



BOARD OF DIRECTORS

REGULAR MEETING

And

**PUBLIC HEARING ON A PROPOSAL TO CONSIDER AN UPDATE OF THE
LEUCADIA WASTEWATER DISTRICT'S WASTEWATER ORDINANCE**

DATE: Wednesday, May 8, 2019
TIME: 5:00 p.m.
PLACE: Leucadia Wastewater District
1960 La Costa Avenue, Carlsbad, CA 92009

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 or unanimous 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. General Public Comment Period**
- 5. Approval of Agenda**
- 6. Presentation and Awards**
None.

CONSENT CALENDAR

Items 7-12 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.

7. Approval of Board and Committee Minutes

Minutes of the following meetings:

April 17, 2019 Regular Board Meeting (Pages 5-9)

May 1, 2019 Engineering Committee Meeting (Pages 10-11)

8. Approval of Demands for April/May 2019

This item provides for the Board of Directors approval of all demands paid from LWD during the month of April and a portion in May 2019. (Pages 12-27)

9. 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 FY18 to FY19, flows by sub-basin, and staff training. (Pages 28-34)

10. Finance Report

This report discloses up-to-date schedule of assets, liabilities, net assets and compares fiscal year-to-date expenditures to the FY19 budget and discloses monthly investments. (Pages 35-42)

11. Quarterly Treasurer's Report

This report discloses investments for the quarter ending March 31, 2019. (Pages 43-44, Enclosure 11)

12. Disclosure of Reimbursements

This report discloses travel expense reimbursements for the month of April 2019. (Pages 45-46)

EWA REPORTS

13. Encina Wastewater Authority Reports

A. A regular EWA Board Meeting was held on April 24, 2019 -- report by Director Sullivan. (Page 47)

B. An Encina Member Agencies Manager's Meeting was held on May 7, 2019 -- report by GM Bushee. (Verbal)

COMMITTEE REPORTS

14. Committee Reports

A. Engineering Committee Meeting was held on May 1, 2019 -- report by Director Juliussen. (Page 48)

PUBLIC HEARING

15. A Proposal to consider an update of the Leucadia Wastewater District's Wastewater Ordinance. (Page 49)

ACTION ITEMS

16. Revision of Leucadia Water District Standard Specifications and Procedures for Wastewater Facility Projects

Adopt Resolution No. 2315 revising Leucadia Wastewater District's Standard Specifications and Procedures for Wastewater Facility Projects; and

Adopt Resolution No. 2316 delegating authority for acceptance of sewer facilities and interests in real property to the General Manager. (Pages 50-56)

17. Adopting the Update to the Leucadia Wastewater District's Wastewater Ordinance

Adopt Ordinance No. 139 - an update of the Leucadia Wastewater District's Wastewater Ordinance. (Pages 57-83)

18. Approving the Recommended Encina Wastewater Authority Fiscal Year 2020 (FY20) Budget.

Adopt Resolution No. 2313 Approving the Recommended Encina Wastewater Authority Fiscal Year 2020 (FY20) Operating, Capital, and Pension Funding Policy Budgets. (Pages 84-86)

INFORMATION ITEMS

19. Project Status Updates and Other Informational Reports

A. CSDA Quarterly Dinner is scheduled for Thursday, May 16, 2019 at The Butcher Shop Steakhouse in Kearny Mesa, CA. (Pages 87-88)

B. 2019 LWD Annual Employee Luncheon is scheduled for Thursday, July 11, 2019 at Stagecoach Park in Carlsbad, CA. (Page 89)

C. CSDA Board of Directors Candidate Statements for Seat B. (Pages 90-91)

20. Directors' Meetings and Conference Reports

21. General Manager's Report

22. General Counsel's Report

23. Board of Directors' Comments

24. Closed Session

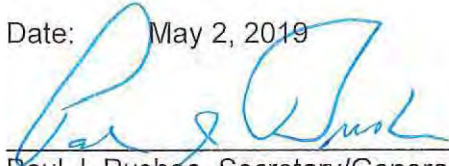
Conference with Legal Counsel to discuss exposure to litigation pursuant to California Government Code Sec. 54956.9(d)(2) – City of Carlsbad Cease and Desist Notice. (Verbal)

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 at least 72 hours prior to the meeting, in accordance with Govt. Code Section 54954.2(a).

Date: May 2, 2019



Paul J. Bushee, Secretary/General Manager

LEUCADIA WASTEWATER DISTRICT
 Minutes of a Regular Board Meeting
 April 17, 2019

A regular meeting of the Board of Directors of the Leucadia Wastewater District was held Wednesday, April 17, 2019 at 5:00 p.m., at the District Administration Office at 1960 La Costa Avenue, Carlsbad, California.

1. Call to Order

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

2. Roll Call

DIRECTORS PRESENT: Kulchin, Juliussen, Omsted, Hanson, and Sullivan

DIRECTORS ABSENT:

OTHERS PRESENT: General Manager Paul Bushee, General Counsel Wayne Brechtel, Administrative Services Manager Richard Duffey, Technical Services Manager Robin Morishita, Field Services Superintendent Jeff Stecker, Executive Assistant Tianne Baity, Administrative Services Supervisor Trisha Hill, Field Services Technician Curney Russell, and District Engineer Dexter Wilson

3. Pledge of Allegiance

President Kulchin led the pledge of allegiance.

4. General Public Comment Period

None.

5. Approval of Agenda

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

Director	Vote
President Kulchin	Yes
Vice President Juliussen	Yes
Director Omsted	Yes
Director Hanson	Yes
Director Sullivan	Yes

6. Presentations and Awards

A. Achievement of Individual Award -- Curney Russell

GM Bushee introduced Field Services Technician II Curney Russell stating that Curney recently received his Collection System Grade 2 certification from the California Water Environment Association. GM Bushee presented background information about Curney and noted that Curney is eligible for a \$500 incentive award under the District's incentive program.

The Board of Directors congratulated Curney for his efforts.

B. CWEA State 2018 Award - Community Engagement & Outreach Best Use of Social Media Award

GM Bushee stated that the District received the CWEA 2018 Community Engagement & Outreach Best Use of Social Media Award for the state of California during the CWEA Annual Conference in Palm Springs. GM Bushee thanked ASsup Hill and Rising Tide Partners (RTP) for their efforts in submitting the award. He noted that under LWD's incentive program, employees are eligible for a \$300 incentive.

The Board congratulated Trisha and RTP for their efforts.

CONSENT CALENDAR

7. Approval of Board and Committee Minutes

Minutes of the following meetings:

March 13, 2019 Regular Board Meeting

8. Approval of Demands for March/April 2019

Payroll Checks numbered 21230-21248; General Checking – Checks numbered 52635-52666

9. Operations Report (A copy was included in the original April 17, 2019 Agenda)

10. Finance Report (A copy was included in the original April 17, 2019 Agenda)

11. Disclosure of Reimbursements

This report discloses travel expense reimbursements for the month of March 2019.

12. Status Update on the Fiscal Year 2019 (FY19) LWD Tactics and Action Plan (Pages 52-58)

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

Director	Vote
President Kulchin	Yes
Vice President Juliussen	Yes
Director Omsted	Yes
Director Hanson	Yes
Director Sullivan	Yes

EWA and COMMITTEE REPORTS

13. Encina Wastewater Authority (EWA) Reports

A. EWA Board Report – Meeting held on March 27, 2019.

Director Sullivan reported on EWA's March 27, 2019 Board meeting.

B. EWA Member Agency Manager's (MAM) - Meeting held on April 2, 2019.

GM Bushee reported on EWA's MAM April 2, 2019 meeting.

14. Committee Reports

None.

ACTION ITEMS

15. Spectrum Enterprise Service Agreement for Telephone and Internet Services

Authorize the General Manager to execute a Service Agreement with Spectrum Enterprise to provide phone and internet service in an amount not to exceed \$15,287.88 (plus taxes) per year, for a three-year contract totaling \$45,863.64 (plus taxes); and, a one-time installation charge in an amount not to exceed \$349.00.

ASsup Hill presented the item noting Cox Communication currently provides the District with internet and phone services. Recently, Data Net Solutions Group, the District's IT consultant recommended that the District look into increasing its "bandwidth" because this affects how the District's information system is backed-up. Per the District's procurement procedures, staff, with the assistance of Atel Communications, requested quotes from local internet and phone service providers to include the use of a 100 MEG fiber-optic line, along with Voice (PRI) Service for the District's phone service. The District received 5 quotes with Spectrum Enterprise being the lowest quote at \$1,273.99/Month (plus taxes). She noted that the District currently pays Cox \$1,475/Month for 10 MEG service, therefore, the contract represents a much higher level of service at a lower price.

Upon a motion duly made by Vice President Juliussen, seconded by Director Omsted, and carried, the Board of Directors authorized the General Manager to execute a Service Agreement with Spectrum Enterprise to provide phone and internet service in an amount not to exceed \$15,287.88 (plus taxes) per year, for a three-year contract totaling \$45,863.64 (plus taxes); and, a one-time installation charge in an amount not to exceed \$349.00 by the following vote:

Director	Vote
President Kulchin	Yes
Vice President Juliussen	Yes
Director Omsted	Yes
Director Hanson	Yes
Director Sullivan	Yes

16. Board of Directors Compensation Adjustment

GM Bushee presented the item indicating that this item was on the March agenda but due to Vice President Juliussen's absence at the March Board meeting the Board moved this item to the April Agenda. GM Bushee then stated the date of the last Board stipend increase was April 2016 and that government code allows for a 5% adjustment per calendar year following the last adjustment.

GM Bushee explained that this item represents the first step in the process in that staff is seeking direction as to whether the Board wishes to schedule a public hearing for May to consider an increase. If the Board determines that it wants to schedule a public hearing, the Board must also designate the amount of the increase so that staff can include that information in the required public hearing notice. If the Board opts *not* to schedule a public hearing, the Board's compensation would remain at \$190 per meeting.

GM Bushee then reviewed a memo handout from GC Brechtel. GM Bushee stated that the Board

can adopt an ordinance that provides for a singular increase or an increase for multiple years. Board compensation must abide by the 5% annual limits as set forth in CA Water Code Section 20202.

Vice President Juliussen stated that he would like to match EWA's compensation at \$206 per meeting.

Director Omsted stated he was ambivalent.

Director Hanson stated she would like a \$10 increase to \$200 per meeting.

Director Sullivan stated she would like a \$10 increase each year for three years.

President Kulchin stated he would like a \$10 increase to \$200 per meeting but he was not in favor of multiple year increases and would like to address Board compensation on an annual basis.

Director Omsted motioned that the Board direct staff to schedule a public hearing for a \$10 increase in the Board's stipend from \$190 to \$200 per meeting. The motion was seconded by Vice President Juliussen.

Following discussion, President Kulchin called for a vote that the Board direct staff to prepare and notice for a public hearing for a \$10 increase in the Board's stipend. The Board members voted as follows:

Director	Vote
President Kulchin	Yes
Vice President Juliussen	Yes
Director Omsted	Yes
Director Hanson	Yes
Director Sullivan	Yes

17. Local Agency Formation Commission (LAFCO) Call for Nominations to the Consolidated Redevelopment Oversight Board

EA Baity stated that the Local Agency Formation Commission (LAFCO) has recently notified LWD that nominations are being solicited to appoint an eligible representative to serve on the San Diego Consolidated Redevelopment Oversight Board. She stated the election is tasked with appointing one regular district representative on the Oversight Board. The deadline for receipt of all nominations is Friday, May 17, 2019.

EA Baity added that this item was presented to the Board as a follow up to LAFCO's request.

The Board did not nominate anyone. There was no action taken.

INFORMATION ITEMS

18. Project Status Updates and Other Informational Reports

A. CSDA Legislative Days is scheduled for May 21-22, 2019 in Sacramento, CA.

EA Baity reviewed the date and location for the upcoming conference.

19. Directors' Meetings and Conference Reports

A. The 2019 Watereuse CA Annual Conference was held March 17-19, 2019 at the Hyatt Regency Orange County in Garden Grove, CA.

Director Sullivan stated it was a good conference and well attended.

Director Omsted stated that former Leucadia Wastewater District GM, Joan Geiselhart, was recognized as the first female GM in the industry.

B. The 2019 CWEA Annual Conference was held April 9-12, 2019 at the Palm Springs Convention Center in Palm Springs, CA.

Director Hanson stated she enjoyed the Leadership Panel.

Director Sullivan stated she enjoyed the opening speaker.

20. General Manager's Report

GM Bushee reported on the following items:

- Senate Bill 332 Oppose Letter;
- Assembly Bill 1486 Oppose Letter;
- Assembly Bill 1672 Support Letter; and
- Senate Bill 13 Oppose Letter

21. General Counsel's Report

GC Brechtel reported on the following item:

- Assembly Bill 1184

22. Board of Directors' Comments

Director Sullivan wished everyone a happy spring and joyous Easter.

Vice President Juliussen thanked staff for a great job.

23. Adjournment

President Kulchin adjourned the meeting at approximately 5:43 p.m.

David Kulchin, President

Paul J. Bushee
Secretary/General Manager
(SEAL)

LEUCADIA WASTEWATER DISTRICT
 Minutes of an Engineering Committee Meeting
 May 1, 2019

A meeting of the Engineering Committee (EC) of Leucadia Wastewater District (LWD) was held on Wednesday, May 1, 2019 at 9:00 a.m., at the LWD Administration Office located at 1960 La Costa Avenue, Carlsbad, California.

1. Call to Order

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

2. Roll Call

DIRECTORS PRESENT: Juliussen and Kulchin

DIRECTORS ABSENT: None

OTHERS PRESENT: General Manager Paul Bushee; Technical Services Manager Robin Morishita; Field Services Superintendent Jeffery Stecker; Field Services Supervisor Marvin Gonzalez; Field Services Specialist Ian Riffel; District Counsel Wayne Brechtel; and District Engineer Representative Natalie Fraschetti.

3. Public Comment

None.

4. New Business

A. 1) Adopt Resolution No. 2315 revising Leucadia Wastewater District's Standard Specifications and Procedures for Wastewater Facility Projects.

Ms. Natalie Fraschetti presented information on the 2019 update of the District's Standard Specifications and Procedures for Wastewater Facility Projects (Standard Spec). She explained that the Standard Spec update is due to updated industry standards in the 2018 "Greenbook", Field Crew preferences and discrepancies between the 2016 Standard Spec and actual field conditions. Ms. Fraschetti stated that the major updates were on: 1) manhole lining; 2) raising manholes to grade; 3) terminal manholes; 4) lateral connections; 5) private pump stations; 6) underground structure drains; and 7) Accessory Dwelling Units. She continued that there were minor updates for clarity, grammar and consistency. Ms. Fraschetti discussed each of the major updates in detail.

After discussion, the EC concurred with staff to recommend that the Board adopt Resolution No. 2315 revising the District's Standard Specifications and Procedures for Wastewater Facility Projects.

2) Adopt Resolution No. 2316 delegating authority for acceptance of sewer facilities and interests in real property to the General Manager.

Field Services Specialist Ian Riffel presented staff's recommendation. He explained that in the past, the resolution adopting the Standard Spec included the General Manager's authorization to accept sewer facilities and interests in real property for the District. He continued that staff believes it is prudent to separate the General Manager's authorization into its own resolution for clarity and administrative purposes.

After discussion, the EC concurred with staff to recommend that the Board adopt Resolution No. 2316 delegating authority for acceptance of sewer facilities and interests in real property to the General Manager.

B. Adopt Ordinance No. 139 - an update of the Leucadia Wastewater District's Wastewater Ordinance.

Field Services Specialist Ian Riffel presented staff's recommendation. He continued that the update of the Standard Spec and an unpaid fine from an enforcement action were the prompts for updating the District's Wastewater Ordinance (Ordinance). He explained that the current Ordinance introduced enforcement procedures that included imposing fines for violations of the Ordinance. Field Services Specialist Riffel stated that based on a recent experience with an unpaid fine on an enforcement action it has become apparent that specific procedures are needed to address non-payment of imposed fines. He continued that the updated Ordinance added the following provisions for non-payment of fines: 1) late payment penalties; 2) unpaid fees collected on tax roll; 3) file a separate lien on the real property; and 4) petition the Superior Court.

After discussion, the EC concurred with staff to recommend that the Board adopt Ordinance No. 139, the updated District's Wastewater Ordinance.

5. Information Items

None.

6. Directors' Comments

None.

7. General Manager's Comments

None.

8. Adjournment

Chairperson Juliussen adjourned the meeting at approximately 9:54 a.m.

Paul J. Bushee,
Secretary/Manager
(Seal)

MEMORANDUM

DATE: May 2, 2019
TO: Board of Directors
FROM: Paul J. Bushee, General Manager
SUBJECT: Approval of April/May Demands



RECOMMENDATION:

Staff requests that the Board of Directors:

1. Approve checks and electronic payments totaling **\$ 1,463,029.56.**
2. Discuss and take other action as appropriate.

DISCUSSION:

Attached are check registers describing all payments made by LWD for the period April 11, 2019 through May 2, 2019.

Operating expenses totaled **\$ 629,243.54**, Capital Improvement Program expenses totaled **\$ 773,393.80** and Payroll expense for District Employees and the Board totaled **\$ 60,392.22.**

Attachment 1	Summary of Demands by Account April 11, 2019 - May 2, 2019
Attachment 2	Payroll Check Register dated April 17, 2019
Attachment 3	Payroll Check Register dated April 18, 2019
Attachment 4	Accounts Payable Check Register dated April 22, 2019
Attachment 5	Accounts Payable Check Register dated April 24, 2019
Attachment 6	Payroll Check Register dated April 24, 2019
Attachment 7	Accounts Payable Check Register dated May 1, 2019
Attachment 8	Board Payroll Check Register dated May 1, 2019

DEMANDS SUMMARY
May 8, 2019

1. Demands

<u>Category</u>	<u>Check #'s</u>		<u>Amount</u>	<u>Total</u>
Payroll Check -4/17/2019	21311	Incentive	\$426.35	
Payroll Check -4/18/2019	21312 - 21330	Incentive	\$5,233.15	
Payroll Check -4/24/2019	21331 - 21349		\$52,068.78	
Board Payroll Check -5/1/2019	21350 - 21354		<u>\$2,663.94</u>	
		Total	\$60,392.22	
General Checking -4/22/2019	52779 - 52811		\$ 90,782.70	
General Checking - 4/24/2019	52812		\$ 314.68	
General Checking - 5/1/2019	52813 - 52853		<u>\$ 1,311,539.96</u>	
		Total	\$ 1,402,637.34	
		GRAND TOTAL		\$1,463,029.56

LEUCADIA WASTEWATER DISTRICT
EMPLOYEE PAYROLL CHECK REPORT

Payroll Date: April 17, 2019
Incentive

<u>Check Nos.</u>	<u>Date</u>	<u>Amount</u>
21311	4/17/2019	\$500.00

LEUCADIA WASTEWATER DISTRICT
EMPLOYEE PAYROLL CHECK REPORT

Payroll Date: April 18, 2019
Incentive

<u>Check Nos.</u>	<u>Date</u>	<u>Amount</u>
21312 - 21330	4/18/2019	\$5,233.15

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 4/22/2019 Through 4/22/2019

Vendor Name	Check Number	Effective Date	Check Amount	Transaction Description
ABACOR, INC.	52779	4/22/2019	1,032.14	LIGHTBAR BOARD AND INSTALLATION
	Total 52779		1,032.14	
AT&T	52780	4/22/2019	127.72	PHONE SERVICE @ BPS
	Total 52780		127.72	
BARRETT ENGINEERED PUMP	52781	4/22/2019	223.04	CORD SUMP PUMP
BARRETT ENGINEERED PUMP		4/22/2019	777.47	PUMP SEWAGE @ AWT
	Total 52781		1,000.51	
BOOT WORLD, INC	52782	4/22/2019	436.32	SAFETY BOOTS-M.A./R.R.
	Total 52782		436.32	
CRAIG HOOKER	52783	4/22/2019	3,000.00	LATERAL REIMBURSEMENT
	Total 52783		3,000.00	
DATA NET SOLUTIONS GROUP	52784	4/22/2019	1,211.00	SYMANTEC ANTI VIRUS RENEWAL
	Total 52784		1,211.00	
DETECTION INSTRUMENTS CORP	52785	4/22/2019	512.93	CALIBRATIONS @ LPS
	Total 52785		512.93	
DEXTER WILSON ENGINEERING	52786	4/22/2019	2,315.00	2019 SSMP-MARCH
DEXTER WILSON ENGINEERING		4/22/2019	140.00	GE/0566/MARCH/LEUCADIA HILLS
DEXTER WILSON ENGINEERING		4/22/2019	110.00	GE/0943/MARCH/LEUCADIA STREETScape
DEXTER WILSON ENGINEERING		4/22/2019	727.50	GE/0983/MARCH/HYMETTUS ESTATES
DEXTER WILSON ENGINEERING		4/22/2019	855.00	GE/0996/MARCH/ENCINITAS BEACH HOTEL
DEXTER WILSON ENGINEERING		4/22/2019	180.00	GE/1015/MARCH/VULCAN AVE
DEXTER WILSON ENGINEERING		4/22/2019	65.00	GE/1018/MARCH/URANIA AVE
DEXTER WILSON ENGINEERING		4/22/2019	275.00	GE/1054/MARCH/OMNI LA COSTA
DEXTER WILSON ENGINEERING		4/22/2019	400.00	GE/1058/MARCH/EL CAMINO REAL
DEXTER WILSON ENGINEERING		4/22/2019	495.00	GE/1062/MARCH/1509/1513 ENCINITAS BLVD
DEXTER WILSON ENGINEERING		4/22/2019	90.00	GE/1064/MARCH/VISTOSA PLACE
DEXTER WILSON ENGINEERING		4/22/2019	255.00	GE/1066/MARCH/HILLCREST AVE
DEXTER WILSON ENGINEERING		4/22/2019	15,367.50	GE/CIP/MARCH/200/0358
	Total 52786		21,275.00	
DOWNSTREAM SERVICES, INC.	52787	4/22/2019	70.00	STORMWATER MAINT-AWT
	Total 52787		70.00	
ELAINE SULLIVAN	52788	4/22/2019	170.47	REIMBURSE FOR CWEA CONF

