

OTAY WATER DISTRICT

BOARD OF DIRECTORS MEETING
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA

TUESDAY
October 9, 2012
3:30 P.M.

AGENDA

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. APPROVE THE MINUTES OF THE REGULAR BOARD MEETING OF SEPTEMBER 5, 2012 AND SPECIAL MEETING OF SEPTEMBER 11, 2012
5. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

CONSENT CALENDAR

6. ITEMS TO BE ACTED UPON WITHOUT DISCUSSION, UNLESS A REQUEST IS MADE BY A MEMBER OF THE BOARD OR THE PUBLIC TO DISCUSS A PARTICULAR ITEM:
 - a) APPROVE AN ADJUSTMENT TO THE WHEELING RATE FOR THE DELIVERY OF TREATY WATER TO THE CITY OF TIJUANA TO \$58.14 FOR CALENDAR YEAR 2013
 - b) ADOPT ORDINANCE NO. 532 AMENDING THE DISTRICT'S CODE OF ORDINANCES, SECTION 72, PENALTIES AND DAMAGES; APPENDIX A, SECTION 72.05.D.A WITH REFERENCE TO TYPE I AND TYPE II FINES; AND CLARIFYING CUSTOMER REQUESTS FOR BOARD REVIEW

- c) APPROVE ORDINANCE NO. 535 AMENDING SECTION 6, CONFLICT OF INTEREST CODE, OF THE DISTRICT'S CODE OF ORDINANCES TO UPDATE THE GIFT LIMIT, THE DEFINITION OF PROHIBITED INCOMPATIBLE ACTIVITIES, EXPAND THE LIST OF POSITIONS REQUIRED TO FILE A FORM 700 , UPDATE/DELETE POSITION TITLES THAT NO LONGER EXIST AND AMEND THE DISCLOSURE CATEGORIES
- d) CAST VOTES FOR A REGULAR DISTRICT MEMBER ON LAFCO'S COMMISSION AND EIGHT (8) SPECIAL DISTRICTS ADVISORY COMMITTEE MEMBERS IN THE LAFCO SPECIAL DISTRICTS 2012 ELECTION
- e) APPROVE A PROFESSIONAL AS-NEEDED CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES CONTRACT TO ALYSON CONSULTING IN AN AMOUNT NOT-TO-EXCEED \$350,000 FOR A PERIOD OF THREE (3) FISCAL YEARS (FY 2013 TO FY 2015)
- f) APPROVE A PROFESSIONAL AS-NEEDED ENGINEERING DESIGN SERVICES CONTRACT TO AEGIS ENGINEERING MANAGEMENT, INC. IN AN AMOUNT NOT-TO-EXCEED \$300,000 FOR A PERIOD OF TWO (2) FISCAL YEARS (FY 2013 TO FY 2014)
- g) APPROVE A CONSTRUCTION CONTRACT TO LAYFIELD ENVIRONMENTAL SYSTEMS CORPORATION FOR THE FLOATING COVER REPLACEMENT AT THE 624-1 RESERVOIR IN AN AMOUNT NOT-TO-EXCEED \$497,050

ACTION ITEMS

7. BOARD

- a) APPOINT AN AD HOC EMPLOYEE NEGOTIATIONS COMMITTEE FOR UPCOMING NEGOTIATIONS WITH THE OTAY WATER DISTRICT EMPLOYEE ASSOCIATION
- b) DISCUSSION OF 2012 BOARD MEETING CALENDAR

INFORMATIONAL ITEMS

- 8. THE FOLLOWING ITEMS ARE PROVIDED TO THE BOARD FOR INFORMATIONAL PURPOSES ONLY. NO ACTION IS REQUIRED ON THE FOLLOWING AGENDA ITEMS:
 - a) UPDATE ON DIRECTOR'S EXPENSES FOR THE 4TH QUARTER OF FISCAL YEAR 2012 (PRENDERGAST)

- b) STRATEGIC PLAN FISCAL YEAR-END 2012 UPDATE REPORT (STEVENS)
- c) REPORT ON INVESTMENT PROCEDURES (OWEN)

REPORTS

- 9. GENERAL MANAGER'S REPORT
 - a) SAN DIEGO COUNTY WATER AUTHORITY UPDATE
- 10. DIRECTORS' REPORTS/REQUESTS
- 11. PRESIDENT'S REPORT/REQUESTS
- 12. ADJOURNMENT

All items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

The Agenda, and any attachments containing written information, are available at the District's website at www.otaywater.gov. Written changes to any items to be considered at the open meeting, or to any attachments, will be posted on the District's website. Copies of the Agenda and all attachments are also available through the District Secretary by contacting her at (619) 670-2280.

If you have any disability which would require accommodation in order to enable you to participate in this meeting, please call the District Secretary at (619) 670-2280 at least 24 hours prior to the meeting.

Certification of Posting

I certify that on October 5, 2012, I posted a copy of the foregoing agenda near the regular meeting place of the Board of Directors of Otay Water District, said time being at least 72 hours in advance of the regular meeting of the Board of Directors (Government Code Section §54954.2).

Executed at Spring Valley, California on October 5, 2012.

/s/ Susan Cruz, District Secretary

**MINUTES OF THE
BOARD OF DIRECTORS MEETING OF THE
OTAY WATER DISTRICT
September 5, 2012**

1. The meeting was called to order by President Lopez at 3:33 p.m.

2. ROLL CALL

Directors Present: Gonzalez, Lopez, Robak and Thompson

Directors Absent: Croucher (out-of-town on pre-scheduled vacation)

Staff Present: General Manager Mark Watton, Asst. General Manager German Alvarez, Attorney Richard Romero, Chief Financial Officer Joe Beachem, Chief of Engineering Rod Posada, Chief of Information Technology Geoff Stevens, Chief of Administration Rom Sarno, Chief of Water Operations Pedro Porras and District Secretary Susan Cruz and others per attached list.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

A motion was made by Director Robak, seconded by Director Thompson and carried with the following vote:

Ayes: Directors Gonzalez, Lopez, Robak and Thompson
Noes: None
Abstain: None
Absent: Director Croucher

to approve the agenda.

5. APPROVE THE MINUTES OF THE REGULAR BOARD MEETINGS OF AUGUST 1, 2012

A motion was made by Director Thompson, seconded by Director Robak and carried with the following vote:

Ayes: Directors Gonzalez, Lopez, Robak and Thompson
Noes: None
Abstain: None
Absent: Director Croucher

to approve the minutes of the regular board meeting of August 1, 2012.

6. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

No one wished to be heard.

Chief of Information Technology Geoff Stevens introduced Mr. Adolfo Segura, Information Technology Manager, who joined the District from the Port of San Diego where he worked for a number of years. He stated that the District is very happy to have him as part of the team.

CONSENT ITEMS

7. ITEMS TO BE ACTED UPON WITHOUT DISCUSSION, UNLESS A REQUEST IS MADE BY A MEMBER OF THE BOARD OR THE PUBLIC TO DISCUSS A PARTICULAR ITEM:

Upon a motion by Director Robak, seconded by Director Gonzalez and carried with the following vote:

Ayes:	Directors Gonzalez, Lopez, Robak and Thompson
Noes:	None
Abstain:	None
Absent:	Director Croucher

to approve the following item on the consent calendar:

- a) APPROVE RESOLUTION NO. 4204 REQUESTING THAT THE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR THE ADJUSTMENT OF THE SERVICE AREA BOUNDARY BETWEEN THE OTAY WATER DISTRICT AND THE SWEETWATER AUTHORITY TO FACILITATE PROVIDING LANDSCAPE IRRIGATION SERVICE TO THE SR-125 MEDIAN AND SHOULDERS

ACTION ITEMS

8. BOARD

- a) DISCUSSION OF 2012 BOARD MEETING CALENDAR

President Lopez indicated that he will be out-of-town on October 3, the date of the next scheduled board meeting. Director Thompson indicated that he would also be out-of-town during the October board meeting and would be unable to attend. President Lopez asked that District Secretary Cruz check board members'

availability the following week, possibly October 10, to reschedule the meeting. President Lopez also noted that a Special Board Meeting for a Board Workshop is scheduled next Tuesday, September 11, 2012.

INFORMATIONAL ITEMS

9. THE FOLLOWING ITEM IS PROVIDED TO THE BOARD FOR INFORMATIONAL PURPOSES ONLY. NO ACTION IS REQUIRED ON THE FOLLOWING AGENDA ITEM:

- a) UPDATE REPORT ON THE 4TH QUARTER OF FISCAL YEAR 2012 CAPITAL IMPROVEMENT PROGRAM (KAY)

Associate Civil Engineer Daniel Kay presented the fourth quarter CIP update in which he highlighted the status of CIP expenditures, significant issues and progress milestones on major projects.

He indicated that the Fiscal Year 2012 CIP consists of 75 projects totaling \$24.1 million and that the overall expenditures through the fourth quarter of Fiscal Year 2012 totaled approximately \$18.7 million, which is about 78% of the District's fiscal year budget.

He presented a slide showing a graph of the CIP budget forecast of \$24.1 million and the actual expenditures of \$18.7 million for FY 2012. He also presented a map showing the District's major CIP projects, their status and their location within the District's service area. He stated, of the 25 projects depicted, two are in the planning stage, twelve are in design, seven are in construction and four have been completed and are in service during the fiscal year. He reviewed the status of the District's flagship projects which included the 944-IR Recycle Water Pump Station Improvements, Ralph W. Chapman Recycled Water Facility Upgrades, La Presa System Improvements and the Calavo Gardens Sewer Rehabilitation Project. Associate Civil Engineer Kay had indicated with regard to the Calavo Gardens Sewer Rehabilitation project that a change was made to the construction method. The original method was *jack and bore* (tunneling beneath the surface) which has been changed to the *trench method*. The new method will save approximately \$20,000 and will provide for a shorter timeframe for construction (one month versus three months), reducing impact/disruption to the community. As part of the construction, the District will also provide an additional storm drain which will help reduce flooding in the area. It was indicated that seven to eight homes, located just off of Avocado prior to the 94 freeway onramp, will be impacted by the project. Associate Civil Engineer Kay indicated that staff has met with the homeowners to explain the project and the benefits of the new construction method and the homeowners and the Valle de Oro Planning Group are supportive of the project. The project is expected to be completed in December 2012 or January 2013. There was further discussion that the Calavo Gardens sewer pipes were built in the 1960's and that the CCTV inspection had shown sags in the pipe which is the reason the District is replacing the pipe. The life expectancy of the new pipe is 80 to 90 years.

Associate Civil Engineer Kay also presented slides that provided the status of the various consultant contracts for planning, design, public services, construction/inspection and environmental services. He stated that excluding allowances, the net change order rate was 1.8% for the fourth quarter. He also noted that staff updated the Consultant Status Spreadsheets to clarify which projects the consultants are actually working on.

REPORTS

10. GENERAL MANAGER'S REPORT

SAN DIEGO COUNTY WATER AUTHORITY (CWA) UPDATE

General Manager Watton indicated that there is continuing discussion at CWA regarding the Carlsbad Desalination Project. He stated that CWA held a special board meeting on September 13 and that another meeting will be scheduled to continue the discussion on the water purchase agreement. He stated that the water purchase agreement was to be presented in August, but due to continuing negotiations it has been delayed.

General Manager Watton also highlighted information from his report that included the District's Gallon per Capita per Day consumption, the School Education Program, the customer rate notices, the Carlsbad Desalination Project's impact on water rates, the Otay Interconnect Pipeline, the Calavo Gardens Sewer Rehabilitation Project, SDG&E's rate increase and water purchases.

Director Thompson inquired if the District has considered installing solar to take advantage of federal and state tax credits and to get low cost electricity from a company that leases the solar equipment. He noted that at the end of the lease hold, the system is then bought for a nominal fee by the public agency. He stated that he sees many public agencies taking advantage of this. General Manager Watton indicated that the District has not looked at what other agencies are doing, but staff did research the possibility of utilizing solar power at the District. One of the issues in installing solar is monetizing the tax credits to reduce the overall installation cost as the District is non-taxable. The power purchase agreements (PPA) also demand long term commitments and the District did not feel it was a viable business model for the District to enter into. Since that time, the power companies (SDG&E, PG&E, etc.) have filed with the Public Utilities Commission (PUC) to change the power purchase agreement for *net metering*, etc., that severely disadvantages organizations/residential customers that sign such agreements. The District did not know this at the time it vetted the possibility of installing solar, so it was fortunate that the District did not sign a PPA. It was discussed that controlling the cost of power will be an important objective for the District and the board requested that a workshop be scheduled in the future to discuss power cost.

11. DIRECTORS' REPORTS/REQUESTS

Director Thompson inquired, with regard to the General Manager's report, about the budgeted revenues for new meter sales (page 7). The report indicates that revenues for new meter sales were \$128,421 against a budget of approximately \$4 million. He stated that this is large difference between the projected sales versus the actual sales. General Manager Watton explained that the \$128,421 represents one month's revenue of the twelve months in Fiscal Year 2013. Staff is projecting \$4 million total for the fiscal year. He stated that staff develops the meter sales budget through discussions with the developers and staff has a high level of confidence that \$4 million is an accurate number. He noted that if developer projects are delayed, then the revenues come in later than anticipated, but it is expected that the meter sales will be very close to estimate. It was noted that last fiscal year, meter sales came in exactly as projected at \$4.4 million.

Director Robak provided members of the board a copy of a CWA spreadsheet showing the water sales to its member agencies from FY 2002 to FY 2011. He stated that he is very worried that CWA will be executing an agreement with Poseidon to purchase water from their Carlsbad Desalination Project when CWA's water sales (to its member agencies) have decreased 32% from FY 2002 to FY 2011. He stated that it did not make any sense to put money into a project that would produce water that is twice the cost of current water cost. He also stated that staff just indicated that the cost of electricity would be going up possibly 50%. He stated that and the largest cost for desalinated water is power. He indicated that he was not sure that the increase in electricity cost was calculated into the estimated cost of \$2,400 per acre foot (AF) for desalinated water from the Carlsbad Plant. He stated that when he first came to the District, the cost per AF was estimated at \$800/AF, two (2) years ago it was \$1,200/AF, and now it is estimated at \$2,400/AF. He stated that understands that staff needs to review the project, but he felt the project does not make any sense and he did not support the Carlsbad Desalination Project.

General Manager Watton indicated that he and Director Croucher do not have enough information to make an informed decision at the moment. He stated that they wished to see the Water Purchase Agreement and get a copy of the analysis of what the current water supply issues are. He noted that the cost of water currently being purchased from CWA is not fixed either. He stated that it is not certain what the supply issues are and CWA hasn't provided the information needed for the District's staff to analyze and form an opinion.

12. PRESIDENT'S REPORT

President Lopez reported on meetings he attended during the month of August 2012 (a list of meetings he attended is attached). He also thanked the District's attorney, Richard Romero, for sitting in for District General Counsel, Dan Shinoff, at today's meeting.

13. ADJOURNMENT

With no further business to come before the Board, President Lopez adjourned the meeting at 4:38 p.m.

President

ATTEST:

District Secretary

President's Report
September 5, 2012 Board Meeting

A) Meetings attended during the Month of *August* 2012:

- 1) **August 1:** Regular Board Meeting
- 2) **August 7:** Attended planning meeting with General Managers and Board Presidents to discuss the agenda for a Joint Agency Board Meeting. Attendees: Helix WD, Lakeside WD, Otay WD, Padre Dam MWD and Sweetwater Authority.
- 3) **August 16:** Committee Agenda Briefing. Met with General Manager Watton to review items that will be presented at the August Committee meetings.
- 4) **August 31:** Board Agenda Briefing. Met with General Manager Watton and General Counsel Daniel Shinoff to review items that will be presented at the September Board Meeting and September 11 Board Workshop/Special Meeting.

**MINUTES OF THE
SPECIAL MEETING OF THE
BOARD OF DIRECTORS
OTAY WATER DISTRICT
September 11, 2012**

1. The meeting was called to order by President Lopez at 3:35 p.m.

2. ROLL CALL

Directors Present: Croucher, Gonzalez, Lopez, Robak and Thompson

Directors Absent: None

Staff Present: General Manager Mark Watton, General Counsel Daniel Shinoff, Chief of Information Technology Geoff Stevens, Chief Financial Officer Joe Beachem, Chief of Engineering Rod Posada, Chief of Operations Pedro Porras, Chief of Administration Rom Sarno, District Secretary Susan Cruz and others per attached list.

3. PLEDGE OF ALLEGIANCE

A moment of silence was observed to honor those who lost their lives in the September 11 attacks in 2001.

4. APPROVAL OF AGENDA

A motion was made by President Lopez, seconded by Director Croucher and carried with the following vote:

Ayes:	Directors Croucher, Gonzalez, Lopez, Robak and Thompson
Noes:	None
Abstain:	None
Absent:	None

to approve the agenda.

5. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

No one wished to be heard.

WORKSHOP

6. DEMONSTRATION OF AMERICAN AVK COMPANY'S FLOWGUARD II FIRE HYDRANT CHECK VALVE

General Manager Watton indicated that staff will be demonstrating a fire hydrant device that stops/reduces the flow of water from a hydrant when it is hit. He stated that staff is working to include the new device in the Water Agencies Standards (WAS).

The demonstration was held in the District's Operations Yard. Staff demonstrated how the Valve Check device worked when a hydrant is hit. The device has a ball within the valve and the ball rises to seal off the flow of water from the main when a hydrant is hit. It was noted that the Valve will still allow a small jet of water to pass to indicate that the hydrant has been hit/broken. Staff stated that approximately 25 hydrants are hit annually in the District's service area.

Staff also shared that the cost to repair a hit hydrant is approximately \$10,000 versus \$2000 with this new device. The cost of the new Valve is \$684 which is a \$100 less than the current device. The flow of water from a hit hydrant is also reduced from 2000 gallons per minute (GPM) to 20 GPM. The District will realize savings annually with the use of this new Check Valve.

7. Due to time constraints, the following two (2) items were tabled:

- TOUR OF THE OTAY WATER DISTRICT INTRANET SITE
- DISCUSS NEWS/ARTICLE WEBSITES

8. UPDATE ON THE BAY-DELTA

General Manager Watton presented an update on the conservation plan for the Bay-Delta. He showed a slide depicting the conveyance system for the Bay-Delta (see attached copy of presentation) that is proposed by Governor Brown. He stated that the project consists of 37 miles of tunnel pipeline with a total capacity of 9,000 cfs. He noted that the plan is still preliminary and changes are expected.

He indicated that there are many environmental issues associated with the project and much of the mitigation land that will be used to offset the construction of the project will be located in Yolo County near Sacramento. This may pose a problem as placing much of the Yolo County land in mitigation, reduces tax revenues for the County which will significantly impact their economy. He stated that this issue is not yet being addressed or fully appreciated.

On July 25, 2012 the Governor and Secretary of Interior held a press conference and spoke of the State and Federal Joint Recommendations for the Bay-Delta Conveyance System. The recommendations were to downsize the conveyance tunnel pipeline from 15,000 cubic feet per second (CFS) to 9,000 CFS, reduce the intakes on the Sacramento river from five to three with a capacity of 3,000 CFS, and gravity flow the system instead of utilizing pumps. He indicated that only half of the \$11 billion bond issue is designated for water projects.

The plan is to decide while building the Bay-Delta conveyance system ('decision tree:' make decisions as the project is built over the next 10-15 years), to either adjust it up or down depending on the achievement of biological goals and objectives. Once the construction of the tunnels is complete, the operating criteria will be based on the adjustments made to the project during construction. The outcome of the project may result in less water than the present 4.9 million acre feet (MAF) per average year that is available from the Bay-Delta. The actual yield, however, will not be known until construction is complete. Currently MET is taking approximately 1.3 MAF per year. Its full entitlement is 1.9 MAF.

The expected cost of the tunnels is \$13 billion over the ten (10) years to construct the project and the cost will be borne by the state and federal water contractors. At some point bonds will be sold to fund the project and the organizations who will underwrite the bonds will require a step-up provision. That is, if contractors drop out, then the remaining contractors will pick-up the default. If the remaining contractors drop out, then MET will be responsible for 50% of the cost. MET, at the moment, is expected to pick-up 25% of the cost of the tunnel project. They do not yet have contractual commitments from their member agencies and the impact of the project to the cost of water still requires further financial analysis. A good analysis must be done to assure that MET does not get into a situation that threatens its ability to deliver water to its member agencies.

General Manager Watton indicated that the next steps are that the State and Federal contractors must decide whether the reduced yield from the proposed Bay-Delta conveyance system is worth the expense. They also must determine what reliability the new conveyance system will provide the southern region and the rate that will be charged for the water; will it be reasonable/affordable. He stated that the environmental costs will be large and there will be many water rights issues to work through. A public review of the Bay Delta Conservation Plan (BDCP) and the Environmental Impact Report from the Federal and State is expected this month (September).

He stated that because of the severity of the Bay-Delta issue, he felt that everyone will start listening/working together. It may take a year or two, but he is optimistic that they will come up with a solution. It likely, however, will not be the solution that Governor Brown just announced.

9. LEGISLATIVE UPDATE

Ms. Chris Frahm of Brownstein, Hyatt, Farber & Schreck provided an update on current legislation impacting the water industry. She indicated with regard to the Bay-Delta, that there was a number of finance committee meetings scheduled to discuss the BDCP, however the committee never met. The plan was that the committee would present a financing proposal for the Bay-Delta. The question is, however, who will pay for the Bay-Delta project; 1) Federal and State Governments; 2) member agencies; or 3) the public through taxes.

At the moment, the federal and state government budgets are not in a position to pay the billions it will require to fix the Bay-Delta and MET member agencies are not willing to sign a long term contract that indicates how much they would take from the Bay-Delta until they know the cost. Funding through taxation is also not likely as residents will not vote to pay higher taxes unless they present the Bay-Delta project in a way that the residents would support it. It is felt that in the end, all will agree that the Bay-Delta issues must be addressed, however, the solution will likely be a smaller more modest project. It will include more local resources, such as, recycled water, desalination, conservation, etc. Until a decision is made, Ms. Frahm recommended that the District keep watch on the status of the BDCP.

She indicated that last year was a slow year in terms of legislative bills. She shared that Assemblymember Michael Allen introduced a bill that provides for a human's right to clean, safe and affordable water. The bill passed in the legislature and is being lead by the Environmental Justice Group in Central Valley. It is felt that the Governor will likely sign this bill. There are concerns by the water agencies on the legislation's impact on their ability to collect on delinquent water bills. The AWWA is actively addressing this bill.

General Manager Watton indicated that this legislation is mainly aimed at the farm area water suppliers where there are high nitrates, farm chemical pollutants, etc., in the water supply. Ms. Frahm noted that there is language included in the legislation that satisfied most water retailers that the legislation would not be utilized to provide consumers an option to default on their water bills.

Ms. Frahm also shared that there was a lot of tension on the regulating utilities because many utilities had rate cases pending last year. This brought a lot of attention to rates in the past year in the PUC regulating arena. A state audit is currently underway. This does not really impact the District, but it is an item to watch.

Ms. Frahm noted that at the end of the next term, every legislator who was involved with the water bond will no longer be in office. The likely hood of the newly elected legislature to support the \$11 billion bond is not very high as the bond includes items from former legislative members to assure that the initiative had their support. It is felt that items will be trimmed from the bond. She noted that even if such items were trimmed from the bond, the bond would still not be enough to pay for

mitigation and restoration costs, which will be substantial. The bond would only be enough to cover the cost to construct the pipeline.

Another item impacting the Bay-Delta Project is the length of time it is taking to agree and complete the project. Each year that goes by, more of the local agencies are looking to augment their own local supplies through various projects that include recycled water, desalination, conservation, etc. This may provide for less demand for water from the Bay-Delta.

She lastly noted that this year is an election year and the democrats are within two (2) seats of having a 2/3 majority in both the Senate and the Assembly. It is predicted that the democrats would be successful in achieving the 2/3 majority in the Senate, but likely not in the assembly. It should be a very interesting next year.

Director Thompson inquired if a study has been done that looked at the true statewide need for water resources that includes all state water agencies resources. Ms. Frahm indicated that the California water plan has been improved over the last 10 years and it was very much focused on integrated regional water management planning. The plan integrated what all agencies would do together.

Senator Wolk's bill is based on this planning. She asked all agencies to show what their resources needs are and to show that they have explored all possible local resources to meet their agency's water needs prior to including water from the Bay-Delta as a resource. This work has been underway for quite some time. As there is no funding for these huge projects, it is important for the local agencies to fund as much of their needs as possible.

Director Robak inquired what Ms. Frahm was referring to when she indicated that sales were down 30%; was she referring to San Diego County? Ms. Frahm indicated that she was referring to the southland region (Los Angeles, San Diego, San Bernardino, etc.).

Director Robak further inquired if the democrats are solidly behind the proposed Bay-Delta conveyance system. Ms. Frahm indicated that there are many that are not in support of the proposed system due to environmental concerns and other issues.

Director Gonzalez asked how long the State has been talking about the Bay-Delta issues. Ms. Frahm indicated that it has been discussed since the Bay-Delta was built in the 1960's. The proposed peripheral canal failed through a public vote which started a dialogue on studies, proposals, etc. It will be some time before a fix is implemented.

RECESS TO CLOSED SESSION

10. CLOSED SESSION

The Board recessed to closed session at 5:02 p.m. to discuss the following matter:

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION [GOVERNMENT CODE §54957.6]

TITLE: GENERAL MANAGER

RETURN TO OPEN SESSION

- 11. REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION. THE BOARD MAY ALSO TAKE ADDITIONAL ACTIONS ON ANY ITEMS POSTED IN CLOSED SESSION

The Board reconvened at 5:34 p.m. General Counsel Dan Shinoff indicated that no reportable actions were taken in closed session.

- 12. ADJOURNMENT

With no further business to come before the Board, President Lopez adjourned the meeting at 5:34 p.m.

President

ATTEST:

District Secretary



STAFF REPORT

TYPE MEETING:	Regular Board Meeting	MEETING DATE:	October 9, 2012
SUBMITTED BY:	Rita Bell, Finance Manager	PROJECT:	DIV.NO. All
APPROVED BY: (Chief)	<input checked="" type="checkbox"/> Joseph R. Beachem, Chief Financial Officer <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Adjust the Wheeling Rate for the Delivery of Treaty Waters to the City of Tijuana to \$58.14 for Calendar Year 2013		

GENERAL MANAGER'S RECOMMENDATION:

That the Board authorize the General Manager to adjust the wheeling rate for the delivery of Treaty Waters to the City of Tijuana to \$58.14 for Calendar Year 2013.

COMMITTEE ACTION: _____

See Attachment A.

BACKGROUND:

The District's contract to deliver water to Mexico is currently in effect through November 9, 2013. Under terms and conditions of the contract, the District's pricing for energy and Operations and Maintenance (O&M) costs attributable to water delivered to Mexico is due no later than 45 days prior to the start of each calendar year (CY) and will remain constant for the calendar year. To meet this required timing and adjust the rate effective January 1, 2013, the Board's approval of the new rate is due to the United States Commissioner no later than November 16, 2012.

Deliveries of water to Mexico are based on a purchase schedule provided by Mexico to the United States Commissioner on a calendar year basis, and each year's deliveries are priced based on the most current calculation of prior fiscal years' costs. On October 5, 2011, staff presented the results of their review and the Board approved a rate for CY 2012 of \$65.39 per acre-foot. Since that time two charges reduced this rate. The first is an adjustment because SDG&E made estimated meter reads for the gas meter in FY 2011, and then they gave the District credits in FY 2012 to "true-up" the meter reads. The second is due to a more accurate method of calculating the O&M charge.

ANALYSIS:

Water is pumped to the Mexico connection from the District's 870-1 Pump Station, which also pumps water to the District's 870-1 Reservoir in the Otay Mesa area. There are a total of 4 energy bills (SDG&E) attributable to the pump station and these bills are used in the calculations for the energy portion of the rate the District charges Mexico. The water volumes pumped to both Mexico and the reservoir are added together, and the energy costs for Mexico are allocated based on the respective percentage of the total water volume. Similarly, maintenance costs for the District's distribution infrastructure from CWA to the Mexico border connection are computed based on Mexico's percentage of the total water volume pumped through that portion of the District's infrastructure. The energy costs are then added to the maintenance and repair costs and expressed as an overall rate per acre-foot.

Based on the methodology described above, staff has recalculated the "unit payment due OWD for delivery charges and other expenses (\$/acre-foot)" to be used by the San Diego County Water Authority (CWA) on their monthly billing invoices to Mexico for water deliveries. Effective January 1, 2013, the proposed rate is \$58.14 per acre-foot.

FISCAL IMPACT: _____

None. This adjustment maintains the District in a projected cost neutral position.

STRATEGIC OUTLOOK:

Strengthen the long-term financial plan.

LEGAL IMPACT: _____

None.

General Manager

Attachments:

- A) Committee Action Form
- B) Rate Calculation Sheet



ATTACHMENT A

SUBJECT/PROJECT:	Adjust the Wheeling Rate for the Delivery of Treaty Waters to the City of Tijuana to \$58.14 for Calendar Year 2013
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COMMITTEE ACTION:

That the Finance, Administration and Communications Committee recommend that the Board authorize the General Manager to adjust the wheeling rate for the delivery of Treaty Waters to the City of Tijuana to \$58.14 for Calendar Year 2013.

O&M Costs
 870/571 Reservoirs / Pump Stations
 Fiscal Years 2011 - 2012

Calculation of Costs, Based on Audited Fiscal Year Expenses

<u>Costs</u>	<u>O&M</u>	<u>Energy</u>	<u>Total</u>
FY 2012	46,472.42 (1)	110,980.90	157,452.32

<u>Consumption or Sales (In AF)</u>	<u>PZ 871</u>	<u>Mexico</u>	<u>Total</u>
FY 2012	2,708.26	-	2,708.26

<u>Unit Cost (per AF)</u>	<u>O&M</u>	<u>Energy</u>	<u>Total</u>
FY 2012	17.16	40.98	58.14

Mexico Water Rates, on a Calendar Year Basis

<u>CY Charges to Mexico</u>	<u>O&M</u>	<u>Energy</u>	<u>Total</u>
CY 2013	17.16	40.98	58.14

(1) The actual cost have been inflated to reflect the increase in labor and benefit cost that was budgeted in FY 2013, as this is a projection for next year's cost.



STAFF REPORT

TYPE MEETING: Regular Board	MEETING DATE: October 9, 2012
	PROJECT: Various DIV. NO. ALL
SUBMITTED BY: William Granger Water Conservation Manager	
APPROVED BY: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Rom Sarno, Chief of Administrative Services <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager 	
SUBJECT: ADOPTION OF ORDINANCE NO. 532, REVISING SECTION 72, PENALTIES AND DAMAGES, AND APPENDIX A OF THE OTAY WATER DISTRICT'S CODE OF ORDINANCES, AND CLARIFYING CUSTOMER REQUEST FOR BOARD REVIEW	

GENERAL MANAGER'S RECOMMENDATION:

That the Board adopt Ordinance No. 532, approving the revisions to Section 72, Penalties and Damages, and Appendix A of the District's Code of Ordinances, and clarifying the process for customer request for Board review.

COMMITTEE ACTION:

Please see "Attachment A".

PURPOSE:

To adopt Ordinance No. 532, which adds clarifying language in Section 72, Penalties and Damages, and Appendix A of the District's Code of Ordinances, and clarifies the process for customer request for Board review.

ANALYSIS:

District staff periodically reviews the District's Policies and Procedures to ensure they are updated and consistent with District practices. Staff has reviewed Section 72 and Appendix A of the Code of Ordinances and recommends revisions to clarify the current practice related to Board review of any administrative fines or penalties imposed for violations of the Code of Ordinances.

The proposed revisions to the Code are intended to clarify the current practice and eliminate any ambiguities regarding the process for customer request for Board review. Specifically, that Board review typically is only for any administrative fines that may be imposed by the General Manager and that if a review by the Board is requested, that it is not intended to be a full judicial-type hearing, where such matters as sworn testimony or cross examination of witnesses is allowed.

Revisions to Appendix A will clarify Type I and II violations and eliminate types III and IV.

Investigative Procedure

If a possible violation of Section 72 is identified, observed, or reported, the District will investigate and document the findings. The investigation will include contacting the allegedly responsible party and/or property owner to investigate the alleged violation(s). The responsible party will be given ample opportunity to provide verbal, written, and pictorial exculpatory evidence as part of the District's investigation. If the evidence does not exonerate the responsible parties, the District may assess cost and penalties, and administrative fines, and may take any other action or pursue any remedy to maintain the integrity of the system or protect the health and safety of our customers. When deemed necessary, immediate corrective action will be taken including reduction, suspension, or termination of service to the extent permitted by law.

Recovering the District's Costs (Assessment of Damages)

At the conclusion of its investigation, the District will send a Notice of Violation to the responsible party along with any pertinent documentation. This notice will include a Summary of Damages incurred by the District in connection with investigating and remedying the violation. This may include costs for stolen water, broken/damaged facilities, staff time, attorney fees, and other related administrative costs. These costs and damages are assessed on to the customer's regular water bill. If these charges are not paid when due or other arrangements have not been made with Customer Service such as a payment plan, the customer's water service will be locked, pursuant to our standard process under Section 35 of the District's Code of Ordinance.

Assessment of Fines and Penalties

In addition to recovering District costs, the General Manager may also impose an administrative fine. For the most severe violations (Type II), the fine amount may be up to \$5,000. Type II violations include any violation that has the potential to endanger the health or safety of the public, including but not limited to, meter tampering; water theft; unauthorized connection, use, disabling, circumventing, or operation of District facilities; or knowingly

filing a false report or statement required by a local health officer. The fine amount will be determined based upon the severity, duration, and reoccurrence of the violation.

Board Review

The General Manager will send a Notice of Administrative Fine to the responsible party. This notice will specify that should the customer wish to appeal the fine to the Board, a request must be made in writing to the District's Board Secretary within ten (10) days from the date of the notice. Should the customer request Board review, the item will be agendaized for consideration by the Board and the parties will be notified.

The revisions to Section 72 makes it clear that Board review is not a full judicial-type hearing and will not allow for such matters as sworn testimony or cross examination of witnesses. The Board decision is final.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

N/A.

STRATEGIC GOAL:

N/A.

LEGAL IMPACT:

The proposed changes to Section 72 were submitted by the District's Legal Counsel.

Attachments: Attachment A - Committee Action Report
 Attachment B - Ordinance No. 532
 Exhibit 1 - Revisions to Section 72
 Exhibit 2 - Clean Copy of Section 72
 Exhibit 3 - Revisions to Appendix A
 Exhibit 4 - Clean Copy of Appendix A



ATTACHMENT A

SUBJECT/PROJECT:	ADOPTION OF ORDINANCE NO. 532, REVISING SECTION 72, PENALTIES AND DAMAGES, AND APPENDIX A OF THE OTAY WATER DISTRICT'S CODE OF ORDINANCES, AND CLARIFYING CUSTOMER REQUEST FOR BOARD REVIEW
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COMMITTEE ACTION:

The Finance, Administration, and Communications Committee reviewed this item at a meeting held on September 17, 2012. The following comments were made:

- Staff periodically reviews the District's Policies and Procedures to ensure they are updated and consistent with the District's current practices.
- Section 72, Penalties and Damages, and Appendix A to the District's Code was reviewed as part of this practice. Staff is recommending revisions to clarify the current process related to the Board's review of any administrative fines or penalties imposed for violations of the Code.
- The changes will clarify that the Board's review is only for any administrative fines that may be imposed by the General Manager and the review is not intended to be a full judicial-type hearing.
- Staff reviewed the *Investigative Procedure* described on page two (2) of staffs' report. If the evidence introduced during the investigation does not exonerate the responsible party, the District will collect all costs related to investigating violations of Section 72, which may include legal fees, cost related to staff time, cost to repair damage to district property/facilities, administrative fines, penalties, etc.
- Following the investigation, a recommendation is presented to the General Manager. If it is found that Section 72 was violated, the General Manager will forward a *Notice of Violation*, along with any fines/penalties being imposed for the violation(s), to the customer/responsible party. The customer has ten (10) days to appeal the fines/penalties, but the costs incurred by the District may not be appealed.
 - Staff clarified that there are two (2) components to the findings:

- To recover the cost that the District incurred in relation to investigating the incident (staff time, legal costs, etc.). There are also costs that are already identified in the District's code that could be collected, such as, the cost to lock a meter, the cost to replace a meter, etc. These costs are billed to the customer on their water bill.
 - Imposition of Administrative Fines. Depending upon the nature of the customer's action, a punitive fine may be assessed. A separate letter is forwarded to the customer/responsible party and the customer is advised if they wish to appeal the Administrative Fines, they have ten (10) days to do so.
- Should the customer appeal the imposed fines/penalties, the appeal will be forwarded to the board. Staff will notify the customer of the date of the board meeting where their appeal will be reviewed and advise the customer that the board's decision is final.
 - In response to an inquiry from the committee, the District's attorney indicated that, if the customer wishes to appeal the board's action, they could file a *Writ of Judicial Review* through the judicial system. Generally, the court is very differential to the underlying agency. The District's imposed fine/penalty would need to be very egregious for the court to overturn the District's action.
 - The committee further inquired what are the standards that the District looks at in imposing fines. The District's attorney indicated that there are no black and white rules. The District looks at what has been done in the past and tries to be consistent with similar instances in the past while considering the severity, duration, time of action, etc. The District caps penalties at \$5,000.

The committee supported staffs' recommendation and presentation to the full board on the consent calendar.

ATTACHMENT B

ORDINANCE NO. 532

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT AMENDING THE DISTRICT'S CODE OF ORDINANCES, SECTION 72, PENALTIES AND DAMAGES; APPENDIX A, SECTION 72.05.D.A WITH REFERENCE TO TYPE I AND TYPE II FINES; AND CLARIFYING CUSTOMER REQUESTS FOR BOARD REVIEW

BE IT ORDAINED by the Board of Directors of Otay Water District that the District's Code of Ordinances, Section 72, Penalties and Damages; Appendix A, Section 72.05.D.A with reference to Type I and Type II fines; and clarifying customer requests for board review; be amended as per Exhibits I, II and III attached to this Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the new proposed Section 72, Penalties and Damages; Appendix A, Section 72.05.D.A with reference to Type I and Type II fines; and language clarifying customer requests for board review; of the District's Code of Ordinances shall become effective October 9, 2012.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting duly held this 9th day of October 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

President

ATTEST:

District Secretary

SECTION 72 PENALTIES AND DAMAGES

72.01 GENERAL [Type a quote from the document or the summary of an interesting point. You can position the text box anywhere in the document. Use the Text Box Tools tab to change the formatting of the pull quote text box.]

A. User and Owner Responsibility. Each person receiving service, or that owns a property that receives service, agrees to pay the District any applicable fees and charges. Such persons are also responsible for all costs and damages in connection with any violation of this Code relating to their service.

B. District Not Liable. The District shall bear no liability for any cost, damage, claim or expense ~~incurred by District or any responsible party or third party on behalf of the District~~ arising from or related to any violation, including, but not limited to, costs, damages, claims or expenses arising from any corrective action of the District. ~~Such corrective actions~~, include ~~ing~~, but are not limited to, the removal, confiscation, disposition or use of any device, equipment, improvement or material encroaching on any District property or used in connection with any other violation.

C. District Obligation to Collect Damages. Pursuant to Government Code Section 53069.6, the District shall take all practical and reasonable steps, including appropriate legal action, if necessary, to recover civil damages for the negligent, willful, or unlawful damaging or taking of property of the District.

D. Assessment of Damages. Actual damages resulting from any violation, including late payment or failure or refusal to pay for service and any interest thereon, may be assessed and collected as part of a customer's monthly bill to the extent allowed by law. The District will separately invoice any actual damages not assessed on a monthly bill, including any damages assessed against any responsible person who is not a customer.

E. Unpaid or Partially Paid Bills. Bills issued by the District are due, in full, as provided in such bills. Failure to timely pay bills in full may lead to a reduction, suspension, or termination of service, as provided in ~~the paragraph~~ Section 72.02(B), below, in Section 34 of this Code, or pursuant to other provisions of this Code or applicable law. In addition, if bills remain unpaid, in full or in part, the District may lien the delinquent real property and may assess damages and penalties established by District or otherwise authorized by law.

72.02 VIOLATIONS AND GENERAL PENALTIES FOR VIOLATIONS

F.A. Notice of Violation. Notice and a reasonable period of time to correct a violation will be given prior to the termination, reduction or suspension of service or the imposition of any administrative fine. However, the District may, without notice, correct any condition or violation that endangers the health or safety or impairs

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any District service, facility or property or is otherwise determined by the District to require immediate action.

1. Investigative Procedures. If a possible violation is identified, observed or reported, the District will contact the allegedly responsible party to investigate. If the violation is in fact occurring, ~~the~~ District staff will issue a notice of violation or otherwise inform the responsible party that corrective actions must be taken within a period of time deemed reasonable by the District, taking into consideration the nature of the violation and the potential damage that can arise if the violation continues.

2. Content of Notice of Violation. The notice will describe the violation, indicate the actions that must be taken, and indicate the date by which those actions must be taken. Unless immediate action is required, the notice will provide a reasonable time for the violation to be corrected. The notice will also specify the amount of any delinquency, actual damages or other amounts due the District, if any, and the telephone number of a representative of the District who can provide additional information.

3. No Notice Required; District Action. If the District determines that immediate or prompt correction of the violation is necessary to prevent waste or to maintain the integrity of the water supply, systems or facilities of the District, or for the immediate protection of the health, safety or welfare of persons or property, or for any other compelling reason, the District will take any action deemed necessary (including suspension, reduction or termination of service; locking or removal of meters; or repairs of any improvements) and a notice will be left at the affected parcel specifying any further corrective actions required. Any costs incurred by District and any applicable fines will be the responsibility of the responsible party.

4. Notice; Failure to Comply. The responsible party will be given an opportunity to correct the violation and to provide verbal, written and pictorial exculpatory evidence. If such evidence does not exonerate the responsible parties and if the violation(s) are not corrected to the satisfaction of the District within the time provided, the District may assess cost and penalties, administrative fines and may take any other action or pursue any other remedy available. Furthermore, if the violation concerns any service requirement or facility, or to prevent waste or protect the integrity of the system or the health and safety of the public, the District may suspend, reduce or terminate service to the extent permitted by law.

G.B. Service Termination, Suspension or Reduction; Removing or Locking Meters. Service may be reduced, suspended or terminated for failure to pay for service or in connection with a violation of this Code or applicable law. Termination, suspension or reduction of service will be-proceed as follows:

1. Notice Prior to Termination, Suspension or Reduction of Service. Except as provided in Paragraph AF, above, or in other provisions of this Code or applicable law, not less than ten (10) days notice will be given prior to the date service is reduced, suspended or terminated; provided that, where service is terminated due to

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failure to comply with the terms of an amortization agreement, under Section 34 of this Code, only forty-eight (48) hours prior notice is required. The notice will be delivered to the affected parcel and, if the owner of record does not reside in the affected parcel, a copy of the notice will be forwarded to the owner's address on record with the assessor's office via any available means, such as personal delivery, certified mail return receipt requested, email, fax or fed-ex.

2. Termination for failure to pay for service. The ~~DD~~District may discontinue any or all service due to failure to pay the whole or any part of a bill issued by the District. In connection with termination of water service, the provisions of Section 60373 of the Government Code, or any other appropriate provision of law, or as set forth in Section 34 of this Code of Ordinance, will be followed. In connection with sewer, Section 71672 of the California Water Code or other applicable requirements will be followed.

H.C. Reconnection or Reinstatement of Service, Unlocking or Reinstalling Meters. If service is reduced, suspended or terminated for any reason, each of the following conditions applicable to the situation must be satisfied or arrangements satisfactory to the General Manager or a designee must be made *before* service is reinstated:

1. Outstanding amounts for service bills, including any service charges for benefits derived from the violation, must be paid;

2. All required deposits (including any security deposits), actual damages, fines, costs, charges and penalties must be paid;

3. Any amounts due for the removal, locking, servicing, repair or replacement of meters or other facilities required for service, must be paid at the rates in effect at the time of reinstatement, as set forth on **Appendix A** to this Code or other schedule of fees then in effect;

4. All violations and related damages or conditions must have been corrected and/or repaired and evidence satisfactory to the District to that effect and demonstrating that it is safe to reinstate service, must have been provided to and approved by the District; and

5. If the service was originally in the name of a tenant, the District may require the owner of the parcel to request the service account under his or her name and responsibility.

H.D. Owner Responsibility for Account. In addition to owners' obligations under subsection (A) of section 72.01 and subsection (C)(5) of Section 72.02, above, and any other remedies provided by this Code or by applicable law, Owners may be required to deliver to the District a form of acknowledgement or authorization for service to a tenant. In addition, if (i) a tenant engages in any violation, ~~or (ii)~~ if the District has reduced, suspended or terminated any service to a tenant three (3) times within any twenty-four (24) month period or (iii) the tenant has failed or

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refuses to comply with the terms of payment arrangements with the District four (4) times, the District reserves the right to demand that the property owner take responsibility for services to the tenant-occupied parcel. The General Manager or a designee shall develop procedures to implement these requirements.

J.E. Right of Access to Customer's Premises; Interference. If any person refuses to consent to an investigation of a possible violation, or prevents or refuses to allow access to District staff or authorized representatives to any premises or facility during an investigation or in connection with any termination, reduction or suspension of service, the District may seek an injunction or a warrant, as provided in Section 71601 of the Water Code.

K.F. Other Remedies. In addition to the actions contemplated in this Section, the District may seek other remedies authorized or required by any applicable law, including imposing an administrative fine, pursuant to Section 72.06~~5~~, or pursuing other available civil or criminal remedies.

