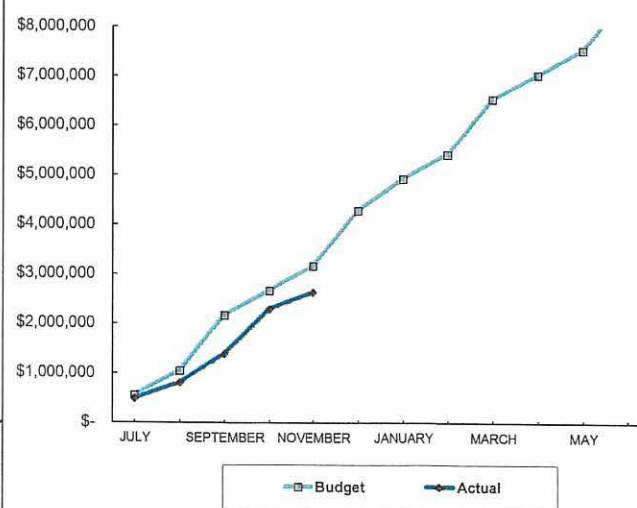
Utilities



Encina M&O



Total Operating Expenses -
Before Depreciation & Replacement



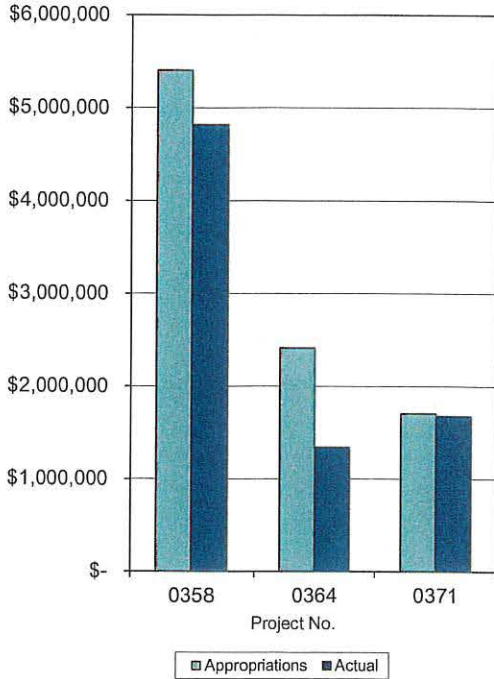
□ Budget ◆ Actual

* Preliminary: subject to future review, reconciliation, accruals, and audit

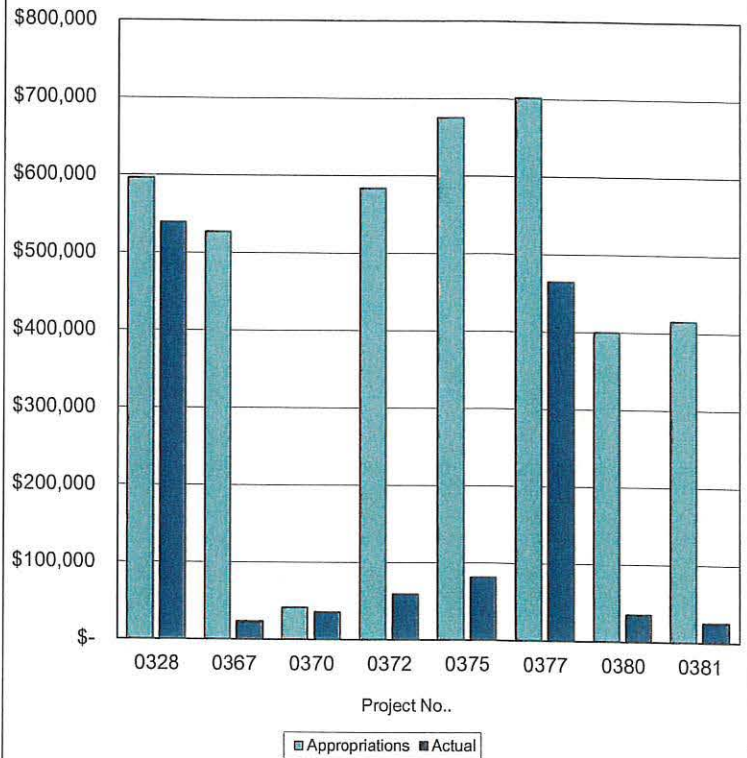
Leucadia Wastewater District Capital Expenditures

As of November 30, 2021

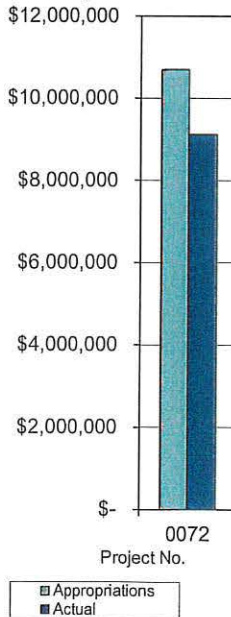
District Multi Year Capital Expenditures by Project (>\$1.1M) Through FY2022



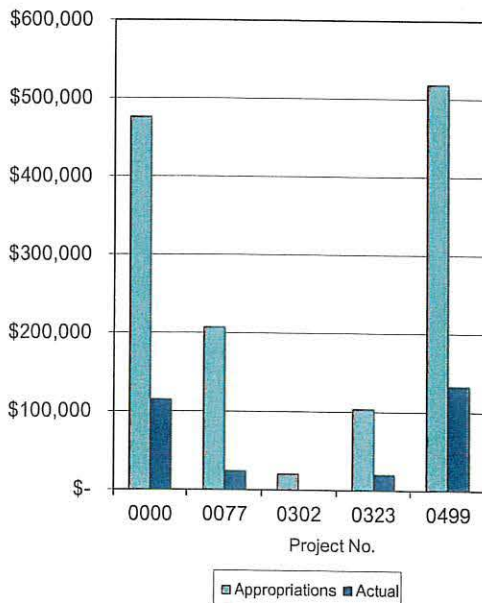
District Multi Year Capital Expenditures by Project (<\$1.1M) Through FY2022



District's Share of Encina WPCF Capital Exp Through FY2022



Single Year Capital Expenditures by Project FY2022



Project Legend

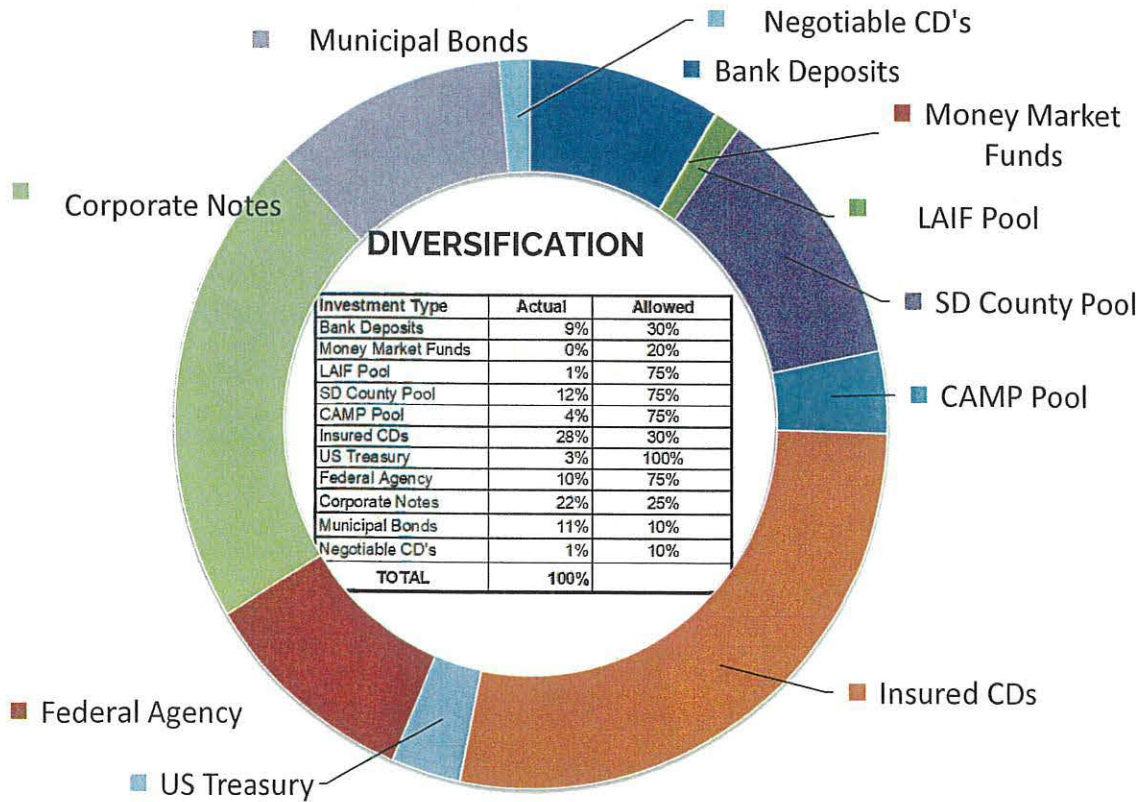
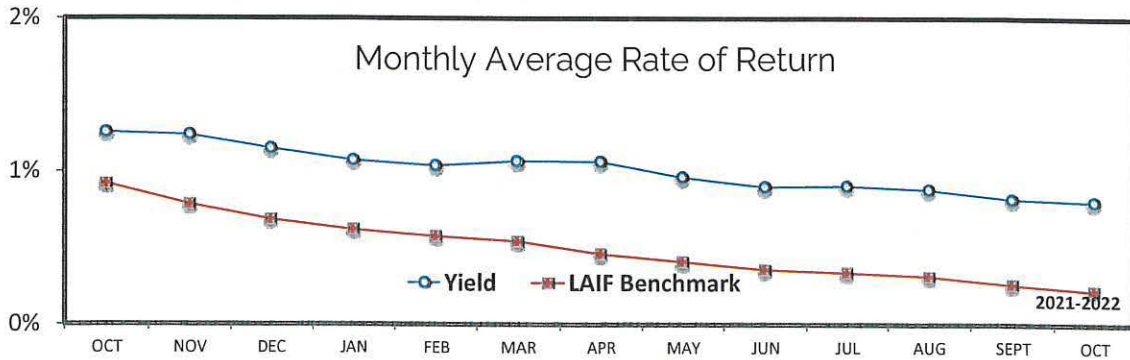
| Multi-Year Capital Projects | No. |
|--|------|
| Encina Joint Facility Capital Projects | 0072 |
| North SD Water Reuse Coalition Project | 0328 |
| Leucadia Pump Station Rehabilitation | 0358 |
| Encinitas Estates Pump Station Rplcmnt | 0364 |
| Orchard Wood Rd Sewer Rehab | 0365 |
| B1 Force Main - North Section Rplcmnt | 0367 |
| Pump Station Assessment | 0370 |
| FY20 Gravity Line Rehab/Quebrada Rlgn | 0371 |
| Diana Pump Station Upgrade | 0372 |
| Batiquitos PS Emergency Basin Upgrade | 0375 |
| FY2021 Gravity Pipeline Rehabilitation | 0377 |
| FY2021 L1/L2 Force Main Anode Rplcmnt | 0378 |
| FY2022 Gravity Pipeline Rehabilitation | 0380 |
| Village Park 7 Pump Station Rehabilitation | 0381 |

| Single Year Capital Projects | No. |
|--------------------------------------|------|
| Equipment - Capital Acquisitions | 0000 |
| Misc. Pipeline Rehabilitation | 0077 |
| District Engineering Services | 0302 |
| Lateral Replace/Backflow Prevention | 0323 |
| LWD Gen'l Cap Labor & O/H Allocation | 0499 |

to future review, reconciliation, accruals, and audit

LEUCADIA WASTEWATER DISTRICT
Monthly Investment Summary
October 31, 2021

| Cash Equivalents & Investments | Principal (Original Cost) | | October Interest | Average Rate |
|-----------------------------------|---------------------------|----------------------|------------------|---------------|
| | Sep 30, 2021 | Oct 31, 2021 | | |
| Pacific Premier Bank Reserves | \$ 906,255 | \$ 2,243,788 | \$ 5 | 0.010% |
| TVI Dreyfus Money Market | 10,526.88 | 10,527 | \$ 4 | 0.030% |
| LAIF Pool | 698,113 | 299,106 | 86 | 0.206% |
| SD County Pool | 4,516,716 | 3,026,028 | 2,225 | 0.740% |
| CAMP Pool | 1,433,739 | 934,284 | 12 | 0.050% |
| Certificates of Deposit - Insured | 7,120,000 | 7,120,000 | 6,763 | 1.336% |
| US Treasury Notes | 810,199 | 810,199 | 218 | 1.140% |
| Federal Agency Notes | 2,544,450 | 2,544,450 | 983 | 0.616% |
| Municipal Bonds | 2,751,889 | 2,751,889 | 2,183 | 0.900% |
| Corporate Bonds/Notes | 5,578,371 | 5,578,371 | 4,429 | 1.087% |
| Negotiable CD's | 350,000 | 350,000 | 540 | 1.850% |
| Totals | \$ 26,720,260 | \$ 25,668,642 | \$ 17,447 | 0.799% |