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 4/22/2019 Through 4/22/2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Effective Date</u>	<u>Check Amount</u>	<u>Transaction Description</u>
	Total 52788		170.47	
ENCINA WASTEWATER AUTHORITY	52789	4/22/2019	740.00	QTRLY LAB FEES
	Total 52789		740.00	
HEAVILAND ENTERPRISES, INC	52790	4/22/2019	840.00	LANDSCAPE FEES FOR APRIL
	Total 52790		840.00	
ICMA RETIREMENT-303979	52791	4/22/2019	5,253.71	DEFERRED COMP
	Total 52791		5,253.71	
JEFFERY STECKER	52792	4/22/2019	156.70	REIMBURSE FOR CWEA CONF
	Total 52792		156.70	
SAN DIEGO LAFCO	52793	4/22/2019	50.00	RYAN ANNEXATION
	Total 52793		50.00	
MARVIN GONZALEZ	52794	4/22/2019	185.30	REIMBURSE FOR CWEA CONF
	Total 52794		185.30	
OLIVENHAIN MUNICIPAL WATER DIST	52795	4/22/2019	1,211.34	RMC GRANT ADM COSTS-NSDWRC
OLIVENHAIN MUNICIPAL WATER DIST		4/22/2019	3,795.68	WOODWARD & CURRAN LRP APPLICATION COSTS-NSDWRC
	Total 52795		5,007.02	
RICK EASTON	52796	4/22/2019	177.53	REIMBURSE FOR CWEA CONF
	Total 52796		177.53	
RISING TIDE PARTNERS	52797	4/22/2019	2,370.00	PUBLIC INFORMATION-3/9-3/31/2019
RISING TIDE PARTNERS		4/22/2019	2,377.50	PUBLIC INFORMATION-MARCH 1-8 2019
	Total 52797		4,747.50	
SCAP	52798	4/22/2019	538.00	COLLECTION SYSTEM MEMBERSHIP-19/20
	Total 52798		538.00	
SAN DIEGO GAS & ELECTIRC	52799	4/22/2019	2,425.14	ELECTRIC @ ADM BLDG
SAN DIEGO GAS & ELECTIRC		4/22/2019	88.83	ELECTRIC @ AVOCADO PS
SAN DIEGO GAS & ELECTIRC		4/22/2019	10,438.42	ELECTRIC @ BPS
SAN DIEGO GAS & ELECTIRC		4/22/2019	330.17	ELECTRIC @ DIANA PS
SAN DIEGO GAS & ELECTIRC		4/22/2019	564.95	ELECTRIC @ E. ESTATES PS
SAN DIEGO GAS & ELECTIRC		4/22/2019	789.74	ELECTRIC @ LCPS
SAN DIEGO GAS & ELECTIRC		4/22/2019	8,868.96	ELECTRIC @ LPS
SAN DIEGO GAS & ELECTIRC		4/22/2019	120.22	ELECTRIC @ RVPS

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 4/22/2019 Through 4/22/2019

Vendor Name	Check Number	Effective Date	Check Amount	Transaction Description
SAN DIEGO GAS & ELECTIRC		4/22/2019	530.26	ELECTRIC @ SPS
SAN DIEGO GAS & ELECTIRC		4/22/2019	273.11	ELECTRIC @ VP5 PS
SAN DIEGO GAS & ELECTIRC		4/22/2019	125.05	ELECTRTIC @ VP7 PS
SAN DIEGO GAS & ELECTIRC		4/22/2019	<u>103.03</u>	GAS @ ADM BLDG
	Total 52799		24,657.88	
SOUTHERN CONTRACTING COMPANY	52800	4/22/2019	<u>1,620.00</u>	AWT ELECTRICAL WORK
	Total 52800		1,620.00	
SPACELINK/I2B NETWORK	52801	4/22/2019	<u>160.00</u>	WEB CAM @ BPS-APRIL/MAY
	Total 52801		160.00	
STATE BOARD OF EQUALIZATION	52802	4/22/2019	<u>300.00</u>	STATE BRD EQUALIZATION FOR RYAN ANNEX
	Total 52802		300.00	
TERMINIX	52803	4/22/2019	<u>60.00</u>	MONTHLY PEST SERVICE-MARCH
	Total 52803		60.00	
THOMAS JOHNSON	52804	4/22/2019	<u>1,177.50</u>	LATERAL REIMBURSEMENT
	Total 52804		1,177.50	
UNDERGROUND SERVICE ALERT OF	52805	4/22/2019	<u>89.20</u>	CA FEE FOR UNDERGROUND ALARM SERVICE
	Total 52805		89.20	
UNIFIRST CORPORATION	52806	4/22/2019	223.48	LAUNDRY SERVICE-W/E 4/10/19
UNIFIRST CORPORATION		4/22/2019	<u>219.18</u>	LAUNDRY SERVICE-W/E 4/17/19
	Total 52806		442.66	
SAN DIEGO FREIGHTLINER	52807	4/22/2019	<u>5,043.60</u>	SERVICE/MAINT ON VACTOR #152
	Total 52807		5,043.60	
VERIZON WIRELESS	52808	4/22/2019	<u>889.58</u>	CELL PHONES
	Total 52808		889.58	
VORTEX INDUSTRIES, INC	52809	4/22/2019	<u>1,538.00</u>	REPAIRS TO GATE @ SPS
	Total 52809		1,538.00	
WEST COAST SAFETY SUPPLY CO., INC.	52810	4/22/2019	<u>616.63</u>	REPLACEMENT SENSOR AND CREDIT
	Total 52810		616.63	
WORDEN WILLIAMS LLP	52811	4/22/2019	<u>7,655.80</u>	LEGAL FEES- MARCH

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 4/22/2019 Through 4/22/2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Effective Date</u>	<u>Check Amount</u>	<u>Transaction Description</u>
	Total 52811		7,655.80	
Report Total			90,782.70	

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 4/24/2019 Through 4/24/2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Effective Date</u>	<u>Check Amount</u>	<u>Transaction Description</u>
BOMBARDIER MASS TRANSIT	52812	4/24/2019	314.68	Roadway Worker Protection Class for 2 people
	Total 52812		314.68	
Report Total			314.68	

LEUCADIA WASTEWATER DISTRICT
EMPLOYEE PAYROLL CHECK REPORT

Payroll Date: April 24, 2019

<u>Check Nos.</u>	<u>Date</u>	<u>Amount</u>
21331 - 21349	4/24/2019	\$52,068.78

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 5/1/2019 Through 5/1/2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Effective Date</u>	<u>Check Amount</u>	<u>Transaction Description</u>
ADS LLC	52813	5/1/2019	1,190.00	DEPTH METER MAINT-APRIL
ADS LLC		5/1/2019	4,340.00	FLOW METERING/DATA-APRIL
	Total 52813		5,530.00	
BAJA POOL AND SPA SERVICE	52814	5/1/2019	260.00	MONTHLY FOUNTAIN SERVICE-MAY
	Total 52814		260.00	
BURTECH PIPELINE, INC	52815	5/1/2019	13,340.14	LC GOLF COURSE PROJECT-JAN-MARCH
	Total 52815		13,340.14	
CARLSBAD FUELS CORPORATION	52816	5/1/2019	1,871.77	VEHICLE GAS
	Total 52816		1,871.77	
COLONIAL LIFE INS	52817	5/1/2019	279.04	ACCIDENT/CRITICAL CARE INS-APRIL
	Total 52817		279.04	
CORE & MAIN LP	52818	5/1/2019	8,582.29	PARSOM INFLOW DOME
	Total 52818		8,582.29	
COSCO FIRE PROTECTION	52819	5/1/2019	225.00	QTRLY FIRE SPRINKLER INSPECTION
	Total 52819		225.00	
DATA NET SOLUTIONS GROUP	52820	5/1/2019	3,855.00	EMERGENCY WORK-NETWORK DOWN
DATA NET SOLUTIONS GROUP		5/1/2019	86.25	IS MAINT AND SUPPORT
DATA NET SOLUTIONS GROUP		5/1/2019	533.75	IT WORK FOR CCTV
DATA NET SOLUTIONS GROUP		5/1/2019	2,990.00	NET APP/VMWARE/DC SERVER UPGRADE
	Total 52820		7,465.00	
DETECTION INSTRUMENTS CORP	52821	5/1/2019	222.00	CALIBRATIONS @ LPS
	Total 52821		222.00	
DKF SOLUTIONS GROUP, LLC	52822	5/1/2019	300.00	MONTHLY SAFETY SUBSRIPTION-MAY
	Total 52822		300.00	
DODGE DATA & ANALYTICS	52823	5/1/2019	1,299.30	GREEN SHEET AD-BPS FORCE MAIN PROJECT
	Total 52823		1,299.30	

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 5/1/2019 Through 5/1/2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Effective Date</u>	<u>Check Amount</u>	<u>Transaction Description</u>
ENCINA WASTEWATER AUTHORITY	52824	5/1/2019	1,213,260.05	QTRLY BILLING FOR CAPITAL/O/M-JAN-MARCH
	Total 52824		1,213,260.05	
EVOQUA WATER TECHNOLOGIES, LLC	52825	5/1/2019	6,470.68	CHEMICAL FERROUS
	Total 52825		6,470.68	
GABRIEL MENDEZ	52826	5/1/2019	151.02	REIMBURSE FOR CWEA CONFERENCE
	Total 52826		151.02	
GRAINGER, INC	52827	5/1/2019	28.78	CPR BARRIER/ADULT
	Total 52827		28.78	
GREAT AMERICA FINANCIAL SERVICES	52828	5/1/2019	788.97	COPIER LEASE
	Total 52828		788.97	
ICMA RETIREMENT-303979	52829	5/1/2019	5,255.77	DEFERRED COMP
	Total 52829		5,255.77	
INFRASTRUCTURE ENGINEERING CORP	52830	5/1/2019	3,745.12	B3 SEWER FORCE MAIN PROJECT-MARCH
INFRASTRUCTURE ENGINEERING CORP		5/1/2019	6,488.75	ORCHARD WOOD PROJECT-MARCH
	Total 52830		10,233.87	
JUDY HANSON	52831	5/1/2019	769.25	REIMBURSE FOR CONFERENCE
	Total 52831		769.25	
KEVIN WALDICK	52832	5/1/2019	1,182.50	LATERAL REIMBURSEMENT
	Total 52832		1,182.50	
MESA REPROGRAPHICS	52833	5/1/2019	34.00	PLANS/SPECS-BPS FM
MESA REPROGRAPHICS		5/1/2019	337.77	PLANS/SPECS-BPS FORCE MAIN
	Total 52833		371.77	
MES VISION	52834	5/1/2019	414.12	VISION INS-MAY
	Total 52834		414.12	
MSC JANITORIAL SERVICE, INC	52835	5/1/2019	1,676.00	WEEKLY JANITORIAL SERVICE-APRIL
	Total 52835		1,676.00	
MUTUAL OF OMAHA	52836	5/1/2019	1,227.81	DISABILITY INS-MAY

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 5/1/2019 Through 5/1/2019

Vendor Name	Check Number	Effective Date	Check Amount	Transaction Description
	Total 52836		1,227.81	
NAPA AUTO	52837	5/1/2019	36.78	AIR FILTERS
NAPA AUTO		5/1/2019	123.34	FILTERS/SUPPLIES FOR PS
NAPA AUTO		5/1/2019	51.66	SUPPLIES
	Total 52837		211.78	
NATIONWIDE RETIREMENT SOLUTIONS	52838	5/1/2019	289.85	DEFERRED COMP
	Total 52838		289.85	
nfpACCOUNTING TECHNOLOGIES	52839	5/1/2019	500.00	SERVICE FOR SERVER MITIGATION
	Total 52839		500.00	
OFFICE DEPOT, INC.	52840	5/1/2019	91.36	OFFICE SUPPLIES
	Total 52840		91.36	
POLYDYNE, INC	52841	5/1/2019	17,069.54	CLARIFLOC
	Total 52841		17,069.54	
RANCHO SANTA FE SECURITY SYSTEMS	52842	5/1/2019	258.00	ALARM SERVICE-5/1/2019-7/31/2019
	Total 52842		258.00	
SAN DIEGUITO TROPHY	52843	5/1/2019	80.81	AWARD UPDATES
	Total 52843		80.81	
SAN ELIJO JOINT POWERS AUTHORITY	52844	5/1/2019	611.11	WATERUSE SPONSORSHIP /CONFERENCE
	Total 52844		611.11	
SAN DIEGO GAS & ELECTIRC	52845	5/1/2019	956.08	ELECTRIC @ EEPS
	Total 52845		956.08	
SOUTH BAY FOUNDRY	52846	5/1/2019	1,249.90	RISER RINGS
	Total 52846		1,249.90	
TERMINIX	52847	5/1/2019	32.00	PEST CONTROL-BAITS-APRIL
	Total 52847		32.00	
THE GUARDIAN	52848	5/1/2019	3,426.58	DENTAL INS-MAY
	Total 52848		3,426.58	
SOLANA PALM LLC	52849	5/1/2019	90.00	ANSWERING SERVICE-APRIL/MAY

Leucadia Wastewater District
 Check/Voucher Register - CHECK REGISTER
 1001 - Opus Bank General Checking
 From 5/1/2019 Through 5/1/2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Effective Date</u>	<u>Check Amount</u>	<u>Transaction Description</u>
	Total 52849		90.00	
UNIFIRST CORPORATION	52850	5/1/2019	<u>227.37</u>	LAUNDRY SERVICE-W/E 4/24/19
	Total 52850		227.37	
SAN DIEGO UNION TRIBUNE	52851	5/1/2019	<u>770.12</u>	AD FOR BIDS-BPS FORCE MAIN
	Total 52851		770.12	
U.S. BANK	52852	5/1/2019	<u>3,612.82</u>	OFFICE SUPPLIES/CONFERENCES/MEETIN...
	Total 52852		3,612.82	
WESELOH CHEVROLET	52853	5/1/2019	645.95	MAINT AND SERVICE FOR #151
WESELOH CHEVROLET		5/1/2019	<u>211.56</u>	MAINT AND SERVICE FOR #153
	Total 52853		857.51	
Report Total			<u><u>1,311,539.96</u></u>	

Leucadia Wastewater District
 Vendor Activity - Supplemental Credit Card Report
 From 4/25/2019 Through 5/1/2019

Vendor Name	Tra... Sou...	Effective Date	Check/Voucher Number	Expenses	GL Code	GL Title	Transaction Description
U.S. BANK	API	4/25/2019	52852	108.98	4330	BOARD CONFERENCES	CSDA FLIGHT-DO
U.S. BANK	API	4/25/2019	52852	196.96	4330	BOARD CONFERENCES	CSDA FLIGHT-ES
U.S. BANK	API	4/25/2019	52852	275.00	4330	BOARD CONFERENCES	CSDA REG-DO
U.S. BANK	API	4/25/2019	52852	150.00	4330	BOARD CONFERENCES	CSDA REG-ES
U.S. BANK	API	4/25/2019	52852	275.00	4330	BOARD CONFERENCES	CSDA REG-JH
U.S. BANK	API	4/25/2019	52852	244.96	4330	BOARD CONFERENCES	CSDA- FLIGHT-JH
U.S. BANK	API	4/25/2019	52852	(435.00)	4330	BOARD CONFERENCES	REFUND CWEA-DK
U.S. BANK	API	4/25/2019	52852	444.72	4330	BOARD CONFERENCES	WATERUSE HOTEL-DO
U.S. BANK	API	4/25/2019	52852	492.72	4330	BOARD CONFERENCES	WATERUSE HOTEL-ES
U.S. BANK	API	4/25/2019	52852	15.32	4330	BOARD CONFERENCES	WATERUSE LUNCH-DO
U.S. BANK	API	4/25/2019	52852	271.73	5227	MANAGEMENT SUPPORT SERVICES	BREAKFAST-STRATEGIC PLANNING
U.S. BANK	API	4/25/2019	52852	174.17	5227	MANAGEMENT SUPPORT SERVICES	LUNCH-STRATEGIC PLANNING
U.S. BANK	API	4/25/2019	52852	382.00	5520	REPAIR & MAINT PUMP STATION	CARBON TESTING@ LPS
U.S. BANK	API	4/25/2019	52852	139.00	5530	BUILDINGS & GROUNDS	LIGHTBULB RECYCLE
U.S. BANK	API	4/25/2019	52852	505.21	5530	BUILDINGS & GROUNDS	SEWER DIPSTICK
U.S. BANK	API	4/25/2019	52852	210.19	5710	TRAINING, EDUCATION & CONFERNC	CASA DC CONF-PB
U.S. BANK	API	4/25/2019	52852	30.00	5710	TRAINING, EDUCATION & CONFERNC	CSFMO MEETING-RD
U.S. BANK	API	4/25/2019	52852	24.48	5710	TRAINING, EDUCATION & CONFERNC	FS TRAINING-JS/MG
U.S. BANK	API	4/25/2019	52852	24.48	5710	TRAINING, EDUCATION & CONFERNC	FS TRAINING-MG/CR
U.S. BANK	API	4/25/2019	52852	(375.00)	5710	TRAINING, EDUCATION & CONFERNC	REFUND-WATERUSE-PB
U.S. BANK	API	4/25/2019	52852	78.98	5735	EMPLOYEE RECOGNITION	FLOWERS-CR
U.S. BANK	API	4/25/2019	52852	125.00	5910	TELEPHONE	WEBHOSTING
U.S. BANK	API	4/25/2019	52852	63.96	5910	TELEPHONE	WEBHOSTING DOMAIN
U.S. BANK	API	4/25/2019	52852	159.96	5910	TELEPHONE	WEBHOSTING-DOMAIN
U.S. BANK	API	4/25/2019	52852	30.00	5910	TELEPHONE	WIFI