72.0~~32~~ CERTAIN SPECIFIC OPERATIONAL VIOLATIONS

A. Unauthorized Connections. The District shall bear no cost or liability for any unauthorized connection. In addition to other remedies, any unauthorized connection is subject to a Type II administrative \$ _____ fine, pursuant to Section 72.06 ranging between \$500 and \$1000 depending upon the severity, duration and reoccurrence of the violation and any other factors the District may reasonably take into consideration, and, at the option of the District, an administrative fine pursuant to Section 72.06. Further, the District may demand that the unauthorized connection be immediately disconnected. In the alternative, ~~or~~ if the customer refuses to take immediate action, or if immediate actions is necessary as set forth in Section 72.02(A)(3), above, ~~t~~he District may immediately disconnect, remove, confiscate, destroy or dispose of any parts installed or used for the unauthorized connection, all at the expense of the customer and any other responsible party. To the extent allowed by law, the District may also, immediately or as otherwise deemed advisable by the District, terminate service to any parcel and any person that allows, uses or benefits from such unauthorized connection.

B. Water waste. No customer shall knowingly permit leaks or other wastes of water, including, but not limited to, allowing runoff on any portion of his or her property, engaging in non-permitted uses of water, or failing to take corrective action after notice of any leaks or water waste is given. If the District determines that water waste is occurring, the District will ~~may~~:

1. Notify the customer that they are in violation of the District's Code of Ordinances.

2. Notwithstanding the foregoing, ~~However, W~~without prior notice, the District may, without prior notice, repair or replace any District controlled facilities; at the cost of the person identified as the responsible party, if any.

~~2.3.~~ If the water waste is due to a condition within the customer's property or facilities, the District may (i) require the customer to repair or replace the affected facilities, immediately or within a reasonable time, depending on the situation; or (ii) if necessary to prevent further waste, adjust, lock or remove the meter. If any repair or replacement required is not ~~timely~~-completed in a timely manner, the District may perform the repair or replacement at the cost of the customer or may terminate service without further notice.

C. Meter Tampering. In addition to other remedies, tampering is subject to a Type II administrative fine pursuant to Section 72.06 in the amount of up to \$500 to \$5,100, depending upon the severity, duration and reoccurrence of the violation and any other factors the District may reasonably take into consideration. ~~— in addition to the fees set forth in Appendix A and, at the option of the District, an administrative fine pursuant to Section 72.06.~~ Additionally, tampering may be prosecuted as a crime under Section 498 of the California Penal Code, as set forth in Section 73.01 of this Code.

D. Fire Service Violation. ~~Fire~~Such service is subject to compliance with all provisions of this Code and the law concerning water service, and failure to comply with such provisions may result in the reduction, suspension, termination or disconnection of water service for fire protection, without any liability to District. Furthermore, illegal connections or other violations relating to fire service ~~may result in steep~~ are subject to either a Type I or Type II fine, at the option of the District, and may be prosecuted as crimes.

E. Backflow prevention, screens and other safety devices. If service requirements include the installation, testing and maintenance of backflow prevention devices (Section 23.04 of this Code), screens or other safety operational items, in addition to, or in lieu of, other remedies provided herein, the District may apply any of the remedies under Section VI and VII of the District's Ordinance No. 386, as amended or renumbered. Furthermore, violations relating to backflow testing may be prosecuted as set forth in Section 73.01 of this Code. Violations of backflow requirements or knowingly filing a false statement or report required by a local health officer are subject to either a Type I or Type II fine, at the option of the District, pursuant to Section 72.06, below.

F. Violation Concerning Recycled Water Service. In addition to any fine, revocation, suspension or penalty imposed under Section 26 in connection with any violation of said Section, including permit suspension or revocation under Section 26.07.C, the District may (i) suspend or terminate water and or sewer service to the property, the owner and/or the operator; (ii) require payment by the owner for any damage to the District facilities, reimbursement to District of costs and expenses, or fines imposed on the District in connection with such violation; or (iii) prosecute the responsible party under any applicable provision of this Code, the Water Code or the Penal Code. Additionally, any violation concerning recycled water service is subject to either a Type I or Type II fine, at the option of the District, pursuant to Section 72.06, below.

Comment [r1]: Could there be a health/safety risk from such violations? If not, perhaps it should be either Type I or Type II

Comment [r2]: See prior comment

Comment [r3]: See prior comment

G. Violation Concerning Sewer Service. In addition to any other remedy, fine or penalty provided by this Code or applicable law, failure to comply with any requirements of sewer service, including requirements for the preservation of public health, safety and welfare and including, but not limited to, the requirements established under Article II, Chapter 2, Sections 50 to 56.04 of this Code, as hereafter amended or as supplemented by other District Rules and Regulations for Sewer Service, the California Health and Safety Code, the California Code of Regulations, Titles 17 and 22, and Water Agency Standards. Furthermore, may be prosecuted as set forth in Section 73.01 of this Code. Additionally, any violation concerning sewer service is subject to a Type I or Type II fine, at the option of the District, pursuant to Section 72.06, below.

Comment [r4]: See prior comment

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G.H. Theft, Fraud, or Misappropriation. In addition to any other remedy, fine or penalty provided by this Code or applicable law, any violation involving theft, fraud or misappropriation of District water, services, or property is subject to a [Type I or Type II fine], at the option of the District, pursuant to Section 72.06, below.

Comment [r5]: See prior comment

72.043 VIOLATIONS OF CONSERVATION OR OTHER WATER USE RESTRICTION PROVISIONS

The District has established and published conservation measures set forth in Section 39 of the Code. Commencing with declared Level 2 conditions, the District may assess water shortage rates and charges previously adopted. In addition, after notice of the declared water shortage level is given as required by law, any person who uses, causes to be used, or permits the use of water in violation of such requirements (other than a person who qualifies for an applicable exemption, if any) may be assessed damages, penalties and fines.

A. Additional provisions concerning use restriction violations. In addition to payment of actual damages, the following may apply to a violation of any water conservation or water use restriction measure:

1. A change on the account holder shall not cause the account to revert to pre-violation status unless the new account holder provides evidence that it is not related to the violator and had no responsibility for the prior account.

2. The District may reduce, suspend or terminate service to any parcel immediately and without further notice if the violation involves or results in water waste, as set for in Section 72.03(B), above.

3. Willful violations of mandatory conservation measures described in Section 39 of this Code may be enforced by terminating service to the property at which the violation occurs, as provided by Section 356 of the California Water Code.

B. Prosecution for violations of conservation measures. Pursuant to Section 377 and 71644 of the California Water Code, each violation of the District's Conservation Ordinance, set fort in Section 39 of this Code, may be prosecuted as a

misdemeanor, punishable by imprisonment in the County jail for no more than thirty (30) days or by a fine, as set forth in subsection (C)Section 72.05, below.

B-C. Assessment of fines for violations of conservation or water use restriction provisions. Any responsible party who fails to comply with any conservation or use restriction measure is subject to the assessment of an administrative Type I fine, added to account, pursuant to Section 72.06, below.

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72.054 VIOLATIONS INVOLVING DISTRICT REAL PROPERTY

A. Removal, Disposition and Costs. The District has absolute discretion to determine the corrective action required in connection with any violation involving District real property, including requiring the owner of any unauthorized encroachment or improvement to remove it or taking action to remove it immediately and without notice. Any improvements or uses placed within or on any District property or right of way are subject to the following:

1. Costs and Damages. All costs and damages shall be the responsibility of the customer and any other responsible party. Furthermore, the District shall not be liable for costs to repair or replace any unauthorized encroachment or improvement, or any property, improvement or thing used in connection with, supported by or attached thereto.

2. Burden of proof. The burden shall be on the user to prove to the District's satisfaction, the authority, scope and extent of any right to access, improve or use the District's property. Only written evidence in the form of an agreement, deed, statute, recorded or official map or plat, governmental regulation or other right may be used to establish such claim of right.

B. Notice. In connection with any improvement or use that does not constitute a health hazard and does not interfere with the District's use of its property, the District will give written notice of up to sixty (60) days, at the discretion of the General Manager, to cease, terminate, eliminate or remove the offending improvement, structure or use. Any written notice will be given to the responsible party or posted at the property where the trespass or encroachment occurs. If the responsible party is not the owner of any real property affected by the violation, the District will also give notice to the owner of record at the address on record with the assessor's office via personal delivery, certified mail return receipt requested or via Ffed-Ex.

C. No-noticeImmediate action. In connection with any improvement that constitutes a health hazard or interferes with the District's use of any District property, the District will take any immediate action deemed necessary by the General Manager.

D. Fines. In addition to all other remedies provided under this Article or under applicable law, the District may impose a fine as provided in Section 72.065. Additionally, the District may impose a fine up to either the amount specified on any sign, or a Type I or Type II fine, at the option of the District, in connection with any

[trespass on District property in violation of a sign prohibiting trespassing, pursuant to Section 72.06, below.](#)

E. Separate violation. A separate violation will accrue for each day after the deadline to cease, terminate, eliminate or remove the trespass or encroachment, as set forth ~~in~~ the notice.

72.065 ADMINISTRATIVE FINES

Any administrative fines established herein shall be in the nature of civil penalties and shall be additional and cumulative to any other ~~administrative~~ fines, damages or any other charges established by the District and are also separate from and cumulative to any other civil or criminal penalty, fine or remedy. In connection with each violation, the District may assess a fine up to the amount specified in the schedule of fines for the type of fine being imposed.

Each day during which a violation is in effect constitutes a separate violation and violations are cumulative while the account is in the name of the original violator or any person that participated in or benefited from the violation. Except where the violation creates an immediate danger to health or safety, the person responsible for the continuing violation will be provided a reasonable period of time to correct or otherwise remedy the violation(s) prior to the imposition of administrative fines.

~~A. — Assessment of Fines for Violations of Conservation or Water Use Restriction Provisions. Any responsible party who fails to comply with any conservation or use restriction measure is subject to the assessment of an administrative Type I fine, added to account.~~

~~B.A. Assessment of Fines for Technical Violations of Other Code Provisions. Any person who engages in a violation of any provision of this Code is subject to the assessment of a separate administrative Type I ~~F~~fine, unless subject to a more severe fine as set forth in this Code.~~

~~C.B. Assessment of Separate Fines for Other Violations. If a higher limit is not otherwise specified in this Code or allowed by law, any act or omission with respect to any District service, system, facility or property, is subject to the following administrative fines:~~

~~1. — A Type I or Type II fine, at the option of the District, for a violation involving theft, fraud or misappropriation of District water, services or property;~~

~~2. — A Type II or Type III fine, at the option of the District, for a violation concerning sewer service;~~

~~3. — Up to Type II or Type IV fine, at the option of the District, for a violation concerning recycled water service; and~~

~~4. Up to the amount specified on any sign or a Type I or Type II fine, at the option of the District, in connection with any trespass on District property in violation of a sign prohibiting trespassing.~~

Nothing in this code or the limits specified per violation shall prevent the imposition of separate fines for each separate violation committed during a single act. For example, in connection with a violation concerning sewer service that involves a trespass on any portion of the District's real property, separate fines may be assessed for the trespass, the damage to District personal property, the damage to District real property; the damage to the sewer system and the activity resulting on all the damages.

~~D.C.~~ Types of Fines. The amount for each type of fine specified below may increase automatically to reflect any higher amount authorized by law or regulation. The District has determined to establish ~~four~~ two types of fines based on the nature of the violation, as follows:

1. Type I Fine. Any violation that does not have the potential to endanger the health or safety of the public. The fine will not exceed the amount specified in the Section 36900(b) of the California Government Code, ~~Section 36900(B)~~ or Appendix A for a first, second, third or each additional violation of that same ordinance or requirement within a twelve-month period.

2. Type II Fine. Any violation that has the potential to endanger the health or safety, including, but not limited to, unauthorized or illegal connections, meter tampering, water theft, violations concerning sewer service (except those subject to a Type III fine, as set forth below), or water theft or pursuant to section 116820 of the Health and Safety Code, violates a backflow requirement, or knowingly filinges a false statement or report required by a local health officer. The fine will not exceed the amount specified on Appendix A per each day the violation is identified or continues.

~~3. Type III Fine. Pursuant to §Section 5411 of the Health and Safety Code, any person who without a discharge permit, or in violation thereof, causes or permits a discharge of sewage or other waste in a manner resulting in contamination, pollution or nuisance, and fails to immediately notify the local health officer of the discharge, is subject to a fine up to the amount specified on Appendix A per each day the violation is identified or continues.~~

~~4. Type IV Fine. Pursuant to §Section 116820 of the Health and Safety Code, a person who violates a backflow requirement, or knowingly files a false statement or report required by a local health officer, is subject to a fine up to the amount specified on Appendix A per each day the violation is identified or continues.~~

~~E.D.~~ Collection of Fines. Any fines assessed by the District are payable directly to the District, are due upon issuance, or as otherwise indicated on the notice or bill, and are delinquent 30 calendar days from the due date.

~~F.E.~~ Notice of Administrative Fine; Content. Notice of an administrative fine pursuant to this section will contain the following information: (i) a brief description of the violation(s); (ii) the date and location of the violation(s); (iii) a brief description of corrective action(s) required, as appropriate; (iv) a statement explaining that each day the violation continues constitutes a new violation; (v) in the case of violations creating an immediate danger to health or safety, the amount of civil penalty assessed or, in all other cases, the amount of civil penalty to be assessed if the violation(s) are not corrected within the time provided by the notice; (vi) a statement of the procedure for payment and the consequences of failure to pay; (vii) contact information for the District employee that should be contacted to discuss the notice and provide evidence of compliance; and (viii) a brief statement describing the responsible party's right to request further ~~evaluation~~review within ten (10) calendar days from the date of the notice.~~consideration~~, pursuant to subsection (FG), below.

~~G.F.~~ Option Process for Option for Administrative Board Review and Recommendation to the Board to Request Board Consideration. Current process: Staff reviews investigation and makes a recommendation to the Board. The customer is notified via the District Secretary and is invited to attend either the Board Committee or Board meeting and given the opportunity to address the Board. The Board will consider the matter and will have the final authority for review. Persons receiving a Notice of Administrative Fine may request Board ~~consideration~~review. The request for Board consideration must be in writing, must be received by the District Secretary within ten (10) calendar days from the date of the notice and must include contact information, an explanation of the basis for the request, and any supporting documentation said person(s) wish to provide to the Board for review and consideration. District staff will review the petitioner's request and will make a recommendation to the Board in light of its investigation. The District will provide notice of the date, time and place for Board consideration review by electronic means, facsimile or first class mail sent to the return addressee indicated on the written request.

G. Any fines assessed pursuant to the Notice of Administrative Fines must be timely paid notwithstanding the filing of a request for Board ~~administrative~~ review.

At the time of Board ~~consideration~~review, the petitioner may ~~present witnesses, documents or other evidence to address the Board and respond to the charges to and~~ show good cause why the fine should not be imposed; however, the customer but is not entitled to a full judicial-type hearing with cross examination, sworn testimony, etc. In accordance with the provisions of Government Code Section 53069.4, the Board's determination shall be final and conclusive, and shall be deemed confirmed, if not appealed within 20 calendar days to the Superior Court of the County of San Diego.

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SECTION 72 PENALTIES AND DAMAGES

72.01 GENERAL

A. User and Owner Responsibility. Each person receiving service, or that owns a property that receives service, agrees to pay the District any applicable fees and charges. Such persons are also responsible for all costs and damages in connection with any violation of this Code relating to their service.

B. District Not Liable. The District shall bear no liability for any cost, damage, claim or expense incurred by District or any responsible party or third party on behalf of the District arising from or related to any violation, including, but not limited to, costs, damages, claims or expenses arising from any corrective action of the District. Such corrective actions include, but are not limited to, the removal, confiscation, disposition or use of any device, equipment, improvement or material encroaching on any District property or used in connection with any other violation.

C. District Obligation to Collect Damages. Pursuant to Government Code Section 53069.6, the District shall take all practical and reasonable steps, including appropriate legal action, if necessary, to recover civil damages for the negligent, willful, or unlawful damaging or taking of property of the District.

D. Assessment of Damages. Actual damages resulting from any violation, including late payment or failure or refusal to pay for service and any interest thereon, may be assessed and collected as part of a customer's monthly bill to the extent allowed by law. The District will separately invoice any actual damages not assessed on a monthly bill, including any damages assessed against any responsible person who is not a customer.

E. Unpaid or Partially Paid Bills. Bills issued by the District are due in full as provided in such bills. Failure to timely pay bills in full may lead to a reduction, suspension, or termination of service, as provided in Section 72.02(B), below, in Section 34 of this Code, or pursuant to other provisions of this Code or applicable law. In addition, if bills remain unpaid, in full or in part, the District may lien the delinquent real property and may assess damages and penalties established by District or otherwise authorized by law.

72.02 VIOLATIONS AND GENERAL PENALTIES FOR VIOLATIONS

A. Notice of Violation. Notice and a reasonable period of time to correct a violation will be given prior to the termination, reduction or suspension of service or the imposition of any administrative fine. However, the District may, without notice, correct any condition or violation that endangers the health or safety or impairs any District service, facility or property or is otherwise determined by the District to require immediate action.

1. Investigative Procedures. If a possible violation is identified, observed or reported, the District will contact the allegedly responsible party to investigate. If the violation is in fact occurring, District staff will issue a notice of violation or otherwise inform the responsible party that corrective actions must be taken within a period of time deemed reasonable by the District, taking into consideration the nature of the violation and the potential damage that can arise if the violation continues.

2. Content of Notice of Violation. The notice will describe the violation, indicate the actions that must be taken, and indicate the date by which those actions must be taken. Unless immediate action is required, the notice will provide a reasonable time for the violation to be corrected. The notice will also specify the amount of any delinquency, actual damages or other amounts due the District, if any, and the telephone number of a representative of the District who can provide additional information.

3. No Notice Required; District Action. If the District determines that immediate or prompt correction of the violation is necessary to prevent waste or to maintain the integrity of the water supply, systems or facilities of the District, or for the immediate protection of the health, safety or welfare of persons or property, or for any other compelling reason, the District will take any action deemed necessary (including suspension, reduction or termination of service; locking or removal of meters; or repairs of any improvements) and a notice will be left at the affected parcel specifying any further corrective actions required. Any costs incurred by District and any applicable fines will be the responsibility of the responsible party.

4. Notice; Failure to Comply. The responsible party will be given an opportunity to correct the violation and to provide verbal, written and pictorial exculpatory evidence. If such evidence does not exonerate the responsible parties and if the violation(s) are not corrected to the satisfaction of the District within the time provided, the District may assess cost and penalties, administrative fines and may take any other action or pursue any other remedy available. Furthermore, if the violation concerns any service requirement or facility, or to prevent waste or protect the integrity of the system or the health and safety of the public, the District may suspend, reduce or terminate service to the extent permitted by law.

B. Service Termination, Suspension or Reduction; Removing or Locking Meters. Service may be reduced, suspended or terminated for failure to pay for service or in connection with a violation of this Code or applicable law. Termination, suspension or reduction of service will proceed as follows:

1. Notice Prior to Termination, Suspension or Reduction of Service. Except as provided in Paragraph A, above, or in other provisions of this Code or applicable law, not less than ten (10) days notice will be given prior to the date service is reduced, suspended or terminated; provided that, where service is terminated due to failure to comply with the terms of an amortization agreement, under Section 34 of this Code, only forty-eight (48) hours prior notice is required. The notice will be delivered to

the affected parcel and, if the owner of record does not reside in the affected parcel, a copy of the notice will be forwarded to the owner's address on record with the assessor's office via any available means, such as personal delivery, certified mail return receipt requested, email, fax or fed-ex.

2. Termination for failure to pay for service. The District may discontinue any or all service due to failure to pay the whole or any part of a bill issued by the District. In connection with termination of water service, the provisions of Section 60373 of the Government Code, or any other appropriate provision of law, or as set forth in Section 34 of this Code of Ordinance, will be followed. In connection with sewer, Section 71672 of the California Water Code or other applicable requirements will be followed.

C. Reconnection or Reinstatement of Service, Unlocking or Reinstalling Meters. If service is reduced, suspended or terminated for any reason, each of the following conditions applicable to the situation must be satisfied or arrangements satisfactory to the General Manager or a designee must be made *before* service is reinstated:

1. Outstanding amounts for service bills, including any service charges for benefits derived from the violation, must be paid;

2. All required deposits (including any security deposits), actual damages, fines, costs, charges and penalties must be paid;

3. Any amounts due for the removal, locking, servicing, repair or replacement of meters or other facilities required for service must be paid at the rates in effect at the time of reinstatement, as set forth on **Appendix A** to this Code or other schedule of fees then in effect;

4. All violations and related damages or conditions must have been corrected and/or repaired and evidence satisfactory to the District to that effect and demonstrating that it is safe to reinstate service, must have been provided to and approved by the District; and

5. If the service was originally in the name of a tenant, the District may require the owner of the parcel to request the service account under his or her name and responsibility.

D. Owner Responsibility for Account. In addition to owners' obligations under subsection (A) of section 72.01 and subsection (C)(5) of Section 72.02, above, and any other remedies provided by this Code or by applicable law, Owners may be required to deliver to the District a form of acknowledgement or authorization for service to a tenant. In addition, if (i) a tenant engages in any violation, (ii) if the District has reduced, suspended or terminated any service to a tenant three (3) times within any twenty-four (24) month period or (iii) the tenant has failed or refuses to comply with the terms of payment arrangements with the District four (4) times, the District reserves the right to demand that the property owner take responsibility for services to the tenant-occupied

parcel. The General Manager or a designee shall develop procedures to implement these requirements.

E. Right of Access to Customer's Premises; Interference. If any person refuses to consent to an investigation of a possible violation, or prevents or refuses to allow access to District staff or authorized representatives to any premises or facility during an investigation or in connection with any termination, reduction or suspension of service, the District may seek an injunction or a warrant, as provided in Section 71601 of the Water Code.

F. Other Remedies. In addition to the actions contemplated in this Section, the District may seek other remedies authorized or required by any applicable law, including imposing an administrative fine, pursuant to Section 72.06, or pursuing other available civil or criminal remedies.

72.03 CERTAIN SPECIFIC OPERATIONAL VIOLATIONS

A. Unauthorized Connections. The District shall bear no cost or liability for any unauthorized connection. In addition to other remedies, any unauthorized connection is subject to a Type II fine, pursuant to Section 72.06 depending upon the severity, duration and reoccurrence of the violation and any other factors the District may reasonably take into consideration.., Further, the District may demand that the unauthorized connection be immediately disconnected. In the alternative, if the customer refuses to take immediate action, or if immediate actions is necessary as set forth in Section 72.02(A)(3), above, the District may immediately disconnect, remove, confiscate, destroy or dispose of any parts installed or used for the unauthorized connection, all at the expense of the customer and any other responsible party. To the extent allowed by law, the District may also, immediately or as otherwise deemed advisable by the District, terminate service to any parcel and any person that allows, uses or benefits from such unauthorized connection.

B. Water waste. No customer shall knowingly permit leaks or other wastes of water, including, but not limited to, allowing runoff on any portion of his or her property, engaging in non-permitted uses of water, or failing to take corrective action after notice of any leaks or water waste is given. If the District determines that water waste is occurring, the District will:

1. Notify the customer that they are in violation of the District's Code of Ordinances.

2. Notwithstanding the foregoing, the District may, without prior notice, repair or replace any District controlled facilities at the cost of the person identified as the responsible party, if any.

3. If the water waste is due to a condition within the customer's property or facilities, the District may (i) require the customer to repair or replace the affected facilities, immediately or within a reasonable time, depending on the situation; or (ii) if necessary to prevent further waste, adjust, lock or remove the meter. If any repair

or replacement required is not completed in a timely manner, the District may perform the repair or replacement at the cost of the customer or may terminate service without further notice.

C. Meter Tampering. In addition to other remedies, tampering is subject to a Type II fine pursuant to Section 72.06 depending upon the severity, duration and reoccurrence of the violation and any other factors the District may reasonably take into consideration. Additionally, tampering may be prosecuted as a crime under Section 498 of the California Penal Code, as set forth in Section 73.01 of this Code.

D. Fire Service Violation. Fire service is subject to compliance with all provisions of this Code and the law concerning water service, and failure to comply with such provisions may result in the reduction, suspension, termination or disconnection of water service for fire protection, without any liability to District. Furthermore, illegal connections or other violations relating to fire service are subject to either a Type I or Type II fine, at the option of the District, and may be prosecuted as crimes.

E. Backflow prevention, screens and other safety devices. If service requirements include the installation, testing and maintenance of backflow prevention devices (Section 23.04 of this Code), screens or other safety operational items, in addition to, or in lieu of, other remedies provided herein, the District may apply any of the remedies under Section VI and VII of the District's Ordinance No. 386, as amended or renumbered. Furthermore, violations relating to backflow testing may be prosecuted as set forth in Section 73.01 of this Code. Violations of backflow requirements or knowingly filing a false statement or report required by a local health officer are subject to either a Type I or Type II fine, at the option of the District, pursuant to Section 72.06, below.

F. Violation Concerning Recycled Water Service. In addition to any fine, revocation, suspension or penalty imposed under Section 26 in connection with any violation of said Section, including permit suspension or revocation under Section 26.07.C, the District may (i) suspend or terminate water and or sewer service to the property, the owner and/or the operator; (ii) require payment by the owner for any damage to the District facilities, reimbursement to District of costs and expenses, or fines imposed on the District in connection with such violation; or (iii) prosecute the responsible party under any applicable provision of this Code, the Water Code or the Penal Code. Additionally, any violation concerning recycled water service is subject to either a Type I or Type II fine, at the option of the District, pursuant to Section 72.06, below.

G. Violation Concerning Sewer Service. In addition to any other remedy, fine or penalty provided by this Code or applicable law, failure to comply with any requirements of sewer service, including requirements for the preservation of public health, safety and welfare and including, but not limited to, the requirements established under Article II, Chapter 2, Sections 50 to 56.04 of this Code, as hereafter amended or as supplemented by other District Rules and Regulations for Sewer Service, the California Health and Safety Code, the California Code of Regulations, Titles 17 and 22, and Water

Agency Standards. Furthermore, may be prosecuted as set forth in Section 73.01 of this Code. Additionally, any violation concerning sewer service is subject to a Type I or Type II fine, at the option of the District, pursuant to Section 72.06, below.

H. Theft, Fraud, or Misappropriation. In addition to any other remedy, fine or penalty provided by this Code or applicable law, any violation involving theft, fraud or misappropriation of District water, services, or property is subject to a Type I or Type II fine, at the option of the District, pursuant to Section 72.06, below.

72.04 VIOLATIONS OF CONSERVATION OR OTHER WATER USE RESTRICTION PROVISIONS

The District has established and published conservation measures set forth in Section 39 of the Code. Commencing with declared Level 2 conditions, the District may assess water shortage rates and charges previously adopted. In addition, after notice of the declared water shortage level is given as required by law, any person who uses, causes to be used, or permits the use of water in violation of such requirements (other than a person who qualifies for an applicable exemption, if any) may be assessed damages, penalties and fines.

A. Additional provisions concerning use restriction violations. In addition to payment of actual damages, the following may apply to a violation of any water conservation or water use restriction measure:

1. A change on the account holder shall not cause the account to revert to pre-violation status unless the new account holder provides evidence that it is not related to the violator and had no responsibility for the prior account.

2. The District may reduce, suspend or terminate service to any parcel immediately and without further notice if the violation involves or results in water waste, as set for in Section 72.03(B), above.

3. Willful violations of mandatory conservation measures described in Section 39 of this Code may be enforced by terminating service to the property at which the violation occurs, as provided by Section 356 of the California Water Code.

B. Prosecution for violations of conservation measures. Pursuant to Section 377 and 71644 of the California Water Code, each violation of the District's Conservation Ordinance, set fort in Section 39 of this Code, may be prosecuted as a misdemeanor, punishable by imprisonment in the County jail for no more than thirty (30) days or by a fine, as set forth in subsection (C), below.

C. Assessment of fines for violations of conservation or water use restriction provisions. Any responsible party who fails to comply with any conservation or use restriction measure is subject to the assessment of an administrative Type I fine, added to account, pursuant to Section 72.06, below.

72.05 VIOLATIONS INVOLVING DISTRICT REAL PROPERTY

A. Removal, Disposition and Costs. The District has absolute discretion to determine the corrective action required in connection with any violation involving District real property, including requiring the owner of any unauthorized encroachment or improvement to remove it or taking action to remove it immediately and without notice. Any improvements or uses placed within or on any District property or right of way are subject to the following:

1. Costs and Damages. All costs and damages shall be the responsibility of the customer and any other responsible party. Furthermore, the District shall not be liable for costs to repair or replace any unauthorized encroachment or improvement, or any property, improvement or thing used in connection with, supported by or attached thereto.

2. Burden of proof. The burden shall be on the user to prove to the District's satisfaction, the authority, scope and extent of any right to access, improve or use the District's property. Only written evidence in the form of an agreement, deed, statute, recorded or official map or plat, governmental regulation or other right may be used to establish such claim of right.

B. Notice. In connection with any improvement or use that does not constitute a health hazard and does not interfere with the District's use of its property, the District will give written notice of up to sixty (60) days, at the discretion of the General Manager, to cease, terminate, eliminate or remove the offending improvement, structure or use. Any written notice will be given to the responsible party or posted at the property where the trespass or encroachment occurs. If the responsible party is not the owner of any real property affected by the violation, the District will also give notice to the owner of record at the address on record with the assessor's office via personal delivery, certified mail return receipt requested or via Fed-Ex.

C. Immediate action. In connection with any improvement that constitutes a health hazard or interferes with the District's use of any District property, the District will take any immediate action deemed necessary by the General Manager.

D. Fines. In addition to all other remedies provided under this Article or under applicable law, the District may impose a fine as provided in Section 72.06. Additionally, the District may impose a fine up to either the amount specified on any sign, or a Type I or Type II fine, at the option of the District, in connection with any trespass on District property in violation of a sign prohibiting trespassing, pursuant to Section 72.06, below.

E. Separate violation. A separate violation will accrue for each day after the deadline to cease, terminate, eliminate or remove the trespass or encroachment, as set forth in the notice.

72.06 ADMINISTRATIVE FINES

Any administrative fines established herein shall be in the nature of civil penalties and shall be additional and cumulative to any other fines, damages or any other charges established by the District and are also separate from and cumulative to any other civil or criminal penalty, fine or remedy. In connection with each violation, the District may assess a fine up to the amount specified in the schedule of fines for the type of fine being imposed.

Each day during which a violation is in effect constitutes a separate violation and violations are cumulative while the account is in the name of the original violator or any person that participated in or benefited from the violation. Except where the violation creates an immediate danger to health or safety, the person responsible for the continuing violation will be provided a reasonable period of time to correct or otherwise remedy the violation(s) prior to the imposition of administrative fines.

A. Assessment of Fines for Technical Violations of Other Code Provisions. Any person who engages in a violation of any provision of this Code is subject to the assessment of a separate administrative Type I Fine, unless subject to a more severe fine as set forth in this Code.

B. Assessment of Separate Fines.

Nothing in this code or the limits specified per violation shall prevent the imposition of separate fines for each separate violation committed during a single act. For example, in connection with a violation concerning sewer service that involves a trespass on any portion of the District's real property, separate fines may be assessed for the trespass, the damage to District personal property, the damage to District real property; the damage to the sewer system and the activity resulting on all the damages.

C. Types of Fines. The amount for each type of fine specified below may increase automatically to reflect any higher amount authorized by law or regulation. The District has determined to establish two types of fines based on the nature of the violation, as follows:

1. Type I Fine. Any violation that does not have the potential to endanger the health or safety of the public. The fine will not exceed the amount specified in the Section 36900(b) of the California Government Code or Appendix A for a first, second, third or each additional violation of that same ordinance or requirement within a twelve-month period.

2. Type II Fine. Any violation that has the potential to endanger the health or safety, including, but not limited to, unauthorized or illegal connections, meter tampering, water theft, , or knowingly filing a false statement or report required by a local health officer . The fine will not exceed the amount specified on Appendix A per each day the violation is identified or continues.

D. Collection of Fines. Any fines assessed by the District are payable directly to the District, are due upon issuance or as otherwise indicated on the notice or bill, and are delinquent 30 calendar days from the due date.

E. Notice of Administrative Fine; Content. Notice of an administrative fine pursuant to this section will contain the following information: (i) a brief description of the violation(s); (ii) the date and location of the violation(s); (iii) a brief description of corrective action(s) required, as appropriate; (iv) a statement explaining that each day the violation continues constitutes a new violation; (v) in the case of violations creating an immediate danger to health or safety, the amount of civil penalty assessed or, in all other cases, the amount of civil penalty to be assessed if the violation(s) are not corrected within the time provided by the notice; (vi) a statement of the procedure for payment and the consequences of failure to pay; (vii) contact information for the District employee that should be contacted to discuss the notice and provide evidence of compliance; and (viii) a brief statement describing the responsible party's right to request further review, pursuant to subsection (F), below.

F. Option for Board Review. Persons receiving a Notice of Administrative Fine may request Board review. The request for Board consideration must be in writing, must be received by the District Secretary within ten (10) calendar days from the date of the notice and must include contact information, an explanation of the basis for the request, and any supporting documentation said person(s) wish to provide to the Board for review and consideration. District staff will review the petitioner's request and will make a recommendation to the Board in light of its investigation. The District will provide notice of the date, time and place for Board consideration by electronic means, facsimile or first class mail sent to the return addressee indicated on the written request.

G. *Any fines assessed pursuant to the Notice of Administrative Fines must be timely paid notwithstanding the filing of a request for Board review.*

At the time of Board review, the petitioner may, address the Board and respond to the charges to show good cause why the fine should not be imposed; however, the customer is not entitled to a full judicial-type hearing with cross examination, sworn testimony, etc. In accordance with the provisions of Government Code Section 53069.4, the Board's determination shall be final and conclusive, and shall be deemed confirmed, if not appealed within 20 calendar days to the Superior Court of the County of San Diego.

Otay Water District							
Appendix A							
Section #	Code #	Fee Description	Meter Size		Charges		
9	9.04 A.1.	District Annexation Processing Fee			\$744.00		
	9.04 B.	Annexation Fees for Water Annexations into Otay Water District Boundaries			District-wide Annexation Fee		
			3/4"		\$1,556.00		
			1"		\$3,890.00		
			1-1/2"		\$7,780.00		
			2"		\$12,448.00		
			3"		\$24,896.00		
			4"		\$38,900.00		
			6"		\$77,800.00		
			8"		\$124,480.00		
			10"		\$178,940.00		
	9.04 C.4.	Annexation Fees for Annexations to Sewer Improvement Districts			\$5,741.00		
10	10.01	Filing of Petition			\$50.00		
23	23.04	Backflow Certification					
		- Second Notification			\$10.00		
		- Third Notification			\$25.00		
		- Reconnection (service resumed)			\$50.00		
		- Initial Filing Fee (New applicants for addition to the list of approved backflow prevention device testers)			\$25.00		
		- Renewal Filing Fee (to remain on list of approved backflow prevention device testers)		Annually	\$10.00		
25	25.03 A.	Set-up Fees for Accounts			\$10.00		

Section #	Code #	Fee Description	Meter Size	Charges		
				System Charge	MWD & CWA Fixed Charge	Total Fixed Charge
25	25.03 C.	Monthly Fixed System Charges, MWD & CWA Charges ⁽¹⁾	Meter Size			
			3/4"	\$14.58	\$14.01	\$28.59
			1"	\$18.52	\$23.33	\$41.85
			1-1/2"	\$28.37	\$46.74	\$75.11
			2"	\$40.18	\$74.74	\$114.92
			3"	\$71.68	\$149.48	\$221.16
			4"	\$107.13	\$233.58	\$340.71
			6"	\$205.59	\$467.09	\$672.68
			8"	\$323.73	\$747.39	\$1,071.12
			10"	\$461.57	\$1,070.74	\$1,532.31
25	25.03 E.1.(b)	Domestic Residential Water Rates ⁽¹⁾		Unit	Charge	
				0 - 5	\$1.58	
				6-10	\$2.45	
				11-22	\$3.19	
				23 or more	\$4.92	
25	25.03 E.2.(b)	Multiple Residential Water Rates - Per Dwelling Unit ⁽¹⁾		0-4	\$2.43	
				5-9	\$3.15	
				10 or more	\$4.85	
25	25.03 E.3.(b)	Business and Publicly-Owned Water Rates ⁽¹⁾	under 10"	0-173	\$2.59	
				174-831	\$2.66	
				832 or more	\$2.70	
			10" & larger	0-7,426	\$2.59	
				7,427-14,616	\$2.66	
				14,617 or more	\$2.70	
25	25.03 E.4.(c)	Irrigation and Commercial Agricultural Using Potable Water Rates ⁽¹⁾	1" & smaller	0-49	\$3.53	
				50-132	\$3.60	
				133 or more	\$3.66	

⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges								
25	25.03 E.4.(c)	Irrigation and Commercial Agricultural Using Potable Water Rates (continued) ⁽¹⁾	1.5" & 2"	0-144	\$3.53							
				145-355	\$3.60							
				356 or more	\$3.66							
						3" & larger	0-1,044	\$3.53				
							1,045-8,067	\$3.60				
							8,068 or more	\$3.66				
			25	25.03 E.5.(c)	Recycled Water Rates ⁽¹⁾	3/4" - 1"	0-42	\$3.02				
							43-97	\$3.06				
							98 or more	\$3.12				
						1.5" & 2"	0-168	\$3.02				
							169-402	\$3.06				
							403 or more	\$3.12				
						3" & 4"	0-403	\$3.02				
							404-820	\$3.06				
							821 or more	\$3.12				
						6" & larger	0-7,916	\$3.02				
							7,917-16,357	\$3.06				
							16,358 or more	\$3.12				
25	25.03 E.6.(b)	Temporary and Construction Water Service Rates ⁽¹⁾				1" & smaller	0-49	\$7.06				
							50-132	\$7.20				
							133 or more	\$7.32				
									1.5" & 2"	0-144	\$7.06	
										145-355	\$7.20	
										356 or more	\$7.32	
						3" & larger	0-1,044	\$7.06				
							1,045-8,067	\$7.20				
							8,068 or more	\$7.32				

⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 E.8.(b)	Tank Trucks Water Rates ⁽¹⁾	1" & smaller	0-49	\$7.06	
				50-132	\$7.20	
				133 or more	\$7.32	
			1.5" & 2"	0-144	\$7.06	
				145-355	\$7.20	
				356 or more	\$7.32	
			3" & larger	0-1,044	\$7.06	
				1,045-8,067	\$7.20	
				8,068 or more	\$7.32	
25	25.03 E.9.(c)	Application Fee for Water Service Outside District Boundaries			\$500.00	
25	25.03 E.9.(d)	Water Rate for Service Outside District Boundaries ⁽¹⁾	1" & smaller	0-49	\$7.06	
				50-132	\$7.20	
				133 or more	\$7.32	
			1.5" & 2"	0-144	\$7.06	
				145-355	\$7.20	
				356 or more	\$7.32	
			3" & larger	0-1,044	\$7.06	
				1,045-8,067	\$7.20	
				8,068 or more	\$7.32	
25	25.03 E.10.(b)	Application Fee for Water Service Outside an Improvement District			\$275.00	
25	25.03 E.10.(c)	Water Rate for Service Outside Improvement District ⁽¹⁾	1" & smaller	0-49	\$7.06	
				50-132	\$7.20	
				133 or more	\$7.32	
			1.5" & 2"	0-144	\$7.06	
				145-355	\$7.20	
				356 or more	\$7.32	
⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012						

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 E.10.(c)	Water Rate for Service Outside Improvement District (continued) ⁽¹⁾	3" & larger	0-1,044	\$7.06	
				1,045-8,067	\$7.20	
				8,068 or more	\$7.32	
25	25.03 E.11.(c)	Fire Service Monthly Charge			\$30.11	
25	25.03 E.12.(b)	Additional Water Service for Property Not Subject to District Taxes		per unit	\$0.293	
25	25.03 E.13.(b)	Interim Service Water Rate in Improvement District 7 ⁽¹⁾	1" & smaller	0-49	\$7.06	
				50-132	\$7.20	
				133 or more	\$7.32	
			1.5" & 2"	0-144	\$7.06	
				145-355	\$7.20	
				356 or more	\$7.32	
			3" & larger	0-1,044	\$7.06	
				1,045-8,067	\$7.20	
				8,068 or more	\$7.32	
25	25.03 F.	Energy Charges for Pumping Water ⁽¹⁾		Per 100 ft of lift over 450 ft per unit	\$0.045	
25	25.03 G.1.	Additional Water Charge for Service in the North District		Per unit charge except for the first 5 units of residential	\$0.08	
25	25.03 H.1.	Additional Water Charges for Service in the Improvement District 9 Water Service Zone		Per unit charge except for the first 5 units of residential	\$0.27	
25	25.03 H.2.	Additional Monthly System Fee for Improvement District 9			\$2.00	
⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012						

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 I.1.(a)	Additional Water Charges for Services in Improvement District 3		Per unit charge except for the first 5 units of residential	0.19 per H.C.F.	Effective Jan 1, 2011
				"	0.20 per H.C.F.	Effective Jan 1, 2012
				"	0.21 per H.C.F.	Effective Jan 1, 2013
25	25.03 I.1.(b)	Additional Water Charges for Services in Improvement District 10		Per unit charge except for the first 5 units of residential	0.27 per H.C.F.	Effective Jan 1st 2011-2018
25	25.03 I.1.(c)	Additional Water Charges for Services in La Presa		Per unit charge except for the first 5 units of residential	0.08 per H.C.F.	Effective Jan 1st 2011-2013
25	25.04 A.	Deposits for Non-Property Owners	3/4"		\$75.00	
			1"		\$150.00	
			1-1/2"		\$200.00	
			2"		\$360.00	
			3"		\$800.00	
			4"		\$1,350.00	
			6"		\$3,300.00	
			8"		\$4,400.00	
			10"		\$5,500.00	
28	28.01 B.1.	Capacity Fees and Zone Charge			District-wide Capacity Fee	
		- I.D.'s 1,2,3,5,7,9,10,19,20,22,22/27 (excluding Triad), and 25 (only I.D.'s 5,7,10,19,22, and 22/27 require reclaimed irrigation meters).	3/4"		\$7,900.00	
			1"		\$19,750.00	
			1-1/2"		\$39,500.00	
			2"		\$63,200.00	
			3"		\$126,400.00	
			4"		\$197,500.00	
			6"		\$395,000.00	
			8"		\$632,000.00	
			10"		\$908,500.00	

Section #	Code #	Fee Description	Meter Size	Charges			
28	28.01 B.1.	- 22/27 TRIAD	3/4"		\$5,912.00		
			1"		\$14,780.00		
			1 -1/2"		\$29,560.00		
			2"		\$47,296.00		
			3"		\$94,592.00		
			4"		\$147,800.00		
			6"		\$295,600.00		
			8"		\$472,960.00		
			10"		\$679,880.00		
28	28.01 B.2.	New Water Supply Fee	3/4"		\$910.00		
		- All IDs including Triad	1"		\$2,275.00		
			1-1/2"		\$4,550.00		
			2"		\$7,280.00		
			3"		\$14,560.00		
			4"		\$22,750.00		
			6"		\$45,500.00		
			8"		\$72,800.00		
			10"		\$104,650.00		
28	28.02	Installation Charges for Water Meter and Water Service Laterals	Meter Size	Meter Cost	Installation	Total	Meter Box/Vault (if Needed)
		Potable (Non-Irrigation)	3/4" x 7.5"	\$202.30	\$96.00	\$298.30	\$81.50
			3/4" x 9"	\$215.39	\$96.00	\$311.39	\$81.50
			1"	\$261.05	\$96.00	\$357.05	\$81.50
			1.5"	\$424.31	\$96.00	\$520.31	\$184.76
			2"	\$607.99	\$96.00	\$703.99	\$184.76
			3"	\$1,894.74	\$578.00	\$2,472.74	\$3,295.81
			4"	\$3,290.86	\$578.00	\$3,868.86	\$3,295.81
			6"	\$5,684.21	\$913.00	\$6,597.21	\$3,295.81
			8"	\$7,102.00	\$1,400.00	\$8,502.00	\$4,728.07
			10"	\$10,214.00	\$1,400.00	\$11,614.00	\$4,728.07
		Potable/Recycled Irrigation	3/4" x 7.5"	\$202.30	\$96.00	\$298.30	\$207.70
			3/4" x 9"	\$215.39	\$96.00	\$311.39	\$207.70
			1"	\$261.05	\$96.00	\$357.05	\$207.70
			1.5"	\$424.31	\$96.00	\$520.31	\$207.70
			2"	\$607.99	\$96.00	\$703.99	\$207.70
			3"	\$1,311.35	\$578.00	\$1,889.35	\$3,295.81
			4"	\$2,553.00	\$578.00	\$3,131.00	\$3,295.81

Section #	Code #	Fee Description	Meter Size	Charges			
		Potable/Recycled Irrigation (continued)	6"	\$4,596.23	\$913.00	\$5,509.23	\$3,295.81
			8"	\$6,123.00	\$1,400.00	\$7,523.00	\$4,728.07
			10"	\$8,689.00	\$1,400.00	\$10,089.00	\$4,728.07
		Combined Fire and Domestic	4"	\$7,829.25	\$578.00	\$8,407.25	\$3,295.81
			6"	\$10,420.05	\$913.00	\$11,333.05	\$3,295.81
			8"	\$15,150.00	\$1,400.00	\$16,550.00	\$4,728.07
			10"	\$20,674.74	\$1,400.00	\$22,074.74	\$4,728.07
31	31.02 D.1.	Requirement of Temporary Meter for Service		minimum/per day	\$25.00		
31	31.03 A.1.	Requirement of Deposit for Temporary Meters					
			2"		\$2,046.00		
			4"		\$1,986.00		
			6"		\$2,465.00		
		- Construction Trailer Temporary Meter	2"		\$2,046.00		
		- Tank Truck Temporary Meter (Ordinance No. 372)	2"		\$850.00		
31	31.03 A.4.	Temporary Meter Install & Removal			\$128.00		
31	31.03 A.5.	Temporary Meter Move Fee (includes backflow certification)	3/4" - 2"		\$64.00		
			3" and larger	No backflow test	\$64.00		
33	33.07 A.	Customer Request for Meter Test (Deposit)	5/8", 3/4" & 1"		\$25.00		
			1-1/2" & 2 "		\$50.00		
			3" & Larger		\$125.00		
34	34.01 D.2.	Returned Check Charges			\$25.00		
34	34.02 B.	Late Payment Charge			5% of Delinquent Balance		
34	34.02 G.1.(d)	Delinquency Tag			\$10.00		