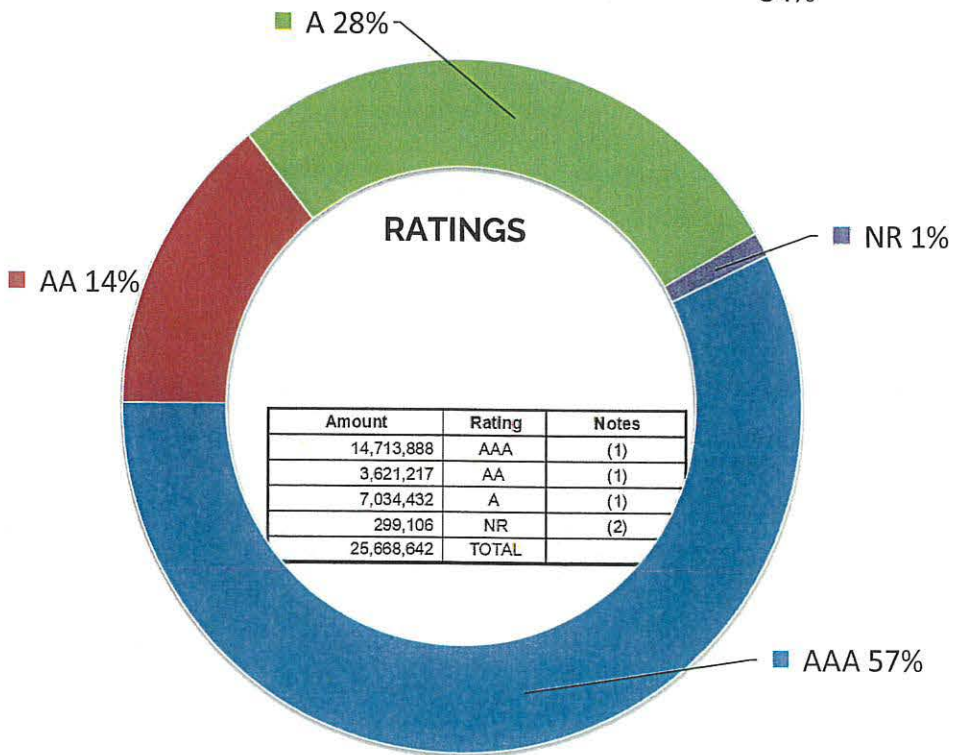
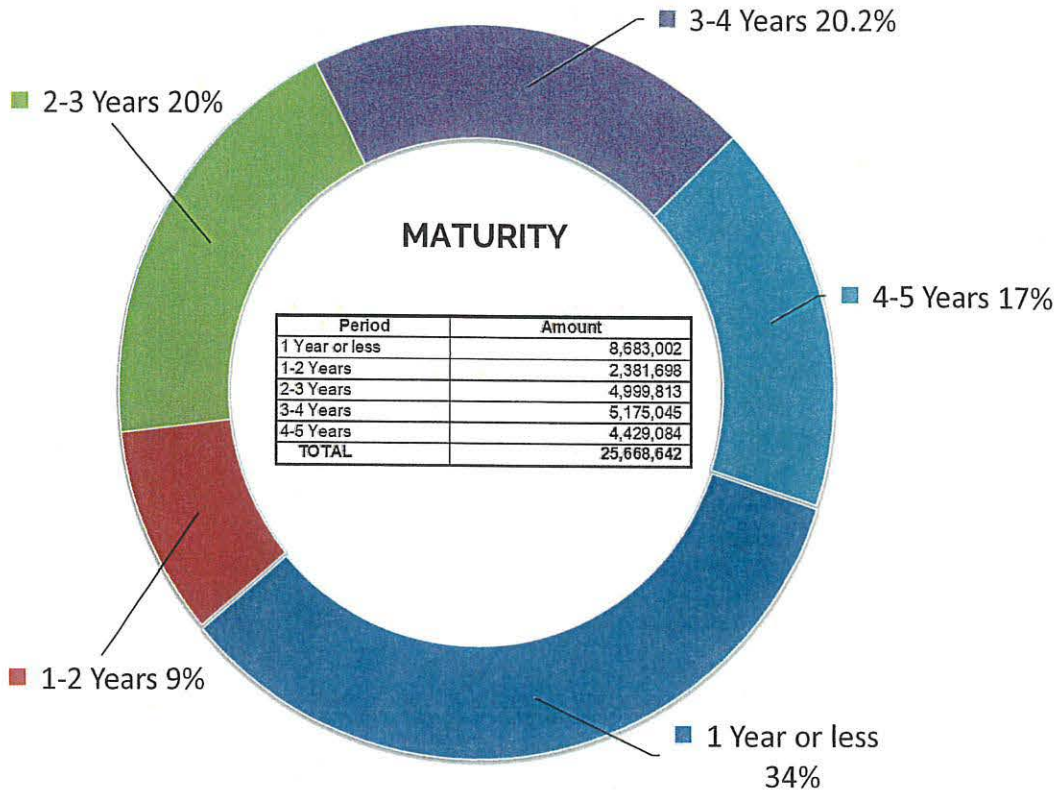


LEUCADIA WASTEWATER DISTRICT

Monthly Investment Summary

October 31, 2021

(Continued)

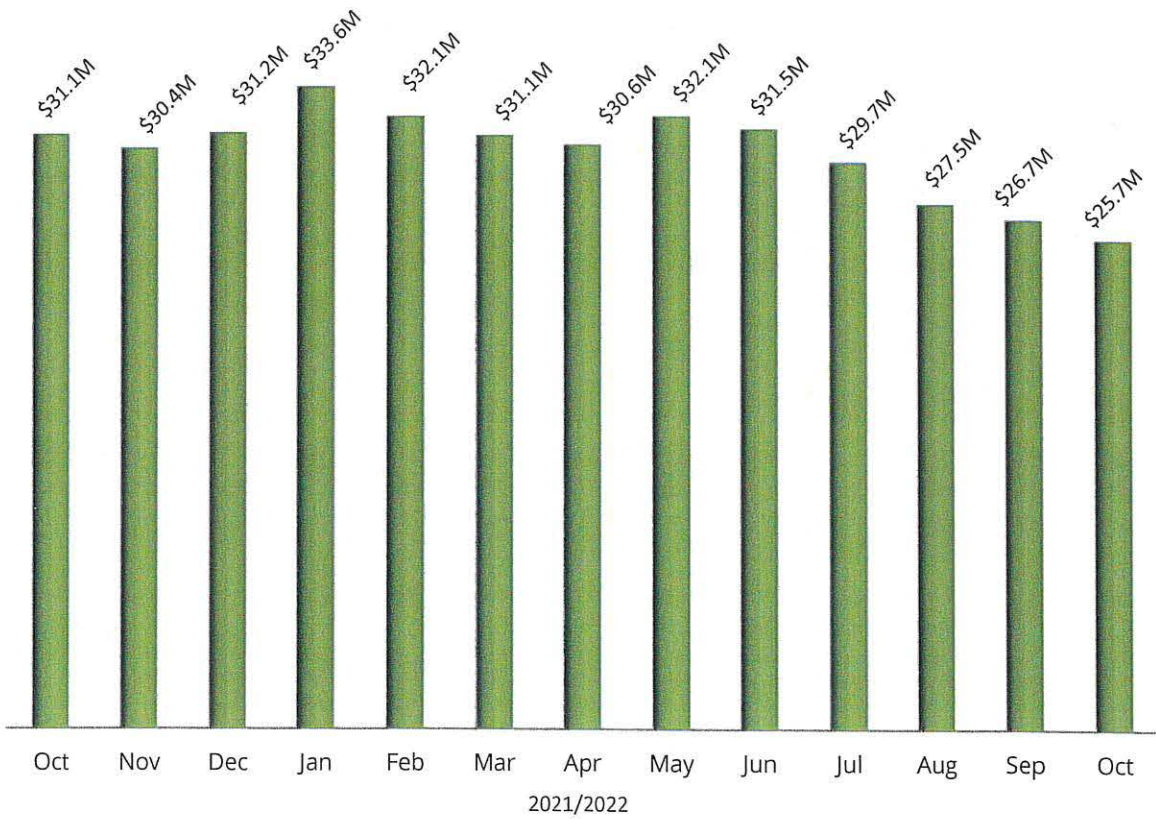


(1) CAMP Pool & SD County Pool, are rated by Standard & Poors. Investments are rated by Moody's.
 (2) LAIF is not rated

LEUCADIA WASTEWATER DISTRICT
Monthly Investment Summary
October 31, 2021

(Continued)

CASH & INVESTMENT FUNDS BY MONTH



INVESTMENT TRANSACTIONS

| Investment | Purchases | Sales & Maturities | Maturity Date | CUSIP | YTM at Cost | Notes |
|------------|-----------|--------------------|---------------|-----------|-------------|-------|
| FHLB | 250,000 | | 12/17/2026 | 3130APXT7 | 1.60% | |

| | | |
|-------|------------|------|
| TOTAL | \$ 250,000 | \$ - |
|-------|------------|------|

Investment transactions above are investment purchases, sales, and maturities during the month. They do not include internal transfers between District's checking a/c's and cash equivalents (pools/reserves)

MEMORANDUM

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: **November 2021 Board Disclosure of Reimbursements Report**

RECOMMENDATION:

Staff requests that the Board of Directors:

1. Receive and file the Board Disclosure of Reimbursement Report for the month ending November 2021.

DISCUSSION:

Government Code Section §53065 stipulates that Special Districts must disclose reimbursements of \$100 or more on at least an annual basis. Leucadia Wastewater District (LWD) prepares the Disclosure Report every month in accordance with Resolution No. 2291 – The Integrated Travel Authorization and Expense Reimbursement Policy, which is above and beyond the requirements of Government Code Section §53065.