Transaction Total 3,612.82

Report
Opening/Current
Balance

Report Transaction
Totals

3,612.82

**LEUCADIA WASTEWATER DISTRICT
BOARD PAYROLL CHECK REPORT**

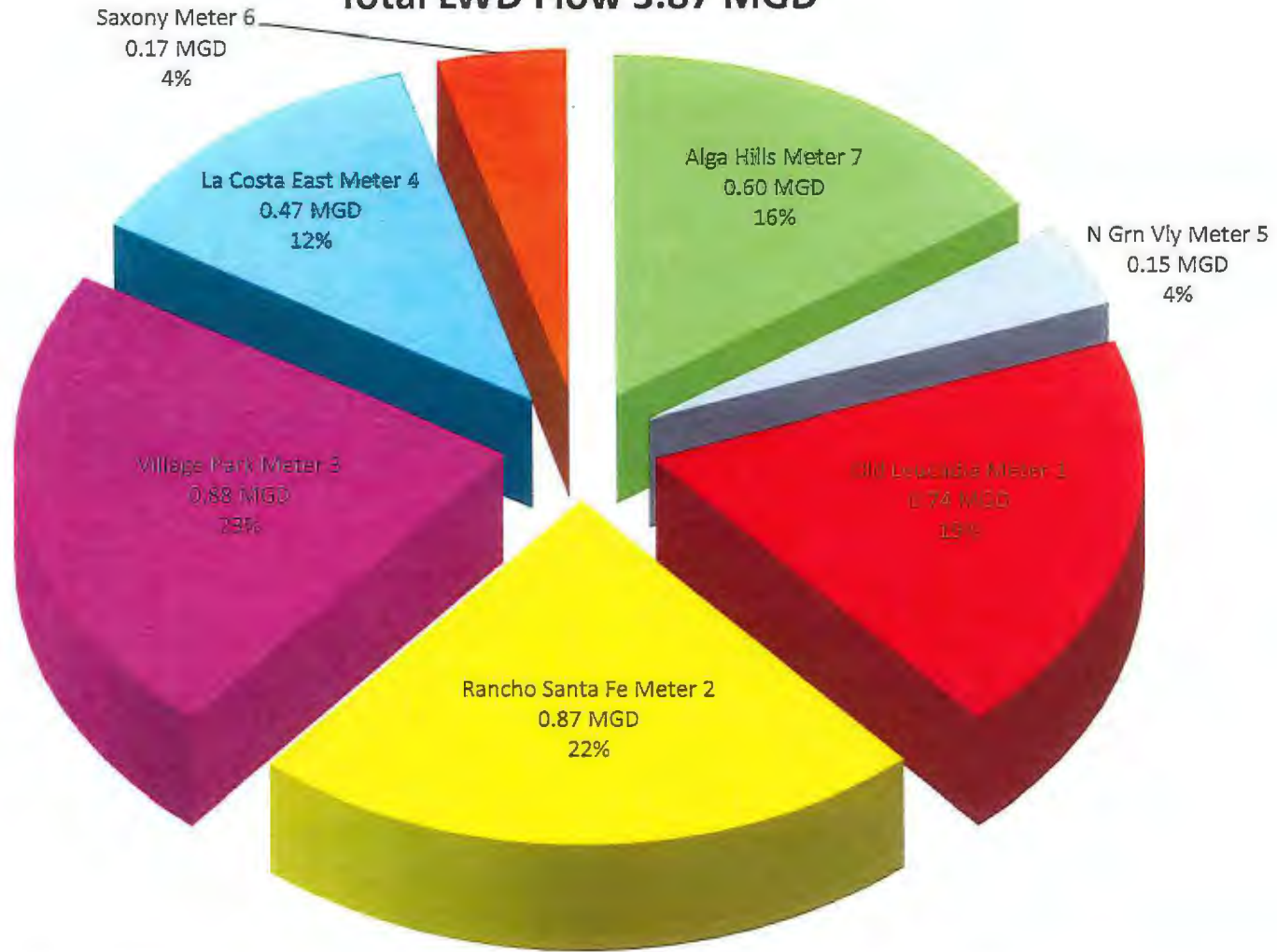
Payroll Date: May 1, 2019

<u>Check No.</u>	<u>Date</u>	<u>Amount</u>
21350 - 21354	5/1/2019	\$2,663.94

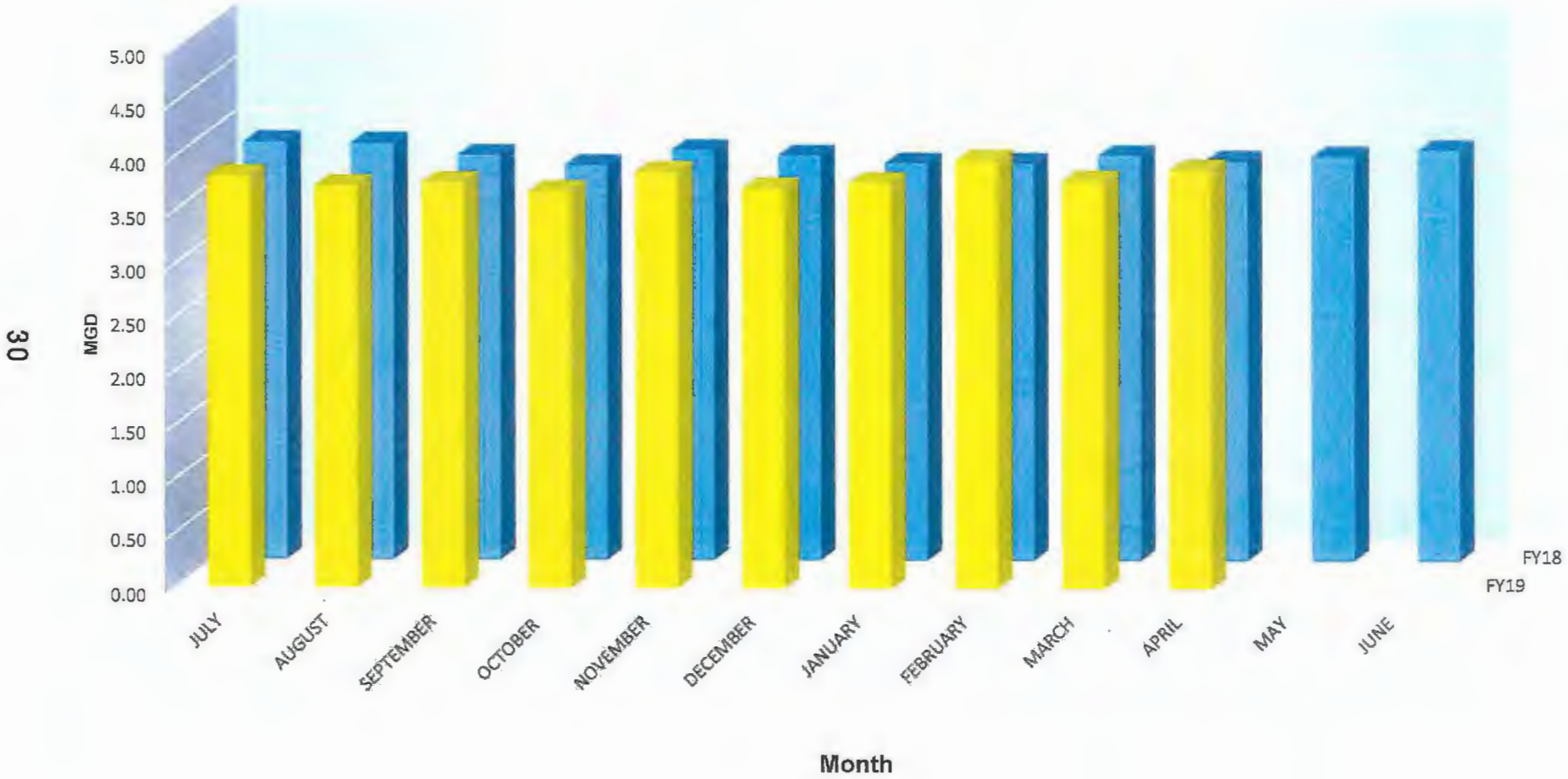
**LEUCADIA WASTEWATER DISTRICT
OPERATIONS REPORT
FISCAL YEAR 2019 (July 2018 - June 2019)**

CURRENT MONTH - February 2019							FY 2018
Period	Total Rain Inches	Total Flow MG	Added EDU's 28,561.74	LWD ADF (MGD)	GPD/EDU	RECLAIMED Total (ac-ft/mo)	LWD ADF (MGD)
JULY	0.03	118.42	1.00	3.82	134	52.17	3.88
YTD			28,562.74				
AUGUST	0.00	115.63	2.00	3.73	131	22.20	3.87
YTD			28,564.74				
SEPTEMBER	0.00	112.80	-8.70	3.76	132	35.10	3.76
YTD			28,556.04				
OCTOBER	0.38	114.08	3.30	3.68	129	36.33	3.67
YTD			28,559.34				
NOVEMBER	0.74	115.80	1.50	3.86	135	5.31	3.81
YTD			28,560.84				
DECEMBER	2.82	115.01	3.50	3.71	130	0.00	3.76
YTD			28,564.34				
JANUARY	2.94	116.56	15.00	3.76	132	0.00	3.69
YTD			28,579.34				
FEBRUARY	5.65	111.16	118.90	3.97	138	0.00	3.69
YTD			28,698.24				
MARCH	1.16	117.18	2.00	3.78	132	0.00	3.76
YTD			28,700.24				
APRIL	0.57	116.40	2.00	3.88	135	29.96	3.71
YTD			28,702.24				
MAY							3.75
YTD							
JUNE							3.81
YTD							
YTD Totals	14.29	1153.04	140.50			181.07	
Mo Average	1.43	115.30	14.05	3.80	132.67	18.11	3.76

**LWD Flows by Sub-Basin
April 2019
Total LWD Flow 3.87 MGD**

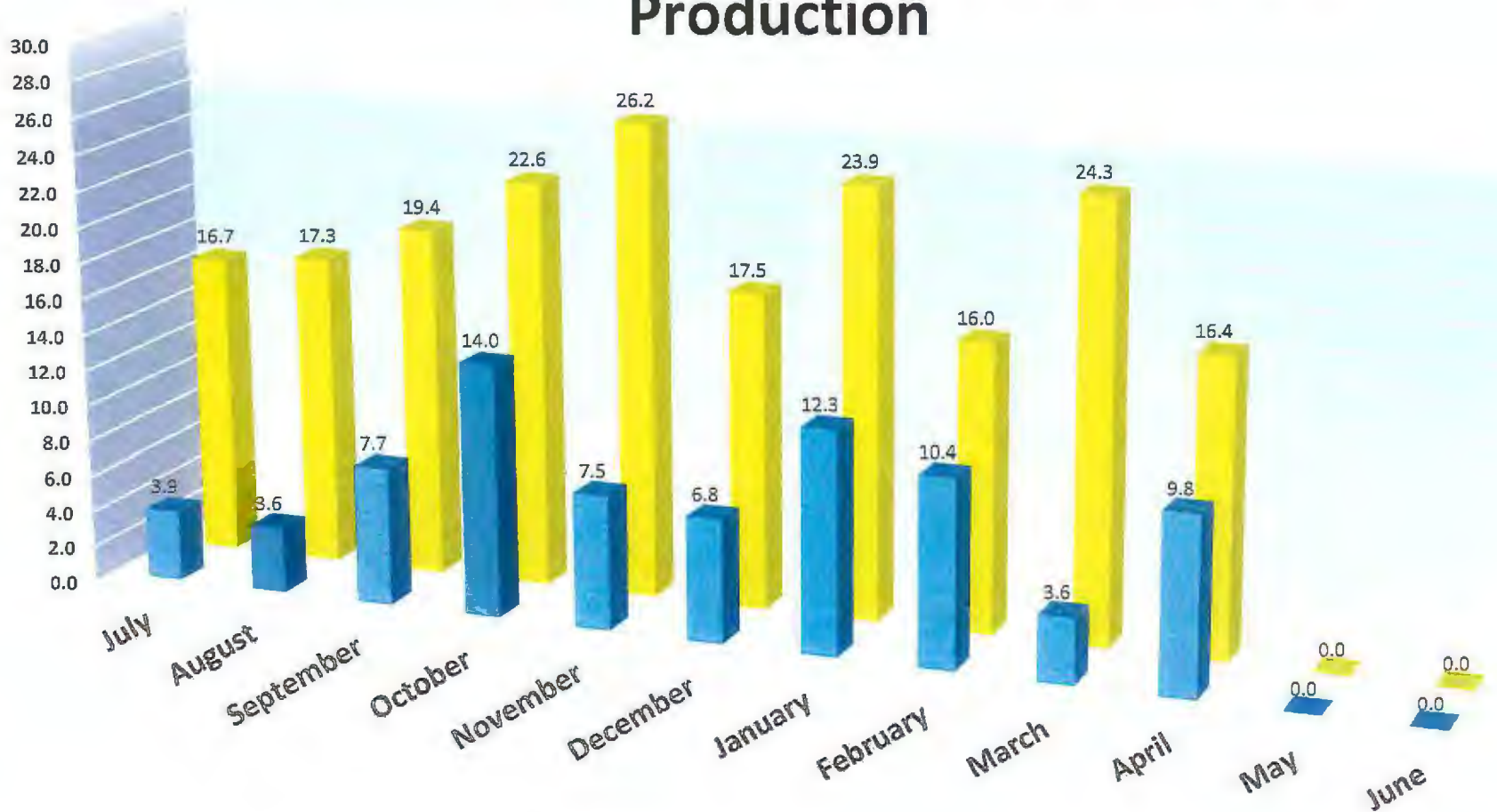


Leucadia Wastewater District Flow Comparison FY18 to FY19



FY-19 CCTV Inspections & Hydro Cleaning Production

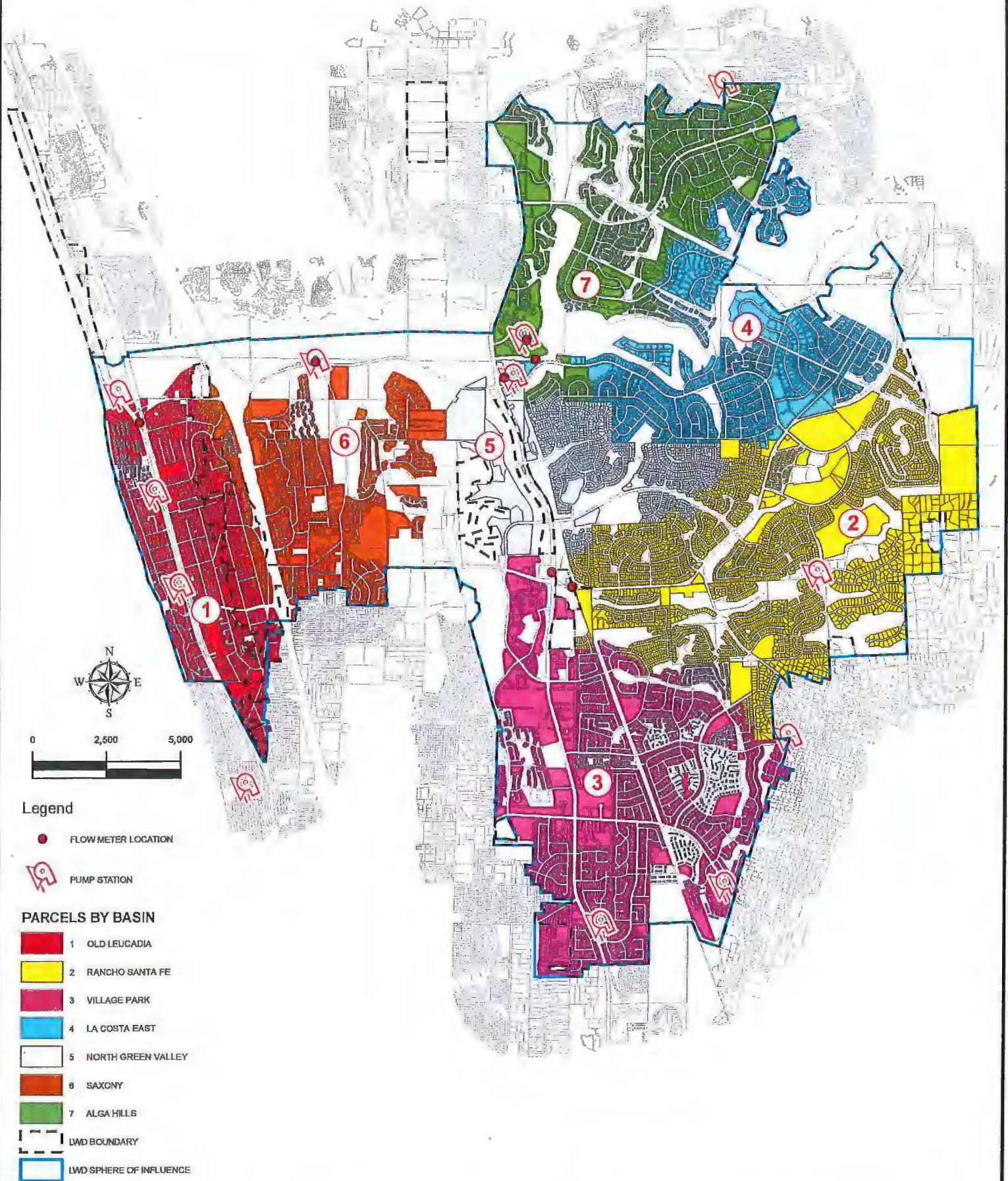
31



Monthly Target Mileage
 Hydro-Cleaning: 15 Miles/Month
 CCTV Inspections: 6.3 Miles/Month

- CCTV Inspections
- Total Hydro Cleaning

LEUCADIA WASTEWATER DISTRICT





LEADERS IN
ENVIRONMENTAL
PROTECTION

Operations and Administration Training Report April 2019

Training & Safety Events for the month April 2019

Hours

Description	Ops	Admin	Total
Collection System Maintenance Duties	5	0	5
Flagging / Traffic Control	41	0	41
NCTD Railroad training	0	4	4
Heat Illness	12	0	12
Total Training Hours	58	4	62

YTD Monthly Avg 49

YTD Totals 492

Conferences for the month of April 2019

Attendees

Description	Ops	Admin	Total
CWEA	4	0	4
Total Attended Conferences	4	0	4

Notes:

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



LEADERS IN
ENVIRONMENTAL
PROTECTION

Operations and Administration Training Report Summary for Fiscal Year 2019

Training		Hours	
Month	Ops	Admin	Total
Jul-18	55	0	55
Aug-18	35	3	38
Sep-18	27	0	27
Oct-18	54	10	64
Nov-18	13	6	19
Dec-18	35	12	47
Jan-19	83	32	115
Feb-19	46	12	58
Mar-19	7	0	7
Apr-19	58	4	62
May-19			
Jun-19			
YTD Totals	413	79	492
YTD Monthly Avg	41	8	49

Conferences		Attendees	
Month	Ops	Admin	Total
Jul-18	0	0	0
Aug-18	0	2	2
Sep-18	3	2	5
Oct-18	0	0	0
Nov-18	0	0	0
Dec-18	0	0	0
Jan-19	0	4	4
Feb-19	0	2	2
Mar-19	3	0	3
Apr-19	4	0	4
May-19	0	0	0
Jun-19			0
YTD Total	10	10	20
YTD Monthly Avg	1	1	2

Notes:

Trainings include web-based, classroom, and tailgates

Conferences include CASA, CWEA, CSDA, CSRMA, CSFMO

Leucadia Wastewater District

Balance Sheet

As of 4/30/2019

	Amount
Assets	
Cash & Investments	36,871,205.84
Accounts Receivables	203,778.54
Net OPEB Asset	123,127.00
Prepaid Expense	83,423.30
Funds held with Encina Wastewater Authority	2,041,200.00
Capital Assets	164,254,378.99
Less Accumulated Depreciation	(55,698,965.17)
Total Assets	147,878,148.50
Deferred Outflows	
PERS Pension Deferred Outflows	1,323,002.00
OPEB Health Deferred Outflows	21,235.00
Total Deferred Outflows	1,344,237.00
Total Assets & Deferred Outflows	149,222,385.50
Liabilities	
Accounts Payable & Accrued Expenses	1,647,440.92
Developer Deposits	125,710.93
Net Pension Liability	4,074,562.00
Total Liabilities	5,847,713.85
Deferred Inflows	
PERS Pension Deferred Inflows	348,638.00
OPEB Health Deferred Inflows	9,880.00
Total Deferred Inflows	358,518.00
Net Position	
Beginning Net Position (as of June 30, 2018)	
Investment in Capital Assets	108,555,413.82
Reserves	34,000,805.07
Total Beginning Net Position (as of June 30, 2018)	142,556,218.89
Current Change In Net Position	
Other	459,934.76
Total Current Change In Net Position	459,934.76
Total Net Position	143,016,153.65
Total Liabilities, Deferred Inflows & Net Position	149,222,385.50

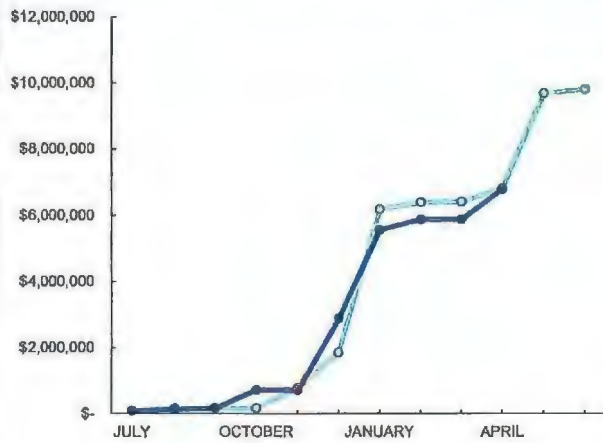
Leucadia Wastewater District
Statement of Revenues and Operating Expenditures
From 7/1/2018 Through 4/30/2019

	YTD Actual	Annual Budget	Remaining Budget	% Remaining
Revenue				
Sewer Service Fees	6,797,797.06	9,813,782.00	(3,015,984.94)	(30.73)%
Capacity Charges	658,007.70	381,675.00	276,332.70	72.40%
Recycled Water Sales	206,490.94	295,000.00	(88,509.06)	(30.00)%
Misc Operating Income	56,333.97	312,120.00	(255,786.03)	(81.95)%
Property Taxes	1,442,192.25	1,700,000.00	(257,807.75)	(15.17)%
Investment Income	558,348.89	489,000.00	69,348.89	14.18%
Misc Non-Operating Income	13,536.59	0.00	13,536.59	0.00%
Total Revenue	<u>9,732,707.40</u>	<u>12,991,577.00</u>	<u>(3,258,869.60)</u>	<u>(25.08)%</u>
Total Revenue	<u>9,732,707.40</u>	<u>12,991,577.00</u>	<u>(3,258,869.60)</u>	<u>(25.08)%</u>
Expenses				
Salaries	1,590,660.72	1,924,859.00	334,198.28	17.36%
Benefits	831,046.79	1,064,235.00	233,188.21	21.91%
Directors Expense	91,777.03	144,800.00	53,022.97	36.62%
Election Expense	402.76	30,000.00	29,597.24	98.66%
Gasoline, Oil & Fuel	31,168.65	41,000.00	9,831.35	23.98%
Insurance	88,076.98	114,500.00	26,423.02	23.08%
Memberships	29,758.44	29,400.00	(358.44)	(1.22)%
Office Expense	137,806.51	155,600.00	17,793.49	11.44%
Operating Supplies	161,696.88	189,500.00	27,803.12	14.67%
Professional Services	294,583.28	449,300.00	154,716.72	34.44%
Printing & Publishing	22,524.26	29,500.00	6,975.74	23.65%
Rents & Leases	16,618.33	17,400.00	781.67	4.49%
Repairs & Maintenance	315,066.58	486,600.00	171,533.42	35.25%
Monitoring & Permitting	51,728.45	59,900.00	8,171.55	13.64%
Training & Development	34,431.07	47,000.00	12,568.93	26.74%
Utilities	340,732.89	432,600.00	91,867.11	21.24%
LAFCO	7,517.38	7,500.00	(17.38)	(0.23)%
Encina Treatment Expense	1,324,752.91	1,887,300.00	562,547.09	29.81%
Allocated Overhead	(112,422.84)	(159,684.00)	(47,261.16)	29.60%
Total Expenses	<u>5,257,927.07</u>	<u>6,951,310.00</u>	<u>1,693,382.93</u>	<u>24.36%</u>
Total Expenditures	<u>5,257,927.07</u>	<u>6,951,310.00</u>	<u>1,693,382.93</u>	<u>24.36%</u>
Revenue over Expenditures	<u>4,474,780.33</u>	<u>6,040,267.00</u>	<u>(1,565,486.67)</u>	<u>(25.92)%</u>

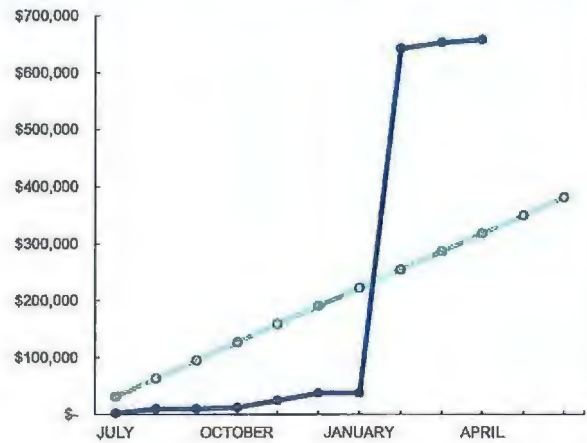
Leucadia Wastewater District Revenue FY2019