Section #	Code #	Fee Description	Meter Size	Charges			
34	34.02 G.3.(a)	Meter "Turn-On" Charge		During regular business hours	\$35.00		
34	34.02 G.3.(b)	Meter "Turn-On" Charge		After regular business hours	\$65.00		
53	53.04 C.1.	Sewer Connection Fee - Russell Square			\$7,500.00		
53	53.04 C.2.	Monthly Sewer Service Charge - Russell Square			\$200.00		
53	53.11 A.	Set-up Fees for Accounts			\$10.00		
53	53.11 B.2.	Residential Sewer Charges ⁽²⁾		Rate multiplied by winter average units	\$1.77		
53	53.11 B.3.	Residential Sewer Charges Base Fee ⁽²⁾	5/8" & 3/4"		\$12.26		
			1" & larger		\$17.88		
53	53.11 B.4.	Monthly Residential Sewer Rate Without Consumption History ⁽²⁾	5/8" & 3/4"		\$34.83		
			1" & larger		\$40.45		
53	53.11.C.4.	Winter Averaging - Sewer					
		- Single Residential		15 units - 15% discount = 12.75 units			
		- Multi-Residential		6 units - 15% discount = 5.1 units			
53	53.11 D.2.	Multi-Residential Rate Charges - Sewer ⁽²⁾		Rate multiplied by winter average units	\$1.77		
53	53.11 E.6.	Public Schools Sewer Rate ⁽²⁾		Per ASU (Based on Student Count)	\$41.75		
53	53.11 F.1.	Monthly Service Charge for Commercial and Institutional Sewer ⁽²⁾		Per ASU	\$41.75		

⁽²⁾ Sewer rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges
60	60.03	Issuance of Availability Letters for Water and/or Sewer Service		\$75.00
72	72.04 A.1.	Locking or Removing Damaged or Tampered Meters		
		- To Pull and Reset Meter	3/4" - 2"	\$170.00
		- Broken Curbstop or Tabs	3/4" - 1"	\$192.00
		- If Customer uses Jumper	3/4" - 1"	\$149.00
		- Broken Lock/Locking Device	3/4" - 1"	\$56.00
		- Cap Lock (Welded)	3/4" - 1"	\$158.00
		- Broken Curbstop or Tabs	1.5" - 2"	\$265.00
		- To Pull and Reset Meter	3"	\$351.00
		- To Pull and Reset Meter	4"	\$454.00
		- To Pull and Reset Meter	6"	\$454.00
		- To Pull and Reset Meter	8"	\$600.00
		- To Pull and Reset Meter	10"	\$600.00
72	72.05 D. A.	Type I Fine		
		- First Violation		\$100.00
		- Second Violations		\$200.00
		- Third or each additional violation of that same ordinance or requirement within a twelve-month period		\$500.00
		Type II Fine	Will not exceed per each day the violation is identified or continues.	\$5,000.00
		Type III Fine-	Fine up to amount specified per each day the violation is identified or continues-	\$500.00
		Type IV Fine-	Fine up to amount specified per each day the violation is identified or continues-	\$500.00

⁽²⁾ Sewer rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges
State Water Code	#71630 & Annual Board Resolution #4142	Water Availability/Standby Annual Special Assessment Charge	Less than one-acre all I.D.s & Outside an I.D.	\$10.00
			Per acre in I.D. 1, 5, & Outside an I.D.	\$10.00
			Per acre in I.D. 2,3,7,9,10,19,20,22,25,& 27	\$30.00
			Less than one-acre Outside I.D. and greater than one mile from District facilities.	\$3.00
			Per acre for outside I.D. & greater than one mile from District facilities.	\$3.00
State Water Code	#71630 & Annual Board Resolution #4142	Sewer Availability/Standby Annual Special Assessment Charge	Less than one acre I.D. 4, 14, & 18	\$10.00
			Per acre I.D. 4, 14, & 18	\$30.00
Annual Board Resolution		General Obligation Bond Annual Tax Assessment	Per \$1000 of assessed value for I.D. 27	\$0.005
Policies				
5		Copies of Identifiable Public Records		\$0.10/page
		Cassette Tape Duplication		\$2.00/tape
		Yearly Subscription Service for Agendas and Ratified Minutes		\$20.00/year or \$0.50/meeting
		Yearly Subscription Service for Board Packet and Ratified Minutes		\$100.00/year for first copy and \$200.00/year for each copy thereafter

Otay Water District							
Appendix A							
Section #	Code #	Fee Description	Meter Size		Charges		
9	9.04 A.1.	District Annexation Processing Fee			\$744.00		
	9.04 B.	Annexation Fees for Water Annexations into Otay Water District Boundaries			District-wide Annexation Fee		
			3/4"		\$1,556.00		
			1"		\$3,890.00		
			1-1/2"		\$7,780.00		
			2"		\$12,448.00		
			3"		\$24,896.00		
			4"		\$38,900.00		
			6"		\$77,800.00		
			8"		\$124,480.00		
			10"		\$178,940.00		
	9.04 C.4.	Annexation Fees for Annexations to Sewer Improvement Districts			\$5,741.00		
10	10.01	Filing of Petition			\$50.00		
23	23.04	Backflow Certification					
		- Second Notification			\$10.00		
		- Third Notification			\$25.00		
		- Reconnection (service resumed)			\$50.00		
		- Initial Filing Fee (New applicants for addition to the list of approved backflow prevention device testers)			\$25.00		
		- Renewal Filing Fee (to remain on list of approved backflow prevention device testers)		Annually	\$10.00		
25	25.03 A.	Set-up Fees for Accounts			\$10.00		

Section #	Code #	Fee Description	Meter Size	Charges		
				System Charge	MWD & CWA Fixed Charge	Total Fixed Charge
25	25.03 C.	Monthly Fixed System Charges, MWD & CWA Charges ⁽¹⁾	Meter Size			
			3/4"	\$14.58	\$14.01	\$28.59
			1"	\$18.52	\$23.33	\$41.85
			1-1/2"	\$28.37	\$46.74	\$75.11
			2"	\$40.18	\$74.74	\$114.92
			3"	\$71.68	\$149.48	\$221.16
			4"	\$107.13	\$233.58	\$340.71
			6"	\$205.59	\$467.09	\$672.68
			8"	\$323.73	\$747.39	\$1,071.12
			10"	\$461.57	\$1,070.74	\$1,532.31
25	25.03 E.1.(b)	Domestic Residential Water Rates ⁽¹⁾		Unit	Charge	
				0 - 5	\$1.58	
				6-10	\$2.45	
				11-22	\$3.19	
				23 or more	\$4.92	
25	25.03 E.2.(b)	Multiple Residential Water Rates - Per Dwelling Unit ⁽¹⁾		0-4	\$2.43	
				5-9	\$3.15	
				10 or more	\$4.85	
25	25.03 E.3.(b)	Business and Publicly-Owned Water Rates ⁽¹⁾	under 10"	0-173	\$2.59	
				174-831	\$2.66	
				832 or more	\$2.70	
			10" & larger	0-7,426	\$2.59	
				7,427-14,616	\$2.66	
				14,617 or more	\$2.70	
25	25.03 E.4.(c)	Irrigation and Commercial Agricultural Using Potable Water Rates ⁽¹⁾	1" & smaller	0-49	\$3.53	
				50-132	\$3.60	
				133 or more	\$3.66	

⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges					
25	25.03 E.4.(c)	Irrigation and Commercial Agricultural Using Potable Water Rates (continued) ⁽¹⁾	1.5" & 2"	0-144	\$3.53				
				145-355	\$3.60				
				356 or more	\$3.66				
			3" & larger	0-1,044	\$3.53				
				1,045-8,067	\$3.60				
				8,068 or more	\$3.66				
			25	25.03 E.5.(c)	Recycled Water Rates ⁽¹⁾	3/4" - 1"	0-42	\$3.02	
							43-97	\$3.06	
							98 or more	\$3.12	
1.5" & 2"	0-168	\$3.02							
	169-402	\$3.06							
	403 or more	\$3.12							
3" & 4"	0-403	\$3.02							
	404-820	\$3.06							
	821 or more	\$3.12							
6" & larger	0-7,916	\$3.02							
	7,917-16,357	\$3.06							
	16,358 or more	\$3.12							
25	25.03 E.6.(b)	Temporary and Construction Water Service Rates ⁽¹⁾				1" & smaller	0-49	\$7.06	
							50-132	\$7.20	
							133 or more	\$7.32	
			1.5" & 2"	0-144	\$7.06				
				145-355	\$7.20				
				356 or more	\$7.32				
			3" & larger	0-1,044	\$7.06				
				1,045-8,067	\$7.20				
				8,068 or more	\$7.32				

⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges	
25	25.03 E.8.(b)	Tank Trucks Water Rates ⁽¹⁾	1" & smaller	0-49	\$7.06
				50-132	\$7.20
				133 or more	\$7.32
			1.5" & 2"	0-144	\$7.06
				145-355	\$7.20
				356 or more	\$7.32
			3" & larger	0-1,044	\$7.06
				1,045-8,067	\$7.20
				8,068 or more	\$7.32
25	25.03 E.9.(c)	Application Fee for Water Service Outside District Boundaries		\$500.00	
25	25.03 E.9.(d)	Water Rate for Service Outside District Boundaries ⁽¹⁾	1" & smaller	0-49	\$7.06
				50-132	\$7.20
				133 or more	\$7.32
			1.5" & 2"	0-144	\$7.06
				145-355	\$7.20
				356 or more	\$7.32
			3" & larger	0-1,044	\$7.06
				1,045-8,067	\$7.20
				8,068 or more	\$7.32
25	25.03 E.10.(b)	Application Fee for Water Service Outside an Improvement District		\$275.00	
25	25.03 E.10.(c)	Water Rate for Service Outside Improvement District ⁽¹⁾	1" & smaller	0-49	\$7.06
				50-132	\$7.20
				133 or more	\$7.32
			1.5" & 2"	0-144	\$7.06
				145-355	\$7.20
				356 or more	\$7.32
⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012					

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 E.10.(c)	Water Rate for Service Outside Improvement District (continued) ⁽¹⁾	3" & larger	0-1,044	\$7.06	
				1,045-8,067	\$7.20	
				8,068 or more	\$7.32	
25	25.03 E.11.(c)	Fire Service Monthly Charge			\$30.11	
25	25.03 E.12.(b)	Additional Water Service for Property Not Subject to District Taxes		per unit	\$0.293	
25	25.03 E.13.(b)	Interim Service Water Rate in Improvement District 7 ⁽¹⁾	1" & smaller	0-49	\$7.06	
				50-132	\$7.20	
				133 or more	\$7.32	
			1.5" & 2"	0-144	\$7.06	
				145-355	\$7.20	
				356 or more	\$7.32	
			3" & larger	0-1,044	\$7.06	
				1,045-8,067	\$7.20	
				8,068 or more	\$7.32	
25	25.03 F.	Energy Charges for Pumping Water ⁽¹⁾		Per 100 ft of lift over 450 ft per unit	\$0.045	
25	25.03 G.1.	Additional Water Charge for Service in the North District		Per unit charge except for the first 5 units of residential	\$0.08	
25	25.03 H.1.	Additional Water Charges for Service in the Improvement District 9 Water Service Zone		Per unit charge except for the first 5 units of residential	\$0.27	
25	25.03 H.2.	Additional Monthly System Fee for Improvement District 9			\$2.00	
⁽¹⁾ Water rates on all billing cycles beginning in calendar year 2012						

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 I.1.(a)	Additional Water Charges for Services in Improvement District 3		Per unit charge except for the first 5 units of residential	0.19 per H.C.F.	Effective Jan 1, 2011
				"	0.20 per H.C.F.	Effective Jan 1, 2012
				"	0.21 per H.C.F.	Effective Jan 1, 2013
25	25.03 I.1.(b)	Additional Water Charges for Services in Improvement District 10		Per unit charge except for the first 5 units of residential	0.27 per H.C.F.	Effective Jan 1st 2011-2018
25	25.03 I.1.(c)	Additional Water Charges for Services in La Presa		Per unit charge except for the first 5 units of residential	0.08 per H.C.F.	Effective Jan 1st 2011-2013
25	25.04 A.	Deposits for Non-Property Owners	3/4"		\$75.00	
			1"		\$150.00	
			1-1/2"		\$200.00	
			2"		\$360.00	
			3"		\$800.00	
			4"		\$1,350.00	
			6"		\$3,300.00	
			8"		\$4,400.00	
			10"		\$5,500.00	
28	28.01 B.1.	Capacity Fees and Zone Charge			District-wide Capacity Fee	
		- I.D.'s 1,2,3,5,7,9,10,19,20,22,22/27 (excluding Triad), and 25 (only I.D.'s 5,7,10,19,22, and 22/27 require reclaimed irrigation meters).	3/4"		\$7,900.00	
			1"		\$19,750.00	
			1-1/2"		\$39,500.00	
			2"		\$63,200.00	
			3"		\$126,400.00	
			4"		\$197,500.00	
			6"		\$395,000.00	
			8"		\$632,000.00	
			10"		\$908,500.00	

Section #	Code #	Fee Description	Meter Size	Charges			
28	28.01 B.1.	- 22/27 TRIAD	3/4"		\$5,912.00		
			1"		\$14,780.00		
			1 -1/2"		\$29,560.00		
			2"		\$47,296.00		
			3"		\$94,592.00		
			4"		\$147,800.00		
			6"		\$295,600.00		
			8"		\$472,960.00		
			10"		\$679,880.00		
28	28.01 B.2.	New Water Supply Fee	3/4"		\$910.00		
		- All IDs including Triad	1"		\$2,275.00		
			1-1/2"		\$4,550.00		
			2"		\$7,280.00		
			3"		\$14,560.00		
			4"		\$22,750.00		
			6"		\$45,500.00		
			8"		\$72,800.00		
			10"		\$104,650.00		
28	28.02	Installation Charges for Water Meter and Water Service Laterals	Meter Size	Meter Cost	Installation	Total	Meter Box/Vault (if Needed)
		Potable (Non-Irrigation)	3/4" x 7.5"	\$202.30	\$96.00	\$298.30	\$81.50
			3/4" x 9"	\$215.39	\$96.00	\$311.39	\$81.50
			1"	\$261.05	\$96.00	\$357.05	\$81.50
			1.5"	\$424.31	\$96.00	\$520.31	\$184.76
			2"	\$607.99	\$96.00	\$703.99	\$184.76
			3"	\$1,894.74	\$578.00	\$2,472.74	\$3,295.81
			4"	\$3,290.86	\$578.00	\$3,868.86	\$3,295.81
			6"	\$5,684.21	\$913.00	\$6,597.21	\$3,295.81
			8"	\$7,102.00	\$1,400.00	\$8,502.00	\$4,728.07
			10"	\$10,214.00	\$1,400.00	\$11,614.00	\$4,728.07
		Potable/Recycled Irrigation	3/4" x 7.5"	\$202.30	\$96.00	\$298.30	\$207.70
			3/4" x 9"	\$215.39	\$96.00	\$311.39	\$207.70
			1"	\$261.05	\$96.00	\$357.05	\$207.70
			1.5"	\$424.31	\$96.00	\$520.31	\$207.70
			2"	\$607.99	\$96.00	\$703.99	\$207.70
			3"	\$1,311.35	\$578.00	\$1,889.35	\$3,295.81
			4"	\$2,553.00	\$578.00	\$3,131.00	\$3,295.81

Section #	Code #	Fee Description	Meter Size	Charges			
		Potable/Recycled Irrigation (continued)	6"	\$4,596.23	\$913.00	\$5,509.23	\$3,295.81
			8"	\$6,123.00	\$1,400.00	\$7,523.00	\$4,728.07
			10"	\$8,689.00	\$1,400.00	\$10,089.00	\$4,728.07
		Combined Fire and Domestic	4"	\$7,829.25	\$578.00	\$8,407.25	\$3,295.81
			6"	\$10,420.05	\$913.00	\$11,333.05	\$3,295.81
			8"	\$15,150.00	\$1,400.00	\$16,550.00	\$4,728.07
			10"	\$20,674.74	\$1,400.00	\$22,074.74	\$4,728.07
31	31.02 D.1.	Requirement of Temporary Meter for Service		minimum/per day	\$25.00		
31	31.03 A.1.	Requirement of Deposit for Temporary Meters					
			2"		\$2,046.00		
			4"		\$1,986.00		
			6"		\$2,465.00		
		- Construction Trailer Temporary Meter	2"		\$2,046.00		
		- Tank Truck Temporary Meter (Ordinance No. 372)	2"		\$850.00		
31	31.03 A.4.	Temporary Meter Install & Removal			\$128.00		
31	31.03 A.5.	Temporary Meter Move Fee (includes backflow certification)	3/4" - 2"		\$64.00		
			3" and larger	No backflow test	\$64.00		
33	33.07 A.	Customer Request for Meter Test (Deposit)	5/8", 3/4" & 1"		\$25.00		
			1-1/2" & 2"		\$50.00		
			3" & Larger		\$125.00		
34	34.01 D.2.	Returned Check Charges			\$25.00		
34	34.02 B.	Late Payment Charge			5% of Delinquent Balance		
34	34.02 G.1.(d)	Delinquency Tag			\$10.00		

Section #	Code #	Fee Description	Meter Size	Charges			
34	34.02 G.3.(a)	Meter "Turn-On" Charge		During regular business hours	\$35.00		
34	34.02 G.3.(b)	Meter "Turn-On" Charge		After regular business hours	\$65.00		
53	53.04 C.1.	Sewer Connection Fee - Russell Square			\$7,500.00		
53	53.04 C.2.	Monthly Sewer Service Charge - Russell Square			\$200.00		
53	53.11 A.	Set-up Fees for Accounts			\$10.00		
53	53.11 B.2.	Residential Sewer Charges ⁽²⁾		Rate multiplied by winter average units	\$1.77		
53	53.11 B.3.	Residential Sewer Charges Base Fee ⁽²⁾	5/8" & 3/4"		\$12.26		
			1" & larger		\$17.88		
53	53.11 B.4.	Monthly Residential Sewer Rate Without Consumption History ⁽²⁾	5/8" & 3/4"		\$34.83		
			1" & larger		\$40.45		
53	53.11.C.4.	Winter Averaging - Sewer					
		- Single Residential		15 units - 15% discount = 12.75 units			
		- Multi-Residential		6 units - 15% discount = 5.1 units			
53	53.11 D.2.	Multi-Residential Rate Charges - Sewer ⁽²⁾		Rate multiplied by winter average units	\$1.77		
53	53.11 E.6.	Public Schools Sewer Rate ⁽²⁾		Per ASU (Based on Student Count)	\$41.75		
53	53.11 F.1.	Monthly Service Charge for Commercial and Institutional Sewer ⁽²⁾		Per ASU	\$41.75		

⁽²⁾ Sewer rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges
60	60.03	Issuance of Availability Letters for Water and/or Sewer Service		\$75.00
72	72.04 A.1.	Locking or Removing Damaged or Tampered Meters		
		- To Pull and Reset Meter	3/4" - 2"	\$170.00
		- Broken Curbstop or Tabs	3/4" - 1"	\$192.00
		- If Customer uses Jumper	3/4" - 1"	\$149.00
		- Broken Lock/Locking Device	3/4" - 1"	\$56.00
		- Cap Lock (Welded)	3/4" - 1"	\$158.00
		- Broken Curbstop or Tabs	1.5" - 2"	\$265.00
		- To Pull and Reset Meter	3"	\$351.00
		- To Pull and Reset Meter	4"	\$454.00
		- To Pull and Reset Meter	6"	\$454.00
		- To Pull and Reset Meter	8"	\$600.00
		- To Pull and Reset Meter	10"	\$600.00
72	72.05 D. A.	Type I Fine		
		- First Violation		\$100.00
		- Second Violations		\$200.00
		- Third or each additional violation of that same ordinance or requirement within a twelve-month period		\$500.00
		Type II Fine	Will not exceed per each day the violation is identified or continues.	\$5,000.00

⁽²⁾ Sewer rates on all billing cycles beginning in calendar year 2012

Section #	Code #	Fee Description	Meter Size	Charges
State Water Code	#71630 & Annual Board Resolution #4142	Water Availability/Standby Annual Special Assessment Charge	Less than one-acre all I.D.s & Outside an I.D.	\$10.00
			Per acre in I.D. 1, 5, & Outside an I.D.	\$10.00
			Per acre in I.D. 2,3,7,9,10,19,20,22,25,& 27	\$30.00
			Less than one-acre Outside I.D. and greater than one mile from District facilities.	\$3.00
			Per acre for outside I.D. & greater than one mile from District facilities.	\$3.00
State Water Code	#71630 & Annual Board Resolution #4142	Sewer Availability/Standby Annual Special Assessment Charge	Less than one acre I.D. 4, 14, & 18	\$10.00
			Per acre I.D. 4, 14, & 18	\$30.00
Annual Board Resolution		General Obligation Bond Annual Tax Assessment	Per \$1000 of assessed value for I.D. 27	\$0.005
Policies				
5		Copies of Identifiable Public Records		\$0.10/page
		Cassette Tape Duplication		\$2.00/tape
		Yearly Subscription Service for Agendas and Ratified Minutes		\$20.00/year or \$0.50/meeting
		Yearly Subscription Service for Board Packet and Ratified Minutes		\$100.00/year for first copy and \$200.00/year for each copy thereafter



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012
SUBMITTED BY:	Mark Watton General Manager	PROJECT:	Various DIV. NO. ALL
APPROVED BY:	<input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	ADOPT ORDINANCE NO. 535 AMENDING SECTION 6, CONFLICT OF INTEREST CODE, OF THE DISTRICT'S CODE OF ORDINANCES		

GENERAL COUNSEL'S RECOMMENDATION:

That the Board adopt Ordinance No. 535 amending Section 6, Conflict of Interest Code, of the District's Code of Ordinances to update the gift limit, the definition of prohibited incompatible activities, expand the list of positions required to file a Form 700, update/delete position titles that no longer exist and amend the disclosure categories. The updates and amendments are reflected in Exhibit A of Attachment B.

COMMITTEE ACTION: _____

Please see attachment A.

PURPOSE:

To amend the District's Conflict of Interest Code contained within the District's Code of Ordinances to update the gift limit, the definition of prohibited incompatible activities, expand the list of positions required to file a Form 700, update/delete position titles that no longer exist and amend the disclosure categories.

ANALYSIS:

As required by the Political Reform Act ("Act"), General Counsel has conducted a biennial review of the District's Conflict of Interest Code ("COI Code") and indicated that the body of the code requires two minor updates to reflect changes in California law. Specifically, the gift limit was increased from \$390 to \$420 and the definition of prohibited incompatible activities under Government Code section 1126 was expanded to include acts outside one's official capacity that may later be subject to control, inspection, review, audit, or enforcement by one's agency or agency personnel. In addition, Counsel suggested that

the District amend Categories 4, 6 and 7 of the Appendix of the District's COI Code to include "business positions" in Category 4 and expand the description of reportable items in Categories 6 and 7. The District also desires to expand the list of positions required to file a Form 700 to include the *Safety and Security Administrator* and *Customer Service Manager* as these positions participate in the making of decisions that may have a material affect on financial interests as established by the District's COI Code. Lastly, position titles within the code are being updated or deleted as they no longer exist. The proposed changes to the COI Code are relected in Exhibit A to Attachment B of this staff report.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

None.

LEGAL IMPACT:

None.

Attachments:

Attachment A: Committee Action
Attachment B: Ordinance No. 535, Amending Conflict of
Interest Code



ATTACHMENT A

SUBJECT/PROJECT:	ADOPT ORDINANCE NO. 535 AMENDING THE APPENDIX OF SECTION 6, CONFLICT OF INTEREST CODE, OF THE DISTRICT'S CODE OF ORDINANCES
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COMMITTEE ACTION:

The Finance, Administration, and Communications Committee reviewed this item at a meeting held on September 17, 2012. The following comments were made:

- The District reviews its Conflict of Interest Code biannually as required by the Political Reform Act.
- Staff is proposing that the disclosure categories for several positions who are required to file Form 700's be updated. Disclosure categories are determined upon each position's area of oversight. Proposed updates are noted in Exhibit A of Attachment B.
- California laws have also changed and the District's Conflict of Interest Code is being updated to reflect the new changes in the law.
- Staff also wished to expand the list of positions required to file a Form 700 and have added the positions of Customer Service Manager and Safety and Security Administrator as these positions participate in the making of decisions that may have a material affect on financial interests as established by the District's Conflict of Interest Code.
- The committee inquired why the disclosure category for the position of Engineering Manager was changed from '6' to '7.' Staff indicated that disclosure category '6' is all inclusive or a broader reporting requirement (District-wide), whereas category '7' is limited to the designated employee's areas of responsibility. The General Manager

oversees all areas and would report under disclosure category '6,' the broader reporting requirement.

The committee supported staffs' recommendation and presentation to the full board on the consent calendar.

ORDINANCE NO. 535

AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE OTAY WATER DISTRICT
AMENDING SECTION 6,
CONFLICT OF INTEREST CODE,
OF THE DISTRICT'S CODE OF ORDINANCE

BE IT ORDAINED by the Board of Directors of Otay Water District that the District's Code of Ordinances, Section 6, Conflict of Interest Code, be amended to update the gift limit, the definition of prohibited incompatible activities, expand the list of positions required to file a Form 700, update/delete position titles that no longer exist and amend the disclosure categories. The amendments are presented in Exhibit A attached to this ordinance.

NOW, THEREFORE, BE IT RESOLVED that the amendments to Section 6, Conflict of Interest Code, to the District's Code of Ordinances shall become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting duly held this 9th day of October 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

President

ATTEST:

District Secretary

DIVISION I DISTRICT ADMINISTRATION
CHAPTER 5 PERSONNEL PRACTICES
SECTION 6 CONFLICT OF INTEREST CODE

6.01 DEFINITIONS

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, *et seq.*), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

6.02 DESIGNATED EMPLOYEES

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

6.03 DISCLOSURE CATEGORIES

This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interest pursuant to Article 2 of Chapter 2 of the Political Reform Act, Government Code Sections 87200, *et seq.*¹ In addition, this code does not establish any disclosure obligation for any designated public officials who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code Section 87200; and

(C) The filing officer is the same for both agencies.

¹ Designated employees who are required to file statements of economic interest under any other agency's Conflict of Interest Code or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interest in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and district statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

Such persons are covered by this Code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of financial interest are reportable. Such a designated employee shall disclose in his or her statement of economic interest those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interest which he or she foreseeably can affect materially through the conduct of his or her office.

6.04 STATEMENTS OF ECONOMIC INTERESTS: PLACE OF FILING

All officials and employees required to submit a statement of economic interest (employees in Designated Positions) shall file their statements with the General Manager, or his or her designee. The District shall make and retain a copy of all statements filed by Designated Positions and forward the originals of such statements to the Executive Office of the Board of Supervisors of San Diego County. All retained statements, originals or copies shall be available for public inspection and reproduction. (Cal. Gov't Code § 81008)²

6.05 STATEMENTS OF ECONOMIC INTERESTS: TIME OF FILING

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

² See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

6.06 STATEMENTS FOR PERSONS WHO RESIGN PRIOR TO ASSUMING OFFICE

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or a leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

1. File a written resignation with the appointing power; and
2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

6.07 CONTENTS OF AND PERIOD COVERED BY STATEMENTS OF ECONOMIC INTERESTS

(A) Contents of Initial Statements

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or on the date of appointment, and income received during the 12 months prior to the date of assuming office or the date of being appointed, respectively.

(C) Contents of Annual Statements

Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office, whichever is later.

(D) Contents of Leaving Office Statements

Leaving office statements shall disclose reportable investments, interest in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

6.08 MANNER OF REPORTING

Statements of economic interest shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure

When an investment or an interest in real property³ is required to be reported⁴, the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure

When personal income is required to be reported⁵, the statement shall contain:

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

1. The name and address of each source of income aggregating \$500 or more in value or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. File In the case of a loan, the annual interest rate and the security, if any, given for the loan.

(C) Business Entity Income Disclosure

When income of a business entity, including income of a sole proprietorship is required to be reported⁶, the statement shall contain:

1. The name, address and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure

When business positions are required to be reported, a designated employee shall list the name and address of each business entity in

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

which he or she is a director, officer, partner, trustee, employee or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period

In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

6.09 PROHIBITION ON RECEIPT OF HONORARIA

A. No designated public official shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

6.10 PROHIBITION ON RECEIPT OF GIFTS IN EXCESS OF AMOUNT ESTABLISHED BY LAW⁷

A. No designated public official shall accept gifts with a total value of more than the maximum amount established by law, in any calendar year, from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

6.11 LOANS TO PUBLIC OFFICIALS

A. No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government

⁷ Designated Persons are prohibited from accepting gifts from any single source in a calendar year with a total value in excess of designated amounts. See Govt. Code § 89503, sub-divisions (e), (f) and (g). [Note: Pursuant to 2 CCR § 18940.2 (ba), the FPPC adjusts the gift limit every odd-numbered year to reflect changes in the Consumer Price Index; therefore, the ~~\$390-420~~ limit adopted by the FPPC in January of ~~2007-2011~~ will be updated in January ~~2009-2013~~ and every odd year thereafter, until further notice.]

agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

B. No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

C. No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

D. No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

E. This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the

loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

6.12 LOAN TERMS

A. Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

B. This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

4. Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

6.13 PERSONAL LOANS

A. Except as set forth in subdivision (B), a personal loan received by any designated public official shall become a gift to the designated public official for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

B. This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

C. Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

6.14 DISQUALIFICATION

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to

official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

- (D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
- (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating to the maximum amount established by law, or more, in value provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

6.15 LEGALLY REQUIRED PARTICIPATION

No designated public official shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated public official who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

6.16 DISQUALIFICATION OF STATE OFFICERS AND EMPLOYEES

In addition to the general disqualification provisions of Section 6.14, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

- (A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- (B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1000 or more.

6.17 DISCLOSURE OF DISQUALIFYING INTEREST

When a designated public official determines that he or she should not make a governmental decision because he or she has a

disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

6.18 ASSISTANCE OF THE COMMISSION AND COUNSEL

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

6.19 VIOLATIONS

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

6.20 PROHIBITED TRANSACTIONS

Members of the Board of Directors and Designated Employees shall comply with the Prohibited Transactions policy, annexed hereto as Exhibit A, pursuant to California Government Code Sections 1090, et seq.

6.21 INCOMPATIBLE ACTIVITIES

Members of the Board of Directors, District officers, and all other District employees shall comply with the Incompatible Activities policy, annexed hereto as Exhibit B, pursuant to California Government Code Sections 1126, et seq.

APPENDIX

OTAY WATER DISTRICT
CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS

The Treasurer and all District Officials who manage the investment of public funds are included in and governed by this Conflict of Interest Code only with respect to its disqualification provisions. For purposes of disclosure, the Treasurer and all District Officials who manage the investment of public funds are governed by the statutory conflict of interest provisions of Article 2 of Chapter 7 of the Political Reform Act of 1974. (Government Code Sections 87200, et seq.)

DESIGNATED EMPLOYEES'

<u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Members of the Board of Directors	1, 2, 3, 4, 5, 6
General Manager	1, 2, 3, 4, 5, 6
Secretary of District <u>Secretary</u>	6
Asst. General Manager, Finance and Administration	1, 2, 3, 4, 5, 6, 7
Asst. General Manager, Engineering and Operations	1, 2, 3, 4, 6, 7
Chief of Administrative Services	1, 2, 3, 4, 5, 6 <u>7</u>
Chief Financial Officer	1, 2, 5, 7
Chief Information Officer	1, 3, 7
Chief of Engineering	1, 2, 3, 4, 7
Chief of Water Operations	1, 2, 3, 4, 7
Associate Civil Engineer	1, 2, 3, 4, 7
Communications Officer	6
<u>Customer Service Manager</u>	<u>2, 5, 7</u>
Environmental Compliance Specialist	1, 2, 3, 4, 7

Engineering Manager/ Design,	<u>1, 2, 3, 4, 7</u>
Construction, and Planning	1, 2, 3, 4, 7
Engineering Manager/Water	
Resources	1, 2, 3, 4, 7
Finance Manager, Controller, and Budget	2, 5, 7
Finance Manager, Treasury, and Accounting	2, 5, 7
GIS Manager	3, 6, 7
Human Resources Manager	3, 6
IT Operations Manager	3, 6, 7
Network Engineer	3, 6, 7
Public Services Manager	1, 2, 3, 4, 7
Purchasing and Facilities Manager	2, 6
<u>Safety and Security Administrator</u>	<u>1, 2, 3, 4, 6</u>
Senior Buyer	6
Senior Civil Engineer	1, 2, 3, 4, 7
System Operations Manager	1, 2, 3, 4, 7
Utility Services Manager	1, 2, 3, 4, 7
Water Conservation Manager	2, 3, 4, 6
Consultant ⁸	1, 2, 3, 4, 5, 6

⁸ Consultants are required to file disclosure statements where they: (a) conduct research and arrive at conclusions with respect to rendition of information, advice, recommendation or counsel independent of control and direction of the agency or any agency official other than normal contract monitoring; and (b) possess no authority with respect to any agency decision beyond the rendition of information, advice, recommendation or counsel. The determination as to whether a consultant shall be required to file a disclosure statement shall be made by the General Manager or his or her designee.

APPENDIX, CONTINUED

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in, and sources of income from, all business entities that do business or own real property in the District, plan to do business or own real property in the District within the next year or have done business or owned real property in the District within the past two years.

Category 2: All interests in real property which are located in whole or in part within, or not more than two (2) miles outside the boundaries of the District.

Category 3: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit or licensing authority of the Designated Employee's Department, will be subject to such authority within the next year or have been subject to such authority within the past two years.

Category 4: All investments, ~~in,~~ business positions, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property in the District, plan to engage in such activities in the District within the next year or have engaged in such activities in the District within the past two years.

Category 5: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan or other financial institutions.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery or equipment of a type ~~purchased or,~~ leased, used, or administered by the District.

Category 7: All investments and business positions in, and sources of income from business entities that provide services, supplies, materials, machinery or equipment of a type purchased, leased, used, or administered by the Designated Employee's Department.

EXHIBIT A

Prohibited Transactions for Specified Personnel

Members of the Board of Directors ("Members") shall comply with this Prohibited Transactions policy pursuant to California Government Code §§ 1090, *et seq.*

Members shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Members shall not be purchasers at any sale or vendors at any purchase made by them in their official capacity. Members shall not be deemed to be interested in a contract entered into by a body or board of which they are members if the Member has only a remote interest in the contract and if the fact of that interest is disclosed to the body or board of which the Member is a member and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the Board of Directors member with the remote interest. "Remote interest" shall be defined as in California Government Code § 1091(b).

Members shall not be considered to be financially interested in a contract if their interest is including, but not limited to, any of the following (Government Code § 1091.5):

1. That of an officer in being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty;
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board;
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or an public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091;
4. That of a spouse of an officer or employee of a public agency if his/her spouse's employment or office-holding has

existed for at least one year prior to his/her election or appointment;

5. That of a non-salaried member of a nonprofit corporation, provided that such interest is disclosed to the board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records;
6. That of a non-compensated officer of a nonprofit, tax-exempt corporation, which, as one of its primary purposes, supports the functions of the board or to which the board has legal obligation to give particular consideration, and provided further that such interest is noted in its official records;
7. That of compensation for employment with a governmental agency, other than the governmental agency that employs the officer or employee, provided that the interest is disclosed to the board at the time of consideration of the contract, and provided further that the interest is noted in its official records;
8. That of an attorney of the contracting party of that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm.

In addition, Members shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if their sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor (Government Code § 1091.5).

Authority:

California Government Code §§ 1090, *et seq.*

EXHIBIT B

Incompatible Activities Policy

District officers, members of the Board of Directors, and all other District employees (collectively, "district personnel") shall comply with this Incompatible Activities policy pursuant to California Government Code §§ 1126, *et seq.*

District personnel shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a member of the Board of Directors, or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed.

The outside employment, activity, or enterprise of district personnel is prohibited if it: (1) involves the use for private gain or advantage of his or her local District time, facilities, equipment and supplies; or the badge, uniform, prestige, or influence of his or her local District office or employment or, (2) involves receipt or acceptance by district personnel of any money or other consideration from anyone other than the District for the performance of an act which district personnel, if not performing such act, would be required or expected to render in the regular course or hours of their local District employment or as a part of their duties as a local District officer or employee or, (3) involves the performance of an act in other than his or her capacity as a local agency officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee or the agency by which he or she is employed, or (4) involves the time demands as would render performance of his or her duties as a local district personnel member less efficient.

Nothing in this policy shall be interpreted to prohibit any outside employment, activity, counsel, or enterprise on behalf of another governmental entity, subject to common law and professional conflict of interest rules.

Copies of this regulation shall be posted in prominent places at the District Office. District personnel who violate this regulation may be subject to discipline as set forth in the applicable Code of Ordinances and Policies. Board of Directors members who violate this section may be subject to censure. Disciplinary appeals by district personnel shall be handled pursuant to applicable Code of Ordinances and Policies.

Authority:

California Government Code §§ 1125, *et seq.*



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012
SUBMITTED BY:	Mark Watton, General Manager	PROJECT:	Various DIV.NO. ALL
APPROVED BY:	<input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Local Area Formation Commission (LAFCO) Special Districts 2012 Election		

GENERAL MANAGER'S RECOMMENDATION:

That the Board consider casting votes for a Regular District Member on LAFCO's Commission and eight (8) Special Districts Advisory Committee members in the LAFCO Special Districts 2012 Election.

COMMITTEE ACTION:

See Attachment A.

PURPOSE:

To present for the Board's consideration the LAFCO Special Districts 2012 Election ballots.

ANALYSIS:

In April of this year, LAFCO solicited nominations for a Regular District Member on their Commission and eight (8) Special Districts Advisory Committee members. They received two (2) nominations for the Regular Member and nine (9) nominations for the eight (8) positions on their Special Districts Advisory Committee. Mr. Bud Pocklington, South Bay Irrigation District, is the current Regular Member incumbent and he is running for re-election. Of the nine (9) candidates for the Special Districts Advisory Committee seats, seven (7) are current incumbents.

The District has received the ballots for the elections along with the Nominating Committee's report and recommendations, and the candidates' nomination forms (please see attached). The incumbents names appear in *italics* on the ballots. Also attached is a letter from Mr. Jim Archer, Alpine Fire Protection District, who is requesting the District's support for his nomination to the LAFCO Special District's Advisory Committee.

Ballots must be submitted to LAFCO by October 10, 2012.

FISCAL IMPACT:

Joe Beachem, Chief Financial Officer

None.

STRATEGIC GOAL:

Participating would support the strategic goal of maintaining effective communications with other cities, special districts, State and Federal governments, community organizations and Mexico.

LEGAL IMPACT:

None.

Attachments:

LAFCO Correspondence
LAFCO Nominating Committee Report and Ballots
Candidates' Nomination Forms
James Archers Correspondence



ATTACHMENT A

SUBJECT/PROJECT:	Local Area Formation Commission (LAFCO) Special Districts 2012 Election
-------------------------	--

COMMITTEE ACTION:

The Finance, Administration, and Communications Committee reviewed this item at a meeting held on September 17, 2012. The committee suggested that the board cast the District's votes in support of the nominating committee's recommendations and that this item be presented for the full board's consideration on the consent calendar.



9335 Hazard Way • Suite 200 • San Diego, CA 92123
Phone (858) 614-7755 • Fax (858) 614-7766

San Diego Local Agency Formation Commission

Website: www.sdlafco.org

Chairwoman

Dianne Jacob
County Board of
Supervisors

August 29, 2012

Vice Chairman

Andrew L. Vanderlaan
Public Member

TO: Independent Special Districts of San Diego County

FROM: Executive Officer
Local Agency Formation Commission

Members

Bill Horn
County Board of
Supervisors

SUBJECT: 2012 Special Districts Election

Bud Pocklington
South Bay
Irrigation District

Mark Lewis
Mayor
City of El Cajon

John Ingalls
Santa Fe
Irrigation District

Lorie Zapf
Councilmember
City of San Diego

Jim Janney
Mayor
City of Imperial Beach

Alternate Members

Greg Cox
County Board of
Supervisors

Sherri Lightner
Councilmember
City of San Diego

Sam Abed
Mayor
City of Escondido

Jo MacKerzie
Vista Irrigation District

Harry Mathis
Public Member

Executive Officer

Michael D. Ott

Counsel

Thomas Bosworth

By our letter of April 27, 2012, we solicited nominations for one regular district commission position on the Local Agency Formation Commission (LAFCO), and eight positions on LAFCO's Special Districts Advisory Committee. By the deadline of June 8, 2012, two nominations for the regular Commission member, and nine nominations for eight positions on the Advisory Committee were received. As required by the Selection Committee Rules, all eligible nominations were forwarded to the Nominating Committee. The 2012 Nominating Committee was comprised of Gary Croucher (Otay Water District), Judy Hanson (Leucadia Wastewater District), and Kimberly Thorner (Olivenhain Municipal Water District). After the Candidates Forum held on August 16, 2012 at the San Diego Chapter of the California Special District Association's Quarterly Dinner Meeting, LAFCO Consultant Harry Ehrlich met with the Nominating Committee on August 22, 2012 to discuss a recommended slate of nominees for the open positions. A copy of the Nominating Committee's Report and Recommendations is attached (**Attachment 1**). Special District Election Ballots and Vote Certification forms on which to record your votes are also attached (**Attachment 2**). A list of the eligible independent special districts is provided for your convenience (**Attachment 3**). Please note that LAFCO staff has not included any of the candidates' promotional materials with the election materials. Lastly, attached are the Special District Summary of Nominations and copies of Nomination Forms (**Attachment 4**).

With respect to ballots, there is a separate ballot for each position: **yellow** for the LAFCO regular special district member, and **blue** for the advisory committee members. **Be sure each ballot is marked only for the number of positions to be voted for in that category. A ballot that is cast for more than the indicated number of positions will be disregarded.**

The ballots should be considered by your full district board. State Law and the Selection Committee Rules require a district's vote to be cast by its presiding officer, or an alternate member of the legislative body appointed by the other members. Therefore, the certification form has been incorporated with the ballot forms to be signed by the person who casts your district's votes. **A ballot received without a signed certification form will not be counted.**

All nominees are listed on the respective ballot. An asterisk indicates the nominating committee recommendations, and incumbents have been *italicized*. Write-in candidates are permitted, and spaces have been provided for that purpose.

The deadline for receipt of the ballots by LAFCO is **October 10, 2012**. The Selection Committee Rules require that marked ballots be returned **by certified mail, return receipt requested**. Facsimile (FAX) ballots and certification forms will be accepted, **if necessary to meet the ballot deadline**, but originals must be submitted as soon as possible thereafter.

The Selection Committee Rules stipulate that a majority of the districts shall constitute a quorum for the conduct of committee business. There are 61 independent special districts in the county; therefore, a minimum of **31** ballots must be received to certify that a legal election was conducted. A candidate for the LAFCO member position must receive at least a majority of the votes cast to be elected. Election to the Special Districts Advisory Committee requires only a plurality vote. The ballots will be kept on file in this office, and will be made available upon request.

Please call me or Tamaron Luckett if you have any questions.



MICHAEL D. OTT
Executive Officer

MDO:trl

Attachments:

- (1) Nominating Committee Report and Recommendations
- (2) Special District Election Ballot and Vote Certification Form
- (3) Independent Special District List
- (4) Independent Special District Summary of Nominations and Copies of Nomination Forms



Chairwoman

Dianne Jacob
County Board of
Supervisors

August 29, 2012

Vice Chairman

Andrew L. Vanderlaan
Public Member

TO: Independent Special Districts in San Diego County

Members

FROM: 2012 Special Districts Election Nominating Committee

Bill Horn
County Board of
Supervisors

SUBJECT: Nominating Committee Report and Recommendations

Bud Pocklington
South Bay
Irrigation District

Mark Lewis
Mayor
City of El Cajon

John Ingalls
Santa Fe
Irrigation District

Lorie Zapf
Councilmember
City of San Diego

Jim Janney
Mayor
City of Imperial Beach

Alternate Members

Greg Cox
County Board of
Supervisors

Sherri Lightner
Councilmember
City of San Diego

Sam Abed
Mayor
City of Escondido

Jo MacKenzie
Vista Irrigation District

Harry Mathis
Public Member

In 2012, independent special district nominations were solicited for: (1) one Regular District member on the Local Agency Formation Commission (LAFCO) Commission with a term expiring in 2016, and (2) eight Special Districts Advisory Committee members with eight terms expiring in 2016. By the deadline of June 8, 2012, our office received two nominations for the LAFCO regular member position, and nine nominations for the eight Special Districts Advisory Committee positions.