Attached please find the Board Disclosure of Reimbursements report for the month of November 2021 for your review.

tb:PJB

Attachment

**Leucadia Wastewater District
Disclosure of Reimbursements Report
November 1-30, 2021**

| Conference Date | Description | Director | Director | Director | Director | Director | GM | TSM | ASsup | FSS |
|-----------------|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|-------------|-------------|
| | | J. Hanson | E. Sullivan | D. Omsted | C. Roesink | M. Brown | P. Bushee | R. Morishita | T. Hill | J. Stecker |
| | Registration | | | | | | | | | |
| | Hotel | | | | | | | | | |
| | Airfare | | | | | | | | | |
| | Meals | | | | | | | | | |
| | Baggage | | | | | | | | | |
| | Parking/Shuttle | | | | | | | | | |
| | Tips | | | | | | | | | |
| | Fuel/mileage/rental car | | | | | | | | | |
| | Total | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Registration | | | | | | | | | |
| | Hotel | | | | | | | | | |
| | Airfare | | | | | | | | | |
| | Meals | | | | | | | | | |
| | Baggage | | | | | | | | | |
| | Parking/Coaster | | | | | | | | | |
| | Tips/Baggage | | | | | | | | | |
| | Fuel/mileage/taxi/uber | | | | | | | | | |
| | Total | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Registration | | | | | | | | | |
| | Hotel | | | | | | | | | |
| | Airfare | | | | | | | | | |
| | Meals | | | | | | | | | |
| | Baggage | | | | | | | | | |
| | Parking/Coaster | | | | | | | | | |
| | Tips/Baggage | | | | | | | | | |
| | Fuel/mileage/taxi/uber | | | | | | | | | |
| | Total | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | Registration | | | | | | | | | |
| | Hotel | | | | | | | | | |
| | Airfare | | | | | | | | | |
| | Meals | | | | | | | | | |
| | Baggage | | | | | | | | | |
| | Parking/Coaster | | | | | | | | | |
| | Tips/Baggage | | | | | | | | | |
| | Fuel/mileage/taxi/uber | | | | | | | | | |
| | Total | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

Notes : There were no conferences in the month of November 2021.

MEMORANDUM

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: **Board-General Manager/Staff Relations Policy Annual Review**

RECOMMENDATION:

Staff and the Human Resources Committee (HRC) recommend that the Board of Directors:

1. Receive and file the Annual Review of the LWD Board-General Manager/Staff Relations Policy; or,
2. Discuss and take other action, as appropriate.

DISCUSSION:

Tactical Goal: People/Administrative Policy Updates-Reviews/Board-General Manager/Staff Relations Policy

This item was reviewed by the HRC at its November 30th meeting and the HRC concurred with staff to present this item for the Board's consideration.

In January, 2007, the Board of Directors (Board) adopted Leucadia Wastewater District's (LWD) Board-General Manager/Staff Relations Policy. The policy, which was last amended on January 13, 2021, calls for an annual review by the Board of Directors.

Staff recently conducted an annual review of the existing policy. Based on this review, staff is not recommending any changes. The HRC has concurred with staff to place this item on the December consent calendar for the Board to receive and file.

th:PJB

Attachment

**LEUCADIA WASTEWATER DISTRICT
BOARD - GENERAL MANAGER/STAFF RELATIONS POLICY**

Ref: 21-7483

I. General Provisions

A) The Board of Directors, acting as a Board, is the governing body of the Leucadia Wastewater District (District) and is accountable to the public for the District's services, finances, establishment of policy and District performance. All powers of the Board shall be exercised and performed by the Board as a body, and no individual Director, except as otherwise authorized by the Board, shall have the power to alter or amend Board policy or directions. Public statements of Board policy and direction should reflect the viewpoint of a Board majority, notwithstanding a minority position. Directors acting within the scope and authority of their position enjoy strong legal protections from personal liability. Directors could lose some of these protections and risk personal liability if they act independently in excess of their authority.

B) The General Manager serves at the pleasure of the Board and is accountable to the Board for the implementation of Board policy and directions. The General Manager is the official spokesman for the District and is responsible for its day-to-day operation and administration. Unless directed otherwise by the Board, letters that express policies or positions of the District shall be from the General Manager.

C) The staff is responsible for performing administrative and operational functions assigned by the General Manager, or his or her designee, in implementing Board policy and directions. Direction to staff shall come through formal job descriptions or by directives from the General Manager or his or her designee.

D) District Counsel is retained by the Board, and is solely accountable to the Board.

E) The District's Financial Auditor is directly accountable to the Board. The Investment and Finance Committee (IFC) shall serve as the Board's delegated point of contact and meet with the Financial Auditor as required during the audit process.

II. Board to General Manager

A) The Board shall hire a General Manager, establish his or her compensation and define the conditions of his or her employment. The General Manager shall serve at the pleasure of the Board.

B) The General Manager is responsible for performing those functions, specific or general, assigned by the Board, either in the form of job description or Board direction.

C) The General Manager shall recommend, and the Board shall approve, the organizational structure of the District.

D) The General Manager shall hire all personnel with the exception of General Counsel at his or her sole discretion. The General Manager shall recommend and the Board shall approve the District's organizational chart and compensation ranges.

Policy Adopted: January 10, 2007

Amended: October 12, 2012, November 12, 2014, January 9, 2019, January 8, 2020,
January 13, 2021 (approved via minutes)

E) The Board of Directors shall ultimately approve district Policy. The General Manager may recommend and provide information regarding policy matters, including information relating to the technical, administrative and fiscal ramifications of the policies being considered.

F) The General Manager shall take direction only from a Board majority, or from a duly appointed committee, acting within the scope of the District's policies.

G) The General Manager shall act as the primary point of contact between the Board and the staff.

H) The General Manager shall provide such reports for the Board as requested, including but not limited to:

- 1) Status reports on Board directed activities.
- 2) Financial reports.
- 3) Updates on operations, maintenance, construction and personnel matters.
- 4) Emergency reports.

III. Board to Staff

A) Administration of staff is the direct responsibility of the General Manager. The General Manager shall provide policy and administrative direction to staff. Directors shall not direct staff regarding their employment duties.

B) If a Director is requesting the creation of a particular report or analysis, the matter shall be brought to the General Manager or, if appropriate, the Board of Directors. However, Directors may obtain copies of existing reports and analysis from staff.

C) Individual Directors may contact Management Staff directly for the purpose of asking questions about, or seeking clarifications of, issues related to the District's official business. For the purposes of this policy, Management Staff includes the Administrative Services Manager, the Technical Services Manager and the Field Services Superintendent. Travel questions may be directed to the Executive Assistant. The General Manager should be notified by staff of such contacts. This access may be in person or via telephone, e-mail or other forms of written or verbal requests.

D) Individual Directors intending to use more than 30 minutes of any staff member's time for issues relating to the District's business, should make an appointment with the staff member at a mutually agreed time and date. Contact with staff members should not generally exceed one (1) hour in any one week. Contact between Directors and the General Manager is not limited.

E) Individual Directors shall be granted access to all existing public documents at the District.

F) Staff members are not precluded from speaking with Directors. However, all complaints or matters of internal discipline should follow the established chain of command.

IV. Board and Employee Political/Election Related Activities

A) Government Code § 3204 prohibits elected public officials, such as District Board Members, from directly or indirectly "using any office, authority or influence" to persuade an individual to vote, exert political influence, or take political action on behalf of any candidate, officer, or party, in exchange for aiding or obstructing that individual's ability to secure "any position, nomination, confirmation, or promotion." It is unlawful, therefore, for Board Members to use their positions to force employees to perform political or election related tasks, or to retaliate against employees for refusing to do so.

B) In the event that District employees volunteer to help Board Members with election or political activities, the District prohibits such conduct while at work or while on District property. The basic rule is that public entities cannot use public funds or resources to influence voters to support a political position. This prohibition naturally extends to a public employee's use of his or her time on the job for political or election activities. Employees may not participate in political or election activities while in uniform or at work.

V. Board, General Manager and Staff to Attorneys

A) The Board may hire Attorneys as needed and establish their compensation. Attorneys shall work under the direction of the Board or its designee and shall serve at the pleasure of the Board or its designee.

B) Attorneys shall not become involved in policy decisions, except to comment on the legal ramifications of the policies being discussed or considered.

C) Attorneys shall take direction from a Board majority, or from a duly appointed committee acting within the scope of the District's policies.

D) Any Director may request a verbal opinion from Attorneys on matters relating to District business, including, but not limited to, clarification of potential conflicts of interest which may bear on the Director's ability to participate in a vote. Any advice Attorneys provide shall be as legal counsel for the District and not individual Directors. Attorneys shall inform the Board if they become aware of any potential conflict of interest that may require withdrawal, disclosure, or abstention of a Director or otherwise impact the actions of the Board.

Directors may consult independent counsel on conflict of interest matters. If a potential conflict between an individual Director and the Board arises, the Director is encouraged to consult independent counsel.

E) Attorneys shall not respond to individual requests of a personal nature.

F) The General Manager is the primary point of contact between the staff and Attorneys for the assignment of work.

G) The General Manager shall be authorized to contact Attorneys at his or her discretion.

VI. Board to Other Agencies

- A) Directors may contact elected officials, or staffs of other Agencies, on behalf of the Board. However, when representing the Board, Directors' comments should reflect approved Board policies or, in areas where no policy has yet been developed, the viewpoint of a majority of the Board. If the Board's viewpoint is unclear or not known, this should be stated.
- B) If a Director expresses an opinion before another agency regarding District business that is inconsistent with established Board policy or is simply not covered by Board policy or action, it is requested that the Director state that he or she is expressing their own opinion and not representing the Board as a whole.
- C) Directors shall not offer testimony or comments, regarding District business, at a formal meeting of another official body, without express consent from the Board.

VII. Emergency Situations

- A) The General Manager or his/her appointee shall notify Directors of an emergency as soon as reasonably practical. The General Manager or his/her appointee shall follow-up with a written report to the Board at the next scheduled Board meeting following the emergency.

VIII. Access To The Agenda

- A) The Board may request items to be placed on future agendas at its regular meetings. In addition, each and every Director may place any item on the agenda provided the request is made no later than Tuesday of the week before the meeting.
- B) Items placed on the agenda by an individual Director, accompanied by material submitted by that Director, shall be included in the agenda packet.

IX. Policy Review

- A) This policy shall be reviewed annually by the Board of Directors.

Encina Wastewater Authority Report
Regular Board Meeting
November 17, 2021

EWA Board of Directors - Director Sullivan Reporting

1. AB 361 Findings to Continue Virtual or Telephonic Board Meetings

The Board of Directors authorized the continuation of virtual meetings under Assembly Bill 361 (AB 361).

2. Adoption of IT Policies

The Board of Directors adopted the Acceptable Use Policy and the Bring Your Own Device Policy.

3. Chlorine System Repairs

The Board of Directors authorized the General Manager to award a task order in the amount of \$229,240 to Orion Construction Corporation for the EWPCF Chlorine System Repairs.

There was no Executive Session.

Human Resources Committee Meeting Report

Presented by Director Sullivan

Meeting held November 30, 2021

The HRC reviewed the following recommendation:

1. Annual Review of the Board-General Manager/Staff Relations Policy

There were no changes to this policy and the HRC concurred with staff to place this item on the December Board Agenda Consent Calendar.

2. Adopt Resolution No. 2360 – Amending LWD’s Substance Abuse Policy

The HRC concurred with staff to present this recommendation to the Board of Directors and it will be discussed later in the agenda.

3. Review Board Performance Evaluation Survey

The HRC concurred with staff to present this recommendation to the Board of Directors and it will be discussed later in the agenda.

Engineering Committee Meeting Report

Presented by Director Roesink

Meeting held December 1, 2021

The Engineering Committee (EC) reviewed the following recommendations:

- 1. Authorize the General Manager to execute an Agreement with Burtech Pipeline, Incorporated for construction services to complete the Fiscal Year 2022 Gravity Sewer Repairs Project in an amount not to exceed \$268,000 as the lowest responsive and responsible bidder.**

The EC concurred with staff to present this recommendation to the Board of Directors and it will be discussed later in the agenda.