YTD through April 30, 2019

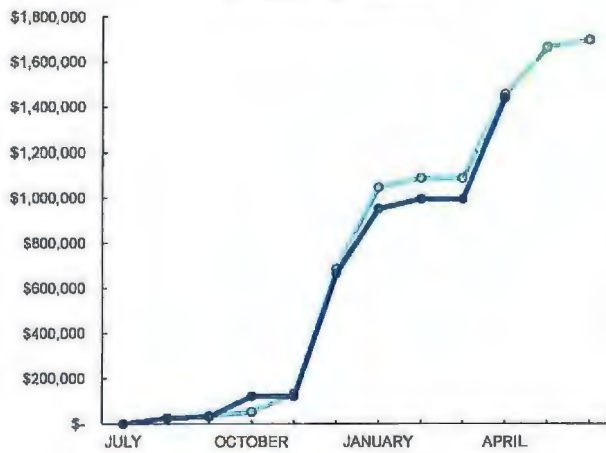
Sewer Service Fees



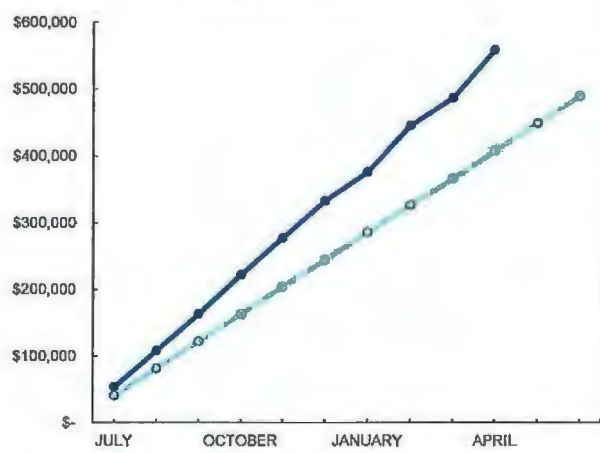
Capacity Charges



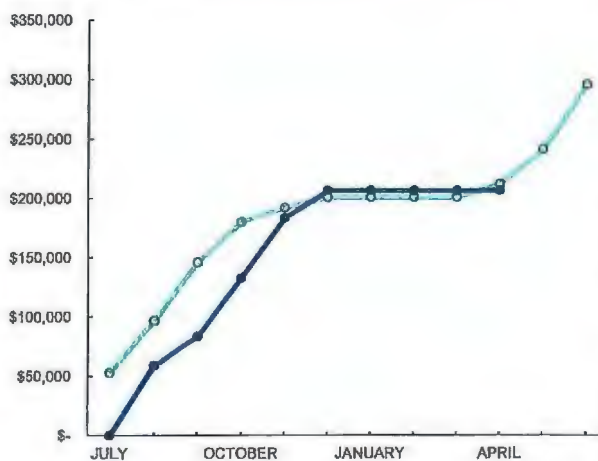
Property Taxes



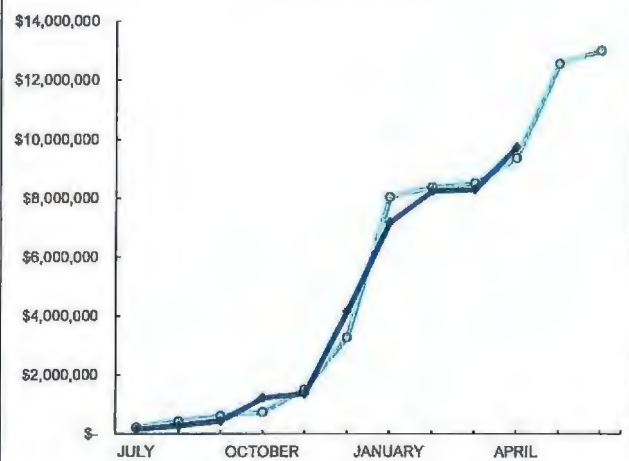
Investment Income



Recycled Wastewater Sales



Total Revenue



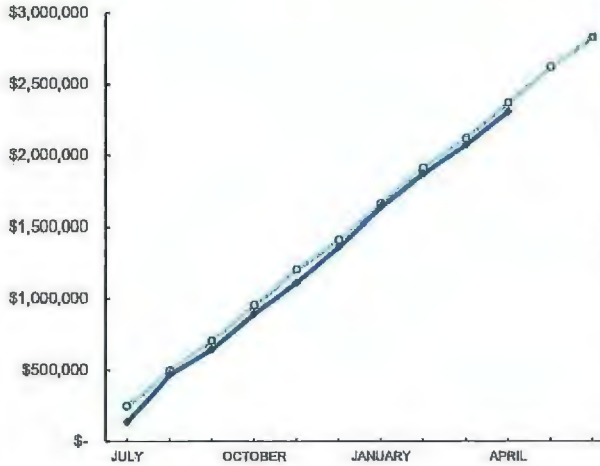
○ Budget
 ● Actual

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

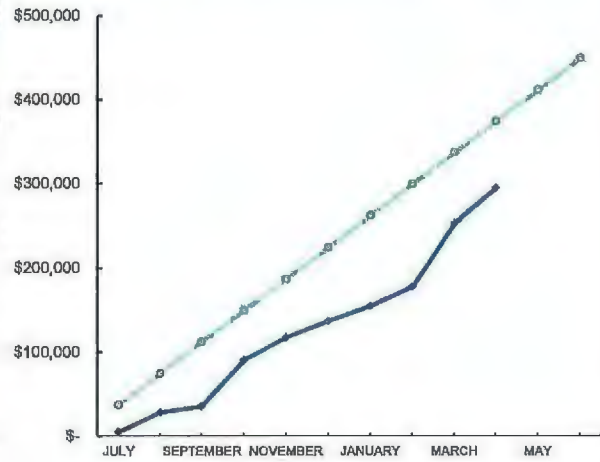
Leucadia Wastewater District Operating Expenses FY2019

YTD through April 30, 2019

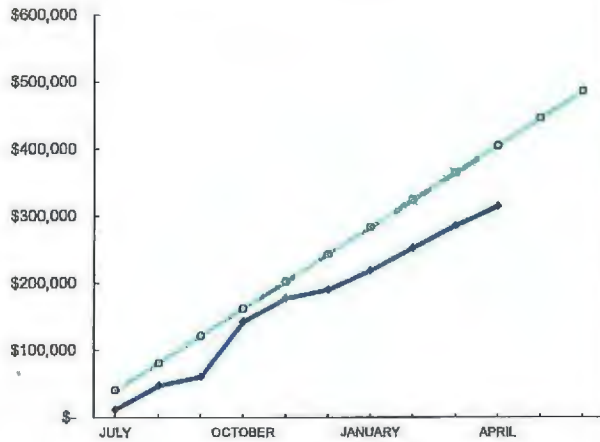
Salaries and Benefits



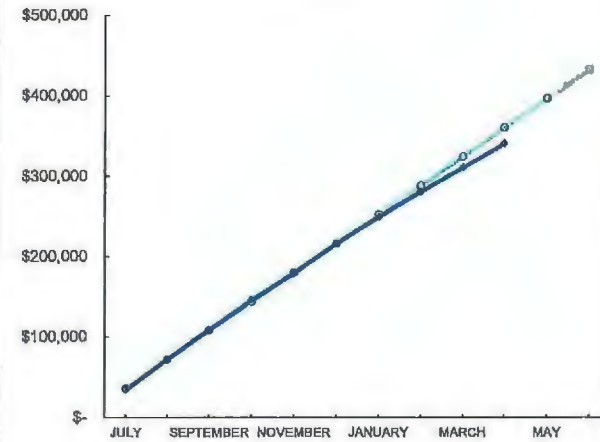
Professional Services



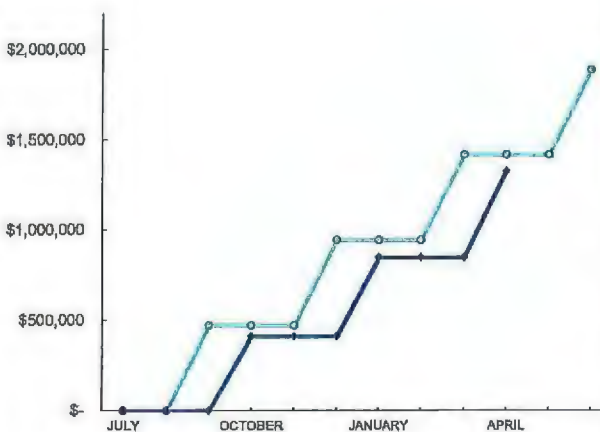
Repairs & Maintenance



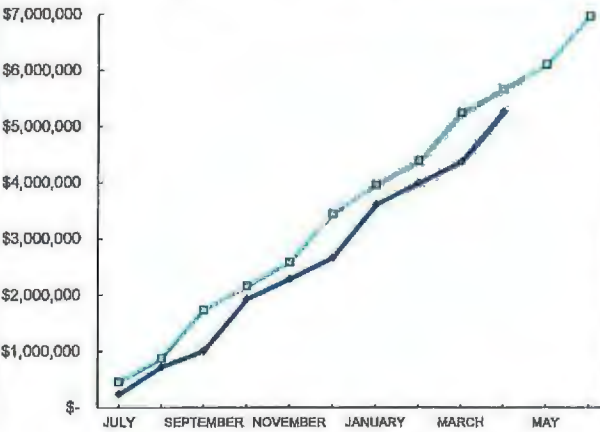
Utilities



Encina M&O



Total Operating Expenses -
Before Depreciation & Replacement



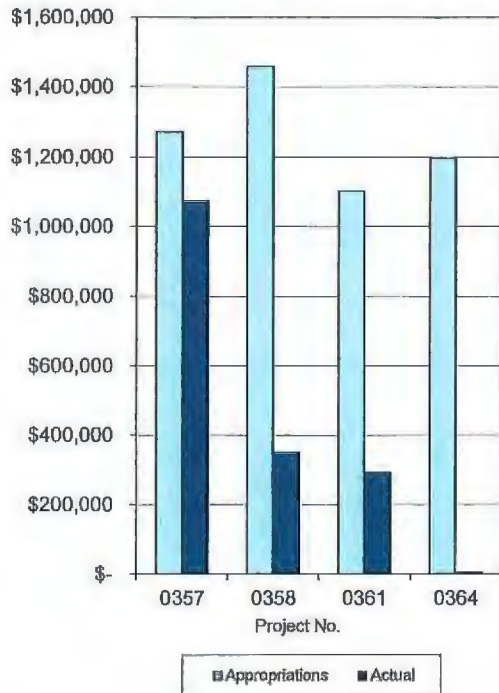
■ Budget ■ Actual

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

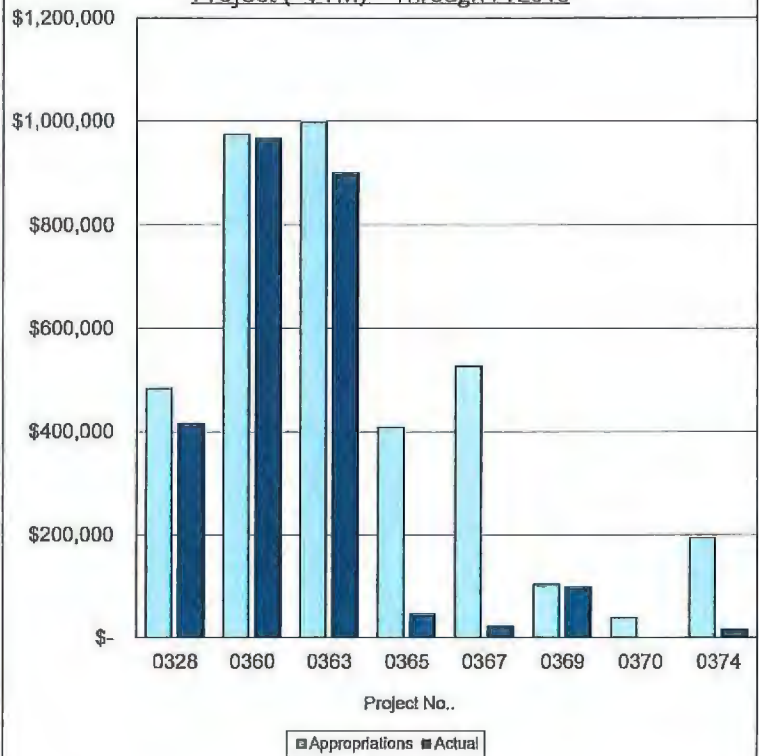
Leucadia Wastewater District Capital Expenditures

As of April 30, 2019

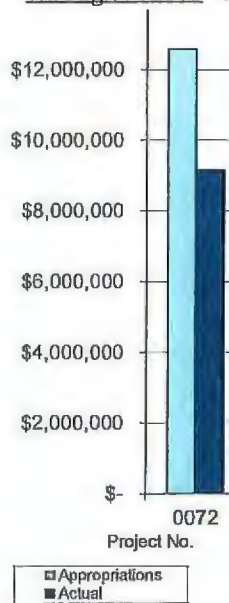
**District Multi Year Capital Expenditures
by Project
(>\$1M) Through FY2018**



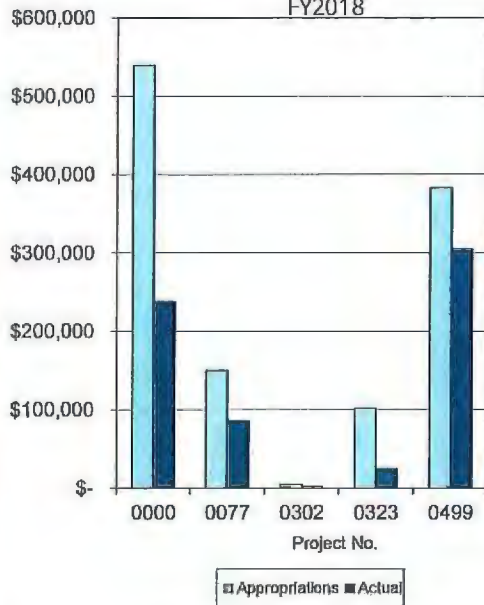
**District Multi Year Capital Expenditures by
Project (<\$1M) Through FY2018**



**District's Share of
Encina WPCF
Capital Exp
Through FY2018**



**Single Year Capital Expenditures by
Project
FY2018**



Project Legend

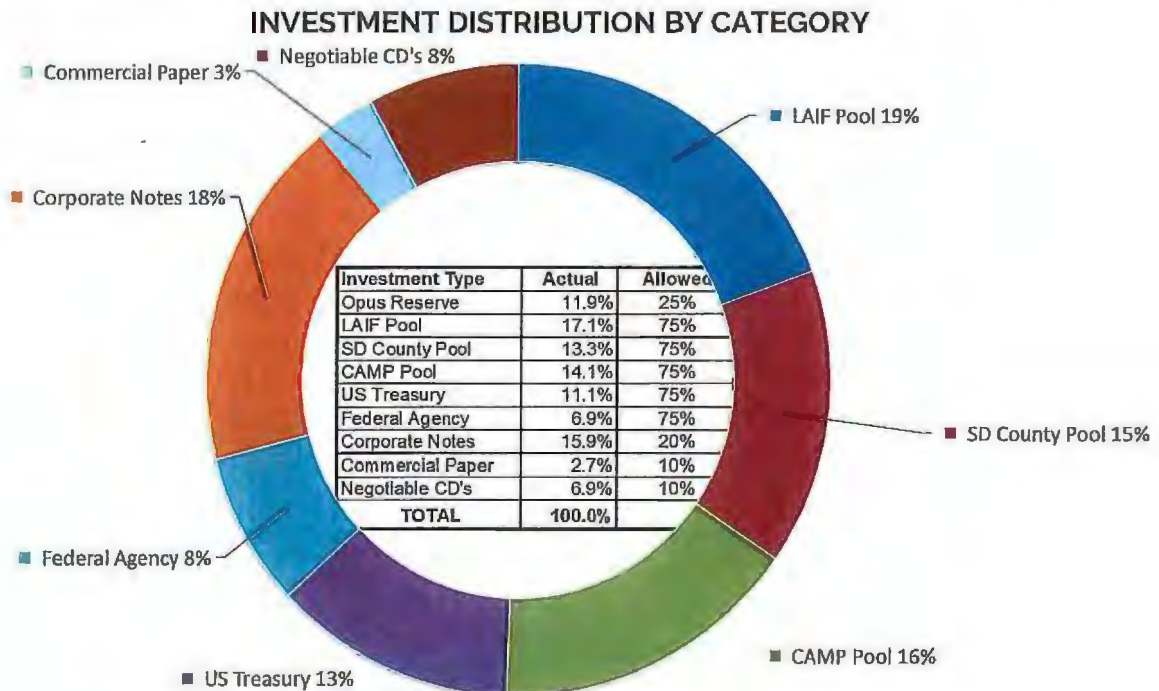
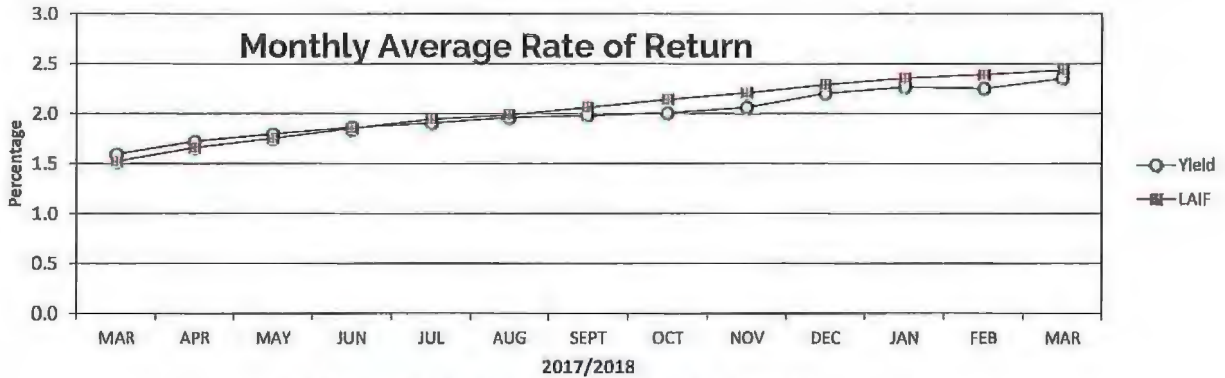
Multi-Year Capital Projects	No.
Encina Joint Facility Capital Projects	0072
North SD Water Reuse Coalition Project	0328
La Costa Golf Course Gravity Line Improv	0357
Leucadia Pump Station Rehabilitation	0358
Gafner AWT Improvements	0360
Poinsettia Station Gravity Pipeline Rehab	0361
FY2018 Gravity Pipeline Rehabilitation	0363
Encinitas Estates Pump Station Replcmnt	0364
Orchard Wood Rd Sewer Rehab	0365
B1 Force Main - North Section Replcmnt	0367
HQ Electric Meter Installation	0369
Pump Station Assessment	0370
Bat FM (B3) Discharge Section Replacemc	0374

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

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

LEUCADIA WASTEWATER DISTRICT
Monthly Investment Summary
March 31, 2019

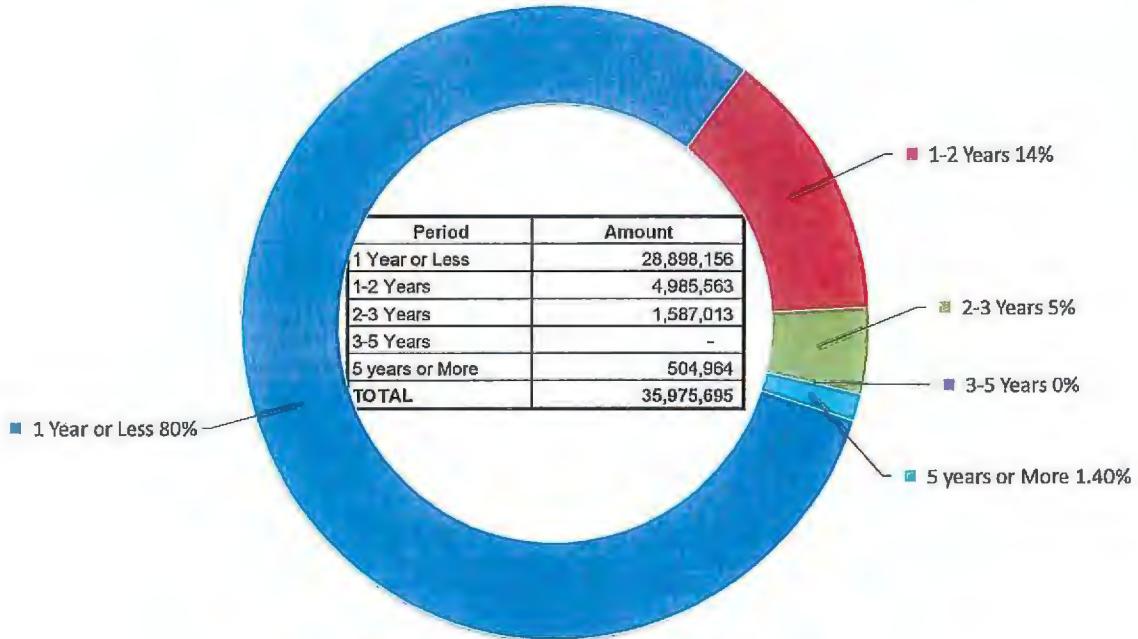
Cash Equivalents & Investments	Principal (Original Cost)		March Interest	Average Rate
	Feb 28, 2019	Mar 31, 2019		
Opus Bank Reserve	\$ 4,601,874	\$ 4,272,483	\$ 8,609	2.480%
LAIF Pool	6,157,671	6,157,671	\$ 12,500	2.436%
SD County Pool	4,794,350	- 4,794,350	9,545	2.389%
CAMP Pool	4,668,198	5,059,364	11,597	2.610%
CAMP Portfolio				
US Treasury Notes	3,992,719	3,992,719	6,151	1.850%
Federal Agency Mortgage-Backed Securities	5,024	4,984	31	7.370%
Federal Agency Notes	2,480,465	2,480,465	4,616	2.240%
Corporate Bonds/Notes	5,611,126	5,730,026	10,520	2.370%
Commerical Paper	1,478,424	983,751	2,293	2.630%
Negotiable CD's	2,499,883	2,499,883	4,993	2.400%
Total Camp Portfolio	16,067,641	15,691,827	28,603	2.240%
Totals	\$ 36,289,734	\$ 35,975,695	\$ 70,854	2.353%



LEUCADIA WASTEWATER DISTRICT
Monthly Investment Summary
March 31, 2019

(Continued)