As required by the Selection Committee Rules, a nominating committee was appointed to review the nominations submitted, and to prepare a list of recommended candidates. According to the Selection Committee Rules, the nominating committee is appointed by the chairperson or vice chair of the Special Districts Advisory Committee. A Candidates Forum, moderated by LAFCO Consultant Harry Ehrlich was scheduled on August 16th as part of the quarterly dinner meeting of the San Diego Chapter, California Special Districts Association. All candidates were invited to attend and present a brief statement of qualifications. In the interest of impartiality, the Nominating Committee decided to conclude its deliberations after the Candidates Forum. In evaluating the nominations, the committee considered special district experience, interest, and knowledge of LAFCO issues. For those nominees who are incumbents, the committee further considered attendance records and meeting participation. The committee also wanted to ensure representation from those types of districts that most often are involved in making recommendations to LAFCO. The nominating committee's recommendation for each category follows:

Executive Officer

Michael D. Ott

Counsel

Thomas Bosworth

NOMINATING COMMITTEE RECOMMENDATIONS

LAFCO Regular Member

The Nominating Committee recommended **Bud Pocklington** (South Bay Irrigation District.)

Special Districts Advisory Committee Members

The Nominating Committee recommended the following nominees for the Advisory Committee (incumbents are *italicized*):

James Archer (Alpine Fire Protection District)

Dennis Shepard (North County Cemetery District)

Augie Scalzitti (Padre Dam Municipal Water District)

Douglas Humphrey (Resource Conservation District of Greater San Diego County)

Teresa Thomas (South Bay Irrigation District)

Gary Arant (Valley Center Municipal Water District)

Tom Bumgardner (Valley Center Parks and Recreation District)

Margarette Morgan (Vista Fire Protection District)

Copies of all nominations are attached following this report.

2012 NOMINATING COMMITTEE

GARY CROUCHER
OTAY WATER DISTRICT

JUDY HANSON
LEUCADIA WASTEWATER DISTRICT

KIMBERLY THORNER
OLIVENHAIN MUNICIPAL WATER DISTRICT

**2012 SPECIAL DISTRICTS ELECTION
BALLOT and VOTE CERTIFICATION
FOR REGULAR LAFCO SPECIAL DISTRICT MEMBER**

VOTE FOR ONLY ONE

- * **Bud Pocklington** []
(South Bay Irrigation District)
- Jon J. Lorenz** []
(Lakeside Fire Protection District)

Write-Ins

_____ []

_____ []

I hereby certify that I cast the votes of the _____
(Name of District)
at the 2012 Special Districts Selection Committee Election as:

- [] the presiding officer, or
- [] the duly-appointed alternate board member.

(Signature)

(Title)

(Date)

Please note: The order in which the candidates' names are listed was determined by random selection.

* = Nominating Committee's Recommendation

**2012 SPECIAL DISTRICTS ELECTION
BALLOT and VOTE CERTIFICATION
FOR SPECIAL DISTRICTS ADVISORY COMMITTEE MEMBER**

VOTE FOR ONLY EIGHT (Incumbents are *italicized*)

- * ***Dennis Shepard*** (North County Cemetery District) []
- William Haynor*** (Whispering Palms Community Services District) []
- * **James Archer** (Alpine Fire Protection District) []
- * ***Douglas Humphrey*** (Resource Conservation District Greater San Diego County) []
- * **Gary Arant** (Valley Center Municipal Water District) []
- * **Augie Scalzitti** (Padre Dam Municipal Water District) []
- * **Margarette Morgan** (Vista Fire Protection District) []
- * **Tom Bumgardner** (Valley Center Parks and Recreation District) []
- * **Teresa Thomas** (South Bay Irrigation District) []

** **Write-Ins**

_____ []

_____ []

I hereby certify that I cast the votes of the _____
(Name of District)
at the 2012 Special Districts Selection Committee Election as:

- [] the presiding officer, or
- [] the duly-appointed alternate board member.

(Signature)

(Title)

(Date)

Please note: The order in which the candidates' names are listed was determined by random selection.

* = Nominating Committee's Recommendation

DATE RECEIVED
BY LAFCO:

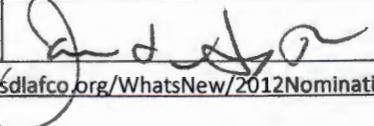
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JUN 06 2012

2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	South Bay Irrigation District
District Phone:	(619) 427-0868
NAME OF NOMINEE:	
Name:	Bud Pocklington
Address:	505 Garrett Avenue, Chula Vista, CA 91910
Phone:	(619) 409-6703
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR (X) ADVISORY COMMITTEE ()
DISTRICT EXPERIENCE:	Bud was elected to the South Bay Irrigation District and Sweetwater Authority in 1986. He has served many times as President of South Bay Irrigation District and as Chair of the Sweetwater Authority. Bud has also served on the Board of Directors of the San Diego County Water Authority for over ten years and on the Board of Directors of the Metropolitan Water District for six years.
LAFCO EXPERIENCE:	Bud was elected in 1989 to LAFCO's Special District Advisory Committee. While serving as Chairman of the Advisory Committee, he was elected as the Alternate District Member of LAFCO in 1997 and became a LAFCO Regular Member in 2000. He is very knowledgeable and supportive of special districts and has frequently demonstrated this when reviewing proposals to advise and/or make recommendations to the Commission.
ADDITIONAL INFORMATION:	In the past four years, the LAFCO Commission has elected Bud to be its LAFCO Vice Chair and Chair. Bud is an enthusiastic supporter of special district government and knowledgeable of its role and function in local government. The Directors of South Bay Irrigation District urge your support in reelecting Bud to serve as the LAFCO Regular Member.
Authorized Signature: 	

This form can be downloaded at the following link: <http://www.sdlafco.org/WhatsNew/2012Nomination.doc>

RECEIVED

DATE RECEIVED
BY LAFCO:

JUN 04 2012

2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

SAN DIEGO LAFCO

(Office Use)

NOMINATED BY:	
District Name:	Lakeside Fire Protection District
District Phone:	(619) 390-2350
NAME OF NOMINEE:	
Name:	Jon J. Lorenz
Address:	8031 Winter Gardens Blvd. #13
Phone:	(619) 733-3012
NOMINATED FOR	
<i>Please mark only one</i>	LAFCO REGULAR <input checked="" type="checkbox"/> ADVISORY COMMITTEE ()
DISTRICT EXPERIENCE:	Director - Lakeside Fire Board. Elected Nov. 2010. Regional Fire Advisory Committee - Since Feb. 2011. Heartland Communications Facility Authority - Feb. 2011. CSA-69 Ambulance District Advisory Committee - Feb. 2011 LAFCO Special Districts Advisory Committee- Oct. 2011
LAFCO EXPERIENCE:	LAFCO Special Districts Advisory Committee.
ADDITIONAL INFORMATION:	Mr. Lorenz currently serves as Lead Manager in the U.S. Navy.
Authorized Signature: 	

This form can be downloaded at the following link: <http://www.sdlafco.org/What'sNew/2012Nomination.doc>

DATE RECEIVED
BY LAFCO:

RECEIVED
JUN - 6 2012

2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

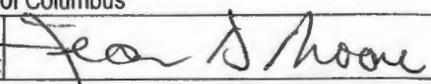
NOMINATED BY:	
District Name:	Valley Center Municipal Water District
District Phone:	(760)735-4515
NAME OF NOMINEE:	
Name:	Gary Arant
Address:	P.O. Box 67, Valley Center, CA 92082
Phone:	760-735-4515
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (x)
DISTRICT EXPERIENCE:	Assistant to the General Manager, Walnut Valley Water District (Los Angeles County) 1973-1980. General Manager, Rincon del Diablo MWD, 1980-1989. General Manager, Valley Center MWD, 1989 to Present.
LAFCO EXPERIENCE:	Member, LAFCO Special District Advisory Committee Member, 1981 to Present.
ADDITIONAL INFORMATION:	Masters of Public Administration, CSU Fullerton. Member, California Regional Water Quality Control Board, San Diego, Region, 1983-1997 Member, SDCWA Board of Directors (currently). Member, ACWA, Board of Directors (currently)
	Authorized Signature:  President, Board of Directors

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ATTACHMENT 2

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	Alpine Fire Protection District
District Phone:	(619) 445-2635
NAME OF NOMINEE:	
Name:	James (Jim) Archer
Address:	1461 Alpine Grove Lane, Alpine California 91901
Phone:	(619) 722-1358
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (X)
DISTRICT EXPERIENCE:	Sitting member of the Alpine Fire Protection District Sitting member of the Alpine Planning Group Sitting Member of the Alpine Fire District Board of Directors Chairman of the Alpine Parks and Recs subcommittee Sitting Member of three Homeowners Associations; President of two. Overseeing Three million dollar per year budget.
LAFCO EXPERIENCE:	Dealt with planning and zoning as a Building and Electrical Contractor.
ADDITIONAL INFORMATION:	Retired Electrical Contractor Retired Labor Consultant Studied Economics at the University of Southern Illinois For six years I was a sitting member of two HMO State public policy advisory committees, PDS and Vista Hills. Member of the Alpine Kiwanis and The Knights of Columbus
Authorized Signature: 	

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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

SAN DIEGO LAFCO

(Office Use)

NOMINATED BY:	
District Name:	Whispering Palms Community Services District
District Phone:	760-942-5147
NAME OF NOMINEE:	
Name:	Bill Haynor
Address:	PO Box 9911, Rancho Santa Fe, CA 92067
Phone:	858-229-5451
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (X)
DISTRICT EXPERIENCE:	<p>1. Whispering palms Community Services District, San Diego County CA Board Member since November 2010. The District is responsible for providing wastewater collection and treatment services to the Whispering Palms community, as well as landscape maintenance services for several areas within the Whispering Palms community.</p> <p>2. Strawberry Recreation District, Marin County, CA. Board Member for 6 years. Worked with LAFCO and the County Planning Department on the potential incorporation of Strawberry which was put on hold.</p> <p>3. Chairman of a committee of the Richardson Bay Development Committee, Marin County, CA. responsible for permit approval of development along the waterfront including the Cities of Sausalito, Tiburon, Mill Valley, and Belvedere.</p> <p>4. Marin Municipal Water District, Marin County, CA. Elected as the Southern Marin County Representative.</p>
LAFCO EXPERIENCE:	<p>Appointed as a member of the LAFCO Advisory Committee in February 2012.</p> <p>As a board member of the Strawberry Recreation District, Marin County, CA, worked with LAFCO and the County Planning Department on the potential incorporation of Strawberry, which was eventually put on hold.</p>
ADDITIONAL INFORMATION:	<p>Education: BS in Biology, Denison University; MS in Aerospace Systems Management and MBA, USC; Military: Captain in the USAF as an Avionics Officer. Corporate experience: VP Corporate Financial Planning, Bank of America; Executive VP and Chief Administrative Officer, Bank of San Francisco; Founding Director of Selectquote Insurance Services, Inc; Founding Bank Director of the STAR System; Past Vice Chairman of the UCSD Cancer Center Board.</p>
Authorized Signature: <i>William W. Agnew</i>	

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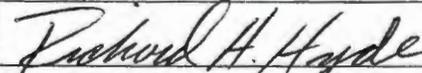
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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	North County Cemetery District
District Phone:	760*745*1781
NAME OF NOMINEE:	
Name:	Dennis L. Shepard
Address:	2640 Glen Ridge Road, Escondido, CA 92027-4532
Phone:	760*745*1781
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (XX)
DISTRICT EXPERIENCE:	Dennis served as Trustee of the District for 15 years. In 2006, he left the Board and took a management job in the District. He has served as the District General Manager since 2007.
LAFCO EXPERIENCE:	Dennis has served on the Advisory Committee since 1995.
ADDITIONAL INFORMATION:	Dennis earned his Special District Administrator Certification from California Special Districts Association in 2010.
Authorized Signature:	 Chair of the Board, North County Cemetery District

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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

JUN 07 2012

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:

District Name:	Resource Conservation District of Greater San Diego County
District Phone:	619-562-0096

NAME OF NOMINEE:

Name:	Douglas Humphrey, Director, RCD of Greater San Diego County
Address:	2732 Lange Ave., San Diego, CA 92122
Phone:	(w) 858-674-5411

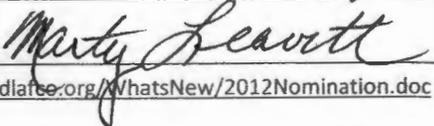
NOMINATED FOR:

<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (X)
DISTRICT EXPERIENCE:	Mr. Humphrey has been a member of the RCD of GSDC Board of Directors Since 2001 and had prior experience on another RCD board for several Years prior to that. He has served on several committees and is Committed to the RCD's mission.
LAFCO EXPERIENCE:	Mr. Humphrey has served on the LAFCO Advisory Board since 2008.

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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

ADDITIONAL INFORMATION:	Mr. Humphrey is a licensed Architect, currently employed as Senior Principal Architect with the California Division of State Architect and is a lifetime resident of San Diego County.
Authorized Signature: 	

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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	Padre Dam Municipal Water District
District Phone:	(619) 448-3111
NAME OF NOMINEE:	
Name:	Augie Scalzitti
Address:	P.O. Box 719003, Santee, CA 92072
Phone:	(619) 258-4614
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (X)
DISTRICT EXPERIENCE:	Member of the Padre Dam MWD Board of Directors. During his 14 years on the Board he has served on the following Board Committees: Public Affairs, Finance, Facilities Development, Personnel, Park, Customer Appeals, and the Employee Involvement Team (part of the District's Workforce Partnership). He has also served as the District's representative on the Metro Commission/Metro Wastewater Joint Powers Authority, San Diego Area Wastewater Management District, and the Upper San Diego River Improvement Committee.
LAFCO EXPERIENCE:	Has served on the Advisory Committee since July 2003.
ADDITIONAL INFORMATION:	Philosophically, Director Scalzitti believes in local control and is a strong advocate for special districts, which have historically proven to be effective service providers. He is a strong believer in regional partnerships and joint ventures; recycled water optimization; local government accountability to the customers served; and agency consolidation where appropriate. Director Scalzitti represents the District at various special meetings and conferences, including Association of California Water Agencies; California Special District Association, San Diego Chapter; Water; Council of Water Utilities; and the Santee Chamber of Commerce.
Authorized Signature: 	

This form can be downloaded at the following link: <http://www.sdlafco.org/WhatsNew/2012Nomination.doc>

ATTACHMENT 2

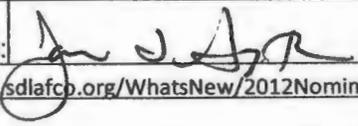
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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	South Bay Irrigation District
District Phone:	(619) 409-6703
NAME OF NOMINEE:	
Name:	Teresa "Terry" Thomas
Address:	1339 Second Avenue, Chula Vista, CA 91911-4404
Phone:	(619) 427-3181 FAX (619) 422-4686 Terrythomas4water@cox.net
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (X)
DISTRICT EXPERIENCE:	Director, Gov. Board, South Bay Irrigation District 2006-2014, Past President 2009, 2010 Director, Gov. Board, Sweetwater Authority, 2006-2014, Chair, Sweetwater Authority Operations Committee since 2008. Serves on Association of California Water Agencies, Water Quality Committee, 2009-14 Serves on ACWA Groundwater Committee, 2012-2014. Served on the local Community Colleges "Project Water Works" Advisory Board. Awarded Recognition in Special District Governance by the California Special District Assoc. Leadership Fdn.
LAFCO EXPERIENCE:	Served on San Diego LAFCO Special Districts Advisory Committee 2008-2010 International Boundary and Water Commission Citizens Forum Board for the San Diego/ Tijuana Region two terms. Served on the San Diego County Solid Waste Hearing Panel for two terms. Served on the Chula Vista General Plan Update Steering Committee until 2005, representing the CV GPU Environment, Open Space and Sustainable Development GPU Subcommittee, Served on the Chula Vista Resource Conservation Committee for 9 years and two terms as Chairperson, & Ethics Board. Served on the San Diego Unified Port District/ City of Chula Vista Master Plan Committee representing the CV. GPU Steering Committee first as GPU ALT & delegate.
ADDITIONAL INFORMATION:	Prof. Emeritus, Microbiology/Env. Biol., Southwestern College, Chula Vista, CA. Member, Chula Vista Chamber of Commerce, Bonita Business and Professional Assoc. Chula Vista Southwest Civic Association, Crossroads II, Sister Cities International, Chula Vista Charitable Foundation Founding Board Member (part of SD Fdn.) Southwest San Diego County LIONS Past president, Melvin Jones Humanitarian Fellow, past International Director District 4-L6, and SW Lions LION of YEAR twice. Highly involved in Sister Cities people-to-people programs with Mexico, Japan, and Cebu Philippines for three decades on local, regional and national level.
Authorized Signature: 	

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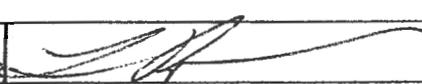
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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY	
District Name:	Valley Center Parks + Rec.
District Phone:	1-760
NAME OF NOMINEE	
Name:	Tom Bungardner
Address:	P.O. Box 2213 Valley Center, Cal 92082-2213
Phone:	1-760-419-2717
NOMINATED FOR	
Please mark only one	LAFCO REGULAR () ADVISORY COMMITTEE (X)
DISTRICT EXPERIENCE:	Board Member V.C. Parks + Rec. 10 yrs. VP Board Member Deer Springs Fire 10 years (Part)
LAFCO EXPERIENCE:	Fire & Emergency Medical committee 2003 Fire.
ADDITIONAL INFORMATION:	Chamber President for 2 yrs. Western Burg Committee 25 yrs. Pres Senior Transport Svcs Valley Ctr.
Authorized Signature: 	

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2012 LAFCO AND SPECIAL DISTRICTS
NOMINATION / RESUME

(Office Use)

SAN DIEGO LAFCO

NOMINATED BY:	
District Name:	VISTA Fire Protection District
District Phone:	760-758-3815
NAME OF NOMINEE:	
Name:	Margarette Morgan
Address:	2056 Camino Cantera Vista, CA 92084
Phone:	760-630-7070
NOMINATED FOR:	
<i>Please mark only one</i>	LAFCO REGULAR () ADVISORY COMMITTEE (X)
DISTRICT EXPERIENCE:	Board member since Dec, 2008 up for reelection Nov., 2012.
LAFCO EXPERIENCE:	Current Committee member.
ADDITIONAL INFORMATION:	
<i>John D. Sherman</i>	Authorized Signature: <i>Clerk of the Board</i>

This form can be downloaded at the following link: <http://www.sdlafco.org/WhatsNew/2012Nomination.doc>

ATTACHMENT 2

Dear Special Districts Board Members;

My name is **Jim Archer**: I am married to my wife of 47 years, Glenda;

After leaving the Navy in 1960, I went to school on the GI Bill and studied Economics

I am a Retired Electrical Contractor.

The last 10 years prior to retirement, I was the Asst. Business Manager for the International Brotherhood of Electrical Workers.

For several years I sat on The IBEW Health and Welfare Trust with assets of 160, Million Dollars.

I served on the Public Policy Advisory Board for Personal Dental Services a California HMO

I served on the Public Policy Advisory Board for Vista Hill Health Care a California HMO.

I am a Director for the Alpine Fire Board.

A member of the Alpine Planning Group.

Chairman of the Alpine Parks and Recs subcommittee.

A member of the Alpine Kiwanis club.

A member of the Knights of Columbus.

I serve on 3 Home Owners Association boards, two in which, I serve as president.

I volunteer a minimum of 500 hours per year to the community of Alpine and the community of Lakeside.

I would like your Vote and the ability to gain your trust and respect.

Regards, **Jim Archer**





STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012
SUBMITTED BY:	Daniel Kay Associate Civil Engineer Dan Martin Engineering Manager	PROJECT:	VARIOUS DIV. NO. ALL
APPROVED BY:	<input checked="" type="checkbox"/> Rod Posada, Chief, Engineering <input checked="" type="checkbox"/> German Alvarez, Asst. General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Award of As-Needed Construction Management and Inspection Services Contract for Fiscal Year 2013 through Fiscal Year 2015		

GENERAL MANAGER'S RECOMMENDATION:

That the Otay Water District (District) Board of Directors (Board) award a professional As-Needed Construction Management and Inspection Services (CMIS) contract to Alyson Consulting (Alyson) and to authorize the General Manager to execute an agreement with Alyson in an amount not-to-exceed \$350,000 for a period of three (3) fiscal years (FY 2013 - FY 2015).

COMMITTEE ACTION:

Please see Attachment A.

PURPOSE:

To obtain Board authorization for the General Manager to enter into a professional As-Needed CMIS agreement with Alyson in an amount not-to-exceed \$350,000 for three (3) fiscal years (FY 2013 - FY 2015).

ANALYSIS:

The District will require the services of a professional CMIS consultant in support of the District's Capital Improvement Program (CIP) projects for three (3) fiscal years (FY 2013 - FY 2015). It is more efficient and cost effective to issue an as-needed contract for construction management and inspection which will provide the District with the ability to obtain consulting services in a timely and efficient manner. This concept has also been used in the past for other disciplines such as engineering design, geotechnical, electrical, and environmental services.

The District will issue task orders to the consultant for specific projects during the contract period. The consultant will then prepare a detailed scope of work, schedule, and fee estimate for each task order assigned under the contract. Upon written task order authorization from the District, the consultant shall then proceed with the project as described in the scope of work.

The anticipated CIP projects that are estimated to require CMIS for the duration of this contract are listed below:

CIP	Capital Facilities Project	ESTIMATED COST
P2453	SR-11 Utility Relocations	\$50,000
P2477	624-1 Reservoir Cover Replacement	\$25,000
P2493	624-2 Reservoir Interior/Exterior Coating	\$30,000
P2507	East Palomar Street Utility Relocation	\$20,000
P2518	803-3 Reservoir Interior/Exterior Coating	\$15,000
P2519	832-2 Reservoir Interior/Exterior Coating	\$15,000
S2033	Sewer System Various Locations Rehabilitation	\$75,000
S2040	Calavo Sewer Basin Improvements	\$60,000
S2041	Rancho San Diego Sewer Basin Improvements	\$40,000
TOTAL:		\$330,000

The CMIS scopes of work for the above projects are estimated from preliminary information and past projects. Therefore, staff believes that a \$350,000 cap on the As-Needed CMIS contract is adequate, while still providing additional capacity for unforeseen support needs by the District.

This As-Needed CMIS contract does not commit the District to any expenditure until a task order is approved to perform work on a CIP project. The District does not guarantee work to the consultant, nor does the District guarantee that it will expend all of the funds authorized by the contract on professional services.

The District solicited CMIS by placing an advertisement on the Otay Water District's website on July 5, 2012 with various other publications including the San Diego Daily Transcript. Twenty-two (22) firms submitted a letter of interest and a statement of qualifications. The Request for Proposal (RFP) for As-Needed CMIS was sent to the twenty two (22) firms resulting in eight (8) proposals received by August 14, 2012.

- Alyson Consulting
- Dudek & Associates, Inc.
- G&A, Inc.
- Harris & Associates
- KCM Group
- Nolte Vertical Five
- Psomas
- Valley Construction Management

The thirteen (13) firms that chose not to propose are Arcadis-US, Inc., CPM Partners, Inc., EPC Consultants, Jacobs Engineering Group, Inc., Lee & Ro, Inc., Marrs Services, Inc., Nuera Contracting & Consulting, RBF Consulting, SA Associates, Vali Cooper & Associates, Vanir Construction Management, Inc., Willdan Engineering, and Zero Energy Institute LLC.

In accordance with the District's Policy 21, staff evaluated and scored all written proposals and interviewed the top three (3) firms on August 29, 2012. Alyson received the highest score for their services based on their experience, understanding of the scope of work, proposed method to accomplish the work, and their composite hourly rate. Alyson was the most qualified consultant with the best overall rating or ranking score. A summary of the complete evaluation is shown in Attachment B.

Based upon the review of all the hourly composite rates, staff did not negotiate with Alyson to lower their proposed rates because their rate was below the average submitted by all nine (9) consultants.

Alyson submitted the Company Background Questionnaire as required by the RFP and staff did not find any outstanding issues. In addition, staff checked their references and performed an internet search on the company. Staff found the references to be excellent and did not find any outstanding issues with the internet search. Staff found that Alyson is a relatively new company, however, the individuals proposed on this project have worked with the District in the past with previous firms and they performed at a high level.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

The funds for this contract will be expended for a variety of projects, as previously noted above. This contract is for as-needed professional services based on the District's need and schedule, and expenditures will not be made until a task order is approved by the District for the consultant's services on a specific CIP project.

Based on a review of the financial budgets, the Project Manager anticipates that the budgets will be sufficient to support the professional as-needed consulting services required for the CIP projects noted above.

The Finance Department has determined that the funds to cover this contract are available as budgeted for these projects.

STRATEGIC GOAL:

This Project supports the District's Mission statement, "To provide high value water and wastewater services to the customers of the Otay Water District in a professional, effective, and efficient manner" and the District's Vision, "A District that is innovative in providing water services at affordable rates, with a reputation for outstanding customer service."

LEGAL IMPACT:

None.

P:\WORKING\As Needed Services\Engineering Design\FY 2013-2014\Staff Report\BD 10-9-12, Staff Report, As-Needed Engineering Design Services, (JM-RR).docx

DK/DM:jf

Attachments: Attachment A - Committee Action
Attachment B - Summary of Proposal Rankings



ATTACHMENT A

SUBJECT/PROJECT:	Award of As-Needed Construction Management and Inspection Services Contract for Fiscal Year 2013 through Fiscal Year 2015
VARIOUS	

COMMITTEE ACTION:

The Engineering, Operations, and Water Resources reviewed this item at a meeting held on September 19, 2012 and the following comments were made:

- Staff requested that the Board award a professional As-Needed Construction Management and Inspection Services (CMIS) contract to Alyson Consulting (Alyson) and to authorize the General Manager to execute an agreement with Alyson in an amount not-to-exceed \$350,000 for a period of three (3) fiscal years (FY 2013 - FY 2015).
- Staff stated that with the existing as-needed construction management contract committed through this fiscal year and with the upcoming CIP for fiscal years 2013 through 2015, there were projects where the District would require support for construction management and inspection services. Details of these projects are provided on page 2 of the staff report.
- Staff provided a background of the Project and stated that in accordance with District Policy 21, the District solicited for a professional CMIS consultant to monitor the Project. The result of the solicitation process is provided on page 3 of the staff report.
- Staff discussed the interview selection and evaluation process and indicated that out of eight (8) proposals submitted to the District, Alyson Consulting received the highest score and therefore staff is recommending Alyson for the As-Needed CMIS contract. It was noted that five (5) staff members reviewed the proposals and also participated in interviews for three firms that were shortlisted. The results of the analysis are shown in Attachment B of the staff report.

- Staff indicated that Alyson is a relatively new company, but noted that the individuals proposed on this project have worked with the District on past projects with previous firms and they performed at a high level.
- In response to a question by the Committee, staff indicated that the individuals proposed on this project had previously worked for RBF Consulting and provided Construction Management and Inspection Services for the 36-Inch Potable Pipeline, 30-Inch Recycled Water Pipeline, and 640 Reservoir Projects.

Following the discussion, the EO&WR Committee supported staffs' recommendation and presentation to the full board as a consent item.

**ATTACHMENT B
SUMMARY OF PROPOSAL RANKINGS
As-Needed Construction Management and Inspection Services**

	WRITTEN								ORAL					TOTAL SCORE	REFERENCES	
	Qualifications of Staff	Understanding of Scope, Schedule and Resources	Soundness and Viability of Proposed Project Plan	INDIVIDUAL SUBTOTAL - WRITTEN	AVERAGE SUBTOTAL - WRITTEN	Proposed Rates*	Consultant's Commitment to DBE	AVERAGE TOTAL WRITTEN	Additional Creativity and Insight	Strength of Project Manager	Presentation, Communication Skills	Quality of Response to Questions	INDIVIDUAL TOTAL - ORAL			AVERAGE TOTAL ORAL
MAXIMUM POINTS	30	25	30	85	85	15	Y/N	100	15	15	10	10	50	50	#REF!	Poor/Good/Excellent
Atkins	Dan Martin	26	23	26	75	10	Y	84	13	13	8	8	42	41	125	
	Brandon DiPietro	26	22	24	72				13	12	8	9	42			
	Ron Ripperger	25	23	25	73				13	13	7	7	40			
	Bob Kennedy	27	23	27	77				12	13	9	8	42			
	Jake Vaclavek	26	21	25	72				11	13	8	7	39			
Noite Vertical Five	Dan Martin	22	20	23	65	9	Y	79						79		
	Brandon DiPietro	25	21	23	69				NOT INTERVIEWED							
	Ron Ripperger	24	23	25	72				NOT INTERVIEWED							
	Bob Kennedy	24	20	24	68				NOT INTERVIEWED							
	Jake Vaclavek	27	21	26	74				NOT INTERVIEWED							
Alyson Consulting	Dan Martin	28	24	29	81	9	Y	87	14	14	9	9	46	45	132	Excellent
	Brandon DiPietro	29	23	28	80				14	14	8	9	45			
	Ron Ripperger	26	24	27	77				14	14	9	9	46			
	Bob Kennedy	27	23	27	77				14	14	9	9	46			
	Jake Vaclavek	29	21	26	76				13	14	7	9	43			
Valley CM	Dan Martin	25	22	24	71	15	Y	85	13	14	9	8	44	42	127	
	Brandon DiPietro	26	23	26	75				14	12	8	8	42			
	Ron Ripperger	25	23	24	72				14	13	8	8	43			
	Bob Kennedy	24	20	24	68				12	13	9	8	42			
	Jake Vaclavek	23	20	23	66				13	13	7	7	40			
KCM Group	Dan Martin	22	20	22	64	6	Y	68						68		
	Brandon DiPietro	24	21	22	67				NOT INTERVIEWED							
	Ron Ripperger	24	21	22	67				NOT INTERVIEWED							
	Bob Kennedy	20	17	20	57				NOT INTERVIEWED							
	Jake Vaclavek	20	17	17	54				NOT INTERVIEWED							
Harris & Associates	Dan Martin	26	22	26	74	1	Y	73						73		
	Brandon DiPietro	26	22	25	73				NOT INTERVIEWED							
	Ron Ripperger	26	24	25	75				NOT INTERVIEWED							
	Bob Kennedy	24	20	24	68				NOT INTERVIEWED							
	Jake Vaclavek	25	20	25	70				NOT INTERVIEWED							
G&A Inc.	Dan Martin	22	20	22	64	13	Y	76						76		
	Brandon DiPietro	24	23	21	68				NOT INTERVIEWED							
	Ron Ripperger	24	23	23	70				NOT INTERVIEWED							
	Bob Kennedy	20	17	20	57				NOT INTERVIEWED							
	Jake Vaclavek	21	19	17	57				NOT INTERVIEWED							
Psomas	Dan Martin	26	23	26	75	7	Y	78						78		
	Brandon DiPietro	27	23	27	77				NOT INTERVIEWED							
	Ron Ripperger	24	23	23	70				NOT INTERVIEWED							
	Bob Kennedy	24	20	24	68				NOT INTERVIEWED							
	Jake Vaclavek	22	23	22	67				NOT INTERVIEWED							
Dudek	Dan Martin	24	22	24	70	6	Y	77						77		
	Brandon DiPietro	27	24	25	76				NOT INTERVIEWED							
	Ron Ripperger	26	23	24	73				NOT INTERVIEWED							
	Bob Kennedy	24	20	24	68				NOT INTERVIEWED							
	Jake Vaclavek	25	20	25	70				NOT INTERVIEWED							

RATES SCORING CHART			
Consultant	Rate	Position	Score
Valley CM	\$430	lowest	15
G&A Inc.	\$465		13
Atkins	\$540		10
Noite Vertical Five	\$552		9
Alyson Consulting	\$565		9
Psomas	\$610		7
Dudek	\$618		6
KCM Group	\$630		6
Harris & Associates	\$735	highest	1

*The fees were evaluated by comparing rates for five positions. The sum of these five rates are noted on the table to the left.
Note: The Review Panel does not see or consider rates when scoring other categories. Rates are scored by the PM, who is not on the Review Panel.



STAFF REPORT

TYPE MEETING: Regular Board	MEETING DATE: October 9, 2012
SUBMITTED BY: Jeff Marchioro Senior Civil Engineer Ron Ripperger Engineering Manager	PROJECT: VARIOUS DIV. NO. ALL
APPROVED BY: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Rod Posada, Chief, Engineering <input checked="" type="checkbox"/> German Alvarez, Asst. General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager 	
SUBJECT: Award of As-Needed Engineering Design Services Contract for Fiscal Years 2013 and 2014	

GENERAL MANAGER'S RECOMMENDATION:

That the Otay Water District (District) Board of Directors (Board) awards a professional As-Needed Engineering Design Services contract to Aegis Engineering Management, Inc. (AegisEM) and to authorize the General Manager to execute an agreement with AegisEM in an amount not-to-exceed \$300,000 for a period of two (2) fiscal years (FY 2013, FY 2014).

COMMITTEE ACTION:

Please see Attachment A.

PURPOSE:

To obtain Board authorization for the General Manager to enter into a professional As-Needed Engineering Design Services agreement with AegisEM in an amount not-to-exceed \$300,000 for a period of two (2) fiscal years (FY 2013, FY 2014).

ANALYSIS:

The District will require the services of a professional engineering design consultant in support of the District's Capital Improvement Program (CIP) for two (2) fiscal years. It is more efficient and cost effective to issue an as-needed contract for engineering design which will provide the District with the ability to obtain consulting services in a timely and efficient manner. This concept has also been used in the past for other disciplines such as construction management, geotechnical, electrical, and environmental services.

The District will issue task orders to the consultant for specific projects during the contract period. The consultant will then prepare a detailed scope of work, schedule, and fee estimate for each task order assigned under the contract. Upon written task order authorization from the District, the consultant shall then proceed with the project as described in the scope of work.

The anticipated CIP projects that are estimated to require engineering design services for the duration of this contract are listed below:

CIP	DESCRIPTION	ESTIMATED COST
P2453	SR-11 Utility Relocations	\$65,000
P2528	30-Inch Potable Water Pipeline Manifold at 624 Reservoirs	\$20,000
R2048	Otay Mesa Distribution Pipelines	\$15,000
S2024	Campo Road Sewer Main Replacement	\$15,000
S2033	Sewer System Various Locations Rehabilitation	\$50,000
S2040	Calavo Sewer Basin Improvements	\$90,000
S2041	Rancho San Diego Sewer Basin Improvements	\$20,000
TOTAL:		\$275,000

The engineering design scopes of work for the above projects are estimated from preliminary information and past projects. Therefore, staff believes that a \$300,000 cap on the As-Needed Engineering Design Services contract is adequate, while still providing additional capacity for unforeseen support needs by the District.

This As-Needed Engineering Design Services contract does not commit the District to any expenditure until a task order is approved to perform work on a CIP project. The District does not guarantee work to the consultant, nor does the District guarantee that it will

expend all of the funds authorized by the contract on professional services.

The District solicited engineering design services by placing an advertisement on the Otay Water District's website on June 18, 2012 and with various other publications including the San Diego Daily Transcript. Seventeen (17) firms submitted a letter of interest and a statement of qualifications. The Request for Proposal (RFP) for As-Needed Design Services was sent to fifteen (15) of the firms resulting in ten (10) proposals received by July 20, 2012.

- Aegis Engineering Management
- AMN Management, Inc.
- Atkins North America, Inc.
- Harris & Associates
- Lee & Ro, Inc.
- O'Brien & Wall
- PSOMAS
- RBF Consulting
- Stantec
- Tran Consulting Engineers

The five (5) firms that chose not to propose are Alyson Consulting, Dudek & Associates, Inc., Hilts Consulting Group, Inc., SA Associates, and Stetson Engineers, Inc.

In accordance with the District's Policy 21, Staff evaluated and scored all written proposals and interviewed the top four (4) firms on August 28, 2012. AegisEM received the highest score for their services based on their experience, understanding of the scope of work, proposed method to accomplish the work, and their composite hourly rate. AegisEM was the most qualified consultant with the best overall rating or ranking. A summary of the complete evaluation is shown in Attachment B.

AegisEM submitted the Company Background Questionnaire as required by the RFP and staff did not find any significant issues. In addition, staff checked their references and performed an internet search on the company. Staff found the references to be excellent and did not find any outstanding issues with the internet search.

Staff, based on review of all hourly composite rates and in accordance to District Policy 21, negotiated with AegisEM to lower their proposed composite rate. AegisEM lowered their originally proposed composite hourly rate from \$893 to \$810, which was \$13

lower compared to the average of the other consultants' composite rates.

AegisEM has held the District's Professional Services Contract for recycled water plan checking, retrofit, and inspection services for developer projects since January 2010.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

The funds for this contract will be expended for a variety of projects, as previously noted above. This contract is for as-needed professional services based on the District's need and schedule, and expenditures will not be made until a task order is approved by the District for the consultant's services on a specific CIP project.

Based on a review of the financial budgets, the Project Manager anticipates that the budgets will be sufficient to support the professional as-needed consulting services required for the CIP projects noted above.

The Finance Department has determined that the funds to cover this contract are available as budgeted for these projects.

STRATEGIC GOAL:

This Project supports the District's Mission statement, "To provide high value water and wastewater services to the customers of the Otay Water District in a professional, effective, and efficient manner" and the District's Vision, "A District that is innovative in providing water services at affordable rates, with a reputation for outstanding customer service."

LEGAL IMPACT:

None.

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JM/RR:jf

Attachments: Attachment A - Committee Action
Attachment B - Summary of Proposal Rankings



ATTACHMENT A

SUBJECT/PROJECT:	Award of As-Needed Engineering Design Services Contract for
VARIOUS	Fiscal Years 2013 and 2014

COMMITTEE ACTION:

The Engineering, Operations, and Water Resources reviewed this item at a meeting held on September 19, 2012 and the following comments were made:

- Staff requested that the Board award a professional As-Needed Engineering Design Services contract to Aegis Engineering Management, Inc. (AegisEM) and to authorize the General Manager to execute an agreement with AegisEM in an amount not-to-exceed \$300,000 for a period of two (2) fiscal years (FY 2013, FY 2014).
- It was noted that this contract is one of several As-Needed contracts actively administered by District Staff and that the current As-Needed Engineering Design contract amount is nearly fully committed.
- Staff stated that an As-Needed Engineering Design consultant will be needed for upcoming CIP projects in FYs 2013 and 2014. A detailed list of anticipated projects is included on page 2 of the staff report.
- Staff discussed the interview selection and evaluation process and indicated that ten (10) proposals were submitted to the District and four (4) firms were interviewed. It was noted that five (5) staff members ranked the proposals and interviews. The results of the analysis are shown in Attachment B of the staff report.
- It was noted that AegisEM received the highest score and that staff checked AegisEM's references, reviewed its Company Background Questionnaire form, and performed an internet search on the company and did not find any significant issues.
- Staff stated that the District has successfully worked with AegisEM in the past and indicated that the company has held

the District's Professional Services Contract for recycled water plan checking, retrofit and inspection services since January 2010.

- The Committee inquired about AegisEM receiving a higher score than ATKINS. Staff stated that although ATKINS currently provides As-Needed Engineering Design Services for the District, staff felt that AegisEM would provide better task order pricing and design services than Atkins had.

Following the discussion, the EO&WR Committee supported staffs' recommendation and presentation to the full board as a consent item.

**ATTACHMENT B
SUMMARY OF PROPOSAL RANKINGS
As-Needed Engineering Design**

		WRITTEN							ORAL							REFERENCES	
		Qualifications of Team	Responsiveness and Project Understanding	Technical and Management Approach	INDIVIDUAL SUBTOTAL - WRITTEN	AVERAGE SUBTOTAL - WRITTEN	Proposed Rates*	Consultant's Commitment to DBE	TOTAL - WRITTEN	Additional Creativity and Insight	Strength of Project Manager	Presentation and Communication Skills	Responses to Questions	INDIVIDUAL TOTAL - ORAL	AVERAGE TOTAL ORAL		TOTAL SCORE
MAXIMUM POINTS		30	25	30	85	85	15	Y/N	Y/N	15	15	10	10	50	50	150	Poor/Good/Excellent
1. AEGIS Engineering Management	Ronald Ripperger	28	24	27	79	75	4	Y	79	14	14	9	9	46	46	125	Excellent
	Dan Martin	25	22	25	72					13	14	8	9	44			
	Bob Kennedy	25	23	26	74					14	14	9	9	46			
	Daniel Kay	27	23	26	76					14	14	9	9	46			
	Kevin Cameron	27	22	27	76					14	14	9	9	46			
2. AMN Management, Inc.	Ronald Ripperger	23	20	22	65	64	8	?	72	NOT INTERVIEWED						72	
	Dan Martin	23	19	20	62												
	Bob Kennedy	23	20	19	62												
	Daniel Kay	24	19	24	67												
	Kevin Cameron	25	18	23	66												
3. ATKINS	Ronald Ripperger	28	23	27	78	78	7	Y	85	12	12	7	7	38	38	123	
	Dan Martin	29	24	28	81					13	13	8	8	42			
	Bob Kennedy	27	22	25	74					11	11	7	8	37			
	Daniel Kay	28	24	28	80					12	11	7	7	37			
	Kevin Cameron	24	24	29	77					12	12	7	7	38			
4. Harris & Associates	Ronald Ripperger	24	22	25	71	73	1	Y	74	NOT INTERVIEWED						74	
	Dan Martin	26	23	27	76												
	Bob Kennedy	24	20	24	68												
	Daniel Kay	25	22	26	73												
	Kevin Cameron	28	22	26	76												
5. LEE & RO, Inc.	Ronald Ripperger	24	22	24	70	71	4	Y	75	NOT INTERVIEWED						75	
	Dan Martin	26	21	23	70												
	Bob Kennedy	25	22	25	72												
	Daniel Kay	27	22	26	75												
	Kevin Cameron	24	22	24	70												
6. O'Brien & Wall	Ronald Ripperger	22	19	19	60	54	15	Y	69	NOT INTERVIEWED						69	
	Dan Martin	21	18	18	57												
	Bob Kennedy	20	19	19	58												
	Daniel Kay	15	13	15	43												
	Kevin Cameron	18	18	18	54												
7. PSOMAS	Ronald Ripperger	27	23	27	77	77	3	Y	80	13	13	8	8	42	43	123	
	Dan Martin	28	24	28	80					13	13	8	9	43			
	Bob Kennedy	26	23	26	75					12	12	8	8	40			
	Daniel Kay	26	22	27	75					13	13	9	9	44			
	Kevin Cameron	27	22	27	76					13	14	9	9	45			
8. RBF	Ronald Ripperger	26	22	25	73	72	1	?	73	NOT INTERVIEWED						73	
	Dan Martin	27	22	24	73												
	Bob Kennedy	24	21	23	68												
	Daniel Kay	28	22	26	76												
	Kevin Cameron	26	21	25	72												
9. Stetson Engineers, Inc.	Ronald Ripperger	25	22	24	71	68	4	Y	72	NOT INTERVIEWED						72	
	Dan Martin	24	20	21	65												
	Bob Kennedy	23	20	21	64												
	Daniel Kay	26	21	25	72												
	Kevin Cameron	25	20	23	68												
10. Tran Consulting Engineers	Ronald Ripperger	26	22	23	71	76	10	Y	86	12	12	6	6	36	36	122	
	Dan Martin	28	23	28	79					12	12	7	7	38			
	Bob Kennedy	24	22	25	71					11	11	7	7	36			
	Daniel Kay	28	23	28	79					11	11	6	6	34			
	Kevin Cameron	28	23	28	79					12	13	6	6	37			

RATES SCORING CHART							
Consultant	Rate	Position	Score	Consultant	Rate	Position	Score
1. AEGIS Engineering Management	\$893		4	6. O'Brien & Wall	\$415	highest	15
2. AMN Management, Inc.	\$707		8	7. PSOMAS	\$960		3
3. ATKINS	\$745		7	8. RBF	\$1,028		1
4. Harris & Associates	\$1,025		1	9. Stetson Engineers,	\$904		4
5. LEE & RO, Inc.	\$903		4	10. Tran Consulting Er	\$650		10

*The fees were evaluated by comparing rates for seven positions. The sum of these rates are noted on the table to the left.
Note: Review Panel does not see or consider rates when scoring other categories. Rates are scored by the PM, who is not on Review Panel.



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012
SUBMITTED BY:	Jeff Marchioro Senior Civil Engineer Ron Ripperger Engineering Manager	PROJECT:	P2477- DIV. NO. 1 001103
APPROVED BY:	<input checked="" type="checkbox"/> Rod Posada, Chief, Engineering <input checked="" type="checkbox"/> German Alvarez, Asst. General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Award of a Construction Contract to Layfield Environmental Systems Corporation for the Floating Cover Replacement at the 624-1 Reservoir		

GENERAL MANAGER'S RECOMMENDATION:

That the Otay Water District (District) Board of Directors (Board) award a construction contract to Layfield Environmental Systems Corporation (Layfield) for the floating cover replacement at the 624-1 Reservoir in an amount not-to-exceed \$497,050 (see Exhibit A for Project location).

COMMITTEE ACTION:

Please see Attachment A.

PURPOSE:

To obtain Board authorization for the General Manager to enter into a construction contract with Layfield in an amount not-to-exceed \$497,050 for the floating cover replacement at the 624-1 Reservoir.

ANALYSIS:

The 12.4 million gallon 624-1 Reservoir was originally constructed in the early 1980s. The reservoir was improved and fitted with its existing polypropylene liner and floating cover in 1999. In the last few years, the floating cover has been repeatedly repaired to maintain the integrity of the cover material. Dive videos taken recently show leaks and sunlight penetrating the floating cover in many places. Based on this new information, it will become cost prohibitive to continue to repair the existing cover with only two (2) years remaining of its expected useful life. The existing cover material normally has a life expectancy of 15-20 years. The dive videos also revealed that the reservoir liner appeared to be in good condition.