2. The EC also received updates on the following:

- Development Projects Summary; and
- Encinitas Estates Pump Station Replacement Project.

These items were for information purposes and there was no action taken.

MEMORANDUM

Ref: 22-7804

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager
SUBJECT: Award of the District's Fiscal Year 2022 Gravity Sewer Repairs Project Construction Contract

RECOMMENDATION:

Staff and the Engineering Committee (EC) recommend that the Board of Directors:

- 1. Authorize the General Manager to execute an Agreement with Burtech Pipeline, Incorporated for construction services to complete the Fiscal Year 2022 Gravity Sewer Repairs Project in an amount not to exceed \$268,000 as the lowest responsive and responsible bidder.
2. Discuss and take other action as appropriate.

BACKGROUND:

Tactical Goal: Infrastructure and Technology / FY2022 Gravity Pipeline Rehabilitation

This item was reviewed by the EC at its December 1st meeting and the EC concurred with staff to present this item for the Board's consideration.

In July 2021 staff executed Task Order No. 43 with Infrastructure Engineering Corporation (IEC) to design the Fiscal Year 2022 Gravity Sewer Repairs Project (FY2022 Project). The goal of the FY2022 Project is to repair or replace pipelines, manholes and cleanouts that require the open trench method of construction. In 2018, the District decided to separate projects that require construction using Cured-In-Place Pipe (CIPP) / Cured-In-Place Manhole (CIPM) lining from the open trench method due to high bids received on projects that included a combination of both types of work. As a result, staff has implemented a system of alternating Fiscal Year projects between CIPP and open trench methods of construction.

Staff uses a Repair Priority List (RPL), populated and prioritized with results of Closed Circuit Television (CCTV) inspections, to maintain a priority listing of gravity pipeline and manhole defects requiring repair or rehabilitation. The FY2022 Project will consist of open trench construction to correct eight (8) sewer infrastructure defects that are on the RPL. Out of the eight (8) defects to be repaired; five (5) will include the installation of a new sewer manhole, one (1) requires a spot repair, and two (2) inactive sewer line segments that require abandonment.

DISCUSSION:

IEC completed project design in September 2021. The project was advertised for bids on October 4th, 2021. Bids were due on November 9th, 2021. Four (4) bids were received as follows:

Table with 2 columns: Construction Firm and Bid Submitted. Rows include Burtech Pipeline, Incorporated (\$268,000), Blue Pacific Engineering & Construction (\$356,000), Vet Builders Incorporated (\$435,496), and Piperin Corporation (\$467,000).

The bids were reviewed by Rob Weber and Sheila McAtee at IEC. As a result of their evaluation, IEC determined Burtech to be responsive to the bid requirements and recommended that Burtech be awarded the contract as the lowest responsive and responsible bidder. The bid review memorandum is attached for your review. Burtech's bid of \$268,000 is \$66K or 19.8% less than the engineer's opinion of probable cost of \$334K.

It was noted that there is a significant variance in the bids received. Burtech has prior and recent experience with the District and has completed multiple projects, such as the B1/B2 Force Main Replacement, 2017 Gravity Pipeline Rehabilitation and La Costa Gravity Sewer Alteration, and 2020 Gravity Pipeline Rehabilitation projects. This experience may create a lower risk to Burtech, resulting in a lower bid. The bids submitted by Blue Pacific and Vet Builders are approximately 33% and 63%, respectively, higher than Burtech's bid. Based on the completed projects submitted as references with their bids, Blue Pacific and Vet Builders have minimal experience in open trench pipeline construction. That inexperience may be reflected in their bid price. In the past, Piperin has completed projects for the District. However, their recent quotes and bids have been high.

Therefore, staff and the EC concur with IEC's recommendation and request that the Board of Directors award the contract to Burtech Pipeline, Incorporated as the lowest responsive and responsible bidder in an amount not to exceed \$268,000.

FISCAL IMPACT:

There is sufficient appropriation in the FY22 Budget to cover the construction costs of the project.

ier:PJB

Attachment

BID REVIEW MEMORANDUM

Date: November 16, 2021
Subject: **Fiscal Year 2022 Gravity Sewer Repairs Project**
Prepared By: Sheila McAtee, E.I.T.
Reviewed By: Rob Weber, P.E., Jamie Fagnant, P.E.

PURPOSE

This memorandum provides a summary of IEC's evaluation of bid results and the responsiveness of the submitted bids for the subject project.

BID RESULTS

Four bids were received and opened on November 9th, 2021. The bids are summarized on Table 1-Bid Summary (attached). Characteristics of the bids are as follows:

| | |
|--|-----------|
| Apparent Low Bid: | \$268,000 |
| Second Lowest Bid: | \$356,000 |
| High Bid: | \$467,000 |
| Engineer's Opinion of Probable Construction Cost: | \$334,000 |

Burtech Pipeline, Inc (Burtech) submitted the lowest bid at \$268,000, which is \$66,000 less than the Engineer's Opinion of Probable Construction Cost. IEC has determined Burtech to be responsive to the bid requirements and recommends that the District award the project to Burtech. The following reviews have been completed.

REVIEW OF LOWEST BIDDER

Contractor's License: The Contractor holds the required Class A License (No. 718202). The license is current and active.

Bid Bond: A bid bond in the amount of ten percent (10%) of the bid amount was submitted with North American Specialty Insurance Company as surety.

Signatures: President and CEO of Burtech Pipeline, Inc, Dominic J Burtech, signed the Closing Statement, Bidder's Bond, and Non-Collusion Affidavit.

Addendum Acknowledgement: Burtech included a signed Addendum No. 1 document in the bid package.

Experience Requirements – PVC Gravity Sewer Pipe Installation: The bid documents require the Contractor to submit three project references, completed in the previous five (5) years, where the Contractor was required to install at least 500 linear feet of PVC sewer pipe with a minimum diameter of 8 inches. Burtech submitted six (6) project examples in the required format that show a range of PVC pipe installation with lengths ranging from 800-12,000LF and sizes ranging from 8-24 inches. IEC concludes that Burtech meets and exceeds the experience requirements of PVC sewer pipe installation.



Experience Requirements – Epoxy Manhole Lining: The bid documents require the Contractor to submit three (3) project references, where the Contractor was required to install epoxy lining on a at least 10 manholes in each project. Of the six (6) project references submitted, three (3) included the required manhole lining experience. IEC concludes that Burtech meets the experience requirements of epoxy manhole lining.

Experience Requirements – Concrete Manhole Installation: The bid documents require the Contractor to submit three (3) project references, where the Contractor was required to install at least 5 concrete manholes in each project. Of the six (6) references submitted, four (4) include installation of concrete manholes, numbers ranging from 13 to 65 per project. IEC concludes that Burtech meets the experience requirements of concrete manhole installation.

References: IEC has received several good reviews from Burtech while completing bid reviews for recent projects for the District. To add to this, IEC called one of the references provided in the bid documents. The reference provided gave overall good reviews of Burtech, stating they did quality work, and were tough but fair. They had no claims, but did have multiple change orders with Burtech, but all were justified.

Registration with the Department of Industrial Relations (DIR):

As of 03/01/2015 contractors and their subcontractors are required to be registered with the DIR prior to bidding a public works project. IEC confirmed that both Burtech, and their listed subcontractors, National Coating & Lining Company, are registered with the DIR.

| Contractor Legal Name | Registration Number | Registration Date | Expiration Date |
|-------------------------------|---------------------|-------------------|-----------------|
| Burtech Pipeline, Inc | 1000006324 | 07/01/2019 | 06/30/2022 |
| National Coating & Lining Co. | 1000013795 | 07/01/2021 | 06/30/2022 |

Source: <https://www.dir.ca.gov/public-works/Contractors.html>

Bid Item Review: In reviewing Burtech’s bid items, IEC noticed that Burtech had noticeably lower bids on Bid Items 7, 8 and 9. Items 7 and 8 had comparable bid amounts by the next lowest bidder. Item 9 had high variation amongst all bidders, with bids ranging from \$20,000 to \$45,000. The high variation in bid amounts for this item is probably due to anticipated private property replace-in-place improvements that will be determined in the field. IEC doesn’t feel Burtech’s bid amounts are unreasonable, and has no concern that they will not be able to complete the work for the bid they put in.

Claims Filed: Burtech has no claims filed in the last five years against them.

RECOMMENDATION

IEC has no concerns regarding Burtech’s ability to complete the work and recommends award of the contract to Burtech based on their knowledge, experience record and responsiveness to the bidding requirements.


Attachments:
Table 1 - Bid Summary

**Leucadia Wastewater District
FY2022 Gravity Sewer Repairs Project
Table 1 - Bid Summary**

| Bid Item | Qty | Unit | Article | Engineer's Estimate | Burtech | Blue Pacific | Vet Builders Inc | Piperin |
|----------|-----|------|--|---------------------|-----------|--------------|------------------|-----------|
| 1 | 1 | LS | Mobilization, Bonds, Permits, Cleanup and Demobilization | \$ 14,283 | \$ 13,400 | \$ 33,000 | \$ 19,788 | \$ 25,000 |
| 2 | 1 | LS | Sheeting, Shoring and Bracing | \$ 9,200 | \$ 8,000 | \$ 13,000 | \$ 10,098 | \$ 20,000 |
| 3 | 1 | LS | Replace Cleanout with New 4' Manhole (Diamond Head Rd) | \$ 74,750 | \$ 70,000 | \$ 75,000 | \$ 103,983 | \$ 75,000 |
| 4 | 1 | LS | Replace Cleanout with new 4' Manhole (Oakbranch Dr) | \$ 28,750 | \$ 28,000 | \$ 37,000 | \$ 44,759 | \$ 55,000 |
| 5 | 1 | LS | Replace Cleanout with new 4' Manhole (Redbarn Rd) | \$ 34,500 | \$ 36,000 | \$ 58,000 | \$ 52,559 | \$ 80,000 |
| 6 | 1 | LS | Spot Repair (Overland Rd) | \$ 40,250 | \$ 33,000 | \$ 23,000 | \$ 54,935 | \$ 35,000 |
| 7 | 1 | LS | Replace Stubout with New 5' Manhole (Union St Easement) | \$ 57,500 | \$ 32,600 | \$ 36,000 | \$ 57,695 | \$ 75,000 |
| 8 | 1 | LS | Replace Cleanout/Dead End With New 4' Manhole (Hygeia Ave) | \$ 40,250 | \$ 27,000 | \$ 36,000 | \$ 52,919 | \$ 65,000 |
| 9 | 1 | LS | Abandon Sewer line and connecting manholes (Agua Dulce & Esfera) | \$ 34,500 | \$ 20,000 | \$ 45,000 | \$ 38,760 | \$ 37,000 |

| | | | | | |
|------------------------------------|------------------|-------------------|------------------|------------------|------------------|
| Total | \$333,983 | \$268,000 | \$356,000 | \$435,496 | \$467,000 |
| Check Total (Bids) | | \$268,000 | \$356,000 | \$435,496 | \$467,000 |
| Difference from Engineers Estimate | | (\$65,983) | \$22,017 | \$101,513 | \$133,017 |

MEMORANDUM

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: Amending the LWD Substance Abuse Policy

RECOMMENDATION:

Staff and the Human Resources Committee (HRC) recommend that the Board of Directors:

1. Adopt Resolution No. 2360 – Amending LWD's Substance Abuse Policy.
2. Discuss and take other action, as appropriate.

BACKGROUND:

Tactical Goal: People / Administration Policy Updates – Reviews / Substance Abuse Policy

LWD is a drug and alcohol-free workplace. LWD's Substance Abuse Policy was developed in 1999 to assure worker fitness for duty and to protect employees and the public from risks associated with the use of alcohol and controlled substances. This policy was last updated on November 8, 2006. Since that time, regulatory requirements, as well as District procedures have changed rendering the existing policy obsolete.