REMAINING MATURITY



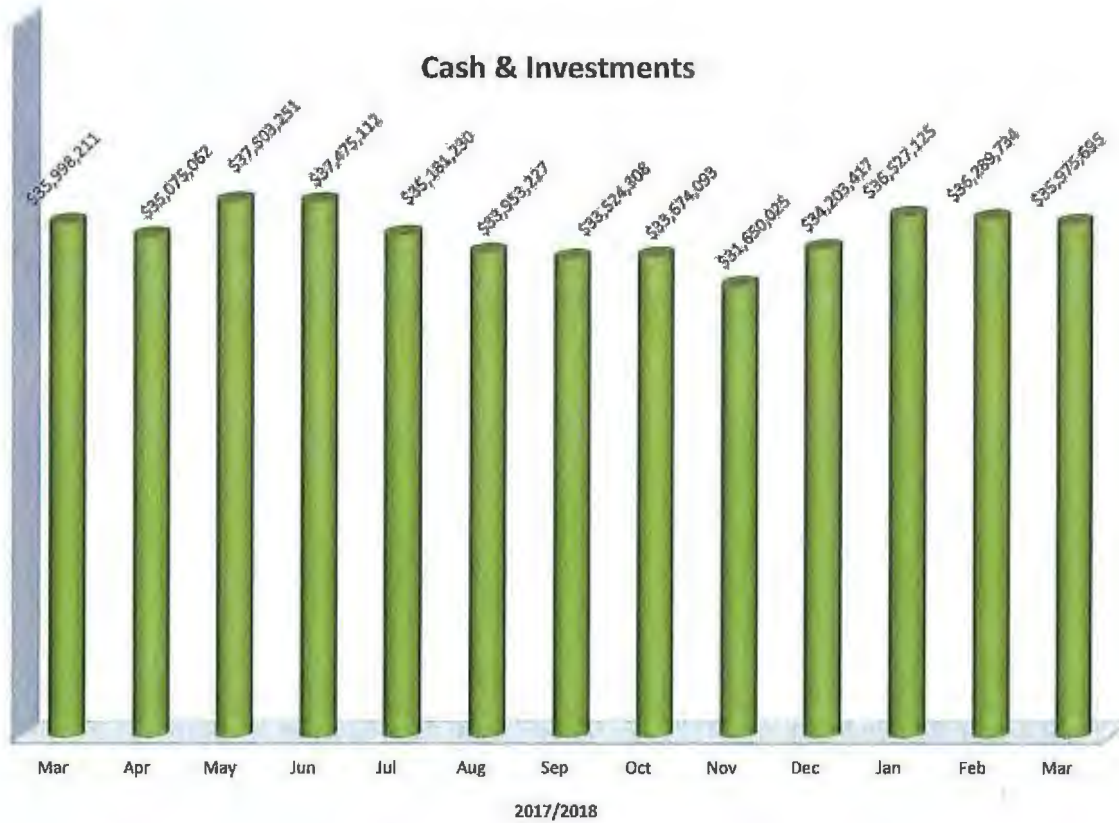
INVESTMENT RATINGS



(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
March 31, 2019

(Continued)



INVESTMENT TRANSACTIONS
For the months of March, 2019


Investment	Purchases	Maturities	Sales	Notes	YTM at Cost
GNMA MBS 30-yr Pool		\$ 31		(3)	7.37%
Chevron Corp Global Notes		\$ 300,000			1.78%
US Bancorp Corporate Notes (Callable)		\$ 350,000			1.33%
Morgan Stanley Corp Notes	\$ 247,810				2.93%
Bank of NY Mellon Corp Notes (Callable)	\$ 246,200				2.79%
Branch Banking & Trust Corp Notes	\$ 303,561				2.69%
Natizis NY Branch Commercial Paper		\$ 500,000			2.57%
TOTAL	\$ 797,571	\$ 1,150,031	\$ -		

(3) Monthly principal payments from mortgage pool

Investment transactions above do not include transfers between checking a/c's and cash equivalents (pools)

MEMORANDUM

Ref: 19-6623

DATE: May 2, 2019
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: LWD QUARTERLY TREASURER'S INVESTMENT REPORT

RECOMMENDATION:

Staff requests that the Board of Directors:

1. Receive and file LWD's Quarterly Treasurer's Investment Report

DISCUSSION:

In accordance with California Government Code Section #53646 LWD is encouraged to render the Quarterly Treasurer's Investment Report to the Board of Directors for its consideration. For your convenience, staff has developed a one-page summary of LWD's investments for the quarter ending March 31, 2019 (see attached). A copy of the full Quarterly Treasurer's Investment Reports has been enclosed for your review.

rad:PJB

Attachment

LEUCADIA WASTEWATER DISTRICT

QUARTERLY TREASURER'S REPORT SUMMARY


3-31-19

SUMMARY OF CASH & INVESTMENTS at March 31, 2019				
SEE QUARTERLY TREASURER'S REPORT FOR DETAILS				
ASSETS	AMORTIZED COST 3/31/2019	% OF TOTAL		MARKET VALUE 3/31/2019
		Actual	Allowed	
CASH IN BANK (Checking/Reserve Accounts)	\$ 4,408,163	12.2%	25%	\$ 4,408,163
LAIF - STATE INVESTMENT POOL	\$ 6,157,671	17.0%	75%	\$ 6,158,576
SAN DIEGO COUNTY INVESTMENT POOL	\$ 4,794,350	13.3%	75%	\$ 4,764,000
CAMP - JPA INVESTMENT POOL	\$ 5,059,364	14.0%	75%	\$ 5,059,364
CAMP PORTFOLIO - US BANK Safekeeping				
Federal Agency Securities				
GNMA Pools	\$ 4,921			\$ 4,864
FNMA Benchmark & Global Notes	\$ 1,495,131			\$ 1,494,294
FHLMC Notes	\$ 994,373			\$ 992,219
Total Federal Agency Securities	\$ 2,494,425	6.9%	75%	\$ 2,491,377
US Treasury Bonds/Notes	\$ 3,996,705	11.1%	75%	\$ 3,989,286
Corporate Notes	\$ 5,736,337	15.9%	20%	\$ 5,732,455
Corporate Notes	\$ 997,288	2.8%	10%	\$ 997,129
Negotiable Certificates of Deposit	\$ 2,499,980	6.9%	10%	\$ 2,498,146
TOTAL CAMP PORTFOLIO	\$ 15,724,735	36.6%		\$ 15,708,393
TOTAL CASH & INVESTMENTS	\$ 36,144,283	100.0%		\$ 36,098,496

As of March 31, 2019		QUARTERLY RESULTS			
Cash & Investments	Avg Days to Maturity	Change in Cash & Inv	Interest Earned	Average Return	LAIF Benchmark
\$36.1M	137	\$1.8M	\$205K	2.29%	2.39%

MEMORANDUM

Ref: 19-6620

DATE: May 2, 2019
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: April 2019 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 April 2019.

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 April 2019 for your review.

tb:PJB

Attachment

Leucadia Wastewater District
Disclosure of Reimbursements Report
April 1-30, 2019

Conference Date	Description	Director J. Hanson	Director E. Sullivan	Director D. Omsted	Director D. Kulchin	Director A. Juliussen	GM P. Bushee	ASM R. Duffey	Fssup M. Gonzalez	FSS J. Stecker
2019 CWEA Conference April 9-12, 2019 Palm Springs, CA	2019 CWEA Annual Conference									
	Registration	580.00	580.00	580.00					630.00	630.00
	Hotel	525.45	525.45	525.45					683.81	683.81
	Airfare									
	Meals	89.86	118.32	15.59					187.98	81.69
	Rental Car									
	Parking		81.00							81.01
	Tips/Baggage	13.00	21.00							
	Fuel/mileage/taxi/uber	140.94	162.40	5.80						
Total	1,349.25	1,488.17	1,126.84	0.00	0.00	0.00	0.00	1,501.79	1,476.51	
	Registration									
	Hotel									
	Airfare									
	Meals									
	Baggage									
	Parking									
	Tips									
	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									
	Rental Car									
	Parking									
	Tips									
	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									
	Rental Car									
	Parking									
	Tips									
	Fuel/mileage/taxi/uber									
	Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Notes:
-DO drove to JH house and JH drove to conference
-JS and MG drove District vehicle to conference

Encina Wastewater Authority Report
Regular Board Meeting
April 24, 2019

EWA Board of Directors - Director Sullivan Reporting

1. Adoption of Fiscal Year 2020 (FY20) Pension Funding Policy, Operating and Capital Budgets

The Board of Directors adopted the FY20 proposed CalPERS Pension Funding Policy Budget, the FY20 proposed Operations, Maintenance, and Administration Budget and the FY20 proposed Capital Improvement Program Budget and forwarded the recommended budgets to the Joint Advisory Committee.

Joint Advisory Committee

2. Adoption of FY20 Pension Policy, Operating and Capital Budgets

The Joint Advisory Committee adopted the CalPERS Pension Funding Policy Budget, the FY20 recommended Operations, Maintenance, and Administration Budget and the Capital Improvement Program Budget and forwarded the recommended budgets to the Boards and Councils of the Member Agencies.

There was no Executive Session.

Engineering Committee Meeting Report

Presented by Vice President Juliussen

Meeting held May 1, 2019

The Engineering Committee (EC) reviewed the following recommendations:

- Adopt Resolution No. 2315 revising Leucadia Wastewater District's Standard Specifications and Procedures for Wastewater Facility Projects;
- Adopt Resolution No. 2316 delegating authority for acceptance of sewer facilities and interests in real property to the General Manager; and
- Adopt Ordinance No. 139 - an update of the Leucadia Wastewater District's Wastewater Ordinance.

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

MEMORANDUM

DATE: May 2, 2019
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: **Public Hearing on a Proposal to Adopt an Update to the Leucadia Wastewater District Wastewater Ordinance**

DISCUSSION:

The purpose of this public hearing is to allow the Leucadia Wastewater District (District) Board of Directors to receive and consider public comment on the following:

- A proposal to adopt an updated District Wastewater Ordinance to includes additional enforcement procedures for collection of unpaid fines along with minor clarifying changes.

The notice of this public hearing was posted at LWD beginning May 2, 2019. It will also be published in the San Diego Union Tribune on May 3, 2019.

ier:PB

MEMORANDUM

DATE: May 2, 2019
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: **Revision of Leucadia Water District Standard Specifications and Procedures for Wastewater Facility Projects**

RECOMMENDATION:

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

1. Adopt Resolution No. 2315 revising Leucadia Wastewater District's Standard Specifications and Procedures for Wastewater Facility Projects.
2. Adopt Resolution No. 2316 delegating authority for acceptance of sewer facilities and interests in real property to the General Manager.
3. Discuss and take other action, as appropriate.

DISCUSSION:**Tactical Goal: Services / Update LWD Standard Specifications**

These items were reviewed by the EC at its May 1st meeting and the EC concurred with staff to present these items for the Board's consideration.

The Leucadia Wastewater District (District) adopted its current Standard Specifications (Standard Spec) in June 2016. The Standard Spec, originally issued in November 2006, has previously undergone three revisions to ensure that it is current and appropriately documents District requirements. The Standard Spec is a comprehensive document that lays out the administrative and technical procedures for private parties to connect to the District's public sewer system. It has been a valuable tool for staff and developers because it establishes the parameters for collection system procedures, planning and design. Additionally, maintaining up-to-date Design and Performance Provisions are a mandated element of the Sewer System Management Plan (SSMP) required by the Statewide Waste Discharge Requirements (WDR).

As regulations change and District procedures become more refined over time, staff believes it is prudent to periodically revise the Standard Spec. Accordingly, staff has been in the process of updating the Standard Spec over the past year and included its update as a Fiscal Year 2019 Tactical Goal.

The District Engineer, General Counsel, and staff have spent a considerable amount of time reviewing and revising the Standard Spec to reflect current conditions. Although the update is comprehensive, key revisions can be summarized as follows:

1. Includes the 2018 version of the "Greenbook" (Standard Specifications for Public Works Construction) as the base reference document for construction of District sewers.
2. Legal review and update of Development processing procedures and all Standard Agreements and related documents in the Appendices of the Standard Spec.
3. Update of the Standard Notes and Standard Drawings.
4. Define processes and fees for Accessory Dwelling Unit connections and Underground Structure Drain connections.
5. A review of the District's Sewer Ordinance was conducted in conjunction with the Standard Spec update.
6. A more detailed list of the principle changes and updates to the Standard Spec is attached for your information.

It should be noted that during the process, staff realized that it would be prudent to develop a separate resolution, Resolution No. 2316 (Res No. 2316), that delegates authority for acceptance of sewer facilities and interests in real property to the General Manager. In the past, this authority was granted with the resolution adopting the Standard Spec. However, having separate resolutions allows for updates to the Standard Spec to occur without affecting the General Manager's authority to accept sewer facilities and interests in real property.

District Engineer Dexter Wilson or a representative from his firm will present an overview of the revised and updated Standard Spec at the meeting. As the Greenbook was updated and republished in 2018, there has been a thorough review and update of the LWD Standard Spec. Therefore, staff is recommending that the 2019 Standard Specifications be adopted as presented.

Resolution Nos. 2315 & 2316 are attached for your review. A copy of the Standard Spec is available upon request.

FISCAL IMPACT:

There is no direct fiscal impact associated with this recommendation. All privately constructed wastewater facilities are funded by the subject private party.

dsw:PJB

Attachment

LWD Standard Specifications, May 2019 - Changes and Updates

Division 1 - Sewer System Procedures, Planning, and Design

Part 1 Preparation and Processing of Wastewater Facility Projects by Developers

- 1 Defined High, Low, and Limited Food Services Establishments and clarified the grease protection requirements for each.
- 2 Added a requirement for large developments to perform or finance the performance of a sewer study to assess the impact on the public sewer system.
- 3 Clarified the requirements for a lateral connection or similar small project versus a public sewer improvement project.
- 4 Added a section to define the process and fees for Accessory Dwelling Unit connections.
- 5 Added a section to define the process and fees for Underground Structure Drain connections.

Part 2 Sewer System Planning Guidelines

- 1 Updated flow peaking factor table to be more applicable for typical LWD projects.
- 2 Clarified the use of gravity grease interceptors versus hydromechanical grease interceptors.
- 3 Removed requirements for public pump stations. The requirements will instead be addressed during pump station design.
- 4 Added a requirement for accessory dwelling units to have a separate lateral from the main residence unless the project meets basic criteria.

Part 3 Sewer System Design

- 1 Added requirements for terminal manholes.
- 2 Clarified the requirements for manhole lining particularly for new manhole bases.
- 3 Update the requirements for manhole riser rings to match field conditions.
- 4 Removed dead end cleanouts at the request of the field staff.
- 5 Clarified when a Type I versus a Type II connection is allowed.
- 6 For Type II connections, clarified the repair coupling for VCP to PVC connections.
- 7 Added additional sewer bypass requirements for lateral connections.
- 8 Updated the design requirements for private pump stations to help prevent odors.
- 9 Added design requirements for underground structure drain connections.
- 10 Removed design requirements for public pump stations and force mains. The requirements will instead be addressed during pump station design.

Division 2 - Sewer System Standard Technical Specifications (Greenbook Modifications)

Part 1 General Provisions

- 1 Updated section order and numbering to match 2018 Greenbook.
- 2 Added additional detail for sewer bypass.

Part 2 Construction Materials

- 1 Updated lateral connections and manhole lining to match Division 1.

Part 3 Construction Methods

- 1 Updated lateral connections and manhole lining to match Division 1
- 2 Removed design requirements for public pump stations and force mains. The requirements will instead be addressed during pump station design.

Part 4 Utilities

- 1 Added Part 4 to address substantially changed Greenbook section.
- 2 Clarified the process for the removal of abandoned sewer.
- 3 Update the requirements for manhole riser rings to match Division 1.

Part 5 System Rehabilitation

- 1 Updated manhole lining to match Division 1.

Part 8 Landscaping and Irrigation

- 1 Added Part 8 to address tree planting near public sewers.

Division 2 - Standard Notes and Drawings

- GN, LN, & PN Added protection notes for minor projects and to protect LWD facilities in the vicinity of construction work.
- S-5 Added cleanout to drop manhole.
- S-8 & S-9 Removed standard dead end cleanouts.
- S-22 Updated to better match the Districts GIS system.
- S-25 Added clarification for cleanout finishing in paved versus unpaved areas.
- S-29 Updated to better illustrate raising manholes to grade after overlays.
- S-30 Updated to better illustrate finished product in the field.
- S-31 Updated to remove dead end cleanouts.
- S-32 Updated to prefer Type II connections and better define bypassing requirements.
- S-33 Updated to match Division 1 requirements.
- S-34 Added to clarify private pump station connections to the LWD system.

Appendix

- P Added Sewer Permit Supplement for Underground Structure Drain Connections
- Z Added Sewer Permit Supplement for Accessory Dwelling Units

RESOLUTION NO. 2315

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LEUCADIA WASTEWATER DISTRICT
REVISING THE STANDARD SPECIFICATIONS AND PROCEDURES FOR THE
WASTEWATER FACILITY PROJECTS**

WHEREAS, the Board of Directors of the Leucadia Wastewater District (LWD) desire to provide requirements and guidelines in the form of standard specifications for the processing of wastewater facility improvement plans and for the materials and methods of construction of such facilities;

WHEREAS, it is in the public interest to provide standard requirements to provide the public and LWD with well defined, concise, and understandable procedures for the processing of sewer improvement projects which, upon approval and acceptance by LWD will be owned and operated by LWD on behalf of District customers;

WHEREAS, Leucadia Wastewater District (LWD) Resolution No. 2278, approved on June 8, 2016 adopted standard specifications for the processing of privately constructed wastewater facilities; and

WHEREAS, LWD has completed a review of its standard specifications and determined that updates and changes are required;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LEUCADIA WASTEWATER DISTRICT AS FOLLOWS:

1. The Board of Directors of the Leucadia Wastewater District does hereby rescind Resolution No. 2278 and adopts in its place and stead the Standard Specifications for the Design and Construction of Privately Constructed Wastewater Facilities attached hereto as Exhibit A;

PASSED AND ADOPTED by the Board of Directors at a meeting of the Leucadia Wastewater District held May 8th, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Kulchin, President

Resolution No. 2315
May 8, 2019
Page 2

ATTEST:

Paul J. Bushee, Secretary/Manager

(SEAL)

RESOLUTION NO. 2316

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LEUCADIA WASTEWATER DISTRICT
AUTHORIZING THE GENERAL MANAGER TO ACCEPT
SEWER FACILITIES AND INTERESTS IN REAL PROPERTY**

WHEREAS, the District accepts ownership of privately constructed sewer facilities and interests in real property, such as easements, from time to time;

WHEREAS, the Board of Directors wishes to delegate authority for acceptance of sewer facilities and interests in real property to the General Manager,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LEUCADIA WASTEWATER DISTRICT AS FOLLOWS:

1. The District General Manager is authorized to accept on behalf of the District: i) approved dedicated sewer facilities and ii) interests in real property, including easements and/or rights of way necessary for new sewer facilities or other District purposes.

2. At the discretion of the General Manager, acceptance of said sewer facilities and/or real property interests may be referred to the Board of Directors for approval.

PASSED AND ADOPTED by the Board of Directors at a meeting of the Leucadia Wastewater District held May 8th, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Kulchin, President

ATTEST:

Paul J. Bushee, Secretary /Manager

(SEAL)

MEMORANDUM

Ref: 19-6638

DATE: May 2, 2019
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: **Ordinance No. 139 - Adopting the Update to the Leucadia Wastewater District's Wastewater Ordinance**

RECOMMENDATION:

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

1. Adopt Ordinance No. 139 - an update of the Leucadia Wastewater District's Wastewater Ordinance.
2. Discuss and take other action, as appropriate.

DISCUSSION:

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

District staff completed an update of the Standard Specifications and Procedures for Wastewater Facility Projects (Standard Spec). During the update, it became apparent that a simultaneous update to the District's Wastewater Ordinance was necessary. The Wastewater Ordinance defines collection system rules and regulations, authorizes sewer use, protects District sewer facilities, and ensures compliance with regulations that govern sewer operations. Additionally, the State Sanitary Sewer Waste Discharge Requirements requires agencies that operate sewer collection systems to adopt ordinances that provide clear legal authority to enforce compliance with regulations to prevent Sanitary Sewer Overflows (SSO). The Wastewater Ordinance is designed to satisfy all of these requirements and is periodically updated to be current, relevant and effective.

The adoption of the current Ordinance 136 (Ord 136) in July of 2017 introduced a new administrative citation process which allows the District to impose fines on ordinance violators. Since the implementation of the administrative citation process, District staff has realized that enforcement requires additional specific procedures in the ordinance.

A recent enforcement action highlighted this fact:

During a wet weather occurrence last year, District staff discovered a property that was illegally discharging storm water runoff into the District's collection system. This was a direct violation of Ord 136. Since the violation was a first-time occurrence, the property owner was issued a verbal warning by District staff. Within a year of the verbal warning, District staff discovered a second violation of the exact same nature at the property. Because this was the second violation, the District issued a Notice and Order to the property owner with an administrative fine of \$2,500. The property owner requested an Administrative Hearing. As a result of the hearing, the Hearing Officer reduced the fine to half of the original amount or \$1,250. The property owner has failed to pay the fine.

When non-payment of the fine occurred, Ord 136 did not have clear procedures or options to enforce payment of fines. To resolve that issue, additional clarifying language and collection options to enable the District to recover unpaid administrative fines were needed.

The attached updated Ordinance 139 (Ord 139) is included for your review. This update includes minor clarifying changes along with additional enforcement procedures for collection of unpaid fines. These changes are necessary to ensure the safe and proper use of public and private sewer facilities. The addition of Section 11.4.10, Failure to Comply with An Administrative Citation, outlines the process and procedures for violators that fail to comply with a previously issued Notice and Order.

The following are options included in Ord 139 for the collection of unpaid fines:

- Unpaid fees may be collected on the tax roll
- District has ability to file a separate lien upon the real property
- District may petition Superior Court to confirm
- Interest accrues at the rate of 10% annum as a late penalty

District staff worked with District Counsel to update the District's Wastewater Ordinance. The adoption of the ordinance has been properly noticed per government code. Therefore, Staff and the EC request the Board of Directors adopt Ord 139, the updated Wastewater Ordinance.

It should be noted that adopting Ord 139 will simultaneously repeal Ord 136.

ier:PJB

Attachment

ORDINANCE NO. 139

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE LEUCADIA WASTEWATER DISTRICT
ADOPTING THE UPDATED LEUCADIA WASTEWATER DISTRICT
WASTEWATER ORDINANCE**

WHEREAS, the Leucadia Wastewater District (LWD) is a county water district that operates as a special district in accordance with Government Code Section 56036; and,

WHEREAS, an updated LWD Wastewater Ordinance was adopted by the LWD Board of Directors on July 12, 2017 (Ordinance No. 136);

WHEREAS, the LWD Wastewater Ordinance is a comprehensive set of rules and regulations governing the design, construction, maintenance and use of public and private sewer facilities within LWD Boundaries;

WHEREAS, the LWD Board of Directors desires to update the LWD Wastewater Ordinance to incorporate minor clarifying changes and additional enforcement procedures to protect public health and safety and ensure the safe use of public and private sewer facilities within LWD boundaries; and,

WHEREAS, a public hearing to consider the adoption of the updated LWD Wastewater Ordinance attached hereto as Exhibit A was duly noticed and held in accordance with Water Code Section 31105 on the date hereof,

NOW, THEREFORE, BE IT ORDAINED:

1. That the LWD Board of Directors does hereby adopt the updated LWD Wastewater Ordinance attached hereto as Exhibit A and directs that it be implemented consistent with all applicable laws and related District policies.
2. That the provisions of this ordinance shall be effective immediately upon adoption.
3. That the updated LWD Wastewater Ordinance supersedes and replaces the LWD Wastewater Ordinance adopted by Ordinance No. 136.