In March 2012, the District's As-Needed Engineering Design consultant, Atkins North America, Inc. (Atkins), completed a Technical Memorandum which evaluated the cover replacement alternatives assuming that the liner would not be replaced at this time. The memorandum included life cycle cost comparisons of different reservoir cover materials and corresponding life expectancies. Atkins recommended using the same material as the existing cover (polypropylene) for replacement of the cover because, compared to materials with longer life expectancy (chlorosulfonated polyethylene), the life expectancy of a new polypropylene cover better matches the life expectancy of the existing liner. Atkins also recommended replacement of the existing spring tensioners with weight tensioners that can be reused when the new polypropylene cover/existing polypropylene liner will be replaced 15-20 years from now.

Atkins prepared the bid documents. Mayer Reprographics (Mayer) distributed the bid documents electronically through Mayer's online planroom.

Staff contacted several contractors prior to and during the bid process to encourage them to submit a bid for the Project. Floating cover installation work is very specialized and there are only six (6) commonly recognized installers in the continental United States including Colorado Lining, Erosion Control Applications, Inc., Layfield, Lange Containment Systems, MPC Containment International LLC, and RTD Enterprises. Only Erosion Control Applications, Inc., Layfield, and MPC Containment International LLC are commonly known to install the "mechanically tensioned" style cover that is currently in use at the 624-1 Reservoir.

The Project was advertised for bid on July 24, 2012. A Pre-bid Meeting and site visit were held on August 7, 2012, which was attended by four (4) contractors. To maintain bidders' interest in the Project, Staff responded to questions and clarification as quickly as possible. This process resulted in a total of six (6) addenda that were sent out to all bidders and plan houses which resulted in the following three (3) conforming bids received on August 23, 2012.

<u>CONTRACTOR</u>	<u>TOTAL BID AMOUNT</u>
1. Layfield Environmental Systems Corporation	\$497,050
2. MPC Containment International LLC	\$541,655
3. Erosion Control Applications, Inc.	\$683,600

The Engineer's Estimate is \$580,000.

The evaluation process included reviewing all bids submitted for conformance to the contract documents. The lowest bidder, Layfield, submitted a responsible bid and holds a Class A Contractor's license which expires on May 31, 2014. Staff checked the references provided with Layfield's bid. The references indicated that Layfield is a well-established and well recognized company as well as a recognized leader for development of the "mechanically tensioned" style cover that is currently in use at the 624-1 Reservoir. Layfield acquired the business assets of CW Neal Corporation (CW Neal) in April 2004. CW Neal installed the existing 624-1 Reservoir floating cover in 1999. The District has previously worked with Layfield to install, repair, and maintain floating covers at the 624-1 Reservoir and other reservoirs in the District. Layfield recently moved their fabrication and warehousing facility from El Cajon to Spring Valley. Layfield's new location is just up the street from the District offices at 2500 Sweetwater Springs Boulevard. The proposed Project Manager has experience throughout southern California on similar projects and received good references. A background search of the company was performed on the internet and revealed no outstanding issues with this company. Layfield submitted the Company Background and Company Safety Questionnaires as required by the Contract Documents.

Staff has verified that the bid bond provided by Hartford Fire Insurance Company is valid. Once Layfield signs the contract, they will furnish the performance bond and labor and materials bond. Staff will verify both bonds prior to executing the contract.

FISCAL IMPACT:

Joe Beachem, Chief Financial Officer

The total budget for CIP P2477, as approved in the FY 2013 budget, is \$800,000. Total expenditures, plus outstanding commitments and forecast, are \$754,575.

Based on a review of the financial budget, the Project Manager anticipates that the budget is sufficient to support the Project. See Attachment B for budget detail.

Finance has determined that 100% of the funding is available from the Replacement Fund for CIP P2477.

STRATEGIC GOAL:

This Project supports the District's Mission statement, "To provide high value water and wastewater services to the customers of the Otay Water District in a professional, effective, and efficient manner" and the District's Vision, "A District that is innovative in providing water services at affordable rates, with a reputation for outstanding customer service."

LEGAL IMPACT:

None.

JM/RR:jf

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- Attachments: Attachment A - Committee Action
- Attachment B - Budget Detail
- Exhibit A - Location Map



ATTACHMENT A

SUBJECT/PROJECT: P2477-001103	Award of a Construction Contract to Layfield Environmental Systems Corporation for the Floating Cover Replacement at the 624-1 Reservoir
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COMMITTEE ACTION:

The Engineering, Operations, and Water Resources reviewed this item at a meeting held on September 19, 2012 and the following comments were made:

- Staff requested that the Board award a construction contract to Layfield Environmental Systems Corporation (Layfield) for the floating cover replacement at the 624-1 Reservoir in an amount not-to-exceed \$497,050.
- Staff noted that the 624-1 Reservoir is also known as Patzig and stated that the Patzig floating cover is in need of replacement as it will become cost prohibitive to continue to repair the existing cover with only two (2) years remaining of its expected useful life.
- Staff indicated that the District's current As-Needed Engineering Design consultant, ATKINS, prepared a Technical Memorandum that evaluated replacement options and also prepared the contract documents.
- Staff stated that floating cover installation work is very specialized and there are only three (3) installers in the United States that are commonly recognized to install the type of cover that is currently in use at Patzig. All three of these contractors submitted a bid.
- Staff stated that the Project was advertised for bid on July 24, 2012 and indicated that Layfield submitted the lowest, responsive bid on August 23, 2012. Staff noted that the Engineer's Estimate at \$580,000 was nearly equivalent to the average of the three bids.
- It was noted that Layfield is a well-established and well recognized company, as well as a recognized leader for development of the floating covers. Staff checked Layfield's

references, reviewed their Company Background and Company Safety Questionnaire forms, and performed an internet search on the company and did not find any significant issues.

- At the request of the Committee, staff provided a history of the Patzig site. It was indicated that years ago the Reservoir was part of an agricultural service system that had an asphalt bottom. In the early 80s, the District lined the asphalt with plastic and placed a floating cover over it to turn it into a domestic water supply. Staff stated that there are no issues with the Reservoir and that the District is only updating its floating cover.
- The Committee inquired about the difference between maintaining reservoirs that have floating covers and reservoirs that are concrete. Staff stated that floating covers require higher maintenance to prevent it from tearing and getting holes, and its life expectancy is 15-20 years. Concrete reservoirs receive maintenance every 30 years for possible cracks and leaks, and last longer than floating covers.

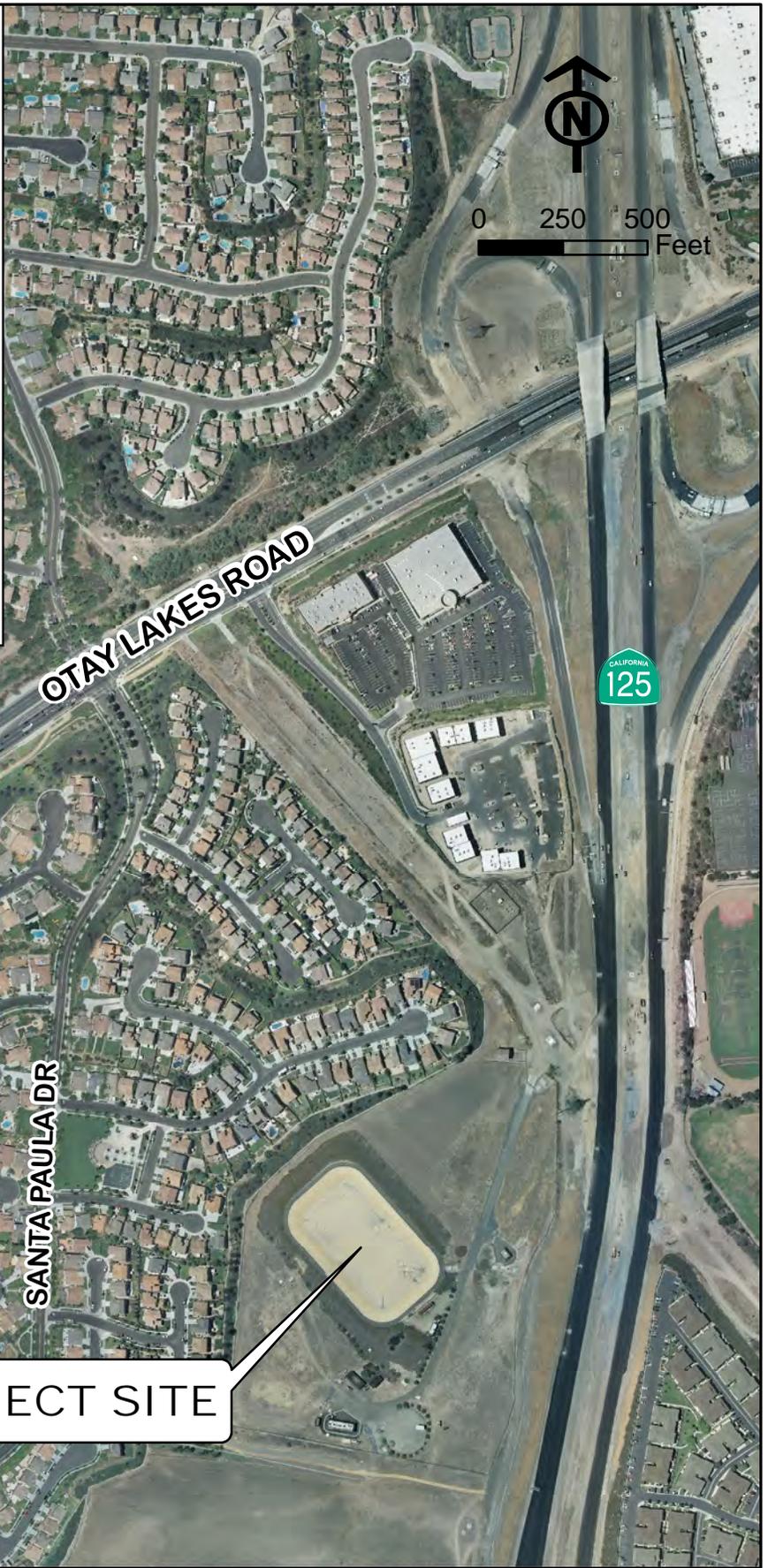
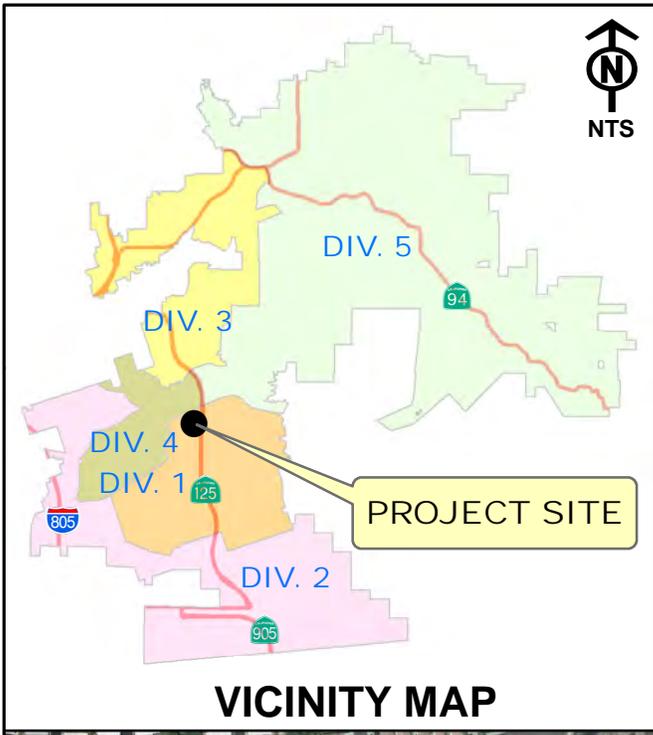
Following the discussion, the EO&WR Committee supported staffs' recommendation and presentation to the full board as a consent item.



ATTACHMENT B

SUBJECT/PROJECT:	Award of a Construction Contract to Layfield Environmental Systems Corporation for the Floating Cover Replacement at the 624-1 Reservoir
P2477-001103	

Otay Water District					Date Updated: September 05, 2012
P2477 - Res - 624-1 Reservoir Cover Replacement					
<i>Budget</i>	<i>Committed</i>	<i>Expenditures</i>	<i>Outstanding Commitment & Forecast</i>	<i>Projected Final Cost</i>	<i>Vendor/Comments</i>
800,000					
Planning					
Add subprojects					
Labor	17,880	17,880	-	17,880	
Total Planning	17,880	17,880	-	17,880	
Design					
Labor	24,179	24,179	5,000	29,179	
Consultant Contracts	1,810	1,810	-	1,810	ALTA LAND SURVEYING INC
	59,020	49,924	9,096	59,020	ATKINS
Service Contracts	1,062	1,062	-	1,062	LAYFIELD ENVIRONMENTAL SYSTEMS
	1,823	1,547	276	1,823	MAYER REPROGRAPHICS INC
	84	84	-	84	SAN DIEGO DAILY TRANSCRIPT
					KEAGY REAL ESTATE
Total Design	87,978	78,606	14,372	92,978	
Construction					
Labor	3,562	3,562	100,000	103,562	
Service Contracts	16,104	16,104	-	16,104	LAYFIELD ENVIRONMENTAL SYSTEMS
	2,000	2,000	-	2,000	DIVE/CORR INC
	497,050	-	497,050	497,050	LAYFIELD ENVIRONMENTAL SYSTEMS
			15,000	15,000	CONTINGENCY @ 3%
			10,000	10,000	CLOSEOUT
Total Construction	518,716	21,666	622,050	643,716	
Grand Total	624,575	118,153	636,422	754,575	



OTAY WATER DISTRICT
 624-1 RESERVOIR FLOATING COVER REPLACEMENT
 LOCATION MAP

CIP P2477

EXHIBIT A

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STAFF REPORT

TYPE MEETING:	Regular Board Meeting	MEETING DATE:	October 9, 2012
SUBMITTED BY:	Mark Watton, General Manager	W.O./G.F. NO:	DIV. NO.
APPROVED BY:	<input checked="" type="checkbox"/> Susan Cruz, District Secretary <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Board of Directors 2012 Calendar of Meetings		

GENERAL MANAGER'S RECOMMENDATION:

At the request of the Board, the attached Board of Director's meeting calendar for 2012 is being presented for discussion.

PURPOSE:

This staff report is being presented to provide the Board the opportunity to review the 2012 Board of Director's meeting calendars and amend the schedule as needed.

COMMITTEE ACTION:

N/A

ANALYSIS:

The Board requested that this item be presented at each meeting so they may have an opportunity to review the Board meeting calendar schedule and amend it as needed.

STRATEGIC GOAL:

N/A

FISCAL IMPACT:

None.

LEGAL IMPACT:

None.

Attachments: Calendar of Meetings for 2012

**Board of Directors, Workshops
and Committee Meetings
2012**

Regular Board Meetings:

January 4, 2012
February 1, 2012
March 7, 2012
April 4, 2012
May 2, 2012
June 6, 2012
July 11, 2012
August 1, 2012
September 5, 2012
October 9, 2012
November 7, 2012
December 5, 2012

**Special Board or Committee Meetings (3rd
Wednesday of Each Month or as Noted)**

January 18, 2012
February 15, 2012
March 21, 2012
April 18, 2012
May 16, 2012
June 20, 2012
July 18, 2012
August 15, 2012
September 19, 2012
October 17, 2012
November 21, 2012

SPECIAL BOARD MEETINGS:

BOARD WORKSHOPS:

Budget Workshops:

March 19, 2012 at 3:00 p.m.
May 15, 2012 at 4:00 p.m.

Board Workshop:

September 11, 2012 at 3:30 p.m.



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012
		PROJECT:	DIV. NO. All
SUBMITTED BY:	Sean Prendergast Payroll/AP Supervisor		
APPROVED BY:	<input checked="" type="checkbox"/> Joseph R. Beachem, Chief Financial Officer <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Director's Expenses for the 4th Quarter of Fiscal Year 2012		

GENERAL MANAGER'S RECOMMENDATION:

This is an informational item only.

COMMITTEE ACTION:

Please see Attachment A.

PURPOSE:

To inform the Board of the Director's expenses for the 4th quarter of Fiscal Year 2012.

ANALYSIS:

The Director's expense information is being presented in order to comply with State law. (See Attachment B for Summary and C-H for Details.)

FISCAL IMPACT:

None.

STRATEGIC GOAL:

Prudently manage District funds.

LEGAL IMPACT:

Compliance with State law.

Attachments: Attachment A Committee Action
 Attachment B Director's Expenses and per Diems
 Attachment C-H Director's Expenses Detail



ATTACHMENT A

SUBJECT/PROJECT:	Director's Expenses for the 4th Quarter of Fiscal Year 2012
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COMMITTEE ACTION:

This item was presented to the Finance, Administration and Communications Committee at a meeting held on September 17, 2012. The expenses for each director from April 1, 2012 thru June 30, 2012 was presented. It was indicated that directors' expenses totaled \$3,968.25 for the fourth quarter of Fiscal Year 2012. The total expenses for Fiscal Year 2012 was \$15,510.69. It was noted that directors' expenses have declined from \$103,678 in 1999 to \$15,511 in 2012. The committee received staffs' report and recommended presentation to the full board as an informational item.

BOARD OF DIRECTORS' EXPENSES AND PER-DIEMS

**BOARD OF DIRECTORS MEETING
October 9, 2012**

Policy 8 requires that staff present the Expenses and Per-Diems for the Board of Directors on a Quarterly basis:

- Fiscal Year 2012, 4th Quarter.
- The expenses are shown in detail by Board member, month and expense type.
- This presentation is in alphabetical order.
- This information was presented to the Finance, Administration, and Communications Committee on September 17, 2012.

Board of Directors' Expenses and Per-Diems
Fiscal Year 2012 Quarter 4 (Apr 2012- Jun 2012)

Director Croucher	\$200.00
Director Gonzalez	\$1,200.00
Director Lopez	\$2,110.53
Director Robak	\$0.00
Director Thompson	\$457.72
Total	\$3,968.25

Director Croucher

Fiscal Year 2012 Quarter 4

	Apr 2012	May 2012	Jun 2012
Business Meetings	0.00	0.00	0.00
Director's Fees	200.00	0.00	0.00
Mileage Business	0.00	0.00	0.00
Seminars	0.00	0.00	0.00
Travel	0.00	0.00	0.00
Monthly Totals	<u>200.00</u>	<u>0.00</u>	<u>0.00</u>
Quarterly Total			<u><u>\$200.00</u></u>

Fiscal Year-to-Date 2012 (Jul 2011-Jun 2012)	\$2,000.00
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**Director Croucher serves on all
District Committees (6)**

Meetings Attended	2		
Meetings Paid	2		

Director Gonzalez

Fiscal Year 2012 Quarter 4

	Apr 2012	May 2012	Jun 2012
Business Meetings	0.00	0.00	0.00
Director's Fees	400.00	600.00	200.00
Mileage Business	0.00	0.00	0.00
Seminars	0.00	0.00	0.00
Travel	0.00	0.00	0.00
Monthly Totals	<u>400.00</u>	<u>600.00</u>	<u>200.00</u>
Quarterly Total			<u><u>\$1,200.00</u></u>

Fiscal Year-to-Date 2012 (Jul 2011-Jun2012)	\$4,855.45
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Meetings Attended	4	6	3
Meetings Paid	4	7	2

Director Lopez

Fiscal Year 2012 Quarter 4

	Apr 2012	May 2012	Jun 2012
Business Meetings	0.00	0.00	0.00
Director's Fees	500.00	600.00	800.00
Mileage Business	5.55	2.78	22.20
Mileage Commuting	33.30	44.40	33.30
Seminars and Travel	0.00	0.00	69.00
Monthly Totals	<u>538.85</u>	<u>647.18</u>	<u>924.50</u>
Quarterly Total	<u>\$2,110.53</u>		

Fiscal Year-to-Date 2012 (Jul 2011-Jun 2012)	\$7,183.89
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Meetings Attended	6	7	10
Meetings Paid	5	6	8

Director Robak

Fiscal Year 2012 Quarter 4

	Apr 2012	May 2012	Jun 2012
Business Meetings	0.00	0.00	0.00
Director's Fees	0.00	0.00	0.00
Mileage Business	0.00	0.00	0.00
Mileage Commuting	0.00	0.00	0.00
Seminars and Travel	0.00	0.00	0.00
Monthly Totals	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Quarterly Total			<u>\$0.00</u>

Fiscal Year-to-Date 2012 (Jul 2011-Jun2012)	\$1,013.63
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Meetings Attended			
Meetings Paid			

Director Thompson

Fiscal Year 2012 Quarter 4

	Apr 2012	May 2012	Jun 2012
Business Meetings	0.00	0.00	0.00
Director's Fees	0.00	400.00	0.00
Mileage Business	0.00	0.00	0.00
Mileage Commuting	0.00	57.72	0.000
Seminars and Travel	0.00	0.00	0.00
Monthly Totals	<u>0.00</u>	<u>457.72</u>	<u>0.00</u>
Quarterly Total			<u><u>\$457.72</u></u>

Fiscal Year-to-Date 2012 (Jul 2011-Jun2012)	\$457.72
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Meetings Attended		4	
Meetings Paid		4	

Board of Directors' Expenses and Per-Diems
Fiscal Year 2012 to Date (Jul 2011- Jun 2012)

Director Croucher	\$2,000.00
Director Gonzalez	\$4,855.45
Director Lopez	\$7,183.89
Director Robak	\$1,013.63
Director Thompson	\$457.72
Total	\$15,510.69

**OTAY WATER DISTRICT
ADMINISTRATIVE EXPENSES - BOARD
July 1, 2011 - June 30, 2012**

	<u>Jul-11</u>	<u>Aug-11</u>	<u>Sep-11</u>	<u>Oct-11</u>	<u>Nov-11</u>	<u>Dec-11</u>	<u>Jan-12</u>	<u>Feb-12</u>	<u>Mar-12</u>	<u>Apr-12</u>	<u>May-12</u>	<u>Jun-12</u>	<u>Total</u>
	1	2	3	4	5	6	7	8	9	10	11	12	
MITCHELL THOMPSON (DETAILED IN SECTION D):													
5214 Business meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5281 Director's fees	-	-	-	-	-	-	-	-	-	-	400.00	-	400.00
5211 Mileage - Business	-	-	-	-	-	-	-	-	-	-	-	-	-
5211 Mileage - Commuting	-	-	-	-	-	-	-	-	-	-	57.72	-	57.72
5213 Seminars and conferences	-	-	-	-	-	-	-	-	-	-	-	-	-
5212 Travel	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 457.72	\$ -	\$ 457.72

GARY D. CROUCHER (DETAILED IN SECTION E):													
5214 Business meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5281 Director's fees	300.00	-	-	300.00	400.00	-	200.00	200.00	400.00	200.00	-	-	2,000.00
5211 Mileage - Business	-	-	-	-	-	-	-	-	-	-	-	-	-
5211 Mileage - Commuting	-	-	-	-	-	-	-	-	-	-	-	-	-
5213 Seminars and conferences	-	-	-	-	-	-	-	-	-	-	-	-	-
5212 Travel	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	\$ 300.00	\$ -	\$ -	\$ 300.00	\$ 400.00	\$ -	\$ 200.00	\$ 200.00	\$ 400.00	\$ 200.00	\$ -	\$ -	\$ 2,000.00

DAVID GONZALEZ (DETAILED IN SECTION F):													
5214 Business meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5281 Director's fees	200.00	-	600.00	-	500.00	100.00	200.00	-	300.00	400.00	600.00	200.00	3,100.00
5211 Mileage - Business	-	-	-	-	-	-	-	-	-	-	-	-	-
5211 Mileage - Commuting	-	-	-	-	-	-	-	-	-	-	-	-	-
5213 Seminars and conferences	-	-	780.00	-	-	-	-	-	-	-	-	-	780.00
5212 Travel	-	-	975.45	-	-	-	-	-	-	-	-	-	975.45
Total	\$ 200.00	\$ -	\$ 2,355.45	\$ -	\$ 500.00	\$ 100.00	\$ 200.00	\$ -	\$ 300.00	\$ 400.00	\$ 600.00	\$ 200.00	\$ 4,855.45

JOSE LOPEZ (DETAILED IN SECTION G):													
5214 Business meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25.00	\$ 120.00	\$ -	\$ -	\$ -	\$ 145.00
5281 Director's fees	400.00	300.00	700.00	300.00	300.00	100.00	700.00	700.00	900.00	500.00	600.00	800.00	6,300.00
5211 Mileage - Business	22.20	-	13.32	5.55	-	14.43	31.08	46.07	91.58	5.55	2.78	22.20	254.75
5211 Mileage - Commuting	33.30	33.30	58.83	33.30	33.30	-	33.30	33.30	45.51	33.30	44.40	33.30	415.14
5213 Seminars and conferences	-	-	-	-	-	-	-	-	-	-	-	69.00	69.00
5212 Travel	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	\$ 455.50	\$ 333.30	\$ 772.15	\$ 338.85	\$ 333.30	\$ 114.43	\$ 764.38	\$ 804.37	\$ 1,157.09	\$ 538.85	\$ 647.18	\$ 924.50	\$ 7,183.89

MARK ROBAK (DETAILED IN SECTION H):													
5214 Business meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5281 Director's fees	100.00	-	200.00	100.00	-	-	100.00	100.00	300.00	-	-	-	900.00
5211 Mileage - Business	3.33	-	16.65	3.33	-	-	3.33	3.33	9.99	-	-	-	39.96
5211 Mileage - Commuting	2.22	-	2.22	2.22	-	-	2.22	2.22	6.66	-	-	-	17.76
5213 Seminars and conferences	-	35.00	-	20.91	-	-	-	-	-	-	-	-	55.91
5212 Travel	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	\$ 105.55	\$ 35.00	\$ 218.87	\$ 126.46	\$ -	\$ -	\$ 105.55	\$ 105.55	\$ 316.65	\$ -	\$ -	\$ -	\$ 1,013.63

TOTALS:													
5214 Business meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25.00	\$ 120.00	\$ -	\$ -	\$ -	\$ 145.00
5281 Director's fees	1,000.00	300.00	1,500.00	700.00	1,200.00	200.00	1,200.00	1,000.00	1,900.00	1,100.00	1,600.00	1,000.00	12,700.00
5211 Mileage - Business	25.53	-	29.97	8.88	-	14.43	34.41	49.40	101.57	5.55	2.78	22.20	294.71
5211 Mileage - Commuting	35.52	33.30	61.05	35.52	33.30	-	35.52	35.52	52.17	33.30	102.12	33.30	490.62
5213 Seminars and conferences	-	35.00	780.00	20.91	-	-	-	-	-	-	-	69.00	904.91
5212 Travel	-	-	975.45	-	-	-	-	-	-	-	-	-	975.45
Total	\$ 1,061.05	\$ 368.30	\$ 3,346.47	\$ 765.31	\$ 1,233.30	\$ 214.43	\$ 1,269.93	\$ 1,109.92	\$ 2,173.74	\$ 1,138.85	\$ 1,704.90	\$ 1,124.50	\$ 15,510.69

**OTAY WATER DISTRICT
SUMMARY - BOARD OF DIRECTORS EXPENSES
FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

DIRECTOR'S NAME: THOMPSON, MITCHELL

ATTACHMENT D

Account Name	Date	Descriptions	SECTION D Amount
Mileage - Commuting	5/31/2012	MEETING - MAY 2, 8, 10 & 15, 2012	\$ 57.72
Mileage - Commuting Total			<u>57.72</u>
Director's Fee	5/2/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	5/8/2012	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	5/10/2012	MEET WITH OTAY'S GM AND STAFF - FOR ORIENTATION	100.00
	5/15/2012	SPECIAL BOARD OF DIRECTORS MEETING - BUDGET WORKSHOP	100.00
Director's Fee Total			<u>400.00</u>
Grand Total			<u><u>\$ 457.72</u></u>

**OTAY WATER DISTRICT
SUMMARY - BOARD OF DIRECTORS EXPENSES
FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

DIRECTOR'S NAME: CROUCHER, GARY

ATTACHMENT E

Account Name	Date	Descriptions	SECTION E Amount
Director's Fee	7/5/2011	AD HOC COMMITTEE MEETING - HEALTH BENEFITS NEGOTIATIONS	\$ 100.00
	7/15/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	7/19/2011	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	10/19/2011	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	10/21/2011	LAFCO SPECIAL DISTRICTS ADVISORY COMMITTEE	100.00
	10/31/2011	LEGAL AD HOC COMMITTEE	100.00
	11/8/2011	LEGAL AD HOC COMMITTEE	100.00
	11/16/2011	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	11/28/2011	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	11/30/2011	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	1/4/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	1/24/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	2/1/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	2/16/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	3/7/2012	OTAY BOARD OF DIRECTORS MEETING	100.00
	3/14/2012	BOARD ETHICS TRAINING 700 FORM REVIEW	100.00
	3/19/2012	FUTURE WATER RATES/USAGE AND ECONOMY PREDICTIONS	100.00
	3/21/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	4/4/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	4/18/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
Director's Fee Total			2,000.00
Grand Total			\$2,000.00

**OTAY WATER DISTRICT
SUMMARY - BOARD OF DIRECTORS EXPENSES
FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

DIRECTOR'S NAME: GONZALEZ, DAVID

ATTACHMENT F

Account Name	Date	Descriptions	SECTION F Amount
Director's Fee	7/15/2011	REGULAR BOARD OF DIRECTORS MEETING	\$ 100.00
	7/19/2011	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	9/7/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	9/8/2011	SPECIAL DISTRICT INSTITUTE	100.00
	9/9/2011	SPECIAL DISTRICT INSTITUTE	100.00
	9/10/2011	SPECIAL DISTRICT INSTITUTE	100.00
	9/19/2011	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	9/29/2011	METRO COMMISSION BRIEFING MEETING	100.00
	11/2/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	11/3/2011	METRO COMMISSION BRIEFING MEETING	100.00
	11/7/2011	PADRE DAM MWD CEREMONY	100.00
	11/16/2011	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	11/30/2011	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	12/6/2011	SOUTH COUNTY ECONOMIC DEVELOPMENT	100.00
	1/4/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	1/18/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	3/7/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	3/14/2012	SPECIAL BOARD OF DIRECTORS MEETING - DISCUSS FORM 700	100.00
	3/19/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	4/4/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	4/9/2012	OVERSIGHT BOARD AND CHULA VISTA REDEVELOPMENT	100.00
	4/19/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	4/30/2012	OVERSIGHT BOARD AND CHULA VISTA REDEVELOPMENT	100.00
	5/2/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	5/8/2012	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	5/15/2012	BUDGET WORKSHOP	100.00
	5/16/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	5/19/2012	AWARD PRESENTATION LANDSCAPE DISTRICT WINNER	100.00
	5/25/2012	ENGINEERING COMMITTEE MEETING	100.00
	6/6/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	6/20/2012	ENGINEERING COMMITTEE MEETING	100.00
Director's Fee Total			3,100.00
Registration Fee	9/10/2011	REGISTRATION FEE - SPECIAL DISTRICT AND LOCAL GOVERNMENT INSTITUTE SEPTEMBER 8-10, 2011	780.00
Travel	9/31/2011	LODGING FEE - ATTENDED THE SPECIAL DISTRICTS & LOCAL GOV'T INSTITUTE FINANCE SEMINAR SEPT. 7-9, 2011	577.65
	9/7/2011	AIRFARE FEE TO ATTEND THE SPECIAL DISTRICTS & LOCAL GOV'T INSTITUTE FINANCE SEMINAR	397.80
Travel Total			975.45
Grand Total			\$ 4,855.45

**OTAY WATER DISTRICT
SUMMARY - BOARD OF DIRECTORS EXPENSES
FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

DIRECTOR'S NAME: LOPEZ, JOSE

ATTACHMENT G

Account Name	Date	Descriptions	SECTION G Amount
Mileage - Business	7/31/2011	MEETING - JULY 11, 2011	\$ 22.20
	9/30/2011	MEETING - SEPTEMBER 9 & 15, 2011	13.32
	10/31/2011	MEETING - OCTOBER 11, 2011	5.55
	12/14/2011	MEETING - DECEMBER 14, 2011	14.43
	1/31/2012	MEETING - JANUARY 12, 20 & 27, 2012	31.08
	2/29/2012	MEETING - FEBRUARY 9, 24, 25 & 26, 2012	46.07
	3/31/2012	MEETING - MARCH 6, 12, 16, 20 & 29, 2012	91.58
	4/30/2012	MEETING - APRIL 13, & 25, 2012	5.55
	5/31/2012	MEETING - MAY 11, 2012	2.78
	6/30/2012	MEETING - JUNE 1, 13, 15 & 29, 2012	22.20
Mileage - Business Total			254.75
Mileage - Commuting	7/31/2011	MEETING - JULY 5, 12, & 15, 2011	33.30
	8/31/2011	MEETING - AUGUST 4, 10, & 18, 2011	33.30
	9/30/2011	MEETING - SEPTEMBER 7, 14, 19, 28, & 29, 2011	58.83
	10/31/2011	MEETING - OCTOBER 5 & 19 2011	33.30
	11/30/2011	MEETING - NOVEMBER 2, 28, & 30, 2011	33.30
	1/31/2012	MEETING - JANUARY 14, 18 & 24, 2012	33.30
	2/29/2012	MEETING - FEBRUARY 1, 16 & 21, 2012	33.30
	3/31/2012	MEETING - MARCH 7, 14, 19 & 21, 2012	45.51
	4/30/2012	MEETING - APRIL 4, 18 & 19, 2012	33.30
	5/31/2012	MEETING - MAY 2, 8, 11, 16, 24 & 25, 2012	44.40
	6/30/2012	MEETING - JUNE 6, 20 & 21, 2012	33.30
Mileage - Commuting Total			415.14
Director's Fee	7/5/2011	AD HOC COMMITTEE MEETING - HEALTH BENEFITS NEGOTIATIONS	100.00
	7/11/2011	DESALINATION PLANT WITH ROSARITO MAYOR	100.00
	7/12/2011	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	7/15/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	8/4/2011	AD HOC COMMITTEE MEETING - HEALTH BENEFITS NEGOTIATIONS	100.00
	8/10/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	8/18/2011	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00

**OTAY WATER DISTRICT
SUMMARY - BOARD OF DIRECTORS EXPENSES
FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

DIRECTOR'S NAME: LOPEZ, JOSE

ATTACHMENT G

Account Name	Date	Descriptions	SECTION G Amount
Director's Fee	9/7/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	9/9/2011	MEETING WITH STAR NEWS EDITOR CARLOS DAVALOS	100.00
	9/14/2011	WATER CONSERVATION GARDEN COMMITTEE MEETING	100.00
	9/15/2011	MEETING WITH CHULA VISTA COUNCIL WOMAN PAT AGUILAR	100.00
	9/19/2011	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	9/28/2011	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	9/29/2011	METRO COMMISSION BRIEFING MEETING	100.00
	10/5/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	10/11/2011	CITY COUNCIL MEETING - GREEN BUSINESS RECOGNITION AWARD	100.00
	10/19/2011	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	11/2/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	11/28/2011	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	11/30/2011	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	12/14/2011	WATER CONSERVATION GARDEN COMMITTEE MEETING	100.00
	1/4/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	1/12/2012	GENERAL MANAGER MEETING	100.00
	1/17/2012	METRO COMMISSION WITH OTAY STAFF	100.00
	1/18/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	1/20/2012	MEETING WITH STATE SENATOR JOEL ANDERSON AND GENERAL MANAGER OF OTAY	100.00
	1/24/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	1/27/2012	AGENDA BRIEFING WITH GENERAL MANAGER AND COUNSEL	100.00
	2/1/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	2/9/2012	UNION TRIBUNE MEETING WITH MR. JOHN LYNCH	100.00
	2/16/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	2/21/2012	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	2/24/2012	AGENDA BRIEFING WITH GENERAL MANAGER AND COUNSEL	100.00
	2/25/2012	HOOVER DAM TOUR - METROPOLITAN WATER	100.00
	2/26/2012	PARKER DAM AND COLORADO RIVER TOUR - METROPOLITAN	100.00
	3/6/2012	METROPOLITAN WATER DISTRICTS FINANCE MEETING	100.00

**OTAY WATER DISTRICT
SUMMARY - BOARD OF DIRECTORS EXPENSES
FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

DIRECTOR'S NAME: LOPEZ, JOSE

ATTACHMENT G

Account Name	Date	Descriptions	SECTION G Amount
Director's Fee	3/7/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	3/12/2012	BUS TRIP FROM CWA TO (LA) METRO WATER DISTRICTS MEETING	100.00
	3/14/2012	WATER CONSERVATION GARDEN COMMITTEE MEETING	100.00
	3/16/2012	GENERAL MANAGER MEETING - COMMITTEE AGENDA ITEMS	100.00
	3/19/2012	BOARD BUDGET WORKSHOP	100.00
	3/20/2012	COUNCIL ON WATER UTILITIES MEETING	100.00
	3/21/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	3/29/2012	GENERAL MANAGER AND COUNSEL - AGENDA BRIEFING	100.00
	4/4/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	4/13/2012	GENERAL MANAGER MEETING - COMMITTEE AGENDA ITEMS	100.00
	4/18/2012	ENGINEERING AND OPERATIONS AND WATER RESOURCES	100.00
	4/19/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	4/25/2012	GENERAL MANAGER AND COUNSEL - AGENDA BRIEFING	100.00
	5/2/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	5/8/2012	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	5/11/2012	COMMITTEE AGENDA BRIEFING - GENERAL MANAGER	100.00
	5/16/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	5/24/2012	CSDA WEBINAR - BOARD MEETING	100.00
	5/25/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	6/1/2012	AGENDA BRIEFING WITH GENERAL MANAGER AND COUNSEL	100.00
	6/6/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	6/13/2012	WATER CONSERVATION GARDEN COMMITTEE MEETING	100.00
	6/15/2012	COMMITTEE AGENDA BRIEFING - GENERAL MANAGER	100.00
	6/19/2012	CSDA WEBINAR - PROP 218 & 26 LEGISLATIVE UPDATE	100.00
	6/20/2012	ENGINEERING AND OPERATIONS COMMITTEE MEETING	100.00
	6/21/2012	FINANCE AND ADMINISTRATIVE COMMITTEE MEETING	100.00
	6/29/2012	AGENDA BRIEFING WITH GENERAL MANAGER AND COUNSEL	100.00
Director's Fee Total			6,300.00
Registration Fee	6/14/2012	CSDA WEBINAR - WHAT EVERY PUBLIC AGENCY SHOULD KNOW ABOUT PREVAILING WAGE	69.00
Business meetings	2/21/2012	COUNCIL ON WATER UTILITIES MEETING	25.00
	3/5/2012	SAN YSIDRO CHAMBER OF COMMERCE	95.00
	3/20/2012	COUNCIL ON WATER UTILITIES MEETING	25.00
Business meetings Total			145.00
Grand Total			\$ 7,183.89

**OTAY WATER DISTRICT
SUMMARY - BOARD OF DIRECTORS EXPENSES
FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012**

DIRECTOR'S NAME: ROBAK, MARK

ATTACHMENT H

Account Name	Date	Descriptions	SECTION H Amount
Mileage - Business	7/15/2011	MEETING - JULY 15, 2011	\$ 3.33
	9/7/2011	MEETING - SEPTEMBER 2, & 7, 2011	16.65
	10/5/2011	MEETING - OCTOBER 5, 2011	3.33
	1/4/2012	MEETING - JANUARY 4, 2012	3.33
	2/21/2012	MEETING - FEBRUARY 21, 2012	3.33
	3/31/2012	MEETING - MARCH 7, 14, & 19, 2012	9.99
Mileage - Business Total			39.96
Mileage - Commuting	7/15/2011	MEETING - JULY 15, 2011	2.22
	9/4/2011	MEETING - SEPTEMBER 4, 2011	2.22
	10/5/2011	MEETING - OCTOBER 5, 2011	2.22
	1/4/2012	MEETING - JANUARY 4, 2012	2.22
	2/21/2012	MEETING - FEBRUARY 21, 2012	2.22
	3/31/2012	MEETING - MARCH 7, 14, & 19, 2012	6.66
Mileage - Commuting Total			17.76
Director's Fee	7/15/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	9/2/2011	MEETING CHULA VISTA CHAMBER OF COMMERCE	100.00
	9/7/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	10/5/2011	REGULAR BOARD OF DIRECTORS MEETING	100.00
	1/4/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	2/21/2012	SPECIAL BOARD OF DIRECTORS MEETING	100.00
	3/7/2012	REGULAR BOARD OF DIRECTORS MEETING	100.00
	3/14/2012	SPECIAL BOARD OF DIRECTORS MEETING - DISCUSS FORM 700	100.00
	3/19/2012	SPECIAL BOARD OF DIRECTORS MEETING - DISCUSS SALES FORECASTING	100.00
Director's Fee Total			900.00
Registration Fee	8/19/2011	REGISTRATION FEE - SAN DIEGO EAST CO. CHAMBER WORKSHOP	35.00
	10/26/2011	REGISTRATION FEE - EAST COUNTY ECONOMIC DEVELOPMENT COUNCIL	20.91
Registration Fee Total			55.91
Grand Total			\$ 1,013.63



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012		
		PROJECT:	VARIOUS	DIV. NO.:	ALL
SUBMITTED BY:	Geoffrey Stevens Chief, Information Technology and Strategic Planning				
APPROVED BY:	<input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager				
SUBJECT:	FY 2012 YEAR-END STRATEGIC PLAN AND PERFORMANCE MEASURES REPORT				

GENERAL MANAGER'S RECOMMENDATION:

No recommendation. This is an informational item only.

COMMITTEE ACTION:

Please see "Attachment A".

PURPOSE:

To provide a fiscal year-end report on the District's Strategic Performance Plan.

ANALYSIS:

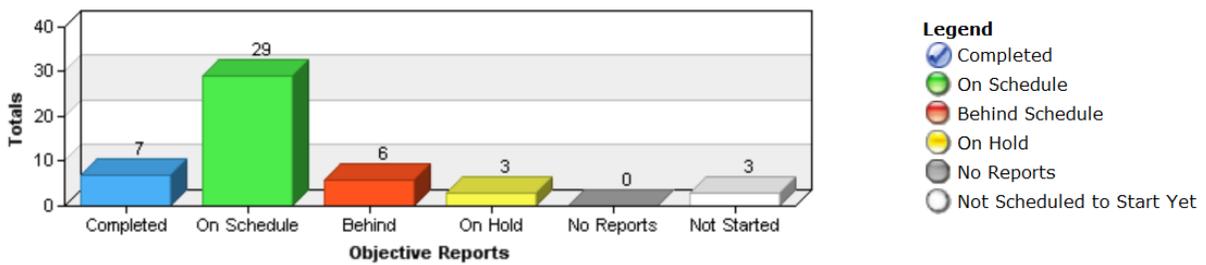
The District has completed the first year of the FY 2012-2014 Strategic Plan. Overall, results are positive with the District very close to its target for strategic plan objectives and above target for performance measures. In addition, on average over the last five years, the District is on or above target for both objectives and performance measures. Detailed information on each year's outcome is available electronically on the Board Extranet.

Strategic Plan Objectives

Strategic plan objectives are designed to ensure staff is making the appropriate high-level changes necessary to move the District in the

planned direction to meet new challenges and opportunities. Overall performance of strategic plan objectives is positive with 36 of 42 objectives (86%) complete, ahead, or on schedule, and two items behind schedule. Of the objectives that were behind, such as implementing billing functionality or financial planning work, several are now on schedule. Some projects may need to be reassessed as the environment has changed. Three items are on hold because they are out of our control, such as negotiations with the City of San Diego on the South Bay Reclamation Plant. Consequently, on-hold items are excluded from the overall performance calculation.

Objectives: All Departments

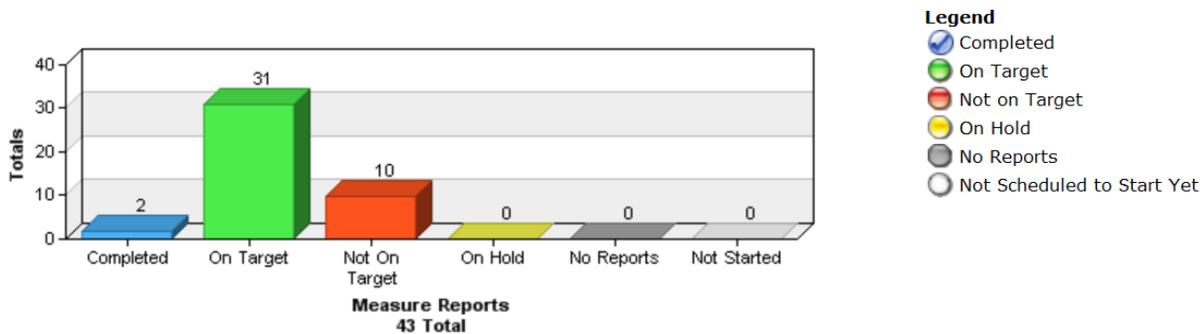


36/42 strategic objectives are on or ahead of schedule (86%)

Performance Measures: Monitoring Day-To-Day Performance

Performance measures are designed to track the day-to-day performance of the District. These items measure the effectiveness and efficiency of daily operations. The overall goal is that at least 75% of these measures be rated "on target". District results in this area are also positive with 33 of 43 (77%) items achieving the desired level or better.