DISCUSSION:

This item was reviewed by the HRC at its November 30th meeting and the HRC concurred with staff to present this item for the Board's consideration.

LWD is a Department of Transportation (DOT) regulated employer, because LWD's Field Services Technicians are required to hold a class B driver's license to perform their essential job duties.

During January 2020, the Federal Motor Carriers Safety Administration (FMCSA) of the DOT implemented an online National Database. The purpose of this secure online database is for the storage of information about driver violations of DOT FMSCA drug and alcohol testing regulations. As a DOT FMCSA regulated employer, new mandated responsibilities were implemented. The proposed policy provides compliance with changes in DOT regulations, updates to LWD's procedures, and includes clarification and clerical revisions.

Below please find a summary of the policy revisions:

Sections I and II – Purpose and Policy Statements

- Section I - Introduction statement from previous policy was revised to Section I – Purpose statement. (Page 1)

- Section II – Policy paragraph was summarized to indicate which Federal and states regulations governing workplace anti-drug programs into a bulletin format for ease of reading. (Page 1)

Section III – Applicability

- This section was revised to explain who the policy applies to. In addition, a paragraph was removed from this section that stated similar language in Section IX. (Page 1)

Section IV – Definitions

- The definition section was moved towards the beginning of the policy. The definition of the Commercial Driver’s License Drug and Alcohol Clearinghouse was added to the policy. (Pages 1 – 5)

Section V – Prohibited Substances

- Paragraph C. Prescription Drugs was added to the Policy to explain that certain prescription drugs may impair a worker’s ability to perform their job duties in a safe manner and that they should inform their supervisor if they are required to take a prescription drug. (Pages 5-6)

Sections IX and X – Testing for Prohibited Substances for All Employees vs. Safety-Sensitive Employees

- Separate sections were created to clarify when and how testing will occur for non-safety sensitive-employees versus safety-sensitive employees. (Pages 7-9)

Appendix A – Procedures for Complying with FMCSA and Clearinghouse Requirements and Conducting Substance Abuse Testing

- New language was added to reflect new FMCSA and Clearinghouse requirements.
- District’s third-party administrator, DATCO’s Limited Query Consent form was included in Appendix A. This form is only required for DOT employees.

Minor Revisions and Formatting

Throughout the policy, various minor changes were made to improve clarity, correct grammatical spelling, and format inconsistencies.

The proposed policy was reviewed by General Counsel Brechtel and his recommended changes have been incorporated into the proposed policy.

Therefore, staff and the HRC recommend that the Board of Directors adopt Resolution No. 2360 - Amending LWD’s Substance Abuse Policy and/or provide direction as appropriate.

th:PJB

Attachment

RESOLUTION NO. 2360

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE LEUCADIA WASTEWATER DISTRICT
ADOPTING THE AMENDED SUBSTANCE ABUSE POLICY**

Whereas, the Leucadia Wastewater District (LWD) Board of Directors originally adopted LWD's Substance Abuse Policy in 1999; and,

Whereas, the Substance Abuse Policy was last updated on November 8, 2006; and

Whereas, the Board of Directors desire to amend the Substance Abuse Policy to reflect changes in applicable federal and state laws.

NOW, THEREFORE, it is hereby resolved as follows:

1. The LWD Board of Directors adopts the amended LWD Substance Abuse Policy attached hereto as Exhibit "A" and directs that it be implemented consistent with all applicable laws and related District policies.
2. This Resolution supersedes the policy established on November 8, 2006.

Passed and Adopted by the Board of Directors of the Leucadia Wastewater District this 8th day of December 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald F. Omsted, President

Attest:

Paul J. Bushee, Secretary /Manager

SEAL

SUBSTANCE ABUSE POLICY

I. PURPOSE

LEUCADIA WASTEWATER DISTRICT (District) is a drug and alcohol-free workplace. The purpose of this policy is to ensure all employees, contractors, customers and vendors are free from the adverse consequences of drug and alcohol use.

II. POLICY

It is the policy of the District to maintain a drug and alcohol-free workplace. This policy also supplements section 3.12 of the Human Resources Policy Manual (HRPM). In addition, it complies with all applicable Federal and State regulations governing workplace anti-drug programs, including the following regulations that apply to safety-sensitive employees with a commercial driver's license:

- Department of Transportation's (DOT) "The Drug-Free Workplace Act of 1988 (U.S. Code Title 41, Chapter 10),
- DOT's Code of Federal Regulations (CFR), Subtitle A, Part 40,
- Federal Motor Carrier Safety Administration (FMCSA) (49 CFR Part 382),
- The State of California's "Drugfree Workplace Act of 1990" (Government Code Section 8350 et seq.), and
- DOT Drug and Alcohol Clearinghouse (49 CFR, §382.701 et. seq)

As with any District policy, the District reserves the right to change, alter, amend, and interpret this policy without notice. The procedures used to enforce this policy will be determined by the General Manager in accordance with applicable federal and state regulations. These procedures may be amended as required.

III. APPLICABILITY

This policy applies to all employees, contractors, vendors and customers when they are on District property or when performing any District related business. For those District employees in safety-sensitive positions, this policy is intended to follow the federal and state regulations governing such employees. Visitors, vendors, and contracted employees are governed by this policy while on District premises, and they will not be permitted to conduct business if found to be in violation of this policy.

An employee is considered to be performing a job function while actually performing duties related to the job function, preparing to perform such duties, or on call or available for such duties as described in the job description. It also applies to off-site lunch periods and breaks when an employee is scheduled to return to work.

IV. DEFINITIONS

ACCIDENT - means an unintended happening or mishap where there is loss of human life (regardless of fault), bodily injury, significant property damage, or an injury as defined by Workers' Compensation Guidelines.

ALCOHOL - means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

ALCOHOL CONCENTRATION - means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this regulation. For example, 0.02 means 0.02 grams of alcohol in 210 liters of expired deep lung air.

ALCOHOL USE - means consumption of any beverage, mixture, or preparation, including any medication containing ethyl alcohol. Since ingestion of a given amount of alcohol produces the same alcohol concentration in an individual whether the alcohol comes from a mixed drink or cough syrup, the Department of Transportation (DOT) prohibits the use of any substance containing alcohol, such as prescription or over-the-counter medication or liquor-filled chocolates. Prescription medications containing alcohol may have a greater impairing affect due to the presence of other elements (e.g., antihistamines).

BREATH ALCOHOL TECHNICIAN (BAT) - means a person trained in the operation of the Evidential Breath Testing (EBT) device that the technician is using in the alcohol testing procedures. BATs are the only qualified personnel to administer the EBT tests.

CHAIN OF CUSTODY - means the procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of testing to final disposition.

TESTING SITE - means a place designated by the District where individuals present themselves for the purpose of providing a specimen of either urine and/or breath.

COMMERCIAL DRIVER'S LICENSE DRUG AND ALCOHOL CLEARINGHOUSE (CLEARINGHOUSE) - The Clearinghouse is a secure online database that gives employers including the District, the Federal Motor Carrier Safety Administration, State Driver Licensing Agencies, and State law enforcement personnel real-time information about commercial driver's license and commercial learner's permit holders' drug and alcohol program violations.

The Clearinghouse contains records of violations of drug and alcohol prohibitions in 49 C.F.R. § 382, Subpart B, including positive drug or alcohol test results and test refusals. When a driver completes the return-to-duty (RTD) process and follow-up testing plan, this information is also recorded in the Clearinghouse. See also 49 C.F.R. § 382 Subpart G—Requirements and Procedures for Implementation of the Commercial Driver's License Drug and Alcohol Clearinghouse.

COMMERCIAL MOTOR VEHICLE - means a motor vehicle, or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or (2) has a gross vehicle weight rating of 26,001 or more pounds; or (3) is designed to transport 16 or more passengers, including the driver; or (4) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

CONFIRMATION TEST - for alcohol testing means a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. For controlled substances testing this means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry (CG/MS) is the only authorized confirmation method of cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

CONTROLLED SUBSTANCE (DRUG) TEST - A method of detecting and measuring the presence of alcohol and other controlled substances, whether legal or illegal, in a person's body. A controlled

substance test may be either an initial test or confirmation test. An initial controlled substance test is designed to identify specimens having concentrations of a particular class of drug above a specified concentration level. It eliminates negative specimens from further consideration.

Controlled substances will be tested under the Department of Health and Human Services (DHHS) guidelines. See the DOT website [DOT Rule 49 CFR Part 40 Section 40.87 | US Department of Transportation](#) for **the primary (initial or screening) controlled substance test thresholds for a verified positive test result.**

A confirmation drug testing is a second analytical procedure to detect the presence of a specific drug or its metabolite. The confirmation procedure is conducted independent of the initial test and uses a different technique and chemical principle in order to confirm reliability and accuracy. See the Department of Transportation website [DOT Rule 49 CFR Part 40 Section 40.87 | US Department of Transportation](#) for **the confirmation controlled substance test thresholds for a verified positive test result.**

COVERED EMPLOYEE - means a person including a volunteer, applicant, or transferee, who performs a job function for the District.

DEPARTMENT OF TRANSPORTATION GUIDELINES - means the controlled substance and alcohol testing rules (49 CFR Part 199 (RSPA - Pipeline), Part 219 (FRA - Railroad), Part 382 (FMCSA - Commercial Motor Vehicle), 654 (FTA - Mass Transit) and 14 CFR 61 (FAA - Aviation) et. al.) setting forth the procedures for controlled substance and alcohol testing (49 CFR Part 40) in all the transportation industries.

DISTRICT - means LEUCADIA WASTEWATER DISTRICT

DISTRICT TIME - means any period of time in which the employee is actually performing, ready to perform, or immediately available to perform any job function.

DRIVER - means any person who operates a commercial motor vehicle. This includes full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer. For the purposes of pre-employment/pre-duty testing only, the term driver includes a person applying to an employer to drive a commercial motor vehicle.

DRUG (CONTROLLED SUBSTANCE) METABOLITE - means the specific substance produced when the human body metabolizes (changes) a given drug (controlled substance) as it passes through the body and is excreted in urine.

EMPLOYEE ASSISTANCE PROFESSIONAL (EAP) - An employee assistance professional is an individual who assists the work organization, its employees and their family members with personal and behavioral problems including, but not limited to: health, marital, family, financial, alcohol, drug, legal emotional, stress, or other personal concerns which may adversely affect employee job performance and productivity.

EVIDENTIAL BREATH TESTING DEVICE (EBT) - means the device to be used for breath alcohol testing.

EQUIPMENT - means any and all machinery, material, gear and the like in and/or around the District plants, on District premises, or on customer property and/or premises.

MEDICAL REVIEW OFFICER (MRO) - means a licensed physician responsible for analyzing laboratory results generated by an employer's controlled substance (drug) testing program. The MRO is knowledgeable about substance abuse disorders and has appropriate medical training to interpret and evaluate positive test results.

PERFORMING (SAFETY-SENSITIVE FUNCTION) - means a safety-sensitive employee is considered to be performing a safety sensitive function and includes any period in which the safety-sensitive employee is actually performing, ready to perform, or immediately available to perform such functions.

POST-ACCIDENT ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted after accidents on employees whose performance could have contributed to the accident. For drivers this is determined by a citation for a moving traffic violation and for all fatal accidents even if the driver is not cited for a moving traffic violation. See Accident.