PASSED AND ADOPTED this 8th day of May 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Kulchin
President

ATTEST:

Paul J. Bushee, Board Secretary

ARTICLE I

(General Provisions)

1.1. Title. LWD Wastewater Ordinance.

1.2. Purpose. The purpose of this Ordinance is to protect sewer facilities within District boundaries, protect the environment, protect the public health and welfare, provide the maximum benefit to District customers and ensure compliance with regulations governing District operations and facilities.

1.3. Scope and Application of Other Laws. This Ordinance governs the design, construction, maintenance and use of sewer facilities within District boundaries. It is not a substitute for other laws and regulations governing the construction and use of sewer facilities within the District, including permitting requirements of other public agencies, such as the Encina Wastewater Authority (EWA), and the Cities of Carlsbad and Encinitas. Owners and customers are solely responsible for ensuring compliance with this Ordinance and all other applicable non-District regulations and permitting requirements.

1.4. Interpretation. The terms of this Ordinance shall be given their common or generally accepted meaning, except where specifically defined herein. Shall is mandatory. May is permissive. Conflicts or ambiguities regarding this Ordinance shall be resolved by the General Manager or District Engineer taking into consideration the context and purpose of the terms at issue and the purposes of this Ordinance.

1.5. Authority. This Ordinance is adopted pursuant to the authority granted to county water districts by the California Water Code § 30000 *et seq.* including §§ 31016, 31027, 31105 and 31106, which provide for adoption and enforcement of regulations governing sewer service and facilities.

ARTICLE II

(Definitions)

2.1. **Applicant.** Any person or entity that applies for sewer service and the owner of the property or building that is the subject of the application.

2.2. **Backflow Prevention Device.** A device designed to prevent or minimize the possibility that wastewater will back up into any structure, including but not limited to, backwater overflow devices and backwater check valves, pressure relief devices and shutoff systems.

2.3. **Best Management Practices (BMPs).** Maintenance procedures, activities, limitations, and other management practices designed to prevent or reduce the introduction of fats, oils and grease ("FOG") or any substance that may damage or harm the collection system or sewage treatment and disposal facilities. BMPs may be based upon industry standards, federal or state regulations or standards and procedures established by the District.

2.4. **BOD (Biochemical Oxygen Demand).** The quantity of oxygen, utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degree centigrade(C) expressed in milligrams per liter.

2.5. **Board.** The Board of Directors of the Leucadia Wastewater District.

2.6. **Building sewer.** Private Sewer Facilities that convey wastewater from the premises of a Customer to the Public Sewer System.

2.7. **Collection line.** The District's sewer pipeline to which private laterals are connected.

2.8. **Customer.** Any person or entity lawfully receiving sewer service from the District.

2.9. **Developer.** Same as Owner.

2.10. **Discharger.** Any person or entity that discharges or causes a discharge of wastewater directly or indirectly into the Public Sewer System.

2.11. **District.** The Leucadia Wastewater District.

2.12. **District Engineer.** A registered engineer appointed by the Board to act directly, or through properly authorized agents, on behalf of the District.

2.13. **Domestic wastewater.** The liquid and solid water born waste derived from the ordinary living processes of humans of such character as to permit discharge, without special treatment, into the Public Sewer System.

2.14. **EDU (Equivalent Dwelling Unit).** The common standard used to quantify sewer system use and to calculate capacity and sewer use charges. The wastewater discharge of one single-family home is considered one EDU or one EDU Factor. The discharge of other uses is given an EDU Factor, which could be higher or lower than a single-family dwelling. For example, the EDU Factor for a restaurant is generally higher than a single-family home. EDU Factors are approved by ordinance.

2.15. **EWA (Encina Wastewater Authority).** The Joint Powers Agency providing wastewater treatment and disposal facilities for the District, the Cities of Carlsbad, Encinitas and Vista, the Buena Sanitation District, and the Vallecitos Water District.

2.16. **EWA Pretreatment Ordinance.** The Pretreatment Ordinance adopted by EWA, which requires Industrial Discharge Permits for certain non-domestic users.

2.17. **FOG (Fats, Oils and Grease).** Any substance, such as a vegetable or animal product, that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidify with a change in temperature or other conditions.

2.18. **Food Services Establishment.** Facilities defined in California Uniform Retail Food Services Establishments Law (CURFFL, California Health & Safety Code section 113789), and any commercial entity operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and facilities which have any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by Type I or Type II hoods. For purposes of permit conditions and capacity fees, Food Services Establishments are categorized as Limited, Low, or High Food Preparation Establishments. See Standard Spec for more information on the specific categories.

2.19. **Food Services Establishment wastewater.** Wastewater discharged by a food establishment.

2.20. **Food grinder.** Any device connected to sewer facilities that grinds food waste or food preparation products that are then allowed to flow into the sewer system.

2.21. **Garbage.** Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

2.22. **General Manager.** The General Manager of the District or his/her authorized representative

2.23. **Grease control device.** Any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. Grease Control Devices may also include other proven methods to reduce FOG, subject to the approval of the District.

2.24. **Grease Interceptor or Gravity Grease Interceptor (GGI).** A multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a Food Services Establishment and the connection to the sewer system. These devices do not include flow control or restriction and use gravity to separate FOG from the wastewater as it moves from one compartment to the next.

2.25. **Hydromechanical Grease Interceptor (HGI) or grease trap.** A grease control device usually made of plastic, steel, or cast iron with inlet flow control and baffles used to separate grease and solids. HGI's are typically small and sometimes serve individual fixtures. An HGI is not an approved substitute for a Gravity Grease Interceptor.

2.26. **Infiltration.** Water or wastewater entering the public sewer system from the ground through such means as defective pipes, pipe joints, connection of manhole walls or from unauthorized drains or connections to the Public Sewer System.

2.27. **Industrial wastewater.** All wastewater that is not domestic wastewater, septage or food establishment wastewater.

2.28. **Interference with Public Sewer Facilities.** Any discharge which, alone or in conjunction with a discharge or discharges from other sources:

2.28.1. inhibits or disrupts Public Sewer Facilities, including those owned and operated by EWA;

2.28.2. causes Infiltration into Public Sewer Facilities;

2.28.3. creates a public nuisance;

2.28.4. causes a violation of any permit or law governing the Public Sewer Facilities; or

2.28.5. causes a violation of the EWA Pretreatment Ordinance.

2.29. **Island Area Plan.** The Island Area Collection System Plan adopted by the District as may be updated from time to time. The Island Area Plan provides sewer facility planning and design guidance for the area within the District's sphere of influence in the City of Encinitas commonly referred to as the "Island Area" that is generally located west of Interstate 5, east of Highway 101, south of La Costa Avenue and north of Encinitas Boulevard. A copy of the Island Area Plan is available for inspection at the District office.

2.30. **Medical Waste.** Infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

2.31. **National Pollution Discharge Elimination System (NPDES) Permit.** The permits issued to or administered by U.S. Environmental Protection Agency (EPA) or other regulatory agencies pursuant to Section 402 of the Clean Water Act (33 U.S.C. § 1342).

2.32. **Nuisance.** Any violation of this Ordinance involving Public Sewer Facilities constitutes a public nuisance. The following shall also constitute a public nuisance: Any use or circumstance that endangers or inhibits the proper operation of Public Sewer Facilities, causes a spill or discharge of wastewater into the environment, causes or creates a risk of environmental harm or harm to the Public Sewer System, causes or creates a risk of harm to District employees or Customers, members of the public and/or public and private property. A public nuisance also includes a finding by the District that Wastewater Constituents of any user, or combination of users, creates a serious health and safety risk or risk of harm to Public Sewer Facilities.

2.33. **Owner.** Any Owner of property or structures within District boundaries or Owner of property or structures that discharge wastewater into or are the subject of an application for use of Public Sewer Facilities, including applications for annexation into the District. For District purposes, an Owner is a District Customer, Applicant, Developer and Discharger, regardless of whether there are other non-owners, such as lessees, that utilize Owner's property and/or are parties to a sewer service permit.

2.34. **Ownership Transfer.** Any sale or ownership conveyance, other than a transfer into a trust or other entity owned entirely by an existing owner, of a real property, structure, building, facility, suite, room or premises, that discharges wastewater into the Public Sewer System.

2.35. **Person.** Any individual, partnership, firm, company, public agency, association, group, society, corporation or other entity.

2.36. **pH.** The reference to both acidity and alkalinity, on a scale ranging from zero to 14, that is a logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. A pH of 7 represents neutrality. Numbers less than 7 represent an increase in acidity, and numbers greater than 7 represent an increase in alkalinity.

2.37. **Pollutant.** Any substance or constituent which causes an impairment (reduction) of water quality to a degree that may have an adverse affect on any beneficial use of the water, including, but not limited to, dredged soil, solid waste, incinerator residue, sewage, garbage, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, industrial, municipal and agricultural waste and certain characteristics of waste water, such as excessively high or low pH, temperature, TSS, turbidity, color, BOD, toxicity or odor, and includes any chemical or substance on which a discharge limit is or may be imposed by regulatory bodies or laws governing Public Sewer Facilities.

2.38. **Private Sewer Facilities.** Sewer facilities that are privately owned or privately constructed and not dedicated and accepted as a Public Sewer Facility by the District. Private Sewer Facilities generally include sewer facilities within a privately owned building, service laterals, private pump stations, grease interceptors, and all other facilities located between the sewer customer and the connection to the collection line, including the integral wye fitting that connects the lateral to a collection line. Sewer facilities intended for dedication to the District are Private Sewer Facilities until such time as they are accepted by the District.

2.39. **Properly shredded garbage or food waste.** The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be

carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch square in size.

2.40. **Public Sewer Facilities.** Sewer facilities owned by the District, including facilities designed and constructed by the District and facilities that have been dedicated and accepted by the District. Public Sewer Facilities also include sewer treatment facilities owned and operated by EWA. Private Sewer Facilities constructed for dedication to the District do not become Public Sewer Facilities until they have been accepted by the District.

2.41. **Public Sewer System.** Same as Public Sewer Facilities.

2.42. **Reimbursement Fee.** A construction reimbursement fee for sewer service made available by a prior Developer that was required to construct oversized and/or additional sewer facilities for the benefit of other properties. A Reimbursement Fee is in addition to the Standard Capacity Fee and other fees required by the District.

2.43. **Saddle.** A private lateral connection made to a collection line by cutting or drilling a hole into the public collection line and thence attaching an adaptor (saddle) curved to the shape of the collection pipe lateral. The saddle is often attached to the collection line with stainless steel pipe bands and then concrete backfilled and encased.

2.44. **Septage.** Any liquid and solid material removed from a septic tank, cesspool, portable toilet or other similar storage or treatment device that receives wastewater.

2.45. **Service connection.** The point at which Private Sewer Facilities connect to the Public Sewer System, generally the connection of a private lateral to a collection line.

2.46. **Service lateral or lateral.** Sewer pipeline from the plumbing of a building to a collection line, including portions that extend across other properties and/or public rights-of-way and the Saddle, wye or other physical connection to the collection line.

2.47. **Sewer.** Same as sewer facilities.

2.48. **Sewer facilities.** All facilities, public or private, used for the transfer, storage and treatment of wastewater, including, without limitation, building sewers, private laterals, collection lines, force mains, pump stations, plant headworks, grease interceptors, treatment plants and related appurtenances.

2.49. **Sewer service permit.** Permits issued by the District that authorize discharge into the Public Sewer System, including permits issued prior to adoption of this Ordinance.

2.50. **Slug discharge.** Any discharge of wastewater with a concentration of any given constituent or in quantity of flow that exceeds, for any measurable period, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation, and/or any accidental or non-routine discharge that could cause a violation of EWA Pretreatment Ordinance standards.

2.51. **Standard Spec.** The Standard Specifications and Procedures for Wastewater Facility Projects adopted by the District as may be amended from time to time. A copy of the Standard Spec is available for inspection at the District office.

2.52. **Storm drain** (sometimes termed "**storm sewer**"). A facility that carries storm and surface waters and drainage, which must be separate and not connected to the Public Sewer System.

2.53. **Surface waters.** Water from streets, sidewalks and open areas that generally flows into storm drains or onsite detention basins and is not permitted in the public sewer system.

2.54. **Suspended solids.** Solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids and which are removable by laboratory filtering.

2.55. **Tenant.** The lessee or authorized occupant of a building, facility, suite, room or premises that discharges wastewater into the public sewer system.

2.56. **Tenant Transfer.** Any transfer of the right to use or occupy real property, building, facility, suite, room or premises that discharges wastewater into the Public Sewer System, including new or assumed leases or subleases.

2.57. **TSS (Total Suspended Solids).** The residue retained on a standard glass-fiber filter after drying to a constant weight at 103 to 105 degrees Centigrade, as set forth in Method Number 2540 D of the current approved edition of the Standard Methods for the Examination of Water and Wastewater or other comparable EPA approved methods found in 40 CFR Part 136.

2.58. **Wastewater.** Any liquid and water-carried waste and all constituents thereof, whether treated or untreated, discharged into or permitted to enter the Public Sewer System.

2.59. **Wastewater constituents and characteristics.** The individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.

ARTICLE III

(Sewer Service Permits)

3.1. Permit Requirement. No person shall uncover, discharge into, make any connections with, openings into, alter, disturb or use any Public Sewer Facilities without first obtaining a sewer service permit from the District.

3.2. General Permit Classes.

3.2.1. There shall be three general classes of sewer service permits:

- a. Industrial Wastewater;
- b. Food Services Establishment Wastewater; and
- c. Domestic Wastewater.

3.2.2. For purposes of this Ordinance, existing permits that allow discharge of only domestic wastewater are considered Domestic Wastewater Permits. Existing permits for Food Services Establishments are considered Food Services Establishment Wastewater Permits. All other existing permits are considered Industrial Wastewater Permits.

3.2.3. A Master Permit covering one or more permit classes may be issued for properties with multiple units and/or uses, such as commercial centers. Master Permits may be issued at the discretion of the District and shall include a recorded Master Sewer Service Permit Agreement that documents the wastewater permit rights granted. See the Standard Spec for a model Master Sewer Service Permit Agreement

3.3. Supplemental Permits. A supplemental sewer permit shall be required for the following uses, which may be disallowed if the District determines they would be inconsistent with applicable rules and regulations or otherwise pose an unacceptable risk to the Public Sewer System:

- 3.3.1. Private pump station;
- 3.3.2. Multi-unit lateral;
- 3.3.3. Underground structure drain connection; and
- 3.3.4. Accessory Dwelling Unit.

3.4. Permit Amendments.

3.4.1. Permit amendments and/or new sewer service permits are required in the following circumstances:

a. Amendment of Domestic Wastewater Permits. A permit amendment is required for: (i) any construction or change in use that increases sewer discharge beyond what is authorized by an existing permit (i.e. beyond authorized EDU's), or (ii) a change in use from residential to any other use. A permit amendment is not required for changes in ownership or tenant transfers.

b. Amendment of Food Services Establishment and Industrial Wastewater Permits. A permit amendment is required for: (i) an increase in sewer discharge beyond what is authorized by an existing permit (i.e. beyond authorized EDU's), (ii) all ownership or tenant transfers, (iii) a change in use, or (iv) construction or tenant improvements that require city approval.

c. Amendment to Address Violations. The District may require a permit amendment to address violations of this Ordinance, including but not limited to, failure to comply with a permit condition and/or circumstances giving rise to Interference with the Public Sewer System or a public nuisance.

3.4.2. Failure to obtain a permit amendment or new sewer service permit when required shall subject the Owner and any other responsible party to enforcement procedures set forth in this Ordinance which may include, among other things, revocation of the existing sewer service permit.

3.5. Permit Process. Applicants for all permit types shall complete the application form furnished by the District and pay all permit processing fees at the time the application is submitted. A schedule of fees, which are established by separate ordinance, is available for inspection at the District office. The permit application shall include all plans, specifications or other information required by the District. The Standard Spec includes detailed application requirements for applications that involve new sewer facilities or annexation of properties into the District service area. Information required for an application will vary depending upon the proposed sewer use, and additional information may be required by the District if it is deemed necessary after the initial application review. Applications must be signed by the Owner and all other non-owner Applicants or Developers.

3.6. Payment of Outstanding Fees Prior to Permit Issuance. The Applicant shall pay any outstanding permit processing fees and pay all applicable capacity and reimbursement charges prior to issuance of the sewer service permit.

3.7. Permit Conditions.

3.7.1. General Permit Conditions. The following terms and conditions apply to all permits, of any type, issued by the District:

a. All existing and future permit holders shall comply with the written conditions of their Sewer Service Permit, all associated agreements or contracts, and the terms and conditions of this Ordinance.

b. Permit conditions for new facilities shall also include compliance with the conditions set forth in the Standard Spec.

c. Permit conditions may include additional conditions the District deems necessary to comply with current regulations governing its operations and to properly protect the Public Sewer System.

3.7.2. Food Services Establishment Wastewater Permit Conditions. The following additional conditions shall apply:

a. FOG Discharge Limits. Discharge of FOG, at any point in time, shall not exceed 100 milligrams per liter.

b. Grease Control Devices. Grease interceptors and/or other appropriate grease control devices shall be required. The District Engineer shall determine the appropriate grease control devices for a particular permit. HGI's or Grease traps shall only be allowed in those cases where the District Engineer finds that use of a grease interceptor or other more effective grease control device is impossible or impracticable and that the proposed grease trap would not create a serious risk of harm to the public sewer system. The District may require existing permit holders to install new or updated Grease Control Devices when deemed necessary to protect the Public Sewer System, address violations, comply with new regulatory requirements, or as part of a permit amendment process.

c. BMP's. Conditions shall include BMPs that are tailored to the specific permit use and are designed to minimize discharge of FOG and other hazardous or harmful substances into the Public Sewer System. The District Engineer shall approve and/or design appropriate BMPs. Permit holders shall comply with new or updated BMPs as required by the District Engineer.

d. Maintenance. Grease Control Devices shall be maintained in efficient operating condition by periodic removal of the accumulated FOG. The discharging party and Owner shall be responsible for the proper removal and disposal by appropriate means of the material captured by a grease control device. No such materials may be released into the Public Sewer System.

e. Record Keeping. The District shall require the Owner to keep records of grease control device maintenance and FOG disposal by a licensed waste hauling company and to report on these maintenance activities to the District. The District may also require the Owner to maintain and report the results of periodic measurements of its discharge that is to include chemical analysis of oil and grease content. The Owner shall allow the District, and its representatives, ready access at reasonable times to all parts of the premises for purposes of sampling and inspections.

3.7.3. Industrial Wastewater Permit Conditions. The following additional conditions shall apply:

a. Conditions shall be tailored to the specific use for which sewer service is being provided. District conditions shall be in addition to any imposed as part of an EWA Industrial Discharge Permit, where one is required. If wastewater proposed for discharge into the Public Sewer System contains substances or possesses wastewater constituents or characteristics that in the judgment of the District Engineer or General Manager may cause or create a risk of Interference with the Public Sewer System or a Public Nuisance, the District may:

- i. Refuse to allow connection to the Public Sewer System;
- ii. Require pre-treatment of the wastewater and compliance

monitoring, at the Customer's expense, to an acceptable condition for discharge to the Public Sewer System;

iii. Require control and compliance monitoring, at the customer's expense, over the quantities and rates of wastewater discharge;

iv. Require facilities to equalize and/or minimize flows, facilities to pretreat and/or remove grease, oil, sand or other solid materials. The design and installation of such facilities and equipment shall be subject to the review and approval of the District Engineer and subject to the requirements of all applicable codes, resolutions, ordinances and laws and shall be constructed at the Owner's expense;

v. Require installation of a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observations, sampling and measurement of the wastes. Such manholes, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the District. The manhole shall be installed by the owner or customer at their expense and shall be maintained by the Owner so as to be safe and accessible at all times.

vi. Require payment to the District to cover the added cost of monitoring, handling and treating the industrial wastewater.

3.7.4. Supplemental Permit Conditions. A supplemental permit for a multi-unit lateral shall require execution and compliance with the District standard Private Sewer Agreement for Multi-Unit Lateral. A supplemental permit for a private pump station shall require execution and compliance with the District standard Private Sewer Agreement for Private Pump Stations. Additional terms and conditions for private pump stations and multi-unit laterals are set forth in the Standard Spec.

3.7.5. Permit Amendment Conditions. Permit amendments shall include conditions appropriate for new facilities and additional conditions deemed necessary to address any violations, new circumstances or to bring existing Private Sewer Facilities into compliance with current regulations, such as retrofitting or replacement of obsolete facilities. Permit amendments for ownership or tenant transfers shall, at minimum, include a written acknowledgment by the new owner and, if applicable, new tenant that they understand and agree to abide by all permit conditions.

3.8. Permit Conditions Are Binding On Successors and Run With The Land. Permit conditions, including those requiring issuance of permit amendments, are binding on the original Owner/Applicant and their successors and assigns. In addition, permit conditions run with the land and are binding on all future Owners and/or tenants of the land or premises benefitted by the permit.

3.9. EWA Industrial Discharge Permits. Industrial Permit applicants that fall within the permit standards set forth in the EWA Pretreatment Ordinance will be required to obtain an EWA Industrial Discharge Permit as a condition of obtaining a sewer service permit from the District. The District Engineer will refer applicants that require an Industrial Discharge Permit to EWA for permit processing. Applicants are solely responsible for completion of the EWA permit process.

ARTICLE IV

(Design, Construction and Maintenance of Sewer Facilities)

4.1. Design and Construction. The Design and Construction of Sewer facilities shall comply with all rules and regulations adopted by the District, including, among others, this Ordinance, the Standard Spec and the Island Area Plan.