YTD Measures: All Departments

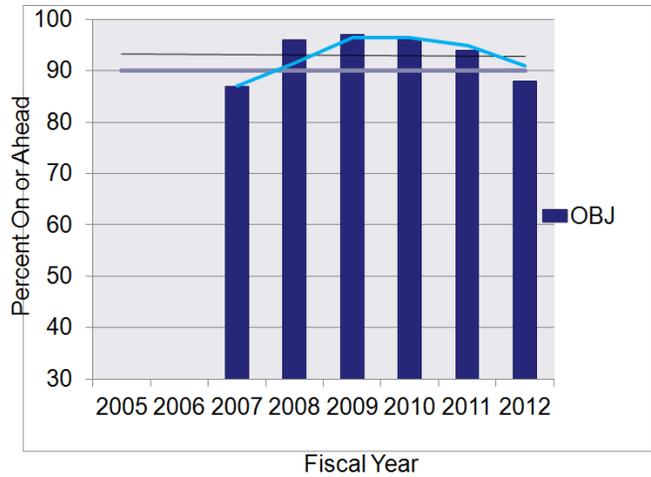


33/43 Measures on or ahead of schedule (77%) -- Target is 75%

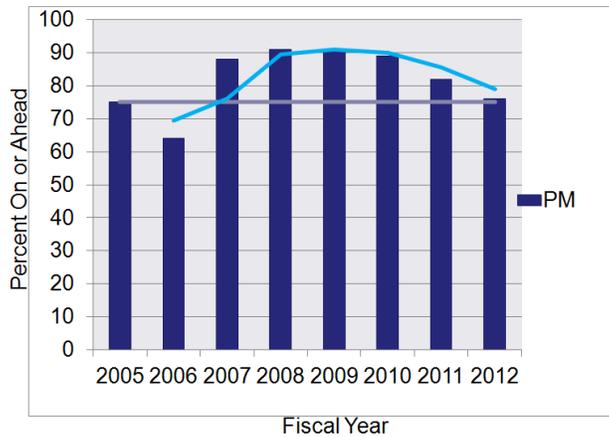
Trend Analysis

This year we have begun to accumulate enough data to examine our plan performance over time. Staff is pleased that the plan performance has been very consistent in meeting the overall targets. On average, over the last six to eight years, the plan is above target for both objectives and measures.

Trend 6 Year Average – Strategic Objectives On Target



Trend - 8 Year Average - Performance Measures



Next Steps

Staff is currently focused on implementing year two of the Board approved FY12-FY14 Strategic Plan. We will continue to review and communicate the plan at the department and enterprise levels. Staff

will also examine current targets and measures to see if they can be improved. In conclusion, staff anticipates further refinement of District initiatives to ensure that plans and schedules are properly coordinated and integrated. Staff appreciates the high level of support that the Board provides for this effort.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

None at this time.

STRATEGIC GOAL:

Strategic Plan and Performance Measure reporting is a critical element in providing performance reporting to the Board and staff.

LEGAL IMPACT:

None.

Attachments: Attachment A - Committee Action Report
 Attachment B - PowerPoint Presentation



ATTACHMENT A

SUBJECT/PROJECT:	FY 2012 YEAR-END STRATEGIC PLAN AND PERFORMANCE MEASURES REPORT
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COMMITTEE ACTION:

The Finance, Administration, and Communications Committee and the Engineering, Operations and Water Resources Committee reviewed this item on September 17 and 19, 2012, respectively. The committees discussed the Strategic Plan and Performance Measures FY 2012 Year-end results for the divisions that pertain to their areas of review. The following comments were made:

- Staff indicated that the Strategic Plan determines the direction of the District and is presented to the Board as a work plan. Staff presented the year-end results for the Fiscal Year 2012 which is the first year of the District's 2012 - 2014 three-year plan approved by the Board last year.
- It was indicated that the District has been utilizing the current Strategic Plan process for over ten years. The process began with the first implemented plan in FYs 2003-2005. Since that time, the plan has been redrafted for three-year periods. The focus of the FYs 2006-2008 plan was to implement infrastructure and systems to increase efficiencies, in FYs 2009-2011 the District focused on leveraging investments made to enhance efficiency, and the current plan for FYs 2012-2014 focuses on how the District can optimize or further enhance the efficiencies it has gained.
- Staff presented the results of the year-end FY2012 Strategic Plan and indicated:
 - 36 of the 42 objectives are complete, ahead of schedule or on target (or 86%); the target is 90%. Objectives provide a guide to the direction of the District.
 - 33 of the 43 performance measures are complete, ahead of schedule or on target (or 77%); the target is 75%. The performance measures indicate how the District is doing in its day-to-day operations.

- The measures provide a quick overview of where the District is overall and provides a process for reviewing all the District's objectives on a quarterly basis and discussing where efforts should be focused.
 - It was indicated that staff spends a lot of time reviewing and discussing the items in the District's Strategic Plan in detail and the reasons why items are not meeting targets. The plan is actively used in all the departments.
- Staff indicated that the board has access to the Strategic Plan information through the board extranet. Members can review the status of objectives and measures in detail. The information includes notes from staff members explaining the status of an item and reasons it is either ahead, on or behind schedule.
- The Committee inquired about the Engineering projects that did not meet their targets. Staff stated that those projects (Recycled Water Plant and the MBR Plant) are currently on hold pending responses from the Cities of San Diego and Chula Vista.
- It was additionally discussed that there were three (3) measures that are currently behind schedule. One of those measures is the *Blanket Order Activity* which is slightly behind because the District had decided to purchase what would have been two (2) years worth of meters in this fiscal year. Due to the District's decision to advance the purchase of meters, the pool of dollars available for blanket purchases was reduced, making the target much harder to meet. As the original goal was a minimum of 15% of purchases on blanket orders, staff decided to stay with the original measurement as this was a one-time event and the District expects to meet its goal next fiscal year. The District also did not meet the goal for *Total Customer Water Saved* as CWA has reduced its sponsorship of the water conservation programs which has slowed the number of water saving devices being installed by the District's customers. As the water savings devices are not being installed as projected, the expected water savings is not being met.
- Staff presented a *Trend Analysis* for both the objectives and measures from FY 2007 through FY 2012 showing the District's performance for each fiscal year relative to the set targets. The District's overall performance has been above average over the last six years.
- It was indicated that the next steps in the Strategic Plan process are:

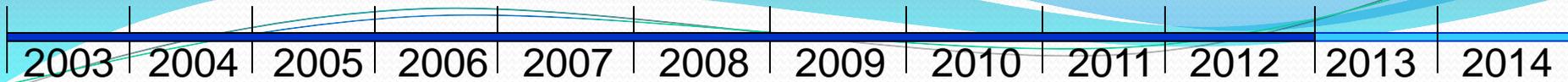
- Departments will be working on *Strategy Maps*. The maps lay out the departments' different strategies and looks at the inter-relationships between them. The purpose is to help departments see the relationships between their strategies and possibly determine where more emphasis can be placed to improve/enhance outcomes. This process will also provide a basis for discussion among the senior team and managers.
 - Improve measures and targets.
 - Continue to enhance communications and teamwork through the Strategic Plan process.
- In response to a question from the Committee, staff indicated that the District is currently working on cross-referencing data from the GIS and billing systems to monitor customers' water usage history and their efforts to conserve water. This will help staff flag and investigate unusual water usage.
 - It was noted that SWOT (Strength, Weaknesses, Opportunities, Threats) Analysis and Balance Score Card is part of the Strategic Plan's methodology to identify weaknesses.
 - The committee indicated that they were happy to see that the District's staff is including stretch goals within the plan which is emphasized by the fact that not all the targets of the goals within the plan had been met. The committee felt that by staff striving to take risks to set some targets high, it creates excellence in the organization.

Following the discussion, the committee supported presentation to the full board as an informational item.

Strategic Planning

FY 2012 - End of Year Report
(Year One of 2012 – 2014 Plan)





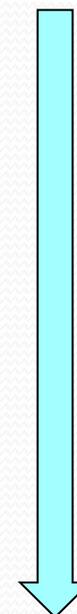
We are here

FY 2003 - 2005
PLAN

FY 2006 - 2008
BUILD

FY 2009 - 2011
LEVERAGE

FY 2012 - 2014
OPTIMIZE



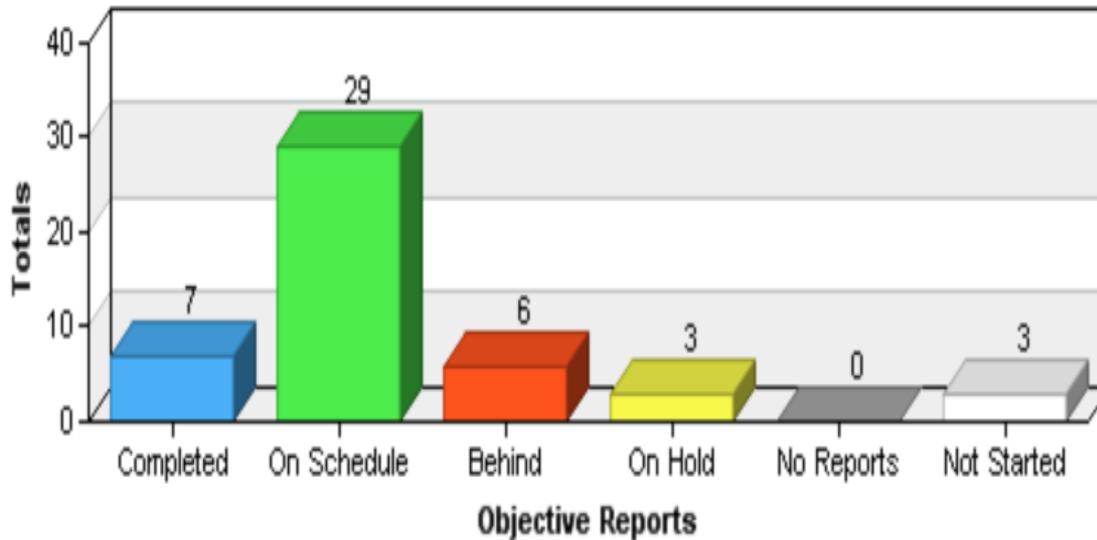
**New
Plan**

FY2012 Objectives

36 of 42 objectives complete, ahead or on target (86%)

Target is 90%

Objectives: All Departments



Legend

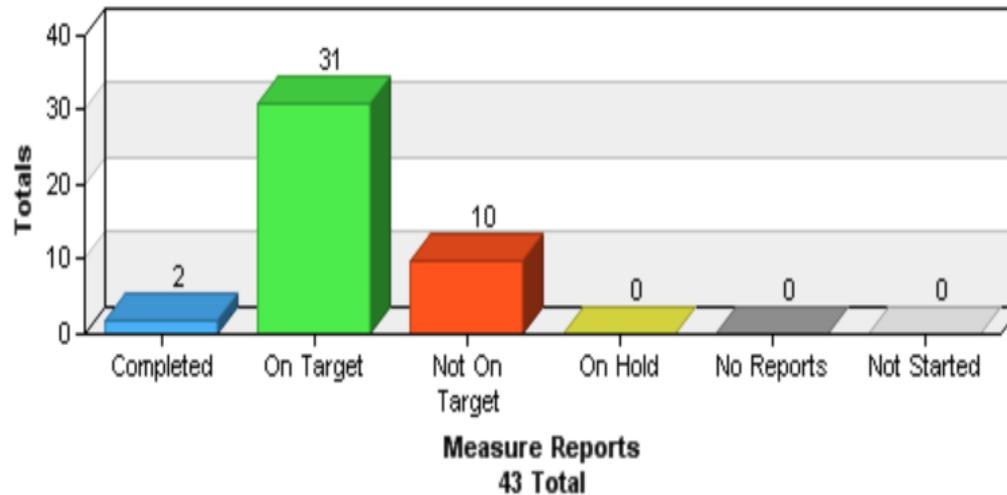
- Completed
- On Schedule
- Behind Schedule
- On Hold
- No Reports
- Not Scheduled to Start Yet

FY2012 Performance Measures

33 of 43 performance measures complete, ahead or on target (77%)

Target is 75%

YTD Measures: All Departments



Legend

- Completed
- On Target
- Not on Target
- On Hold
- No Reports
- Not Scheduled to Start Yet

Departmental Detail – Admin Services

Objectives: 1-Administrative Services

Summary	Detail
All	
1.1.1.2	BUELNA, A Regularly evaluate communications tools and explore the effective use of new media options including: electronic newsletters, auto-dialer services, video streaming, social networks, or web media to ensure the District's outreach efforts are cost-effectively reaching all stakeholders.
1.1.1.3	GRANGER, W Continue promoting the Water Conservation Garden as a venue for new homeowners, developers, businesses and existing homeowners
3.1.1.4	GRANGER, W Closely monitor the District's potable water demand to ensure the District will remain on target to achieve its 2015 gpcd target as identified in the 2010 Urban Water Management Plan
3.1.1.6	GRANGER, W Ensure best practices are followed in meeting the 20 by 2020 conservation targets including reclassification of industrial and commercial customers
3.1.1.7	GRANGER, W Educate and work with local agencies and others to influence developers, builders, and to incorporate practical water efficient practices in new construction
3.1.2.5	CHONG, D Enhance security processes and planning
4.1.1.6	WILLIAMSON, K Update performance evaluation categories/program to ensure a results-oriented workforce and update and provide training if needed
4.1.1.7	WILLIAMSON, Evaluate pay-for-performance program to ensure the

Measures: 1-Administrative Services

Summary	Detail
All	
1.1.100	BUELNA,A Customer Satisfaction
1.3.103	GRANGER,W Otay Water Use (District Meters)
1.4.105	WILLIAMSON,K Employee Turnover Rate
1.4.106	WILLIAMSON,K Training Hours per Employee
1.4.107	CHONG,D Safety Training Program
1.4.104	CHONG,D Health & Safety Severity Rate (QualServe)
1.2.101	DOBRAWA,S Blanket Order Activity
1.3.102	GRANGER,W Total Customer Water Saved

Departmental Detail – Finance

Objectives: 3-Finance

Summary			Detail
All			▼
<input checked="" type="checkbox"/>	1.1.1.1	CAREY, A	Enhance communications with customers using our new phone system.
<input checked="" type="checkbox"/>	3.1.2.1	PRENDERGAST, J	Streamline Accounts Payable business processes
<input checked="" type="checkbox"/>	3.1.2.8	CAREY, A	Improve and streamline meter related processes
<input checked="" type="checkbox"/>	3.1.2.13	BELL, R	Streamline Finance business processes
<input checked="" type="checkbox"/>	3.1.2.23	MENDEZ-SCHOMER, A	Streamline Customer Service business processes
<input checked="" type="checkbox"/>	1.1.1.4	MENDEZ-SCHOMER, A	Increase customers employing on-line bill payment
<input checked="" type="checkbox"/>	2.1.1.1	BELL, R	Strengthen the long-term financial plan
<input type="checkbox"/>	2.1.1.2	BELL, R	Develop sewer capacity fees for expansion
<input type="checkbox"/>	2.1.1.4	MENDEZ-SCHOMER, A	Evaluate the feasibility of replacing the existing customer information system or migrating to the new version of the Eden software

Measures: 3-Finance

Summary			Detail
All			▼
<input checked="" type="checkbox"/>	3.1.300	CAREY, A	Answer Rate
<input checked="" type="checkbox"/>	3.2.301	BELL, R	O&M Cost per Account (QualServe)
<input checked="" type="checkbox"/>	3.2.302	MENDEZ-SCHOMER, A	Billing Accuracy (QualServe)
<input checked="" type="checkbox"/>	3.2.303	BELL, R	Overtime Percentage
<input checked="" type="checkbox"/>	3.2.304	BELL, R	Sewer Rate Ranking
<input checked="" type="checkbox"/>	3.2.305	BELL, R	Water Rate Ranking
<input checked="" type="checkbox"/>	3.2.307	BELL, R	Reserve Level
<input checked="" type="checkbox"/>	3.3.308	BELL, R	Distribution System Loss (QualServe)
<input checked="" type="checkbox"/>	3.2.306	BELL, R	Debt Coverage Ratio (QualServe)

Departmental Detail – IT and SP

Objectives: 4-Information Technology

Measures: 4-Information Technology

Summary	Detail
All	
■ 3.1.2.2	ZHAO, M Continue development of the Asset Management program
■ 3.1.2.7	SARIPALLI, Update District-wide Records Management program S
■ 3.1.2.9	SARIPALLI, Implement GIS-centric work order system S
■ 3.1.2.4	STEVENS, Develop data center disaster recovery plan. G
■ 3.1.2.10	STEVENS, Streamline and improve data center processes G

Summary	Detail
All	
■ 4.1.400	STEVENS,G Customer Satisfaction with website
■ 4.3.401	STEVENS,G Network Availability
■ 4.4.402	STEVENS,G Web Site Hits

Departmental Detail – Engineering

Objectives: 2-Engineering

Summary	Detail
All	
■ 3.1.2.3 POSADA, R	Strengthen CIP planning, budgeting, and cost tracking processes
■ 3.1.1.1 KENNEDY, R	Prepare and implement a Waste Water Management Plan
■ 3.1.1.5 MARTIN, D	Work with the District's largest potable water customers to convert landscape and interior water use to recycled water where fiscally feasible and safe
■ 3.1.1.2 KENNEDY, R	Implement the recommendations within the Integrated Water Resources Plan (IRP) to acquire alternative and/or additional potable and recycled water supplies and resource reliability
■ 3.1.1.3 KENNEDY, R	Continue working with the City of Chula Vista (City) for the possible development of a MBR Plant and for a potential agreement with the City for recycled water supplies from the MBR Plant
■ 2.1.1.3 KENNEDY, R	Re-negotiate the South Bay Water Reclamation Plant (SBWRP) Recycled Water Supply Agreement with the City of San Diego

Measures: 2-Engineering

Summary	Detail
All	
■ 2.3.202 O'DONNELL, M	Mark-out Accuracy
■ 2.3.203 KAY, D	Project Closeout Time
■ 2.2.200 RIPPERGER, R	CIP Project Expenditures vs. Budget
■ 2.2.201 KAY, D	Construction Change Order Incidence (without allowances)

Departmental Detail – Operations

Objectives: 5-Operations

Summary	Detail
All	
■ 3.1.2.17 STALKER, G	Evaluate opportunities to combine or transfer similar work functions
■ 3.1.2.14 KEERAN, T	Develop and implement large meter vault retrofit programs
■ 3.1.2.19 KEERAN, T	Develop large and small meter test bench strategy
■ 3.1.2.15 STALKER, G	Implement a water loss management program
■ 3.1.2.21 STALKER, G	Develop data collection and condition assessment for potable system facilities
■ 3.1.2.22 RAHDERS, D	Develop gen-set load bank testing
■ 3.1.2.24 STALKER, G	Implement the recommendation for improving response to extended power outages
■ 3.1.2.18 VACLAVEK, J	Complete valve exercising program business processes
■ 3.1.2.16 PALOP, G	Replace SCADA system and optimize functionality, business continuity, and bandwidth
■ 3.1.2.20 VASQUEZ, T	Develop data collection and condition assessment for collection system facilities

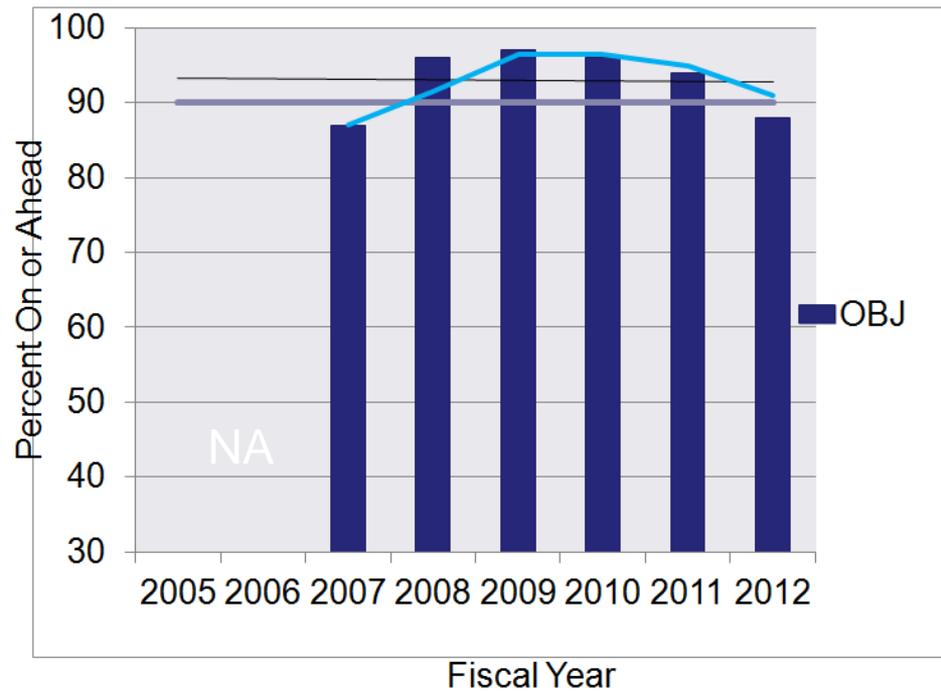
Measures: 5-Operations

Summary	Detail
All	
■ 5.1.500 VACLAVEK, J	Unplanned Disruptions (QualServe)
■ 5.1.501 VACLAVEK, J	Technical Quality Complaint (QualServe)
■ 5.2.502 ACUNA, R	Planned Potable Water Maintenance Ratio in \$ (QualServe)
■ 5.2.503 HOLLY, R	Planned Recycled Water Maintenance Ratio in \$
■ 5.2.504 PALOP, G	Planned Wastewater Maintenance Ratio in \$ (QualServe)
■ 5.2.505 STALKER, G	Direct Cost of Treatment per MGD (QualServe)
■ 5.3.508 PALOP, G	Percentage of PMs completed-Reclamation Plant
■ 5.3.509 ANDERSON, D	Percentage of PMs completed-Pump/Electric Section
■ 5.3.510 VACLAVEK, J	Percentage of PMs completed-Valve Maint. Program
■ 5.3.512 VACLAVEK, J	Water Distribution System Integrity (QualServe)
■ 5.3.513 VACLAVEK, J	Planned Water Service Disruption Rate (QualServe)
■ 5.3.514 STALKER, G	Potable Water Compliance Rate (QualServe)
■ 5.3.515 VASQUEZ, T	Collection System Integrity (QualServe)
■ 5.3.517 HOLLY, R	Recycled Water System Integrity
■ 5.3.518 VASQUEZ, T	Sewer Overflow Rate (QualServe)
■ 5.3.511 VACLAVEK, J	Valve Exercising Program
■ 5.2.506 PALOP, G	O&M Cost per MG Processed of Wastewater (QualServe)
■ 5.3.507 RAHDERS, D	Percent of PMs completed-Fleet Maintenance
■ 5.3.516 KEERAN, T	Replace manual read meters with automated meters.

Trend Analysis -- Plan Objectives

2007 - 2012

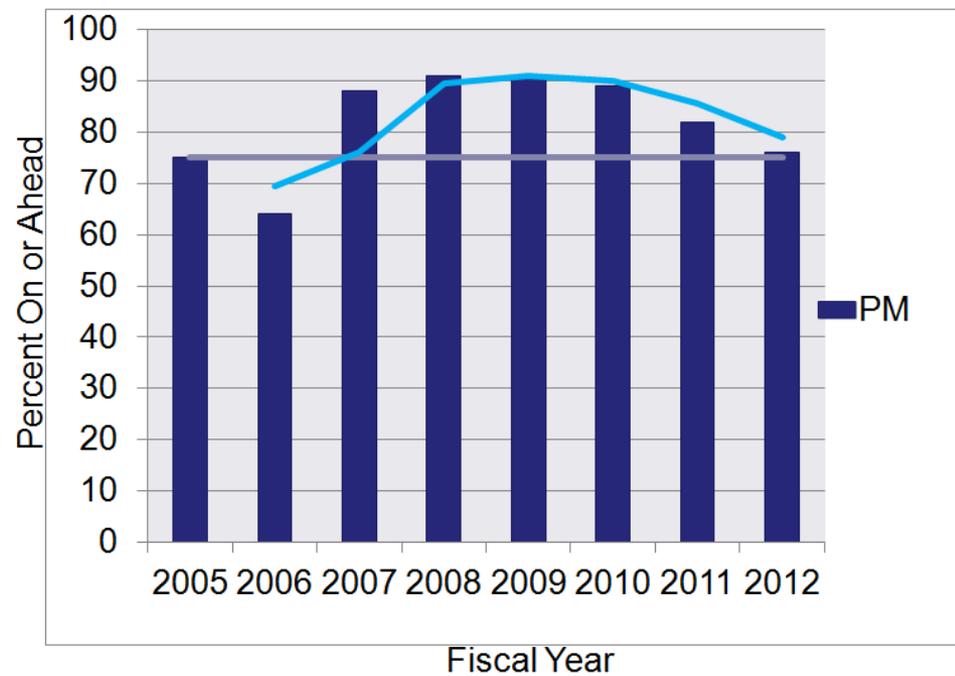
Trend 6 Year Average – Strategic Objectives On Target



Trend Analysis -- Performance Measures

2005 - 2012

Trend - 8 Year Average - Performance Measures



What's New/Next

- Strategy Maps – Leverage and Coordinate
- Improving Measures and Targets
- Communications and Teamwork



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012
SUBMITTED BY:	Rita Bell, Finance Manager	PROJECT:	DIV. NO. All
APPROVED BY:	<input checked="" type="checkbox"/> Joseph R. Beachem, Chief Financial Officer <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Investment Procedures		

GENERAL MANAGER'S RECOMMENDATION:

This item is an informational item only.

COMMITTEE ACTION: _____

Please see Attachment A.

PURPOSE:

To inform to the Board of the investment procedures followed by staff under the direction of management and the Chief Financial Officer.

BACKGROUND:

In the Committee Meeting dated July 11, 2012, the Board requested that staff prepare written procedures for investing moneys subject to the control of Otay Water District under the authority of the Chief Financial Officer. The item being presented is in response to that request. The District prepares written procedures as a part of a continuing effort to document financial processes and procedures, and to improve safeguards and efficiencies. The written investment procedures provide guidelines for staff and document the existing segregation of duties and internal controls in the investment process.

FISCAL IMPACT: _____

None.

STRATEGIC GOAL:

The District ensures its continued financial health through sound policies and procedures.

LEGAL IMPACT: _____

None.

General Manager

Attachments:

- A) Committee Action Form
- B) Proposed Copy of Investment Procedures



ATTACHMENT A

SUBJECT/PROJECT:	Investment Procedures
-------------------------	-----------------------

COMMITTEE ACTION:

The Finance, Administration, and Communications Committee reviewed this item at a meeting held on September 17, 2012. The following comments were made:

- During the July meeting, the committee had inquired if the District had written procedures for the investment process. At the time, there were no written procedures. At the committee's request, staff prepare a written procedure for the investment of Otay Water District monies under the authority of the Chief Financial Officer.
- It was indicated that the actual investment process did not change, it has just been formally documented as part of the District's procedures.
- The written procedure documents the checks and balances that are in place to safeguard against possible errors or fraud.

The committee received staffs' report and supported presentation to the full board as an informational item.

OTAY WATER DISTRICT
INVESTMENT PROCEDURES
September 13, 2012

SCOPE:

This Finance Procedure outlines the process for investing all moneys that are subject to the control of Otay Water District within the guidelines approved by the Board of Directors in the District's Investment Policy (Policy 27).

PROCEDURE:

The District actively maintains investments in the Local Agency Investment Fund (LAIF), the San Diego County Pool, Certificate of Deposits, and in Federal Agency Issues. Investments in each of the aforementioned are closely monitored and kept below the maximum amounts, as stated in the District's Investment Policy (Policy 27). Staff monitors investments by reviewing them and evaluating the levels on a daily basis to keep an appropriate amount in each type of investment as determined by management.

The District currently has four approved broker/dealers who are authorized to provide investment services to the District. A file is kept on each broker/dealer and is updated annually with the requirements outlined in the District's Investment Policy. Listings of new Agency issues are provided by the broker/dealers on a daily basis. A Senior Accountant reviews the new Agency issues listings and selects investments to recommend for purchase as follows:

- Investments are first selected based on a maturity of less than 3 years. The District's Investment Policy allows for the investment in Agencies with maturities of 5 years or less. Staff further limits the maturity to 3 years to limit the exposure of the portfolio to interest rate risk.
- Rates of return on Agencies with maturities of less than 3 years are reviewed and compared to LAIF and the County Pool. This comparison may, on a very short term, influence the investment timing. However, to maintain the diversification of the overall investments and not have too much exposure to potential liquidity risk with the pools, staff maintains the greater investment levels within the agency issues. Due to their significant presence in the markets agency issues maintain a return that reflects a reasonable or market rate of return.
- The maturity date and call dates of potential Agency investments are reviewed to make sure that they fit into the District's ladder portfolio. If the investment meets all of these criteria it is then brought to the CFO for approval.

Once approval is obtained from the CFO, a Senior Accountant calls the broker/dealer and orders the purchase. An email is also sent to the broker/dealer with both the CFO and the Finance Manager copied on the email confirming the purchase. After receiving the trade ticket information from the

OTAY WATER DISTRICT
INVESTMENT PROCEDURES
September 13, 2012

broker/dealer, the Senior Accountant enters the information into the District's investment system (Sympro) and generates a trade ticket. The trade ticket from Sympro and the trade ticket from the broker/dealer are then given to the Finance Manager and the CFO for review and approval. Next, the Sympro trade ticket is faxed over to the District's Trust and Custody account with Union Bank to notify them of the purchase. The signature of the CFO is required on the trade ticket in order for funds to be transferred and delivery to be made. On the date of the purchase, funds are automatically drawn from the District's Money Market account held at Union Bank to the Trust and Custody account at Union Bank, and the purchase is made. The security is then delivered to the Trust and Custody account at Union Bank to be held until it is called, matures, or sold by the District.

Staff uses a "buy and hold" investment strategy, which means securities are typically, if not always, held to maturity. Staff does not actively trade its investments, which would require a significant amount of staff time, and a substantial investment in software to obtain timely and detailed market and economic information. With the District's low risk investments and with the efficient market, especially with agencies, there is very limited ability to have sizable and low risk benefits from active trading.

Union Bank sends monthly statements to the District with a list of all securities being held in the Trust and Custody account on behalf of the District. A Senior Accountant uses these statements to update market prices in Sympro and prepares the Portfolio Management Report on a monthly basis to be included in the board packet for approval. Next, an Accountant, not involved in the investment purchase, reconciles the Portfolio Management Report to the Trust and Custody statements to ensure accuracy and completeness. Finally, the Portfolio Management Report is sent to the Finance Manager and CFO for review before it goes to the Board.

AGENDA ITEM 9



STAFF REPORT

TYPE		MEETING			
MEETING:	Regular Board	DATE:	October 9, 2012		
SUBMITTED	Mark Watton	W.O./G.F.	N/A	DIV.	N/A
BY:	General Manager	NO:		NO.	
APPROVED BY:	<input checked="" type="checkbox"/> Mark Watton, General Manager				
SUBJECT:	General Manager's Report				

ADMINISTRATIVE SERVICES:

Water Conservation and School Education:

- Outreach Events:
 - *Toss the Turf Class* -- September 15th. The District promoted an Otay customer discount through its customer Pipeline newsletter, via Facebook and Twitter posts, distribution of the flyer to customers during residential surveys, and at local coffee shops and libraries in our service area. 15 people attended the class, of which, five were Otay customers.
 - *Bonita Festival* -- September 29th.
 - *WaterSmart Plant Sale* -- October 6th, Home Depot in Eastlake.
- California Water Plan Update - Comments were submitted to the Department of Water Resources (DWR) regarding the 2013 California Water Plan Update's Water Use Efficiency chapter. DWR invited comments through September 30th and will be circulating another draft of their 2013 update in early 2013. The California Water Plan Update is updated by DWR every four years and this Plan is expected to be finalized by the end of calendar year 2013.
- School Education Programs - Through the end of September, there was 23 school tours to the Water Conservation Garden and one (1) Splash Lab school visit scheduled. The District has funding for 30 Garden Tours, two School assemblies conducted by the Garden, and six Splash Lab visits.

Human Resources:

- Employee Picnic - The Employee Picnic was held on September 22nd at Santee Lakes. Board members, employees, and guests enjoyed the festivities, which included games, face painting, delicious food and great company.
- Recruitments - HR is currently recruiting for a Senior Customer Service Representative and a Utility Crew Leader.
- New Hires - There were three (3) new hires in the month of September: Pump Mechanic I, Safety & Security Administrator, and Finance Manager, Treasury & Accounting.

Purchasing and Facilities:

- Purchase Orders - There were 95 purchase orders processed in September 2012 for a total of \$283,167.12.

INFORMATION TECHNOLOGY AND STRATEGIC PLANNING:

- Streamline Cost Accounting Reporting - The Engineering, IT, and Finance departments, through a process improvement effort, identified five reports that are targeted for review and improvement. The goal is to increase accuracy and improve cost accounting and project tracking information. These targeted reports track project specific CIP expenses, extract data from the financial system and deliver improved speed and accuracy to management reporting. The first of these reports to be redesigned and put in production is the "Monthly CIP Status Expense Tracking Report."
- iPhone Smartphone Upgrade - Over the next two months, the District will be replacing end of life Blackberry smartphones and saving money in the process. Over two-thirds of all District Blackberry mobile phones have been in service for over two years and are eligible for upgrade. After IT staff analyzed usage, compatibility with existing technology and overall cost, staff selected the iPhone 4. Staff found that the ease of use and the development of new utility-related business functions for the iPhone, such as GIS maps or work order integration, provide the best value and operational fit going forward for the District. The budgeted migration will incur a one-time overall cost total of \$8,415. The District will recapture the costs, however, in less than a year because we eliminate an \$850 monthly Blackberry specific license fee. The vendor (Verizon) is also discounting peripherals (cases and chargers) by 50%.
- MasterLinx Upgrade - Staff is implementing a significant improvement of the Districts' automated meter reading (AMR)

software over the next three months. Specifically, IT, Customer Service and Operations are working together to implement "MasterLinx Mobile Reading Solution." This software improves the ease of use and ability to rapidly update customer consumption data. Prior to this upgrade, without a special effort, staff only collected and updated customer data once a month. The new software will grab customer data automatically any time there is a wireless device near a meter and update it in near real time for immediate use by staff. Consequently, faster and more accurate data collection will also improve our field business processes such as installation, testing, and inspection activities. Staff is very pleased to have this improved capability.

FINANCE:

- Water Sales - As of September 25th, water sales are 5.15% above budgeted units (potable is 5.50% and recycled is 3.17% above budget). This time last year, the combined cumulative sales were 1.65% below the budgeted units (potable was 1.51% and recycled was 2.47% below budget). Staff believes the main reason for the increase is the higher than normal temperatures this summer compared to a relatively cool summer last year.
- Water and Sewer Rate Study - It has been four years since the District's last rate study and water usage has changed dramatically since then. As a result, the District is revisiting the rate structure. Through an RFP process, the District selected Atkins Global to perform the study. Atkins Global has an excellent reputation and experience. Karyn Keese is the primary consultant on this study. She performed the last rate study and is very familiar with the District. A kickoff meeting was held on September 26th with Finance, Engineering, IT, and Water Conservation staff to discuss the project schedule and to assign staff for data collection and decision-making. The findings and recommendations will be presented to the Committee and Board and, with approval, will be incorporated into the budget and rate setting process.
- Financial Reporting:
 - o For the two months ended August 31, 2012, there are total revenues of \$16,263,711 and total expenses of \$14,836,462. The revenues exceeded expenses by \$1,427,249.
 - o The market value shown in the Portfolio Summary and in the Investment Portfolio Details as of August 31, 2012, total \$87,388,631.14 with an average yield to maturity of 0.492%. The total earnings year-to-date are \$72,966.51.

ENGINEERING AND WATER OPERATIONS:

Engineering:

- **Rancho del Rey Groundwater Well Development:** The draft sewer agreement incorporating City of Chula Vista comments will be routed for legal counsel review. Staff is coordinating with the design consultant (Tetra Tech) to commence 100% design submittal. Additional activities are underway to secure an Industrial User Discharge Permit from the City of San Diego, a Hazardous Materials Business Plan from the County, a power supply from SDG&E, and a storm drain connection for discharges into the storm drain system. Staff is preparing a request for a grant from the United States Bureau of Reclamation. Potentially, 25% of the cost of the project could be offset if the funds are granted. Staff will make a formal update of this project at the District's January Board Meeting. (P2434)
- **North District - South District Interconnection System:** This project consists of installing approximately 5.2 miles of 30-inch diameter pipe from H Street in Chula Vista to Paradise Valley Road in Spring Valley. A meeting was held on September 20, 2012 with County Supervisor Cox. It was discussed that the District would explore the use of CWA's easements as an alternate route. A follow up meeting with Supervisor Cox and CWA is pending. (P2511)
- **30-Inch, 980 Zone, Hunte Parkway - Proctor Valley/Use Area:** This project consists of the installation of approximately 2,399 linear-feet of 30-inch steel pipe and appurtenances on Hunte Parkway at Proctor Valley Road, at the entrance to the Salt Creek Golf Course, in the City of Chula Vista. The pipeline will increase total water delivery to reduce pressure losses experienced during periods of high demand. Northwest began manufacturing the pipe in July and it is expected that the pipe will be completed in October. The project is on budget and construction is anticipated to be completed in February 2013. (P2514)
- **Avocado, Louisa, Calavo, Challenge, Hidden Mesa Sanitary Sewer Replacement:** This project consists of replacing approximately 4,500 feet of sewer pipeline in Avocado Boulevard and neighboring residential streets. Work is ongoing in Avocado Boulevard. The members of the community impacted by the project have been informed as well as the Valley de Oro Community Planning Group. The project is on budget and anticipated to be completed in May 2013. (S2019, S2020, S2022, S2026)

- In the month of August 2012, the District sold 39 meters (47.25 EDUs) generating \$432,549 in revenue. Projection for this period was 27.6 meters (33.6 EDUs) with budgeted revenue of \$331,005. Total revenue for Fiscal Year 2013 through August 2012 is \$560,970 against the annual budget of \$3,972,064.
- The following table summarizes Engineering's project purchases issued during the period of August 13, 2012 through September 21, 2012 that were within staff signatory authority:

Date	Action	Amount	Contractor/ Consultant	Project
9/13/12	P.O.	\$4,414	Hatch Mott MacDonald	North District- South District Interconnection System (P2511)
9/17/12	P.O.	\$45,000	Michael D. Keagy Real Estate	Various projects
9/19/12	Check Request	\$1,367.60	City of Chula Vista	PL-30-Inch, 980 Zone, Hunte Parkway - Proctor Valley/Use Area (P2514)
9/21/12	P.O.	\$4,000	First American Title Co.	624-1 Reservoir Cover Replacement (P2477)

Water Operations:

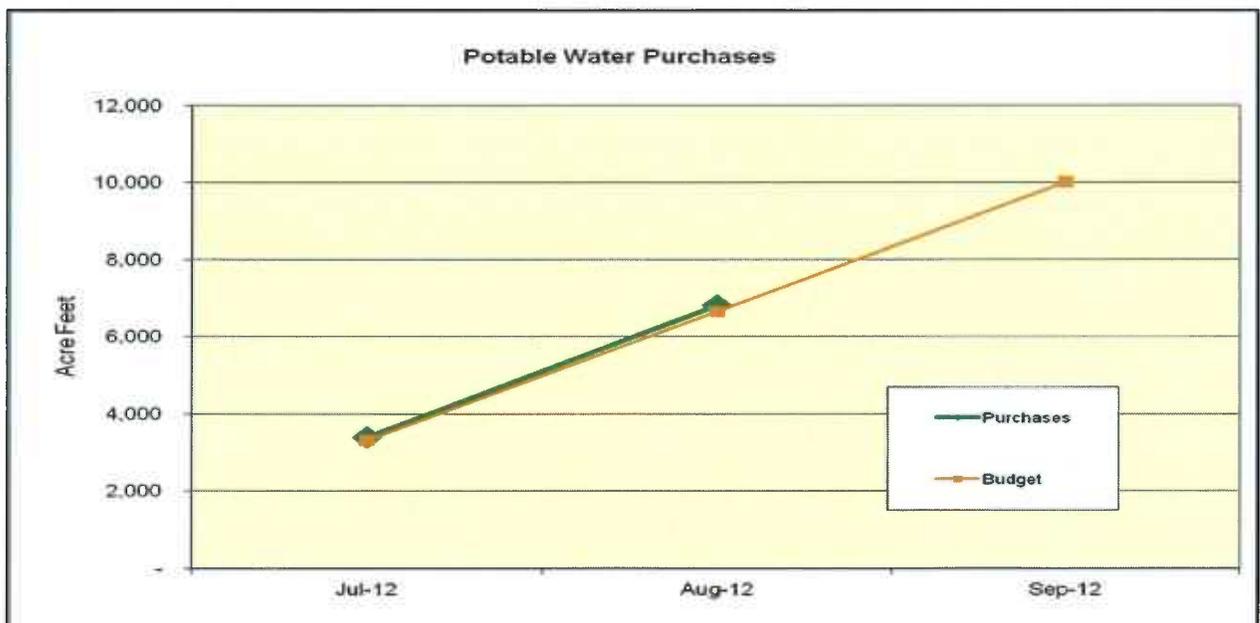
- Staff received an Advice Letter from SDG&E regarding electric rate increases for all customers effective September 1, 2012. The District is a Bundled Service customer, so our lighting accounts increased by 2.05% and out-pumping costs increased by 5.70% - 6.46%. According to the Advice Letter, this will be a permanent rate increase, which will provide an overall 5.31% increase from SDG&E. SDG&E does not give much advance warning or clear explanations for increases.
- A cooling line at the discharge pump at the Treatment Plant broke and had sprayed water on pump No. 4's electric motor causing it to trip. The motor shorted and the rotor had burned. Staff removed the motor and decided to pull the pump at the same time because the reduced efficiency of the pump indicated that it needed refurbishing.

- Staff delivered the pump and motor to Sloan Electric for repair. The repair on the motor was estimated to cost \$10,240.00 with a one-year warranty; however, purchasing a new motor is \$12,633.83 including tax with a three-year warranty. This option is a better option than repairing it. In addition, after the pump was disassembled, it was found that it was very corroded and it was recommended that the column, shaft, and bowls be replaced for a total cost of \$30,994.44 including tax. This expense was not budgeted but it will be covered under the General Manager authority of \$50,000 and charged to CIP 2286 (Field Equipment Capital Purchases). The cost breakdown is as follows:

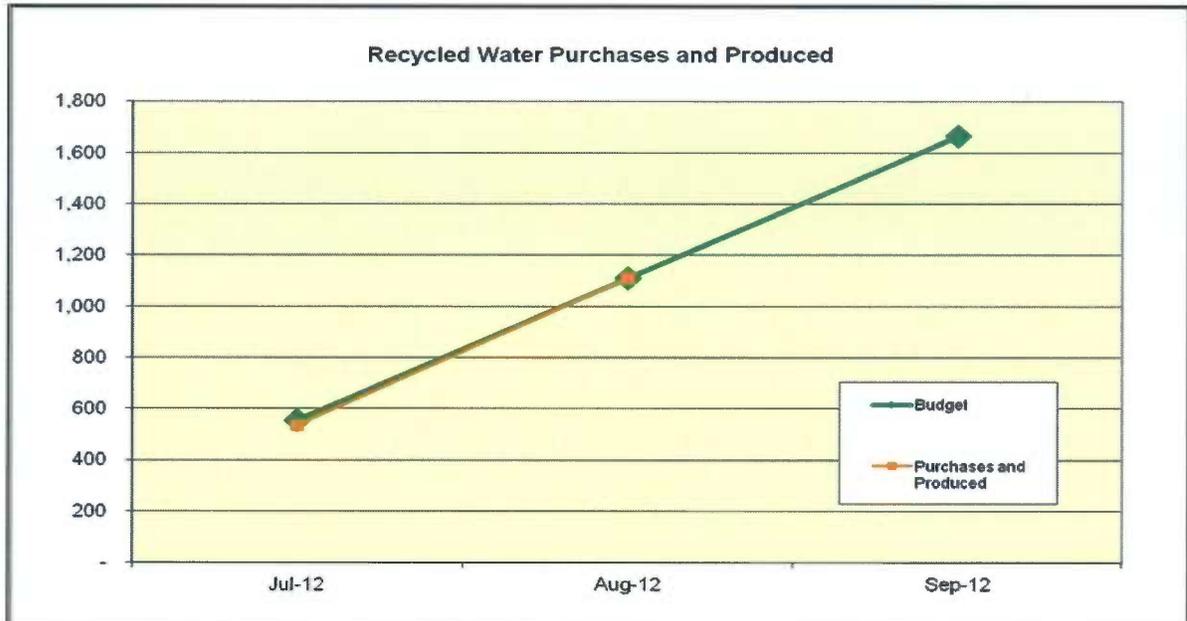
- New motor cost: \$12,633.83
- Pump rebuild cost: \$30,994.44
- Total cost combined, including tax and delivery: \$43,628.27

SDG&E has an incentive program that will potentially pay the District 10% on the new motor. Staff has completed and submitted the application to SDG&E; staff is currently waiting for a response.

- Total number of potable water meters is 48,847.
- The August potable water purchases were 3,434.7 acre-feet which is 2.8% above the budget of 3,339.8 acre-feet. The cumulative purchases through August is 6,815.6, acre-feet which is 2.5% above the cumulative budget of 6,648.5 acre-feet.



- The August recycled water purchases and production was 571.4 acre-feet which is 3.2% more than the budget of 553.7 acre-feet. The cumulative production and purchases through August is 1,107.8 acre-feet which is 0.1% below the cumulative budget of 1,108.6 acre-feet.



- Recycled water consumption for the month of August is as follows:
 - Total consumption was 575.9 acre-feet or 187,590,920 gallons and the average daily consumption was 5,925,005 gallons per day.
 - Total number of recycled water meters is 703.
 - Total recycled water consumption as of August for FY 2013 is 1,139.8 acre-feet.
- Wastewater flows for the month of August were as follows:
 - Total basin flow, gallons per day: 1,679,644.
 - Spring Valley Sanitation District Flow to Metro, gallons per day: 556,109.
 - Total Otay flow, gallons per day: 1,122,551.
 - Flow processed at the Ralph W. Chapman Water Recycling Facility, gallons per day: 1,030,898.
 - Flow to Metro from Otay Water District, gallons per day: 92,636.

By the end of August there were 6,084 wastewater connections/EDUs.