PRE-EMPLOYMENT CONTROLLED SUBSTANCE TESTING - conducted before applicants are hired or after an offer to hire, but before actually performing job functions for the first time. Also required when employees transfer to a defined job classification.

PROHIBITED DRUGS (CONTROLLED SUBSTANCES) - means Marijuana, Cocaine, Opiates, Amphetamines, or Phencyclidine.

PROHIBITED SUBSTANCES - means and is synonymous to drug abuse and/or alcohol misuse or abuse.

RANDOM ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted on a random unannounced basis just before, during or just after performance of safety sensitive functions.

REASONABLE SUSPICION ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or controlled substance abuse.

REFUSE TO SUBMIT (TO AN ALCOHOL AND/OR CONTROLLED SUBSTANCE TEST) - means that an employee fails to provide an adequate breath or urine sample for testing without a valid medical explanation after that employee received notice of the requirement to be tested, or engages in conduct that clearly obstructs the testing process (i.e., verbal declarations, obstructive behavior or physical absence resulting in the inability to conduct the test.)

REHABILITATION - The total process of restoring an employee to satisfactory work performance through constructive confrontation, referral to the SAP and participation in SAP recommendations such as education, treatment and/or support groups to resolve personal, physical or emotional/mental problems which contributed to job problems.

RETURN-TO-DUTY AND FOLLOW-UP ALCOHOL AND/OR CONTROLLED SUBSTANCE TESTING - conducted when an individual who has violated the prohibited alcohol or controlled substance conduct standards returns to performing employment duties. For safety sensitive employees, follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty upon the SAP recommendation. For all other employees, the duration and frequency of follow-up testing shall be determined by the SAP and/or District General Manager in accordance with this Policy.

RETURN-TO-DUTY AGREEMENT - means a document agreed to and signed by the employer, employee and the Substance Abuse Professional (SAP) that outlines the terms and conditions under

which the employee may return to duty after having had a verified positive controlled substance test result or an alcohol concentration of 0.04 or greater on an alcohol test.

SAFETY-SENSITIVE EMPLOYEE - Employees with job classifications that requires a Class A or B commercial license.

SAFETY-SENSITIVE FUNCTION - A safety sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform his or her job duties.

SCREENING (INITIAL) TEST - In alcohol testing, it means an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in their system. In controlled substance testing, it means an immunoassay screen to eliminate negative urine specimens from further consideration.

SUBSTANCE ABUSE PROFESSIONAL (SAP) - means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker (with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol- related disorders, the license alone does not authorize this), Certified Employee Assistance Professional (CEAP), or addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

SUPERVISOR - means a person in authority who has had one hour of training on the signs and symptoms of alcohol abuse and an additional hour of training on the signs and symptoms of controlled substance abuse.

VEHICLE - means a bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel used for mass transportation.

WORKERS' COMPENSATION GUIDELINES - means the procedures for determining the eligibility for workers' compensation benefits as determined by Labor Code and resulting case law.

V. PROHIBITED SUBSTANCES

A. Alcohol

This policy addresses alcohol use such that it is present in the body at a level in excess of that stated in DOT guidelines while actually performing, ready to perform, or immediately available to perform any District business, is prohibited. "Alcohol" is defined as: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.

B. Controlled Substances/Drugs

This policy addresses any controlled substances, which in the opinion of competent medical professionals, causes or may cause significant impairment of job performance or which causes or may cause behavior that is a threat to the safety of the affected employee or others. All controlled substances listed in any federal, state or local controlled substance acts or regulations, including, but not limited to, substances listed in Controlled Substances Act (21 USC 812, Section V, Schedules I-V). Employees may be tested for the following controlled substances: marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine.

C. Prescription Drugs

No prescription drug shall be possessed or used by an employee other than the employee for whom the drug is prescribed by a licensed medical practitioner. A prescription drug shall be used only in the manner, combination, and quantity prescribed. An employee must advise his/her supervisor if they have taken or been prescribed a medication that could impair their ability to operate a District vehicle or otherwise perform assigned duties, such as when a prescribed medication includes a warning that it could cause drowsiness or impair operation to motor vehicles. An employee's failure to provide this notice in a timely manner can result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician may be required.

VI. **PROHIBITED CONDUCT**

A. Manufacture, Trafficking, Possession, and Use

Engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol on District premises, in District vehicles or while conducting District business off the premises is absolutely prohibited. The alcohol prohibition does not apply to off-site conferences, meetings or off duty social events; however, it does apply to use of a District vehicle at all times. Violations will result in immediate removal from duty and testing in accordance with Section VIII of this policy.

B. Impaired/Not Fit for Duty

Any employee who is reasonably suspected of being impaired, under the influence of alcohol or a controlled substance, or not fit for duty shall be immediately removed from duty and be required to undergo a reasonable suspicion-controlled substance or alcohol test in accordance with Section VIII of this policy.

No employee may report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or controlled substances. No employee shall use alcohol while on duty or while performing his/her job functions. No employee shall use alcohol within four hours of reporting for duty or during hours that he/she is on call. For purposes of this paragraph, "duty" or "performance of job functions" do not include off-site conferences, meetings or off duty social events, but does include the driving of a District vehicle at any time. Violation of this provision is prohibited and will subject the employee to immediate removal from duty and testing in accordance with Section VIII of this policy.

C. Failed Alcohol or Controlled Substance Test

A controlled substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the DOT guidelines.

D. Compliance with Testing Requirements

All employees are subject to controlled substance and alcohol testing. Any employee who refuses to comply with a request for testing, who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately. Refusal to submit to a test can include an inability to provide a urine specimen or breath sample without a valid medical explanation, a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test. Such refusal will be treated the same as if the test resulted in a positive (failed) result.

VII. NOTIFYING THE DISTRICT OF CRIMINAL DRUG CONVICTION

Pursuant to the "Drug Free Workplace Act of 1988" any employee who has been convicted of any criminal controlled substance statute must notify the district within five (5) days after the conviction. The employee will be subject to disciplinary action within 30 days in accordance with the HRPM. If the employee fails to immediately notify the District of any criminal controlled substance statute conviction, the employee shall be subject to termination of employment.

VIII. PROPER APPLICATION OF THE POLICY

The District is dedicated to assuring fair and equitable application of this Policy. Therefore, supervisors are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to his/her subordinates shall be subject to disciplinary action, up to and including termination.

IX. TESTING FOR PROHIBITED SUBSTANCES FOR ALL EMPLOYEES

All employees shall be subject to testing in the following situations; prior to employment, reasonable suspicion, and following an accident, as defined in the DOT guidelines. All employees will be tested prior to returning to duty after failing a controlled substance and/or alcohol test and subject to random testing as determined by a Substance Abuse Professional (SAP) and/or General Manager.

Pre-Employment Testing

All applicants shall undergo urine-controlled substance testing prior to employment. Receipt of a satisfactory test result is required prior to employment and failure of a controlled substance test will disqualify the applicant from further consideration for employment. Pre-employment testing requirements will be conducted in compliance with the law.

Reasonable Suspicion Testing

All employees will be subject to urine and /or breath testing when there is reasonable suspicion that controlled substances or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the effects of substance abuse. Examples of reasonable suspicion include, but are not limited to, the following:

1. Adequate documentation of unsatisfactory work performance or on-the-job behavior.
2. Physical signs and symptoms consistent with prohibited substance use.
3. Occurrence of a serious or potentially serious accident that may have been caused by human error.
4. Threatening behavior or assaults (to mean physical contact) and flagrant disregard or violations of established safety, security, or other operation procedures.

Reasonable suspicion determinations will be made by a supervisor who is trained to detect the signs and symptoms of controlled substance and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to prohibited substance abuse or misuse.

Post-Accident Testing

All employees will be required to undergo controlled substance and/or breath alcohol testing if they are involved in an accident with a District vehicle that results in; 1) a fatality, or 2) injuries requiring transportation to a medical treatment facility, or 3) where one or more vehicles incurs disabling damage that requires towing from the site and the employee receives a citation under State or local law for a moving traffic violation arising from the accident. This includes all safety-sensitive employees who are on duty in the vehicles and any other whose performance could have contributed to the accident.

Following an accident, the employee will be tested as soon as possible, but not to exceed eight hours for alcohol and 32 hours for controlled substances. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to controlled substance and alcohol testing will be considered to have refused the test and subject to discipline up to and including termination. Post-accident testing of employees will include not only the operation personnel, but any other covered employees whose performance could have contributed to the accident.

Return-to-Duty and Follow Up Testing

All employees who previously tested positive on a controlled substance or alcohol test must test negative and be evaluated and released to duty by the SAP before returning to duty. In addition, they may be required to undergo unannounced follow-up-controlled substance and/or alcohol breath testing following returning to duty. The duration and frequency will be determined by the SAP. The employee will also be subject to discipline in accordance with the District's HRP.

Employee Requested Testing

Any employee who questions the result of a required controlled substance test may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS certified laboratory. The test must be conducted on the original sample. All costs for such testing are to be paid by the employee unless the second test invalidated the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the DOT guidelines. The employee's request for a retest must be made to the Medical Review Officer (MRO) within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

X. TESTING FOR PROHIBITED SUBSTANCES FOR SAFETY-SENSITIVE EMPLOYEES

In addition to testing as stated in section IX, employees working in safety-sensitive positions will be subject to random and unannounced testing. The random selection will be by a computer-generated algorithm. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested either just before departure, during duty, or just after the safety-sensitive employee has ceased performing his/her duty.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in the DOT guidelines.

The controlled substances that will be tested for include, but not limited to, alcohol, marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). An initial controlled substance screen will be conducted on each specimen. For those specimens that are positive, a second confirmatory test will be completed by a completely different methodology. The test will be considered positive if

the controlled substance levels present are above the minimum thresholds established in the DOT guidelines.

Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device (EBT) operated by a trained BAT. If the initial test indicated an alcohol concentration of 0.02 or greater, a second confirmation test will be performed.

An employee who has a confirmed alcohol concentration of 0.02 but less than 0.04 will be removed from his/her position for at least twenty-four hours unless a retest results in an alcohol concentration less than 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of DOT guidelines and this policy.

Any employee who has a confirmed positive controlled substance or alcohol test with an alcohol concentration of 0.04 or greater, will be removed from his/her position, informed of educational and rehabilitation program available, and assessed by an SAP in accordance with Section I of this policy. The employee will also be subject to discipline in accordance with the District's HRPM in either case listed above in which the confirmed alcohol concentration is 0.02 but less than 0.04 or greater than 0.04.

The District affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process. Confidentiality of District records regarding alcohol and controlled substance tests will be maintained in accordance with applicable State and Federal Law.

Return-to-Duty and Follow Up Testing

Safety-sensitive employees who previously tested positive on a controlled substance or alcohol test must test negative and be evaluated and released to duty by the SAP before returning to duty.

Safety-sensitive employees will be required to undergo unannounced follow-up-controlled substance and/or alcohol breath testing following their return to duty. The duration and frequency will be determined by the SAP. Frequency of the testing, shall not be less than 6 tests during the first 12 months, and not to exceed 60 months in total, following return to duty.

XI. EMPLOYEE ASSESSMENT

Any employee who tests positive for the presence of controlled substances or whose breath alcohol concentration is above the 0.04 minimum thresholds set forth in the DOT guidelines will be assessed by an SAP. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance abuse or misuse. If an employee is returned to duty following rehabilitation, he/she must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up tests for a period of one to five years, as determined by the SAP. **The cost of any rehabilitation and subsequent controlled substance and/or alcohol testing is borne by the employee and is on a one-time basis only. The employee will be immediately terminated on the occurrence of a second verified positive test result.** Employees may use accumulated sick leave, vacation and floating holidays, or leave without pay, if approved by the General Manager to participate in the prescribed rehabilitation program.