4.2. Policies Governing New Facilities. The availability of Public Sewer Facilities to accommodate new users is not guaranteed, and the public interest guides the review and approval of new sewer facilities. The following policies shall apply to the review and approval of applications for new sewer facilities:

4.2.1. The District does not construct additional Public Sewer Facilities to accommodate private development, and sewer service will be furnished only when adequate sewer facilities have been installed by the Owner.

4.2.2. Each Owner is responsible for the design, construction and cost of all new Public and Private Sewer Facilities required to accommodate their use;

4.2.3. Sewer facilities shall be of a size, slope, and depth necessary to serve both on-site real property and all potential properties that may need to connect to the sewer facilities in the future;

4.2.4. Sewer facilities shall be extended to adjacent properties as required by the District Engineer pursuant to the Standard Spec:

4.2.5. Each Owner shall obtain and/or provide all easements necessary to accommodate connection of their sewer facilities and connection of upstream properties to the Public Sewer System;

4.2.6. Sewer facilities intended for dedication to the District shall be constructed in the public right of way whenever feasible;

More specific policies, standards and procedures for new sewer facilities can be found in the Standard Spec.

4.3. Excavations and Work in Public Property. All excavations for sewer facilities shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, sewer easements and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District and any other regulatory agency with jurisdiction over the work area. Required encroachment permits shall be obtained and appropriate traffic control measures shall be utilized, including those required by the City in which the work is performed.

4.4. Inspection and Connection to the Public Sewer. Physical connections to the Public Sewer System must be preapproved by a District inspector. The District inspector shall inspect sewer facilities prior to their connection to the Public Sewer System and may require that the physical connection to the Public Sewer System be made with an inspector present. The Owner must schedule an appointment with the District inspector, and provide at least 48 hours notice of the desired inspection time. Connection to the Public Sewer System shall conform to the requirements of the building and plumbing code and other applicable rules and regulations of the District. All connections shall be made gas tight and watertight. Upon inspection and approval, notification will be given by the District that the Customer may use the sewer facilities. No use of sewer facilities is permitted prior to District approval pursuant to this section.

4.5. Unauthorized Connections. Any connection made to the Public Sewer System without prior approval of the District is unauthorized and a violation of this Ordinance. If, for any reason, a connection is improperly made, it shall be the responsibility of the Owner, at the Owner's expense, to dig up or otherwise re-expose the connection so that an inspection may be made, and the Owner at the Owner's expense shall make any corrections or alterations required by the District. In the event that the Owner, for any reason, fails to take appropriate action, the District reserves the right to dig up and inspect the connection and make any corrections necessary, at

the Owner's expense; or, in the alternative, to disconnect service to the unauthorized connection. Any costs incurred by the District in taking such corrective action shall be billed to the Owner. The District may also seek recovery of costs from any other responsible party.

4.6. Maintenance Responsibility. It is the responsibility of the Owner to maintain all Private Sewer Facilities, including but not limited to, the building sewer, service laterals, private pump stations, and grease removal devices, in a properly operating and free flowing condition. Owner responsibility for maintenance includes maintenance of service lateral portions extending beyond the property of an Owner, including any portions within other private or public properties or rights-of-way, up to and including the Saddle or other physical connection to the Public Sewer System. For purposes of this Section 4.6, service laterals are always deemed to be Private Sewer Facilities that must be maintained by the Owner.

4.7. Private Lateral Maintenance, Video Inspection and Repair. The following requirements apply to all private laterals:

4.7.1. Owners shall ensure private laterals are in good operating condition at all times and shall undertake all necessary repairs, including replacement of dilapidated and worn out components;

4.7.2. Owners shall abate any condition that could cause a spill or failure, such as root intrusion, separated joints, pipe cracks and FOG buildup;

4.7.3. Owners shall ensure backflow prevention devices are inspected and maintained on a regular basis to ensure their uninterrupted function for the purpose for which they were designed;

4.7.4. The District may require an Owner to have a private lateral video inspected if there are reasonable grounds to suspect that the private lateral is damaged, has root intrusion, has contributed to a sanitary sewer overflow, or has other structural defects. The following procedures and requirements shall apply to private lateral video inspections:

a. Video inspections shall be completed within fourteen (14) days of written notice from the District, unless a different time is specified, be completed by a licensed plumbing contractor and include a recorded copy of the video inspection and a written report that describes the contractor's findings and recommendations;

b. The Owner is not required to use the video inspection contractor for any repairs or corrective work. Further, the Owner may consult with additional contractors regarding their private lateral condition and the need for any repairs;

c. Within twenty-one (21) days of written notice from the District, unless a different time is specified, the Owner shall provide District with a copy of the recorded video inspection and contractor's written report, and if problems were identified, a written description of the corrective action that will be taken to address the problems. If contractor recommendations for repair or replacement are not being followed, the Owner shall provide a written explanation of the reasons why;

d. After receipt of the recorded video inspection and contractor's written report, the District may request additional information, request additional corrective action, or take no further action. No action taken by the District shall not relieve the Owner of the ongoing responsibility to ensure that their private lateral remains in good operating condition at all times and responsibility to make necessary repairs, even if they were not required by the District.

e. When corrective action is to be completed, the Owner shall provide a schedule for completion and provide the District with written notice when the corrective work is

complete. An on-site verification by District staff while corrective work is in progress may be required. The Owner shall ensure corrective work is completed in compliance with all applicable regulations, including City building and right-of-way regulations and the Standard Spec;

4.7.5. The District may waive the video inspection requirement and approve or direct an alternative process to address private lateral concerns if the District finds that lateral deficiencies have already been corrected or can be addressed without a video inspection;

4.7.6. If an Owner refuses to conduct a video inspection, fails to take corrective action requested by the District, fails to take corrective action within the time specified, or if the District has reason to believe an Owner is otherwise not properly maintaining a private lateral, the District may, at its option:

a. Declare the private lateral a public nuisance and proceed with necessary repairs or replacement pursuant to Section 11.3 of this Ordinance; and/or

b. Proceed with a civil enforcement proceeding pursuant to Article XI of this Ordinance.

4.8. Backflow Prevention Devices. In addition to any other applicable law, the following rules and regulations apply to backflow prevention devices:

4.8.1. Owners shall comply with local building code requirements and the Standard Spec with regard to new construction and installation of backflow prevention devices.

4.8.2. In addition, the District may require Owners to retroactively install backflow devices in existing private laterals if:

a. Current building code or Standard Spec requirements would require installation of a backflow prevention device if the private lateral were part of a new construction project; and

b. The General Manager determines, based upon specific site and/or facility conditions, that installation of a backflow prevention device is necessary to minimize the possibility of damage to property or persons.

4.8.3. The installation and maintenance of all backflow devices within private laterals shall be at the sole cost and expense of the Owner.

4.8.4. Any Owner that fails to install a backflow prevention device in violation of this Ordinance, the Standard Spec or other law or regulation, or fails to properly inspect, maintain and repair an existing backflow prevention device shall be responsible for all damage that results from the lack of a device or failure of a device to function as designed. The District shall not be liable for damage resulting from sewer overflows to a property for which a required backflow prevention device was not installed or was not properly maintained as required by this Ordinance or any other law or regulation.

ARTICLE V

(General Prohibitions and Limits on Discharge)

5.1. No person shall cause or contribute to a Public Nuisance or Interference with Public Sewer Facilities.

5.2. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontained cooling water or unpolluted industrial process waters to any sanitary sewer.

5.3. No person shall make connection of roof downspouts, exterior foundation drains or other sources of surface runoff or groundwater to a building drain, which in turn is connected directly or indirectly to a public sanitary sewer.

5.4. Swimming pool drainage shall not be discharged to the Public Sewer System without prior approval of the General Manager.

5.5. Septage shall not be discharged into the Public Sewer System, except pursuant to a permit issued by EWA.

5.6. No person shall discharge or cause to be discharged any of the following pollutants or substances into the Public Sewer System:

5.6.1. Any pollutants which create a fire or explosion hazard, including, but not limited to, waste stream with a closed cup flashpoint of less than 140° Fahrenheit using the test method specified in 40 CFR 261.21;

5.6.2. Any solid or viscous pollutants (i.e. concrete, concrete-like material, pool plaster) in any amounts that could cause obstruction to the flow in the Public Sewer System;

5.6.3. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity or strength, either individually or by interaction with other wastes to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the wastewater treatment plant;

5.6.4. Any acids, alkalis or other corrosive liquids, gas, or substances of sufficient strength to damage sewers, manholes, pumping stations or sewer treatment plants, but in no case discharges with a pH lower than 5.0 or greater than 12.5;

5.6.5. Any ashes, cinders, wood, sand, earth, coal, rubbish, or metal of any kind;

5.6.6. Any water or waste containing FOG in excess of one hundred (100) mg/1 (milligram per liter) or that results in the deposit of solid or viscous substances onto pipes;

5.6.7. Any garbage or food waste that has not been properly shredded to one half inch or less;

5.6.8. Any greases, oils, solvents and sludges from service stations, garages, repair shops, machine shops, cleaning establishments or other industries or establishments;

5.6.9. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District or applicable State or Federal regulations;

5.6.10. Any noxious or malodorous liquids, gasses, or solids which either singly or by interaction with other waste are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the Public Sewer System for maintenance and repair;

5.6.11. Any trucked or hauled wastewater (includes Recreational Vehicles or RV's), unless expressly approved by the District;

5.6.12. Any wastewater that creates excessive discoloration not removed or in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;

5.6.13. Any waste water that creates excessive foaming in the Public Sewer Facilities;

5.6.14. Any wastewater that has a BOD that the District Engineer determines does or may cause interference with the Public Sewer System;

5.6.15. Any slug discharges;

5.6.16. Any wastewater with constituents, such as TSS, TDS, Medical Waste, or other substance that the District Engineer determines poses a significant public safety risk or risk of Interference or harm to the Public Sewer System; and

5.6.17. Any discharge that would, on its own, or in combination with other discharges result in a violation of the EWA NPDES permit, EWA Pretreatment Ordinance, or otherwise create a violation of rules or regulations governing the Public Sewer System.

ARTICLE VI

(Standards for Measurement and Analysis of Discharges)

6.1. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, the American Water Works Association, and Water Environment Federation and shall be taken at a designated control manhole if available or a more appropriate location designated by the District Engineer. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Owners shall be responsible for the cost of measurements, tests and analysis of their discharge.

ARTICLE VII

(Prohibition Against Damage)

7.1. No person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Public Sewer System.

ARTICLE VIII

(Authority to Inspect and Take Corrective Action)

8.1. The General Manager, or his or her designee, bearing proper credentials and identification shall be permitted to enter all properties utilizing Public Sewer Facilities for the purpose of inspection, observation, measurement sampling and testing in accordance with the provisions of this Ordinance.

8.2. The General Manager, or his or her designee, bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds an easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, replacement and maintenance of any portion of the sewer facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the property involved.

8.3. Further, it is a condition of continuing use and connection to the Public Sewer System that the owners, tenants and all permit holders allow physical inspection of private laterals

and monitoring of the constituents of the wastewater discharge entering the Public Sewer System for purposes of ensuring that the private lateral and wastewater discharge are not creating a risk of a spill, overflow or damage to the Public Sewer System.

8.4. The inspection rights in this Article are in addition to all other rights of inspection and entry provided by an individual permit, easement, contract, agreement or other law or regulation.

ARTICLE IX

(Capacity Fees)

9.1. Capacity Fees are set by ordinance of the Board and are assessed in accordance with the EDU Factors that are also established by ordinance.

9.2. An EDU Factor is applied to each customer use. A full capacity fee is charged for each EDU Factor applied to a use, and a partial capacity fee is charged for each EDU portion applied to a use.

9.3. A change in use that increases sewer discharge above the EDUs authorized by an existing sewer use permit shall require payment of an additional capacity fee for the new EDUs.

9.4. The District may make periodic inspection of a premises, and if an unauthorized increase sewer discharge is found, the owner shall be notified in writing. Upon receipt of this notice, there shall become due, owing and payable, all capacity fees resulting from the increased sewer discharge. Such fees shall become delinquent 60 days following the date they become due. Delinquent payments shall subject the Owner to an enforcement action pursuant to Article XI of this Ordinance.

9.5. Capacity fees run with the land and may not be transferred to other property. Capacity fees may be applied to new uses on the same property, provided such use is approved by the District and all necessary permits have been obtained.

9.6. The Board, in its discretion, may waive payment of all or a portion of capacity fees upon such terms and conditions as the Board may determine if the applicant is a public agency, the sewer connection is for a facility owned or operated by the public agency, and the public agency demonstrates to the satisfaction of the Board that the waiver of payment would be in the public interest or a benefit to the District.

9.7. Capacity fees may be refunded in cases where the right to use the Public Sewer System is relinquished by a customer or change in the use of a property eliminates the need for all the EDU's authorized by a sewer service permit. Refunds shall be limited to the actual fee paid, without interest, and shall be proportional to the amount of EDU's reduced or relinquished. A reduction in the District's capacity fee is not grounds for refund. The following procedures and conditions apply to refund requests:

9.7.1. Any person seeking a refund shall file a written application with the District;

9.7.2. The refund application shall include information requested by the District, and shall at minimum, include documentary evidence demonstrating that the sewer service being relinquished is not being used or documentary evidence of the change in property use that reduces the EDUs required;

9.7.3. Refunds may only be permitted if the General Manager finds all of the following:

- a. Granting the refund request will not unduly prejudice the District's financial position;
- b. The applicant has provided satisfactory evidence that the sewer use at issue has been relinquished or reduced;
- c. The applicant is the owner of the property benefitted by the sewer service permit for which a refund is being sought;
- d. In the case of applications involving a non-Owner lessees: (i) the lessee paid the capacity fee, (ii) the record owner of the property, in writing, concurs with the refund request and waives any claim to the refund; and (iii) the lessee executes an agreement to indemnify and defend the District against third party claims if requested by the General Manager; and
- e. Sewer service fees for the property that is the subject of the refund request are not delinquent.

9.7.4. Sewer service permits for which a reduction is granted shall be amended to reflect the reduced EDU's authorized, and permits that have been relinquished entirely shall be cancelled.

9.7.5. Sewer service fees shall be reduced or discontinued after a reimbursement request is approved in proportion to the EDU's for which reimbursement was granted. Where such fees are collected on the tax roll, collection will continue until the next annual assessment, and the District shall reimburse the excess fees collected in advance at the time the refund request is granted or at the end of the annual assessment period. Sewer service fees accrued prior to a refund approval are not reimbursable under any circumstances.

9.7.6. Customers who relinquish a sewer service permit or voluntarily reduce EDUs may, at any time, apply for new or amended permits to connect to the Public Sewer System or increase EDUs. Such applications shall be processed in the same manner as all other applications.

ARTICLE X

(Sewer Service Fees)

10.1. Sewer service fees are set by ordinance of the Board and are assessed on a monthly basis. Except as provided below, sewer service fees are collected from all properties benefitted by a sewer service permit. Sewer use consistent with an approved sewer service permit is presumed unless the permit has been relinquished or amended.

10.2. Sewer service fees owed for the fiscal year in which a sewer service permit is issued are collected at the time of permit issuance. Thereafter, sewer service fees are collected on the tax roll in the same manner as other property taxes. In addition to the EDU based fees described below in Section 10.4, unpaid costs or fines imposed pursuant to this Ordinance or other ordinance duly adopted by the District are deemed unpaid sewer service fees that may be collected on the tax roll.

10.3. To allow time for construction of new sewer facilities, the first 6 months after a permit is issued are not billed. Thereafter, sewer service fees are automatically billed, regardless of whether construction of sewer facilities is complete. The District may delay the commencement of sewer service fees to allow additional time for construction of sewer facilities if a written request is submitted to the District and is approved by the General Manager. The General Manager shall have full discretion to approve or disapprove the request, taking into consideration the timing of the request, reasons given, impact on District operations and any other factors the General

Manager deems relevant. Extensions of time for construction of new sewer facilities shall not exceed 18 months.

10.4. Sewer service fees are collected from all properties benefited by a sewer service permit, and fees are in accordance with the EDU's authorized. Sewer service fees may only be reduced or discontinued by cancellation or amendment of a sewer service permit, either as part of the refund process authorized by Section 9.7 of this Ordinance, or a separate process approved by the District. Fees shall be discontinued entirely if a sewer service permit is cancelled or reduced in proportion to the EDU reduction authorized by a permit amendment. Where such fees are collected on the tax roll, collection will continue until the next annual assessment, and the District shall reimburse the excess fees collected in advance at the time the permit amendment or cancellation is approved or at the end of the annual assessment period.

10.5. It is the Customer's responsibility to apply for an amendment or cancellation of a sewer service permit, and until a permit has been cancelled or amended by the District, sewer service fees shall be collected in accordance with the approved permit.

ARTICLE XI

(Enforcement)

11.1. Prosecution as Misdemeanor or Infraction. A violation of this Ordinance is a misdemeanor in accordance with California Water Code § 31106. The prosecuting officer shall have discretion to prosecute a violation as an infraction. Each person shall be guilty of a separate offense for each and every day in which any violation of the Code is committed, continued or permitted by person and shall be punished accordingly. In lieu of, or in addition to, criminal prosecution, the District may pursue the civil enforcement options set forth in this Article.

11.2. Notice and Order.

11.2.1. Whenever the District determines that a violation of this Ordinance, Standard Spec, District Contract or other Agreement with the District has occurred or exists, the General Manager (or his or her designee) may issue a written notice and order to the violating party ("Notice and Order").

11.2.2. The Notice and Order shall refer to the regulation or agreement terms violated and describe all violations.

11.2.3. The Notice and Order shall describe the actions required to correct a violation. Corrective action may include, among other things, immediately ceasing improper activities, and thereafter repairing or restoring sewer facilities and/or property.

11.2.4. The Notice and Order shall require full compliance by a certain date. A reasonable time shall be allowed, taking into consideration the difficulty of compliance and harm from delay. In the absence of extenuating circumstances, the Notice and Order shall provide at least 14 calendar days for compliance. If the District determines that health and safety or other extenuating circumstances cannot allow 14 days for compliance, a shorter time may be prescribed.

11.2.5. The Notice and Order may provide for termination or suspension of sewer service (including severing or blocking pertinent connections to the Public Sewer System) if a violation is not corrected as directed or if necessary to prevent or stop actual or imminent harm to the public, environment or Public Sewer Facilities.

11.2.6. The Notice and Order shall include an assessment of costs incurred by the District as a result of the violation, including staff, legal and engineering time incurred to address

the violation. Costs shall also include all damages or losses suffered by the District as a result of the violations. Costs assessed may include those already incurred and any additional costs incurred to complete the compliance process, such as inspections. Notice of additional costs shall be provided as soon as reasonably practical, generally within 14 days of full compliance with a Notice and Order. All cost assessments shall be in writing and describe the date, time and cost of items assessed.

11.2.7. The Notice and Order and all cost notices shall be served upon the violators and Owners by any one of the following means:

- a. Personal service;
- b. Certified mail, postage pre-paid, return receipt requested;
- c. Federal Express, United Postal Service, Express Mail or other delivery service that includes confirmation of delivery;
- d. Posting the Notice and Order conspicuously on or in front of the property in which the violation is located; and
- e. If the Owner is not personally served and is not the occupant of the property in which the violation is located, then a copy of the Notice and Order shall also be delivered to the record owner of the property shown upon the last equalized assessment roll of the County of San Diego. Service is complete on the date of personal service, posting or delivery to the specified address.
- f. The failure of any person with an interest in the property to receive such notice shall not affect the validity of any proceedings taken under this Section.

11.2.8. Appeal of Notice and Order

a. When a Notice and Order provides less than 10 days for compliance, it is final on the date it is served and no administrative appeal is permitted, except for appeals of any costs assessed as provided below. When a Notice and Order provides at least 14 days for compliance, the recipient may submit a written appeal to the General Manager within seven days of service of the Notice and Order. Appeals shall be in writing and shall set forth any objections and/or requests for modification of the Notice and Order and provide written and documentary evidence in support of the request. The General Manager shall then issue a written decision in response to the appeal. Compliance with the Notice and Order shall be stayed pending the General Manager's determination.

b. A written decision of the General Manager shall be final 10 days after it was mailed or delivered to the appellant unless, within the 10-day period, a written notice of appeal to the Board is filed at the District office. The notice of appeal may simply state that the appellant appeals the General Manager's determination or may include additional written descriptions of the specific determinations appealed and the reasons why. If a timely appeal is filed, the matter shall be set at the next available meeting of the Board. Compliance with the Notice and Order shall be stayed pending a final decision on the appeal by the Board. The proceedings before the Board shall include an opportunity for the General Manager to present the basis of his or her determination and an opportunity for the appellant to present his or her response.

c. The Board may render its decision at the conclusion of the testimony, or if desired, may continue the matter to the next regularly scheduled meeting for further testimony and/or deliberations. The decision of the Board shall be final.

11.2.9. Appeal of Costs.

a. Cost assessments may be appealed as part of a general appeal or separately. Cost appeals must be filed within 7 days of receiving the cost assessment. Cost appeals shall be handled in the same manner as Notice and Order appeals.

11.2.10. Failure to Comply With a Notice and Order. Failure to comply with a Notice and Order is a violation of the Ordinance, and the District shall pursue all legally available enforcement remedies.

11.3. Abatement of Public Nuisance. In addition to all other civil and criminal penalties provided herein, any violation of this Ordinance that causes or permits the existence of public nuisance may be abated by the District as follows:

11.3.1. The District may provide for abatement of a public nuisance using the Civil Enforcement process provided above. The Civil Enforcement Notice and Order may provide that the District will enter property and abate a nuisance if the Owner does not correct the problem within the required time limit. In addition, a civil action to abate, enjoin or otherwise compel cessation of such nuisance may also be taken by the District.

11.3.2. Where necessary to correct an existing or imminent threat to public safety, the environment or Public Sewer Facilities, such as a sewer line failure or spill, the District may immediately enter property and take those actions necessary to prevent further harm. Further, when deemed necessary for the preservation of public health or safety or for the protection of public or private property, the District may immediately suspend sewer service to any property and sever all pertinent connections to the Public Sewer System.

11.3.3. All costs, including attorney's fees, incurred by the District to abate a nuisance shall be:

- a. A personal obligation of the person who created, caused, committed or maintained the nuisance;
- b. A personal obligation of the Owner; and
- c. A special assessment against the subject Property or a lien against the subject Property.