OTAY WATER DISTRICT
COMPARATIVE BUDGET SUMMARY
FOR TWO MONTHS ENDED AUGUST 31, 2012

	Annual Budget	YTD Actual	YTD Budget	YTD Variance	Var %
REVENUES:					
Water Sales	\$ 39,110,200	\$ 8,649,246	\$ 8,257,200	\$ 392,046	4.7%
Energy Charges	1,809,500	424,845	405,200	19,645	4.8%
System Charges	10,328,400	1,603,171	1,596,000	7,171	0.4%
MWD & CWA Fixed Charges	9,705,800	1,662,860	1,652,800	10,060	0.6%
Penalties	800,500	152,250	163,200	(10,950)	(6.7%)
Total Water Sales	<u>61,754,400</u>	<u>12,492,373</u>	<u>12,074,400</u>	<u>417,973</u>	<u>3.5%</u>
Recycled Water Sales	7,702,400	2,160,064	2,108,400	51,664	2.5%
Sewer Charges	2,555,200	416,753	421,100	(4,347)	(1.0%)
Meter Fees	112,200	19,464	18,700	764	4.1%
Capacity Fee Revenues	1,180,600	218,091	206,800	11,291	5.5%
Betterment Fees for Maintenance	689,400	122,187	114,900	7,287	6.3%
Non-Operating Revenues	1,914,300	320,879	314,700	6,179	2.0%
Tax Revenues	3,882,600	94,999	98,500	(3,501)	(3.6%)
Interest	105,700	15,301	17,600	(2,299)	(13.1%)
Transfer from OPEB	879,500	146,600	146,600	-	0.0%
General Fund Draw Down	946,900	157,800	157,800	-	0.0%
Transfer from General Fund	595,000	99,200	99,200	-	0.0%
Total Revenues	<u>\$ 82,318,200</u>	<u>\$ 16,263,711</u>	<u>\$ 15,778,700</u>	<u>\$ 485,011</u>	<u>3.1%</u>
EXPENSES:					
Potable Water Purchases	\$ 30,552,200	\$ 6,522,529	\$ 6,362,400	\$ (160,129)	(2.5%)
Recycled Water Purchases	1,504,000	324,293	324,700	408	0.1%
CWA-Infrastructure Access Charge	1,818,000	299,426	299,400	(26)	(0.0%)
CWA-Customer Service Charge	1,687,800	275,492	275,400	(92)	(0.0%)
CWA-Emergency Storage Charge	4,086,000	637,296	637,200	(96)	(0.0%)
MWD-Capacity Res Charge	504,000	90,514	90,600	86	0.1%
MWD-Readiness to Serve Charge	1,610,400	268,285	268,400	115	0.0%
Subtotal Water Purchases	<u>41,762,400</u>	<u>8,417,835</u>	<u>8,258,100</u>	<u>(159,735)</u>	<u>(1.9%)</u>
Power Charges	2,368,000	436,980	476,000	39,020	8.2%
Payroll & Related Costs	18,856,200	3,116,000	3,225,500	109,500	3.4%
Material & Maintenance	3,747,900	517,699	522,683	4,984	1.0%
Administrative Expenses	4,424,900	496,448	501,551	5,102	1.0%
Legal Fees	380,000	55,000	63,333	8,333	13.2%
Expansion Reserve	3,936,000	656,000	656,000	-	0.0%
Betterment Reserve	1,120,000	186,700	186,700	-	0.0%
Replacement Reserve	743,000	123,800	123,800	-	0.0%
Transfer to Sewer Fund Reserve	595,000	99,200	99,200	-	-0.0%
Transfer to General Fund Reserve	2,285,800	381,000	381,000	-	0.0%
Transfer to Sewer Replacement	2,099,000	349,800	349,800	-	0.0%
Total Expenses	<u>\$ 82,318,200</u>	<u>\$ 14,836,462</u>	<u>\$ 14,843,667</u>	<u>\$ 7,205</u>	<u>0.0%</u>
EXCESS REVENUES(EXPENSE)	<u>\$ -</u>	<u>\$ 1,427,249</u>	<u>\$ 935,033</u>	<u>\$ 492,216</u>	

**OTAY WATER DISTRICT
INVESTMENT PORTFOLIO REVIEW
AUGUST 31, 2012**

INVESTMENT OVERVIEW & MARKET STATUS:

The federal funds rate has remained constant now for over 44-months. On December 16, 2008, at the Federal Reserve Board’s regular scheduled meeting, the federal funds rate was lowered from 1.00% to “a target range of between Zero and 0.25%” in response to the nation’s ongoing financial crisis, as well as banking industry pressure to ease credit and stimulate the economy. This marked the ninth reduction in a row since September 18, 2007, when the rate was 5.25%. There have been no further changes made to the federal funds rate at the Federal Reserve Board’s subsequent regular scheduled meetings, the most recent of which was held on September 13, 2012. They went on to say: “*The Committee currently anticipates exceptionally low levels for the federal funds rate are likely to be warranted at least through mid-2015.*”

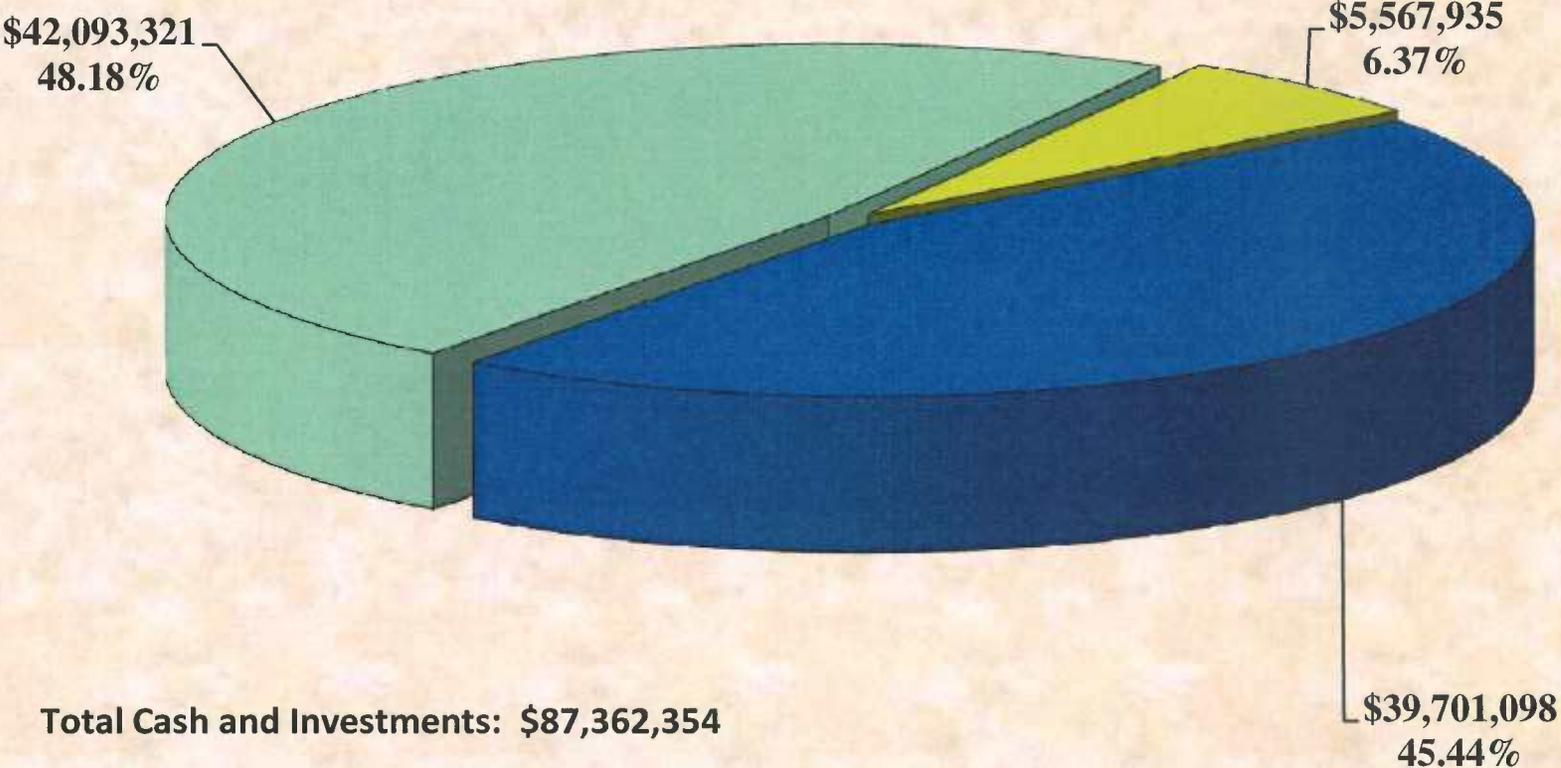
Despite the large drop in available interest rates, the District’s overall effective rate of return at August 31st was 0.45%, which was a decrease of 6 basis points (0.06%) from the prior month. At the same time the LAIF return on deposits has fluctuated slightly over the last several months, reaching an average effective yield of 0.377% for the month of August 2012. Based on our success at maintaining a competitive rate of return on our portfolio during this extended period of interest rate declines, no changes in investment strategy are being considered at this time.

In accordance with the District’s Investment Policy, all District funds continue to be managed based on the objectives, in priority order, of safety, liquidity, and return on investment.

PORTFOLIO COMPLIANCE: August 31, 2012

	<u>Investment</u>	<u>State Limit</u>	<u>Otay Limit</u>	<u>Otay Actual</u>
8.01:	Treasury Securities	100%	100%	0
8.02:	Local Agency Investment Fund (Operations)	\$50 Million	\$50 Million	\$13.5 Million
8.02:	Local Agency Investment Fund (Bonds)	100%	100%	4.66%
8.03:	Federal Agency Issues	100%	100%	48.18%
8.04:	Certificates of Deposit	30%	15%	0.09%
8.05:	Short-Term Commercial Notes	25%	15%	0
8.06:	Medium-Term Commercial Debt	30%	15%	0
8.07:	Money Market Mutual Funds	20%	15%	0
8.08:	San Diego County Pool	100%	100%	25.33%
12.0:	Maximum Single Financial Institution	100%	50%	6.28%

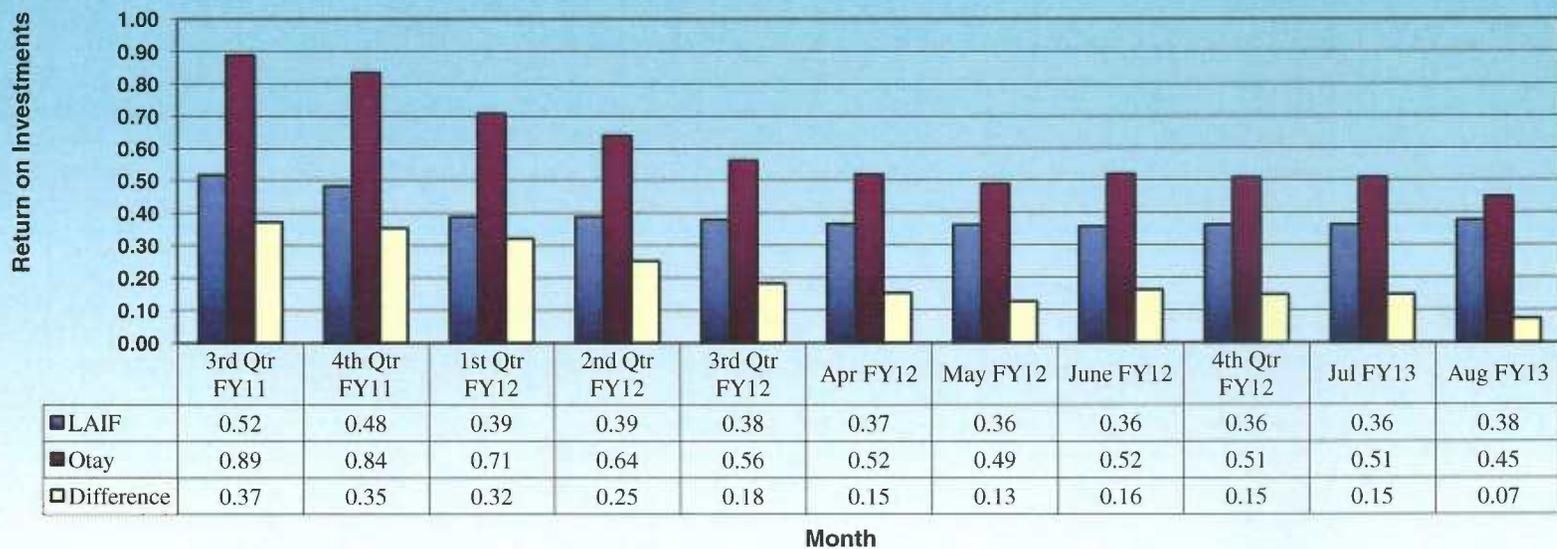
Otay Water District Investment Portfolio: 08/31/12



■ Banks (Passbook/Checking/CD) ■ Pools (LAIF & County) ■ Agencies & Corporate Notes

Performance Measure F-12 Return on Investment

Target: Meet or Exceed 100% of LAIF



LAIF
 Otay
 Difference

**OTAY
Portfolio Management
Portfolio Summary
August 31, 2012**

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Federal Agency Issues- Callable	42,095,000.00	42,123,432.05	42,093,321.29	51.41	904	761	0.529	0.537
Certificates of Deposit - Bank	81,326.80	81,326.80	81,326.80	0.10	731	508	0.280	0.284
Local Agency Investment Fund (LAIF)	17,571,832.87	17,593,264.24	17,571,832.87	21.46	1	1	0.372	0.377
San Diego County Pool	22,129,264.70	22,104,000.00	22,129,264.70	27.03	1	1	0.518	0.525
Investments	81,877,424.37	81,902,023.09	81,875,745.66	100.00%	466	392	0.492	0.499
Cash								
Passbook/Checking (not included in yield calculations)	5,486,608.05	5,486,608.05	5,486,608.05		1	1	0.074	0.075
Total Cash and Investments	87,364,032.42	87,388,631.14	87,362,353.71		466	392	0.492	0.499

Total Earnings	August 31 Month Ending	Fiscal Year To Date
Current Year	34,708.65	72,966.51
Average Daily Balance	89,998,073.05	89,564,431.33
Effective Rate of Return	0.45%	0.48%

I hereby certify that the investments contained in this report are made in accordance with the District Investment Policy Number 27 adopted by the Board of Directors on September 6, 2006. The market value information provided by Interactive Data Corporation. The investments provide sufficient liquidity to meet the cash flow requirements of the District for the next six months of expenditures.

Joseph Beachem, Chief Financial Officer

10-1-12

Reporting period 08/01/2012-08/31/2012

Run Date: 10/01/2012 - 10:41

Portfolio OTAY
AP
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.3b

OTAY
Portfolio Management
Portfolio Details - Investments
August 31, 2012

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity	Maturity Date
Federal Agency Issues- Callable												
31331KZF0	2219	Federal Farm Credit Bank		09/23/2011	3,000,000.00	3,000,030.00	2,999,562.96	0.481	AA	0.486	478	12/23/2013
3133EAEG9	2241	Federal Farm Credit Bank		05/09/2012	1,360,000.00	1,362,380.00	1,360,000.00	0.550		0.542	909	02/27/2015
313378KU4	2233	Federal Home Loan Bank		03/12/2012	3,000,000.00	3,000,240.00	3,000,000.00	0.500		0.493	741	09/12/2014
313380AV9	2248	Federal Home Loan Bank		08/13/2012	3,000,000.00	3,000,090.00	3,000,000.00	0.450		0.444	895	02/13/2015
313380AV9A	2249	Federal Home Loan Bank		08/13/2012	1,030,000.00	1,030,030.90	1,030,000.00	0.450		0.444	895	02/13/2015
313380AV9B	2250	Federal Home Loan Bank		08/13/2012	2,705,000.00	2,705,081.15	2,705,000.00	0.450		0.444	895	02/13/2015
313380BG1	2251	Federal Home Loan Bank		08/13/2012	3,000,000.00	3,000,150.00	3,000,000.00	0.500		0.493	895	02/13/2015
3134G3AC4	2226	Federal Home Loan Mortgage		12/06/2011	3,000,000.00	3,001,440.00	3,000,000.00	0.600		0.592	461	12/06/2013
3134G3AQ3	2227	Federal Home Loan Mortgage		11/30/2011	2,000,000.00	2,001,700.00	2,000,000.00	0.710	AA	0.700	636	05/30/2014
3134G3BN9	2228	Federal Home Loan Mortgage		12/05/2011	2,000,000.00	2,002,340.00	2,000,000.00	0.770	AA	0.759	642	06/05/2014
3134G3SS0	2232	Federal Home Loan Mortgage		03/22/2012	3,000,000.00	3,005,550.00	3,000,000.00	0.540		0.533	751	09/22/2014
3135G0JG9	2234	Federal National Mortgage Assoc		03/26/2012	3,000,000.00	3,000,900.00	2,998,758.33	0.520		0.533	755	09/26/2014
3135G0KL6	2238	Federal National Mortgage Assoc		04/30/2012	3,000,000.00	3,001,740.00	3,000,000.00	0.500		0.493	789	10/30/2014
3135G0KS1	2240	Federal National Mortgage Assoc		05/10/2012	3,000,000.00	3,003,480.00	3,000,000.00	0.560		0.552	892	02/10/2015
3135G0LF8	2242	Federal National Mortgage Assoc		05/24/2012	3,000,000.00	3,004,110.00	3,000,000.00	0.500		0.493	814	11/24/2014
3135G0LL5	2244	Federal National Mortgage Assoc		06/04/2012	3,000,000.00	3,004,170.00	3,000,000.00	0.550		0.542	824	12/04/2014
Subtotal and Average			38,324,897.82		42,095,000.00	42,123,432.05	42,093,321.29			0.529	761	
Certificates of Deposit - Bank												
2050003183-5	2229	California Bank & Trust		01/22/2012	81,326.80	81,326.80	81,326.80	0.280		0.280	508	01/22/2014
Subtotal and Average			81,326.80		81,326.80	81,326.80	81,326.80			0.280	508	
Local Agency Investment Fund (LAIF)												
LAIF	9001	STATE OF CALIFORNIA		07/01/2004	13,500,643.33	13,517,109.30	13,500,643.33	0.377		0.372	1	
LAIF BABS 2010	9012	STATE OF CALIFORNIA		04/21/2010	4,071,189.54	4,076,154.94	4,071,189.54	0.377		0.372	1	
Subtotal and Average			22,671,832.87		17,571,832.87	17,593,264.24	17,571,832.87			0.372	1	
San Diego County Pool												
SD COUNTY POOL	9007	San Diego County		07/01/2004	22,129,264.70	22,104,000.00	22,129,264.70	0.525		0.518	1	
Subtotal and Average			22,129,264.70		22,129,264.70	22,104,000.00	22,129,264.70			0.518	1	

OTAY
Portfolio Management
Portfolio Details - Investments
August 31, 2012

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity
		Total and Average	89,998,073.05		81,877,424.37	81,902,023.09	81,875,745.66			0.492	392

OTAY
Portfolio Management
Portfolio Details - Cash
August 31, 2012

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity
Union Bank											
UNION MONEY	9002	STATE OF CALIFORNIA		07/01/2004	10,006.75	10,006.75	10,006.75	0.010		0.010	1
PETTY CASH	9003	STATE OF CALIFORNIA		07/01/2004	2,950.00	2,950.00	2,950.00			0.000	1
UNION OPERATING	9004	STATE OF CALIFORNIA		07/01/2004	1,595,807.20	1,595,807.20	1,595,807.20	0.250		0.247	1
PAYROLL	9005	STATE OF CALIFORNIA		07/01/2004	27,971.60	27,971.60	27,971.60			0.000	1
RESERVE-10 COPS	9010	STATE OF CALIFORNIA		04/20/2010	1,036,481.77	1,036,481.77	1,036,481.77			0.000	1
RESERVE-10 BABS	9011	STATE OF CALIFORNIA		04/20/2010	2,722,644.71	2,722,644.71	2,722,644.71	0.001		0.001	1
UBNA-2010 BOND	9013	STATE OF CALIFORNIA		04/20/2010	70,015.05	70,015.05	70,015.05	0.147		0.145	1
UBNA-FLEX ACCT	9014	STATE OF CALIFORNIA		01/01/2011	20,730.97	20,730.97	20,730.97			0.000	1
		Average Balance	0.00								1
Total Cash and Investments			89,998,073.05		87,364,032.42	87,388,631.14	87,362,353.71			0.492	392

OTAY
Portfolio Management
Interest Earnings Summary
August 31, 2012

	August 31 Month Ending	Fiscal Year To Date
CD/Coupon/Discount Investments:		
Interest Collected	6,444.00	46,089.63
Plus Accrued Interest at End of Period	51,951.31	51,951.29
Less Accrued Interest at Beginning of Period	(41,142.29)	(58,130.60)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
Interest Earned during Period	17,253.02	39,910.32
Adjusted by Premiums and Discounts	77.77	187.59
Adjusted by Capital Gains or Losses	0.00	0.00
Earnings during Periods	17,330.79	40,097.91
Pass Through Securities:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
Earnings during Periods	0.00	0.00
Cash/Checking Accounts:		
Interest Collected	456.31	62,966.47
Plus Accrued Interest at End of Period	450,285.83	450,285.83
Less Accrued Interest at Beginning of Period	(433,364.28)	(480,383.70)
Interest Earned during Period	17,377.86	32,868.60
Total Interest Earned during Period	34,630.88	72,778.92
Total Adjustments from Premiums and Discounts	77.77	187.59
Total Capital Gains or Losses	0.00	0.00
Total Earnings during Period	34,708.65	72,966.51

OTAY
Activity Report
Sorted By Issuer
July 1, 2012 - August 31, 2012

CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value		Transaction Date	Par Value		Ending Balance
				Beginning Balance	Current Rate		Purchases or Deposits	Redemptions or Withdrawals	
Issuer: STATE OF CALIFORNIA									
Union Bank									
UNION MONEY	9002	STATE OF CALIFORNIA			0.010		27,999,488.85	27,999,488.01	
UNION OPERATING	9004	STATE OF CALIFORNIA			0.250		1,324,001.98	1,019,163.20	
RESERVE-10 COPS	9010	STATE OF CALIFORNIA					1,035,793.75	0.00	
RESERVE-10 BABS	9011	STATE OF CALIFORNIA			0.001		2,722,227.48	0.00	
UBNA-FLEX ACCT	9014	STATE OF CALIFORNIA					0.00	21,369.25	
Subtotal and Balance				1,445,116.45			33,081,512.06	29,040,020.46	5,486,608.05
Local Agency Investment Fund (LAIF)									
LAIF	9001	STATE OF CALIFORNIA			0.377		19,117,387.59	13,150,000.00	
LAIF BABS 2010	9012	STATE OF CALIFORNIA			0.377		3,612.93	0.00	
Subtotal and Balance				11,600,832.35			19,121,000.52	13,150,000.00	17,571,832.87
Issuer Subtotal				26.394%	13,045,948.80		52,202,512.58	42,190,020.46	23,058,440.92
Issuer: California Bank & Trust									
Certificates of Deposit - Bank									
Subtotal and Balance				81,326.80					81,326.80
Issuer Subtotal				0.093%	81,326.80		0.00	0.00	81,326.80
Issuer: Federal Farm Credit Bank									
Federal Agency Issues- Callable									
Subtotal and Balance				4,360,000.00					4,360,000.00
Issuer Subtotal				4.991%	4,360,000.00		0.00	0.00	4,360,000.00
Issuer: Federal Home Loan Bank									

OTAY
Activity Report
July 1, 2012 - August 31, 2012

CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value		Transaction Date	Purchases or Deposits	Par Value		Ending Balance
				Beginning Balance	Current Rate			Redemptions or Withdrawals		
Issuer: Federal Home Loan Bank										
Federal Agency Issues- Callable										
3133794G1	2239	Federal Home Loan Bank			0.500	07/15/2012	0.00		3,000,000.00	
313379JC4	2243	Federal Home Loan Bank			0.500	07/05/2012	0.00		3,000,000.00	
313379R84	2245	Federal Home Loan Bank			0.500	07/13/2012	0.00		3,000,000.00	
313379SP5	2246	Federal Home Loan Bank			0.450	07/19/2012	0.00		3,000,000.00	
313379UT4	2247	Federal Home Loan Bank			0.500	07/27/2012	0.00		3,000,000.00	
313380AV9	2248	Federal Home Loan Bank			0.450	08/13/2012	3,000,000.00		0.00	
313380AV9A	2249	Federal Home Loan Bank			0.450	08/13/2012	1,030,000.00		0.00	
313380AV9B	2250	Federal Home Loan Bank			0.450	08/13/2012	2,705,000.00		0.00	
313380BG1	2251	Federal Home Loan Bank			0.500	08/13/2012	3,000,000.00		0.00	
Subtotal and Balance					18,000,000.00		9,735,000.00		15,000,000.00	12,735,000.00
Issuer Subtotal			14.577%		18,000,000.00		9,735,000.00		15,000,000.00	12,735,000.00
Issuer: Federal Home Loan Mortgage										
Federal Agency Issues- Callable										
3137EACK3	2146	Federal Home Loan Mortgage			1.125	07/27/2012	0.00		2,000,000.00	
3137EACK3A	2148	Federal Home Loan Mortgage			1.125	07/27/2012	0.00		1,030,000.00	
3137EACK3B	2149	Federal Home Loan Mortgage			1.125	07/27/2012	0.00		2,707,000.00	
Subtotal and Balance					15,737,000.00		0.00		5,737,000.00	10,000,000.00
Issuer Subtotal			11.446%		15,737,000.00		0.00		5,737,000.00	10,000,000.00
Issuer: Federal National Mortgage Assoc										
Federal Agency Issues- Callable										
Subtotal and Balance					15,000,000.00					15,000,000.00
Issuer Subtotal			17.170%		15,000,000.00		0.00		0.00	15,000,000.00
Issuer: San Diego County										
San Diego County Pool										
SD COUNTY POOL	9007	San Diego County			0.525		20,045.48		0.00	
Subtotal and Balance					22,109,219.22		20,045.48		0.00	22,129,264.70

OTAY
Activity Report
July 1, 2012 - August 31, 2012

CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value		Transaction Date	Par Value		Ending Balance
				Beginning Balance	Current Rate		Purchases or Deposits	Redemptions or Withdrawals	
		Issuer Subtotal	25.330%	22,109,219.22			20,045.48	0.00	22,129,264.70
		Total	100.000%	88,333,494.82			61,957,558.06	62,927,020.46	87,364,032.42

OTAY
GASB 31 Compliance Detail
Sorted by Fund - Fund
July 1, 2012 - August 31, 2012

CUSIP	Investment #	Fund	Investment Class	Maturity Date	Beginning Invested Value	Purchase of Principal	Addition to Principal	Redemption of Principal	Adjustment in Value		Ending Invested Value
									Amortization Adjustment	Change in Market Value	
Fund: Treasury Fund											
LAIF	9001	99	Fair Value		7,542,443.62	0.00	19,117,387.59	13,150,000.00	0.00	7,278.08	13,517,109.30
UNION MONEY	9002	99	Amortized		10,005.91	0.00	27,999,488.85	27,999,488.01	0.00	0.00	10,006.75
PETTY CASH	9003	99	Amortized		2,950.00	0.00	0.00	0.00	0.00	0.00	2,950.00
UNION OPERATING	9004	99	Amortized		1,290,968.42	0.00	1,324,001.98	1,019,163.20	0.00	0.00	1,595,807.20
PAYROLL	9005	99	Amortized		27,971.60	0.00	0.00	0.00	0.00	0.00	27,971.60
SD COUNTY POOL	9007	99	Fair Value		22,089,000.00	0.00	20,045.48	0.00	0.00	-5,045.48	22,104,000.00
RESERVE-10 COPS	9010	99	Amortized		688.02	0.00	1,035,793.75	0.00	0.00	0.00	1,036,481.77
RESERVE-10 BABS	9011	99	Amortized		417.23	0.00	2,722,227.48	0.00	0.00	0.00	2,722,644.71
LAIF BABS 2010	9012	99	Fair Value		4,072,537.60	0.00	3,612.93	0.00	0.00	4.41	4,076,154.94
UBNA-2010 BOND	9013	99	Amortized		70,015.05	0.00	0.00	0.00	0.00	0.00	70,015.05
3137EACK3	2146	99	Fair Value	07/27/2012	2,001,300.00	0.00	0.00	2,000,000.00	0.00	-1,300.00	0.00
3137EACK3A	2148	99	Fair Value	07/27/2012	1,030,669.50	0.00	0.00	1,030,000.00	0.00	-669.50	0.00
3137EACK3B	2149	99	Fair Value	07/27/2012	2,708,759.55	0.00	0.00	2,707,000.00	0.00	-1,759.55	0.00
UBNA-FLEX ACCT	9014	99	Amortized		42,100.22	0.00	0.00	21,369.25	0.00	0.00	20,730.97
31331KZF0	2219	99	Fair Value	12/23/2013	3,000,030.00	0.00	0.00	0.00	0.00	0.00	3,000,030.00
3134G3AC4	2226	99	Fair Value	12/06/2013	3,000,600.00	0.00	0.00	0.00	0.00	840.00	3,001,440.00
3134G3AQ3	2227	99	Fair Value	05/30/2014	2,001,980.00	0.00	0.00	0.00	0.00	-280.00	2,001,700.00
3134G3BN9	2228	99	Fair Value	06/05/2014	2,003,140.00	0.00	0.00	0.00	0.00	-800.00	2,002,340.00
2050003183-5	2229	99	Amortized	01/22/2014	81,326.80	0.00	0.00	0.00	0.00	0.00	81,326.80
3134G3SS0	2232	99	Fair Value	09/22/2014	3,003,870.00	0.00	0.00	0.00	0.00	1,680.00	3,005,550.00
313378KU4	2233	99	Fair Value	09/12/2014	3,001,350.00	0.00	0.00	0.00	0.00	-1,110.00	3,000,240.00
3135G0JG9	2234	99	Fair Value	09/26/2014	3,003,000.00	0.00	0.00	0.00	0.00	-2,100.00	3,000,900.00
3135G0KL6	2238	99	Fair Value	10/30/2014	2,993,970.00	0.00	0.00	0.00	0.00	7,770.00	3,001,740.00
3133794G1	2239	99	Fair Value	05/15/2014	2,998,560.00	0.00	0.00	3,000,000.00	0.00	1,440.00	0.00
3135G0KS1	2240	99	Fair Value	02/10/2015	2,997,450.00	0.00	0.00	0.00	0.00	6,030.00	3,003,480.00
3133EAEG9	2241	99	Fair Value	02/27/2015	1,361,632.00	0.00	0.00	0.00	0.00	748.00	1,362,380.00
3135G0LF8	2242	99	Fair Value	11/24/2014	2,999,640.00	0.00	0.00	0.00	0.00	4,470.00	3,004,110.00
313379JC4	2243	99	Fair Value	06/05/2014	3,000,060.00	0.00	0.00	3,000,000.00	0.00	-60.00	0.00
3135G0LL5	2244	99	Fair Value	12/04/2014	2,999,340.00	0.00	0.00	0.00	0.00	4,830.00	3,004,170.00
313379R84	2245	99	Fair Value	06/13/2014	2,996,460.00	0.00	0.00	3,000,000.00	0.00	3,540.00	0.00

OTAY
 GASB 31 Compliance Detail
 Sorted by Fund - Fund

CUSIP	Investment #	Fund	Investment Class	Maturity Date	Beginning Invested Value	Purchase of Principal	Addition to Principal	Redemption of Principal	Adjustment in Value		Ending Invested Value
									Amortization Adjustment	Change in Market Value	
Fund: Treasury Fund											
313379SP5	2246	99	Fair Value	12/19/2013	2,996,610.00	0.00	0.00	3,000,000.00	0.00	3,390.00	0.00
313379UT4	2247	99	Fair Value	06/27/2014	2,998,230.00	0.00	0.00	3,000,000.00	0.00	1,770.00	0.00
313380AV9	2248	99	Fair Value	02/13/2015	0.00	3,000,000.00	0.00	0.00	0.00	90.00	3,000,090.00
313380AV9A	2249	99	Fair Value	02/13/2015	0.00	1,030,000.00	0.00	0.00	0.00	30.90	1,030,030.90
313380AV9B	2250	99	Fair Value	02/13/2015	0.00	2,705,000.00	0.00	0.00	0.00	81.15	2,705,081.15
313380BG1	2251	99	Fair Value	02/13/2015	0.00	3,000,000.00	0.00	0.00	0.00	150.00	3,000,150.00
Subtotal					88,327,075.52	9,735,000.00	52,222,558.06	62,927,020.46	0.00	31,018.01	87,388,631.14
Total					88,327,075.52	9,735,000.00	52,222,558.06	62,927,020.46	0.00	31,018.01	87,388,631.14

OTAY
Duration Report
Sorted by Investment Type - Investment Type
Through 08/31/2012

Security ID	Investment #	Fund	Issuer	Investment Class	Book Value	Par Value	Market Value	Current Rate	YTM 360	Current Yield	Maturity/ Call Date	Modified Duration
3134G3BN9	2228	99	Federal Home Loan Mortgage	Fair	2,000,000.00	2,000,000.00	2,002,340.00	.7700000	0.759	0.703	06/05/2014	1.743
3134G3AQ3	2227	99	Federal Home Loan Mortgage	Fair	2,000,000.00	2,000,000.00	2,001,700.00	.7100000	0.700	0.661	05/30/2014	1.730
3134G3SS0	2232	99	Federal Home Loan Mortgage	Fair	3,000,000.00	3,000,000.00	3,005,550.00	.5400000	0.533	0.450	09/22/2014	2.039
3134G3AC4	2226	99	Federal Home Loan Mortgage	Fair	3,000,000.00	3,000,000.00	3,001,440.00	.6000000	0.592	0.562	12/06/2013	1.255
3135G0JG9	2234	99	Federal National Mortgage Assoc	Fair	2,998,758.33	3,000,000.00	3,000,900.00	.5200000	0.533	0.505	09/26/2014	2.051
3135G0KL6	2238	99	Federal National Mortgage Assoc	Fair	3,000,000.00	3,000,000.00	3,001,740.00	.5000000	0.493	0.473	10/30/2014	2.146
3135G0KS1	2240	99	Federal National Mortgage Assoc	Fair	3,000,000.00	3,000,000.00	3,003,480.00	.5600000	0.552	0.512	02/10/2015	2.421
3135G0LL5	2244	99	Federal National Mortgage Assoc	Fair	3,000,000.00	3,000,000.00	3,004,170.00	.5500000	0.542	0.488	12/04/2014	2.239
3135G0LF8	2242	99	Federal National Mortgage Assoc	Fair	3,000,000.00	3,000,000.00	3,004,110.00	.5000000	0.493	0.438	11/24/2014	2.213
313380AV9	2248	99	Federal Home Loan Bank	Fair	3,000,000.00	3,000,000.00	3,000,090.00	.4500000	0.444	0.449	02/13/2015	2.433
313378KU4	2233	99	Federal Home Loan Bank	Fair	3,000,000.00	3,000,000.00	3,000,240.00	.5000000	0.493	0.496	09/12/2014	2.013
313380AV9A	2249	99	Federal Home Loan Bank	Fair	1,030,000.00	1,030,000.00	1,030,030.90	.4500000	0.444	0.449	02/13/2015	2.433
313380AV9B	2250	99	Federal Home Loan Bank	Fair	2,705,000.00	2,705,000.00	2,705,081.15	.4500000	0.444	0.449	02/13/2015	2.433
313380BG1	2251	99	Federal Home Loan Bank	Fair	3,000,000.00	3,000,000.00	3,000,150.00	.5000000	0.493	0.498	02/13/2015	2.431
3133EAEG9	2241	99	Federal Farm Credit Bank	Fair	1,360,000.00	1,360,000.00	1,362,380.00	.5500000	0.542	0.479	02/27/2015	2.469
31331KZF0	2219	99	Federal Farm Credit Bank	Fair	2,999,562.96	3,000,000.00	3,000,030.00	.4812160	0.486	0.481	12/23/2013	1.304
2050003183-5	2229	99	California Bank & Trust	Amort	81,326.80	81,326.80	81,326.80	.2800000	0.280	0.280	01/22/2014	1.387 †
LAIF BABS 2010	9012	99	STATE OF CALIFORNIA	Fair	4,071,189.54	4,071,189.54	4,076,154.94	.3770000	0.372	0.377		0.000
LAIF	9001	99	STATE OF CALIFORNIA	Fair	13,500,643.33	13,500,643.33	13,517,109.30	.3770000	0.372	0.377		0.000
LAIF COPS07	9009	99	STATE OF CALIFORNIA	Fair	0.00	0.00	0.00	1.530000	1.509	1.530		0.000
SD COUNTY	9007	99	San Diego County	Fair	22,129,264.70	22,129,264.70	22,104,000.00	.5250000	0.518	0.525		0.000
Report Total					81,875,745.66	81,877,424.37	81,902,023.09			0.481		1.064 †

† = Duration can not be calculated on these investments due to incomplete Market price data.



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	October 9, 2012
SUBMITTED BY:	<i>Ret. K. Bell for</i> Sean Prendergast, Finance Supervisor, Payroll & AP	W.O./G.F. NO:	DIV. NO.
APPROVED BY: (Chief)	Joseph Beachem, Chief Financial Officer		
APPROVED BY: (Asst. GM):	German Alvarez, Assistant General Manager		
SUBJECT:	Accounts Payable Demand List		

PURPOSE:

Attached is the list of demands for the Board's information.

FISCAL IMPACT:

<u>SUMMARY</u>	<u>NET DEMANDS</u>
CHECKS (2034500-2034762)	\$ 1,749,671.30
VOID CHECK (1)	\$ (16.86)
TOTAL CHECKS	\$ 1,749,654.44
WIRE TO:	
CITY OF CHULA VISTA - SEWER CHARGES (BI-MONTHLY)	\$ 2,972,413.08
DELTA DENTAL OF CALIF - DENTAL & COBRA CLAIMS (MONTHLY)	\$ 18,666.15
SAN DIEGO COUNTY WATER - WATER DELIVERIES (MONTHLY)	\$ 3,919,118.30
SPECIAL DIST RISK MGMT AUTH - INSURANCE PREM (MONTHLY)	\$ 240,941.53
UNION BANK - CERT OF PARTICIPATION 2006 (ANNUAL)	\$ 501,550.87
UNION BANK - PAYROLL TAXES (MONTHLY)	\$ 278,571.75
TOTAL CASH DISBURSEMENTS	\$ 9,680,916.12

RECOMMENDED ACTION:

That the Board receive the attached list of demands.

Jb/Attachment

**OTAY WATER DISTRICT
CHECK REGISTER
FOR CHECKS 2034500 THROUGH 2034762
RUN DATES 9/5/2012 TO 9/26/2012**

Check #	Date	Vendor	Vendor name	Invoice	Inv Date	Description	Amount Paid	Check Total
2034560	09/12/12	14352	A.O. REED & CO	Ref002424006	09/11/12	UB Refund Cst #0000188482	1,648.19	1,648.19
2034561	09/12/12	14353	A.O. REED & CO	Ref002424007	09/11/12	UB Refund Cst #0000188483	937.61	937.61
2034500	09/05/12	14321	ABBIE & TJ PRODUCTIONS	003874	08/29/12	EMPLOYEE PROGRAM	400.00	400.00
2034562	09/12/12	14321	ABBIE & TJ PRODUCTIONS	003890	09/10/12	EMPLOYEE PROGRAM	1,152.00	1,152.00
2034501	09/05/12	08488	ABLEFORCE INC	3391	08/07/12	PROGRAMMING SERVICES (7/23/12-8/3/12)	7,200.00	7,200.00
2034644	09/19/12	08488	ABLEFORCE INC	3421	08/23/12	PROGRAMMING SERVICES (8/6/12-8/17/12)	7,200.00	7,200.00
2034563	09/12/12	14335	ADD REALTY	Ref002423988	09/11/12	UB Refund Cst #0000143635	75.00	75.00
2034564	09/12/12	14326	ADOLFO ALVIZ	Ref002423979	09/11/12	UB Refund Cst #0000041161	69.45	69.45
2034502	09/05/12	11462	AEGIS ENGINEERING MGMT INC	1120 1033	08/09/12 08/09/12	DEVELOPER PLANCHECKS (6/30/12-8/3/12) PLAN CHECKING (6/30/12-8/3/12)	7,315.91 2,288.26	9,604.17
2034645	09/19/12	07732	AIRGAS SPECIALTY PRODUCTS INC	131255825 131255824	08/21/12 08/21/12	AQUA AMMONIA AQUA AMMONIA	3,413.30 2,244.60	5,657.90
2034728	09/26/12	13753	AIRGAS USA LLC	9903957927	08/31/12	BREATHING AIR	34.49	34.49
2034565	09/12/12	14358	AISHA CARPENTER	003884	09/10/12	CUSTOMER REFUND	72.31	72.31
2034566	09/12/12	14327	AL DACASIN	Ref002423980	09/11/12	UB Refund Cst #0000044825	70.00	70.00
2034646	09/19/12	01463	ALLIED ELECTRONICS INC	9000816200	08/22/12	HOA SWITCHES	27.30	27.30
2034567	09/12/12	06166	AMERICAN MESSAGING	L1109570MI	09/01/12	PAGER SERVICES (AUG 2012)	168.81	168.81
2034568	09/12/12	02730	AMERICAN PAYROLL ASSOCIATION	003893	09/05/12	MEMBERSHIP DUES	254.00	254.00
2034569	09/12/12	14356	AMS	Ref002424010	09/11/12	UB Refund Cst #0000192560	27.91	27.91
2034570	09/12/12	14337	ANGEL CAMACHO	Ref002423990	09/11/12	UB Refund Cst #0000147911	33.52	33.52
2034647	09/19/12	01509	ARC ERGONOMICS	35774	08/23/12	ROLLERMOUSE PRO	635.02	635.02
2034648	09/19/12	13171	ARCADIS US INC	0469286	08/22/12	WASTEWATER MGMT (PERIOD ENDING 8/19/12)	15,468.39	15,468.39
2034571	09/12/12	05758	AT&T	61942256050812	08/20/12	PHONE SERVICES (8/20/12-9/19/12)	51.04	51.04
2034572	09/12/12	05758	AT&T	61967053090812 61969851400812	08/15/12 08/24/12	PHONE SERVICES (MONTHLY) PHONE SERVICES (MONTHLY)	32.18 32.18	64.36
2034649	09/19/12	05758	AT&T	0821645728082512	08/25/12	PHONE SERVICE (8/25/12-9/24/12)	2,279.29	2,279.29

OTAY WATER DISTRICT
CHECK REGISTER
FOR CHECKS 2034500 THROUGH 2034762
RUN DATES 9/5/2012 TO 9/26/2012

Check #	Date	Vendor	Vendor name	Invoice	Inv Date	Description	Amount Paid	Check Total
2034650	09/19/12	08330	AT&T INTERNET SERVICES	8547826250812	08/22/12	INTERNET BANDWIDTH (8/21/12-9/20/12)	2,028.00	2,028.00
2034503	09/05/12	11285	AZTEC FIRE & SAFETY INC	48050	08/15/12	SIGNS	81.20	81.20
2034573	09/12/12	08024	BACKGROUND PROFILES INC	4542	08/31/12	BACKGROUND CHECK (8/9/12-8/29/12)	164.50	164.50
2034504	09/05/12	10970	BRENNTAG PACIFIC INC	BPI225139	08/14/12	SODIUM HYPOCHLORITE	2,994.84	
				BPI223539	08/09/12	SODIUM HYPOCHLORITE	1,099.56	
				BPI225138	08/14/12	SODIUM HYPOCHLORITE	1,082.08	
				BPI224675	08/13/12	SODIUM HYPOCHLORITE	1,037.27	
				BPI224676	08/13/12	SODIUM HYPOCHLORITE	942.17	
				BPI225780	08/16/12	SODIUM HYPOCHLORITE	750.90	7,906.82
2034651	09/19/12	10970	BRENNTAG PACIFIC INC	BPI227365	08/21/12	SODIUM HYPOCHLORITE	2,951.13	
				BPI229718	08/28/12	SODIUM HYPOCHLORITE	2,841.83	
				BPI231539	08/31/12	SODIUM HYPOCHLORITE	1,635.14	
				BPI228709	08/24/12	SODIUM HYPOCHLORITE	1,572.85	
				BPI231540	08/31/12	SODIUM HYPOCHLORITE	1,522.57	
				BPI227366	08/21/12	SODIUM HYPOCHLORITE	1,256.96	
				BPI228710	08/24/12	SODIUM HYPOCHLORITE	709.37	
				BPI227155	08/20/12	SODIUM HYPOCHLORITE	639.41	
				BPI228708	08/23/12	SODIUM HYPOCHLORITE	290.74	
				BPI230766	08/30/12	SODIUM HYPOCHLORITE	94.00	
				BPI229252	08/27/12	SODIUM HYPOCHLORITE	1,252.59	
				BPI227153	08/20/12	SODIUM HYPOCHLORITE	1,082.08	
				BPI229251	08/27/12	SODIUM HYPOCHLORITE	1,058.04	
				BPI230412	08/30/12	SODIUM HYPOCHLORITE	965.14	
				BPI227154	08/20/12	SODIUM HYPOCHLORITE	960.77	
				BPI230133	08/23/12	SODIUM HYPOCHLORITE	750.90	19,583.52
2034729	09/26/12	08156	BROWNSTEIN HYATT FARBER	445258	01/30/12	GOVT RELATIONS COUNSEL (NOV 2011)	7,500.00	
				445259	01/31/12	GOVT RELATIONS COUNSEL (DEC 2011)	7,500.00	15,000.00
2034730	09/26/12	14366	BYUNG LEE	Ref002424240	09/25/12	UB Refund Cst #0000014244	30.56	30.56
2034505	09/05/12	00223	C W MCGRATH INC	42907	08/15/12	CRUSHED ROCK	218.43	
				42834	08/08/12	CRUSHED ROCK	107.93	326.36
2034652	09/19/12	00223	C W MCGRATH INC	43071	08/30/12	CRUSHED ROCK	116.31	
				43084	08/31/12	CRUSHED ROCK	114.50	230.81
2034574	09/12/12	14351	CALEB GILCREASE	Ref002424005	09/11/12	UB Refund Cst #0000188049	59.02	59.02
2034575	09/12/12	08966	CALIFORNIA BANK & TRUST	8A	08/15/12	RET/TC CONST LA PRESA (ENDING 8/15/12)	9,266.53	9,266.53
2034506	09/05/12	02202	CALIFORNIA MUNICIPAL	4072582	08/28/12	ANNUAL MEMBERSHIP	155.00	155.00