XII. TREATMENT/REHABILITATION

The General Manager will determine, on a case-by-case basis, if a rehabilitation program will be offered. Attendance at a rehabilitation program does not preclude disciplinary action. Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the employee.

When recommended by the SAP, participation and completion of the rehabilitation program is mandatory. Failure of an employee to attend and/or complete a prescribed program will result in termination from employment. Prior to return-to-duty testing, an employee must follow the rehabilitation program recommended by the SAP and agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up testing. The duration and frequency of follow-up testing shall be determined by the SAP and/or General Manager in accordance with this Policy.

Voluntary Admittance: All employees who feel they have a problem with controlled substances and/or alcohol may request voluntary admission to a rehabilitation program. Requests must be submitted to a Department Head or Supervisor for review. The General Manager will make the final decision concerning requests for voluntary admission to a substance abuse program. **Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the employee.** An employee completing a rehabilitation program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up testing. The duration and frequency of follow-up testing shall be determined by the SAP and/or General Manager in accordance with this Policy.

Participants in the rehabilitation program may use accumulated sick leave, vacation, floating holidays or other accrued leave, if any.

XIII. CONTACT PERSON

Any questions regarding this policy should contact the following District representative:

Title: General Manager
Address: 1960 La Costa Avenue, Carlsbad, CA 92009
Telephone: (760) 753-0155

APPENDIX A

PROCEDURES FOR COMPLYING WITH FMCSA AND CLEARINGHOUSE REQUIREMENTS AND CONDUCTING SUBSTANCE ABUSE TESTING

A. FMCSA AND ALCOHOL CLEARINGHOUSE REQUIREMENTS (SAFETY-SENSITIVE EMPLOYEES)

1. The FMCSA has created the CDL Drug and Alcohol Clearinghouse for querying and reporting CDL drivers' compliance with 49 C.F.R. § 382, including CDL drivers' drug and alcohol testing violations and other pertinent information.

The District is required to query the database on an annual (or more frequent basis) for each current CDL driver, and as part of the pre-employment screening process for each driver applicant. In addition, the District is required to report driver-specific 49 C.F.R. § 382 drug and alcohol violations and other records to the Clearinghouse. All queries through the Clearinghouse require the driver's consent.

2. A FULL Query of the Clearinghouse will be conducted for each driver applicant before hiring into a CDL position. FMCSA will only share detailed drug and alcohol violation information with a prospective or current employer, and/or their designated Third-Party Administrator (TPA), once the employer or designated TPA has requested and received specific consent from the driver. Drivers will be able to see the information that would be released to an employer before consenting to the release.
3. A driver must register with the Clearinghouse in order to execute the required FMCSA Clearinghouse consent, to provide electronic consent for any required FULL Query by any prospective or current employer, and to access his/her Clearinghouse records. The driver will receive notices and communication from the FMCSA Clearinghouse via US mail to the address on record with the State Driver Licensing Agency that issued the driver's commercial driver's license. However, a driver may provide the Clearinghouse with an alternative means or address for notification, including electronic mail.

The fastest and suggested method for driver's to be quickly informed of records being reported to the Clearinghouse, or consent being requested by a motor carrier for a query, is to register using at least one cell phone number for immediate notification.

Any driver or authorized representative of the driver may submit a petition to the FMCSA contesting the accuracy of information reported in the Clearinghouse, using the procedures specified in 49 C.F.R. § 382.717.

- a. If an applicant refuses consent to conduct inquires, he/she will not be hired to perform any Safety-Sensitive functions including driving.
- b. If the Full Query result states that the driver is qualified under Part 382, the driver may be hired.
- c. If the query result states that the driver has Part 382 violations and has not completed the return to duty requirements of Part 40, Subpart O, the driver will not be hired.
- d. A FULL Query must also be performed and consented to by the driver, via the Clearinghouse, if a driver is terminated or resigns from his/her employment with the

District and subsequently applies to be a driver for the District.

- e. A LIMITED Query will be performed with the Clearinghouse at least one time per year, as required by law, for each driver who performs Safety-Sensitive functions including driving, and every year annually thereafter at a minimum.
- f. Each driver shall sign a Limited Query Consent Form or provide specific consent directly through the Clearinghouse for the query. The driver's signed consent form will be used for multiple Clearinghouse queries and extends for the tenure of the driver's employment with the District (Attachment B).
- g. If the driver refuses consent for the query, either by refusing to sign the written consent form or by refusing to provide consent through the Clearinghouse, the driver will be removed from all Safety-Sensitive Functions, including driving, and will not be permitted to resume performing Safety-Sensitive Functions until the query has been conducted.
- h. If the query results in notification that a driver's Clearinghouse record contains drug and/or alcohol violations, a FULL query of the driver's Clearinghouse record must be conducted within 24 hours of obtaining the driver's consent.
- i. Drug and alcohol testing information will be reported to the Clearinghouse using driver-specific identification data including the driver's name, CDL license number and State of issuance, and the driver's date of birth. Driver consent is not required for such reporting.
- j. The District will report the information about a driver described below to the Clearinghouse within 3 business days of obtaining the information:
 - An alcohol confirmation test with an alcohol concentration of 0.04 or higher.
 - A refusal to test (alcohol) as specified in 49 C.F.R. § 40.261.
 - A refusal to test (drug) not requiring a determination by the MRO as specified in 49 C.F.R. § 40.191.
 - Actual knowledge, as defined in 49 C.F.R. § 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
 - A negative return-to-duty test result (drug and/or alcohol testing, as applicable).
 - Completion of follow-up testing requirements.
- k. The Medical Review Officer will report the following violations to the Clearinghouse within 2 business days of obtaining the information:
 - Verified positive, adulterated, or substituted drug test results.
 - Refusal to test (drug) requiring a determination by the MRO as specified in 49 C.F.R. § 40.191.
- l. Substance Abuse Professionals will report within one business day of obtaining the information:
 - Identification of the driver and the date the initial assessment was initiated.
 - Date of successful completion of treatment and/or education and the determination of eligibility for return-to-duty testing.

B. RANDOM TESTING (SAFETY-SENSITIVE EMPLOYEES)

1. The TPA notifies the Human Resources designee. The designee notifies the appropriate manager/supervisor to send the employee to the testing site for alcohol and/or controlled substance testing.
2. The manager/supervisor notifies the employee to go to the testing site for alcohol and/or controlled substance testing immediately. Because of a testing facility requirement, the employee in question must have proof of identification, such as a photo driver's license or state-issued photo identification card.
3. At the testing site, the employee will be required to submit either: 1) a urine sample in the event that controlled substances are to be tested for, or 2) a breath sample in the event that alcohol is being tested for to the on-duty technician or both. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
4. The employee whose test results are negative (less than 0.02 alcohol concentration) for alcohol or a controlled substance will return to duty. The employee, whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04, will not be permitted to return to duty for 24 hours after administration of the test. The employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater for alcohol may be referred to a District specified outside SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. The same procedures apply, if the controlled substance test is verified positive by the MRO. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination.

C. REASONABLE SUSPICION TESTING

1. An employee who may possibly be under the influence of alcohol and/or controlled substances is observed by a supervisor/manager.

Any employee may identify someone suspected of alcohol and/or controlled substance to any supervisor. Employees should realize, however, that it is against District policy to make false or malicious statements about other employees and doing so can result in disciplinary action being taken against the offending employee. However, the supervisor must witness first-hand the employee's signs and symptoms.

2. The supervisor is then obligated to ensure that the matter is immediately investigated. If possible, two supervisors determine (independently or together) that the employee in question may be under the influence of alcohol and/or controlled substances.
3. When the supervisor(s) suspect and believe that the employee may be under the influence of alcohol and/or controlled substances, the employee is then immediately suspended from duty (with pay) and driven by District staff (or others designated) to the District specified testing site. Because of a testing facility requirement, the employee in question must show proof of identification, such as a photo driver's license or state-issued photo identification card.

Whenever practical, a manager should be notified in advance of the employee being taken to the testing site.

4. At the testing site, the employee will be required to submit a urine sample in the event that controlled substances are suspected or a breath sample in the event that alcohol intoxication is suspected to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
5. The District will take precautions to prevent the employee being tested from going back to work and driving their own car home. Instead, the employee will be given assistance in obtaining a ride home from the testing site.
6. The employee whose test results are negative for alcohol (less than 0.02 alcohol concentration) or a controlled substance will be reinstated. The employee, whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04, will not be permitted to return to duty for 24 hours after administration of the test. The employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater for alcohol may be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. The same procedures apply, if the controlled substance test is verified positive by the MRO. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination.

D. POST ACCIDENT

1. The employee notifies a supervisor that an accident has occurred.
2. All employees will be required to undergo controlled substance and/or breath alcohol testing if they are involved in an accident with a District vehicle that results in; 1) a fatality, or 2) injuries requiring transportation to a medical treatment facility, or 3) where one or more vehicles incurs disabling damage that requires towing from the site and the employee receives a citation under State or local law for a moving traffic violation arising from the accident. This includes all safety-sensitive employees who are on duty in the vehicles and any other whose performance could have contributed to the accident. The supervisor determines whether the circumstances of the accident warrant a post-accident. Thereafter, the supervisor directs the employee to immediately go to the testing site for alcohol and controlled substance testing. Because of a testing facility requirement, the employee in question must have proof of identification, such as a photo driver's license or state-issued photo identification card.
3. At the testing site, the employee **will be required to submit a urine sample for controlled substances and a breath sample for alcohol** testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
4. A manager/supervisor will be notified that an accident has occurred and that the employee was instructed to go to the testing site.
5. The employee whose test results are negative (less than 0.02 alcohol concentration) will be reinstated. The employee, whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04, will not be permitted to return to duty for 24 hours after administration of the test. The employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater for alcohol may be referred to a District specified outside SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the

employee. The employee will also be subject to discipline in accordance with the District's HRPM in either case listed above in which the confirmed alcohol concentration is 0.02 but less than 0.04 or greater than 0.04. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination.

6. The employee whose controlled substance test results are verified negative will be reinstated. The employee whose controlled substance test is verified positive by the Medical Review Officer may be referred to a District specified outside SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination.

E. RETURN-TO-DUTY and FOLLOW-UP

1. The TPA notifies the District's Human Resources designee to send the employee to the testing site for alcohol and controlled substance testing. The designee notifies the appropriate manager/supervisor to send the employee to the testing site for alcohol and/or controlled substance testing.
2. The supervisor notifies the employee to immediately go to the testing site for alcohol and/or controlled substance testing. Because of a testing facility requirement, the employee in question must have proof of identification, such as a photo driver's license or state-issued photo identification card.
3. At the testing site, the employee will be required to submit a urine sample for controlled substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
4. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02 or whose controlled substance test is verified positive will be terminated.

F. SPECIMEN TESTING OF STRANGE AND/OR UNRECOGNIZABLE SUBSTANCES

1. An employee is observed with a strange and/or unrecognizable substance.
2. The supervisor, in the presence of a witness, places the strange and/or unrecognizable substance into a clear plastic bag. The bag is sealed, labeled and signed by both the supervisor and a witness.
3. An incident report is made and signed by both the supervisor and a witness.
4. The plastic bag containing the specimen and a copy of the incident report is taken to the testing site for transportation to the laboratory for analysis.