11.4. Administrative Citation. For violations of this Ordinance that involve physical damage to District facilities, the unlawful discharge of prohibited materials into the wastewater system or failure to comply with a Notice and Order, the District may issue an administrative citation to the responsible party pursuant to the procedures set forth below.

11.4.1. Enforcement Officer. Administrative citations shall be issued by a designated Enforcement Officer. The General Manager shall act as the Enforcement Officer or designate one or more District employees to act as Enforcement Officers.

11.4.2. Citation Contents. Each administrative citation shall contain the following information:

- a. The date of violation;
- b. The address or a definite description of the location where the violation occurred;
- c. The provision(s) violated and a description of the violation;

- d. The amount of the fine for the violation;
- e. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
- f. An order prohibiting the continuation or repeated occurrence of the violation described in the administrative citation;
- g. An order describing any corrective action required to abate an existing violation or prevent a future violation;
- h. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the procedure for requesting a hearing; and
- i. The name and signature of the Enforcement Officer.

11.4.3. Service of Administrative Citation. Administrative citations shall be served in the same manner as a Notice and Order.

11.4.4. Administrative Fines. The following fines may be imposed for each individual violation:

- a. Up to \$2,500 for the first offense;
- b. Up to \$5,000 for the second offense;
- c. Up to \$10,000 for the third offense.

For continuing violations, the district shall provide at least 14 days to correct the violation before imposing additional fines, except where the violation is creating a health and safety concern or jeopardizing District facilities. Violations not corrected within the time specified, shall be subject to separate fines for each day the violation continues.

11.4.5. Payment of Fines.

- a. Fine shall be paid directly to the District within thirty days from the date of the administrative citation.
- b. Payment of a fine under this Section shall not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the administrative citation.

11.4.6. Hearing Request.

- a. Any recipient of an administrative citation may contest that there was a violation or that they are the responsible party by filing with the District a written request for a hearing within fifteen calendar days from the date of the administrative citation.
- b. The person requesting the hearing shall be notified in writing of the time and place set for the hearing at least ten calendar days prior to the date of the hearing.
- c. The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture and a failure to exhaust their administrative remedies.

11.4.7. Administrative Citation Hearing.

- a. An administrative citation hearing shall be held by the hearing officer in the manner and form set forth in this section.
- b. The General Manager shall designate the hearing officer for the administrative citation hearing. The hearing officer shall not be a District employee.
- c. The administrative citation and any additional documents submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents.
- d. At least three days prior to the hearing, the recipient of an administrative citation shall be provided with copies of the citations, reports and other documents submitted or relied upon by the enforcement officer. No other discovery is permitted.
- e. Formal rules of evidence shall not apply. The hearing officer shall have authority and discretion to decide when oral and documentary evidence may or may not be introduced, and to rule on questions which are raised during the hearing pertaining to matters of procedure.
- f. The hearing shall be recorded by tape recording or court reporter service.
- g. The District shall have the burden of proving the violations cited by a preponderance of the evidence.
- h. The person contesting the citation and the District shall have the opportunity to present documentary evidence and to cross examine witnesses in support of their position.

11.4.8. Hearing Officer Decision.

- a. After considering all of the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or cancel the administrative citation and shall state in the decision the reasons for that decision. The decision of the hearing officer shall be final.
- b. If the hearing officer determines that the administrative citation should be upheld, the hearing officer shall determine the amount of the fine to be imposed, and shall specify a date by which the fine is to be paid to the District.
- c. The recipient of the administrative citation shall be served a copy of the hearing officer's written decision by certified mail, return receipt requested.

11.4.9. Judicial Review.

- a. Any party aggrieved by a hearing officer decision regarding an administrative citation may obtain review by filing a petition for review with the superior court in accordance with the timelines and provisions set forth in Government Code Section 53069.4.
- b. Judicial review of all other civil enforcement orders or determinations, including any determinations regarding a Notice and Order, cost assessment or abatement of a public nuisance, shall be made pursuant to Section 1094.5 of the Code of Civil Procedure and only if the petition for writ of mandate is filed no later than the 90th day following the date on which the decision becomes final.

11.4.10. Failure to Comply with An Administrative Citation. Failure to comply with an administrative citation is a violation of the Ordinance, and the District shall pursue all legally available enforcement remedies. A failure to comply with an administrative citation shall be deemed to have occurred if any of the following occur:

- a. The responsible party does not file a timely request for hearing and fails to pay the administrative fine and/or take the specific corrective action to abate or prevent a violation within the time specified;
- b. The responsible party requests a hearing and fails to appear;
- c. The responsible party fails to comply with a hearing officer decision and fails to seek judicial review of the decision; or
- d. The responsible party fails to comply with a court order issued after review of a hearing officer decision.

11.4.11. Collection of Unpaid Fines. Unpaid fines shall accrue interest at the rate of 10% per annum as a late penalty and may be collected by the District using all available legal means, including one or all of the following methods:

- a. The District may petition the Superior Court to confirm any order establishing administrative penalties and enter judgment in conformity therewith in accordance with the provisions of Sections 1285 to 1287.6, inclusive, of the California Code of Civil Procedure;
- b. Unpaid fees may be collected on the tax roll in the same manner as other property taxes in accordance with Article X of this Ordinance; or
- c. If the violation occurred in connection with real property, the District may impose a separate lien upon the real property in accordance with the lien procedure set forth below.

11.5. Separate Real Property Liens.

11.5.1. Establishing.

- a. The liens established by this Section are in addition to liens created by placement of fees and/or costs on the annual tax roll along with other sewer service fees.
- b. Unpaid administrative fines and costs that concern real property may be imposed as a lien on the real property involved pursuant to the procedures set forth in this Section.
- c. The lien imposed herein shall not take effect until recorded with the county recorder. Once recorded, the administrative order shall have the force and effect and priority of a judgment lien governed by the provisions of Section 697.340 of the California Code of Civil Procedure and may be extended as provided in Sections 683.110 through 683.220 of the California Code of Civil Procedure.
- d. Interest shall accrue on the principal amount of the lien remaining unsatisfied at the same rate allowed for court judgments.

11.5.2. Report.

- a. Prior to recording any such lien, the District shall prepare a report stating the amounts due and owing for Board review and approval.

b. The District shall fix a time, date, and place for hearing by the Board on such report and any protests or objections thereto.

c. The District shall cause written notice to be served on each property owner whose interest is disclosed by the current county equalized assessment roll not less than ten days prior to the time set for the hearing.

11.5.3. Public Hearing and Protests of Proposed Liens.

a. Any person owning a legal or equitable interest in real property proposed to be subject to a lien may file a written protest with the District and/or may protest orally at the Board hearing in which the lien is considered.

b. Each written protest or objection must contain a description of the property in which the protesting party has a legal or equitable interest and the grounds of such protest or objection. The grounds for protest or objection, and any evidence or testimony submitted in support or in opposition to the imposition of a lien, shall be confined to whether the amount of any administrative penalty and/or administrative cost imposed was satisfied in full within the time allowed by law and/or was successfully challenged by a timely writ of mandate.

c. The Board, after the hearing, shall adopt a resolution confirming, discharging, or modifying the amount of the lien based upon evidence produced at the hearing.

11.5.4. Recording of Lien.

a. Thirty days following the adoption of a resolution by the Board imposing a lien, the District shall file the same as a judgment lien in the office of the county recorder of San Diego County. The lien may carry such additional administrative charges as set forth by resolution of the Board.

11.5.5. Satisfaction of lien.

a. Once payment in full, the District shall either record a notice of satisfaction or provide any property owner or financial institution having a legal or equitable interest in the property with a notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the District lien.

11.6. Administrative Complaint. In accordance with Government Code § 54740.5, the District may issue an administrative complaint against any user that has violated the terms of this Ordinance.


11.7. Remedies not Exclusive. The administrative enforcement actions and any other remedies provided in this Ordinance are not exclusive, and are in addition to any other administrative, civil or criminal remedy established by law which may be pursued by the District or other state or federal regulatory agencies to address violations of this Ordinance and federal and state law. Among other things, the District may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining any person from the continued violation of any District Ordinance, agreement or regulation, ordering the cessation of illegal discharges, ordering payment of unpaid fees or costs, ordering the disconnection of service entirely for a violation of this Ordinance, for non-payment of fees or costs or other actions necessary to protect Public Sewer Facilities or the public health and welfare.

ARTICLE XII

(General Terms)

12.1 Severability. If any provision of this Ordinance is held unconstitutional or otherwise invalid, only that provision shall be invalidated, and the validity of the entire Ordinance or any of its remaining provisions shall not be affected.

MEMORANDUM

DATE: May 2, 2019
TO: Board of Directors
FROM: Paul J. Bushee, General Manager 
SUBJECT: **Adopt Resolution No. 2313 – A Resolution of the Board of Directors of the Leucadia Wastewater District (LWD) Approving the Recommended Encina Wastewater Authority (EWA) Fiscal Year 2020 (FY20) Operating, Capital and CalPERS Pension Funding Budgets**

RECOMMENDATION:

Staff recommends that the Board of Directors:

1. Adopt Resolution No. 2313 as presented.
2. Discuss and take other action as appropriate.

DISCUSSION:

The EWA Revised Basic Agreement (RBA) and Revised Establishment Document (RED) require that the governing body of each EWA member agency take action on the proposed annual budget. The recommended FY20 budget was approved by the EWA Board of Directors and the Joint Advisory Committee on April 24, 2019 and has been forwarded to LWD for consideration. A breakdown of the costs follows:

EWA Fiscal Year 2020 Budgets

Operating Budget	Capital Budget	CalPERS Pension Funding Budget
\$17,225,483	\$22,490,576	\$4,096,100

These budget figures include funding for all *joint and non-joint* facilities operated by EWA. A copy of EWA's recommended Budget is on file at LWD and is available upon request. LWD's share of the proposed FY20 operating, capital, and pension budgets is \$2,007,116, \$3,621,242 and \$547,626 respectively.

Director Sullivan served on this year's EWA Policy and Finance Committee and participated in the detailed EWA budget deliberation process. Vice President Juliussen also served on the EWA Board and has reviewed the EWA Budget in detail. Furthermore, staff has reviewed the recommended budget documents in detail and is prepared to answer any questions the Board may have.

Resolution No. 2313 (attached) approves the EWA Operating, Capital, and CalPERS Pension Funding budgets as required by EWA's RBA and RED. Staff recommends that the Board of Directors adopt the resolution as presented, and/or take other action as appropriate.

th:PJB

Attachment

RESOLUTION NO. 2313

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LEUCADIA WASTEWATER DISTRICT
APPROVING THE ENCINA WASTEWATER AUTHORITY
FISCAL YEAR 2020 OPERATING, CAPITAL, and CALPERS PENSION
FUNDING BUDGETS**

WHEREAS, the City of Vista, City of Carlsbad, Buena Sanitation District, Vallecitos Water District, Leucadia Wastewater District and City of Encinitas are the “member agencies” of the Encina Wastewater Authority (EWA), a California joint powers authority; and

WHEREAS, the EWA member agencies are authorized and empowered to contract for the joint exercise of powers under the Government Code of the State of California for the operation, maintenance and administration of their jointly owned wastewater system, the Encina Joint System; and

WHEREAS, the member agencies recognize the need to operate, maintain and administer the Encina Joint System on a cooperative basis for the collection, transmission, treatment and disposal of wastewater, and the management of wastewater treatment byproducts; and

WHEREAS, LEUCADIA WASTEWATER DISTRICT (LWD) is party to certain documents entitled the Revised Basic Agreement and the Revised Establishment Document which establish the ownership, operation, maintenance and administration of the Encina Joint System and the EWA, respectively; and

WHEREAS, the Revised Basic Agreement governs the administration of the EWA and requires the preparation and approval by each of the member agencies of estimated Operating and Capital Improvement Program Budgets on an annual basis; and

WHEREAS, the Fiscal Year 2020 (FY20) EWA Operating, Capital, and CalPERS Pension Funding Budgets were approved by the EWA Joint Advisory Committee and the EWA Board of Directors on April 24, 2019, in the following amounts: Operating Budget – \$17,225,483; Capital Budget – \$22,490,576; and CalPERS Pension Funding Budget – \$4,096,100.

WHEREAS, the EWA Joint Advisory Committee and the EWA Board of Directors recommend member agency approval of the FY20 EWA Operating, Capital, and CalPERS Pension Funding Policy Budgets in the aforementioned amounts; and

WHEREAS, copies of the FY20 EWA Operating, Capital, and CalPERS Pension Funding Budgets were available for review by the LWD Board of Directors at its May 8, 2019 Board of Directors meeting;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE LEUCADIA WASTEWATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. Approval of the recommended FY 20 Encina Wastewater Authority Pension Policy Budget as presented in the following amount: \$4,096,100.

Section 2. Approval of the recommended FY20 Encina Wastewater Authority Operating Budget as presented in the following amount: \$17,225,483.

Section 3. Approval of the recommended FY20 Encina Wastewater Authority Capital Budgets in the following amount: \$22,490,576.

PASSED AND ADOPTED by the Board of Directors at a meeting of the Leucadia Wastewater District held May 8, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Kulchin, President

ATTEST:

Paul J. Bushee, Secretary/Manager

(SEAL)



San Diego Chapter

California Special Districts Association

May 1, 2019

To: San Diego Chapter CSDA Member Agencies
From: Tom Kennedy, San Diego Chapter President
Subject: San Diego Chapter CSDA Quarterly Dinner Meeting
Event Date: **Thursday, May 16, 2019**

Time: **6:00 pm to 9:00 pm – Dinner served at 6:45 pm**

Location: **The Butcher Shop Steakhouse – Kearny Mesa**
5255 Kearny Villa Road, San Diego - (858) 565-2272
<http://www.butchershopsd.signonsandiego.com>

Join us for a dynamic, interactive and educational evening as SDCSDA presents:

High School Video Contest Awards

Followed by:

“Renaissance on the Bay”
by Garry J. Bonelli, Chairman
Port of San Diego

Be sure to read your May 2019 San Diego Chapter CSDA Newsletter for more great information.

Dinner Menu Selections – \$30 per person (\$40 non-member)
Public is invited to attend the dinner at the \$40 non-member price

Tri-Tip Steak with Bordelaise Sauce, New Potatoes and Vegetables
Fresh Atlantic Salmon - Sauteed Salmon Fillet with Dill Buerre Blanc
Mediterranean Pasta - Olive Oil, Garlic, Sun-Dried Tomatoes, Black Olives,
Feta Cheese

Registration deadline is: Thursday, May 9, 2019

We look forward to seeing all agencies and guests attending this event. If you have any questions or need further information, please call Tom Kennedy at (760) 728-1178 Ext. 130; tkennedy@rainbowmwd.com, or Rich Stevenson at (619) 409-6711; rstevenson@sweetwater.org

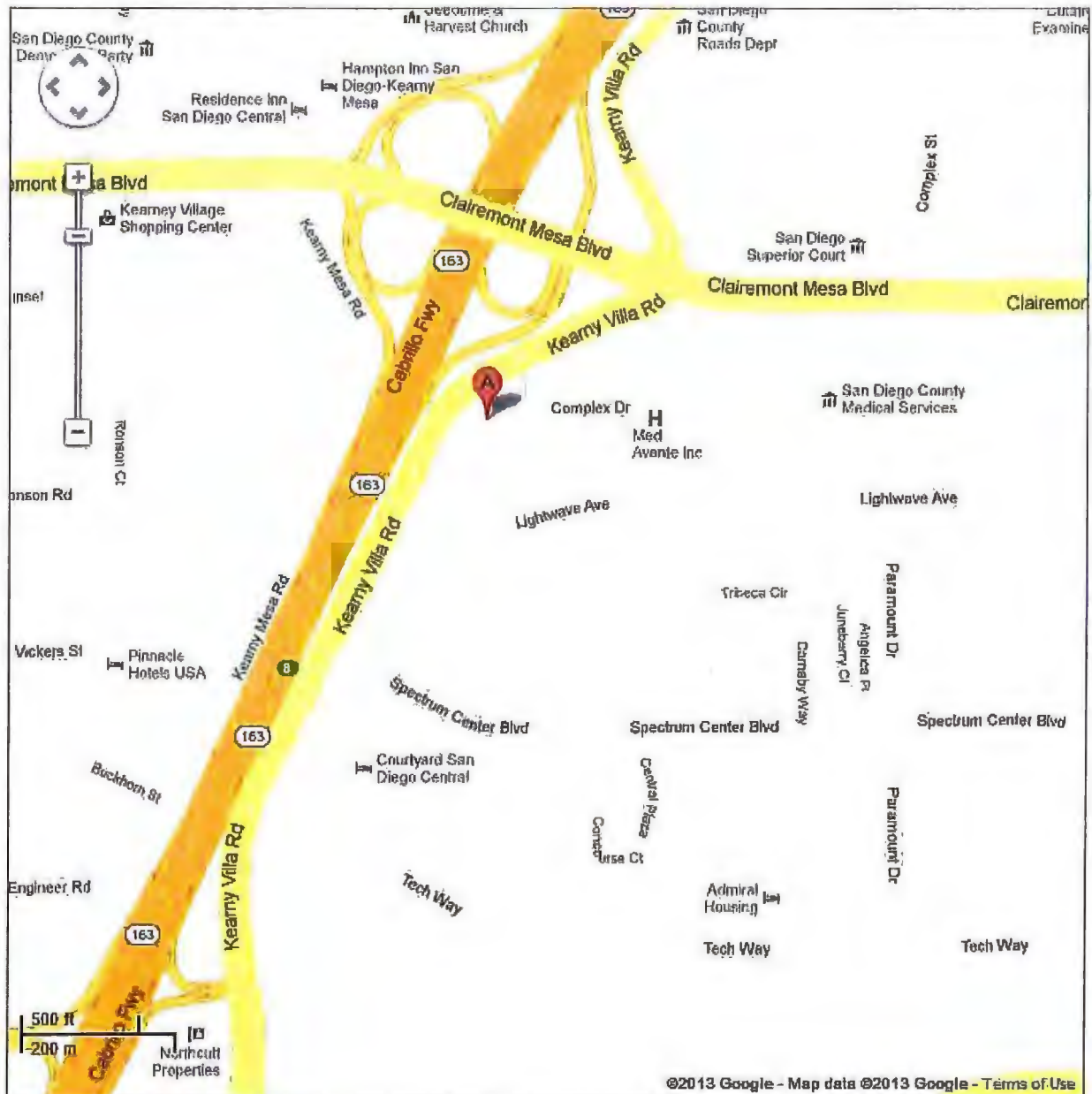
Cancellation/Refund Policy: San Diego Chapter CSDA is obligated by contract to pay for the number of attendees registered by the Friday prior to the event, hence the Thursday deadline. Cancellations made after the deadline are not refundable. Agencies and individuals are responsible for paying any reservation that is made and not cancelled prior to the deadline. Agencies may substitute or add individuals attending.

Directions to: The Butcher Shop Steakhouse – Kearny Mesa
5255 Kearny Villa Road, San Diego - (858) 565-2272
<http://www.butchershopsd.signonsandiego.com>

Located just off HWY 163 & Clairemont Mesa Blvd.

From South: Take 163 North to Clairemont Mesa Blvd East. Take the first two rights. We are on the left side of the street.

From North: Take 163 South to Clairemont Mesa Blvd East. Cross the 163 overpass and take the first right. Once again we are on the left side of the street.





2019 Annual Employee Luncheon

THURSDAY, JULY 11

Time: 12 Noon



Location: Stagecoach Park
Picnic Area #1

Food Provided by:

T.B.G

Southern BBQ Joint

- **Ribs**
- **Brisket**
- **Pulled Pork**
- **Mac N Cheese**
- **Cornbread**
- **Beans & Greens**



**Please RSVP to
Mark or Tianne by
July 3, 2019**

John Bosler
Secretary/General Manager/CEO

April 19, 2019

Mr. Paul Bushee
Leucadia Wastewater District
1960 La Costa Avenue
Carlsbad, CA 92009-6810

Dear Mr. Bushee,

It is with great pleasure that I forward for your consideration a candidate statement for Director Kathleen Tieg's who is seeking your support for the Southern Network (Seat B) of the California Special Districts Association Board of Directors.

Director Tieg's has served admirably on the Cucamonga Valley Water District Board of Directors since 2005. She is actively involved in CSDA, as well as with the Association of California Water Agencies, and has served in numerous leadership positions with both organizations.

Attached you will find a candidate's statement summarizing some of her many accomplishments. You will also get a true sense of her integrity as a leader and her passion as an advocate for special districts throughout California. Also, Director Tieg's will attend Special Districts Legislative Days being held in Sacramento May 21-22, 2019 if you would like to meet her in person and discuss her commitment to serving you and your district.

I encourage you to forward this information to your Board of Directors and consider supporting her candidacy for the 2019 elections which will take place June 17th to August 9th. Please do not hesitate to contact me, if you need additional information or if you would like her to contact your Board of Directors. Thank you for your consideration in this matter.

Sincerely,



John Bosler
General Manager/CEO



Kathleen J. Tiegs

2020-2022 California Special Districts Association
Board of Directors, Southern Network, Seat B



I am pleased to share with you my interest in serving as the Southern Network, Seat B, representative for the California Special Districts Association (CSDA) Board of Directors. Through my involvement with CSDA since 2011, I have served with great passion and commitment on the Board of Directors, and the Membership, Legislative, and By-laws Committees.

My experience on the Cucamonga Valley Water District (CVWD) Board of Directors has provided me with a solid foundation to lead. Elected to the CVWD in November 2005, I have served as the Board President and currently serve on the Legislative and Outreach, and Human Resources/Risk Management Committees. From 2014 to 2017 I was honored to serve in the capacity of President and Vice President of the Association of California Water Agencies (ACWA). My duties at ACWA provided me the extremely valuable opportunity to effectively dialogue with special districts across the state on the important issues they are facing and how we can solve them.

I also served on the Association of San Bernardino County Special Districts Board of Directors from 2010 – 2015 where I developed a network of colleagues in a variety of agencies with a common goal of serving the needs of our constituents. There are numerous critical issues that confront special districts today; these challenges will require strong, experienced leadership, as well as a commitment to preserving the special district's mission to make communities better by providing core local services and taking action through community collaboration.

Thank you for allowing me to share with you my experience, leadership and knowledge. I look forward to serving you and the entire CSDA organization.

With Best Regards,

Handwritten signature of Kathleen J. Tiegs in black ink.