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2034507	09/05/12	01060	CALIFORNIA SOCIETY OF	003878	08/30/12	APPLICATION FEES - OPERATING BUDGET	150.00	150.00
2034508	09/05/12	01060	CALIFORNIA SOCIETY OF	003877	08/30/12	APPLICATION FEES - CAPITAL BUDGET	150.00	150.00
2034576	09/12/12	01243	CALIFORNIA-NEVADA SECTION	019840912	09/07/12	CERTIFICATE RENEWAL	80.00	80.00
2034509	09/05/12	01004	CALOLYMPIC SAFETY	305113	08/10/12	CALGAS	742.53	
				305461	08/16/12	GAS-TECH BATTERY	94.32	836.85
2034577	09/12/12	02758	CARMEL BUSINESS SYSTEMS INC	7562	08/15/12	RECORDS MANAGEMENT (8/1/12-8/9/12)	2,883.09	2,883.09
2034653	09/19/12	02758	CARMEL BUSINESS SYSTEMS INC	7573	09/01/12	RECORDS MGMT SVCS (8/27/12)	243.25	243.25
2034731	09/26/12	01788	CHAVARELA, GERARDO	003908	09/20/12	TUITION REIMBURSEMENT	130.00	130.00
2034578	09/12/12	12631	CITY OF CHULA VISTA	DE2337	08/22/12	DEP FOR PC2080 HUNTE PKWY N/O PROCTOR	1,367.60	1,367.60
2034654	09/19/12	04119	CLARKSON LAB & SUPPLY INC	63219	08/31/12	BACTERIOLOGICAL TESTING	505.02	
				63218	08/31/12	BACTERIOLOGICAL TESTING	221.00	
				63217	08/31/12	BACTERIOLOGICAL TESTING	176.00	902.02
2034655	09/19/12	08160	COMPLETE OFFICE	14157850	08/23/12	TONER	718.68	
				14163770	08/24/12	PRINTER	387.89	
				14158130	08/23/12	FAX MACHINE	172.39	
				14155870	08/22/12	TONER	22.40	1,301.36
2034732	09/26/12	12282	CORELOGIC INFORMATION	50007271	08/02/12	DATA SERVICES (AUG 2012)	5,940.00	5,940.00
2034733	09/26/12	12334	CORODATA MEDIA STORAGE INC	DS1252592	08/31/12	TAPE STORAGE (AUG 2012)	328.90	328.90
2034510	09/05/12	02122	COUNTY OF SAN DIEGO	003880	08/31/12	PERMIT FEES	1,927.00	1,927.00
2034511	09/05/12	07494	COUNTY OF SAN DIEGO	1258	08/13/12	SEWER SERVICE (7/1/12-6/30/13)	4,146.38	
				1261	08/13/12	SEWER SERVICE (7/1/12-6/30/13)	157.06	4,303.44
2034656	09/19/12	00184	COUNTY OF SAN DIEGO	HK182127850812	08/31/12	HAZMAT PERMIT (9/30/12-9/30/13)	292.00	292.00
2034657	09/19/12	02122	COUNTY OF SAN DIEGO	2012080705774	08/07/12	PERMIT FEES # 05774 (9/2012-9/2013)	2,608.00	
				2012080705714	08/07/12	PERMIT FEES # 05714 (9/2012-9/2013)	529.00	3,137.00
2034734	09/26/12	00184	COUNTY OF SAN DIEGO	DEH130023D11	08/31/12	SHUT DOWN TEST (7/27/12)	852.00	
				DEH130028D11	08/31/12	SHUT DOWN TEST (7/10/12)	710.00	
				DEH130027D11	08/31/12	SHUT DOWN TEST (7/3/12)	568.00	
				DEH130021D11	08/31/12	SHUT DOWN TEST (7/25/12)	355.00	
				DEH130026D11	08/31/12	SHUT DOWN TEST (7/10/12)	284.00	2,769.00
2034512	09/05/12	00099	COUNTY OF SAN DIEGO - DPW	158451	06/30/12	EXCAVATION PERMITS (JUNE 2012)	2,294.51	
				159207	07/31/12	EXCAVATION PERMITS (JULY 2012)	651.98	2,946.49

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2034579	09/12/12	02756	COX COMMUNICATIONS SAN DIEGO	28810812 27170812	08/30/12 08/30/12	INTERNET SERVICES (8/29/12-9/28/12) INTERNET SERVICES (8/29/12-9/28/12)	1,500.00 1,500.00	3,000.00
2034513	09/05/12	11797	D & H WATER SYSTEMS INC	2012222	08/08/12	REGULATOR SERVICE	600.00	600.00
2034580	09/12/12	14349	DAVE STAUFFER	Ref002424003	09/11/12	UB Refund Cst #0000187743	15.13	15.13
2034581	09/12/12	14333	DAVID GAETA	Ref002423986	09/11/12	UB Refund Cst #0000121262	120.57	120.57
2034658	09/19/12	03744	DEPARTMENT OF JUSTICE	928683	09/06/12	FINGERPRINTING SERVICES (AUG 2012)	147.00	147.00
2034514	09/05/12	00319	DEPARTMENT OF PUBLIC HEALTH	151030830	08/30/12	CERTIFICATE RENEWAL	90.00	90.00
2034515	09/05/12	01335	DICKSON COMPANY	876908	08/09/12	CHART RECORDERS	2,052.00	2,052.00
2034659	09/19/12	03417	DIRECTV	18610421625	09/05/12	SATELLITE TV (9/4/12-10/3/12)	18.00	18.00
2034582	09/12/12	02447	EDCO DISPOSAL CORPORATION	1554580831	08/31/12	RECYCLING SERVICES (AUG 2012)	90.00	90.00
2034660	09/19/12	14323	EDWARDS, JEFF	003900	09/11/12	SAFETY BOOTS	137.00	137.00
2034661	09/19/12	08023	EMPLOYEE BENEFIT SPECIALISTS	0057861IN 0057218IN 0057559IN	08/31/12 06/30/12 07/31/12	EMPLOYEE BENEFITS (AUG 2012) EMPLOYEE BENEFITS (JUNE 2012) EMPLOYEE BENEFITS (JULY 2012)	680.00 672.50 672.50	2,025.00
2034662	09/19/12	00331	EMPLOYMENT DEVELOPMENT DEPT	925023840912	09/13/12	UNEMPLOYMENT INSURANCE (4/1/12-6/30/12)	5,850.00	5,850.00
2034663	09/19/12	03765	ENGINEERING PARTNERS INC, THE	1112518	08/31/12	DESIGN SERVICES (4/1/12-8/31/12)	1,057.50	1,057.50
2034516	09/05/12	03227	ENVIROMATRIX ANALYTICAL INC	2080424 2080593	08/06/12 08/13/12	RECYCLED WTR ANALYSIS (7/25/12-7/29/12) RECYCLED WATER ANALYSIS (7/30/12-8/5/12)	410.00 345.00	755.00
2034664	09/19/12	03227	ENVIROMATRIX ANALYTICAL INC	2080710 2080867	08/20/12 08/27/12	RECYCLED WATER ANALYSIS (8/1/12-8/10/12) RECYCLED WTR ANALYSIS (8/11/12-8/16/12)	535.00 455.00	990.00
2034583	09/12/12	14339	FELIPE SANTANA	Ref002423992	09/11/12	UB Refund Cst #0000177900	41.13	41.13
2034517	09/05/12	03546	FERGUSON WATERWORKS # 1083	0415148 0415144 0415145	08/16/12 08/15/12 08/15/12	INVENTORY WAREHOUSE SUPPLIES WAREHOUSE SUPPLIES	2,375.89 1,228.26 83.79	3,687.94
2034584	09/12/12	03546	FERGUSON WATERWORKS # 1083	04089734	08/07/12	HYDRANT PARTS	0.78	0.78
2034665	09/19/12	03546	FERGUSON WATERWORKS # 1083	0415696 0408973	08/28/12 06/12/12	INVENTORY HYDRANT PARTS	3,879.00 1,876.22	5,755.22
2034666	09/19/12	13958	FIRETIDE INC	10649	08/31/12	RADIO REPAIR	700.00	700.00

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2034667	09/19/12	12187	FIRST AMERICAN DATA TREE LLC	90034082	08/31/12	ONLINE DOCUMENTS (8/1/12-8/31/12)	99.00	99.00
2034518	09/05/12	04066	FIRST CHOICE SERVICES - SD	191856	08/09/12	COFFEE SUPPLIES	515.83	515.83
2034668	09/19/12	04066	FIRST CHOICE SERVICES - SD	193451	08/23/12	COFFEE SUPPLIES	174.49	174.49
2034735	09/26/12	04066	FIRST CHOICE SERVICES - SD	194304	08/22/12	WATER FILTERS	538.21	538.21
2034519	09/05/12	11962	FLEETWASH INC	3926673	08/17/12	VEHICLE WASH	321.93	
				3923563	08/10/12	VEHICLE WASH	105.12	427.05
2034669	09/19/12	11962	FLEETWASH INC	3934620	08/31/12	VEHICLE WASH	151.11	
				3934613	08/31/12	VEHICLE WASH	32.85	183.96
2034585	09/12/12	01612	FRANCHISE TAX BOARD	Ben2424059	09/13/12	BI-WEEKLY PAYROLL DEDUCTION	90.00	90.00
2034586	09/12/12	02344	FRANCHISE TAX BOARD	Ben2424065	09/13/12	BI-WEEKLY PAYROLL DEDUCTION	81.00	81.00
2034736	09/26/12	01612	FRANCHISE TAX BOARD	Ben2424257	09/27/12	BI-WEEKLY PAYROLL DEDUCTION	90.00	90.00
2034737	09/26/12	02344	FRANCHISE TAX BOARD	Ben2424263	09/27/12	BI-WEEKLY PAYROLL DEDUCTION	81.00	81.00
2034670	09/19/12	13563	FRIENDS OF THE WATER	137	09/09/12	GARDEN TOURS (AUG 2012)	1,860.00	1,860.00
2034520	09/05/12	00131	GOVERNMENT FIN OFFICERS ASSN	003876	08/30/12	APPLICATION FEE	550.00	550.00
2034521	09/05/12	00101	GRAINGER INC	9899426564	08/10/12	MISC. ELECTRICAL	547.72	
				9894919209	08/06/12	BLOWER SILENCER	202.16	
				9898656690	08/10/12	LAYFLAT HOSE	97.88	847.76
2034671	09/19/12	00101	GRAINGER INC	9913048055	08/28/12	VALVE REBUILT	854.08	
				9906342432	08/20/12	CAT6 CABLE	750.57	
				9910302380	08/23/12	KNEELING PADS	337.38	
				9907522321	08/21/12	ELECTRICAL MATERIAL	321.02	
				9913048048	08/28/12	CANVAS TOOL BAGS	250.68	
				9911080191	08/24/12	TOOLS	97.87	
				9909970916	08/23/12	SAMPLE PARTS	47.71	
				9910037077	08/23/12	SAMPLE PARTS	4.99	
				9913048063	08/28/12	VALVE REBUILT	4.93	2,669.23
2034672	09/19/12	12907	GREENRIDGE LANDSCAPE INC	9772	08/28/12	LANDSCAPING SERVICES (AUG 2012)	8,650.00	8,650.00
2034587	09/12/12	14350	GREGG PHILLPSON	Ref002424004	09/11/12	UB Refund Cst #0000187919	174.25	174.25
2034673	09/19/12	03773	GTC SYSTEMS INC	C34019		CREDIT MEMO	(49.00)	
				34013	09/01/12	NETWORK SERVICES (SEPT 2012)	3,222.00	3,173.00

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2034588	09/12/12	14329	GUADALUPE VILLA	Ref002423982	09/11/12	UB Refund Cst #0000069006	75.00	75.00
2034522	09/05/12	08968	GURROLA, MICHAEL	003875	08/30/12	SAFETY BOOTS	145.44	145.44
2034589	09/12/12	00174	HACH COMPANY	7884077	08/07/12	LABORATORY SUPPLIES	2,482.05	2,482.05
2034738	09/26/12	02795	HARTFORD INSURANCE CO, THE	Ben2424243	09/27/12	MONTHLY CONTRIBUTION TO LTD	5,428.92	5,428.92
2034590	09/12/12	05986	HAVS INCORPORATED	68711	09/07/12	AUDIO SYSTEM REPAIR	150.00	150.00
2034739	09/26/12	04472	HECTOR I MARES-COSSIO	89 90	09/25/12 09/25/12	CONSULTANT SERVICES (JULY 2012) CONSULTANT SERVICES (AUG 2012)	3,600.00 3,600.00	7,200.00
2034523	09/05/12	00062	HELIX WATER DISTRICT	178540010812 174639860812	08/09/12 08/09/12	WATER PURCHASE (6/7/12-8/7/12) WATER PURCHASE (6/7/12-8/7/12)	43.57 42.84	86.41
2034591	09/12/12	02096	HELIX WATER DISTRICT	0000292400812a	09/07/12	TEMPORARY METER (7/30/12-8/28/12)	149.42	149.42
2034674	09/19/12	06843	HI-TECH AIR CONDITIONING	27114 26729 26904 27109	08/06/12 07/31/12 07/16/12 07/26/12	HVAC SERVICE HVAC SERVICE HVAC SERVICE HVAC SERVICE	3,297.00 668.21 650.00 335.78	4,950.99
2034592	09/12/12	14344	HOLLY LEANO	Ref002423998	09/11/12	UB Refund Cst #0000184513	75.00	75.00
2034593	09/12/12	09044	HOLLY, ROGER	003886	09/10/12	TUITION REIMBURSEMENT	130.00	130.00
2034524	09/05/12	12335	HP ENTERPRISE SERVICES LLC	U2973744	08/16/12	CREDIT CARD PYMT SVC (JULY 2012)	2,693.60	2,693.60
2034525	09/05/12	01649	IDEXX DISTRIBUTION INC	261845506	08/09/12	LABORATORY SUPPLIES	4,489.96	4,489.96
2034675	09/19/12	14295	IDM COMPUTER SOLUTIONS INC	619576	08/23/12	ULTRAEDIT SOFTWARE	299.75	299.75
2034676	09/19/12	08969	INFOSEND INC	61593	08/31/12	BILL PRINTING SERVICES (AUG 2012)	5,003.31	5,003.31
2034677	09/19/12	02372	INTERIOR PLANT SERVICE INC	1752	08/31/12	PLANT SERVICES (ENDING 8/31/12)	186.00	186.00
2034526	09/05/12	13899	INTERMEDIA.NET INC	12050070	05/01/12	EXCHANGE OUTSOURCING (4/2/12-5/1/12)	5,243.05	5,243.05
2034678	09/19/12	13899	INTERMEDIA.NET INC	12090076	09/01/12	EXCHANGE OUTSOURCING (8/2/12-9/1/12)	4,298.91	4,298.91
2034740	09/26/12	14368	IVAN SALIMAN	003907	09/25/12	CUSTOMER REFUND	3,135.00	3,135.00
2034679	09/19/12	03077	JANI-KING OF CALIFORNIA INC	SDO08120183	08/01/12	JANITORIAL SERVICES (AUG 2012)	1,119.82	1,119.82
2034527	09/05/12	10563	JCI JONES CHEMICALS INC	556161 556099	 08/08/12	CREDIT MEMO CHLORINE	(3,000.00) 4,837.80	1,837.80

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2034594	09/12/12	14328	JIM JORDAN	Ref002423981	09/11/12	UB Refund Cst #0000053326	138.71	138.71
2034741	09/26/12	14371	JOHN R CHANTENGCO	003904	09/24/12	CUSTOMER REFUND	91.68	91.68
2034528	09/05/12	03172	JONES & STOKES ASSOCIATES INC	0088747 0088748 0088746	08/11/12 08/11/12 08/11/12	ENVIRONMENTAL CONSULT (7/1/12-7/27/12) ENVIRONMENTAL CONSULT (7/1/12-7/27/12) ENVIRONMENTAL CONSULT (7/1/12-7/27/12)	4,730.00 572.00 42.50	5,344.50
2034595	09/12/12	05217	JONES, DANIEL	003888	09/10/12	SAFETY BOOTS	117.43	117.43
2034596	09/12/12	14325	JOSE LOZANO	Ref002423978	09/11/12	UB Refund Cst #0000033569	37.60	37.60
2034597	09/12/12	14334	JOSE MONZON	Ref002423987	09/11/12	UB Refund Cst #0000133894	71.30	71.30
2034598	09/12/12	00056	KAMAN INDUSTRIAL TECHNOLOGIES	H440902	08/03/12	SOLENOIDS	174.20	174.20
2034529	09/05/12	12639	KAPISH NORTH AMERICA LLC	3059	08/16/12	SOFTWARE LICENSES	19,353.70	19,353.70
2034680	09/19/12	12639	KAPISH NORTH AMERICA LLC	3063	08/23/12	TRIM IMPLEMENTATION (4/20/12-6/30/12)	650.00	650.00
2034681	09/19/12	14363	KELLY HUNT	003899	09/11/12	VALVE REBATE PROGRAM	350.00	350.00
2034599	09/12/12	14338	KIM KAYE	Ref002423991	09/11/12	UB Refund Cst #0000155044	59.71	59.71
2034682	09/19/12	04996	KNOX ATTORNEY SERVICE INC	103309	08/31/12	DELIVERY SERVICES (8/17/12)	90.75	90.75
2034530	09/05/12	12276	KONECRANES INC	SDG00700485	08/15/12	HOIST INSPECTIONS	500.00	500.00
2034683	09/19/12	14036	KRATOS / HBE	SM38616	08/21/12	OPS DOOR REPAIR	360.00	360.00
2034742	09/26/12	14036	KRATOS / HBE	SM38480 SM38485 SM38487	08/10/12 08/10/12 08/10/12	ALARM MONITORING (AUG 2012) ALARM MONITORING (AUG 2012) ALARM MONITORING (AUG 2012)	55.00 55.00 40.00	150.00
2034600	09/12/12	10330	LAKESIDE EQUIPMENT SALES &	0112	08/17/12	MAKISA MTX 70	3,199.75	3,199.75
2034743	09/26/12	00491	LIGHTHOUSE INC, THE	0273600	08/10/12	REPAIR PART	171.16	171.16
2034601	09/12/12	14332	LINDA SMITH	Ref002423985	09/11/12	UB Refund Cst #0000092495	51.48	51.48
2034684	09/19/12	03019	LOPEZ, JOSE	70100812	09/11/12	MILEAGE REIMBURSEMENT (AUG 2012)	5.55	5.55
2034602	09/12/12	14359	LUCIELIN CORTES	003892	09/11/12	CUSTOMER REFUND	105.14	105.14
2034744	09/26/12	14369	LUCY BENNER	003906	09/19/12	CUSTOMER REFUND	81.17	81.17
2034685	09/19/12	02902	MARSTON+MARSTON INC	201291	08/31/12	COMMUNITY OUTREACH (AUG 2012)	5,000.00	5,000.00

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2034686	09/19/12	14364	MARTIN, DAN	003901	09/18/12	LICENSE RENEWAL	115.00	115.00
2034531	09/05/12	02882	MAYER REPROGRAPHICS INC	0073975IN	08/10/12	REPROGRAPHICS SERVICES	352.08	
				0074135IN	08/17/12	REPROGRAPHICS SERVICES	53.88	
				0074115IN	08/16/12	REPROGRAPHICS SERVICES	51.18	
				0074114IN	08/16/12	REPROGRAPHICS SERVICES	48.49	
				0073985IN	08/13/12	REPROGRAPHICS SERVICES	37.71	543.34
2034532	09/05/12	01183	MCMASTER-CARR SUPPLY CO	34141910	08/13/12	SUPPLIES	188.28	
				33797603	08/08/12	PIPE FITTINGS	684.62	
				34049320	08/10/12	STUD ANCHOR	181.50	1,054.40
2034687	09/19/12	01183	MCMASTER-CARR SUPPLY CO	35408688	08/28/12	BURLAP BAGS	729.09	
				35409363	08/28/12	STAINLESS STEEL COATING	173.75	
				35491904	08/28/12	HIGH PRESSURE HOSE	147.86	
				35617189	08/29/12	HIGH PRESSURE HOSE	114.11	
				34870622	08/21/12	SUPPLIES	111.40	
				35434338	08/28/12	STAINLESS STEEL COATING	89.29	1,365.50
2034603	09/12/12	14355	MCMILLIN REALTY	Ref002424009	09/11/12	UB Refund Cst #0000189033	22.31	22.31
2034604	09/12/12	00805	METRO JPA	160	07/01/12	ANNUAL BUDGET	1,433.00	1,433.00
2034688	09/19/12	14038	MILLER SPATIAL SERVICES LLC	1012	08/12/12	MAP BOOKS UPDATE	2,520.00	2,520.00
2034605	09/12/12	01158	MIRAMAR TRUCK BODY & EQUIPMENT	67759	07/27/12	TRUCK BODY	8,189.00	8,189.00
2034533	09/05/12	02764	MYRON L COMPANY	335113	08/15/12	LABORATORY SUPPLIES	149.40	149.40
2034606	09/12/12	14331	NATASHA WESTER	Ref002423984	09/11/12	UB Refund Cst #0000085552	22.52	22.52
2034607	09/12/12	03523	NATIONAL DEFERRED COMPENSATION	Ben2424055	09/13/12	BI-WEEKLY DEFERRED COMP PLAN	7,538.15	7,538.15
2034745	09/26/12	03523	NATIONAL DEFERRED COMPENSATION	Ben2424253	09/27/12	BI-WEEKLY DEFERRED COMP PLAN	7,538.15	7,538.15
2034689	09/19/12	09884	NATIONAL SAFETY COMPLIANCE INC	54128	08/31/12	RANDOM DRUG TESTING (AUG 2012)	489.06	489.06
2034690	09/19/12	13690	NEAL ELECTRIC CORP	57303	08/29/12	CONDUIT INSTALLATION	3,170.00	3,170.00
2034534	09/05/12	00510	OFFICE DEPOT INC	621011485001	08/16/12	OFFICE SUPPLIES	297.58	
				621213460001	08/17/12	OFFICE SUPPLIES	293.68	
				619765675001	08/07/12	COPY PAPER	185.89	
				620195330001	08/09/12	INK JET CARTRIDGES	114.72	
				620194274001	08/09/12	OFFICE SUPPLIES	84.42	
				621143351001	08/16/12	OFFICE SUPPLIES	45.69	1,021.98
2034608	09/12/12	00510	OFFICE DEPOT INC	621143226001	08/16/12	OFFICE SUPPLIES	158.74	158.74

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2034691	09/19/12	00510	OFFICE DEPOT INC	622789148001	08/29/12	OFFICE SUPPLIES	377.29	
				622013825001	08/23/12	OFFICE SUPPLIES	324.23	
				622802593001	08/29/12	OFFICE SUPPLIES	87.23	
				621840730001	08/22/12	OFFICE SUPPLIES	77.95	
				622801478001	09/01/12	OFFICE SUPPLIES	77.56	
				621858697001	08/24/12	DATE STAMP	37.70	
				622789756001	08/29/12	OFFICE SUPPLIES	36.25	
2034692	09/19/12	03149	ON SITE LASER LLC	47012	08/24/12	PRINTER SERVICES	69.00	69.00
2034609	09/12/12	07496	ORTEGA-CARRILLO, ALMA PATRICIA	003889	09/06/12	TUITION REIMBURSEMENT	1,062.87	1,062.87
2034746	09/26/12	14367	OTAY RANCH TOWN CENTER	Ref002424241	09/25/12	UB Refund Cst #0000177827	146.11	146.11
2034610	09/12/12	03101	OTAY WATER DISTRICT	Ben2424051	09/13/12	BI-WEEKLY PAYROLL DEDUCTION	679.00	679.00
2034747	09/26/12	03101	OTAY WATER DISTRICT	Ben2424249	09/27/12	BI-WEEKLY PAYROLL DEDUCTION	686.00	686.00
2034693	09/19/12	05118	OTIS ELEVATOR COMPANY	SD04041812	07/20/12	ELEVATOR MAINTENANCE (AUG 2012)	458.58	458.58
2034694	09/19/12	02819	OTTO ENGINEERING INC	748625	08/21/12	SAFETY EQUIPMENT	95.68	95.68
2034748	09/26/12	03780	OWEN, DOUGLAS WESTLEY	003911	09/26/12	LICENSE RENEWAL	169.00	169.00
2034611	09/12/12	08891	PACIFIC METER SERVICES INC	314	08/17/12	METER REPLACEMENT	3,000.00	3,000.00
2034695	09/19/12	01002	PACIFIC PIPELINE SUPPLY	155410	08/28/12	INVENTORY	4,158.61	
				155411	08/28/12	INVENTORY	2,880.16	
				155102	08/22/12	INVENTORY	2,047.25	
				155118	08/22/12	INVENTORY	2,047.25	
				155103	08/22/12	INVENTORY	1,917.95	
				154680	08/28/12	INVENTORY	560.30	
2034612	09/12/12	14348	PATRICIA MCKELVEY	Ref002424002	09/11/12	UB Refund Cst #0000186995	223.77	223.77
2034535	09/05/12	08398	PEERLESS MATERIALS COMPANY	25612	08/09/12	WIPING RAGS	258.60	258.60
2034696	09/19/12	03790	PENHALL COMPANY	31576	08/28/12	SAW CUTTING SERVICES	326.25	
				31522	08/22/12	SAW CUTTING SERVICES	317.50	
				31521	08/22/12	SAW CUTTING SERVICES	260.00	
				31508	08/22/12	SAW CUTTING SERVICES	200.00	
2034536	09/05/12	00137	PETTY CASH CUSTODIAN	003873	08/31/12	PETTY CASH	510.69	510.69
2034537	09/05/12	00053	PITNEY BOWES INC	327962	08/16/12	EQUIPMENT MAINTENANCE	2,800.42	
				327963	08/16/12	EQUIPMENT MAINTENANCE	273.17	
2034538	09/05/12	01733	PRICE TRONCONE &	12573	08/14/12	ANTENNA SUBLEASE (OCT-DEC 2012)	4,128.00	4,128.00

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2034697	09/19/12	07346	PRIME ELECTRICAL SERVICES INC	10604	08/31/12	SOLAR INSTALLATION	3,989.00	3,989.00
2034698	09/19/12	13059	PRIORITY BUILDING SERVICES	31824	08/01/12	JANITORIAL SERVICES (AUG 2012)	3,504.00	3,504.00
2034699	09/19/12	06844	PROCESS MEASUREMENT &	077049	08/24/12	SUBMERSIBLE PROBE	588.55	588.55
2034613	09/12/12	14347	PROPERTY SALES II LLC	Ref002424001	09/11/12	UB Refund Cst #0000186909	30.41	30.41
2034539	09/05/12	06641	PRUDENTIAL OVERALL SUPPLY	30279537	08/09/12	UNIFORMS, TOWELS & MATS	422.10	
				30281050	08/16/12	UNIFORMS, TOWELS & MATS	416.23	
				30279536	08/09/12	UNIFORMS, TOWELS & MATS	207.95	
				30281049	08/16/12	UNIFORMS, TOWELS & MATS	207.95	
				30279538	08/09/12	UNIFORMS, TOWELS & MATS	173.33	
				30281051	08/16/12	UNIFORMS, TOWELS & MATS	173.33	
				30278913	08/07/12	UNIFORMS, TOWELS & MATS	124.04	
				30280443	08/14/12	UNIFORMS, TOWELS & MATS	124.04	
				30280442	08/14/12	UNIFORMS, TOWELS & MATS	73.48	
				30281052	08/16/12	UNIFORMS, TOWELS & MATS	60.75	
				30279539	08/09/12	UNIFORMS, TOWELS & MATS	58.75	
				30278912	08/07/12	UNIFORMS, TOWELS & MATS	38.12	2,080.07
2034700	09/19/12	06641	PRUDENTIAL OVERALL SUPPLY	30282575	08/23/12	UNIFORMS, TOWELS & MATS	427.41	
				30283938	08/30/12	UNIFORMS, TOWELS & MATS	376.68	
				30282574	08/23/12	UNIFORMS, TOWELS & MATS	207.95	
				30283937	08/30/12	UNIFORMS, TOWELS & MATS	207.95	
				30282576	08/23/12	UNIFORMS, TOWELS & MATS	173.33	
				30283939	08/30/12	UNIFORMS, TOWELS & MATS	173.33	
				30281955	08/21/12	UNIFORMS, TOWELS & MATS	124.04	
				30283296	08/28/12	UNIFORMS, TOWELS & MATS	124.04	
				30281954	08/21/12	UNIFORMS, TOWELS & MATS	101.70	
				30282577	08/23/12	UNIFORMS, TOWELS & MATS	58.75	
				30283940	08/30/12	UNIFORMS, TOWELS & MATS	58.15	
				30283295	08/28/12	UNIFORMS, TOWELS & MATS	54.47	2,087.80
2034540	09/05/12	00078	PUBLIC EMPLOYEES RET SYSTEM	Ben2423776	08/30/12	BI-WEEKLY PERS CONTRIBUTION	153,707.99	153,707.99
2034701	09/19/12	00078	PUBLIC EMPLOYEES RET SYSTEM	Ben2424049	09/13/12	BI-WEEKLY PERS CONTRIBUTION	154,416.07	154,416.07
2034702	09/19/12	10294	QWIKPRINTS	122481149	08/23/12	FINGERPRINTING SERVICES	20.00	20.00
2034541	09/05/12	01342	R J SAFETY SUPPLY CO INC	30418100	08/15/12	SAFETY SUPPLIES	747.25	747.25
2034703	09/19/12	01342	R J SAFETY SUPPLY CO INC	30418101	08/22/12	SAFETY SUPPLIES	135.77	
				30418102	08/24/12	SAFETY SUPPLIES	48.28	184.05
2034542	09/05/12	00766	RANROY PRINTING COMPANY	016957	08/09/12	POSTCARDS	1,309.16	1,309.16

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2034704	09/19/12	02950	RDO EQUIPMENT CO	E00171	08/31/12	REPLACEMENT BACKHOE	102,515.51	102,515.51
2034705	09/19/12	14361	REGAL ESCROW INC	003898	09/18/12	CUSTOMER REFUND	150.00	150.00
2034614	09/12/12	14346	ROBERT FISHER	Ref002424000	09/11/12	UB Refund Cst #0000186478	214.98	214.98
2034615	09/12/12	14340	RON CATLIN	Ref002423994	09/11/12	UB Refund Cst #0000182863	24.72	24.72
2034616	09/12/12	14341	RYAN WILLIAMSON	Ref002423995	09/11/12	UB Refund Cst #0000183026	9.70	9.70
2034706	09/19/12	09148	S & J SUPPLY COMPANY INC	S100014713001 S100014676001	08/20/12 08/20/12	INVENTORY INVENTORY	1,773.46 637.67	2,411.13
2034617	09/12/12	05130	SAFARI MICRO INC	219310 217765	08/07/12 06/28/12	HP PRINTERS INK CARTRIDGES	581.06 304.09	885.15
2034707	09/19/12	05130	SAFARI MICRO INC	218087	07/09/12	INK CARTRIDGES	2,015.20	2,015.20
2034543	09/05/12	13204	SAIC ENERGY ENVIR & INFRAS LLC	05860	08/14/12	CONSTRUCTION MGMT (ENDING 7/27/12)	8,028.77	8,028.77
2034544	09/05/12	02586	SAN DIEGO COUNTY ASSESSOR	2012043	08/06/12	ASSESSOR DATA (JULY 2012)	125.00	125.00
2034545	09/05/12	00121	SAN DIEGO GAS & ELECTRIC	003860 003861 003859	08/22/12 08/23/12 08/17/12	UTILITY EXPENSES (MONTHLY) UTILITY EXPENSES (MONTHLY) UTILITY EXPENSES (MONTHLY)	781.69 34,925.95 29,836.24	65,543.88
2034618	09/12/12	00121	SAN DIEGO GAS & ELECTRIC	003882 003881	08/27/12 08/23/12	UTILITY EXPENSES (MONTHLY) UTILITY EXPENSES (MONTHLY)	68,699.06 9,923.21	78,622.27
2034708	09/19/12	00121	SAN DIEGO GAS & ELECTRIC	003896 003895	08/22/12 09/04/12	UTILITY EXPENSES (MONTHLY) UTILITY EXPENSES (MONTHLY)	5,346.02 69,952.07	75,298.09
2034619	09/12/12	09339	SANGALANG, ALEX	003885	09/05/12	TUITION REIMBURSEMENT	175.00	175.00
2034749	09/26/12	14370	SCOTT SHOEMAKER	003905	09/20/12	CUSTOMER REFUND	93.34	93.34
2034620	09/12/12	07783	SCRIPPS CENTER FOR EXECUTIVE	22559	08/15/12	EXECUTIVE HEALTH EXAM	1,869.00	1,869.00
2034621	09/12/12	14357	SDREOS INC	Ref002424011	09/11/12	UB Refund Cst #0000192858	18.36	18.36
2034546	09/05/12	12904	SEPULVEDA CONSTRUCTION INC	4A	08/08/12	30 INCH POTABLE PL (ENDING 7/31/12)	58,041.67	58,041.67
2034622	09/12/12	00419	SHAPE PRODUCTS	157608	08/15/12	DISTRIBUTION SUPPLIES	954.89	954.89
2034547	09/05/12	13327	SILVA SILVA INTERNATIONAL	1208	08/10/12	PROJECT CONSULTANT (JULY 2012)	4,000.00	4,000.00
2034709	09/19/12	13327	SILVA SILVA INTERNATIONAL	1209	09/10/12	PROJECT CONSULTANT (AUG 2012)	4,000.00	4,000.00

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2034548	09/05/12	12281	SIR SPEEDY PRINTING	3345	08/18/12	BUSINESS CARDS	38.63	38.63
2034710	09/19/12	12281	SIR SPEEDY PRINTING	3381	08/25/12	BUSINESS CARDS	38.63	38.63
2034549	09/05/12	00258	SLOAN ELECTRIC COMPANY	0060949	08/14/12	LABOR	4,041.71	4,041.71
2034711	09/19/12	00258	SLOAN ELECTRIC COMPANY	211380	08/30/12	REPLACEMENT PARTS	4,792.45	
				210380	08/31/12	DC MOTOR	4,527.25	9,319.70
2034712	09/19/12	03103	SOUTHCOAST HEATING &	C49319	08/15/12	AC MAINTENANCE (AUG 2012)	1,068.00	
				286301	08/31/12	AC MAINTENANCE (8/24/12)	129.00	1,197.00
2034750	09/26/12	14257	SOUTHWEST VALVE & EQUIPMENT	3357	08/30/12	MATERIALS	434.30	434.30
2034550	09/05/12	03760	SPANKY'S PORTABLE SERVICES INC	922678	08/08/12	PORTABLE TOILET RENTAL (8/8/12-9/4/12)	79.96	79.96
2034713	09/19/12	03760	SPANKY'S PORTABLE SERVICES INC	923616	08/17/12	PORTABLE TOILET RENTAL (8/16/12-9/12/12)	98.15	
				924083	08/27/12	PORTABLE TOILET RENTAL (8/25/12-9/21/12)	79.96	
				923876	08/24/12	PORTABLE TOILET RENTAL (8/24/12-9/20/12)	79.96	
				923877	08/24/12	PORTABLE TOILET RENTAL (8/24/12-9/20/12)	79.96	
				923878	08/24/12	PORTABLE TOILET RENTAL (8/24/12-9/20/12)	79.96	417.99
2034623	09/12/12	03516	SPECIAL DISTRICT RISK	41305	08/22/12	WORKERS' COMPENSATION (OCT-DEC 2012)	39,348.57	39,348.57
2034714	09/19/12	06510	SPRINT NEXTEL	901500243072	09/12/12	WIRELESS SERVICES (8/9/12-9/9/12)	3,524.96	3,524.96
2034551	09/05/12	02354	STANDARD ELECTRONICS	17219	08/07/12	SECURITY MONITORING (JUNE-AUG 2012)	4,057.50	4,057.50
2034624	09/12/12	06281	STATE DISBURSEMENT UNIT	Ben2424063	09/13/12	BI-WEEKLY PAYROLL DEDUCTION	415.38	415.38
2034625	09/12/12	06299	STATE DISBURSEMENT UNIT	Ben2424057	09/13/12	BI-WEEKLY PAYROLL DEDUCTION	237.69	237.69
2034626	09/12/12	06303	STATE DISBURSEMENT UNIT	Ben2424061	09/13/12	BI-WEEKLY PAYROLL DEDUCTION	802.15	802.15
2034627	09/12/12	08533	STATE DISBURSEMENT UNIT	Ben2424067	09/13/12	BI-WEEKLY PAYROLL DEDUCTION	253.85	253.85
2034751	09/26/12	06281	STATE DISBURSEMENT UNIT	Ben2424261	09/27/12	BI-WEEKLY PAYROLL DEDUCTION	415.38	415.38
2034752	09/26/12	06299	STATE DISBURSEMENT UNIT	Ben2424255	09/27/12	BI-WEEKLY PAYROLL DEDUCTION	237.69	237.69
2034753	09/26/12	06303	STATE DISBURSEMENT UNIT	Ben2424259	09/27/12	BI-WEEKLY PAYROLL DEDUCTION	802.15	802.15
2034754	09/26/12	08533	STATE DISBURSEMENT UNIT	Ben2424265	09/27/12	BI-WEEKLY PAYROLL DEDUCTION	253.85	253.85
2034628	09/12/12	14343	STEPHANIE CLAY	Ref002423997	09/11/12	UB Refund Cst #0000183728	34.23	34.23
2034715	09/19/12	12809	STUTZ ARTIANO SHINOFF	89246	08/30/12	LEGAL SERVICES (JULY 2012)	20,183.93	20,183.93

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2034716	09/19/12	10339	SUPREME OIL COMPANY	376472 376473	08/28/12 08/28/12	UNLEADED FUEL DIESEL FUEL	20,248.00 10,233.43	30,481.43
2034755	09/26/12	14372	SUZANNE RICHARDSON	003903	09/24/12	CUSTOMER REFUND	107.83	107.83
2034717	09/19/12	02987	T M PEMBERTON	28057	08/21/12	CEMENT	627.00	627.00
2034756	09/26/12	09221	TACKETT, ZACHARY	003910	09/20/12	COMPUTER LOAN	2,700.32	2,700.32
2034629	09/12/12	01834	TC CONSTRUCTION INC	8A	08/15/12	LA PRESA SYSTEM (ENDING 8/15/12)	176,064.33	176,064.33
2034630	09/12/12	14336	TERESA CLANTON	Ref002423989	09/11/12	UB Refund Cst #0000144689	11.04	11.04
2034631	09/12/12	14330	THOMAS WILDER	Ref002423983	09/11/12	UB Refund Cst #0000074375	24.80	24.80
2034632	09/12/12	14177	THOMPSON, MITCHELL	18070712	09/06/12	MILEAGE REIMBURSEMENT (JULY 2012)	108.78	108.78
2034633	09/12/12	14354	TINA ETUE	Ref002424008	09/11/12	UB Refund Cst #0000188498	28.59	28.59
2034634	09/12/12	14342	TONYA WHITFIELD	Ref002423996	09/11/12	UB Refund Cst #0000183132	40.17	40.17
2034635	09/12/12	13419	TREEBEARD LANDSCAPE	21234	08/10/12	IRRIGATION VALVE	364.00	364.00
2034552	09/05/12	13484	TUTTLE-CLICK FORD INC	F321799	08/06/12	REPLACEMENT TRUCK	104,386.44	104,386.44
2034718	09/19/12	03261	TYLER TECHNOLOGIES INC	04572662	08/30/12	SOFTWARE MAINTENANCE	119,710.51	119,710.51
2034719	09/19/12	00427	UNDERGROUND SERVICE ALERT OF	820120472	09/01/12	UNDERGROUND ALERTS (AUGUST 2012)	300.00	300.00
2034553	09/05/12	14181	UNITED RENTALS (NORTH AMERICA)	104707504001 104741045001	08/08/12 08/09/12	CONCRETE CONCRETE	159.47 159.47	318.94
2034720	09/19/12	14181	UNITED RENTALS (NORTH AMERICA)	105241951001	08/29/12	CONCRETE	358.88	358.88
2034636	09/12/12	00350	UNITED STATES POSTAL SERVICE	104339510912	09/11/12	PREPAID POSTAGE MACHINE	6,000.00	6,000.00
2034757	09/26/12	07662	UNITEDHEALTHCARE SPECIALTY	122700000068	09/26/12	AD&D & SUPP LIFE INS (OCT 2012)	5,641.20	5,641.20
2034637	09/12/12	07674	US BANK CORPORATE PAYMENT	E000016 E000017	08/22/12 08/22/12	CAL CARD EXPENSES (MONTHLY) CAL CARD EXPENSES (MONTHLY)	2,087.25 83.99	2,171.24
2034721	09/19/12	07674	US BANK CORPORATE PAYMENT	A000025 A000024	06/22/12 05/22/12	CAL-CARD EXPENSES (MONTHLY) CAL-CARD EXPENSES (MONTHLY)	8,741.74 6,455.52	15,197.26
2034758	09/26/12	07674	US BANK CORPORATE PAYMENT	O0000000015	09/25/12	CAL CARD EXPENSES (MONTHLY)	14,347.82	14,347.82
2034554	09/05/12	04345	US CONCRETE PRECAST GROUP	01551961N	08/13/12	INVENTORY	9,969.55	9,969.55

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Check #	Date	Vendor	Vendor name	Invoice	Inv Date	Description	Amount Paid	Check Total
2034759	09/26/12	06829	US SECURITY ASSOCIATES INC	799098	08/31/12	SECURITY SERVICES	197.80	197.80
2034722	09/19/12	13048	V & A CONSULTING ENGINEERS	13560	08/31/12	CORROSION SERVICES (6/30/12-8/31/12)	30,090.75	30,090.75
2034723	09/19/12	08028	VALLEY CONSTRUCTION MANAGEMEN	SD100126	08/31/12	CONSTRUCTION MGMT (8/1/12-8/31/12)	23,290.00	23,290.00
2034638	09/12/12	01095	VANTAGEPOINT TRANSFER AGENTS	Ben2424047	09/13/12	BI-WEEKLY DEFERRED COMP PLAN	13,970.36	13,970.36
2034639	09/12/12	06414	VANTAGEPOINT TRANSFER AGENTS	Ben2424053	09/13/12	BI-WEEKLY 401A PLAN	1,695.58	1,695.58
2034760	09/26/12	01095	VANTAGEPOINT TRANSFER AGENTS	Ben2424247	09/27/12	BI-WEEKLY DEFERRED COMP PLAN	13,973.51	13,973.51
2034761	09/26/12	06414	VANTAGEPOINT TRANSFER AGENTS	Ben2424251	09/27/12	BI-WEEKLY 401A PLAN	1,563.98	1,563.98
2034640	09/12/12	14345	VENTURE PACIFIC COMMERCIAL SER	Ref002423999	09/11/12	UB Refund Cst #0000186119	16.83	16.83
2034555	09/05/12	03329	VERIZON WIRELESS	1113042576	08/21/12	WIRELESS SERVICES (7/22/12-8/21/12)	5,006.82	5,006.82
2034641	09/12/12	07595	WALTERS WHOLESALE ELECTRIC CO	326768902	08/15/12	SOFT START	401.91	401.91
2034724	09/19/12	07595	WALTERS WHOLESALE ELECTRIC CO	326768701	08/22/12	MANUAL TRANSFER SWITCH	1,427.69	1,427.69
2034762	09/26/12	07487	WARRIX, DENNY	003909	09/16/12	SAFETY BOOTS	107.64	107.64
2034556	09/05/12	07780	WEBER SCIENTIFIC	574679	08/15/12	LABORATORY SUPPLIES	759.64	759.64
2034557	09/05/12	00517	WESCO DISTRIBUTION INC	646603	08/15/12	GROUND WIRE	101.09	101.09
2034725	09/19/12	00125	WESTERN PUMP INC	0120868IN	08/31/12	DUSTO INSPECTIONS (AUG 2012)	350.00	350.00
2034558	09/05/12	13483	WHITE NELSON DIEHL EVANS LLP	127819	08/09/12	AUDIT SERVICES	2,500.00	2,500.00
2034726	09/19/12	13483	WHITE NELSON DIEHL EVANS LLP	128016	08/31/12	AUDIT SERVICES	11,000.00	11,000.00
2034642	09/12/12	03423	WINZER CORPORATION	4387846	08/13/12	SHOP SUPPLIES	397.11	397.11
2034727	09/19/12	03423	WINZER CORPORATION	4397004	08/21/12	SHOP SUPPLIES	12.18	12.18
2034559	09/05/12	14322	WOK AND ROLLS CATERING	003879	08/29/12	EMPLOYEE PROGRAM	500.00	500.00
2034643	09/12/12	14322	WOK AND ROLLS CATERING	003891	09/10/12	EMPLOYEE PROGRAM	3,654.71	3,654.71
GRAND TOTAL							1,749,671.30	1,749,671.30