G. CHAIN OF CUSTODY FOR CONTROLLED SUBSTANCE SPECIMENS

1. At the time a specimen is collected, the employee will be given a copy of the specimen testing procedures.

2. Urine will be in a wide-mouthed clinic specimen container which will remain in full view of the employee until split, transferred to, sealed and initialed in two tamper-resistant urine bottles.
3. Immediately after the specimens are collected, the urine bottles will, in the presence of the employee, be labeled and then initialed by the employee. If the sample must be collected at the site other than the controlled substance and/or alcohol testing laboratory, the specimens will then be placed in the transportation container. The container will be sealed in the employee's presence and the employee will be asked to initial or sign the container. The container will be sent to the designated testing laboratory on that day or the earliest business day by the fastest available method.
4. A chain of custody form will be completed by the on-duty technician during the specimen testing process and attached to and mailed with the specimen.

H. ALCOHOL CONCENTRATION

1. At the testing facility, the employee and the on-duty BAT will complete the alcohol testing form to ensure that the results are properly recorded.
2. After an explanation of how the breathalyzer works, an initial breath sample is taken.
3. If the results of the initial test show an alcohol concentration of 0.02 or greater a second or confirmation test must be conducted. The confirmation test shall not be conducted not less than 15 minutes after and not or more than 20 minutes after the initial screening test.
4. The confirmation test will utilize Evidential Breath Testing devices that print out the results, date and time, a sequential test number, and the name and serial number of the Evidential Breath Testing device to ensure the reliability of the results.

I. TRAINING REQUIREMENTS

The District shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under §382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.



When completed please return this form to DATCO by:
 Fax: (888) 219-6878; or E-mail: stephanie@datcoservices.com; or
 Mail: 2280 Grass Valley Highway, Suite 232, Auburn, CA 95603

For: **Leucadia Wastewater District**

Pursuant to 49 CFR, Section 40.25(b), I hereby authorize the companies listed below to furnish to Leucadia Wastewater District or it's service agent DATCO Services Corporation the following information, if any, concerning controlled substance and alcohol tests I have been involved in during the last 3 years: (1) the dates on which I had a confirmed positive test for controlled substance(s), and the controlled substance(s) involved; (2) the dates on which I had a confirmed alcohol test result of 0.04 or greater, and the alcohol content recorded; (3) the dates on which I refused to be tested for controlled substances and/or alcohol; and (4) the dates and circumstances of any other Department of Transportation drug and alcohol testing regulation violation I may have had.

Were there any situations in which you tested positive on a pre-employment test for a DOT employer that did not hire you? () yes or () no

Were there any situations in which you refused to submit (including positives by adulteration or substitution) to a pre-employment test for a DOT employer that did not hire you? () yes or () no

Applicant Name: _____ Social: _____

Signed: _____ Date: _____

PREVIOUS Employer: _____ Contact: _____

Address: _____

Phone: (____) _____ - _____ Fax: (____) _____ - _____

TO BE COMPLETED BY PREVIOUS EMPLOYER and transmitted to the NEW EMPLOYER (see instructions above):

If this employee was NOT subject to DOT testing regulations while employed by your company, please check here [], sign and date below, and return this form. If this employee was subject to DOT testing regulations, please supply employment dates - from _____ until _____ and answer the questions below:

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1. Has this individual been in a Department of Transportation random testing program within 30 days of the date on this release? The date of the last random test for drugs was _____ and for alcohol was _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Has this individual had a controlled substance (drug) test with confirmed positive results OR an alcohol test with results .04 or greater in the past 3 years? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Has this individual refused a controlled substance test (including verified adulterated or substituted drug test results) or alcohol test within the past 3 years? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Has this individual violated any other provisions of the Department of Transportation drug and alcohol testing regulations? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Did a previous Consortium report a drug and alcohol rules violation to you? (If yes, please provide the previous Consortium's report.) | <input type="checkbox"/> | <input type="checkbox"/> |

IF YES to questions 2, 3, or 4 above, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record).

Company Official Providing Information _____

Phone _____

Date: _____ Signed: _____

Failure to furnish information as required by 49 CFR, Sections 40.25(h) and 382.301 is a violation of Department of Transportation regulations and Federal law and may result in a fine and/or civil liability.

MEMORANDUM

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager
SUBJECT: Board of Directors Election of Officers



RECOMMENDATION:

1. Discuss and take action, as appropriate.

DISCUSSION:

Leucadia Wastewater District's current policy calls for the Board of Directors to elect a President and Vice-President each December from among its members.

This item has been placed on the agenda for the Board of Directors' discussion and action, as appropriate.

tb:PJB

MEMORANDUM

DATE: December 2, 2021
TO: Board of Directors
FROM: Paul J. Bushee, General Manager
SUBJECT: Board Performance Evaluation Survey

**RECOMMENDED:**

Staff and the Human Resources Committee (HRC) recommend that the Board of Directors:

1. Approve the Board Performance Evaluation Survey.
2. Discuss and take other action, as appropriate.

DISCUSSION:

This item was reviewed by the HRC at its November 30th meeting and the HRC concurred with staff to present this item for the Board's consideration.

At the October Board Meeting, the Board of Directors reviewed and discussed a sample Board performance evaluation survey submitted by Mr. Jeff Bills. Following discussion, the Board referred this matter to the HRC for further review and directed staff to revise and shorten the survey.

Attached please find the revised draft survey for the Board's review. The revised survey includes two sections: 1) an individual evaluation form for Board members to evaluate themselves; and 2) a full Board evaluation form for Board members to evaluate the Board as a whole. The survey has been shortened to a total of 15 questions. A copy of the full evaluation form that was reviewed at the October Board meeting has also been attached for comparison purposes.

Staff and the HRC are requesting that the Board approve the draft Board evaluation survey. If approved, the survey would be distributed to the Board in January and the results would be reported at the February Board Meeting.

tb:PJB

Attachments

Individual Self Evaluation Form

Individual Self Evaluation Form

This form is used for each Board member to evaluate themselves personally

| | Always | Most of the Time | Sometimes | Never |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 Do you read all Board materials and prepare before Board meetings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2 Do you engage with others and contribute to discussion frequently? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 Do you demonstrate the ability to think long term? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4 Can you engage with others in discussing differences without conflict? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5 Do all your comments and decisions reflect mission conformance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6 Do you vote against motions for personal reasons? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7 Do you trust management and do so without getting over-involved? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Additional Comments:

Full Board Evaluation Form

Full Board Evaluation Form

This form is used for each Board member to evaluate the Board as a whole

| | Always | Most of the Time | Sometimes | Never |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 Does the Board show a disposition that promotes teamwork? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2 Is the full Board prepared to make critical decisions? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 Do all Board members contribute in meaningful ways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4 Can the Board resolve conflict without lingering affects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5 Are Board decisions reflective of long term thought and value? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6 Does the Board communicate effectively among itself? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7 Do all Board decisions reflect a commitment to mission? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8 Do our decisions show trust in management? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Additional Comments:

**Board Performance
Evaluation Survey**
(Presented at the October Board Meeting)

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Individual Board Member Self-Evaluation Form (This form is used for each Board member to evaluate themselves personally.)

| Board Area | Outstanding | Average | Below Average | Key Question |
|----------------------|--------------------------|--------------------------|--------------------------|---|
| Display of Integrity | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are you honest in your statements and displays of credibility? |
| Disposition | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you think like a Board member and avoid operational details? |
| Attendance | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you attend all Board meetings and are excused only in emergencies? |
| Preparation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you read all Board materials and prepare before Board meetings? |
| Contribution | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you engage with others and contribute to discussion frequently? |
| Critical Thinking | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Can you demonstrate a focus on outcomes as opposed to detail? |
| Conflict Resolution | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you focus on resolution of differences and not personal thought? |
| Strategic Thinking | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you demonstrate the ability to think long term? |

Individual Board Member Self-Evaluation Form Page Two

| Board Area | Outstanding | Average | Below Average | Key Question |
|----------------------|--------------------------|--------------------------|--------------------------|--|
| Discipline | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do your comments show restraint and patience? |
| Engagement | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you contribute to positive outcomes in an energetic way? |
| Communication Skills | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you demonstrate active listening and communication skills? |
| Interpersonal Skills | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Can you engage with others in discussing differences without conflict? |
| Flexibility | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Can you listen and accept differing points of view? |
| Mission Conformance | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do all your comments and decisions reflect mission conformance? |
| Value Adherence | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are your decisions and votes consistent with what is ethically right? |
| Board Culture | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you contribute to a positive Board culture? |

Individual Board Member Self-Evaluation Form Page Three

| Board Area | Outstanding | Average | Below Average | Key Question |
|-----------------|--------------------------|--------------------------|--------------------------|--|
| Voting | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you vote against motions because of who makes the motion? |
| Decision Making | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you delay decisions intentionally for personal reasons? |
| Decision Making | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you procrastinate decisions because you are unsure? |
| Decision Making | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you vote against motions for personal reasons? |
| Decision Making | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Have you changed your mind because of another Board Members opinion? |
| Trust | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do you trust management and do so without getting over-involved? |
| Role | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do I show Governance understanding by being "eyes in and hands out?" |

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Board Self-Evaluation Form (This form is used for each Board member to annually evaluate the Board as a whole. Results are tabulated and reviewed.)

| Board Area | Outstanding | Average | Below Average | Key Question |
|----------------------|--------------------------|--------------------------|--------------------------|--|
| Display of Integrity | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the Board consistent in making ethical and honest decisions? |
| Disposition | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the Board show a disposition that promotes teamwork? |
| Attendance | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do all Board meetings reflect a full quorum of interest? |
| Preparation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the full Board prepared to make critical decisions? |
| Contribution | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do all Board members contribute in meaningful ways? |
| Critical Thinking | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the full Board discuss and make decisions or just rubber stamp? |
| Conflict Resolution | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Can the Board resolve conflict without lingering affects? |
| Strategic Thinking | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are Board decisions reflective of long term thought and value? |

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Board Self-Evaluation Form Page Two

| Board Area | Outstanding | Average | Below Average | Key Question |
|----------------------|--------------------------|--------------------------|--------------------------|--|
| Discipline | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are Board meetings organized and conducted with purpose? |
| Engagement | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the full Board engaged or are some members non-participating? |
| Communication Skills | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the Board communicate effectively among itself? |
| Interpersonal Skills | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do all Board members find ways to work effectively together? |
| Flexibility | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Can the Board adjust and compromise in changing situations? |
| Mission Conformance | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do all Board decisions reflect a commitment to mission? |
| Value Adherence | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the Board tolerate deviations from core values? |
| Board Culture | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the Board culture one that is positive, rewarding and of pride? |

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Board Self-Evaluation Form Page Three

| Board Area | Outstanding | Average | Below Average | Key Question |
|-------------------------|--------------------------|--------------------------|--------------------------|--|
| Role and Accountability | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do our decisions show trust in management? |
| Decision Making | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do we make timely decisions or delay out of fear or procrastination? |
| Fear of Failure | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do we avoid taking action because we are uncertain of our decisions? |
| Delegation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do we avoid making decisions due to lack of trust in management? |
| Role and Accountability | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Have our decisions turned out right? |
| Role and Accountability | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do we show good Governance by demonstrating "eyes in and hands out?" |
| Trust | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does our Community trust us as a Board?" |
| Awareness | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do any Board Members dominate the agenda or conversation? |

Directors' Meetings

Presented by Director Sullivan

Conference

CSDA Quarterly Dinner Meeting

Dates and Location

November 18, 2021 @ 6:00 p.m.

94th Aero Squadron, San Diego, CA

List of Attendees

Director Elaine Sullivan

The above mentioned Board member heard a presentation on current Workforce Challenges and the CSDA local section election for 2nd Vice President and Secretary.